



City of Grand Island

Tuesday, March 11, 2008

Council Session

Item G6

**#2008-83 - Approving Interlocal Agreement with the Community
Redevelopment Authority for Quiet Zone Improvements**

Staff Contact: Chad Nabity

Council Agenda Memo

From: Chad Nabity, AICP

Meeting: March 11, 2008

Subject: Interlocal Agreement with CRA relative Quiet Zone Improvements

Item #'s: G-6

Presenter(s): Chad Nabity, AICP

Background

In January of 2008 the Grand Island City Council approved amendments to the redevelopment plans for CRA Areas #1, #4 and #6 relative to quiet zone improvements. The amendments would permit the CRA to enter into an agreement with the City to participate in the funding of the quiet zone project in those areas. The attached agreement formalizes that commitment and allows the CRA to make payment to the City for a share of the improvements.

Discussion

The noise from trains on the Union Pacific Rail Line through the center of town has been identified as a condition of blight in CRA areas #1, #4 and #6. The Grand Island City Council and the CRA have researched alternatives to reduce train noise along this corridor. Quiet zones created through a combination of raised medians and wayside horns appears to be the most economical method of reducing train noise. The CRA has agreed to participate with the City in paying for the necessary improvements. The CRA approved an interlocal agreement with the City at their February 2008 meeting. If the City Council agrees, the CRA will set funds aside to pay for a portion of the improvements during the 2008 and 2009 fiscal years.

The attached agreement was drafted by the City Attorney and reviewed by the attorney for the CRA.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Move to approve the interlocal agreement
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council approve the interlocal agreement with the CRA as presented.

Sample Motion

Move to approve the interlocal agreement with the CRA as presented.

INTERLOCAL AGREEMENT

This Interlocal Agreement, which shall become effective upon the date set forth herein, is made by and between the CITY OF GRAND ISLAND, NEBRASKA, a Municipal Corporation, hereinafter referred to as the "City" and THE COMMUNITY REDEVELOPMENT AUTHORITY OF THE CITY OF GRAND ISLAND NEBRASKA, hereinafter referred to as "CRA", for the implementation of Quiet Zone Improvements, including, but not limited to, the installation of directional/wayside railroad horns in the City.

WHEREAS, it is the in the best interests of the City and the CRA to participate in the Quite Zone Improvements in downtown Grand Island; and

WHEREAS, the City and the CRA wish to enter into such an agreement pursuant to the terms of the Interlocal Cooperation Act, Neb. Rev. Stat., §13-801 through §13-827 as authorized under the laws of the State of Nebraska; and

WHEREAS, the CRA has reviewed this agreement and has passed a Resolution approving the same and authorizing the Chairman thereof to execute this agreement; and

WHEREAS, the City has reviewed this agreement and passed a Resolution approving the same and authorizing the Mayor of the City to execute this agreement.

NOW, THEREFORE, IN CONSIDERATION OF THE MUTUAL COVENANTS CONTAINED HEREIN, each of the parties hereby intend to be bound by this document and agree as follows:

I.

GENERAL TERMS

A. Term of Agreement. The term of this agreement shall be perpetual, unless terminated as provided in this document hereafter.

B. Purpose of this Agreement. The purpose of this agreement is to focus and deal with the noise issues associated with the Union Pacific Railroad as it crosses Grand Island through the Community Redevelopment Authority Areas 1, 4 and 6 from Broadwell Avenue on the west to Oak Street on the east, containing six at-grade crossings between the Union Pacific Railroad and Grand Island city streets that are in CRA areas. The six crossings are completely contained within CRA Areas 1, 4 and 6 and all within the City of Grand Island. The areas have been declared blighted and substandard by the Grand Island City Council.

All of the property involved in the redevelopment for these six crossing would be located either within railroad right-of-way or city street right-of-way and used for transportation purposes.

No acquisition of private property will be required to implement this plan. Closure of accesses to private property may be necessary to eliminate the necessity to sound horns at the crossings in some places, these areas being most likely on the south side of the crossings at Elm, Walnut and Oak.

CRA Areas 1, 4 and 6 are immediately adjacent to the tracks. The current noise based on the number of trains has been found to be an environmental disincentive to investments in the area.

The 2004 Comprehensive Plan for the City of Grand Island contains Transportation Objective 8.03.01 which called for the installation of directional railroad horns that direct sound down the street.

The anticipated cost to purchase and install wayside horns is \$33,000.00 for each horn and an additional \$16,500.00 for installation and utilities. Installing a horn on each side of the tracks at a crossing is estimated to cost approximately \$99,000.00. It is anticipated that with the typical installation of the wayside horns, the noise should be reduced to the appropriate decibel level 100 feet from the tracks.

It is further agreed that no horn areas may be possible at some intersections if driveways and other access points of 100 feet away from the crossings and raised medians are installed to discourage people from driving around the crossing arms when they are down. Both parties agree that the cost of creating no horn areas would be less than the cost of purchasing and installing wayside horns, but it has further been found that it would not be possible to use no horn areas at every intersection.

Based upon the current figures and estimates, total cost to purchase and install wayside horns or to create quiet zones where possible, at all six crossings, is \$480,000.00.

II.

WAYSIDE HORN COMMITTEE

A. Establishment of Committee. The CRA shall elect two representatives to serve on the Wayside Horn Committee and the City shall also select two people to serve on the Wayside Horn Committee. The Committee shall be responsible for advising the CRA and the City Council of the undertaking of the purpose of the agreement stated above.

B. Committee Responsibilities. The Committee shall be advisory in nature and shall have the responsibility to make recommendations to the governing bodies of the City and the CRA regarding the implementation of the Wayside Horn Program.

C. Legal Entity. There shall be no separate legal entity formed to conduct this cooperative undertaking.

III.

IMPLEMENTATION

A. Implementation. The purchase and contracting necessary for implementation of this program shall be conducted by the City of Grand Island pursuant to the City Code and laws of the State of Nebraska.

B. Financing. The CRA agrees to set aside up to \$140,000.00 from the 2008 fiscal year and up to \$100,000.00 for the 2009 fiscal year toward the Quiet Zone Project. The City agrees to set aside funds necessary to complete the implementation of the program. Table 1 outlined below contains the estimated costs and improvements for quiet zones that identified Union Pacific Railroad crossings.

**Table 1
Estimated Cost Improvements for Quiet Zones at Identified UPRR Crossings**

Crossing Number	Street		Solution	Cost With Installation	Cost Per Crossing
1	Broadwell	North Side South Side	Wayside Horn Wayside Horn	\$49,500.00 \$49,500.00	\$99,000.00
2	Lincoln	North Side South Side	Wayside Horn Wayside Horn	\$49,500.00 \$49,500.00	\$99,000.00
3	Elm	North Side South Side	Wayside Horn Median	\$49,500.00 \$11,000.00	\$60,500.00
4	Walnut	North Side South Side	Wayside Horn Median	\$49,500.00 \$11,000.00	\$60,500.00
5	Pine	North Side South Side	Wayside Horn Wayside Horn	\$49,500.00 \$49,500.00	\$99,000.00
6	Oak	North Side South Side	Wayside Horn Median	\$49,500.00 \$11,000.00	\$60,500.00
Total					\$478,500.00

III.

A. Termination. This Agreement may be terminated at any time by either of the parties and for any reason on ninety (90) days written notice by either party to the other. The City of Grand Island shall remain the owner of all equipment and property improvements and operational equipment obtained and installed pursuant to this program.

PASSED and APPROVED this _____ day of _____, 2008.

Attest:

CITY OF GRAND ISLAND, NEBRASKA,
A Municipal Corporation,

RaNae Edwards, City Clerk

By: _____
Margaret Hornady, Mayor

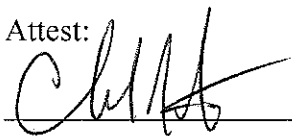
Reviewed and Approved by the City Attorney:



PASSED and APPROVED this 13 day of February, 2008.

THE COMMUNITY REDEVELOPMENT
AUTHORITY OF THE CITY OF GRAND
ISLAND NEBRASKA

Attest:



By: 
Chairman

Reviewed and Approved by the CRA Attorney:



RESOLUTION 2008-83

WHEREAS, on January 8, 2008, by Resolution 2008-2, the Grand Island City Council approved amendments to the redevelopment plans for Community Redevelopment Authority (CRA) Areas #1, #4 and #6 relative to quiet zone improvements; and

WHEREAS, the amendments will permit the CRA to enter into an agreement with the City to participate in the funding of the quiet zone project in these areas; and

WHEREAS, the CRA approved an interlocal agreement with the City of Grand Island at their February 13, 2008 meeting, and will set aside funds to pay for a portion of the improvements during the 2008 and 2009 fiscal years; and

WHEREAS, the proposed interlocal agreement has been reviewed and approved by the City Attorney.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Interlocal Cooperative Agreement by and between the Community Redevelopment Authority (CRA) and the City of Grand Island, is hereby approved according to the terms set out in the agreement.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized and directed to execute such Interlocal Cooperative Agreement on behalf of the City of Grand Island.

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Adopted by the City Council of the City of Grand Island, Nebraska, March 11, 2008.

Mitchell Nickerson, President
Grand Island City Council

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
March 6, 2008	☐ City Attorney