

**T** Transportation Committee  
**Meeting date: October 24, 2011**  
**Metropolitan Council Meeting: November 9, 2011**

**ADVISORY INFORMATION**

<b>Date:</b>	<b>October 13, 2011</b>
<b>Subject:</b>	<b>Central Corridor Light Rail Transit (Green Line): Initiate Eminent Domain Proceedings for the Acquisition of Parcel 7E for Civil East Construction</b>
<b>District(s), Member(s):</b>	<b>All</b>
<b>Policy/Legal Reference:</b>	<b>Minnesota Statutes Chapter 117 and M.S § 473.405 Met Council 3-3 Expenditures Policy</b>
<b>Staff Prepared/Presented:</b>	<b>Brian Lamb, General Manager, 612-349-7510 Mark Fuhrmann, Deputy Gen Mgr, 651-602-1942 Rich Rovang, CCLRT Project Director, 651-602-1941</b>
<b>Division/Department:</b>	<b>Metro Transit / Central Corridor Project Office</b>

**Proposed Action**

That the Metropolitan Council authorize the initiation of eminent domain proceedings for the acquisition of the property rights for Parcel 7E in St. Paul for the Central Corridor Light Rail Transit (CCLRT) Civil East Construction.

**Background**

Per 3-3 Expenditure Policy, the Metropolitan Council Regional Administrator authorized the Minnesota Department of Transportation (MnDOT) to make an initial offer on September 14, 2011 contingent on concurrence from the Federal Transit Administration (FTA). FTA’s concurrence was received on September 27, 2011 and an offer was subsequently made to the property owner. If the parties cannot reach a settlement with respect to the acquisition within a reasonable amount of time, the Central Corridor Project Office (CCPO) needs the authority to initiate eminent domain proceedings.

**Rationale**

The property rights to Parcel 7E must be acquired in a timely manner to enable the construction contractor to begin work in the area. This parcel is where traction power substation #10 is to be located. CCPO will continue to negotiate with the property owner, even after the initiation of eminent domain proceedings.

**Funding**

Subordinate Funding Agreement #4 with MnDOT makes funds available for the acquisition of right of way as part of the CCLRT Project.

**Known Support / Opposition**

CCPO, MnDOT, and FTA have concurred with the appraisal documents for Parcel 7E.