

## RAILROAD TRANSPORTATION SAFETY DISTRICT

Board Meeting

March 7, 2000

Meeting Began at: 9:05a.m.

Meeting Ended at: 10:00a.m.

Members Present: Coleen Seng, Linda Steinman, Jonathan Cook, Jon Camp,  
Bob Workman

Members Absent: Bernie Heier

Others Present: Roger Figard, Bruce Sweney, Larry McNeel, Melissa Ramos, Connie Thoreson, Michele Maly of Public Works and Utilities; Wynn Hjermstad, Urban Development; Joel Pedersen, City Law; Dick Nuernberger, County Treasurer, William Kuester, Attorney, Tom Leikam, Olsson Associates; and Harlan Layton, Private Citizen.

### **Order No. 00-01**

Coleen Seng called the meeting to order and asked for a motion to approve the previous minutes.

Linda Steinman motioned to approve; Jonathan Cook seconded the motion. The vote was unanimous.

### **Order No. 00-02**

Dick Nuernberger read the Treasurer's Report. The County Collections balance for the district was \$318,510.62 as of January 31, 2000. The District's checking balance was \$291,569.63 as of February 25, 2000. L. Steinman motioned to approve the Treasurer's Report; Bob Workman seconded the motion. The vote was unanimous.

### **Order No. 00-03**

Roger Figard introduced Joel Pedersen, of the City Law Department, to update the Board on the Baseball Project.

Joel presented the First Amendment to the Lincoln Ballpark Interlocal Agreement. The original Interlocal agreement provided for a fifteen day termination and this has been changed. There have been definition changes to correlate with the rest of the agreement, as it is addressed. The category on the parking is no longer a City responsibility. The other changes are in the Construction and Lease Agreement. They should all work together now as a three part agreement.

Joel updated the Board on the status of the project, stating he is confident a final agreement is forthcoming regarding the acquisition of the Union Pacific property. We are waiting for final approval from the Railroad. The RTSD's funding portion will be approximately \$180,000 to \$200,000. This is based on a square footage from the appraisal, with a \$1.25 per square foot, as the appraised value.

Coleen called for a vote to approve the Interlocal Agreement Amendment as presented. The vote was unanimous to approve.

**Order No. 00-04**

Roger reviewed a Resolution for the Change Order Procedures which outlines the guidelines for a formal change order to be processed.

There are three instances warranting a Change Order; a change or adjustment in a unit price; a substantial revision in the limits or scope of the project; or a substantial change in the quantities of work, resulting in an increase or decrease in the total contract amount. Change Orders would be recommended by an Engineer or Consultant on the project. The Change Order would be signed by the RTSD Executive Director and the RTSD Board President. A change order will not be signed unless there is sufficient money in the budget. Should the need to transfer money from other sources within the District's budget occur, the Board would be consulted.

These procedures were modeled after the City's.

Linda moved approval of the Resolution; Jonathan Cook seconded the motion. The vote was unanimous.

**Order No. 00-05**

Roger presented a draft budget for the Board to review; no action needs to be taken on this date.

Included on this draft budget is a column for this fiscal years expenditures to date, with the main project moving forward being "X" St.

With the need to consult our legal council to maintain our procedures are in keeping with State Statues, the operating budget has increased in auditing and legal services. Total increase in the Operating Budget is from \$82,750 to \$86, 250.

Project #6 has been postponed indefinitely until the Beltway is a more defined project. Roger reviewed the Six Year Capital Improvement Program and the Cash Flow Statement.

The Board asked for an update on the bonding issue. It was stated that Bill Kuester and Roger Figard have moved forward on this issue and it is still in committee. It should be noted, however, the bonding issue would not take care of revenue needs, as RTSD would still need revenue to pay back the bond. If the County Board voted the levy down, RTSD would not have revenue to pay them back.

Roger encouraged input, from the board, regarding the draft budget as presented.

### **Order No. 00-06**

Bruce Sweney gave an update on the "X" Street Project. The track bed is done and they are working on the bridges that go over the two creeks within the project. Burlington Northern will lay the tracks possibly late this summer.

Larry McNeel expressed appreciation to Tom Leikam of Olsson Associates and Wynn Hjermsstad of Urban Development for their involvement in the 3rd and "A" Street Project. Larry introduced Tom for his update on the project.

Tom gave a brief update on the 3rd & "A" Street Project. Results from public meetings were presented. There has been strong support from the majority of the people in the South Salt Creek neighborhood. Since public meetings, last fall, there have been meetings with the Railroad to work towards putting together the Memorandum of Intent(MOI). The MOI will allow for the removal of the 4th Street tracks, which is critical to this project moving forward. A proposed plan has been developed, that appears to be acceptable to the railroads and that will work well with this project. The current draft MOI will determine the responsibility of each party for implementing the removal of these track.

The preliminary design process is moving forward with all alternative alignments being considered until all the Environmental Assessments have been completed. Anticipated schedule for completion of the Environmental Assessments will be early summer. July, 2000 is the target date for a public hearing and draft circulation time period for the environmental documentation.

After the public hearing, the results will be brought before the RTSD Board for selection of a preferred alternative to carry forward to the final design. There are informational distributions to keep the neighborhood informed on the status of the project.

The Board is aware of the neighborhood preferences, however, the federal process of the National Environmental Protection Act needs to be followed through. All reasonable alternatives will be environmentally evaluated, ahead of time, before making any eliminations. The regulatory agency will have input for the Board to consider.

**Order No. 00-07**

Roger introduced the Interlocal Agreement between the City and the RTSD regarding the Antelope Valley Project funding, in the budget. There is a line item, for \$350,000 within this years budget. This Interlocal Agreement, after signed by the City, will authorize RTSD expenditure of the appropriated money. The City Council will have to approve this with a Resolution prior to payment.

Jonathan Cook motioned to approve the Board President and Executive Director sign this Interlocal Agreement on behalf of the Board for the RTSD; L Steinman seconded the motion. The vote was unanimous.

Roger presented an agreement relating to the 3rd and "A" Street project. There is federal money remaining and earmarked for the 3rd and "A" Street Project. The NDOR has prepared an agreement to expend this money. This agreement is between NDOR and RTSD. Bob Workman motioned for the Executive Director and President of the Board to sign this agreement; Jonathan Cook seconded the motion. The vote was unanimous.

Harlan Layton expressed concern for the need of an overpass at SW 40th. He feels this is needed as another outlet from the area. Roger assured Mr. Layton there is money allocated to address this need, as a Project #11. This project will get started on analysis and study of the area needs. Burlington Northern is interested in this study as well

Coleen Seng closed the meeting.

Prepared by: \_\_\_\_\_  
Connie Thoreson, Public Works and Utilities