

TO: Michael C. Van Milligen, City Manager
FROM: Gus Psihoyos, City Engineer 
SUBJECT: Upper Bee Branch Creek Restoration Project, National Scenic Byways & State Recreational Trail Grant Agreement
DATE: August 26, 2014

INTRODUCTION

The purpose of this memorandum is to seek authorization to enter into an agreement with the Iowa Department of Transportation in order to utilize the \$1,000,000 National Scenic Byways Grant and the \$100,000 State Recreational Trails Grant for the Upper Bee Branch Creek Restoration Project.

BACKGROUND

The City of Dubuque was awarded National Scenic Byways grant funding of \$1,000,000 in August 2011 for the Bee Branch Creek Mississippi River Trail (MRT) that is part of the Upper Bee Branch Creek Restoration Project. The current on-street bike route of the national Mississippi River Trail will be converted to an off-road bike/hike trail that will be located in the linear park along the daylighted Bee Branch Creek. The Bee Branch Creek MRT Route will incorporate bike/hike trails, lighting, benches, trees, sustainable landscaping, parking, a waterfall overlook, and an amphitheater/outdoor classroom.

The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), enacted in 2005, continued the National Scenic Byways Program. Federal regulations provide that federal funds for the National Scenic Byways Program are to be administered by the Iowa Department of Transportation.

Iowa Code Sections 306A.7 and 307.44 provide for the City of Dubuque and the Iowa Department of Transportation to enter into agreements with each other for the purpose of financing transportation improvement projects in Iowa with Federal funds. The City of Dubuque proposed the Upper Bee Branch Creek Restoration Project as a National Scenic Byway (NSB) project for funding under Sec. 162 of Title 23, United States Code.

State Recreational Trail (SRT) funding is available per Iowa Code Chapter 465B and the City of Dubuque's application to use these funds was approved by Transportation Commission Order No. PPM-2012-12 on October 11, 2011. The funding will be used in conjunction with the National Scenic Byways funds to construct the Bee Branch Creek Mississippi River Trail.

DISCUSSION

The Federal Highway Administration requires the City of Dubuque to enter into an agreement with the Department of Transportation prior to authorizing the use of National Scenic Byways funds.

The Department of Transportation has provided an agreement for the \$1,100,000 in National Scenic Byways/State Recreational Trail grant funding.

Due to both the National Scenic Byways and State Recreational Trails grants being administered through the Iowa Department of Transportation for the Upper Bee Branch Creek Restoration Project, the Iowa Department of Transportation has provided one agreement that encompasses both grant funding requirements.

RECOMMENDATION

I recommend that the City execute the attached agreement with the Iowa Department of Transportation in order to secure the use of \$1,100,000 in National Scenic Byways/State Recreational Trail grant funding for the Upper Bee Branch Creek Restoration Project.

BUDGET IMPACT

The adopted FY2015 CIP budget identified the use of the \$1,100,000 in National Scenic Byways/State Recreational Trail grant funding for the Bee Branch Creek Restoration Project (#7201654).

ACTION TO BE TAKEN

I respectfully request adoption of the attached resolution authorizing the execution of an agreement with the Iowa Department of Transportation required for the City's receipt of the \$1,100,000 in National Scenic Byways/State Recreational Trail grant funds for the Bee Branch Creek Restoration Project.

Attach.

Prepared by Deron Muehring & Alexis Steger

Cc: Barry Lindahl, City Attorney
Jenny Larson, Budget Director
Ken TeKippe, Finance Director
Deron Muehring, Civil Engineer