



Dakota County

Legislation Text

File #: DC-1518, Version: 1

DEPARTMENT: Office of the County Manager

FILE TYPE: Regular Action

TITLE

Settlement Authority For Acquisition Of Certain Property Rights Necessary For County Projects 26-54 And 63-27

PURPOSE/ACTION REQUESTED

Hold a closed executive session.

SUMMARY

The Dakota County Attorney has advised that prior to closing a County Board meeting, pursuant to the Open Meeting Law, Minn. Stat. Ch. 13D, the County Board must resolve by majority vote to close the meeting.

RECOMMENDATION

The County Manager has recommended that a closed executive session be held pursuant to attorney-client privilege during the Dakota County Board meeting of October 18, 2022, to discuss the following:

- the legal strategy of accomplishing Dakota County's acquisition of certain property rights from F Joseph Steininger and Lynn Steininger identified in Dakota County Right of Way Map No. 471 as Parcels 60 and 62 for County Projects 26-54 and 63-27.

EXPLANATION OF FISCAL/FTE IMPACTS

Fiscal impact will be discussed in closed session.

- | | | |
|--|---|--------------------------------|
| <input checked="" type="checkbox"/> None | <input type="checkbox"/> Current budget | <input type="checkbox"/> Other |
| <input type="checkbox"/> Amendment Requested | <input type="checkbox"/> New FTE(s) requested | |

RESOLUTION

WHEREAS, Dakota County (County) is proceeding with County Project (CP) 26-54 and County Project 63-27 in the Cities of Inver Grove Heights and Eagan to provide a safe and efficient transportation system; and

WHEREAS, CP 26-54 will expand approximately two miles of County State Aid Highway (CSAH) 26 (Loan Oak Road in Eagan, 70th Street in Inver Grove Heights) from Trunk Highway (TH) 55 to TH 3 from an existing two-lane roadway rural section to a four-lane divided urban roadway; and

WHEREAS, CP 63-27 will construct on a new alignment CSAH 62 (Argenta Trail) from CSAH 28 (Amana Trail) north to 65th Street and from 65th Street to old Argenta Trail (CSAH 63) to the north of CSAH 26; and

WHEREAS, to construct the recommended improvements, Dakota County must acquire certain property rights from Joseph Steininger and Lynn Steininger identified in Dakota County Right of Way Map No. 471 as Parcels 60 and 62; and

WHEREAS, on October 13, 2022, the Dakota County Attorney's Office provided a confidential memorandum to the Dakota County Board of Commissioners explaining the legal strategy for accomplishing Dakota County's acquisition of the property rights identified in Dakota County Right of Way Map No. 471 as Parcels 60 and 62; and

WHEREAS, after review of the information contained in the confidential memorandum the County Board determined a closed session discussion with the County Attorney's Office was not required prior to providing settlement direction.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Attorney's Office to proceed with settlement of the acquisition of property rights identified in Dakota County Right of Way Map No. 471 as Parcels 60 and 62 in the amount of \$286,000, with an additional \$35,000 of authority to resolve any claim for attorney fees and costs associated with litigation of these parcels.

PREVIOUS BOARD ACTION

None.

ATTACHMENTS

Attachment: None.

BOARD GOALS

- | | |
|---|--|
| <input type="checkbox"/> A Great Place to Live | <input type="checkbox"/> A Healthy Environment |
| <input type="checkbox"/> A Successful Place for Business and Jobs | <input checked="" type="checkbox"/> Excellence in Public Service |

PUBLIC ENGAGEMENT LEVEL

- | | | | |
|--|----------------------------------|----------------------------------|---|
| <input type="checkbox"/> Inform and Listen | <input type="checkbox"/> Discuss | <input type="checkbox"/> Involve | <input checked="" type="checkbox"/> N/A |
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CONTACT

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