


COUNCIL COMMUNICATION

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|  | Number: | 21-002 | Meeting: | January 11, 2021 |
| | Agenda Item: | 36 | Roll Call: | 21-45 |
| | Submitted by: | Steven L. Naber, P.E., City Engineer | | |

AGENDA HEADING:

Hold hearing for approval of documents for vacation of a portion of alley right-of-way, Garver Street and Southeast 16th Street right-of-way located north of East Railroad Avenue, and conveyance of said vacated right-of-way and the intervening excess City property to MidAmerican Energy Company for \$135,500.

SYNOPSIS:

Recommend approval of vacation of a portion of alley right-of-way, Garver Street and Southeast 16th Street right-of-way located north of East Railroad Avenue, and conveyance of said vacated right-of-way and the intervening excess City property to MidAmerican Energy Company for \$135,500, subject to the following:

1. Reservation of any existing utilities until such time that they are abandoned or relocated at the applicant's expense.
2. Any major utility and public service facility use on the proposed vacation shall be in accordance with a Conditional Use Approval as granted by the Board of Adjustment.
3. Any construction on the proposed vacation shall be in accordance with all administrative comments as part of the Site Plan review.

The vacation and sale of this right-of-way and excess City property will allow MidAmerican Energy Company to develop a new electric substation that will primarily serve the increased load requirement of the future development within the City's East Village and the Market District neighborhoods. This action is required by Iowa law prior to making a final determination on the proposed sale by resolution.

FISCAL IMPACT:

Amount: \$135,500 (Revenue)

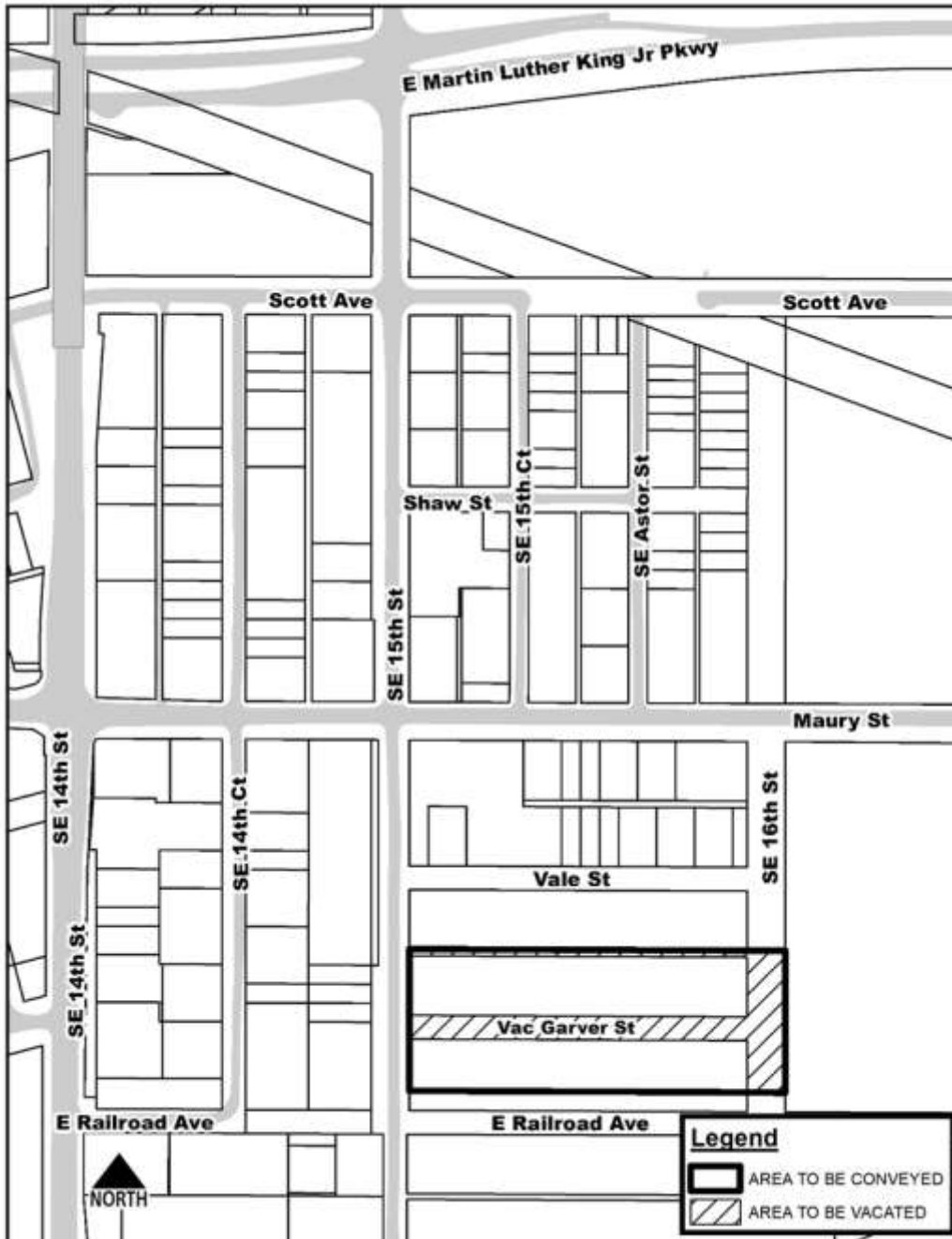
Funding Source: Non-project related land sale proceeds are used to support general operating budget expenses: Org – EG064090.

ADDITIONAL INFORMATION:

- Since October of 2019, MidAmerican Energy Company has been working with the City's planning and real estate staff to locate privately owned or excess City owned land upon which it could construct a new electric substation that would serve the anticipated increased energy

requirements created by the planned Market District development. City staff has determined that the above referenced City-owned land could be vacated and conveyed for the substation project without impact to any current or planned City projects or operations.

- The property to be vacated and conveyed consists of approximately 5.42-acres and the purchase price of \$135,500 is equal to the estimated fair market value of the property, as determined by the City's Real Estate Division.
- The vacation and conveyance of this property will also reduce future property maintenance and liability costs for the City.



PREVIOUS COUNCIL ACTION(S):

Date: December 21, 2020

Roll Call Number: [20-2111](#)

Action: [On](#) vacation of a portion of alley right-of-way, Garver Street and Southeast 16th Street right-of-way located north of East Railroad Avenue, and conveyance of said vacated right-of-way and the intervening excess City property to MidAmerican Energy Company for \$135,500. (1-11-21). Moved by Boesen to adopt. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S):

Board: City Plan and Zoning Commission

Date: November 5, 2020

Resolution Number: 11-2020-1.14

Action: Approve a request from MidAmerican Energy to vacate Garver Street from Southeast 15th Street to Southeast 16th Street; Southeast 16th Street from the north side of the east/west alley between Garver Street and Vale Street to a point 94.5 feet south of Garver Street; and the east/west alley between Garver Street and Vale Street from Southeast 15th Street to Southeast 16th Street; Subject to the following conditions:

1. Reservation of easements for any existing utilities until such time that they are abandoned or relocated at the expense of the City's successor in ownership of the vacated right-of-way;
2. Any major utilities and public service facilities use on the proposed vacated right-of-way shall be in accordance with a Conditional Use approval if granted by the Board of Adjustment
3. Any construction on the proposed vacated right-of-way shall be in accordance with all administrative comments as part of the Site Plan review.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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