



Agenda Item:

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## **COUNCIL COMMUNICATION City Manager's Office**

### **GENERAL INFORMATION**

Agenda Date: November 21, 2005  
666

Communication No.: 05-

Agenda Item Type: Resolution

Roll Call No.:

Submitted by: Jeb E. Brewer, P.E., City Engineer  
William G. Stowe, Assistant City Manager/Public Works/Engineering

### **SUBJECT—**

Approving Chapter 28E Agreement between and among the Des Moines Metropolitan Wastewater Reclamation Authority (WRA), the City of Des Moines, and MidAmerican Energy Company for Joint Construction of (1) Stage 2 of the Des Moines River Outfall & Overflow Sewer, (2) Certain Principal Riverwalk Improvements, and (3) a MidAmerican Energy Company Electrical Duct Bank along the West bank of the Des Moines River.

### **SYNOPSIS—**

Approve an agreement that provides for the following:

- Construction of sheetpile walls that will be permanently used as part of the Principal Riverwalk and construction of an electrical duct bank as part of the Des Moines River Outfall & Overflow Sewer project.
- Permanent and temporary easements needed for the construction of the WRA sewer on City property and rights-of-way, WRA sewer on MidAmerican property, MidAmerican Transmission lines on City property, Subordinate easement for the MidAmerican transmission lines over and under the WRA sewer.
- Conveyance of vacated Watson Powell Drive between Grand and 2<sup>nd</sup> Avenue to MidAmerican Energy, subject to permanent easements for utilities and a deed restriction that limits the use of the property to open space and recreational purposes for the use of the general public.

### **FISCAL IMPACT—**

Funding of estimated construction costs of \$596,346.05 and applicable administrative fees will be paid from proposed Vision Iowa/Principal Life Insurance Company funds as part of the Principal Riverwalk project through the City of Des Moines Riverwalk CIP Fund CP040, PKS990000, PKS162

## **RECOMMENDATION—**

Approval

## **BACKGROUND—**

On March 22, 2004 by Roll Call 04-599 the City Council approved the Design Agreement with the US Army Corps of Engineers for the Principal Riverwalk. As part of the Design Agreement, the Corps has provided the design of Riverwalk Project components, including the permanent floodwall for the

Riverwalk Project. The permanent floodwall includes sheet piling that is to be placed as part of the WRA's Des Moines River Outfall and Overflow Sewer. The cost of the sheet piling is shared with the WRA since the wall is needed to serve as the interim line of flood protection during construction of the sewer. The sheet pile cost is being shared based on the benefit to the respective projects, including consideration for leaving the sheet piling in place versus potential salvage value. The Principal Riverwalk project costs that are included in the WRA construction project include 56.1% of the sheet piling cost and 100% of the sheet piling abutment joints and grading that is being done for the Principal Riverwalk.

MidAmerican Energy (MidAm) presently operates and maintains two direct-buried 69,000 volt electrical transmission circuits on City riverfront property, immediately adjacent to and parallel with the concrete balustrades at river's edge. The circuits feed MidAm's River Hills Energy Center at the intersection of 2nd Avenue and Watson Powell Drive. These transmission circuits are approximately 35 years old and nearing the end of their useful life. MidAm has proposed construction of a new duct bank and other related electric cable and equipment to replace the existing circuits. A portion of the duct bank between Court Avenue and Grand Avenue will be constructed above the Des Moines River Outfall & Overflow Sewer as part of the WRA project. The 28E Agreement provides for the conveyance of the necessary property interests by the City, the WRA, and MidAm to accommodate the construction and future operation and maintenance of the Outfall & Overflow Sewer, the duct bank and other related electric cable and equipment and the Principal Riverwalk Improvements. After completion of the MidAm duct bank in late 2007, the temporary lines along the Des Moines River will be removed.

By Roll Call 05-1385 on June 6, 2005, City Council provided a conditional approval of the vacation of Watson Powell between 2<sup>nd</sup> Avenue and Grand Avenue. The City Council initiated this action since the Des Moines River Outfall & Overflow Sewer was planned to remove the street. Conveyance of vacated Watson Powell Drive between Grand and 2<sup>nd</sup> Avenue to MidAm is subject to permanent easements for utilities and a deed restriction that limits the use of the property to open space and recreational purposes for the use of the general public. As part of the Principal Riverwalk, this area is proposed to be the Hansen Company Triangle. Principal Financial is coordinating the Hansen Company Triangle project with MidAm. Construction of the plaza is planned to begin in 2007, following the sewer construction in this area.