

★ Roll Call Number  
19-1084

Agenda Item Number  
10

Date July 15, 2019

**APPROVING AND AUTHORIZING THE EXECUTION OF  
UNION PACIFIC RAILROAD COMPANY (UPRR) SUPPLEMENTAL AGREEMENT  
FOR THE E. 30<sup>th</sup> STREET VIADUCT REHABILITATION**

WHEREAS, the Union Pacific Railroad Company (UPRR) owns and operates a railroad within the area near and adjacent to the E. 30<sup>th</sup> Street Viaduct Rehabilitation Project; and

WHEREAS, the E. 30<sup>th</sup> Street Viaduct Rehabilitation includes construction of roadway and bridge improvements adjacent and over the UPRR rail lines; and

WHEREAS, the UPRR has presented a Supplemental Agreement that includes:

1. Temporary construction easements for rehabilitation, at a cost of \$12,500.
2. Railroad provided engineering inspection and review, at an estimated cost of \$35,000.

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

1. That the Supplemental Agreement between the Union Pacific Railroad Company and City of Des Moines in connection with the E. 30<sup>th</sup> Street Viaduct Rehabilitation Project, copies which are now on file in the office of the City Clerk, be and is hereby approved as to form and content.
2. That 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.
3. That the Engineering Department is hereby authorized to administer the terms of said Agreement.

★ Roll Call Number  
19-1084

Agenda Item Number  
10

Date July 15, 2019

4. That the Finance Director is authorized to make payment to the railroad for the required rights and temporary easement upon execution of said Agreement and for actual costs, pursuant to the Agreement, upon receipt of invoices acceptable to the Engineering Department.

(City Council Communication Number 19-300 attached)  
 Activity ID 12-2016-001

Moved by Gatto to adopt.

FORM APPROVED: Kathleen Vanderpool  
 Kathleen Vanderpool  
 Deputy City Attorney

SLN

2019-2020 CIP, Page Bridge-6, E. 30<sup>th</sup> Street Bridge over UPRR, BR055, Gaming Monies

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
WESTERGAARD	✓			
TOTAL	7			

MOTION CARRIED APPROVED  
J. M. Franklin Cownie  
 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