



# Huntsville, Alabama

305 Fountain Circle  
Huntsville, AL 35801

## Cover Memo

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**Meeting Type:** City Council Regular Meeting **Meeting Date:** 6/13/2024

**File ID:** 2024-1529

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**Department:** Engineering

**Subject:**

**Type of Action:** Approval/Action

Resolution authorizing the Mayor to enter into a Funding Agreement between Huntsville Madison County Railroad Authority and the City of Huntsville, Alabama for Joint Funding of Aldridge Creek Railroad Bridge Improvements, Project No. 71-24-BR01.

Resolution No.

**Finance Information:**

**Account Number:** 3080-71-00000-530000-BUDGET01-

**City Cost Amount:** \$200,000.00

**Total Cost:** \$200,000.00

**Special Circumstances:**

**Grant Funded:** N/A

**Grant Title - CFDA or granting Agency:** N/A

**Resolution #:** N/A

**Location: (list below)**

**Address:** N/A

**District:** District 1 ☐ District 2 ☐ District 3 ☐ District 4 ☐ District 5 ☐

**Additional Comments:**

A funding agreement between the Huntsville Madison County Rail Authority and the City of Huntsville for improvements to the Aldridge Creek railroad bridge located south of Green Cove Road to restore rail service in the area. City to provide \$200,000 to HMCRA for rail service by August 2024.

## RESOLUTION NO. 24-410

**BE IT RESOLVED** by the City Council of the City of Huntsville, Alabama, that the Mayor be, and is hereby authorized, to enter into a Funding Agreement between Huntsville Madison County Railroad Authority and the City of Huntsville, Alabama, for Joint Funding of Aldridge Creek Railroad Bridge Improvements, Project No. 71-24-BR01, on behalf of the City of Huntsville, a municipal corporation in the State of Alabama, which said Agreement is substantially in words and figures similar to that document attached hereto and identified as "Funding Agreement between Huntsville Madison County Railroad Authority and the City of Huntsville, Alabama, for Joint Funding of Aldridge Creek Railroad Bridge Improvements, Project No. 71-24-BR01," consisting of a total of two (2) pages, and the date of June 13, 2024, appearing on the margin of the first page, together with the signature of the President or President Pro Tem of the City Council, and an executed copy of said document being permanently kept on file in the Office of the City Clerk of the City of Huntsville, Alabama.

**ADOPTED** this the 13th day of June, 2024.

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President of the City Council of  
the City of Huntsville, Alabama

**APPROVED** this the 13th day of June, 2024.

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Mayor of the City of Huntsville,  
Alabama

## **FUNDING AGREEMENT**

### **HUNTSVILLE MADISON COUNTY RAILROAD AUTHORITY AND THE CITY OF HUNTSVILLE, ALABAMA, FOR JOINT FUNDING OF ALDRIDGE CREEK RAILROAD BRIDGE IMPROVEMENTS**

This Memorandum of Agreement is entered into this 13th day of June, 2024 by Huntsville Madison County Railroad Authority ("HMCRA"), the City of Huntsville, Alabama ("City")

#### **RECITALS**

**WHEREAS**, the HMCRA intends to improve an existing timber railroad bridge over Aldridge Creek located just north of Hobbs Island Road located at M.P. 58.09 on the HMCRA system (hereinafter referred to as "the Bridge"); and

**WHEREAS**, all parties have a mutual interest in the improvement of the Bridge to provide for rail service to industry within the area as part of an economic development project, also known as Project Deer and have agreed to share the costs of construction of improvements to the Bridge;

**IT IS THEREFORE** agreed and understood by the parties as follows:

1. Scope of Work: The HMCRA will complete the construction for the repairs and improvement to the Bridge within ninety (90) days of this Agreement. The HMCRA will coordinate and direct design, right-of-way acquisition, utility relocation, and construction to all work associated with providing adequate rail service to existing industries specifically located 219 Cap Adkins Road in Huntsville no later than August 31, 2024. The construction and repairs shall be performed in compliance with the Alabama public works law.
2. Cost-Sharing: The City will provide two-hundred thousand dollars (\$200,000) to the HMCRA for repair and improvements to the Bridge as described above in the scope of work. HMCRA will be responsible for all additional cost in excess of the City's cost share to provide adequate rail service to Project Deer prior to August 31, 2024.
3. Limitation of Liability: The HMCRA agrees to release and hold harmless the City, its appointed and elected officials, employees, agents, and representatives against all claims, damages, losses and expenses, including, but not limited to, attorney's fees, arising out of or resulting from the construction or maintenance of the Bridge.

**IN WITNESS** whereof, the parties have executed the Agreement effective as of the day and year first above written.

HUNTSVILLE MADISON COUNTY  
RAILROAD AUTHORITY

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Mark Lumb, Board Chair

ATTEST:

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CITY OF HUNTSVILLE, ALABAMA

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Tommy Battle, Mayor

ATTEST:

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Shaundrika Edwards, City Clerk