



**Council  
Communication**  
Office of the City Manager

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| <b>Date</b>              | May 22, 2006                                 |
| <b>Agenda Item No.</b>   | <b>59</b>                                    |
| <b>Roll Call No.</b>     | <b><u>06-</u></b>                            |
| <b>Communication No.</b> | <b><u>06-311</u></b>                         |
| <b>Submitted by:</b>     | <b>Jeb E. Brewer, P.E.<br/>City Engineer</b> |

**AGENDA HEADING:**

Approving and authorizing the execution of the N.E. 56<sup>th</sup> Street Reconstruction Project from 8<sup>th</sup> Street, S.W. in Altoona to Highway 163 in Pleasant Hill Chapter 28E Agreement by and between the City of Des Moines, Iowa and Polk County.

**SYNOPSIS:**

Recommend approval and authorization of the execution of a Chapter 28E Agreement by and between the City of Des Moines and Polk County for the N.E. 56<sup>th</sup> Street Reconstruction Project from 8<sup>th</sup> Street, S.W. in Altoona to Highway 163 in Pleasant Hill. Polk County has developed this project to provide increased traffic capacity and improve safety in this rapidly developing area. A portion of the N.E. 56<sup>th</sup> Street Reconstruction Project is located within the area included in the involuntary annexation petition by the City of Des Moines and should be paid by Des Moines only if the annexation is successful.

**FISCAL IMPACT:**

Amount: \$600,000

Funding Source: This project is not included in the adopted Capital Improvements Program, since Polk County had previously initiated the project prior to the current annexation. Funding will be programmed in the Street Improvements Section of the 2008-09 Capital Improvement Program if City Council approves this agreement. The City will not have any financial obligation if the proposed annexation is unsuccessful.

**ADDITIONAL INFORMATION:**

Polk County has proposed a project to reconstruct N.E. 56<sup>th</sup> Street from 8<sup>th</sup> Street, S.W. in Altoona to Highway 163 in Pleasant Hill. The project will widen the existing two-lane roadway to provide a three-lane or five-lane roadway section depending on location and capacity needs. A portion of the N.E. 56<sup>th</sup> Street Reconstruction Project from N.E. 38<sup>th</sup> Avenue (E. Douglas Avenue) to N.E. Oak Hill Drive, is located within the area that is included in the involuntary annexation petition by the City of Des Moines. Polk County, the City of Altoona, and the City of Pleasant Hill had agreed to the terms of this project under a separate agreement prior to the Des Moines annexation. This agreement provides for the City of Des

Moines to pay its share of the project costs. The agreement includes a provision that if the involuntary annexation by the City of Des Moines, which is currently on appeal, is not successful, Polk County shall pay that part of the project costs for the roadway that will not be annexed by Des Moines.

The total estimated cost of these improvements is approximately \$5,950,000 which includes the cost of all construction and right-of-way acquisition. The project currently includes \$1,020,000 in Federal SAFTEA-LU funds and \$1,166,027 in Federal Surface Transportation Funds from the Des Moines Area Metropolitan Planning Organization, which will be formalized by a separate Federal funding agreement between Polk County and the Iowa Department of Transportation. Costs for this project shall be shared in a manner with the proposed contributions by each entity based on jurisdictional costs after Federal funding is subtracted from the overall project costs. The City of Des Moines' share of the project costs is estimated to be \$600,000 for the proposed annexation area. Should additional Federal funds be obtained for this project after this agreement is finalized and prior to project letting, these funds will be allocated to the project in the same manner as detailed above. This project is not included in the adopted Capital Improvements Program, since Polk County had previously initiated the project prior to the current annexation. Funding will be programmed in the Street Improvements section of the 2008-09 Capital Improvement Program if City Council approves this agreement. The City will not have any financial obligation if the proposed annexation is unsuccessful.

**PREVIOUS COUNCIL ACTION(S): NONE**

Date: NA

Roll Call Number: NA

Action: NA

**BOARD/COMMISSION ACTION(S): NONE**

Date: NA

Roll Call Number: NA

Action: NA

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:**

Inclusion of project in future Capital Improvements Program.