



RAILROAD TRANSPORTATION SAFETY DISTRICT

Board Meeting

Monday, December 4, 2017

Meeting Began At 11:00 a.m.

Meeting Ended At: 11:55 a.m.

Members Present: Deb Schorr, Roy Christensen, Jennifer Brinkman, Todd Wiltgen, Jane Raybould (arrived at 11:15 a.m.), Cyndi Lamm (arrived at 11:16 a.m.)

Members Absent: None.

Others Present: Roger Figard, Amy Cornelius-Jones, Liz Thanel, Kris Humphrey, Susie Filipi, Sara Hartzell, Bill Kutilek, Tony Jerina, Rick Herrick, Randy Hoskins, Zach Becker, David Cary, Mark Eggers, Matt Shimerdla.

Order No. 17-32 Call Meeting to Order. Approval of Previous Minutes

Deb Schorr called the meeting to order. Schorr stated that the RTSD is subject to and adheres to the Nebraska Open Meetings Act, and indicated that a copy of the Act is posted and available for inspection at the entrance of the meeting room.

Schorr stated that on November 28, 2017, notice of the meeting and agenda were posted on the bulletin boards at City Hall, first floor, 555 South 10th Street. Notice of the meeting and attachments were posted on the RTSD website on November 22, 2017, which may be linked to from both the City of Lincoln and Lancaster County official government websites. The notice, agenda, and materials being considered at the meeting were also made available for inspection at the RTSD Offices, 949 West Bond Street, Suite 200.

First item on the agenda is the approval of the Minutes from the September 12, 2017 meeting. The Minutes are available for review on the RTSD website: <http://lincoln.ne.gov/city/pworks/rtsd/>.

Christensen moved to approve the Minutes from the September 12, 2017 meeting.

Brinkman seconded the motion. Motion approved 4-0 (Lamm and Raybould absent).

Order No. 17-33 Report of Statement of Financial Activity

Liz Thanel reported on the Statement of Financial Activity from July 1 through November 20, 2017.

As of November 20, 2017, the RTSD had tax revenues of \$1,706,100. Interest income was \$39,903 and total receipts were \$1,746,003 as of the date of the report. Total disbursements as of November 20, 2017 were \$10,135,164, and construction project costs accounted for \$10,082,563 of that amount.

Thanel reported that the last reconciliation from the bank on October 30, 2017, shows a balance of \$493,743. There was a transfer pending of \$17,883, which left a cash balance of \$511,627, together with investments of \$10,742,666. Total fund balance on November 20, 2017 was \$11,254,293.

Christensen moved to approve the Statement of Financial Activity.
Wiltgen seconded the motion. Motion approved 5-0 (Lamm absent).

Order No. 17-34 Consideration of Final FY 2017 Audit Report

Tony Jerina from HBE, LLP presented the Final FY 2017 Audit report. The report is virtually identical to the draft approved at the September Board meeting. The only change was the addition of a notation in the Subsequent Events note on page 12 – Note G that in August 2017, the RTSD paid \$10 million of its \$20 million commitment to the City of Lincoln for the South Beltway project.

Christensen moved to accept the Fiscal Year 2017 Final Audit Report.
Wiltgen seconded the motion. Motion approved 6-0.

Jerina added that on September 12, 2017, the Board voted to approve the 2017-18 general budget prepared by HBE, LLP. On October 26, 2017, Figard was contacted by the State Auditor's office, indicating that they had not received a copy of the Minutes approving the 1% increase in the restricted funds authority. Jerina stated that he had incorrectly added the 1% increase in the original budget document. Jerina resubmitted the one page in question and Figard sent it to the State Auditor's office without the 1% increase. The matter is believed to be resolved.

Order No. 17-35 Consideration of Interlocal Agreement, Pine Lake Road Railroad Crossing

Figard stated that the RTSD frequently assists in railroad improvement components of Capital Improvement Projects that the City and County are undertaking. Such is the case with Pine Lake Road from just east of 61st Street to Highway 2 where the OPPD line crosses. Zach Becker, Project Manager with Public Works, gave an update. Becker reported this is a widening project slated to take approximately 2 years to complete. The railroad work is expected to take place during the second year of construction. The project is currently out to bid and closing on December 20, 2017. Construction is expected to begin in March 2018 with an estimated completion date of November 2019. The proposed Interlocal Agreement is only for one year with authorization to spend up to \$100,000 this fiscal year.

Wiltgen moved to approve the Interlocal Agreement for Pine Lake Road Railroad Crossing.
Raybould seconded. Motion approved 6-0.

Order No. 17-36 Consideration of Interlocal Agreement, Jamaica Trail Connection

Figard stated that this is another City project where the RTSD is providing cost sharing and assistance in paying for the grade separation of the trail bridge in southwest Lincoln. This Interlocal Agreement is for the first year and seeks to authorize expenditures of up to \$200,000. Sara Hartzell from Parks and Recreation gave an update. This project involves the construction of a bridge that spans from the Rock Island Trail at Densmore Park to the Jamaica Trail. The funding will be used to hire an engineer for design work and coordinating with the Railroad for necessary permits in 2018, and then begin construction in 2019. Fundraising is continuing with the Great Plains Trails Network. It is expected that the City will be contributing \$250,000 towards the project. Figard added that there is new technology (application) that measures activity based on cell phones in the area that could feasibly be used to identify priority areas for this project and for future projects.

Christensen moved to approve the Interlocal Agreement for the Jamaica Trail Connection.
Raybould seconded. Motion approved 6-0.

Order No. 17-37 Consideration of Hastings Sub Engineering Amendment

Figard provided the Board with a summary of the history of this project, as a reference. He stated that the proposed amendment increases the total contract cost of the existing agreement by \$38,520, and the additional tasks involving the scope of services are set forth in the appendix. In addition, Figard reported that work done in FY16/17 was paid after July 1, 2017, which came out of this fiscal year's budget and reduced the \$50,000 that was budgeted for this project. Figard is recommending that \$35,000 be transferred from the Miscellaneous Engineering line item of the

current operating budget to cover the additional costs of this proposed Amendment. Figard stated the project goal is to improve safety by reducing conflicts with vehicles and trains. It was added that several letters have been received from ProRail Nebraska in opposition to the project. Representatives of ProRail invited Figard to their next meeting to discuss the RTSD and the goal of the project. Figard hopes to have more information to give to the Board regarding the Project schedule and status at the June 2018 Board Meeting. He will provide a report of his meeting with ProRail to the Board.

Wiltgen moved to accept the Hasting Sub Engineering Contract Amendment.

Raybould seconded. Motion approved 6-0.

Wiltgen stated that the motion also authorizes the transfer of funds (\$35,000) from the Miscellaneous Engineering line item of the operating budget to offset the additional project costs.

Raybould seconded. Motion approved 6-0.

Order No. 17-38 Consideration of 33rd & Cornhusker Interlocal Agreement with the City

Figard said the RTSD is working on a major project initiative to eliminate conflicts at the 33rd & Cornhusker and the 35th & Adams railroad at-grade crossings. This will be a significant expenditure, including an evaluation of land use, which will require input and encouragement from the community related to the future vision for Northeast Lincoln. The Planning and Public Works Departments began discussing studies and planning with Figard to ensure that any RTSD expenditures will be incurred wisely. David Cary, Director of the Lincoln-Lancaster County Planning Department, gave an update. The study includes land use within a subarea and the transportation corridor. There are opportunities to improve how this area looks and functions. Planning and Public Works will share in the cost of the City's portion, which is \$330,000. Olsson Associates is the consulting firm working with the City and RTSD on this project. It was mentioned that a Northeast Citizen's Advisory Committee has been established. More information can be found on the website: <http://www.33rdcornhusker.com/>.

Lamm moved to approve the Interlocal Agreement for 33rd & Cornhusker.

Raybould seconded. Motion approved 6-0.

Order No. 17-39 Consideration of 33rd & Cornhusker Contract with Olsson Associates

Figard thanked Lamm and Schorr for their work on the selection team. Kris Humphrey, RTSD Project Manager - Public Works gave an update. The contract with Olsson Associates is for \$932,251.14 to provide professional engineering services for this phase of the 33rd & Cornhusker project. These services include the land use plan for the subarea and corridor as well as building upon the results of the PEL study conclusions related to roadway alignment and potential alternatives. This will be vetted against the project's primary purposes and needs.

The contract will last one year. The next phase is the environmental and NEPA portion of the contract. There is a contract modification that states that if City Council does not take action by January 31, 2018, this contract becomes null and void. Humphrey stated that we are still on schedule from what was presented in the PEL study. Anticipated start of construction is 2026 and is dependent on the NEPA classification.

Lamm moved to approve the Olsson Associates Contract for 33rd & Cornhusker.

Brinkman seconded. Motion approved 6-0.

Order No. 17-40 Report Regarding Current Budget Status

Figard stated that we have spent 20% of the operating budget and 81% of the construction costs which included the \$10 million installment payment for the South Beltway project that was previously approved by the Board.

Order No. 17-41 Report of Project and Crossing Updates

Figard updated the Board on the following items:

OPPD crossing at 84th Street south of Highway 2 – has a new full depth concrete crossing.

BNSF will be doing crossing repairs at 2nd and South Street.

Y Street Crossing – agreement in principle with OL & B to do repairs near their concrete plant in the spring.

22nd Street Crossing – working with Lincoln Lumber to improve or replace the crossing north of Vine Street.

68th & Fletcher – Old spur line will be removed as a part of a resurfacing project.

W Denton Road Crossing – repairs are complete.

Wittstruck Road – Alternative drawings have been sent to BNSF and a response has not yet been received.

Railroad crossing pavement markings are in need of new paint on W Denton Road.

Order No. 17-42 2018 RTSD Meeting Schedule

Schorr reported the proposed RTSD meeting dates for 2018 as follows:

City Hall – Council Chambers

March 6, 2018 Tuesday 11:00 a.m.

June 4, 2018 Monday 11:00 a.m.

September 11, 2018 Tuesday 11:00 a.m.

December 3, 2018 Monday 11:00 a.m.

Order No. 17-43 Non-Agenda / Public Comment

No non-agenda items were addressed. No one appeared for public comment.

The next meeting is presently scheduled for Tuesday, March 6, 2018 at 11:00 a.m.

Wiltgen moved to adjourn. Raybould seconded the motion. Motion approved 6-0.

Meeting adjourned at 11:55 a.m.

Prepared by: Amy Cornelius-Jones, Engineering Services

Minutes 12-04-17