



## RAILROAD TRANSPORTATION SAFETY DISTRICT

### Board Meeting

Tuesday, March 5, 2019

Meeting Began At 10:05 a.m.

Meeting Ended At: 10:50 a.m.

Members Present: Deb Schorr, Roy Christensen, Jane Raybould, Jennifer Brinkman, Rick Vest, Cyndi Lamm

Members Absent:

Others Present: Roger Figard, Amy Cornelius-Jones, Ron Rohde, Bill Kutilek, Kris Humphrey, Tony Jerina, Pam Dingman, Dennis Meyer, Rachel Garver, Kristen Anderson, Mike Werner, David Cary

#### **Order No. 19-04: Call Meeting to Order. Approval of Previous Minutes**

Deb Schorr called the meeting to order. Schorr stated that the RTSD is subject to and adheres to the Nebraska Open Meetings Act, and indicated that a copy of the Act is posted and available for inspection at the entrance of the meeting room.

Schorr stated that on February 27, 2019, notice of the meeting and agenda were posted on the bulletin boards at City Hall, first floor, 555 South 10<sup>th</sup> Street. Notice of the meeting and attachments were posted on the RTSD website on February 27, 2019, which may be linked to from both the City of Lincoln and Lancaster County official government websites. The notice, agenda, and materials being considered at the meeting were also made available for inspection at the RTSD Offices, 949 West Bond Street, Suite 200.

First item on the agenda is the approval of the Minutes from the February 11, 2019 meeting. The Minutes are available for review on the RTSD website: <http://lincoln.ne.gov/city/ltu/rtsd/>.

Raybould moved to approve the Minutes from the February 11, 2019 meeting.  
Christensen seconded the motion. Motion approved 6-0.

#### **Order No. 19-05: Election of Officers (President, Vice-President, Secretary)**

Christensen moved to nominate Deb Schorr for President of the RTSD Board.  
Brinkman seconded the motion. Motion approved 6-0.

Brinkman moved to nominate Jane Raybould for Vice-President of the RTSD Board.  
Vest seconded the motion. Motion approved 6-0.

Raybould moved to nominate Rick Vest for Secretary of the RTSD Board.  
Christensen seconded the motion. Motion approved 6-0.

#### **Order No. 19-06: Report of Statement of Financial Activity**

Dennis Meyer from County Treasurer's office introduced Ron Rohde who will be replacing Liz Thanel for reporting financial activity for the RTSD. Rohde reviewed the receipts and disbursement for current fiscal year through

February 26, 2019. Total receipts for the period were \$3,020,199, comprising of: tax receipts in the amount of \$2,722,791, project cost and miscellaneous reimbursements in the amount of \$227,892, and investment interest income in the amount of \$69,515. During the period of the report, disbursements included: commissions, and refunds to State of Nebraska in the amount of \$50,942, operating costs in the amount of \$47,907, and construction project costs in the total amount of \$10,629,794, for total disbursements of \$10,728,643. For the period, the ending cash balance was \$261,793, and the ending investment balance was \$6,382,800, for a total fund balance of \$6,644,592.

Brinkman moved to approve Statement of Financial Activity.  
Raybould seconded the motion. Motion approved 6-0.

### **Order Nos. 19-06, 19-07, and 19-9:**

#### **Report of Draft Budget/CIP, Budget Status, and Project & Crossing Updates**

Figard addressed Agenda Item Nos. 19-06 (Draft Budget and CIP), 19-07 (Current Budget Status) and 19-9 (Project/Crossing Updates) during one presentation.

**Operating Budget:** For the fiscal year through February 26, 2019, the RTSD has spent 49% of its budgeted funds for operating expenses, and is expected to stay within the budget for the fiscal year. Figard is proposing four increases in the operating budget for the upcoming fiscal year: Support Services \$18,000 (\$2,000 increase), Legal Services \$9,000 (\$500 increase), Audit & Accounting \$12,500 (\$600 increase), and Insurance \$8,500 (\$3,000 increase). The draft budget for FY2019/2020 identifies Total Operating Expenses in the amount of \$100,300.

**Crossing Improvements:** During the current fiscal year, no dollars have been spent for crossing improvements. However, Figard has added a Pending Unpaid Commitments line item in the amount of \$177,362 to cover agreed-upon expenses for the projects at 33<sup>rd</sup> & Cornhusker; 27<sup>th</sup> & Hwy 2; and 48<sup>th</sup> & Hwy 2. There will also be additional expenses for the sidewalk at 33<sup>rd</sup> & Cornhusker that has not been completed. Figard anticipates another agreement with OL&B for the crossing at Y Street. The draft budget for FY2019/2020 includes Total Railroad Crossings Improvements in the amount of \$300,000.

**Construction Projects:** Figard provided the Board with a summary of pending construction projects:

**OPPD @ 91<sup>st</sup> & Yankee Hill** – \$10,000 budgeted; project is complete, and no further invoices are expected.

**Salt Creek RR Underpass** - \$50,000 budgeted; the definitive agreement is still being worked on, and Figard proposes to re-budget the \$50,000 into the next fiscal year when the expenses are expected to be incurred.

**Misc Engineering** - \$100,000 budgeted; spent over \$5,200 during the current fiscal year. Figard proposes keeping the amount of \$100,000 in the budget for FY2019/2020.

**Emergency & Safety** - \$100,000 budgeted; no expenses have been incurred during the current fiscal year; Figard proposes re-budgeting the \$100,000 into the next budget.

**33<sup>rd</sup> & Cornhusker BNSF Crossing** – Figard reviewed the history and process over last year and reported that the City Council placed the Subarea Plan on Pending Status while the RTSD project moves ahead with continued NEPA work in order to identify a single Transportation Solution for the 33<sup>rd</sup> and Cornhusker project.

**Hickman QZ** – No funds have been included in the proposed budget for this item; however, the Quiet Zone is up for re-evaluation in 2021. Figard has included \$15,000 in the second year of the CIP for this potential project.

**OPPD @ 84<sup>th</sup>** – No funds have been included in the proposed budget for this item; however, the project is included as a potential project in year three of the CIP if and when 84<sup>th</sup> Street is widened.

**Salt Creek Levee No of A** – No funds have been included in the existing budget for this item, and Figard is proposing to budget \$50,000 for the next fiscal year.

**South Beltway** – The RTSD's second commitment of \$10,000,000 has been expended. This completes RTSD's obligation to the South Beltway Project.

**SW Lincoln QZ** – Figard is proposing to re-budget the unexpended \$25,000 into the next fiscal year budget.

**Hastings Sub-Relocation** – This project is on hold currently; over the past fiscal year, some funds have been spent for communication. Figard proposes to re-budget \$100,000 for the FY2019/2020 budget.

**OPPD @ Pine Lake** – The City plans to complete the railroad-related portion of the project during the summer of 2019. OPPD has been working with the City on an agreement for a new crossing with gates and lights. Figard proposes re-budgeting the \$600,000 into the next budget.

**Jamaica Trail NO** – The amount of \$600,000 has been budgeted for this project, and the RTSD has spent \$198,500 to date. A Construction bid is planned for July 2019. Figard proposes re-budgeting the remaining \$401,500 for the next fiscal-year budget.

**W Wittstruck** – No funds have been spent to date due to project being placed on hold. There is a final report from the consultant that is presently being reviewed by the County Engineer's office with respect to the alternatives. Figard proposes re-budgeting the \$25,000 into the next budget.

**BNSF No 48<sup>th</sup>** – The RTSD is working with the City to study the underpass. The City has put out an RFP and has selected a consultant, and they are presently negotiating the scope and fees of the contract. An invoice to pay the approved budget amount of \$100,000 may be received prior to the end of the FY2018/2019. If an invoice is not received during the current fiscal year, the \$100,000 will be re-budgeted into the next fiscal year budget.

**CIP / Cash Flow:** Figard handed out two versions of the CIP for Board review and discussion. The first handout includes the Hastings Sub Re-location at 100% of estimated costs. This version of the CIP includes all railroad requirements and RTSD would be paying the full amount. The second version of the CIP only accounts for 50% being paid by the RTSD. Each CIP scenario shows the impact using two different levy rates.

**Order No. 19-09: Consideration of Letter of Intent for FY2019/20 Budget & Audit**

Figard is recommending that the RTSD continue to engage HBE, LLP for its budget and auditing services. Tony Jerina from HBE, LLP presented the Engagement Letter of Intent for FY2019/2020. The services provided will remain the same as in years past. The fee is \$12,500 which is the amount included in the draft budget.

Christensen moved to approve the Letter of Intent for FY2019/2020 Budget & Audit.

Raybould seconded the motion. Motion approved 6-0.

**Order No. 19-11: Non-Agenda Items/Public Comment**

Schorr introduced new County Treasurer, Rachel Garver.

Figard stated the LB401 has a public hearing the afternoon of March 5, 2019. This bill references the Midwest Interstate Passenger Rail Commission. Figard has been asked to testify in support of the bill which would continue Nebraska's participation in this Nine-State Commission.

The Four-State (Kansas, Nebraska, Missouri, & Iowa) Highway Rail Safety Conference is being held in Olathe, KS on March 20-21, 2019. Figard is registered for this event.

Figard is currently working with the City to extend the contract for the Executive Director from May 2019 through April 2020.

Christensen moved to adjourn. Brinkman seconded the motion. Motion approved 5-0, 1 absent.

The next meeting is presently scheduled for Monday, June 3, 2019 at 11:00 a.m.

**Meeting adjourned at 10:50 a.m.**

**Prepared by: Amy Cornelius-Jones, Engineering Services**

**Minutes 03-05-19**