

★ Roll Call Number

11-1875

Agenda Item Number

28

Date

November 7, 2011

**RESOLUTION APPROVING CONSORTIUM MEMBERSHIP AND
PAYMENT OF COST SHARE FOR PURPLE HEART HIGHWAY STUDY**

WHEREAS consideration is being given to re-designating to an interstate route the US Highway 65/Iowa Highway 5 bypass, otherwise known as the Purple Heart Highway ("PHH"); and

WHEREAS any such consideration first requires a Safety Assessment and an Operation Assessment to be completed on the PHH corridor before determining the feasibility of an interstate designation for the route; and

WHEREAS such assessments will, in addition to other pertinent factors, address issues relating to slow-moving vehicular traffic, economic development, and flooding potentials and flood control in the flood plain traversed by the PHH; and

WHEREAS those assessments will cost an estimated \$100,000 in total, and the Iowa Department of Transportation ("Iowa DOT") has agreed to contribute one half of the total costs of the assessments up to that estimated amount; and

WHEREAS a consortium of local governments, agencies, and entities is being assembled to contribute the remaining one half of the total costs of the assessments up to that estimated amount pursuant to a formula that is based upon a variety of factors as more particularly set forth in the attached Exhibit A; and

WHEREAS the Iowa DOT will assume responsibility for defining the necessary scope of work, contracting with a qualified consultant, supervising the work of the consultant, and obtaining a final report of the assessments and making it available to the consortium members; and

WHEREAS the Iowa DOT will, in addition to contributing its share of the costs of the assessments, advance the payment of the remaining costs thereof and invoice that advance to the Des Moines Area Metropolitan Planning Organization ("DMAMPO") or otherwise charge to the DMAMPO the collective obligations of the consortium members, which will, in turn, be reimbursed by consortium members in accordance with the attached Exhibit A, each such reimbursement to be made within thirty (30) days of invoice by the DMAMPO; and

WHEREAS no member of the contemplated consortium will be responsible for contributing a share of such costs unless and until all identified members of the contemplated consortium have agreed, in writing, and in accordance with all applicable laws and regulations, to be legally bound to make their respective, timely contributions as set forth in the attached Exhibit A;

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NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that in consideration of the foregoing and other good and valuable consideration, and for the purposes of being legal bound and of reliance by others, and subject only to adoption of a similar authorizing resolution by all other members of the contemplated consortium that the City of Des Moines agrees to become a consortium member and to make its timely contribution in accordance with the attached Exhibit A in an amount not to exceed \$14,702.

BE IT FURTHER RESOLVED that the City Clerk is directed to deliver a certified copy of this resolution to the DMAMPO and retain this resolution in its files as a public record.

Moved by Mahaffey to adopt.

APPROVED AS TO FORM:



 Lawrence R. McDowell
 Deputy City Attorney

(Council Communication No. 11-693)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	7			

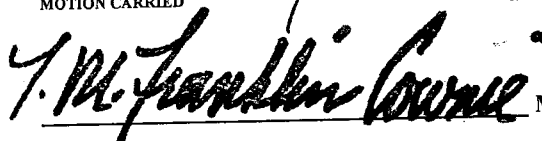
MOTION CARRIED

APPROVED

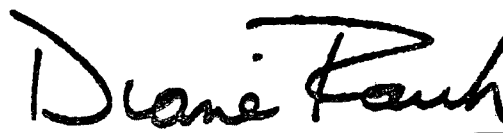
CERTIFICATE

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.



 T. M. Franklin
 Mayor



 Diane Rauh
 City Clerk