

★ **Roll Call Number**  
16-0106

**Agenda Item Number**  
9

**Date** January 25, 2016

**AUTHORIZING THE UTILITY CONDUIT INSTALLATION AGREEMENTS FOR RIGHT OF WAY  
 USERS ACROSS THE NEW GRAND AVENUE BRIDGE  
 OVER THE DES MOINES RIVER**

WHEREAS, on April 6, 2015, by Roll Call 15-0572, the City Council of the City of Des Moines, Iowa, approved a revised design concept for the Grand Avenue Bridge over the Des Moines River (Project); and

WHEREAS, the existing bridge supports many existing utilities and the City has been involved in utility coordination with those existing right of way users to permanently or temporarily relocate off the bridge for construction of a new bridge; and

WHEREAS, many right of way users have requested the new Grand Avenue Bridge over the Des Moines River be able to support/accommodate new utility conduit(s) for their use once the new bridge is built; and

WHEREAS, it is more efficient for the City to install conduit for right of way users that want equipment in the right of way of the Grand Avenue Bridge due to the limited space, the numbers of right of way users wanting to install conduit and the time constraints of the Project; and

WHEREAS, the City Legal Department has prepared a draft Utility Conduit Installation Agreement between the City and right of way user for purposes of the City agreeing to install conduit through the City's construction contract and the right of way user agreeing to reimburse the City for that cost.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the City Engineer is hereby authorized and directed to execute the individual Conduit Installation Agreements, as approved as to form by the Legal Department, with right of way users who desire to locate in the new Grand Avenue Bridge over the Des Moines River.

(Council Letter Number 16-049 attached)

FORM APPROVED: Kathleen Vanderpool Moved by Hensley to adopt.  
 Kathleen Vanderpool, Deputy City Attorney Activity ID 12-2013-001

Funding Source: 2015-16 Capital Improvement Program (CIP), Page Bridge-10, Grand Avenue Bridge over the Des Moines River

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MOORE	✓			
WESTERGAARD	✓			
TOTAL	7			

MOTION CARRIED APPROVED  
T. M. Franklin 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.

Diane Rauh  
 City Clerk