

Environment Committee

Meeting date: July 13, 2021

For the Metropolitan Council meeting of July 28, 2021

Subject: Maple Grove Interceptor 900416 Replacement Land Acquisition

District(s), Member(s): District 1, Judy Johnson

Policy/Legal Reference: Minnesota State Statute 473.504

Staff Prepared/Presented: Tim Wedin, 651-602-4571

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

Proposed Action

That the Metropolitan Council adopts Resolution 2021-18 authorizing the acquisition of temporary easements for the Maple Grove Interceptor 900416 Replacement project and staff to initiate condemnation proceedings.

Background

An inspection assessed the condition of Interceptor 900416 in Maple Grove. Deflection was captured from MH 4 to MH 11 during the routine inspection. The inspection indicated deflection that exceeds the manufacturer's specification creating a risk of failure. Temporary easements are required from approximately ten properties to facilitate construction. Construction is planned for 2022.

Rationale

Land Acquisition is necessary to implement the proposed interceptor improvements. This action delegates authority to staff to acquire property rights for the project and to use the condemnation process, if necessary, to ensure timely project delivery.

Thrive Lens Analysis

This action advances the Thrive Outcome of Stewardship. Public financial resources will be invested efficiently and effectively to maintain the existing wastewater infrastructure, which protects the region's natural resources.

Funding

Project 808622 is included in the 8086 family of projects in the 2021 MCES Authorized Capital Program.

Known Support / Opposition

No known opposition.

METROPOLITAN COUNCIL
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RESOLUTION NO. 2021 - 18

RESOLUTION AUTHORIZING THE ACQUISITION AND CONDEMNATION OF REAL PROPERTY NECESSARY FOR METROPOLITAN COUNCIL PROJECT NO. 808622.

WHEREAS, Metropolitan Council Project No. 808622 (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 28th day of July 2021

Charles A Zelle, Chair

Elizabeth Sund, Recording Secretary