

★ Roll Call Number
09-609

Agenda Item Number
8

Date April 20, 2009

APPROVING AND AUTHORIZING THE EXECUTION OF
IOWA INTERSTATE RAILROAD, LTD.
GRADE CROSSING SURFACE REPAIR PROGRAM AGREEMENTS FOR
S.E. 2nd STREET AND S.E. 5th STREET

WHEREAS, the City of Des Moines and the Iowa Interstate Railroad, Ltd. submitted requests for Iowa Grade Crossing Repair Program Funds for S.E. 2nd (FRA No. 603713A) and S.E. 5th Street (FRA No. 603710E); and

WHEREAS, the Iowa Department of Transportation, Office of Rail Transportation has approved use of these funds for repairs and improvements for S.E. 2nd (FRA No. 603713A) and S.E. 5th Street (FRA No. 603710E). The total estimate of the project is \$141,767.30 of which the City participation is 20%, or \$28,353.52.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the agreements between the City of Des Moines and the Iowa Interstate Railroad, Ltd. for Grade Crossing Repair Program for S.E. 2nd (FRA No. 603713A) and S.E. 5th Street (FRA No. 603710E) be hereby approved subject to approval by Iowa Interstate Railroad, Ltd., and the Mayor is authorized and directed to sign such agreements, and the City Clerk to attest to the Mayor's signature, and return three original copies of each agreement to the Engineering Department for transmittal to the Iowa Department of Transportation.

IT IS FURTHER RESOLVED that the Finance Director is hereby authorized to make payment to Iowa Interstate Railroad, Ltd. for said Grade Crossing Surface Repair Program upon receipt of an invoice from Iowa Interstate Railroad, Ltd., and approval by the City Engineer.

(Council Communication Number 09-238 attached)
Activity ID 14-2009-037

Moved by Vlassis to adopt.

FORM APPROVED: Kathleen Vanderpool
Kathleen Vanderpool
Deputy City Attorney

Funding Source: 2009-10 CIP, Page Street-31, Railroad Crossing Surface Repair and Signal Improvements, STR139

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
HENSLEY	✓			
KIERNAN	✓			
MAHAFFEY	✓			
MEYER	✓			
VLASSIS	✓			
TOTAL	7			

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