

For Metropolitan Council Meeting June 27, 2012

ADVISORY INFORMATION	
Date:	May 30, 2012
Subject:	Authorization to Acquire Fee Title Ownership and Permanent/Temporary Easements and File Condemnation Petitions, 1-GV-461 Relief Lift Station and Force Main, MCES Project 805700, Resolution 2012-12
District(s), Member(s):	District #6, James Brimeyer
Policy/Legal Reference:	Minnesota Statutes 473.504
Staff Prepared/Presented:	Scott Dentz 602-4503 / Bryce Pickart 602-1091
Division/Department:	MCES c/o William G. Moore 602-1162

Proposed Action

That the Metropolitan Council pass Resolution 2012-12 that authorizes acquisition of fee title ownership and permanent/temporary easements necessary for the 1-GV-461 Relief Lift Station and Force Main Project 805700; and authorizes Council legal staff to initiate condemnation proceedings for those parcels staff cannot acquire by negotiation.

Background

Additional sanitary sewer capacity is required to support growth in the communities of St. Louis Park and Golden Valley. This capacity will be provided by the construction of a lift station in the vicinity of the Golden Valley/St. Louis Park border in SE Golden Valley and the construction of a force main from that location to the discharge location on the existing Plymouth Force Main. Facility planning is complete and detailed engineering design is underway. Fee title ownership, permanent and/or temporary easements are required from several property owners to facilitate the construction scheduled to begin in April 2013.

Rationale

Land acquisition is necessary to implement the proposed interceptor improvements. This action delegates authority to staff to acquire property for the project and to use the condemnation process if necessary to ensure timely project delivery.

Funding

The project cost of \$30,000,000 is included in the 2012 Authorized Capital Program.

Known Support / Opposition

No known opposition.

METROPOLITAN COUNCIL

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RESOLUTION NO. 2012 - 12

**RESOLUTION AUTHORIZING ACQUISITION
OF FEE TITLE OWNERSHIP, PERMANENT/TEMPORARY EASEMENTS
1-GV-461 Relief Lift Station and Force Main
MCES PROJECT 805700**

WHEREAS, the Council requires acquisition of fee title ownership and permanent/temporary easements for construction of the 1-GV-461 Relief Lift Station and Force Main,

WHEREAS, the Metropolitan Council hereby finds and declares that it must acquire permanent and temporary easements for construction of the 1-GV-461 Relief Lift Station and Force Main prior to the filing of an award by the court-appointed commissioners;

NOW, THEREFORE, BE IT RESOLVED:

1. That the acquisition of fee title ownership and permanent/temporary easements identified in the 1-GV-461 Relief Lift Station and Forcemain plans and specifications is reasonably necessary and convenient for the furtherance of the construction of the project and in the judgment of the Metropolitan Council such acquisition will further the public health, safety and welfare, and be undertaken in accordance with Minnesota Statutes and the Real Property Acquisition Policy of the Metropolitan Council; and
2. That the Council hereby directs its Regional Administrator to acquire the fee title ownership and permanent/temporary easements necessary for construction of the 1-GV-461 Relief Lift Station and Force Main by negotiation; and
3. That, pursuant to Minnesota Statutes Chapter 473, the Council has the authority to acquire the property interests by eminent domain, the fee title ownership and permanent/temporary easements necessary for construction of the 1-GV-461 Relief Lift Station and Forcemain, if the property cannot be acquired by direct negotiation and that such acquisition be in accordance with the procedures authorized under Minnesota Statutes Chapters 473 and 117, including, specifically, 117.042; and
4. That the Council hereby approves and certifies that the total just compensation for the fee title ownership and permanent/temporary easements be acquired for construction of the 1-GV-461 Relief Lift Station and Force Main as indicated in the appraisals submitted to the Council.

Adopted this 27th day of June, 2012

Susan Haigh, Chair

Emily Randleman, Recording Secretary