

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date: January 28, 2013
	Agenda Item No. 45 Roll Call No. <u>13-0143</u> Communication No. <u>13-024</u> Submitted by: Jeb E. Brewer, P.E., City Engineer

AGENDA HEADING:

Approval of Reimbursement Agreement and Right-of-Way Agreement between MidAmerican Energy Company (MidAmerican) and City of Des Moines for relocation of overhead electric lines for the Southeast Connector Project.

SYNOPSIS:

Recommend approval of the Reimbursement Agreement and Right-of-Way Agreement with MidAmerican for the relocation of overhead electric transmission lines to accommodate construction of the Southeast Connector over the Norfolk Southern Railway at approximately S.E. 22nd Street, north of Scott Avenue.

FISCAL IMPACT:

Amount: \$185,000 (estimated)

Funding Source: 2012-2013 CIP – Page Street – 36, Southeast Connector – S.E. 14th Street to S.E. 30th Street, STR249, \$92,500 G.O. Bonds, and \$92,500 RISE.

ADDITIONAL INFORMATION:

MidAmerican has a license agreement with Norfolk Southern Railway Company for operation and maintenance of overhead electric lines within railroad right-of-way in the vicinity of S.E. 22nd Street and Scott Avenue. The Southeast Connector includes construction of a bridge over the Norfolk Southern Railway that is in conflict with the existing MidAmerican overhead electric lines. The relocated electric lines will be approximately 24-feet above the Southeast Connector roadway. MidAmerican will be placing poles within the City’s right-of-way. The poles are located more than fifty feet from the roadway.

MidAmerican has agreed to enter into the Reimbursement Agreement with the City which includes relocation of the electric lines in exchange for the Right-of-Way Agreement at no cost to MidAmerican and compensation for the relocation of electric lines. Compensation will be based on actual costs, not to exceed \$185,000.

PREVIOUS COUNCIL ACTION(S):

Date: January 14, 2013

Roll Call Number: [13-0027](#)

Action: [On](#) conveyance of a right-of-way agreement to MidAmerican Energy Company for relocation of overhead electric lines for the SE Connector Project, \$1, (1-28-13). Moved by Moore to adopt. Motion Carried 7-0.

Date: December 17, 2012

Roll Call Number: [12-1913](#)

Action: [Approving](#) Norfolk Southern Railway Company Construction and Flagging Agreement for the Southeast Connector Project. ([Council Communication No. 12-628](#)). Moved by Hensley to adopt. Motion Carried 7-0.

Date: August 27, 2012

Roll Call Number: [12-1328](#)

Action: [Approving](#) the execution of Department of Transportation Conditional and Preliminary Term Sheet for the TIGER Discretionary Grant. ([Council Communication No. 12-450](#)). Moved by Coleman to adopt. Motion Carried 7-0.

Date: November 21, 2011

Roll Call Number: [11-1939](#)

Action: [Approving](#) Iowa Department of Transportation (IDOT) RISE Agreement. ([Council Communication No. 11-711](#)). Moved by Meyer to adopt. Motion Carried 7-0.

Date: October 25, 2010

Roll Call Number: [10-1786](#)

Action: [Authorization](#) to proceed with acquisition of necessary right-of-way and easements for the SE Connector – SE 14th Street to SE 30th Street. ([Council Communication No. 10-636](#)). Moved by Meyer to adopt. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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