

..Title

Resolution to recommend Approval of an Agreement with the Michigan Department of Transportation (MDOT) and National Railroad Passenger Corporation (Amtrak) for the Barton-Bandemer Park Pedestrian Tunnel Project

..Memorandum

Attached for your review and consideration for recommendation for approval is an agreement with the Michigan Department of Transportation (MDOT) and National Railroad Passenger Corporation (Amtrak) for the Barton-Bandemer Park Pedestrian Tunnel Project to occupy the railroad right of way.

This Tunnel Project is the second phase of a two-phase project to extend the Border-to-Border Trail (B2B Trail) westward through Barton Nature Area and connect to the existing B2B Trail segment in Bandemer Park. Like the first phase, this is a joint Project by the City, Washtenaw County Parks and Recreation Commission, and the non-profit Huron Waterloo Pathways Initiative.

The Tunnel Project included the construction and installation of a sub-grade box culvert tunnel within the railroad right of way and under the MDOT tracks along with approximately 800 feet of concrete pathway, parking area improvements, and related facilities providing a highly-desired connection between the new segment of the B2B Trail in Barton Nature Area, which was the first phase, and the existing B2B Trail in Bandemer Park. It provides a safe grade-separated crossing that addresses a known at-grade trespassing hazard on MDOT property at this location where pedestrians used to cross the railroad tracks.

The Tunnel was constructed under the MDOT railroad tracks in June 2025, and the Project is now complete. The proposed agreement is required under the Michigan Railroad Code of 1993, specifically MCL 462.319.

The State of Michigan owns the railroad right of way and the tracks under which the Barton-Bandemer pedestrian tunnel is located. By agreement, the State delegates certain rights to the National Railroad Passenger Corporation (Amtrak) for passenger train operations, and as such Amtrak is also an affected railroad under MCL 462.319 and a party to the agreement.

The City and its construction contractor obtained permits from and entered into the required agreements to allow the construction activities within the railroad right of way and to allow the tunnel and other improvements to be constructed.

The proposed agreement with MDOT and Amtrak allows the Barton-Bandemer Park Pedestrian Tunnel and other facilities to occupy and be maintained within the railroad right of way. The agreement complies with the requirements of MCL 462.319, and staff recommends approval.

Budget/Fiscal Impact

The Tunnel Project was jointly funded by the City, the Washtenaw County Parks and Recreation Commission, and the non-profit Huron Waterloo Pathways Initiative with each being responsible for 1/3rd of the cost of the project. The City's portion of the Project was funded through the Parks Maintenance and Capital Improvement Millage Fund. The County Parks Commission contributed through a cost allocation agreement with the City. HWPI provided its funding through a separate agreement with the County. This agreement has no budgetary impacts.

..Body

Whereas, The Barton-Bandemer Park Pedestrian Tunnel Project was the second phase of a two-phase project to construct a non-motorized pedestrian tunnel under the MDOT railroad tracks and extend the Border-to-Border Trail (B2B Trail) westward through Barton Nature Area and connect to the existing B2B Trail in Bandemer Park;

Whereas, The Tunnel Project eliminated a known trespassing hazard on MDOT property at this location and provides a highly-desired grade separated non-motorized pedestrian connection between Barton Nature Area and Bandemer Park;

Whereas, The Tunnel Project was constructed under the MDOT railroad tracks in June 2025, and the Project is now complete.

Whereas, State law, MCL 462.319, requires that the City, as road authority, enter into an agreement with the affected railroads for the Project;

Whereas, MDOT owns the railroad right of way and tracks over the Barton-Bandemer Park Pedestrian Tunnel Project and is an affected railroad, and Amtrak, as the passenger rail operator, is also an affected railroad;

Whereas, The proposed agreement with MDOT and Amtrak allows the Barton-Bandemer Park Pedestrian Tunnel and related non-motorized pedestrian pathway facilities to occupy and be maintained within the railroad right of way;

Whereas, The proposed agreement is acceptable to MDOT and Amtrak, complies with the requirements of MCL 462.319, and staff recommends approval;

RESOLVED, That the Parks Advisory Commission (PAC) recommend that City Council approves the attached agreement with the Michigan Department of Transportation (MDOT) and National Railroad Passenger Corporation (Amtrak) for the Barton-Bandemer Park Pedestrian Tunnel Project to occupy the railroad right of way.