

Transportation Committee

For the Metropolitan Council meeting of November 14, 2018

Subject: Easement and Access Maintenance & Use Agreements with the City of Big Lake

Proposed Action

That the Metropolitan Council authorize the Regional Administrator to negotiate and execute an Easement Agreement and an Access Maintenance & Use Agreement with the City of Big Lake.

Summary of Committee Discussion/Questions

No discussion or questions.

Motion by Schreiber, seconded by Elkins. Motion carried. CONSENT to Council.

Transportation Committee

Meeting date: November 7, 2018

For the Metropolitan Council meeting of November 14, 2018

Subject: Easement and Access Maintenance & Use Agreements with the City of Big Lake

District(s), Member(s): N/A – Big Lake, Sherburne County

Policy/Legal Reference: Minnesota Statute 473.129, Subd. 7.

Staff Prepared/Presented: Brian Lamb, General Manager, 612-349-7510

Marilyn Porter, Director Engineering & Facilities, 612-349-7689

Pat Jones, Asst. Director Engineering & Facilities, 612-349-7606

Mark Leemon, Lead Project Manager, 612-349-7674

Kim Zlimen, Principal Engineer, 612-349-7475

Division/Department: Metro Transit / Engineering & Facilities

Proposed Action

That the Metropolitan Council authorize the Regional Administrator to negotiate and execute an Easement Agreement and an Access Maintenance & Use agreement with the City of Big Lake.

Background

The Metropolitan Council owns property in Big Lake that was acquired and improved as part of the Northstar commuter rail project. A portion of the roadway leading to the Northstar Big Lake park-and-ride lot and vehicle maintenance facility was designed to city standards and was intended to be conveyed to the City at the completion of the Northstar project for public use as a City street. The Council seeks to convey a permanent roadway, drainage and utility easement to the City of Big Lake for this roadway segment.

Rationale

The permanent easement agreement will defer maintenance costs to the City and exempt the Council from future assessments for roadway improvements. Council staff time associated with management of improvement projects, maintenance contracts, and access agreements for adjacent development will also be reduced. Public access to the park-and-ride lot and the Council's access to the Northstar vehicle maintenance facility will not be impeded by the easement.

Thrive Lens Analysis

The proposed action promotes Stewardship by leveraging existing transit investments. Proximity to the Big Lake station allows for capitalization on investments in the regional transit system by facilitating development of adjacent parcels, thereby potentially contributing to Northstar ridership. The proposed action also advances the Livability outcome by aligning resources to support transit-adjacent development, and by providing transportation choices for future residents.

Funding

The City has requested reimbursement for pavement repairs and tree replacement, estimated at not to exceed \$60,000, to improve the roadway's current condition since pavement maintenance has not been performed since the original construction. Funds are

available in the 2019 Northstar operating budget to reimburse the City for completion of this work.

Known Support / Opposition

The City of Big Lake supports an easement conveyance. The Federal Transit Administration, Minnesota Department of Transportation, and the Northstar Corridor Development Authority (NCDA) capital partners have been consulted and provided their concurrence of the proposed conveyance, as funding partners of the original Northstar construction. Coordination with the City of Big Lake on final Access Maintenance & Use Agreement terms is ongoing. There is no known opposition.

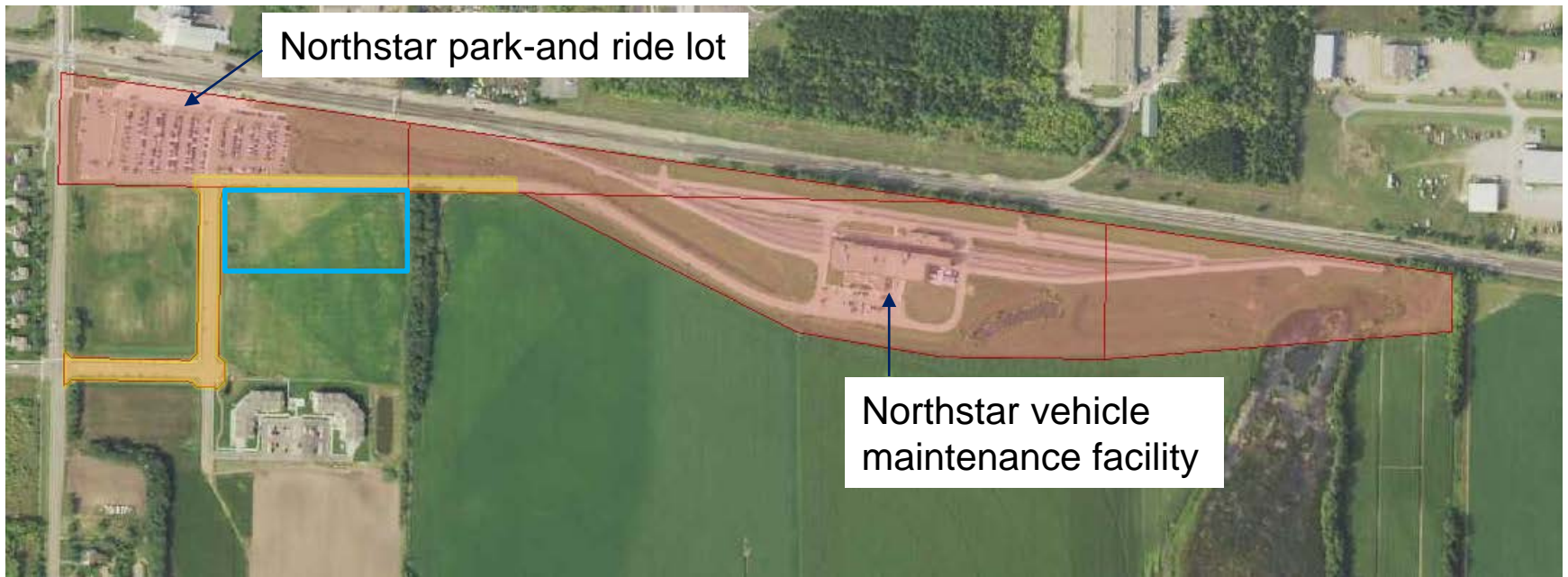
Easement and Access Maintenance & Use Agreements with the City of Big Lake






Transportation Committee
November 7, 2018
Business Item 2018-262

Presented by:
Kim Zlimen, P.E.
Engineering & Facilities

Metropolitan Council Property and Easement Area



-  Metropolitan Council property
-  Proposed roadway easement
-  Proposed development

Draft Agreement Terms

- Council conveys permanent easement to the City. Council retains fee ownership.
- City is responsible for roadway management and all costs associated with future maintenance and improvements in the easement area.
- Council exempt from assessments for future City projects.
- Council's use will not be impeded and the purpose of the property will not change.
- Council will reimburse City to complete crack filling, sealcoating, and tree replacement, not to exceed \$60,000.
- Final agreement terms contingent upon Met Council and City Council approval.

Northstar Funding Partner Consultation

- Federal Transit Administration – Incidental Use
- State of Minnesota
- Northstar Corridor Development Authority Capital Partners
- Metropolitan Council



Requested Action – Business Item 2018-262

That the Metropolitan Council authorize the Regional Administrator to negotiate and execute an Easement Agreement, and Access Maintenance & Use Agreement with the City of Big Lake.

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