

Transportation Committee

Meeting date: July 10, 2017

For the Metropolitan Council meeting of July 26, 2017

Subject: Southwest Light Rail Transit (Green Line Extension) 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 authorizes the Green Line Extension LRT Project Office to use condemnation on the following parcels appraised at greater than \$1 million in the event that staff is not able to acquire by negotiation:

Parcel Number	Owner
211	Rosemount
302	Liberty - Golden Triangle
401	AMS
406	Real-Time Properties
424	Hopkins Tech Center
505	Pawn America
508	5501 Building Company
701	Calhoun Towers

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. The Council previously approved initiating condemnation on eight parcels during first quarter 2017. 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. The Project Office has made or in the process of making an offer 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 will make every effort 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 as 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 55,600 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, supports the process described above.