

BEFORE THE BOARD OF COMMISSIONERS
OF LANCASTER COUNTY, NEBRASKA

AUTHORIZING THE INSTALLATION)
OF TRAFFIC CONTROL DEVICES IN) RESOLUTION NO. R-18-0056
LANCASTER COUNTY)

WHEREAS, NEB. REV. STAT. § 60-6,121 provides that Lancaster County (“County”) shall place and maintain such traffic control devices upon highways within its jurisdiction to carry out the provisions of the Nebraska Rules of the Road or to regulate, warn, or guide traffic;

WHEREAS, NEB. REV. STAT. § 60-670 provides that traffic control devices include any sign, signal, marking, or other device not inconsistent with the Nebraska Rules of the Road placed or erected by authority of the County for the purpose of regulating, warning, or guiding traffic;

WHEREAS, NEB. REV. STAT. § 60-680(1)(k) provides a local authority may alter or establish speed limits authorized in the Nebraska Rules of the Road upon highways within its jurisdiction;

WHEREAS, NEB. REV. STAT. §60-628 provides: “Local authority shall mean every county . . . having power to enact laws, rules, or regulations relating to traffic under the Constitution of Nebraska and the laws of this state. . . .”

WHEREAS, NEB. REV. STAT. § 60-6,186 provides: “Except when a special hazard exists that requires lower speed for compliance with section 60-6,185, the limits set forth in this section and sections 60-6,187, 60-6,188, 60-6,305, and 60-6,313 shall be the maximum lawful speeds unless reduced pursuant to subsection (2) of this section. . . .”

WHEREAS, NEB. REV. STAT. § 60-6,186 further provides: “The maximum speed limits established in subsection (1) of this section may be reduced by the Department of Transportation [“Department”] or by local authorities pursuant to section 60-6,188 [special provisions regarding construction zones] or 60-6,190;”

WHEREAS, NEB. REV. STAT. § 60-6,190(3) provides: “On county highways ... county boards shall have the same power and duty to alter the maximum speed limits as the [Department] if the change is based on an engineering and traffic investigation comparable to that made by the [Department];”

WHEREAS, NEB. REV. STAT. § 60-6,190(2) provides: “Whenever the [Department] determines, upon the basis of an engineering and traffic investigation, that any maximum speed limit is greater or less than is reasonable or safe under the conditions found to exist at any intersection, place, or part of the state highway system ... it may determine and set a reasonable and safe maximum speed limit for such intersection, place, or part of such highway which shall be the lawful speed limit when appropriate signs giving notice thereof are erected at such intersection, place, or part of the highway, Such a maximum speed limit may be set to be effective at all times or at such times as are indicated upon such signs;”

WHEREAS, NEB. REV. STAT. § 39-1503(5) provides: “It shall be the duty of the county board in commissioner-type counties having a county highway superintendent . . . to: . . . Cause investigations, studies, and inspections to be made, hold public hearings, and do all other things necessary to carry out the duties imposed upon it by law;”

WHEREAS, the Lancaster County Board of County Commissioners (“Board”) caused an engineering and traffic investigation to be conducted by an external engineering firm on Saltillo

Road from 27th Street to 68th Street in Lancaster County, on April 26th, May 3rd, and May 17th of 2018. Based on the speed study results, the roadway cross-section, crash history, engineering judgment, and Federal Highway Administration's guidance, the firm recommended the posted speed limit be reduced from 55 M.P.H. to 50 M.P.H. A copy of the engineering and traffic investigation is attached hereto as Exhibit A to this Resolution and is hereby incorporated herein by this reference;

WHEREAS, the Lancaster County Engineer ("Engineer") in the Engineer's capacity as County Highway Superintendent, has control, government, and supervision of all the public roads and bridges in the County under the general supervision and control of the ("Board") pursuant to NEB. REV. STAT. § 39-1507; and

WHEREAS, the Engineer has informed the Board of the results of the completed engineering and traffic investigation;

WHEREAS, the Board passed R-18-0037 on June 8, 2018, which determined upon the basis of the engineering and traffic investigation that the then current maximum speed limit of fifty-five miles per hour (55 M.P.H.) on Saltillo Road from 27th Street to 68th Street in Lancaster County is greater than is reasonable or safe under the conditions found to exist as a result of the traffic and engineering study, and the reasonable and safe maximum speed limit was then set at fifty miles per hour (50 M.P.H.);

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Lancaster County, Nebraska, as follows;

1. The Board hereby authorizes the Lancaster County Engineer to take additional actions necessary with respect to the following traffic control devices to carry out the provisions of this Resolution:
 - a. 50 M.P.H. speed zone from S 27th St to S 70th St:
 - i. Replace the existing 55 M.P.H. sign (R2-1) just east of S 27th St with a 50 M.P.H. sign (R2-1) for eastbound traffic.
 - ii. Install a new 50 M.P.H. sign (R2-1) just west of S 38th St for westbound traffic.
 - iii. Install a new 50 M.P.H. sign (R2-1) just east of S 40th St for eastbound traffic.
 - iv. Replace the existing 55 M.P.H. sign (R2-1) just west of S 54th St with a 50 M.P.H. sign (R2-1) for westbound traffic.
 - v. Replace the existing 55 M.P.H. sign (R2-1) just east of S 56th St with a 50 M.P.H. sign (R2-1) for eastbound traffic.
 - vi. Install a new 50 M.P.H. sign (R2-1) just west of S 68th St for westbound traffic.
 - vii. Install a new 55 M.P.H. sign (R2-1) just east of S 70th St for eastbound traffic.
 - viii. Install a new 50 M.P.H. sign (R2-1) just east of S 70th St for westbound traffic.
 - b. Maintain the existing speed zone of 55 M.P.H. on S 27th St from Rokeby Rd to Saltillo Rd:

- i. Install a new 55 M.P.H. sign (R2-1) just north of Saltillo Rd for northbound traffic.

- c. Maintain the existing speed zone of 55 M.P.H. on S 40th St from Hohensee Dr to Saltillo Rd:
 - i. Install a new 55 M.P.H. sign (R2-1) just north of Saltillo Rd for northbound traffic.

- d. Maintain the existing speed zone of 55 M.P.H. on S 54th St from Saltillo Rd to Roca Rd:
 - i. Install a new 55 M.P.H. sign (R2-1) just south of Saltillo Rd for southbound traffic.

- e. Establish a 50 M.P.H. speed zone on S 56th St from Rebel Dr to Saltillo Rd:
 - i. Replace the existing 55 M.P.H. sign (R2-1) just north of Saltillo Rd with a 50 M.P.H. sign (R2-1) for northbound traffic.
 - ii. Replace the existing 55 M.P.H. sign (R2-1) just north of Rebel Rd with a 50 M.P.H. sign (R2-1) for southbound traffic.

- f. Maintain the existing speed zone of 55 M.P.H. on S 70th St from Saltillo Rd to Rokeby Rd:
 - i. Install a new 55 M.P.H. sign (R2-1) just north of Saltillo Rd for northbound traffic.

DATED this ____ day of _____, 2018, at the County-City Building, Lincoln,
Lancaster County, Nebraska.

BY THE BOARD OF COUNTY
COMMISSIONERS OF LANCASTER
COUNTY, NEBRASKA

APPROVED AS TO FORM
this ____ day of _____, 2018.

Deputy County Attorney
For PAT CONDON
Lancaster County Attorney

