

Date September 16, 2024

**APPROVING AND AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH
NORFOLK SOUTHERN RAILWAY COMPANY FOR THE SOUTHEAST CONNECTOR
PROJECT, FROM SE 30th STREET TO US HIGHWAY 65 AT AN ESTIMATED
COST OF \$1,316,154**

WHEREAS, the Southeast Connector – SE 30th Street to U.S. Highway 65 project will require construction across/adjacent to the Norfolk Southern Railway Company’s facilities; and

WHEREAS, an agreement will allow the City of Des Moines to enter the railway’s right-of-way for renewal of an existing at-grade crossing at SE 30th Street and CB & Q Street, renewal of at-grade crossing at Vandalia Road on the east side of SE 43rd Street, and renewal of the existing flood control closure structure and associated levee north of Vandalia Road.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the agreement between the City of Des Moines and Norfolk Southern Railway Company, 650 West Peachtree Street NW, Box 45, Atlanta, Georgia 30308 at an estimated cost of \$1,316,154, is hereby approved.

BE IT FURTHER RESOLVED: That the Mayor and City Clerk are hereby authorized and directed to execute and attest, respectively, said Agreement for and on behalf of the City of Des Moines, Iowa.

BE IT FURTHER RESOLVED: That the Engineering Department is authorized to administer the terms specified in the Agreement and make payments in accordance with the Agreement.

(City Council Communication Number 24-365 attached)
Activity ID 06-2022-020

Moved by _____ to adopt. Second by _____

FORM APPROVED: s/Kathleen Vanderpool
Kathleen Vanderpool
Deputy City Attorney

 Funding Source: Fiscal Year (FY) 2024-25 Capital Improvement Program (CIP), Page 104, Southeast Connector, ST256, Being: G.O. Bonds, and Tax Increment Funding Bonds

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN				
COLEMAN				
GATTO				
MANDELBAUM				
SIMONSON				
VOSS				
WESTERGAARD				
TOTAL				

MOTION CARRIED APPROVED

Mayor

CERTIFICATE

I, Laura Baumgartner, 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