

# Committee Report

Environment Committee



Committee Meeting Date: May 10, 2022

For the Metropolitan Council: May 25, 2022

## Business Item: 2022-131

Interceptor 1-MN-345 Rehabilitation, Project 809208; Land Acquisition

### Proposed Action

That the Metropolitan Council pass Resolution 2022-11 authorizing acquisition of temporary and permanent easements for Interceptor 1-MN-345 Rehabilitation Project 809208 and staff to initiate condemnation proceedings.

### Summary of Environment Committee Discussion/Questions

Committee Member Wulff inquired if there is concern with having to work with another government entity in order to initiate condemnation proceedings. Staff stated it works well to partner with other agencies and has not been a concern.

Motion by Sterner, seconded by Wulff. Motion carried.



# Business Item

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**District(s), Member(s):** District 6, Council Member Lynnea Atlas-Ingebretson  
**Policy/Legal Reference:** FM 14-1 Expenditure Policy and FM 9-1, Real Estate; 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 2022-11 authorizing acquisition of temporary and permanent easements for Interceptor 1-MN-345 Rehabilitation Project 809208 and staff to initiate condemnation proceedings.

### Background

Interceptor 1-MN-345 was built in Minneapolis in 1929. Recent inspections have identified longitudinal cracks, off set joints, and concrete deterioration in segments of 1-MN-345 near Minnehaha Creek and the junction of 1-MN-345 with Interceptor 1-MN-344. The Minneapolis Park & Recreation Board (MPRB) is working on the Minnehaha Parkway Regional Trail Master Plan that includes rehabilitating the section of walking and bike trail 1-MN-345 is installed under. It would be beneficial for MCES, MPRB, and the region to coordinate pipe and trail rehabilitation.

### Rationale

The City of Minneapolis transferred ownership of the interceptor to the Metropolitan Sewer Board in 1971. No easements for the interceptor were recorded. Temporary and permanent easements will be needed to access and repair the pipe.

### 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 809208 is available within the 2022 MCES Authorized Capital Program for the Minneapolis Interceptor System Improvements Program.

### Small Business Inclusion

Not applicable for this business item.

**METROPOLITAN COUNCIL**  
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**RESOLUTION NO. 2022-11**

**RESOLUTION AUTHORIZING THE ACQUISITION AND CONDEMNATION OF REAL PROPERTY NECESSARY FOR METROPOLITAN COUNCIL PROJECT NO. 809208.**

**WHEREAS**, Metropolitan Council Project No. 809208 (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

