

# Business Item

Environment Committee



Committee Meeting Date: May 10, 2022

For the Metropolitan Council: May 25, 2022

## Business Item: 2022-130

Interceptor 1-MN-303 Rehabilitation, Project 809211; Land Acquisition

**District(s), Member(s):** District 8, Council Member Abdirahman Muse  
**Policy/Legal Reference:** Policy 3-3, Expenditures; Minnesota Statutes § 473.504  
**Staff Prepared/Presented:** Jeff Schwarz, Minneapolis Area Program Manager, 651-602-1176  
**Division/Department:** MCES c/o Leisa Thompson, 651-602-8101

### Proposed Action

That the Metropolitan Council pass Resolution 2022-10 authorizing acquisition of temporary and permanent easements for Interceptor 1-MN-303 Rehabilitation Project 809211 and staff to initiate condemnation proceedings.

### Background

Interceptor 1-MN-303 was built in the 1920's as a 102" combined sanitary/storm sewer. In 1965, the segment under 31st Avenue Northeast from Tyler Street Northeast to Randolph Street Northeast in Minneapolis was converted to a "pipe-in-pipe" (PIP) separated sewer. The PIP is deteriorated and may be under capacity for future flows. Metering and modeling are being conducted to evaluate the effectiveness of recent CMP crown patching, long term capacity needs, and if the pipe should be repaired or replaced with a larger pipe.

### Rationale

Temporary and permanent easements will be needed to access the pipe and repair or replace it.

### Thrive Lens Analysis

This action advances the Thrive Outcomes of Stewardship and Sustainability. Public financial resources will be responsibly invested to support orderly and economic development while maintaining the regional wastewater system assets, which protect the region's natural resources.

### Funding

Funding for Project 809211 is in the 2022 MCES Authorized Capital Program.

### Small Business Inclusion

Not applicable for this business item.

**METROPOLITAN COUNCIL**  
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**RESOLUTION NO. 2022-10**

**RESOLUTION AUTHORIZING THE ACQUISITION AND CONDEMNATION OF REAL PROPERTY NECESSARY FOR METROPOLITAN COUNCIL PROJECT NO. 809211.**

**WHEREAS**, Metropolitan Council Project No. 809211 (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 25th day of May 2022

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Charles A. Zelle, Chair

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Liz Sund, Recording Secretary

