

# T Transportation Committee

For the Metropolitan Council meeting of November 12, 2008

## ADVISORY INFORMATION

**Date Prepared:** October 14, 2008

**Subject:** Authorization to Execute Amended Agreement with Dakota County Regional Rail Authority

### Proposed Action:

That the Metropolitan Council authorize the Regional Administrator to execute an amended agreement with Dakota County Regional Rail Authority (DCRRA) for \$5,507,350 for the final purchase of Watson's property adjacent to the Apple Valley Transit Station.

### Summary of Committee Discussion / Questions:

Council members raised questions about the final settlement figure (\$5.4 million) in light of the economy and in light of the fact that the original appraised value of the property was \$830,000 less than the settlement amount. Council staff explained that the land sales in the area supported a higher price per square foot than the original appraisal. Council staff reported that DCRRA's appraiser determined that the higher psf could be justified and that the DCRRA Board approved the settlement figure.

Council members wanted to know if the new grant amount covered the entire costs of the acquisition and if this condemnation fell under the new or the old condemnation laws. Council staff reported that the new eminent domain legislation became effective in 2006 and, as such, the condemnation would be subject to the new law. Council staff told the Council members that there were no additional costs and that the \$5,507,350 represented the entire costs for the acquisition - \$5.4 million for the land and \$107,350 for relocation.

In the future, Council members would like any previously authorized business item to be included as an attachment to the new proposed action.

Motion was made, seconded and passed.

# T Transportation Committee

**Business Item**

Item: 2008-280

**Meeting date: October 13, 2008**

**Council meeting: November 12, 2008**

## ADVISORY INFORMATION

<b>Date:</b>	October 6, 2008
<b>Subject:</b>	Authorization to Execute Amended Agreement with Dakota County Regional Rail Authority
<b>District(s), Member(s):</b>	16, Brian McDaniel
<b>Policy/Legal Reference:</b>	2008 Authorized Capital Program
<b>Staff Prepared/Presented:</b>	Arlene McCarthy, MTS Director (651-602-1754) Amy Vennewitz, Deputy Director Finance & Planning (651-602-1058) Cole Hiniker, Financial Planning Technician (651-602-1748)
<b>Division/Department:</b>	Metropolitan Transportation Services (MTS)

### Proposed Action

That the Metropolitan Council authorize the Regional Administrator to execute an amended agreement with Dakota County Regional Rail Authority (DCRRA) for \$5,507,350 for the final purchase of Watson's property adjacent to the Apple Valley Transit Station.

### Background

- In 2007, the Council entered into an agreement with DCRRA to pass-through State General Obligation (G.O.) Bonds for Cedar Avenue for the purchase of property to expand the Apple Valley Transit Station. This agreement was authorized by business item 2007-332 for the amount of \$4,570,000.
- The final purchase price was still being negotiated at the time of the original agreement and this amendment will add an additional \$937,350 to cover the final settlement amount of \$830,000 (plus the original \$4,570,000) and relocation costs of \$107,350, per DCRRA.

### Funding

The funding for these projects is included in the 2008 Authorized Capital Program. The source of funding will be State G.O. Bonds appropriated to Cedar Avenue BRT.

### Known Support / Opposition

DCCRRA staff are aware of and requested the Metropolitan Council to execute this agreement.