

**Programs, Projects, and Operations
Subcommittee Meeting Minutes
October 8, 2019**

A meeting of the Papio-Missouri River Natural Resources District’s Programs, Projects, and Operations Subcommittee was held at the Natural Resources Center, 8901 South 154th Street, Omaha, NE, on October 8, 2019. The meeting was called to order by Chairperson Conley at 6:30 p.m.

QUORUM CALL: Quorum call was taken. The following subcommittee members were in attendance.

Subcommittee Members Present	Subcommittee Members Absent	Other Directors Present	Others Present
Fred Conley, Chairperson	Tim Fowler *	Danny Begley	John Winkler
Larry Bradley **		Mark Gruenewald	Marlin Petermann
Ted Japp		Tim McCormick	Brent Meyer, Legal Counsel
Kevyn Sopinski		Jim Thompson	Tracy Thompson
Rich Tesar		John Wiese	Nicole Gust
			Bill Warren
			Amanda Grint
			Paul Woodward
			Eric Williams
			Justin Novak
			Shawn Melotz
			John Erickson
			Todd Cornwell
			Other Staff Members

* Absent

** Alternate Voting Member

ADOPTION OF AGENDA:

- **It was moved by Director Tesar and seconded by Director Sopinski that the agenda be adopted.**

Roll call was taken on the motion. The motion carried on a vote of 5-yea.

Voting Yea: Bradley, Japp, Sopinski, Tesar, Conley

Voting Nay: None

Abstaining: None

Absent: Fowler

PROOF OF PUBLICATION: Public notice of the meeting was posted at all District offices and published in the Omaha World-Herald on October 3, 2019. The proof of publication affidavit is included with the file copy of these minutes.

1. Review and Recommendation on Bids for the 2020 District Vehicles and Equipment – Nicole Gust:

Purchasing Agent Nicole Gust presented information about the bidding process for each vehicle and equipment item. Nicole and O&M Superintendent Bill Warren answered Directors questions.

- It was moved by Director Tesar and seconded by Director Sopinski that the Subcommittee recommends to the Board of Directors that the following recommendations be approved:

Bid Item A – One, 2020, Chassis Cab, 1 ¼ Ton Dually Truck:

The staff recommends that the lowest and best bid of \$25,805.80 from Woodhouse of Omaha for one, 2020 Ford F-450 be accepted with trade-in of the District’s 2002 Ford F350, serial number 1FDWF37F82EB69723.

Bid Item B – One, 2020, Chassis Cab, 1 Ton Dually Truck:

The staff recommends that the lowest and best bid of \$24,515.80 from Woodhouse of Omaha for one, 2020 F-350 be accepted with trade-in of the District’s 2012 Ford F-250 Flatbed, serial number 1FTBF2B64CEB43058.

Equipment – One, New, Cat 12M3 AWD Motor Grader:

The staff recommends the purchase of one, new, Cat 12M3 AWD Motor Grader from NMC with a State Contract total price of \$272,875.40 with trade-in of the District’s 1999 John Deere 772CH Motor Grader, serial number DW772CH570800. Purchase would be made in five annual payments of \$54,575.08 which includes financing.

Roll call was taken on the motion. The motion carried on a vote of 5-yea.

Voting Yea: Bradley, Japp, Sopinski, Tesar, Conley
 Voting Nay: None
 Abstaining: None
 Absent: Fowler

2. Review and Recommendation on Renewal of USGS Maintenance Agreement for Papio Floodwarning System Gages – Amanda Grint:

Project Manager Amanda Grint presented the proposed 2020 Joint Funding Agreement with USGS for the annual renewal of the Papillion Creek Watershed flood warning system maintenance contract. The USGS will cost share \$16,685 through their Cooperative Matching Funds and \$19,465 through the Groundwater and Streamflow Information Program. The District cost share totals \$124,280 for operation and maintenance of the gages. Amanda answered Directors questions.

- It was moved by Director Tesar and seconded by Director Bradley that the Subcommittee recommend to the Board of Directors that the General Manager be authorized to execute the proposed Joint Funding Agreement with the USGS in the amount of \$124,280 in District funds for the operation of the District’s floodwarning system for 2020, subject to changes deemed necessary by the General Manager.

Roll call was taken on the motion. The motion carried on a vote of 5-yea.

Voting Yea: Bradley, Japp, Sopinski, Tesar, Conley
 Voting Nay: None
 Abstaining: None
 Absent: Fowler

3. Review and Recommendation on First Amendment to Interlocal Agreement with City of Omaha for the Missouri River R-613/R-616 Levee Project Modifications – Paul Woodward:

Project Manager Paul Woodward reviewed the Interlocal Agreement with the City of Omaha for the relocation of utilities at the Papillion Creek Wastewater Treatment Plant. As a result of the spring flooding

impact to the plant, the City wishes to amend the agreement to allow for extending the relocated utilities past their rebuilt entrance gate and beyond what is required by the NRD's project. The proposed First Amendment to Interlocal Agreement with City of Omaha for the Missouri River R-613/R-616 Levee Project Modifications provides for reimbursement by the City to the District for an additional cost of approximately \$100,000 bringing the City's not to exceed reimbursement for utility relocation to \$200,000. The proposed amendment also provides for reimbursement by the City to the NRD of an amount not to exceed \$20,000 for erosion repair along the Papillion Creek south of 13th Street and Capehart Road as a result of emergency sewage pumping. Paul, General Manager John Winkler and Asst. General Manager Marlin Petermann answered Directors questions.

- **It was moved by Director Bradley and seconded by Director Tesar that the Subcommittee recommend to the Board of Directors that the General Manager be authorized to execute the proposed First Amendment to the Interlocal Agreement with the City of Omaha for Modifications to the Missouri River Levee System R-613-616 and Relocation of Utilities Servicing the Papillion Creek Wastewater Treatment Plant, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.**

Roll call was taken on the motion. The motion carried on a vote of 5-yea.

Voting Yea: Bradley, Japp, Sopinski, Tesar, Conley
Voting Nay: None
Abstaining: None
Absent: Fowler

4. Review and Recommendation on Amendment to Lower Platte River Consortium Agreement – Paul Woodward:

Project Manager Paul Woodward presented the proposed Amendment to the Lower Platte River Consortium Interlocal Agreement between the Lower Platte South NRD, Lower Platte North NRD, City of Lincoln, Metropolitan Utilities District, Nebraska Department of Natural Resources and the District. The proposed Amendment would extend the duration of the agreement for one (1) additional year to September 27, 2020. Paul explained that extending the Agreement will allow time for the next step of the Consortium which is acceptance and implementation of the Drought Contingency Plan through each entity's respective Boards. Paul answered Directors questions.

- **It was moved by Director Sopinski and seconded by Director Bradley that the Subcommittee recommend to the Board of Directors that the General Manager be authorized to execute the proposed Amendment to the Interlocal Agreement for the Platte River Consortium with the Lower Platte South NRD, Lower Platte North NRD, City of Lincoln, Metropolitan Utilities District, and Nebraska Department of Natural Resources, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.**

Roll call was taken on the motion. The motion carried on a vote of 5-yea.

Voting Yea: Bradley, Japp, Sopinski, Tesar, Conley
Voting Nay: None
Abstaining: None
Absent: Fowler

5. Review and Recommendation on Buffalo Stream Bank Stabilization Interlocal Agreement with Sarpy County – Eric Williams:

Project Manager Eric Williams presented the proposed Buffalo Stream Bank Stabilization Interlocal Agreement with Sarpy County for creek stabilization, protection for existing infrastructure, and safety improvements for Buffalo Creek, along Buffalo Road east of 192th Street. The project is an Urban

Drainageway Program cost share project approved by the District in April 2019. The proposed Interlocal Agreement specifies funding of \$303,115 in FY 2020, FY 2021, and FY 2022, for the total cost share of \$909,345 over the project's expected three-year timeline. Eric, General Manager John Winkler and Asst. General Manager Marlin Petermann answered Directors questions.

- **It was moved by Director Bradley and seconded by Director Tesar that the Subcommittee recommend to the Board of Directors that the General Manager be authorized to execute the proposed Interlocal Cooperation Agreement with Sarpy County for Buffalo Stream Bank Stabilization, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.**

Roll call was taken on the motion. The motion carried on a vote of 3-yea and 2-nay.

Voting Yea: Bradley, Tesar, Conley
Voting Nay: Japp, Sopinski
Abstaining: None
Absent: Fowler

6. Review and Recommendation on North Omaha Trail Interlocal Agreement with City of Omaha – Eric Williams:

Project Manager Eric Williams presented the proposed North Omaha Trail Interlocal Agreement with the City of Omaha to design, develop, construct, operate and maintain the North Omaha Trail which is generally located from 26th and Lake Street to 31st and Taylor Street. The project is a Trails Assistance Program cost-share project approved by the District in April 2019. NRD funding is specifically allocated to the off-road, recreational trail portion of the overall project. The proposed Interlocal Agreement specifies funding of \$146,209 in FY 2020, and FY 2021, for total cost-share of \$292,418 over the project's expected two-year timeline. Eric and John Winkler answered Directors questions.

- **It was moved by Director Japp and seconded by Director Sopinski that the Subcommittee recommend to the Board of Directors that the General Manager be authorized to execute the proposed Interlocal Cooperation Agreement with the City of Omaha for North Omaha Trail, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.**

Roll call was taken on the motion. The motion carried on a vote of 5-yea.

Voting Yea: Bradley, Japp, Sopinski, Tesar, Conley
Voting Nay: None
Abstaining: None
Absent: Fowler

7. Review and Recommendation on Beltline Trail Interlocal Agreement with City of Omaha and Omaha Municipal Land Bank – Eric Williams:

Project Manager Eric Williams presented the proposed Beltline Trail Interlocal Agreement with the District, the City of Omaha and the Omaha Municipal Land Bank to develop the Beltline Trail generally located along a former rail line from Hamilton Street at Military Ave., to 31st and Sprague Street. Eric explained the responsibilities of the stakeholders which includes land acquisition by the Omaha Municipal Land Bank, design and construction by the District and operation and maintenance by the City. The proposed trail funding is projected to be included in the FY 2021 NRD budget. Eric answered Directors questions.

- **It was moved by Director Japp and seconded by Director Bradley that the Subcommittee recommend to the Board of Directors that the General Manager be authorized to execute the proposed Interlocal Cooperation Agreement with the City of Omaha, and Omaha Municipal**

Land Bank for the Beltline Trail, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

Roll call was taken on the motion. The motion carried on a vote of 5-yea.

Voting Yea: Bradley, Japp, Sopinski, Tesar, Conley
Voting Nay: None
Abstaining: None
Absent: Fowler

8. Review and Recommendation on Amendment to Trail Over Platte River Bridge Agreement with LPSNRD and NGPC – Eric Williams:

Project Manager Eric Williams presented the proposed Amendment to the Trail Over Platte River Bridge Agreement with Lower Platte South NRD (LPSNRD) and the Nebraska Game and Parks Commission (NGPC). The bridge, commonly known as the Lied Bridge, was damaged during the March 2019 flood event. Eric explained that according to the proposed Amendment, the District will contract for debris removal from the bridge. It is expected that 75% of the debris removal funding will be reimbursed by FEMA with the remainder reimbursed by NGPC. The proposed Amendment also specifies that the District will contract for the structural inspection of the bridge to determine necessary repairs, and contract for the design and construction of the repair work. LPSNRD will share in 50% of the local cost of the bridge design and work. Eric answered Directors questions.

- **It was moved by Director Sopinski and seconded by Director Bradley that the Subcommittee recommend to the Board of Directors that the General Manager be authorized to execute the proposed Amendment to the Interlocal Cooperation Agreement with the Lower Platte South Natural Resources District, and the Nebraska Game and Parks Commission for the Trail Over Platte River Bridge (Lied Bridge), subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.**

Roll call was taken on the motion. The motion carried on a vote of 5-yea.

Voting Yea: Bradley, Japp, Sopinski, Tesar, Conley
Voting Nay: None
Abstaining: None
Absent: Fowler

9. Review and Recommendation of the FY 2020 Long Range Implementation Plan (LRIP) – Eric Williams:

Project Manager Eric Williams reviewed the FY 2020 Long Range Implementation Plan (LRIP) which summarizes the various planned programs and projects and the intended accomplishments during FY 2020 and projections for the next five fiscal years as required by state statute. Eric answered Directors questions.

The following member of the public addressed the Subcommittee:

➤ Shawn Melotz, 10401 N. 132nd Street, Omaha, NE

- **It was moved by Director Bradley and seconded by Director Japp that the Subcommittee recommend to the Board of Directors that the proposed Fiscal Year 2020 Long Range Implementation Plan be approved.**

Roll call was taken on the motion. The motion carried on a vote of 5-yea.

Voting Yea: Bradley, Japp, Sopinski, Tesar, Conley

Voting Nay: None
Abstaining: None
Absent: Fowler

10. Review and Recommendation of Probable Violation of District's Erosion and Sediment Control Rules and Regulations – Justin Novak and Brent Meyer:

Field Representative Justin Novak and Brent Meyer reported that John Erickson, 3052 Golden Eagle Circle, Blair, NE submitted a complaint against Todd Cornwell (Farm 5350 Tract 780, 19.4 acres) for excessive sediment deposits on his property. A field review by District and NRCS staff showed evidence of sediment damage on the Erickson property attributed to an ephemeral gully on the Cornwell property. The NRCS has determined that the annual soil loss exceeded District's Erosion & Sediment Rules & Regulations (Rules). District staff is working with NRCS to develop a plan to solve the soil loss problem. The plan would qualify for a 75% cost share by the District. Justin outlined the options that the Committee can take action upon under the District's Rules. Justin and Brent answered Directors questions.

The following members of the public address the Subcommittee

- John Erickson, 3052 Golden Eagle Circle Blair, NE
- Todd Cornwell, 11259 Morgan Circle, Blair, NE
- **It was moved by Director Tesar and seconded by Director Bradley that the Subcommittee recommend to the Board of Directors that the District find Mr. Cornwell to be in probable violation of the District's Erosion & Sediment Rules & Regulations.**

Roll call was taken on the motion. The motion carried on a vote of 5-yea.

Voting Yea: Bradley, Japp, Sopinski, Tesar, Conley
Voting Nay: None
Abstaining: None
Absent: Fowler

ADJOURNMENT: Being no further business, the meeting adjourned by acclamation at 8:27 p.m.