



RAILROAD TRANSPORTATION SAFETY DISTRICT

Board Meeting

Monday, December 2, 2019

Meeting Began At 11:00 a.m.
Meeting Ended At: 11:33 a.m.
Members Present: Deb Schorr, Roy Christensen, Sean Flowerday, Rick Vest, James Michael Bowers, Jane Raybould
Members Absent: Rick Vest
Others Present: Roger Figard, Amy Cornelius-Jones, Ron Rohde, Bill Kutilek, Kris Humphrey, Rick Herrick, Tony Jerina, Riley Johnson, Liz Thanel

Order No. 19-36: 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 26, 2019, 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 26, 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 September 10, 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 September 10, 2019 meeting.
Flowerday seconded the motion. Motion approved 4-0, 2 absent.

Order No. 19-37: Report of Statement of Financial Activity

Ron Rohde from the County Budget and Fiscal office gave the report of financial activity for the RTSD. Rohde reviewed the receipts and disbursement for current fiscal year through November 14, 2019. Total receipts for the period were \$2,292,514, comprising of: tax receipts in the amount of \$2,232,069, and investment interest income in the amount of \$60,445. During the period of the report, disbursements included: commissions, and refunds to State of Nebraska in the amount of \$43,959; operating costs in the amount of \$14,733; and construction project costs in the total amount of \$830,295; for total disbursements of \$888,986. For the period, the ending cash balance was \$307,326, and the ending investment balance was \$10,108,504, for a total fund balance of \$10,415,830.

Rohde stated that the County are moving to an OpenGov Budgeting format. This format will enhance budget processing by providing more efficient real-time information.

Flowerday moved to approve Statement of Financial Activity.
Christensen seconded the motion. Motion approved 5-0, 1 absent.

Order No. 19-38: Report regarding Current Budget Status

Operating Budget: Figard stated there is an operating budget of just over \$100,000 and have spent just under \$14,733.

Railroad Improvements: Expenditures to date have totaled \$182,026. These expenditures represent payments for the crossing improvements at 33rd & Cornhusker, 48th & Hwy 2, and 27th & Hwy 2. Additional invoices are expected for 35th & Adams as well as final invoicing for the improvements at 48th & Hwy 2 and 27th & Hwy 2.

Construction Projects: There are two expenditures to report: (a) Miscellaneous Engineering for \$8,488 for North Lincoln Quiet Zone re-evaluation and reaffirmation to FHU; and (b) 33rd & BNSF Crossing for \$639,781 to the engineering contractor, Olsson Associates. The Hastings Sub Relocation project is on hold. Invoices should be coming in for the Pine Lake Road, Jamaica Trail, and N 48th Street projects.

Order No. 19-39: Review and Consideration of the FY 2018/2019 Audit

Tony Jerina from HBE, LLP presented the Final FY 2018/2019 Audit report. There were no changes from the draft Audit report presented at the September 10, 2019 RTSD Board Meeting.

Christensen moved to approve the Final 2018/2019 Audit Report for the RTSD.

Raybould seconded the motion. Motion approved 5-0, 1 absent.

Order No. 19-40: Update and Report on 33rd and Cornhusker Project

Kris Humphrey updated the Board on the current status of the 33rd and Cornhusker project.

- As stated in September, Modified PEL C was selected as the proposed preliminary preferred alternative
- An open house to inform the public of the results of the final 7 alternatives screening will be held in early 2020
- Nebraska Department of Transportation (NDOT) and Federal Highway Administration (FHWA) approved the probable NEPA Class of Action as an Environmental Assessment (EA). This probable class of action is subject to change as the proposed project progresses and more information is analyzed regarding the project, surrounding area, and impacted resources
- The original contract with Olsson, Inc. assumed Alternative 1D as the preliminary preferred alternative, which required an Environmental Impact Statement (EIS) as the NEPA Class of Action. Due to the modification of both of these items, the scope and fee has been adjusted accordingly
- We will begin discussions with NDOT to develop a program agreement which will discuss funding contributions

Order No. 19-41: Consideration of Probable Class of NEPA Action and Proposed Preliminary Preferred Modified Pel C Alternative

Figard recommended a motion that the Board would concur in FHWA and NDOT recommendation of a probable class of NEPA action as an EA and moving into NEPA with modified PEL C as the proposed preliminary preferred alternative.

Christensen moved to approve the motion as stated.

Raybould seconded the motion. Motion approved 5-0, 1 absent.

Order No. 19-42: Consideration of Amendment 1 to Olsson Contract

Figard proposes to approve Amendment 1 to the Olsson contract based on the NEPA action going to an EA. The Amendment modifies the scope of the work to be conducted and reduces the maximum amount of the Contract by \$209,259.

Raybould moved to approve Amendment 1 to the contract Olsson, Inc..

Christensen seconded the motion. Motion approved 5-0, 1 absent.

Order No. 19-43: Report of Project and Crossing Updates

Rock Island/Jamaica Trail – It is expected that the parties will be finalizing construction and easement documents with BNSF by the end of the month. Bids have been taken but a contract will not signed with the construction contractor until all funding is obtained. Fundraising team is working on closing the funding gap. There is a contract for contract administration and testing in place with Olsson, Inc.. Contractor hopes to begin work end of January or February.

Pine Lake; 62nd to Hwy 2 – The paving is complete and OPPD has the new rail in place. Gates and lights are forthcoming and will be coordinated with the City. The goal is for the project to be complete by the end of the construction season.

NW 48th – The City continues to work with JEO Consulting to refine seven reasonable and feasible alternatives with better cost estimates for future project costs.

Crossings Repaired during the past year - 33rd & Cornhusker, 48th & Hwy 2, 27th & Hwy 2, 44th & Cornhusker Hwy

35th & Adams – There is a signed agreement for repairs, which is approximately half complete.

19th & Y – There is a draft agreement with OL & B, which has a few clean-up items to address.

Order No. 19-44: 2020 RTSD Board Meetings

All meetings are at 11:00 a.m. in the City Council Chambers.

March 3, 2020; June 1, 2020; September 8, 2020; and December 7, 2020

Order No. 19-45: Non-Agenda Items/Public Comment

None

Christensen moved to adjourn. Raybould seconded the motion. Motion approved 5-0, 1 absent.

The next meeting is presently scheduled for Tuesday, March 3, 2020 at 11:00 a.m.

Meeting adjourned at 11:33 a.m.

Prepared by: Amy Cornelius-Jones, Transportation

Minutes 12-02-19