

**CITY COUNCIL  
COMMUNICATION:**

**ITEM \_\_\_\_\_**

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

**99-445**

**SYNOPSIS -**

**AGENDA:**

OCTOBER 4, 1999

**SUBJECT:**

UTILITY  
RELOCATION  
AGREEMENT WITH  
MIDAMERICAN  
ENERGY COMPANY  
- MARTIN LUTHER  
KING, JR. PROJECT

On May 17, 1999, by Roll Call No. 99-1483, Council authorized the City Manager to negotiate and execute a Relocation Agreement with MidAmerican Energy Company to relocate its double circuit 161 kV/69 kV electric transmission line and an existing 69 kV line with distribution underbuild which currently exists along Market Street from SW 16th Street to 2nd Avenue. This line would be relocated to accommodate the proposed Martin Luther King, Jr. Parkway mainline paving.

**FISCAL IMPACT -**

**TYPE:**

**RESOLUTION**  
ORDINANCE  
RECEIVE/FILE

The City will pay for relocating portions of the 16th and Wabash substation which is presently located within a MidAmerican Energy Company owned utility easement and not within a City street right-of-way. This is a project eligible expense which qualifies for relocation benefits under applicable law. The estimated cost for this relocation is \$109,000.

**SUBMITTED BY:**

FLOYD BENTZ, P.E.  
CITY ENGINEER

MidAmerican Energy Company will reimburse the City for any utility line easements acquired on their behalf on properties owned or acquired by the City. This will be revenue to the Martin Luther King, Jr. Parkway project.

Necessary funding for any reimbursement to MidAmerican Energy Company is provided for in the Approved 1999-2000 Capital Improvements Budget, Martin Luther King, Jr. Parkway - East/West Segment, Index Code 383943.

**RECOMMENDATION -**

**Approval of Utility Relocation Agreement with  
MidAmerican Energy Company.**

## **BACKGROUND -**

On May 17, 1999, by Roll Call No. 99-1483, Council authorized the City Manager to negotiate a Relocation Agreement with MidAmerican Energy Company for relocation of its transmission line along the alignment of the proposed Martin Luther King, Jr. Parkway from 2nd Avenue to SW 16th Street. The proposed agreement specifies that the City and MidAmerican Energy Company use their best joint efforts to procure such property rights as required to relocate these transmission lines. If the City is acquiring an entire parcel for the highway project and a relocated transmission line right-of-way is situated entirely within the parcel, the City will grant MidAmerican Energy Company a 60-foot wide easement. If the City is acquiring a strip of property for the project, the City will grant MidAmerican Energy Company an easement over the strip that it acquires. If MidAmerican Energy Company advises the City that it requires additional rights-of-way which abuts a strip of property that the City is acquiring for the highway project, the City shall use its best efforts to conduct all negotiations with the landowner on behalf of MidAmerican Energy Company for the acquisition of additional easements. If the relocated transmission lines are to be on property that is not being purchased in whole or in part by the City, MidAmerican Energy Company will negotiate and procure necessary rights-of-way without assistance of the City.

MidAmerican Energy Company agrees to pay to the City, for each easement acquired, the Fair Market Value of the easements acquired by the City on behalf of MidAmerican Energy Company or the just compensation actually paid, whichever is greater.

Actual costs to relocate these transmission lines will be paid by MidAmerican Energy Company. This does not include portions of the 16th and Wabash substation which are presently located within a MidAmerican Energy Company owned utility easement and portions not within a City or alley right-of-way, which qualify for relocation benefits under applicable law and regulation. In this case, the City agrees to pay relocation benefits to MidAmerican Energy Company which it is entitled to receive under applicable law and regulation and is a project eligible expense.

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