

Committee Report

Environment Committee



Committee Meeting Date: April 26, 2022

For the Metropolitan Council: May 25, 2022

Business Item: 2022-109

Land Acquisition for L48 Rehabilitation and Forcemain 6-DH-645 Replacement, Project No 802834

Proposed Action

That the Metropolitan Council passes Resolution 2022-9 authorizing the acquisition of temporary easements for the L48 Rehabilitation and Forcemain 6-DH-645 Replacement project and staff to initiate condemnation proceedings.

Summary of Environment Committee Discussion/Questions

Committee Member Zeran inquired if there is active rail in the area. Staff clarified it is an active bike trail.

Committee Member Sterner inquired how communication has been done with the private resident. Staff stated conversations have begun with in person meetings and we are working with our real estate group to negotiate.

Motion by Wulff, seconded by Zeran. Motion carried.



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District(s), Member(s):	District 3, Vacant
Policy/Legal Reference:	Real Estate Policy 9.1 and Minnesota Statutes 473.504, 117
Staff Prepared/Presented:	Chris Remus, Assistant Manager, 651-602-4538
Division/Department:	Wastewater Planning & Capital Project Delivery

Proposed Action

That the Metropolitan Council passes Resolution 2022-9 authorizing the acquisition of temporary easements for the L48 Rehabilitation and Forcemain 6-DH-645 Replacement project and staff to initiate condemnation proceedings.

Background

Lift station 48 and Forcemain 6-DH-645 are reaching the end of their service life. The 10-inch forcemain will be replaced via directional drilling. Approximately 1,000 feet of gravity pipe will be replaced via open cut construction. Temporary easement rights are necessary to accommodate temporary conveyance piping, construction staging and access.

Rationale

The acquisitions are necessary to implement the proposed interceptor improvements. This action delegates authority to staff to acquire the necessary 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 and restore existing wastewater infrastructure, which protects the region's natural resources and public health.

Funding

Project 802834 is included in the 8028 family of projects in the 2022 MCES Authorized Capital Program. Public Facility Authority funds will be used for the project.

Small Business Inclusion

Not applicable for this business item.

METROPOLITAN COUNCIL

390 North Robert Street, St. Paul, Minnesota 55101-1634

Phone (651) 602-1000 · TDD (651) 291-0904 · FAX (651) 602-1550

Metro Info (651) 602-1888

RESOLUTION NO. 2022-9

RESOLUTION AUTHORIZING THE ACQUISITION AND CONDEMNATION OF REAL PROPERTY NECESSARY FOR METROPOLITAN COUNCIL PROJECT NO. 802834.

WHEREAS, Metropolitan Council Project No. 802834 (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



Charles A. Zelle, Chair

Liz Sund, Recording Secretary