



Request for City Council Committee Action From the Department of Public Works

Date: May 12, 2009
To: Honorable Sandra Colvin Roy, Chair Transportation & Public Works Committee
Referral: Honorable Paul Ostrow, Chair Ways & Means Committee
Subject: **Cedar Lake Trail Authorization to Condemn Property**

Recommendation:

1. Adoption of a resolution authorizing acquisition through negotiations or condemnation of temporary construction easements and permanent easements across the parcels therein for trail and other transportation-related uses.

Previous Directives:

- Resolution 2009R-079, Approving an agreement with the Hennepin County Regional Railroad Authority ("HCRRA") for the acquisition of permanent and temporary easements for transportation purposes, and authorizing use of eminent domain proceeding.
- Council Action (March 9, 2007) Authorization to enter into negotiations or condemnation for the Cedar Lake Trail Phase III Project.
- Resolution 2006R-634, Authorization to enter into negotiations with abutting property owners for the acquisition of trail easements.
- Resolution 2006R-584, Appropriation Increase to PW- Fund (0600-943-9480) by \$1,800,000 & increasing the revenue source (0600-943-9480-3215) by \$1,800,000; and Increasing the appropriation in PW- Fund (4100-943-9470- BIK01) by \$1,800,000 and increasing the revenue source (4100-943-9470-3215) by \$1,800,000.
- Council Action (November 17, 2006), Authorization to execute a Metropolitan Council Grant Agreement (No. SG-2006-145) in the amount of \$1,800,000 for the Cedar Lake Trail.
- Resolution 2005R-658, 2006-2010 Five Year Capital Budget which included an appropriation of \$583,000 for the Cedar Lake Bike Phase 3 Project with the revenue source being Net Debt Bonds
- Resolution 2005R-661, Requesting the issuance and sale of bonds including the Cedar Lake Bike Phase 3 Project
- Resolution 2005R-075, Supporting the completion of the Cedar Lake Bike Phase to the Mississippi River • Resolution 2004R-580, 2005-2009 Five Year Capital Budget which included an appropriation of \$2,160,000 for the Cedar Lake Bike Phase 3 Project with the revenue source being Federal Government
- Council Action (September 28, 2001), Authorizing the expenditure of \$40,000 from the Commuter Bike Fund System (4100-943-9470 - Project A7002990) for a temporary the Cedar Lake Trail Phase III bike lanes alignment.
- Council Action (August 24, 2001), Recommendation that the proper City officers apply for a series of federal funds (TEA-21) including \$2,160,000 for Cedar Lake Bike Trail Phase III
- Resolution 2001R-147, Amending the 2001 Capital Improvement Appropriation Resolution which included an increase to the Cedar Lake Bike Trail of \$300,000 with the revenue source being the settlement from the Federal Reserve Bank Project Tax Increment Financing District for off-site public improvements.

- Council Action (March 2, 2001), Directing Public Works to develop a temporary bike route plan for Cedar Lake Trail Phase III due to construction delays caused by other projects in the area.
- Council Action (December 17, 1999), Authorization to enter into two easements for the Cedar Lake Bike Trail Phase III.

Prepared by: Jack Yuzna, P.E., Principal Project Engineer, 673-2415

Approved by:

Steven A. Kotke, P.E., City Engineer, Director of Public Works

Presenters: Jack Yuzna, P.E., Principal Project Engineer, Department of Public Works, Transportation Planning & Engineering Division

Reviews

Permanent Review Committee (PRC):	Approval	NA	Date
Civil Rights Affirmative Action Plan	Approval	NA	Date
Policy Review Group (PRG):	Approval	NA	Date

Financial Impact

No Financial Impact

Community Impact

Neighborhood Notification: Not Applicable
 City Goals: The city’s infrastructure will be well-maintained, people will feel safe in the city.
 Comprehensive Plan: Not Applicable
 Zoning Code: Not Applicable

Background/Supporting Information

Extension of the Cedar Lake Trail from Royalston Avenue to West River Parkway continues to be a high priority. All property acquisition for this extension of the trail is scheduled for completion this summer. Construction is expected to commence in late 2009 or early 2010. The plans have been prepared and Public Works has made offers to the affected property owners for the necessary easements to construct the trail. To assist in easement acquisitions, we have retained the service of Robert Lindall of Kennedy & Graven as outside counsel for the city’s condemnation work for the trail.

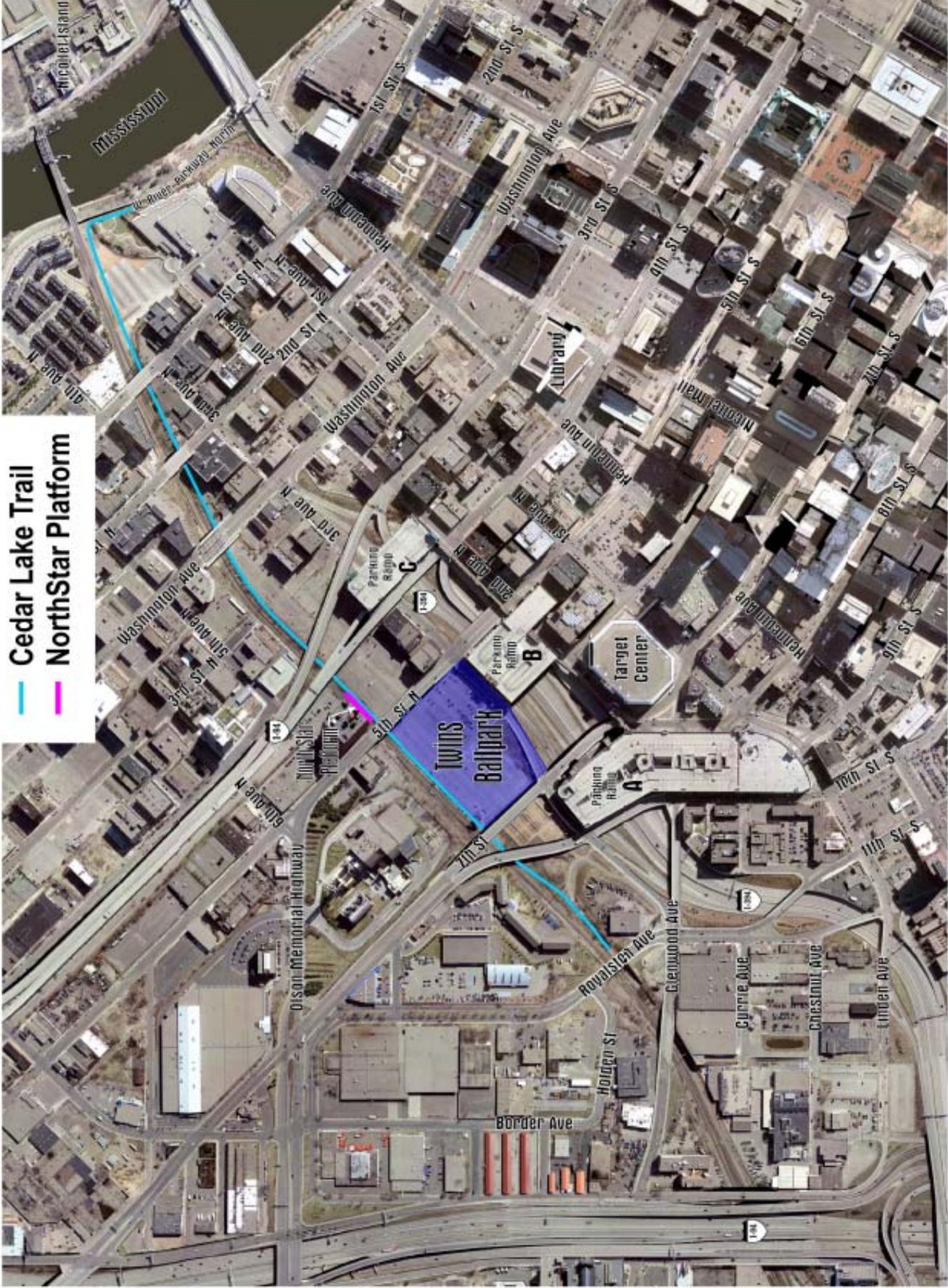
Though Public Works has been negotiating with property owners of the parcels referenced in the attached resolution, we are unsure that the acquisitions can be completed in a timely manner. Therefore, Mr. Lindall has recommended that the City Council adopt the attached resolution regarding authorization for condemnation and identifying the public purpose served by and necessity for the transportation easements. This will maintain the critical path for transfer of the property by August 2009.

Attachments Resolution
 Cedar Lake Trail map

Cc: CM Goodman, Ward 7

Cedar Lake Trail - Phase III

JUNE 11, 2008
MINNEAPOLIS PUBLIC WORKS
NORTH



— Cedar Lake Trail
— NorthStar Platform