

## Legislation Details (With Text)

<b>File #:</b>	BILL NO. 19-173	<b>Name:</b>	
<b>Type:</b>	Ordinance - Committee	<b>Status:</b>	Passed
<b>File created:</b>	7/11/2019	<b>In control:</b>	City Council - Regular Session
<b>On agenda:</b>	4/14/2020	<b>Final action:</b>	4/14/2020
<b>Title:</b>	An Ordinance authorizing the execution of the first amendment to Cooperative Agreement for payment of funds from Jackson County, Missouri to City of Lee's Summit, Missouri for the design of a new pedestrian bridge to accommodate the shared use pathway over Chipman Road. (PWC 7/30/19)		

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance, 2. Cooperative Agreement Chipman Road Amendment 1 - Alt. Bid, 3. Rock Island Pedestrian Bridge Proposal

Date	Ver.	Action By	Action	Result
4/14/2020	1	City Council - Regular Session	for second reading	Pass
4/14/2020	1	City Council - Regular Session	adopted and numbered	Pass
7/30/2019	1	Public Works Committee	recommended for approval	Pass

An Ordinance authorizing the execution of the first amendment to Cooperative Agreement for payment of funds from Jackson County, Missouri to City of Lee's Summit, Missouri for the design of a new pedestrian bridge to accommodate the shared use pathway over Chipman Road. (PWC 7/30/19)

**Issue/Request:**

An Ordinance authorizing the execution of the first amendment to Cooperative Agreement for payment of funds from Jackson County, Missouri to City of Lee's Summit, Missouri for the design of a new pedestrian bridge to accommodate the shared use pathway over Chipman Road.

**Key Issues:**

- An agreement between Jackson County and the City of Lee's Summit was reached on 4/18/18 allowing the City to make improvements to Chipman Road through the Rock Island Corridor right of way which includes the removal of the 1-lane railroad bridge.
- The City is funding the removal of the 1-lane railroad bridge and the County is funding the design and construction of the new pedestrian bridge to accommodate the shared use pathway over Chipman Road.
- The County and City agree that the new pedestrian bridge should be included as an alternate bid in the City's Chipman Road Improvements Project.
- The County will remit \$15,000.00 to the City in advance for the design of the new pedestrian bridge over Chipman Road.

Proposed City Council Motion:

FIRST MOTION: I move for second reading of an Ordinance authorizing the execution of the first amendment to Cooperative Agreement for payment of funds from Jackson County, Missouri to City of Lee's Summit, Missouri for the design of a new pedestrian bridge to accommodate the shared use pathway over Chipman Road.

SECOND MOTION: I move for adoption of an Ordinance authorizing the execution of the first amendment to Cooperative Agreement for payment of funds from Jackson County, Missouri to City of Lee's Summit, Missouri for the design of a new pedestrian bridge to accommodate the shared use pathway over Chipman Road.

Background:

In April of 2018, the City and Jackson County Rock Island Rail Corridor Authority (RIRCA) executed an agreement that gave the City rights to make improvements to Chipman Road through the RIRCA right of way which includes the removal of the 1-lane railroad bridge over Chipman Road. The agreement also included the payment of \$2 million dollars by the City to the County to facilitate the construction of a bridge that could carry common freight rail traffic. The freight rail capability was necessary to comply with the condition of federal grant money the County used to purchase the rail corridor. As part of the agreement, the County could choose to construct a new accessory bridge to accommodate RIRCA's shared use pathway over Chipman Road. In the future, the County could construct a freight rail bridge, if required, at no additional cost to the City.

Since the re-start of the Chipman Road Improvements Project in July of 2018, City staff and the County have had several conversations regarding the timing of the existing bridge removal by the City and the construction of a new bridge by the County. In order to eliminate construction delays, coordination conflicts, and a prolonged need for an at grade crossing for the shared use pathway at Chipman Road, the City and County have agreed to include the construction of a new pedestrian bridge as an alternate bid in the City's Chipman Road Improvements Project.

This first amendment to the Cooperative Agreement covers the design work of the new pedestrian bridge. The County has agreed to remit \$15,000.00 to the City in advance of Wilson & Company designing the new bridge and including it in the City's Project as an alternate bid. A second amendment will be required if the County accepts the alternate bid for construction of the bridge. The second amendment is necessary to cover the cost of construction and inspections of the bridge, which will be paid by the County to the City in advance of construction.

Impact/Analysis:

This ordinance was presented to Public Works Committee on July 30, 2019 where it was unanimously recommended for approval to City Council. On July 31, 2019, the Surface Transportation Board (STB) ruled to revoke the exemption for Jackson County to acquire and operate a rail line. Due to this ruling, the ordinance was removed from the August 6, 2019 City Council meeting agenda. Since having their exemption to acquire and operate a rail line revoked, the County has followed the procedures of the STB's Trails Act for requesting an interim trail use/railbanking agreement. The agreement was approved by the STB last month, so staff would like to move forward with the Council approval of the ordinance.

This amendment to the Cooperative Agreement will allow the City to include the design of the new pedestrian

bridge in the City's Chipman Road Project as an alternate bid and if accepted by the County will eliminate construction delays, coordination conflicts, and a prolonged need for an at grade crossing at Chipman Road.

Timeline:

Construction start date summer of 2020

Dena Mezger, Director of Public Works

Recommendation: Staff recommends approval of an Ordinance authorizing the execution of the first amendment to Cooperative Agreement for payment of funds from Jackson County, Missouri to City of Lee's Summit, Missouri for the design of a new pedestrian bridge to accommodate the shared use pathway over Chipman Road, and authorizing the City Manager to enter into an agreement for the same.

Committee Recommendation: The Public Works Committee voted unanimously 3-0 (Chairman Faith "Absent"), to recommend to City Council approval of an Ordinance authorizing the execution of the first amendment to Cooperative Agreement for payment of funds from Jackson County, Missouri to City of Lee's Summit, Missouri for the design of a new pedestrian bridge to accommodate the shared use pathway over Chipman Road.