

# **DIRECTORS'/ORGANIZATIONAL AGENDA ADDENDUM**

**Monday, January 11, 2021**

## **I. CONSTITUENT CORRESPONDENCE**

1. Trains in South Lincoln – Shámene Dixon  
Response provided by Roger Figard, Executive Director, RTSD and Jeff Davis, BNSF Railway
2. Third Attempt: Vaccines – Melody Vaccaro  
Response provided by Pat Lopez, LLCHD Director
3. Resolution written about in the Journal Star – [anna\\_s\\_68521@yahoo.com](mailto:anna_s_68521@yahoo.com)
4. Roy Christensen's Suggestion – Carolyn Berges
5. East Lincoln Recycling – Dave Kirby
6. Notification of Assembly, End the Rendition – Andrew Smith
7. Emergency Declaration – John Olson
8. Trains on Hwy 2 – Stephanie  
Response provided by Roger Figard, Executive Director, RTSD
9. Citizen's Police Advisory Board – Christine Cary
10. Carrie Herrera & State of Emergency – Jeremy Hoefs

## Angela M. Birkett

---

**From:** Roger A. Figard  
**Sent:** Friday, January 08, 2021 7:10 PM  
**To:** Angela M. Birkett; Richard W. Meginnis; 'royforlincoln@gmail.com'; Bennie R. Shobe; Tammy J. Ward; James M. Bowers; Jane Raybould; Sandra J. Washington; 'Richard Meginnis'; Roy A. Christensen; Ronald J. Caldi; Elizabeth D. Elliott; Lin Quenzer; Sara Slama; Deb E. Schorr; Roma B. Amundson  
**Cc:** Rick W. Vest; Davis, Jeffrey N (Govt Affairs) (Jeffrey.Davis@BNSF.com); VALENTIN, MICHAELA L; Erika R. Hill; Ann E. Ames; Larry L. Legg; Shane R. Dostal  
**Subject:** RE: Trains in south Lincoln.  
**Attachments:** Response on Failure of Lights & Gates at 56th Street & Old Cheney yesterday  
**Importance:** High

To all,

Attached, Please see BNSF response to Ms. Dixon's Email.

Jeff and Michaela, thank you for the prompt response and investigation to this issue.

Roger A. Figard, P.E.  
Executive Director, RTSD  
949 West Bond St. #200  
Lincoln, NE 68521  
402-441-7711 General Office  
402-525-5620 Cell  
rfigard@lincoln.ne.gov

-----Original Message-----

**From:** Roger A. Figard <rfigard@lincoln.ne.gov>  
**Sent:** Friday, January 8, 2021 12:02 PM  
**To:** Angela M. Birkett <ABirkett@lincoln.ne.gov>; Richard W. Meginnis <RMeginnis@lincoln.ne.gov>; 'royforlincoln@gmail.com' <royforlincoln@gmail.com>; Bennie R. Shobe <BShobe@lincoln.ne.gov>; Tammy J. Ward <TJWard@lincoln.ne.gov>; James M. Bowers <JBowers@lincoln.ne.gov>; Jane Raybould <JRaybould@lincoln.ne.gov>; Sandra J. Washington <SWashington@lincoln.ne.gov>; 'Richard Meginnis' <RMeginnis@NAIFMA.com>; Roy A. Christensen <RChristensen@lincoln.ne.gov>; Ronald J. Caldi <RCaldi@lincoln.ne.gov>; Elizabeth D. Elliott <Elizabeth.Elliott@lincoln.ne.gov>; Lin Quenzer <LQuenzer@lincoln.ne.gov>; Sara Slama <SSlama@lincoln.ne.gov>; Deb E. Schorr <DSchorr@lancaster.ne.gov>; Roma B. Amundson <RAMundson@lancaster.ne.gov>  
**Cc:** Rick W. Vest <RVest@lancaster.ne.gov>; Davis, Jeffrey N (Govt Affairs) (Jeffrey.Davis@BNSF.com) <Jeffrey.Davis@BNSF.com>; VALENTIN, MICHAELA L <mvalentin@oppd.com>; Roger A. Figard <rfigard@lincoln.ne.gov>; Erika R. Hill <ERHill@lincoln.ne.gov>; Ann E. Ames <AAmes@lancaster.ne.gov>; Larry L. Legg <LLegg@lancaster.ne.gov>  
**Subject:** RE: Trains in south Lincoln.  
**Importance:** High

To all,

BNSF and OPPD are aware of the issues with the Railroad Gates and Lights malfunctioning last night at 56th and Old Cheney and at 48th and Highway 2. They were restored later in the evening.

OPPD and BNSF are reviewing the situation and taking steps to avoid such issues in the future. Upon completion of their investigations, findings and any additional steps they need to take, Jeff Davis with BNSF will be providing us all and the constituents a response. He would hope to be able to do that later today or over the weekend.

Please let me know if you have additional questions or concerns.

Roger A. Figard, P.E.  
Executive Director, RTSD  
949 West Bond St. #200  
Lincoln, NE 68521  
402-441-7711 General Office  
402-525-5620 Cell  
rfigard@lincoln.ne.gov

-----Original Message-----

From: Angela M. Birkett <ABirkett@lincoln.ne.gov>

Sent: Friday, January 8, 2021 8:04 AM

To: Richard W. Meginnis <RMeginnis@lincoln.ne.gov>; 'royforlincoln@gmail.com' <royforlincoln@gmail.com>; Bennie R. Shobe <BShobe@lincoln.ne.gov>; Tammy J. Ward <TJWard@lincoln.ne.gov>; James M. Bowers <JBowers@lincoln.ne.gov>; Jane Raybould <JRaybould@lincoln.ne.gov>; Sandra J. Washington <SWashington@lincoln.ne.gov>; 'Richard Meginnis' <RMeginnis@NAIFMA.com>; Roy A. Christensen <RChristensen@lincoln.ne.gov>

Cc: Roger A. Figard <rfigard@lincoln.ne.gov>

Subject: FW: Trains in south Lincoln.

Please see the email below received through Council email. Thanks.

Angie Birkett  
Administrative Secretary  
Lincoln City Council  
555 South 10th St., Ste 111  
Lincoln, NE 68508  
Phone 402-441-6867  
Fax 402-441-6533  
abirkett@lincoln.ne.gov

-----Original Message-----

From: Shamene Dixon [mailto:shamenedixon@gmail.com]

Sent: Thursday, January 07, 2021 4:50 PM

To: Council Packet <CouncilPacket@lincoln.ne.gov>

Subject: Trains in south Lincoln.

[CAUTION] This email comes from a sender outside your organization.

Is there anything to be done about the amount of disruption the tracks are causing to south Lincoln? It was advertised that trains would only run at night. I am able to send this from my car because I am sitting in stopped traffic on 56th between Old Cheney and Pine Lake during rush hour due to the rail crossing blocking traffic. No trains are even running now. The traffic is backed up past Pine Lake in both lanes and it appears they are only testing the crossing arms. Please see if there is anything to be done to stop this absolute disruption to thousands of south Lincoln families and businesses.

Shámene Dixon  
Lincoln Resident

## Angela M. Birkett

---

**From:** Davis, Jeffrey N (Govt Affairs) <Jeffrey.Davis@BNSF.com>  
**Sent:** Friday, January 08, 2021 6:31 PM  
**To:** shamedixon@gmail.com  
**Cc:** Roger A. Figard; VALENTIN, MICHAELA L  
**Subject:** Response on Failure of Lights & Gates at 56th Street & Old Cheney yesterday

**[CAUTION]** This email comes from a sender outside your organization.

Dear Ms. Dixon,

Thank you for your email to the Mayor and the Lincoln City Council. They forwarded it to me and asked me for a response from BNSF regarding yesterday's events.

I apologize for the inconvenience to you and everyone who got stuck at the intersection at 56<sup>th</sup> & Old Cheney yesterday. Your patience and that of everyone else is appreciated. It's our fault and we're not meeting our own expectations.

We investigated the incident and here's what happened:

- We had workers doing maintenance on the track nearby. They were operating a front-end loader and accidentally severed a "bond wire" connected to the lights and gates at the 56<sup>th</sup> Street crossing.
- Once we found the broken bond and replaced it, our team reported the lights and gates at the 56<sup>th</sup> Street crossing also recovered.
- All railroad gates are designed to be "fail-safe" in that they will drop down and block the street when they are activated for any reason.
- All proper safety protocols were followed.

While I understand this may be frustrating to you and the public, these crossings are designed with the safety of the public in mind and all crossings will continue to operate this way.

BNSF has already reviewed the matter internally. It is my understanding we are going to double-bond the connection to the circuit, which should help us prevent outages like this one in the future. We will discuss the matter with Omaha Public Power District (OPPD) and Rail Transportation Safety District (RTSD) next week. Further steps may come after those meeting.

Ms. Dixon, we are doing our best to avoid traffic disruptions, but want to be very clear: trains can run at any of time of day or night and in either direction. We expect to run one train a day from Lincoln to Nebraska City and back. Weather, flooding, traffic accidents – there are a host of reasons why a train could be delayed and arrive at the least opportune time.

I believe yesterday's issue has been resolved, it should not happen again and we are working to be prepared to resolve future incidents much more quickly. If it happens again in the future, please call 1-800-832-5452, notify us there's a crossing malfunction and wait. We'll get someone dispatched ASAP.

Again, I know yesterday's experience was really frustrating and this is not necessarily the answer you are looking for. Please be patient and thank you again for your understanding.

To sign up for updates on BNSF's train service through South Lincoln, please text "Lincoln" to 52886 or fill out the form at <https://p2a.co/gvf02co>

If you have further questions or concerns, please feel free to email or call.

Sincerely,

**Jeff Davis**

BNSF Railway

Mobile: (913)-626-2545

Email: [Jeffrey.Davis@BNSF.com](mailto:Jeffrey.Davis@BNSF.com)

Sincerely,

**Jeff Davis**

BNSF Railway

Mobile: (913)-626-2545

Email: [Jeffrey.Davis@BNSF.com](mailto:Jeffrey.Davis@BNSF.com)

## Angela M. Birkett

---

**From:** Pat D. Lopez  
**Sent:** Sunday, January 10, 2021 9:23 AM  
**To:** Jane Raybould  
**Cc:** Richard W. Meginnis; Angela M. Birkett  
**Subject:** Re: Third Attempt: Vaccines

Jane , I have also received the same inquiry from the Chair of the County Board. Below is the response I sent

Thank you for your inquiry. The health department does not and will not ask any individual their citizenship status. In public health their goal for the community is to prevent the spread of the virus and the only way to do that is for anyone who is physically able to receive the vaccine to have the vaccine. The guidelines for which groups receive vaccine is determined by the governor.

Be well  
Pat

---

**From:** Jane Raybould <JRaybould@lincoln.ne.gov>  
**Sent:** Saturday, January 9, 2021 11:18 AM  
**To:** Pat D. Lopez <PatDLopez@lincoln.ne.gov>  
**Cc:** Richard W. Meginnis <RMeginnis@lincoln.ne.gov>; Angela M. Birkett <ABirkett@lincoln.ne.gov>  
**Subject:** Fw: Third Attempt: Vaccines

Good morning Pat. is this something you can answer?

Thank you.

Jane

---

**From:** Angela M. Birkett <ABirkett@lincoln.ne.gov>  
**Sent:** Friday, January 8, 2021 2:40 PM  
**To:** Richard W. Meginnis <RMeginnis@lincoln.ne.gov>; 'royforlincoln@gmail.com' <royforlincoln@gmail.com>; Bennie R. Shobe <BShobe@lincoln.ne.gov>; Tammy J. Ward <TJWard@lincoln.ne.gov>; James M. Bowers <JBowers@lincoln.ne.gov>; Jane Raybould <JRaybould@lincoln.ne.gov>; Sandra J. Washington <SWashington@lincoln.ne.gov>; 'Richard Meginnis' <RMeginnis@NAIFMA.com>; Roy A. Christensen <RChristensen@lincoln.ne.gov>  
**Subject:** FW: Third Attempt: Vaccines

Please see the email below received through Council email. Thanks.

Angie Birkett  
Administrative Secretary  
Lincoln City Council  
555 South 10<sup>th</sup> St., Ste 111

Lincoln, NE 68508  
Phone 402-441-6867  
Fax 402-441-6533  
[abirkett@lincoln.ne.gov](mailto:abirkett@lincoln.ne.gov)



---

**From:** Melody Vaccaro [mailto:melody.vaccaro@gmail.com]  
**Sent:** Friday, January 08, 2021 2:04 PM  
**To:** Mayor <mayor@lincoln.ne.gov>; votebostar@gmail.com; ebostar@leg.ne.gov; Health <health@lincoln.ne.gov>; Council Packet <CouncilPacket@lincoln.ne.gov>  
**Cc:** seeingredNE@protonmail.com  
**Subject:** Third Attempt: Vaccines

**[CAUTION]** This email comes from a sender outside your organization.

+health dept  
+council packet

I'm addressing this to the mayor of Lincoln (or her expert on staff) as it's a local matter, and to Eliot Bostar the state senator for my address as it's a state matter.

I'd like to know:

1. Is the identity of everyone vaccinated is being tracked?
2. Are identities of people being cross checked against different govt databases like immigration, criminal justice systems, etc?
3. Does the governor have any authority over who and when different groups of people will be vaccinated in the state?

-Melody Vaccaro



## Angela M. Birkett

---

**From:** Anna <anna\_s\_68521@yahoo.com>  
**Sent:** Saturday, January 09, 2021 12:13 PM  
**To:** Council Packet  
**Subject:** The resolution written about in the journal star

**[CAUTION]** This email comes from a sender outside your organization.

I'm sending this email to express my support for the resolution by Roy Christenson. It is PAST time to end the emergency powers declaration that Mayor Baird has enjoyed for FAR too long.

There *\*may\** have been a very brief time when this was necessary but her emergency powers haven't been needed for many months now. End the emergency declaration ASAP.

## Angela M. Birkett

---

**From:** Carolyn Berges <cmarie48@gmail.com>  
**Sent:** Saturday, January 09, 2021 12:26 PM  
**To:** Council Packet  
**Subject:** Roy Christensen's suggestion

[CAUTION] This email comes from a sender outside your organization.

I am not surprised that Councilman Christensen has suggested that the Mayor's pandemic emergency powers be done away with. The Republicans have fought all reasonable tactics to corral the pandemic. It is without merit that Mr. Christensen has made this suggestion. Everything Lincoln has accomplished following the Mayor's rules has been successful. We are working with her and those guidelines so people can live. Ricketts has not taken the lead for the state, but thank heavens Lincoln's Mayor, Gaylor Baird, has worked with Pat Lopez during this last year for reasonable regulations.

I sincerely ask the City Council to deny Christensen's suggestion.

Carolyn Berges

## Angela M. Birkett

---

**From:** Dave Kirby <dkins01@hotmail.com>  
**Sent:** Saturday, January 09, 2021 3:47 PM  
**To:** Sandra J. Washington  
**Cc:** Donna K. Garden; Angela M. Birkett  
**Subject:** Re: East Lincoln Recycling

**[CAUTION]** This email comes from a sender outside your organization.

Thanks for writing back, but you have both only further convinced me you're in denial of how ineffective the recycling program is working at the present time. Your encouragement for people to PAY for curbside does not incentivize people to recycle. The City of Lincoln mandate to recycle cardboard did not mandate people paying for curbside. I continue to believe the recycling program in Lincoln is run like we were in Wymore or some other small town. Those places have a fraction of the population and have one site. Your plan is to have TWO? For example, yesterday (1/8/21) I was at the Seacrest drop-off site and had to leave with the plastics I've had in the car for 2 days. It's out of my way to get to that drop-off site. The plastics recycling bin was GONE at 8:45 am. The female in the white City pickup who happened to be there said it would be there in twenty minutes. I didn't have time to wait and left. So I just went out of my way again TODAY at 1:50 pm and guess what? It's GONE again! Do you think it's my timing or do you think it would be good to have TWO containers? And you're going to say the new site will have more bins but my point is since the Seacrest site has been open, there's only been one. People in Lincoln have been living with a half-assed program since Gene Hanlon's days and it's worse now. So then I go to Havelock near Russ's to drop off the plastics and it's CLOSED. I just looked on your website and I can't believe a city of 300,000 is going to have TWO recycling drop off sites? Do you really expect people are going to be anxious to recycle and help the environment when you make it so difficult to find a place to recycle? Someone in southeast Lincoln near the YMCA on Yankee Hill is supposed to drive 10 miles to recycle? If you want to have an effective program you've got to stop trying to do it on the cheap. You have to open more sites. I also think it's insane that you've closed drop-off sites before you've opened the "super-site" at Seacrest.

And Ms. Birkett: I have included you in this email because I want to make sure the members of our City Council are aware of the shortcomings of our recycling program.

Thanks,

Dave Kirby

On Jan 7, 2021, at 9:18 AM, Sandra J. Washington <SWashington@lincoln.ne.gov> wrote:

Mr. Kirby. I understand your frustration with the overflowing cardboard bins at the Seacrest (East) Recycling Center over the holidays. I've communicated with Donna Garden, Assistant Director at Lincoln Transportation and Utilities, and she shared the following response:

We did experience peak usage of the recycle collection sites with the nice weather and

the increased amount of materials during the holidays. We want to assure you, that we have been in constant communication with our contractor and staff have been on-site every day. Our collection contractor serviced the Seacrest site 4 times on January 4<sup>th</sup> (the date the picture was taken). Contractors and staff worked each of the holiday weekends - including the holidays. This site has been addressed preventing any issues with wind, animals, and / or odors.

The Christmas / New Year peak use and subsequent issues are not new. This year, though, we received almost double the amount of recyclables over past years and I'm very proud of our team for addressing this substantial increase as they did. The pandemic has changed the quantity of recyclables now available. This year we have seen the largest volume of recyclables collected since our program began. And we continue to make improvements. Even with the consolidation of sites, we will have more volume available at our sites and the sites will be larger. The Seacrest Site will be expanding substantially. Construction just to the east of the current site is almost complete and we will be moving in larger and more containers soon.

For our site users, we want to continue to encourage them to flatten boxes so that we can make the most use of the volume available and to please, not leave them on the ground. We also want to remind collection site users that curbside is available to everyone in Lincoln and often results in 5 times more recyclables recovered.

Thank you for sending your concerns and thank you for recycling. Sincerely, Sandra Washington

Sent from my iPhone

On Jan 7, 2021, at 8:15 AM, Angela M. Birkett  
<ABirkett@lincoln.ne.gov> wrote:

Please see the email below received through Council email. Thanks.

Angie Birkett  
Administrative Secretary  
Lincoln City Council  
555 South 10<sup>th</sup> St., Ste 111  
Lincoln, NE 68508  
Phone 402-441-6867  
Fax 402-441-6533  
[abirkett@lincoln.ne.gov](mailto:abirkett@lincoln.ne.gov)

<image001.png>

---

**From:** Dave Kirby [mailto:dkins01@hotmail.com]  
**Sent:** Wednesday, January 06, 2021 7:59 PM  
**To:** Council Packet <CouncilPacket@lincoln.ne.gov>; PW Recycle <Recycle@lincoln.ne.gov>; Solid Waste Operations <PWSolidWaste@lincoln.ne.gov>  
**Subject:** East Lincoln Recycling

**[CAUTION]** This email comes from a sender outside your organization.

Just wondering how you'd rate the performance of the contractor hired to service the 70<sup>th</sup> and A Street recycling center over the holidays? I'll tell you what I think...everyone involved should be fired. I was there the day after Christmas to drop off recycling materials at 5 pm, and every cardboard bin was overflowing. Who would have thought there would be a lot of people dropping off cardboard on a Saturday after Christmas??

Have you seen the pictures someone posted on a "Nextdoor" app for East Lincoln two days ago? The pictures were of the same site, but on Sunday January 3. It actually couldn't have been worse. The cardboard was just piled up next to the completely full bins.

If the City of Lincoln is going to institute a mandatory recycling ordinance, which dictates citizens MUST recycle their cardboard, and you want to limit the excessive growth of the landfill, then you have got to get your act together. If people are recycling more often on weekends, which makes perfect sense, why aren't you having your contractors pick up more often on the weekends?

The word that comes to my mind when describing the Lincoln Recycling program is "half-assed." I'm sorry if you're offended, but that's the way I see it, and I'm not alone. No one would like to see this program succeed more than I do, which is the reason why I'm taking the time to write to you expressing my concern. I recycle everything, and have encouraged everyone in my office to do the same. But you seem to be doing everything you can to ruin this program. You've closed many sites, forcing people to go further out of their way to find a drop off site. Your contractors aren't doing a good job and need closer supervision. I know you're hoping to open the expanded site at Seacrest soon, but that's not going to help if you don't supervise the contractors more closely and the bins aren't emptied more often. And by the way, when is that new area going to open? Seems like it's taking longer than the lane work on 70<sup>th</sup> Street in front of the V.A., which is another long, sordid story.

Please take immediate steps to fix this program.

Dave Kirby  
402-466-2800

**CONFIDENTIALITY NOTICE:** This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.

## Angela M. Birkett

---

**From:** ActionForAssange <ActionForAssange@protonmail.com>  
**Sent:** Sunday, January 10, 2021 2:11 PM  
**To:** Mayor; Council Packet; Police Public Access  
**Subject:** Re: Notification of Assembly - End The Rendition

[CAUTION] This email comes from a sender outside your organization.

Hello Again,

I would like to personally thank your city for participating in the January 3rd exercise in free speech and association. The reason for this follow-up email is two fold;

1. To provide an update on Julian Assange's case and the continued threat to free speech that his prosecution presents.
2. To notify your city of another assembly set to take place in the coming weeks.

The Wikileaks founder and publisher, Julian Assange, was served the amazing decision of "NO EXTRADITION" on Monday January 4th, 2021. This was a bittersweet victory, as the UK accepted the all legal arguments by the US. This included that the US Federal Government has the power to use the Espionage Act of 1917 to prosecute anyone, including non-American journalists, for receiving or publishing factual information about criminal wrongdoing.

The judge's decision for No Extradition was based on a very limited scope, specific citing the horrible conditions of the US prison system and Julian's commitment to suicide should he be sent to our country.

We will be returning to the same location on January 17th, 2021, from 2 to 4 pm, to demand Julian's immediate release and that the US Department of Justice drop the charges with extreme prejudice along with Immunity, or a preemptive pardon, being granted to Mr. Assange for all potential "crimes" related to previously published materials.

I appreciate all accommodations by your city to facility this exercise in our first amendment, to defend our first amendment.

Please feel free to reach out to me with any questions.

Regards,  
Andrew Smith  
4404537756

Sent with [ProtonMail](#) Secure Email.

----- Original Message -----

On Friday, December 25, 2020 11:37 AM, ActionForAssange <ActionForAssange@protonmail.com> wrote:

Hello,

I am writing today to inform your city of a peaceful assembly planned to occur on Jan 3rd @ 2-4pm at the Department of Justice (100 Centennial Mall North). We would like to invite the members of your city's administration to appear as speakers and supporters, safely, at this event.

We are demanding the immediate release of Julian Assange, the founder and publisher of Wikileaks, from Belmarsh Prison in the United Kingdom.

By our best estimate, we are expecting between one and two-thousand people in attendance during this event to show their support for the multi-awarding journalist.

Julian has been held in solitary confinement for the last 610+ days, awaiting an imminent ruling of extradition to the United States. He is the first ever publisher/journalists to stand trial under the US Espionage Act of 1917. His trial is a direct threat to the public's right to know as well as the very basic principle of "freedom of the press."

I ask you stand with us to defend the 1st Amendment.

Expect Us. Thank you.

Regards,

Andrew Smith  
4404537756

Sent with [ProtonMail](#) Secure Email.



## Angela M. Birkett

---

**From:** John Olson <omj12540@aol.com>  
**Sent:** Sunday, January 10, 2021 2:28 PM  
**To:** Council Packet  
**Subject:** Emergency declaration

**[CAUTION]** This email comes from a sender outside your organization.

Keep the good fight going against Covid-19 in the city of Lincoln. Keep the emergency declaration as we are months away from not needing mask and restrictions what with mutations and even with vaccines. Lincoln is still in danger since geographical and man made borders do not stop Covid-19. Our Governor does not help the mask need and limits the treatment of the population. This and exposures from other states with less than necessary controls will keep us in danger.

## Angela M. Birkett

---

**From:** Roger A. Figard  
**Sent:** Monday, January 11, 2021 9:28 AM  
**To:** Steph  
**Cc:** Lin Quenzer; Angela M. Birkett; Ann E. Ames; Erika R. Hill; Ronald J. Caldi; Daniel J. Carpenter; Larry L. Legg; Roger A. Figard; Davis, Jeffrey N (Govt Affairs) (Jeffrey.Davis@BNSF.com); VALENTIN, MICHAELA L; Deb E. Schorr; James M. Bowers; Jane Raybould; Rick W. Vest; Roma B. Amundson; Roy A. Christensen  
**Subject:** RE: Trains on Hwy 2

Thank you for sharing your concerns. I am sorry you are having to deal with the reactivation of the trains running along Highway 2 to Nebraska City after a number of years.

These tracks have not been used in any regular manner for almost 20 years. But the tracks remained a viable and active track that could have been used at any time. The change involves two private companies, Omaha Public Power District(OPPD) and the BNSF railroad. The contract to provide freight service to OPPD had been with Union Pacific Railroad which they delivered on their tracks from Omaha. Having the ability to get freight delivered from 2 different suppliers helps a business negotiate reasonable delivery contracts and prices. BNSF would plan to run one freight train from Lincoln to Nebraska City and return to Lincoln approximately 6 days a week. These trains will operate at an estimated speed of 25 to 30 MPH.

The new contract is with the BNSF Railroad and that means they will need to use their tracks that are the tracks along highway 2. This is a private business venture between two businesses and they are using their own infrastructure and ROW to accomplish the work. The City and County neither one had anything to do with facilitating, encouraging or discouraging this new or resumed venture. The City or the county would not have the right or authority to keep the BNSF from using their tracks or the OPPD tracks east of 56th street to run trains.

In my almost 40 years of working for the City and RTSD, we have reminded City Developers, prospective homeowners and the traveling public the trains could run on these tracks at any time.

The RTSD Board discussed the possibility of starting a quiet zone study at their December Board meeting and chose to defer the decision to their next meeting in March.

Freight trains do not run on a regular schedule so we not sure when they will be coming through town and returning. We will need some time to see when they are actually going to run and plan best solutions for noise concerns and/or traffic congestion.

Please let me know if you have other questions or concerns.

Roger A. Figard, P.E.  
Executive Director, RTSD  
949 West Bond St. #200  
Lincoln, NE 68521  
402-441-7711 General Office  
402-525-5620 Cell  
rfigard@lincoln.ne.gov

-----Original Message-----

From: Steph <corbinsl82@yahoo.com>

Sent: Monday, January 11, 2021 12:16 AM

To: Roger A. Figard <rfigard@lincoln.ne.gov>

Subject: Trains on Hwy 2

[CAUTION] This email comes from a sender outside your organization.

Good evening,

About 15 minutes ago a train came through blasting it's horn. It was nearly midnight. How long is this going to continue? I live on 40th and pioneers and I have to listen to these train horns continuously during the "quiet hours". Often I am trying to go to sleep or sleeping and alarmingly woken up by these trains running though. On Thursday I was driving back to work down 40th street at 2pm and got stuck waiting for a train. It was the slowest train I have ever seen. Traffic was stopped for 8 minutes at the 40th and Hwy 2 intersection. Luckily I was only a few cars to the front and was able to get through on the first light but the traffic behind me likely had to wait 3-4 lights to get rid of the congestion. This is unacceptable!! Why has this track been opened when it is causing so many issues?

Stephanie

## Angela M. Birkett

---

**From:** Christine Cary <cary.christine@gmail.com>  
**Sent:** Monday, January 11, 2021 10:24 AM  
**To:** Council Packet  
**Subject:** Citizen's Police Advisory Board

**[CAUTION]** This email comes from a sender outside your organization.

Dear Mayor Gaylor Baird and City Council Members,

I'm writing to ask you to take the Citizen's Policy Advisory Board (CPAB) seriously. The police need and deserve fair adjudication when their actions are called into question. They have that already, including a self-policing internal reporting system and a strong union that supports officers.

What's missing is public oversight. The CPAB doesn't need to include anyone from within the law enforcement community. Please appoint people who have already been trying to get you to listen to them about unfair policing, racial and socioeconomic inequality of treatment. These are the influences that are needed in order to balance the power that our law enforcement agencies already have. The CPAB should be completely separate from law enforcement, with no family members or retirees of the agencies. It should have strong powers and authority.

We need our local law enforcement systems to be transparent, fair, and equally protective of ALL the people who live and work here. That's not how it is, anyone can see that. There are blind spots and inequities that should be addressed. We need a robust CPAB to help us get there.

I'm a born and raised resident, and property owner, in Lincoln. I want this for my city.

Thank you,

Christine Cary  
5834 Billings Ct  
Lincoln NE 68516  
402-310-6109

## Angela M. Birkett

---

**From:** Jeremy Hoefs <jhoefs@protonmail.com>  
**Sent:** Monday, January 11, 2021 10:34 AM  
**To:** Council Packet  
**Subject:** Carrie Herrera & State of Emergency

[CAUTION] This email comes from a sender outside your organization.

Hello,

First, thank you for serving the city of Lincoln. I am unable to attend today's City Council meeting so wanted to send a message in support of a couple things:

1. Please **confirm Carrie Herrera** to the Citizen Police Advisory Board. She will be a great addition to the board.
2. Please move forward with **ending the declared state of emergency**. Yes, the issues surrounding Covid are still present, but the state of emergency has passed. And if the quote from Jennifer Brinkman in the LJS article is accurate stating, "In reality, the mayor has not exercised emergency powers," then **why are the emergency powers still available** and for such an extended timeframe? It's time for the City Council to regain the powers from the mayor and end the declared state of emergency.

Thanks again,  
Jeremy Hoefs