

**Programs, Projects, and Operations
Subcommittee Meeting Minutes
May 10, 2022**

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 10, 2022. The meeting was called to order by Chairperson Conley at 4 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 *	Larry Bradley	John Winkler
Patrick Bonnett **		Phil Davidson	Amanda Grint
Ted Japp		Tim McCormick	Brent Meyer, Legal Counsel
Kevyn Sopinski		Jim Thompson	Tracy Thompson
Rich Tesar			Paul Woodward
			Mikaela Cherry, USGS
			Chris Hobza, USGS
			Nicole Gust
			Justin Novak
			Bill Warren
			Lori Laster
			Eric Williams
			Dan Dolezal, EGA
			Connor Olberding, EGA
			Kene Okigbo, RDG
			Troy Meyer, HDR
			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: Bonnett, 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 May 5, 2022. The proof of publication affidavit is included with the file copy of these minutes.

1. Presentation of the 2021 Groundwater Quality Monitoring Results – Paul Woodward and Mikaela Cherry, USGS:

Project Manager Paul Woodward and Mikaela Cherry, USGS, presented the 2021 Groundwater Quality Monitoring report and answered Directors questions. No action was taken.

2. Review and Recommendation of the FY 2023 Equipment Requirements – Nicole Gust:

Purchasing Agent Nicole Gust explained the process used to determine the equipment replacement budget for FY 2023 and described each of the items proposed for purchase. She reported that due to the lack of available inventory, leases are not available through NMC for the two Caterpillar 259D Skid Steers and the one Caterpillar 305E2CR Mini Excavator that the District is currently leasing. Nicole indicated that staff has researched other vendors but were not able to secure a commitment on delivery dates for new equipment this year and stated that Staff determined the quoted purchase prices on all three pieces of equipment were reasonable. She outlined options for purchase during FY 2022 or FY 2023. Nicole, John Winkler, General Manager, Bill Warren, O&M Superintendent, and Justin Novak, Project Manager answered Directors questions.

- **It was moved by Director Tesar and seconded by Director Sopinski that the Subcommittee recommend to the Board of Directors to approve the proposed FY 2023 Equipment Requirements, subject to funding in the FY 2023 Budget.**

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

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

General Manager Winkler informed the Subcommittee that if they want to make a recommendation to the Board to have staff purchase the currently leased machinery from Nebraska Machinery Company with reallocated funds from the Conservation Assistant Program, they need to vote on that action.

- **It was moved by Director Tesar and seconded by Director Sopinski that the Subcommittee recommend to the Board of Directors that the General Manager be authorized to approve the purchase of the currently leased CAT 259D Skid Loaders (2) and CAT 305ECR Hydraulic Mini Excavator (1) from Nebraska Machinery Company in a total purchase amount of \$146,795; furthermore, it is recommended that \$146,795 be transferred from the Conservation Assistant Program account 01-04-4195-507 to the Machinery & Equipment account 01-01-4802 to cover the cost to purchase this machinery, and finally, that the Machinery & Equipment account 01-01-4802 be allowed to exceed 110% of the current budgeted amount, up to a maximum of \$292,000.**

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

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

3. Review and Recommendation of the Interlocal Agreement with Gretna and Sarpy County for WP-4 – Lori Laster:

Project Manager Lori Laster presented the proposed Interlocal Agreement with the City of Gretna and Sarpy County for the West Papio Basin 4 project (WP4) to be located near 204th Street and Schram Road. She reviewed the responsibilities of each entity regarding the design, construction, ownership, and operation and maintenance of WP4 as outlined in the proposed agreement. Lori answered Directors questions.

- **It was moved by Director Tesar and seconded by Director Sopinski that the Subcommittee recommend to the Board of Directors that the General Manager be authorized to execute the proposed West Papio Basin 4 Interlocal Agreement with the City of Gretna and Sarpy County, 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: Bonnett, Japp, Sopinski, Tesar, Conley
Voting Nay: None
Abstaining: None
Absent: Fowler

4. Review and Recommendation of the Contract Amendment No. 1 with EGA for the Beltline Trail – Eric Williams and Dan Dolezal, Erhart Griffin & Associates:

Project Manager Eric Williams and Dan Dolezal, EGA presented the proposed Amendment No. 1 to the Professional Services Agreement between the District and Ehrhart Griffin & Associates (EGA) for the Beltline Trail Project for the maximum amount of \$356,611. The existing contract with EGA is for \$282,151 and the proposed amendment will bring the total maximum not to exceed contract amount to \$638,766. He reviewed the scope of work in the proposed contract amendment which includes design, construction plans, bidding, and construction administration for Phase 3 (corner of Hamilton St. & Military Ave to approx. 40th & Grant St.), and preliminary design and stakeholder engagement for Phase 4 (north edge of Adams Park to the existing pedestrian crossing at John A Creighton Blvd.). Eric and Dan Dolezal answered Directors questions.

- **It was moved by Director Sopinski and seconded by Director Japp that the Subcommittee recommend to the Board of Directors that the General Manager be authorized to execute the proposed Amendment No. 1 to the Professional Services Agreement between the District and Ehrhart Griffin & Associates for the Beltline Trail Project for the maximum amount of \$356,611 bringing the total maximum not to exceed contract amount to \$638,766, 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: Bonnett, Japp, Sopinski, Tesar, Conley
Voting Nay: None
Abstaining: None
Absent: Fowler

5. Review and Recommendation of Beltline Trail Phase 2 Construction Bids – Eric Williams:

Project Manager Eric Williams presented the bid summary for the construction of the Beltline Trail Phase 2 Project. Four (4) bids were opened on May 3, 2022 and ranged from \$714,667.00 to \$895,378.37. The Engineer’s cost estimate prepared by Ehrhart Griffin & Associates (EGA) was \$1,258,098.96. EGA recommends that the apparent low bid of \$714,667.00 submitted by NL&L Construction, Inc. of Omaha, Nebraska be accepted. Eric and Dan Dolezal answered Directors questions.

- **It was moved by Director Sopinski and seconded by Director Tesar that the Subcommittee recommend to the Board of Directors that the General Manager be authorized to execute a construction contract with NL&L Construction Inc. in the amount of \$714,667.00 for the Beltline Trail Phase 2 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: Bonnett, Japp, Sopinski, Tesar, Conley
Voting Nay: None
Abstaining: None
Absent: Fowler

6. Review and Recommendation of Bids Received for the Aerial Application of Herbicide by Helicopter – Paul Woodward:

Project Manager Paul Woodward presented the bid summary for the aerial application of herbicide by helicopter in the Lower Platte, Elkhorn River and tributaries. Three bids were opened on April 26, 2022. Only one bidder submitted the required bid bond to be considered a responsive bidder. Paul reported that the apparent low responsive bidder is Provine Helicopters with an estimated annual cost to spray 200 acres at a cost of \$123,575. The contract will be in effect for three years. The combined annual funding for this work from the District, Lower Platte South NRD and Lower Platte North NRD is \$90,000 with additional funding by state grants or reimbursed by landowners responsible for invasive weed control. Paul answered Directors questions.

- **It was moved by Director Sopinski and seconded by Director Japp that the Subcommittee recommend to the Board that the General Manager be authorized to execute a 3-year contract with Provine Helicopter Service Inc. for the aerial application of herbicide by helicopter for the unit prices listed in Exhibit A of the proposed contract, 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: Bonnett, Japp, Sopinski, Tesar, Conley
Voting Nay: None
Abstaining: None
Absent: Fowler

7. Review and Recommendation of Lower Platte River Basin Coalition Interlocal Agreement No. 3 – Paul Woodward:

Project Manager Paul Woodward presented the proposed Lower Platte River Basin Coalition Interlocal Agreement No. 3 between the District, Upper Loup NRD, Lower Loup NRD, Upper Elkhorn NRD, Lower Elkhorn NRD, Lower Platte South NRD, Lower Platte North NRD, and the Nebraska Dept. of Natural Resources for a five-year increment from 2022 thru 2026. He reviewed the groundwater/surface water development data collected from 2017-2021 and the proposed water use policies. Paul indicated that the proposed agreement includes an addendum to the Basin Water Management Plan to further evaluate the impact of new development during drought conditions. He reported that the Lower Loup NRD is the Coalition administrator, and that the District's Coalition assessment should remain at \$30,000 annually. Paul answered Directors questions.

- **It was moved by Director Tesar and seconded by Director Sopinski that the Subcommittee recommend to the Board of Directors that the General Manager be authorized to execute the Lower Platte River Basin Water Management Plan Coalition Interlocal Agreement No. 3, 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: Bonnett, Japp, Sopinski, Tesar, Conley
Voting Nay: None
Abstaining: None
Absent: Fowler

8. Review and Recommendation of Papio Watershed PL566 Site S-6 Completion of Federal Interest – Amanda Grint:

Assistant General Manager Amanda Grint presented the proposed Completion of Federal Interest for Papio Watershed PL566 Site S-6, located in Sarpy County, near 180th and Giles. She stated that this document is needed to remove an existing dam from the NRCS PL566 program. Amanda indicated that although this structure has been in place for 32 years of its 50-year life span, the District has requested a Completion of Federal Interest since the District's proposed WP2 high hazard dam will replace the older S-6 structure. Amanda 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 the Papillion Creek Watershed Site S-6 Completion of Federal Interest with NRCS 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: Bonnett, Japp, Sopinski, Tesar, Conley
Voting Nay: None
Abstaining: None
Absent: Fowler

9. Review and Recommendation of WP-4 Contract Amendment with HDR, Inc. – Lori Laster:

Project Manager Lori Laster and Troy Meyer, HDR, presented the proposed Amendment #3 with HDR Engineering, Inc. for Professional Engineering Services for modifications to the Final Design of the WP-4 Project. She reviewed the scope of work in the proposed contract amendment which includes revisions to the main dam design and the design report based on new dam safety requirements from NeDNR, additional grading design to balance the earthwork quantities to save haul away costs (estimated savings of \$450,000-\$600,000), additional trail connection design, and additional survey work required for land acquisition. She indicated that HDR will provide the professional services on an hourly basis not to exceed the amount of \$51,346 bringing the total contract amount to \$3,598,954. Lori reminded the Directors that the total contract also includes preliminary design work for Dam Site 12 and Dam Site 19. She 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 #3 with HDR Engineering, Inc. for Professional Engineering Services for modifications to the Final Design of the WP4 Project in an amount not to exceed \$51,346, bringing the total contract amount to \$3,598,954 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: Bonnett, Japp, Sopinski, Tesar, Conley
Voting Nay: None
Abstaining: None
Absent: Fowler

ADJOURNMENT: Being no further business, the meeting adjourned by acclamation at 5:02 p.m.