

**OFFICE OF THE CITY MANAGER
DES MOINES, IOWA**

**CITY COUNCIL COMMUNICATION 96-381
SEPTEMBER 3, 1996 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
AGREEMENT WITH IDOT FOR RELOCATION OF ARMY POST ROAD AND IOWA HIGHWAY 28	◆ RESOLUTION ORDINANCE RECEIVE/FILE	WILLIAM F. FLANNERY AVIATION DIRECTOR

SYNOPSIS —

A proposed cooperative agreement between the Des Moines International Airport Board, the Des Moines City Council, and the Iowa Department of Transportation (IDOT) setting out the responsibilities of the parties for acquisition of the necessary right-of-way for the relocation of Army Post Road and Iowa Highway 28 has been prepared. The major provisions of the proposed agreement include:

- The Airport will be responsible for paying all costs and performing the work associated with the design, construction, construction inspection, and wetlands mitigation to relocate portions of Army Post Road and Iowa Highway 28 except IDOT will be responsible for the cost and performing the work associated with the design and construction of the ramps and bridges at the Relocated Iowa Highway 5/28 Interchange. (The earlier Relocated Iowa Highway 5, Pre-design Agreement permits the Airport to request other state, federal, and/or Metropolitan Planning Organization (MPO) funding if necessary.)
- The City will be responsible to provide the personnel to perform the necessary right-of-way acquisition services, and will acquire all right-of-way and access rights for the project to include the necessary deeds to transfer the new Relocated Iowa Highway 28 right-of-way to the State.
- The IDOT will reimburse the City for the right-of-way necessary for Relocated Iowa Highway 5/28 Interchange, and upon being provided the new section of Iowa Highway 28, will deed to the City the existing sections of Iowa Highway 5 (i.e., Army Post Road) and Iowa Highway 28 which are being relocated for the runway extension project.

FISCAL IMPACT —

The Airport's commitment under this agreement to relocate portions of Army Post Road and Iowa Highway 28, to accommodate the proposed extension of Runway 5-23, is currently estimated to cost \$19.3 million. The project is eligible for Noise Discretionary Funding from the Federal Airport Improvement Program. The Federal Aviation Administration (FAA) has provided a grant in the amount of \$5,194,350 to initiate the land acquisition for the project. Future grants from the Federal Airport Improvement Program are anticipated. The necessary matching funds for the project are to come from Airport revenues and/or new Airport-supported debt. The project entitled *Army Post Road Relocation Construction* is on page 27 of the recommended 1996-97/2001-02 Capital Improvements Program.

RECOMMENDATION —

Approval of the proposed cooperative agreement; authorize the Mayor to sign the agreement on behalf of the City of Des Moines.

BACKGROUND —

Construction of the Runway 5-23 extension and associated relocation of portions of Army Post Road (currently Iowa Highway 5) and Iowa Highway 28 is a necessary part of the Airport Noise Mitigation Program and has been included in the Master Plan that was approved in May 1995. The road relocations have been coordinated with the IDOT. The Iowa Highway 5 Beltway Pre-design Agreement (involving the relocation of Highway 5 by IDOT) was approved by the City Council on April 15, 1996, by Roll Call No. 96-1400, and was approved by the Des Moines International Airport Board on May 7, 1996, by Resolution No. A96-105. The Iowa Highway 5 Beltway Pre-design Agreement provides that the Airport will provide funding for the relocations of Army Post Road and Iowa Highway 28, which are needed for its runway extension project, at no cost to the IDOT. The agreement also contains a provision that the local jurisdiction shall be responsible for providing, without cost to the IDOT, all rights-of-way which involve dedicated local roads, and other local jurisdiction-owned lands except park land. Lands currently held by the Airport in the name of the City will be exempt from donation if the land was purchased with federal funding or is governed by a restrictive covenant which prohibits disposal in this manner.

The exact cost of the property needed for this project is not known at this time since the property has not yet been appraised. However, our current estimates show that there is almost \$8 million worth of property which must be acquired for this project including both the land for the relocation portions of Army Post Road and Iowa Highway 28 and the 3200-foot extension of Runway 5-23.

On June 3, 1996, by Roll Call No. 96-2091, the City Council authorized the submission of a grant application in the amount of \$5,194,350 to initiate purchase of land for the project. The Mayor subsequently signed the grant agreement on June 14, 1996. On July 2, 1996, by Resolution No. A96-150, the Airport Board recommended that the City Council authorize acquisition of property necessary to extend Runway 5-23 and to relocate portions of Army Post Road and Iowa Highway 28 as necessary. On July 15, 1996, by Roll Call No. 96-2472, the City Council authorized the City Manager to acquire by purchase, gift, eminent domain, or condemnation the necessary land, right-of-way, and easements for the Runway 5-23 extension to include the relocations of Army Post Road and Iowa Highway 28.

The Airport Board is scheduled to consider the approval of this proposed agreement at a special meeting scheduled for 8 AM on September 3, 1996.