

Committee Report

Environment Committee



Committee Meeting Date: September 26, 2023

For the Metropolitan Council: October 11, 2023

Business Item: 2023-221

Additional Materials Interceptor Rehab Project 6-MO-650 Real Estate Property Acquisition and Condemnation

Proposed Action

That the Metropolitan Council adopt Resolution 2023-20 authorizing the acquisition and condemnation of real estate property for the Interceptor Rehab Project 6-MO-650, MCES Project No. 819022.

Summary of Environment Committee Discussion/Questions

CM Cederberg asked: What gives the Metropolitan Council authority to acquire property through condemnation?

Staff responded: The met council has authority to acquire property through condemnation proceedings through Policy FM9-1 as well as MN statute 473.504.

CM Carter asked: Are any of the parcels occupied?

Staff responded: One parcel that we are looking at is currently occupied. We are working with the property owner to make sure we are acquiring the proper easement extents needed in addition to fair compensation.

Motion by CM Cederberg, seconded by CM Morales. Motion carried.

Business Item

Environment Committee



Committee Meeting Date: September 26, 2023

For the Metropolitan Council: October 11, 2023

Business Item: 2023-221

Interceptor Rehab Project 6-MO-650 Real Estate Property Acquisition and Condemnation

District(s), Member(s):	District 3, Dr. Tyrone 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; Minnesota Statutes 473.504
Staff Prepared/Presented:	Tim Wedin, Assistant Manager, Interceptor Engineering 651-602-4571
Division/Department:	MCES c/o Leisa Thompson 651-602-8101

Proposed Action

That the Metropolitan Council adopt Resolution 2023-20 authorizing the acquisition and condemnation of real estate property for the Interceptor Rehab Project 6-MO-650, MCES Project No. 819022.

Background

Hennepin County is planning a road reconstruction project in summer 2025 along Shoreline Dr. in the City of Mound. MCES Interceptor 6-MO-650 is located along Shoreline Dr. The forcemain section of the interceptor was built in 1963. Due to the age and material of the pipe, there were multiple breaks that occurred in the past (in 2014 and 2021). This section needs to be fixed before more breaks occur. Another section on the 6-MO-650 interceptor is on a gravity section along Auditors Rd. The pipe in this section shows condition rating 4.5 and has a sag of about 10-12 inches in the pipe crossing the Shoreline Dr. Both sites will need to be rehabilitated before Hennepin County's road reconstruction project to reduce the community impacts multiple times and to avoid construction on the newly built road.

Most of the repair work will be along the Hennepin County Road right-of-way; however, some portion of the work will happen on private properties, property owned by Hennepin County Railroad Authority (HCRAA), and on property owned by the Cities of Mound and Spring Park. There are existing utilities and utility easements in the corridor. Additional temporary construction easements, as well as new permanent easements will be needed to complete the work.

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 prosperity, investing in infrastructure needed for orderly and economic development of suburban communities.

Funding

Project 819022 is included in the 8090 family of projects in the 2023 MCES Authorized Capital Program.

Small Business Inclusion

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



METROPOLITAN COUNCIL
390 Robert Street North, Saint Paul, Minnesota 55101-1634
Phone (651) 602-100 TDD (651) 291-0904 FAX (651) 602-1550
Metro Info (651) 602-1888

RESOLUTION NO. 2023 - 20

RESOLUTION AUTHORIZING THE ACQUISITION AND CONDEMNATION OF REAL PROPERTY NECESSARY FOR METROPOLITAN COUNCIL PROJECT NO. 819022.

WHEREAS, Metropolitan Council Project No. 809205 (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 2023

Chares Zelle, Chair

Bridget Toskey, Recording Secretary