

**Finance, Expenditure and Legal
Subcommittee Meeting Minutes
March 9, 2021**

A meeting of the Papio-Missouri River Natural Resources District’s Finance, Expenditure and Legal Subcommittee was held at the Natural Resources Center, 8901 S. 154th Street, Omaha, NE, on March 9, 2021. The meeting was called to order by Chairperson Tesar at 5:01 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 |
|---------------------------------|--------------------------------|----------------------------|----------------------------|
| Rich Tesar, Chair | | Patrick Bonnett | John Winkler |
| Larry Bradley, Vice-Chair | | Fred Conley | Marlin Petermann |
| Danny Begley | | Ted Japp | Brent Meyer, Legal Counsel |
| Phil Davidson | | Kevyn Sopinski | Tracy Thompson |
| Tim McCormick | | Jim Thompson | Eric Williams |
| | | | Other Staff Members |
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- * Absent
- ** Alternate Voting Member

ADOPTION OF AGENDA:

- **It was moved by Director McCormick and seconded by Director Begley that the agenda be adopted.**

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

Voting Yea: Begley, Bradley, Davidson, McCormick, Tesar
 Voting Nay: None
 Abstaining: None
 Absent: None

PROOF OF PUBLICATION: Public notice of the meeting was posted at all District offices and published in the Omaha World-Herald on March 4, 2021. The proof of publication affidavit is included with the file copy of these minutes.

1. Review and Recommendation of Lied Bridge Hwy 31 Connecting Link Relocation Project, Property Transfer Agreement with NEBCO Inc. [Executive Session – if needed] - Eric Williams:

- **It was moved by Director Bradley and seconded by Director McCormick that the Subcommittee move into to Executive Session for the purpose of discussing the proposed property transfer agreement with NEBCO Inc.**

Roll call was taken on the motion. The motion carried on a vote of 5-yea. The Subcommittee went into Executive Session at 5:03 p.m.

Voting Yea: Begley, Bradley, Davidson, McCormick, Tesar
Voting Nay: None
Abstaining: None
Absent: None

- **It was moved by Director McCormick and seconded by Director Begley that the Subcommittee come out of Executive Session.**

Roll call was taken on the motion. The motion carried on a vote of 5-yea. The Subcommittee came out of Executive Session at 5:13 p.m.

Voting Yea: Begley, Bradley, Davidson, McCormick, Tesar
Voting Nay: None
Abstaining: None
Absent: None

- **It was moved by Director McCormick and seconded by Director Davidson that the Subcommittee recommend to the Board of Directors that the General Manager be authorized to execute the proposed Real Property Transfer Agreement with NEBCO Inc. for the Hwy 31 Connecting Link Relocation project, 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: Begley, Bradley, Davidson, McCormick, Tesar
Voting Nay: None
Abstaining: None
Absent: None

Project Manager Eric Williams presented a video inspection of the Platte River ice conditions and repairs at the Lied Bridge he recently completed using the District's drone. Eric answered Directors questions.

2. Review and Recommendation of District Legal Services [Executive Session if needed] – John Winkler:

General Manager John Winkler reminded the Directors that the District Legal Services agreement with Husch Blackwell is set to expire June 30, 2021 and that the cost benefit analysis of in-house legal counsel versus a contract arrangement was presented to the Board at the February meeting. John briefed the Directors on the in-depth District operational evaluation that was conducted with a survey of District staff to provide direct input on the efficacy of legal counsel representation and no performance issues were reported. Based on the results of the cost benefit analysis, the staff survey, and the lack of any performance, budgetary or operational issues or deficiencies with Husch Blackwell, it is recommended that the District enter into the proposed 3-year legal services agreement with Husch Blackwell from June 30, 2021 to July 1, 2024. John answered Directors questions.

- **It was moved by Director McCormick and seconded by Director Davidson that the Subcommittee recommend to the Board of Directors, that the Board approve the proposed legal services agreement with Husch Blackwell, per the terms and conditions outlined in said agreement, for a period to begin upon execution of agreement from July 1, 2021 to June 30, 2024 subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.**
- **A substitute motion was made by Director Bradley and seconded by Director Begley that the Subcommittee recommend to the Board of Directors that a Request for Qualifications for District Legal Services be issued.**

Director Thompson reviewed the Ad Hoc process and timeline that would be used for an RFQ for legal services. There was Director discussion.

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

Voting Yea: Begley, Bradley
Voting Nay: Davidson, McCormick, Tesar
Abstaining: None
Absent: None

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

Voting Yea: Davidson, McCormick, Tesar
Voting Nay: Begley, Bradley
Abstaining: None
Absent: None

ADJOURNMENT: Being no further business, the meeting adjourned by acclamation at 5:47 p.m.