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Date April 8, 2013

**AUTHORIZATION TO NOTIFY IOWA DEPARTMENT OF TRANSPORTATION OF
REQUEST FOR A VOLUNTARY TERMINATION OF THE TRAFFIC SAFETY PROGRAM
AGREEMENT AND WITHDRAWAL OF THE IOWA CLEAN AIR ATTAINMENT PROGRAM
APPLICATION FOR THE CONSTRUCTION OF THE SINGLE-LANE ROUNDABOUT AT
THE INTERSECTION OF BEAVER AVENUE AND URBANDALE AVENUE**

WHEREAS, on March 9, 2009, by Roll Call No. 09-367, the City Council approved a Professional Services Agreement with Genus Landscape Architects, P.C. for professional services for the Beaver Avenue Streetscape, not to exceed \$169,885; and

WHEREAS, on June 28, 2010, by Roll Call No. 10-1094, the City Council approved the Beaver Avenue Streetscape Concept Plan; and

WHEREAS, on August 9, 2010, by Roll Call No. 10-1331, the City Council authorized the City Manager to submit an Iowa Clean Air Attainment Program application to the Iowa Department of Transportation for a single-lane roundabout at the intersection of Beaver Avenue and Urbandale Avenue; and

WHEREAS, on May 23, 2011, by Roll Call No. 11-0863, the City Council authorized the City Manager to submit a Traffic Safety Improvement Program application to the Iowa Department of Transportation for a single-lane roundabout at the intersection of Beaver Avenue and Urbandale Avenue; and

WHEREAS, on January 23, 2012, by Roll Call No. 12-0108, the City Council received and filed the revised Beaver Avenue Streetscape Concept Plan and the City online survey summary report on the Beaver Avenue Streetscape project; and

WHEREAS, on February 27, 2012, by Roll Call No. 12-0315, Beaverdale area businesses spoke regarding next steps for moving the Beaverdale Streetscape forward; and

WHEREAS, on August 27, 2012, by Roll Call No. 12-1386, the City Council authorized the execution of a Traffic Safety Improvement Program Agreement with the Iowa Department of Transportation for a single-lane roundabout at the intersection of Beaver Avenue and Urbandale Avenue; and

WHEREAS, on August 27, 2012, by Roll Call No. 12-1384, the City Council authorized a Memorandum of Understanding with the Beaverdale Betterment Coalition for the implementation of the Beaver Avenue Streetscape project; and

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WHEREAS, on October 8, 2012, by Roll Call No. 12-1563, the City Council set date of public hearing on the petition to establish the Beavertdale Self-Supported Municipal Improvement District; and

WHEREAS, on October 30, 2012, the City Clerk received a petition in opposition to the establishment of the Beavertdale Self-Supported Municipal Improvement District; and

WHEREAS, on November 5, 2012, by Roll Call No. 12-1736, the City Council closed the public hearing and withdrew consideration of establishing the Beavertdale Self-Supported Municipal Improvement District; and

WHEREAS, on November 15, 2012, the City Manager, after meeting with property owners both for and against the project and City Council representatives, recommended that the project scope be amended to remove the roundabout in favor of more traditional intersection improvements and signalization; and

WHEREAS, the removal of the roundabout from the project makes the City's project ineligible for the previously granted Traffic Safety Improvement Program and Iowa Clean Air Attainment Program funding.

NOW THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA:

1. That the City Manager is hereby authorized and directed to notify the Iowa Department of Transportation that the City has determined it will not build the single-lane roundabout at the intersection of Beaver Avenue and Urbandale Avenue set forth in the Traffic Safety Improvement Program Agreement for the roundabout and requests a voluntary termination of the Agreement; and
2. The City Manager is hereby authorized and directed to notify the Iowa Department of Transportation that it is withdrawing its application to the Iowa Department of Transportation for Iowa Clean Air Attainment Program funding for the roundabout; and
3. That the City Manager is hereby authorized and directed to execute all documents and agreements to effect such voluntary termination of the Traffic Safety Improvement Program Agreement and withdrawal of the application to the Iowa Department of Transportation for Iowa Clean Air Attainment Program funding.

(Council Letter Number 13-67 attached)

Activity ID 04-2012-005

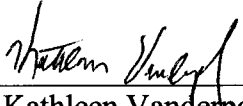
★ **Roll Call Number**

Agenda Item Number

9

Date April 8, 2013

Moved by _____ to adopt.

APPROVED AS TO FORM: 
 Kathleen Vanderpool
 Deputy City Attorney

REB

Funding Source: 2013-2014 CIP, Page Street-5, STR245, Beaver Avenue Streetscape

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