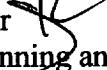




PLANNING AND DEVELOPMENT MEMORANDUM
#08-07

April 2, 2008

TO: Honorable Mayor Kathleen M. Novak and City Council Members

FROM: A. J. Krieger, City Manager 
James Hayes, Director, Planning and Development Department 
Travis Reynolds, Senior Planner 

SUBJECT: Draft letter establishing the City of Thornton as the administrative lead for the establishment of a "Quiet Zone" at the 112th station of the FasTracks North Metro commuter rail line. General discussion of "Quiet Zones" is also included.

RECOMMENDATION:

Staff is requesting direction to sign the attached letter indicating the City's desire to have the City of Thornton represent the FasTracks North Metro Corridor, to the Federal Railroad Administration (FRA), for the establishment of a "Quiet Zone" along the entire length of the corridor.

BACKGROUND:

A Quiet Zone for a rail corridor is a FRA designation that allows trains to move through at-grade crossings without blowing the train's horn. Establishment of a Quiet Zone requires the application of certain supplemental safety measures (gates, enhanced signalization, median improvements etc.) to the area in proximity to an at-grade crossing to ensure safety. Currently without the establishment of a Quiet Zone, trains are required to blow their horns (92db – 110db) at every crossing. FRA currently requires trains not operating within an established Quiet Zone to blow the train's horn 15-20 seconds before arriving at a crossing. Depending of the speed of the train, the horn could sound at significant distances away from the crossing.

RTD's discussions with the FRA have led them to prescribe that each corridor of the FasTracks project should apply for Quiet Zone designation as one multi-jurisdictional entity. This approach is essentially an all or nothing approach. If one community along the corridor fails to engage, then the corridor application must be split into two or more separate Quiet Zones requiring application and administration for each. Application, design, construction and designation are ultimately a multi-year process.

According to the latest Environmental Impact Statement (EIS) grade crossing analysis, 112th would be our only at-grade crossing. 120th is currently selected for grade separation. The City has interest at 104th and 122nd (Eastlake), but they would not directly reside within our municipal boundaries.

As the leader in at-grade crossings, Thornton (Gene Putman) has offered to act as the lead agency through which our efforts would be coordinated. We discussed that notification of this relationship may be established through letters of endorsement to the FRA. As the process unfolds and specific arrangements or financial considerations are discussed, we would formalize

agreements with Memorandums of Understanding and ultimately Intergovernmental Agreements.

POTENTIAL OBJECTION:

Staff is not aware of any objections to the establishment of a Quiet Zone for the corridor or to having the City of Thornton be the administrative lead to the FRA for Quiet Zone designation.

BUDGET/TIME IMPLICATIONS:

RTD's current policy indicates that they will only consider local match credit (towards the 2.5% required local match for construction of the line) for grade crossing improvements needed for safety improvements and noise mitigation required due to impacts from corridor projects. If a crossing requires additional improvements for Quiet Zone designation (e.g., circuitry upgrades for a crossing that does not require noise mitigation) then these improvements would have to be paid for by local jurisdictions, and would not be considered as part of their local match. Noise analysis is currently underway via the EIS process, but concrete findings regarding required noise mitigation is not complete. The cost incurred by each local government to establish a Quiet Zone may be in excess to the required local match.

We are requesting that the City sign the attached letter designating the City of Thornton as the administrative lead for the Quiet Zone designation. Next steps would include staff level meetings on how to coordinate the required steps for designation and a mid-summer "diagnostic process" to establish a baseline for safety equipment and conditions that exist at the 112th crossing.

STAFF REFERENCE:

If Council members have any comments or questions they may contact Travis Reynolds, treynolds@northglenn.org or James Hayes, jhayes@northglenn.org.

SPONSORED BY: MAYOR NOVAK, COUNCIL MEMBER PAIZ

COUNCILMAN'S RESOLUTION

RESOLUTION NO.

No. CR-63
Series of 2008

Series of 2008

A RESOLUTION APPROVING A LETTER OF UNDERSTANDING BETWEEN THE REGIONAL TRANSPORTATION DISTRICT, THE CITY OF THORNTON, AND THE CITY OF NORTHGLENN FOR THE PURPOSE OF DESIGNATING THE CITY OF THORNTON AS THE ADMINISTRATIVE LEAD FOR THE APPLICATION TO THE FEDERAL RAILROAD ADMINISTRATION FOR ESTABLISHMENT OF A QUIET ZONE ALONG THE NORTH METRO RAIL CORRIDOR

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTHGLENN, COLORADO, THAT:

Section 1. The Letter of Understanding between the Regional Transportation District, the City of Thornton, and the City of Northglenn for the purpose of designating the City of Thornton as the administrative lead for application to the Federal Railroad Administration (FRA) for establishment of a "Quiet Zone" along the North Metro rail corridor is attached hereto as **Exhibit 1**, is hereby approved and the Mayor is authorized to execute same on behalf of the City.

DATED at Northglenn, Colorado, this ____ day of _____, 2008.

KATHLEEN M. NOVAK
Mayor

ATTEST:

JOHANNA SMALL, CMC
Acting City Clerk

APPROVED AS TO FORM:

COREY Y. HOFFMANN
City Attorney



EXHIBIT 1

11701 Community Center Drive
P.O. Box 330061
Northglenn, CO 80233-8061
Phone 303-450-8741
FAX 303-450-8708

April 1, 2008

Bob Boot, RTD Quiet Zone Plan Coordinator
Julie Skeen, RTD Quiet Zone Plan Coordinator
Regional Transportation District – FasTracks
1560 Broadway, Suite 700
Denver, Colorado 80202

Re: Letter of Understanding – Creation of a North Metro Corridor Quiet Zone Committee

Dear Mr. Boot and Ms. Skeen,

The City of Northglenn desires to establish a Quiet Zone on the FasTracks North Metro Corridor. The Regional Transportation District (“RTD”) has developed a Quiet Zone Work Plan to assist local governments, located within each corridor, to establish a Quiet Zone by meeting the minimum requirements outlined in the Department of Transportation – Federal Railroad Administration’s Final Rule 49 CFR Parts 222 and 229, as it pertains to a Quiet Zone designation.

The City of Northglenn agrees to be a member of the North Metro Corridor – Quiet Zone Governments Committee which will be created with the assistance of RTD. The Committee will follow the RTD Quiet Zone Work Plan. Northglenn designates Travis Reynolds to represent it on the Quiet Zone Committee. The City of Northglenn acknowledges that once the crossing site reviews are completed and Supplemental Safety Measures are identified for each crossing, a Quiet Zone Designation application will be submitted to the Public Utilities Commission of the State of Colorado and the Federal Railroad Administration for approval.

The RTD Quiet Zone Work Plan requires that a lead local jurisdiction be appointed by the governments within each corridor to act as the administrative point of contact. The City of Northglenn agrees with the appointment of the City of Thornton to be the lead since it has 8 to the 15 grade crossings within the corridor.

The City of Northglenn will work with Thornton and RTD to establish the Intergovernmental Agreements necessary to address Quiet Zone issues including the design and construction of supplemental safety measures necessary to establish the Quiet Zone in the North Metro corridor.

Receipt of this executed letter of understanding from all of the participating municipalities located within the North Metro corridor will trigger the coordination with the Federal Railroad Administration, the Colorado Public Utilities Commission, and the railroads outlined in the Quiet Zone Work Plan. If RTD is in agreement with the terms of this Letter of Understanding please execute as indicated below and return one copy to the City of Northglenn attn: Travis Reynolds

Thank you for developing the Quiet Zone Work Plan and assisting local governments to address this much needed noise concern.

Sincerely,

Kathleen M. Novak
Mayor, City of Northglenn

RTD Approval of the terms of this
Letter of Understanding