

Transportation Committee

Meeting date: January 23, 2017

For the Metropolitan Council meeting of February 8, 2017

Subject: Southwest Light Rail Transit (Green Line Extension) Initiate Condemnation on Parcels over \$1 Million

District(s), Member(s): All

Policy/Legal Reference: Minnesota Statutes 117.012 and 473.405

Staff Prepared/Presented: Brian J. Lamb, General Manager, 612-349-7510
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Division/Department: Metro Transit/ Green Line Extension LRT

Proposed Action

That the Metropolitan Council authorize the Green Line Extension LRT Project Office to initiate condemnation proceedings on the following parcels appraised at greater than \$1 million that staff is not able to acquire by negotiation:

Parcel 202 (CHCR, LLC), Parcel 413 (Kant-Sing Partnership), Parcel 414 (Liberty Property LP – OMF 1), Parcel 418 (MJTA Partners, LLC), Parcel 419 (Liberty Property LP – OMF 2), and Parcel 608 (Hasselbring Family Ltd. Partnership).

Background

The Green Line Extension LRT Project needs to acquire property rights from the above mentioned parcels to construct and operate the Green Line Extension. Acquisitions include items such as temporary easements, permanent easements, utility easements, fee title, and access control. In acquiring the property for the Project, the Project Office has followed the acquisition, condemnation, and settlement thresholds previously established in BI 2016-01 *Revised*. Efforts were made to acquire the property rights through direct purchase, however in some circumstances it is necessary to use condemnation under Minnesota Statutes 117 to acquire the property rights. The Project Office staff has made an offer to acquire the necessary property rights and is actively negotiating in good faith. Project staff will continue to negotiate in good faith even after condemnation proceedings are initiated.

Rationale

Property rights acquisitions are necessary to construct and operate the Green Line Extension LRT Project. Condemnation is a common practice used by roadway and transitway authorities in Minnesota to complete transportation projects with valid public purpose. The Council took action in November 2016 that established the Green Line Extension LRT Project as a valid public purpose project under Minnesota Statutes 117.012 and 473.405. This allows the Council to proceed with condemnation proceedings pursuant to the thresholds passed by the Council per BI 2016-01 *Revised*, on September 28, 2016.

Thrive Lens Analysis

Acquiring property rights is necessary to construct and operate the Green Line Extension that will increase the region's prosperity as it will provide access to 80,900 forecasted jobs and a new transportation option for 55,800 forecasted residents within ½ mile of the planned new stations in addition to the 145,300 forecasted jobs and 35,600 forecasted residents in downtown Minneapolis.

Funding

Property acquisition is a budgeted activity and is a project eligible expense. Funding is included in Capital Budget Amendment, item 2017-35JT.

Known Support / Opposition

MnDOT, the Green Line Extension Project's partner and staff resource, supports the process described above.