



## RAILROAD TRANSPORTATION SAFETY DISTRICT

Board Meeting

June 26, 2003

Meeting Began At: 01:30 P.M.

Meeting Ended At: 02:20 P.M.

Members Present: Ray Stevens, Glenn Friendt, Deb Schorr, Ken Svoboda

Members Absent: Jonathan Cook, Larry Hudkins

Others Present: Roger Figard, Dick Nuernberger, Bill Kuester, Kurt Micek, Wynn Hjermstad, Warren Wondercheck, Bruce Sweney, Karl Fredrickson, Tina Mackel, Harlan Layton.

### **Order No. 03-06 Call to Order. Approval of the Previous Minutes.**

Stevens introduced the RTSD Board Members.

Friendt motioned to approve the previous minutes. Schorr seconded the motion. Motion approved 3-0. Svoboda abstained.

### **Order No. 03-07 Report of Treasurer.**

Dick Nuernberger presented the treasurer's report. As of May 30, 2003, the District had investments in various banks totaling \$6,693,798.24. As of May 14, 2003, a balance of \$895,923.77 was carried in the District's checking account. As of April 30, 2003, the County Treasurer's balance for the District was \$495,728.92.

Friendt asked about the large amount in the checking amount.

Nuernberger replied that the balance is down to about \$200,000.00. We are paying off a lot of bills before the end of the fiscal year.

Schorr motioned to approve the treasurer's report. Friendt seconded the motion. Motion approved 4-0.

### **Order No. 03-08 Election of Officers.**

Figard gave an overview of the duties of each elected officer. This is a co-sponsored organization and would prefer to have one City Council Member and one County Commissioner in the Chair and Vice Chair positions.

Schorr motioned to name **Glenn Friendt** as the new RTSD **Chairperson**. Svoboda seconded the motion. Motion approved 4-0.

Stevens motioned to name **Deb Schorr** as the new RTSD **Vice Chairperson**. Svoboda seconded the motion. Motion approved 4-0.

Schorr motioned to name **Ken Svoboda** as the new RTSD **Secretary**. Stevens seconded the motion. Motion approved 4-0.

### **Order No. 03-09      2003-04 Budget & CIP.**

Figard stated that we are required to propose and approve a budget before the end of the year. This will be forwarded onto the County Board for their final decision in setting a levy for the RTSD in late August or early September. In relationship to the budget proposed, there is still cash in the bank so that this budget can be approved and implemented whether the levy goes up or down for the upcoming year. It would affect long term projects and cash flow. My recommendation to the Board is that we forward a recommendation of going back to the maximum levy request of 0.026 to continue to leverage those dollars for ongoing increased project and infrastructure needs in the future. Our current levy is 0.2194.

The total operating budget is requested at \$57,750.00. This is slightly down from the proposed operating budget of this year. We have found that we are able to operate the administrative duties less than originally projected. The management portion has been billed and paid. The records have not been updated yet this week.

Figard gave an overview of the budget.

- waiting for audit from NDOR regarding Van Dorn relocation.
- almost done with X Street relocation, \$5,800 payoff.
- \$100,000 to finish the Firth Road Overpass.
- any money left over will be rebudgeted into next year's budget.
- requested \$1,800,000.00 to continue to assist with final plans and construction for Antelope Valley as it would relate to railroad tracks and bridges in and around the Devaney Center. A \$1,400,000.00 contribution check was written last week.
- 3rd and A - have spent about \$5,500,000.00. We are rebudgeting \$6,400,000.00 to make sure there is enough money to finish the project.
- Harris Overpass - didn't get started this year so we are budgeting more money for the upcoming year for design and pre-planning. Discussions of a multi-purpose center that could be located in numerous places around Lincoln and the District would not move ahead with planning that was not coordinated with that multi-use center in case it happened to be somewhere in that vicinity.

By late fall, the Firth Road Overpass should be completed. Right-of-way is acquired. Don requested \$100,000.00 to finish the project after July 1st. \$500,000.00 would go into the cash balance and is available for other projects.

We would have a Capital Improvement Program of \$9,907,800.00. Total RTSD budget would be \$9,965,550.00. We can do this without a full levy but would be requesting that the

recommendation would go forward from the Board to the County Commissioners to move the levy to 0.026.

Stevens asked about the Salt Creek Bridge project which had \$500,000.00 budgeted last year. Nothing has been spent and nothing is budgeted. Figard replied that the City didn't get an interlocal agreement put together so we are not authorized to give them any money. There is some track relocation to be done on the west end of the bridge. Some of that cost would come out of the railroad crossing improvement portion of our budget.

Schorr asked about the high remaining balances and if any transactions have occurred recently.

Figard replied the \$1,400,000.00 has been paid out for Antelope Valley. \$29,000.00 for management has been paid. Bills around \$130,000.00 to \$140,000.00 were paid for the Southwest 40th project.

Svoboda asked about the difference in real dollars between the current levy and the proposed levy.

Figard replied that it's about a \$600,000.00 a year difference. The levy is reset yearly.

Harris Overpass project has been deferred. The project list could change, but not much because there is not enough cash to do more projects. The primary areas to provide money for are grade separations for arterial streets that cross tracks and also trail structures.

Stevens motioned to approve the proposed budget and to forward it onto the County Board requesting the maximum levy of 0.026. Svoboda seconded the motion. Motion approved 4-0.

**Order No. 03-10      Review/Renew Legal Service Contract.**

Figard requested the approval of continuing to use Crosby Guenzel Law Firm. They provide services including reviewing state statutes and preparing and reviewing interlocal agreements amongst other legal services.

Schorr added that the price of their service is very reasonable.

Schorr motioned to renew the legal service contract with Crosby Guenzel. Stevens seconded the motion. Motion approved 4-0.

**Order No. 03-11      Review/Renew Accounting/Auditing Service Contract.**

Figard stated that Micek and Crouch provide accounting and auditing services as well as filling out actual budget forms while we prepare the general outline. They will make sure that all the budget forms required by the State are filled out and that we get them done correctly and timely.

Stevens motioned to renew the accounting/auditing service contract with Micek and Crouch. Svoboda seconded the motion. Motion approved 4-0.

## **Order No. 03-12     Project Updates.**

Figard stated that 3rd and A is on schedule.

Stevens asked about who wrote the RTSD history 5 page summary and also about the sunset provision.

Figard stated that it originally started by Mr. Crosby at their law firm in the early 70's. The sunset provision was extended in the early 80's for 10 years. In the early 90's, when the City took over management, one of the first things that was done, based on community response, was to remove the sunset provision.

The District has no bonding authority. Friendt stated that he is not supportive of bonding authority for this particular entity. The "pay as you go" approach makes more sense.

Figard stated that we tried to get a tax exemption status for the District through legislation, but that did not happen. If the City does a project and the District is just providing finances, the project is built as a tax exempt project through the City's authority. If the County is building it, the project is built as a tax exempt project through the County. The 3rd and A Street project was managed and administered by the District so there are parts of that project we are paying sales tax on. I would like to pursue getting a tax exemption for the District.

Friendt agreed. Schorr asked about the process involved. Figard would like to talk with the City and County Lobbyists who take care of legislative action and see if it should be packaged with one of their items or if the District should work by itself. I will report back to the Board in the fall.

Wynn Hjermstad stated that the 3rd and A project is going well and no complaints thus far. We are working on the 4th Street corridor as part of the 3rd and A project. We are working with Public Works and Parks and Recreation to coordinate efforts in the 4th Street corridor. The 3rd and A Street Overpass should be completed by November.

Figard stated that the Salt Creek bridge should be done by November 21, 2003. We moved up the Salt Creek bridge so that we could get everything done all at the same time. If the 3rd and A project is completed earlier, we could certainly open that for access for the neighborhood.

Svoboda asked about pedestrian problems on the tracks.

Karl Fredrickson stated that the City worked with Star Tran and provided passes to the principals to hand out to the students. The Salt Creek Bridge contractor has put up construction netting to keep them off the job site.

**Order No. 03-13      Non-Agenda Items.**

Harlan Layton made some suggestions.

- Antelope Valley is going to be stretched out for 10-12 years. They should be looking at closing 44th Street. 4 blocks away you have an underpass on 48th and down the road @ Cornhusker Highway, the overpass is going to have to be rebuilt after this. You should be looking at putting an overpass @ 70th Street that way you can come by 84th Street and come all the way into town with no crossings.
- I read that they are wanting to upgrade the West Bypass and eliminate an intersection at Old Cheney. They are also talking about reworking the intersection of 14th Street, Warlick and Old Cheney and closing Old Cheney so you can't go west. My recommendation is that you should look at closing the crossing at Old Cheney and open it up at Limestone to the south and you can get on Warlick Boulevard at an intersection that is already there.
- Northwest 91st Street should be looked at in regards to closing it, because you have an overpass @ 98th coming out to Highway 6.

Friendt recommended to Harlon Layton that he put his suggestions in writing.

Stevens motioned to adjourn the meeting. Schorr seconded the motion. Motion approved 4-0. Meeting adjourned.

**Prepared by: \_\_\_\_\_**  
**Tina Mackel, Public Works & Utilities**