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|  <p style="text-align: center;"><b>Council<br/>Communication</b><br/>Office of the City Manager</p> | <b>Date:</b>             | February 23, 2015                                 |
|  | <b>Agenda Item No.</b>   | <b>5D</b>   |
|  | <b>Roll Call No.</b>     | <b><u>15-0279</u></b>                             |
|  | <b>Communication No.</b> | <b><u>15-087</u></b>                              |
|  | <b>Submitted by:</b>     | <b>Pamela S. Cooksey,<br/>P.E., City Engineer</b> |

**AGENDA HEADING:**

Ordering construction of the following: S.E. 34th Street/S.E. 36th Street Roadway Improvements at UPRR - Receiving bids, (3-10-15), and Setting date of hearing, (3-23-15). Construction Estimate - \$690,000.

**SYNOPSIS:**

Recommend the City Council proceed with construction of this improvement and set dates to receive bids and hold a public hearing, as required by Iowa Code, utilizing the method of financing referenced below. This project will construct roadway improvements to mitigate for the closing of the Union Pacific Railroad crossing on S.E. 34th Street immediately south of Laurel Hill Road, including a new access roadway.

**FISCAL IMPACT:**

Amount: \$690,000 City Engineer's Estimate

Funding Source: 2014-2015 CIP, Page Street - 44, UPRR Crossing Closures Mitigation, ST253, Being: \$10,000, Des Moines Water Works reimbursement; and the remaining \$680,000, Union Pacific Railroad funds, ST253.

**ADDITIONAL INFORMATION:**

The Engineering Department has prepared plans, specifications, form of contract documents, and City Engineer's estimate for the construction of the S.E. 34th Street/S.E. 36th Street Roadway Improvements at UPRR, 06-2014-004. The improvement includes constructing a Hot Mix Asphalt (HMA) overlay, full depth HMA paving, full depth Portland Cement Concrete (PCC) paving, storm sewer modifications, restoration, and other incidental items; all in accordance with the contract documents, including Plan File Nos. 566-067/120, on Laurel Hill Road from S.E. 34th Street to S.E. 36th Street, on S.E. 34th Street from Laurel Hill Road to 393 feet south of Laurel Hill Road, on S.E. 35th Street from Scott Avenue to 700 feet north of Scott Avenue and on a new street connecting S.E. 35th Street and S.E. 36th Street along the south side of the Union Pacific Railroad property in Des Moines, Iowa.

The estimated construction cost is \$690,000. The proposed plans, specifications, and form of contract documents are available for public inspection in the Des Moines City Engineer's Office.



**PREVIOUS COUNCIL ACTION(S):**

Date: September 23, 2013

Roll Call Number: [13-1508](#)

Action: Items regarding the Union Pacific Crossing Closures Mitigation Project:

- (A) Vacation of three segments of street right-of-way for railroad crossing closures at the Hull Avenue, Scott Avenue and SE 34<sup>th</sup> Street crossings, and approving agreement with the Union Pacific Railroad Company for the Union Pacific Crossing Closure Mitigation Project and authorization to proceed with acquisition of the necessary right-of-way and easements required for the project by gift, negotiation or eminent domain. ([Council Communication No. 13-486](#)) Moved by Mahaffey to adopt. Motion Carried 4-2-1. Nays: Meyer and Moore. Absent: Cownie.

Date: August 26, 2013

Roll Call Number: [13-1349](#)

Action: [On](#) vacation of three segments of street right-of-way for railroad crossing closures at the Hull Avenue, Scott Avenue and SE 34th Street crossings. ([Council Communication No. 13-444](#)) Moved by Mahaffey that this ordinance be considered and given second vote for passage, and that this ordinance be submitted for third consideration at the City Council meeting scheduled for September 23, 2013. Motion Carried 5-2. Nays: Meyer and Moore.

Date: April 8, 2013

Roll Call Number: [13-0578](#) and [13-0579](#)

Action: [Approving](#) preliminary terms of agreement with Union Pacific Railroad for the vacation of three (3) segments of street right-of-way at the Hull Avenue, Scott Avenue and SE 34th Street crossings. ([Council Communication No. 13-165](#)) Moved by Mahaffey to adopt; refer to the City Manager to continue to work on the terms of the agreement with the residents, businesses and the UPRR. Motion Carried 5-2. Nays: Meyer and Moore.

- (A) [Setting](#) date of hearing on vacation of three (3) segments of street right-of-way for railroad crossing closures at the Hull Avenue, Scott Avenue and SE 34<sup>th</sup> Street crossings, (6-10-13). Moved by Mahaffey to adopt. Motion Carried 7-0.

Date: January 28, 2013

Roll Call Number: [13-0166](#)

Action: [Receive](#) and file Plan and Zoning Commission recommendation regarding request from Union Pacific Railroad to vacate the following four (4) segments of street right-of-way where the railroad right-of-way intersects, subject to conditions: ([Council Communication No. 13-040](#)). Moved by Mahaffey to receive and file. Motion Carried 6-1. Nays: Meyer.

- (A) Hull Avenue between Delaware Avenue and Dixon Street.  
(B) Scott Avenue between S.E. 20th Street and S.E. 22nd Street.  
(C) S.E. 34th Street between Scott Avenue and E. Court Avenue.  
(D) S.E. 36th Street at a point north of Scott Avenue.

#### **BOARD/COMMISSION ACTION(S):**

Board: Plan and Zoning Commission

Date: January 3, 2013

Resolution Number: N/A

Action: A motion to approve the requested vacation of public right-of-ways failed by a vote of 5-8. No further motions were made.

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:**

Anticipated actions include public hearing, receive and file bids, designate lowest bidder, and approve contract and bond; also partial payments to the contractor and final acceptance of work.

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