

Subject: City Project No. 23-2 – Oakdale Avenue Trail and Sidewalk Project and City Project No. 21-6 – Thompson Avenue Trail and Sidewalk Project

Meeting Date: April 25, 2022	
Submitted/Presented by/Department: Legal Department	
Action Type	
<input type="checkbox"/> Consent Item	<input type="checkbox"/> Discussion/Direction
<input type="checkbox"/> Public Hearing	<input type="checkbox"/> Informational Only
<input checked="" type="checkbox"/> Action/Motion	<input type="checkbox"/> Report
<input checked="" type="checkbox"/> Resolution	<input type="checkbox"/> Other: Click or tap here to enter text.
Action	
<p>Approve Resolution No. 22-___, Authorizing Easement Acquisition for City Project No. 23-2 – Oakdale Avenue Trail and Sidewalk Project and City Project No. 21-6 – Thompson Avenue Trail and Sidewalk Project.</p> <p>Approve the execution of the Memorandum of Understanding and Temporary Easement by and between St. Croix Lutheran High School Association and the City, subject to minor modification by the City Attorney, for City Project No. 23-2.</p>	
Background	
<p>On January 25, 2021, the City Council approved an agreement Dakota County for the jurisdictional transfer of a portion of County Road 6 (Thompson Avenue) between Trunk Highway 3 and Trunk Highway 52 (“Transfer Agreement”). In the Transfer Agreement, the City agreed to construct a trail along the north side of Thompson Avenue, the project now designated City Project No. 21-6 – Thompson Avenue Trail and Sidewalk Project. On May 10, 2021, the City Council approved a joint powers agreement with Dakota County in which the parties agreed to design, construct, operate and maintain a multi-use trail and sidewalk along CSAH 73 (Oakdale Avenue) between Wentworth Avenue and Butler Avenue, the project now designated City Project No. 23-2 – Oakdale Avenue Trail and Sidewalk Project. The resolution on this agenda authorizes easement acquisitions for both projects, including the use of eminent domain as necessary (i.e., when easements cannot be timely purchased through negotiation). The proposed resolution includes: (a) public purpose findings that the specific easements are reasonably necessary for the Projects; and (b) a procedure to determine the City’s approved appraised values for the acquisitions, a determination that is necessary for the City to acquire the easements before the Projects construction begins.</p> <p>Also, St. Croix Lutheran High School Association (“St. Croix Lutheran”), identified as Parcel Z in City Project No. 23-2, was previously required by City Council Resolution No. 19-22 to build/construct/pay for an 8’ trail in conjunction with the City when the City/County of Dakota had a project that included a trail on Oakdale Avenue adjacent to its property. St. Croix Lutheran is reviewing a Memorandum of Understanding and Temporary Easement, which</p>	

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would require St. Croix Lutheran to pay \$24,000.00 for its portion of the costs and grant the City a Temporary Easement for City Project No. 23-2.

FISCAL IMPACT:

The City has had the easements appraised at a total value of roughly \$556,000. That amount is a floor, not a ceiling. Owners are entitled to obtain their own appraisals (which may disagree with the City’s appraisals), and for those easements that require eminent domain, legal and expert fees to condemn the easements and adjudicate just compensation will be incurred.

City Project No. 23-2 – Oakdale Avenue Trail and Sidewalk Project is partially funded with a federal grant of \$1,785,600, with the remaining cost to be split between the County (85%) and the City (15%).

Under the jurisdictional transfer agreement, City Project No. 21-6 – Thompson Avenue Trail and Sidewalk Project is to be paid for by the County.

Attachments

Resolution No. 22-___, Authorizing Easement Acquisition for City Project No. 23-2 – Oakdale Avenue Trail and Sidewalk Project and City Project No. 21-6 – Thompson Avenue Trail and Sidewalk Project

Memorandum of Understanding

Temporary Easement for Construction Purposes

Previous Relevant Actions

Alternatives

Financial

Budgeted: Yes

No Financial Impact

Fund: Click or tap here to enter text.

Click or tap here to enter text.

Department: Click or tap here to enter text.

Account: Click or tap here to enter text.

Amount: Click or tap here to enter text.