

The Ramsey County Board of Commissioners met in regular session with the following members present: Carter, McDonough, Ortega, Parker (late), Reinhardt, Rettman and Chair Bennett – 7. Also present were David Twa, County Manager, and Darwin Lookingbill, Director, Civil Division, County Attorney's Office.

PLEDGE OF ALLEGIANCE

All in attendance recited the Pledge of Allegiance.

AGENDA

Commissioner McDonough moved approval of the Agenda of the August 1, 2006, Board Meeting, seconded by Commissioner Ortega. Roll Call: Ayes – Ortega, Reinhardt, Rettman, Carter, McDonough, Bennett – 6. Nays – 0.

MINUTES

Commissioner Reinhardt moved approval of the Minutes of the July 25, 2006 Board Meeting, seconded by Commissioner McDonough. Roll Call: Ayes – Ortega, Reinhardt, Rettman, Carter, McDonough, Bennett – 6. Nays – 0.

PROPERTY RECORDS AND REVENUE – Repurchase of property located southeast of 1374 Top Lane by the prior owner

Commissioner Ortega introduced the following resolution and moved its adoption, seconded by Commissioner Reinhardt. Roll Call: Ayes – Ortega, Reinhardt, Rettman, Carter, McDonough, Bennett – 6. Nays – 0. (2006-270)

WHEREAS, Tax Forfeited Lands has received one application to repurchase a tax-forfeited property by Aladdin Drywall Inc., the prior owner at the time of forfeiture; and

WHEREAS, This property is located in the Town of White Bear, County of Ramsey, and is legally described as follows:

Except the Northwesterly 100 feet, the following described property: That part of the Northwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 22, Township 30, Range 22, described as follows: Beginning at a point on a line 1210.5 feet East of and parallel with the West line of said Section 22, said point being 788.7 feet South of the North line of said Section 22; thence Northwest at an angle of  $50^{\circ} 15'$  with said parallel line to a point which is 300 feet Southeasterly from and measured at right angles from the Southeasterly line of so-called Birch Lake Blvd South; thence Southwesterly at right angles to last described course a distance of 263.06 feet more or less to the Northeasterly side of land described in "170" of Deeds, page 172, thence Southeasterly along the Northeasterly side of premises described in Book 170 of Deeds page 172 to a point on a line 1210.5 feet East and parallel to the West line of said Northwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 22; thence North along said parallel line to point of beginning, subject to road easement in Document No. 1169924.

PIN: 22-30-22-22-0025; and

WHEREAS, The prior owner has filed an application with the Tax Forfeited Lands section to repurchase the property from the State of Minnesota and has agreed to repay the outstanding back taxes, interest and penalties on the property and has further agreed to keep all future real estate taxes current; and

*(Continued)*

WHEREAS, Any and all payments received have been deposited into the Tax Forfeited Land Accounts; and

WHEREAS, The repurchase application was referred to the Town of White Bear for recommendation after a review of the police, building code, illegal activity, and health violations within the past five years; and

WHEREAS, The Town of White Bear does not consider the property to be a municipal problem and recommends approval of the repurchase application; and

WHEREAS, The Ramsey County Board of Commissioners has determined that by allowing the repurchase, any financial difficulties or undue hardship caused by the forfeiture will be corrected; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners hereby approves the repurchase of a tax-forfeited property in the name of the prior owner, Aladdin Drywall Inc., PIN: 22-30-22-22-0025, in the amount of \$31,075.45, plus applicable fees and costs, over a four-year contract repayment period.

**PARKS AND RECREATION – Agreement for Professional Planning Services – Tamarack Nature Center**

Commissioner Ortega introduced the following resolution and moved its adoption, seconded by Commissioner Reinhardt. Roll Call: Ayes – Ortega, Reinhardt, Rettman, Carter, McDonough, Bennett – 6. Nays – 0. (2006-271)

WHEREAS, Tamarack Nature Center has embarked on a five-year initiative entitled, *Destination for Discovery*, designed to immerse visitors in the natural environment, through interpretive trails, programs and exhibits; and

WHEREAS, The Legislative Commission on Minnesota Resources awarded Ramsey County a \$95,000 grant for planning and implementing exhibits; and

WHEREAS, The Institute for Museum and Library Sciences awarded Ramsey County a \$149,948 grant for design of nature-based play areas; and

WHEREAS, In March 2006, Ramsey County issued a Request for Proposal (RFP) for Professional Planning Services to prepare a Comprehensive Plan for Tamarack Nature Center to guide future programs, site and exhibit improvements that support “Destination for Discovery”; and

WHEREAS, Six firms submitted proposals that were evaluated based upon the criteria included in the RFP; and

WHEREAS, Hoisington, Koegler Group, Inc. was determined by the evaluation team to have the best experience, resources, qualifications, project approach and favorable fee proposal of the firms that submitted proposals; Now, Therefore, Be It

**(Continued)**

RESOLVED, The Ramsey County Board of Commissioners hereby approves an Agreement for Professional Planning Services to prepare a Comprehensive Plan for TNC with Hoisington, Koegler Group, Inc., 123 North Third Street, Suite 100, Minneapolis, MN 55401, for a maximum not to exceed a sum of \$76,520, inclusive of fees and allowable expenses; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners authorizes the Chair and Chief Clerk to sign the Agreement.

COMMUNITY HUMAN SERVICES – Chemical Dependency Outpatient Treatment

Commissioner Ortega introduced the following resolution and moved its adoption, seconded by Commissioner Reinhardt. Roll Call: Ayes – Ortega, Reinhardt, Rettman, Carter, McDonough, Bennett – 6. Nays – 0. (2006-272)

WHEREAS, My Home, Inc. targets treatment programs to African-American men and women for culturally specific primary and relapse treatment services; and

WHEREAS, My Home, Inc. also offers a culturally targeted East African Men's program with an emphasis on treating the abuse of Khat, an African herbal stimulant that is a scheduled illegal drug in the United States; and

WHEREAS, The proposed rate-setting agreement is needed to utilize the State Consolidated Chemical Dependency Treatment Fund to pay for referrals of eligible Ramsey County clients; and

WHEREAS, All Ramsey County referrals to My Home Inc. will be pre-authorized by the Ramsey County Human Services Chemical Health Unit; and

WHEREAS, The Ramsey County Human Services Department recommends approval of this agreement; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners approves the rate setting agreement for outpatient chemical dependency treatment services with My Home, Inc., 1010 University Avenue, Suite 1, St. Paul, MN 55104, for the period of June 1, 2006 through December 31, 2008; and Be It Further

RESOLVED, The Board authorizes the County Manager to sign the agreement.

PUBLIC WORKS – Amendment 3 to Agreement PW2000-16 for Preliminary Design Services and Environmental Assessment for the TH 36/Margaret Street and TH 36/McKnight Intersections

Commissioner Ortega introduced the following resolution and moved its adoption, seconded by Commissioner Reinhardt. Roll Call: Ayes – Ortega, Reinhardt, Rettman, Carter, McDonough, Bennett – 6. Nays – 0. (2006-273)

WHEREAS, The Ramsey County Board of Commissioners approved and executed Agreement PW2000-16 between Ramsey County and the City of North St. Paul by Resolution 2000-350 dated October 3, 2000; and

*(Continued)*

WHEREAS, Agreement PW2000-16 addresses cost participation for preliminary design services associated with the Trunk Highway 36/Margaret Street grade separation project and the Trunk Highway 36/McKnight Road interchange project; and

WHEREAS, The Ramsey County Board of Commissioners approved and executed Amendment 1 to Agreement PW2000-16 between Ramsey County and the City of North St. Paul by Resolution 2002-295 dated August 20, 2002 for an Environmental Assessment (EA) on this project; and

WHEREAS, The Ramsey County Board of Commissioners approved and executed Amendment 2 to Agreement PW2000-16 between Ramsey County and the City of North St. Paul by Resolution 2003-226 dated July 8, 2003 for an Environmental Assessment (EA) on this project; and

WHEREAS, Amendment 3 to Agreement PW2000-16 has been drafted to include additional services needed due to the complexities of the EA and noise wall design; and

WHEREAS, The City of North St. Paul has contracted with Short Elliott Hendrickson (SEH) to provide the design and engineering services on this project; and

WHEREAS, Ramsey County's cost for Amendment 3 to Agreement PW2000-16 is estimated to be \$67,620.04; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners approves Amendment 3 to Agreement PW2000-16 between Ramsey County and the City of North St. Paul for additional services needed due to the complexities of the EA and noise wall design; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners authorizes the Chair and Chief Clerk to execute Amendment 3 to Agreement PW2000-16 on behalf of Ramsey County; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners approves the following budget adjustment to accomplish this work:

INCREASE ESTIMATED REVENUE

2000 17304 550880 00000 314617 Engineering Fee Reimbursement P033155 \$67,620.04

TRANSFER TO/INCREASE APPROPRIATION

2000 17304 550880 00000 421502 Engineering Svcs – McKnight Rd P033155 \$67,620.04  
at Hwy 61

and Be It Further

RESOLVED, The Ramsey County Board of Commissioners approves a temporary cash loan not to exceed \$67,620.04 from the County General Fund to the Road and Bridge CIP fund until receipt of participating funds.

PUBLIC WORKS – Agreements for Railroad Crossing Surface and Signal Improvements on County Road E

*(Continued)*

Commissioner Ortega introduced the following resolution and moved its adoption, seconded by Commissioner Reinhardt. Roll Call: Ayes – Ortega, Reinhardt, Rettman, Carter, McDonough, Bennett – 6. Nays – 0. (2006-274)

WHEREAS, The Minnesota Commercial Railway, in cooperation with Ramsey County, is proposing the installation of a new concrete grade crossing surface (PW2006-12) and flashing light signals (PW2006-13) on County Road E at the Minnesota Commercial Railway crossing; and

WHEREAS, The installation of the concrete grade crossing surface and flashing light signals at the above location are eligible for state aid funds; and

WHEREAS, The agreements, prepared by the Ramsey County Public Works Department, identify cost participation and maintenance responsibilities of each agency for the project; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners approves the agreements between Ramsey County Public Works and Minnesota Commercial Railway for the installation of a concrete grade crossing surface (PW2006-12) and flashing light signals (PW2006-13) on County Road E at the Minnesota Commercial Railway; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners authorizes the Chair and Chief Clerk to execute the agreements on behalf of Ramsey County; and Be It Further

RESOLVED, That the ten (10) page agreement PW2006-12 and the ten (10) page agreement PW2006-13 are made part of this resolution by reference and are on file with the Chief Clerk; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners authorizes the following budget adjustment to accomplish this work:

INCREASE ESTIMATED REVENUE

2006	17304	550880	00000	314606	CSAH Construction-Regular	P033161	\$256,982.20
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INCREASE APPROPRIATIONS

2006	17304	550880	00000	424625	CR E-Koehler at Centerville Railroad Crossing	P033161	\$256,982.20
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and Be It Further

RESOLVED, The Ramsey County Board of Commissioners approves a temporary cash loan, not to exceed \$256,982.20, from the County General Fund to the Road and Bridge CIP fund until receipt of participating funds.

PROPERTY MANAGEMENT – Architectural/Engineering Services for the City Hall/Court House Exterior Repair Project

Commissioner Ortega introduced the following resolution and moved its adoption, seconded by Commissioner Reinhardt. Roll Call: Ayes – Ortega, Reinhardt, Rettman, Carter, McDonough, Bennett – 6. Nays – 0. (2006-275)

(Continued)

WHEREAS, In 1993, a renovation of the CH/CH that included limited re-caulking and tuck-pointing of the exterior façade was completed; and

WHEREAS, Since 1993, minor tuck-pointing repairs and re-caulking have been made to the exterior façade of the building on a yearly basis in order to stop the water and moisture penetration; and

WHEREAS, Property Management has identified additional needed repairs in order to prevent more permanent damage to the exterior; and

WHEREAS, In 2005, due to the great extent of needed repairs, Property Management prepared and presented a multi-phased request to the County's Capital Improvement Program Advisory Committee ("CIPAC") for funding for repair of the CH/CH exterior ("Project"); and

WHEREAS, The request for Project funding has been approved by the CIPAC for 2006 and 2007 in the amount of \$694,764, and the Project has been identified in the County's Capital Asset Management Program ("CCAMP") for the CH/CH; and

WHEREAS, In order to define the scope and the methods to make the necessary repairs, a Request for Proposals ("RFP") for architectural and engineering services for the Project was issued on May 24, 2006, and proposals were received from two (2) architectural teams; and

WHEREAS, The Proposal Evaluation Team identified in the RFP reviewed and rated each proposal using the evaluation criteria outlined in the RFP, including the diverse workforce development initiative requirements; and

WHEREAS, Each member of the Proposal Evaluation Team selected Wold Architects and Engineers as the preferred proposer based on their evaluation of the written proposals, and the Proposal Evaluation Team unanimously agreed to recommend the award of the agreement for architectural and engineering services for the Project to Wold Architects and Engineers; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners approves an Agreement with Wold Architects and Engineers, 305 St. Peter Street, Saint Paul, MN, 55102, in an amount not-to-exceed \$79,200, plus reimbursable expenses not-to-exceed \$1,000, for architectural and engineering services for the CH/CH exterior repair project, including performing a Conditions Analysis and preparing a Remediation Plan; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners authorizes the County Manager to execute the Agreement with Wold Architects and Engineers for architectural and engineering services for the CH/CH exterior repair project, in a form to be approved by the County Attorney's Office and Budgeting and Accounting; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners authorizes the County Manager to make all necessary budget adjustments and payments, and to execute amendments to the Agreement with Wold Architects and Engineers, provided the cost is within the Project budget.

*(Continued)*

PROPERTY MANAGEMENT – Lease Agreement between Ramsey County and the Metropolitan Emergency Services Board for Placement of Public Safety Mobile Data System Equipment

Commissioner Ortega introduced the following resolution and moved its adoption, seconded by Commissioner Reinhardt. Roll Call: Ayes – Ortega, Reinhardt, Rettman, Carter, McDonough, Bennett – 6. Nays – 0. (2006-276)

WHEREAS, Ramsey County and the City of Saint Paul are the owners of the building located at 15 West Kellogg Boulevard, Saint Paul, Minnesota, commonly known as the Saint Paul City Hall/Ramsey County Court House (CH/CH), and the County manages the CH/CH pursuant to a Management Agreement with the City of Saint Paul; and

WHEREAS, The Metropolitan Emergency Services Board supervises the implementation of the regionwide public safety radio communication system, and has the authority granted to it under Chapter 403 of Minnesota Statutes; and

WHEREAS, The County has installed certain equipment on the roof of the CH/CH as part of the County's implementation of a County subsystem to the regionwide public safety radio communication system; and

WHEREAS, The Metropolitan Emergency Services Board requires the use of space on the CH/CH to install some of the Metropolitan Emergency Services Board's communications equipment as a part of the Metropolitan Emergency Services Board's implementation of a mobile data network subsystem to work in conjunction with the regionwide public safety radio communication system; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners hereby approves the lease agreement with the Metropolitan Emergency Services Board, 2099 University Avenue W., Suite 201, Saint Paul, MN 55104, for use of space on the roof of the City Hall/Court House to install communications equipment as a part of a mobile data network subsystem, for an initial term of five years commencing July 1, 2006 through June 30, 2011, with automatic renewal for up to three additional five-year periods; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners hereby authorizes the County Manager to execute the lease agreement, subject to prior approval by the County Attorney, Budgeting and Accounting, and Property Management.

[Commissioner Parker arrived at this point of the meeting.]

PUBLIC HEALTH AND PROPERTY MANAGEMENT – Lease for Environmental Health and Resource Recovery Project at 2785 White Bear Avenue North, Maplewood, MN

Commissioner Reinhardt introduced the following resolution and moved its adoption, seconded by Commissioner Carter.

Chair Bennett requested this item be pulled for discussion. There are many projects in the works, and more scheduling time is needed before moving this item forth.

Jolly Mangine, Director, Property Management, said the buyer of the Maplewood Library has a 120-day due diligence period. The County Board approved the purchase agreement on July 18

*(Continued)*

which gives the buyer until November 18 to examine the building and do due diligence. At that time, they need to inform the County whether or not they will purchase the building. The closing would be around December 18.

It takes a certain amount of time to relocate a Division or Department. If the Board waits until November 18 to receive an assurance that the building is sold, the clock would then start to find a new location for Environmental Health. A typical lease, when doing site searches, negotiating contracts, preparation of Board documentation, execution of a lease, and appropriate tenant improvements (which could take up to an additional 90 days), could push the relocation of Environmental Health to about June 2007. With that in mind, Mr. Mangine had contacted the potential buyer asking how long Environmental Health could remain in the building if the buyer moves forward in the purchase of the Maplewood Library. At that time, a definitive answer could not be provided, but Environmental Health could stay for a short term. One concern is that the new buyer plans to do a considerable amount of renovation and construction to the building. The entire upper floor would be gutted and redone, and part of the space currently occupied by Environmental Health is being considered for new MRI technology.

The things the County is doing in the real estate business is all about timing. Staff tried to get ahead of the game – find a temporary location for Environmental Health to buy time to see if this is going forward, or to find a permanent location for Environmental Health.

Mr. Mangine said Chair Bennett raised a good point – there is not 100% certainty that the Maplewood Library will be sold; that will not be known for sure until the due diligence period is done.

Commissioner Rettman said the sale of the Library would be known no later than November with a closing to take place in December. She asked if Mr. Mangine had spoken with the managing agent about moving the beginning date of the lease to December 1, 2006.

Mr. Mangine said he spoke with the leasing agent for 2785 White Bear Avenue. They may or may not hold the space for the County. If they thought it would stay open for another 120 days, they would continue to market it. If they found another lessee, they would lease it to them first.

Commissioner Rettman said the lease before the County Board doesn't start until October 1. She is suggesting revising that to add about 45 days so it would not be open the whole time. She asked if that is Chair Bennett's intent to move it back to December 1.

Chair Bennett said his intent is to wait two weeks to 45 days, but not too long. The County has several other projects in the works. This is the space where the courts had been located, which has been open since the courts vacated the property. The County has been negotiating on some other property where there might be some temporary space. With that temporary space, the County might be better off to use it, and there is a little time to do this. He had spoken with Mr. Mangine, who gave him the impression that it could be done.

Commissioner Rettman said if this were laid over to give some time, there would still be a lease coming up; it doesn't change that. But, the leasing agent is not going to market it between now and October 1, 2006, if the proposed action is taken. Would anything happen during the 120 days of due diligence that would counteract this action?

Mr. Mangine said he could not answer that question definitively because of market conditions. The reason Environmental Health would not move in until around October 1, is to allow the landlord the time to do tenant improvements. Those improvements would not begin until a lease is completed with the County. The property at 2785 White Bear Avenue came under new ownership since the County leased space at that location for the courts. The new owners are marketing the property more aggressively, and were somewhat reluctant to execute this lease because of the short-term 2-year lease. Their objective is to get longer-term leases in the five to ten-year range.

Mr. Mangine could not provide an answer as to whether or not this space would be open if the lease were delayed for a month or two; there is some risk that another tenant might be found. He could ask them to hold the lease and the space for a set period of time.

*(Continued)*

Chair Bennett asked how long before the 'investigation' of the Barn is complete.

Mr. Mangine said the investigation of the Ramsey County Barn is just about complete. A preliminary answer on potential reuses or adapted uses will be back within the next couple of weeks.

Chair Bennett said these projects all somewhat tie together. He would not request a lengthy lay over.

Commissioner Reinhardt said that having Environmental Health in the suburbs has been an important component of services. Her concern is the amount of time it would take whether going into this rented space, the Barn, or the potentially purchased building in downtown St. Paul. If that timing is going to mess up the sale of the Maplewood Library building, she is concerned, and more concerned about that than getting Environmental Health into a space. A space would be found for Environmental Health, but the timing, and the work that needs to be done is the issue. How long would it take to do the tenant improvements at this location? If this could be pushed out by that period of time, would the sale of the Library be hindered in any way?

Mr. Mangine said at this time, he did not believe the sale of the Maplewood Library would be hindered. He believes the County Board would want staff to proceed with that sale and go forward. The risk is in finding a home for Environmental Health. As soon as the Library building sale goes through, the potential buyer wants to begin the renovation, and put it to use as quickly as possible. It is likely they would ask Environmental Health to vacate quickly once they own it. The potential buyer told staff that Environmental Health could possibly stay for a while, but there would be a major renovation going on. There might be a little 'squeeze' in the schedule. He would ask the landlord how long they might hold the lease open, which may buy time to figure out what is going on with 90 W. Plato, and time to bring back the report on the Barn. When that comes back, a schedule and various scenarios could be laid out.

Chair Bennett said that is what he would like to do – look at all the loose ends on space.

Commissioner Reinhardt said with the timing of this and the County Board meeting schedule, only August 22 and September 12 would be available to consider this.

Mr. Mangine said staff would try to get the information back to the County Board on August 22. Another consideration in looking for space for clients, such as Environmental Health, is to find the best time of year for them to relocate. This lease was planned as a good time of the year for the operations at Environmental Health to relocate. Moving out to August 22 should not harm them too much.

Commissioner McDonough said he did not see that the County went out for an RFP, and the market rate is being paid. There would have to be a budget adjustment of some sort to cover this. Even though it is recognized that this is temporary, two years is a long time for staff and the public to use a temporary location. That building did not work well for the courts for reasons that won't affect Environmental Health. But, this is a 3<sup>rd</sup> and 4<sup>th</sup> floor location with a separation of space, and is a large increase in square footage costs.

Mr. Mangine said Environmental Health is currently paying \$10-11 per square foot, and the new lease would be about \$18 per square foot. When preparing to remodel the Maplewood Library, the amount of work was recognized that would have to go into the building, and that both Environmental Health and the Library would have to temporarily relocate. That is when 2785 White Bear Avenue was targeted. Typically, it is more difficult when looking for space, especially of this size – 10,000-11,000 square feet – to get landlords to do a temporary two-year lease. In the industry, that is a very short period of time. There is a balance in having a move be of a short enough period of time with having enough time to find the correct location. An RFP was not issued. It was not required on this lease. RFPs have been issued as part of the process in going out to see what the public has to offer. In getting down to decision making for the long-term location for Environmental Health, a full-blown RFP would be issued for space.

*(Continued)*

Commissioner McDonough agreed with Commissioner Reinhardt that a long-term location for Environmental Health would be in the suburbs. A temporary location could be more flexible. While it might not be a prime spot, saving \$3-5 per square foot on a lease helps cover the cost for those two years; from a budget perspective we should be open to exploring where Environmental Health is going to go.

Mr. Mangine said staff recognizes that a lot of real estate business is that common sense piece – if there is to be a temporary location, what is the least amount of money for relocation costs, what is the best deal. What can't be overlooked is the functionality of a department, even on a temporary basis. If the primary work of the Division is in the suburbs, and the temporary relocation is across the Mississippi River, there is a cost to be examined. Is there more time to get from the primary location of the office to where staff do their work, and how many trips are they making. When an analysis is done, some money may be saved on the short term on the building, but on the service side, it may cost more.

Zack Hansen, Director, Environmental Health Division, said their services are predominantly done in the suburban area. The business doesn't come to staff, staff go to the businesses predominantly through regulatory activities and inspections. The location the department has identified, is in an area easy to freeway access, it can reach the suburban area. If relocated south of the River, significant travel time would be added as staff travel from home to work, to the field, back to work, and back home. From a County perspective – the personal time is on the staff – it is the County time spent in the car, adding mileage, and what affect that would have. Environmental Health, since its creation in 1978, has always been either in Roseville or Maplewood. The temporary location looked for in this lease is in the Maplewood area, close to freeways, which is why this is a good fit for a temporary location.

Commissioner Rettman had asked David Twa, County Manager, why there wasn't an RFP on this. Mr. Twa's response was that a space was needed right now. She found use of the Barn intriguing, the County already owns it, but it might be a couple years before it would be ready. She was prepared to vote on this based on three things: 1) It looks as though the Maplewood Library would be sold, and Environmental Health would not be allowed to stay there; 2) where is there a convenient location that keeps Environmental Health; this leased property would be the most cost-effective; and 3) this may be temporary, but staff need closure for where the Division would be relocated. If this is laid over, the County may not know about the Plato property on August 22, taking this to the September meeting. She asked when the renovation work would begin. What is the difference between moving this today or on September 12?

Mr. Mangine said he did not have a definitive answer because the landlord is doing the tenant improvements, otherwise, the County would have a schedule for that. The amount of tenant improvements needed for Environmental Health at this location are not great, purposely because of the short-term lease. There is some demolition, re-carpeting, and some wall work. Once the lease is executed, the owner would start the improvements, which might take 6-7 weeks.

Commissioner Rettman said the only way this could be done then is to approve today.

Mr. Mangine said the longer the delay, the more the schedule moves out. This is a schedule begun in anticipation of that building being sold; and it fit Environmental Health's work schedule. If it takes more time for the County Board to become more comfortable, more information could be provided. However, this should not go so far out, running into a problem with no location for Environmental Health.

Chair Bennett said this was based on the first sale of the building, which went into due diligence for 120 days. How far into the 120 days were they before notifying the County that they weren't going to buy?

Mr. Mangine said the County was fortunate in that LA Fitness Group notified staff within the first 30 days; they could have held out another 90 days.

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Chair Bennett asked how far the current buyers are into their due diligence period.

Mr. Mangine said the County Board approved the agreement on July 18. The principles will tour the building on August 7. This group did quite a bit of due diligence in January when still in competition to purchase the building, with some architectural staff going through the building. It is anticipated they can get to the answer on whether they want to move forward quicker than 120 days. He continues to talk with the real estate agent, who continues to communicate with his board.

Chair Bennett said he did not believe a temporary delay would hurt this.

Commissioner McDonough, going back to the budget piece and the temporary aspect, said that if the location were one mile south of Larpenteur, a realm of possibilities for spaces would be opened, with possibly great savings to the County. The location would still be near all the major freeways. Adding a mile possibly doubles or triples the opportunities for available spaces, with potentially less budget impact. He could go either way on the action day, and doesn't want to jeopardize Environmental Health. He believes the Commissioners were put into the position of making a decision based on one piece of property at one rental rate and at one location when there should be options. It is too late to look at any other options.

Roll Call: Ayes – Parker, Reinhardt, Rettman, Carter – 4. Nays – Ortega, McDonough, Bennett – 3. (2006-277)

WHEREAS, On August 23, 2005, per Resolution 2005-316, the Ramsey County Board of Commissioners directed the County Manager and the Department of Property Management, working with the Ramsey County Library and the County Attorney's Office, to take the necessary steps to sell the current Maplewood Library at 1670 Beam Avenue; and

WHEREAS, On April 25, 2006, the County Manager and Property Management reported on the progress toward the sale of the Maplewood Library at 1670 Beam Avenue and informed the Board of a Letter of Intent to purchase the Maplewood Library property from LA Fitness International, LLC; and

WHEREAS, On April 25, 2006, per Resolution 2006-160, the Ramsey County Board of Commissioners authorized and approved the sale of the Maplewood Library to LA Fitness International, LLC; and

WHEREAS, On June 19, 2006, LA Fitness International, LLC sent a letter exercising its right to terminate the purchase agreement; and

WHEREAS, Subsequent to the termination, an offer to purchase the Maplewood Library property was received from DRF Holdings, LLC in the amount of \$4,200,000; and

WHEREAS, On July 18, 2006, per Resolution 2006-247, the Ramsey County Board of Commissioners authorized and approved the sale of the Maplewood Library to DRF Holdings, LLC; and

WHEREAS, The closing of the Maplewood Library property should take place no later than 150 days from the execution of the purchase agreement; and

WHEREAS, The old Maplewood Library is scheduled to close November 22, 2006, and Environmental Health and Resource Recovery Project, which leases the lower level of the Maplewood Library, will need to find a new location; and

**(Continued)**

WHEREAS, To allow the County time to explore options for a permanent home for Environmental Health, Property Management has negotiated a two-year lease with Black Marlin Investments, Inc. for approximately 8,478 rentable square feet of office space from October 1, 2006 through December 31, 2006, and 11,128 rentable square feet of office space from January 1, 2007 through September 30, 2008, on the 3<sup>rd</sup> and 4<sup>th</sup> floors of the building located at 2785 White Bear Avenue North, Maplewood, MN 55109; and

WHEREAS, The Ramsey County Public Health and Property Management Departments are requesting the Board's approval of a lease with the Black Marlin Investments, Inc., for temporary office space for Environmental Health and the Resource Recovery Project until the County can determine a permanent location; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners hereby approves the draft lease agreement with Black Marlin Investments, Inc., a Florida corporation, through its Managing Agent, Ted Glasrud Associates, Inc., whose principal place of business is 431 South Seventh Street, Suite 2470 Minneapolis, Minnesota 55415, for approximately 8,478 rentable square feet of office space from October 1, 2006 through December 31, 2006, and 11,128 rentable square feet of office space from January 1, 2007 through September 30, 2008, on the 3<sup>rd</sup> and 4<sup>th</sup> floors of the building located at 2785 White Bear Avenue North, Maplewood, MN 55109, for the Ramsey County Environmental Health and Resource Recovery Project at the following rates:

<u>Date</u>	<u>Per Sq. Ft.</u>	<u>Monthly Rent</u>
10/01/2006 – 12/31/2006	\$18.50	\$13,070.25
01/01/2007 – 09/30/2007	\$18.50	\$17,155.67
10/01/2007 – 09/30/2008	\$19.50	\$18,083.00

RESOLVED, The Ramsey County Board of Commissioners hereby authorizes the Chair and Chief Clerk to execute the final lease agreement, subject to prior approval by the County Attorney, Budgeting and Accounting, and Property Management; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners hereby authorizes the County Manager to make all necessary payments, budget adjustments, and execute contracts and agreements to cover expenses related to increased rental rates not-to-exceed \$10,500 for 2006 and \$102,500 for 2007; furnishings, telecommunications and other relocation costs not-to-exceed \$196,000, to be funded from the Solid Waste/Recycling Service Fee Fund Balance, to expedite the relocation of the Ramsey County Environmental Health and Resource Recovery Project.

#### OUTSIDE BOARD AND COMMITTEE REPORTS

Commissioner Rettman reported:

- On the Rice Street Festival and Parade and related activities.
- On the Falcon Heights Festival with a celebration of the city's history.

Commissioner Reinhardt reported:

- On MarketFest in White Bear Lake, which had a shorter season this year.
- On the Ramsey County Extension meeting she and Commissioner Carter attended.
- On the Solid Waste Management Coordinating Board meeting.

Commissioner McDonough reported:

- On the Executive Committee of the Metropolitan Mosquito Control District (MMCD). The first West Nile incident was reported in Hennepin County, traced back to Minneapolis Parks,

(Continued)

which does not allow MMCD to do mosquito control. There are also issues in Fort Snelling State Park, which the DNR does not allow MMCD into. A lot of conversation took place on how best to approach the DNR, US Fish and Wildlife, and Minneapolis Parks, that this is not just nuisance control, but more about major disease control. The Executive Committee passed a resolution to be forwarded to the full MMCD.

Chair Bennett cited a recent newscast that stated the most number of birds found dead from West Nile were from this year. He asked if anyone has approached this so that the public knows the spots that are not treated instead of trying to get those entities to allow spraying.

Commissioner McDonough said part of the conversation was the public education piece, which always has to be done when doing mosquito control. The big issue is making sure there is information that this is more disease control and not so much nuisance control. Hennepin County right now has the largest number in the country, of dead birds reported from infection through mosquitoes.

Commissioner Reinhardt asked why the City of Minneapolis doesn't allow mosquito control. The DNR and US Fish and Wildlife's major concerns were the adulticide. This may best be approached against mosquito larvae, which is more expensive, but has fewer environmental concerns.

Commissioner McDonough said he doesn't know any specific reason why the City of Minneapolis doesn't allow mosquito control, but generally, it is environmental or an aversion to chemical spraying.

Commissioner Reinhardt suggested they may be more amenable to larvae control.

- On the Workforce Investment Board Youth Council presentation. Vern Vick, now deceased, had been a long-time member of the Council and a huge advocate for youth in Ramsey County. The Youth Council established the Vern Vick Award, given out each year. This year the award was presented to Jody Yungers, Ramsey County Parks and Recreation

Commissioner Ortega reported:

- On a Robert Street Corridor meeting where implementation of the feasibility study was discussed and creation of a coordinating committee for which Ramsey and Dakota Counties would have equal membership.
- On a meeting of the Riverfront Corporation. This group will be looking at the Great River national concept. This is a regional plan in which Ramsey County would have some participation.

#### BOARD CHAIR UPDATE

- On Shoreview's Festival and Parade.
- Regional Rail Authority Meeting would take place at 10:00 a.m., following Mayor Coleman's budget briefing, followed by Ramsey County Budget Hearings.

#### ADJOURNMENT

There being no further business, Chair Bennett declared the meeting adjourned.