Minneapolis
Park & Recreation Board

Resolution 2021-286

Resolution Granting Temporary Construction Easements to City of Minneapolis for Storm Sewer Project at Mill Ruins Park Located Within the Central Mississippi Riverfront Regional Park

Whereas, The Minneapolis Park and Recreation Board (MPRB) was created by the Minnesota Legislature in April 1883 and has the authority to manage and operate park facilities;

Whereas, The MPRB owns and operates Mill Ruins Park within the Central Mississippi Riverfront Regional Park in Minneapolis, Minnesota;

Whereas, The City of Minneapolis (City) operates multiple utilities and public works, including storm sewers within Minneapolis, Minnesota;

Whereas, The City owns and operates a storm sewer that outfalls at the Mississippi River in Mill Ruins Park;

Whereas, The City requires access and legal rights to renovate, maintain, use, and operate the storm sewer and outfall, a portion of both of which are located in Mill Ruins Park;

Whereas, The City has coordinated closely with MPRB staff on the investigation and negotiation of the proposed temporary easement;

Whereas, MPRB staff has requested compensation for the proposed temporary easements given the impact to regional parkland;

Whereas, The City has offered betterments as partial compensation for the proposed temporary easements; and

Whereas, This resolution is supported by the MPRB 2007-2020 Comprehensive Plan, which envisions “Dynamic parks that shape city character and meet diverse community needs;”

RESOLVED, That the Board of Commissioners grants temporary construction easements to City of Minneapolis for the storm sewer project at Mill Ruins Park located within the Central Mississippi Riverfront Regional Park; and

RESOLVED, That the President of the Board and Secretary to the Board are authorized to take all necessary administrative actions to implement this resolution.

Minneapolis
Park & Recreation Board

TO: Planning Committee

FROM: Michael Schroeder,

DATE: September 1, 2021

SUBJECT: Resolution Granting Temporary Construction Easements to City of Minneapolis for Storm Sewer Project at Mill Ruins Park Located Within the Central Mississippi Riverfront Regional Park

BACKGROUND

This action considers the granting of a temporary easement to the City of Minneapolis for work related to a storm sewer with an outfall within Mill Ruins Park within the Central Mississippi Riverfront Regional Park.

The City of Minneapolis Public Works Department (City) is constructing Central City Storm Tunnel Replacement Project (Project). Portions of tunnel walls are failing with the brick and mortar breaking and being displaced in the tunnel outlet, both of which present conditions that require attention to limit the potential for collapse. Should a collapse occur, a more significant replacement project would be needed to allow stormwater to continue to be conveyed from the Central Business District of Minneapolis. The City expects the construction of the project to span two construction seasons with the following projected schedule and impact areas.

Easement Period	*Easement Type*	*Easement Area*
Aug 23, 2021 – May 1, 2022	Winter Temporary Easement	71,253 sq ft area
May 2, 2022 – Oct 31, 2022	Summer Temporary Easement	40,740 sq ft area
Nov 1, 2022 – May 1, 2023	Winter Temporary Easement	71,253 sq ft area
May 2, 2023 – June 15, 2023	Summer Temporary Easement	40,740 sq ft area

The Project construction work includes the following:

- the building of temporary dams/weirs to empty the channel near the storm tunnel outlet;
- removal of debris and material in the channel;
- removal of the slope and sediment directly over the existing storm tunnel and outlet (extension of Chicago Avenue to the river); and
- removal of the existing brick outlet that is experiencing deformation of the arch, removal of the two older tunnels, reconstruction of a one larger tunnel, and a new outlet.

Minneapolis
Park & Recreation Board

A portion of the City's Project will impact property owned by the Minneapolis Park and Recreation Board (MPRB) in Mill Ruins Park, located within Central Mississippi Riverfront Regional Park. As a result, the City is requesting use of MPRB park land in the form of temporary construction easements. The temporary easement areas will accommodate on-site materials, construction equipment and machinery, crew shacks and vehicles for the crews to conduct their work onsite.

MPRB staff has requested compensation for the proposed temporary easements given the impact to regional park land. The temporary (construction, staging and access) easement fees total $365,217.84 The City has offered betterments as partial compensation for the proposed temporary easements totaling $332,000. The value of these betterments are proposed by the City to offset the easement fees required as compensation. Staff has reviewed the proposed betterments and believe the proposed costs are reasonable and the work is necessary and a benefit to the MPRB. The net temporary easement fee that would be owed by City is $33,217.84. Betterments proposed include:

Betterment	*Approx. Quantity*	*Projected Costs*
Asphalt Pavement Mill & Overlay	44,743 SF	$110,000
Channel Clean-out & Riprap	N/A	$195,000
Site restoration/Plantings	20 each	$27,000

Regarding the asphalt pavement, the City will provide 2-inch mill and overlay of asphalt roadway from intersection of Portland Avenue and West River Parkway, extending under the Stone Arch Bridge to, and including, the eastern parking lot. As for the channel clean-out and riprap, the area from the weir at the storm tunnel outlet to the river will have sediment and debris mucked out and new riprap installed. Per MPRB forestry staff's site visit and recommendations, the City will remove existing low-value scrub trees and replace them with (20) oaks and maples trees.

Staff review of the value of these betterments confirms they will offset the easement fees required as compensation.

Legal counsel has reviewed and approved the Temporary Construction Easement Agreement (*Attachment A*) as to form and legality.

The City plans to begin the project September 2021. Therefore, due to an issue of timing, staff requests the Board of Commissioners review and approve this action at committee and full Board at its regular meeting of August 18, 2021.

RECOMMENDATION

Minneapolis
Park & Recreation Board

Staff recommends granting temporary construction easements to the City of Minneapolis for the storm sewer project at Mill Ruins Park located within the Central Mississippi Riverfront Regional Park.

This action is supported by the following vision and goal statement in the MPRB 2007-2020 Comprehensive Plan:

Vision Theme 3: Dynamic parks shape city character and meet diverse community needs.
Goal: Focused land management supports current and future generations.

HISTORY:

08/18/21 **Planning Committee** **ADOPTED**

ATTACHMENTS:

- ATTACHMENT A - Storm Tunnel Temporary Easements Agreement - City of Minneapolis (PDF)
- ATTACHMENT B - Temporary Easement Fee Calc sheets - City of MPLS Storm Sewer Project -Mill Ruins Park (PDF)

Prepared By: Christine Downey,, Design and Project Management
Review:
Cindy Anderson Completed 08/04/2021 3:18 PM
Cliff Swenson Completed 08/05/2021 12:24 PM
Michael Schroeder Completed 08/05/2021 7:13 PM
Jennifer Ringold Completed 08/06/2021 4:22 PM
Al Bangoura Completed 08/10/2021 8:11 AM
Planning Committee Completed 08/18/2021 5:40 PM
Minneapolis Park and Recreation Board Pending 09/01/2021 5:00 PM