



REQUEST FOR ACTION

**Property Acquisition: Right of Entry for Parcel 32
and 33 of Link Bus Rapid Transit - Project No. J8707**

MEETING DATE:

April 20, 2026

ORIGINATING DEPT:

City Administration

AGENDA SECTION:

Consent Agenda

PRESENTER:

Ia Xiong

Action Requested:

Adopting a Resolution authorizing execution of a Right of Entry (ROE) agreement with Mayo Clinic to allow construction activities of the duct bank to begin on the St. Mary's property while the City continues the federally compliant acquisition process previously approved by the City Council.

Report Narrative:

The Rochester Link Rapid Transit Project is a proposed 2.8- mile bus rapid transit (BRT) route along 2nd St SW. Service will connect downtown Rochester, the Mayo Civic Center, Mayo Clinic campuses, and the Rochester-Olmsted Government Center. LINK will be the first BRT route in Minnesota outside the Twin Cities. The project is the first in a series of planned investments in a rapid transit network that will provide fast, frequent service across the City of Rochester, supporting City and Destination Medical Center (DMC) district transportation, economic development, and livability goals.

Construction on the Link BRT Project is underway, and in December 2024 the City Council authorized the use of eminent domain to ensure construction could proceed on schedule. Since that time, the project team has continued to advance property acquisition activities in accordance with federal and state requirements.

One of the remaining locations where property rights are needed to support construction the pedestrian tunnel and vertical circulators is the Mayo owned parcel located at the St. Marys campus. This parcel has been part of a previous acquisition effort with Mayo Clinic in order to rights for construction access and the south vertical circulator. The previous acquisition negotiations proceeded smoothly and without dispute. The current acquisition process for the remaining needed property interests to support the relocation of the medium voltage electrical duct banks is currently ongoing and continues to follow all federally compliant procedures, including appraisal, negotiation, and documentation consistent with prior Council approvals.

To maintain construction progress and avoid schedule delays, the Federal Transit Administration (FTA) has reviewed and approved the City's use of a Right of Entry (ROE) for this parcel until permanent property rights needed for relocating the electrical duct bank have been procured. The ROE provides immediate temporary legal access for the contractor to begin necessary work on the duct bank. This approach ensures the project remains in compliance with federal ROW acquisition requirements and maintains construction work momentum during the acquisition process.

The ROE does not replace or alter the acquisition itself. The City will continue to pursue voluntary and friendly settlement with the Mayo Clinic, and the project budget includes contingency funds to support

the cost of the permanent acquisition rights. If voluntary settlement cannot be reached, the City would proceed with eminent domain following all statutory processes and previous Council direction and approvals.

Approval of this ROE is necessary to keep construction on schedule and to meet federal funding and project delivery commitments.

Priorities & Foundational Principles:

Quality Services

Policy Considerations & DEI Impact:

All Engineering services and implementation of Link Rapid Transit observes the Citywide DEI Goal of Community Connection and Engagement, supporting racial and socio-economic equity for our community by creating and supporting accessible public transportation. Downtown Rochester Link Rapid Transit is consistent and supported by policies and guidance from:

Downtown Master Plan (2010);

DMC Development Plan (2014);

Rochester Transit Development Plan (2017);

Rochester 2040 Comprehensive Plan; Planning to Succeed (2018); and, Integrated Transportation Study Acceptance (2018).

Planning 2 Succeed 2025 - Rochester Comprehensive Plan 2040.

Prior Legislative Actions & Community Engagement:

February 5, 2019: DMCC - Transit Village Locations and Implementation Concept Approval.

March 4, 2019: City Council - Transit Village Locations and Implementation Concept.

October 21, 2019: City Council - Resolution supporting rapid transit on Broadway Ave with financial commitment to engineering and environmental review.

November 18, 2019: City Council - Locally Preferred Alternative (LPA) and financial commitment for project development approved.

March 16, 2020: City Council - Contract with SRF Consulting approved.

May 4, 2020: City Council – Phased Approach to the Downtown Rapid Transit Project Approved.

August 17, 2020: City Council - Submission of a Federal Transit Administration (FTA) Small Starts grant Application approved.

July 19, 2021: City Council – Contract for the inclusion of art into the Link Rapid Transit infrastructure authorized.

November 15, 2021: City Council Study Session – General Project Update.

February 7, 2022: City Council Study Session – Reviewed possible revised changes to project definition, budget, funding strategy and schedule.

February 23, 2022: City Council - Contract amendment to the professional services contract with SRF

Consulting Group, Inc. authorized. Recent Public Engagement.

April 12, 2022: Open House held at Bethel Lutheran Church.

April 19, 2022: Neighborhood walk led from Riverside Central Elementary School.

April 26, 2022: Bus tour of project corridor led from Government Center.

June 5, 2023: Professional Services Contract approved with SEH for Right of Way Land Acquisitions

September 9, 2024: City Council Meeting Additional Property & Easement Acquisitions for Link Bus Rapid Transit - Project No. J8707

December 19, 2024: Deposits for Eminent Domain in the appraised values recorded with District Court

Fiscal & Resource Impact:

The total Link Rapid Transit Right of Way Acquisition budget is \$12.24 million with \$6.37 million funded by the Federal Transit Administration (FTA) Small Starts Grant and a local share of approximately \$5.87 million coming from DMC CIP # - Project J8707.

Execution of the ROE does not require any funding. Any future permanent acquisition rights costs will be covered within the existing LinkBRT project budget and previously contingency amount.

Alternative Action(s):

No alternative actions are suggested at this time.

Prepared By:

Ia Xiong

Attachments:

[Cover Page](#)

[Map - Parcels 32 and 33 Right of Entry](#)

[Agreement - Early Access Agreement Parcel 32 and 33](#)

[Resolution - Parcel 32 and 33 Amended Acquisition](#)