



## RAILROAD TRANSPORTATION SAFETY DISTRICT

Board Meeting

Tuesday, March 1, 2016

Meeting Began At 11:00 a.m.

Meeting Ended At: 12:15 p.m.

Members Present: Deb Schorr, Lerion Gaylor Baird , Roy Christensen, Bill Avery, Cyndi Lamm, Todd Wiltgen

Members Absent: None

Others Present: Roger Figard, Janelle Carnahan, Liz Thanel, Bill Kutilek, Tony Jerina, Justin Petersen, Rick Haden, Susie Filipi, Kris Humphrey, Mark Lutjeharms, Pam Dingman, Candace Meredith, Jennifer Durow

### **Order No. 16-00 Call Meeting to Order. Approval of Previous Minutes.**

Christensen moved to approve the previous minutes. Lamm seconded the motion. Motion approved 6-0.

### **Order No. 16-01 Statement of Financial Activity.**

Thanel presented the statement of Financial Activity as of February 22, 2016. She pointed out the tax revenues are as of January, the February earnings are not listed yet. She stated this morning there was another \$60,000 in taxes that will be posted this week. We are at about 50% of tax revenues for the year. The increase in tax levy to the 1.6 cents is just starting to kick in. We will exceed the \$3.077 million budget by the end of the year. The income budget has already been exceeded partly because there have been some large annual CD's that came in at the end of the year. Preliminary FY17 budget estimates are shown on the statement in the far right column.

Avery moved to approve the Statement of Financial Activity.

Wiltgen seconded the motion. Motion approved 6-0.

### **Order No. 16-02 Current Budget Status, Project Updates, Committee Updates.**

Figard highlighted the following items:

We have only spent about 27% of the operating budget as of date. Management fees have not been submitted, they usually get submitted in June. There are 3 fairly significant projects currently in process and there are staff present to update on them. He is not concerned with any of the budget line items as we are on track so far this year.

#### **Construction Projects-**

33<sup>rd</sup> & Cornhusker- Kris Humphrey, Project Manager, stated they have been busy since the December meeting. The Schemmer Associates led by Mark Lutjeharms have been very busy with the alternatives and analysis phase. After the November public meeting the team met to brainstorm alternatives. They came up with 10 different alternatives, which were screened down to 5 then to 4 alternative alignments which best fit the needs and purpose of the study to improve safety, mobility, delays and meets the traffic

needs that are out there today and the future. The next public meeting is on March 15, 2016 from 4:30 to 6:30 at the NETV Building on 1800 N 33<sup>rd</sup> Street. There are postcards if anyone is interested in handing them out to your constituents. The meeting will be introducing the public to the 4 different alignments and getting feedback from them. The information on the meeting will be posted on the RTSD's website and will also be emailed out to the Board in advance to the meeting. Lamm asked Humphrey what kind of feedback are you expecting from the public. Humphrey stated they will have displays with the 4 different alignments, potential impacts on the residents, public, parks & trails, how the traffic will flow, Adams Street and the new roadway network, how 33<sup>rd</sup> & Cornhusker will be affected. There will be 7 or 8 stations with information for the public. There will be a Spanish speaking interpreter available as well. Schorr inquired if Humphrey knew of the projected construction begin and end dates/time frame. Humphrey stated the next stage would be the preliminary design and environmental which could take 2-3 years, final design, no more than 1 year, then they could enter the ROW appraisal/acquisition stage which could take a couple years for that, finally construction phase, depending on the alignment chosen could take 2-3 years.

Hickman Quiet Zone- An update was provided by from Rick Haden with FHU. He stated the Hickman Quiet Zone went into effect 11/24/16. An invoice of \$200,000 was paid to Pavers. There will be an additional invoice of \$12,000 from Pavers then they should be done. There are still a few RR invoices trickling in, just saw one today for about \$10,000. According to BNSF, they have approximately \$172,000 remaining in the budget. He does not think they will bill us for the whole amount as they are almost done and the estimates were higher than the actual billed amounts. Otherwise, they are in good shape budget wise.

SW Lincoln Feasibility Quiet Zone Project- Justin Petersen, Project Manager at Olsson Associates provided an update. This is the 8<sup>th</sup> crossing that runs through SW Lincoln. This will be a combination of City/County jurisdictions. They recently had a progress meeting with the RTSD staff and have concepts laid out for all 8 crossings. They are getting additional Topo survey on how to take the trail under the bridge. They are still anticipating they will be done with the study by our next June meeting. They are in the early discussions walking through with BNSF the concepts and any cost estimate. He hopes they will be finalized for the June meeting as well. Figard mentioned that they will continue to have a few meetings with BNSF to make sure we truly understand the train movements and activity in this area to make sure they are the right alternatives. Gaylor Baird inquired on how many crossings are typical when implementing a quiet zone. Figard responded that each project is different and have their own circumstances depending on the environment and community.

### **Committee Updates-**

Figard mentioned the status of the field visits with the County Engineer. He had prepared some documents for proposed improvements for County crossings. The information was given to the BNSF public projects manager in Kansas City who will review the proposed improvements. He has not heard back from him yet but hopes to have information the third week in March when they meet to move forward on those improvements. He needs to submit a report to prioritize all the crossings to the Board but hasn't gotten to it yet. Figard showed a map that consultants and planning have been working on to show updates on the railroad tracks and crossings in the County. Pam Dingman, Lancaster County Engineer, stated that she would like to emphasize that the projects they have brought forward are very important and are still last year crossings. She stated that she requested assistance on these from last year and will be coming to Roger for the current year crossings. In particular, the Denton crossing that citizens have complained

about recently. Figard wanted to remind the citizens that the maintenance and responsibility for those crossings lies upon the railroad. We are trying to assist in funding but we can't work on their Rights of Way. Figard reviewed the past and current budget costs. He also mentioned a RTSD sheet that was created to explain who the RTSD is, what they do and general information regarding the history of the RTSD. He met with Schorr and Christensen to keep them informed on how things are going. The RTSD website was discussed to make sure all pertinent information was available. Figard mentioned he will be attending the NCUTD Meeting from June 8 -10 in Savannah, GA.

**Order No. 16-03      HBE Engagement Letter**

Figard explained the Engagement Letter that was prepared by Tony Jerina with HBE. He stated it is an explanation of what they are proposing to do in the upcoming year as they audit the financial statements for the fiscal year ending June 30, 2016. It becomes the scope, it sets clarity of what we are asking them to do and the cost to do it. Tony Jerina spoke on what services they will be providing to the District. They will provide auditing services on the governmental activity of the major funds of the RTSD. An audit report will be prepared and he expects to have it issued no later than September 30, 2016. It will also include the budget for the fiscal year ending June 30, 2017. Avery asked Jerina if they were going to do all this for \$11,000. Jerina stated, yes, that is their fee.

Christensen moved to approve the HBE Engagement Letter.

Wiltgen seconded the motion. Motion approved 6-0.

**Order No. 16-04      Draft Budget and C.I.P.**

Figard reviewed the draft budget for FY17 and C.I.P. The numbers were run on an estimated 1.9 cent levy. Thanel continues to watch the historical expenditures so that we have the actual numbers to control costs. We would be looking at a \$79,700 operating budget. We are trying to be very frugal with the dollars in the operating budget. We will continue to budget the \$250/\$50 for a total of \$300,000 to be available for Rail Road crossings. We have bolded and put an asterisk on the 33<sup>rd</sup> and BNSF at 1 million dollars. That number is not set in stone and will probably change depending on next steps in the next fiscal year. The trail crossing at Park Blvd. is done. South Beltway will continue to take the approximate 2.167 million dollars and would continue to compound that so the \$6,501,000.000 will be for 3 years of that. The City has start-up money for the crossing at Pine Lake Road. There could be expenditures in FY 17 for that project. Figard explained the cash flow sheet and its purpose. It is the background and basis to build the projects. Gaylor Baird asked Figard to explain the implications of time on a full levy. Figard stated that the simple explanation is the projects in the 6-year and 12-year plan have been spread out to maintain our goal. Our cash flow plan would be to not have less than \$1.5 million in cash in any one year. If we have more revenue coming in we can advance and probably do the projects faster.

**Order No. 16-05      Proposed Cost Share Agreement South Beltway**

Bill Kutilek, Crosby Guenzel Law Firm, has put together a preliminary draft agreement per Figards request. It is currently written as a four party agreement. He discussed the primary components of the document. Copies of the draft were available for the Boards review. Kutilek explained this agreement would involve the City, County, NDOR and RTSD. It would ensure a predictable funding mechanism for which the RTSD has been dealing with the South Beltway Project. Lamm inquired if the other partners were also committing to setting aside funds for the project. Figard explained that the City of Lincoln is currently responsible for the cost share but are hoping they can get NDOR on board with this agreement. Christensen inquired what the implications were to be if the RTSD worked directly with NDOR instead

of just through the City. Figard responded that NDOR is not interested in moving outside their current agreement with the City of Lincoln. They do not want to open it up for renegotiation and are looking out for their own interest. The current agreement does not address a cap. Figard would like the Board to review the draft and get back with him and Kutilek with any comments by 3/15/16 and have it on the Agenda for the June meeting.

**Order No. 16-06      Non-Agenda Items/Public Comment**

No public comment was made at the meeting.

The next Board meeting will be held on Monday, June 6, 2016 @ 11:00 am. Christensen moved to adjourn the meeting. Avery seconded the motion. Motion approved 6-0.

**Prepared by: Janelle Carnahan, Engineering Services**