



RAILROAD TRANSPORTATION SAFETY DISTRICT

Board Meeting
September 7, 2004

Meeting Began At: 10:30 A.M.

Meeting Ended At: 11:10 A.M.

Members Present: Deb Schorr, Ken Svoboda, Bob Workman, Jonathan Cook, Ray Stevens, Glenn Friendt

Members Absent: N/A

Others Present: Roger Figard, Dick Nuernberger, Bill Kuester, Kurt Micek, Fran Mejer, Scott Cockrill, Roger Ohlrich, Charlie Wilcox, Karl Fredrickson, Randy Hoskins, Tina Queen.

Order No. 4-15 Call to Order. Approval of the Previous Minutes.

Schorr called the meeting to order.

Stevens motioned to approve the previous minutes. Svoboda seconded the motion. Motion approved 4-0. Cook and Friendt were absent for this motion.

Order No. 04-16 Report of Treasurer.

Dick Nuernberger presented the treasurer's report. As of August 11, 2004, the District had investments in various banks totaling \$5,406,625.54. As of August 23, 2004, a balance of \$123,770.34 was carried in the District's checking account. As of July 31, 2004, the County Treasurer's balance for the District was \$1,262,542.36.

Svoboda motioned to approve the treasurer's report. Stevens seconded the motion. Motion approved 6-0.

Order No. 04-17 Approve 2004/2005 Budget.

Figard stated that the cash flow is revised due to the change in valuation in the County. He thanked the County for giving the district the maximum levy at 0.026.

Stevens asked about the A Street/ Salt Creek Bridge not being budgeted last year and now being budgeted at \$500,000.

Figard replied that the City failed to prepare the interlocal agreement and without that agreement, there is no authorization for the District to pay the City. The interlocal agreement reads that the District would pay up to \$500,000 for eligible RTSD expenses. The City still needs to coordinate with the State of Nebraska to try and leverage the maximum bridge replacement dollars from NDOR.

Stevens asked why the emergency/safety studies is budgeted for double the amount of last year.

Figard stated that those funds need to be available just in case more studies and/or projects are brought forward by either the City or County.

Stevens asked about the 3rd and A Overpass balance and why so much was budgeted last year and only \$500,000 was carried over to this year.

Figard replied that the project was under budget. The City has indicated that \$500,000 is more than enough to pay off final bills, landscaping, etc.

Stevens asked about the Harris Overpass replacement and whether it is premature in light of the studies going on including the downtown master plan, downtown parking study, and downtown event center.

Figard replied that the City of Lincoln has negotiated a scope of service with the consultant to start the work. The scope is very clear in the need to coordinate with these other studies that are going on. The Assistant City Engineer, Karl Fredrickson, is also a representative on the downtown master plan study and will play a big roll in coordinating on the Harris Overpass. The Harris Overpass will not move ahead without input and knowledge of where those studies are going to go so there are no conflicts.

Cook asked if the Harris Overpass will be open during construction.

Figard stated that the Harris Overpass couldn't start until the Capital Parkway West interchange with 77 was done so there is a good alternative access into downtown. Alternatives will need to be weighed and input from the businesses will help to make a decision on the right thing to do.

Workman asked about why the Harris Overpass needs to be replaced.

Figard replied that it is structurally deficient and is one of the last riveted structures in the country. Those were phased out in the early 50's. We have it evaluated by the State as well as our own bridge engineer on an annual basis. The original substructure was built in the late 40's, early 50's.

Cook talked about the bond issue coming up. If the City chose to go a different direction, what would the RTSD do with the money?

Figard replied that we wouldn't change the budget or spend the money.

Cook asked what the options are for changing the RTSD budget after the official approval of the budget. Figard replied that if the Board felt strongly that something wasn't to be expended, then we could amend the budget.

Stevens stated that the termination agreement states that this may be terminated at any time not less than 60 days notice by either party.

Figard stated that if the money is not expended by the end of June, it would go back into the cash account. We could add anything to the budget if the Board so requested.

Schorr asked for a brief overview of Hickman and Firth funding.

Figard replied that Hickman funds will be used for buying right-of-way and engineering. The County asked for less money than what is budgeted for Firth.

Stevens asked about the Southwest 40th bridge. He suggested that Southwest 48th would be a better alternative because it has a better connection to the interstate. He also inquired about what contribution will be made from the RTSD.

Figard replied that Southwest 40th is still his recommendation and would be the appropriate interim location. We have solid participation commitments with the NDOR, City and District. The contribution from the railroad is something we are still discussing. There needs to be some finalization of a railroad agreement on the Antelope Valley project before I'm in a position to go try and finalize Southwest 40th. The commitment is that I wouldn't bring back to this Board or to the Commons an agreement proposing to close Southwest 40th until we have an agreement with the railroad.

Stevens asked if Southwest 40th is a 25 year solution.

Figard replied that it is a 25 year solution. It could be built in phases. The overpass could get built but not all of the City paving necessarily being done to start with. We do have a consultant continuing to work on the final design of that structure but no decisions have been made yet to how much of that to build in a construction project.

Friendt motioned to approve the 2004/2005 budget as presented. Svoboda seconded the motion. Motion approved 6-0.

Order No. 04-18 Harris Overpass Interlocal Agreement.

Figard stated that the interlocal agreements are budgeted for the upcoming year to help participate in the costs of those 4 projects.

Stevens stated that in all cases, the duration of these agreements is not to exceed 3 years or until the project is completed. There is a 60 day termination notice on either party and the dollars are stipulated as a fixed upper limit and that the actual projects and the phases of the project that are to be funded by the RTSD are spelled out in the agreements.

Svoboda motioned to authorize the Board Chair and Executive Director to sign the Harris Overpass interlocal agreement and forward it onto the City Council. Stevens seconded the motion. Motion approved 6-0.

Order No. 04-19 Antelope Valley Interlocal Agreement - Big T & East Leg.

Svoboda motioned to authorize the Board Chair and Executive Director to sign the Antelope Valley interlocal agreement and forward it onto the City Council. Stevens seconded the motion. Motion approved 6-0.

Order No. 04-20 Southwest 40th Street Interlocal Agreement.

Workman motioned to authorize the Board Chair and Executive Director to sign the Southwest 40th Street interlocal agreement and forward it onto the City Council. Svoboda seconded the motion. Motion approved 6-0.

Order No. 04-21 A Street/Salt Creek Bridge Interlocal Agreement.

Stevens motioned to authorize the Board Chair and Executive Director to sign the A Street/Salt Creek Bridge interlocal agreement and forward it onto the City Council. Cook seconded the motion. Motion approved 6-0.

Order No. 04-14 Non-Agenda Items.

Kurt Micek presented the financials and the status of bookkeeping and accounting. There is a management discussion and analysis on pages 1-3 which sums up the activities and financial position and also the budgeted highlights of the report for the RTSD. The highlight of the year, ended June 30, 2004, is the amount of expenditure for the Salt Creek/3rd & A Overpass and Harris Overpass and the amount of revenues compared to the budgetary amounts for the year. This happens year by year because the RTSD does not have that **bonding** capability. We did not find any material weaknesses in the internal control of the RTSD. We did make similar comments that we had in prior years. We did notice that the 25 interest checks had only been deposited 7 times. The year before there had been 40 checks deposited 8 times. We are recommending that be reviewed on a weekly basis and deposited weekly. The County Treasurer, dispersing the monthly amount of the balance thru the RTSD account, was only done 4 times during the year. I know the County likes to retain those funds with the County Treasurer but we are recommending, because the RTSD is a governmental subdivision, that they be entitled to receive those on a monthly basis. These recommendations are on a separate letter to all the Board Members.

Friendt motioned to accept the report of the auditor. Workman seconded the motion. Motion approved 6-0.

Schorr encouraged everyone to come out and vote on September 14, 2004.

Schorr stated that the next meeting date is set for Monday, December 6th @ 9:00 a.m.

Stevens motioned to adjourn the meeting. Friendt seconded the motion. Motion approved 6-0. Meeting adjourned.

Prepared by: _____
Tina Queen, Public Works & Utilities