

**MUSCATINE CITY COUNCIL
IN-DEPTH MEETING
Thursday, October 12, 2023**

Brad Bark, Mayor

Dennis Froelich, 1st Ward

Jeff Osborne, 2nd Ward

Peggy Gordon, 3rd Ward

Nadine Brockert, 4th Ward

John Jindrich, 5th Ward

Angie Lewis, At Large

DeWayne Hopkins, At Large

Carol Webb, City Administrator

Cinda Hilger, Admin. Professional

Brent Hinders, City Attorney

City Council meetings are held at 6:00 pm on the 1st and 3rd Thursday of each month, In-depth sessions on the 2nd Thursday of each month. All meetings are available for review on the City of Muscatine YouTube page.

The public is welcome to attend virtually using the information below.

Please join my meeting from your computer, tablet or smartphone.

<https://us06web.zoom.us/j/82551691259pwd=NERYdEJOandvWWNXbDM3UkZxZmE4QT09>

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AGENDA

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PLEDGE OF ALLEGIANCE**
4. **COUNCIL DISCUSSION ITEMS**

A. Overview of Budget Basis Financial Statements for the Year Ended June 30, 2023

The Finance Director will review the attached PowerPoint presentation on the budget basis financial statements for the fiscal year ended June 30, 2023.

B. Presentation on Sidewalk Inventory Project and Discussion on Future Sidewalk Program and Funding Options

Presentation on Sidewalk Inventory Project and Discussion on Future Sidewalk Program and Funding Options

C. Update related to Canadian Pacific Railway's Acquisition of Kansas City Southern Railway and related Community Investment and Settlement Agreement

D. City Boards and Commissions Improvements

5. **MAYOR AND COUNCIL REPORTS**

6. **ADJOURNMENT**



City of Muscatine

ITEM NUMBER 2023-0499

IN-DEPTH ITEM - CITY COUNCIL

DATE: 10/12/2023

STAFF

Nancy Lueck, Finance Director

SUBJECT FOR DISCUSSION

Overview of Budget Basis Financial Statements for the Year Ended June 30, 2023

EXECUTIVE SUMMARY

The Finance Director will review the attached PowerPoint presentation on the budget basis financial statements for the fiscal year ended June 30, 2023. This will include (1) an overview of the actual General Fund revenues, expenditures, and ending fund balance, (2) the General Fund balance history, and (3) actual ending fund balances for all Operating Funds compared to the Revised Estimate projections.

GENERAL DIRECTION SOUGHT AND SPECIFIC QUESTIONS TO BE ANSWERED

This presentation is informational and for discussion purposes. No decisions need to be made after the presentation. City Council discussion and feedback is welcome.

BACKGROUND/DISCUSSION

A booklet was distributed to the Mayor and Council members at the October 5 meeting which includes various summary and detailed budget-basis financial reports for the City for the year ended June 30, 2023. This booklet includes several of the summary schedules that are in the attached PowerPoint presentation.

The budget-basis statements are those that will be used for the Annual Financial Report to the State which is required to be filed by December 1 each year. This report will be included on a future agenda for City Council approval.

The City's auditors have completed their on-site work for the City's audit. City staff and the auditors continue to work on the Annual Comprehensive Financial Report (ACFR) which is expected to be completed in early December.

ATTACHMENTS

1. FY 2023 Year End.FINAL

City of Muscatine

Budget Basis Financial Statement Overview

Year Ended June 30, 2023

Direction Sought – Informational Presentation Only

- This presentation is informational and will provide the following:
 - A. Overview of actual General Fund revenues, expenditures, and ending fund balance for fiscal year 2022/2023
 - B. General Fund balance history
 - C. Actual FY 2022/2023 ending fund balances for all Operating Funds compared to Revised Estimate amounts
 - D. Summary
 - E. City Council Discussion and Feedback

City of Muscatine, Iowa
General Fund
Statement of Revenues, Expenditures and Changes in Fund Balance
Year Ended June 30, 2023

Revenues:

Taxes:

Property	\$ 7,974,658.70
Utility	28,612.56
Hotel/Motel	577,993.13
Cable Franchise	111,149.66
Utility Franchise	429,906.75
Licenses and permits	478,667.98
Fines and forfeitures	693,605.64
Intergovernmental	931,226.43
Charges for services	587,677.49
Use of money and property	262,667.84
Other	959,708.29

Total revenues	<u>\$ 13,035,874.47</u>
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Expenditures:

Current:

Public safety	\$ 11,177,317.71
Public works	2,527,788.09
Health and social service	55,000.00
Culture and recreation	3,735,404.18
Community and economic development	1,031,051.98
General government	3,182,034.07

Capital outlay:

Public safety	41,567.76
Public works	646,557.74
Culture and recreation	298,166.91
Community and economic development	1,860.00
General government	2,515.50

Total expenditures

\$ 22,699,263.94

Revenues (under) expenditures

\$ (9,663,389.47)

Other financing sources (uses):

**Operating transfers in (includes transfers from
the Employee Benefits, Road Use Tax,
Ambulance, Perpetual Care Interest, and TIF
funds)**

\$ 10,152,113.77

**Operating transfers out (includes transfers to the Equipment
Replacement and Computer Replacement funds as well as
subsidy transfers to enterprise funds)**

(464,261.38)

Total other financing sources (uses)

\$ 9,687,852.39

**Revenues and other sources over (under) expenditures
and other uses**

\$ 24,462.92

Fund balance, June 30, 2022

5,673,299.64

Fund balance, June 30, 2023

\$ 5,697,762.56

Less reserve for encumbrances

72,704.66

Unreserved balance, June 30, 2023

\$ 5,625,057.90

**City of Muscatine
General Fund
Fund Balance Analysis
Fiscal Year Ended June 30, 2023**

Original Budget - Ending Fund Balance	\$ 5,183,451
Original Revised Estimate - Ending Fund Balance	\$ 5,342,082
Actual Ending Fund Balance (Reflects all Encumbrances including those funded from Road Use Tax; no Road Use Tax Encumbrances in FY 23)	<u>\$ 5,625,058</u>
Actual over (under) Revised Estimate by	<u>\$ 282,976</u>
General Fund Balance as a Percent of FY 2022/2023 Expenditures (Revised Estimate Projected Percentage was 22.7%)	<u>24.54%</u>
Budgeted Items not Purchased - Requested to be Carried Forward:	
HR - Compensation Study	<u>\$ 40,000</u>
Actual over Revised Estimate net of Carryforwards	<u>\$ 242,976</u>
General Fund Balance as a Percent of FY 2022/2023 Expenditures (with Carryforward Included)	<u>24.32%</u>

* Revenues and transfers in under original Revised Estimate by \$327,441:
 (Revenues over by \$255,367, regular transfer in under by \$17,846, and budgeted transfers totaling \$564,962 from ARPA, State COVID Relief, and Emergency Fund were not needed)

Significant Revenue Items:

Tax Collections <u>over</u> Revised Estimate	\$ 3,423
Utility Franchise Fees <u>over</u> Revised Estimate	89,907
Cable Franchise Fees <u>under</u> Revised Estimate	(12,850)
Road Use Tax Transfer in to General Fund <u>over</u> original Revised Estimate	24,940
Employee Benefits funding <u>under</u> Revised Estimate	(39,588)
Health Insurance Wellness Program funding <u>under</u> Revised Estimate (Corresponding expenditures also under Rev. Est.)	(3,198)
Hotel/Motel Tax <u>over</u> Revised Estimate (Original budget was \$375,000; revised estimate \$550,000; actual \$577,993)	27,993
Community Development Revenues <u>over</u> Revised Estimate (Nuisance reimbursements over by \$13,021; construction permits over by \$118,032; rental inspection fees over by \$28,097)	169,992
Library Revenues <u>over</u> Revised Estimate	292
Art Center Revenues <u>under</u> Revised Estimate	(4,780)

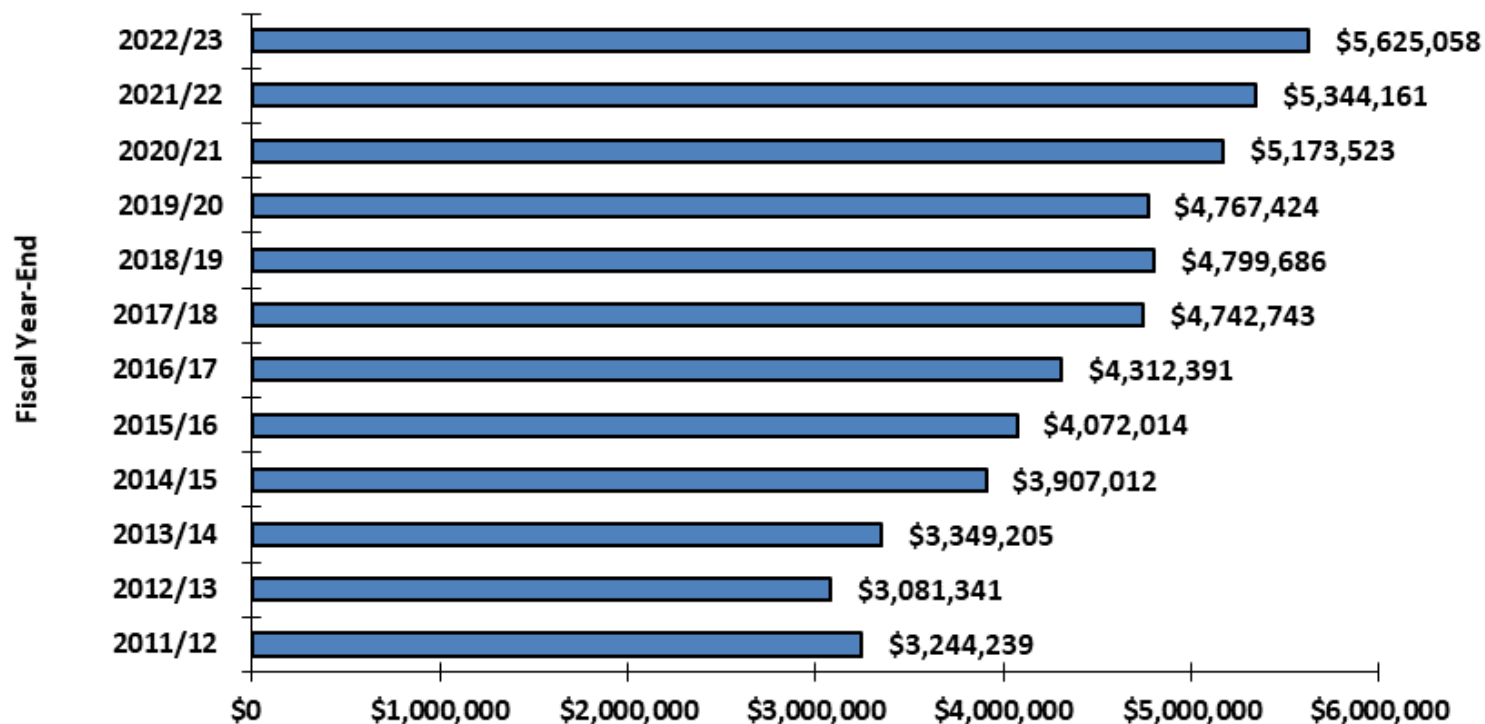
Parks and Recreation Revenues <u>under</u> the original Revised Estimate:		
Kent Stein Park and Soccer Revenues <u>under</u> by	(1,322)	
Recreation Revenues <u>under</u> by	(2,892)	
Aquatic Center Revenues <u>under</u> by	(3,592)	
General Parks <u>under</u> Revised Estimate	<u>(7,886)</u>	(15,692)
Cemetery Revenues <u>under</u> original Revised Estimate (Lot Sales, Burial Fees, etc.)		(3,524)
Public Works Revenues <u>under</u> original Revised Estimate (less staff time charged to projects due to vacancies in engineering positions)		(106,214)
Police Grants <u>under</u> Revised Estimate		(37,438)
Court Fines <u>over</u> Revised Estimate		11,044
Automated Traffic Enforcement Fines <u>over</u> Revised Estimate		35,840
Other Police Revenues <u>over</u> Revised Estimate		9,040
License and Permit Revenues <u>over</u> original Revised Estimate		1,868
Fire Department Revenues <u>over</u> original Revised Estimate		13,867
Interest Income <u>over</u> original Revised Estimate (increase in interest rates during the last fiscal year)		68,176
Transfer from State COVID Relief funds not needed to reach target fund balance		(261,600)
Transfer from American Rescue Plan Act funds not needed to reach target balance		(217,200)
Transfer from prior year Emergency Fund not needed to reach target balance		(86,162)
Various Other Revenues <u>under</u> Revised Estimate (Net)		<u>4,423</u>
		<u><u>\$ (327,441)</u></u>

*** Expenditures under Original Revised Estimate by \$610,417:**

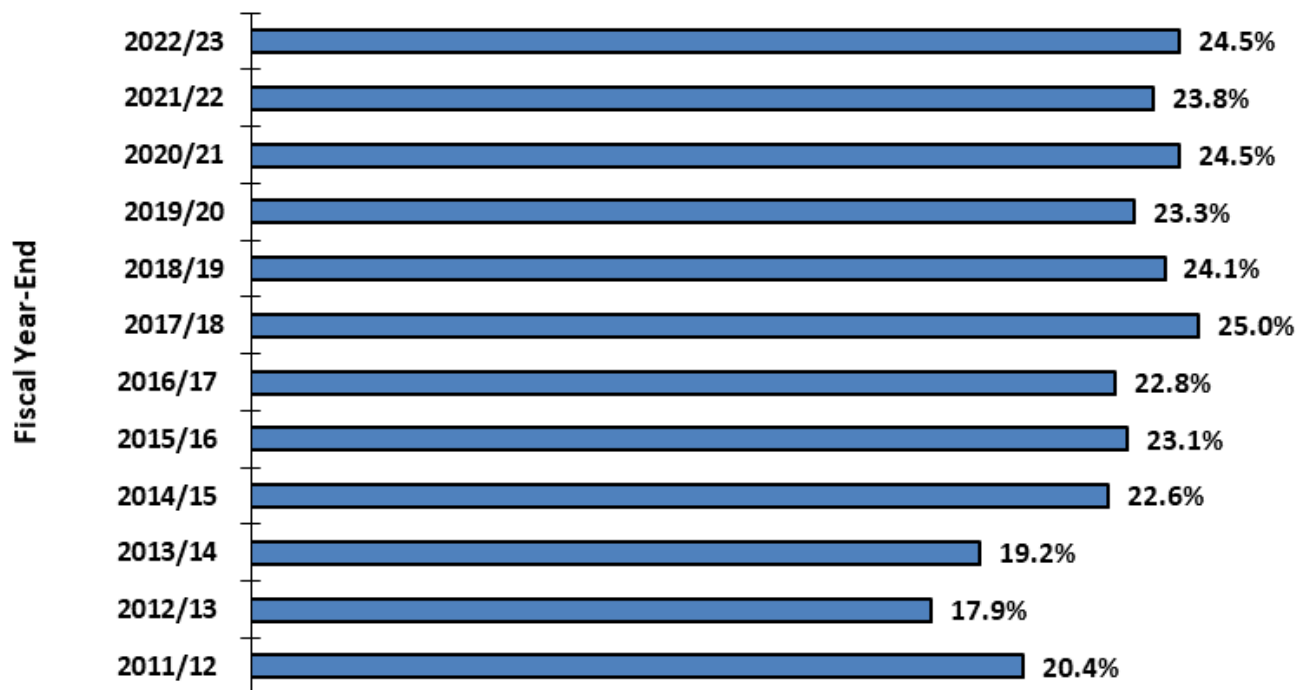
Significant Expenditure Items:

Item Carried Forward	\$ 40,000
General government activities <u>under</u> original Revised Estimate (Net of carry forward)	22,743
Public safety activities <u>under</u> original Revised Estimate	117,861
Library, Art Center and Parks <u>under</u> original Revised Estimate	95,384
Community/Economic Development <u>under</u> original Rev. Est.	105,938
Public Works activities <u>under</u> original Revised Estimate	228,491
	<u><u>\$ 610,417</u></u>

General Fund Fund Balance History



Fiscal Year-End General Fund Balances as a Percent of Expenditures



City of Muscatine
Fund Balance Comparison - Operating Funds
June 30, 2023

<u>Fund</u>	<u>Original Budget</u>	<u>Revised Estimate</u>	<u>Actual 6-30-23</u>	<u>Variance Favorable (Unfavorable)</u>
General Fund	\$ 5,183,451	\$ 5,342,082	\$ 5,625,058	\$ 282,976 (1)
Debt Service Fund				
General Obligation	64,672	67,860	92,192	24,332 (2)
Enterprise Funds:				
Water Pollution Control Operations	2,498,336	2,276,873	2,354,196	77,323 (3)
Collection and Drainage	302,860	298,928	709,934	411,006 (4)
Solid Waste Management:				
Refuse Collection	260,931	311,099	409,943	98,844 (5)
Landfill Operations	1,636,074	1,778,468	2,102,982	324,514 (6)
Landfill Post-Closure Reserve	1,210,834	1,223,637	1,230,118	6,481 (7)
Landfill Closure Reserve	1,759,442	1,783,048	1,793,792	10,744 (7)
Transfer Stations Operations	158,419	351,254	333,861	(17,393) (8)
Transfer Station Closure Reserve	33,825	33,825	33,825	-
Airport Operations	-	31,550	29,925	(1,625) (9)
Parking Operations	29,065	61,381	86,916	25,535 (10)
Transit	367,175	546,397	553,872	7,475 (11)
Golf Course Operations (excludes Clubhouse inventory)	51,016	61,663	132,963	71,300 (12)
Boat Harbor Operations	1,500	-	-	- (13)
Marina Operations (includes inventory)	(3,895)	(3,325)	(3,252)	73 (14)
Ambulance Operations	45,131	150,790	408,013	257,223 (15)
CVB (City funds)	71,158	105,183	107,705	2,522
Soccer Event Fund	60,540	67,488	31,276	(36,212) (16)
Internal Service Funds:				
Equipment Services (includes inventory)	117,554	41,590	30,766	(10,824) (17)
Health Insurance	2,002,491	1,921,217	2,270,486	349,269 (18)
Dental Insurance	76,720	101,078	117,367	16,289 (19)

City of Muscatine
Fund Balance Comparison - Operating Funds
June 30, 2023

<u>Fund</u>	<u>Original Budget</u>	<u>Revised Estimate</u>	<u>Actual 6-30-23</u>	<u>Variance Favorable (Unfavorable)</u>
Special Revenue Funds:				
Employee Benefits	-	86,710	144,421	57,711 (20)
Emergency Tax Levy/Emergency Fund	-	300,555	665,695	365,140 (21)
American Rescue Plan Act Fund	1,818,200	1,834,023	2,795,373	961,350 (22)
Community Block Grant	5,195	25,226	32,068	6,842
Home Ownership Program	27,827	26,062	16,893	(9,169) (23)
Sunset Children's Education Program	7,181	6,922	7,109	187
Public Housing Legal Settlement	-	149,922	151,398	1,476
Small Business Forgivable Loan Programs	-	-	401,017	401,017 (24)
Local Option Sales Tax	300,007	300,006	1,950,904	1,650,898 (25)
Road Use Tax	351,748	999,827	1,534,363	534,536 (26)
Tax Increment (Downtown)	9,378	8,948	12,129	3,181
Tax Increment (Southend)	430,490	310,016	329,709	19,693 (27)
Tax Increment (Cedar Development)	66,303	66,369	68,159	1,790
Tax Increment (Heinz)	-	-	-	-
Tax Increment (Hwy 38 NE)	16,946	19,243	19,784	541
Tax Increment (Fridley)	45,993	53,861	55,030	1,169
Tax Increment (Riverview Hotel)	1,233	1,289	1,556	267
Tax Increment (North University)	11,234	14,882	15,155	273
Tax Increment (WDS)	8,887	12,733	13,047	314
Tax Increment (Hershey Building)	-	3,003	5,521	2,518
Tax Increment (Oak Park)	-	2,800	3,244	444
Reinvestment District	-	-	-	-
Equipment Replacement	72,619	86,179	231,645	145,466 (28)
Computer Replacement - City	-	-	84,023	84,023 (29)
Computer Replacement - Library	5,000	10,913	59,364	48,451 (30)
Police Forfeitures Fund	10,935	13,439	14,224	785
Clark House/Sunset Park Operations	702,802	604,075	890,146	286,071 (31)
Section 8 Voucher Program	131,089	190,484	199,957	9,473 (32)
Totals	\$ 19,950,366	\$ 21,679,573	\$ 28,153,872	\$ 6,474,299

1. See General Fund analysis.
2. Debt service tax collections \$3,107 more than the revised estimate; interest revenue \$20,525 higher than estimated; paying agent costs \$700 less than estimated.
3. Water Pollution Control revenues were \$99,691 higher than the revised estimate; expenditures were over the original revised estimate by \$22,368 (the revised estimate was amended by \$50,000).
4. Collection and Drainage revenues were over by \$43,650; expenditures under revised estimate by \$367,356 (\$145,000 of budgeted capital outlay expenditures were requested to be carried forward to FY 24).
5. Refuse Collection expenditures under revised estimate by \$34,579; revenues were over by \$64,265.
6. Landfill revenues over by \$116,836 (fees under by \$14,231; interest over by \$131,194); expenditures under original revised estimate by \$207,678 (\$50,000 of funding for generator carried forward to FY 24).
7. Landfill Closure Reserve transfer in over estimate by \$10,744. Landfill Post-Closure transfer in over by \$6,481 (based on Engineer's cost estimates and waste volumes).
8. Transfer Station revenues \$51,590 higher than the revised estimate; expenditures over original revised estimate by \$68,983 (the revised estimate was amended by \$129,000 which covered this overage).
9. Airport revenues over the original revised estimate by \$1,872; expenditures over original revised estimate by \$3,497 (budget was amended).
10. Parking revenues \$22,703 more than the revised estimate; expenditures under the revised estimate by \$2,832.
11. Transit revenues under original revised estimate by \$418,753 (\$5,719 over in transit fares; \$440,284 under in grants including grants for buses not yet purchased due to availability, and \$15,812 over in other revenues); expenditures under by 426,228 including buses not purchased due to availability.
12. Golf Course revenues were over the original revised estimate by \$85,391; expenditures were over original revised estimate by \$14,091 (budget was amended by \$25,800).

13. Boat Harbor revenues under revised estimate by \$8,560; expenditures under by \$4,222. Deficit of \$4,338 in this fund eliminated with a transfer from the General Fund.
14. Marina revenues under revised estimate by \$2,439; expenditures under by \$2,512.
15. Ambulance revenues over revised estimate by \$249,467; expenditures under revised estimate by \$7,756.
16. Soccer Event revenues under revised estimate by \$50,068; expenditures under \$13,856. No College Search Kickoff event in 2022 or 2023.
17. Equipment Services revenues over revised estimate by \$6,186; expenditures over original revised estimate by \$17,010 (revised estimate amended by \$141,300).
18. Health insurance claims, admin fees, etc. were \$355,309 less than estimated; Wellness Program funding was \$3,198 less than estimated. Revenues were \$9,238 less than estimated.
19. Dental insurance claims, admin fees, etc. were \$16,216 less than estimated; revenues \$73 more than estimated.
20. Employee Benefits Tax revenues \$17,203 more than revised estimate; transfers out for actual employee benefit costs \$40,508 less than estimated due to employee vacancies, etc.
21. Emergency Tax/Emergency Fund revenues over the revised estimate by \$18,297 (interest and taxes); expenditures under revised estimate by \$346,843. Did not transfer the budgeted \$261,600 of State COVID Relief funds and the \$86,162 in Emergency fund balance to the General Fund since the target General Fund balance was met without these transfers.
22. American Rescue Plan Act interest revenue \$36,682 more than revised estimate; expenditures \$924,668 less than the revised estimate (\$217,200 due to not needing to do the budgeted transfer to the General Fund since the target General Fund balance was met without this transfer).

23. Home Ownership revenues over revised estimate by \$408; expenditures over original revised estimate by \$9,577.
24. Balances totaling \$401,017 in the Small Business Forgivable Loan Programs carried forward to FY 24.
25. Local option sales tax transfers for actual sewer project costs were \$1,044,975 less than estimated; Local Option revenues were \$562,233 higher than the revised estimate and interest was \$43,690 higher. Projects were behind schedule. Balance carries forward.
26. Road Use Tax revenues over revised estimate by \$254,289; funding transfers were \$280,247 less than the original revised estimate due to timing of capital projects. Balance carries forward to FY 24.
27. Southend Tax Increment revenues over revised estimate by \$19,480 (primarily interest); expenditures under by \$213.
28. Equipment Replacement revenues over revised estimate by \$14,165; expenditures under original revised estimate by \$131,301 with \$129,000 of this requested to be carried forward to FY 24 for Police vehicles.
29. Computer Replacement funds carried forward to FY 24. Budget allowed for all funds to be expended.
30. Library Computer Replacement fund interest over revised estimate by \$498; expenditures under by \$3,063; \$44,890 of unspent Library budgeted funds were transferred into this fund in FY 23.
31. Public Housing expenditures were \$330,705 less than the original revised estimate; revenues were \$44,634 less than estimated (primarily due to less capital funds being drawn down).
32. Section 8 Housing revenues were \$42,400 more than estimated; expenditures were \$32,927 more than the revised estimate (revised estimate amended by \$35,000).

Review of Significant Budget Assumptions and Decisions for the Original FY 2022/2023 Budget

FY 2022/2023 Original Budget Development

1. When the 2022/2023 budget was being prepared in January and February of 2022, City Council and staff were taking a conservative and cautious approach for estimating revenues. At that time the local economy was still recovering from the impacts of the COVID-19 pandemic.
2. Hotel/Motel taxes were estimated at \$375,000 in the original 2022/2023 budget (down from the over \$500,000 prior to the pandemic).
3. Construction permit fees were estimated at \$170,000 (down from the over \$300,000 prior to the pandemic).
4. Interest revenue in the General Fund was estimated at \$1,000 in the original 2022/2023 budget due to the near zero percent interest rates.
5. The original 2022/2023 General Fund Budget was “balanced” by using \$261,600 of the State COVID Relief funds, the \$86,162 balance from the Emergency Fund, and \$324,200 from federal ARPA funds.

Review of Significant Budget Assumptions and Decisions for the FY 2022/2023 Revised Estimate

FY 2022/2023 Revised Estimate Development and Actual Results

1. The 2022/2023 revised estimate was prepared in January and February of 2023 as part of the development of the FY 2023/2024 City Budget. At that time, it appeared the local economy was recovering from the COVID-19 pandemic, and several revenue estimates were increased from the original 2022/2023 budget including:
 - a. Hotel/motel tax revenue was revised from the original budget amount of \$375,000 to \$550,000 (actual hotel/motel tax for the year was \$577,993).
 - b. Building permit revenue was revised from the original budget amount of \$170,000 to \$240,000 (actual building permit revenue for the year was \$358,032).
 - c. Interest revenue for the General Fund was revised from the original budget of \$1,000 to \$100,000 with the increasing interest rates (the actual General Fund interest revenue was \$168,176).
2. Expenditure concerns were noted in the 2022/2023 revised estimate and continue to be concerns including:
 - a. A new Seasonal Pay Plan with higher hourly rates was implemented effective April 1, 2023 due to challenges in filling seasonal positions, primarily in the Park and Recreation department.
 - b. Revised estimate expenditures were increased throughout City departments due to increases in the cost of operating supplies, including fuel and parts.
 - c. There are long lead times for ordering new vehicles and equipment, requiring higher maintenance costs for the current fleet.
3. Both the original 2022/2023 budget and the 2022/2023 revised estimate were based on balanced budgets which maintained essential services to our residents.

Summary

- The ending General Fund balance of 24.5% of expenditures is higher than the original 2022/2023 budget of 22.1% and higher than the 2022/2023 revised estimate of 22.7%.
- This ending balance meets the requirements of the General Fund balance policy adopted in November of 2013 which provides that the minimum General Fund balance be at least 16.7% (two months) of General Fund expenditures. The policy further provides that higher balances (to 25% or more) would “further add to the financial stability of the City and allow more latitude in addressing revenue or expenditure fluctuations, disaster situations, and demonstrate credit worthiness to bond rating agencies”.
- While the FY 23 General Fund balance ended higher than anticipated, there are still some revenue and expenditure concerns going forward including (1) inflationary increases in the cost of goods and services, (2) continuing supply chain issues, (3) uncertainty in future changes in taxable valuations due to impacts from property tax legislation enacted during the 2023 legislative session (H.F. 718), and (4) the union contracts with all three City bargaining units will expire June 30, 2024 and will be negotiated this fall and winter. Having the strong ending balance in the General Fund positions the City to address these and other possible future budget challenges.

Summary (Cont.)

- One-time revenues from the State COVID Relief funds and American Rescue Plan Act (ARPA) funding have provided much-needed funding to balance recent year budgets allowing the City to continue the current level of services to our residents. While this funding was not needed to balance the General Fund budget in 2022/2023 and has carried forward to future years, the City needs to continue to keep in mind that these are one-time funds and that the ARPA funds must be fully expended (or contractually obligated) by December 31, 2024.
- There were positive fund balances in all of the City's operating funds at the end of 2022/2023. The Boat Harbor and Marina fund deficits were eliminated with transfers from the General Fund at the end of the year.
- Most other City funds have ending balances close to or higher than projected and are in good position going into the budget development process for the upcoming year.

Again, this presentation is intended to be informational and for discussion purposes. No decisions are being requested after this presentation. City Council discussion and feedback is welcome.



City of Muscatine

ITEM NUMBER 2023-0496

IN-DEPTH ITEM - CITY COUNCIL

DATE: 10/12/2023

STAFF

Brian Stineman, Public Works Director

SUBJECT FOR DISCUSSION

Presentation on Sidewalk Inventory Project and Discussion on Future Sidewalk Program and Funding Options

EXECUTIVE SUMMARY

Staff will present the data collected during this summer's sidewalk inventory project. Discussion will be held on how the council would like to proceed with a sidewalk program.

GENERAL DIRECTION SOUGHT AND SPECIFIC QUESTIONS TO BE ANSWERED

1. How would the council like to proceed after reviewing the projected estimates?
2. What is the council's opinion on ordinance enforcement for repairs and installation of new sidewalks?
3. What is the council's opinion on a sidewalk budget?
4. What is the council's opinion on a cost-share program?

BACKGROUND/DISCUSSION

In June of 2022 city staff set goals for the city's sidewalk system. Those goals are as follows:

- Using GIS data, create sidewalk zones that can be inspected on a rotating basis
- Determine the condition of sidewalks in each zone
- Determine the amount of funding necessary to bring all sidewalks into compliance
- Determine a funding mechanism to fund installation of sidewalks where they are non-existent
- Continue to fund sidewalk improvements throughout the city focused on specific zones
- Update the policy and website to aid residents and property owners

Since this time, staff created five zones for sidewalk inspection and assessment. In May of 2023 an intern was hired to walk the zones and inventory all sidewalk in as many zones as possible. The intern was able to complete inventory and condition assessment in all five zones by August of 2023. Using the acquired data, staff have determined the entire length of sidewalk within

the city limits. We have also determined the condition of all existing sidewalks. This data has also given us the percentage of sidewalk that is in acceptable and unacceptable condition, as well as the amount of sidewalk that is "missing" within the city, which are streets that do not have sidewalk on one or both sides of them. The summer intern was not trained or qualified to assess the condition of ADA ramps within the city. Therefore, staff must still count and assess all ADA ramps existing within city limits.

The overall map and individual sidewalk zone maps are attached to this item summary.

The costs to repair sidewalk assume that the sidewalk being replaced is four feet wide. Therefore, the length of sidewalk is multiplied by 4 feet to get the total square foot of replacement. Replacement sidewalk is estimated at \$14 per square foot.

The costs to install new sidewalk assume that the new sidewalk will be constructed five feet wide. Therefore, the length of the missing sidewalk is multiplied by 5 feet to get the total square foot of sidewalk to be constructed. New sidewalk is estimated at \$18 per square foot.

Costs for ADA accessible ramps and detectable surfaces are not included in the estimated costs at this time.

The summary of data for each sidewalk zone along with a total tabulation follows:

ZONE 1

- 124,706 linear feet of existing sidewalk
- 1,570 linear feet of "missing" sidewalk
- 12,586 linear feet of sidewalk needs repaired or replaced
- 1.2% of the area that could have sidewalk, does not
- Of the 98.8% that does have sidewalk, 10.1% is in unacceptable condition
- The estimated cost to add missing sidewalk is \$141,300
- The estimated cost to repair unacceptable sidewalk is \$704,816

ZONE 2

- 94,436 linear feet of existing sidewalk
- 75,561 linear feet of "missing" sidewalk
- 7,240 linear feet of sidewalk needs replaced/repaired
- 44.4% of the area that could have sidewalk, does not
- Of the 55.6% that does have sidewalk, 7.7% is in unacceptable condition
- Cost to add missing sidewalk (377,805 S.F. x \$18) \$6,800,490
- Cost to repair sidewalk (28,960 S.F. x \$14) \$318,560

ZONE 3

- 130,606 linear feet of existing sidewalk
- 109,734 linear feet of “missing” sidewalk
- 11,317 linear feet of sidewalk needs replaced/repared
- 45.7% of the area that could have sidewalk, does not
- Of the 54.3% that does have sidewalk, 8.7% is in unacceptable condition
- Cost to add missing sidewalk (548,670 S.F. x \$18) \$9,876,060
- Cost to repair sidewalk (45,268 S.F. x \$14) \$633,752

ZONE 4

- 148,467 linear feet of existing sidewalk
- 98,341 linear feet of “missing” sidewalk
- 13,049 linear feet of sidewalk needs replaced/repared
- 40% of the area that could have sidewalk, does not
- Of the 60% that does have sidewalk, 8.8% is in unacceptable condition
- Cost to add missing sidewalk (491,705 S.F. x \$18) \$8,850,690
- Cost to repair sidewalk (52,196 S.F. x \$14) \$730,744

ZONE 5

- 156,606 linear feet of existing sidewalk
- 132,696 linear feet of “missing” sidewalk
- 13,959 linear feet of sidewalk needs replaced/repared
- 45.9% of the area that could have sidewalk, does not
- Of the 54.1% that does have sidewalk, 9% is in unacceptable condition
- Cost to add missing sidewalk (663,480 S.F. x \$18) \$11,942,640
- Cost to repair sidewalk (55,836 S.F. x \$14) \$781,704
- ADA ramps and detectable surfaces not included

TOTALS

Description	Zone 1	Zone 2	Zone 3	Zone 4	Zone 5	Totals
No Sidewalk	7,850 S.F.	377,805 S.F.	548,670 S.F.	491,705 S.F.	663,480 S.F.	2,089,510 SF
Repair Sidewalk	50,344 S.F.	28,960 S.F.	45,268 S.F.	52,196 S.F.	55, 836 S.F.	232,604 S.F.
Cost to Add	\$141,300	\$6,800,490	\$9,876,060	\$8,850,690	\$11,942,640	\$37,611,180
Cost to Repair	\$704,816	\$405,440	\$633,752	\$730,744	\$781,704	\$3,256,456
Total Work	58,194 S.F.	406,765 S.F.	593,901 S.F.	543,901 S.F.	719,316 S.F.	2,322,114 SF
Total Cost	\$846,116	\$7,205,930	\$10,509,812	\$9,581,434	\$12,724,344	\$40,867,636

After reviewing this data, staff have several questions and recommendations to the council regarding the direction they would like to take to move forward.

1. How would the council like to see us move forward with this project?

- Staff recommend using sidewalk funds to enforce compliance on existing sidewalks versus using funds to construct new sidewalks. Does the council agree?
- Staff recommends selecting a starting zone and using the evaluation data to define the worst areas to replace first. Does the council agree?
- Staff recommends leaving an option for a complaint driven process for staff to follow up with inspections and enforcement as necessary. Does the council agree?

2. How does the council envision funding sidewalk repairs?

- Staff recommends enforcing the city code and requiring property owners to repair and maintain the existing sidewalk. Does the council agree?
- Staff recommends enforcing the city code and holding a public hearing and special assessment to share the cost of construction of new sidewalks with abutting property owners. Does the council agree?
- Staff recommend creating and presenting a cost-share program for sidewalk replacement at a future in-depth meeting. Does the council agree?

Currently we budget \$100,000 per year from Road Use Tax Funds to use for sidewalk repair, construction, or design. With the estimated need at \$3,256,456 for replacement of unacceptable sidewalk, it would take 32.5 years to make the needed repairs.

A cost share program for sidewalk replacement may be a viable option for many property owners as well as the city. Several communities in Iowa have responded to an Iowa Public Works Service Bureau request I made for how they cost-share for sidewalk improvements:

- In the City of West Point, the property owners pay for the concrete and the city employees provide the labor.

- In Sioux City, they have broken the city into 10 zones and inspect one per year. Property owners are notified of repairs or replacements needed and the following year, the city hires a contractor to repair the sidewalks that the owners do not repair on their own. The property owners are assessed the cost of the repairs plus a 25% administrative fee. The contractor's costs and the City's admin fee are usually less than what a property owner would pay if they paid their own contractor. So they don't subsidize owners directly, but they can receive a better rate through the city contractor.
- In Anita, the city pays one time \$750 per lot for sidewalk replacement.
- Iowa City is very similar to Sioux City, with 10 zones inspected, one per year. The city gives the owner the option to repair their own. If they do not, the city contracts the work and bills the owner plus a \$25 administrative fee. If a repair is required due to a city-owned item like a water valve, utility access structure, or right of way tree, the repairs are paid for by the city. A link to Iowa City's program is here:
<https://www.icgov.org/government/departments-and-divisions/public-works/engineering/sidewalk-repair-program>
- The City of Davenport has a 50/50 cost-share program where the City and the property owner split the cost for the city-hired contractor to make sidewalk repairs deemed necessary by inspection. A link to Davenport's program is here:
<https://www.davenportiowa.com/cms/one.aspx?pagelid=10351904>

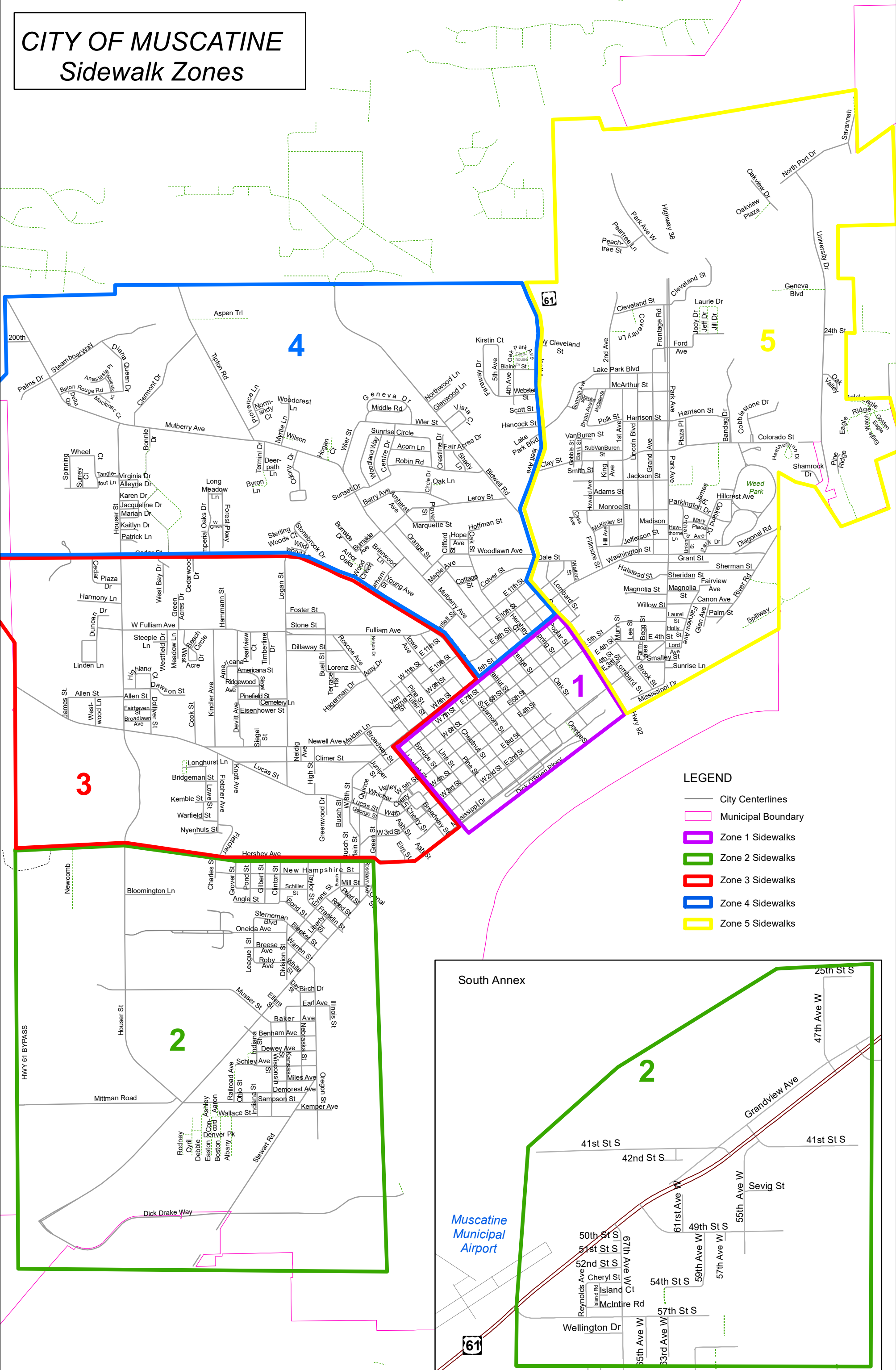
If the council chooses to pursue a cost-share program, staff would need time to prepare a policy and would likely present it at a future in-depth council meeting.

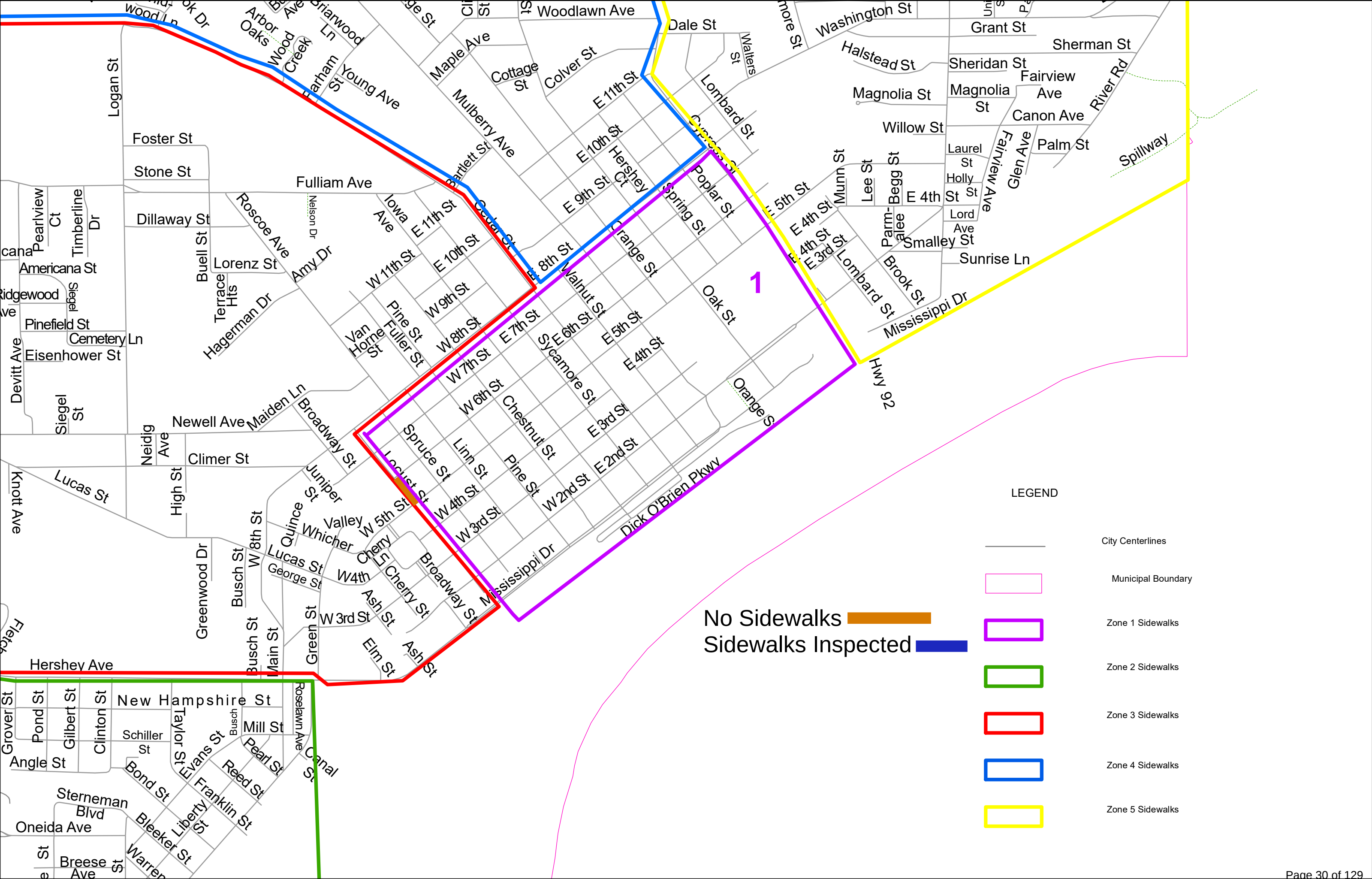
ATTACHMENTS

1. Sidewalk Inspection Zones
2. Zone 1 Zoom in
3. Zone 2 Zoom In
4. Zone 3 Zoom In
5. Zone 4 Zoom In
6. Zone 5 Zoom In
7. October 2023 In-depth Sidewalk Update v3

CITY OF MUSCATINE

Sidewalk Zones

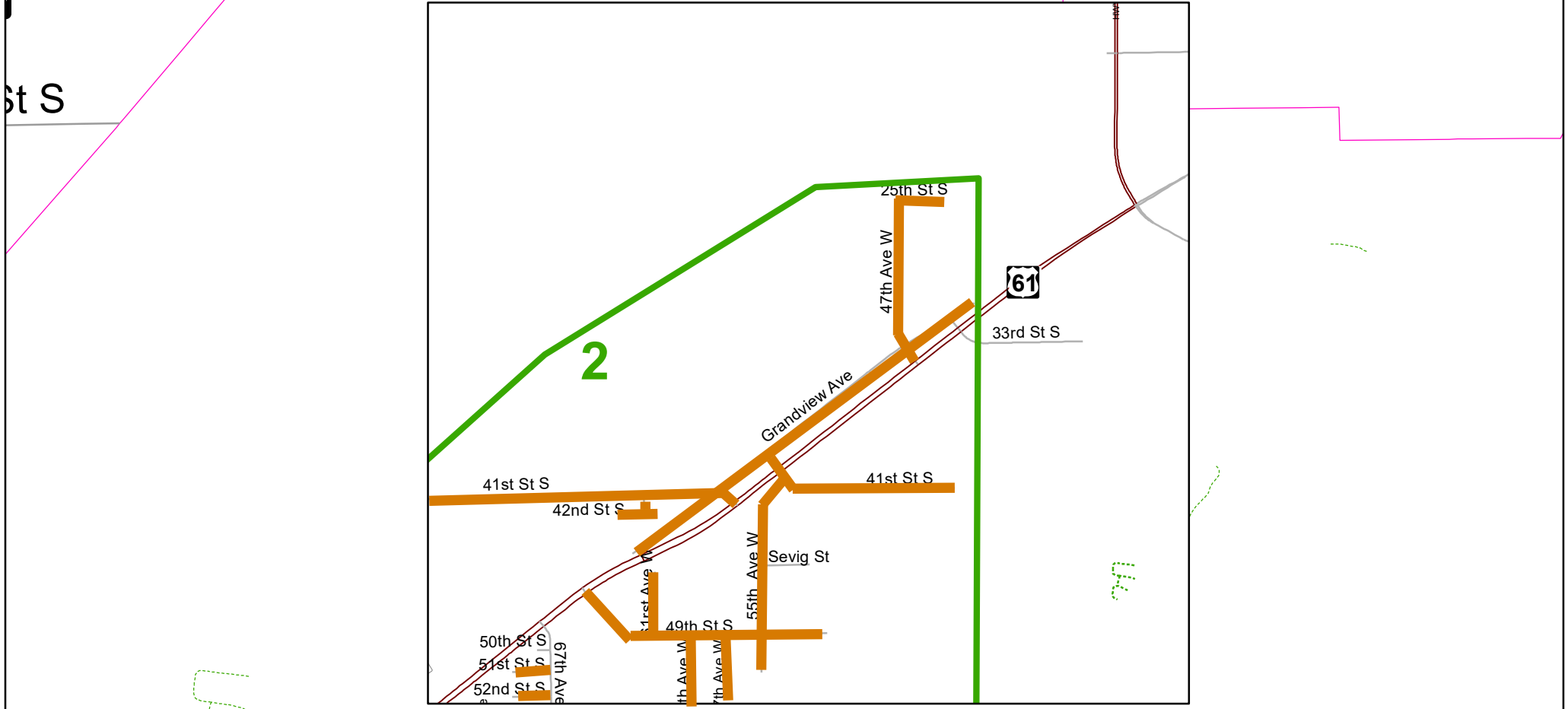
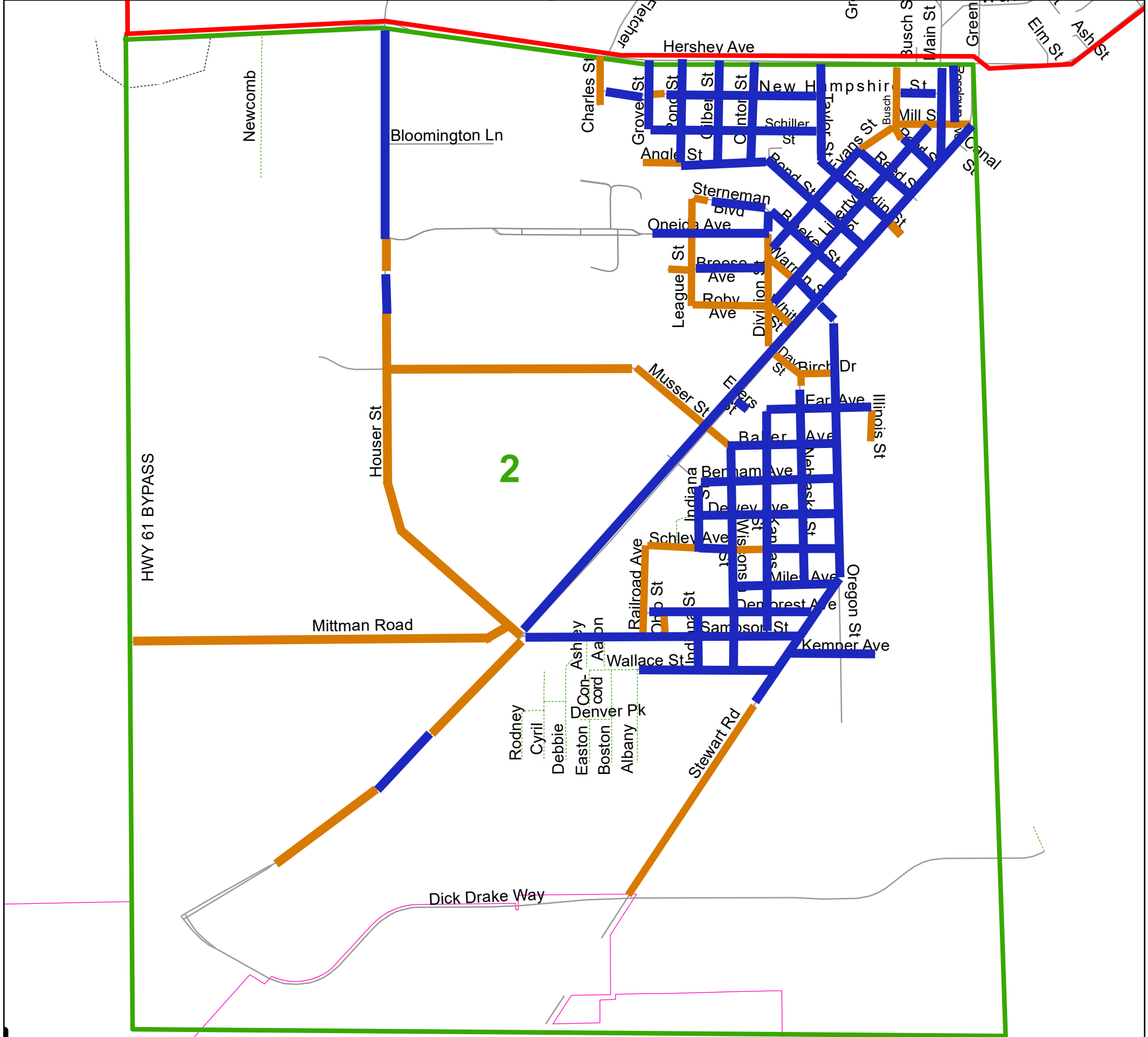




LEGEND

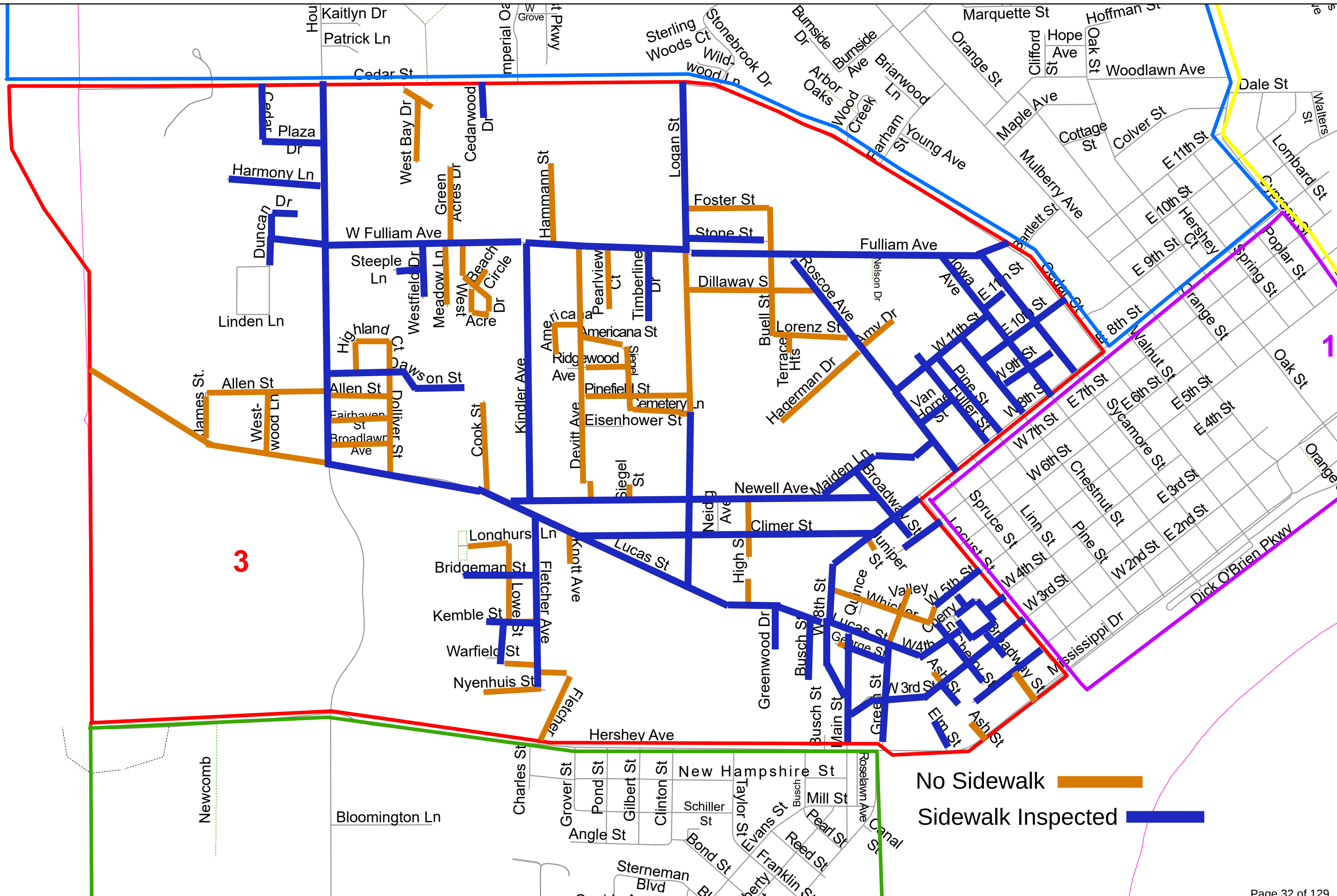
- City Centerlines
- Municipal Boundary
- Zone 1 Sidewalks
- Zone 2 Sidewalks
- Zone 3 Sidewalks
- Zone 4 Sidewalks
- Zone 5 Sidewalks

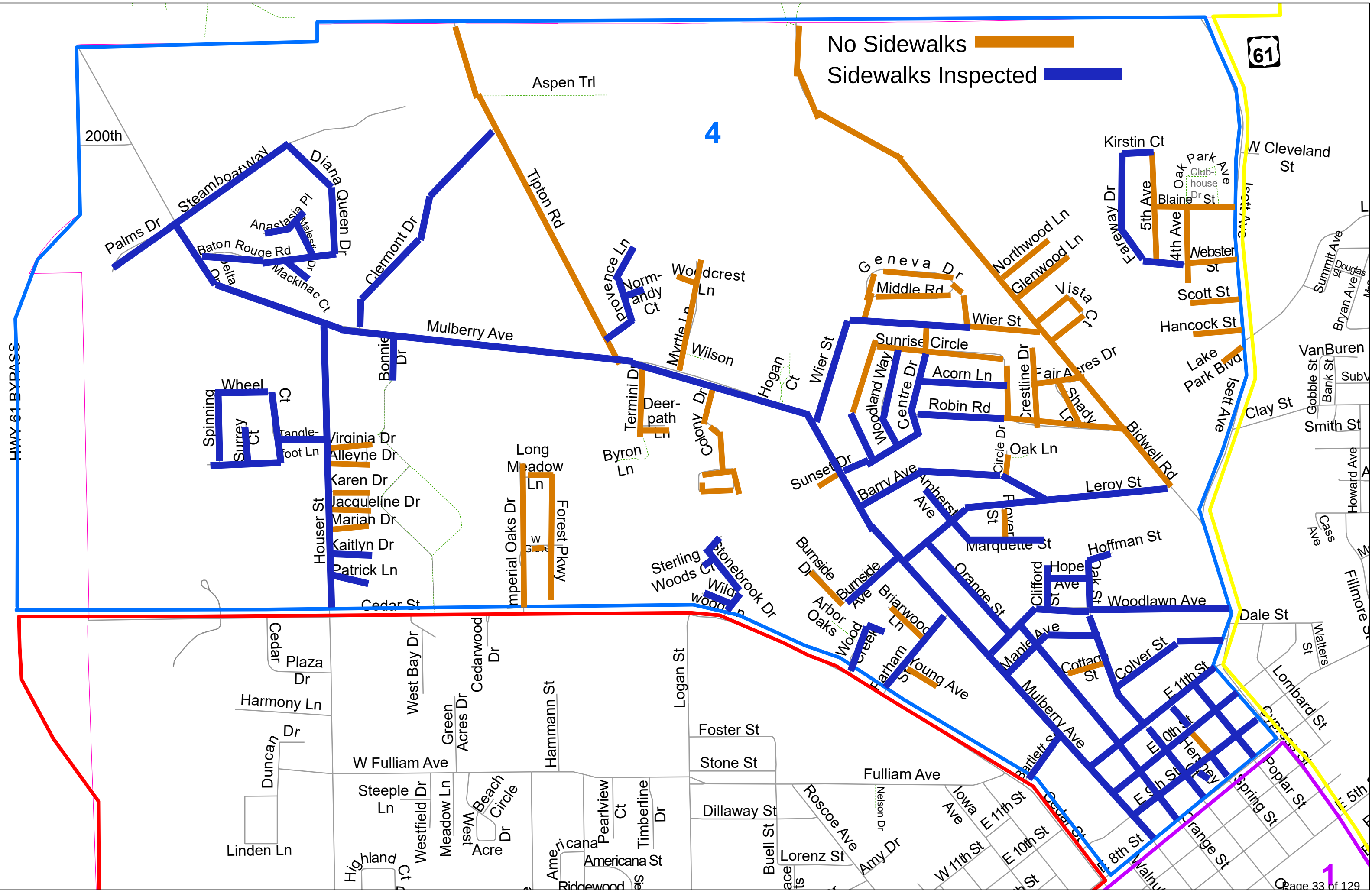
No Sidewalks
Sidewalks Inspected

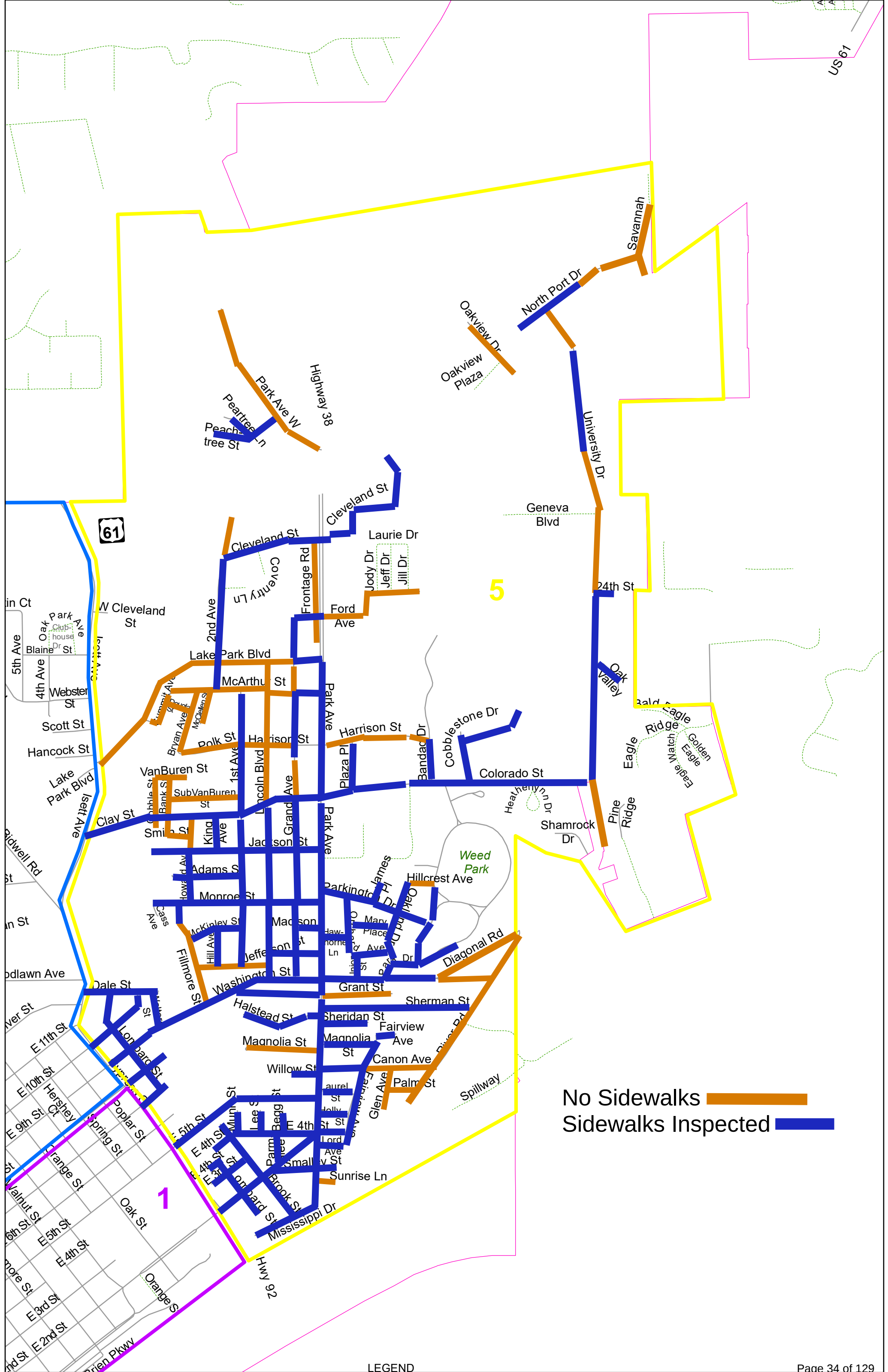


No Sidewalk

Sidewalk Inspected







Update on Sidewalk Inventory Project

OCTOBER 12, 2023

BRIAN STINEMAN, PUBLIC WORKS DIRECTOR



Direction Sought

How would the council like to proceed after reviewing the projected estimates?

What is the council's opinion on ordinance enforcement for repairs and installation of new sidewalk?

What is the council's opinion on sidewalk budget?

What is the council's opinion on a cost-share program?



Agenda

1. Update on sidewalk inventory and assessment progress
2. Discussion of council's opinion on ordinance enforcement for repairs and installation of new sidewalk
3. Cost Share Program Discussion
4. Discussion on next steps
5. Questions



Policy Goals (from June 2022)

- Using GIS data, create sidewalk “zones” that can be inspected on a rotating basis
- Determine the condition of sidewalks in each zone
- Determine the amount of funding necessary to bring all sidewalks into compliance
- Determine mechanism to fund installation of sidewalks where they are non-existent
- Continue to fund sidewalk improvements throughout the city focused on specific zones
- Update policy and website to aid residents and property owners

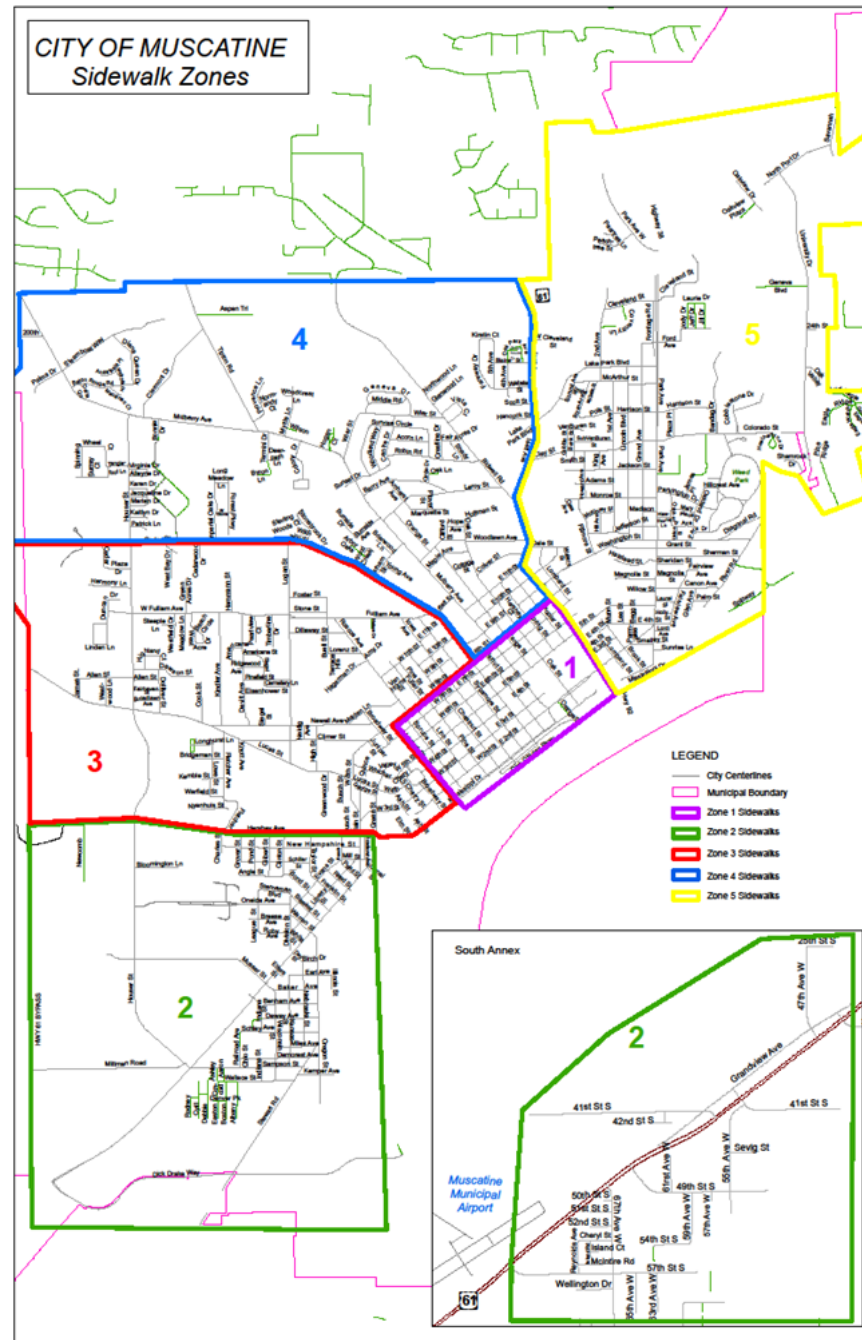


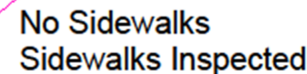
Update

- Created 5 zones for inspection and assessment (maps in attachments)
- Hired an intern in May
- Intern completed field work in all 5 zones
- Staff have assessed data
 - Determined total length of sidewalk within city limits
 - Determined condition of existing sidewalk
 - Determined percentage of sidewalk in acceptable and unacceptable condition
 - Determined the amount of sidewalk that is missing
- Staff to assess data
 - Determine number of ADA ramps not present at intersections
 - Determine number curb ramps present without ADA warning panels



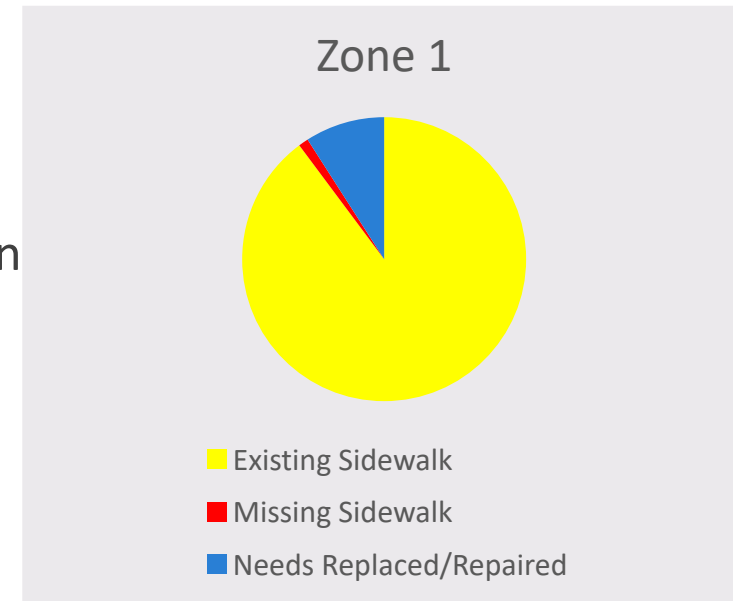
Zones



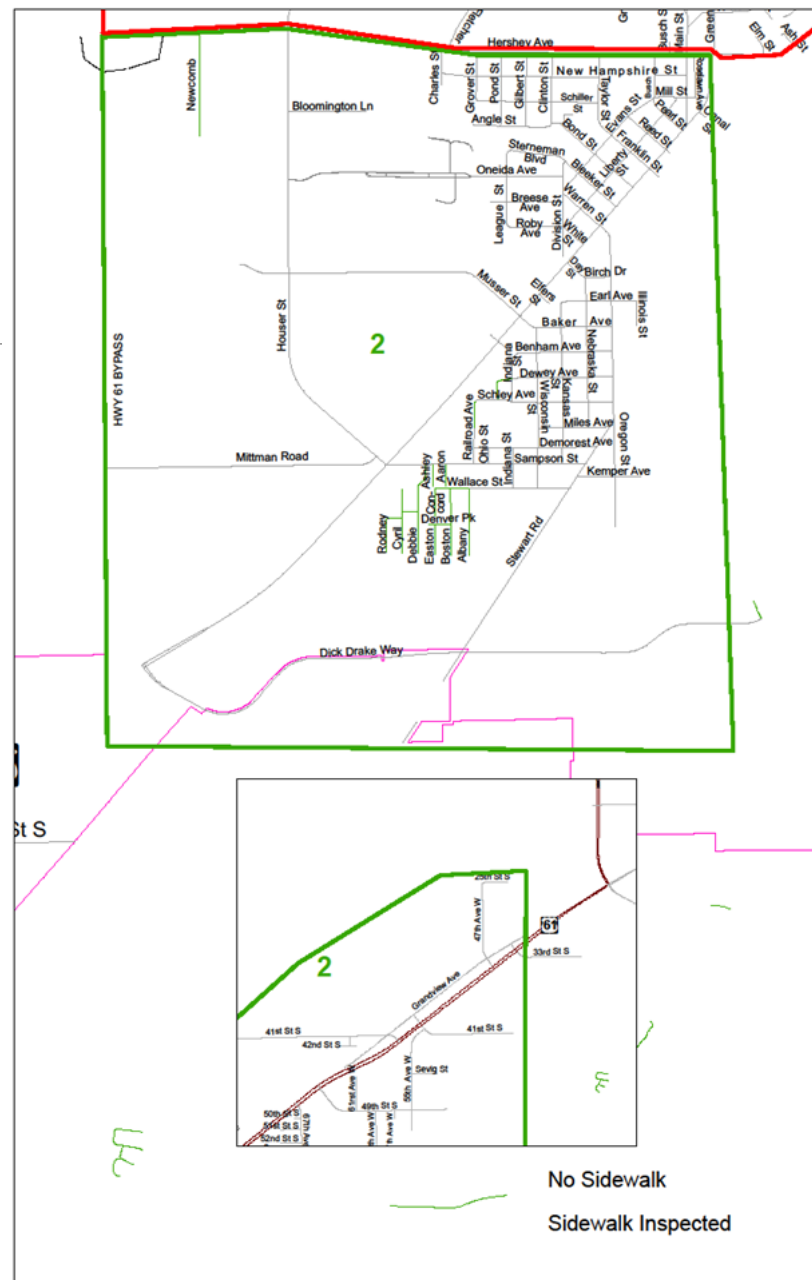


Zone 1

- 124,706 linear feet of existing sidewalk
- 1,570 linear feet of “missing” sidewalk (streets with no sidewalk or sidewalk only on 1 side)
- 12,586 linear feet of sidewalk needs replaced/repared
- 1.2% of the area that could have sidewalk, does not
- Of the 98.8% that does have sidewalk, 10.1% is in unacceptable condition
- Cost to add missing sidewalk (7,850 S.F. x \$18) \$141,300
- Cost to repair sidewalk (50,344 S.F. x \$14) \$704,816
- ADA ramps and detectable surfaces not included



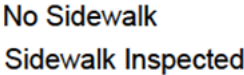
Zone 2



Zone 2

- 94,436 linear feet of existing sidewalk
- 75,561 linear feet of “missing” sidewalk (streets with no sidewalk or sidewalk only on 1 side)
- 7,240 linear feet of sidewalk needs replaced/repared
- 44.4% of the area that could have sidewalk, does not
- Of the 55.6% that does have sidewalk, 7.7% is in unacceptable condition
- Cost to add missing sidewalk (377,805 S.F. x \$18) \$6,800,490
- Cost to repair sidewalk (28,960 S.F. x \$14) \$318,560
- ADA ramps and detectable surfaces not included



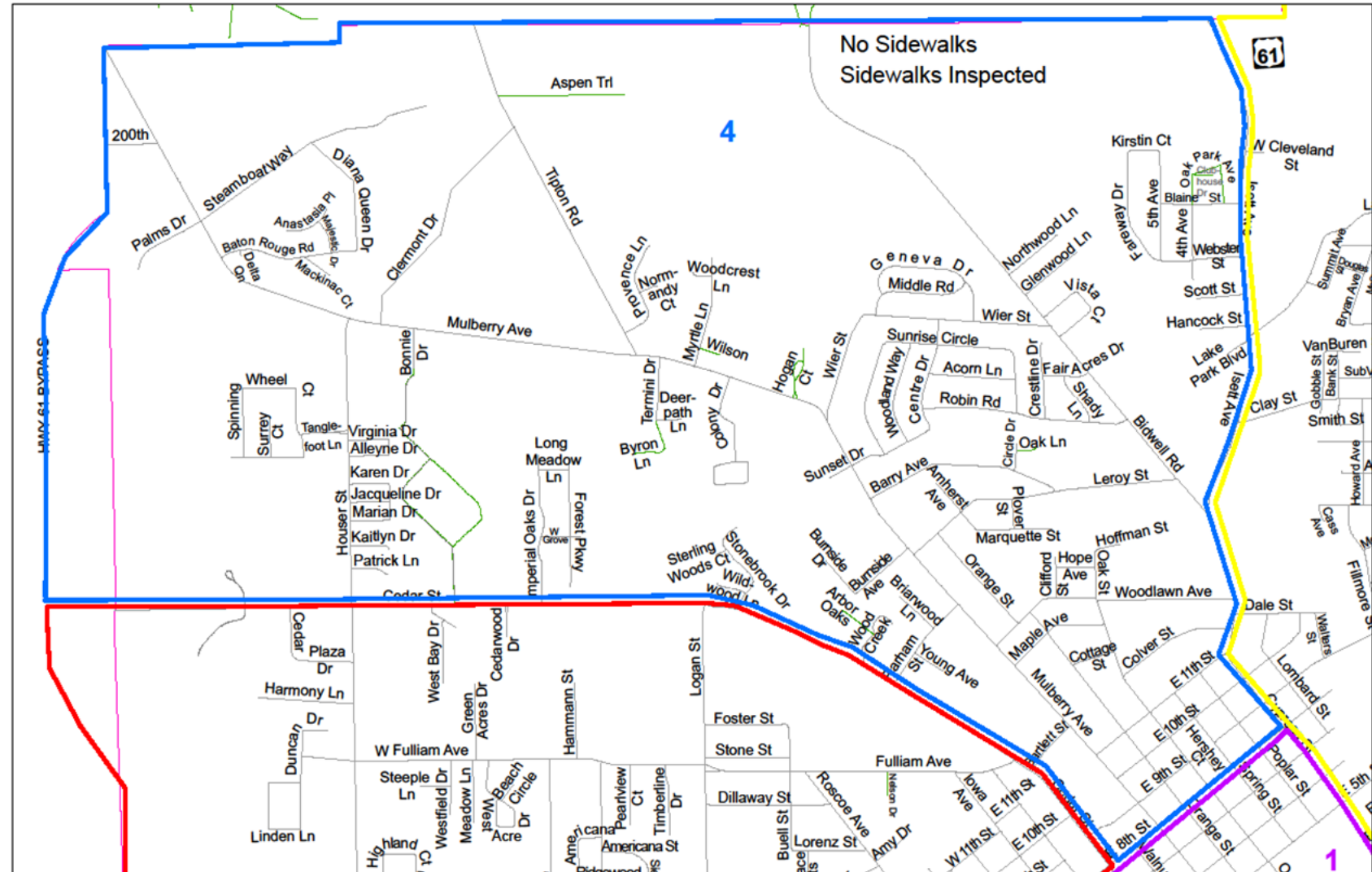


Zone 3

- 130,606 linear feet of existing sidewalk
- 109,734 linear feet of “missing” sidewalk (streets with no sidewalk or sidewalk only on 1 side)
- 11,317 linear feet of sidewalk needs replaced/repared
- 45.7% of the area that could have sidewalk, does not
- Of the 54.3% that does have sidewalk, 8.7% is in unacceptable condition
- Cost to add missing sidewalk (548,670 S.F. x \$18) \$9,876,060
- Cost to repair sidewalk (45,268 S.F. x \$14) \$633,752
- ADA ramps and detectable surfaces not included



Zone 4

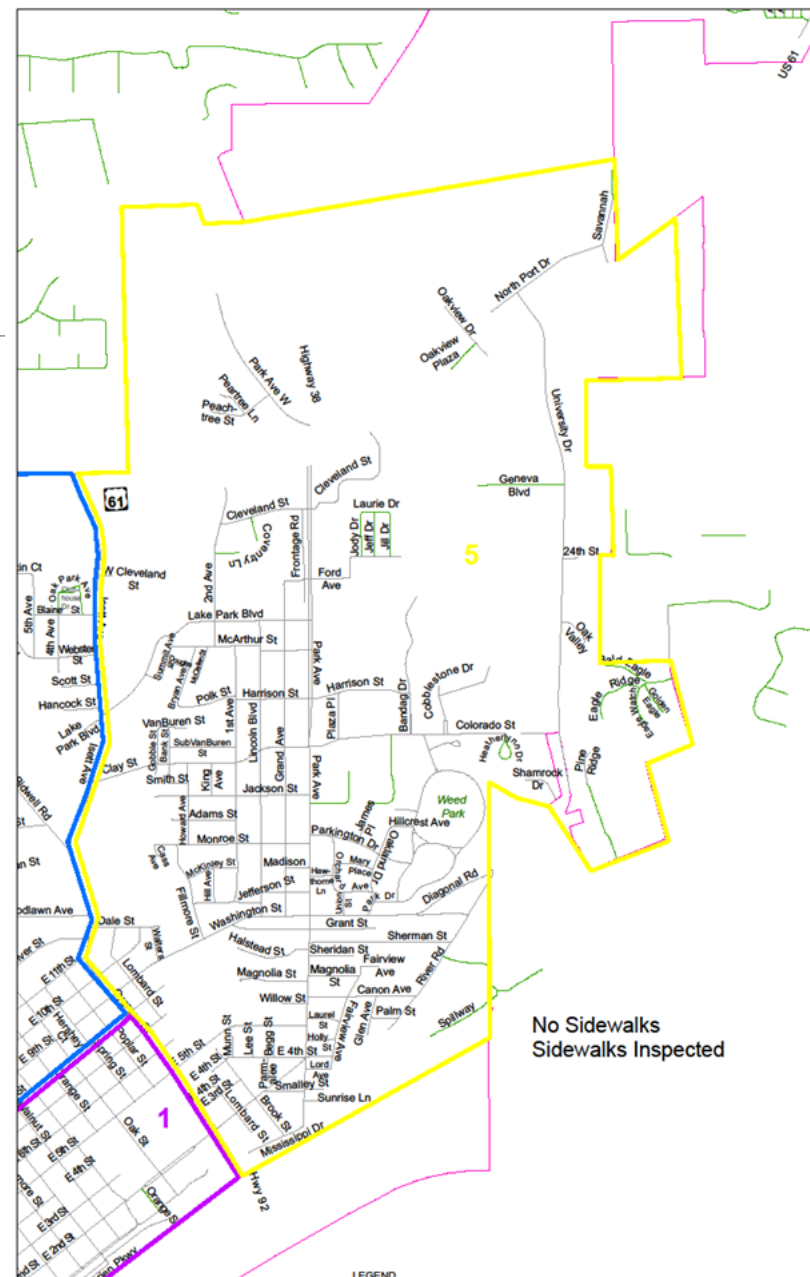


Zone 4

- 148,467 linear feet of existing sidewalk
- 98,341 linear feet of “missing” sidewalk (streets with no sidewalk or sidewalk only on 1 side)
- 13,049 linear feet of sidewalk needs replaced/repared
- 40% of the area that could have sidewalk, does not
- Of the 60% that does have sidewalk, 8.8% is in unacceptable condition
- Cost to add missing sidewalk (491,705 S.F. x \$18) \$8,850,690
- Cost to repair sidewalk (52,196 S.F. x \$14) \$730,744
- ADA ramps and detectable surfaces not included



Zone 5



Zone 5

- 156,606 linear feet of existing sidewalk
- 132,696 linear feet of “missing” sidewalk (streets with no sidewalk or sidewalk only on 1 side)
- 13,959 linear feet of sidewalk needs replaced/repared
- 45.9% of the area that could have sidewalk, does not
- Of the 54.1% that does have sidewalk, 9% is in unacceptable condition
- Cost to add missing sidewalk (663,480 S.F. x \$18) \$11,942,640
- Cost to repair sidewalk (55,836 S.F. x \$14) \$781,704
- ADA ramps and detectable surfaces not included



All Zones Projected Estimates

Description	Zone 1	Zone 2	Zone 3	Zone 4	Zone 5	Totals
No Sidewalk	7,850 S.F.	377,805 S.F.	548,670 S.F.	491,705 S.F.	663,480 S.F.	2,089,510 SF
Repair Sidewalk	50,344 S.F.	28,960 S.F.	45,268 S.F.	52,196 S.F.	55, 836 S.F.	232,604 S.F.
Cost to Add	\$141,300	\$6,800,490	\$9,876,060	\$8,850,690	\$11,942,640	\$37,611,180
Cost to Repair	\$704,816	\$405,440	\$633,752	\$730,744	\$781,704	\$3,256,456
Total Work	58,194 S.F.	406,765 S.F.	593,901 S.F.	543,901 S.F.	719,316 S.F.	2,322,114 SF
Total Cost	\$846,116	\$7,205,930	\$10,509,812	\$9,581,434	\$12,724,344	\$40,867,636



Next Steps (Staff)

- Complete ADA compliant ramps assessment
- Calculate and report numbers for ADA ramps

Next Steps (Direction Needed)

- How do we want to proceed with moving forward?
- Do we want to prioritize areas for repairs/replacement or new installation?
- Evaluate, repair worst first?
- Install new first?
- Do we want to make this complaint driven?



Next Steps (Direction Needed)

- Determine how to pay for repairs
- Do we want to strictly enforce the city code?
- Do we want the City to pay all the costs?
- Do we want to cost-share?



Funding Options (City Code)

- If we follow city code:
- City Code, Title 3-1-2 D.
 - The abutting property owner shall maintain the sidewalk in a safe condition, in a state of good repair, and free from defects. The abutting property owner may be liable for damages caused by failure to maintain the sidewalk.



Funding Options (City Code)

- **City Code, Title 3-1-2 C**

New Sidewalks. In areas of the City where there are no sidewalks, they shall be installed as follows:

1. **New Construction.** New sidewalks shall be installed in accordance with Title 11 of this Code.
2. **Other Areas.** The City Council shall determine the necessity of installing sidewalks in the areas of the City where none exist after holding a public hearing in accordance with the special assessment provisions of the Code of Iowa.
3. **Cost of Installation.** If, as provided elsewhere in this Code of Ordinances, it is determined that a sidewalk should be installed, the abutting property owners shall share the cost of installing new sidewalks with the City of Muscatine in accordance with the special assessment rules and regulations for sidewalks as adopted by the City Council. If no such determination is made, abutting property owners may install a sidewalk at their own expense, as long as the sidewalk conforms to the specifications set by the City Engineer and the permit required has been obtained.



Funding Options (City Pays)

- Currently allocate \$100,000 per year from Road Use Tax for sidewalk projects
- Estimated need for repairs is \$3,256,456
- Estimated time to complete repairs is 32.5 years
- Estimated need for new construction is \$37,611,180
- Estimated time to add new is 376 years



Funding Options (Cost Share)

- Currently allocate \$100,000 per year from Road Use Tax for sidewalk projects
- We could develop program to split costs of sidewalk repairs with residents
- Would allow funds to stretch further to accomplish more work and reduce time to complete



Cost Share Examples from Iowa

Owners pay for concrete, city provides (or contracts) labor

City hires contractor and assesses costs to owners plus admin fee (this is usually cheaper for owner due to volume discount)

City pay up to a set amount one time per property for sidewalk replacement

City cost share at percentage determined by council (50/50, 60/40, etc.)



Discussion/Questions?

Brian Stineman

Public Works Director

bstineman@muscatineiowa.gov

563-263-8933



Next Steps (Direction Needed)

- How do we want to proceed with moving forward?
- Do we want to prioritize areas for repairs/replacement or new installation?
 - Staff recommend focusing on repairs and replacement. Does council agree?
- Evaluate, repair worst first?
 - Staff recommend focusing on the zones and requiring repairs to worst areas first. Does council agree?
- Install new first?
 - Staff recommend focusing on existing non-compliant sidewalks
- Do we want to make this complaint driven?
 - Staff recommend leaving this option open so that complaints can drive inspections and assessments. Funding will determine how soon complaints get ordered to repair. Does council agree?



Next Steps (Direction Needed)

- Determine how to pay for repairs
- Do we want to strictly enforce the city code?
 - Staff recommend following existing city code. Does council agree?
- Do we want the City to pay all the costs?
 - Staff do not recommend this option. Costs exceed budget for all instances.
- Do we want to cost-share?
 - Staff feel that by following city code for new sidewalk installations costs will be shared per code.
 - Staff recommend a cost share program for repairs/replacement to save residents money and allow us to complete more work in a construction season.
 - Staff will need time to create and present a cost-share program to council for approval.





City of Muscatine

ITEM NUMBER 2023-0498

IN-DEPTH ITEM - CITY COUNCIL

DATE: 10/12/2023

STAFF

Carol Webb, City Administrator

SUBJECT FOR DISCUSSION

Update related to Canadian Pacific Railway's Acquisition of Kansas City Southern Railway and related Community Investment and Settlement Agreement

EXECUTIVE SUMMARY

The acquisition of Kansas City Southern ("KCS") Railway by Canadian Pacific ("CP") Railway was finalized by the U.S Surface Transportation Board (STB) in March 2023, forming "Canadian Pacific Kansas City Railway" ("CPKCR"). Prior to approval of the acquisition, the City provided comments to the STB regarding potential adverse impacts to Muscatine as a result of the acquisition and the resulting increase in rail traffic. Following the submission of those comments, CP negotiated a Community Investment and Settlement Agreement with the City, which was approved by City Council in August 2022. Upon STB's approval of the acquisition, CPKCR provided the City with a \$3 million payment as required by the agreement, which was set aside in a capital project fund. To date, the City has not expended any of the settlement funds.

The City applied for a federal Railroad Crossing Elimination Grant in October 2022 to plan and design a grade separated crossing at Dick Drake Way to mitigate any future increase in blocked crossings in Muscatine's south end as a result of an increase in train traffic. The City was not awarded the grant but intends to re-apply when the grant cycle reopens.

City staff met with CPKCR staff in August 22 to evaluate the potential of pursuing a quiet zone in Muscatine's south end to mitigate future increases in train noise. A quiet zone may be feasible and could be pursued by the City in the future.

GENERAL DIRECTION SOUGHT AND SPECIFIC QUESTIONS TO BE ANSWERED

Does City Council have any questions and/or feedback regarding the information presented?

BACKGROUND/DISCUSSION

In October 2021, Canadian Pacific ("CP") Railway and Kansas City Southern ("KCS") Railway filed an application with the U.S. Surface Transportation Board ("STB") in which CP sought

authorization for the acquisition of KCS. The merger was finalized by both railways in December 2021 and received final approval in March 2023 from the STB, subject to certain conditions, to form Canadian Pacific Kansas City Railway ("CPKCR"), the first single-line railway connecting the U.S., Mexico and Canada.

Environmental Review Process

To thoroughly assess potential environmental impacts that could result from the proposed acquisition, the STB's Office of Environmental Analysis (OEA) developed an environmental impact statement ("EIS") pursuant to the National Environmental Policy Act (NEPA) and related laws. The City participated in the EIS process by providing formal statements to the STB regarding potential adverse impacts to Muscatine as a result of the acquisition. The City also met with representatives from CP on several occasions to discuss possible mitigation actions.

The final EIS was issued by the OEA in January 2023. The EIS concluded that, apart from train noise, most of the potential adverse impacts of the acquisition would be "...negligible, minor, and/or temporary. However, train noise associated with increased rail traffic resulting from the acquisition would result in adverse impacts on many residences and other locations that are sensitive to noise".

Adverse Impact Mitigation Measures

In addition to identification of adverse impacts, the EIS included final recommended adverse impact mitigation measures. These measures were largely voluntary and did not include any grade-separated crossings for impacted communities. The mitigation measures recommended by OEA relevant to the City of Muscatine include:

- Negotiate voluntary agreements with potentially affected communities to address local concerns and comply with the terms of those agreements (MM-Community-01).
- Fund the participation in railroad focused emergency response training at the Association of American Railroads' Security and Emergency Response Training Center in Pueblo, Colorado, of two qualified firefighters providing service within each of the potentially affected communities (VM-Rail-04).
- When practical, a standing train or switching movement must avoid blocking a public crossing longer than 10 minutes and, when practical, cars, engines and other equipment should not be left standing closer than 250 feet from a road crossing when there is an adjacent track (VM-Grade Crossing-02).
- Notify Emergency Services Dispatching Centers for potentially affected communities of all crossings blocked by trains that are stopped and may be unable to move for a significant period of time (VM-Grade Crossing-06).
- Fund the improvements necessary to allow any potentially affected community with an existing Quiet Zone (including Muscatine) to maintain that designation should the increase in merger related train traffic cause that community to fall out of compliance with FRA regulations (VM-Noise-01).
- Conduct proactive and targeted outreach to minority and low-income communities that would experience adverse noise impacts as a result of the acquisition to provide

information about the process for establishing Quiet Zones. The Applicants shall assist interested communities in identifying supplemental or alternative safety measures, practical operational methods, or technologies that may enable the community to establish Quiet Zones in accordance with FRA's final rule on the "Use of Locomotive Horns at Highway-Rail Grade Crossings." (MM-EJ-01).

The full Final Environmental Impact Statement can be found at:
<https://www.cp-kcsmergereis.com/>.

Community Investment and Settlement Agreement

The City Council approved a voluntary "Community Investment and Settlement Agreement in August 2022. The Community Investment and Settlement Agreement contemplated a \$3 million payment to the City by CPKCR. This payment was made to the City in June 2023 and has been set aside in a capital project fund. To date, no mitigation funds have been expended.

Railroad Crossing Elimination Grant Status

A portion of the payment (approximately \$1.6 million) was to be utilized as a 20% match for a grant application to plan and construct a grade separated crossing at Dick Drake Way. Through support from CPKCR, the City worked with HDR Consulting to apply for a Railroad Crossing Elimination (RCE) Planning Grant (funded through the Federal Infrastructure Investment and Jobs Act). The City requested \$728,400 in grant funds to engineer and plan development of the proposed grade separated crossing. The City submitted the grant in October 2022 and received notice in June 2023 that the proposed project was not selected. It is anticipated that the RCE program will re-open in the coming months as the program has funds authorized for the next 4 years. The City will monitor the RCE program and re-apply when another grant cycle opens. City staff will also request a briefing with the granting agency to identify ways to strengthen the project grant application.

Next Steps

Per the Final EIS, CPKC must submit quarterly reports to OEA on the progress on implementation of, and compliance with all imposed environmental mitigation measures. Quarterly reports are prepared for five years or one year after the capital improvements related to the acquisition have been completed, whichever is longer. CPKC must submit copies of the quarterly reports within 30 days following the end of each quarterly reporting period and distribute the reports to appropriate federal and state agencies, as specified by the OEA.

City staff will re-apply for the RCE planning grant when the next grant cycle opens. Should the City be successful in acquiring the necessary grant funding, \$1,600,000 of the \$3,000,000 in settlement funds will be used toward the proposed Dick Drake Way grade separation. A small portion of the remaining \$1,400,000 will be used to close the Day Street crossing in conjunction with construction of a trail crossing at Oregon Street. City staff met with CPKCR staff to evaluate the potential of pursuing a quiet zone in Muscatine's south end to mitigate future increases in train noise. A quiet zone may be feasible and could be pursued by the City in the

future utilizing remaining settlement funds as approved by City Council. City Council may also pursue other projects as deemed appropriate utilizing settlement funds.

ATTACHMENTS

1. 2022-0316 Resolution Approving a Community Investment and Settlement Agreement with Canadian Pacific Railway_JC SIGNED
2. 2022-0372 Request to Submit a Railroad Crossing Elimination Planning Grant
3. Council In-depth CP Merger ppt 10.12.23



City of Muscatine

ITEM NUMBER 2022-0316

AGENDA ITEM SUMMARY

DATE: 8/4/2022

STAFF

Carol Webb, City Administrator

SUBJECT

Resolution approving a Community Investment and Settlement Agreement with Canadian Pacific Railway Company

EXECUTIVE SUMMARY

Canadian Pacific Railway Company ("CP") and Kansas City Southern Railway Company ("KCS") filed an application for merger with the Surface Transportation Board ("STB"). A merger of such magnitude will have significant impacts on Muscatine and residents of our city.

Consequently, City staff proposes to enter into a Community Investment and Settlement Agreement with CP. The agreement contemplates a \$3 million payment to the City. A portion of the payment (approximately \$1.6 million) will be utilized as a 20% match for a grant application to construct a grade separated crossing at Dick Drake Way. CP agrees that it will provide the City with a grant writer to assist with grant applications for the proposed crossing. The City also agrees to add a pedestrian/bike crossing at Oregon Street (part of the Grandview Ave Reconstruction Project) and close the Day Street crossing (required to add the Oregon Street crossing). The City may use the remaining funds as it deems appropriate to mitigate the effects on the City as a result of the transaction between CP and KCS. The City intends to utilize the funds to mitigate, to the extent possible, the impacts of increased train traffic through Muscatine.

STAFF RECOMMENDATION

Staff recommends approval

BACKGROUND/DISCUSSION

In the fall of 2021, Canadian Pacific Railway Company ("CP") and Kansas City Southern Railway Company ("KCS") filed an application for merger with the Surface Transportation Board ("STB"). CP and KCS are both Class I railroads and a merger of such magnitude requires STB approval. STB reviews this type of transaction from two primary perspectives: (1) the transportation-related process, including competition and economic issues, and (2) the environmental process, including the impact on cities such as Muscatine and residents of our city.

The environmental process is conducted by STB's Office of Environmental Analysis (OEA). The OEA provides a public process for comments on environmental impacts, establishes a scope for an Environmental Impact Statement ("EIS"), publishes a draft EIS, publishes a final EIS, and provides the STB with any environmental mitigation actions proposed by OEA.



Carol Webb
City Administrator
City Hall, 215 Sycamore St.
Muscatine, IA 52761-3840
Cwebb@muscatineia.gov
(563) 264-1550 Voice

DATE: December 17, 2021

TO: Joshua Wayland, Surface Transportation Board, c/o VHB

FROM: Carol Webb, City Administrator – Muscatine, Iowa CW

RE: Submission for Docket No. FD 36500
Canadian Pacific Railway Limited, Control of Kansas City Southern

The City of Muscatine respectfully submits the following comments regarding Docket No. FD 36500 related to an application filed on October 29, 2021 by Canadian Pacific Railway, Limited, et al. (CP) and Kansas City Southern et al. (KCS) seeking authorization for CP to acquire KCS.

It is our understanding that as part of the approval process, the Surface Transportation Board must evaluate the potential impacts of the proposed acquisition on the environment and the first step in that process is to identify any potential environmental impacts related to the proposed merger of CP and KCS.

Muscatine's concerns identified to date include:

1. The City of Muscatine (the City) was notified via email on November 12 regarding the potential merger of CP and KCS and that scoping comments were due on December 17, 2021. Thirty days is not an adequate time to complete a review of the 4,000 plus page filing to the docket and to consider the breadth and scope of the potential impacts. The City is concerned that adequate time has not been given to sufficiently identify the scope of both negative and beneficial impacts.
2. Muscatine is located on a section of combined railway that will experience a 225% increase in the number of trains per day (from 6.38 to 20.78 trains) and a 100% increase in the millions of annual gross ton miles (from 18.33 to 36.87). This transaction related growth exceeds identified thresholds and will undoubtedly impact the City in multiple ways, however an insufficient amount of time has been provided to thoroughly identify those impacts.
3. The main railway through Muscatine includes 15 crossings, ranges from one to four tracks, and experiences a combined crossing traffic count of over 14,500 cars per day. In addition, there are five rail spurs located within Muscatine, some of which also experience a significant amount of traffic. The City is concerned that a three-fold increase in rail traffic will lead to more blocked crossings and consequently significantly more traffic congestion. Blocked crossings pose significant community safety risks, particularly where trains hinder roadway and pedestrian movement for extended periods. Drivers and pedestrians may attempt to clear the crossing before a train arrives or may seek an alternate route in an unsafe manner.

"I remember Muscatine for its sunsets. I have never seen any on either side of the ocean that equaled them" — Mark Twain

13. Local air pollution and emissions as a result of the projected three-fold increase in train traffic is of significant concern. The riverfront and downtown business district are thriving centers of our community in which the City has significantly invested in recent years. Any air pollution that results from an increase in rail traffic needs to be mitigated.

While the City of Muscatine recognizes the commerce and potential decreased emission benefits of the proposed merger of CP and KCS, the City has concerns with the potential economic, recreational, transportation, and quality of life impacts that the proposed merger may have on Muscatine. The potential impacts should be identified and mitigated as part of the merger permitting process.

We look forward to working with you to ensure that Muscatine continues to be a safe and thriving community.

Sincerely,

Carol A. Webb

Carol A. Webb

**SUBJECT TO SETTLEMENT PRIVILEGE (Rule 408)
PRIVILEGED & CONFIDENTIAL**

be accelerated or delayed based on a number of factors that are not within CP's control. Acquisition of control of KCS by CP will occur when the voting trust is terminated.

6. **Confidentiality.** This Agreement and its terms shall be confidential except: (a) to the extent disclosure is necessary for Muscatine to approve the agreement; (b) CP may disclose to the Surface Transportation Board that it has entered into this settlement agreement, without disclosing the particular terms and conditions; and (c) as otherwise required by law.
7. **Sole remedy.** CP and Muscatine intend that the Surface Transportation Board require compliance with this agreement instead of any other mitigation that might be imposed within Muscatine as part of the CP/KCS Transaction.
8. **Governing Law.** This Settlement Agreement is governed by, and construed in accordance with, the laws of the state of Minnesota and applicable federal laws, excluding any conflict of laws rules that may apply therein.
9. **Entire Agreement.** This Settlement Agreement constitutes the entire agreement of the parties concerning its subject matter and no other proposals, representations, warranties or other documents or agreements, either oral or written, shall be binding upon the parties. Notwithstanding the foregoing, the parties shall undertake to execute any agreement and take all other actions necessary to give effect to this Agreement. No provision of this Settlement Agreement may be amended, modified, waived or changed unless made in writing and signed by the Parties.
10. **Counterparts.** The parties may execute this Agreement by facsimile or other electronic means and in separate counterparts each of which when so executed and delivered shall be an original, and all such counterparts taken together shall constitute one instrument.

IN WITNESS WHEREOF, the parties have executed this Agreement on the date first written above, by their respective duly authorized representatives.

CITY OF MUSCATINE

By: 
(signature)
Name: Bradley Bark
(print name)
Title: Mayor
(print title)

CANADIAN PACIFIC RAILWAY COMPANY

By: 
(signature)
Name: James Clements
(print name)
Title: SVP Strategic Planning & Technology Transformation
(print title)



City of Muscatine

ITEM NUMBER 2022-372

AGENDA ITEM SUMMARY

DATE: 10/6/2022

STAFF

Carol Webb, City Administrator
Brian Stineman, Public Works Director
Pat Lynch, City Engineer

SUBJECT

Request to Submit a Railroad Crossing Elimination Planning Grant Application for a Proposed Rail-Highway Grade Separation at the intersection of Dick Drake Way in Southwest Muscatine

EXECUTIVE SUMMARY

The City of Muscatine proposes to submit a Railroad Crossing Elimination Planning Grant application for the purpose of obtaining funding to be used for engineering and plan development of a rail-highway grade separation at the intersection of Dick Drake Way. The proposed grade separation will mitigate current and future safety risks by reducing the potential for train-automobile and train-pedestrian and cyclist conflicts while also decreasing travel delays during train crossing events.

The Railroad Crossing Elimination Grant Program is funded through the Federal Infrastructure Investment and Jobs Act. The City is working with HDR Consulting (funded by CP) to develop the grant application. Should the City receive the planning grant, the City will pursue a construction grant for the grade separation.

STAFF RECOMMENDATION

Staff recommends approval.

BACKGROUND/DISCUSSION

In October 2021, CP and Kansas City Southern (KCS) filed an application with the U.S. Surface Transportation Board in which CP sought authorization for the acquisition of KCS. The merger was finalized by both railways in December 2021 while final approval from the Surface

Transportation Board is expected by early 2023. The merger of these Class I railways would result in the only end-to-end rail network connecting Canada with Mexico, by way of the United States.

Kansas City Southern Railway's former track rights for the mainline located in Muscatine transfer to CP under the terms of the merger. This transfer is expected to have a significant impact on rail operations within Muscatine, especially at the community's at-grade highway-rail crossings. The City has entered into an agreement with CP to provide \$3 million to mitigate the impacts of the projected increase in train traffic, a portion of which will be utilized as a 20% match for a grant application to construct a grade separated crossing at Dick Drake Way. CP funded a grant writer to assist with grant applications for the proposed crossing.

The City now requests City Council approval submittal of a Railroad Crossing Elimination Planning Grant application for the purpose of obtaining funding to be used for the engineering and plan development of a rail-highway grade separation at the intersection of Dick Drake Way. The proposed grade separation will mitigate current and future safety risks by reducing the potential for train-automobile and train-pedestrian and cyclist conflicts while also decreasing travel delays during train crossing events.

A concept drawing of the proposed grade-separation is included in the attached grant application.

CITY FINANCIAL IMPACT

The total cost of the planning phase of the Dick Drake Way rail-highway grade separation project is \$799,000. The City is requesting \$639,200 in Railroad Crossing Elimination Planning funds and will provide a 20% local match (estimated at \$159,800) through financial support from CP per the terms of the City/CP Community Investment Agreement.

ATTACHMENTS

1. Railroad Crossing Elimination Grant Application

Project Title

Keep Muscatine Moving

Applicant

City of Muscatine, Iowa

Federal funding requested under this NOFO

\$728,400

Proposed Non-Federal Match

\$182,100

Does some or all of the proposed Non-Federal Match for the total project cost consist of preliminary engineering costs incurred before project selection?

No

Other sources of federal funding, if applicable

Not applicable

Total project cost

\$910,500

Was a Federal Grant Application previously submitted for this project?

No

City where the project is located

City of Muscatine, Iowa

Congressional District(s) where the project is located

2nd Congressional District of Iowa

Is this project Identified in

- The freight investment plan component of a State freight plan, as required under Section 70202(b)(9)
- A State rail plan prepared in accordance with Chapter 227
- A State highway-rail grade crossing action plan, as required under section 11401(b) of Passenger Rail Reform and Investment Act of 2015 (title XI of P.L. 114-94).

Not currently identified in the specified plans

Is the project located in a rural area or Tribal Land?

Rural area

Is the project eligible for a funding set-aside in Section B.1.?

Planning and Rural set-asides

If the project is located in a rural area or Tribal Land, is the project located in a county with 20 or fewer residents per square mile, according to the most recent decennial census?

No
~100 residents/sq mi

U.S. DOT Crossing Number(s) (if applicable)

393258B

Is the project located on real property owned by someone other than the applicant?

No



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Section 2 – Project Summary



The City of Muscatine, in collaboration with Canadian Pacific (CP), submit this Planning grant application for the purpose of obtaining funding to be used for the engineering and plans development of a rail-highway grade separation at the intersection of Dick Drake Way with CP, Ottumwa Subdivision, Mile Marker 222.35 in the southwest part of the community.

Currently, this at-grade crossing poses a safety risk to travelers due to potential train-automobile and train-pedestrian / cyclist conflicts while also causing travel delays during train crossing events. Informed through a planning best practice approach, this grade separation will seek to address the challenges posed by the at-grade crossing, which include the removal of the barrier within the community created by rail traffic, as well as the need to enhance trail connectivity within the region through the construction of bicycle and pedestrian facilities.



This grade separation project aims to improve traffic safety through reducing train-automobile and train-pedestrian/cyclist conflicts that could result in collisions, while reducing automobile emissions resulting from vehicle stoppages during train crossing events. Supplementing these anticipated benefits to travelers are the potential economic gains to the local freight system as fewer delays of goods are expected under this grade-separation project.

Section 3 – Project Funding

Task #	Task Name / Project Component	Cost	Percentage of Total Cost
1	Detailed Project Work Plan, Budget, and Schedule	\$45,525	5%
2	Conceptual Design	\$136,575	15%
3	Environmental Review	\$318,675	35%
4	Preliminary Engineering (30% Design)	\$364,200	40%
5	Final Performance Report	\$45,525	5%
Total Project Cost		\$910,500	100%
Federal Funds Received from Previous Grant		\$0	0%
Federal Funding Request under this NOFO		\$728,400	80%
Non-Federal Funding / Match		- Cash: \$182,100 - In-Kind: \$0 - Preliminary engineering costs, consistent with Section C.2:	20%
Portion of Non-Federal Funding from the Private Sector. Please list amounts per source		\$50,000 by Canadian Pacific	0%*
Portion of Total Project Costs Spent in a Rural Area or on Tribal Lands		\$910,500	100%
Pending Federal Funding Requests		\$0	0%

* CP funds utilized toward complete project planning and grant application development

The City of Muscatine requests \$728,400 in Railroad Crossing Elimination Planning funds to study environmental impacts, conduct appropriate public engagement, and develop the preliminary engineering plans and estimates for the proposed Dick Drake Way viaduct. The

planning phase total cost for the Dick Drake Way viaduct project is \$910,500. The City of Muscatine commits to develop the Dick Drake Way project using a minimum 20% local match planned to come from City general obligation bonds, estimated at \$182,100. This application includes [letters of support](#) from local council members whose support of the project will commit City funds to the project upon notification of grant award. The City does not have any current limitations to the timing of federal funds obligation to access City funds, thus Muscatine is willing and able to commit the funds necessary for the local match. All of the project match will be in the form of cash; the City will also provide in-kind support of staff time to oversee the project, but do not intend to submit that staff time to US DOT as local match.

The City of Muscatine also has financial support from Canadian Pacific Railroad. The \$50,000 in cash support from CP has already been committed to the City's planning-level development for this crossing. CP supports this project – with their letter of support included in this application package. Financial commitment letters are [here](#):

The City of Muscatine note this is a new request for federal funding and the City has not pursued any other federal sources of funding at this time.

Section 4 – Applicant Eligibility



The City of Muscatine, as the applicant, is deemed eligible for submission of this grant application under Section C of 87 FR 40335 due to its status as an incorporated city. On February 21, 1851, Muscatine was incorporated by a special act of the Iowa State Legislature and is 1 of 4 Iowa cities that continue to operate under such special authority.

Section 5 – Detailed Project Description

Project History

The City of Muscatine is a thriving, Great Plains community located along U.S. Highway 61 and adjacent to the Mississippi River in southeastern Iowa. It is the county seat of Muscatine County and is approximately 25 miles southwest of Davenport and 35 miles southeast of Iowa City.

As of the 2020 census, the population of the City of Muscatine is 23,797. Muscatine is a vibrant river community where a rich tradition of community pride and entrepreneurial spirit has created an outstanding environment to live and work. Muscatine values its

history, has a strong sense of community, is rich in cultural and economic diversity, and has strong global connections through Fortune 500 companies.

Industry is a strength of the community owing to Muscatine's location along the Mississippi River. With a strong basis in manufacturing and access to regional highway, rail, and marine freight networks, Muscatine is an important destination in terms of national freight generation and supply chain networks.

In October 2021, CP and Kansas City Southern (KCS) filed an application with the U.S. Surface Transportation Board in which CP sought authorization for the acquisition of KCS. The purchase of KCS by CP was finalized in December 2021 and KCS entered into trust (continuing to operate as an independent company) while waiting for final approval from the Surface Transportation Board, expected in early 2023. The merger of these Class I railways would result in the first rail network connecting Canada with Mexico, by way of the United States as demonstrated by the map published in the Environmental Impact Statement developed for the merger.



Source: United States Surface Transportation Board, [Canadian Pacific Acquisition of Kansas City Southern Draft Environmental Impact Statement](#)

The purchase of KCS by CP is expected to have a significant impact on rail operations within Muscatine, especially at the community's at-grade highway-rail crossings, due to the economic attractiveness of the combined rail network. The Environmental Impact Statement for the CP-KCS merger notes that the benefit to national freight movement, will have localized impacts, especially for Muscatine. First and foremost, Muscatine resides in a section of the merged railway where predicted crashes will increase most substantially. Within the C-OTTU-02 segment south of Muscatine to Ottumwa, the annual predicted crashes increase by 0.32 per year, from 0.11 to 0.43 under the proposed acquisition. This is equivalent to one incident approximately every 9.4 years under the No-Action Alternative and one incident approximately every 2.3 years under the proposed acquisition. The potential for catastrophic injury and loss of life with a frequency of less than 3 years between incidents cannot be accepted by Muscatine's leadership.

One incident every

9.4
years

to one every

2.3
years

Additional impacts related to livability within the area are concerned with the increased noise pollution and vibrations related to the growth in train traffic due to the merger. Coupling these impacts with the increased safety risks highlights the importance of developing an effective solution that benefits all within the community.

Beyond safety, the City residents will daily see an increase in the time they are cut off from the rest of the City. The proposed acquisition will nearly quadruple the total train traffic and gate down occurrences. Though the average gate down time is forecast to decrease, the increased train activity will impose more disruptions, noise, and impacts to quality of life for Muscatine residents to bear at the cities 15 highway-rail crossings.

WITH FUNDING, MUSCATINE PLANS TO BUILD A RELIABLE LINK TO UNIFY THE COMMUNITY

The City will need to mitigate the traffic disruptions associated with increased train volumes and thus seek to bridge the City's southern community isolation by creating a reliable link for people and goods across the railroad. The intersection of Dick Drake Way with CP has been identified by the City of Muscatine as a candidate for a grade-separation project.

Expected beneficiaries of the grade-separated facility include residents who reside and work in southern Muscatine, including the environmental justice populations that are in proximity to the area of impact. Additional beneficiaries are users of the regional trail system traveling to Deep Lakes Park and other recreational areas due to the increased number of safe and efficient crossing opportunities.

Emergency services, particularly City of Muscatine's **Fire Station #2** could expect greater benefits as a removal of potential train-vehicle conflicts would prevent delays at the crossing, thereby improving response times and improve rescue and medical outcomes.



City of Muscatine Fire Station #2 average over 2.6 daily responses per fire vehicle to areas impacted by at-grade railroad crossings. A grade separated crossing would provide reliable, direct access to all territory covered by responders from this unit.

Trucks associated with the industrial uses found near Dick Drake Way using this facility to access U.S.-61 will also benefit from the improved safety and operational benefits discussed. CP is a major beneficiary as the reduced exposure of vehicle traffic to trains using the mainline means no train-vehicle conflicts and increased efficiency in train operations. Motorists using Dick Drake Way benefit due to this reason as well; through removing potential train exposure to vehicle traffic, motorists can avoid delays when a train crossing event occurs. Similar to vehicular traffic, active transportation users like bicyclists and pedestrians would also benefit from a safer, more efficient crossing over the CP mainline.



This application for Railroad Crossing Elimination planning funds would allow the City of Muscatine to complete the preliminary and engineering plans and project cost estimates. Through the project public involvement and environmental studies will be conducted to have a shovel worthy project.

The proposed project concept entails construction of a viaduct serving automobile and multi-use path traffic over the CP tracks to eliminate one at-grade highway-railroad crossing. The project concept would require re-building a portion of Dick Drake Way to achieve the necessary rail clearance above the track while maintaining reasonable maximum grades for passengers, trucks, cyclists, and pedestrians. The concept relocates pedestrian and cyclist movements to the south side of Dick Drake Way where they would cross over the tracks via the viaduct and then loop under the viaduct, parallel and to the northwest of the tracks to join the existing trail alignment. The conceptual shifts in grade and alignment make all users safer by removing one highway-rail, one pathway-rail, and one pathway-highway crossing at the intersection of Dick Drake Way and the CP line.

Project Challenges and Outcomes

Livability



A major challenge to the community associated with the presence of the CP mainline is the fact that this rail line bisects the community, which in turn can isolate the resident and businesses located on the south side of the line from accessing the community services, schools, and medical attention. Compounding these impacts is the presence of historically disadvantaged communities just north of the project area. Historic development patterns have marginalized these communities, which has spurred Muscatine to focus on mitigating the adverse impacts to livability posed by a train stoppage event. A stated benefit of the grade-separation is improved air quality and reduced noise owing to the removal of the vehicle-train conflict point that results in vehicle idling. Further livability challenges include the impact of train crossing events on school bus operations. Community input suggests delays owing to train crossing events have substantial impact on student transportation as bus rerouting results in longer wait times for students which can be especially problematic during colder months.



“ Every second a bus or any motorist stops at a highway-grade crossing, the chances for a traffic collision increase. When a school bus is involved, there are more occupants than a standard passenger vehicle, and that's an increased chance for more injuries or loss of life. A traffic accident involving a school bus can quickly become a disaster. Therefore, we must keep the school buses moving.”

-Transportation Director, Louisa-Muscatine Community School District

Also impacting the community's livability are the impacts to air quality due to vehicle idling during train crossing events as well as noise from these trains. The construction of a grade-separation crossing facility would help reduce these livability impacts as it would reduce vehicle idling and provide some improvement to air quality.

A grade-separated facility can offer an effective solution to these issues by eliminating the isolation the community experiences in the event of a train crossing. Residents of all ages can experience a safer community with enhanced connections.



“ Over my years of working at this location, there have been times where all access to South End has been blocked to due to traffic at multiple crossings.”

-Local Business Owner, Musco Lighting

Mobility



The existing at-grade crossing of Dick Drake Way and CP results in mobility limitations as an increased number of trains per day could negatively impact mobility through travel delays during a train crossing event. In addition to these mobility concerns is the challenge of maintaining access to the transportation system should the crossing remain at-grade.

Outcomes expected as a result of constructing a grade-separated crossing at the Dick Drake Way location include an opportunity for an improved trail connection at the Dick Drake Way intersection with the CP mainline. Currently, a trail crosses the north side of the at-grade intersection and connects to another trail segment east of the at-grade intersection via crossing Dick Drake Way. The construction of a grade-separated facility can provide an opportunity to implement a trail facility that allows users to safely cross Dick Drake Way and connect to the eastern trail segment.

A second outcome of a grade-separated crossing is improved traffic and train operations as travel delays associated with train crossing events would no longer occur.

Safety



A number of Muscatine's residential population lives within proximity to the CP line, which presents a series of safety challenges for this population. During a train stoppage, a lack of safe crossings can influence cyclists and pedestrians to cross the CP line in an unsafe manner should the train be stopped by their residence. These risks to pedestrians are exemplified by a recent fatality in which a [pedestrian was struck by a train](#) on the CP line at its intersection with Sampson Street.

Outcomes related to traffic safety are also likely; proactive planning today can adequately anticipate potential safety risks associated with an increased number of trains per day and develop solutions to these potential issues.

Emergency Services and Response Times



Emergency vehicles can be forced to take an alternative route that could be significantly less efficient than a route that utilizes a grade-separated crossing with direct access to the regional highway network in the event of a train stoppage. Based on the severity of the stoppage, it is possible that all crossings can be

blocked and result in an impasse for emergency vehicles attempting to access U.S-61. This poses a significant risk for residential access to emergency services, which can be the difference between life and death in certain circumstances. By removing the at-grade crossing and therefore the potential barrier, access to emergency services can be greatly enhanced.

Public-Private Collaboration



A successful implementation of a grade-separated crossing at Dick Drake Way and the CP mainline would rely on a collaborative approach to planning in which City staff and private entities work together to develop a solution that benefits all.

The project concept could be contentious because the City of Muscatine, a public agency, wishes to construct within and acquire some of the right-of-way of a private entity, Canadian Pacific. Further, the project concept itself may risk design challenges as it relocates some business access near or potentially within the CP right-of-way.

The major outcome resulting from this challenge would be a mutually beneficial partnership between the City and the private entities in the project area; progress towards this outcome has been made as CP has committed funding to support the planning and construction of a grade-separation at the intersection of Dick Drake Way and the CP mainline. The City of Muscatine and CP will continue to collaborate to seek a preferred alternative and then enter into necessary stakeholder agreements to prepare for the project implementation stage.

Environmental



Environmental challenges posed by the area surrounding Dick Drake Way and the CP mainline range from physical constraints such as noise, air quality, regulated materials, and natural features including the nearby Mississippi River and Deep Lakes Park. Human environmental constraints in the study area include emergency services, environmental justice populations, and transportation and recreational facilities.

In planning for a grade-separation at the intersection of Dick Drake Way and the CP mainline, the City of Muscatine will consider all strategies available to mitigate impact on the nearby physical and human environmental resources. The planning phase of this project will include a thorough review of environmental resources. The City will work with the Iowa Department of Natural Resources (DNR) to mitigate impacts to regulated material sites that could be affected by the implementation of the grade-separated facility. There are several wetlands within the study area while the 100-year floodplain is outside the study area; consideration will be given to these features during planning and construction.

Human environmental constraints found within the project study area will also be addressed through the planning and design of the grade-separated facility. Efforts will be

made by the City to solicit input from the environmental justice populations within proximity to the Dick Drake Way and CP intersection during project planning. The project will also seek to accommodate existing transportation and recreational facilities, like the multi-use trail to Deep Lakes Park, through planning, design, and construction when possible.



“As this park grows so does the usage. Since it is located on the east side of the railroad tracks it is dependent on access across the train tracks at Dick Drake Way. Not only could additional trains block access for emergency responder getting to the park but it would also affect the park users access to services in Muscatine. Since many of our users are from out of county and out of state, delays because of train traffic could give them a negative image of Muscatine and Muscatine County and a reason not to come back.”

– Muscatine County Board of Conservation

Section 6 – Highway-Rail Grade Crossing Safety Information and Education Programs

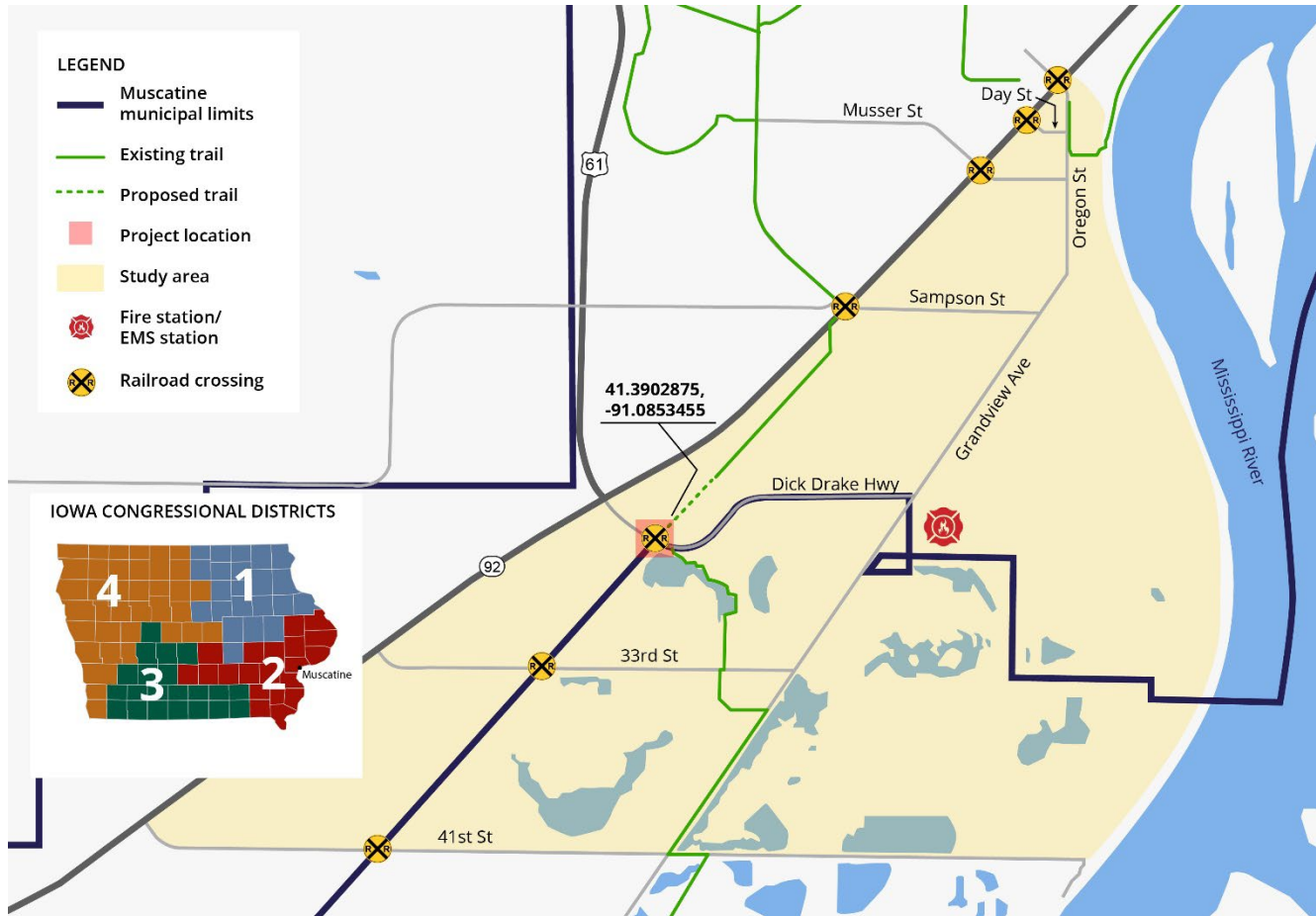
Section 6 is not applicable to the proposed project.

Section 7 – Project Location

The location of the existing at-grade crossing is 1,000 feet southeast of the intersection of Dick Drake Way and U.S.-61. U.S.-61 serves as the community's primary connection to the Interstate and National Highway Systems, which facilitate critical mobility and accessibility within the region. Additional roadway facilities in the project location include Grandview Avenue / US-61 Business route, which serves as a direct connection to Muscatine's downtown and the Highway 92 bridge that carries traffic into the state of Illinois as well as the Muscatine Airport located to the south of the city. Muscatine's Fire Station #2 is located within the study area detailed below and highlights the potential benefits a grade-separation can provide for emergency vehicle response times.

The study area identified for this planning project includes Oregon Street as the northern boundary, the Mississippi River as the eastern boundary, 41st Street as the southern

boundary, and U.S.-61 as the western boundary. The figure below illustrates the project's location. The inset map in the figure provides Muscatine's location within the state of Iowa, as well as the city's U.S. congressional district. A more detailed map of the project location is available [here](#).



A number of employers reliant upon the highway and rail freight systems are found within the study area defined above. Musco Lighting, Union Tank Car Company, TanTara Transportation Corporation, and Grain Processing Corporation are located along Dick Drake Way east of U.S.-61. The local water utility, Muscatine Power and Water, is also located along Dick Drake Way; the presence of this facility highlights a need to maintain safe and reliable access to the highway and rail freight networks as to provide the inputs needed for the provision of a safe community water supply.

A number of environmental constraints are located in and around the project study area. These constraints include physical and human elements and were identified through a desktop review. Physical constraints found within the project location include land use, noise, air, and regulated materials as well as natural elements including waters of the U.S., threatened and endangered species, and floodplains. The human environment consists of community elements such as public and emergency services, environmental justice populations, transportation, and recreational facilities. As the project moves to the NEPA

phase, further review of these constraints will be required; a preliminary review was conducted as part of the grant application process. The main highlights of this review were:



Numerous regulated material sites are located within these industrial areas and there is a potential for increased exposure to regulated materials with the increased number of trains accessing industrial areas via the mainline.



The rural areas within the Study Area are located predominantly south of Dick Drake Way. These areas have a greater potential for natural resources such as wetlands/Waters of the US and species habitat due to the presence of mapped floodplains and woodland areas.



A residential neighborhood exists within the study area and is listed as a disadvantaged community by the Climate and Economic Justice Screening Tool. The community is listed as disadvantaged due to the proximity of low-income populations to legacy pollution sites.



The downtown portion of the City of Muscatine is located within a railroad quiet zone, but the Study Area is not included in this quiet zone. Residences and businesses in the Study Area experience delay, emissions, noise, and vibrations regularly from train traffic.



Public services within the Study Area are limited. A fire station is located at the intersection of Stewart Road and Dick Drake Way. Additional emergency services and public amenities such as schools and libraries are located outside the Study Area and require crossing the railroad to access.

Section 8 – Grade Crossing Information

DOT Crossing Inventory Number	393258B
Railroad Ownership	Canadian Pacific
Primary Operating Railroad	Dakota, Minnesota, & Eastern Railroad
Railroad Division/Region	East
Railroad Subdivision/District	Ottumwa
Branch/Line Name	Ottumwa-Nahant
Roadway at Crossing	Dick Drake Way

Section 9 – Evaluation and Criteria

The grade separation of the CP mainline at the intersection with Dick Drake Way satisfies a number of evaluation and selection criteria associated with the Railroad Crossing Elimination Program, which makes this project a strong candidate for funding. Due to the estimated cost of the project and its location in a rural area, the City of Muscatine does not have the fiscal capacity to implement the grade separation without support from USDOT. The following points demonstrate the project's alignment with Railroad Crossing Elimination's outcome criteria:

Improves safety at a Highway-Rail and Pathway-Rail Grade Crossings –



The current Dick Drake Way and CP railroad alignments cross at a single highway-rail crossing with two quadrant cross arms and flashing lights. While Dick Drake Way itself has few pedestrian amenities, the Mississippi River multi-use trail crosses Dick Drake Way about 0.1 miles east of the highway-rail crossing with pedestrian and cyclist traffic able to pass from southeast to the northwest across the highway. After that highway-pathway crossing, the multi-use trail parallels Dick Drake Way on the north side of the roadbed until the pathway also crosses the CP tracks. The pathway-rail crossing utilizes a level crossing with tactile ramps to warn members of the vision-impaired community of the impending crossing and a couple hundred feet prior to the crossing there are gates.

The proposed improvement elevates Dick Drake Way traffic to grade separate the highway-rail crossing, entirely eliminating a crossing conflict. The proposed improvements also re-align vulnerable road users on the pathway to travel south of Dick Drake Way, over the rail tracks, and then gently loop back down to grade and pass under Dick Drake Way. The pathway would improve from two crossings of vulnerable road users with heavy vehicles to zero crossing conflicts.

Safety analysis conducted using FRAs GradeDec for a grade separation at the Dick Drake Way and CP crossing found a total benefit of \$106,218 in 2020 dollars related to crashes. The GradeDec analysis is exclusive to the crash reduction from highway-rail traffic; thus it underestimates the safety benefit of also removing the pathway-highway and pathway-rail grade crossings – conflicts that could have fatal consequences for a vulnerable road user should they be struck by a car or truck or a rail vehicle.

From a corridor perspective, several crashes have occurred at the at-grade crossings near the Dick Drake Way intersection with the CP mainline. While the crashes did not involve any train-vehicle collisions, the majority involved collisions with crossing infrastructure such as the crossarms. These crash events highlight the potential for a rail-vehicle collision should a

similar type of crash occur during a train crossing event. As stated, the construction of a grade-separated facility would eliminate this possibility.

Further demonstrating that this project would benefit entire corridor rather than just the Dick Drake Way and CP crossing is the agreement between the City and CP to close the Day Street-CP crossing as part of an effort to improve safety and operations along Oregon Street. Pairing these improvements with the Dick Drake Way and CP grade-separation would result in community-wide benefits from improved safety conditions and traffic operations through the corridor.

Proposes to grade separate, eliminate, or close one or more Highway-Rail or Pathway-Rail Grade Crossings –



The proposed Dick Drake Way-CP mainline grade separation project would design a grade-separated crossing between the highway and rail facilities that currently meet at-grade. This improvement would allow for the removal of one highway-rail at-grade crossing, one pathway-rail at-grade crossing, and one pathway-highway at-grade crossing. The improved connection over the CP mainline associated with the grade-separation would provide a route for auto and trail user traffic that formerly would conflict with multiple vehicle types in proximity to the Dick Drake Way crossing.

Iowa DOT's 2021 State Rail Plan recommends a statewide study of grade crossings with the intent of prioritizing closures, grade-separations, and other improvements. This study is recommended for completion over the first four years of the State Rail Plan, which is identified as the years 2021 through 2025. This study serves as an opportunity for the City of Muscatine to supplement the planning of a grade-separated crossing at Dick Drake Way and the CP line and including this project in future state planning studies.

Improves mobility of both people and goods –



The proposed project would provide mobility benefits to both people and goods as the reduction in at-grade train crossings will prevent delay as users of these systems will no longer be in conflict during a train crossing event. These benefits extend to users of the bicycle and pedestrian system as an improved at-grade crossing can provide a safe and reliable route across the CP mainline while maintaining connectivity with the trail network east of the Dick Drake Way and CP mainline intersection.

The project analysis using FRAs GradeDec identified nearly \$600,000 in travel delay reduction benefits to vehicles by removing the at-grade crossing with the rail line. The analysis does not account for the impacts of delay on supply chains or value of goods – which may be relevant here given the industrial character of land uses served by the highway-rail crossing and nearby manufacturing and logistics facilities.

Iowa DOT's 2022 State Freight Plan includes a list of the top highway freight bottlenecks across the state. The intersection of U.S.-61 and Grandview Avenue / Dick Drake Way was identified as a high priority location for improvement; as this intersection is near the grade-separation, the construction of the grade-separation could aid Iowa DOT in improving freight operations through reduced delays at the intersection of U.S.-61 and Grandview Avenue / Dick Drake Way.

Reduces emissions, protects the environment, and provides community benefit –



Supplementing the improved traffic operations are the emissions benefits associated with the grade-separated crossing due to reduced travel delays resulting from train crossing events. Idling vehicles that have stopped due to a passing train serve as a source of vehicle emissions, namely carbon dioxide, volatile organic compounds, and nitrogen oxides. The grade-separation at Dick Drake Way and the CP mainline will remove the need for vehicles to idle during train crossing events due to the removal of vehicle-train conflicts, which in turn will provide the emissions benefits as vehicles will no longer be required to stop.

Further, the increase in rail traffic by the proposed KCS and CP merger will adversely impact the community through noise pollution. The grade separation primarily will focus on the Dick Drake Way crossing – but the community engagement conducted within the study may go a long way to identifying mitigation alternatives to properties just adjacent to the rail right-of-way. The cumulative improvements to safety that will be under analysis will serve the potential of a future extended quiet zone designation. The community would certainly benefit by reduced train horn noise.



A noise analysis of the CP / KCS merger noted a 150% increase in noise receptors impacted beyond pre-merger conditions including locations like residences, hospitals, schools, libraries, nursing homes, and places of worship.

Improves access to emergency services –



The presence of Muscatine's Fire Station #2 within the project study area demonstrates the potential to improve access to emergency services with the construction of a grade-separated crossing. A grade-separated crossing would remove the potential for train-vehicle conflicts which would allow emergency vehicles traveling west a direct connection to the regional highway network without need to reroute. The efficiency gained through this direct connection can improve emergency vehicle response times when access to U.S.-61 is required. More detail on the current emergency response conditions for Fire Station #2 can be found [here](#).

Improves access to communities-

A grade-separated crossing can improve access to the residences and employers located within the project study area by providing a reliable connection along Dick Drake Way that would not be impeded in the event of a passing train. With the current at-grade crossing, the residences and employers located within the study area are virtually isolated during a train crossing event as no grade-separated facilities currently exist. This results in safety and operational impacts as users of the transportation network must reroute, which can lead to crossing the CP line at unsafe locations or delay users until the train passes.

Provides economic benefit –



Economic benefits related to the construction of a grade-separated facility would be accrued by the local freight system and manufacturers, as both highway and train freight users would benefit from improved safety and operations related to a grade-separated crossing that reduces vehicle delays during train crossing events. The highway freight system would also benefit from the more efficient connection to the regional highway network. The grade separation project as conceived allows for the relocation of property access on the south side of Dick Drake Way – which creates the opportunity for track siding expansion. Siding tracks allow for local manufacturers to reduce costs of truck transport and reduce the truck travel into and through communities.

The City of Muscatine was awarded \$80,000 in 2016 as part of Iowa DOT's Linking Iowa's Freight Transportation System (LIFTS) Program, which awards funds for transportation improvements that plans or constructs enhancements to the state's freight transportation system. Muscatine was awarded LIFTS funding to conduct a planning study for a multi-modal terminal port facility that would be located southeast of the Dick Drake Way and CP mainline. Iowa DOT's 2022 State Freight Plan continues to recommend the construction of a transload/intermodal/port facility within the City of Muscatine building on the LIFTS award. The construction of a transload facility could strengthen the regional economy by providing a facility that efficiently transfers goods between rail and highway modes, thereby attracting greater quantities of goods to the community. The construction of the proposed grade-separated crossing at Dick Drake Way would greatly benefit multi-modal port traffic and freight mobility for both rail and highway modes in general. The anticipated freight system improvements would be critical to supporting the increased demand of freight goods in the community and region as a whole.

Uses contracting incentives to employ local labor to the extent possible under Federal law –



The Muscatine community is well situated to apply the proposed rail crossing elimination grant to engage local labor in project delivery. The 2015-2019 American Community Survey estimated that 4.8% of employment in Muscatine

county is in the construction industry. The development of this heavy road construction project will likely spur local assignments and potential hires and subcontracts from larger Iowa contractors in the metropolitan areas of the Quad Cities and Iowa City to Muscatine residents. The City of Muscatine commits to engaging disadvantaged business enterprises (DBE) and contractors with apprenticeship programs based on service providers registered within Iowa. Muscatine's commitment to engaging DBE's has been demonstrated through past efforts in which the City met DBE minimums for engineering projects, which is a practice the City is committed to pursuing.

Financial Support of Impacted Rail Carriers –



A draft Environmental Impact Statement (EIS) developed as part of the CP-KCS merger indicates CP's proposed mitigation measures, which commits CP to work with affected communities who request support in obtaining funds for improving grade crossing safety. Additional measures identified in the EIS include CP's commitment to working with emergency service dispatch centers in the event of a train blockage at a crossing as well as committing funds to improve quiet zones should increased rail traffic cause a quiet zone to fall out of compliance with FRA regulations. As evidence of CP's commitment to working with the City of Muscatine on the grade-separation concept, the carrier has contributed \$50,000 in funding for project concepting while reaffirming their commitment to assisting the community in securing additional Federal funding.

Improves Multiple Modes –



The genesis of the grade-separation project was a desire to improve safety and mobility for all facets of Muscatine's transportation system—from road users to freight and active transportation users. This project seeks to maximize benefits to all users of the transportation system. In terms of roadway users, the reduced potential for conflict with trains will improve safety conditions at crossings while delay associated with passing trains will no longer be an occurrence. Similarly, highway and rail freight users will benefit from these same outcomes.

Active transportation users can expect to benefit from the removal of the existing at-grade crossing, which can influence these users to cross the CP mainline in an unsafe manner during a train crossing event, through the construction of a grade-separated facility that serves a direct connection to the existing regional trail network.

Inclusion in State Planning Documents –



A grade-separation at the intersection of Dick Drake Way and the CP mainline has not been identified in the Iowa Department of Transportation's (DOT) current State Freight Plan or State Rail Plan. While the project is not explicitly identified in either of these state plans, both articulate a need to improve safety at highway-rail crossings throughout the state and identify grade-separations as a key opportunity for

addressing this need. As part of the effort to improve safety at highway-rail crossings, Iowa DOT's State Rail Plan recommends a statewide rail crossing study, which poses an opportunity for the City of Muscatine to work with Iowa DOT on prioritizing the grade-separation of Dick Drake Way and the CP line in this state planning document.

To support the goals and objectives of these state plans, the City of Muscatine is willing to collaborate with all stakeholders, including Iowa DOT and other interested agencies, in the planning of a grade-separated facility at Dick Drake Way and the CP mainline.

Use of Innovative Technologies, Innovative Design, and Construction Techniques and Materials –



The City of Muscatine is committed to utilizing innovative design, construction techniques, and sustainable materials for municipal projects whenever it is feasible. For this grade-separation, the City will incorporate the use of recycled concrete during construction as permitted by the design and engineering requirements of the project.

Section 10 – Safety Benefit

Safety benefits related to a grade-separated crossing at the intersection of Dick Drake Way and the CP mainline were analyzed using the Federal Rail Administration's (FRA) GradeDec tool, which uses USDOT's Accident Prediction Model as an input. Refer to FRA's [GradeDec report](#) for more information on the tool. The findings of this analysis monetize the benefits of a grade-separated crossing in terms of crash and travel time costs for a Base Case, or No-Build, scenario and an Alternate Case, or Build, scenario to allow a comparison of benefits. Monetized benefits are presented in 2020 dollars.

Annual Predicted Crashes at the Dick Drake Way Corridor

	Dick Drake Hwy	
	Base (Existing)	Alt (Grade Separation)
Fatal	0.000426	0
Injury	0.000932	0
PDO	0.001957	0
Total	0.003315	0

Summary of Benefits and Costs for the Dick Drake Way Corridor

Benefits, 2020 \$		Costs, 2020 \$	
Safety	\$103,260	Overpass and Highway, Construction	\$4,691,650 ¹
Travel time	\$617,154		
Environmental	\$29,995	Total cost	\$4,691,650
Vehicle operating costs	\$107,438	Benefit-Cost ratio	0.24
Network	\$0		
Salvage Value	\$289,827		
Total benefits	\$1,147,674		

¹Future year construction costs adjusted to 2020 \$. Default value, actual construction costs may be higher.

Project Benefits

GradeDec projects the Dick Drake Way grade separation to result in over \$1,100,000 in benefits in 2020 \$. The calculations of these benefits consider a series of 7 interrelated crossings that serve south Muscatine. The projected benefits heavily skew toward travel time reduction benefits, largely drawing from the traffic volumes on Dick Drake Way and parallel crossings that will benefit from a resilient vehicle crossing that won't experience blockages by rail crossing gates. Environmental and vehicle operating cost benefits are less substantial, but also result from traffic diversion to the new overpass and reduced idling at railroad crossing gates.

The GradeDec tool includes a highway-rail crash prediction model that includes both predictive factors and weighting for crash observations. The challenge with that approach for Muscatine is that the Dick Drake Way and parallel crossings have a low crash history – but that history is based on a lower-than-expected history of train activity going forward.

The crash prediction benefit for the Dick Drake Way grade separation could be substantially higher if even one serious highway-rail crash is prevented – like prevention of the recent pedestrian-rail fatality at the adjacent Sampson Road crossing.

The GradeDec safety analysis may undervalue the safety benefits of a Dick Drake Way grade separation.

Additionally, GradeDec is a tool for vehicle conflicts between rail and passenger cars / trucks. The Dick Drake Way grade separation is critical because it also removes one rail-pathway conflict and a highway-pathway conflict. Crash prediction for these two conflict

types are understudied issues. However, based on risk principles alone – the conflict of a vulnerable road user to a vehicle at train or highway speeds is much more likely to yield a catastrophic outcome than a collision between vehicles that have some safety protective capacity for vehicle inhabitants.

Vulnerable road users benefit from the Dick Drake Way grade separation

Benefit-Cost Ratio

The GradeDec tool developed a benefit-cost ratio based on predicted future benefits of grade separation. The benefits experienced in each year after project open were converted to a single, present value and compared to project costs converted to present value. Though the project costs are anticipated to be \$7,284,035.00 in 2022 dollars, the 2020 dollar equivalent is \$4,691,650; a detailed cost estimate of the grade separation is available [here](#). In dividing the \$1,147,674 in quantified benefits by the \$4,691,650 project cost – a benefit-cost ratio of **0.24** is developed. The benefit-cost ratio here is limited to just six benefit categories, ignoring non-rail improvements, based on the limitations of GradeDec. A more in-depth economic analysis may provide for enhanced quantification of benefits of the project. More information on the benefit-cost ratio can be found [here](#).

The Dick Drake Way grade separation has a higher cost than the quantified benefits – but factors like community livability, emergency services reliability, and vulnerable road user safety are not accounted for in this high-level analysis.

Section 11 – Alignment with USDOT Strategic Coals

The grade-separation at the intersection of Dick Drake Way and the CP is a strong candidate for funding as the benefits of this project go beyond the Muscatine community and CP as it aligns with several of USDOT's strategic goals. Detail on the USDOT strategic goals addressed by this project are below:

Climate Change and Sustainability Impacts –



The grade-separation project will address climate change and sustainability namely through the reduction in vehicle delay owing to the separation of train and vehicle traffic. This reduction in delay results in fewer tailpipe emissions related to idling vehicles, thereby limiting emissions to the fullest extent possible.

Equity and Reduced Barriers to Opportunity –



A separation of Dick Drake Way with the CP mainline can reduce the community barrier posed by the existing rail line that acts to isolate the community during a train crossing event. The separation could especially benefit the environmental justice and other disadvantaged populations living in and around the project area.

The City of Muscatine values the power of public engagement throughout the planning and design process and commits to building off successful public engagement strategies used in the past for the Dick Drake Way and CP grade-separation. One initiative the City will pursue during the planning of this grade-separation is Muscatine Heart and Soul, which is an engagement model that seeks to gain public input through a variety of strategies. More information on Muscatine Heart and Soul can be found [here](#).

Further engagement efforts will seek to collaborate with residents and business within the project area to understand the current needs and opportunities for the community and how these can be addressed through the construction of a grade-separation at Dick Drake Way and the CP mainline.

Project Delivery Advances Jobs / Workforce Inclusion –



The grade-separation will advance workforce inclusion as this labor-intensive project will require a number of different employers, which the community has indicated would include DBEs and contractors with apprenticeship programs to the fullest extent possible.

Section 12 – Project Implementation and Management



The City of Muscatine Public Works department will lead project implementation to achieve successful completion of preliminary engineering, NEPA documentation and approvals, and a comprehensive public engagement process. The project will be overseen by City Engineer Pat Lynch and Public Works Director Brian Stineman. Pat has over 23 years of progressive civil engineering and project management experience in the development of highways and other public works plan sets. Pat has served the City of Muscatine in multiple capacities since July 2018 (roughly 4 years) and supervises / works with a capable support staff.

The City of Muscatine will make arrangements to develop the entire scope of services. Upon grant award, the City will make a determination as to whether to contract for engineering or other professional services to achieve the statement of work. The City

possesses appropriate contracting capabilities to engage professional and engineering services should they be needed.



Pat as project manager will serve in the capacity of contract oversight and control. Pat will manage his staff, any contracted staff, and FRA staff engaged in this award to adhere to a strict project schedule. The project outlined is a planning phase project and will focus on a scope of services resulting in NEPA clearances, permits for work on railroad premises and with utilities, potential acquisitions and easements, and preliminary and final design plans. The City will use a pre-emptive approach to stakeholder outreach and staff history with numerous federal-aid projects to develop a comprehensive scope of work at project outset. The project delivery will also include proactive communication and monitoring to identify potential risks and changes to the scope of work.

The City of Muscatine will shrewdly apply risk management and project change management techniques to limit the potential that project funds are insufficient to reach the proposed project outcomes. City staff have past expertise in managing risks and project changes using the following techniques:

Ultimately, the City's project management approach will conform to federal requirements as outlined on FRA's web site: fra.dot.gov/Page/P0274. The City's past experience in federal aid projects when developing the local trail network and local projects to enhance transit and the municipal airport confirm City staff's proclivity for project delivery to the requirements of federal agencies.

Pat can be reached at plynch@muscatineiowa.gov or by phone at 563-263-8933 with questions on project management approach.

Section 13 – Environmental Readiness

The National Environmental Policy Act (NEPA) process for the Dick Drake Way grade separation is not underway. Once the conceptual engineering phase for the grade separation is complete, the project will move into the preliminary engineering and NEPA phase. All potential impacts stemming from the construction of a grade-separated crossing will be examined during the NEPA process, beginning at the earliest practical time in the process. The NEPA process will include a comprehensive engagement component that seeks input from all appropriate federal, state, and local authorities in addition to input gained from the public.

In preparing for the proposed grade separation project, the City of Muscatine with assistance of professional advisors have screened the project type and study area for the type of NEPA document anticipated and duration of NEPA process. Map figures summarized this screening can be found [here](#).

*Type of NEPA document anticipated for grade separation project:
Categorical Exclusion*

Duration: Approximately twelve to eighteen months.

Upon funding award, the City of Muscatine would work fully with FRA to apply the NEPA process within the federal interpretation of the Council on Environmental Quality (CEQ). The statement of work proposed has been formulated from FRA guidance and with intent to reflect 23 CFR Part 771 Environmental Impact and Related Procedures and 23 CFR Part 774, Parks, Recreation Areas, Wildlife and Waterfowl Refuges, and Historic Sites (Section 4(f)).

Canadian Pacific/Kansas City Southern Railway Merger Update

OCTOBER 12, 2023

CAROL WEBB, CITY ADMINISTRATOR



Direction Sought

- Does City Council have any questions and/or feedback regarding the information presented?



Background

- October 2021
Canadian Pacific ("CP") Railway filed an application with the U.S. Surface Transportation Board ("STB") to acquire Kansas City Southern ("KCS") Railway
- December 2021
Merger finalized by both railways
- March 2023
STB approved acquisition (subject to certain conditions), forming Canadian Pacific Kansas City Railway ("CPKCR")
- April 2023
Official date of merger



Environmental Review Process

- Environmental Impact Analysis
 - Evaluates potential adverse impacts as a result of the acquisition
 - Steps – Scoping of issues, draft Environmental Impact Statement (EIS), public comment period, Final EIS, STB Decision
- City submitted scoping comments in December 2021, expressing community concerns
- Draft EIS Issued in August 2022
- Final EIS Issued January 2023
 - Conclusion - apart from train noise, most of the potential adverse impacts of the acquisition would be “...negligible, minor, and/or temporary. However, train noise associated with increased rail traffic resulting from the acquisition would result in adverse impacts on many residences and other locations that are sensitive to noise”.



Adverse Impact Mitigation

- EIS included adverse impact mitigation measures
 - Largely voluntary
 - Did not include any grade separated crossings for impacted communities.
 - Measures include:
 - Voluntary community agreements
 - Emergency response training
 - Block crossings no longer than 10 min
 - Support implementation and maintenance of quiet zone designations



Community Investment & Settlement Agreement

- Voluntary community agreement per EIS
- Council approved in August 2022
- \$3 million payment to City
 - Approximately \$1.6M as grant match for grade-separated crossing at Dick Drake Way.
- No expenditures to date

Railroad Crossing Elimination Grant

- Grant application to construct a grade-separated crossing at Dick Drake Way
- Applied in October 2022 requesting \$728,400 in grant funds to design the crossing
- Notified in June 2023 that the project was not selected for award
- Debrief scheduled with granting agency



Next Steps

- Monitor CPKC compliance with mitigation measures and report as needed (e.g. lengthy train crossing blockages)
- Re-apply for railroad crossing elimination grant
- Close Day Street Crossing as part of improved trail at Oregon Street
- Evaluate Southend Quiet Zone potential
- Evaluate needs for settlement funds as train traffic increases

Direction Sought

- Does City Council have any questions and/or feedback regarding the information presented?





City of Muscatine

ITEM NUMBER 2023-0497

IN-DEPTH ITEM - CITY COUNCIL

DATE: 10/12/2023

STAFF

Carol Webb, City Administrator

SUBJECT FOR DISCUSSION

City Boards and Commissions Improvements

EXECUTIVE SUMMARY

Volunteer citizen boards and commissions provide an opportunity to engage citizens in the democratic process of the Muscatine City government. These boards provide a citizen perspective on city matters and assist the City in formulating well-developed, informed City policy. Some City boards also serve as a decision-making body on matters within their established purview.

City Boards are subject to a variety of Iowa laws that apply to conducting board business. Onboarding board members and providing other forms of support assists citizen boards in being successful in their roles as decision-makers or as advisors to City staff and City Council.

Staff has recently completed a review of the City board/commission system and processes. City staff recommend several improvements to the board/commission system, including more robust onboarding, general bylaws for board governance, appointment of Council liaisons to develop Council/board alignment, and creation of a boards and commissions handbook as a reference manual for effective board membership. Staff requests feedback on the proposed recommendations.

GENERAL DIRECTION SOUGHT AND SPECIFIC QUESTIONS TO BE ANSWERED

Does the City Council have questions or feedback on the information presented?

Does the City Council support the recommendations of staff regarding boards and commissions improvements?

BACKGROUND/DISCUSSION

Volunteer citizen boards provide an opportunity to engage citizens in the democratic process of their local government. The role of boards includes the following:

- Provide a citizen perspective on city matters for the City Council and City staff
- Serve as a decision-making body on matters within the board's established purview
- Study critical issues, seek public input, perform research, and review staff reports and recommendations to the City Council
- Assist the City Council in formulating well-developed, informed City policy
- Assist in planning for the future of the community

GOVERNANCE OF CITY BOARDS AND COMMISSIONS

Code of Iowa Chapter 392 regulates how a city creates a board or commission. The City Council must adopt an ordinance that clearly defines the following items for each board and commission:

- Title
- Powers and duties
- Member appointment and removal process
- Member terms and qualifications
- Whether the board is advisory or administrative
- Meetings and, if applicable, compensation

City Code Title 2 governs the City's citizen boards, which generally fall into the following categories:

Governing Boards

Governing boards are created for the purpose of governing a particular city service. The following are the City's governing boards:

- Art Center Board of Trustees
- Library Board of Trustees (Iowa Code 392.5)
- Board of Water, Electric, and Communications Trustees (Iowa Code 388)

The Art Center and Library Boards exercise charge, control and supervision over the Art Center and the Musser Public Library. Both boards have the authority to authorize expenditures. The Library Board has special authority granted under Iowa law, including hiring and terminating the library director and moving funds between line items within the library budget allocated each year by the City Council. All budget and accounting procedures, personnel policies, purchasing procedures, and public improvement procedures established by the City Council must be adhered to by the Board. The City Council appoints the Trustees to the Art Center. Library Board members are appointed by the Mayor and Approved by the Council. City Council has authority under the City Code to remove all board members.

The City of Muscatine owns the municipal water utility, electric utility, and communication utility. The management, control and operation of the three utilities is vested in the MPW Board of Trustees. The MPW Board is vested with the powers and duties conferred in Chapter 388, Iowa Code. MPW Trustees are appointed and may be removed by City Council in compliance with Iowa Code Chapters 388 and 372.15.

Quasi-judicial Boards

Quasi-judicial boards have decision-making powers within their areas of expertise. Their decisions are subject to appeal to the City Council or the courts. The following are quasi-judicial boards:

- Planning and Zoning Commission (Iowa Code 414.6 and 392.1)
- Zoning Board of Adjustments (Iowa Code 414.7)
- Civil Service Commission (Iowa Code 400.1)

Advisory Boards

Advisory boards provide a citizen perspective on city matters and assist City Council in formulating well-developed, informed City policy. The following are advisory boards:

- Airport Advisory Commission
- Parks and Recreation Advisory Commission
- Historic Preservation Commission
- Public Art Advisory Commission

Administrative Boards

Administrative boards are appointed by the City Council to address particular administrative matters. The City's Administrative Review Panel is appointed by the Council to adjudicate appeals related to parking regulations. The City also appoints three members to the GMCCI Tourism and Marketing Committee to promote Muscatine as a destination for tourism.

The City Council has requested that City staff prepare an ordinance for their consideration implementing a Construction Appeal and Advisory Board. This board will be added to the City Code upon its approval by City Council and will serve in both a quasi-judicial role (relating to building construction appeals) and as an advisory board (relating to the development and/or amendment of the building code).

A complete list of the City's Boards & Commissions and a short summary of their membership and responsibilities is included as an attachment.

GENDER EQUITY REQUIREMENTS

All city-appointed boards, commissions, committees and councils are required to be gender-balanced. Gender balance means if the body has an even number of appointees, it must be

evenly made up of men and women. For example, three women and three men must serve on a six-member board. If the body has an odd number of appointees, it must be “one half plus one” of either gender. For instance, if there are five members, three could be men and the other two women, or vice versa. However, state law does allow cities to have an unbalanced board if they have made a good faith effort to achieve gender balance by attempting to find a qualified person of the necessary gender for a period of three months.

STAFF ROLES AND RESPONSIBILITIES

Each City Board/Commission is provided with a City staff liaison to assist in planning and preparing meeting agendas, distributing agenda packets, providing public notice of a meeting in compliance with state notification requirements, and ensuring meeting minutes are recorded and distributed in accordance with Iowa law. The City Administrator’s Administrative Secretary maintains a record of all appointments to City Boards and Commissions, terms, and other critical information. Meeting agendas, packets, and related information are managed via Civic Clerk, the City’s agenda management software. All City boards/commissions are subject to the same open meetings, open records, and public notification laws as the City Council.

BOARD MEMBER APPOINTMENT AND REMOVAL

In general, the City Council has the authority to appoint and remove, with due cause, members of the City's citizen boards. The removal of board members requires written notice and the right of the board member to a public hearing on all issues connected to the removal. In September 2016, the City Council established a 4-person subcommittee of the Council, “the Nominating Committee”, to recommend appointments to boards, commissions, and committees (including ad-hoc committees). The Committee members are typically appointed in January of each year as recommended by the Mayor and approved by the City Council. The committee consists of two City Council representatives, the Mayor, and the City Administrator. The nominating procedures are included as an attachment.

AD-HOC COMMITTEES AND TASK FORCES

Chapter 2-10 of the City Code provides City Council with the authority to form ad-hoc committees and task forces via resolution as needed. The purpose of such committees is typically singular in nature (e.g. they might help the Council study a particular issue, develop proposed policy, etc.) and be disbanded once the identified purpose has been served. An example of such a committee was a Parking Task Force formed in 2007 to study and make recommendations for improvements to the downtown parking system. The Parking Task Force made recommendations which were evaluated and adopted by the City Council.

RECOMMENDATIONS

Staff recently reviewed current practices, past experiences, and best practices related to Boards and Commissions. Council may consider the following recommendations to improve the overall effectiveness of City boards:

Bylaws

City Boards may establish their own bylaws. Bylaws contain information regarding how a board

and board members need to perform their duties. Some of the City boards are currently governed by their own bylaws, including Planning and Zoning, Historic Preservation Commission, the Library and Art Center Boards. Staff recommends developing a general set of board/commission bylaws that will govern boards in the absence of their own bylaws.

Attendance Requirements

Boards are sometimes unable to conduct business due to the lack of a quorum. Establishing and enforcing reasonable attendance requirements for board members would assist in conducting business in a timely manner. Some boards with specific bylaws have attendance requirements while others do not. City staff recommends including attendance requirements within the general bylaws for citizen boards. In the last year, 16 meetings of citizen boards have been canceled due to a lack of a quorum.

Code of Conduct

City boards/commissions currently utilize the City Council Code of Ethics policy. Based on feedback from staff liaisons, staff recommends adoption of a code of conduct/ethics more specific to their role in the governance structure of the City.

Onboarding Program

Some boards/commissions receive on-boarding by their staff liaison in relation to their specific function. In addition to board-specific onboarding, staff recommends that all board/commission members receive a general overview of the functions of City government, City finances, the scope of authority of their position as a board member, and their role and function in supporting City Council and City governance. In addition, such training should include some basic training regarding productive group decision-making and dialogue.

Council Liaisons

Staff recommends appointing Councilmember liaisons to the following boards:

- Library Board of Trustees
- Art Center Board of Trustees
- Parks and Recreation Advisory Commission
- Public Art Advisory Commission
- Historic Preservation Commission
- Planning and Zoning Commission (only on matters that are not quasi-judicial and cannot be appealed to the City Council)
- Building Construction Appeal and Advisory Board (only on matters that are not quasi-judicial and cannot be appealed to the City Council)

Staff does not recommend appointing liaisons to boards that are a discrete component of the City (e.g. MPW's Board of Trustees), serve solely in a quasi-judicial role, ruling on matters that may be appealed to City Council (e.g. Zoning Board of Adjustments), or are required by Code to include a Councilmember (e.g. the Airport Advisory Commission).

The Council liaison will not direct the board in its activities or work, participate in any board deliberation, or act as a member of the board. The purpose of a Council member liaison is as follows:

- Support two-way communications between the Council and the citizen board
- Help resolve questions the board may have about the role of the Council relative to the board's role/responsibility.
- Identify and help resolve any problems that may exist with respect to the functioning of the board

Boards and Commissions Handbook

A board handbook will provide a reference for board members as they navigate their roles and responsibilities. A manual, to be adopted by City Council via resolution, would include basic information regarding the City's structure, City finance/budget, board member selection and appointment processes, the board's relationship/communication with City Council, meeting responsibilities, closed sessions, responsible membership and conduct, open meetings and open records requirements, and other relevant information. Such a handbook would complement any guidance already provided by the staff liaison.

Board/Commission Member Recognition

Board members often serve in their roles for years without any public recognition of their dedication of time and their role in governing city matters. Many give hours and hours of their time and should be recognized for their contribution to the community. Some form of recognition (e.g. an annual recognition event) is recommended to recognize their service. Any financial support of such recognition would need to be identified by the City Council via resolution as serving a public purpose worthy of the use of a modest amount of public funds.

CONCLUSION

Clearly defined roles and expectations for citizen boards will assist boardmembers in productively serving their role in City governance and will result in fewer conflicts when contentious issues arise. Boards should have significant ownership of issues while at the same time realizing their authority does not go unchecked.

It is important that board members receive proper training. New and veteran members should be onboarded to allow board members to hit the ground running and highlight their importance in the overall policy-making process.

ATTACHMENTS

1. Nominating Committee resolution
2. List of City Boards
3. Council In-depth Boards and Commissions ppt 10.12.23

RESOLUTION NO. 93571-0916

**A RESOLUTION CREATING A SUBCOMMITTEE TO RECOMMEND
APPOINTMENTS TO VARIOUS BOARDS, COMMISSIONS, AND COMMITTEES,
INCLUDING AD-HOC COMMITTEES AS DEFINED BY TITLE 2, CHAPTER 10, AND
CITY ADMINISTRATIVE BOARDS AS DEFINED BY TITLE 2, CHAPTER 11;**

WHEREAS, Title 2, Chapter 10 of the Muscatine City Code permits City Council to create committees for specific purposes to help City Council fulfill its duties;

WHEREAS, the City of Muscatine City Council is charged with making appointments to various Boards, Commissions, and Committees, including Ad-Hoc Committees as defined by Title 2, Chapter 10, and City Administrative Boards as defined by Title 2, Chapter 11;

WHEREAS, the Council desires to bring more transparency to its appointment process, to ensure the fairness of the process, and to ensure that the vacancies are being filled with qualified persons who are capable of contributing meaningfully to the organization which the person is ultimately appointed to;

WHEREAS, a Nominating Committee can help the City Council achieve these goals;

NOW, THEREFORE, BE IT RESOLVED, the Muscatine City Council hereby establishes a four (4) person subcommittee, which shall be named the Nominating Committee, to review vacancies occurring on Boards, Commissions, and Committees, including Ad-Hoc Committees as defined by Title 2, Chapter 10, and City Administrative Boards as defined by Title 2, Chapter 11, and to make recommendations to fill such vacancies to the Council as a whole in advance of its January organizational meeting or as otherwise requested to do so by City Council.

BE IT FURTHER RESOLVED, said subcommittee shall be comprised of four (4) persons, as follows:

- 1) Two City Council Representatives who shall serve staggered terms for a period of two years. Such representatives shall be appointed by a majority vote of Council. In the first round of appointments, one member shall be appointed for a term of one year, and the other shall be appointed for a term of two years. Each appointment thereafter shall be for a term of two years;
- 2) The Mayor;
- 3) The City Administrator or his or her designee.

BE IT FURTHER RESOLVED, the Nominating Committee shall follow the following procedures:

- 1) Three members must be present to have quorum;
- 2) No later than thirty days before the end of each calendar year, the Committee shall obtain from the City Clerk an alphabetical listing of all Boards, Commissions, or Committees,

including Ad-Hoc Committees as defined by Title 2, Chapter 10, and City Administrative Boards as defined by Title 2, Chapter 11, expiring within the next calendar year.

- 3) The Nominating Committee shall review upcoming vacancies on Boards, Commissions, and Committees, including Ad-Hoc Committees as defined by Title 2, Chapter 10, and City Administrative Boards as defined by Title 2, Chapter 11, and determine the needs of the Board or Committee, as the case may be, and the qualifications needed to fill such vacancies.
- 4) The Nominating Committee shall review all applications to fill such vacancies and may conduct any necessary interviews with individual applicants. If applications are not required and none have been submitted for a particular vacancy, the Committee may, following a majority vote, solicit applications from persons they wish to consider for that vacancy.
- 5) The Nominating Committee will create a slate of one candidate for each open position, but if the committee cannot establish a majority in favor of a candidate for an open position, it may put forward two or more names for that position. If a majority vote is received for one candidate, only that candidate shall be presented to the full Council.
- 6) The Nominating Committee will present the slate to the full Council at its January Organizational meeting, or as otherwise directed by City Council, where the Council may adopt the slate as presented or any Council member may nominate a candidate from the floor for any position;
- 7) In the event that a vacancy occurs by resignation, death, termination of service, or other unscheduled reasons, the City Clerk shall forward notice of the vacancy to the Nominating Committee. The Nominating Committee shall meet as soon as is practicable following receipt of notice from the Clerk to create a slate of candidate(s) for the unscheduled vacancy. The selection procedures for filling unscheduled vacancies shall be the same as those established for scheduled vacancies. After a slate of candidates is created, it shall be promptly forwarded to the City Clerk for inclusion on the Agenda at the next Council meeting.

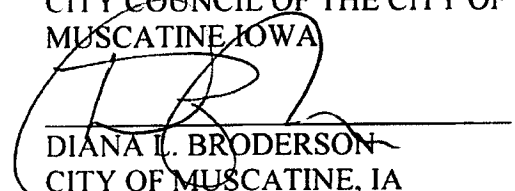
PASSED, APPROVED AND ADOPTED this 1st day of September, 2016.



ATTEST:


GREGG MANDSAGER, CITY CLERK
CITY OF MUSCATINE

CITY COUNCIL OF THE CITY OF
MUSCATINE, IOWA


DIANA L. BRODERSON
CITY OF MUSCATINE, IA

Art Center Board of Trustees

Administrative Review Panel

Purpose:

Adjudicate appeals made by motor vehicle operators; hear appeals by vehicle owners prior to impoundment for unpaid parking fines.

Meetings:

8:00 a.m., scheduled as needed
Lower Level Conference Room
Muscatine City Hall
215 Sycamore Street

Staff Contact:

Nancy Lueck, Finance Director

Airport Advisory Commission

Purpose:

- Assisting in preparation of airport budget
- Recommending procedures and policies in connection with the administration of the airport
- Investigating means by which the airport can be improved
- Making recommendations for the long-range needs of the airport

Meetings:

5:00 p.m., 4th Monday of the month
Airport Terminal Building
5701 Grandview Avenue

Staff Contact:

Jodi Royal-Goodwin
Director of Community Development

Terms:

5-year term maximum of 2 full terms

Purpose:

Exercise change, control and supervision over the museum and the art center.

Meetings:

5:30 p.m., 3rd Thursday of each month
Muscatine Art Center
1314 Mulberry Avenue

Staff Contact:

Melanie Alexander
Director, Muscatine Art Center & Museum

Terms:

Members are appointed to 3-year terms with a maximum of 2 full terms.

Civil Service Commission

Purpose:

- Selecting testing procedures for the personnel system
- Hearing appeals on employee discipline cases
- Administering a Civil Service system

Meetings:

4:00 p.m., as needed
1st Thursday of the month
City Council Chambers
215 Sycamore Street

Staff Contact:

Stephanie Romagnoli, HR Manager

Terms:

A 3-member board appointed to 4-year terms. Members must be eligible electors and not hold or be a candidate for any public office.

Library Board of Trustees

Purpose:

- Oversee management of the library by the Library Director
- Approve the library budget for submission to City Council
- Approve expenditures from the library budget

Meetings:

4:30 p.m., 3rd Wednesday of the month
Musser Public Library
408 E. Second Street

Staff Contact:

Robert Fiedler, Library Director

Terms:

The 9 members of this Board serve 6-year terms with a maximum of 2 full terms. One member is a resident of Muscatine County.

Planning & Zoning Commission

Purpose:

- Review proposed subdivisions, rezoning requests, and sales of public property
- Make recommendations concerning the growth management of the city
- Formulate five-year capital plan for the City

Meetings:

5:30 p.m., 2nd Tuesday of the month
City Council Chambers
Muscatine City Hall
215 Sycamore Street

Staff Contact:

Andrew Fangman, Assistant Community Development Director

Terms:

Members are appointed to 5-year terms with a maximum of 2 consecutive full terms. They must be citizens of Muscatine and qualified by knowledge or experience to advise City Council in matters pertaining to the development of the city. Members must not be elected officers of the city government.

Parks and Recreation Advisory Commission

Purpose:

- Conferring with and assisting the City Administrator in the preparation of the Parks and Recreation budget
- Recommending procedures and policies in connection with the administrator of city parks, the cemetery, golf course, and harbor operations
- Investigating means by which parks and recreation can be improved
- Making recommendations for the long-range needs of the recreation programs for the city

Meetings:

5:30 p.m., 1st Wednesday of the month
Lower Level Conference room
Muscatine City Hall
215 Sycamore Street

Staff Contact:

Richard Klimes, Parks & Recreation Director

Terms:

Members serve a 3-year term with a maximum of 2 full terms.

Public Art Advisory Commission

- Promote and encourage programs that further public awareness of, accessibility to, participation in, and support for the artistic and cultural development of the City.
- Evaluate gifts of art to be installed on City property, advise City Council on potential sites that can be enhanced by the addition of public art and recommend proposals for such sites.
- Partner with public and private entities to develop projects to be implemented with the City.
- Evaluate and recommends the expenditure of funds for art and cultural activities.

Meetings: As needed

Staff Contact:

Melanie Alexander, Art Center Director
Richard Klimes, Parks and Recreation Director

Terms:

Members serve 3-year terms with a maximum of

2 full terms.

Historic Preservation Commission

Purpose:

Safeguards Muscatine's historic, aesthetic and cultural heritage by preserving sites and districts of historic and cultural significance.

Meetings:

5:15 p.m., 4th Monday of the month
Musser Public Library
408 E. 2nd Street

Staff Contact:

April Limburg, City Planner

Terms:

5-year terms with a maximum of 2 full terms

Zoning Board of Adjustment

Purpose:

Hear and decide appeals involving any alleged error in any order, requirement, decision, or determination may by an administrative official in the enforcement and interpretation of the City's zoning ordinance and to hear and decide special exceptions to the zoning ordinance.

Meetings:

5:30 p.m., 1st Tuesday of the month
City Council Chambers
215 Sycamore Street

Staff Contact:

April Limburg, City Planner

Terms:

5-year terms with a maximum of 2 full terms

MPW Water, Electric, & Communication Trustees

Purpose:

Control and supervise the operations of the municipal electric, water, and communications utility and present to Council a detailed annual report with a complete financial statement.

Meetings:

5:30 p.m., last Tuesday of each month
Muscatine Power & Water
3205 Cedar Street

Staff Contact:

Gage Huston, General Manager
Muscatine Power & Water
3205 Cedar Street

Terms:

5-members appointed to 6-year terms. Members cannot be public officers or salaried employees of the city.

City Boards & Commissions Improvements

OCTOBER 12, 2023

CAROL WEBB, CITY ADMINISTRATOR



Direction Sought

- Does the City Council have questions or feedback on the information presented?
- Does the City Council support the recommendations of staff regarding boards and commissions improvements?



Purpose of Volunteer Citizen Boards

- Engage citizens in the democratic process of their local government
- Serve as a decision-making body on matters within the board's established purview
- Study critical issues, seek public input, perform research, and review staff reports and recommendations to the City Council
- Assist the City Council in formulating well-developed, informed City policy
- Assist in planning for the future of the community



Governance of Citizen Boards

- Code of Iowa Chapter 392
 - The City Council must adopt an ordinance that clearly defines:
 - Title
 - Powers and duties
 - Member appointment and removal process
 - Member terms and qualifications
 - Whether the board is advisory or administrative
 - Meetings
 - If applicable, compensation
- City Code Title 2 contains ordinances adopted by City Council to govern the City's citizen boards



Types of Citizen Boards

■ Governing Boards

- Art Center Board of Trustees
- Library Board of Trustees
 - May exercise charge, control, supervision and expenditures
 - Per City Code, must adhere to budgeting, accounting, personnel, purchasing, and public procurement policies established by City Council
- Board of Water, Electric, and Communications Trustees (MPW)
 - Management, control and operation vested in the MPW Board of Trustees.

■ Quasi-judicial Boards

- Planning and Zoning Commission
- Zoning Board of Adjustments
- Civil Service Commission
- Decision-making powers within their areas of expertise. Their decisions are subject to appeal to the City Council or to a court.



Types of Citizen Boards

■ Advisory Boards

- Airport Advisory Commission
 - Parks and Recreation Advisory Commission
 - Historic Preservation Commission
 - Public Art Advisory Commission
- Provide a citizen perspective on city matters and assist City Council in formulating well-developed, informed City policy.

■ Administrative Boards

- Administrative Review Panel
 - Adjudicate appeals related to parking regulations
- GMCCI Tourism and Marketing Committee
 - Council appoints three members to the to promote Muscatine as a destination for tourism.
- Administrative boards are appointed by the City Council to address particular administrative matters



Staff Roles/Responsibilities

- City staff Board liaison
 - Plan and prepare meeting agendas
 - Distribute agenda packets
 - Provide public notice of a meeting in compliance with state notification requirements
 - Ensure meeting minutes are recorded and distributed in accordance with Iowa law.
- Administrative Secretary
 - Maintains a record of all appointments
- Meeting agendas, packets, and related information are managed via Civic Clerk.



Recommendations

- Bylaws
 - Developing a general set of board/commission bylaws that will govern boards in the absence of their own board-specific bylaws.
- Attendance Requirements
 - Boards cannot conduct business without a quorum. In the last year, 16 meetings of citizen boards have been canceled due to a lack of a quorum.
 - Establishing and enforcing reasonable attendance requirements assists in conducting business in a timely manner.
- Code of Conduct
 - City boards/commissions currently utilize the City Council Code of Ethics policy.
 - A code of conduct/ethics more specific to board members would assist in understanding their role in the governance structure of the City.



Recommendations

- Onboarding Program
 - Some boards already have some level of onboarding
 - All board members should receive a general overview of the functions of City government, City finances, the scope of authority of their position as a board member, and their role and function in supporting City Council and City governance
- Council Liaisons
 - Support two-way communications between the Council and the citizen board
 - Help resolve questions the board may have about the role of the Council relative to the board's role/responsibility
 - Identify and help resolve any problems that may exist with respect to the functioning of the board
 - The Council liaison will not direct the board in its activities or work, participate in any board deliberation, or act as a member of the board



Recommendations

- Boards and Commissions Handbook
 - Reference for board members as they navigate their roles and responsibilities.
- Board/Commission Member Recognition
 - Years of service and dedication of time and their role in governing city matters.
 - Some form of recognition (e.g. an annual recognition event) could encourage others to volunteer for citizen boards.
 - Any financial support of such recognition would need to be identified by the City Council via resolution as serving a public purpose worthy of the use of a modest amount of public funds.

Direction Sought

- Does the City Council have questions or feedback on the information presented?
- Does the City Council support the recommendations of staff regarding boards and commissions improvements?

