

PUBLIC WORKS AND UTILITIES COMMITTEE

09-0593R

RESOLUTION AUTHORIZING A SANITARY SEWER LICENSE AGREEMENT WITH THE ST. LOUIS AND LAKE COUNTIES REGIONAL RAILROAD AUTHORITY FOR CONSTRUCTION, OPERATION AND MAINTENANCE OF A SANITARY SEWER LINE APPROXIMATELY 340 FEET EAST OF THIRD AVENUE EAST.

CITY PROPOSAL:

RESOLVED, that the proper city officials are hereby authorized to enter into an agreement substantially in the form of that on file in the office of the city clerk as Public Document No. _____ with the St. Louis and Lake counties regional railroad authority for the construction, operation and maintenance of a sanitary sewer line crossing the St. Louis and Lake counties regional railroad authority's lakefront line right-of-way at a location approximately 340 feet east of Third Avenue East at a cost of \$3,000 plus a fee of \$100 per year payable from Sanitary Sewer Fund 530, Agency 500, Division 1930-2330, Object 5441, City Project No. 0802SN.

Approved:

Approved for presentation to council:

Department Director
Purchasing Agent _____

Chief Administrative Officer

Approved as to form:

Approved:

Attorney

Auditor

STATEMENT OF PURPOSE: The city of Duluth is under consent decree orders to eliminate sanitary sewer overflows from its wastewater collection system. The east interceptor is one of the overflow points that the city is mandated to eliminate. Construction of a new sewer line to convey peak wet weather flows from the Fitger's diversion structure (Superior Street and Fourth Avenue East) to a proposed storage tank in Canal Park (First Avenue East and Lake Place Drive) is needed to reduce or eliminate overflows at this point. This resolution will authorize an agreement with the St. Louis and Lake counties regional railroad authority allowing the city to utilize a portion of the railroad right-of-way for the construction, operation and maintenance of the sewer line.

The authority controls the railroad easement and operates on the trackage that runs along the lakefront. The authority uses the trackage primarily for tourist train facilities, but also allows some freight shipments to use the corridor when needed.

The present plan is to cross the railroad right-of-way approximately 340 feet east of Third Avenue East with a 36-inch sanitary sewer that will convey peak wet weather flows from the Fitger's diversion structure to the proposed East interceptor storage facility. By this agreement the authority will grant the city a license, subject to terms of the agreement, to construct, operate and maintain the sewer on the railroad right-of-way at a cost of \$3,000 plus a fee of \$100 per year, payable from Sanitary Sewer Fund 530, Agency 500, Division 1930-2330, Object 441, City Project No. 0802SN.