

Business Item

Environment Committee



Committee Meeting Date: January 27, 2026

For the Metropolitan Council: February 11, 2026

Business Item: 2026-27

Interceptors 9208 and 9701 Maintenance Hole Improvements, Real Estate Property Acquisition and Condemnation

District(s), Member(s):	District 12 and 16 (Council Members Mark Jenkins and Wendy Wulff)
Policy/Legal Reference:	Policy FM 9-1, Real Estate Policy; Policy FM 14-2, Expenditures for the Procurements of Goods, Services, and Real Estate; Minn. Stat. §473.504
Staff Prepared/Presented:	Jeff Schwarz, Project Manager, 651-325-6378
Division/Department:	MCES c/o Leisa Thompson, 651-602-8101

Proposed Action

That the Metropolitan Council adopt resolution 2026-3 authorizing the acquisition and condemnation of real estate property for Interceptor 9208 and 9701 Maintenance Hole Improvements, ES Project No. 809517.

Background

Interceptors 9208 in Rosemount and Empire and 9701 in Cottage Grove were constructed through or adjacent to farm fields during the 2000s. In accordance with permanent easements acquired from property owners, most maintenance holes (MHs) were left buried roughly three feet below grade to allow continued farming after interceptor construction. To accommodate pending development and provide access now needed to inspect, clean, and repair the aging interceptor, the MHs need to be brought up to grade.

Rationale

Existing easements need to be updated for the implementation of this project. This action delegates authority to staff to use the condemnation process if necessary to ensure timely project delivery.

Thrive Lens Analysis

On February 12, 2025, the Council adopted Imagine 2050, which builds on policy direction in Thrive MSP 2040. This action advances the Thrive outcome of prosperity, investing in infrastructure needed for orderly and economic development of suburban communities.

Funding

Project 809517 is included in the 8095 family of projects in the 2026 Authorized Capital Program.

Small Business Inclusion

There are no direct impacts to small businesses with the proposed action.

METROPOLITAN COUNCIL RESOLUTION NO. 2026-3

RESOLUTION AUTHORIZING THE ACQUISITION AND CONDEMNATION OF REAL PROPERTY NECESSARY FOR METROPOLITAN COUNCIL PROJECT NO. 809517.

WHEREAS, Metropolitan Council Project No. 809517 (the “Project”) requires the acquisition of real property.

NOW, THEREFORE, BE IT RESOLVED:

1. THAT the Metropolitan Council adopt resolution 2026-3 authorizing the acquisition and condemnation of real estate property for Interceptors 9208 and 9701 Maintenance Hole Improvements, ES Project No. 809518;
2. THAT the Project is a valid public project with a valid public purpose;
3. THAT the real property needed for the Project will be more particularly identified in the Project Plans or on the Project Work Map (the “Property”);
4. THAT the Property is necessary for the Project and must be obtained before the filing of an award by the court-appointed commissioners;
5. THAT, in the judgment of the Metropolitan Council, the acquisition of the Property will further the public health, safety and welfare, and will be undertaken in accordance with Minnesota Statutes and the Real Property Acquisition Policy of the Metropolitan Council;
6. THAT, under Minnesota Statutes Section 473.504, the Metropolitan Council has the authority to acquire the Property by condemnation, and that the Council directs its attorneys to acquire the Property by condemnation if the Property cannot be acquired by direct negotiation; and
7. THAT, under Minnesota Statutes Section 473.504, the Metropolitan Council has the authority to acquire the Property by condemnation, and that the Council directs its attorneys to acquire the Property by condemnation if the Property cannot be acquired by direct negotiation; and
8. THAT the condemnation of the Property will be done in accordance with the procedures authorized under Minnesota Statutes Chapters 473 and 117.

Adopted this _____ day of _____, 2026.

Robin Hutcheson, Chair

(Ginger Fride), Recording Secretary