

HENNEPIN COUNTY
MINNESOTA

Request for Proposals

2024 Affordable Rental Housing Programs

RFP Release:	January 4, 2024
Live Online Information Session:	January 11, 2023, 2-3:30 pm
Closing date for all questions:	February 1, 2024 at 3:00 pm
Proposal due date:	February 8, 2024 at 3:00 pm



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Introduction

The County of Hennepin, State of Minnesota and the Hennepin County Housing and Redevelopment Authority (HCHRA) (together, “the County,” “the Authority,” or “Hennepin County”) are soliciting proposals for affordable rental housing development assistance from the Housing and Economic Development department.

The Affordable Rental Housing Programs Request for Proposals (RFP) anticipates awarding approximately \$7.6 million in capital funding from two programs:

- Affordable Housing Incentive Fund (AHIF) (HCHRA funds)
- HOME Investment Partnerships Program (HOME) (federal funds)

Affordable multifamily rental proposals are eligible to apply to this RFP. All awards made via this RFP will support the creation or preservation of affordable housing in Hennepin County, subject to the restrictions of each funding program.

The County is also making Supportive Housing Strategy capital funding available. Please see the Supportive Housing Strategy RFP document for details.

Estimated RFP schedule

Distribution of RFP and Application Materials	January 4, 2024
Optional Information Session	January 11, 2023, 2:00 – 3:30 pm Link to join: https://tinyurl.com/33y3kjzf
Optional Project Technical Assistance (‘TA’) Sessions	January 12 to February 1, 2024
Deadline for all RFP-Related Questions	3 pm on February 1, 2024
Proposals Due	3 pm on February 8, 2024
County Board or HRA Board Approval	Estimated May/June 2024

Programs overview and eligibility

Capital Funding Program	Funds available through this RFP	Average estimated awards	Eligible activities
Affordable Housing Incentive Fund (AHIF)	\$5 million	\$500K/project, \$15K/unit	Multifamily rental housing creation and preservation
HOME (including HOME-ARP)	~\$2.6 million	\$500K/project, \$25K/unit	Multifamily rental housing creation and preservation, HOME set-asides

Supportive Housing Strategy capital is also available as part of the Supportive Housing Strategy RFP. There is approximately \$9.9 million in Supportive Housing Strategy capital available, with average awards per Supportive Housing Strategy-eligible unit of approximately \$50,000.

County Priorities

The Hennepin County [Five-Year Consolidated Plan](#) identifies the following high priority needs:

- Preserve/create multifamily rental opportunities for low-income renter households (at or below 50% Area Median Income (AMI), with highest priority for extremely low-income renter households (at or below 30% AMI).
- Preserve/create single family homeownership opportunities with long-term affordability for those at or below 60% AMI, utilizing lower cost models where appropriate (i.e. townhomes, condominiums, cooperative ownership, land trust).
- Create housing opportunities for people experiencing homelessness.

Additional County priorities include:

- Creating new affordable units and prevent the loss of existing viable affordable units.
- Supporting a full range of housing choices throughout the county and ensuring equitable access to those units via inclusive tenant selection plans.
- Connecting affordable housing to local employment opportunities, schools, transit corridor development, and supportive services.
- Creating housing opportunities for Hennepin County Health and Human Services (HHS) client populations through a project-based unit commitment.
- Promoting diversity and inclusion through contracting. Promoting Affirmative Action and workforce development including Hennepin County's Workforce Entry Program (WEP), and creating green jobs.
- Increasing the inventory of housing units accessible to people with physical disabilities.

Eligible applicants

Eligible applicants are governmental agencies, Community Housing Development Organizations (CHDOs), community-based organizations, tribal organizations, and nonprofit and for-profit entities. Requests for individual assistance are not accepted through this Request for Proposals.

Eligible activities

- Acquisition of property for creation or preservation of affordable housing
- Construction
- Moderate or substantial rehabilitation
- Site improvements
- Other reasonable and necessary expenses related to the development of affordable housing.

Ineligible activities

This RFP makes capital available for multifamily affordable housing development. All non-capital requests are ineligible, including:

- Homebuyer downpayment assistance (funds for this activity will be available through an RFP later in 2023)
- Funding for ongoing operating or service costs, except for operating costs for Community Housing Development Organizations (CHDOs)

Program requirements

To minimally qualify for funding awards, proposals must comply with the program requirements described within this RFP, Exhibits to this RFP, and referenced standards and regulations. Descriptions or summaries of laws, rules and regulations in this RFP are not meant to be definitive or conclusive; applicants are responsible for knowing and complying with all requirements, specifically,

- Hennepin County HRA 2024 AHIF Program Manual (linked in the Rental Housing Development Assistance Program page in the Housing and Economic Development Portal)
- Hennepin County HOME 2024 Program Manual (linked in the Rental Housing Development Assistance Program page in the Housing and Economic Development Portal)
- HOME program requirements: <https://www.hudexchange.info/programs/home/> (24 CFR Part 92)

HOME: Community Housing Development Organization set-asides

A minimum of 15 percent of the HOME funds is reserved for CHDO projects. The HOME Regulations define a CHDO at 24 CFR Part 92.300 Subpart G: A CHDO is a private nonprofit, community-based service organization with the purpose and the capacity to provide and develop decent, affordable housing for the community it serves. A CHDO must document that they meet the CHDO criteria each time they apply for CHDO set-aside funding. The deadline for all qualified CHDO requests may be extended until all funds have been committed to CHDO eligible projects that meet the RFP priorities and requirements.

HHS unit election requirements

In order to provide more housing opportunities for Hennepin County's Health and Human Services (HHS) client population, developers are encouraged to reserve housing units within funded projects for priority occupancy by HHS clients. All units committed to HHS populations must be restricted to 30% AMI rents and incomes, or have committed rental assistance without its own required referral pathway. During the affordability period, owners must hold the unit open for 14 days while County staff work to refer applicants to the project. All unit sizes are desirable for HHS unit set asides. The HHS unit commitment must be "fixed" to specific unit sizes (one-bedrooms, two-bedrooms, etc) at closing. For more details regarding HHS unit commitments please see the AHIF and HOME Program Manuals.

RFP Process

Proposal Submittal

Applications (aka 'proposals') will be received in the Housing and Economic Development Portal ("Portal"): <https://portal.neighborlysoftware.com/HENNEPINCOUNTYMN/participant>.

In order to submit a proposal, you must first register with the Portal. For more information on how to register, please find the Getting Started Guide on our Coordinated Affordable Housing Development RFP page: <https://www.hennepin.us/business/work-with-henn-co/rfp>. This guide covers how to accomplish a password reset and how to start an application. For other Portal technical assistance needed, click on the blue question mark in the lower right corner of the Portal log-in page.

Proposers are strongly encouraged to make their submissions well in advance of the proposal due date as the process may take some time to complete.

Failure to submit a proposal on time may be grounds for rejection of the proposal; however, the Authority reserves the right, in its sole and absolute discretion, to accept proposals after the proposal due date.

There is one application for projects wishing to be considered for HOME, AHIF and/or Supportive Housing Strategy capital funds for rental housing: the Affordable Rental Housing Development Assistance program in the Portal. The application contains the following sections, each of which must be completed:

- A. Applicant Information
- B. Project Team
- C. Project Information
- D. Site Information
- E. Housing Affordability and Target Populations
- F. Supportive Housing
- G. Project Financing
- H. Required Documents (all attachments, including the multifamily workbook, should be uploaded in this section)

Failure to submit a proposal on time may be grounds for rejection of the proposal. However, the County reserves the right, in its sole and absolute discretion, to accept proposals after the time and date specified.

Inquiries (Questions and Technical Assistance)

Send programmatic questions related to this RFP to Abbie Loosen (Abbie.Loosen@hennepin.us), Julia Welle Ayres (Julia.WelleAyres@hennepin.us), and Ian Clobes (ian.clobes@hennepin.us) on or before 3 pm on Thursday February 1, 2024. For questions regarding accessing the Portal, please log in to the portal and click on the question mark button in the bottom right corner of the screen. Applicants shall not communicate, verbally or otherwise, with any Hennepin County personnel (or consultants engaged by the County) concerning this RFP, except for the persons listed in this section.

Optional technical assistance (TA) sessions will be available from January 12 to February 1, 2023. To set up a TA session for your project, please:

- Visit the calendar of available TA session slots at the link below:
 - o <https://calendar.google.com/calendar/u/0?cid=aGVubmVwaW5jb3VudHlyZnBAZ21haWwuY29t>
- Fill out the TA Session Request Form at the link below, including the selected 30-minute time slot. Please fill out one TA Session Request Form per project.
 - o <https://docs.google.com/forms/d/e/1FAIpQLSc9X9UcrtKhyxCpauZ7ellVYqjORGxUnCQkeH5XwiO03DWCrQ/vi ewform>
- Once confirmed, you will receive a calendar invite for a virtual meeting for your selected time. If your preferred time is not available, you will be contacted using the contact information provided on the TA Session Request Form.

Project technical assistance sessions will be recorded digitally or by written notes. The recorded technical assistance is classified as public data under the Minnesota Government Data Practices Act and available to anyone filing a formal public data request to the County.

Addenda

The Authority reserves the right to modify the RFP at any time prior to the proposal due date. The Authority will modify the RFP only by formal written addenda. Addenda, if any, will be posted on the "Program Overview" section in the Affordable Rental Housing Development Assistance application on the Portal. It is the responsibility of each prospective Proposer to assure receipt of all addenda.

Proposer's proposal should be based on this RFP document and any formal written addenda. Proposers should not rely on oral statements, including those occurring at pre-proposal meetings or site visits.

RFP Policies

Cross-RFP Awards

Simultaneous with this Coordinated RFP, the County is issuing an RFP for supportive housing proposals that will target specific priority populations identified by the County. The County reserves the right to award Supportive Housing Capital funding to eligible projects that submitted proposals to this RFP, and reserves the right to award AHIF or HOME funding to proposals submitted to the Supportive Housing Capital RFP.

County's Right to Withdraw, Cancel, Suspend and/or Modify RFP

The County reserves the right to withdraw, cancel, suspend, and/or modify this RFP for any reason and at any time with no liability to any prospective applicant for any costs or expenses incurred in connection with the RFP or otherwise. The County reserves the right to accept or reject any or all applications received, to accept or reject any late applications, to rescind the request for proposals, to request additional information as deemed necessary to review any application, to negotiate with all qualified proposers, or to cancel in part or in its entirety this request for proposals, if it is in the best interest of the County to do so.

Proposer's Right to Withdraw or Modify Proposal

A proposal may be edited in the Portal prior to submitting the proposal and prior to 3 pm on February 8. If, at least 24 hours prior to the due date, a proposer has submitted a proposal and needs to further edit, please send an email to abbie.loosen@hennepin.us and Portal staff can re-open the application. A proposal may be cancelled or withdrawn from consideration by emailing abbie.loosen@hennepin.us and ian.clobes@hennepin.us.

Proposals Will Not Be Returned

Upon submission, proposals will not be returned.

Public Disclosure of Proposal Documents

Under Minnesota law, proposals are private or nonpublic until the proposals are opened on the proposal due date. Once the proposals are opened, the name of the Proposer becomes public. All other data in the proposal is private/nonpublic data until completion of the evaluation process. The evaluation process is completed when the County enters into a contract with a Proposer. At that time, all remaining data submitted by all Proposers is public with the exception of data classified as private/non-public trade secret data under Minn. Stat. § 13.37 of the Minnesota Government Data Practices Act.

If the Proposer believes private/non-public data is included in its Proposal, Proposer shall clearly identify the data and provide the specific rationale in support of the asserted classification. Proposer must type in bold red letters the term "CONFIDENTIAL" on that specific part or page of the Proposal which Proposer believes to be confidential. Classification of data as trade secret data will be determined pursuant to applicable law, and, accordingly, merely labeling data as "trade secret" does not necessarily make the data protected as such under any applicable law.

The Proposer agrees, as a condition of submitting its Proposal, that the County will not, as between the parties, be liable or accountable for any loss or damage which may result from a breach of confidentiality related to the Proposal. Typically, pricing, fees, and costs are public data. The Proposer agrees to indemnify and hold the County, its officials, agents, and employees harmless from all claims arising out of, resulting from, or in any manner attributable to any violation of any provision of the Minnesota Government Data Practices Act, including legal fees and disbursements paid or incurred to enforce this provision.

Proposer's Costs

The County shall not be responsible for any costs incurred by applicant in connection with this RFP. Applicant shall bear all costs associated with proposal preparation, submission, and attendance at presentation interviews, or any other activity associated with this RFP or otherwise.

Proposer's Ideas

The County reserves the right to use any or all ideas, concepts, or other information provided in any proposals. Selection or rejection of the Proposal does not affect this right.

Collusion

If the County determines that collusion has occurred among applicants, none of the applications of the participants in such collusion shall be considered. The County's determination shall be final.

Conflict of Interest

Applicant affirms that, to the best of its knowledge, its application does not present a conflict of interest with any party or entity, which may be affected by the terms of a contract resulting from this RFP. The applicant agrees that, should any conflict or potential conflict of interest become known, it will immediately notify the County of the conflict or potential conflict, and will advise the County whether it will or will not resign from the other engagement or representation.

The County may make reasonable efforts to avoid, mitigate, or neutralize a conflict of interest by an applicant. To avoid a conflict of interest by an applicant, the County may utilize methods including disqualifying an applicant from eligibility for a contract award, canceling the contract if the conflict is discovered after a contract has been issued, revising the scope of work to be conducted, allowing applicant to propose the exclusion of task areas that create a conflict, or providing information to all applicants to assure that all facts are known to all applicants. The County may, at its sole and absolute discretion, waive any conflict of interest.

Proposal Evaluation and Recommendation for Selection

Proposals will be evaluated through several steps. First, staff will review projects, and advance those meeting minimum requirements and funding eligibility. Second, a review committee including County staff and additional contributors, as needed, will review the advanced applications and rank projects based on ranking criteria below. The selection committee may request additional information prior to finalizing its ranking. Third, staff will complete additional underwriting to assess financial need, funding commitments, and readiness to proceed of top ranked projects, then make funding recommendations to the appropriate County boards and/or County administration based on funding availability. Funding recommendations will then be considered by the appropriate County boards and/or County administration, which will have final authority on funding or rejecting allocations. Such staff evaluations are for the sole benefit of the County Board or its designee, and as such, they are not binding upon the County, nor may they be relied upon in any way by an applicant.

This RFP does not commit the County to award a contract. Submission of a proposal shall neither obligate nor entitle an applicant to enter into a contract with the County. The County reserves the following rights, to be exercised in the County's sole and absolute discretion: 1) to determine whether any aspect of a proposal satisfactorily meets the criteria established in this RFP; 2) to seek clarification or additional information from any applicant; 3) to negotiate, sequentially or simultaneously, pricing and/or terms with any applicant or vendor; 4) to reject any or all proposals with or without cause; 5) to waive any irregularities or informalities in a proposal; 6) to cancel or amend by addenda this RFP, in part or entirely; 7) to award multiple contracts to applicants; and/or 8) award a contract to a vendor that did not submit a proposal.

The County will complete a final underwriting of awarded projects before financial closing to confirm remaining financial need and continued adherence to County priorities. The County reserves the right to cancel a funding commitment if the project is not proceeding according to the timeline submitted in the application. An executed loan agreement is the final commitment and will be required prior to disbursement. Projects approved for funding require disbursement within two years from the date that the County authorizes the funding award. If funding has not been disbursed in a timely manner, for any reason whatsoever, the County has the discretion to rescind the funding.

Evaluation of Responsiveness

The County will consider all the material submitted by the applicant to determine whether the applicant's offer is in compliance with the terms and conditions set forth in this RFP. Proposals that do not comply with the provisions in this RFP may be considered nonresponsive and may be rejected.

For avoidance of doubt, to be considered minimally responsive, Proposals must demonstrate an Eligible Activity pursuant to section 4.3 of this RFP and comply with the proposal content and format requirements as outlined in the Affordable Rental Housing Development Assistance application on the Portal.

Evaluation of Responsibility

To determine whether an applicant is responsible, the County will consider the applicant's general qualifications to perform the requested services in a satisfactory manner; financial responsibility; integrity; skill; and ability.

Factors considered by the County may include, but are not limited to, applicant's past performance on previous projects; the applicant's technical capabilities; individual qualifications of applicant's key personnel; and the applicant's financial ability to perform on the contract. Proposals from applicants considered non-responsible will be rejected.

Financing Terms and Contractual Requirements

Successful rental projects awarded financial assistance from AHIF or HOME typically receive a deferred, interest bearing 30-year loan. Any requests for a non-interest bearing loan will need to be justified and if approved may include a profit sharing provision. Financing terms will be determined by Hennepin County staff based on the project's development and operating budget and ability for repayment.

Loans will require full repayment of principal and interest. Loans must be repaid at the point of loan maturity, sale of the property, or if the project does not meet the terms and conditions of the contractual agreement. A standard form loan agreement for each funding program is available upon request by following the process in the "Inquiries" section above; please be advised that terms and conditions in the template loan documents are subject to change. Applicants are encouraged to review the loan documents and note any rejected terms with the submission of their proposal.

In addition to loan agreements, due diligence documents required in advance of financial closing include but are not limited to: Lender's Title Policy; commitment for an American Land Title Association (ALTA) survey; a Legal Opinion Letter; agreement to defend, indemnify and hold the county harmless from any and all claims or lawsuits that may arise from the funded activities; agreement to provide evidence of insurance general liability, builder's risk, worker's compensation in form and content satisfactory to the county.

HOME-Specific Affordability Requirements

Regardless of the structure of the loan or if it is repaid prior to maturity of the loan, all rental projects funded with HOME must comply with the HOME Regulations for the entire minimum affordability period, and any additional term as defined by the written agreement. Find the HOME Regulations here:

<https://www.hudexchange.info/programs/home/>

Proposal Ranking Criteria

Minimum Qualifications for all Proposals

- Meet all Program Requirements
- Create long-term affordable housing (30+ years)
- At least a portion of the project creates or preserves housing units affordable to households at or below 50% AMI

1. Experience and Capacity of the Project Team (0-10 Points)

- Demonstrates expertise of the project team (i.e. developer, staff, management, as applicable and other partners) to complete the proposed project. For emerging professionals (developer new to affordable housing, architect new to affordable housing, etc), demonstrates related experience and experience and capacity levels of the entire team.
- Demonstrates past performance in effectively managing affordable housing ownership for the long term.
- Demonstrates reasonable financial capacity of the applicant and partners.
- Demonstrates past performance in providing low-barrier affordable housing and/or promoting housing stability for households with barriers to stability.
- For projects that include supportive housing units, demonstrates ability to work with and maintain an appropriate level of services for the population for life of the project.
- For projects that include supportive housing units, demonstrates past performance in obtaining provider services and/or funding for services and rental assistance in maintaining residential stability for underserved populations.

2. Project Feasibility (0-40 Points)

- Demonstrates financial support and other commitments necessary to complete the project.
- Documents funding sources including commitment levels, conditions, and expenditure deadlines.
- Demonstrates that the requested amount is the minimum funding request necessary to provide/create affordable housing (project costs are reasonable, funding has been leveraged to the maximum extent no other appropriate funding sources are available to fill funding gap).
- Serves a high housing need identified by the municipality.
- Demonstrates that the project is financially viable and meets subsidy layering/underwriting guidelines.
- Development soft costs are reasonable and consistent with or below industry standards.

- Demonstrates that proposed rents and utility allowances are within the funding limits.
- Provides written commitments for appropriate supportive service funding (agreements and/or partnerships) with entities providing services and/or funding.
- Demonstrates that the project timeline and budget reflect the likelihood of meeting programmatic spending requirements.
- Demonstrates understanding of required documentation and regulations.
- Documents in-kind contributions from the municipality, business sector and/or community (as applicable).

3. Housing Affordability and Target Populations (0-40 Points)

- Commits to affordable housing for longer than 30 years.
- Provides appropriate affordable housing to an underserved population.
- Demonstrates a concept for successful affordable housing.
- Serves households at or below 30% AMI (highest priority).
- Creates housing opportunities for people experiencing homelessness.
- Creates housing opportunities for large families, the elderly, persons with mental or physical disabilities.
- Dedicates and integrates a portion of the units for HHS identified clients.
- Appropriate services are provided for the targeted population and funding for services is committed.
- Project includes low-barrier tenant screening criteria.

4. Alignment with Hennepin County Priorities (0-10 Points)

- Promotes the connection of affordable housing to local employment opportunities, schools, transit service, and supportive services.
- Promotes a full range of housing choice throughout the county.
- Includes local businesses certified as a Small Business Enterprise, Minority-Owned Business Enterprise and Women-Owned Business Enterprise during the design and construction phase of the project.
- Incorporates workforce training programs, including Hennepin County's Workforce Entry Program.
- Provide green jobs that support renewable energy production, energy efficiency, natural resource conservation, waste reduction and recycling. Examples include preserving and caring for natural habitats, reducing toxic waste, maintaining EV parts, and charging stations, installing solar panels, etc.
- Creates more accessible units than the minimum required by Section 504: 10% of units in a project are accessible for physical disability, and an additional 2% are accessible for people with hearing or visual impairments.
- Minimizes the involuntary displacement of Black, Indigenous and people of color (BIPOC), and vulnerable populations such as low-income households, immigrants, the elderly, and people with disabilities.

Other County Funding Available

Office of Broadband and Digital Inclusion (OBDI)

Contact: philip.essington@hennepin.us

OBDI builds and promotes safe access to technology so residents can thrive in the digital world. Projects selected for affordable rental housing development funding will be considered for OBDI funding. That funding is to expand broadband service to unserved or underserved households, such as by installing internet and wi-fi infrastructure or providing reduced-cost broadband within a multi-family dwelling unit. OBDI information can be found [here](#).

Community Development Block Grant (CDBG)

Contact: Lori.Lindberg@hennepin.us

Suburban Hennepin County cities expect to receive a 2024 Community Development Block Grant (CDBG) allocation from HUD of approximately \$2.9 million. These funds can support acquisition and rehabilitation costs of affordable housing, as well as improvement of public facilities, economic development, and social services. Additional information can be found [here](#).

Environmental Response Fund (ERF)

Contact: Mary.Finch@hennepin.us

Environmental Response Fund grants provide funding for the assessment and cleanup of contaminated sites where conditions present a threat to human health or the environment, but where lack of funding and added environmental costs hinder site improvements or redevelopment. Additional assessment funding for municipal- and nonprofit organization-led projects, as well as developers with brownfield projects along transit corridors may also be available. Additional information can be found [here](#).

Housing Support (HS) - formerly known as Group Residential Housing (GRH)

Contact: Cate.Kline@hennepin.us

Housing Support (HS) is a State program that pays for housing costs (rent), and sometimes services for people with disabling conditions in eligible settings. Find more information [here](#). Service providers can apply to Hennepin County to provide Housing Support for eligible populations in the program types specified in the Housing Support RFP. <https://www.hennepin.us/business/work-with-henn-co/housing-providers>

McKinney-Vento Continuum of Care (CoC)

Contact: Laura.DeRosier@hennepin.us

Continuum of Care (CoC) is a US HUD program that funds tenant, project, or sponsor based rental assistance, leasing & services, operations, new construction, acquisition, or rehabilitation to increase housing units for persons who are homeless. Typically, HUD makes funds available through an annual Notice of Funding Opportunity (NOFO) competitive grant competition. Hennepin County coordinates the Collaborative Application for funds on behalf of Hennepin CoC. Refer to the Hennepin County CoC website for the NOFO competition details – <https://www.hennepin.us/headinghomehennepin>.

Transit Oriented Development (TOD)

Contact: Ryan.Kelley@hennepin.us

Transit oriented development (TOD) is the creation of walkable, mixed-use, human-centered communities established around high-quality transit service. TOD projects are compact and typically include reduced or shared parking, increased density, emphasis on the public realm through building orientation and site details, and enhanced

pedestrian and bicycle amenities. An RFP will be available to fund transit-oriented projects in early 2024. Refer to the Hennepin County website for [program information](#).