Board of Commissioners Packet

April 21, 2020
3:30 p.m. - Regular Meeting
CDA Office, 1228 Town Centre Drive, Eagan
AGENDA

1. ROLL CALL
   A. Audience

   Anyone in the audience wishing to address the CDA Board on an item not on the agenda or an item on the consent agenda may come forward at this time. Comments are limited to five minutes.

2. APPROVAL OF AGENDA AND MEETING MINUTES
   ➢ March 17, 2020 Board Meeting Minutes

3. FEDERAL PUBLIC HOUSING AND HOUSING CHOICE VOUCHER AGENDA CONSENT
   A. Approval Of Amendment To The Public Housing Admissions And Continued Occupancy Policy

4. CONSENT AGENDA
   A. Approval Of Record Of Disbursements – March 2020
   B. Approval Of Amendment To The Family Housing Partnership Program And Workforce Housing Limited Liability Corporation Admissions And Continued Occupancy Policy

5. REGULAR AGENDA
   A. Approval Of Amendments To CDA Personnel Policies And Adoption Of Paid Parental Leave
   B. Approval Of The Use Of 2018 Landfill Host Community Environmental Legacy Fund Grants For City Of Burnsville Project And Authorization To Extend The Deadline To Expended The Funds
   C. Approval Of Contingent Award Of A HOPE Loan And HOME Loan For Nicols Pointe (Senior Housing With Veterans Preference In Eagan) And Authorization To Execute Related Documents
   D. Housing Development Update – Informational
   E. CDA COVID-19 Response And Executive Director’s Update - Informational

6. INFORMATION
   A. Status Report, Q1 2020

7. ADJOURNMENT

For more information, call 651-675-4432.

Dakota County CDA Board meeting agendas are available online at: http://www.dakotacda.org/board_of_commissioners.htm
Next CDA Board Meeting:
May 12, 2020 Regular Meeting – 3:30 p.m.
Dakota County CDA Boardroom, 1228 Town Centre Drive, Eagan, MN 55123
Commissioner Gerlach called the meeting to order at 3:30 p.m.

COMMISSIONER ROLL CALL

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<td>Commissioner Cummings, At Large</td>
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CDA staff in attendance:
Tony Schertler, Executive Director
Kari Gill, Deputy Executive Director
Sara Swensson, Director of Administration and Communications
Kaili Braa, Assistant Director of Administration and Communications
Lisa Alfson, Director of Community & Economic Development
Kathy Kugel, Housing Finance Coordinator
Lisa Hohenstein, Director of Housing Assistance

Others in attendance:
Tom Donely, Dakota County

AUDIENCE

No audience members addressed the Board.

APPROVAL OF AGENDA AND MEETING MINUTES

20-6238 Approval Of Agenda And Meeting Minutes

BE IT RESOLVED, by the Dakota County Community Development Agency Board of Commissioners that the agenda for the March 17, 2020 Regular CDA Board meeting be approved as written.

BE IT FURTHER RESOLVED, by the Dakota County Community Development Agency Board of Commissioners that the minutes for the February 11, 2020 Regular CDA Board meeting be approved as written.

Motion: Commissioner Slavik  Second: Commissioner Egan

Ayes: 7  Nays: 0  Abstentions: 0

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FEDERAL PUBLIC HOUSING AND HOUSING CHOICE VOUCHER AGENDA
Consent Agenda

20-6239 Approval Of Amendments To The Housing Choice Voucher Administrative Plan

WHEREAS, the Dakota County Community Development Agency (CDA), as an administrator of the federal Housing Choice Voucher (HCV) program, is required to adopt and maintain an administrative plan to delineate the mandatory and discretionary policies used to govern the program; and

WHEREAS, the Dakota County CDA has made programmatic updates and clarifications to the HCV Administrative Plan.

NOW, THEREFORE, BE IT RESOLVED by the Dakota County Community Development Agency Board of Commissioners, That the amendments to the Housing Choice Voucher Administrative Plan be approved.

Motion: Commissioner Cummings
Second: Commissioner Workman

Ayes: 8
Nays: 0
Abstentions: 0

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Regular Agenda

20-6240 Public Hearing To Receive Comments And Approval Of The 2020 Public Housing Agency Five Year And Annual Plan

WHEREAS, the U.S. Department of Housing and Urban Development requires that public housing agencies with Housing Choice Voucher and/or Public Housing programs submit a Five Year and Annual Update to its Public Housing Agency Plan (PHA Plan) in accordance with the prescribed HUD templates; and

WHEREAS, CDA Board Resolution #20-6224 scheduled a public hearing for the purpose of receiving comments from citizen and residents; and

WHEREAS, a public notice was published in the Dakota County Tribune and posted on the CDA’s website; and

WHEREAS, CDA staff solicited feedback from program participants and community stakeholders; and

WHEREAS, comments that were received during the 45-day comment period have been considered in the Annual Update to the PHA Plan; and

WHEREAS, a public hearing for the purpose of receiving additional comments from citizens and residents was conducted at the CDA Board meeting on March 17, 2020; and

WHEREAS, the PHA Plan was reviewed and discussed with the CDA Board of Commissioners.

NOW, THEREFORE, BE IT RESOLVED by the Dakota County Community Development Agency Board of Commissioners, That the 2020 Public Housing Agency Five Year and Annual Plan is approved for submission to the U.S. Department of Housing and Urban Development.
Close Public Hearing:
Motion: Commissioner Egan  Second: Commissioner Gaylord

Ayes: 8  Nays: 0  Abstentions: 0

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Item Resolution
Motion: Commissioner Atkins  Second: Commissioner Cummings

Ayes: 8  Nays: 0  Abstentions: 0

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CONSENT AGENDA

20-6241  Approve Record Of Disbursements – February 2020

BE IT RESOLVED, by the Dakota County Community Development Agency Board of Commissioners, That the February 2020 Record of Disbursements is approved as written.

20-6242  Award Elevator Maintenance Contract To Suburban Elevator Of Minnesota For Routine Maintenance And Repair Of Elevators In CDA Properties

WHEREAS, the Dakota County Community Development Agency accepted bids for the necessary routine maintenance and repair of elevators in CDA apartment building properties and the CDA office building; and

WHEREAS, Suburban Elevator of Minnesota is the low responsive bidder with a three-year contract total of $150,811; and

WHEREAS, the bidding was done in conformance with State law for bidding; and

WHEREAS, funds are allocated from the operating budgets of each of the properties for this work.

NOW, THEREFORE, BE IT RESOLVED by the Dakota County Community Development Agency Board of Commissioners, That the three-year elevator maintenance and repair contract for CDA properties be awarded to Suburban Elevator of Minnesota.

20-6243  Award Contract For Exterior Renovation At O’Leary Manor (Eagan) Senior Housing Development

WHEREAS, formal bids were received on March 2, 2020 for the Exterior Renovation project at O’Leary Manor Senior Housing Development in Eagan; and
WHEREAS, CNC Construction, LLC submitted a low responsive bid of $515,175 when Alternates #1 and #3 are selected; and

WHEREAS, CNC Construction, LLC meets the bidder qualifications in the bid specifications; and

WHEREAS, the contractor is being recommended on both low bid results and their prior experience on similar projects with the CDA; and

Award Contract For The Attic Dry System Replacement At Cahill Commons (Inver Grove Heights) And Village Commons (Mendota Heights) Senior Housing Developments

WHEREAS, formal bids were received on March 3, 2020 at the Dakota County Community Development Agency (CDA) for replacement of the dry sprinkler system in the attic at Cahill Commons in Inver Grove Heights and Village Commons in Mendota Heights; both CDA owned senior housing developments; and

WHEREAS, Escape Fire Protection submitted a low responsive bid of $234,000; and

WHEREAS, Escape Fire Protection meets the bidder qualification in the bid specifications; and

WHEREAS, the contractor is being recommended on both low bid results and their prior experience on similar projects with the CDA; and

WHEREAS, funds to complete these projects are included in the FYE20 Common Bond Fund budget.

NOW, THEREFORE, BE IT RESOLVED by the Dakota County Community Development Agency Board of Commissioners, that the Deputy Executive Director be authorized to sign a contract for the project with the lowest responsible bidder, Escape Fire Protection in an amount of $234,000; and

BE IT FURTHER RESOLVED that the Deputy Executive Director be authorized to execute change orders not to exceed $23,400.

Award Contract For The Unit Flooring Replacement Project At Park Ridge Place (Burnsville) and Crossroads Commons (Lakeville) Senior Housing Developments

WHEREAS, the Dakota County Community Development Agency accepted bids on February 28, 2020 for the unit flooring replacement at the CDA owned senior buildings of Park Ridge Place and Crossroads Commons; and

WHEREAS, Value Plus Flooring, Inc. was the lowest responsive bidder with a bid total of $138,693.93; and

WHEREAS, Value Plus Flooring, Inc. meets the bidder qualifications in the bid specifications; and

WHEREAS, the contractor is being recommended on both low bid results and their prior experience on similar projects; and

WHEREAS, funds to complete these projects are included in the FYE20 Common Bond Fund budget.

NOW, THEREFORE, BE IT RESOLVED by the Dakota County Community Development Agency Board of Commissioners, That the Deputy Executive Director is authorized to sign a contract with Value Plus Flooring, Inc. in the amount of $138,693.93; and

BE IT FURTHER RESOLVED, That the Deputy Executive Director be authorized to execute change orders not to exceed $6,932.

Authorize The Declaration Of Official Intent To Reimburse Certain Expenditures Made Prior To The Issuance Of Bonds For a Multifamily Housing Development
BE IT RESOLVED by the Dakota County Community Development Agency Board of Commissioners as follows:

1. **Recitals.**
   a. The Internal Revenue Service has issued Section 1.150-2 of the Income Tax Regulations (the “Regulations”) dealing with the issuance of obligations, all or a portion of the proceeds of which are to be used to reimburse the Dakota County Community Development Agency (CDA) for project expenditures made by the CDA prior to the date of issuance.

   b. The Regulations generally require that the CDA make a prior declaration of its official intent to reimburse itself for such prior expenditures out of the proceeds of a subsequently issued borrowing no later than 60 days after payment of such expenditures, that the borrowing occur and the reimbursement allocation be made from the proceeds of such borrowing within 18 months of the payment of the expenditure or, if longer, within 18 months of the date the project is placed in service, but in no event more than three years after the date the original expenditure was paid and that the expenditure must either be a capital expenditure, or a cost of issuance of the obligation.

   c. The Regulations do not require a Declaration in order to reimburse from bond proceeds the following expenditures: (i) costs of issuance of the bond; (ii) an amount to be reimbursed not exceeding the lesser of $100,000 or 5 percent of the proceeds of the bond issue; and (iii) preliminary expenditures (including architectural, engineering, surveying, soil testing and similar costs) up to an amount not in excess of 20 percent of the aggregate issue price of the issue(s) reasonably expected to finance the project for which the preliminary expenditures have been incurred.

2. **Declaration.** The CDA desires to comply with requirements of the Regulations with respect to the following capital project (the “Project”) in order to preserve the option of the CDA to finance costs of the Project with tax-exempt obligations:
   a. The acquisition of one or more parcels of land within Dakota County and the development by the CDA of a multifamily rental housing facility as a part of the CDA’s ongoing Common Bond program and the construction of a multifamily housing facility (the “Project”). The maximum amount of debt to be issued for the Project is $12,000,000, plus costs of issuance, capitalized interest and reserves. The CDA reasonably expects to reimburse all or a portion of the expenditures made for costs of the Project out of the proceeds of an obligation, as defined in the Regulations.

3. **Budgetary Matters.** As of the date hereof, there are no CDA funds reserved, allocated on a long-term basis or otherwise set aside (or reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside) to provide permanent financing for the expenditures related to the Project. This resolution, therefore, is determined to be consistent with the CDA’s budgetary and financial circumstances as they exist or are reasonably foreseeable on the date hereof, all within the meaning and content of the Regulations.

**Motion:** Commissioner Gaylord  
**Second:** Commissioner Slavik  

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REGULAR AGENDA

20-6247 Approval Of 2020 Investments In GREATER MSP

WHEREAS, the Itasca Project conducted a study in 2010 demonstrating the need for a regional economic development organization to develop and implement a coordinated regional economic development strategy; and

WHEREAS, the Minneapolis St. Paul Regional Economic Development Partnership (GREATER MSP) was created through a public-private partnership to stimulate economic growth and prosperity in the region to coordinate site selector processes for the metropolitan area; market, brand, and promote the region, and conduct research to inform a regional economic development strategy; and

WHEREAS, the Dakota County CDA has been granted Economic Development Authority powers by the State Legislature and the Dakota County Board of Commissioners; and

WHEREAS, the Dakota County CDA Board of Commissioners approved participation in GREATER MSP and a financial investment of $100,000 annually since 2011; and

WHEREAS, GREATER MSP has developed strong private sector partners, resulting in approximately 80 percent of the investment originating from the private sector; and

WHEREAS, GREATER MSP has developed and continues to refine a regional economic development strategy to increase the number of jobs in the region, has developed organizational capacity, established global partnerships, represented the region at trade shows throughout the United States and globally, and implemented an award-winning marketing campaign for the region.

NOW, THEREFORE, BE IT RESOLVED by the Dakota County Community Development Agency Board of Commissioners, That the 2020 investment of $100,000 in GREATER MSP is approved.

Motion: Commissioner Egan Second: Commissioner Gaylord

Ayes: 7 Nays: 0 Abstentions: 0

Slavik  X
Gaylord  X
Egan     X
Atkins   X
Workman  X
Holberg  X
Gerlach  X

20-6248 Approval Of The Formation Of A Limited Liability Company For The Purpose Of Constructing Housing For Extremely Low Income Seniors With A Preference For Veterans

WHEREAS, the Dakota County Community Development Agency (the “CDA”) is authorized under Minnesota Statutes, Section 469.012, Subd 2j, to become a member in a limited liability company for the purpose of undertaking housing projects and housing development projects; and

WHEREAS, limited liability companies and other entities created by the CDA pursuant to Section 469.012, Subd. 2j, are subject to the provisions of Minnesota laws applicable to housing and redevelopment authorities as if they were housing and redevelopment authorities; and

WHEREAS, the CDA desires to propose to create a limited liability company in which it will be the sole member for the purpose of constructing and owning an affordable housing development for extremely low-income seniors, with a preference for veterans, located in Eagan, Minnesota (the “Project”); and

WHEREAS, it is in the best interest of the CDA that it establishes the LLC pursuant to Minnesota Statutes, including, without limitation, Section 469.012, Subd. 2j, in which it will be the sole member, to undertake
the housing development project.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Dakota County Community Development Agency as follows:

1. There is hereby authorized the formation of a limited liability company to be known as the DCCDA Eagan ELI LLC (the “LLC”) pursuant to Minnesota Statutes, Section 469.012, Subd. 2j and Chapter 322B, for the purpose of constructing and owning the Project.

2. The Articles of Organization of the LLC, which will be filed with the Minnesota Secretary of State in substantially the form attached, are adopted and approved; and when and as received from the Minnesota Secretary of State, the original Articles of Organization and the Certificate of Organization for the LLC shall be inserted in the LLC’s minute book and made a permanent part of its records;

3. The Executive Director of the CDA is authorized and directed to execute and deliver on behalf of the CDA all documents necessary or convenient in order to establish the LLC, including, without limitation:
   a. A Contribution Agreement, pursuant to which the CDA agrees to purchase the sole membership interest in the LLC for $100,000; and
   b. An Operating Agreement in substantially the form attached, which is adopted as the Operating Agreement of the LLC.
   c. The certified original of the Operating Agreement shall be inserted in the LLC’s minute book and made a permanent part of its records.

4. The CDA, as the sole member of the LLC, is authorized to pay all charges and expenses arising out of the organization of the LLC, and to reimburse any persons who have made any disbursements therefore, consistent with the policies and procedures of the CDA.

5. The initial fiscal year of the LLC shall end June 30, 2020; thereafter the LLC’s fiscal year shall begin the first day of July and shall end on the last day of June;

6. The CDA’s Finance Director of his designee is authorized to open an account or accounts in the name of the LLC, and to execute such documents or certificates necessary or convenient in order to open such account; and that each of the persons named in the master certificate of authority for the CDA and its subsidiaries are authorized and empowered to sign checks and other orders for withdrawals of funds and to take such other actions as are in accordance with such certificate;

7. The LLC shall be managed by the Board of Governors subject to ratification of the Board of Governor’s actions by the Board of Commissioners.

8. Tony Schertler, in his capacity as Executive Director of the CDA, is authorized to exercise the functions of the president of the LLC, subject to specific authorization of certain of such functions to specific persons by resolution adopted by the CDA, as the sole member.

9. As long as the sole member of the LLC is the CDA, the LLC is and shall be subject to the provisions of Minnesota Statutes, Sections 469.001 to 469.047, and other laws that apply to housing and redevelopment authorities, as if the LLC were a housing and redevelopment authority, in accordance with Minnesota Statutes, Section 469.102, Subd. 2j.

10. All actions taken by staff of and counsel to the CDA to create the LLC in accordance with the laws of the State of Minnesota are hereby ratified and confirmed.

Motion: Commissioner Workman Second: Commissioner Atkins
Ayes: 7 Nays: 0 Abstentions: 0

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INFO  Housing Development Update

Kari Gill provided updates.

INFO  Executive Director’s Update

Tony Schertler provided updates.

ADJOURNMENT

20-6249  Adjournment

BE IT RESOLVED, that the Dakota County Community Development Agency Board of Commissioners hereby adjourns until Tuesday, April 21, 2020.

Motion: Commissioner Egan  Second: Commissioner Slavik

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The CDA Board meeting adjourned at 4:01 p.m.
Approval Of Amendment To The Public Housing Admissions and Continued Occupancy Policy

Fiscal/FTE Impact:

- None
- Amount included in current budget
- Budget amendment requested
- FTE included in current complement
- New FTE(s) requested
- Other:

PURPOSE/ACTION REQUESTED

- Approve amendment to the Public Housing Admissions and Continued Occupancy Policy (ACOP).

SUMMARY

Each of the housing programs that the Dakota County Community Development Agency (CDA) provides property management support for (family, senior, public and youth supportive) has an Admissions and Continued Occupancy Policy (ACOP) that outlines eligibility requirements such as: tenant selection, preference factors, rent collection, verification of income, occupancy standards, leasing, and other required housing policies. These policies are amended periodically as new mandates are adopted or changes are necessary to ensure best practices in management of these properties.

The proposed change for the Public Housing ACOP is to add a preference for applicants who are Dakota County residents who are displaced by a disaster such as fire, flood or tornado (see Attachment A). This language is consistent with CDA’s Senior Housing ACOP.

Staff have been working on assisting families that have been dislocated from the fire that occurred in early April at Bridgewood Apartments in Inver Grove Heights. By adding this preference, we will be able to move applicants up on waiting lists should they be displaced by a fire, flood or tornado and qualify for CDA programs.

RECOMMENDATION

Staff recommends approval of the amendment to the Public Housing ACOP.

EXPLANATION OF FISCAL/FTE IMPACT

None.
Resolution No. 20-XXXX

Approval Of Amendment To The Public Housing Admissions and Continued Occupancy Policy

WHEREAS, the Dakota County Community Development Agency (CDA) manages 323 public housing units; and

WHEREAS, the Public Housing Admissions and Continued Occupancy Policy has been revised to include additional preference factors for applicants that are Dakota County residents and have lost their housing due to a disaster such as a fire, flood or tornado.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Dakota County Community Development Agency, That this amendment to Public Housing Admissions and Continued Occupancy Policy is approved effective April 21, 2020.
PART III: TENANT SELECTION

4-III.A. OVERVIEW
The CDA must establish tenant selection policies for families being admitted to public housing [24 CFR 960.201(a)]. The CDA must not require any specific income or racial quotas for any developments [24 CFR 903.2(d)]. The CDA must not assign persons to a particular section of a community or to a development or building based on race, color, religion, sex, disability, familial status or national origin for purposes of segregating populations [24 CFR 1.4(b)(1)(iii) and 24 CFR 903.2(d)(1)].

The order in which families will be selected from the waiting list depends on the selection method chosen by the CDA and is impacted in part by any selection preferences that the family qualifies for. The availability of units also may affect the order in which families are selected from the waiting list.

The CDA must maintain a clear record of all information required to verify that the family is selected from the waiting list according to the CDA’s selection policies [24 CFR 960.206(e)(2)]. The CDA’s policies must be posted any place where the CDA receives applications. The CDA must provide a copy of its tenant selection policies upon request to any applicant or tenant. The CDA may charge the family for providing a copy of its tenant selection policies [24 CFR 960.202(c)(2)].

When an applicant or resident family requests a copy of the CDA’s resident selection policies, the CDA will provide copies to them for $.25 per page.

4-III.B. SELECTION METHOD
CDAs must describe the method for selecting applicant families from the waiting list, including the system of admission preferences that the CDA will use.

Local Preferences [24 CFR 960.206]
CDAs are permitted to establish local preferences and to give priority to serving families that meet those criteria. HUD specifically authorizes and places restrictions on certain types of local preferences. HUD also permits the CDA to establish other local preferences, at its discretion. Any local preferences established must be consistent with the CDA plan and the consolidated plan, and must be based on local housing needs and priorities that can be documented by generally accepted data sources [24 CFR 960.206(a)].

The CDA will use the following local preferences:
The CDA, in selecting eligible applicants to fill vacancies, shall give consideration to the following factors in the order shown:

Preference Factors in the Selection of Residents for Public Housing

1) Applicants who are currently CDA Family Partnership, Senior Housing, or Lincoln Place residents in good standing whom are eligible, and the CDA has determined a transfer to a Public Housing unit is warranted, for reasons of hardship, disability, family size change, or other business reasons which cannot be readily accommodated under the Family Partnership, Senior Housing, or Lincoln Place programs.
Partnership, Senior Housing, or Youth Supportive Housing program as determined by the CDA’s Director of Property Management

2. Applicants who are Dakota County residents and who are displaced by a disaster such as fire, flood, or tornado.

3) Applicants who are Dakota County residents who have total annual income equal to or greater than 30% of area median income adjusted for family size.

4) Applicants who are Dakota County residents who have a total annual income equal to or less than 30% of area median income adjusted for family size.

5) Applicants who are non-Dakota County residents.

Preference Factors in the Selection of Residents for the Colleen Loney Manor.

1) Applicants who are currently CDA Family Partnership, Senior Housing, or Lincoln Place residents in good standing whom are eligible, and the CDA has determined a transfer to a Public Housing unit is warranted, for reasons of hardship, disability, family size change, or other business reasons which cannot be readily accommodated under the Family Partnership, Senior Housing, or Youth Supportive Housing program as determined by the CDA’s Director of Property Management.

2) Applicants who are Dakota County residents and who are displaced by a disaster such as fire, flood, or tornado.

3) Elderly and/or Disabled Applicants who have Community Roots who have a total annual income equal to or greater than 30% of the area median income adjusted for family size.

4) Elderly and/or Disabled Applicants who have Community Roots and who have a total annual income equal to or less than 30% of the area median income adjusted for family size.

5) All other Elderly and/or Disabled Applicants.

6) Near-Elderly Applicants who have Community Roots who have a total annual income equal to or greater than 30% of the area median income adjusted for family size.

7) Near-Elderly Applicants who have Community Roots and who have a total annual income equal to or less than 30% of the area median income adjusted for family size.

8) All other Near-Elderly Applicants.

9) Applicants who have Community Roots who have a total annual income equal to or greater than 30% of the area median income adjusted for family size.
10) Applicants who do not have Community Roots and who have a total annual income equal to or less than 30% of the area median income adjusted for family size.

11) All other Applicants.
Approval Of Record Of Disbursements – March 2020

Meeting Date: 4/21/2020  
Department: Finance  
Prepared By: Chris Meyer  
Contact: Ken Bauer  
Contact Phone: 651-675-4450

Fiscal/FTE Impact:  
☐ None  
☒ Amount included in current budget  
☐ Budget amendment requested  
☐ FTE included in current complement  
☐ New FTE(s) requested  
☐ Other:

PURPOSE/ACTION REQUESTED  
• Approve Record of Disbursements for March 2020.

SUMMARY  
In March 2020, the Dakota County Community Development Agency (CDA) had $4,842,538.29 in disbursements and $425,974.52 in payroll expenses. Attachment A provides the breakdown of disbursements. Additional detail is available from the Finance department.

RECOMMENDATION  
Staff recommends approval of the Record of Disbursements for March 2020.

EXPLANATION OF FISCAL/FTE IMPACT  
These disbursements are included in the Fiscal Year Ending June 30, 2020 budget.
Resolution No. 20-XXXX

Approval Of Record Of Disbursements – March 2020

BE IT RESOLVED, by the Dakota County Community Development Agency Board of Commissioners, That the March 2020 Record of Disbursements is approved as written.

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Executive Director's Comments:

- [ ] Recommend Action
- [ ] Do Not Recommend Action
- [ ] Reviewed-No Recommendation
- [ ] Reviewed-Information Only
- [ ] Submitted at Commissioner Request

Item Type-Consent
- [ ] Item Type-Discussion
- [ ] Item Type-Informational

Strategic Plan Priorities:

- [ ] Focused Housing Programs
- [ ] Collaboration
- [ ] Development/Redevelopment
- [ ] Financial Sustainability
- [x] Operational Effectiveness

____________________________________________
Executive Director

____________________________________________
Department Director

- 18 -
Dakota County CDA  
Record of Disbursements  
For the month of March 2020

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Disbursement detail is available in the Finance Office

Chairperson
Approval Of Amendment To The Family Housing Partnership Program And Workforce Housing Limited Liability Corporation Admissions And Continued Occupancy Policy

Meeting Date: 4/21/2020
Department: Property Management
Prepared By: Anna Judge
Contact: Anna Judge
Contact Phone: 651-675-4501

Fiscal/FTE Impact:
[ ] None
[ ] Amount included in current budget
[ ] Budget amendment requested
[ ] FTE included in current complement
[ ] New FTE(s) requested
[ ] Other:

PURPOSE/ACTION REQUESTED
- Approve amendment to the Family Housing Partnership Program and Workforce Housing Limited Liability Corporation (LLC) Admissions and Continued Occupancy Policy (ACOP).

SUMMARY
Each of the housing programs that the Dakota County Community Development Agency (CDA) provides property management support for (family, senior, public and youth supportive) has an Admissions and Continued Occupancy Policy (ACOP) that outlines eligibility requirements such as: tenant selection, preference factors, rent collection, verification of income, occupancy standards, leasing, and other required housing policies. These policies are amended periodically as new mandates are adopted or changes are necessary to ensure best practices in management of these properties.

The proposed change for the Family Housing Partnership Program and Workforce Housing LLC ACOP is to add a preference for applicants who are Dakota County residents who are displaced by a disaster such as fire, flood or tornado (see Attachment A). This language is consistent with CDA’s Senior Housing ACOP.

Staff have been working on assisting families that have been dislocated from the fire that occurred in early April at Bridgewood Apartments in Inver Grove Heights. By adding this preference, we will be able to move applicants up on waiting lists should they be displaced by a fire, flood or tornado and qualify for CDA programs.

RECOMMENDATION
Staff recommends approval of the amendment to the Family Housing Partnership Program and LLC ACOP.

EXPLANATION OF FISCAL/FTE IMPACT
None.
Resolution No. 20-XXXX

Approval Of Amendment To The Family Housing Partnership Program And Workforce Housing Limited Liability Corporation Admissions And Continued Occupancy Policy

WHEREAS, the Dakota County Community Development Agency (CDA) manages housing for families through private-public partnerships and the CDA's Workforce Housing Limited Liability Corporation; and

WHEREAS, the Family Housing Partnership Program and Workforce Housing Limited Liability Corporation Admissions and Continued Occupancy Policy has been revised to include additional preference factors for applicants that are Dakota County residents and have lost their housing due to a disaster such as a fire, flood or tornado.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Dakota County Community Development Agency, That this amendment to the Family Housing Partnership Program and Workforce Housing Limited Liability Corporation Admissions and Continued Occupancy Policy is approved effective April 21, 2020.

Executive Director's Comments:

- Recommend Action
- Do Not Recommend Action
- Reviewed-No Recommendation
- Reviewed-Information Only
- Submitted at Commissioner Request

Item Type-Consent
Item Type-Discussion
Item Type-Informational

Strategic Plan Priorities:

- Focused Housing Programs
- Collaboration
- Development/Redevelopment
- Financial Sustainability
- Operational Effectiveness

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[Signatures]

Executive Director
Department Director
C. **Preference Factors in the Selection of Tenants for Family Townhome Program**

Within each preference factor as described, applicants will be placed on the waiting list and offered units according to date and time of application. The CDA, in selecting eligible applicants to fill vacancies, shall give consideration to the following factors in the order shown (also taken into consideration will be any restrictions required by the developments LURA):

1. Applicants who are currently CDA Public Housing, Senior Housing, or Lincoln Place tenants in good standing whom are income eligible and the CDA has determined a transfer to a Family Partnership unit is warranted for reasons of hardship, disability, family size change, or other business reasons which cannot be readily accommodated under the Public Housing, Senior Housing, or Youth Supportive Housing program, as determined by the CDA Director of Property Management.

2. Applicants who are Dakota County residents and who are displaced by a disaster such as fire, flood, or tornado.

3. Dakota County applicant whose income falls below 50% of area median income. The CDA will offer a preference to any family who are Dakota County residents or have community roots. Community roots is defined as applicants who live, or whose head-of-household, spouse, or co-head work in Dakota County, have been hired to work in Dakota County, or attend school full-time in Dakota County. (The employer must be located within Dakota County.)

   • The CDA will require one of the following to establish a residency preference:
     o Copy of lease
     o Paystub, including the name and address of the applicant and employer
     o Statement from an educational institution, including enrollment dates and status (part-time or full-time)
     o Verification from Dakota County Employment and Economic Assistance, including assistance dates and type of assistance received (MFIP, General Assistance, SNAP, etc.)
     o Copy of natural gas, electric, water/sewer, or garbage bill with the applicants name and address.

4. Dakota County applicant whose income falls below 60% of area median income. The CDA will offer a preference to any family who are Dakota County residents or have community roots. Community roots is defined as applicants who live, or whose head-of-household, spouse, or co-head work in Dakota County, have been hired to work in Dakota County, or attend school full-time in Dakota County.
Approval Of Amendments To CDA Personnel Policies And Adoption Of Paid Parental Leave

Fiscal/FTE Impact:

- None
- Amount included in current budget
- Budget amendment requested
- FTE included in current complement
- New FTE(s) requested
- Other:

Purpose/Action Requested:

- Approve amendments to CDA Personnel Policies.
- Adopt Paid Parental Leave Policy.

Summary:

Consistent with best practices in human resources, the Administration Department is recommending the following changes to CDA Personnel Policies:

- #127 – Cellular Telephone & Wireless Equipment Use: Included language noting new State Statute prohibiting use of devices while vehicles are in motion. Other minor edits to update language.
- #170 – Payroll and Compensation: Added information about submitting timesheets online now that the CDA is using an online payroll software.
- #230 – Training: Added guidance for trainings parking expense and meal reimbursements.
- #270 – Employee Benefits: Added information about the wellness program and requirement to complete screenings within 60 days of hire for new employees to determine eligibility.
- #290 – Flex Leave: Changed increment use of flex leave to 15 minutes to be consistent with online payroll software setup. Adjusted annual conversion requirements.
- #300 – Volunteer Paid Leave: Removal of requirement to complete probation to be eligible to participate in volunteer leave opportunities. These have been good team building opportunities and management didn’t want to exclude new staff from being able to participate if they were still within their probationary period.
- #330 – Health and Safety: Added information about being a nicotine-free office environment.
- #340 – Travel on CDA Business: Added language applying to travel for non-exempt (hourly) staff.

Copies of policies are in Attachment A.

Recommendation:

The Senior Management Team has discussed the proposed changes to these policies and recommends adoption of the amended documents.

Explanation of Fiscal/FTE Impact:

No fiscal impact for most of the policies. Paid Parental Leave will be included in operating budget through salary and benefit costs.
Resolution No. 20-XXXX

Approval Of Amendments To CDA Personnel Policies And Adoption Of Paid Parental Leave

WHEREAS, the Administration Department periodically reviews policies and procedures and makes recommendations in order to maintain and enhance the effective provision of human resource management functions at the CDA; and

NOW, THEREFORE BE IT RESOLVED, that the Dakota County Community Development Agency Board of Commissioners hereby adopts the following amended CDA Personnel Policies:

- #127 – Cellular Telephone & Wireless Equipment Use
- #170 – Payroll and Compensation
- #230 – Training
- #270 – Employee Benefits
- #290 – Flex Leave
- #300 – Volunteer Paid Leave
- #310 – Leave of Absence
- #330 – Health and Safety
- #340 – Travel on CDA Business

BE IT FURTHER RESOLVED, the Human Resources Administrator is authorized to modify said policies accordingly.

Executive Director's Comments:
- Item Type-Consent
- Item Type-Discussion
- Item Type-Informational

Strategic Plan Priorities:
- Focused Housing Programs
- Collaboration
- Development/Redevelopment
- Financial Sustainability
- Operational Effectiveness

Executive Director

Department Director
PURPOSE
Dakota County CDA recognizes that the performance of certain job responsibilities may be enhanced by or may require the use of a mobile communication device (MCD) such as a cellular phone or smartphone. The purpose of this policy is to define standards, procedures and use guidelines for CDA employees using mobile communication devices to conduct CDA business.

DEFINITIONS

Mobile communication device (MCD) – includes cellular phones, smartphones, and mobile tablets. For purposes of this policy a mobile communication device does not include netbooks, tablets or Apple iPADS.

Mobile/Cellular phones – A short range, portable electronic device used for mobile voice or data communication over a network of specialized base stations, know as cell sites.

Mobile device allowance – A taxable stipend paid to an employee to cover the business related use of personally owned equipment.

Incidental personal use – Personal communication not related to CDA business excluding communication while traveling on CDA business which is necessary to convey information regarding travel status, schedule changes, personal emergencies and the like.

Smartphones – Electronic handheld device that integrates the functionality of a mobile phone, personal digital assistant or other information appliance.

APPLICABILITY
This policy applies to CDA employees, including full and part-time staff, limited term staff and interns who utilize either CDA owned or personally owned mobile communication devices in conducting CDA business. Employment at the CDA does not automatically guarantee the initial and ongoing ability to use these devices to gain access to CDA networks and information.

This policy is complementary to any previously implemented policies dealing specifically with data access, data storage, data movement and connectivity of mobile devices to any element of the CDA network.

ELIGIBILITY AND APPROVAL
Department Directors are responsible for identifying employees who hold positions that include the business need for use of a mobile communications device. Using the criteria established in this policy, Department Directors shall make a recommendation to the Administration Department on whether CDA business needs are best served through the issuance of a CDA owned mobile device or through a mobile device allowance. The Director of Administration is responsible for reviewing the request and for determining whether an employee will receive a CDA owned mobile device or a mobile device allowance, as well as the determination of which tier shall be provided to an employee when an allowance is provided.

If the CDA requires an employee to carry a mobile communication device to perform his/her duties, the CDA may either (1) issue a CDA owned device to the employee or (2) require the employee to obtain a personally owned device.

CDA Owned Mobile Device

A CDA owned mobile communication device and necessary service plans may be provided to a CDA employee based on demonstrated need and job function. The CDA will use, but is not limited to, the following criteria when determining whether or not a mobile communication device will be issued to an employee:
1. Job duties require the employee to work away from assigned work space or employee is assigned work space outside of the CDA’s main office;
2. The employee’s job duties require them to respond to emergencies, business related email or communication needs;
3. The employee is integral to the CDA decision making process;
4. To ensure the personal safety of an employee when working outside of the CDA’s main office.

The CDA provides MCD’s to eligible employees for the purposes of conducting CDA business. -A CDA employee who has been provided a CDA owned mobile communication device will:

- Have the equipment available for use during employee’s scheduled work hours.
- While working, continue to retrieve voicemails which are left on the employee’s desktop phone.
- Be within the incidental personal use as defined in this policy. All personal long distance calls shall be charged to an employee’s own long distance calling card or other personal source. In the unusual circumstance where a personal long distance call must be charged to the CDA, the employee is responsible for obtaining prior approval from their Supervisor, completing a long distance form and remitting payment to the Finance Department.
- Not use equipment for illegal, disruptive, unethical, or unprofessional activities.
- Provide adequate security to prevent unauthorized persons from gaining access to private data stored on the MCD.
- Return equipment to the CDA upon termination of employment or when the equipment no longer meets the business need.
- Comply with CDA Policy 122 on Electronic Communications.

Management of CDA owned equipment and contracts will be administered by the Administration Department.

Mobile Device Allowance
CDA employees whose job duties include the frequent need for a mobile communication device may receive reimbursement, in the form of a monthly allowance, to cover business related use of personally owned equipment. The amount of stipend will be determined based on the level of business contact required of the employee’s position and the minutes/data needed for the employee to perform his/ her job. Business necessity includes:

- mitigation of CDA work related safety risks for the employee; or
- meeting customer or client service expectations in a timely manner; or
- need for immediate communication with CDA staff and others where employee job requirements take employee outside of primary work area; or
- employees whose job duties support 24 x 7 business infrastructure and systems; and
- employees who are required to respond promptly to urgent business-related email or communication needs.

Allowances will be provided on tiered basis as follows:
- Tier #1 Personal/Public safety
- Tier #2 Demonstrated business need for 200 to 400 (voice) minutes per month
- Tier #3 Demonstrated business need for greater than 400 (voice) minutes per month
- Tier #4 Demonstrated business need to respond to email while out of the office or required for prompt retrieval of communication messages (smart phone voice and data plan)
The determination of allowance amounts shall be managed by the Administration Department and approved by the Executive Director. Allowance amounts will be evaluated by the Administration Department and may be adjusted periodically.

The allowance is intended to reimburse the employee for the business use of a personal cellular telephone, not to pay the entire bill. An allowance will no longer be paid if the employee does not meet the tests of business need, is on a leave of absence or is no longer employed by the CDA.

A CDA employee who has been approved to receive an allowance will:

- Be responsible for purchasing a device and establishing a service (voice/data) contract with a provider of his/her choice. The contract is in the name of the employee, who is solely responsible for all payments to the service provider and for terms of the agreement.
- Provide proof of purchase or proof of use of equipment for CDA business purposes.
- Maintain an active cellular telephone contract for the duration of the stipend.
- Obtain a phone and monthly plan that, at a minimum, meets the level of service required by his/her position.
- Maintain, repair and replace cellular equipment at the employee’s expense. The CDA will not service, repair, maintain, replace or support cellular equipment on personal accounts.
- Ensure that the carrier selected has services in the required usage areas.
- Have equipment available for use during employee’s business hours and established on call times.
- Provide adequate security to prevent unauthorized persons from gaining access to CDA data stored on devices. Employees will ensure that the device and data capabilities are secured based on current security standards including password protection and encryption. If a mobile device with data capabilities is stolen or missing, it must be reported to the employee’s supervisor and the Administration Department.
- Comply with CDA Policy 122 on Electronic Communications.

USE AND ACCESS

CDA Owned Devices

For CDA cellular telephone users, although personal calls made within the local region and under the usage limits provided by the plan do not result in additional charges, used minutes count toward the overall limits established under the plan. Any data overage, long distance, roaming or other charges associated with personal calls will be the responsibility of the employee.

Cell Phone Use in Vehicles

Employees must make every effort to ensure the safe usage of mobile communication devices while operating a vehicle and are expected to comply with all state or federal laws and regulations at all times.

Per Minnesota Statute § 169.475, "when a vehicle is in motion or a part of traffic the person operating the vehicle upon a street or highway is prohibited from using a wireless communications device it is illegal to operate a motor vehicle while using a wireless communication device to initiate, retrieve, compose, read or send an electronic message, when the vehicle is in motion or a part of traffic. This includes text messaging, e-mailing, or accessing the Internet or accessing stored content on the device such as audio content, video content, images, games, or software applications. It is also illegal to operate a motor vehicle while engaging in a cellular phone call, including initiating a call, talking or listening, and participating in video calling on a wireless device while driving. Additionally, use of cellular telephones to make phone calls while operating a motor vehicle is strongly discouraged. Employees should use extra caution while driving and using a cellular telephone and are encouraged to plan calls during non-
driving time. Employees are encouraged to plan calls during non-driving time or use a hands-free solution if calls are needed while driving.

Technology and Security
It is imperative that any mobile device that is used to conduct CDA business be utilized appropriately, responsibly and ethically. Therefore:

- Connectivity of mobile devices will be managed by the Administration Department. All mobile communication devices must be authorized by the Administration Department.

- Administration reserves the right to refuse the ability to connect equipment and devices to CDA networks. The Administration Department will take necessary action if it feels equipment is being used in such a way that puts the CDA systems, data, users and clients at risk.

- In the event that a mobile communication device being used to conduct CDA business is lost or stolen, it is the responsibility of the user to immediately report the loss to the Administration Department.

- All users of mobile communication devices must employ reasonable physical security measures. End users are expected to secure equipment and devices whether or not they are actually in use and/or being carried. This includes, but is not limited to, passwords, encryption, and physical control.

- Employees must remove CDA specific data when such data are no longer required or needed.

- Devices that are personally owned and for which no allowance has been established will not be supported and will not be allowed access to the CDA network and email systems.

Use in the Office
While at work CDA employees are expected to use discretion in the use of mobile communication devices. Equipment ringsound should be set to vibrate or a volume level which is not distracting to others.

OVERSIGHT AND MONITORING
Department Directors and Supervisors are responsible for educating employees about appropriate telephone use and for monitoring usage by an employee. Monthly audits of CDA owned mobile device usage maybe conducted. During an audit, employees may be asked to justify charges on the monthly bill.

The CDA reserves the right to rescind employees’ mobile communication device privileges. Excessive non-work related use or failure to comply with this policy may result in the suspension of privileges and discipline, up to and including termination of employment.

PRIVACY STATEMENT
Employees should be aware that with the use of mobile devices absolute privacy cannot be guaranteed. Employees should not discuss sensitive or confidential information when using a mobile communication device. Additionally, all agency cellular telephone and other wireless service records are the property of the CDA and are considered public record.

POLICY NON-COMPLIANCE
Failure to comply with the Telephone and Wireless Equipment Use Policy, may, at the full discretion of the CDA result in the suspension of any or all technology use and connectivity privileges, and/or disciplinary action up to and including termination of employment.
PAY CHECKS

Paychecks are issued every two weeks (every other Friday) and compensate for the two week pay period ending the previous Friday.

TIME RECORDS

To comply with the requirements of the Federal Fair Labor Standards Act, hours worked by all employees are recorded daily in timesheets either through the online payroll software or by paper reporting forms (approved employees only), and hours are reported and timesheets are due to Payroll on a biweekly basis. Employees must approve their hours through the online payroll software or by signing and turning in the reporting form on the last day of the pay period. Individual employee time reporting forms are developed and distributed by the Finance Department for use by all Departments. Each time reporting form includes the signature of the employee and the Responsible Authority. Employee time reporting forms are maintained in the Finance Department.

OVERTIME COMPENSATION

Overtime may not be worked without prior approval. Overtime is defined as all hours in excess of 40 hours actually worked in the designated seven day work week, beginning on Saturday and ending on Friday. For purposes of this article, hours worked do not include paid leave hours, holidays (unless actually worked), compensatory time off, or duty free meal periods.

Approved overtime for non-exempt employees is paid at 1-1/2 times the employee’s straight time rate. Compensatory time off taken within the seven day work week in which it was earned is at the non-exempt employee’s straight time rate. Non-exempt employees may receive compensatory time off for overtime worked during the same pay period at 1-1/2 times the employee’s straight time rate. The Responsible Authority determines whether overtime worked by non-exempt employees will result in payment or compensatory time off. However, the U.S. Department of Housing and Urban Development requires that all maintenance employees be paid at one and one-half (1-1/2) times the employee’s straight time rate for all hours in excess of forty hours worked in one week (as defined above), no compensatory time off is allowed.

On occasion, exempt employees may receive compensatory time off for overtime worked at the employee’s straight time rate. Overtime worked for compensatory time off must be pre-approved by the Responsible Authority.

Employees may not accumulate more than 80 hours of compensatory time. Accumulated balances of compensatory time off may not be carried forward from one year to the next. Unused balances are paid effective at the end of the last pay period of each year. Scheduling of compensatory time off for both exempt and non-exempt employees is at the discretion of the Responsible Authority. Compensatory time earned by an employee must be utilized before Flex Leave is utilized.

STAND-BY COMPENSATION

Property Management Department staff may be assigned to be on stand-by before and after the regular work day, on weekends, and on holidays, for the period of seven consecutive days. A maintenance employee who is on stand-by is expected to be available to handle maintenance related emergency calls and to:

- remain in the Twin Cities’ metropolitan area
- be work-ready
- be reachable via phone or beeper
- respond promptly to calls and emergency sites as necessary
- take appropriate action to control or eliminate the problem on site
A non-maintenance employee who is on stand-by will serve as a secondary (back-up) contact for the CDA's answering service and will provide assistance to the stand-by maintenance employee as needed. Time actually worked while serving in a stand-by capacity (including work related phone time) is compensated and paid for as either straight time or time and one half as defined in the Overtime Compensation section of this policy (Policy #170). Effective with the seven-day stand-by rotation period beginning April 7, 2000, maintenance employees on stand-by will receive an additional, set payment for each completed weekly rotation. Reflective of their secondary role, non-maintenance employees on back-up will receive a smaller set payment for each completed weekly rotation. The amount of these set payments will be communicated and posted separately from this policy, and will be reviewed annually along with the Merit Compensation Plan.

HOLIDAY COMPENSATION

Eligibility

All non-limited full-time and part-time employees who are on active status (not a leave of absence) the day preceding and the day following a designated CDA holiday are eligible to receive Holiday Pay. Eligible non-limited part-time employees are paid on a prorated basis determined by the average number of hours worked in proportion to full-time positions. The chart below shows the prorated holiday amounts for part time employees.

<table>
<thead>
<tr>
<th>FTE Amount</th>
<th>Hours per week</th>
<th>Hours of Holiday Pay</th>
</tr>
</thead>
<tbody>
<tr>
<td>.775 - 1.0</td>
<td>31 - 40</td>
<td>8</td>
</tr>
<tr>
<td>.525 - .75</td>
<td>21 - 30</td>
<td>6</td>
</tr>
<tr>
<td>.275 - .50</td>
<td>11 - 20</td>
<td>4</td>
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<tr>
<td>.10 - .25</td>
<td>4 - 10</td>
<td>2</td>
</tr>
<tr>
<td>&lt; .10</td>
<td>0 - 3</td>
<td>0</td>
</tr>
</tbody>
</table>

Pay for Time Worked on a Holiday

Non-exempt employees assigned to work on any CDA observed holiday are paid 1-1/2 times the employee’s regular straight time rate for all such hours worked, in addition to paid holiday time.

Exempt employees may receive compensatory time off for time actually worked on the Holiday, or make other alternate work schedule arrangements for Holidays, as approved by their Department Director.
The CDA promotes staff development as an essential, ongoing function needed to maintain and improve the provision of cost effective services to CDA clients. The purposes for staff development are to ensure that:

1. Employees develop and maintain the knowledge and skills necessary for effective job performance.
2. Employees are provided with an opportunity for job enrichment and mobility.

**ON-SITE TRAINING**

Where there is need to improve and maintain quality of service, on-site training may be provided by employees who conduct training as part of their normal job duties or by an outside individual or agency who agrees to conduct training for CDA staff on either a fee or non-fee basis. All on-site training must be approved by the Department Director prior to scheduling training.

**OFF-SITE TRAINING**

In recognition that employee development is a mechanism for employee recruitment and retention and a mechanism to enhance individual and organizational performance, the CDA is committed to providing opportunities for professional growth and development for all employees as they work to achieve their full potential through personal growth and career development.

Employees are encouraged to develop and maintain the knowledge and skills necessary for effective job performance, job enrichment and mobility. This process is a shared responsibility and opportunity for both the employee and the employer.

If the desired training is a short-term investment and relates directly to the employee’s daily work requirements, reimbursement will be 100% of the training costs and all required expenses such as travel, meals, etc. The budgeting and approval process for this level of reimbursement is at the department level.

Examples of training which qualifies for 100% reimbursement are seminars, workshops and conferences. All training which is to be reimbursed at 100% must be budgeted and pre-approved by the Department Director before payment will be made.

**Parking**

Employees using a private automobile or CDA vehicle shall be reimbursed on an actual expenses basis for parking. Receipts for such payments shall be submitted with the expense reimbursement request whenever possible.

**Meals**

Employees may request to be reimbursed for meal expenses incurred if the training takes them away from the office for the full 8-hour day and lunch is not already provided in the training expense. Receipts for such payments shall be submitted with the expense reimbursement request.

Reimbursements may be taxable per IRS guidelines.

For training that requires travel, an approved Out of Town Travel Request Form must accompany each request for payment. All required expenses such as travel, meals, etc. will be paid 100% by the CDA. Reimbursement for meals that does not involve overnight travel may be considered taxable. If the employee is not able to attend, every effort should be made to obtain a refund for the CDA or give the opportunity to another employee.

Media, such as books, videos, CDs or DVDs purchased for educational purposes will become the property of the CDA.
EDUCATIONAL REIMBURSEMENT

Any non-limited employee working at least 20 hours a week, who has successfully completed one year of service with the CDA, may receive a reimbursement of up to 50% of tuition upon submission of evidence of successful completion of such courses taken to improve his/her work performance or in pursuit of an undergraduate or graduate degree program which has a direct beneficial relationship to his/her work or the Agency.

All reimbursements are limited to 50% of the tuition; based on an annually established maximum no greater than 50% of the highest tuition rate of public institutions of higher education in Minnesota (e.g. University of Minnesota). Parking, books, student activity fees, and other fees are not eligible for reimbursement. Reimbursement is limited to one course per academic semester per employee.

The maximum amount of tuition reimbursement that the Agency will issue one employee during the fiscal year (July 1 to June 30) is equal to the current IRS limit; amounts greater than the IRS limit in a calendar year will be taxed as income.

Courses submitted for reimbursement must be related to the employee’s current job function or a job function the employee can reasonably expect to achieve within the CDA. An employee desiring to take advantage of the CDA’s tuition reimbursement program must have the course work approved by his/her Department Director and the Executive Director prior to enrollment and the tuition reimbursement included in the CDA’s operating budget. Factors upon which an employee’s eligibility depends on the past work record of the employee, his/her performance ratings, his/her current job performance, length of service, the relevancy of the course work to the position or Agency, the status of the educational institution, and the availability of funds.

Following pre-approval, employees pre-pay the tuition and related costs. After completing the course and when a final grade has been awarded, the employee resubmits the pre-approved Tuition Reimbursement Request form with the final approval signature from their supervisor, original receipt showing tuition and related costs paid and a copy of the grade report reflecting a grade “C” or higher (or that the course has been passed). Reimbursement will be made to the employee following receipt of this documentation.

Non-limited part-time employees receive pro-rated reimbursements based upon their budgeted FTE.

MEMBERSHIP AND DUES

The purpose of memberships to various professional organizations must be directly related to the betterment of the functions of Dakota County CDA. One agency membership per professional organization as determined by the Executive Director shall be allowed providing funds are available.

When membership can be obtained through an individual membership at a lesser cost per capita than an agency membership, the former shall be used. Upon separation of employment, the individual membership remains with the Dakota County CDA and shall be transferred to another employee or terminated as shall be determined by the Executive Director.
This policy describes only the essential features of included employee benefits. Program documents maintained by the Finance and Administration Departments [and Plan Administrators] are the complete and official source of program coverage and provisions.

INSURANCE BENEFITS

1. Medical Insurance

The CDA provides medical insurance coverage with a major medical plan provider, for non-limited employees who work 20 hours or more per week, and Special Limited-term employees. Additionally, the CDA complies with the “Affordable Care Act” in determining coverage eligibility for all employees under its medical plans.

For eligible full-time employees, the CDA contributes toward the majority of the cost for “single” coverage for the standard plan and a portion of the cost for “single plus one”, or “family” coverage options, for the standard and other plans as approved annually. For eligible part-time employees, the CDA will base its contribution on a percentage of the full-time contribution amount, proportionate to (i.e. prorated by) an employee’s full-time equivalency (FTE). Employee contributions are made through payroll deduction while on active status, or may be submitted via check while on unpaid leave.

Upon termination, benefit continuation is available at the employee’s own expense (subject to COBRA Laws).

2. Dental Insurance

The CDA provides dental insurance coverage with a major dental plan provider, for non-limited employees who work 20 hours or more per week and Special Limited-term employees.

For eligible full-time employees, the CDA contributes toward the majority of the cost for “single” (Preventive) coverage and a portion of the cost for “single plus one”, or “family” coverage options (Preventive and Comprehensive), as approved annually. For eligible part-time employees, the CDA will base its contribution on a percentage of the full-time contribution amount, proportionate to (i.e. prorated by) an employee’s full-time equivalency (FTE). Employee contributions are made through payroll deduction while on active status, or may be submitted via check while on unpaid leave.

Upon termination, benefit continuation is available at the employee’s own expense (subject to COBRA Laws).

3. Vision Insurance

The CDA provides vision insurance coverage with a vision plan provider, for non-limited employees who work 20 hours or more per week and Special Limited employees.

All non-limited employees (working at least 20 hours per week) may elect to purchase vision insurance for coverage. Coverage can be purchased for the employee, the employee’s spouse and/or the employee’s dependent(s). The employee is responsible for the entire premium. Employee contributions are made through payroll deduction while on active status, or may be submitted via check while on unpaid leave.

Upon termination, benefit continuation is available at the employee’s own expense (subject to COBRA Laws).
4. **Life Insurance**

A Group Term Life Insurance Policy has been contracted by the Agency to provide employee’s beneficiaries with a death benefit. Participation in Group Term Life insurance is encouraged for all eligible employees. Employees must be non-limited or Special-limited and work at least 20 hours per week to be eligible. The benefit amount will be 1.5 times an employee’s annual salary (subject to plan maximums and age reduction schedules). The Agency currently pays 75% of the cost of basic Group Term Life insurance for eligible employees. Group Term Life insurance will be effective only during employment with the Agency. Upon termination, COBRA continuation or conversion to an individual plan will be available at the employee’s own expense.

5. **Voluntary/Elective Life Insurance**

All non-limited employees (working at least 20 hours per week) and Special-limited term employees may elect to purchase life insurance for coverage in addition to the basic Group Term Life Insurance. Coverage can be purchased for the employee, the employee’s spouse and/or the employee’s dependent(s). Provision of coverage is subject to the requirements of the CDA’s Elective Life Insurance policy. The employee is responsible for the entire premium related to Elective Life Insurance coverage. Employee contributions to this benefit are made through payroll deduction.

6. **Disability Insurance**

Disability insurance provides a covered employee with payments to partially replace income if the employee becomes disabled due to injury, illness or pregnancy, and is thereby rendered unable to work or perform their normal duties (as determined by a qualified physician). The CDA offers two forms of disability insurance:

- Short Term Disability (STD) insurance, which is voluntary, and
- Long Term Disability (LTD) insurance, which is mandatory/required by the Agency.

Employees must be non-limited or Special-limited and work at least 30 hours per week to be eligible for either of these disability plans. The cost of the plans is shared, and the CDA and participating employees each pay 50% of the disability insurance premium. Both the STD and LTD plan include a qualifying/waiting period and a replacement benefit of 60% of basic earnings (up to a maximum benefit amount) once the qualifying period has been satisfied. All claims for disability benefits are subject to approval as indicated in the corresponding policies.

7. **Medicare**

All employees hired after April 1, 1986, are required by Federal Law to contribute to Medicare. The cost paid by both employer and employee is 1.45% of salary, paid biweekly [(note: Medicare rates are subject to change)].

**OTHER BENEFIT PROGRAMS**

The following plans/programs are available to qualified CDA employees. Detailed information regarding participation in these plans/programs is available from the CDA Human Resources Administrator.

1. **Retirement Plan**

As of April 1, 1983, the Dakota County CDA is a participant in the Housing Agency Retirement Trust (HART). HART is a master retirement system which has been approved by HUD and qualified by the Internal Revenue Service. It is a Private Retirement Plan which gives each participating agency flexibility as to what features they want in their Plan. Each participant has the option of investing contributions in a variety of funds. Eligible employees may choose the
disposition of contributions on a percentage basis. Eligible employees contribute 7 percent (after-tax) and 5.70 percent (pre-tax) of their basic monthly salary through payroll deduction and (effective 1/1/17) the CDA contributes an amount equal to 12.70 percent (pre-tax) of the employee’s monthly salary.

Full-time [Non-limited] and Exempt employees are required to enroll in the Plan effective with their employment date; no minimum period of service is required. Employees active in the plan will become vested in employer contribution and earnings at a rate of 20 percent for each full year of participation and are 100% vested after five years in the Plan. Fully vested employees rehired after 10/1/11 will retain vesting status upon rehire as an eligible participant. **Active employees required to contribute to the HART plan will not participate in Social Security.** As of 1/1/06, all part-time employees, seasonal and temporary employees who were previously required to participate in HART, became participants of Social Security and were excluded from future contributions to the HART plan. These employees will maintain their previous full vesting and their accounts will be held until such time as the employees terminate and elect a distribution.

2. **Post Employment Health Care Savings Plan (HCSP)**

Effective 1/1/04, the CDA will participate in a Post Employment Health Care Savings Plan. This program will enable eligible CDA employees to save money on a tax-free basis for out-of-pocket medical expense, after their termination or retirement from the CDA.

Employees are required to participate in the HCSP as follows:

For active employees, the plan will be funded using any employee’s Flex Leave Hours that exceed 1,000 at year-end

- For Early Retirement Incentive plan participants, a one-time employer contribution will be deposited into the plan upon retirement. This amount will be predetermined by the CDA’s ERI plan guidelines.

- For normal retiree’s, 75% of any unused Flex Leave* will be deposited into the plan, upon severance (*excludes Flex Leave balances of less than 40 hours). Only those CDA employees who work at least 20 hours per week are eligible for Retirement Status under the Post Employment Health Care Savings Plan. In addition, they must qualify under the guidelines below.

**Retirement**

**Employee Must:**

- Work a Minimum of 20 hours per week
- Have sufficient number of combined years of service and age to equal 65 (or greater)
- Have a minimum of ten-years of full-time service or the part-time equivalent

**Examples:**

- Age 50 and 15 years of full-time employment
- Age 50 and 30 years of part-time employment (20 hrs/week)
- Age 52 and 13 years of full-time employment
- Age 55 and 10 years of full-time employment

**Disability Retirement**

**Employee Must:**

- Have a physical/ mental illness or injury that is expected to last at least one year and the employee has met the HART vesting requirements (at least 5 years of service)
3. **Worker's Compensation**  
An employee receiving benefits under worker's compensation will be processed in the following manner:

- The employee will submit the required documentation including a physician’s signature.
- The employee will keep the worker’s compensation check(s).
- The employee will be responsible for submitting information to the workers compensation insurance representatives as requested.
- A doctor's certificate shall be required to show the ability to return to work at his/her former job classification, and the CDA will notify the worker's compensation insurance carrier with return to work and reinstatement of wages information.

4. **Flexible Spending Program**  
The CDA participates in a program to enable CDA employees to save money by providing the opportunity to use pre-tax dollars to pay:

- medical and/or dental premiums paid for by payroll deduction
- out-of-pocket medical, dental and vision expenses
- day care expenses required for gainful employment

Employee contributions to this program are done by payroll deduction.

5. **Deferred Compensation**  
A deferred compensation plan is available to all non-limited employees. Employee pre-tax contributions to a deferred compensation plan are done via payroll deduction. The employee directs the investment of the funds.

6. **Maintenance Uniforms and CDA Apparel**  
The CDA purchases uniforms on behalf of the CDA Maintenance employees. The uniforms are provided (1) to enable residents of CDA owned housing to easily identify CDA Maintenance staff; and (2) to eliminate the wear that would result to personal clothing in many of the maintenance job situations. Maintenance employees are required to wear CDA uniforms when conducting job duties for the CDA.

At times the CDA purchases CDA apparel on behalf of CDA employees. The apparel is provided (1) to allow CDA employees to stand out at CDA events (i.e. open houses or expos) and (2) to provide a cohesive look for our employees.

7. **Direct Deposit**  
The CDA transmits all payroll to employees via direct deposit.

8. **Wellness Program**
Dakota County CDA employees are eligible to participate in the wellness biometric screening annually prior to open enrollment and within 60 (sixty) days of their start date for new hires in order to qualify for an incentive towards a reduced medical premium.

CONTINUATION OF BENEFITS AFTER RETIREMENT

Participation in continued health and dental insurance coverage as described below is limited to qualified persons employed by the CDA as of April 14, 1998, and thereafter.

1. Health, Dental and Vision Insurance Coverage

If an employee of the CDA meets the criteria for retirement as defined below, he/she is eligible for the CDA’s retiree benefit continuation. The following definition is in relation to the provision of medical and dental benefits only. For the definition of retirement for other programs offered by the CDA, please refer to the specific program documents (HART, Deferred Compensation, etc.).

Eligibility requirement for CDA retiree benefit continuation (as printed in item 2 above):

The employee will:

- Have worked a minimum of 20 hours per week
- Have sufficient number of combined years of service and age to equal 65 or greater (for purposes of this definition, years of employment shall be total years, not continuous years of employment with the CDA)
- Have a minimum of ten years of full-time service or the part-time equivalent

Employees meeting the above criteria may continue to participate in the CDA’s health and dental insurance programs indefinitely provided the required premium amounts are paid in a timely manner. It is expressly understood that the retiree is responsible for paying the entire premium for continued benefit coverage. Eligible spouses and/or dependents may also participate in the CDA’s health and dental insurance programs if they were enrolled in these plans immediately before the employee’s retirement. If the medical and/or dental insurance coverage(s) are stopped, dependents may continue for an additional 36 months if the required premium amounts are paid in a timely manner.

If retirees elect either to waive participation in the CDA’s health and/or dental insurance programs at the time of retirement or to cancel such coverage after electing to participate during retirement, they will not have the option to re-enter the CDA’s group insurance program at a later date.

Retirees who are less than 65 years old and who do not qualify for Medicare will have the same medical and dental plan options and will be subject to the same plan provisions, policies, and procedures as those applied to active CDA employees.

Retirees or their spouses who have received their Medicare card may enroll in a group Medicare supplemental plan which is available through the CDA.

2. Life Insurance Coverage

Retirees may continue both their basic life insurance and supplemental life insurance provided by the CDA (if enrolled prior to retirement) for a maximum period of eighteen months by paying the full cost of that coverage in a timely manner.

3. Life Insurance Conversion Privilege

At the end of eighteen months, retirees who have continued their life insurance may apply for a conversion policy by contacting the Life Insurance Company.
4. **Disability Plans**

   Retirees are not eligible to continue STD or LTD coverage after retirement.
It has been a continuing objective of Dakota County CDA to provide equity, consistency and flexibility in the delivery of benefit alternatives to CDA Staff. Where appropriate, certain benefits have also been designed to incorporate employee tenure, so as to recognize and reward loyal service to the CDA. These considerations are particularly significant in the accrual, utilization and administration of paid time off.

It is the policy of Dakota County CDA to provide its employees necessary paid time away from work. Flex Leave can be utilized for any purpose, subject only to necessary request/approval procedures consistent with policy.

**Flex Leave Accrual Rates**

<table>
<thead>
<tr>
<th>Years of Service*</th>
<th>Annual Accrual Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-5 years</td>
<td>160 hours/20 days</td>
</tr>
<tr>
<td>6-10 years</td>
<td>192 hours/24 days</td>
</tr>
<tr>
<td>11-15 years</td>
<td>240 hours/30 days</td>
</tr>
<tr>
<td>16 or more</td>
<td>304 hours/38 days</td>
</tr>
</tbody>
</table>

*Employees will enter the next accrual rate tier on the anniversary of their hire date every five years.

**ELIGIBILITY**

- All, non-limited, employees who work at least 20 hours per week are eligible for Flex Leave with accrual rates on a prorated basis (based on Full-Time Equivalency).
- Special and Grant-funded limited positions are eligible for flex leave.
- Temporary and Emergency limited positions are not eligible for Flex Leave.

The beginning date for calculating each year’s authorized Flex Leave is the employee’s anniversary date.

In the instance that a former employee is rehired by the Agency, the employee will be given a year-for-year credit for the total years of past service with the Agency.

New employees with relevant county, city, or state government work experience may be eligible for Flex Leave credit or an advanced accrual rate upon hire, with approval of the Executive Director.

**USE OF FLEX LEAVE**

Flex Leave is accrued on a per-pay period basis and may be following the pay period in which it was earned. Flex Leave may never be used/paid prior to accrual.

Flex Leave is to be used in increments of not less than 30 15 minutes*, unless utilized along with comp time (Since comp time must be used before Flex Leave; in this instance the Flex Leave used may be in any increment. See Policy #170 - Overtime Compensation). In the event that an employee taking Flex Leave does not use an entire 15 30 minute period, the 15 30 minute period must still be recorded. With supervisory pre-approval, the employee may adjust the lunch, arrival or departure time or find another mutually agreeable arrangement to compensate for the remaining minutes which were not actually utilized.

*Exceptions may be granted by management for employees whose regular work day involves quarter-hour increments (e.g., if the regular schedule is 7.75 hrs/day, they would use 7.75 hrs of Flex for that day).

Non-emergency use of Flex Leave must be requested in advance per CDA policies. In the event of a scheduling conflict involving two or more employees seeking the same Flex Leave dates, the Responsible Authority determines which employee(s) will be granted Flex Leave. The supervisor must approve all use of Flex Leave in advance. Emergency use of Flex Leave may require subsequent documentation of the emergency in order to determine approval/denial.
Employees may carry forward a balance of unused Flex Leave from one year to the next; the maximum Flex Leave carry-over from one plan year to the next is 1,000 hours (125 days).

In accordance with the Post Employment Healthcare Savings Plan (The Plan), if an employee’s Flex Leave balance exceeds 1,000 hours at year-end, the cash equivalent of the excess hours will be deposited into The Plan. Employees may reduce their Flex Leave balance prior to year-end, by exercising the conversion options available during Open Enrollment; if they have met the annual conversion criteria described below.

**ANNUAL CONVERSION OPTION**

To be eligible to participate in the annual conversion of Flex Leave to deferred compensation or wages employees must meet the following criteria:

- Employees must have used 60 hours (or part-time pro-rated amount) of Flex Leave by the end of the third payroll quarter.
- Employees must have a minimum Flex Leave balance of 60 hours (or part-time pro-rated amount) at the end of the third payroll quarter.
- Employees must have a minimum balance of 40-80 hours of Flex Leave after the conversion.

*Site Attendants are exempt from having to meet this criteria.*

Employees who meet the above criteria may:

1) Convert up to 20% of their Flex Leave balance (subject to annual IRS deferral limits), to the CDA’s deferred compensation plan, and/or

2) Convert up to 100 Flex Leave hours to wages to offset the cost of benefits enrollments.

Conversion of Flex Leave to deferred compensation and/or wages shall occur in the following plan year.

**TERMINATION BENEFITS**

Upon standard termination of employment (non-retiree); the dollar value of Flex Leave in the employee’s account is paid out with their final pay.

Employees who qualify for Retirement under the Post Employment Healthcare Savings Plan; however, have a one-time option to convert the value of unused Flex Leave to deferred compensation during the processing of their final pay and/or convert to make a voluntary contribution to the agency’s retirement plan (HART). This conversion amount, combined with other deferred compensation during the year, cannot exceed the annual IRS deferral limit or exceed the voluntary contribution amount for HART.

Subsequent to the one-time deferral option, the following applies (refer to Policy #270):

- 75% of remaining Flex Leave hours (if greater than 40 hours) will be paid to their Post Employment Healthcare Savings Plan account (required/not optional), and
- 25% of remaining Flex Leave hours will be paid as cash (or 100% if 40 hours or less).
The purpose of volunteer paid leave is to support the Dakota County CDA’s mission and enhance the lives of our employees by allowing them to give back and support our community. Staff are encouraged to coordinate group volunteer activities as team building exercises.

ELIGIBILITY

All regular employees working 30 or more hours per week are eligible for volunteer paid leave hours. Full-time employees are eligible for up to eight (8) hours of volunteer leave per calendar year to volunteer at an approved agency or organization serving Dakota County. Employees working between 30-39 hours per week will have their volunteer paid leave hours pro-rated.

To be eligible to use volunteer leave an employee must:
- Currently be an active employee with the CDA
- Have successfully completed probation
- Have obtained a rating of “Meets Standards” or higher on most recent performance review or have no current issues with job performance

On January 1st of each year, volunteer leave will become available to use by December 31st. At the end of the year any unused volunteer leave is forfeited, it does not carry over. Use of volunteer leave is optional and will not affect flex leave accrual or usage. Volunteer leave can be used in increments of one (1) hour up to eight (8) hours. Volunteer leave is not transferable to other employees and will not be paid out as compensation upon termination.

PROCEDURE

Employees can use volunteer leave to provide services to approved organizations during their regularly scheduled hours.

Employees must complete a Volunteer Leave Request Form and submit it to their supervisor at least three (3) weeks before the requested time off. Approval is at the discretion of the Department Director. Department coverage and workload will be considered when approving volunteer leave. Volunteer leave will not be approved if granting the leave would cause an employee to have overtime for the week. Employees are encouraged to coordinate volunteer activities with their department teams or co-workers to enhance the team building experience.

APPROVED ORGANIZATIONS

Approved organizations are those that intersect with the CDA’s mission, vision and values.

- 360 Communities
- American Red Cross
- CAP Agency
- Dakota County
- Dakota Woodlands
- DARTS
- Feed My Starving Children
- Habitat for Humanity
- Hastings Family Service
- Matrix Housing Services
- Neighbors, Inc.

Staff can propose additional organizations with their volunteer request which will be reviewed by Human Resources to determine fit and eligibility.
The leave of absence policy provides for employee’s temporary absence from work without severing their employment relationship. Because these leaves are typically provided as a convenience to employees at some additional expense and inconvenience to the employer, employees except where otherwise provided by law, assume any and all risks related to such leaves. These risks include the elimination, reallocation, or reassignment of their duties, which may result in an employee being reassigned, demoted or terminated upon completion of their leave.

All requests for leaves of absence are granted or denied on the basis of the following factors:

1. Applicable state and federal laws and regulations.
2. The length of the requested leave (no request for a leave of absence of more than 12 months will be granted; however, leave may be extended for a reasonable period of time).
3. The current and projected workload of the affected department.
4. The expense and availability of any required replacement.
5. Any other legitimate business needs of the CDA.

If, after consideration of the above factors, the CDA grants a leave, except where otherwise controlled by state or federal laws or regulations, the following stipulations apply:

1. Whenever possible, employees shall return to their previous position upon completion of their leave. If their position is no longer available, the CDA will offer any other position of equal pay and benefits for which they are eligible.
2. If, during any leave of absence, permanent replacements are needed, the CDA will notify the employee on leave and give them the opportunity to return early if they are safely able to do so.
3. Employees will not have access to electronic files, email, or key fob access to the CDA Building while on a leave of absence that is longer than 10 days in duration. Access can be removed sooner if necessary. All access to electronic files, email, and building key fobs will be restored once the employee has returned to active status. This stipulation will not apply to those employees utilizing intermittent leaves.

PROCEDURE

All requests for a leave of absence, except for leave requests totaling 10 days or less, are forwarded to the Executive Director by the Responsible Authority. Leave requests totaling 10 days or less are approved by the Responsible Authority.

All leaves of absence are classified as either "paid" or "unpaid" in their entirety. However, employees may request a sequence of leaves, including use of accrued Flex Leave when appropriate, which would result in a combination of both paid and unpaid leave, provided that the accrued Flex Leave* is used prior to the commencement of the relevant unpaid leave (exception: for special rules regarding disability pay, refer to page 4 of this policy).

*Employees may request Leave Without Pay at such time as his/her Flex Leave balance has been reduced to 40 hours. Requests for leave without pay will be approved on a case-by-case basis by the Department Director, after consultation with Human Resources.

Paid Leave

Employees on paid leaves of absence receive the same compensation and benefits they would otherwise receive, had the leave day(s) been covered by earned Flex Leave.
Unpaid Leave

Employees on an unpaid leave of absence are not compensated for any work day or holiday which occurs during their leave of absence, nor do they earn any other benefits, privilege, or right on an unpaid leave day, except as provided for by state and/or federal law.

Benefit Accrual While on Unpaid Leave

Flex Leave does not accumulate during any unpaid leave of absence, but previously accrued amounts remain on record and accrual resumes upon the return from leave and/or return to pay status. Except when otherwise provided by law (i.e. FMLA), the CDA’s contribution towards an employee’s benefits ends at the end of the month that an unpaid leave of absence (of longer than 10 days in duration) begins. This includes all medical, dental, life, long term disability and short term disability insurances, as well as, a cell phone stipend (if applicable). If the unpaid leave of absence is greater than one month, employees will not receive the CDA’s contribution while on unpaid leave.

Employees may elect to continue their benefits by paying the total monthly premium costs of their coverages. The employee will have several options to pay for premiums, such as pre-payment, submitting personal checks, or catch-up deductions upon return to pay status (catch-up deductions must be made within the same calendar year as the benefit plan). Upon return to paid status the CDA’s contribution will resume and is prorated for unpaid time. Benefit coverages, which have lapsed during an unpaid leave of absence, are reinstated on the first day of return to work with the exception of supplemental life which may require evidence of insurability prior to reinstatement.

TYPES OF LEAVE

Administrative Leave (paid)

From time to time, as a situation warrants, one or more employees may be permitted to utilize Administrative Leave at the discretion of the Executive Director. Administrative Leave is defined as leave initiated and granted by the Executive Director for infrequent and unusual circumstances. Situations for which Administrative Leave might be granted include, but are not limited to, the following:

1. Weather emergencies;
2. Conditions which adversely affect the working environment and/or safety of the CDA office building;
3. Events beyond the control of the Executive Director that require the CDA offices to be closed;
4. Other circumstances as determined by the Executive Director.

Employees do not have the option of requesting Administrative Leave as it is initiated by the Executive Director.

Military and Military Family Member Leave

All existing federal and state statutes applicable to the rights of any employee who is on leave of absence from the CDA for military service or as a family member of military personnel, shall be applicable under this Policy Manual.

Employee (paid)

Employees who are members of any reserve component of the Military Forces of the United States shall be granted a leave of absence with pay not to exceed fifteen (15) days in one year for time engaged in activities (such as training periods) which are necessary to their participation in a reserve program. All
requests for military leave will require four (4) weeks notice except in the event of a national emergency. Copies of military orders requiring military leave shall be submitted to the supervisor prior to the granting of approval.

Family Member (unpaid)

Minnesota Statutes 181.947 & 181.948 allows leave time for members of military personnel under certain circumstances. 1) An employee whose immediate family member is killed or injured while on active military duty will be granted leave of up to 10 working days. The employee must give as much notice (oral or written) as is possible. Family member under this statute is defined as parent, child, grandparent, sibling, or spouse. The employee may request use of Flex Leave during this period, if available to them. 2) An employee whose immediate family member has been mobilized into active duty in support of a war or other national emergency will be granted up to one work day of leave per calendar year to attend the sendoff or homecoming ceremony. Family member under this statute is defined as grandparent, parent, legal guardian, sibling, child grandchild, spouse, fiancé, or fiancée. The employee may request use of Flex Leave during this period, if available to them.

Court Duty (paid)

Employees subpoenaed as witnesses or called and selected for jury duty shall receive their regular compensation and fringe benefits. Employees must provide a copy of any compensation received for jury or witness duty to the CDA. Any pay received will be deducted from the employee’s paycheck. Pay received for jury or witness duty by part-time employees will be deducted on a prorated basis. Pay for expenses may be kept by the employees.

Election Judge (paid)

Employees who are selected to serve as an election judge, after giving at least 20 days written notice, are granted election judge leave. Employees must provide a copy of any compensation received for election judge service if they are being paid by the CDA. Any pay received for election judge service will be deducted from the employee’s paycheck.

Voting Leave (paid)

Employees may be absent from work without a deduction in pay for the time necessary to vote in a State or Federal election during the morning of the election. Employees must notify their supervisor prior to any absence for voting leave.

Organ or Bone Marrow Donation Leave (paid)

Employees who seek to undergo a medical procedure to donate an organ or bone marrow to another person are granted 40 hours of paid leave. The CDA requires verification by a physician of the purpose and length of leave. If there is a medical determination that the employee does not qualify as an organ or bone marrow donor, the paid leave of absence granted to the employee prior to the medical determination is not forfeited.

Disability Leave (unpaid)

Employees may request disability leaves in the event that any mental or physical illness, injury, or condition (including pregnancy) renders them unable to safely perform their normal duties. Such requests must be accompanied by a physician’s statement which (1) identifies the disability, (2) indicates the date on which the employees will become or became unable to perform their regular duties, and (3) the date on which they will be able to return to work. The CDA reserves the right to require that employees on or requesting disability leaves submit additional medical documentation or undergo a medical examination by a physician selected by the CDA (at the CDA’s expense).
For the purposes of this policy, employees receiving disability-related compensation from a secondary source while on disability leave will be regarded as being on an unpaid leave. Disability leave per this policy may also be subject to the provisions of the Family Medical Leave Act.

**Personal Leave (unpaid)**

Employees may request personal leaves of less than 5 business days for any reasonable purpose, which will be approved on a case-by-case basis by the Employee's supervisor. Leave requests of more than 5 days, must be formally requested through Human Resources and require the Department Director’s approval.

**Parental Leave (unpaid)**

Pursuant to Minnesota law, employees are entitled to a maximum of 12 weeks of unpaid parental leave upon the birth or adoption of a child. The length of leave may not exceed 12 weeks unless agreed to by the CDA, or as applicable under FMLA. If the employee is also eligible under FMLA, leave under this provision is concurrent to leave available under FMLA.

**Parental Leave (paid)**

The CDA provides eligible employees paid parental leave following a qualifying event, to allow parents time to bond with a child. A qualifying event is the live birth of an employee’s child, the placement of a child in the employee's home for adoption, or the placement of a child in the employee's home (in cases of surrogacy) to adjudicate parentage when the employee is intended to be the permanent legal parent of the child. For purposes of this policy, the birth of multiples (twins, triplets, etc.) or the concurrent placement of more than one child constitutes a single qualifying event.

To be eligible for paid parental leave, and employee must: (1) hold a position with a full-time equivalent (FTE) of .5 or greater; (2) have been continuously employed with the CDA for at least six consecutive months; and (3) experience a qualifying event after six consecutive months of employment. Paid parental leave is available to both parents if each meets these eligibility criteria.

Eligible full-time employees are entitled to up to three consecutive weeks (120 hours) of paid parental leave for one qualifying event per calendar year. Eligible part-time employees are entitled to a prorated amount of consecutive paid parental leave based on their FTE status for one qualifying event per calendar year (i.e., an eligible employee who holds a .5 FTE position is entitled to 60 consecutive hours of paid parental leave). In no event will an employee be eligible for multiple paid parental leaves in the same calendar year.

Paid parental leave must be taken in one week blocks of time within 12 weeks after a qualifying event. It cannot be used prior to a qualifying event. Any unused paid parental leave will be forfeited. Paid parental leave runs concurrently with all other paid and unpaid family or parenting leave to which employees are entitled under federal or state law or is otherwise required by the CDA.

Employees must submit a request for paid parental leave at least 30 days before the qualifying event for which leave is requested, unless 30-day notice is not possible, in which case a request must be submitted as soon as practical. The CDA may require an employee requesting paid parental leave to provide documentation substantiating a qualifying event. Paid parental leave is treated like other forms of paid leave for Flex Leave Accrual and benefits purposes.

**School Conference and Activities Leave (paid or unpaid)**

Employees are entitled to a maximum of 16 hours of unpaid leave per 12 month period to attend school conferences for their child. The conferences which may be attended under this provision includes grades K-12, pre-Kindergarten, daycare, nursery school, day nurseries, child care centers and Head Start. Prior
approval from the employee’s supervisor is required. Applicable Flex Leave and/or comp time may be used for this purpose.

**Workers Compensation**

Please refer to workers compensation under Policy #270.

**Family and Medical Leave Act (FMLA)**

**Purpose:** The Act entitles eligible employees to a total of 12 weeks of unpaid FMLA leave in any 12-month period which may be taken all at one time or at intervals for certain reasons. The CDA measures this 12-month period as beginning the first day the employee is absent from work on FMLA leave. An amendment to the Act also allows for up to 26 weeks (combined total of all FMLA leave) in a 12-month period for certain family members to care for a servicemember of the military who is recovering from a serious illness or injury sustained in the line of (active) duty (item 5 below).

**Coverage:** The Act requires employers to permit leave for any one or more of the following reasons. FMLA leave is not limited to a single reason or occurrence per year.

1. The birth, adoption or foster care placement of a child (see also Parental Leave);
2. To care for a child, spouse or parent who has a serious health problem;
3. Treatment of an employee’s own serious health condition.
4. Because a spouse, son, daughter, or parent is a military servicemember on active duty or has been notified of an impending call to active duty status in support of a contingent operation defined as a “qualifying exigency” (i.e. requiring immediate action) by the Secretary of Labor.
5. Because the employee is a caregiver for the spouse, son, daughter, parent or next of kin of a servicemember who is recovering from a serious illness or injury sustained in the line of (active) duty.

**Eligibility:** An employee is eligible for FMLA leave if the following conditions are met.

1. The employee has worked for the CDA for a cumulative period of 12 months; and
2. The employee has worked for the CDA at least 1,250 hours during the 12 month period preceding the leave request.

Upon determination of eligibility, all FMLA leaves will be granted in accordance with the law, which supersedes any interpretation of definitions provided herein.

**Definitions**

**Serious Health Conditions:** A serious health condition is defined as illness, injury, impairment or physical or mental condition that:

- involves inpatient care in a hospital, hospice or residential facility or
- results in at least a 3-day incapacity involving continuing treatment from a health care provider; or
- would result in at least a 3-day incapacity, were it not treated.
Family Relationships:

The parent/child relationship includes:

- stepchildren and stepparents, legal wards and guardians and those standing in the legal stead of parents (in loco parentis);

- a son or daughter under the age of 18 or, if incapable of self-care due to physical or mental disability, over the age of 18.

- The Act defines spouse as a husband or wife.

Employer Obligations: In addition to the provision of FMLA leave, the CDA will:

- maintain health care benefits coverage if they are provided pursuant to an existing contract;

- reinstate the employee to the former or equivalent position with equivalent pay, benefits and status; and

- inform the employee of his/her rights under FMLA.

Employee Obligations: The employee must provide a 30-day notice of the need for leave if at all practicable.

Use of paid and unpaid leave during FMLA leave:

1. An employee using FMLA for the birth, adoption or placement of a child is required to use accumulated Flex Leave per CDA Policy, but may opt to use Leave Without Pay at such time as his/her Flex Leave balance has been reduced to 40 hours.*

2. An employee using FMLA for the serious health condition of the employee or a family member is required to use accumulated Flex Leave as applicable per CDA Policy, but may opt to use Leave Without Pay at such time as her/her Flex Leave balance has been reduced to 40 hours.*

   * Exception for employees who participate in the Agency’s Disability Plan(s): In the case of a leave due to a personal disability (i.e. due to injury, illness, or childbirth), employees who participate in the CDA’s disability insurance plan(s) are required to use accumulated Flex Leave to cover any normally scheduled work hours during the applicable wait/qualifying period indicated by the insurance policy. After the qualifying period, the employee may elect to use additional Flex Leave hours, or, may be compensated via disability insurance payments if approved by the insurance provider. During the period that such employees are receiving disability insurance claim payments, they will be considered on “leave without pay” status. (Please refer to the Disability Leave section of this policy).
One of the CDA’s primary concerns is the health and safety of its citizens, service recipients and employees. For that reason, CDA employees are required to deal promptly with any questions concerning the safety or fitness of the personnel, procedures, or equipment used by the CDA in the accomplishment of its responsibilities. The CDA’s commitment to safety includes a commitment to maintaining a workplace which is free of any illegal or inappropriate employee involvement with drugs.

Definitions

DRUG: Any controlled substance as defined in Minnesota Statute 152.02, subd. 4., and schedules I through V of Section 202 of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulations at 21 CFR 1300.11 through 1300.15

WORKPLACE: Any building, facility, property or other locale constituting the work site of one or more CDA employees irrespective of whether the employees present are on duty.

SOURCE


GENERAL INFORMATION

Communicable Diseases

Employees are required to advise their supervisors if they believe there is a significant risk that they or another CDA employee will transmit or contract a serious communicable disease while on the job.

Operation of Equipment or Exposure to Hazardous Material

Employees are required to advise their supervisors if they are aware of any conditions, procedures, or circumstances which might prevent a CDA employee from safely operating equipment, handling hazardous materials safely, or otherwise safely carrying out an assignment.

Carry or Possession of Firearms

Employees are prohibited from carrying or possessing firearms while acting in the course and scope of employment; including breaks or incidental times, and when working off-site or on the exterior grounds. Employees are prohibited from carrying or possessing firearms within any of the CDA owned buildings or vehicles. Violation of this policy may result in disciplinary action up to and including termination.

Drug and Alcohol Testing

The CDA recognizes that alcohol and drug abuse adversely affects job performance, the kind of work an employee performs, and an employee’s opportunities for successful employment. Therefore the CDA has adopted a policy specific to Drug and Alcohol Testing (#335) which conforms to the requirements of Minnesota’s drug and alcohol testing statute, Minn. Stat. § 181.950. This policy applies to all applicants for employment and to all employees including contract and temporary (limited-term) employees. In addition to the prohibition summary below, it further details the prohibition of use and procedures for carrying out drug and alcohol testing.

Drugs and Alcohol Prohibitions

In addition to the prohibitions detailed in the Drug and Alcohol Testing policy, the following information summarizes activities that employees are prohibited from while on the job or at the workplace:

1. Storing, possession or use of drugs or alcohol except where the use is prescribed by a physician and does not engender a safety threat for the employee or others.
2. Working under the influence of drugs or alcohol.

3. Violating any law relating to the manufacture, distribution, dispensing, possession or use of drugs or alcohol. (Employees convicted of criminal drug or alcohol violations occurring at the workplace must notify the CDA of the conviction within five days.)

Employees in violation of this policy are subject to disciplinary action up to and including dismissal. Employees convicted of a criminal drug or alcohol statute violation occurring at the workplace may be required to participate in a drug or alcohol abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health or law enforcement agency.

Re-verification of Safe Employee Activity and History after Hire

In the interest of continued public and employee safety and limited agency liability, CDA management may need to ensure that an employee’s criminal history or driving record remains clear during their tenure with the CDA, and/or that they maintain their physical ability to safely perform their duties. Therefore, the Human Resources Administrator may conduct interim background checks, or request that an employee submit to medical examinations and/or drug and alcohol testing, as necessary to protect such interests. These background checks or medical examinations will follow the general parameters set forth in the Drug and Alcohol Testing Policy #335 and Applicant Selection Policy #200.

Tobacco/Nicotine-free/Smoke-free Office Environment

Due to the known sensitivities and acknowledged hazards arising from exposure to tobacco/nicotine products, it shall be the policy of the CDA to provide a tobacco/nicotine-free/smoke-free office environment for all employees, visitors, and clients of the CDA, effective beginning June 1, 2007. This policy covers smoking and the use of any tobacco products including smokeless tobacco and electronic cigarettes, and applies to all employees, clients, and visitors of the CDA.

1. There will be no smoking, vaping or use of tobacco products at any time while on office property, including within the building, in the parking lots, or on the sidewalks or grounds (excluding personal vehicles).

2. Tobacco products, electronic cigarettes and materials used for smoking or chewing (e.g. cigarette butts, matches, chew) should not be discarded on CDA grounds.

2.3. Per Minnesota Statute §144.414 electronic cigarettes are prohibited in government buildings.

3.4. Clients who violate this policy may be asked to reschedule their appointment.

4.5. There will be no smoking, vaping, chewing or use of tobacco products in CDA-owned vehicles at any time.

5.6. Employees who choose to smoke use tobacco/nicotine products in their personal vehicles may do so only on breaks approved by their supervisor. Employees who leave the building during work-hours must notify their supervisor and the time will be counted as a break. Agency management reserves the right to disallow breaks which interfere with work productivity. Cumulative breaks should not exceed the amounts allotted for paid breaks during the work day, or they may be considered unapproved, unpaid absences.

6.7. Violations of this policy by employees will be handled through the progressive discipline policy.

PROCEDURES

Response to Safety Concerns
CDA supervisors are required to ensure that each report of a potential health threat receives a timely and appropriate response. A brief summary of the reported threat and the response is maintained in the department files and a copy is forwarded to the Administration Department.

Drug and Alcohol Awareness Program

The Administration Department is responsible for the administration of the CDA’s Drug and Alcohol Awareness Program. This program provides employees with:

1. A copy of the CDA’s Health and Safety and Drug and Alcohol Testing policies.

2. Information regarding the dangers of drug and alcohol abuse in the workplace.

3. Information regarding the availability of drug and alcohol counseling, rehabilitation and employee assistance programs.

4. Information regarding the penalties that may be imposed upon employees for drug and alcohol abuse violations at the workplace.

Federal Reporting Requirements

Since the CDA is subject to the requirement of the Drug-Free Workplace Act of 1988, we will, as required by law, notify the applicable agency of any covered employees who are convicted of criminal drug statute violations occurring at the workplace. The CDA will also supply the applicable agencies with “Place of Performance” reports required, including required revisions.
This policy is designated to provide the basis for determining whether there is authority for CDA expenditure, that the expenditure serves a public purpose, and that the expenditure is necessary and directly related to the betterment of the CDA.

APPLICATION AND ADMINISTRATION

This policy shall apply to all CDA employees and CDA Board of Commissioners of Dakota County CDA. Should there be any conflict between this policy and any state or federal law, the latter shall control. This policy shall be interpreted and administered by the Executive Director.

TRAVEL REQUESTS AND APPROVAL

All non-overnight travel outside of the twin cities metro area, but within the state, requires the approval of the Department Head. All overnight in-state travel requires Executive Director approval. All budgeted overnight out-of-state travel requires the approval of the Department Head and the Executive Director. All non-budgeted overnight out-of-state travel requires the approval of the Department Head, the Executive Director, and the CDA Board of Commissioners. A written request for overnight or out-of-state travel authorization shall be made in advance of the departure date by the Department Head and shall contain the specific dates, location, purpose, and approximate cost of the travel. It is the Department Head’s responsibility to approve non-overnight in-state travel and to remain within the current year’s budget and the travel allocation budget.

BILLINGS

Whenever possible, employees shall make travel and accommodation arrangements in advance and request that Dakota County CDA be billed. All authorized travel expenses, which are not billed directly to the CDA, are to be paid by the employee and subject to reimbursement upon approval of a Travel Expense Claim.

TRAVEL ADVANCES

A cash advance may be issued prior to departure, subject to the approval of the department head and the Finance Director. Such requests will be considered the exception to normal CDA travel policy. Travel advances for rail, bus or airfare, and sustenance may be granted for authorized travel.

TRAVEL AUTHORIZATION GUIDELINES

In order to determine what travel is of the most value and which employees should go, the following guidelines have been established:

1. The costs of the conference, seminar, institute, training program and related travel must be within the annual budget appropriation approved by the CDA Board.

2. Contacts made or information obtained must be important to the improved operations and functions of Dakota County CDA and the respective department.

3. Department heads submitting request for out-of-state or overnight travel must exercise the utmost discretion. Conferences must be unquestionably professional in content and should be selected only when a similar conference cannot be found locally within a reasonable amount of time, as determined pursuant to the needs of the department/CDA.

4. Travel for training purposes is limited to training specific to an individual’s job which is not available locally.

AUTHORIZED EXPENSES

Privately Owned Automobile – Employees may be reimbursed for travel on official CDA business with a private automobile at the prevailing IRS mileage rate. Employees traveling as such are required to have
a valid driver’s license and adequate vehicle insurance coverage. The CDA Mileage Reimbursement Form requires employees to certify the existence of these items. Mileage shall be paid on the most reasonably direct route as follows:

1. When traveling from the office on a work related activity and then returning to the office, mileage allowance shall be the actual miles traveled.

2. When traveling from the employee’s residence to a worksite or work related activity and then returning to the office, mileage shall be any miles to and from work site or work related activity in excess of those which the employee would have had to travel to the office from home.

3. When traveling from the office to a work site to the employee’s residence, mileage shall be the excess of those miles which the employee would normally have had to travel from the office to home.

4. When traveling from the employee’s residence to a work site and then returning to residence, mileage in excess of mileage from home to office and return shall be reimbursable. If such travel occurs on a day that the employee is not scheduled to work or if travel occurs outside the normal working hours, total mileage traveled is reimbursed.

5. When personal vehicles are used for extended travel not available by commercial transportation, travel reimbursement is made on an actual mileage basis. When two or more employees are traveling in one car, reimbursement is made to one employee.

**Leased or Agency Owned Vehicles** – The CDA makes available to employees for Agency business and as the agency budget allows the use of an Agency wide vehicle. This vehicle, while not assigned to any one employee, may be reserved by using the current check out procedures established for the vehicle. Use of the vehicle will be based on a first come first serve basis and priority will be given to employees that check the vehicle out.

A leased or Agency owned vehicle may be assigned to employees for agency business as the agency budget allows and when the following criteria are met:

1. The employee averages 700 miles or more of claimed mileage per month as documented over a year’s time.

2. The cost of the agency provided vehicle versus mileage reimbursement is not prohibitive.

3. The employee qualifies for automobile insurance on a standard non-risk basis.

Agency owned vehicles must be used for authorized CDA business. Incidental personal use is permitted during normal business hours (e.g. lunches during the workday) provided such use does not create excess wear and tear on the vehicle.

Employees assigned a CDA vehicle may be allowed to bring an Agency owned vehicle home on a regular basis if the following criteria are met:

1. The employee resides in Dakota County; and

2. The primary place of work is defined as somewhere other than the CDA office; and

3. The Agency has not assigned the vehicle a parking spot within a CDA owned property.

Employees permitted to bring vehicles home on a regular basis and thus using CDA vehicles to complete commutes to and from work are receiving a taxable fringe benefit. For CDA valuation the personal use of
an agency vehicle will be calculated based on current IRS guidelines and reported on the employee’s Form W-2.

Standby employees who are assigned a CDA vehicle will be given the option of bringing CDA owned vehicles home during the time they are on call. If the employee chooses not to, they will be permitted to park the CDA vehicle in an assigned parking spot at a CDA owned building closest to their residence.

Parking
Employees using a private automobile or CDA vehicle shall be reimbursed on an actual expenses basis for parking. Receipts for such payments shall be submitted with the expense reimbursement request whenever possible.

Commercial Transportation
Employees may travel in-state and out-of-area by commercial transportation when authorized. Air transportation shall be by coach class unless such space is not available or for special circumstances authorized by the Executive Director. First class railroad accommodations shall be standard and shall include lower berth or roomette in case of overnight travel.

Car Rental
When traveling outside of the Metro Area, an employee may use a rental vehicle at CDA expense when authorized by the Executive Director. When using rental vehicles, an effort to obtain a competitive rate shall be made.

Taxi/Bus
Payment for taxi, bus or limousine services is reimbursable only when on CDA business and no private vehicle is available.

Lodging, Meals, and Incidentals
Employees may claim reimbursement for lodging, meals, and incidental costs incurred in accordance with the following:

1. Charges for lodging will be reimbursed for only the night prior to the formal start of a conference, seminar, meeting, etc., and those nights when the event is actually in session or when a flight that night is not available. Due to the widely varied cost of airfares, in the event that it proves more economical to the CDA for an employee to leave earlier for a conference or stay after the conference has concluded in order to take a more reasonably priced flight, the Executive Director may choose to authorize additional reimbursement for eligible costs incurred prior to the start of and/or after the completion of a conference.

2. Employees may request to be reimbursed for meal expenses incurred:
   - During work performance required outside the seven county metro area.
   - While attending a seminar or conference as a representative of the CDA outside the seven county metro area.
   - As part of a business meal held in conjunction with an official business meeting.

The requested reimbursement including tax and gratuity shall be based on the standard federal per diem rate. Please note that reimbursements may be taxable per IRS guidelines.

Federal Per Diem: An employee will be reimbursed for meals at the standard federal per diem rate listed in the IRS Publication 1542 for the city in which authorized travel took place. When the CDA business includes a meeting/conference where one or more meals are included in the cost of the meeting/conference, an employee will be reimbursed at the federal per diem rate less any included meals (a continental breakfast does not constitute an included meal) using the percentage rates listed below.
The standard federal per diem rate includes an incidental reimbursement amount to cover incidentals such as fees and tips to porters, baggage carriers, bellhops, and hotels maids.

On the first and last day of travel away from home overnight on CDA business, the federal per diem rate will be prorated to cover meal expenses at the following times:

- Breakfast (5:00 am to 10:00 am) = 25%
- Lunch (11:00 am to 2:00 pm) = 25%
- Dinner (4:00 pm to midnight) = 50%

The employee will be reimbursed according to the percentages noted above for the part(s) of the day which the employee is traveling away from home overnight. In the event that meals are included in any registration or tuition fee, other charges for those meals shall not be allowable. Expenses for alcoholic beverages are not reimbursable.

**Telephone Calls**

The CDA strongly discourages the practice of placing long distance calls directly from a hotel as excessive charges may apply. Telephone calls made on personal calling cards or long distance plans for the purpose of CDA business will be reimbursed based on the current CDA long distance rate.

**TRAVEL TIME**

CDA employees may be authorized time for travel out-of-area, the day prior to and the day following the convention or meeting date(s).

**TRAVEL EXPENSES OF GUESTS**

If a guest accompanies an employee on a CDA business trip, any portion of the expense attributable to the guest’s travel, meals, lodging, etc., are under no circumstance reimbursable. If a guest accompanies an employee on a business trip, the reimbursable business expense for transportation and lodging is the single rate cost of accommodations.

**TRAVEL AND MISCELLANEOUS EXPENSE CLAIM**

An Expense Claim must be submitted to the Department Head and Controller to be considered for reimbursement. All reimbursement claims should be submitted within 60 days of the incurred expense whenever possible, and must be submitted within the fiscal year corresponding to the approved budget allowable for that item to be considered for reimbursement. Reimbursement of expenses beyond this time frame are subject to the approval of Executive Director. All available bills and receipts from airfare, car rental and lodging must be attached. Whenever agency funds are used to pay for airline travel by an appointed official of the CDA or the CDA employee, any credits or other benefit, the individual passenger shall report receipt of the credit or benefit to the Finance Department within 60—days of receipt. The standard CDA travel reimbursement form may be utilized for this purpose.

To assist in the monitoring of this policy, all commercial transportation arrangements are, when practicable, coordinated through the Administration Department. When it is impractical to utilize this approach, it is the responsibility of the traveling CDA official or employee to report the receipt of any credits or benefits on a CDA travel reimbursement form within 90 days.

**COMPENSABILITY OF TRAVEL TIME FOR OVERTIME-ELIGIBLE EMPLOYEES**

Overtime-eligible employees may be authorized compensable time for travel the day prior to and/or the day following the training or meeting dates(s) when extended travel is required. In general, normal travel
from home to work is not compensated work time (whether or not the employee works at a fixed location or different job sites). Therefore, any time spent walking, riding or traveling to and from the actual place of performance of the principal activity is not compensable. Employees are generally not at work until they actually reach the worksite. For travel during the workday, the time spent traveling by employees is typically part of the principal activity and is therefore compensable. In certain rare emergency situations, employees may be compensated for home-to-work travel time. Employee reimbursement for authorized expenses such as mileage is not dependent upon the compensability of travel time.

TRAVEL TIME GUIDELINES FOR OVERTIME-ELIGIBLE EMPLOYEES

The following guidelines determine whether or not travel time constitutes hours worked and is compensable for overtime-eligible employees:

1. Employees are not compensated for time spent on normal travel from home to work or work to home, regardless of whether the employee works at a fixed location or at different job sites.

2. In some instances, travel from home to work is compensable. For example, if an employee has gone home after completing the day’s work and is subsequently called out at night to travel a substantial distance to perform an emergency job for the CDA, all time spent on such travel must be tracked and is compensable.

3. Time spent by an employee in travel as part of the principal activity, such as travel from job site to job site during the workday, is counted as hours worked.

4. Travel overnight away from home when it occurs during the same hours as the employee’s normal shift is work time. Travel overnight away from home is work time also when the employee is working outside the normal shift hours (excluding time spent using public conveyance or spent on personal pursuits, including meals).

5. An employee delivering a package on the route home must be compensated for the time through the delivery of the package even if the delivery location is "next door to the employee's home."

6. Employees driving to conferences/seminars are not compensated for travel time occurring outside normal working hours.

7. Driving to and from an airport for a work-related flight is not work time if it does not fall within normal work hours.

8. Time waiting at the airport for a work-related flight up to 2 (two) hours prior to departure time if it falls within normal work hours.

COMPENSABILITY OF TRAVEL TIME FOR OVERTIME-INELIGIBLE EMPLOYEES

Travel time for overtime-ineligible employees is considered part of doing their job and is not compensable as additional hours worked. Employee reimbursement for authorized expenses such as mileage is not dependent upon the compensability of travel time.

TRAVEL ON BUSINESS BY CDA COMMISSIONERS

CDA Commissioners are required to follow the same policies and procedures for travel as listed previously in this policy.
TRAVEL AUTHORIZATION
CDA Commissioners are authorized to travel, CDA budget permitting, to one conference or training session per fiscal year (July 1 – June 30 annually).

LOCAL TRAVEL BY CDA COMMISSIONERS
Commissioners of the Dakota County CDA will be reimbursed for traveling with a private automobile on official CDA business at the prevailing IRS mileage rate. (For example: open houses, groundbreakings, employee functions, etc.) The total amount paid for attendance at a CDA Board Meeting is not to exceed the amount currently authorized in the By-Laws of the Dakota County Community Development Agency, Article IV, Section 9 (stipend and mileage included).

Payment for mileage reimbursement will be made based upon the submission of a Mileage Reimbursement form. Such forms may be obtained from the CDA Executive Assistant upon request.

Commissioners using a private automobile and/or CDA vehicle will be reimbursed for parking on an actual expense basis. Receipts for such payment shall be submitted with the Mileage Reimbursement request whenever possible.
Approval Of The Use Of 2018 Landfill Host Community Environmental Legacy Fund Grants For
City Of Burnsville Project And Authorization To Extend The Deadline To Expend The Funds

Meeting Date: 4/21/2020
Department: Community & Economic Development
Prepared By: Maggie Dykes
Contact: Lisa Alfson
Contact Phone: 651-675-4467

Fiscal/FTE Impact:
☐ None
☐ Amount included in current budget
☐ Budget amendment requested
☐ FTE included in current complement
☐ New FTE(s) requested
☒ Other:

PURPOSE/ACTION REQUESTED
• Approve the use of 2018 Landfill Host Community Environmental Legacy Fund (ELF) Grant funds for the City of Burnsville project.
• Authorize extension of the use of funds to September 2021.

SUMMARY
In 2018, the Dakota County Board of Commissioners (County Board) authorized the Landfill Host Community ELF Grant Pilot Program to distribute up to $3,000,000 of funding to cities that host or are located in proximity to a landfill, including the Cities of Burnsville, Coates, Inver Grove Heights, Rosemount and South St. Paul (County Resolution No. 18-226). The County Board authorized $1,150,000 for the City of Burnsville (the City) to acquire land and demolish obsolete structures. Specific sites were not identified by the City. Also in 2018, the Dakota County Community Development Agency (CDA) Board approved a Joint Powers Agreement (JPA) between the CDA, the County, and the City that allows the CDA to administer the ELF grant funds on behalf of the County for the City (CDA Resolution No. 18-6037). The CDA will act as a conduit for the funding between the City and the County. Per the JPA, the ELF grant funds were to be expended by September 19, 2020. Because the City did not specify the properties in its 2018 application for the ELF funds, the CDA Board stated it wants to approve the use of the ELF funds when the City had determined which projects would receive the funds.

The City has received an application for the ELF funds from MWF Properties, LLC for the acquisition and demolition of the vacant National Camera Exchange building located at 14380 Burnhaven Drive. MWF Properties intends to construct an 82-unit market-rate apartment building on the site. The acquisition and demolition are slated to occur by August 2020. The total project cost is projected to be $18,500,279. The anticipated costs for acquisition and demolition are $1,300,000 and $200,000; respectively. The City has completed a financial review of MWF Properties’ request and determined that the acquisition and demolition activities require $885,000 of the $1,150,000 ELF award. The remaining $265,000 is to be used for other redevelopment projects that have not be identified by the City. The City anticipates the developer will expend the $885,000 by September 2020, but this may not be possible due to potential construction delays caused by the COVID-19 pandemic. The City had intended to request that the expenditure of the remaining $265,000 be extended to September 2021; however, because of potential construction delays, the City is requesting that the required expenditure of the entire $1,150,000 ELF award be extended to September 2021 (Attachment B).

The Burnsville City Council approved the attached draft Subgrant Agreement between the City and MWF Properties on March 17, 2020 (Attachment A). The County Attorney’s office and County staff have reviewed the draft Subgrant Agreement and found it to be in order.

RECOMMENDATION
County and CDA staff concur that the proposed use of 2018 Landfill Host Community ELF funds for the City of Burnsville to provide funding for the acquisition and demolition of an existing building at 14380 Burnhaven Drive for the construction of an 82-unit apartment building by MWF Properties, LLC and the one-time extension of the expenditure of the $1,150,000 ELF award to September 2021 complies with the rules of the program.

EXPLANATION OF FISCAL/FTE IMPACT
None. The CDA will not hold the funds, but will act as a conduit for the $1,150,000 in grant funds.
WHEREAS, the Dakota County Board of Commissioners (County Board) authorized the Landfill Host Community Environmental Legacy Fund (ELF) Grant Pilot Program in January 2018 to distribute up to $3,000,000 of funding to cities that host or are located in proximity to a landfill, including the Cities of Burnsville, Coates, Inver Grove Heights, Rosemount and South St. Paul; and

WHEREAS, the Cities of Burnsville, Coates, Inver Grove Heights, Rosemount and South St. Paul were invited to submit grant applications; and

WHEREAS, under Minnesota Statute 383D.41, the Dakota County Community Development Agency (CDA) is enabled to act as the economic development authority and administer related funds for Dakota County; and

WHEREAS, the County Board determined project and funding recommendations and directed staff to work with Cities and the CDA, as necessary, to prepare Joint Powers Agreements for final award of grants; and

WHEREAS, the County Board awarded a grant to the City of Burnsville in an amount not to exceed $1,150,000 for economic development purposes including land acquisition, land assembly and demolition of obsolete buildings subject to expenditure of the funds by September 30, 2020; and

WHEREAS, the City of Burnsville received an application from MWF Properties, LLC for the Landfill Host Community ELF Grants for the acquisition and demolition of an existing vacant building at 14380 Burnhaven Drive in order to construct an 82-unit market-rate apartment building; and

WHEREAS, the City has approved a Subgrant Agreement with MWF Properties, LLC to provide up to $885,000 of the $1,150,000 awarded to the City for the acquisition and demolition costs; and

WHEREAS, the City has requested the expenditure of the ELF grant funds be extended to September 17, 2021 due to potential delays in construction of the proposed apartment building due to the COVID-19 pandemic.

NOW, THEREFORE, BE IT RESOLVED by the Dakota County Community Development Agency Board of Commissioners, That it approves the use of the Landfill Host Community Environmental Legacy Fund Grants awarded to the City of Burnsville for the acquisition and demolition of a vacant building located at 14380 Burnhaven Drive.

BE IT FURTHER RESOLVED, That the expenditure deadline for the $1,150,000 Environmental Legacy Fund Grants awarded to the City of Burnsville is extended to September 17, 2021.
ENVIRONMENTAL LEGACY FUND SUBGRANT AGREEMENT

This Environmental Legacy Fund Subgrant Agreement (the “Agreement”) is made this [DAY] day of [MONTH], 2020, between [DEVELOPER NAME], a Minnesota limited partnership (“Developer”), and the City of Burnsville, Minnesota, a municipal corporation organized and existing under the laws of the State of Minnesota (“City”).

RECITALS

A. The City received a 2018 Environmental Legacy Fund Grant (the “ELF Grant”) provided by the County of Dakota (the “County”) and the Dakota County Community Development Agency (the “CDA”) to the City pursuant to a Joint Powers Agreement between the County of Dakota and the Dakota County Community Development Agency and the City of Burnsville for 2018 Environmental Legacy Fund Grant (the “County Grant Agreement”) attached hereto as Exhibit B.

B. The County and CDA created the Environmental Legacy Fund Grant Pilot Program (the “ELF Grant Program”) to provide money to cities with an operating landfill within their political boundaries.

C. The City submitted, and the County Board of Commissioners has approved, a grant application for its Land Acquisition, Assembly and Building Demolition project (“City Project”) to promote development and redevelopment activities within the City.

D. The County Board of Commissioners approved awarding grant funds to the City for the City Project as being consistent with the ELF Grant Program purposes and to assist in mitigating the impacts of hosting an operating landfill.

E. The proposed activities of the Developer will further the goals of the County and City and will be designed and constructed consistent with the terms of the County Grant Agreement as more fully described in Exhibit C.

F. The Developer proposes to acquire property located at 14380 Burnhaven Drive, Burnsville, MN on the property legally described in Exhibit A attached hereto (the “Property”), demolish an existing building and construct an 82 unit market rate rental housing development thereon (the “Project”).

G. The City agrees to make a grant to Developer in an amount up to the lesser of $885,000 or the sum of Grant-Eligible Costs (as hereinafter defined) approved by the City, the CDA and the County in accordance with Section 2 hereof (the “Subgrant”) from proceeds of the ELF Grant to pay a portion of the costs of land acquisition in the amount of $685,000 and building demolition and asbestos abatement in an amount up to $200,000 (the “Grant-Eligible Costs”), directly related to the Project.
H. On March 17, 2020, the City adopted Resolution No. _______, attached hereto as Exhibit C, approving the Project.

I. The Developer is willing to construct the Developer’s project in accordance with the terms and conditions set forth in the County Grant Agreement and as further hereinafter set forth.

J. The Developer’s project will be reimbursed by the City upon City confirmation of the Subgrant and Project eligibility, the satisfaction of all conditions in Section 2(b) hereof, and compliance by the Developer with all ELF Grant Program requirements, the County Agreement, and this Agreement.

K. The City believes that the development and construction of the Project and fulfillment of this Agreement are vital, will increase the tax base in the City and the County, are in the best interests of the City, are necessary to promote the health, safety, morals and welfare of residents of the City, and are in accordance with the public purpose and provisions of the applicable state and local laws and requirements under which the construction of the Project has been undertaken and is being assisted. Based on representations of the Developer, the City finds that but for the provision of the Subgrant to the Developer the proposed Project and redevelopment of the Property would not be possible.

N. The City and Developer have negotiated the terms of the Subgrant, and now desire to memorialize such terms in this Agreement.

ACCORDINGLY, to induce City to make the Subgrant to Developer, and for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

Section 1. The Subgrant Amount. Subject to and upon the terms and conditions of this Agreement, City agrees to provide the Subgrant to Developer in an amount up to the lesser of Eight Hundred Eighty-Five Thousand Dollars and no/100ths Dollars ($885,000) or the sum of Grant-Eligible Costs approved by the City, the CDA and the County in accordance with Section 2 hereof. Proceeds of the Subgrant shall be disbursed in accordance with Section 2 hereof.

Section 2. Disbursement of Subgrant Proceeds.

(a) Proceeds of the Subgrant shall be paid to Developer in one payment to reimburse the Developer for the Grant-Eligible Costs to be reimbursed from the proceeds of the Subgrant in accordance with the County Grant Agreement. The City will reimburse the Developer for Grant-Eligible Costs after the proceeds of the ELF Grant are received in accordance with the terms of the County Grant Agreement and the Developer has satisfied the requirement of Section 2(b) hereof. Prior to August 15, 2020 (which date may be extended if the County and the CDA extend the term of the County Grant Agreement in writing in accordance with Section 1.3 thereof), the Developer shall submit to the City a
draw request (the “Disbursement Request”) in a form approved by the County and the CDA including evidence that the Developer has incurred Grant-Eligible Costs and providing proof of payment for the Grant-Eligible Costs. Proof of payment of Grant-Eligible Costs shall include supporting documentation, including, but not limited to, invoices from all contractors invoicing Grant-Eligible Costs, a sworn construction statement, a signed and notarized payment application form, and a closing settlement statement. The Disbursement Request shall constitute a representation and warranty by the Developer that all representations and warranties set forth in this Agreement are true and correct as of the date of such Disbursement Request. Upon receipt of the Disbursement Request, the City shall submit the request for payment to the CDA which shall submit the request for payment to the County. The adequacy of the Disbursement Request shall be determined by the City, the CDA and the County in their sole discretion. The City shall make a disbursement to the Developer in the amount of the requested disbursement or such lesser amount as shall be approved within 45 Business Days after the Developer has satisfied all applicable conditions precedent contained in Sections 3 and 2(b) hereof. The disbursement shall be paid from the proceeds of the Subgrant, subject to the City, the CDA’s and the County’s determination that the relevant Grant-Eligible Costs are payable from the proceeds of the ELF Grant under the County Grant Agreement. The City will only reimburse the Developer for the portion of the Grant-Eligible Costs approved by the CDA and the County. The City is under no obligation to disburse any proceeds of the Subgrant until it receives a disbursement of grant funds from the County or the CDA and the conditions in Section 2(b) have been satisfied. Notwithstanding anything to the contrary herein, if the cost of the Grant-Eligible Costs exceeds the amount to be reimbursed under this Agreement, such excess shall be the sole responsibility of the Developer.

(b) The disbursement of proceeds of the Subgrant to the Developer is subject to the following conditions precedent:

(i) The City has received from Developer, without expense to City, executed copies of this Agreement;

(ii) the Developer having delivered to the City the Disbursement Request including written evidence in accordance with paragraph (a) of this Section 2 reasonably satisfactory to the City, the County and the CDA that the Developer has incurred land acquisition costs in an amount at least equal to $1,300,000 and demolition and asbestos abatement costs in an amount at least equal to $200,000. The City may, if not reasonably satisfied that the conditions described herein have been met, provide a statement of the reasons why the submitted evidence is not acceptable and requesting such further documentation or clarification as the City may reasonably require;

(iii) No Event of Default shall have occurred and be continuing under this Agreement or the County Grant Agreement;
(iv) The Board of Commissioners of the CDA has adopted a resolution approving the use of proceeds of the ELF Grant for the Project;

(v) The Project has been constructed in accordance with Section 5 hereof and the Developer has received a certificate of occupancy issued by the City for the Project and the City building official has completed a final inspection and given its final approval; and

(vi) The Developer must have provided the City, the County and the CDA with evidence of compliance with the insurance requirements set forth in Section 3(b).

Section 3. **Representations and Warranties.** Developer represents and warrants to City that:

(a) The Developer will design the Project and prepare plans and specifications, for City review and approval, for the construction of the Project. Any changes to such plans and specifications shall be submitted to the City for approval, including changes that materially change either the effectiveness of the Project to meet its intended purposes or the environmental impacts of the Project.

(b) The Developer must provide and maintain insurance in amounts and types of coverage appropriate to complete the Project, naming the County as an additional insured, and provide a Certificate of Insurance evidencing such insurance coverage to the CDA prior to commencement of any work on the Project.

(c) The Developer is responsible for obtaining all applicable local and state licenses, permits and authorizations necessary for completing the Project.

(d) The City and Developer will keep and maintain complete records of such costs incurred, including a clear indication of costs directly related to the Project. The Developer shall abide by the terms and conditions of the County Grant Agreement and shall submit the appropriate reports and invoices to the City as required by the County Grant Agreement.

(e) The City and Developer understand that by entering into this Agreement the City will pay the Developer for his work and all other qualifying expenses incurred related to the construction of the Project, as outlined in the County Grant Agreement.

(f) The Developer shall post a project identification sign in a prominent location while work is in progress and after completion stating that the Project was made possible (in part when appropriate) through a grant funded by the Dakota County Environmental Legacy Fund and the Dakota County Community Development Agency.
(g) Developer is duly authorized and empowered to execute, deliver, and perform this Agreement.

(h) The execution and delivery of this Agreement, and the performance by Developer of its obligations hereunder, do not and will not materially violate or conflict with any applicable provision of law and do not and will not materially violate or conflict with, or cause any default or event of default to occur under, any material agreement binding upon Developer.

(i) The execution and delivery of this Agreement has been duly approved by all necessary action of Developer, and this Agreement has in fact been duly executed and delivered by Developer and constitutes its lawful and binding obligation, legally enforceable against it.

(j) Developer warrants that it shall keep and maintain books, records, and other documents relating directly to the receipt and disbursements of Subgrant proceeds and that any duly authorized representative of City shall, with reasonable advance notice, have access to and the right to inspect, copy, audit, and examine all such books, records, and other documents of Developer pertaining to the Subgrant until the completion of all closeout procedures and the final settlement and conclusion of all issues arising out of this Subgrant.

(k) Developer warrants that to the best of its knowledge, it has fully complied with all applicable state and federal laws reasonably relevant to this Agreement and will continue to comply throughout the terms of this Agreement. If at any time Developer receives notice of noncompliance from any governmental entity, Developer agrees to take any necessary action to comply with the state or federal law in question or to contest it in good faith through appropriate legal processes.

(l) Developer warrants that it will use the proceeds of the Subgrant received from the City solely for the Grant-Eligible Costs.

(m) The Developer shall comply in all respects with the County Grant Agreement which is incorporated herein by reference. The Developer acknowledges and agrees that all terms, conditions and obligations contained in the County Grant Agreement are incorporated herein, and made a part of this Agreement. In addition to the terms, conditions and obligations described herein, the Developer further acknowledges, accepts and assumes all of the City’s obligations described in the County Grant Agreement, unless such obligations can only be reasonably performed by the City, including but not limited to, the obligation to repay the ELF Grant if required by the County or the CDA.

(n) The Developer shall have the sole obligation to construct the Grant-Eligible Costs and the Project in accordance with any applicable permits, and with all applicable local, state and federal laws and regulations (including without limitation environmental, zoning, building code, housing code, and public health laws and regulations).
(o) The Developer would not construct the Project on the Property but for the Subgrant being provided by the City hereunder.

Section 4. Business Subsidy. The subsidy granted to the Developer pursuant to this Agreement is assistance for housing and therefore the provisions of Minnesota Statutes, Sections 116J.993 to 116J.995, as amended, do not apply. No portion of the Subgrant shall be used to construct any commercial space.

Section 5. Construction. The Developer must acquire the Property and demolish the existing building thereon by September 1, 2020 and commence construction of the Project by September 1, 2020. The Developer must substantially complete construction of Project by December 31, 2021. All work with respect to the Project to be constructed on the Property shall substantially conform to the construction plans for the Project as submitted by Developer and approved by the City and meet the City’s “Better” or “Best” architectural standards.

Developer agrees that it shall promptly begin and diligently prosecute to completion the development of the Property through the construction of the Project thereon, and that such construction shall in any event be commenced within the period specified in this Section 5 of this Agreement. The Developer shall make reports, in such detail and at such times as may reasonably be requested by the City, as to the actual progress of Developer with respect to such construction.

The construction of the Project shall be deemed to be commenced when foundation work has commenced (as reasonably determined by the City), and shall be deemed to be substantially completed when Developer has received a certificate of occupancy issued by the City for the Project and the City building official has completed a final inspection and given its final approval.

Section 6. Repayment. The Developer agrees to repay the principal of the Subgrant (the “Repayment Amount”) if any of the following occurs the County or the CDA requires repayment of the ELF Grant for any reason. The Repayment Amount shall be paid by the Developer in full within 30 days of a written demand for payment from the City.

Section 7. Event of Default by Developer. The following shall be Events of Default under this Agreement:

(a) any material breach or failure of Developer to perform any material term or condition of this Agreement or the County Agreement not specifically described as an Event of Default in this Agreement and such breach or failure continues for a period of 30 days after City has given written notice to Developer specifying such default or breach, unless City agrees in writing to an extension of such time prior to its expiration; provided, however, if the failure stated in the notice cannot be corrected within the applicable period, City will not unreasonably withhold its consent to an extension of such time if corrective action is
instituted by Developer within the applicable period and is being diligently pursued until the
Event of Default is corrected, but no such extension shall be given for an Event of Default
that can be cured by the payment of money;

(b) a failure by the Developer to complete the Project in accordance with
Section 5.

Section 8. City's Remedies upon Developer's Default. Upon an Event of Default by
Developer and after provision by City of written notice and subject to the applicable limitations
described in Section 8, City shall have the right to exercise any or all of the following remedies (and
any other rights and remedies available to it):

(a) suspend its performance under this Agreement, including but not limited to
terminating its obligation to provide funds to the Developer under this Agreement;

(b) The City may take whatever action at law or in equity may be necessary or
appropriate to seek repayment or reimbursement of the Subgrant funds disbursed to the
Developer, to enforce performance and observance of any obligation, agreement, covenant,
representation or warranty of the Developer under this Agreement, or any related
instrument; or to otherwise compensate the City for any damages on account of such Event
of Default;

(c) if demanded by the County or the CDA, require the Developer to repay
Subgrant amounts paid to the Developer; and

(d) demand repayment of the Subgrant in accordance with paragraph 6 hereof.

No remedy conferred upon or reserved to the City is intended to be exclusive of any other
available remedy or remedies, but each and every such remedy shall be cumulative and shall be
in addition to every other remedy given under this Agreement or now or hereafter existing at law
or in equity or by statute. No delay or omission to exercise any right or power accruing upon any
Event of Default shall impair any such right or power, nor shall be construed to be a waiver
thereof, but any such right and power may be exercised from time to time and as often as may be
deemed expedient. In order to entitle the City to exercise any remedy reserved to it in this
Section, it shall not be necessary to give any notice, other than such notice as may be herein
expressly required or be required by law.

Section 9. City's Costs of Enforcement of Agreement. If an Event of Default has
occurred as provided herein, then upon demand by City, Developer shall pay or reimburse City for
all expenses, including all reasonable attorneys' fees and expenses incurred by City in connection
with the enforcement of this Agreement, or in connection with the protection or enforcement of the
interests of City in any litigation or bankruptcy or insolvency proceeding or in any action or
proceeding relating in any way to the transactions contemplated by this Agreement.
Section 10. **Indemnification.**

(a) Developer shall and does hereby agree to indemnify against and to hold City, and its officers, agents, and employees including the independent contractors, consultants and legal counsel, servants and employees thereof (hereinafter, for purposes of this Section, collectively the “Indemnified Parties”), harmless of and from any and all liability, loss, or damage that it may incur under or by reason of this Agreement or the County Grant Agreement and against any loss or damage to property or any injury to or death of any person occurring at or about or resulting from any defect in the Project and the Grant-Eligible Costs, and of and from any and all claims and demands whatsoever that may be asserted against City by reason of any alleged obligations or undertakings on its part to perform or discharge any of the terms, covenants, or agreements contained herein.

(b) Except for any willful misrepresentation or any willful or wanton misconduct of the Indemnified Parties, the Developer agrees to protect and defend the Indemnified Parties, now and forever, and further agrees to hold the aforesaid harmless from any claim, demand, suit, action or other proceeding whatsoever by any person or entity whatsoever under this Agreement, the County Grant Agreement or the transactions contemplated hereby or the acquisition, construction, installation, ownership, and operation of the Project or the Grant-Eligible Costs.

(c) This indemnification and hold harmless provision shall survive the execution, delivery, and performance of this Agreement and the creation and payment of any indebtedness to City.

(d) Nothing in this Agreement shall constitute a waiver of or limitation on any immunity from or limitation on liability to which Developer is entitled under law.

Section 11. **Miscellaneous.**

(a) **Waiver.** The performance or observance of any promise or condition set forth in this Agreement may be waived, amended, or modified only by a writing signed by Developer and City. No delay in the exercise of any power, right, or remedy operates as a waiver thereof, nor shall any single or partial exercise of any other power, right, or remedy.

(b) **Assignment.** This Agreement shall be binding upon Developer and its successors and assigns and shall inure to the benefit of City and its successors and assigns. All rights and powers specifically conferred upon City may be transferred or delegated by City to any of its successors and assigns. Developer's rights and obligations under this Agreement may be assigned only when such assignment is approved by City.

(c) **Governing Law.** This Agreement is made and shall be governed in all respects by the laws of the state of Minnesota. Any disputes, controversies, or claims arising out of this Agreement shall be heard in the state or federal courts of Minnesota, and
all parties to this Agreement waive any objection to the jurisdiction of these courts, whether based on convenience or otherwise.

(d) **Severability.** If any provision or application of this Agreement is held unlawful or unenforceable in any respect, such illegality or unenforceability shall not affect other provisions or applications that can be given effect, and this Agreement shall be construed as if the unlawful or unenforceable provision or application had never been contained herein or prescribed hereby.

(e) **Notice.** All notices required hereunder shall be given by depositing in the U.S. mail, postage prepaid, certified mail, return receipt requested, to the following addresses (or such other addresses as either party may notify the other):

To City:  City of Burnsville
         100 Civic Center Parkway
         Burnsville, Minnesota 55337
         Attn: City Manager

To Developer:  [DEVELOPER NAME]
               7645 Lyndale Avenue South
               Minneapolis, MN 55423
               Attn: [DEVELOPER NOTICE CONTACT]

(f) **Termination.**

(i) Except in accordance with paragraph (ii) hereof, this Agreement shall terminate when the proceeds of the Subgrant have been disbursed to the Developer.

(ii) If the proceeds of the ELF Grant to fund the Subgrant are not disbursed by the County and the CDA to the City by September 1, 2020 unless the County and the CDA extend the term of the County Grant Agreement in accordance with Section 1.3 thereof, this Agreement shall terminate and neither party shall have any further obligation to the other.

(g) **Entire Agreement.** This Agreement, together with the exhibits hereto, which are incorporated by reference, constitutes the complete and exclusive statement of all mutual understandings between the parties with respect to this Agreement, superseding all prior or contemporaneous proposals, communications, and understandings, whether oral or written, concerning the Subgrant.

(h) **Headings.** The headings appearing at the beginning of the several sections contained in this Agreement have been inserted for identification and reference purposes only and shall not be used in the construction and interpretation of this Agreement.
(i) The exhibits attached hereto are incorporated herein and made part of this Agreement. This Agreement contains the entire understanding between the parties regarding this matter and no amendments or other modifications of its terms are valid unless agreed to in writing and signed by both parties.

Section 12. **Data Practices Act.** Developer acknowledges that the City is subject to the Minnesota Government Data Practices Act, (Minnesota Statutes, Chapter 13, the “Data Practices Act”). All data collected, created, received, maintained or disseminated or used for any purposes in the course of this Agreement shall be held, maintained and administered in accordance with the Data Practices Act.

Section 13. **Conflict of Interests: City Representatives Not Individually Liable.** The City and Developer, to the best of their respective knowledge, represent and agree that no member, official, or employee of the City shall have any personal interest, direct or indirect, in the Agreement, nor shall any such member, official, or employee participate in any decision relating to the Agreement which affects his personal interests or the interests of any corporation, partnership, or association in which he is, directly or indirectly, interested. No member, official, or employee of the City shall be personally liable to Developer, or any successor in interest, in the event of any default or breach by the City or for any amount which may become due to Developer or successor or on any obligations under the terms of the Agreement.
IN WITNESS WHEREOF, this Agreement has been duly executed and delivered by the proper officers thereunto duly authorized on the day and year first written above.

CITY OF BURNSVILLE, MINNESOTA

By_______________________________
   Its Mayor

By_______________________________
   Its City Manager
[DEVELOPER NAME]

By_______________________________
Its_______________________________
EXHIBIT A

PROPERTY

The property located in the City of Burnsville, Dakota County, Minnesota legally described as:

[INSERT LEGAL DESCRIPTION]
EXHIBIT B

JOINT POWERS AGREEMENT

Attach copy of executed Joint Powers Agreement
04/09/2020

Dakota County CDA
1228 Town Centre Drive
Eagan, MN 55123

To whom it may concern:

The City of Burnsville formally requests a 12-month extension on our $1.15 million ELF Grant Economic Development Funding that was awarded in 2018, to September 17th, 2021.

As you know, we have a project request for $885,000. The developer, MWF, is committed and supported by the EDC and CC for this $885,000. The project, however, may experience delays due to the COVID-19 pandemic.

The remaining $265,000 is being actively marketed to property owners, developers, and individuals. Staff has been promoting the ELF funds continually since receipt of 2018 grant funding - over 100 instances, including over 50 direct communications with developers and private property owners, plus outreach via our City Newsletter.

Thank you for your consideration of this request, and do not hesitate to reach me with any questions.

Sincerely,

Jamie Scheffer
Economic Development Coordinator
952-529-1444
Jamie.scheffer@burnsvillemn.gov
Approval Of Contingent Award Of HOPE And HOME Loans For Nicols Pointe (Senior Housing With Veterans Preference In Eagan) And Authorization To Execute Related Documents

Fiscal/FTE Impact:
- None
- Amount included in current budget
- Budget amendment requested
- FTE included in current complement
- New FTE(s) requested
- Other: Included in FYE21 Budget

Purpose/Action Requested
- Approve the award of HOPE Loan and HOME Loan for Nicols Pointe (Senior Housing with Veterans preference)
- Authorize the execution of related documents.

Summary
The Dakota County Community Development Agency (CDA), who is the sole member of the DCCDA Eagan ELI LLC. (the Developer), proposes to construct Nicols Pointe (the Project), which will be located along the eastside of Nicols Road and south of Cedar Grove Parkway in Eagan (located across the road from the Cedar Grove Transit Station). Site location map is Attachment A.

The Project will be a three-story building with the first level a parking garage and additional surface parking for residents and guests. All of the 24 one-bedroom units will be rented to persons 55 years and older who earn 30% or less of the area median income. The Project will include a preference for Veterans.

The total development costs are estimated to be $7 million. To finance the Project, the Developer will apply for funding through the Minnesota Housing 2020 Consolidated RFP. To help fill the financing gap to support the construction of the Project, the Developer is requesting a Housing Opportunities Enhancement (HOPE) Program Loan in the amount of $750,000 and a HOME Investment Partnerships Program (HOME) Loan in an amount estimated to be $575,000.

The HOME Loan will be made in an aggregate principal amount estimated to be $575,000. It will be funded with monies received by the CDA from HUD through the HOME Investment Partnerships Program. The HOME Loan will bear interest of 1%, require a 20-year period of affordability for HOME-assisted units and be payable in 30-40 years, or upon the earlier sale or transfer of the Project.

If the Project is awarded the requested CDA financing sources and all necessary financing is secured, as well as the required city development approvals are complete, construction is scheduled to begin spring 2021. Nicols Pointe will be owned and managed by the Dakota County CDA.

Recommendation
Staff recommends the Board authorize the HOPE Loan in the amount of $750,000 and HOME Loan in the amount of $575,000 for the construction of Nicols Pointe, and authorize the Executive Director to execute and deliver all related documents as to form.

Explanation Of Fiscal/FTE Impact
Upon authorization, the HOPE loan will be included in the FYE21 operating budget. The HOME Program funds are available in the 2020 Action Plan Program Year.
Resolution No. 20-XXXX

Approval Of Contingent Award Of HOPE And HOME Loans For Nicols Pointe (Senior Housing With Veterans Preference In Eagan) And Authorization To Execute Related Documents

WHEREAS, the Dakota County Community Development Agency (the CDA) proposes to assist with the financing of Nicols Pointe the 24-unit multifamily rental housing facility for low- and moderate-income person to be located near the intersection of Nicols Road and Cedar Grove Parkway in Eagan (the Project); and

WHEREAS, the Project will be owned by the DCCDA Eagan ELI, LLC., a Minnesota Limited Liability Company, of which the Dakota County CDA will be the sole member (the Borrower); and

WHEREAS, in 2001, the Dakota County Board of Commissioners and the CDA entered into a Joint Powers Agreement for the HOPE Program that includes operating guidelines, reporting requirements, and outlines the priorities for the Housing Opportunity Enhancement fund (the HOPE Program); and

WHEREAS, the Agency has adopted a HOPE Policy and budget for the HOPE Program, setting forth criteria governing the award of HOPE funds; and

WHEREAS, the Borrower has submitted an application for HOPE funds and for funds from the HOME Investment Partnerships Program (HOME Program); and

WHEREAS, CDA staff recommend a HOPE Program award of up to $750,000 and a HOME Program award of approximately $575,000 for the construction the Project, with the final amount to be determined by project underwriting and the availability of matching funds.

NOW, THEREFORE, BE IT RESOLVED by the Dakota County Community Development Agency Board of Commissioners, That:

1. The CDA hereby approves an award of HOPE Program funds in an amount up to $750,000 for construction of the Project.

2. The CDA hereby approves an award of HOME Program funds in an amount of approximately $575,000 for construction of the Project.

3. Staff is authorized to prepare, execute, and deliver all documentation necessary or convenient to provide for the commitment of HOPE Program funds based on findings made in accordance with the requirements of the Joint Powers Agreement and the HOPE Policy. In addition, staff is authorized to determine award contingencies for the Project based on the characteristics of the individual development, financial feasibility, project underwriting, or other factors in accordance with the Joint Powers Agreement and the HOPE Policy.

4. Upon authorization, the HOPE Loan will be included in the FYE21 operating budget.

5. Staff is authorized to prepare, execute, and deliver all documentation necessary or convenient to provide for the commitment of the HOME Program funds between the Dakota County Community Development Agency as a subrecipient of Dakota County and the Borrower.

6. The Chair of the Dakota County Community Development Agency Board of Commissioners and the Executive Director of the Dakota County Community Development Agency are authorized to execute said documents upon such release.
<table>
<thead>
<tr>
<th>Executive Director’s Comments:</th>
<th>Strategic Plan Priorities:</th>
</tr>
</thead>
<tbody>
<tr>
<td>☒ Recommend Action</td>
<td>☒ Focused Housing Programs</td>
</tr>
<tr>
<td>☐ Do Not Recommend Action</td>
<td>☐ Collaboration</td>
</tr>
<tr>
<td>☐ Reviewed-No Recommendation</td>
<td>☐ Development/Redevelopment</td>
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<tr>
<td>☐ Reviewed-Information Only</td>
<td>☐ Financial Sustainability</td>
</tr>
<tr>
<td>☐ Submitted at Commissioner Request</td>
<td>☐ Operational Effectiveness</td>
</tr>
</tbody>
</table>

Executive Director

Department Director
Housing Development Update – Informational

Meeting Date: 4/21/2020
Department: Housing Development
Prepared By: Kari Gill
Contact: Kari Gill
Contact Phone: 651-675-4477

Fiscal/FTE Impact:
☒ None
☐ Amount included in current budget
☐ Budget amendment requested
☐ FTE included in current complement
☐ New FTE(s) requested
☐ Other:

PURPOSE/ACTION REQUESTED
• Updated on housing development activities.

SUMMARY
Deputy Executive Director Kari Gill will provide updates on CDA housing developments.

RECOMMENDATION
N/A – Informational Only

EXPLANATION OF FISCAL/FTE IMPACT
N/A

Executive Director’s Comments:  
☐ Recommend Action  ☐ Item Type-Consent  ☒ Item Type-Informational
☐ Do Not Recommend Action  ☐ Item Type-Discussion
☐ Reviewed-No Recommendation  ☒ Item Type-Informational
☒ Reviewed-Information Only  ☐ Submitted at Commissioner Request

Strategic Plan Priorities:  
☒ Focused Housing Programs  ☒ Collaboration
☐ Development/Redevelopment  ☐ Financial Sustainability
☐ Operational Effectiveness

Executive Director:  
Department Director:  

- 79 -
Housing Development Update
April 2020

HOUSING DEVELOPMENTS

WEST ST. PAUL
Gateway Place

# of UNITS: 54

- Proposed concept plan for the West St. Paul Gateway Site includes two 54-unit buildings.
- City Council (March 23) first reading of the Ordinance and approval of the first building.
- City Council (April 13), second and final reading of the ordinance.
- Going out for bids in May, goal to begin construction in July.
- Working on the steps needed for the CDA to issue GO-Backed Bonds for this project.

EAGAN
Nicols Pointe

# of UNITS: 24

- Pursuing a 55+ with Veteran’s Preference model.
- Submitted our application to the City on April 14, 2020.
- Should be considered by the Planning Commission and City Council in June/July.
- Will be submitting an application to Minnesota Housing in July for financing.
INVER GROVE HEIGHTS
Concord Site

# of UNITS: 34

- CDA staff met with city staff in January to talk about options that would meet city goals for the area.
- Considering financing options that could include tax credits.
- Mix of one, two, and three bedroom units; 34 units total.
- Working with staff on revised plans before completing a full application to the City.

INVER GROVE HEIGHTS
Cahill Place

- Cahill Place supportive housing development being constructed by Centre City.
- Construction is going well.
- The contractor anticipates being finished and ready for occupancy around September 1, 2020.

BURNSVILLE
Valley Ridge Vacant Land

- Closed with Kwik Trip on corner parcel 4/7/2020.
- Kwik Trip plans to begin construction this spring.
- The Stencil Group will be submitting a planning application to the City for the remainder of the site.
CDA COVID-19 Response And Executive Director's Update – Informational

Meeting Date: 4/21/2020
Department: Administration
Prepared By: Kaili Braa
Contact: Tony Schertler
Contact Phone: 651-675-4432

Fiscal/FTE Impact:
☒ None
☐ Amount included in current budget
☐ Budget amendment requested
☐ FTE included in current complement
☐ New FTE(s) requested
☐ Other:

PURPOSE/ACTION REQUESTED
• Update on agency response to COVID-19.
• Preview of items for the May 12, 2020 CDA Board meeting and other agency updates.

SUMMARY
Executive Director Tony Schertler will provide an overview of business changes the CDA has made in response to COVID-19.

The following directors will present an update on how their department has adjusted business processes in response to COVID-19 and emerging issues staff is tracking locally and nationally related to community and economic development and U.S. Department of Housing and Urban Development (HUD) funded programs.

Community & Economic Development – Lisa Alfson
Housing Assistance – Lisa Hohenstein
Property Management – Anna Judge

A preview of items that will be on the May 12, 2020 CDA Board meeting agenda will also be provided.

RECOMMENDATION
N/A – Informational Only

EXPLANATION OF FISCAL/FTE IMPACT
N/A

Executive Director’s Comments:
☐ Recommend Action
☐ Do Not Recommend Action
☐ Reviewed-No Recommendation
☒ Reviewed-Information Only
☐ Submitted at Commissioner Request

Strategic Plan Priorities:
☒ Focused Housing Programs
☒ Collaboration
☒ Development/Redevelopment
☒ Financial Sustainability
☒ Operational Effectiveness

Executive Director

Department Director
MEMO

April 17, 2020

TO: CDA Board of Commissioners
    Dakota County Manager and Physical Development Director
    City Administrators & Managers

FROM: Tony Schertler, Executive Director

RE: Status Report - Quarter 1, 2020

This Status Report provides summary information on the use of affordable housing and community development programs in Dakota County. The Status Report reflects statistics through the first quarter of 2020 and not the entire life of programs. As a reference tool, the appendix has an explanation of each program.

Foreclosure information for first quarter has not been updated, and will be included with the next report.
Dakota County • Quarter 1, 2020
Statistics through March 31, 2020

Development-Based Housing Programs

<table>
<thead>
<tr>
<th>Program</th>
<th>as of December 31</th>
<th>as of March 31</th>
<th>% Change</th>
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</thead>
<tbody>
<tr>
<td>CDA Housing Programs</td>
<td>1,669</td>
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<tr>
<td>Project Based Housing Choice Vouchers</td>
<td>257</td>
<td>257</td>
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<tr>
<td>Other Affordable Housing Programs</td>
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<td><strong>Total Development-Based Housing Units</strong></td>
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Tenant-Based Housing Programs

<table>
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<tr>
<th>Program</th>
<th>All</th>
<th>All</th>
<th>% Change</th>
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<tr>
<td>Portable Incoming Vouchers</td>
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<tr>
<td>Outgoing Vouchers</td>
<td>374</td>
<td>396</td>
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<tr>
<td>Other Rental Housing Subsidy Programs</td>
<td>106</td>
<td>130</td>
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<tr>
<td><strong>Total Tenant-Based Housing Vouchers</strong></td>
<td>0</td>
<td>2,956</td>
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Tenant-based program vouchers may be used by residents of development-based housing.

Housing Improvement Programs

<table>
<thead>
<tr>
<th>Program</th>
<th>Quarter 1</th>
<th>Quarter 2</th>
<th>Quarter 3</th>
<th>Quarter 4</th>
<th>2020 YTD</th>
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</thead>
<tbody>
<tr>
<td>Rehab &amp; Improvement Loans Closed</td>
<td>22</td>
<td>0</td>
<td>0</td>
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<td>22</td>
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<td>Weatherization Projects Completed</td>
<td>20</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>20</td>
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First Time Homebuyer Programs

<table>
<thead>
<tr>
<th>Program</th>
<th>Quarter 1</th>
<th>Quarter 2</th>
<th>Quarter 3</th>
<th>Quarter 4</th>
<th>2020 YTD</th>
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<tbody>
<tr>
<td>First Mortgage Loans &amp; Downpayment</td>
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<td>1</td>
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<tr>
<td>Mortgage Credit Certificates</td>
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<tr>
<td>Pre-Purchase Counseling</td>
<td>5</td>
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<tr>
<td>Home Stretch Homebuyer Education</td>
<td>40</td>
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<td>0</td>
<td>0</td>
<td>40</td>
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</tbody>
</table>

CDA Property Portfolio

- Workforce Housing 29%
- Public Housing 11%
- Senior Housing 59%
- Youth Supportive Housing 1%

CDA Properties include:
- 29 Senior Housing Developments
- 24 Workforce Housing Developments
- 1 Youth Supportive Housing Development
- 323 units Scattered Site Public Housing

Rental Assisted Housing includes:
- CDA Senior Housing
- CDA Workforce Housing
- CDA Youth Supportive Housing Development
- Section 8 Housing Choice Vouchers
- 202 Housing
- 811 Housing
- 236 Housing
- Low Rent Housing
- Non-CDA Bond Financed Housing
- Non-CDA Tax Credit Housing
- FHFA

Tenant-Based Housing Programs

- Section 8 Housing Choice Vouchers
- Continuum of Care
- Bridges
- Family Unification Program
- Veteran Affairs Supportive Housing
- Housing Trust Fund
- Single Room Occupancy

Program statistics are available upon request.

Home Foreclosure

<table>
<thead>
<tr>
<th>Program</th>
<th>Quarter 1</th>
<th>Quarter 2</th>
<th>Quarter 3</th>
<th>Quarter 4</th>
<th>2020 YTD</th>
<th>2019 YTD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sheriff Sales</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>218</td>
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<tr>
<td>Notice of Pendency</td>
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<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1,420</td>
</tr>
</tbody>
</table>

Graph represents monthly data.
Development-Based Housing Programs

CDA Housing Programs
- Elderly/Disabled: 170 (as of December 31), 170 (as of March 31)
- Youth/Family: 111 (as of December 31), 111 (as of March 31)
- Previous Quarter: 0

Project Based Housing Choice Vouchers
- Elderly/Disabled: 72 (as of December 31), 72 (as of March 31)
- Youth/Family: 56 (as of December 31), 56 (as of March 31)
- Previous Quarter: 0

Other Affordable Housing Programs
- Elderly/Disabled: 215 (as of December 31), 215 (as of March 31)
- Youth/Family: 117 (as of December 31), 117 (as of March 31)
- Previous Quarter: 0

Total Development-Based Housing Units
- As of December 31: 457
- As of March 31: 284
- % Change: 0

Tenant-Based Housing Programs

Tenant Based Housing Choice Vouchers
- As of December 31: 268
- As of March 31: 269
- % Change: 1

Portable Incoming Vouchers
- As of December 31: 18
- As of March 31: 17
- % Change: -1

Other Rental Housing Subsidy Programs
- As of December 31: 9
- As of March 31: 14
- % Change: 5

Total Tenant-Based Housing Vouchers
- As of December 31: 295
- As of March 31: 300
- % Change: 5

Tenant-based program vouchers may be used by residents of development-based housing.

Housing Improvement Programs

Rehab & Improvement Loans Closed
- Quarter 1: 2
- Quarter 2: 0
- Quarter 3: 0
- Quarter 4: 0
- 2019 YTD: 1

Weatherization Projects Completed
- Quarter 1: 1
- Quarter 2: 0
- Quarter 3: 0
- Quarter 4: 0
- 2019 YTD: 1

First Time Homebuyer Programs

First Mortgage Loans & Downpayment
- Quarter 1: 0
- Quarter 2: 0
- Quarter 3: 0
- Quarter 4: 0
- 2019 YTD: 0

Mortgage Credit Certificate Requested
- Quarter 1: 0
- Quarter 2: 0
- Quarter 3: 0
- Quarter 4: 0
- 2019 YTD: 0

Home Foreclosure

Sheriff Sales
- Quarter 1: 0
- Quarter 2: 0
- Quarter 3: 0
- Quarter 4: 0
- 2019 YTD: 23

Notice of Pendency
- Quarter 1: 0
- Quarter 2: 0
- Quarter 3: 0
- Quarter 4: 0
- 2019 YTD: 196

CDA Properties in Apple Valley

Senior Housing Developments
- Orchard Square • 50 units
- Cortland Square • 60 units
- Cobblestone Square • 60 units

Workforce Housing Developments
- Glenbrook Townhomes • 39 units
- Chasewood Townhomes • 27 units
- Quarry View Townhomes • 45 units

Scattered Site Public Housing
- 51 units

Other Affordable Housing

Project Based Vouchers
- Apple Valley Villa • 72 senior units
- Whitney Grove Townhomes • 56 family units

Section 811 Housing
- Apple Grove Apartments • 16 units

Non-CDA Managed Tax Credit
- Haralson Apartments • 36 units

Non-CDA Bond Financed Housing
- Hidden Ponds • 19 affordable family units of 84 total units
- Hearthstone Apartments & Townhomes • 46 affordable family units of 228 total units
- Legends of Apple Valley • 163 affordable senior units

Non-CDA Other
- Scott-Conver-Dakota CAP Agency • 1 affordable unit
Burnsville  •  Quarter 1, 2020

Statistics through March 31, 2020

Development-Based Housing Programs

<table>
<thead>
<tr>
<th>as of December 31</th>
<th>as of March 31</th>
<th>Previous Quarter</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elderly/Disabled</td>
<td>Youth/Family</td>
<td>Elderly/Disabled</td>
</tr>
<tr>
<td>CDA Housing Programs</td>
<td>206/56</td>
<td>206/56</td>
</tr>
<tr>
<td>Project Based Housing Choice Vouchers</td>
<td>0/89</td>
<td>0/89</td>
</tr>
<tr>
<td>Other Affordable Housing Programs</td>
<td>83/496</td>
<td>83/496</td>
</tr>
<tr>
<td>Total Development-Based Housing Units</td>
<td>289/641</td>
<td>289/641</td>
</tr>
</tbody>
</table>

Tenant-Based Housing Programs

<table>
<thead>
<tr>
<th>All</th>
<th>All</th>
<th>%/Quarter</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tenant Based Housing Choice Vouchers</td>
<td>528</td>
<td>521</td>
</tr>
<tr>
<td>Portable Incoming Vouchers</td>
<td>39</td>
<td>46</td>
</tr>
<tr>
<td>Other Rental Housing Subsidy Programs</td>
<td>14</td>
<td>17</td>
</tr>
<tr>
<td>Total Tenant-Based Housing Vouchers</td>
<td>581</td>
<td>584</td>
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</tbody>
</table>

Tenant-based program vouchers may be used by residents of development-based housing.

Housing Improvement Programs

<table>
<thead>
<tr>
<th>Quarter 1</th>
<th>Quarter 2</th>
<th>Quarter 3</th>
<th>Quarter 4</th>
<th>2019 YTD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rehab &amp; Improvement Loans Closed</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<tr>
<td>Weatherization Projects Completed</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

First Time Homebuyer Programs

<table>
<thead>
<tr>
<th>Quarter 1</th>
<th>Quarter 2</th>
<th>Quarter 3</th>
<th>Quarter 4</th>
<th>2019 YTD</th>
</tr>
</thead>
<tbody>
<tr>
<td>First Mortgage Loans &amp; Downpayment</td>
<td>0</td>
<td>0</td>
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<tr>
<td>Mortgage Credit Certificate Requested</td>
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<td>0</td>
</tr>
</tbody>
</table>

Home Foreclosure

<table>
<thead>
<tr>
<th>Quarter 1</th>
<th>Quarter 2</th>
<th>Quarter 3</th>
<th>Quarter 4</th>
<th>2019 YTD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sheriff Sales</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Notice of Pendency</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

CDA Properties in Burnsville

Senior Housing Developments:
- Eagle Ridge Place • 60 units
- Park Ridge Place • 66 units
- Valley Ridge • 80 units

Workforce Housing Developments:
- Parkside Townhomes • 22 units
- Heart of the City Townhomes • 34 units

Scattered Site Public Housing
- 61 units

Other Affordable Housing in Burnsville

Project Based Vouchers
- Chowen Bend Townhomes • 32 units
- Cliff Hill • 32 units
- Horizon Heights • 25 units

Section 811 Housing
- West Apartments • 24 units
- Leah’s Apartments • 17 units

Section 236 Housing
- Chancellor Manor • 200 units

Section 202 Housing
- Ebenezer Ridge Point • 42 units

Non-CDA Managed Tax Credit
- Timber Ridge • 48 units
- Andrew’s Pointe • 57 units

Non-CDA Bond Financed Housing
- Grande Market Place • 46 affordable units of 113 total units
- Dakota Station • 60 affordable units of 150 total units
- Wyngate Townhomes • 10 affordable units of 505 total units

Non-CDA Other
- County Road 5 - Tasks Unlimited • 6 affordable units
- Scott-Carver-Dakota CAP Agency • 8 affordable units

Program statistics are available upon request.
**Development-Based Housing Programs**

<table>
<thead>
<tr>
<th></th>
<th>as of December 31</th>
<th>as of March 31</th>
<th>%/⁻ Previous Quarter</th>
</tr>
</thead>
<tbody>
<tr>
<td>CDA Housing Programs</td>
<td>245/224</td>
<td>245/224</td>
<td>0</td>
</tr>
<tr>
<td>Project Based Housing Choice Vouchers</td>
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<td>0/0</td>
<td>0</td>
</tr>
<tr>
<td>Other Affordable Housing Programs</td>
<td>32/132</td>
<td>32/132</td>
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</tr>
<tr>
<td><strong>Total Development-Based Housing Units</strong></td>
<td><strong>277/356</strong></td>
<td><strong>277/356</strong></td>
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**Tenant-Based Housing Programs**

<table>
<thead>
<tr>
<th></th>
<th>All</th>
<th>All</th>
<th>%/⁻ Quarter</th>
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</thead>
<tbody>
<tr>
<td>Tenant Based Housing Choice Vouchers</td>
<td>341</td>
<td>321</td>
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<tr>
<td>Portable Incoming Vouchers</td>
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<tr>
<td>Other Rental Housing Subsidy Programs</td>
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<td>14</td>
<td>-1</td>
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<tr>
<td><strong>Total Tenant-Based Housing Vouchers</strong></td>
<td><strong>378</strong></td>
<td><strong>357</strong></td>
<td><strong>-21</strong></td>
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</table>

Tenant-based program vouchers may be used by residents of development-based housing.

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**Housing Improvement Programs**

<table>
<thead>
<tr>
<th></th>
<th>Quarter 1</th>
<th>Quarter 2</th>
<th>Quarter 3</th>
<th>Quarter 4</th>
<th>2019 YTD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rehab &amp; Improvement Loans Closed</td>
<td>2</td>
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<td>0</td>
<td>0</td>
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<td>Weatherization Projects Completed</td>
<td>5</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>5</td>
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</table>

**First Time Homebuyer Programs**

<table>
<thead>
<tr>
<th></th>
<th>Quarter 1</th>
<th>Quarter 2</th>
<th>Quarter 3</th>
<th>Quarter 4</th>
<th>2019 YTD</th>
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**Home Foreclosure**

<table>
<thead>
<tr>
<th></th>
<th>Quarter 1</th>
<th>Quarter 2</th>
<th>Quarter 3</th>
<th>Quarter 4</th>
<th>2019 YTD</th>
</tr>
</thead>
<tbody>
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<td>Sheriff Sales</td>
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</table>

---

**Other Affordable Housing in Eagan**

**Non-CDA Bond Financed Housing**

- Cedar Villas • 21 affordable family units of 104 total units
- Commons on Marice • 32 affordable senior units of 156 total units
- View Pointe Apartments • 60 affordable units of 327 total units

**Non-CDA Other**

- Scott-Carver-Dakota CAP Agency • 8 affordable units
- Dakota Woodlands (Mary’s Shelter) • 21 beds

Program statistics are available upon request.
CDA Properties in Farmington

Senior Housing Developments
Vermillion River Crossing • 66 units

Workforce Housing Developments
Twin Ponds Townhomes • 51 units

Scattered Site Public Housing
7 units

Other Affordable Housing
in Farmington

Project Based Vouchers
Spruce Place • 60 senior units

FMHA
Red Oak Manor • 37 senior units
Westview Apartments • 60 units

Non-CDA Managed Tax Credit
Farmington Family Townhomes • 28 affordable family units of 32 total units
Farmington Townhomes • 16 units

Non-CDA Other
Elim Terrace • 4 affordable units of 18 total units
Dakota Woodlands (Mary’s Shelter) • 21 beds

Program statistics are available upon request.

- 88 -
### Development-Based Housing Programs

<table>
<thead>
<tr>
<th>Program Type</th>
<th>Elderly/Disabled</th>
<th>Youth/Family</th>
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<td>Other Affordable Housing Programs</td>
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<td><strong>Total Development-Based Housing Units</strong></td>
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### Tenant-Based Housing Programs

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<th>Previous Quarter</th>
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<td>Portable Incoming Vouchers</td>
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<tr>
<td>Other Rental Housing Subsidy Programs</td>
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<tr>
<td><strong>Total Tenant-Based Housing Vouchers</strong></td>
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Tenant-based program vouchers may be used by residents of development-based housing.

### Housing Improvement Programs

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<thead>
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<th>Program Type</th>
<th>Quarter 1</th>
<th>Quarter 2</th>
<th>Quarter 3</th>
<th>Quarter 4</th>
<th>2020 YTD</th>
</tr>
</thead>
<tbody>
<tr>
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### First Time Homebuyer Programs

<table>
<thead>
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<th>Program Type</th>
<th>Quarter 1</th>
<th>Quarter 2</th>
<th>Quarter 3</th>
<th>Quarter 4</th>
<th>2020 YTD</th>
</tr>
</thead>
<tbody>
<tr>
<td>First Mortgage Loans &amp; Downpayment</td>
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<tr>
<td>Mortgage Credit Certificate Requested</td>
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### Home Foreclosure

<table>
<thead>
<tr>
<th>Program Type</th>
<th>Quarter 1</th>
<th>Quarter 2</th>
<th>Quarter 3</th>
<th>Quarter 4</th>
<th>2020 YTD</th>
<th>2019 YTD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sheriff Sales</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<td>0</td>
<td>16</td>
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<td>0</td>
<td>97</td>
</tr>
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</table>

CDA Properties in Hastings

- Senior Housing Developments
  - Mississippi Terrace • 40 units
  - Rivertown Court • 63 units

- Workforce Housing Developments
  - Marketplace Townhomes • 28 units
  - Pleasant Ridge Townhomes • 31 units
  - West Village Townhomes • 21 units

- Scattered Site Public Housing
  - 20 units

- Other Affordable Housing in Hastings
  - Section 202 Housing
    - Oak Ridge • 109 senior units

- Non-CDA Managed Tax Credit
  - Guardian Angels Apartments & Townhomes • 26 affordable family units of 30 total units
  - Artspace Hastings Lofts • 37 affordable units

Program statistics are available upon request.
Status Report

Inver Grove Heights • Quarter 1, 2020
Statistics through March 31, 2020

Development-Based Housing Programs

<table>
<thead>
<tr>
<th></th>
<th>as of December 31</th>
<th>as of March 31</th>
<th>%/⁻ Previous Quarter</th>
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</thead>
<tbody>
<tr>
<td>CDA Housing Programs</td>
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<td>Project Based Housing</td>
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<tr>
<td>Other Affordable Housing</td>
<td>0/305</td>
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<tr>
<td>Total Development-Based Housing Units</td>
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Tenant-Based Housing Programs

<table>
<thead>
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<th>%/⁻ Quarter</th>
</tr>
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<tbody>
<tr>
<td>Tenant Based Housing</td>
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<tr>
<td>Portable Incoming Vouchers</td>
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<td>13</td>
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<tr>
<td>Other Rental Housing</td>
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<tr>
<td>Total Tenant-Based Housing Vouchers</td>
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Tenant-based program vouchers may be used by residents of development-based housing.

Housing Improvement Programs

<table>
<thead>
<tr>
<th></th>
<th>Quarter 1</th>
<th>Quarter 2</th>
<th>Quarter 3</th>
<th>Quarter 4</th>
<th>2020 YTD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rehab &amp; Improvement Loans Closed</td>
<td>2</td>
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<tr>
<td>Weatherization Projects Completed</td>
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First Time Homebuyer Programs

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<th>Quarter 2</th>
<th>Quarter 3</th>
<th>Quarter 4</th>
<th>2020 YTD</th>
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<td>Mortgage Credit Certificate Requested</td>
<td>0</td>
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<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

CDA Properties in Inver Grove Heights

Senior Housing Developments
- Carmen Court • 51 units
- Cahill Commons • 60 units
- Hillcrest Pointe • 66 units

Workforce Housing Developments
- Spruce Pointe Townhomes • 24 units
- Lafayette Townhomes • 30 units
- Inver Hills Townhomes • 24 units

Scattered Site Public Housing
- 11 units

Other Affordable Housing
- Inver Grove Heights
- 40 family units

Section 236 Housing
- Rolling Meadows Cooperative • 202 units

Non-CDA Bond Financed Housing
- Blackberry Pointe • 92 affordable family units of 219 total units

Program statistics are available upon request.

Home Foreclosure

<table>
<thead>
<tr>
<th></th>
<th>Quarter 1</th>
<th>Quarter 2</th>
<th>Quarter 3</th>
<th>Quarter 4</th>
<th>2020 YTD</th>
<th>2019 YTD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sheriff Sales</td>
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- 90 -
### Development-Based Housing Programs

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<th>as of March 31</th>
<th>%/-% Previous Quarter</th>
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<tr>
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<tr>
<td>Project Based Housing Choice Vouchers</td>
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<td>0</td>
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<tr>
<td>Other Affordable Housing Programs</td>
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<tr>
<td><strong>Total Development-Based Housing Units</strong></td>
<td>288 301</td>
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Tenant-based program vouchers may be used by residents of development-based housing.

### Tenant-Based Housing Programs

<table>
<thead>
<tr>
<th>Program Type</th>
<th>All</th>
<th>All</th>
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<td>Portable Incoming Vouchers</td>
<td>11</td>
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<tr>
<td>Other Rental Housing Subsidy Programs</td>
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<td><strong>Total Tenant-Based Housing Vouchers</strong></td>
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<td>177</td>
<td>-3</td>
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### Housing Improvement Programs

- **Rehab & Improvement Loans Closed**: 3
- **Weatherization Projects Completed**: 0

### First Time Homebuyer Programs

- **First Mortgage Loans & Downpayment**: 0
- **Mortgage Credit Certificate Requested**: 0

### Home Foreclosure

- **Sheriff Sales**: 0
- **Notice of Pendency**: 0

### CDA Properties in Lakeville

- **Senior Housing Developments**
  - Winsor Plaza • 64 units
- **Workforce Housing Developments**
  - Country Lane Townhomes • 29 units
  - Prairie Crossing Townhomes • 40 units
  - Meadowlark Townhomes • 40 units
- **Scattered Site Public Housing**
  - 23 units

### Other Affordable Housing in Lakeville

- **Section 202 Housing**
  - Lakeville Court Apartments • 50 units
  - Lakeville Pointe • 49 units
- **Non-CDA Managed Tax Credit**
  - Scott-Carver-Dakota • 4 affordable units

Program statistics are available upon request.
### Development-Based Housing Programs

<table>
<thead>
<tr>
<th>Program</th>
<th>as of December 31</th>
<th>as of March 31</th>
<th>%/⁻ Previous Quarter</th>
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### Tenant-Based Housing Programs

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<thead>
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<th>Program</th>
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<th>Quarter 2</th>
<th>Quarter 3</th>
<th>Quarter 4</th>
<th>2020 YTD</th>
<th>%/⁻ Quarter</th>
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<tr>
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<tr>
<td>Other Tenant Housing Subsidy Programs</td>
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<td></td>
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<tr>
<td><strong>Total Tenant-Based Housing Vouchers</strong></td>
<td>33</td>
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<td></td>
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Tenant-based program vouchers may be used by residents of development-based housing.

### Housing Improvement Programs

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<tr>
<th>Program</th>
<th>Quarter 1</th>
<th>Quarter 2</th>
<th>Quarter 3</th>
<th>Quarter 4</th>
<th>2020 YTD</th>
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</thead>
<tbody>
<tr>
<td>Rehab &amp; Improvement Loans Closed</td>
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### First Time Homebuyer Programs

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<tr>
<th>Program</th>
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<th>Quarter 2</th>
<th>Quarter 3</th>
<th>Quarter 4</th>
<th>2020 YTD</th>
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<tbody>
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### Home Foreclosure

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<tr>
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<th>Quarter 2</th>
<th>Quarter 3</th>
<th>Quarter 4</th>
<th>2020 YTD</th>
<th>2019 YTD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sheriff Sales</td>
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<td>21</td>
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</tbody>
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CDA Properties in Mendota Heights

- **Senior Housing Developments**
  - Parkview Plaza • 65 units
  - Village Commons • 60 units

- **Workforce Housing Developments**
  - Hillside Gables Townhomes • 24 units

Scattered Site Public Housing

- 1 unit

Other Affordable Housing

In Mendota Heights

- Project Based Vouchers
  - Dakota Adults • 12 handicapped units

Program statistics are available upon request.
Status Report

Rental Assisted Housing

<table>
<thead>
<tr>
<th>Development-Based Housing Programs</th>
<th>as of December 31</th>
<th>as of March 31</th>
<th>%/-% Previous Quarter</th>
</tr>
</thead>
<tbody>
<tr>
<td>CDA Housing Programs</td>
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<td>104 32</td>
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<tr>
<td>Project Based Housing Choice Vouchers</td>
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</tr>
<tr>
<td>Other Affordable Housing Programs</td>
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<td><strong>Total Development-Based Housing Units</strong></td>
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<td><strong>143 150</strong></td>
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<table>
<thead>
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<th>All</th>
<th>%/-% Quarter</th>
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</thead>
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<tr>
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<tr>
<td>Other Rental Housing Subsidy Programs</td>
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Tenant-based program vouchers may be used by residents of development-based housing.

Housing Improvement Programs

<table>
<thead>
<tr>
<th>Housing Improvement Programs</th>
<th>Quarter 1</th>
<th>Quarter 2</th>
<th>Quarter 3</th>
<th>Quarter 4</th>
<th>2020 YTD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rehab &amp; Improvement Loans Closed</td>
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<td>0 0 0 0</td>
<td>1 0 0 0</td>
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<tr>
<td>Weatherization Projects Completed</td>
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<td>1 0 0 0</td>
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First Time Homebuyer Programs

<table>
<thead>
<tr>
<th>First Time Homebuyer Programs</th>
<th>Quarter 1</th>
<th>Quarter 2</th>
<th>Quarter 3</th>
<th>Quarter 4</th>
<th>2020 YTD</th>
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</thead>
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<td>First Mortgage Loans &amp; Downpayment</td>
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<tr>
<td>Mortgage Credit Certificate Requested</td>
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<td>0 0 0 0</td>
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<td>0 0 0 0</td>
<td></td>
</tr>
</tbody>
</table>

CDA Properties in Rosemount

Senior Housing Developments
- Cameo Place • 44 units
- Cambrian Commons • 60 units

Workforce Housing Developments
- Carbury Hills Townhomes • 32 units
- Prestwick Place • 40 units

Scattered Site Public Housing
- 31 units

Other Affordable Housing in Rosemount

Project Based Vouchers
- Rosemount Plaza • 39 senior units
- Rosemount Greens • 28 family units

Non-CDA Bond Financed Housing
- Waterford Commons • 23 affordable units of 106 total units

Non-CDA Managed Tax Credit
- Park Place • 36 units

Home Foreclosure

<table>
<thead>
<tr>
<th>Home Foreclosure</th>
<th>Quarter 1</th>
<th>Quarter 2</th>
<th>Quarter 3</th>
<th>Quarter 4</th>
<th>2020 YTD</th>
<th>2019 YTD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sheriff Sales</td>
<td>0 0 0 0</td>
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<td>105</td>
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</tr>
</tbody>
</table>

Program statistics are available upon request.

- 93 -
Development-Based Housing Programs

<table>
<thead>
<tr>
<th></th>
<th>as of December 31</th>
<th>as of March 31</th>
<th>%/- Previous Quarter</th>
</tr>
</thead>
<tbody>
<tr>
<td>CDA Housing Programs</td>
<td>170/0</td>
<td>170/0</td>
<td>0</td>
</tr>
<tr>
<td>Project Based Housing Choice Vouchers</td>
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<td>0/44</td>
<td>0</td>
</tr>
<tr>
<td>Other Affordable Housing Programs</td>
<td>296/51</td>
<td>296/51</td>
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</tr>
<tr>
<td>Total Development-Based Housing Units</td>
<td>466/95</td>
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Tenant-Based Housing Programs

<table>
<thead>
<tr>
<th></th>
<th>All</th>
<th>All</th>
<th>%/- Quarter</th>
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<tbody>
<tr>
<td>Tenant Based Housing Choice Vouchers</td>
<td>225</td>
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<tr>
<td>Portable Incoming Vouchers</td>
<td>14</td>
<td>14</td>
<td>0</td>
</tr>
<tr>
<td>Other Rental Housing Subsidy Programs</td>
<td>22</td>
<td>29</td>
<td>7</td>
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<tr>
<td>Total Tenant-Based Housing Vouchers</td>
<td>261</td>
<td>269</td>
<td>8</td>
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</table>

Tenant-based program vouchers may be used by residents of development-based housing.

Housing Improvement Programs

<table>
<thead>
<tr>
<th></th>
<th>Quarter 1</th>
<th>Quarter 2</th>
<th>Quarter 3</th>
<th>Quarter 4</th>
<th>2020 YTD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rehab &amp; Improvement Loans Closed</td>
<td>6</td>
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<td>Weatherization Projects Completed</td>
<td>3</td>
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First Time Homebuyer Programs

<table>
<thead>
<tr>
<th></th>
<th>Quarter 1</th>
<th>Quarter 2</th>
<th>Quarter 3</th>
<th>Quarter 4</th>
<th>2020 YTD</th>
</tr>
</thead>
<tbody>
<tr>
<td>First Mortgage Loans &amp; Downpayment</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
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<td>Mortgage Credit Certificate Requested</td>
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<td>1</td>
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</table>

Home Foreclosure

<table>
<thead>
<tr>
<th></th>
<th>Quarter 1</th>
<th>Quarter 2</th>
<th>Quarter 3</th>
<th>Quarter 4</th>
<th>2020 YTD</th>
<th>2019 YTD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sheriff Sales</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<td>Notice of Pendency</td>
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<td>0</td>
<td>0</td>
<td>0</td>
<td>125</td>
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</table>
### Development-Based Housing Programs

<table>
<thead>
<tr>
<th>Program Type</th>
<th>Elderly/Disabled</th>
<th>Youth/Family</th>
<th>Elderly/Disabled</th>
<th>Youth/Family</th>
<th>% Increase/Decrease</th>
</tr>
</thead>
<tbody>
<tr>
<td>CDA Housing Programs</td>
<td>101</td>
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<td>0</td>
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<td>0</td>
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</tr>
<tr>
<td>Other Affordable Housing Programs</td>
<td>304</td>
<td>214</td>
<td>304</td>
<td>214</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total Development-Based Housing Units</strong></td>
<td><strong>405</strong></td>
<td><strong>214</strong></td>
<td><strong>405</strong></td>
<td><strong>214</strong></td>
<td><strong>0</strong></td>
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</tbody>
</table>

### Tenant-Based Housing Programs

<table>
<thead>
<tr>
<th>Program Type</th>
<th>Elderly/Disabled</th>
<th>Youth/Family</th>
<th>Elderly/Disabled</th>
<th>Youth/Family</th>
<th>% Increase/Decrease</th>
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</thead>
<tbody>
<tr>
<td>Tenant Based Housing Choice Vouchers</td>
<td>372</td>
<td>0</td>
<td>357</td>
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<tr>
<td>Portable Income Vouchers</td>
<td>30</td>
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</tr>
<tr>
<td>Other Rental Housing Subsidy Programs</td>
<td>26</td>
<td>0</td>
<td>29</td>
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<td>3</td>
</tr>
<tr>
<td><strong>Total Tenant-Based Housing Vouchers</strong></td>
<td><strong>428</strong></td>
<td><strong>0</strong></td>
<td><strong>421</strong></td>
<td><strong>0</strong></td>
<td><strong>-7</strong></td>
</tr>
</tbody>
</table>

Tenant-based program vouchers may be used by residents of development-based housing.

### Housing Improvement Programs

- **Rehab & Improvement Loans Closed**
  - Quarter 1: 2
  - Quarter 2: 0
  - Quarter 3: 0
  - Quarter 4: 0
  - 2020 YTD: 2

- **Weatherization Projects Completed**
  - Quarter 1: 2
  - Quarter 2: 0
  - Quarter 3: 0
  - Quarter 4: 0
  - 2020 YTD: 2

### First Time Homebuyer Programs

- **First Mortgage Loans & Downpayment**
  - Quarter 1: 0
  - Quarter 2: 0
  - Quarter 3: 0
  - Quarter 4: 0
  - 2020 YTD: 0

- **Mortgage Credit Certificate Requested**
  - Quarter 1: 0
  - Quarter 2: 0
  - Quarter 3: 0
  - Quarter 4: 0
  - 2020 YTD: 0

### Home Foreclosure

- **Sheriff Sales**
  - Quarter 1: 0
  - Quarter 2: 0
  - Quarter 3: 0
  - Quarter 4: 0
  - 2020 YTD: 0

- **Notice of Pendency**
  - Quarter 1: 0
  - Quarter 2: 0
  - Quarter 3: 0
  - Quarter 4: 0
  - 2019 YTD: 94

Program statistics are available upon request.
### Tenant-Based Housing Programs

<table>
<thead>
<tr>
<th>Area</th>
<th>as of December 31</th>
<th>as of March 31</th>
<th>% Change Quarter</th>
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<tbody>
<tr>
<td>Cannon Falls</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Castle Rock</td>
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<td>0</td>
<td></td>
</tr>
<tr>
<td>Douglas Township</td>
<td>4</td>
<td>4</td>
<td>0</td>
</tr>
<tr>
<td>Empire</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Hampton</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Lilydale</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Mendota</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Miesville</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Northfield</td>
<td>0</td>
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</tr>
<tr>
<td>Randolph</td>
<td>1</td>
<td>1</td>
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<tr>
<td>Ravena</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Sunfish Lake</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Vermillion</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Waterford</td>
<td>0</td>
<td>0</td>
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</tr>
<tr>
<td><strong>Total Tenant-Based Housing Vouchers</strong></td>
<td><strong>5</strong></td>
<td><strong>5</strong></td>
<td><strong>0</strong></td>
</tr>
</tbody>
</table>

Tenant-based programs include Tenant Based Housing Vouchers and Other Rental Housing Subsidy programs.

### Home Improvement Programs

<table>
<thead>
<tr>
<th>Area</th>
<th>Quarter 1</th>
<th>Quarter 2</th>
<th>Quarter 3</th>
<th>Quarter 4</th>
<th>2020 YTD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cannon Falls</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Castle Rock</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<tr>
<td>Douglas Township</td>
<td>0</td>
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<td>0</td>
</tr>
<tr>
<td>Empire</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Hampton</td>
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<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Lilydale</td>
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<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Mendota</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Miesville</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Northfield</td>
<td>0</td>
<td>0</td>
<td>0</td>
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</tr>
<tr>
<td>Randolph</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Ravena</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Sunfish Lake</td>
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<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Vermillion</td>
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</tr>
<tr>
<td>Waterford</td>
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</tr>
</tbody>
</table>

Programs include Weatherization, Home Improvement & Rehabilitation Loan programs.

### First Time Homebuyer Programs

<table>
<thead>
<tr>
<th>Program</th>
<th>Quarter 1</th>
<th>Quarter 2</th>
<th>Quarter 3</th>
<th>Quarter 4</th>
<th>2020 YTD</th>
</tr>
</thead>
<tbody>
<tr>
<td>First Mortgage Loans Closed &amp; Downpayment</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Mortgage Credit Certificate</td>
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### Home Foreclosure

<table>
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<tr>
<th>Type</th>
<th>Quarter 1</th>
<th>Quarter 2</th>
<th>Quarter 3</th>
<th>Quarter 4</th>
<th>2020 YTD</th>
<th>2019 Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sheriff Sales</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>8</td>
</tr>
<tr>
<td>Notice of Pendancy</td>
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<td>0</td>
<td>0</td>
<td>0</td>
<td>35</td>
</tr>
</tbody>
</table>
Appendix

Assisted Housing

Development Based Housing Programs

Development Based Housing Programs are housing sites where the eligible subsidy is tied to the site and the units remain affordable for the duration of the funding contract. The site is made affordable usually through public funding for construction along with an ongoing operating subsidy. Units may target special needs while others may be general occupancy units. Development Based Housing is listed separately at the bottom of each city's report. Development Based Housing Programs include:

**CDA Senior Housing Program** provides one- and two-bedroom rental apartment units for persons 62 years of age and older. The CDA issues tax exempt bonds, credit enhanced with a general obligation pledge from Dakota County and has created a common bond fund. Under this financing structure, rental revenue from all of the buildings is pooled to pay to expenses and debt service for all the buildings. About 72% of the debt service on the bonds is paid from the supplemental revenues, including tax increment revenue and the CDA’s property tax levy that is exclusively dedicated to senior housing. Land and public improvements are paid for in part with CDBG, HOME and other local funds.

**CDA Workforce Housing Program** provides high quality housing at an affordable rate to meet the needs of households earning modest wages. The affordable workforce housing units are financed through a the CDA’s Family Housing Partnership Program, which was developed as a public/private limited partnership to syndicate low income housing tax credits and raise equity from the private sector for the development’s construction. Financing packages also include below market loans and grants from public, private and non-profit sources.

**CDA Youth Supportive Housing Program** is a supportive housing development that provides 24 units of affordable, safe, stable housing at Lincoln Place with services for young adults ages 18-25 who are homeless or are at significant risk of becoming homeless. The CDA is the owner, developer and property manager of Lincoln Place. Dakota County Community Services is the sponsor of the project and serves as a referral service for youth who would be good candidates for Lincoln Place. To provide one-on-one case management at Lincoln Place, Dakota County Community Services contracted with The Link to provide advocacy, life skills training, goal setting around education, employment and overall health (chemical, mental and physical) to help residents transition to independence.

**Project Based Housing Choice Vouchers (Section 8)** is a rental subsidy that can cover all of the units in a given housing development or a designated number of units. Rents are set at 40% of the tenant’s income and are paid to the project’s owner. The remainder of the rent (the subsidy amount) is paid by the federal government. Since the assistance is tied to the unit, a household who moves from the project-based unit does not have any right to continued housing assistance. However, they may be eligible for a tenant based voucher when one becomes available. These rental units are owned and operated by private owners, either for-profit or not-for-profit.

**Section 202 Housing** units are available to elderly or handicapped residents. This program aims to expand the supply of affordable housing with supportive services for the elderly by providing capital advances to private, not-for-profit organizations to finance property acquisition, site improvement, conversion, demolition, relocation and other expenses associated with supportive housing for the elderly. Project Rental Assistance Contracts are used to cover the difference between the HUD approved operating costs per unit and the
tenant’s rent. Housing financed under this program may include appropriate support services and activities such as cleaning, cooking and transportation for elderly persons who are frail or at risk of being institutionalized. Section 202 is a federally funded program.

**Section 811 Housing** is a supportive housing program with units available to persons with disabilities. This program provides capital advances to not-for-profit sponsors to finance the development of rental housing with supportive services for persons with disabilities. The capital advance is interest free and does not have to be repaid as long as the housing remains available for very low-income persons with disabilities for at least 40 years. The program also provides project rental assistance to cover the difference between the HUD approved operating costs per unit and the amount the resident pays. This is a federally funded program.

**Section 236 Housing** units are generally fixed or flat rents, meaning that they do not vary according to tenant income. The government provided a large mortgage subsidy that reduced interest rates to as little as 1%. These rental units are owned and operated by private owners.

**Scattered Site Public Housing** are rental units owned and operated by a Public Housing Agency, such as the CDA. These housing units consist of high-rise apartments, single family homes, duplexes and townhomes. Tenant income eligibility is based on 80% of area median income. Residents of public housing units pay 30% of their income for rent. Rental payments go to the public housing agency and are used for the operation and maintenance costs of the housing. Federal subsidies also assist with operating costs.

In addition to scattered site units, the CDA owns Colleen Loney Manor, which is an apartment building for low-to-moderate income person who are 62 years of age and older, handicapped or disabled, near elderly (50 years or older) and single persons.

South St. Paul HRA administers public housing program for the City of South St. Paul.

**Low Rent Housing** are units of housing for families, seniors and disabled households, which are federally subsidized.

**Farmers Home Administration (FMHA)** are units if housing for the elderly or families, which are federally funded.

**Tenant Based Housing Programs**

Tenant Based Housing Programs are when the eligible housing subsidy is tied to the tenant and the subsidy travels with the tenant. The housing subsidy makes up the difference between the market rate rent and the tenant's income based payment. Tenant Based Housing Programs include:

**Tenant Based Housing Choice Voucher (Section 8) Program** is the federal government’s major program for assisting very low-income families, the elderly and the disabled to afford decent and safe housing in the private market. A household that is issued a housing voucher is responsible for finding a suitable housing unit of the household’s choice where the owner agrees to rent under the program. Rental units must meet minimum standards of health and safety, as determined by the public housing authority.

The CDA administers this program in Dakota County.

**Tenant Based Portable Incoming Vouchers (Section 8)** are Housing Choice Vouchers that are issued by a Public Housing Authority other than the CDA but are administered by the CDA because the tenant eligible for the housing subsidy moved into Dakota County.
Tenant Based Portable Outgoing Vouchers (Section 8) are Housing Choice Vouchers that are issued by the CDA but are administered by another Public Housing Authority because the tenant eligible for the housing subsidy moved out of Dakota County.

Continuum of Care is a Federally funded program that provides rental assistance to homeless persons with disabilities. The CDA administers the housing subsidy while Dakota County Social Services refers applicants and provides supportive services for program participants. This program provides intensive case management for households most at risk for chronic homelessness to help them to achieve long-term stability. Continuum of Care is a Federally funded program through the Department of Housing and Urban Development.

Bridges serves persons with chronic and persistent mental illness. The CDA administers the housing subsidy portion of this program and Dakota County Social Services provides supportive services to help stabilize participating households. This is a temporary subsidy that “bridges” the gap between homelessness, treatment centers, institutional facilities, and permanent affordable housing. Bridges is a state funded program through a grant from the Minnesota Housing Finance Agency.

Family Unification Program provides housing vouchers targeted to applicants in two categories:

1) Families for whom the lack of adequate housing is the primary reason for placement of a child in foster care, or is the cause for delays in reuniting a child with their family, and

2) Youth between the ages of 18 and 21 years who left foster care at 16 or older and who lack adequate housing.

The CDA works with Dakota County Community Services to identify and connect with families and youth who might be eligible for the program. Family Unification Program is a federally funded program.

Veteran Affairs Supportive Housing (VASH) is a unique partnership between the Department of Veteran Affairs and the Department of Housing and Urban Development that provides long-term case management, supportive services and permanent housing support for chronically homeless Veterans. The program seeks to serve the neediest, most vulnerable homeless Veterans. A key component of the program is VA's case management services. Case management services promote housing stability and support recoveries from physical and mental illnesses and substance use disorders. These services are designed to improve the Veteran's physical and mental health and enhance the veteran's ability to live in safe and affordable housing within Dakota County.

Housing Trust Fund is a State Funded program for all individuals or families who must be referred by Dakota County Supportive Housing Unit (SHU). This program is administered by the Dakota County CDA.

Housing Trust Fund (Homeless) is a State Funded program for all individuals or families who must be referred by Dakota County Supportive Housing Unit (SHU). This program is administered by the Dakota County CDA.

Home Ownership Connection

Housing Rehabilitation and Home Improvement Loan Program assists low and moderate income homeowners with making repairs and improvements to their homes. Funds are commonly used for roof replacement, furnace replacement, electrical and plumbing repairs, insulation and special needs improvements such as ramp and bathroom and kitchen modifications. The Housing Rehabilitation and Home Improvement Loan Program is funded by a variety of sources including the Minnesota Housing Finance Agency.
MHFA), Community Development Block Grant (CDBG), Home Investment Partnership Program (HOME), Housing Opportunities Enhancement Program (HOPE) and CDA general fund dollars.

**MHFA Community Fix Up Fund (CFUF)** - 75% MHFA + 25% HOME funds. State and Agency funds to help discount loan rates to rehab homes.

**MHFA Fix-Up Fund (Home improvement Loan)** - State funds to provide low-interest loans to homeowners with income below $96,500. Max loan $35,000.

**MHFA Home Rehab Loan** is State funded to provide no-interest loans to eligible extremely low-income homeowners (30% Area Median Income) to make homes more livable, accessible and energy efficient.

**Community Development Block Grant (CDBG) Loans** - federally funded program for public facilities, housing, neighborhood revitalization, public services, planning and project administration. These are home rehab loans.

**HOME Program Loans** is a federally funded program available for home rehabilitation, homebuyer programs, rehabilitation of rental housing, tenant based rental assistance and new construction of affordable housing. These are home rehab loans.

**Weatherization** services are cost-effective energy efficiency measures for existing residential and multifamily housing with low-income residents. A wide variety of energy measures that encompass the building envelope, its heating and cooling systems, its electrical systems and electricity consumption are the focus. This program is targeted to recipients of fuel assistance. It has the effect of reducing the demand for future fuel assistance by increasing energy efficiency. The Weatherization Program is administered as a joint effort between the CAP Agency and the CDA. Funding is provided to the CDA on an annual basis from the Minnesota Department of Commerce.

**First Time Homebuyer Program** provides low interest rate mortgages and entry cost assistance for buyers purchasing their first home in Dakota County. The CDA finances this program through the issuance of mortgage revenue bonds. The CDA partners with area mortgage lenders who originate loans directly to first time homebuyers. In conjunction with the first time homebuyer program, the CDA also offers downpayment and/or closing cost assistance. All homebuyers applying for a First Time Homebuyer Loan must complete an approved homebuyer education course before closing on their loan.

**Mortgage Credit Certificate (MCC) Program** is available to homebuyers using the First Time Homebuyer Program. It is a certificate (filed with the IRS) that allows the homeowner to use 20% of their annual mortgage interest payment as a credit toward their tax liability. It can be used throughout the life of the loan. A specified amount of the CDA's bond authority is periodically used to assist first time homebuyers with a market rate mortgage product combined with a mortgage credit certificate. All homebuyers applying for a Mortgage Credit Certificate must complete an approved homebuyer education course before closing on their loan.

**Downpayment Assistance Loans** are available to homebuyers using the First Time Homebuyer Program and meet the income requirements. Homebuyers can apply for downpayment assistance loans of up to $8,000.

**Home Stretch Homebuyer Education** is a course that teaches homebuyers about the entire homebuying process and the responsibilities of homeownership. Classes are taught by CDA Housing Counselors and industry professionals such as mortgage lenders, Realtors and inspectors.

**Pre-Purchase Counseling Sessions** are individual counseling sessions for homebuyers to meet with a trained homeownership specialist to answer questions about homeownership and review the household’s financial situation to develop a plan to become a homeowner.
**Foreclosure**

**Sheriff Sales** are distressed public property auctions. It is generally the last step in the foreclosure process after the homeowner has exhausted all their options to avoid defaulting on a mortgage. Once the borrower has defaulted, the lender will file suit in court to recover its loan loss, and if the court awards a judgment, the property will be scheduled to be sold at a public auction.

**Notice of Pendency** is filed by a mortgage company’s attorney as official notification that the foreclosure process has begun. Not all of these result in Sheriff Sales.