



Legislation Details (With Text)

**File #:** 24-0358      **Version:** 1      **Name:** Forest Preserve District of Will County, City of Aurora, and Wheatland Township Road District / Intergovernmental Agreement / Wolf's Crossing Multi-Use Path

**Type:** Resolution      **Status:** Passed

**File created:** 5/8/2024      **In control:** City Council

**On agenda:** 5/28/2024      **Final action:** 5/28/2024

**Title:** A Resolution Authorizing the Execution of an Intergovernmental Agreement between the Forest Preserve District of Will County, City of Aurora, and Wheatland Township Road District for the Phase I Engineering Services for the construction of multi-use path along Wolf's Crossing Road located in the City of Aurora and Wheatland Township, Will County, Illinois

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Attachment "A" Intergovernmental Agreement - 2024-05-08

Date	Ver.	Action By	Action	Result
5/28/2024	1	City Council	approved on the Consent Agenda	
5/21/2024	1	Committee of the Whole	(PLACED ON CONSENT AGENDA)	
5/16/2024	1	Finance Committee	recommended for approval	Pass

**TO:** Mayor Richard C. Irvin

**FROM:** Tracey M. Vacek, Senior Planner  
Souts Thavong, Professional Engineer II

**DATE:** May 8, 2024

**SUBJECT:**

A Resolution Authorizing the Execution of an Intergovernmental Agreement between the Forest Preserve District of Will County, City of Aurora, and Wheatland Township Road District for the Phase I Engineering Services for the construction of multi-use path along Wolf's Crossing Road located in the City of Aurora and Wheatland Township, Will County, Illinois

**PURPOSE:**

To enter an Intergovernmental Agreement (IGA) for the Phase 1 Engineering Services for the design and construction of 3,960' of 10' multi-use path along the north and south side of Wolf's Crossing Road, closing a regional trail systems gap between Aurora, Will County, and Naperville.

**BACKGROUND:**

In 2016, the Forest Preserve District of Will County identified the Wolf's Crossing Trail as a critical trail connection within the County Bikeway Plan as it will directly connect residents and neighborhoods in Aurora, Naperville, and other communities as well as existing bikeway corridors that provide connectivity to a Regional Fox River, Tall Grass Greenway, DuPage River, and

Normantown Trail systems. This is shown on Exhibit C- Regional Trail Connection System Map.

In the fall of 2021, a feasibility study was conducted by the Forest District Preserve to analyze the potential for an off-street trail/path system along two roadways within Aurora and Naperville in Will County. Wolf's Crossing Road is one of the roadways that was in the feasibility study. Many challenges and constraints and recommendations were represented in the study. One of the major constraints identified is the rail crossing at Normantown Road.

Knowing that the railroad crossing is a major issue for any path connection, the Forest Preserve District requested funding assistance from the Illinois Commerce Commission (ICC), and in April of 2023, rail crossing improvements at Wolf's Crossings Road were awarded/ programmed for funding from the ICC Crossing Safety Improvement Program for Grade Crossing Protection Fund for FY 2024 -2028. Construction of the safety improvements at the railroad crossing could begin as soon as 2026.

In the summer of 2023, Will County Forest Preserve District initiated a discussion with the City and Wheatland Township Road District for the construction of Wolf's Crossing Trail as a portion of Wolf's Crossing Road is located within the City of Aurora, which is maintained by the City, while the majority of the Wolf's Crossing Road is unincorporated Will County, which is maintained by the Wheatland Township Road District, as shown on Exhibit B - Boundary Map. All Parties agreed on the need and desire for construction and development of a multi-use path along Wolf's Crossing to provide for a safe pedestrian connection between the communities.

The proposed path location will run along the north side of Wolf's Crossing Road from Hoffman Boulevard to Carls Drive and along the south side of Wolf's Crossing Road from Carls Drive to Normantown Road, crossing the CN Railroad Track, as shown on Exhibit A - Project Plan and Location within the IGA document.

#### **DISCUSSION:**

The proposed intergovernmental agreement (IGA) is for Phase 1 engineering services, along with an agreement to collaborate and participate in future phases for this project. Phase I Engineering is required when applying for federal funding.

The Phase 1 engineering services for this project consists of the preliminary engineering, field data collection and review, topographic and environmental survey, preliminary design studies, project coordination with other agencies including the railroad, drainage studies, and right of way review. Phase 1 engineering services shall be performed by an engineering consultant firm selected by Forest Preserve as they are the lead agency on this project.

The estimated total project cost is approximately \$3,000,000 for all engineering, construction, and right-of-way acquisitions. It is anticipated that the project will be comprised of three phases: Phase I - Preliminary Engineering, Phase II - Design Engineering/Permitting/ROW acquisition, and Phase III - Construction.

The total cost for Phase 1 engineering is \$227,194. The Phase 1 engineering cost will be split 50/50 between the City of Aurora and Forest Preserve District of Will County.

Forest Preserve District of Will County will be pursuing federal funding for Phase II and Phase III through programs such as CMAQ, ITEP. All agreements for future phases of the project will be subject to further review by the City and will require an amendment of this agreement.

Federal funding is typically an 80/20 split. With 80% provided by the Federal and 20% provided by Local Agency. It is anticipated that 20% of the city local share for Phase II and III will be supported by a portion of the Lincoln Prairie Development Land Cash Park Contribution.

The Phase 1 Engineering Design Service is accounted for in the 2024 budget, \$100,000 within CIP# GB 165 account 340-4060-431-73-19. The remaining amount that is not budgeted for this year but will be budgeted in the 2025 CIP.

**IMPACT STATEMENT:**

To be awarded federal funding Phase 1 engineering is required. Therefore, without this Intergovernmental agreement, Phase 1 engineering will not begin, making it more difficult to receive federal grants for the construction of the multi-use path.

**RECOMMENDATIONS:**

Staff recommends APPROVAL of the Resolution Authorizing the Execution of an Intergovernmental Agreement between the Forest Preserve District of Will County, City of Aurora, and Wheatland Township Road District for the Phase I Engineering Services for the construction of multi-use path along Wolf's Crossing Road located in the City of Aurora and Wheatland Township, Will County, Illinois.

**ATTACHMENTS:**

Attachment "A" Intergovernmental Agreement

cc:

- Alderman Carl Franco, Chairperson
- Alderman Edward J. Bugg, Vice Chairperson
- Alderman Ron Woerman
- Alderwoman Shweta Baid
- Alderman Brandon Tolliver



CITY OF AURORA, ILLINOIS

RESOLUTION NO. \_\_\_\_\_  
DATE OF PASSAGE \_\_\_\_\_

A Resolution Authorizing the Execution of an Intergovernmental Agreement between the Forest Preserve District of Will County, City of Aurora, and Wheatland Township Road District for the Phase I Engineering Services for the construction of multi-use path along Wolf's Crossing Road located in the City of Aurora and Wheatland Township, Will County, Illinois

WHEREAS, the City of Aurora has a population of more than 25,000 persons and is, therefore, a home rule unit under subsection (a) of Section 6 of Article VII of the Illinois Constitution of 1970; and

WHEREAS, subject to said Section, a home rule unit may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals, and welfare; and

WHEREAS, the City of Aurora (hereinafter "CITY"), Forest Preserve District of Will County (hereinafter "FPDWC") and Wheatland Township Road District (hereinafter "WTRD") are each legal entities organized and existing under the laws of the State of Illinois, having among their powers the authority to contract with one another to perform the undertaking described herein; and

WHEREAS, the CITY, FPDWC and WTRD are public agencies within the meaning of the Illinois Intergovernmental Cooperation Act as provided for in 5 ILCS 220/1, et seq.; and

WHEREAS, the purpose of the Intergovernmental Cooperation Act and Article 7, Section 10 of the 1970 Constitution of the State of Illinois include fostering cooperation among units of local government in planning and providing services to their constituents; and

WHEREAS, the CITY, FPDWC and WTRD seek to enter into an intergovernmental agreement for the Phase I Engineering Services for the construction of multi-use path along Wolf's Crossing Road located in the City of Aurora and Wheatland Township, Will County, Illinois; and

WHEREAS, the City Council of the City of Aurora has determined that it is in the best interest of the City and its residents to enter into this Agreement; and

WHEREAS, the City Council has reviewed and approved the attached Intergovernmental Agreement hereto as Attachment "A".

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Aurora, Illinois, as follows: that the attached Intergovernmental Agreement between the CITY, FPDWC and WTRD for the Phase I Engineering Services for the construction of multi-use path along Wolf's Crossing Road located in City of Aurora and Wheatland Township, Will County, Illinois be approved, and the Mayor of the City of Aurora is hereby authorized and directed to execute the Intergovernmental Agreement hereto as Attachment "A" on the behalf of the City.

NOW THEREFORE, BE IT FURTHER RESOLVED that City Clerk be directed to transmit certified copies of this Resolution and the attached Intergovernmental Agreement to Forest Preserve District of Will County and Wheatland Township Road District with copies to the City of Aurora Corporation Council and the Finance Director.