



ADVISORY INFORMATION

Date

Prepared: November 29, 2011

Subject: **Central Corridor Light Rail Transit (Green Line): Initiate Eminent Domain Proceedings for the Acquisition of Parcel 7A for Civil East Construction**

Proposed Action:

That the Metropolitan Council authorize the initiation of eminent domain proceedings for the acquisition of the property rights for Parcel 7A, located at 152, 154 and 166 University Avenue West in St. Paul for the Central Corridor Light Rail Transit (CCLRT) Civil East Construction.

Summary of Committee Discussion / Questions:

Mark Fuhrmann gave a presentation on the item. Councilmember Elkins asked if there have been any prior eminent domain proceedings that have been settled. Fuhrmann responded that a few of the proceedings that have come before the Council have settled. The most recent example is the settlement and FTA concurrence for the property transaction with Central Presbyterian Church on Cedar Street. Outside counsel for private property owners prefer to take some of these to the full hearing and wait until after construction so all the actual impacts on the property can be determined. Councilmember Reynoso asked if we close off driveways to University Avenue, such as that in Parcel 7A, how will there be access to the properties? Fuhrmann described the alley access that remains. Discussion was held on the Greyhound property and their plans to relocate to the Union Depot site. A motion to approve the item was made by Councilmember Reynoso, seconded by Councilmember Smith, and unanimously approved. This item was approved to go to the full Council as consent.



Transportation Committee

Meeting date: November 28, 2011

Metropolitan Council Meeting: December 14, 2011

ADVISORY INFORMATION

Date:	November 17, 2011
Subject:	Central Corridor Light Rail Transit (Green Line): Initiate Eminent Domain Proceedings for the Acquisition of Parcel 7A for Civil East Construction
District(s), Member(s):	All
Policy/Legal Reference:	Minnesota Statutes Chapter 117 and M.S § 473.405 Met Council 3-3 Expenditures Policy
Staff Prepared/Presented:	Brian Lamb, General Manager, 612-349-7510 Mark Fuhrmann, Deputy Gen Mgr, 651-602-1942 Rich Rovang, CCLRT Project Director, 651-602-1941
Division/Department:	Metro Transit / Central Corridor Project Office

Proposed Action

That the Metropolitan Council authorize the initiation of eminent domain proceedings for the acquisition of the property rights for Parcel 7A, located at 152, 154 and 166 University Avenue West 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 to make an initial offer on November 9, 2011 contingent on concurrence from the Federal Transit Administration (FTA). FTA's concurrence was requested on October 26, 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 7A must be acquired in a timely manner to enable the construction contractor to begin work in the area. CCPO will continue to negotiate with the property owner, even after the initiation of eminent domain proceedings.

Funding

Subordinate Funding Agreement #4 with the Minnesota Department of Transportation (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 7A.