



## RAILROAD TRANSPORTATION SAFETY DISTRICT

Board Meeting  
September 6, 2005

Meeting Began At: 10:30 A.M.

Meeting Ended At: 11:40 A.M.

Members Present: Deb Schorr, Ken Svoboda, Bob Workman, Ray Stevens, Jonathan Cook, Dan Marvin

Members Absent: None

Others Present: Roger Figard, Bill Kuester, Kurt Micek, Scott Cockrill, Bruce Sweney, Tina Queen, Larry Hudkins, Harlan Layton, Danny Walker, Barbara Bauer.

### **Order No. 05-15 Call to Order. Approval of the Previous Minutes.**

Schorr called the meeting to order.

Svoboda motioned to approve the previous minutes. Workman seconded the motion. Motion approved 5-0. Marvin abstained.

### **Order No. 05-16 Report of Treasurer.**

Roger Figard presented the treasurer's report. As of August 19, 2005, the District had investments in various banks totaling \$1,637,616.60. As of August 23, 2005, a balance of \$2,276,374.36 was carried in the District's checking account. As of August 19, 2005, the County Treasurer's balance for the District was \$202,340.60.

Figard stated that he had been communicating with the Treasurer on what to reinvest and what payments the District will need to be making.

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

### **Order No. 05-17 Approve 2005/2006 Budget.**

Figard thanked the County Board for approving the levy request for the RTSD of 0.026. There are no proposed changes in the budget. The bottom line budget will stay exactly as it is. The cash at the end of the year is slightly different than what was proposed. The 6-year cash flow sheet will need to be adjusted because there will be a new cash balance. The other change is the actual valuation. It is slightly different from what was used going into the budget.

Stevens asked about the substantial amount of money spent on staff support that wasn't in the budget. Figard replied that there was some additional staff work because of some extra projects and activities with

study and analysis. Typically staff time doesn't get billed until closer to the end of the year.

Schorr asked about the two items changing in the budget and what the dollar amount difference would be.

Figard replied the beginning cash is \$3.7 million. It would actually be about \$5.9 million and would be shown on the cash flow sheet. The other item with the actual County valuation, the expended tax revenue \$4.1 million would go up approximately \$25,000. Those sheets will be corrected and will be dispersed to the Board.

Workman motioned to approve the 2005/2006 budget. Stevens seconded the motion. Motion approved 6-0.

**Order No. 05-18      1st & J Street Underpass.**

Figard presented a City map showing the 1st and J Street area. What brought the item to the forefront was a question of access to the school. The RTSD does have a line item for a project this year in cooperation with the NRD to build an underpass for the trail crossing along Salt Creek on the east side. This would allow connectivity thru the area. Some people question if this is acceptable being two-three blocks west of 1st Street. A repair of the underpass tunnel is not an easy solution. There really isn't head room to build a tunnel underneath that doesn't require some type of sump drainage and pump system to keep it dry. The recommendation is to continue to have the City do its best to keep it cleaned out and dry as possible.

Marvin asked to show on the map where the proposed underpass would be and about NRD funding.

Figard stated that it would be on the east side of Salt Creek where the BNSF tracks come in and would go underneath the tracks. It would be two blocks west of 1st and J Street. It would be an NRD project with the RTSD providing approximately 50% of the funding. The Parks Department would also be included in the planning, engineering and management of the trail.

Workman asked what the timeline of the new underpass would be and if the old underpass would be eliminated.

Figard replied that funding is in this fiscal year for the NRD and the RTSD. There is a possibility to get into construction next summer. There is still some value in keeping the 1st and J underpass. It does provide an opportunity for people. It just needs to be kept clean and dry.

Cook asked about the funding of \$125,000 in the budget and who maintains the underpass.

Figard stated that the Street Maintenance Department cleans up the area.

Cook asked about how much is spent on 3rd and F as opposed to 1st and J.

Figard replied that more money is spent on 3rd and F although that maintenance contract has been incorporated into the Parks Department budget. It seems like the annual maintenance on 3rd and F was about \$15,000 a year. Most of that maintenance was cleanup, trash debris, mowing, trimming, etc.

Schorr asked Figard to point out the school on the map and stated that kids will not go three blocks to use the crossing to come back.

Danny Walker (427 E Street (08)) stated that during the negotiations on the 3rd Street track, the neighborhood was promised some improvements on the 1st and J Street underpass. The 1st and J underpass was supposed to be widened to get a Kawasaki mule through for emergency help. That was never done. In the handout, there are copies of some children in front of that underpass and an article that was in the Journal Star. It's not a good idea to discuss the underpass along Salt Creek because it would be too dangerous for children to walk along there.

Cook asked Danny Walker what location he would pick for an underpass.

Danny Walker replied that a study should be done to see if a pedestrian overpass on 2nd Street would be a good solution.

Barbara Bauer (1224 South 8th Street (08)) stated that it's not a good idea to put in an underpass at all. The one at 1st and J Street needs to be taken out. It doesn't make sense to put an underpass in a flood plain area. Other alternatives need to be looked at.

Harlan Layton (740 Skyway Road (05)) stated that the Capitol Parkway drainage south is plugged up. Water is running down the sidewalk into the underpass. It would be better to put in a pedestrian overpass. Underpasses fill up with water and require more maintenance.

Figard will send someone over to fix the drainage problem on Capitol Parkway.

Workman asked how much an overpass would cost.

Figard replied more than 10 times the amount of an underpass. An underpass would cost approximately \$250,000.

Workman asked if we have any other situations in Lincoln similar to the Salt Creek underpass as far as safety.

Figard replied that it is a unique area. An emergency access ramp was built for police, fire, and ambulances to get in when the tracks are blocked. The emergency access is wide enough to get a mule thru there. There was never any serious discussion or ability to widen the existing structure.

Workman asked about the safety of children walking next to Salt Creek.

Figard doesn't feel qualified to speak about that. There are trails similar to this all over the community.

Schorr asked how many trains use that track on a daily basis.

Figard replied that he is unsure of the number but around the stadium it ranges 60 per day. It is blocked quite often during the day. The other option is that the City and County will be looking at updating the Long Range Transportation Plan, a component of transportation is intermodal and pedestrian/trail use.

Cook asked Figard about proceeding with the underpass along Salt Creek for separate reasons.

Figard replied that it is a commitment to the overall trail system and the safety of people using the trail system.

Cook asked if there have been studies done for other possible locations for other underpasses in the area and should the RTSD be involved in that.

Figard replied that there were no studies done that he was aware of. The RTSD could participate and have a role. The broader range of evaluation and analysis for pedestrian movements should come thru the City and County as part of that Comp Plan and the transportation plan update. The RTSD could be a vehicle for implementation if something is put into a plan.

Schorr asked how much an engineering study would cost to outline options available for an overpass and how quickly could it be done.

Figard replied that a feasibility study would run around \$50,000 - \$60,000. It would take approximately six months by the time you go thru the selection process.

Marvin asked Figard for a history of how severe this problem really is compared to other areas.

Figard replied that this area houses a larger number of small children.

Cook asked about the delays crossing at-grade.

Figard replied that the trains take a while to cross the tracks and the delay is less than acceptable.

Workman asked if the underpass under Salt Creek could be made safer with a fence.

Figard stated that it would be no different from any other underpass crossings that have been done along the Salt Creek Levy. There will be the normal protective devices that would protect one from the natural issues. This is one of the last pieces not completed.

Stevens stated that this situation doesn't need to be solved today because of the alternatives available to get across the tracks. It should be considered further in light with other projects throughout the community.

Schorr motioned to authorize a preliminary engineering study to look at the potential of an overpass in the neighborhood of 1st and J Street. Busing could be taken away any time with the budget situation. Children will not go out of their way for a safe crossing. The Salt Creek underpass is a separate issue because it will be done either way.

Stevens seconded the motion.

Cook asked if Schorr was looking for a study that would look at all locations.

Schorr replied yes.

Stevens stated that he is willing to invest this money on a study. If it's practical, a basic overpass should be built. Perhaps other funding partners could be found for this particular project.

Cook is concerned about leaving this up to the LRTP process. Where would this money come from in the budget?

Figard replied that there is a separate and specific project category 899.905 called emergency and safety. He recommended to the Board to use the \$150,000 in that project category towards the \$50,000 - \$60,000 that would be spent on this study.

Schorr replied that it would be acceptable.  
Workman asked if this would go out to competitive bid.

Figard stated that the District would use the same selection process for Request for Proposals from consulting firms. This is based on qualifications, not low bid and would ask for several proposals from many different firms.

Marvin stated that cost is affected by how you ramp up and ramp down especially if you're in an enclosed area. This may lead you to a location more optimal because it's less expensive.

Figard stated that there would be discussions with this Board before any final design is done.

Motion to approve a feasibility study for the 1st and J Street area was approved 6-0.

### **Order No. 05-19      General Project Updates.**

Figard stated the conditions of the agreement between the City, County, State, and RTSD were fulfilled and Southwest 40th Street is now permanently closed at-grade until a viaduct is built. A letter was sent to the West A neighborhood apologizing for not having separate communication. Roger volunteered himself and staff to come to their next meeting and talk about the schedule. A bid letting perhaps will be done in late 2006.

Stevens asked about Harris Overpass and if the decision has been made on the part of the community on how long it will be closed, one or two years.

Figard replied that no decision has been made yet and should be made by the end of this month.

Svoboda stated he received an email from the West A Neighborhood Association President asking about the signage on Southwest 40th being permanently closed. The President was afraid that people wouldn't understand that it will be reopened at some point.

Figard stated that it is clarified on the website along with the street closing list, but follow up will be done on that issue.

Svoboda asked if there could be a sign posted stating the completion date.

Figard replied that a sign would be considered once the permanent barricades are up.

### **Order No. 05-20      Non-Agenda Items.**

Figard asked Kurt Micek to come forward and share the draft audit report for approval.

Kurt Micek presented a preliminary draft for the Board's approval before submitting it to the Auditor of Public Accounts and the County Clerk. Pages 1-3 refers to the RTSD financial highlights, results of activities and financial condition of the RTSD. Page 2 refers to the sources, revenues and expenses and gives the breakdown of project costs during 04-05. Page 6, statement of activities, refers to the budget analysis. The expenditure for administration services were higher due to additional staff time by the City of Lincoln in relationship to the RTSD. The other increase was that of the County Treasurer's Commission because of the increase in collection fees. The management discussion analysis gives you an idea of the major project costs. These are preliminary and for Board approval before the final financial statement can

be issued. He pointed out the letter of internal control over financial reporting on page 22. No material weaknesses or reportable conditions were found, but would like to see funds flow quicker. The County Treasurer is hanging onto the funds to derive interest income for the County. Kurt's concerns lie with the RTSD side and makes recommendations for the RTSD. Hence the reason for wanting the funds to flow quicker. The RTSD is dependent upon the City with the interlocal agreement to provide for the internal controls as far as the operations and the County Treasurer's office on the revenue side. There has been no indication of any fraudulent transactions nor any misrepresentation of misreporting of assets, liabilities, or statement of activities.

Marvin didn't see the letter but asked about money flows and lags.

Kurt Micek replied that during the fiscal year 2005, there were six transfers. There should be at least monthly transfers. CD's should be deposited immediately. The same recommendation has been made in previous audit reports for the last three years. Kurt has been the associated with the RTSD audit process since 1981.

Svoboda motioned to accept the audit report and to authorize the Board Chair and Executive Director to sign the letter of representation from the Board to Micek and Crouch. Workman seconded the motion. Motion approved 6-0.

Schorr stated that she did not see this previously on any agenda and asked if it should be added to future agendas.

Figard stated that in the future this will be on agenda and will confer with Council and the Auditor to have the correct language.

Danny Walker presented pictures which showed damage to the pedestrian crossing across the railroad tracks at 5th and E. This has happened on D, C and F Streets as well. D Street had big concrete slabs and those slabs were moved 18" out from the tracks and were shoved back in (not in the previous locations). It's better to have these walkways than to have to step over the tracks.

Barbara Bauer asked if something could be done about 3rd and A Street. When they originally put in the overpass, she requested that they keep the at-grade opening because the school children use it. Council said no and that the kids could ride their bikes over the overpass. The kids don't use the overpass and drag their bikes over the tracks at the grade level. Because no one is taking care of it, it is very difficult to drag their bikes across it. Is there a possibility of adding a platform so they can get their bikes over the tracks?

Harlan Layton stated that the bikepath runs on the south side of the railroad tracks up towards Salt Creek going south under Capitol Parkway. He stopped at 1st and the railroad tracks and was there for 30 minutes. The train left and three came in. People were turning around. One of those people went west on the bike trail, underneath the viaduct, and then went around thru the emergency access area. If that gate is left open, they are going to use that area because they can't get across. It's not a good policy to keep the gate open.

Cook asked Figard to look into some of the things brought up by the people testifying today about the railroad crossings, etc.

Figard said he would look into all the crossings along the 5th Street corridor. He responded that he would not add an at-grade opening on 3rd and A and is discouraged that the overpass is not being used. He will follow up on the emergency access and visit with police and fire about people using it.

Marvin stated that he's learned if you do an overpass, people won't necessarily use it. If an overpass is designed, it should be an overpass that will be used rather than people continuing to drag their bikes across the tracks and then coming back and asking to keep the railroad tracks open.

Svoboda asked if there could be some type of pipe railing to discourage or eliminate crossing at that area to force people to use the overpass.

Figard said he would look into it and see what is available. The railroad would be against having anything on their property.

Cook stated that the 3rd and A overpass has been a great success for vehicles. When talking about pedestrian and bicycle movements within the neighborhood, people aren't going to go over a bridge. They will go the shortest route. Maybe there is no great solution, but we should make that crossing safer for pedestrians.

Danny Walker clarified that the emergency entrance/exit that goes up the hill to Capitol Parkway, the top was supposed to be gated and hasn't been since its existence.

Stevens motioned to adjourn the meeting. Cook seconded the motion. Motion carried 6-0. Meeting adjourned.

The next meeting is scheduled for Monday, December 12th @ 08:00 a.m.

**Prepared by:** \_\_\_\_\_  
**Tina Queen, Engineering Services**