



City of Grand Island

Tuesday, December 06, 2011

Council Session

Item G2

Approving Minutes of November 29, 2011 City Council Study Session

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL STUDY SESSION

November 29, 2011

Pursuant to due call and notice thereof, a Study Session of the City Council of the City of Grand Island, Nebraska was conducted in the Council Chambers of City Hall, 100 East First Street, on November 29, 2011. Notice of the meeting was given in the *Grand Island Independent* on November 23, 2011.

Mayor Jay Vavricek called the meeting to order at 7:00 p.m. The following Councilmember's were present: Chuck Haase, Larry Carney, Bob Niemann, Kirk Ramsey, Peg Gilbert, Mitch Nickerson, Linna Dee Donaldson, Randy Gard, and John Gericke. Councilmember Scott Dugan was absent. The following City Officials were present: City Administrator Mary Lou Brown, City Clerk RaNae Edwards, City Attorney Bob Sivick, and Interim Finance Director Jaye Monter.

INVOCATION was given by Community Youth Council member AnnaJean Scarborough followed by the PLEDGE OF ALLEGIANCE.

MAYOR COMMUNICATION: Mayor Vavricek introduced Community Youth Council members AnnaJean Scarborough and Danny Gamboa.

OTHER ITEMS:

Discussion Concerning Burlington Northern Railroad Double Track Project Contract. Utilities Director Tim Luchsinger reported that Burlington Northern Santa Fe Railway (BNSF) was in the process of widening the tracks to a double track through Grand Island. As a result, multiple electrical, water, and sewer utility crossings by the City across BNSF right-of-way would need to be modified to accommodate the track improvement project. This would include either relocating utilities or encasement of the utilities to current railroad crossing standards.

Todd Kuhn, Manager of Engineering with BNSF gave a PowerPoint presentation explaining the overview of the project. Three projects were presented with Projects 1 and 2 construction started in October and substantial completion expected near the end of 2012. Project 3 would follow completion of Project 1 and 2.

There were 57 City of Grand Island utilities that were impacted by this project (water, sanitary, storm & power/electrical) that needed to be either adjusted, encased, or relocated in order for the 2nd track to be constructed. Many of those utilities currently were on BNSF right-of-way, some had existing railroad permits and others did not.

Due to the budgetary and resource constraints, the City would not be able to fund or perform the required utility relocations in a timeframe to support the 2nd main project. BNSF would fund 100% of all City utility relocations, including design, construction, and oversight. The savings to the City would be approximately \$1.3 million. BNSF would like to acquire portions of Utilities

Department properties adjoining BNSF property south of the JBS facility and at the Burdick Station. BNSF had offered to undertake the design and relocation of all utility crossings at their expense, in exchange for transfer of the required Utilities Department property.

BNSF would also construct new retaining walls along the west side of the right-of-way between the Union Pacific tracks and Capital Avenue. Aesthetic block treatment to the retaining wall to improve its appearance and reduce the impact of graffiti would be included.

In summary, the Master Utility Relocation Agreement would benefit both the City of Grand Island and BNSF with the following:

- The City will cooperate and refrain from causing any delays and will grant any required construction approvals.
- The City will complete work, designated to be by the City, in accordance with the project schedule.
- The City will resolve any construction issues within two business days.
- The City will provide review of all utility design by the BNSF within one week.
- The City will execute standard crossing agreements for all utilities in BNSF right-of-way within six months.
- The City will provide all property rights and temporary construction easements within one month.
- The BNSF will acquire all property rights for relocating utilities outside of BNSF right-of-way.

A Master Utility Relocation Agreement with BNSF would need to be approved by Council to proceed with the project. The following benefits to the City and BNSF were:

- City avoids significant costs (approximately \$1.3 million) of utility relocations governed by the terms of existing Railroad permits
- BNSF and City avoid significant utility relocation timelines so that the 2nd main project can be completed quickly
- BNSF and City avoid costs and timelines associated with property condemnation

Discussion was held concerning private utility relocations. Mr. Kuhn stated the majority of those had been taken care of. Permitting of the utility crossings was explained. Collins Stevens, Land Manager for BNSF answered questions concerning condemnation of land owners. Mr. Luchsinger and Public Works Director John Collins stated they were supportive of this project with little impact to City staff. Impact to Grand Island regarding construction would be minimal.

Mr. Kuhn stated this project specifically would not increase the train traffic through Grand Island. Comments were made concerning school traffic to Knickrehm School. It was stated that both tunnels would not be closed at the same time. Assistant Utilities Director Bob Smith stated there were no public sidewalks to the tunnels.

It was mentioned that the Master Agreement would end when the project was completed.

Mr. Collins stated he didn't expect any problems with the Northeast interceptor with regards to this project. If problems came up they would address them at that time.

ADJOURNMENT: The meeting was adjourned at 8:00 p.m.

RaNae Edwards
City Clerk