Business Item

Environment Committee

Business Item: 2024-239

Orono Interceptor 7113 Improvement Project Real Estate Property Acquisition and Condemnation

District(s), Member(s):	District 3, Dr. Tyronne Carter
Policy/Legal Reference:	Policy FM 9-1, Real Estate Policy; Policy FM 14-2, Expenditures for the Procurements of Goods, Services, and Real Estate; Minn. Stat. §473.504
Staff Prepared/Presented:	Chris Remus, Assistant Manager, Interceptor Engineering 651-602-4538
Division/Department:	MCES c/o Leisa Thompson 651-602-8101

Proposed Action

That the Metropolitan Council adopt Resolution 2024-17 authorizing the acquisition and condemnation of real estate property for the Orono Interceptor 7113 Project, MCES Project No. 802897.

Background

The 7113 forcemain was built in 1979 and serves Lift Station L-59. Due to age pipe, condition, and volume of existing flow, a redundant forcemain is needed.

L59 receives peak flow at over 1,000 gallons per minute, which exceeds the amount tanker trucks can deliver to maintain service in the event of a forcemain outage. Without a redundant forcemain, temporary conveyance piping would be needed to maintain and restore service. Redundant forcemains also allow Operations to inspect the pipelines in the future without interrupting service.

Most of the project work will be within Hennepin County right-of-way. However, some portions will impact private properties where the Council has no existing easements. Therefore, new temporary and permanent easements are needed.

Rationale

Land acquisition is necessary for the implementation of this project. This action delegates authority to staff to acquire property 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 and restore existing wastewater infrastructure, which protects the region's natural resources.

Funding

Project 802897 is included in the 8028 family of projects in the 2024 MCES Authorized Capital Program.

Small Business Inclusion

There is no direct impact to small businesses with this action.

RESOLUTION NO. 2024 - 17

RESOLUTION AUTHORIZING THE ACQUISITION AND CONDEMNATION OF REAL PROPERTY NECESSARY FOR METROPOLITAN COUNCIL PROJECT NO. 802897.

WHEREAS, Metropolitan Council Project No. 802897 (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 XX day of XXXX 2024

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Chares Zelle, Chair   Sandy Dingle, Recording Secretary

Metropolitan Council