

The Ramsey County Board of Commissioners met in regular session with the following members present: Carter, McDonough, Ortega (late), Parker, Reinhardt, Rettman and Chair Bennett – 7. Absent: None. Also present were David Twa, County Manager, and Gary Davis, Assistant County Attorney.

PLEDGE OF ALLEGIANCE

All in attendance recited the Pledge of Allegiance.

AGENDA

Commissioner McDonough moved approval of the Agenda of the November 6, 2007 Board Meeting, seconded by Commissioner Reinhardt. Roll Call: Ayes – Parker, Reinhardt, Rettman, Carter, McDonough, Bennett – 6. Nays – 0.

MINUTES

Commissioner Carter moved approval of the Minutes of the October 23, 2007 Board Meeting, seconded by Commissioner Parker. Roll Call: Ayes – Parker, Reinhardt, Rettman, Carter, McDonough, Bennett – 6. Nays – 0.

BOARD OF RAMSEY COUNTY COMMISSIONERS – Ramsey County Delegates to the Association of Minnesota Counties Annual Conference

Commissioner McDonough introduced the following resolution and moved its adoption, seconded by Commissioner Reinhardt. Roll Call: Ayes – Parker, Reinhardt, Rettman, Carter, McDonough, Bennett – 6. Nays – 0. (2007-332)

WHEREAS, The 2007 Annual Conference of the Association of Minnesota Counties (AMC) will be held in Minneapolis, Minnesota on December 3-5, 2007; and

WHEREAS, The AMC requests that each county board designate voting delegates; and

WHEREAS, According to the AMC Bylaws, each member county shall be entitled to a number of delegates equal to three more than the number of persons on the board of county commissioners of the member county; and

WHEREAS, Delegates are to be appointed annually by the county board from among the officials and employees of the county; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners hereby appoints the following individuals as voting delegates from Ramsey County to the Association of Minnesota Counties 2007 Annual Conference:

- Commissioner Tony Bennett
- Commissioner Toni Carter
- Commissioner Jim McDonough
- Commissioner Rafael Ortega
- Commissioner Jan Parker
- Commissioner Victoria Reinhardt
- Commissioner Janice Rettman

(Continued)

- David Twa, Ramsey County Manager
- Terry Speiker, Director, Intergovernmental Relations
- Nick Riley, Intergovernmental Relations

BOARD OF RAMSEY COUNTY COMMISSIONERS – Appointments to the Workforce Investment Board

Commissioner McDonough introduced the following resolution and moved its adoption, seconded by Commissioner Reinhardt. Roll Call: Ayes – Parker, Reinhardt, Rettman, Carter, McDonough, Bennett – 6. Nays – 0. (2007-333)

WHEREAS, There are currently thirteen County vacancies on the Workforce Investment Board (WIB) – nine in the Business category; two in the category of Community-Based Organizations; one Economic Development; and one One-Stop Partners; and

WHEREAS, WIB staff have been recruiting applicants and have received an application from two individuals interested in serving on the WIB to represent Business; and

WHEREAS, One of the applicants represents the finance industry, and the other represents the Saint Paul Area Chamber of Commerce; and

WHEREAS, The Workforce Investment Board Youth Council has recommended appointment of one individual to the Youth Council, and the Executive Committee has appointed this person, pending ratification by the Ramsey County Board; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners hereby appoints the following individuals to the Workforce Investment Board:

- Brian Carnes, Premier Bank, for a term beginning on the date of appointment and ending on July 31, 2008; and
- Bev Fritz, Saint Paul Area Chamber of Commerce, for a term beginning on the date of appointment and ending on July 31, 2009

and Be It Further

RESOLVED, The Ramsey County Board of Commissioners hereby ratifies the appointment of Rebecca Johnson to represent Rehabilitation Services on the Youth Council.

BOARD OF RAMSEY COUNTY COMMISSIONERS – Appointments to the Capital Improvement Program Citizens Advisory Committee

Commissioner McDonough introduced the following resolution and moved its adoption, seconded by Commissioner Reinhardt. Roll Call: Ayes – Parker, Reinhardt, Rettman, Carter, McDonough, Bennett – 6. Nays – 0. (2007-334)

WHEREAS, In accordance with the County's Open Appointment Process, press releases were distributed seeking applicants for positions on the Capital Improvement Program Citizens Advisory Committee (CIPCAC); and

WHEREAS, Vacancies exist on this district-specific Committee in Districts 2 and 6 due to resignations; and

(Continued)

WHEREAS, Two applications have been received and the Commissioners for Districts 2 and 6 wish to appoint these individuals; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners hereby ratifies the appointment of the following individuals for terms beginning with the date of appointment and ending August 30, 2009:

APPOINTEE

TERM EXPIRATION

District 2

Faith J. O'Neill
2551 Fry Street
Roseville, MN 55113

August 30, 2009

District 6

Kurt Zilley
1665 Leone Avenue
St. Paul, MN 55106

August 30, 2009

COMMUNITY CORRECTIONS – Spending Plan for the 2007 Community Corrections Act (CCA) Subsidy Increase

Commissioner McDonough introduced the following resolution and moved its adoption, seconded by Commissioner Reinhardt. Roll Call: Ayes – Parker, Reinhardt, Rettman, Carter, McDonough, Bennett – 6. Nays – 0. (2007-335)

WHEREAS, The Ramsey County Board of Commissioners accepted the Ramsey County Community Corrections' increased subsidy for 2007 in the amount of \$175,532 on September 25, 2007, by Resolution 2007-294; and

WHEREAS, The Ramsey County Board of Commissioners directed the Community Corrections Department to return to the Board with a plan for the increased revenue; and

WHEREAS, Ramsey County Community Corrections has developed a plan to use the increase revenue in the following manner: \$85,000 for Phase 3 Face Valu Consultants; \$25,000 for culturally specific family therapy for juveniles; \$5,000 for a safety audit for Adult and Juvenile field operations; \$30,532 for a probations violations/intermediate sanctions project; \$30,000 for Michael Clark training on motivational interviewing; and

WHEREAS, The contract amounts are estimates based on preliminary contract negotiations; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners accepts the plan for the use of the increase in appropriations and estimated revenue of \$175,532 in Corrections' 2007 budget from the additional Community Corrections Act Subsidy; and Be It Further

RESOLVED, The Board authorizes the County Manager to execute and amend the Agreements to execute the plan, in a form to be approved by the County Attorney; and Be It Further

(Continued)

RESOLVED, The Board authorizes the County Manager to make necessary budget adjustments.

SHERIFF – Agreement with Arden Shoreview Animal Hospital to provide Veterinary Services to the Ramsey County Sheriff's Department Canines

Commissioner McDonough introduced the following resolution and moved its adoption, seconded by Commissioner Reinhardt. Roll Call: Ayes – Parker, Reinhardt, Rettman, Carter, McDonough, Bennett – 6. Nays – 0. (2007-336)

WHEREAS, The Arden Shoreview Animal Hospital (“ASAH”) has been providing veterinary services for the canines of the Ramsey County Sheriff's Department for many years; and

WHEREAS, ASAH provides services that include twice yearly health and wellness examinations, complete vaccinations, dental examinations, emergency services and on-site services; and

WHEREAS, ASAH provides these services to Ramsey County at a 20% discount off their regular medical fees as a service to our community; and

WHEREAS, The Ramsey County Sheriff's Department has concluded that it is in the best interest of the County to enter into an agreement with ASAH for veterinary services for the Sheriff's Department canines; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners approves an Agreement between Ramsey County and Arden Shoreview Animal Hospital, P.A., 1261 W. Co. Rd. E, Arden Hills, MN, 55112, for the provision of veterinary services on an as-needed, as-requested basis, for the period from January 1, 2007, through December 31, 2009, at a cost not to exceed \$40,000 for the three-year term, with the right to extend the term for two additional one-year periods; and Be It Further

RESOLVED, The Board authorizes the Chair and Chief Clerk to execute the Agreement; and Be It Further

RESOLVED, The Board authorizes the County Manager to approve and execute any amendments or extensions to the Agreement.

[Commissioner Ortega arrived at this time.]

COUNTY MANAGER/PROPERTY MANAGEMENT – Ramsey County Riverfront Properties – County Option

Commissioner McDonough introduced the draft resolution, seconded by Commissioner Parker.

Commissioner Rettman referred to lines 42-47 in the draft resolution. That resolved clause authorizes the County Manager to negotiate purchase agreements, and to bring them back to the County Board for approval. Lines 67-72 do not include language that Requests for Proposals (RFP) would come back to the Board. She would like to have the responses to the RFP and the recommendations from staff return to the Board.

(Continued)

Dave Twa, County Manager, said staff would do that if it is the wish of the Board.

Commissioner Rettman moved an amendment to the resolution to have the responses to the RFP and recommendations from staff return to the Board.

Commissioner Parker requested clarification that the responses would come to the Board when they come back, not before they are mailed out.

Commissioner Rettman responded affirmatively. She said normally the Board sees the responses along with the staff recommendations before being finalized.

Mr. Twa said the process staff has discussed is that there would be another Board Workshop on this issue once the materials are received. The Board would see the information before action is taken.

Commissioner Reinhardt seconded the motion to amend the resolution stating that a workshop will be held with the Ramsey County Board of Commissioners with the results of the RFPs.

Commissioner McDonough requested clarification about negotiation versus RFPs.

Commissioner Rettman apologized and said she referred to the negotiations; however, there are two resolved clauses that address RFPs for engineering services related to the deconstruction of the Adult Detention Center and the "F" Building and employee relocation.

Commissioner McDonough said this resolution gives the County Manager authority to negotiate an agreement with OPUS or Wingfield.

Jolly Mangine, Director, Property Management, said there are two tracks within the resolution. At the Board Workshop, discussion took place on the County option. It was also stated that the option would not be implemented until after negotiations took place with the two selected firms. The negotiation team has met with both groups a number of times. The plan is to come back to the County Board on December 18, 2007, for two things: 1) an Executive Session to lay out the financial ramifications of the negotiations for the purchase agreements; and 2) a public forum, in a Workshop setting, whereby both OPUS and Wingfield could present their future vision of the Riverfront. This will return to the Board; the Board will see exactly what has been negotiated, keeping in mind that there are two different types of agreements. OPUS wants the entire property, the ADC through the entire West Building. At this point, Wingfield is looking at a phased project, which is where the County option would be more applicable. On December 18th the Board will receive a full clarification.

Commissioner Reinhardt said that the amendment would state that when all this information is pulled together, a workshop would be held. It does not change the steps that would take place. It is confusing because of the two different tracks.

Mr. Mangine said that if staff gets to the point where they are implementing the County plan, which has a number of architectural design services and construction services, such as demolition, when an RFP or RFB would go out, that they should all return to the Board.

Roll Call on amendment: Ayes – Ortega, Parker, Reinhardt, Rettman, Carter, McDonough, Bennett – 7. Nays – 0.

Commissioner Rettman said she is concerned that this is resolution also authorizes a budget amendment of \$5 million. She assumes that with the amended language, the money would not be moved from the fund balance until after discussion takes place.

Mr. Twa said that there would be some relatively minor expenditures involved in going through the process just discussed. If the Board approves moving forward with the plan, there would be those expenditures.

Commissioner Rettman asked if the money would be moved from fund balance prior to this.

Mr. Twa said that at this time, he doesn't believe that would be needed. He believes Property Management has sufficient reserves.

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Mr. Mangine affirmed that statement.

Commissioner Parker asked if the Board has taken a position regarding recycling as much of the materials from the deconstruction as possible; past practice has been to try to do that. She doesn't know if the Board has specifically given that direction to staff. She attended a workshop for construction people; many businesses are trying to do "green" construction and they have come a long way in being able to recycle construction materials.

Chair Bennett said that has been done in the past; for example, when doing the Public Works site, he believes 87% of materials on that site were recycled.

Mr. Mangine said that has been adopted in Property Management procedures. That is a value that has been given to the department by the Board. It is incorporated into all their language. There has been good success in this area.

Chair Bennett requested clarification that under this, we will look at the cost of the "F" Building and ADC being deconstructed, and that staff would return to the Board with the cost before that happens. Additionally, negotiations will take place with the two firms. Everything will return to the Board and no commitment has been made to sell the property.

Mr. Mangine responded affirmatively. He said they are putting the final touches on the purchase agreements, which outline the details and the terms and conditions. With both firms, it may be in their best interest for us not to do the demolition ourselves; they may take that on themselves. The terms and conditions will return on December 18th. The Board will have a good idea of what would take place if the County moves forward with either one of them.

Commissioner Ortega said the main criteria is that there be no negative impact on the County's levy in terms of that process. If we move employees out, we are looking at anywhere from a 2-3% increase in the levy. In negotiations, the impact on the levy must be minimized.

Mr. Mangine said the job of staff is to bring back the deal. Staff needs to sit down with both developers. Preliminary numbers have been put on the table. Financial impacts over 20 years have been shown to the Board. Now, the final touches have to be put on the Purchase Agreements, come back to the Board with exactly what we have, and seek the Board's direction. An optional plan was offered, which is the County plan. The County plan took steps today, such as the demolition of the ADC and "F" Building, to get them out of the way to create momentum. We know those two buildings have to come down in either one of the developer's proposals.

Commissioner Ortega is not concerned about demolitions and the associated costs because that will be minimal. He is concerned about the long-term impact on the levy. All the proposals we have received up to this point included 2-3% points on the levy for the next 10, 15 or 20 years. That brings us into double digits to the taxpayers. He wants to make certain that is looked at. That is the criteria by which the Commissioners will be judging and evaluating what comes forward.

Mr. Mangine said that has been the "rub" on trying to sell the property. If the County sells the ADC and the entire West property, the proceeds from the sale are probably going to be anywhere from \$5-15 million. The cost to replace and relocate 866 employees will cost more than the proceeds from the sale. It doesn't have to be done all at one time; it could be phased. The fact will never change that the County will not receive more money from the sale of the property than it will cost to replace it.

Commissioner Ortega asked if the Board could add to the resolution that that is the Board's criteria, so that when it comes back in the public, the newspaper, the city, etc., everyone understands we are moving forward under this criteria.

Commissioner McDonough said he is fine with using the word "minimize" rather than "no impact", because the reality is that there is an impact. There is nowhere the County could go for \$6

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per square foot. As Mr. Mangine stated, there is no way the County would get enough money to get off the River to pay those costs. We have gone into this with our eyes wide open; there will be increased costs to the County. The Executive Summary and the resolution use the words “with the goal to minimize the levy impact on the County”.

Commissioner Ortega said the word he used in the workshop was “mitigate”. “Minimize” might mean to go from \$3 to \$2.5 million per year, but his desire is to mitigate as much as possible the negative impacts.

Chair Bennett said this site offers views to the public that are not available anywhere else.

Commissioner Reinhardt said the reason the Board is proceeding with this is because of the higher and better use of the property. The fact is that the Adult Detention Center is vacant. One reason the new Law Enforcement Center was built was to open up the Riverfront for redevelopment. It will not come back with a zero impact because, as Commissioner McDonough pointed out, this will cost the County some money. She believes the Board gave a strong message during the Workshop – the deals to be brought back to the Board were not good enough because there was too much of an impact. Additional funds will need to be sought to make it worthwhile to the County at this point. One of the reasons the Board decided to go into a dual track, and the idea of taking down the ADC and the “F” Building ourselves, is that it would increase the value of that property, because that was one of the stumbling blocks that was unknown. Taking that on ourselves would possibly make the property more marketable. If they didn’t get the message then, she hopes they will get it now – and that is that the deals brought to the Board are not good enough, as the impact to the levy need to be mitigated. Recognizing that it is not going to be zero – there will be an impact on this, but is a higher and better use and something that is very important to the economic development and vitality of downtown St. Paul.

Chair Bennett said he believes most everyone agrees on that. The Board has been talking about the higher and better use and if the developers don’t feel that it is a higher and better use, then perhaps we should just keep the property and move on. This is the opportunity for the City, which has encouraged us to sell that property, to step in and tell the developers they would be buying one of the best pieces of property in St. Paul.

Roll Call: Ayes – Ortega, Parker, Reinhardt, Carter, McDonough, Bennett – 6. Nays – Rettman – 1. (2007-337)

WHEREAS, On November 14, 2006, the Ramsey County Board of Commissioners approved moving forward with the sale of County-owned property from and including the RCGC-West, and going East to, but not including, the RCGC-East (“Riverfront Properties”), and directed the County Manager and Property Management, working in conjunction with the County Attorney’s Office, to take the necessary steps to sell the Riverfront Properties; and

WHEREAS, On April 19, 2007, Ramsey County entered into an exclusive listing agreement with United Properties to market the Riverfront Properties; and

WHEREAS, On June 26, 2007, at the County Board Workshop, the County Board was presented with eight proposals for the purchase of the Riverfront Properties and directed the County Manager and Property Management to gather additional information regarding the top three proposals (Hi-Tech Component Distributors, Inc., Wingfield Corporation, and OPUS Northwest) and return to the County Board in a Workshop; and

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WHEREAS, On October 2, 2007, at a County Board Workshop, the County Manager and Property Management presented the requested information on the three proposals, as well as information on an additional option (“County Option”), as follows:

- Relocate out of the RCGC-West “F” Building
- Deconstruct the RCGC-West “F” Building and Adult Detention Center
- Sell the vacant land (former RCGC-West “F” Building and Adult Detention Center sites) or all of the Riverfront Properties; and

WHEREAS, The County Board decided to proceed with the County Option and directed the County Manager and Property Management to negotiate purchase agreements with OPUS Northwest and Wingfield Corporation with a goal to minimize the levy impact on the County; and

WHEREAS, The County Manager and Property Management are requesting the County Board’s approval to proceed with the County Option and appropriate authorities to implement the County Option; Now, Therefore, Be It

RESOLVED, That the Ramsey County Board of Commissioners hereby accepts and approves the Ramsey County Riverfront Properties - County Option as presented at the October 2, 2007, County Board Workshop on the sale of the Riverfront Properties:

- Relocate out of the RCGC-West “F” Building
- Deconstruct the RCGC-West “F” Building and Adult Detention Center
- Sell the vacant land (former RCGC-West “F” Building and Adult Detention Center sites) or all of the Riverfront Properties; and Be It Further

RESOLVED, The Board requests staff to return to the County Board in a workshop setting on December 18, 2007, with the results of the Requests for Proposals; and Be It Further

RESOLVED, That the Ramsey County Board of Commissioners hereby authorizes the County Manager and Property Management to negotiate Purchase Agreements for the sale of all, or the RCGC-West “F” Building and Adult Detention Center portions of, the Riverfront Properties with OPUS Northwest and Wingfield Corporation, with a goal to minimize the levy impact on the County, and bring the Purchase Agreements back to the County Board by January 15, 2008, for a final decision; and Be It Further

RESOLVED, That the Ramsey County Board of Commissioners hereby accepts and approves the Ramsey County Riverfront Properties - County Option Estimated Project Budget and Financing Plan; and Be It Further

RESOLVED, That the Ramsey County Board of Commissioners hereby approves temporary funding in the amount of \$5,005,000 for the costs associated with the implementation of the County Option from the Ramsey County Buildings Fund Balance, which is to be repaid from the sale of the Riverfront Properties; and Be It Further

RESOLVED, That the Ramsey County Board of Commissioners hereby authorizes Property Management to issue a Request for Proposals for architectural/engineering services related to the employee relocation and/or exit plan for the RCGC-West “F” Building; and Be It Further

(Continued)

RESOLVED, That the Ramsey County Board of Commissioners hereby authorizes Property Management to issue a Request for Proposals for engineering services related to the deconstruction of the Adult Detention Center and the RCGC-West “F” Building; and Be It Further

RESOLVED, That the Ramsey County Board of County Commissioners hereby authorizes the County Manager to make all necessary payments and budget adjustments, and execute contracts and agreements, including an agreement/contract for architectural/engineering services for the employee relocation and/or exit plan for the RCGC-West “F” Building and engineering services for the deconstruction of the ADC and the RCGC-West “F” Building, within the County Option Project Budget.

WORKFORCE SOLUTIONS – Selection of Professional Psychological and Vocational Assessment Providers

Commissioner Reinhardt introduced the draft resolution and moved its approval, seconded by Commissioner Parker.

Commissioner Rettman said the Executive Summary of the Request for Board Action states that the evaluation team consisted of “...and the director of the County’s initiative to address racial disparities in MFIP outcomes for the African American community...” For clarification, there is no such ‘director’ and there is a person who is one of our contracted vendors and that person’s title should be used in that narrative. She asked the County Manager about this and it was clarified that there is no such ‘director’.

Commissioner Carter said that perhaps the wording should be “the director of the organization contracted with Ramsey County to address racial disparities...”

Commissioner Rettman said that would be a change only to the Executive Summary; it is not repeated in the resolution.

Chair Bennett said that change would be made.

Commissioner Rettman referred to lines 38-42 of the draft resolution and moved to strike that resolved clause. Other providers should be sought and brought back to the County Board for approval. Her reason for doing so is that several years ago the Board decided it wanted to approve contracts with new vendors or those outside of the normal process.

Commissioner McDonough said he is fine approving the vendors that were selected through the RFP process but this request for action includes the ability to go outside the RFP process and seek out exclusive minority or female providers. He believes that is inconsistent with the County Board’s position. The Board is supportive of expanding contracts into minority and women-owned businesses, but the Board has also been very clear that it is race and gender neutral. He believes this opens a door that he is very uncomfortable with. The County has a very solid RFP process that has credibility and works well. When we start taking steps that says we are not quite sure we like the results so now we are giving the County Manager approval to work outside the RFP process to be very specific about who will be recruited, we are losing sight of all the qualifications within the RFP. This RFP includes ten qualifications expected of the vendors. Now we are saying those qualifications no longer matter; we are going to find very specific persons to provide this service. He cannot be supportive of that because it is inconsistent with the policy this County has taken whereby we have a solid and credible RFP process and do whatever we can do to make certain our contracts are written and positioned in a way that all providers have equal and fair access. We don’t adjust how we award those contracts to fill specific slots. He will not support the resolution with that phrasing in it because it is totally at odds with the position that the County Board has taken in the past on awarding contracts.

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Chair Bennett asked if Commissioner McDonough is agreeing with Commissioner Rettman's amendment.

Commissioner Rettman said her amendment was to delete the resolved clause and said that if new vendors come forward, they must return to the Board through the RFP process.

Commissioner McDonough requested clarification that the Department would reissue the RFP.

Chair Bennett clarified that the amendment would eliminate lines 38-41, and asked if there was a second to the motion.

Commissioner McDonough wants to make certain that staff will not go outside the RFP process.

Commissioner Rettman added to her amendment that any additional providers would go through an RFP process in accordance with the County's process.

Commissioner McDonough seconded the amendment.

Commissioner Rettman clarified that she would move deletion of lines 38-41, and further any additional contracts would need to go through the accepted County RFP process.

Chair Bennett said it is repetitious but will meet the purpose.

Commissioner Carter also asked for a recommendation on how to move forward on this. Perhaps by suggesting that this particular section be struck what we are saying is that the department would need to re-implement an RFP process and move forward to accomplish the goals as set forth. She pointed out that although we have discussed that, and we have, in fact, suggested that the plans that Ramsey County has are race and gender neutral, and confirmed that in our last meetings toward this end, for quite some time we have been looking to affirm what our process is to accomplish the review of data and information to accomplish the appropriate outreach and to accomplish our goals with respect to recruiting and being able to contract with organizations that are culturally appropriate to our County's needs. We have not yet come back to review that process and to implement such a process with which we are all satisfied, to accomplish those goals. She understands the reason this may have been put in, and also clearly understands that our goal is to ensure that this goes through the regular RFP process, and she supports that. She wants the Board to be mindful of the fact that we have not yet accomplished what we perceive to be that appropriate outreach and contracting with organizations, in particular small business, women and people of color.

Commissioner Ortega said he has a problem with how we are trying to address the goals of this County. He asked why that resolved clause is in the resolution?

Dave Twa, County Manager, said that as the Executive Summary points out, the issue staff struggled with was they felt that there needed to be some additional providers and were looking for a method to address it.

Commissioner Ortega said that is the problem. What we are doing is putting band-aids on this. Going way back we developed the goals, which was how we ended up with the Model Employer Initiative, respect among employees, training, etc. The whole effort was about systems change. When the Board votes to empower the County Manager to go outside the system, because it isn't working, the question he has is "why can't you make it work?" He will never vote for a resolution to do this, because it means leaving the system to behave inappropriately and not by the wishes of the Board. He wants to know why the RFP process can't achieve the goals so that the Board needs to give special powers to go around the system. He won't support that type of resolution because it is not universal and about making the system work for everyone, but it is about getting special treatments, even if it is for people of color, because the system is not working.

Mr. Twa understands the concern; staff didn't do a very good job of addressing it in this particular one.

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Commissioner Ortega said the RFP process needs to get in shape so that the desired results are obtained.

Commissioner Reinhardt said the County needs to do more outreach, and develop the RFP so that we are able to attract the vendors that are needed, such as culturally specific. Clearly, there is something missing. She believes that should be a part of the normal process of letting everyone know that it is on the street, not just putting it out and assuming people will know about it. To her, it is about outreach. Hopefully, if there are still needs, and it sounds like there are, that a new RFP will be developed and that there will be outreach as well. It would be part of a new RFP process. We just need to do a better job.

Commissioner Parker understands the intent that the Department was disappointed in who they received proposals from, and felt that not enough qualified people to meet the needs of the MFIP population, which is a specific population, provided proposals. She suggested that the resolutions be amended in lines 18-20 of the draft resolution to say “and 2) attempt to recruit qualified psychologists to meet the needs of the MFIP population.” The department needs to continue to recruit people, but they need to go through the regular process.

Commissioner Rettman did not accept that as part of her amendment, and said, regarding her amendment, that this could be sent back for reissue, and not act on it whatsoever today. The RFP could be reissued to address Commissioner Ortega’s concern. Her amendment basically said that any additional dollars that are available for this must have a new RFP, in accordance with the County’s process. It did not reiterate that component, which is in the resolved clause.

Commissioner McDonough said the Board needs to accept that there is the possibility that right now there is not a woman or a minority individual that meets these qualifications to come through the RFP process. If that is the case, we need to be out in the community making certain that there are people who can meet these qualifications. Once we start proposing that we are going to bypass these qualifications, and stating that we want a women, an African American or Hispanic person, we are setting ourselves up for a problem. If there is a problem with the RFP process that we are not reaching the qualified people in the community, then we need to do a better job with that. If there is a problem in the way we structure our contracts that exclude people who are qualified to do this, but can’t bid on it because of the way the contract is structured, we need to make a change in how we structure our contracts. We also have to recognize that there are going to be times when we don’t get the people to bid on these things that we would like to see, but we still need to move forward. We have qualified candidates that have been recommended for approval; the Board should approve those candidates. We should recognize the fact that maybe there isn’t a problem with the RFP process or the way the contract is structured, and maybe we are just not going to get any response that meets some of the criteria that this group is looking for. But we shouldn’t eliminate the criteria that have been asked for to fill this job and stop us from filling the job to get these services out to the people who need them.

Commissioner Reinhardt said that with the resolution amended to eliminate the resolved clause on lines 38-41, there needs to be a change to eliminate #2 in the 4th ‘whereas’ clause. She believes we can accomplish what we are trying to do by simply restating it so it is consistent. She suggested the following wording in the 4th ‘whereas’ clause: “and 2) attempt to recruit additional qualified individuals in a new RFP process to meet the needs of the MFIP population.” She inserted the word ‘additional’ because she wants to make it understood that the people that we are giving the contracts to are qualified; they have gone through the RFP process. On line 18, it would read: “and 2) attempt to recruit additional qualified individuals in a new RFP process to meet the needs of the MFIP population.”

Commissioner Rettman accepted that wording as part of her motion.

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Commissioner McDonough suggested using the word “reissued” rather than “new”. The RFP would stay the same; he doesn’t want to see the RFP changed. It would then read to reissue this RFP with the same qualifications and the same expectations that the candidates recommended for approval have already met.

Commissioner Reinhardt said that would be fine.

Commissioner Rettman accepted that change.

Commissioner Carter said it would have been her goal to insert a substitute clause also.

Commissioner Ortega wants to bring us back to the big picture; it is not just about this contract. He is talking about the entire Ramsey County organization. He raised the fact that spending 20 minutes to debate one small contract in a \$500 million organization is ridiculous. A long time ago, the Board gave the mandate to a previous County Manager that we are supposed to diversify, to have one set of rules for everyone, and we need to reach out and bring everybody in. Obviously, how this contract is tinkered with, that has not been done. He will keep raising the question. In his job description, the County Manager is responsible. Commissioner Ortega wants to know why we are having these types of problems. The departments need to get on with it and make it happen. It is a systematic problem that needs to be addressed. If they can’t find folks to come and work for us, to him the obvious question is “why” and then figure out what to do about it. He said he is not going backward 20 years; he did not get elected to put the same anti-poverty and civil rights roles of 40 years ago. We are beyond that. This is about acting and behaving as one.

Commissioner Parker said Commissioner Ortega has a really good question, and she asked the staff why they think we didn’t get the right people. If the RFP is reissued, what is going to change? We have to ask why we didn’t get the range of qualified women and minority candidates as part of the application pool.

Patricia Brady, Director, Workforce Solutions, said she has listened to the conversation and agrees with what she is hearing. She said that perhaps the department could have, or should have, done more outreach and it is a lesson for them to learn around this that we know that we have a specific need within the populations that are being served by the department and probably need to be out in the community making it known more visibly that we have these needs for our population and that we will be putting out an RFP and we could coach people through getting into the process. She would like to take it off the County Manager and say that the department could have done a little more. In the future, they will do so. She believes the amendments are good.

Commissioner Carter perceives that this is a small amendment to cover this unique circumstance. She appreciates that Commissioner Parker asked the question – why did we not succeed in accomplishing our goal of recruiting psychologists to meet the needs of this particular population. It is much bigger than this particular contract and much bigger than this particular population that we are seeing with MFIP. Since she has been on the Board, we have consistently talked about our need to increase our efforts in inclusive contracting. We have not yet come together on an accord to determine how we would do that. We continue to observe in our data that we are able to bring forward that we have not accomplished our goals of being more inclusive in our contracting for small, minority and women-owned businesses. We have that large work beyond the approval of this particular contract amendment. We have in place an Inclusiveness in Contracting small business task force that is due to come before the Board. That presentation has been delayed a couple of times but are now due to come before the Board in January. She believes that as the Board meets with that group, we want to be aware of the fact that we are observing this because it has been called to our attention in this particular contract. We do not yet have the capability to receive and review the data about cross-county contracting. Nor have we agreed upon the appropriate outreach to accomplish our goals for inclusive contracting across Ramsey County in

(Continued)

all departments and all contracts. That goes far beyond this contract with the MFIP population. It is about all of our contracting and the entire population of Ramsey County, and ensuring that we understand, as Commissioner Ortega said, the reasons we are not able to accomplish that, and then put forth a clear plan as to how we will. Beyond this vote today, we know that we have that work to do and look forward to our session in January, and to, as a Board, make the decisions that are needed to accomplish our goals.

Commissioner McDonough agreed with Commissioner Carter that we have set up a process so that we have some work to do in this area. However, he also pointed out that we have hired a position, put money in the County Manager's budget and have a person assigned. He recalls having a conversation about the expectations, which were that that person would be out door knocking and having face-to-face meetings asking about contracting with the County. We need to know what we need to do to change the contract that makes it attractive. The Board has already taken some positive steps and put County dollars into it, and still we are not seeing a change on how this happens. He asked the County Manager why that person isn't out door knocking and identifying these people instead of us getting the same requests to approve the same proposals.

Mr. Twa said the person in the Inclusiveness in Contracting position has been out door knocking in the community. We have a report that needs to be finalized before being brought to the Board. He can't explain to anyone's satisfaction on this particular one; clearly a better job should have been done. There have been a lot of outreaches into the community. We want to bring that report back to the Board. That has been delayed due to the struggle that has happened within the Small Business Enterprise Committee and we are now scheduled to come before the Board in January with that. The intent is to come in with two pieces: 1) the discussion of what the Committee has done and look for direction from the Board to force the work of the Committee; and 2) a report of the activities that have been accomplished over the past year by the position.

Roll Call on amendment: Ayes – Ortega, Parker, Reinhardt, Rettman, Carter, McDonough, Bennett – 7. Nays – 0.

Commissioner Reinhardt said this is symptomatic of the bigger issues. The fact that this was brought up today is a good thing, so the Board can look at the bigger issue. It is not about Workforce Solutions; in fact, when you look at the contracts that come through that department they are minimal compared to what comes through some other departments. That is what this is about.

Commissioner Rettman thanked staff for getting her copies of the RFP responses. One of the things Commissioner McDonough said is that we should not give any illusion that the contracts in front of the Board today for approval did not meet some very serious guidelines to accommodate exactly what this Board had requested them to do. Secondly, she is putting a cork in her discussion today because there will be a workshop on the Small Business Enterprise Committee and on the other items brought up by other Commissioners in regard to our outreach and/or process. She believes the bottom line is that we should not be giving mixed messages that there are additional things we need to be doing. This Board has already given the direction. We do not need to be a county of 1,000 projects. We can't give mixed messages to those who are proposing to do business with the County. She said Julie Kleinschmidt has been working on and making a commitment to have that cross pollination with the City of Minneapolis and Hennepin County that we have been talking about for years in terms of contracts. She will limit her response to that because she believes there are mixed messages out there and the bottom line is that our RFPs should be clear in what we request. This one was clear and that is not what we are discussing. It is going on and finding the best people.

Roll Call: Ayes – Ortega, Parker, Reinhardt, Rettman, Carter, McDonough, Bennett – 7. Nays – 0. (2007-338)

(Continued)

WHEREAS, The Ramsey County Board of Commissioners approved the issuance of a Request for Proposals for licensed psychologists credentialed with the Prepaid Medical Assistance Plans (“PMAPs”) who can provide psychological and vocational assessments for clients enrolled in MFIP; and

WHEREAS, Ramsey County received eight proposals to provide psychological and vocational assessments; and

WHEREAS, An evaluation team reviewed the proposals based on the criteria established in the Request for Proposals; and

WHEREAS, Upon completion of the responses in accordance with the County’s RFP evaluation process, the evaluation team recommended that Ramsey County should: 1) contract with the following providers for vocational assessments of MFIP clients: Mark Schuler, PhD; Michael L. Richardson; Outreach Counseling and Consulting Services, Inc.; Stephen J. Antonello, Inc.; and Wiger and Associates; and 2) attempt to recruit additional qualified individuals in a reissued RFP process to meet the needs of the MFIP population; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners approves recommendations of the Evaluation Team regarding psychological and vocational assessment providers; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners authorizes the County Manager to execute agreements with the following for the provision of services outlined in the Request For Proposals # JTPA-87-3, subject to approval by the County Attorney’s Office: Wiger and Associates, 360 N. Robert Street. #317, St. Paul, MN 55101; Mark Schuler, Ph.D., 3812 Thomas Avenue S., Minneapolis, MN 55410; Michael L. Richardson, 1185 Brooks Avenue West, Roseville, MN 55113; Stephen J. Antonello, Inc., 750 South Plaza Drive, Suite 104, Mendota Heights, MN 55120; and Outreach Counseling and Consulting Services, Inc., 3570 Lexington Avenue North, Suite 100, Shoreview, MN 55126, for a period of one year, subject to renewal for additional one year periods, up to a total of five years, in amounts consistent with the Workforce Solutions funding; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners authorizes the County Manager to negotiate and execute amendments and modifications to the agreements.

WORKFORCE SOLUTIONS/COMMUNITY HUMAN SERVICES – Biennial Service Agreement for the Minnesota Family investment Program and the Children and Community Services Act for 2008-2009

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

Commissioner Rettman said that part of this money would restore at least one FTE and hire additional FTEs. She will be bringing addendums to the Budget Committee of the Whole on November 27, 2007, calling for reductions. She doesn’t want to surprise the Board that this will be revisited. Secondly, the County continues to be penalized 5% of the MFIP consolidation dollars, which is \$1+ million, for not meeting the state’s performance standards. Even though a legislative change gives us the ability to reach out for another 5%, she still sees that as an additional amount.

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She doesn't see anything in the plan about a change, other than going to a 60-case load. It does not give a plan except stating that the demographics are different than the rest of the counties. That cannot be an excuse for us not being diligent. This plan has no performance improvement plan except the reduction of caseloads. For those reasons, she believes that this is only dealing with the margins and not making that systemic change that we need to make in order to go on and get from point "A" to point "B". We would love to make the economy better; the reality is that this plan does not address what we do except for that criteria. She will not be supporting this request. When she sees that the same self-support index is the same language is reduplicated and ongoing, she doesn't believe she will get better answers. The State has made this available; she doesn't want the County to not receive the additional \$1.4 million; however, when she sees us restoring and adding positions without a systems change, she does not believe that is validation. She will address it further on November 27th.

Roll Call: Ayes – Ortega, Parker, Reinhardt, Carter, McDonough, Bennett – 6. Nays – Rettman – 1. (2007-339)

WHEREAS, The 2003 Minnesota Legislature approved consolidated funding for the Minnesota Family Investment Program (MFIP) and the Children and Community Services Act programs (CCSA); and

WHEREAS, This legislation requires that counties submit a plan, referred by the State as the Biennial Service Agreement (BSA) every two years; and

WHEREAS, A draft of the BSA was submitted to the State by the October 15, 2007 deadline with a statement indicating that the agreement was subject to review and modification by the Ramsey County Board of Commissioners; and

WHEREAS, The proposed BSA outlines the 2008 and 2009 calendar year budgets for use of the MFIP Consolidated Funds, which can only be used for MFIP Employment Services, MFIP system administration, the Diversionary Work Program, and the Emergency Assistance Program. The CCSA funds are used for Children's Mental Health Services, Child and Family Services, and Adult Services; and

WHEREAS, The overall funding for Ramsey County MFIP Consolidated Funds for CY 2008 and CY 2009 is \$24,490,633, an increase of \$1,409,512 over the funding amount available for CY 2007. The funding for Ramsey County CCSA for CY 2008 is \$12,966,848, a decrease of \$35,810 over the funding amount, which was available for CY 2007; and

WHEREAS, The State requires the BSA to include a multi-year Performance Improvement Plan (PIP) for MFIP, which includes strategies that Ramsey County will implement to improve its two performance measures that are tied to the MFIP Consolidated Funds. If the State approves the PIP, an additional amount of \$1,288,981 will be awarded to Ramsey County; and

WHEREAS, The BSA has been available for public comment for the required thirty-day period prior to the State's due date of October 15, 2007. Section IV (page 35, 36) of the BSA, identifies how the public was informed on the development of the service agreement; Now, Therefore, Be It

(Continued)

RESOLVED, The Ramsey County Board of Commissioners approves the 2008-2009 Biennial Service Agreement for the Minnesota Family Investment Program and the Children and Community Services Act; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners authorizes the Chair to sign the 2008-2009 Biennial Service Agreement; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners authorizes the submission of the 2008-2009 Biennial Services Agreement to the Minnesota Department of Human Services; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners authorizes staff to return to the Budget Committee of the Whole on November 27, 2007, with a budget addendum for the \$1,409,512 funding increase for the 2008 and 2009 budgets; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners authorizes the County Manager to accept Federal and State grant funds for the operation of the Agreement's programs, make budget adjustments between programs to ensure the utilization of the total grant award, accept supplemental funds, and negotiate, execute, and amend contracts and leases in accordance with the budget.

COUNTY MANAGER – Ordinance creating a new County Department, Ramsey County Department of Emergency Communications

Commissioner McDonough introduced the following Ordinance and moved its adoption, seconded by Commissioner Ortega. Roll Call: Ayes – Ortega, Parker, Reinhardt, Rettman, Carter, McDonough, Bennett – 7. Nays – 0. (2007-340)

Chair Bennett noted that the Department is up and running and that all dispatchers are working under one roof.

Commissioner Rettman requested a copy of the change in the Ramsey County Administrative Code. Staff indicated that would be done and that it would also be available on the County's website www.co.ramsey.mn.us

Commissioner Rettman said she had received a phone call regarding scanners. Some block clubs have scanners and they no longer work because the County went digital. She asked if those could be fixed, or where someone could bring one to update.

Chair Bennett suggested the individuals return to the vendor where the scanners were purchased. This is not a simple radio system.

OFFICIAL SUMMARY OF ORDINANCE AUTHORIZING THE CREATION OF A NEW COUNTY DEPARTMENT, RAMSEY COUNTY DEPARTMENT OF EMERGENCY COMMUNICATIONS, WITH ACTIVITIES TO INCLUDE OPERATION OF THE COUNTY-WIDE PUBLIC SAFETY COMMUNICATION SYSTEM\800 MHZ AND THE CONSOLIDATED EMERGENCY COMMUNICATIONS CENTER.

This ordinance authorizes the creation of a new County department, Ramsey County Department of Emergency Communications, with activities to include operation of the County-wide public safety communication system\800 MHz and the consolidated emergency communications center.

AN ORDINANCE AUTHORIZING THE CREATION OF A NEW COUNTY DEPARTMENT, RAMSEY COUNTY DEPARTMENT OF EMERGENCY COMMUNICATIONS, WITH ACTIVITIES TO INCLUDE OPERATION OF THE COUNTY-WIDE PUBLIC SAFETY COMMUNICATION SYSTEM\800 MHZ AND THE CONSOLIDATED EMERGENCY COMMUNICATIONS CENTER.

- A. WHEREAS, On June 22, 2004, the Ramsey County Board of Commissioners authorized the County Manager to proceed with the design and construction of the Ramsey County Public Safety Communication System\800 MHz (“System”) as a subsystem to the regional public safety communication system; and
- B. WHEREAS, With the terms established by the County Board in Resolution 2005-365, all municipalities that previously contracted with Ramsey County for emergency dispatch services have executed agreements to continue receiving those services from Ramsey County; and
- C. WHEREAS, County Board Resolution 2005-371 approved a Joint Powers Agreement with the City of Maplewood to consolidate emergency dispatch services, and Resolution 2005-382 approved a Joint Powers Agreement with the City of Saint Paul to consolidate emergency dispatch services; and
- D. WHEREAS, On January 1, 2006, responsibility for Ramsey County 911 operations transferred from the Ramsey County Sheriff’s Office to the County Manager’s Office; and
- E. WHEREAS, In July 2006, the System was completed by Motorola and accepted by the County for productive use; and
- F. WHEREAS, With completion of the System and execution of the dispatch agreements, Ramsey County will have the responsibility for operating a county-wide Public Safety Communication System\800 MHz and a consolidated Emergency Communications Center; and
- G. WHEREAS, The current responsibilities and size of Ramsey County’s public safety communications operations have increased to a County department level, and the current designation as a division of the County Manager’s Office is no longer appropriate;
- H. WHEREAS, According to the Ramsey County Home Rule Charter, the establishment, structure, merger or abolishment of a department requires approval of an ordinance;

NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF THE COUNTY OF RAMSEY DOES HEREBY

ORDAIN, That a new County Department, Ramsey County Department of Emergency Communications, is created with activities to include operation of the County-wide public safety communication system\800 MHz and the consolidated emergency communications center.

(Continued)

OUTSIDE BOARD AND COMMITTEE REPORTS

Commissioner Reinhardt reported:

- On meetings regarding Solid Waste Management. The Association of Minnesota Counties (AMC) Solid Waste Committee also met. Folks across the State are developing legislative positions specifically regarding the flow control decision made at the US Supreme Court and the fact that we have back in our purview the ability under certain circumstances to control the flow waste. There is not a big impact for Ramsey County because we have already taken a market approach, but it could have a positive impact on the environment, especially through the rest of the State. There are a lot issues rolled into that. The ultimate goal is improving the environment.
- On a meeting of the Community Power Grantee Program, which is also regarding solid waste management and recycling. Last year, attention was drawn to waste paper. This year we are partnering with Community Power Grantees and the State of Minnesota, the Recycling Association of Minnesota and the Association of Recycling Managers to zero in on containers for beverages, paint, etc., to let people know what should and can be recycled within their individual program. Information is available on the County's website, www.co.ramsey.mn.us and www.GreenGuardian.com
- On a meeting regarding the Memorandum of Understanding with the National Paint and Coatings Association. They met with retailers to get the issue on the table to do this in partnership. Minnesota was chosen because it was clear to all parties involved that we wanted to partner for something that would work for everybody – the retailer, the manufacturer, the consumer, local government, and made a good case to make that happen.
- She attended the Ramsey Nursing Home, which is going to Ramsey Care Center. Construction has begun on the Transitional Care Unit. The grand opening will be in March or April 2008.

Commissioner Parker reported:

- On a JDAI stakeholders meeting. This group is about systems change, with the effort focused on finding out why so many kids are locked up long-term, which is not helping them. The first phase is to be implemented January 1, and there is a lot of excitement and optimism about this initiative.
- On two somewhat related meetings: a local fundraising event for the Community Partners with Youth, an after-school youth program in New Brighton; and a group trying to get last-ditch funding for the Living At Home Block Nurse Program (LAHBNP) in Roseville. It was concluded that the LAHBNP would close and go out of business. Many drastic cuts were made in 2003 – programs would go out of business and things would change. It is a sign of the times for how things have changed that non-profit organizations providing services cannot rely on government anymore as the only mechanism; it requires a whole different way of raising money.
- She and several other staff attended the RailVolution Conference, with a focus on transit oriented development looking at needs in whole communities. The basic fundamental ways projects are being financed has changed. People are looking at ways to get away from reliance on just federal, state and local governments. There were sessions on how to engage the private sector, examples of private sector doing housing. There has been a shift in that the private sector has to step up to the plate in order to make these things work.

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Commissioner Rettman reported:

- She attended the public auction, which David Twa, County Manager, reported on in a written report. Though there was only a negligible amount of properties, the bidding was extreme.
- Buckthorn Busters have been busy trying to get rid of buckthorn.
- On a well-attended reception for Dick Radman, who turned 90 years old, and has been a staunch labor union activist.

Commissioner Ortega reported:

- On meetings with three Ramsey County legislative delegates regarding the bonding bill for 2008.
- On a police officers' foundation event.

Commissioner Carter reported:

- On the Juvenile Detention Alternatives Initiative (JDAI) stakeholders meeting. The JDAI is moving to a risk assessment instrument in January to look at the risk of re-offending, the risks to public safety, and the risk of not showing up in court to determine if a youth should be detained in Ramsey County's Detention Center. Evidence shows that by doing so, ways can be found for juveniles to be supervised in other ways than in the Detention Center.
- The Ramsey County Children's Mental Health Collaborative issued an RFP for intensive home therapeutic services. Providers responding to the proposals would look at the needs based on the amount of funding, to determine how our needs would be met. She attended the last meeting of the Countywide collaborative with the suburban collaboratives.
- On the Metropolitan Counties Energy Task Force meeting, which completed its planning sessions with respect to the vision and mission for the organization. A letter was approved, and is to be sent from that group's legislative committee, encouraging the Minnesota Climate Change Advisory group to bring forth suggestions for increasing transit and funding for transit.
- The Transitions Initiative being brought together by Superintendent Carstarphen and the St. Paul Public Schools, met with the St. Paul Mayor to focus on increasing achievement for students of color in the St. Paul public schools. This has a bearing on our plans for the delivery of County services in the City of St. Paul in collaboration with the St. Paul Public Schools, which is much aligned with the direction that the St. Paul Children's Collaborative is moving to ensure partnership and comprehensive delivery of services for children and families. County staff are involved in the working groups.
- On a Re-Entry working group meeting at the legislative.

Chair Bennett reported:

- He and Commissioners McDonough and Carter attended the Foster Care Volunteers Dinner.
- On a meeting of the Chamber.
- On an advisory meeting in Chicago with the Region V FEMA Director. Region V includes Minnesota, Wisconsin, Illinois, Ohio and Indiana, with 21 members on this board. Commissioner Bennett represents local government for the five states. There are three people from Minnesota.

ADJOURNMENT

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