



# Office of the City Clerk

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## Legislation Text

File #: O2011-767, Version: 1

### **ORDINANCE**

WHEREAS, the City of Chicago ("City") is a home rule unit of government by virtue of the provisions of the Constitution of the State of Illinois of 1970 and, as such, may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the Commuter Rail Division of the Regional Transportation Authority ("Metra") plans a project of nearly \$200 million to replace 22 bridges on its Union Pacific North Line ("Line") which are more than a century old, along with reconstruction of the track bed to accommodate increased commuter rail service and a rebuilding of a state-of-the-art Ravenswood commuter rail station immediately south of Lawrence Avenue (the "Project"); and

WHEREAS, the City is supportive of this Project as it will provide increased and improved public transit service for residents of the north side neighborhoods while reducing vehicular congestion; and

WHEREAS, the Project is funded in sizeable part by the federal American Recovery and Reinvestment Act of 2009, known informally as the federal stimulus bill, in which project dollars must be spent in a timely manner or grant dollars may expire and no longer remain for the Project; and

WHEREAS, the City has taken previous legislative actions in support of the Project on (among other occasions) May 12, 2010, June 30, 2010 and September 8, 2010; and

WHEREAS, the upcoming work on the Project will encompass the portion of the Line extending along North Ravenswood Avenue from approximately Grace Street on the south to Balmoral Avenue on the north (the "Area"); and

WHEREAS, Metra possesses the right, pursuant to an agreement with the Union Pacific Railroad ("UP"), to develop commuter rail transportation facilities, including the Project, on the Line, which is owned by UP; and

WHEREAS, certain aspects of the Project - including, specifically, improvements to the reconstructed Ravenswood Station and landscaping enhancements along the Line (to be called collectively, the "Encroachments") - may occupy portions of North Ravenswood Avenue and certain east-west streets lying within the Area; and

WHEREAS, the Metra and UP have requested, and the City is willing, to enter into agreements allowing for the Encroachments within City rights-of-way;

*Now, Therefore, Be It Ordained by the City Council of the City of Chicago:*

SECTION 1. The forgoing recitals are hereby incorporated herein and adopted as the findings of the City Council.

SECTION 2. The Commissioner of the Department of Transportation (the "Commissioner") or a designee of the Commissioner is each hereby authorized to negotiate on behalf of the City with UP and/or Metra for permanent occupation by the Encroachments on City of Chicago rights-of-way adjacent to the Line within the Area.

SECTION 3. The Commissioner, with the approval of the City's Corporation Counsel as to form and legality, is authorized to execute and deliver such agreements or documents as may be necessary to implement the provisions of this ordinance.

SECTION 4. If any provision of this ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such provision shall not affect any of the other provisions of this ordinance.

SECTION 5. This ordinance shall become effective immediately upon its passage.

Alderman - 47<sup>m</sup> Ward

2