

**Papio-Missouri River Natural Resources District
Board of Directors Meeting
Suggested Resolutions/Recommendations
September 8, 2022**

***Agenda Item 4 - Agenda**

BE IT RESOLVED that the agenda be adopted.

***Agenda Item 5 – Consent Agenda**

BE IT RESOLVED that the following resolutions on the consent agenda are hereby adopted.

Agenda Item 3.A.:

BE IT RESOLVED that the absence of the following Director(s) from the September 8, 2022 Board of Directors Meeting is excused:

Tim Fowler.

Agenda Item 7.A., 7.B., 7.C., and 7.D.:

BE IT RESOLVED that the August 11, 2022 Papio-Missouri River NRD Board meeting minutes, the August 10, 2022 Dakota County Rural Water Advisory Board meeting minutes, the September 6, 2022 Budget Hearing and Budget Summary meeting minutes, and the September 6, 2022 Special Hearing to Set Final Tax Request meeting minutes are approved as printed.

***Agenda Item 10.A. – Programs, Projects and Operations Subcommittee**

BE IT RESOLVED that the minutes of the September 6, 2022 meeting of the Programs, Projects and Operations Subcommittee are accepted, incorporated in these minutes, and the following recommendations of the Subcommittee are hereby adopted and approved.

1. Urban Drainageway Interlocal Agreements with P-MRNRD for Cost Share Programs:

- a. Bellevue, Quail Creek: Recommendation that the General Manager be authorized to execute the Interlocal Agreement with the City of Bellevue for the Quail Creek Project for a total amount up to \$1,500,000 with first year funding of \$200,000 no earlier than FY 2023, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

- b. Bellevue, Whitted Creek: Recommendation that the General Manager be authorized to execute the Interlocal Agreement with the City of Bellevue for the Whitted Creek Project for a total amount up to \$1,500,000 with first year funding of \$200,000 no earlier than FY 2024, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.
- c. Papillion, 84th & Valley Road: Recommendation that the General Manager be authorized to execute the Interlocal Agreement with the City of Papillion for the 84th & Valley Road Project for a total amount up to \$1,080,000 with first year funding of \$180,000 no earlier than FY 2023, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.
- d. Sarpy County, Buffalo Road Channel: Recommendation that the General Manager be authorized to execute the Interlocal Agreement with Sarpy County for the Buffalo Road Channel Project for a total amount up to \$1,291,566 with first year funding of \$175,000 no earlier than FY 2023, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.
- e. Omaha, Oakbrook Creek: Recommendation that the General Manager be authorized to execute the Interlocal Agreement with the City of Omaha for the Oakbrook Creek Project for a total amount up to \$1,500,000 with first year funding of \$200,000 no earlier than FY 2024, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.
- f. Omaha, Thomas Creek: Recommendation that the General Manager be authorized to execute the amendment to the Interlocal Agreement with the City of Omaha for the Thomas Creek Project for a total amount up to \$780,000 with the final funding of \$563,801 no earlier than FY 2023, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

2. Trails Assistance Interlocal Agreements with P-MRNRD for Cost Share Programs:

- a. La Vista, Applewood Creek Trail: Recommendation that the General Manager be authorized to execute the Interlocal Agreement with the City of La Vista for the Applewood Creek Trail Project for a total amount up to \$250,000 with reimbursement no earlier than FY 2023, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.
- b. Omaha, North Downtown Pedestrian Bridge (“Baby Bob”): Recommendation that the General Manager be authorized to execute the Interlocal Agreement with the City of Omaha for the North Downtown Pedestrian Bridge Project for a total amount up to \$750,000 with first year funding of \$250,000 no earlier than FY 2023, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

3. Amendment 2 to Interlocal Agreement with Sarpy County and Papillion for WP6 and WP7: Recommendation that the General Manager be authorized to execute the proposed Second Amendment to the Interlocal Cooperation Act Agreement with the City of Papillion and

Sarpy County for the Papio Watershed Regional Flood Control Detention Basins WP-6 and WP-7, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

4. Contract Amendment 2 with HDR for Flanagan Wetland Monitoring: Recommendation that the General Manager be authorized to execute the proposed Professional Services Contract Amendment between the District and HDR Engineering, Inc. for monitoring services for Flanagan Lake, increasing the maximum contract fee to \$73,988, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

***Agenda Item 10.B. – Finance, Expenditure and Legal Subcommittee**

BE IT RESOLVED that the minutes of the September 6, 2022 meeting of the Finance, Expenditure and Legal Subcommittee are accepted, incorporated in these minutes, and the following recommendations of the Subcommittee are hereby adopted and approved.

1. P-MRNRD FY 2023 Tax Levy and Adoption of Budget: Recommendation that the following resolutions be adopted:

BE IT RESOLVED by the Board of Directors of the Papio-Missouri River Natural Resources District that the attached budget document incorporated herein by reference, showing Total Requirements of \$105,050,485 as follows,

Operating Budget	\$80,135,732
Project and Operations Cash Reserves	\$24,914,753

and Property Tax Requirement of \$30,185,894.24 (\$23,807,503.04 general and \$6,378,391.20 bond) be and is hereby adopted as the Fiscal Year 2023 budget of the Papio-Missouri River Natural Resources District.

WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the property tax request for the prior year shall be the property tax request for the current year for purposes of the levy set by the County Board of Equalization unless the Governing Body of the Papio-Missouri River NRD passes by a majority vote a resolution or ordinance setting the tax request at a different amount; and,

WHEREAS, a special public hearing held on September 6, 2022, as required by law to hear and consider comments concerning the property tax request; and,

WHEREAS, it is in the best interest of the Papio-Missouri River NRD that the property tax request for the current year be a different amount than the property tax request for the prior year.

NOW THEREFORE BE IT RESOLVED by the Board of Directors of the Papio-Missouri River Natural Resources District by a majority vote, resolved that:

1. **The FY 2023 property tax request be set at \$30,185,894.24 (\$23,807,503.04 general and \$6,378,391.20 bond).**
 2. **The total assessed value of property differs from last year’s total assessed value by 8.57%.**
 3. **The tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property, would be \$0.032852 per \$100 of assessed value.**
 4. **The Papio-Missouri River Natural Resources District proposes to adopt a property tax request that will cause its tax rate to be \$0.034758 per \$100 of assessed value.**
 5. **Based on the proposed property tax request and changes in other revenue, the total operating budget of Papio-Missouri River Natural Resources District will decrease from last year by 6%.**
 6. **And that a copy of this resolution be certified and forwarded to the County Clerks within the District prior to September 20, 2022.**
2. Vacation of Dam Site 8A Easement: Recommendation that the General Manager be authorized to execute the proposed Vacation of Easement for the Dam Site 8A site and execute the new easement, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.
 3. Union Dike Improvement Project Area Residual Funds: Recommendation that the General Manager be authorized to instruct Dodge County that all residual funds obtained through special assessments of the Union Dike Improvement Project Area be distributed to the Papio-Missouri River Natural Resources District and that such funds be deposited in the Papio-Missouri River Natural Resources District’s General Fund.
 4. No Name Dike High Ground Easement Purchase, Lot 1 Sokol Camp Replat 1 – Schnatz: Recommendation that the General Manager be authorized to execute the proposed purchase agreement with Andrew and Kimberly Schnatz for the purchase price of \$36,000 for Lot 1 Sokol Camp Replat 1 permanent easement, for No Name Dike Flood Reduction Project High Ground Easement Project, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.
 5. Land Acquisition for Dam Site 12: Recommendation that the General Manager be authorized to execute a purchase by the District from Gottsch Family Farms, Tract 8 for the Dam Site 12 Project for the purchase price of \$1,885,500, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

***Agenda Item 11. A.-J. – Treasurer’s Report**

BE IT RESOLVED that the Treasurer is authorized to expend general funds to pay: (1) claims listed in the August 2022 financial report; and, (2) any claims made prior to the next Board meeting for (a) earned salaries of District employees, (b) withholding taxes, (c) social security payments,

(d) retirement program contributions, (e) utilities, (f) registration fees and expenses for upcoming meetings and conferences, (g) certified completed CAP and Special Project Area applications, (h) invoices which offer a credit or discount for payment made prior to the next Board meeting, (i) postage, and, (j) building and grounds contract expenses.

BE IT FURTHER RESOLVED that the Treasurer is authorized to pay, from the respective operating accounts of the Washington County, Dakota County, and Thurston County Water Supply System, the Elkhorn Breakout Project, the Elkhorn River Stabilization Project, the Elk/Pigeon Creek Drainage Project, the Western Sarpy Drainage Project, the Papillion Creek Watershed Partnership, and the Southern Sarpy Watershed Partnership project bills listed on the August 2022 financial report, and future claims for project utilities.

BE IT FURTHER RESOLVED that the financial reports be affixed to and made a part of the minutes.

***Agenda Item 12.A. Chairman’s Report – Notification of Resignation of Director Danny Begley to fill Vacancy in Subdistrict #7**

Chairman’s Resolution Regarding Board Vacancy

BE IT RESOLVED that the following resolution is hereby adopted and approved.

Process for Filling the Board Vacancy Created by the Resignation of Director Danny Begley:

1. The General Manager is hereby authorized and directed to contact newspapers serving Subdistrict #7 with the text of a public notice of the board vacancy and to request publication of said notice on September 12th and September 19th, 2022. The notice is to include a request for interested persons to submit applications to fill said vacancy on or before September 29, 2022.
2. The General Manager is hereby authorized and directed to provide official written notice of the board vacancy to the Secretary of State as provide by law.
3. It is hereby further resolved that this process and schedule is necessary to avoid an undue burden on the board, the citizens of Subdistrict #7 and the taxpayers of the Papio-Missouri River NRD in that this process provides time for public notice of the vacancy, time for applications from interested persons to fill the vacancy and will avoid the undue burden and expense of holding a special board meeting just days prior to the next regular board meeting on October 13th, 2022.