

Agenda Item: 10.

Memorandum

To: Finance, Expenditures and Legal Subcommittee
From: Martin P. Cleveland
Subject: Account Over 110%, Maintenance, Channels and Levees – Attorney Fees
(01 03 591 4392)
Date: April 27, 2018

District policy 7.5 FEL Subcommittee – Budgetary Oversight states, “If, at any time during the fiscal year, the District expenditures from any budgetary account, for which more than \$10,000 was budgeted for that fiscal year, exceed the amount budgeted by more than 10%, the Chairperson of the FEL Subcommittee may call a meeting of such Subcommittee to consider recommendations to the Board with respect to such accounts.”

Pursuant to this policy the following account is submitted for review:

1. Account # 01 03 591 4392 (Maintenance, Channels and Levees – Attorney Fees)
2. Budget: \$15,000
3. Anticipated Account Status with May expense: \$16,465 (110%)

The Maintenance, Channels and Levees – Attorney Fees category is used for any legal services related to levee and channel projects, primarily for existing projects.

There have several projects that contributed to the increased expense in Fiscal Year 2018, in particular the Little Papio Channel Project and preparation of licenses (temporary right-of-way) for the Corps of Engineers channel stabilization project near 78th and Farnam Street and the District channel stabilization project (11 sites) that were both under construction in 2017-2018, the Western Sarpy Clear Creek Levee interlocal agreement between 3 NRDs and National Guard and the Papio Creek/Missouri River Levee Unit R-613 interlocal agreement for culvert operation and maintenance with Offutt AFB.

It is recommended by Management that the Subcommittee recommend to the Board that Account #01 03 591 4392– Maintenance, Channels and Levees – Attorney Fees be allowed to exceed 110% of the budgeted amount up to \$25,000 without further Board approval.