

Date April 25, 2011

AUTHORIZING AGREEMENT FOR PRELIMINARY ENGINEERING SERVICES BETWEEN THE CITY OF DES MOINES AND NORFOLK SOUTHERN RAILWAY COMPANY FOR THE SE CONNECTOR – RELOCATION OF NORFOLK SOUTHERN TRACKS

WHEREAS, the Norfolk Southern Railway Company operates a railroad that would cross the proposed Southeast Connector in the vicinity of SE 14th Street; and

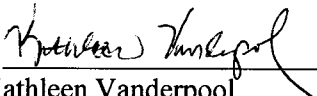
WHEREAS, the City and Norfolk Southern Railway Company have conceptually agreed to an alternative that would relocate the Norfolk Southern tracks to a corridor provided by the City that would eliminate the need for at-grade rail crossings of the Southeast Connector, SE 15th Street and a trail; and


WHEREAS, the Norfolk Southern Railway Company is prepared to perform preliminary engineering necessary for the track relocation at an estimated cost of \$50,000; and

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA, that the Agreement for Preliminary Engineering Services in connection with the Southeast Connector and relocation of Norfolk Southern tracks, a copy of which is now on file in the office of the City Clerk, be and is hereby approved; the Mayor and City Clerk are hereby authorized and directed to execute said Agreement for and on behalf of the City of Des Moines, Iowa; the Engineering Department is hereby authorized to administer the terms of said Agreement; and the Finance Director is authorized to make payment to the railroad for actual costs upon receipt of an invoice acceptable to the Engineering Department.

(Council Communication Number 11-252 attached)
Activity ID 06-2010-018

Moved by _____ to adopt.

FORM APPROVED: 
Kathleen Vanderpool
Deputy City Attorney

 Funding Source: 2011-2012 CIP, Page Street Improvements - 35, STR219, Southeast Connector – SE 6th Street to SE 14th Street

| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
|----------------|------|------|------|--------|
| COWNIE | | | | |
| COLEMAN | | | | |
| GRIESS | | | | |
| HENSLEY | | | | |
| MAHAFFEY | | | | |
| MEYER | | | | |
| MOORE | | | | |
| TOTAL | | | | |

MOTION CARRIED APPROVED

Mayor

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

City Clerk