

HENNEPIN COUNTY

MINNESOTA

FINAL COMMITTEE AGENDA

BOARD OF HENNEPIN COUNTY COMMISSIONERS

County Administration Committee

Thursday, December 6, 2018

1:30 PM

Chair: Peter McLaughlin, District 4

Vice-Chair: Linda Higgins, District 2

Members: Mike Opat, District 1

Marion Greene, District 3

Debbie Goettel, District 5

Jan Callison, District 6

Jeff Johnson, District 7

1. Discussion

- A. 2019 Proposed Administrator and Commissioner Amendments

2. Open Forum

When invited to the podium, please identify yourself, keep your remarks to no more than three minutes, direct comments solely to county board members, and speak respectfully. Your remarks should be limited to topics that are relevant to Hennepin County.

3. Minutes From Previous Meeting

- A. 11/15/2018 County Administration Minutes
- B. 12/5/2018 County Administration Minutes

4. New Business

Routine Items

- A. **18-0504**
2019 state and federal lobbying contract amendments
- B. **18-0505**
Consent of assignment contract PR00000133 from Lifetrack Resources Inc. to Career/Life Alliance, Inc.. for the provision of health and wellness education to employees, spouses and retirees, no change to contract date or NTE
- C. **18-0506**
Authorize Investment Officer to use addtl statutory investment authority relating to repurchase agmts, reverse repurchase agmts, and futures and option contracts through 2019 within statutory and board-authorized limits

Items for Discussion and Action

- D. **18-0507**
Amendment to the Hennepin County Defense and Indemnification Plan

Addendum

- E. **18-0553**
Neg Agmt A189387 with the MN African American Heritage Museum and Gallery, 12/11/18-12/31/20, NTE \$50,000 - offered by Commissioner McLaughlin and Commissioner Higgins
- F. **18-0554**
Negotiate Amd 3 to Agreement A177766 (CTIB Agreement 18-2015) with Springsted Inc. to

provide municipal advisory services, paid with CTIB administrative funds, extend contract period through 12/31/19, no increase in contract amount

G. **18-0557**

2019 Youth Sports Grant awards

5. **Old Business**

A. **18-0497**

Amend Hennepin County Building Use Policy

Addendum – Revised

18-0553R1 Revised

Neg Agmt A189387 with the MN African American Heritage Museum and Gallery, 12/11/18-12/31/20, NTE \$50,000 - offered by Commissioner McLaughlin and Commissioner Higgins

HENNEPIN COUNTY

MINNESOTA

COMMITTEE MINUTES

BOARD OF HENNEPIN COUNTY COMMISSIONERS COUNTY ADMINISTRATION COMMITTEE

THURSDAY, NOVEMBER 15, 2018
1:30 PM

Chair: Peter McLaughlin, District 4
Vice-Chair: Linda Higgins, District 2

Members: Mike Opat, District 1
Marion Greene, District 3
Debbie Goettel, District 5
Jan Callison, District 6
Jeff Johnson, District 7

Commissioner Peter McLaughlin, Chair, called the meeting of the County Administration Committee for Thursday, November 15, 2018 to order at 2:09 PM. All Commissioners were present.

1. Open Forum

Commissioner Peter McLaughlin opened the Open Forum portion of the meeting at 2:10 PM, the following individuals made public comments:

- Jim Rubenstein
- Yolanda Ross
- Angela Tomma
- Tierre Caldwell
- Aleckra Kennedy
- David
- Michelle Rose
- Janet Knight
- Dave Bickman
- Niece Parker

When no other individuals came forth, Commissioner Peter McLaughlin moved to close Open Forum at 2:42 PM and approved – 7 Yeas

2. Minutes From Previous Meeting

- A. 10/30/2018 County Administration Minutes

APPROVED

Commissioner Linda Higgins moved to approve the Minutes from the Previous Meeting, seconded by Commissioner Jan Callison and approved - 7 Yeas

3. New Business

Routine Items

- A. **18-0465**

Acceptance of the proposal of the AIG Insurance Company for building and contents property insurance, 01/01/19-12/31/20, est NTE \$685,000; crime insurance est NTE \$15,500

CONSENT

Commissioner Jan Callison moved to approve, seconded by Commissioner Debbie Goettel and approved – 7 Yeas

- B. **18-0466**

Amd 1 to Agmt A166540 with MN DEED incorporating work plan and budget modifications for pathways using the Hennepin Career Connections Framework, no change to contract date or recv amt

CONSENT

Commissioner Linda Higgins moved to approve, seconded by Commissioner Mike Opat and approved - 7 Yeas

Items for Discussion and Action

C. 18-0467

Agmt PR00000475 with Standard Insurance Co. for the provision of a group Short and Long Term Disability Insurance plan, 01/01/19-12/31/23, NTE \$15,000,000

CONSENT

Commissioner Debbie Goettel moved to approve, seconded by Commissioner Jan Callison and approved - 7 Yeas

D. 18-0468

Authorize supplemental appropriations to amend the 2018 budget

CONSENT

Commissioner Mike Opat moved to approve, seconded by Commissioner Debbie Goettel and approved – 7 Yeas

Commissioner Jeff Johnson moved to recess at 2:49 PM, seconded by Commissioner Debbie Goettel in order to convene the Health Committee Meeting and approved unanimously – 7 Yeas

The County Administration Committee Meeting reconvened at 3:09 PM.

E. 18-0469

2019 State Legislative Priorities and Platform

Full platform - DRAFT

Bonding

- Mental health treatment facility - \$12 million

Commissioner Mike Opat moved to approve after removing the word “Secure”, seconded by Commissioner Marion Greene and approved – 7 Yeas

Criminal justice and public safety

Preserve and protect public safety through state-county partnerships that address funding challenges and support reform.

- Support increased funding to the Minnesota Bureau of Criminal Apprehension (BCA) to reimburse Hennepin County for two BCA agents to perform timely processing of micro crystal drug chemistry evidence in order to expedite the administration of justice at the county level and to make permanent the existing pilot program between Hennepin County and the BCA.
- Increase Community Corrections Act (CCA) funding to ensure adequate state funding for supervision of offenders in the community.
- Support the unique needs of female and juvenile offenders in the community by strengthening collaboration with and funding for community corrections systems.
- Support legal options such as vacatur (elimination of previous plea) to reduce barriers in housing and employment for the survivors of human trafficking.
- Clarify state financial responsibility for state wards in juvenile court.

Commissioner Linda Higgins moved to approve bullets one through five and seven, seconded by Commissioner Marion Green and approved unanimously – 7 Yeas

- Support the restoration of voting rights to persons on probation or parole for a felony conviction.

Commissioner Linda Higgins moved to approve, seconded by Commissioner Marion Greene. After discussion Commissioner Mike Opat moved to remove this item, seconded by Commissioner Jeff Johnson. After further discussion Commissioner Linda Higgins moved to approve as stated, seconded by Commissioner Marion Greene and approved – 5 Yeas; 2 Nays (Mike Opat & Jeff Johnson)

- Expand expungement statute to support individuals with housing or employment barriers and who have demonstrated a commitment to rehabilitation and community enhancement.

Data practices

Improve the delivery and coordination of supportive services through the use of data-driven strategies.

- Support legislation that promotes streamlined service coordination and data sharing across health, education, public safety and human services organizations.
- Support legislation that provides local governments flexibility over retention of electronic official records and correspondence.
- Improve county response to data breaches by aligning state mandates for local governments with those for the private sector.
- Improve cybersecurity response by clearly identifying a sole state agency that is accountable for investigating data breaches and responding to applicable reporting requirements.

Commissioner Jan Callison moved to approve entire section, seconded by Commissioner Marion Greene and approved unanimously – 7 Yeas

Environment and energy

Protect the environment and conserve resources through responsible management of waste and natural resources and promotion of environmental stewardship.

- Restore SCORE funding to its original purpose (funding county waste reduction, recycling and composting efforts to meet state solid waste goals) by eliminating the diversion of SCORE revenues to the General Fund.
- Ensure that Hennepin County receives a fair share of revenues from the Clean Water, Land and Legacy Amendment.
- Support the efficient, transparent and accountable management of water resources, which maximizes the use of financial and technical resources.
- Support legislation and state funding to local jurisdictions within quarantine areas for planning and response to the loss of trees due to invasive pests and pathogens, such as emerald ash borer.
- Support the Partnership on Waste and Energy 2019 Legislative Platform.

Commissioner Jan Callison moved to approve this entire section, seconded by Commissioner Debbie Goettel and approved unanimously – 7 Yeas

General government

Partner with the State of Minnesota to improve government services delivery, reduce mandates on local government, re-prioritize government spending and promote effective management of county programs by allowing local control.

- Support improved efficiency of election administration through the use of e-poll books with electronic signature and improvements to in-person absentee voting.
- Amend state statute to allow local governments to publish official documents electronically rather than in print.
- Support renewal of the allocation of Legacy/Arts and Cultural Heritage funding and other state sources of financial support for libraries with a priority on technology and collection.
- Modernize election statutes by amending outdated voter accessibility technology statutes and repealing 383B elections provisions that are inconsistent with other state statutes.
- Support legislation to align in-person absentee voting with in-person early voting.
- Ensure veterans remain eligible for the veterans property tax exclusion regardless of when they purchase their primary residence.
- Modernize outdated sale/lease statutes to more effectively reach potential customers and reduce the county's administrative burdens.

Modernize Hennepin County Human Resources statutes to align them with current rules and practices and to minimize duplication of efforts.

Commissioner Mike Opat moved to approved this entire section, seconded by Commissioner Marion Greene and approved unanimously – 7 Yeas

Hennepin Healthcare System

Ensure access to the full continuum of health care services for all by supporting policies that increase the financial stability of Hennepin Healthcare System, reduce health disparities, and support the capacity of the healthcare workforce.

Increase the financial stability of Hennepin Healthcare.

- Advance efforts to maximize Medicaid reimbursement and supplemental funding sources in support of financing the mission of Hennepin Healthcare, as the state's largest Medicaid provider system, including the promotion of new payment mechanisms, in both fee for service and managed care, that recognize the higher cost of care associated with serving a disproportionate number of Medicaid patients who have greater social and medical complexities.
- Advance legislation to mitigate funding losses to Hennepin Healthcare System as a result of the state's implementation of new federal requirements for the Medicaid program, including the Medicaid Outpatient Drug Rule which will reduce payments to the 340(b) Pharmacy Rebate Program and result in approximately \$2 to \$2.5 million in financial losses to the Hennepin Healthcare's pharmacy program
- Promote efforts to protect the state's Medicaid and MinnesotaCare programs when proposed changes would reduce access to coverage for Hennepin Healthcare System patients and increase uncompensated care costs to Hennepin Healthcare System, including any changes that would restrict an individual's eligibility for coverage based on employment status.
- Promote efforts to strengthen value-based-payment arrangements in Medicaid between providers and the state, including new state investments in short-term stabilization payments for safety-net provider systems intending to expand these arrangements with the state.
- Support the repeal of the sunset of the provider tax to prevent an estimated \$800 million loss to the state budget for the Medicaid program over the next biennium.

Improve population health and health equity through innovation and reform.

- Promote efforts to address the state's opioid crisis, including increasing access to medication assisted therapy and alternative pain management therapies.
- Advance the development and funding of new innovative health care delivery models aimed at addressing social determinants of health, including, but not limited to, seeking federal approval to allow Medicaid to cover medical respite care for people experiencing homelessness and expanding the definition of the state plan benefit for care coordination under Medicaid in Minnesota.
- Advance efforts to expand Project ECHO in Minnesota through the Medicaid program with Hennepin Healthcare System as one of the state's central specialty care hubs for providing real-time learning for front-line providers on conditions like addiction, Hepatitis C, and mental health disorders.
- Support new state investments in grant programs to reduce health disparities, including, but not limited to, legislation that invests in programs that expand trauma-informed approaches to care and/or address the cultural and racial gaps in women's access to prenatal care.

Support the capacity of the health care workforce to ensure the delivery of exceptional care.

- Promote efforts to improve access to care that also support the policies and/or investments needed to address any existing workforce and provider shortages in Minnesota, especially in the behavioral health care system.
- Support efforts to improve care coordination for complex patients and managing care transitions from the hospital to the most appropriate setting of care to avoid hospital readmissions and improve patient outcomes, especially in the behavioral health care system.

- Support efforts to maintain or increase current state investment in medical education and health care workforce development funding for Hennepin Healthcare System.
- Support policies that support increasing staff capacity in the health care workforce through telehealth opportunities.

Commissioner Marion Greene moved approval, seconded by Commissioner Linda Higgins and approved – 6 Yeas; 1 Nay (Jeff Johnson)

Health and human services

Ensure that mental health, chemical health and public health systems work to improve outcomes for all residents, especially the most vulnerable. Support preventative models of care and early intervention service to avoid over-reliance on crisis care and response.

Administrative and technical improvements

- Simplify and streamline Health and Human Services Program requirements and improve technological systems, including METS, MAXIS/MEC², SSIS, PRISM and MnCHOICES.
- Support reforms to safety-net programs that streamline and align eligibility determination with other income support programs, such as the Supplemental Nutrition Assistance Program (SNAP) and child care assistance.
- Oppose cost shifting to local governments for clients released from state human services facilities and state operated services (e.g. Anoka Metro Regional Treatment Facility, Minnesota Security Hospital in St. Peter and Community Behavioral Health Hospitals). Support adequate state funding for county services when such clients are placed by the state in community-based settings.
- Strengthen data sharing between state and local public health agencies to support HIV/AIDS response. Target available funding to data-driven local prevention, care, and treatment strategies endorsed by local planning bodies.

Invest in well-being of our children

- Promote child well-being and achieve positive outcomes for county-involved youth by standardizing practice models, investing upstream in early interventions, and stabilizing the child protection system.
- Substantially invest in, reform, and eliminate fraud in early childhood development programs, including basic sliding fee child care, foster care child care, early learning scholarships, Head Start and evidence-based targeted home visiting as a means to reduce disparities and invest early in child outcomes.

Invest in health through mental health and chemical health improvements

- Support systems redesign to meet the needs of individuals with mental illness, including expanded supportive housing options and services required for stabilizing individuals in the community. Expand access to waiver-funded services to meet condition-related needs.
- Support efforts to integrate mental health, chemical health and criminal justice interventions to address the needs of justice-involved persons, to ensure better outcomes for residents, and to reduce recidivism.
- Support legislation and that promotes and sustains efforts to develop a comprehensive and integrated model of health and human services delivery (similar to Hennepin Health) to outcomes for residents.

Commissioner Jan Callison moved to approve bullets one through 9, seconded by Commissioner Debbie Goettel and approved unanimously – 7 Yeas

- Support continuation of the provider tax to ensure long-term stable funding for affordable coverage and access to community-based care.

Commissioner Jan Callison moved to approve tenth bullet, seconded by Commissioner Debbie Goettel and approved – 6 yeas; 1 Nay (Jeff Johnson)

Housing

Leverage limited resources more efficiently and advance stable housing for individuals and families.

- Support the creation of a renewable capital investment fund and other alternative financing mechanisms for development of necessary community housing options for vulnerable individuals.
- Maintain funding for homeless prevention, outreach and emergency shelters.
- Increase access to affordable long-term housing for low and moderate income residents.
- Support legislation and administrative reforms that provide a continuum of services and housing, including 24-hour supervised care options for persons with acute and chronic care needs.

Commissioner Mike Opat moved to approve, seconded by Commissioner Jan Callison and approved – 7 Yeas

Taxes

Protect state funding for mandated services and assure flexibility to serve our residents without undue reliance on property taxes.

- Protect essential County Program Aid (CPA) that supports county-mandated services and reduces reliance on property tax.
- Oppose tax cuts relative to federal tax conformity that deplete state funding for local government mandates.

Commissioner Mike Opat moved to approve the two bullets, seconded by Commissioner Debbie Goettel and approved – 6 Yeas; 1 Nay (Jeff Johnson)

Transportation

Strengthen the long-term value of neighborhoods and communities through strategic public investments in infrastructure that improve mobility and safety and connect people to jobs.

- Extend to the Bottineau Light Rail Transit line the liability and insurance provisions that currently exist for the Southwest Light Rail Transit (SWLRT) line.
- Support a comprehensive transportation package that provides new revenue for roads, bridges and transit.

Commissioner Peter McLaughlin moved to approve bullets one, two, four and five, seconded by Commissioner Linda Higgins and approved – 6 Yeas; 1 Nay (Jeff Johnson)

- Support elimination of the prohibition on state funding for long-term capital maintenance for the Southwest Light Rail Transit (SWLRT) project.

Commissioner Peter McLaughlin moved to approve third bullet, seconded by Commissioner Linda Higgins. After discussion Commissioner Mike Opat moved to delete this bullet, seconded by Commissioner Jeff Johnson and failed – 2 Yeas (Mike Opat & Jeff Johnson). A vote was taken on the item as stated and approved – 5 Yeas; 2 Nays (Mike Opat & Jeff Johnson)

- Modify the special distribution of leased vehicle sales tax in the metro area to fairly include Hennepin and Ramsey counties.
- Oppose any increase in weight or size limits for commercial trucks and other motor vehicles.

Workforce development

Meet the future workforce needs of Hennepin County and other employers and address persistent economic and racial disparities by connecting well-trained and qualified individuals to high demand jobs in our region.

- Support expansion and flexibility of state programs to provide enhanced training and employment opportunities to better address persistent employment disparities.
- Seek funding to increase training and employment services to clients in correctional programs such as Productive Day, Sentencing to Service (STS), STS Homes, probation, and electronic home monitoring.
- Support reforms to the SNAP's Employment and Training Program that streamline program administration and restructure participation sanctions, while enhancing program integrity as a means to increase work participation rates.

Commissioner Debbie Goettel moved to approved entire section, seconded by Commissioner Marion Greene and approved unanimously – 7 Yeas

Non-profit requests

Support the following non-profit organizations by serving as the fiscal agent for state bonding proceeds.

- Avivo—\$10 million
- Children's Theater—\$4 million

Commissioner Marion Greene moved to approve entire section, seconded by Commissioner Linda Higgins and approved unanimously – 7 Yeas

Platform priorities - DRAFT

Child Protection

Promote child well-being and achieve positive outcomes for county-involved youth by standardizing practice models, investing upstream in early interventions, and stabilizing the child protection system.

Mental health

Support systems redesign to meet the needs of individuals with mental illness, including expanded supportive housing options and services required for stabilizing individuals in the community.

Systems modernization

Simplify and streamline Health and Human Services Program requirements and improve modernize their technological systems, including METS.

Safety-net health services

Ensure access to the full continuum of health care services for all by supporting policies that increase the financial stability of Hennepin Healthcare System, reduce health disparities, and support the capacity of the healthcare workforce.

Housing

Support the creation of a renewable capital investment fund and other alternative financing mechanisms for development of necessary community housing options for vulnerable individuals.

Disparity reduction

Expand resources and strengthen partnerships to reverse persistent racial and other disparities that drive poverty, poor health, involvement in the criminal justice system, transportation access, and low achievement.

Transportation

Invest in a robust multi-modal system (roads, bridges and transit) to move people and goods equitably and efficiently in ways that strengthen communities and enhance Minnesota's competitiveness.

Commissioner Peter McLaughlin moved to progress entire section, seconded by Commissioner Jeff Johnson and approved unanimously – 7 Yeas

18-0469 S1 Separated

2019 State Legislative Platform

PROGRESSED

Commissioner Peter McLaughlin moved to progress, seconded by Commissioner Jeff Johnson and approved - 7 Yeas

18-0469 S2 Separated

2019 State Legislative Priorities

PROGRESSED

Commissioner Mike Opat moved to progress, seconded by Commissioner Marion Greene and approved - 7 Yeas

F. **18-0497**

Amend Hennepin County Building Use Policy

LAID OVER

Commissioner Peter McLaughlin moved to lay over, seconded by Commissioner Mike Opat and approved - 7 Yeas

4. Old Business

18-0444

Approval to establish a payback guideline of 15 years or less for energy conservation projects - offered by Commissioner Goettel

18-0444 R1 Revised

Approval to establish a payback guideline of 15 years or less for energy conservation projects - offered by
Commissioner Goettel

PROGRESSED

Commissioner Jeff Johnson moved to progress, seconded by Commissioner Peter McLaughlin and approved - 7
Yeas

5. Adjourn

There being no further business, the meeting of the County Administration Committee for Thursday, November 15, 2018 was
declared adjourned at 4:11 PM.

Yolanda C Clark
Deputy Clerk to the Board

HENNEPIN COUNTY

MINNESOTA

COMMITTEE MINUTES

BOARD OF HENNEPIN COUNTY COMMISSIONERS COUNTY ADMINISTRATION COMMITTEE

WEDNESDAY, DECEMBER 5, 2018
1:00 PM

Chair: Peter McLaughlin, District 4
Vice-Chair: Linda Higgins, District 2

Members: Mike Opat, District 1
Marion Greene, District 3
Debbie Goettel, District 5
Jan Callison, District 6
Jeff Johnson, District 7

Commissioner McLaughlin, Chair, called the meeting of the County Administration Committee for Wednesday, December 5, 2018 to order at 1:11 PM. All Commissioners were present with the exception of Commissioners Greene, Higgins and Johnson who stepped out briefly.

1. Discussion

A. 2019 Preliminary Budget Presentation - Administrator and Commissioner Amendments

Commissioner Peter McLaughlin gave a brief overview of the process and turned the discussion over to County Administrator David Hough, who deferred to David Lawless, Chief Financial Officer, for a review of the budgeted increases and decreases with respect to the property tax levy. Commissioner Peter McLaughlin proceeded by addressing the following Commissioner and Administrator Amendments:

- Greene/Callison 1 – Sheriff - Jail Population Oversight Committee

Commissioner Jan Callison moved with an amendment to the membership list, seconded by Commissioner Marion Greene and approved – 7 Yeas.

Commissioner Jan Callison moved approval as amended, seconded by Commissioner Marion Green and approved – 7 Yeas CONSENT

- Greene/Opat 1 – HSPH – Create a housing development plan for residents with mental illness

Commissioner Marion Green moved approval, seconded by Commissioner Mike Opat and approved - 7 Yeas CONSENT

- McLaughlin 14 - Sheriff's Office (\$1,928,402)/Contingency \$1,928,402 - Sheriff's Office budget reduction

Commissioner Peter McLaughlin moved approval, seconded by Commissioner Marion Greene

Commissioner Jan Callison moved an amendment to take reductions from other budget proposals, seconded by Commissioner Jeff Johnson

Commissioner Mike Opat moved to lay item over, seconded by Commissioner Jeff Johnson and approved – 7 Yeas – LAID OVER

- Greene 2 – Sheriff's Office – Designate \$150,000 in 2019 Contingency for a collaborative chemical and mental health response in the Sheriff's Office

Commissioner Marion Greene moved to lay item over, seconded by Commissioner Debbie Goettel and approved – 7 Yeas – LAID OVER

- Goettel 1 – Court Functions/County Attorney – Legal services for qualifying victims of domestic abuse

Commissioner Debbie Goettel moved approval, seconded by Commissioner Linda Higgins and approved – 4 Yeas, 3 Nays (Opat, Callison, Johnson) – NON-CONSENT

- Higgins 1 – Human Resources \$236,000/Contingency (\$236,000) – Summit Academy's Northside STEM

Commissioner Linda Higgins moved approval, seconded by Commissioner Peter McLaughlin

Commissioner Jan Callison moved an amendment to reduce the budget increase to \$200,000, seconded by Commissioner Opat and approved – 4 Yeas, 3 Nays (Goettel, Higgins, McLaughlin)

Commissioner Marion Greene moved an amendment to place funds in a designated contingency, seconded by Commissioner Mike Opat

Commissioner Higgins moved to lay the item over, seconded by Commissioner Jan Callison and approved – 7 Yeas – LAID OVER

- Opat 2 – Environment and Energy – Reforestation initiative

Commissioner Mike Opat moved to return to author, seconded by Commissioner Peter McLaughlin and approved – 7 Yeas - RETURNED TO AUTHOR

- Opat R1 – HSPH \$100,000/Contingency (\$100,000) – Funding for the Bridge for Youth Teen Parenting Program

Commissioner Mike Opat moved approval, seconded by Commissioner Peter McLaughlin and approved – 6 Yeas, 1 Nay (Johnson) - NON-CONSENT

- Higgins 2 – Information Tech.\$50,000/Contingency (\$50,000) – Customer Relationship Management / 311 Feasibility study

**Commissioner Linda Higgins withdrew the amendment
WITHDRAWN**

- McLaughlin 4 – Human Resources \$59,100/ Contingency (\$59,100) – Cedar Riverside Opportunity Center overhead and director costs

Commissioner Peter McLaughlin moved approval, seconded by Commissioner Debbie Goettel and approved – 6 Yeas, 1 Nay (Johnson) – NON-CONSENT

- McLaughlin 2S – Human Resources \$55,000/Contingency (\$55,000) – Ka Joog East African Youth at Work

Commissioner Peter McLaughlin moved approval, seconded by Commissioner Debbie Goettel

Commissioner Jan Callison moved to lay the item over, seconded by Commissioner Debbie Goettel.

Commissioner Jan Callison withdrew the motion to lay over.

The original motion was approved – 6 Yeas, 1 Nay (Johnson) – NON CONSENT

- Callison/Opat 1 – Capital Improvements, Transportation Operations and HSPH – Sales Tax for roads and bridges, reduce property tax levy, and reduce use of fund balance in HSPH

Commissioner Jan Callison moved approval, seconded by Commissioner Mike Opat and not approved – 3 Yeas, 4 Days (Goettel, Greene, McLaughlin, Higgins) - FAILED

- McLaughlin 15 – Transportation Operation/Capital – Funding for Road Rehabilitation

Commissioner Peter McLaughlin moved approval, seconded by Commissioner Debbie Goettel

Commissioner Jan Callison moved an amendment to delete the third resolving clause, seconded by

Commissioner Mike Opat and approved – 7 Yeas

The motion was approved as amended – 7 Yeas - CONSENT

Administration 20 – Fleet Services – 2018 Fuel Rebate to User Departments

Commissioner Mike Opat moved to return to author, seconded by Commissioner Jeff Johnson and approved – 7 Yeas - RETURNED TO AUTHOR

- Administration 36 – Court Functions \$60,000/Contingency (\$60,000) – Legal representation and advice to qualifying low-income tenants and landlords

Commissioner Marion Green moved approval, seconded by Commissioner Linda Higgins and approved – 7 Yeas – CONSENT

- Opat 3 – HSPH \$720,474/Contingency (\$720,474) – Restore staffing for Joint Community Policing Partnership program

Commissioner Mike Opat moved an amendment adding a resolving clause, seconded by Commissioner Peter McLaughlin and approved – 7 Yeas

Commissioner Mike Opat moved approval as amended, seconded by Commissioner Peter McLaughlin and approved – 6 Yeas, 1 Nay (Johnson) - NON-CONSENT

- McLaughlin 1 – HSPH \$360,000/Consent (\$223,000) – Embed social workers in local law enforcement agencies

Commissioner Peter McLaughlin moved approval, seconded by Commissioner Marion Greene and approved – 6 Yeas, 1 Absent (Johnson) – CONSENT

2. Public Comment

Commissioner Peter McLaughlin invited Public Comment at 3:25 PM and the following individual spoke:

1) Kathy Czeck

The Public Comment period was closed at 3:39 as no other individuals came forward.

1. Discussion, continued

- Administration 37 – County Revenue Fund – Reduce Property Tax Levy below County Board Approved maximum “If Needed”

Commissioner Mike Opat moved to lay item over, seconded by Commissioner Peter McLaughlin and approved – 6 Yeas, 1 Absent (Johnson) – LAID OVER

- McLaughlin 12 – County Revenue Fund – Reduce property tax levy

Commissioner Mike Opat moved to return to author, seconded by Commissioner Debbie Goettel and approved – 6 Yeas, 1 Absent (Johnson) - RETURNED TO AUTHOR

- McLaughlin 16 – HSPH \$80,000/Contingency (\$80,000) – Supplemental housing support services for homeless 18-24 year olds

Commissioner Peter McLaughlin moved approval, seconded by Commissioner Linda Higgins

Commissioner Marion Greene moved an amendment to hold funds in a designated contingency, seconded by Commissioner Mike Opat and approved – 4 Yeas, 2 Nays (McLaughlin, Higgins) 1 Absent (Johnson)

The motion was approved as amended – 6 Yeas, 1 Nay (Johnson) – NON-CONSENT

3. Minutes from Previous Meeting

A. 11/29/2018 - 2019 Proposed Budget - County Administrator Amendments Minutes

Not addressed, item moved to 12-6-18 Committee meeting

4. Adjourn

Commissioner Jeff Johnson moved to adjourn, seconded by Commissioner Debbie Goettel and adjourned at 3:50 pm until December 6, 2018.

**Karen Keller
Deputy Clerk to the County Board**

HENNEPIN COUNTY

MINNESOTA

Board Action Request 18-0504

Item Description:

2019 state and federal lobbying contract amendments

Resolution:

BE IT RESOLVED, that Amendment 1 to Agreement A178213 with TGE Consulting for the provision of state lobbying services for Hennepin Healthcare, extending the date from December 31, 2018 to December 31, 2019 and increasing the not to exceed amount by \$35,000 for a new not to exceed amount of \$70,000, be approved; and

BE IT FURTHER RESOLVED, that Amendment 1 to Agreement A178209 with LOCKRIDGE GRINDAL NAUEN, for the provision of federal health care lobbying, extending the date from December 31, 2018 to December 31, 2019 and increasing the not to exceed amount by \$55,000 with a new not to exceed of \$110,000, be approved; and

BE IT FURTHER RESOLVED, that Amendment 1 to Agreement A178221 LOCKRIDGE GRINDAL NAUEN, for the provision of federal lobbying, extending the date from December 31, 2018 to December 31, 2019 and increasing the not to exceed by \$90,000 with a new not to exceed amount of \$180,000, be approved; and

BE IT FURTHER RESOLVED, that Amendment 1 to Agreement A178211 with MESSERLI & KRAMER, for the provision of state lobbying services, extending the date from December 31, 2018 to December 31, 2019 and increasing the not to exceed by \$20,000, with a new not to exceed amount of \$40,000, be approved; and

BE IT FURTHER RESOLVED, that Amendment 1 to Agreement A178210 with RICE, MICHELS & WALTHER, for the provision of state lobbying services, extending the date from December 31, 2018 to December 31, 2019 and increasing the not to exceed by \$52,000, with a new not to exceed amount of \$104,000, be approved; and

BE IT FURTHER RESOLVED, that Amendment 1 to Agreement A178212 with WINTHROP & WEINSTINE for the provision of state lobbying services, extending the date from December 31, 2018 to December 31, 2019 and increasing the not to exceed amount by \$30,000 for a new not to exceed amount of \$60,000, be approved; and

BE IT FURTHER RESOLVED, that the Chair be authorized to sign these Amendments on behalf of the County, and that the Controller be authorized to disburse funds as directed; and

BE IT FURTHER RESOLVED, that Hennepin County will be reimbursed by Hennepin Health Systems, Inc. for all expenditures related to Agreement A178213 with TGE Consulting.

ATTACHMENTS:

Description

Upload Date Type

HENNEPIN COUNTY

MINNESOTA

Board Action Request 18-0505

Item Description:

Consent of assignment contract PR00000133 from Lifetrack Resources Inc. to Career/Life Alliance, Inc.. for the provision of health and wellness education to employees, spouses and retirees, no change to contract date or NTE

Resolution:

BE IT RESOLVED, that consent of assignment Agreement PR00000133 from Lifetrack Resources Inc. to Career/Life Alliance, Inc. for the provision of health and wellness educational services, no change to the contract dates of January 1, 2018 through December 31, 2019 and no change to the not to exceed amount of \$45,000 be approved; that the Chair of the Board be authorized to sign the Agreement on behalf of the County; and that the Controller be authorized to disburse funds as directed.

Background:

In January 2018, Lifetrack Resources Inc. entered into a professional services agreement with Hennepin County Human Resources to provide its "LifeBalance Solutions" educational program to county employees, spouses and retirees (18-0034).

The LifeBalance Solutions program offers a broad range of health and wellness onsite training topics, such as, healthy sleep, diabetes management, handling grief, choosing nutritious food, cancer prevention, fitting in physical activity, understanding depression, etc.

Career/Life Alliance, Inc. has acquired the "LifeBalance Solutions" educational program from Lifetrack Resources Inc.

Effective January 1, 2019, and in order to provide health and wellness education to Hennepin County employees, spouses and retirees, with a seamless transition, consent of assignment of contract PR00000133 is requested.

Contract period dates and NTE amount remain unchanged.

HENNEPIN COUNTY

MINNESOTA

Board Action Request 18-0506

Item Description:

Authorize Investment Officer to use addtl statutory investment authority relating to repurchase agmts, reverse repurchase agmts, and futures and option contracts through 2019 within statutory and board-authorized limits

Resolution:

BE IT RESOLVED, that the Investment Officer of Hennepin County be authorized to utilize the additional investment authority set forth in Minnesota Statute 118A.07, relating to repurchase agreements, reverse repurchase agreements, futures and options contracts through December 31, 2019, within statutory limits and in conformance with the written limitations, policies and procedures of the Office of Budget and Finance, and that the Investment Officer submit a report to the Board in 2019 on the findings of the oversight process.

BE IT FURTHER RESOLVED, that the limit on the amount of authorized securities owned, with maturity dates greater than 12 months, is set at 120 percent of the prior year's average daily investable cash.

Background:

This Board Action Request seeks continuation of the additional investment authority described in Minnesota Statute 118A.07 which the Investment Officer uses in the safekeeping, management and investment of county deposits and funds. It requires annual authorization by the local governing body as well as policies and procedures and an oversight process which are documented below.

For three decades, the county's treasury practices have incorporated the use of Treasury bonds, bonds issued by government agencies, municipal bonds, collateralized deposits, repurchase agreements, reverse repurchase agreements, and futures and options contracts when useful and appropriate to the safe management of county funds.

The requested additional investment authority specifically allows the Investment Officer to enter into repurchase agreements, and reverse repurchase agreements for periods greater than the 90 days allowed without the additional authority, and to purchase futures and options contracts through 2019.

Similar to last year, this request for the additional investment authority also includes an internally-imposed limit on amount of investments owned at 120% of the prior year's average invested cash position, which is 10% under the statutory limit of 130%. The self-imposed limit effectively caps our use of reverse repurchase agreements to buy additional investments. It also recognizes that the county has an additional cash management tool in its commercial paper issuance program. Finally, the limit signals to financial markets that we manage our use of available financing conservatively.

In actual practice during the current year, the Investment Officer has only used the additional investment authority to enter into reverse repurchase agreements for limited periods of time to maintain a safe and favorable investment position.

The Office of Budget and Finance (OBF) has written policies and procedures that define its management

of county deposits and investments, including:

1. collateralization requirements on bank deposits;
2. specifications for repurchase and reverse repurchase agreements, and index-based investments such as floating rate securities, options and futures contracts, and interest rate swap agreements;
3. the final maturity of any individual security;
4. the maximum average weighted life of the portfolio; and
5. monitoring of the credit quality of financial institutions and instruments with which Hennepin County transacts.

OBF staff discusses markets and investment strategies with its Investment Policy Advisory Committee, a committee of community members with financial markets experience who volunteer their insights.

Documentation of these policies and procedures is maintained by the Office of Budget and Finance. Additionally, there are control and oversight procedures to monitor investment transactions and strategy, and portfolio performance. These include internal and external auditing, credit rating agency reviews, Investment Policy Advisory Committee review, internal controls on the execution and recording of investment transactions, and daily monitoring by the county auditor's office of the aforementioned limit on amount of investments owned.

The attached documents give additional information regarding the use of the additional investment authority. Exhibit 1 documents the proposed usage of the additional authority. Exhibit II is a summary of oversight practices which includes the Investment Policy Advisory Committee's endorsement at its October 19, 2018 meeting to continue using the additional investment authority defined in statute. Further, the Investment Officer shall report to the board in 2019 on the findings of the oversight process.

In addition to its own funds, the county's investment portfolio includes funds of the Regional Rail Authority, Housing and Redevelopment Authority, Hennepin Health Services, Hennepin Health Foundation, Three Rivers Park District, and Minnesota Ballpark Authority.

ATTACHMENTS:

Description	Upload Date	Type
Exhibit I - 2019 Annual Investment Authority	11/9/2018	Backup Material
Exhibit II - 2019 Annual Investment Authority	11/9/2018	Backup Material
Portfolio Summary - 3Q 2018	11/9/2018	Backup Material

**SUMMARY OF STATUTORY INVESTMENT AUTHORITY
AND
HENNEPIN COUNTY'S PROPOSED USE OF INVESTMENT AUTHORITY UNDER STATUTE**

STATUTORY INVESTMENT AUTHORITY			
Instrument	General Investment Authority M.S. Chap. 118A	Additional Investment Authority M.S. 118A.07	County Guidelines and Practice and Proposed Use
Repurchase agreements (RPs)	Permitted.	Permitted. Also authorizes the acceptance of "high risk" mortgage-backed securities as collateral (i.e., collateralized mortgage obligations issued by GNMA, FNMA, FHLMC) provided that the RP is collateralized at 101% or higher.	Staff proposes to utilize the additional investment authority. The county currently accepts collateralization with agency mortgage-backed securities at 102% but does not accept as collateral the types of those securities defined as "high-risk" even though they are allowed.
Reverse repurchase agreements (RRPs)	Permitted for periods of 90 days or less and only to meet short-term cash flow needs.	Permitted. Used to meet cash flow needs, and to generate cash for investments with no limit on term, provided that total securities owned shall not exceed 130% of the average daily investable cash from the preceding year, excluding securities with maturities of 1 year or less.	Staff proposes to utilize the additional investment authority using RRP's, limiting the amount of investments owned (excluding those with maturities of 1 year or less) to 120% of the average daily investable cash from the preceding year. This is consistent with current and recent past practice.
Options contracts	Not permitted.	Permitted on securities owned by the county.	Staff could decide to enter into options contracts under favorable market conditions.
Futures contracts	Not permitted.	Permitted.	Staff could decide to enter into options contracts under favorable market conditions.

**Report to the Hennepin County Board of Commissioners
Regarding Investment Oversight Processes
4th Quarter 2018**

General oversight

The Hennepin County investment function is managed by the Treasury and Investment Officer and designated staff, which includes regular consultation with the Chief Financial Officer. The investment function follows the practices described in the OBF Investment Policy which is maintained by the Office of Budget and Finance, and revised with concurrence of the Investment Policy Advisory Committee. The Investment Policy Advisory Committee is an ad hoc group with community members having expertise that provides investment staff with both insights on financial markets and feedback on the investment strategies of the County. Input from this Committee is limited to policy and overall strategy, but does not include day-to-day oversight of individual transactions.

The Investment Policy Advisory Committee has endorsed the continuation of the current investment strategy including the continued usage of the additional investment authority in Minnesota Statute 118A.07 at its October 19, 2018 meeting.

In addition to the Investment Policy Advisory Committee, there are several other oversight processes in place to monitor the investment activity of the County. These additional oversight processes are completed by a variety of entities. These entities are both internal and external and are listed below.

Internal oversight

The Resident and Real Estate Services Department staff tracks investment activity on a daily basis by receiving broker confirmations and reconciling with bank statements. With this process, it monitors the daily investment balance and ascertains that the size of the portfolio is within the parameters defined within both state law and internal investment policy guidelines.

Audit, Compliance and Investigation Services periodically reviews the investment process in the normal course of its audit activities, and receives the review of banking and investment activities in the annual audit schedule by the external auditor. In 2018, ACIS completed a review of data security practices in treasury activities. It also assists reviews made by the State Auditor's Office on the legal compliance of the investment program.

The Accounting Division of OBF provides monthly reports on investment activities including transaction volumes, earnings, monthly and annualized yields, benchmarks, and investment balances to the Director of Budget & Finance, the Internal Auditor, the Controller and investment staff.

External oversight

The County's external auditors review the County's investment practices during the course of the annual audit and preparation of the financial statement. They review investment balances and legal compliance, compliance with applicable accounting standards, and they test internal controls. Review of the investment activity is a part of the audit, but it is not handled as a separate audit specific to investment activity. Therefore the external auditors express no opinion related to the investment function or strategy, but would note any significant exceptions in the management letter.

The County's investment activity is also reviewed by the credit rating services. When the County issues bonds, the rating services review the County's investment practices. Currently, the County prices the market value of the portfolio on a monthly basis as compared to the book value of the portfolio and makes that available to rating agencies during ratings discussions. In conjunction with the County's commercial paper issuance program, the County also complies with monthly liquidity reporting procedures required by certain credit rating agencies. This reporting allows investors to judge the County's ability to repay its short-term liabilities. Once a year, Standard & Poors' Banking Analysis section conducts a liquidity review and affirms the county's short-term rating on its commercial paper certificates which has been at the highest rating, A-1+, since the inception of the commercial paper program. Fitch Ratings also has given its highest short-term rating, F1+, to the county's commercial paper certificates.

During the course of the year, the County provides to various information to its investors, creditors, and counterparties, as they request it, which often includes information on the County's investment balances and practices. In addition, our continuing disclosure agreements now require that any events of a material nature be disclosed to interested parties. This disclosure is conducted through a public portal of the Municipal Securities Rulemaking Board called Electronic Municipal Market Access. Additionally, as defined by Securities and Exchange Commission rules, the OBF has adopted the RFP process to comply with rules on municipal advisory requirements for the investment of bond proceeds. The information is posted on the county website.

Exhibit II

**HENNEPIN COUNTY
COMMINGLED PORTFOLIO STATISTICS**

	12/31/2015	12/31/2016	12/31/2017	9/30/2018
Earnings yield - YTD	1.29%	1.36%	1.40%	1.74%
Total return	1.46%	0.42%	1.29%	0.33%
Weighted average maturity - years	3.82	3.95	3.52	3.18
Effective duration	1.71	2.52	2.88	2.48
<i>Yield comparisons</i>				
90-day Treasury yield - YTD	0.04%	0.32%	0.94%	1.84%
1-year Treasury yield - YTD	0.29%	0.61%	1.20%	2.22%
Highest governmental money market fund - YTD	0.11%	0.40%	0.86%	1.32%

PORTFOLIO ALLOCATIONS - in millions				
	12/31/2017		9/30/2018	
<u>By issuer</u>	<u>Amount</u>	<u>%</u>	<u>Amount</u>	<u>%</u>
Freddie Mac	242.5	28.5%	266.2	29.6%
Farm Credit Bureau / Farmer Mac	241.8	28.4%	216.9	24.1%
Federal Home Loan Bank	107.9	12.7%	169.8	18.9%
Fannie Mae	171.6	20.1%	132.8	14.8%
United States Treasury	75.0	8.8%	75.0	8.3%
Municipal	-	0.0%	27.4	3.0%
Small Business Administration	8.1	0.9%	6.1	0.7%
Ginnie Mae	4.8	0.6%	4.1	0.5%
	851.7	100.0%	898.2	100.0%
<u>By structure</u>	<u>Amount</u>	<u>%</u>	<u>Amount</u>	<u>%</u>
Agency - Discretely callable	436.1	51.2%	461.4	51.4%
Agency - Continuously callable	262.5	30.8%	262.5	29.2%
Non-callable	75.0	8.8%	100.0	11.1%
Municipal - VRDO puttable	-	0.0%	27.4	3.0%
Agency - 1x callable	50.0	5.9%	25.0	2.8%
Agency - Mortgage-backed securities	28.2	3.3%	22.0	2.4%
	851.7	100.0%	898.2	100.0%
<u>By optionality</u>	<u>Amount</u>	<u>%</u>	<u>Amount</u>	<u>%</u>
Callable - 4th quarter 2018	-	0.0%	686.9	76.5%
Callable - 1st quarter 2019	-	0.0%	50.0	5.6%
Callable - 2nd quarter 2019	-	0.0%	12.0	1.3%
Callable or maturing 3rd qtr 2019 or later	-	0.0%	149.3	16.6%
	-	0.0%	898.2	100.0%

HENNEPIN COUNTY

MINNESOTA

Board Action Request 18-0507

Item Description:

Amendment to the Hennepin County Defense and Indemnification Plan

Resolution:

BE IT RESOLVED, that the Hennepin County Defense and Indemnification Plan, as amended, is approved.

Background:

The County Attorney's Office is proposing an amendment of the county's Defense and Indemnification Plan (the "Plan") for employees. The Plan was first adopted in 1976, amended in 1985, and has remained unchanged since that time. In light of statutory changes, Hennepin County changes (i.e., creation of Hennepin Healthcare Systems, Inc.) and judicial decisions, the Plan needs to be updated. Attached as Exhibit A to this Board Action Request is the proposed Second Amended Plan. Attached as Exhibit B is the Amended Plan from 1985, which is currently in effect. The most significant change needed is to explicitly outline procedures to be employed in the (rare) situations in which the County declines to defend and/or indemnify an employee and to ensure the employee's right to challenge such a decision.

The proposed Second Amended Plan, like the original one, provides defense and indemnification from civil lawsuits filed against an employee, officer, or volunteer arising out of an alleged act or omission occurring in the performance of the duties of their position. The proposed Second Amended Plan also explicitly outlines an internal Hennepin County procedure for employees and others entitled to defense and indemnification to challenge a decision to deny defense and indemnification. This internal process can then be reviewed by the Minnesota Court of Appeals if the employee, officer, or volunteer believes the denial was improper. Even though this internal process is not detailed in the Amended Plan from 1985, these procedures are currently required by law and so have been followed by Hennepin County in the few instances where it has denied defense to an employee. The proposed Second Amended Plan will spell out this internal process and provide greater transparency to employees and others about the decision making process and the employees' right to judicial review. The proposed Second Amended Plan (attached as Exhibit A) was presented to the county's management-labor committee and no objections were raised.

It is important to note that the proposed Second Amended Plan does not change the scope of when employees and others are entitled to defense and indemnification. The standard is found in Minn. Stat. § 466.07 and requires defense and indemnification if the employee, officer, or volunteer was acting in the performance of the duties of the position and was not guilty of malfeasance in office, willful neglect of duty, or bad faith.

Over the past decade, Hennepin County has denied defense to an employee in very rare circumstances (all involving significant malfeasance). Our research indicates Hennepin County has denied defense and indemnification to an employee approximately 10 times in the past 25 years or so.

ATTACHMENTS:

Description	Upload Date	Type
amd plan final draft	11/26/2018	Backup Material

HENNEPIN COUNTY EMPLOYEE DEFENSE AND INDEMNIFICATION PLAN

Declaration of Indemnification. Pursuant to Chapter 466 of Minnesota Statutes, to protect those performing governmental services on behalf of the County of Hennepin (“the County”) against specified risks and to protect them from personal liability for acts and omissions occurring in the course and scope of their employment, the Hennepin County Board of Commissioners hereby declares that, subject to the exclusions and exceptions specified in this Hennepin County Employee Defense and Indemnification Plan (“the Plan” or “this Plan”), the County will defend and indemnify an officer, agent or employee, whether elective or appointive, against any tort or professional liability claim or claim for deprivation of a constitutional right, arising out of an alleged act or omission occurring in the performance of the duties of the position of the officer, agent, or employee. The County will defend against or compromise and settle any such claim or lawsuit and pay the amount of any settlement or judgment rendered thereon.

I. Definitions. For the purpose of this Plan the following definitions shall apply:

A. Employee. An officer, agent or employee, collectively referred to as “Employee,” shall include all persons employed by Hennepin County whose pay comes in whole or in part from County funds and who are working under the direction or control of any official or department of the County. The term “Employee” shall include those who work for the County on a voluntary basis without pay when such employment is accepted, contracted for, or consented to by the County or a County department and is under the direction and control of the County or County department.

The term “Employee” shall also include any person serving with or without compensation as a member of a board, task force or commission duly established by statute or by the County to advise on matters of policy or procedure.

The term “Employee” specifically excludes any person or organization contracting to perform services or act for Hennepin County as an independent contractor.

B. Performance of Duty. The phrase “Performance of Duty” shall be interpreted as broadly as possible to include any situation in which a County Employee can reasonably be deemed to be acting within the scope of the duties of the Employee’s position. It shall specifically extend to all Employees who are providing service on a voluntary basis or otherwise to any private, corporate, or governmental agency other than the County when doing so with the appropriate consent and authorization from the County. The phrase “Performance of Duty” shall not include any act or omission constituting malfeasance in office, willful neglect of duty, or bad faith within the meaning of Chapter 466 of Minnesota Statutes, or any other act or omission specifically excluded by Section III of this Plan or by statute

II. Exclusions and Exceptions.

This Plan shall not apply to any claim or lawsuit based upon:

A. An alleged act or omission occurring outside of the Performance of the Duties of the Employee’s position;

B. An alleged act or omission constituting malfeasance in office, willful neglect of duty, or bad faith;

C. An action involving the removal from office of an elected official;

D. A private legal action commenced by an Employee against any other party;

E. An action involving the criminal prosecution of an Employee, provided that an Employee may request reimbursement for costs and reasonable attorney's fees pursuant to the circumstances and procedures described in Minn. Stat. §465.76;

F. Fines, penalties, costs, disbursements or attorney's fees incurred in actions under the Open Meeting Law (Minn. Stat. §13D.01 et seq.) unless specifically authorized by resolution of the Hennepin County Board of Commissioners as permitted by Minn. Stat. § 13.D.06; and

G. Fines for neglect of duty incurred by a public officer, body or board, pursuant to Minn. Stat. § 586.10.

III. Defense of Actions.

A. Attorney Representation.

The County reserves the right to designate the attorney appointed to defend any Employee in any claim or lawsuit to which this Plan applies. Such defense will be furnished by an attorney from the Hennepin County Attorney's Office ("HCAO") or an attorney selected by the HCAO. In providing such defense, the HCAO or selected attorney may retain private investigators, experts, or other counsel as the HCAO or selected attorney may deem necessary; provided, however, that a selected attorney must seek approval of the HCAO before retaining any third party assistance.

Where the HCAO determines that there exists a conflict of interest between the County and an Employee who is named as a party to the claim or lawsuit, the HCAO shall select legal counsel to provide representation to the employee and shall negotiate the legal fees, if any, for such selected counsel. The County will pay any negotiated legal fees as well as reasonable costs and expenses incurred in the investigation, defense, or settlement of a claim or lawsuit on behalf of the Employee who is the subject of such a conflict.

B. Procedures for Determining Defense and Indemnification.

1. Upon receipt of a notice of claim or summons and complaint from the Clerk of the County Board or from an affected Employee, the HCAO shall promptly conduct a preliminary investigation of the incident giving rise to the notice or complaint to determine the eligibility of an Employee for defense and indemnity. The HCAO may consult with the head of the Employee's department or other appropriate authority before making this determination.

2. If the Employee is determined to be ineligible for coverage of all or a portion of the claim presented, or where rights are reserved against the Employee, the Employee shall be so notified in writing. Such notice shall state the reasons for this determination and shall inform the Employee of the Employee's right to a hearing under this Plan.

3. If the Employee wishes to contest the determination of ineligibility, within 10 calendar days of receipt of such notice the Employee shall notify the HCAO that the Employee requests a hearing.

4. A hearing shall be held within 14 calendar days of receipt by the HCAO of the Employee's request for hearing. Notice of the date of the hearing shall be provided to the Employee at least 10 calendar days before the hearing.

5. The hearing shall be conducted by the County Administrator or by a Deputy County Administrator or a Department Head designated by the County Administrator (the "Hearing Officer"). However, such Hearing Officer shall not be the Head of the Department of the affected Employee.

6. At least 7 calendar days before the scheduled hearing, the parties exchange copies of any documents that the parties plan to present at the hearing.

7. The Employee shall have the right to have a representative present at the hearing, at the Employee's own expense.

8. At the hearing, the Employee or the Employee's representative shall have the right to present documents and arguments to contest the denial of eligibility. Upon mutual agreement, the parties may also present tangible exhibits.

9. The Employee may, but is not required, to testify. Other witnesses will only be permitted upon mutual agreement of the parties.

10. The Hearing Officer may impose reasonable time limits upon the hearing.

11. Within 7 calendar days of the hearing, the Hearing Officer shall issue written findings of fact and conclusions specifying whether the Employee is eligible or ineligible for defense and indemnity under the terms of this Plan and shall serve such findings and conclusions upon the Employee and the HCAO.

12. Review of the Hearing Officer's decision regarding defense and indemnity shall solely be by writ of certiorari to the Minnesota Court of Appeals pursuant to Minn. Stat. Chapter 606.

In the event that the implementation of the process described above cannot be concluded before a timely response is required to a duly served summons and complaint, the HCAO shall arrange for independent legal counsel to represent the Employee under a reservation of rights until the contested eligibility process is concluded.

C. Notifications.

All notices or other notifications required by this Plan shall be served by personally delivering a copy to the Employee or to the HCAO, by U.S. Mail, or by electronic mail.

D. Cooperation of Employee.

No defense or indemnification shall be provided by the County to any Employee in any of the following circumstances:

1. If the Employee fails to use diligent efforts in reporting to the HCAO or to the Employee's department head any incident which the Employee might reasonably expect could result in a claim of liability against the Employee, or the County.

2. If the Employee fails to notify the HCAO of the receipt of notice of claim or summons and complaint commencing a suit for damages reimbursable under the Plan. Such notice shall be given to the HCAO within five (5) calendar days of its service upon the employee.

3. If the Employee fails or refuses to cooperate with an investigation or defense of any claim or lawsuit by the HCAO or by any other attorney selected by the HCAO to furnish defense to said Employee, or any investigator retained by the County to investigate such claim or lawsuit.

IV. Liability Limitations.

A. The County shall indemnify an eligible Employee up to the maximum amounts established by Minn. Stat. §466.04 as applicable at the time of the settlement or judgment. However, in any case where, by statute or court decision, the limits of liability do not apply to the County or its Employee, the County shall indemnify an eligible Employee for any amount agreed to by the County in settlement discussions or ordered by the court as final judgment.

B. The County specifically reserves all defenses which are made available to the County or its Employees.

C. Payment and Allocation of Claims.

All claims to be paid as a result of the indemnification provided by this Plan may be paid from Hennepin County's Self Insurance Fund established pursuant to Minn. Stat. § 383B.155, or any other fund established for these purposes. Any judgment or settlement of a claim against the County or an Employee shall be paid in accordance with the provisions of Minn. Stat. § 466.09. Unless otherwise determined by the County Administrator, any claims paid by the County shall be charged back to the County department from which the claim originated.

V. Effect of Other Insurance, Bond or Indemnification Plan.

If the County or Employee against whom a claim or judgment reimbursable under this Plan is asserted has any other valid and collectable insurance, bond or indemnification plan available covering the loss or damage alleged against the Employee, such insurance, bond or other plan will be primary and will be first applied to the payment of any claim or judgment. However, if the funds applied are not sufficient to pay the claim or judgment in full, the obligation of Hennepin County is limited to the difference between the primary payment and the liability limitations of Hennepin County, stated in paragraph IV of this Plan.

This Plan shall not apply to any claim, or lawsuit for liability arising out of an act or omission for which the County has procured a policy of insurance pursuant to Minn. Stat. § 466.06. However, in the event that:

1. The County would otherwise be liable for the alleged act or omission if such insurance had not been purchased, and

2. The liability limits of such policy are less than the liability limits provided by the Plan, and/or contain a deductible amount to be assumed by the insured, then the liability limits of the Plan shall apply to any damages in excess of the liability limits of such policy and up to the limits provided by Minn. Stat. §466.04. The deductible amount on any such County purchased liability insurance policy shall be paid by the County for indemnified Employees.

VI. Subrogation Rights of County.

In the event of any payment under this Plan on behalf of an Employee, the County shall be subrogated to all of the Employee's rights of contribution, indemnity, or recovery therefor against any person or organization. The Employee shall execute and deliver instruments and papers and do whatever else is necessary to secure these rights for the County. The Employee shall do nothing after loss to prejudice these rights.

VII. Assignments Prohibited.

Assignment of interest under this Plan is not permitted without the written consent of the County signed by the Chairperson of its Board of Commissioners and no such assignment shall bind the County unless such written consent is given prior to assignment. If, however, an Employee dies before a claim or action is commenced or concluded, the benefits and responsibilities of this Plan shall apply fully to the deceased Employee's estate or legal representative, but only if the deceased Employee qualified for defense and indemnification under all requirements of this Plan and the governing statutes.

VIII. Continuation of Protection.

Any defense and indemnification available to an Employee under this Plan shall continue to be available to the Employee after the termination of employment so long as the act or omission causing the former Employee's alleged liability occurred during the former Employee's Performance of Duties while an Employee of the County and so long as the former Employee timely notifies the County of any claim or lawsuit and cooperates with the defense as required in the Plan. Such defense and indemnification shall not be available to a former Employee in the event that the liability claim against the former Employee is asserted as a counterclaim or set off in any suit brought by the former Employee, except to the extent that the liability of such former Employee may exceed the amount of his own claim or suit.

IX. Effective Date.

This Plan is effective beginning the ____ day of _____, 2018 pursuant to Hennepin County Board Resolution No. _____ of the same date.

HENNEPIN COUNTY

MINNESOTA

Board Action Request 18-0553

Item Description:

Neg Agmt A189387 with the MN African American Heritage Museum and Gallery, 12/11/18-12/31/20, NTE \$50,000 - offered by Commissioner McLaughlin and Commissioner Higgins

Resolution:

BE IT RESOLVED, that the County Administrator be authorized to negotiate Agreement A189387 with the Minnesota African American Heritage Museum and Gallery, or affiliated entity, for the Minnesota African American Heritage Museum and Gallery project located at Penn Avenue North and Plymouth Avenue in Minneapolis during the period December 11, 2018 through December 31, 2020, in an amount not to exceed \$50,000 and contingent upon one to one matching funds; that following review and approval by the County Attorney's Office, the Chair of the Board be authorized to sign the agreement on behalf of the county; and that the Controller be authorized to disburse funds as directed.

Background:

Resolution No. 16-0099R1 (adopted March 2016) approved the Penn Avenue Community Works Implementation Framework as the foundation for investments in the corridor for the period 2016-2020. The framework includes a range of strategies that connect people to jobs through transit and roadway improvements, redevelop vacant properties, support new and existing businesses, support high quality rental and homeownership housing, and create a sense of place.

Agreement A189387 (not-to-exceed \$50,000) with the Minnesota African American Heritage Museum and Gallery will provide funding to support startup expenses, including costs associated with implementing and promoting exhibits and educational events on a reimbursement basis, contingent upon a commitment of one-to-one matching funds from non-county sources. CP 1001560 (Penn Avenue Community Works) resources include up to \$400,000 to support new and existing businesses in the Penn Avenue corridor.

The Minnesota African American Heritage Museum and Gallery is a non-profit enterprise that plans to host a series of exhibitions designed to enhance public understanding of African Americans' significant role in Minnesota, and to explore various aspects of African American life, history and culture. Programming will include public and education programs including lectures, films, gallery tours, arts, crafts, and workshops. The museum as proposed anticipates the long-term creation of seven professional staff positions.

Current Request:

This request is for authorization to negotiate Agreement A189387 with the Minnesota African American Heritage Museum and Gallery, supporting a unique destination nonprofit business in the Penn Avenue Community Works project area.

Impact/Outcomes:

The current request will advance the Penn Avenue Community Works Investment Framework by supporting a new destination business at Penn and Plymouth Avenues that brings programming celebrating the cultural identity of the Penn corridor and the cultural heritage of African Americans. Long-term, the project anticipates creating 7 professional jobs.

HENNEPIN COUNTY

MINNESOTA

Board Action Request 18-0554

Item Description:

Negotiate Amd 3 to Agreement A177766 (CTIB Agreement 18-2015) with Springsted Inc. to provide municipal advisory services, paid with CTIB administrative funds, extend contract period through 12/31/19, no increase in contract amount

Resolution:

BE IT RESOLVED, that the County Administrator be authorized to negotiate Amendment 3 to Agreement A177766 (CTIB Agreement 18-2015) with Springsted Incorporated to provide municipal advisory services to the five former Counties Transit Improvement Board (CTIB) counties by extending the contract period through December 31, 2019 with no increase in the contract amount; that upon review and approval by the County Attorney's Office, the Chair of the Board be authorized to execute the amendment on behalf of the CTIB counties; and that the county be authorized to disburse funds as permitted under the terms of the Depository Agreement.

Background:

The Counties Transit Improvement Board (CTIB) dissolved effective September 30, 2017. As part of that dissolution, certain agreements between CTIB and other parties were assigned to various CTIB member counties, including CTIB Agreement 18-2015 (Hennepin County Agreement 177766) between CTIB and Springsted Incorporated relating to the provision of municipal advisory services, which was assigned to Hennepin County pursuant to Resolution 17-0321. That agreement had a three-year term (expiring 12/31/18), with the potential for two one-year extensions.

The 2017 CTIB Depository Agreement ("Depository Agreement") was also assigned to Hennepin County (CTIB Agreement 13-2017-01, Hennepin County Agreement 177764), pursuant to Resolution 17-0321. The Depository Agreement establishes the terms and conditions under which funds on deposit with Wells Fargo Bank, N.A., may be paid for authorized CTIB expenses, including ongoing CTIB administrative expenses such as the contract with Springsted.

Post-dissolution, staff of the five CTIB counties have continued to meet regularly to discuss common issues, as well as to review the expenditure of CTIB funds and distribution of refunds received from the close out of prior CTIB agreements. Funds to pay ongoing administrative costs related to CTIB, including municipal advisory services, were deposited into a separate account in the Depository Agreement. Springsted participates in these meetings with the CTIB counties and provides monthly documentation of all transactions related to the Depository Agreement. The five counties have agreed to extend the term of the agreement with Springsted through December 31, 2019. There is ample budget authority within the existing agreement with Springsted, so no cost increase is associated with this contract extension.

HENNEPIN COUNTY

MINNESOTA

Board Action Request 18-0557

Item Description:

2019 Youth Sports Grant awards

Resolution:

BE IT RESOLVED, after consideration of recommendations made by the Minnesota Amateur Sports Commission, the Hennepin County Board of Commissioners selects XX facility projects totaling \$X; and X small equipment and/or other small capital assets totaling \$X to receive 2019 grant funding for the Hennepin County Youth Sports Program; and

BE IT FURTHER RESOLVED, that the following agreements be approved to provide funding for the selected organizations/projects in the 2019 grant cycle for the period of January 1, 2019 through July 31, 2020 for the facility grants; and January 1, 2019 through December 31, 2019 for the small equipment/other small capital asset grants; and

BE IT FURTHER RESOLVED, that the County Administrator be authorized to approve ministerial amendments, including extension of the grant period, and administrative actions during the contract period; that following review and approval by the County Attorney's Office, the Chair of the Board be authorized to sign the Facility Agreements and the County Administrator be authorized to sign the Small Equipment/Small Asset Agreements; and that the Controller be authorized to disburse funds as directed; and

BE IT FURTHER RESOLVED, that an additional \$125,000 Hennepin Youth Sports Grants (Equipment Grants) be made available for a second round of 2019 Hennepin Youth Sports Grants (Equipment Grants) to be awarded in 2019; and

BE IT FURTHER RESOLVED, that an additional \$125,000 Hennepin Youth Sports Grants (Playground Projects) be made available for a second round of 2019 Hennepin Youth Sports Grants (Playground Projects) to be awarded in 2019.

Background:

The Hennepin County Ballpark Initiative provided equal amounts of excess sales tax proceeds to expand library hours and youth sports activities. Resolution 09-0320R3 established the Hennepin Youth Sports Program (HYSP) and contracted with the Minnesota Amateur Sports Commission (MASC) to further develop and administer a process for capital grants to be made by the county board using these sales tax proceeds.

The MASC administers the Hennepin Youth Sports Program grant process for the county by distributing information and applications, providing technical assistance, collecting and evaluating all proposals and making funding recommendations to the Hennepin County Board.

Since the program began in 2009, several cycles of grant awards have awarded \$22.0 million to one hundred and thirty-six (136) facility projects and two hundred and eighty-four (284) small equipment projects, thirteen (13) playground projects and the Swimming Lesson Pilot Program.

Current Request: Applications for the 2019 Hennepin Youth Sports grant cycle were accepted through November 5, 2018 and returned thirty-six (36) applications for the small equipment grants were received and twenty-one(21) applications for facility projects. Following review of MASC's recommendations, the board is awarding funding to (XX) small equipment projects in the amount of \$XXX,XXX; and (X) facility projects in the amount of \$X,XXX,XXX as outlined in this resolution. This BAR requests that the County Administrator be authorized to approve and complete the facilities and small equipment grants. During spring 2019, an additional Board Action Request will be brought forward to allocate the remaining funds for playground projects and a second round of small asset/equipment grants.

HENNEPIN COUNTY

MINNESOTA

Board Action Request 18-0497

Item Description:

Amend Hennepin County Building Use Policy

WHEREAS, on January 10, 2018, the U.S. Immigration Customs and Enforcement (“ICE”) promulgated Directive Number 11072.1: Civil Immigration Enforcement Actions Inside Courthouses, which authorizes ICE agents to take civil immigration enforcement actions under certain circumstances inside courthouse buildings; and

WHEREAS, Hennepin County manages 131 facilities in Hennepin County and invites residents and clients to more than 100 of these facilities, including buildings that contain courthouses, libraries, social services, and probation offices, among others; and

WHEREAS, Hennepin County has an interest in providing a safe and inviting environment in courthouses and other county facilities that serve Hennepin County residents, and this environment may be disrupted by the presence of ICE agents or other immigration agents who come to Hennepin County facilities to arrest individuals for civil immigration violations.

Resolution:

BE IT RESOLVED, the Hennepin County Use of Space by the Public in County Facilities is amended to include a new Section, entitled U.S. Immigration and Customs Enforcement Civil Enforcement Activities, as attached in Exhibit A.

ATTACHMENTS:

Description	Upload Date	Type
Exhibit A	11/6/2018	Backup Material

EXHIBIT A

The Hennepin County Use of Space by the Public in County Facilities policy is amended to include the following section in the Procedures section:

U.S. Immigration and Customs Enforcement Civil Enforcement Activities

Hennepin County's facilities should not be the location of any U.S. Immigration and Customs Enforcement ("ICE") civil immigration enforcement activities, except at detention and jail facilities when ICE is taking custody of an individual currently lawfully detained under state law. Any non-transfer of custody civil immigration enforcement activities by ICE agents interferes with county functions, including, but not limited to, criminal trials and provision of social services to children and their families. Accordingly, ICE agents engaged in non-transfer of custody civil immigration enforcement activities should not engage in such activities on Hennepin County property.

If, despite this policy, ICE agents do engage in non-transfer of custody civil immigration enforcement activities on Hennepin County property, consistent with Directive Number 11072.1 from the U.S. Immigration and Customs Enforcement, ICE agents shall communicate with Hennepin County Security by telephoning 612-348-5111 before any such actions. Hennepin County Security shall inform ICE agents of this policy, request that ICE agents engage in their actions in another location, shall not assist ICE agents with any ICE civil enforcement actions, and shall take actions necessary, in accordance with Hennepin County Security policies, to limit the disruption and interference caused by the ICE agents' activities.