



# Council Communication

Office of the City Manager

Date

August 6, 2007

Agenda Item No. 18  
Roll Call No. 07-  
Communication No. 07-483  
Submitted by: Jeb E. Brewer, P.E.,  
City Engineer

## AGENDA HEADING:

Authorization to proceed with acquisition of the necessary right-of-way and easements for the Dean's Lake Pump Station Improvements Project by gift, negotiation, or condemnation.

## SYNOPSIS:

Recommend authorization to acquire necessary right-of-way and easements for the above project. This action is required by Iowa law before the City can initiate the acquisition of required property interests under eminent domain. The Dean's Lake Pump Station Improvements project provides for construction of a storm water pumping station in the Dean's Lake Watershed at the levee outlet to the Des Moines River as recommended in the Dean's Lake Flood Control Study, as well as spot improvements within the basin to replace and upgrade street culverts and other flow restrictions. These improvements will mitigate flooding particularly in the Maury Street area.

## FISCAL IMPACT:

Amount: \$1,200,000 estimated for right-of-way acquisition

Funding Source: 2007-08 CIP, Storm Water Improvements, Dean's Lake Pump Station Improvements, STE080, Page Storm Water Improvements – 8, Storm Water Revenue Bonds.

## ADDITIONAL INFORMATION:

The Dean's Lake Pump Station Improvements project provides for construction of a storm water pumping station in the Dean's Lake Watershed at the levee outlet to the Des Moines River as recommended in the Dean's Lake Flood Control Study, as well as spot improvements within the basin to replace and upgrade street culverts and other flow restrictions. Improvements are needed at various locations within the Dean's Lake System to eliminate storm water flow restrictions, thereby allowing the storm water to reach the new pump station without flooding at the current restriction points. Additional right-of-way and easements are required to construct these various spot improvements within the basin. In addition, the City will acquire flowage easements in areas that will continue to flood, even after these improvements are completed, to prevent further development in these areas. The project also includes construction of a permanent pump station that will provide an outlet from the Dean's Lake Watershed into the Des Moines River when the river is in flood stage, thus eliminating the need to install and operate three temporary portable pumps. These portable pumps barely meet the current flows, especially in a large storm event.

The fair market value of all property interests to be acquired will be submitted to the City Council for approval, or the City Manager, in accordance with established City policy. Negotiations for all property interests will be conducted in accordance with the guidelines of 49 CFR Part 24 of the Uniform Relocation and Real Property Acquisition Act, as revised, including relocation assistance, if necessary.

**PREVIOUS COUNCIL ACTION(S):**

Date: February 26, 2007

Roll Call Number: 07-323

Action: Approving Professional Services Agreements with Howard R. Green for the following: (B) [Design](#) and Construction Phase Services for Dean's Lake Pump Station Improvements, \$520,000. ([Council Communication No. 07-115](#)) Moved by Hensley to adopt. Motion Carried 6-1.

Date: October 9, 2006

Roll Call Number: 06-1953

Action: Approving issuance of Request for Proposal on design and construction phase services for Dean's Lake Pump Station Improvements. ([Council Communication No. 06-629](#)) Moved by Vlassis to adopt. Motion Carried 6-0.

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

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:**

Establish Fair Market Value and Acceptance of Real Estate Documents