



**Papio-Missouri River Natural Resources District
Board of Directors Meeting
Suggested Resolutions/Recommendations
April 13, 2023**

***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 absences of the following Director(s) from the April 13, 2023, Board of Director Meeting are excused:

Josh Henningsen
Rich Tesar.

Agenda Item 7. A. and 7.B.:

BE IT RESOLVED that the March 9, 2023, Papio-Missouri River NRD Board Meeting minutes and the March 8, 2023, Dakota County Rural Water Advisory Board Meeting minutes are approved as printed.

Agenda Item 9.A. – Ad-Hoc Consultant Selection Subcommittee – RFP for Papillion Creek Watershed Partnership Management Plan Update

BE IT RESOLVED that the minutes of the April 6, 2023, meeting of the Ad-Hoc Consultant Selection Subcommittee – RFP for Papillion Creek Watershed Partnership Management Plan are accepted, incorporated in these minutes, and the following recommendation(s) of the Subcommittee are hereby adopted and approved.

1. Consultant Selection Interviews: Recommendation that a contract be negotiated with Houston Engineering with RDG to provide professional services to update the Papillion Creek Watershed Partnership Management Plan.

Agenda Item 9.B. – Programs, Projects, and Operations Subcommittee

BE IT RESOLVED that the minutes of the April 11 2023, meeting of the Programs, Projects and Operations Subcommittee are accepted, incorporated in these minutes, and the following recommendation(s) of the Subcommittee are hereby adopted and approved.

1. Wehrspann Sediment Dam Evaluation: Recommendation that Policy 15.2 Purchasing-Professional Services be waived and that the General Manager be authorized to execute the proposed Professional Services Agreement with HDR Engineering for the Wehrspann Sediment Dam Evaluation, in an amount not-to-exceed \$143,860, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

2. Contract Amendment 4 with HDR for WP4: Recommendation that the General Manager be authorized to execute Amendment #4 with HDR Engineering, Inc. for Professional Engineering Services for modifications to the Final Design of the WP4 Project in an amount not-to-exceed \$64,872, bringing the total contract amount to \$3,663,826 subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

3. Interlocal Agreement with City of Omaha and CHI for Sorensen Trail: Recommendation that the General Manager be authorized to execute the proposed Interlocal Agreement with the City of Omaha and CHI Health for the Sorensen Trail, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

4. Platte River Bridge Trail Agreement: Recommendation that the General Manager be authorized to execute the proposed Trail Agreement with the State of Nebraska, Department of Transportation for the Platte River Bridge Trail Project, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

5. Platte River Bridge Trail Final Plans and Cost Estimate: Recommendation that the following Resolution be adopted:

APPROVAL OF PRELIMINARY PLANS, SPECIFICATIONS, AND ESTIMATES (PS&E)

Papio-Missouri River Natural Resources District

Resolution No. _____

WHEREAS: Papio-Missouri River Natural Resources District (LPA) and State of Nebraska (State) entered into an LPA Program Agreement for State to assist LPA in the development and construction of an LPA Federal-aid transportation project;

WHEREAS: The State or the design consultant has developed the project plans to the point where they are ready to submit to State's PS & E Section for final edits for a bid letting;

WHEREAS: The LPA Program Agreement requires the LPA to review the preliminary PS & E package and either request modification or approve them as acceptable at this stage;

WHEREAS: LPA wishes to approve the preliminary PS & E package as prepared.

Be It Resolved by the Board of Directors of the Papio-Missouri River Natural Resources District that:

The Chairperson, Kevyn Sopinski, is hereby authorized to sign and submit this resolution to the State signifying the LPA's approval of the preliminary PS & E package.

NDOT Project Number: MAPA-77(62)

NDOT Control Number: 22770

NDOT Project Description: Platte River Bridge Trail

6. FY 2024 Urban Cost Share Programs:

- a. Urban Conservation Assistance Program: Recommendation that applications from the City of Omaha for \$30,000 and SID 276 Portal Ridge for \$30,000, SID 503 West Dodge Station for \$30,000, and SID 555 Andersen Meadows Estates for \$30,000 for a total of \$120,000 be approved; subject to funding in the FY 2024 Budget .
- b. Recreation Area Development Program: Recommendation that applications from Blair for \$50,000, Hubbard for \$14,750, La Vista for \$50,000, Omaha for \$50,000 and \$50,000, Papillion for \$50,000 and \$11,000, and South Sioux City for \$50,000, for a total of \$325,750, be approved; subject to funding in the FY 2024 Budget.
- c. Trails Assistance Program: Recommendation that applications from Fort Calhoun for \$42,716, Omaha for \$557,279, SID 313 Garden Oaks for \$250,000, SID 328 Sumtur Crossing for \$114,000, and South Sioux City for \$55,335, for a total of \$1,019,330 be approved; subject to funding in the FY 2024 Budget.

***Agenda Item 9.C. – Finance, Expenditure and Legal Subcommittee**

BE IT RESOLVED that the minutes of the April 11, 2023, meeting of the Finance, Expenditure and Legal Subcommittee are accepted, incorporated in these minutes, and the following recommendation(s) of the Subcommittee are hereby adopted and approved.

1. Discussion on Current Bond Market Conditions: This item was for discussion only. No action was taken by the Subcommittee.
2. Nebraska CLASS Public Fund Investment: Recommendation that the following resolution be adopted:

WHEREAS, NEB. Const. art. XV, § 18(1) authorizes local government entities to exercise their powers and functions, including financing, jointly or in cooperation with other governmental entities and Nebraska law express allows public agencies to invest surplus or excess funds;

WHEREAS, NEB. REV. STAT. § 13-804 authorizes public agencies to enter into interlocal agreements in order for such agencies to take joint or cooperative action;

WHEREAS, the Nebraska Cooperative Liquid Assets Securities System Trust (“Nebraska CLASS Trust”) has been formed pursuant to the provisions of the Interlocal Cooperation Act, NEB. REV. STAT. §§ 13-801 to 13-827;

WHEREAS, the Declaration of Trust and Interlocal Agreement and an Information Statement relating to the Nebraska CLASS Trust have been presented to this Governing Body;

WHEREAS, the Declaration of Trust authorizes public agencies to adopt and enter into the Declaration of Trust and become Participants of such trust;

WHEREAS, this Governing Body deems it advisable for this Public Agency to adopt and enter into the Declaration of Trust and become a participant of the Nebraska CLASS Trust for the purpose of the joint investment of this Public Agency’s money with those other public agencies so as to enhance the investment earnings accruing to each such public agency,

NOW THEREFORE, be it resolved as follows:

1. This Public Agency shall and does hereby join with other Nebraska public agencies in accordance with the provisions of Nebraska law and in accordance with the Interlocal Cooperative Act, as applicable, by becoming a Participant of the Nebraska CLASS Trust, and the Declaration of Trust and Interlocal Agreement, as amended from time to time, is hereby adopted by this reference with the same effect as if it had been set out verbatim in this Resolution. A copy of the Declaration of Trust is attached hereto and incorporated herein by this reference and shall be filed with the minutes of the meeting at which this Resolution was adopted.
2. The Trustees of the Nebraska CLASS Trust are hereby designated as having official custody of this Public Agency’s monies which are invested in accordance with the Declaration of Trust.
3. Authorization is hereby given for members of this Governing Body and officials of this Public Agency to serve as Trustees of the Nebraska CLASS Trust from time to time if elected as such pursuant to the Declaration of Trust.
4. The Key Contact and Authorized Signatories are those persons listed on the Trust Registration Form attached hereto and incorporated herein. The Authorized Signatories are authorized by the Participant to direct the investment of such Participants’ investment funds and to take all such actions deemed necessary or desirable to carry out the activities otherwise authorized by this Resolution, subject to the Authorized Signatories’ obligation to take such actions only in the name of and for the benefit of this Participant.
5. The Key Contact and Authorized Signatories may be changed from time to time by written notice to Nebraska CLASS.

6. All resolutions and parts of resolutions in so far as they conflict with the provisions of this Resolution being the same are hereby rescinded.
3. RFP for Auditing Services: Recommendation that the General Manager be authorized to execute a contract for auditing services with BerganKDV, LLC for FY2023 through FY2027, subject to approval as to form by the District's Legal Counsel.
4. Washington County Rural Water, Customer Contract Costs Account (10-01-4080) over 110%: Recommendation that Account (10-01-4080) Washington County Rural Water, Customer Contract Costs be allowed to exceed 110% of the budgeted amount up to a maximum of \$130,000.

***Agenda Item 10. A.-J. – Financial Report**

BE IT RESOLVED that the Treasurer is authorized to expend general funds to pay: (l) claims listed in the March 2023 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 Dakota County, Thurston County and Washington County Rural Water Supply System, the Elkhorn River Bank Stabilization Project, the Elkhorn Breakout Project, the Elk/Pigeon Creek Drainage Project, the Western Sarpy Drainage District, the Papillion Creek Watershed Partnership, and the Southern Sarpy Watershed Partnership project bills listed on the March 2023 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.