

## Transportation Committee

Meeting date: December 8, 2014

For the Metropolitan Council meeting of December 10, 2014

**Subject:** Transit Systems Development (Green Line Extension and Blue Line Extension) Rights of Entry

**District(s), Member(s):** All

**Policy/Legal Reference:** Minnesota Statutes sections 473.129 and 117.041

**Staff Prepared/Presented:** Brian J. Lamb, General Manager, 612-349-7510  
Mark W. Fuhrmann, Deputy General Manager, 651-602-1942  
Chris Beckwith, Deputy Program Manager, 651-602-1433

**Division/Department:** Metro Transit / Green Line Extension (SWLRT) Project Office and Blue Line Extension (Bottineau LRT) Project Office

### Proposed Action

That the Metropolitan Council adopt Resolution 2014-32 that authorizes access to property for survey, environmental testing, or geotechnical investigation before eminent domain proceedings in accordance with Minnesota Statutes Chapters 473 and 117.

### Background

The Southwest LRT (Green Line Extension) Project and the Bottineau LRT (Blue Line Extension) Project are currently in Project Development. During Project Development, Project staff and engineering and environmental consultants require access to certain properties along the proposed alignments for purposes of conducting survey, environmental testing and geotechnical investigations. This work is required to determine the physical characteristics of parcels expected to be required for construction of the LRT extensions.

The Project Offices have worked and will continue to work with property owners to voluntarily obtain the necessary rights of entry.

### Rationale

Entry onto properties is necessary and proper to complete the LRT design, engineering, and environmental work.

### Funding

The Projects have funding available in the Project Development budgets.

### Known Support / Opposition

No known opposition.

**METROPOLITAN COUNCIL**

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**RESOLUTION NO. 2014 – 32  
RESOLUTION AUTHORIZING ACCESS TO PROPERTIES  
METRO TRANSIT PROJECTS:  
Green Line Extension 61001 and  
Blue Line Extension 61403**

**WHEREAS**, the Council requires access to properties along the Green Line Extension and Blue Line Extension Projects for purposes of conducting survey, environmental testing and geotechnical investigations; and

**WHEREAS**, pursuant to Minnesota Statutes section 473.129, subdivision 9, when necessary and proper to the performance of its duties, the Council is authorized to enter any premises for the purpose of making any reasonably necessary or proper investigations or examinations; and

**WHEREAS**, Minnesota Statutes section 117.041 authorizes the Council to enter upon any land for the purpose of making surveys and examinations relative to any eminent domain proceedings under Minnesota Statutes Chapter 117.

**NOW, THEREFORE, BE IT RESOLVED:**

1. That access to properties along the Green Line Extension and Blue Line Extension are necessary to conduct surveys, environmental testing, and geotechnical investigations; and
2. That the Council authorizes the Green Line Extension and Blue Line Extension Project Offices to proceed with entry onto properties in accordance with Minnesota Statutes Chapters 473 and 117 in those circumstances where the respective project directors of the Green Line Extension or Blue Line Extension determine it is necessary to access specifically identified properties for the development of the project; and
3. That if entry is denied, notification and entry will be in accordance with Minnesota Statutes Chapters 473 and 117, as applicable.

Adopted this 10th day of December, 2014

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Susan Haigh, Chair

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Emily Getty, Recording Secretary