

**Programs, Projects, and Operations
Subcommittee Meeting Minutes
May 11, 2021**

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 May 11, 2021. The meeting was called to order by Chairperson Conley at 4:00 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		Patrick Bonnet	John Winkler
Tim Fowler, Vice-Chairperson		Larry Bradley	Marlin Petermann
Ted Japp		Phil Davidson	Brent Meyer, Legal Counsel
Kevyn Sopinski		Tim McCormick	Nicole Gust
Rich Tesar		Jim Thompson	Martin Cleveland
			Jim Becic
			Terry Schumacher
			Justin Novak
			Lori Laster
			Eric Williams
			Paul Woodward
			Dave Sands, Nebraska Land Trust
			Dan Lightbody, Olsson
			Laurie Carette Zook, HDR
			Dan Kutilek, Douglas County Engineer
			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: Fowler, Japp, Sopinski, Tesar, Conley
 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 May 6, 2021. The proof of publication affidavit is included with the file copy of these minutes.

1. Review and Recommendation of FY 2022 Equipment Requirements – Nicole Gust:

Purchasing Agent Nicole Gust explained the process used to determine the equipment replacement budget for FY 2022 and described each of the items proposed for purchase. Bill Warren, O&M/Park Superintendent, answered Directors questions.

- **It was moved by Director Tesar and seconded by Director Fowler that the Subcommittee recommend to the Board of Directors to approve the proposed FY 2022 Equipment Requirements, subject to funding in the FY 2022 Budget.**

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

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

2. Review and Recommendation of Little Papio Creek Channel Culverts Project, Interlocal Agreement with City of Omaha for Design of Drainage Structure Rehabilitation – Martin Cleveland:

Project Manager Martin Cleveland briefed the Directors on the history of the LP Creek Channel Project, and how as local project sponsors, the District is responsible for its operation, maintenance, and repair. Martin stated that during an inspection the District identified 45 culverts that need to be repaired, and he reminded the Directors that in February 2020 the Board approved a contract with FYRA for the rehabilitation of the 45 deficient culverts. Martin told the Directors that the City of Omaha is responsible for 23 of the 45 culverts, and as such is responsible for 59% of total construction cost. It was determined that the City reimburse the District for 59% of the design cost for this project. Martin stated that the total cost of the project was 7.6 million dollars with 4.5 million being the City of Omaha's share and 3.1 million being the NRD's share. Martin answered questions.

- **It was moved by Director Fowler and seconded by Director Sopinski that the Subcommittee recommend to the Board of Directors that the General Manager be authorized to execute the proposed Little Papio Creek Channel Project Design of Drainage Structure Rehabilitation Interlocal Cooperation Agreement with the City of Omaha, with a reimbursement maximum not to exceed limit of \$350,000, 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: Fowler, Japp, Sopinski, Tesar, Conley
Voting Nay: None
Abstaining: None
Absent: None

3. Review and Recommendation of 4th Addendum to the Nebraska Land Trust Agreement – Jim Becic and David Sands, Nebraska Land Trust:

Jim Becic and David Sands presented information about District's partnership with The Nebraska Land Trust (NLT). The NRD is a charter member of the NLT Board. In 2009, 2012, 2015 and 2018 the NRD entered into three-year Cooperative Agreements with the NLT, to provide a financial contribution of \$30,000.00 per year to assist in their operations. The NLT is requesting that this partnership continue for an additional three-year period beginning in Fiscal Year 2022.

- **It was moved by Director Fowler and seconded by Director Tesar that the Subcommittee recommend to the Board that the General Manager be authorized to execute the proposed**

FOURTH ADDENDUM to the 18 March, 2009"AGREEMENT BETWEEN PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT AND NEBRASKA LAND TRUST FOR COOPERATIVE ASSISTANCE" that allows for an additional three year District commitment in the amount of \$30,000/year, commencing in fiscal year, 2022 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: Fowler, Japp, Sopinski, Tesar, Conley
Voting Nay: None
Abstaining: None
Absent: None

4. Review and Recommendation of Application for Small Flood Control and Water Quality Structure 319 Program – Terry Schumacher and Dan Lightbody, Olsson:

Project Manager Terry Schumacher reviewed District Policy 17.37, Small Flood Control and Water Quality Structure Program, which the Board adopted in February 2021. Terry let the Directors know that an application was received for this program, and that Olsson has provided a preliminary design to construct a high hazard structure to meet the goal of improving water quality in the Papillion Creek 319 Watershed. Terry stated that the estimated cost of the project is 1.4 million dollars, approximately \$845,000 for construction, \$275,000 for engineering, and \$200,000 for land rights. This will be a private structure with no public access. Terry and Dan Lightbody, Olsson, answered Directors questions.

- **It was moved by Director Sopinski and seconded by Director Japp that the Subcommittee recommend to the Board that the proposed application be approved per the District Policy 17.37 Small Flood Control and Water Quality Structure Program.**

Roll call was taken on the motion. The motion carried on a vote of 4-yea and 1-abstention.

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

5. Review and Recommendation of Consent and Crossing Agreement with Papio-Missouri River NRD and Lower Elkhorn NRD for Burt County Solar – Justin Novak:

Project Manager Justin Novak Briefed the Directors on the Burt County Solar Project and their requested permission to bury their transmission lines near P-MRNRD obtained easements. Burt County Solar has asked for the District to enter into a Consent and Crossing Agreement which would allow them to cross the P-MRNRD's easements.

- **It was moved by Director Fowler and seconded by Director Sopinski that the Subcommittee recommend to the Board that the General Manager be authorized to execute the proposed Logan East Rural Water Project Consent and Crossing Agreement with Burt County Solar, 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: Fowler, Japp, Sopinski, Tesar, Conley
Voting Nay: None

Abstaining: None
Absent: None

6. Review and Recommendation of Contract Amendment for Phase 2 of Professional Services Contract with HDR for WP4 Project – Lori Laster:

Project Manager Lori Laster reminded the Directors that in May 2017 the Board selected HDR for the preliminary design of WP4, DS19 and DS12 projects. District Staff has worked with HDR to prepare a scope to complete the final design, bidding services and construction for WP4. Lori summarized the proposed tasks included in the contract and stated that HDR will provide the professional services on an hourly basis not to exceed the amount of \$1,434,813, bringing the total contract amount to \$3,478,636. Lori answered Directors questions.

- **It was moved by Director Sopinski and seconded by Director Tesar that the Subcommittee recommend to the Board that the General Manager be authorized to execute Amendment #1 with HDR Engineering, Inc. for Professional Engineering Services for the Final Design and Construction of the WP4 Project in an amount not to exceed \$1,434,813, bringing the total contract amount to \$3,478,636 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: Fowler, Japp, Sopinski, Tesar, Conley
Voting Nay: None
Abstaining: None
Absent: None

7. Review and Recommendation of Urban Drainageway Program Application from Douglas County, Ponca Creek at 36th Street – Eric Williams:

Project Manager Eric Williams reviewed Urban Drainageway Program with the Directors and reminded them that Board approval is required on all applications. Eric briefed the Directors on a Douglas County project that was originally submitted to the District during the annual cost share program application cycle, but said additional documentation was needed. Eric stated that Douglas County has requested cost share assistance for the portion of this projects which has been determined to meet the Urban Drainageway Program guidelines. Eric and Dan Kutilek, Douglas County Engineer, answered Directors questions.

- **It was moved by Director Tesar and seconded by Director Fowler that the Subcommittee recommend to the Board of Directors that the Urban Drainageway Program application from Douglas County for \$66,968 be approved, subject to funding in the FY 2022 Budget.**

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

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

8. Review and Recommendation of Second Amendment to the Interlocal Agreement with the City of Tekamah for Wellhead Protection Area Plan Cost-Share – Paul Woodward:

Project Manager Paul Woodward briefed the Directors on the Districts ILA with the City of Tekamah for Wellhead Protection Area Plan Cost-Share that was approved by the Board July 2018, and the subsequent First Amendment that was approved July 2019. Paul reminded the Directors

that the City of Tekamah's project was successful and because of this they applied for and received another NET grant. The Board approved support for the grant in August 2020. Paul stated that this proposed second amendment increases the amount the NRD is authorized to reimburse Tekamah by an additional \$31,050, from \$17,500 to \$48,550. Paul answered Directors questions.

- **It was moved by Director Japp and seconded by Director Sopinski that the Subcommittee recommend to the Board that the General Manager be authorized to execute the proposed Second Amendment to the Interlocal Agreement with the City of Tekamah fir Wellhead Protection Area Plan Cost Share, making the maximum not to exceed amount for the agreement \$48,550 in District funds, 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: Fowler, Japp, Sopinski, Tesar, Conley

Voting Nay: None

Abstaining: None

Absent: None

ADJOURNMENT: Being no further business, the meeting adjourned by acclamation at 5:06 p.m.