

Environment Committee

Meeting date: March 14, 2017

For the Metropolitan Council meeting of March 22, 2017

Subject: Land Acquisition for Lift Station L-55 Replacement in Bloomington

District(s), Member(s): District 5, Steve Elkins

Policy/Legal Reference: Council Policy 3-3, Expenditures

Staff Prepared/Presented: Jeff Schwarz, 651-602-1176; Scott Dentz, 651-602-4503

Division/Department: MCES c/o Leisa Thompson, 651-602-8101

Proposed Action

That the Metropolitan Council authorizes its Regional Administrator to acquire fee title and temporary easements necessary for the Bloomington Lift Station (L-55) Replacement Project 808400 and authorizes Council legal staff to initiate condemnation proceedings for those parcels that staff cannot acquire by negotiation per Resolution Number 2017-7.

Background

Redevelopment to higher densities in Edina and Bloomington near Interstate 494 and Highway 100 will generate wastewater flows in excess of the capacity of existing lift station L-55. Expansion of L-55 to accommodate increased flows is not feasible because the L-55 property is too small and it is located in a corridor slated for future MNDOT expansion of Interstate 494. A new lift station at a new location is required to accommodate increased future flows.

MCES staff consulted with the City of Bloomington and businesses in the vicinity of existing L-55 and identified an unused green space in the northeast quadrant of the intersection of American Boulevard and 82nd Street compatible with future building and road construction plans, locations of existing City trunk sewers, and the existing MCES force main and interceptor 3-BN-499. Fee title is required from two property owners and temporary easements are required from four property owners to facilitate construction. This project will be advertised for construction bids in early 2018.

Rationale

Land acquisitions with condemnation potential require Council authorization.

Thrive Lens Analysis

This action advances the Thrive Outcome of Stewardship. Public financial resources will be invested efficiently and effectively to accommodate future regional growth which will protect the region's natural resources.

Funding

2018-2020 MCES Authorized Capital Program, Project 808400

Currently Authorized: \$8,000,000

Unencumbered Funds: \$7,518,000

Requested Amount: \$0

Known Support / Opposition

The City of Bloomington is supportive of the project.

METROPOLITAN COUNCIL
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RESOLUTION NO. 2017-7

**RESOLUTION AUTHORIZING THE ACQUISITION AND CONDEMNATION OF REAL PROPERTY
NECESSARY FOR METROPOLITAN COUNCIL PROJECT NO. 808400**

WHEREAS, Metropolitan Council Project No.808400 – Bloomington Lift Station L-55 Replacement (the “Project”) requires the acquisition of real property.

NOW THEREFORE BE IT RESOLVED:

The Metropolitan Council finds and declares:

- (1) that the Project is a valid public project with a valid public purpose;
- (2) that the real property needed for the Project will be more particularly identified in the Project Plans or on the Project Work Map (the “Property”);
- (3) that the Property is necessary for the Project and must be obtained before the filing of an award by the court-appointed commissioners;
- (4) that, in the judgment of the Metropolitan Council, the acquisition of the Property will further the public health, safety and welfare, and will be undertaken in accordance with Minnesota Statutes and the Real Property Acquisition Policy of the Metropolitan Council;
- (5) that, under Minnesota Statutes Section 473.504, the Metropolitan Council has the authority to acquire the Property by condemnation, and that the Council directs its attorneys to acquire the Property by condemnation if the Property cannot be acquired by direct negotiation; and
- (6) that the condemnation of the Property will be done in accordance with the procedures authorized under Minnesota Statutes Chapters 473 and 117.

Adopted this 22nd day of March, 2017

Adam Duininck, Chair

Emily Getty, Recording Secretary