



## RAILROAD TRANSPORTATION SAFETY DISTRICT

### Board Meeting

Monday, June 3, 2019

Meeting Began At 11:00 a.m.  
Meeting Ended At: 12:18 a.m.  
Members Present: Deb Schorr, Roy Christensen, Jane Raybould, Rick Vest  
Members Absent: 2 Vacant  
Others Present: Roger Figard, Amy Cornelius-Jones, Ron Rohde, Bill Kutilek, Kris Humphrey, Tony Jerina, Sara Hartzell, Rick Haden, Rick Herrick, Bob Kuzelka, Riley Johnson, Richard Schmeling, Todd Wiltgen, Ross Barron, Susan Larson Rodenburg, Elaine Hammer

#### **Order No. 19-12: 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 May 29, 2019, notice of the meeting and agenda were posted on the bulletin boards at City Hall, first floor, 555 South 10<sup>th</sup> Street. Notice of the meeting and attachments were posted on the RTSD website on May 29, 2019, 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 March 5, 2019 meeting. The Minutes are available for review on the RTSD website: <http://lincoln.ne.gov/city/ltu/rtsd/>.

Christensen moved to approve the Minutes from the March 5, 2019 meeting.

Raybould seconded the motion. Motion approved 4-0.

#### **Order No. 19-13: Report of Statement of Financial Activity**

Ron Rohde from the County Treasurer's office gave the report of financial activity for the RTSD. Rohde reviewed the receipts and disbursement for current fiscal year through May 28, 2019. Total receipts for the period were \$5,875,822, comprising of: tax receipts in the amount of \$5,516,505, project cost and miscellaneous reimbursements in the amount of \$270,798, and investment interest income in the amount of \$88,518. During the period of the report, disbursements included: commissions, and refunds to State of Nebraska in the amount of \$60,108, operating costs in the amount of \$60,494, and construction project costs in the total amount of \$10,830,407, for total disbursements of \$10,951,009. For the period, the ending cash balance was \$2,907,486, and the ending investment balance was \$6,387,534, for a total fund balance of \$9,295,020. A portion of the investments will be moved over into certificates of deposit in order to obtain a higher rate of interest income.

Christensen moved to approve Statement of Financial Activity.

Raybould seconded the motion. Motion approved 4-0.

### **Order No. 19-14: Report regarding Current Budget Status**

**Operating Budget:** For the fiscal year through May 24, 2019, the RTSD spent 35% of its budgeted funds for operating expenses, and is expected to stay within the budget for the fiscal year. Figard is proposing four increases in the operating budget for the upcoming fiscal year: Support Services \$18,000 (\$2,000 increase), Legal Services \$9,000 (\$500 increase), Audit & Accounting \$12,500 (\$600 increase), Travel Expenses \$4,000 (\$500 increase) and Insurance \$8,500 (\$3,000 increase). The draft budget for FY2019/2020 identifies Total Operating Expenses in the amount of \$100,300 (total increase of \$6,600).

**Crossing Improvements:** During the current fiscal year, there were no expenditures for crossing improvements. However, Figard added a Pending Unpaid Commitments line item for just under \$180,000 to cover previous RTSD commitments for crossing improvement expenses. The budget for FY2019/2020 includes Total Railroad Crossings Improvements in the amount of \$300,000.

### **Order No. 19-15: Consideration of FY 2019/2020 Budget and CIP**

**Construction Projects:** Figard provided the Board with a summary of pending construction projects.

**OPPD @ 91<sup>st</sup> & Yankee Hill** – \$10,000 budgeted for FY19; project is complete, and no further invoices are expected. \$0 budgeted for FY20.

**Salt Creek RR Underpass** - \$50,000 budgeted; NRD is continuing to work on this project; however no funds have been spent to date. Figard proposes to re-budget \$50,000 for this project into the next fiscal year when the expenses are expected to be incurred.

**Misc Engineering** - \$100,000 budgeted; very little has been spent during the current fiscal year. Figard proposes keeping the amount of \$100,000 in the budget for FY2019/2020.

**Emergency & Safety** - \$100,000 budgeted; no expenses have been incurred during the current fiscal year; Figard proposes re-budgeting the \$100,000 into the next fiscal year budget.

**33<sup>rd</sup> & Cornhusker BNSF Crossing** – The proposed budget allocates \$4 million in order to cover the environmental work being done pursuant to the contracts signed at the beginning of 2019.

**Hickman QZ** – This project has been completed.

**OPPD @ 84<sup>th</sup>** – This project has been completed.

**Salt Creek Levee No of A** – Figard is proposing to budget \$50,000 for the next fiscal year.

**South Beltway** – This project has been completed.

**SW Lincoln QZ** – Figard is proposing to re-budget the \$25,000 into the next fiscal year budget.

**Hastings Sub-Relocation** – This project is on hold currently. Figard proposes to re-budget \$100,000 for the FY2019/2020 budget.

**OPPD @ Pine Lake** – The City plans to complete the project during late fall or early winter of 2019. Figard proposes re-budgeting the \$600,000 into the next budget year.

**Jamaica Trail NO** – \$600,000 has been budgeted for this project to date and the RTSD has ~~spent~~ reimbursed the City \$198,500 to date. Figard proposes re-budgeting the remaining \$401,500 for the next fiscal-year budget and adding an additional \$300,000 being requested by Parks and Recreation, as a result of higher-than-expected costs.

**W Wittstruck** – Figard proposes re-budgeting the \$25,000 into the next budget year.

**BNSF No 48<sup>th</sup>** – The RTSD is working with the City to study the underpass. The City has selected a consultant, and they are presently negotiating the scope and fees of the contract. Figard is proposing the \$100,000 be re-budgeted into the next fiscal year budget.

**CIP / Cash Flow:** Figard handed out a 12-year CIP. Figard included amounts for the Jamaica Trail North and the Hastings Sub – Relocation projects. The CIP also includes \$500,000 for OPPD & 84<sup>th</sup> Street project, and \$500,000 for the Breagan Road & 98<sup>th</sup> Street project, which are related to projects for future potential widening of the roadway and the need for track crossing improvements.

Christensen voiced a concern regarding the Jamaica Trail North portion of the proposed budget. He supports the project; however, he believes that the City should have a financial commitment in place along with the Great Plains

Trails Network (GPTN), the RTSD and private grants. Hartzell confirmed that there will be \$250,000 in reserve in the City Parks and Recreation CIP should private grants not be secured prior to the contract deadline. There was additional discussion regarding funding sources and support for this project.

Raybould moved to approve the FY2019/2020 Budget & CIP.  
Schorr seconded the motion. Motion approved 4-0.

**Order No. 19-16: Consideration of Levy Request for 2019 Tax Roll**

Figard indicated that the proposed budget and the 12-year CIP used the current levy rate of \$.022217 per one hundred dollars of actual property valuation. Figard is requesting that the Board set the levy at \$.022217 per one hundred dollars of actual property valuation to be sent to the County Board for approval in September. In effect, Figard is recommending that the levy stay where it currently is.

Christensen moved to set the supporting levy at the recommended \$.022217 per one hundred dollars of actual property valuation for the 2019 tax rolls.  
Raybould seconded the motion. Motion approved 4-0.

**Order No. 19-17: Consideration of Additional 1% Lid Authority**

Figard is recommending approval of the 1% Lid Authority. This does not increase the budget by 1%, but allows the Board additional flexibility in the budget, if it is later deemed to be necessary. If the Board should decide the 1% is needed, it will require another vote by the Board.

Christensen moved to approve the Additional 1% Lid Authority.  
Vest seconded the motion. Motion approved 4-0.

**Order No. 19-18: Consideration of FY19/20 Contract with Crosby Guenzel**

Figard stated the contract is exactly same as the year prior. Kutilek said Crosby Guenzel appreciates the long standing relationship with the RTSD Board. Figard recommends continuing with Crosby Guenzel.

Vest moved to approve the FY 19/20 Contract with Crosby Guenzel.  
Christensen seconded the motion. Motion approved 4-0.

**Order No. 19-19: Consideration of FHU Contract for North Lincoln QZ**

Figard said this is the second re-evaluation of the quiet zone in northeast Lincoln. The funds for this service are allocated in the budget under miscellaneous engineering.

Vest moved to approve the FHU Contract for North Lincoln QZ.  
Raybould seconded the motion. Motion approved 4-0.

**Order No. 19-20: Consideration of ProRail /MIPRC Funding MOU**

Midwest Interstate Passenger Rail Commission (MIPRC) is a nine-state interstate compact commission that promotes, coordinates, and supports regional improvements to passenger rail service. ProRail Nebraska has requested that the RTSD assist in ProRail's efforts to allow Nebraska to renew its annual membership for \$15,000. The legislative bill to place Nebraska back into the compact is in committee. ProRail Nebraska has signed a Memorandum of Understanding (MOU) stating that should the legislative bill come out of committee and be approved, ProRail would provide \$1,000 per year over a period of five years to help offset the cost of membership. Figard is recommending that the RTSD also provide \$1,000 per year for five years toward the membership costs. Should the legislative bill not be approved, the funds would not be expended by the RTSD. Bob Schmeling spoke in support of this funding and MOU.

Christensen moved to approve the MOU with a \$1,000 per year contribution for the next five years.  
Raybould seconded the motion. Motion approved 4-0.

**Order No. 19-21: Consideration of Interlocal Agreement for Jamaica Trail Project**

Figard presented the proposed Interlocal Agreement for financial funding for the next fiscal year for the Jamaica Trail/Rock Island North connection. The agreement states that the RTSD would contribute up to the \$701,500, which includes the additional \$300,000 that was previously discussed. Christensen voiced concerns about how the funding for the project is being allocated among the stakeholders.

Raybould moved to approve the Interlocal Agreement.

Vest seconded the motion. Motion approved 4-0.

**Order No. 19-22: Report of Project and Crossing Updates**

**33<sup>rd</sup> and Cornhusker**

Figard stated that a contract was signed at the beginning of 2019 that covered three years of environmental work. Kris Humphrey, project manager for the 33<sup>rd</sup> and Cornhusker project updated the Board on the current status of the project. Work is being performed for the upcoming public meeting on June 27, 2019 from 5:00 p.m. – 7:00 p.m. at the Center for People in Need. At this public meeting, the items to be discussed are: the purpose and need for the project, the history of the project, and the history of the alternatives that have been developed. There are eight alternatives being considered. One is a no-action alternative, and each of the other seven passed a tier-1 screening. Three of the seven alternatives are cost prohibitive. The remaining four alternatives will be presented at the public meeting. Public comments will be solicited. Comments from federal, state and local agencies will also be taken. All these comments, along with information from the PEL study, will be weighed against the transportation needs of the project. This will result in the elimination of at least two of the four alternatives in order to proceed to the NEPA process. It still needs to be determined whether an Environmental Impact Statement or and Environmental Assessment is needed for this project. This decision will be made fall 2019 by the RTSD, City of Lincoln, and acknowledged by the State of Nebraska – Nebraska Department of Transportation and the Federal Highway Administration. After the decision is made, another public meeting will be held. If this process is completed by 2021, then final design and right-of-way acquisition, and construction are expected to begin in 2026.

**Jamaica Trail North**

Sara Hartzell from Parks and Recreation gave an update for the project. The project is currently at the engineering phase and is almost complete with the design engineering. Ross Barron with Olsson, Susan Larson Rodenburg fundraising assistant and Elaine Hammer with GPTN are present if needed. Hartzell gave some history of the need for this project. She handed out a brochure that illustrated the project and showed a picture of a worn illegal trail that citizens have used to cross the tracks to get to the Jamaica Trail North or Wilderness Park. The project's intent is to provide a safe and logical connection to the Jamaica Trail North and entry into Wilderness Park. Original cost estimates were approximately \$1.3 million. Due to current economic circumstances, the price of steel has risen along with other costs and, thus, the cost estimates have risen to approximately \$2.2 million. Presently, the RTSD committed \$600,000 of its funds for engineering costs. Hartzell stated they are requesting an additional \$300,000 of the \$900,000 shortfall from the RTSD. GPTN has increased their commitment by \$150,000. Many private and public grants are also being applied for. Hartzell indicated that \$250,000 that was earmarked for a different project is being held by the City in case the grant funding does not cover the additional costs.

**OPPD & Pine Lake Rd** – Crossing improvement should start the week of June 3rd and reopened by end of the construction season.

**48<sup>th</sup> & Cornhusker** – JEO is the selected firm. The final contract has not yet been signed. A one-day workshop has already been held in order to discuss the project and alternatives.

**33<sup>rd</sup> & Cornhusker** – The RTSD is working with the City to construct sidewalks on the west side of 33<sup>rd</sup> Street.

**Hwy 2; 27<sup>th</sup> & 48<sup>th</sup>** - There are signed agreements with BNSF to improve and replace the crossings. Maintenance Operations with the City of Lincoln Transportation Department has been asked to monitor and patch repair as needed.

**Order No. 19-23: Non-Agenda Items/Public Comment**

Figard thanked Jennifer Brinkman and Cyndi Lamm for their participation and service on the RTSD Board, Board of County Commissioners and City Council respectively. In addition, Lamm was a part of the 33<sup>rd</sup> & Cornhusker administrative team and with her vacancy, Figard has asked Christensen to step in to assume that role. The administrative team includes: Schorr, Christensen, Figard and David Cary. Schorr stated that James Michael Bowers, Councilman, has been added to the Advisory Board.

Schmeling provided public comments regarding the expected increase in rail traffic over the next decades.

Christensen moved to adjourn. Raybould seconded the motion. Motion approved 4-0.

The next meeting is presently scheduled for Tuesday, September 10, 2019 at 11:00 a.m.

**Meeting adjourned at 12:18 a.m.**

**Prepared by: Amy Cornelius-Jones, Engineering Services**

**Minutes 06-03-19**