



**Council
Communication**
Office of the City Manager

Date

October 23, 2006

Agenda Item No. 18A & B
Roll Call No. 06-
Communication No. 06-674
Submitted by: **Jeb E. Brewer, P.E.,**
City Engineer

AGENDA HEADING:

Approve and Accept Real Estate Documents from the Union Pacific Railroad Company at Various Locations for the Flood Protection System Improvements Project.

SYNOPSIS:

Recommend approval and acceptance of real estate documents from the Union Pacific Railroad Company, (J. R. Young, President, 1400 Douglas Street, Omaha, NE 68179). This action is required to authorize closing of the necessary property interests required from the Union Pacific Railroad Company for this flood project.

FISCAL IMPACT:

Amount: \$21,380

Funding Source: 2006-07 CIP, Storm Water Improvements, Flood Protection System Improvements, Page 11, FLD008 (65% federal funds).

ADDITIONAL INFORMATION:

Several railroad lines along the Des Moines and Raccoon Rivers in the downtown area have been abandoned recently. These railroad lines cross through the federal levee system. During times of high water levels, Public Works crews are required to place temporary closures at the crossings to fortify the line of protection and prevent flooding in the downtown area. A project will be built to close these openings with permanent earthen fill. The property is required for the earthen fill to remain permanently. This action will allow Public Works crews to attend to other activities during emergency flood operations.

Union Pacific Railroad Company has agreed to convey the necessary property interests for this project at the estimated fair market value of \$21,380, as part of a "global" settlement involving the American Discovery Trail – Riverpoint Segment and Southwest Connector Projects on the October 23, 2006 agenda.

PREVIOUS COUNCIL ACTION(S):

Date: September 27, 2004

Roll Call Number: 04-1993

Action: Authorization to proceed with federal levee improvements consisting of four (4) closures in the levee system along the Des Moines and Raccoon Rivers in the downtown area. ([Council Communication No. 04-467](#)) Moved by Hensley to adopt. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE