

Management Committee

For the Metropolitan Council meeting of February 11, 2015

Subject: Adoption of the Real Estate Policy

Proposed Action

That the Metropolitan Council adopt the Real Estate Policy to guide real estate activities across the organization to support Council's mission.

Summary of Committee Discussion/Questions

la Xiong presented the business item. There were no questions.

Motion to approve the proposed action was made by Van Eyll, seconded by Chávez, and passed unanimously.

Management Committee

Meeting date: January 28, 2015

For the Metropolitan Council meeting of February 11, 2015

Subject: Adoption of the Real Estate Policy

District(s), Member(s): All

Policy/Legal Reference: Real Estate Policy 3-10

Staff Prepared/Presented:

Micky Gutzmann, Director Council Contracts and Procurement, 651-602-1741

Ia Xiong, Real Estate Manager, 651-602-1556

Division/Department: Regional Administration Contracts and Procurement

Proposed Action

That the Metropolitan Council adopt the Real Estate Policy to guide real estate activities across the organization to support Council's mission.

Background

In 2008 the Metropolitan Council issued a Program Evaluation and Audit dealing with Council's "Property Acquisition and Management". One of the audit's recommendations was to develop official acquisition policies and procedures. Previous policies and procedures address real estate matters that no longer reflect actual practice or needs.

Rationale

The Real Estate Policy provides a foundation to establish consistent, appropriate, and efficient real property acquisition and disposition practices across the organization. The Real Estate Office will provide guidance and management of all real estate transactions.

Funding

There is no impact.

Known Support / Opposition

Council Senior Staff supports this policy. There is no known opposition.

Real Estate Policy

Section/Number: 3-10	Total Pages: 1
Dept. Responsible: Real Estate	Effective Date:
Special Note: Supersedes all previous policies covering real estate acquisitions and dispositions	Last Revision Date:
	Last Review Date:
	Revision No. 1

I. Policy

The Metropolitan Council may acquire, condemn, own, hold, use, improve, operate, maintain, lease from or to, exchange, transfer, sell, or otherwise dispose of real property, easements, or other property rights or interests of any kind consistent with applicable governing laws, regulations, and Council policies. (A list of statutes are below.)

The Regional Administrator is authorized on the behalf of the Council to execute real property documents consistent with Council Resolution 95-87. The delegation of authority to the Regional Administrator shall not include any matters for which approval of the governing body of the Metropolitan Council is required under applicable federal or state laws. The Regional Administrator may re-delegate document execution authority and must develop procedures consistent with this Real Estate Policy.

A. Standard Real Estate Services

Standard real estate services consists of services that are for normal daily operations of the Council. The Council through its Real Estate Office will acquire and dispose of properties according to the procedures as developed consistent with this Real Estate Policy.

B. Non-Standard Real Estate Services

Non-standard real estate services are more complex in nature such as those involving special projects or when there is a more than normal public interest in the project. In those cases the Real Estate Office along with the Office of General Counsel, Risk Management, Contracts, and other internal services as deemed appropriate by the Regional Administrator will be involved in the planning of the acquisitions and dispositions of properties consistent with the procedures as developed consistent with this Real Estate Policy.

II. Purpose of policy

The purpose of the policy is to provide regulations and guidance for the appropriate, and efficient real property acquisition and disposition practices; fair and equitable treatment to property owners; and protection of the Council's real property assets.

III. Background and reasons for policy

The following State Statutes, Council Resolution, and Councils Procurement and Expenditure Policies govern the acquisition and disposition of real property.

Minnesota Statute 473.129 Subdivision 7, Powers of Metropolitan Council, Property

Minnesota Statute 473.504 Subdivision 9, Wastewater Services Powers, May Get Property

Minnesota Statute 473.405 Subdivision 3, Transit Powers, Condemnation

Council Resolution No. 2006-36, Policy Regarding Declaration and Disposal of Surplus Property

Council Resolution No. 95-87, Delegating authority and conferring authority on the Council's Regional Administrator with respect to certain real property matters

Council Policy 3-3 Expenditures Policy

Council Policy 3-3c Delegation and Procurement and Contract Authority Procedures

IV. Implementation/Accountability

The Regional Administrator, or his delegate, will establish the framework and accountability for the effective implementation of this policy and the procedures associated with it.

Links:

Revision/Review Tracking

Date	Revision No.	Review Only – No changes
	1	