



Legislation Text

File #: RES PH 14-220, **Version:** 1

Authorizing the diversion of parkland, and entry into a License with the State of Minnesota for installation, operation, and maintenance of a fiber optic communications cable.

WHEREAS, the City of Saint Paul ("City") is owner of Parkway property in Saint Paul identified as Summit Avenue and John Ireland Boulevard, as depicted in Exhibit A; and
WHEREAS, the State of Minnesota ("State") is requesting parkland diversion on and under the designated parkway areas along John Ireland Boulevard and Summit Avenue between the History Center and the Governor's Mansion ("Parkways"); and

WHEREAS, the State must enter into a license agreement with the City for the installation, operation and maintenance of the communications cable within the Parkways, as provided in the attached Exhibit B, a copy of which is on file in the Office of Financial Services, Real Estate Section, file number PR/91; and

WHEREAS, the placement of the communications cable within the Parkways constitutes a diversion of parkland in accordance with Section 13.01.1 of the City Charter; and

WHEREAS, the State has requested the diversion of parkland of said Parkways and has agreed to pay just compensation as determined by an independent appraisal pursuant to Section 13.01.1 of the Saint Paul City Charter; and

WHEREAS, the Saint Paul Parks and Recreation Commission recommends diversion of the Parkways, as stated in its Resolution #14-11 adopted June 11, 2014 and as shown in Exhibit C; and

WHEREAS, the City Council finds that the diversion of parkway for this purpose is in the best interests of the public; now, therefore be it

RESOLVED, that the proper city officials are hereby authorized and directed to execute said license agreement with the State for the use of the Parkways and to accept just compensation from the State; to deposit the appropriate portion of the license payment into the Parkland Replacement Fund, which is to be held in reserve for future purchase of park property as required in Chapter 13.01.1 of the City Charter; and to be fully compensated by the State for all fees required by the City to comply with its parkland diversion guidelines.