

**CITY COUNCIL  
COMMUNICATION:**

**03-232**

**AGENDA:**

MAY 19, 2003

**SUBJECT:**

AUTHORIZATION TO  
SET PUBLIC HEARING  
DATE, MAIL AND  
PUBLISH A NOTICE  
OF INTENT TO  
COMMENCE A PUBLIC  
IMPROVEMENT  
PROJECT AND  
ACQUIRE LAND FOR  
THE PROJECT—  
SOUTHEAST RIDGE  
TRUNK SANITARY  
SEWER

**TYPE:**

**RESOLUTION**

ORDINANCE  
RECEIVE/FILE

**SUBMITTED BY:**

JEB E. BREWER, P.E.  
CITY ENGINEER

WILLIAM G. STOWE  
PUBLIC WORKS  
DIRECTOR

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

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

**SYNOPSIS —**

Resolution to set date of public hearing and authorize mailing and publication of Notice of Intent to Commence a Public Improvement Project to Construct—Southeast Ridge Trunk Sanitary Sewer, and to acquire agricultural land for the project.

**FISCAL IMPACT —**

Right-of-way costs are unknown at this time; however, funds are included in the Southeast Ridge Trunk Sanitary Sewer - Page 24, Sanitary Sewer Improvements of 2003-04/2008-09 Capital Improvement Program (CIP), Index Code 372961, Account 544020, Fund EN104, Organization ENG990000, Project SAE120, Activity ID 01-2003-019.

**RECOMMENDATION —**

**Set a public hearing date and authorize mailing and publication of the Notice of Intent to Commence a Public Improvement Project to Construct—Southeast Ridge Trunk Sanitary Sewer, and to acquire agricultural land for the project.**

**BACKGROUND —**

On January 6, 2003, by Roll Call No. 03-010, the City Council authorized the City Manager to proceed with the design process on the Southeast Ridge Trunk Sanitary Sewer project.

On April 17, 2003, by Roll Call No. 03-716, the City Council approved an agreement with Snyder & Associates, Inc., which allows for the design associated with the construction of the Southeast Trunk Sanitary Sewer system that will provide sanitary sewer service to an area in Warren County; and includes: Phase 1 final detailed design from the existing pump station on the south side of Highway 5 near the SE 20<sup>th</sup> Street alignment south to the property annexed on March 24, 2003 under Roll Call No. 03-668/669 owned by the Charles I. Colby and Ruth Colby Investment Trust, and also includes planning for the remainder of the Southeast Ridge Trunk Area being east and north to near East Payton Avenue and Highway 65 (i.e., Phase 2 area). Detailed design for the Phase 2 area will be done by separate agreement at a later date. This trunk sewer will allow the area to develop at the densities required to make the area an asset and to provide for the growth that is projected associated with the relocation of Highway 65/69. A trunk sewer connection fee district will be presented for Council approval,

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before the Council awards the contract for Phase 1 construction, which would provide for the future collection of fees.

Under the provisions of Chapter 6B of the Iowa Code, a governmental body which proposes to acquire agricultural land under power of eminent domain for a public improvement project is required to give notice of intent to commence the project to all owners of such agricultural land whose properties may be acquired in whole or in part for the project (see Sections 6A.21(a) and 6B.2A of the Iowa Code). The preliminary sewer corridor has been established. This roll call sets a public hearing date and authorizes mailing and publication of Notice of Intent to Commence with the Southeast Ridge Trunk Sanitary Sewer project and to acquire agricultural land for the project. This will allow staff and the consultant to proceed with design within the preliminary corridor and allow input from the affected property owners to ultimately determine the final alignment of the proposed sewer. Once the proposed sewer alignment is determined, parcels can be identified where easements will be needed. Before any easements are acquired, a request will be brought before the City Council authorizing acquisition of each easement and the associated cost for each easement.

