



RAILROAD TRANSPORTATION SAFETY DISTRICT

Board Meeting
December 12, 2005

Meeting Began At: 08:00 A.M.

Meeting Ended At: 09:00 A.M.

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

Members Absent: Jonathan Cook

Others Present: Roger Figard, Randy Hoskins, Bill Kuester, Bruce Sweney, Susie Filipi, Kris Humphrey, Charlie Wilcox, Fran Mejer, Dick Nuernberger, Tina Queen, Harlan Layton, Danny Walker

Order No. 05-21 Call to Order. Approval of the Previous Minutes.

Schorr called the meeting to order.

Workman motioned to approve the previous minutes. Stevens seconded the motion. Motion approved 5-0.

Order No. 05-22 Report of Treasurer.

Dick Nuernberger presented the treasurer's report. As of November 29, 2005, the District had investments in various banks totaling \$1,637,616.60. As of November 28, 2005, a balance of \$4,074,377.44 was carried in the District's checking account. As of November 30, 2005, the County Treasurer's balance for the District was \$42,212.16.

Marvin motioned to approve the treasurer's report. Stevens seconded the motion. Motion approved 5-0.

Order No. 05-23 Budget Interlocal Agreements.

Figard stated that he will overview all activities and then ask the Board to approve the Board Chair and Executive Director to sign those interlocal agreements and send them on to the appropriate political subdivision.

Firth Road Overpass - The County has indicated that they do not need any additional money. \$5,000 will go back into the general fund at the end of the year to be rebudgeted.

Antelope Valley -\$1.2 million has been budgeted to continue to participate and share the primary activities with the construction of the Big T and the East Leg.

Harris Overpass - \$920,000 has been budgeted for engineering, study, and getting plans ready for that project to be available for bid. We will be addressing and talking more about the construction

budget on that project as we go into another budget cycle with the RTSD in March and June of this fiscal year. We will continue to remind people that the RTSD is a funding entity only. Hickman Overpass has budgeted money this year as well. In the interlocal agreement we approved last year, it covered the funding for four-five different years so we don't need to take any particular action. There will need to be a modification of the actual construction year and will be addressed in the March meeting as we talk about a draft budget.

Salt Creek Railroad Underpass - The intended purpose of this project is that the NRD and the RTSD would equally share in the cost of constructing the undercrossing. The NRD has been applying for grants. Any grant money that they would receive would reduce the amount of dollars that the RTSD and the NRD would have to put into the project. In the draft interlocal agreement on the 2nd page under item 3 purpose, it currently reads "the purpose of this agreement is for the District and the NRD to cooperate in funding for the design and construction activities for the project." I would recommend we amend that to say "the purpose of this agreement is for the District and the NRD to cooperate in equally sharing 50/50 the local share of the funding for the design and construction activities for the project up to a maximum of \$125,000 each." Any grant we get will equally reduce the cost of the NRD and the RTSD. The NRD still needs to move ahead with getting agreements in place and a railroad agreement signed before they can go back to their grant applications. If we don't spend the money or they don't move it ahead in this budget year, we will rebudget for that the following year.

Stevens asked how long the segment is?

Figard replied that it is a few hundred feet.

Svoboda motioned to approve the amended draft interlocal agreement for the Salt Creek Railroad Underpass as directed by Roger Figard. Workman seconded the motion. Motion approved 5-0.

Workman motioned to approve all interlocal agreements including Antelope Valley, Harris Overpass, and Salt Creek Railroad Underpass and to authorize the Board Chair and Executive Director to sign such agreements. Stevens seconded the motion. Motion approved 5-0.

Order No. 05-24 1st and J Street Overpass Study.

Hoskins stated that the crossing is old and subject to flooding. A draft scope was put together for a project to look at the need, benefits, what all might go into a study and look primarily for pedestrian needs. This will also be looked at from a vehicular standpoint including safety and delay. The first phase will consist of a traffic study looking at the feasibility. If there is a need, we will move through the phases of design and eventually construction.

Schorr asked for an estimation of cars and trains that cross there a day.

Hoskins replied that 2100 cars and 77 trains cross there a day. The expected cost of this study is \$25,000. It will take around three months to complete the first phase of the study. We would propose to ask for proposals from at least three firms. Since we are primarily looking at pedestrians, we need to wait until the weather clears up. If the Board wants us to proceed with this, we would go ahead and start through the process in selecting a firm. This way we could have them on board by the time the weather gets nice. If we do the study in March, April, or May a lot more pedestrians will be walking as opposed to now. The consultant would go out and count pedestrians crossing the track thru the existing crossing or at-grade.

Svoboda asked if he could describe item 4 in budget and finance on page 2 of the interlocal agreement.

Figard stated that the 1st and J undercrossing is a stand alone trails project and has nothing to do with the 1st and J pedestrian study that the Board asked us to look at. Based on the Board's direction, we would bring back an interlocal for the March meeting. If the Board directs us to continue, I would want a Board motion to agree that the RTSD would reimburse the City for the cost, time and activity in working on that RFP and getting a consultant selected.

Marvin stated that we are building another route, but that structure won't be in while you are out there counting pedestrians. We are going to build another route for people to walk thru and yet we're going to be using data that is collected prior to seeing if the new structure diverts any pedestrian traffic.

Hoskins stated that the trail undercrossing is further west. We could have our consultant look for people that appear to be coming off of the trail up to this point and going back.

Schorr added that we are talking about two different pedestrian groups. One group will be utilizing the trail and the other group will be LPS students going the opposite direction toward the elementary and middle schools.

Stevens asked if the 77 trains a day are traveling east-west and if there is a northeast/southwest track that runs through there.

Figard replied that anything that crosses J Street is coming out of Hobson yard. Anything coming from the northeast and going south doesn't go across 1st Street.

Stevens asked if the trains that go southwest would still block pedestrian access on F Street.

Figard replied that the trains do block pedestrian access of F Street, but not as many trains go that direction. Currently emergency vehicles can come off Capitol Parkway west on an access road that we have provided. Access in and out of this area has always been a struggle. In March or June, we could come back with results from a consultant and see what the options are. The Board has some time in next year's budget or even the following year to talk about an actual construction project or an authorization to move ahead into design and evaluation.

Schorr asked if we have a completion date on the underpass.

Figard replied that reasonably it could be two years before it is done.

Danny Walker - "I ask to the Board to keep one thing in mind. In order to get an accurate head count down there as far as use of that underpass, you're going to have to also solicit the schools and somehow you're going to have to try to find out how many children are actually using Lincoln Public Schools transportation which I think you all know, there was an add-on approval for busing in that area. Keep in mind, don't sell that area down there short as far as children go. I think that's very important and just standing down there at that pedestrian underpass and making a head count won't get it especially with school still going. I think Randy should also keep in mind there is also a playground there in the immediate proximity which also results in additional use. Mr. Stevens brought up a good point as far as the F Street being blocked. That has been an issue for years and years and years. There is no immediate solution. The road the fire department built or whoever built it coming down off the west bypass is a mess. I doubt very much if a fire truck could even get down it. A Kawasaki mule or something like that might use it, but

I think the one time the fire department did try it, I think the results were rather scary. I don't want to add on any more of the headaches but all I ask is that please do something on that J Street pedestrian underpass. It's very important. It's a very busy area but vehicular and pedestrian. Thank you."

Figard stated that if the Board authorizes us to move ahead, we could easily come back in March with an update on the process and an estimate and then we could ask the Board for authorization of that study.

Workman asked if we already authorized a study for up to \$50,000.

Figard replied that the Board did authorize the study up to \$50,000 when we started this budget year. With that still in place, I would tell the Board we wouldn't proceed until we report back to the Board in March about where we are. I just want to make sure the City gets reimbursed.

Workman stated that he would depend on Roger to make the decision whether it's the right way to go on who he picks.

Figard stated the City through Planning does have databases so we know where the kids are, what schools they go to, etc. We will continue to touch base with the schools and make sure everything is accurate.

Workman motioned to approve the authorization to begin the RFP process for the 1st and J Street Overpass Study and to reimburse the City for those costs. Stevens seconded the motion. Motion approved 5-0.

Hoskins stated that he would like to talk to the Board about a closure of the 44th Street crossing over the BN line just south of Cornhusker Highway. There is about 52 trains and about 2600 cars a day crossing out there. We are looking at a closure study. The biggest issue that will come up is that it is largely a traffic study. We do have a number of commercial entities on the south side and it is surrounded largely by residential areas to the south and east. One of the biggest things we will have to do with this study is determine how we are going to get the traffic to those businesses without negatively impacting the people that live out there. This study will also look at the need for pedestrian accommodations. This study will cost around \$25,000. We will probably have to wait until March or April until we have some good weather and will take about three months to study. We have drafted a RFP and a draft interlocal agreement. If it's ok with the Board, we could follow the same time line as the other study where we would come back in March and ask you for approval on this process.

Workman asked if the Antelope Valley project will affect the 33rd Street crossing.

Hoskins replied that it is part of Phase II to grade separate that crossing. With 52 trains a day moving at high speeds, it does create some safety issues at this crossing.

Marvin stated his concerns in closing 44th Street when he does not know what businesses are there and what kind of trucks they have to service those businesses.

Figard replied that he is not asking anyone to vote on closing 44th Street today. Throughout the entire Antelope Valley major investment study, questions came up about what we're going to do about 44th Street. We worked on 14th, 16th, 17th, and 33rd and Adams area. And then long term, the City has a study to look at what's going on at 70th, Cotner, and 84th. Throughout that study process, it was said that the RTSD would do a study and analyze what should or shouldn't happen at 44th Street. Entering into a closure study is not an authorization or endorsement from this Board to close the crossing.

Svodoba asked if there have been any accidents at that crossing and the number of train traffic at Pioneers and Highway 2.

Figard replied that the train numbers at 14th and Highway 2 would be significantly smaller. It could change in the future depending on who supplies the coal to the Nebraska City plant. Part of our objective is to analyze exposure and potential for conflicts. The Lincoln/Lancaster County Comprehensive Plan calls for trying to have grade separations between the main line railroad tracks and arterial streets. Phase II of Antelope Valley hasn't moved ahead in anyone's CIP. This was something that the community was told the RTSD would study and we think it's time to surface that discussion and get started talking and studying it.

Workman stated that he thinks the study is a good idea in light of Antelope Valley.

Schorr asked if this study would be 100% funded by the RTSD.

Figard suggested that the RTSD would be the sole entity for the study. Construction would be a different matter.

Stevens asked if the railroad would help in the construction costs.

Figard replied that the railroad is keenly interested in closing at-grade crossings. It reduces their liability and operating equipment. The State of Nebraska also participates in some minor funding when a crossing is closed. We will bring back, as part of the budget for next year, a project activity item for that study.

Schorr asked about when the RTSD said we would look into this crossing and if this would cause significant budget impacts on the upcoming 3-4 years.

Figard replied that in the Antelope Valley study, Coleen Seng who was on the RTSD Board as well as the City Council, regularly said that this should be studied by the RTSD. To my knowledge this Board has not in the past ever taken action to approve that project or activity.

Schorr stated that the general consensus of the Board is that we're not ready to take any action at this time, but we will revisit this issue at our March meeting.

Danny Walker - "If I remember correctly, that is a fatality crossing. And I think the Board should keep one thing in mind with those timed lights at that intersection. If there is locomotive trouble or any trouble on those trains inbound or outbound in and out of Lincoln, it really creates a mess with traffic because nothing moves on Cornhusker so keep that in mind. I think Roger can check but I do believe if I recall correctly that there has been fatalities at that crossing."

Harlan Layton - "I have mentioned 44th Street before. 48th Street was an underpass and I think Fremont Street used to run west of 48th Street. The City saw fit to sell that property to Sneider Fiberglass and if that hadn't have been, you would have had a street that could run over to 44th and go underneath the underpass on 48th. 44th should be closed eventually but they gave the ground the away."

Danny Walker - "With reference made to statements made by Barbara Bauer at the Board Meeting on September 6, 2005, page 3 of the minutes of the agenda regarding "that is 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 in an underpass in a floodplain area, other alternatives need to be looked at," please be advised Barbara Bauer was not speaking on behalf of the South Salt Creek Organization. I am of the opinion that Barbara Bauer

was not fully familiar with the situation regarding the underpass at 1st and J Street and the use it received from neighborhood residents. In addition I am not pleased with the fact that certain testimony was given and led me to believe that to propose bike and pedestrian trails along the banks of Salt Creek have precedence over the 1st and J Street pedestrian underpass. Also the fact was not disclosed what additional cost would be regarding entrance routes to the levy system and exit routes from the levy routes for school children and adults. One must keep in mind the 1st and J Street underpass is used more than just by school children going to and from school due to the fact that the neighborhood has a large amount of young children and a playground in immediate proximity of the 1st and J Street crossing. Promises were made some years ago to improve the 1st and J Street underpass has never been done. Your assistance would be deeply appreciated in this manner. Keep in mind we are talking about safe movement of children and adults. Thank you.”

Order No. 05-25 2006 Board Meeting Schedule.

Figard stated that he wanted to give the Board an opportunity to visit about setting a schedule for the upcoming year. We have continued to try and alternate Mondays and Tuesdays. If the Board thinks the schedule is ok, we can leave it as is.

Schorr stated that she appreciates the change from the 8:00 to 8:30 time on Monday mornings.

Figard stated that the 2006 schedule will be passed onto the Mayor’s Office as well as Channel 5 TV.

Marvin motioned to approve the 2006 schedule. Svoboda seconded the motion. Motion approved 5-0.

Stevens motioned to adjourn the meeting. Svoboda seconded the motion. Motion approved 5-0.

The next meeting will be held on Tuesday, March 7th @ 10:30 a.m.

Prepared by: _____
Tina Queen, Engineering Services