

# Memorandum

To: Papio-Missouri River Natural Resources District  
Finance, Expenditure & Legal Subcommittee

From: Paul W. Woodward PE, Groundwater Management Engineer

Date: April 5, 2019

Re: Attorney Fees for Missouri River Levee Certification, Account 01-03-560-4392, Over 110%

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The fiscal year (FY) 2019 budget for attorney fees under the Missouri River Levee Certification Project (Account No. 01-03-560-4392) was set at \$120,000. During the timeframe from July 1, 2018 to March 29, 2019, NRD staff has worked with Husch Blackwell on the land rights acquisition process for 24 private properties, as well as prepare and negotiate agreements with the City of Omaha and Offutt Air Force Base. The latest invoice submitted by Husch Blackwell brings the budget utilized near 110%, to \$131,254.54

Two private properties were acquired under eminent domain and have since filed for appeal. Such appeals will continue to require additional fees for Husch Blackwell's services. It is anticipated that an additional \$60,000 may be needed for Husch Blackwell's services through the end of June, bringing the total FY 19 expenditure in this account to approximately \$190,000.

**Management recommends that the subcommittee recommend to the Board of Directors that Missouri River Levee Certification Attorney Fees (Account No. 01-03-560-4392) be allowed to exceed the budgeted amount, up to \$190,000, without further approval by the Board.**