

**Papio-Missouri River Natural Resources District
Board of Directors Meeting
Suggested Resolutions/Recommendations
April 9, 2009**

***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 April 9, 2009, Board of Directors Meeting are excused:

None to date

Agenda Item 7 A.&B.:

- A. BE IT RESOLVED that the March 12, 2009 Papio-Missouri River NRD Board meeting minutes are approved as printed.
- B. BE IT RESOLVED that the March 11, 2009 Dakota County Rural Water Advisory Board meeting minutes are approved as printed.

***Agenda Item 9.A. – Multi Hazard Mitigation Plan Ad Hoc Consultant Selection Subcommittee**

BE IT RESOLVED that the minutes of the April 7, 2009, Multi Hazard Mitigation Plan Ad Hoc Consultant Selection Subcommittee are accepted, incorporated in these minutes, and the following recommendation(s) of the Subcommittee are hereby adopted and approved.

1. Selection of Consulting Firms to be Interviewed – Recommendation that the firms of JEO Consulting Group, Kirkham Michael, Olsson Associates and PBS&J be interviewed, in alphabetical order, to provide professional services for the Multi Hazard Mitigation Plan.

***Agenda Item 9.B. – Finance, Expenditures and Legal Subcommittee**

BE IT RESOLVED that the minutes of the April 7, 2009, Finance, Expenditures and Legal Subcommittee are accepted, incorporated in these minutes, and the following recommendation(s) of the Subcommittee are hereby adopted and approved.

1. Accounts Over 110%:
 - a. Acct No. 01 04-00 4382 – Elk/Pigeon Creek – Recommendation that Acct. No. 01 04-00 4382 – Elk/Pigeon Creek be allowed to exceed 100% of the budgeted amount.
 - b. Acct. No. 01 03-10 4410 – Western Sarpy – Construction – Recommendation that Acct. No. 01 03-10 4410 – Western Sarpy Construction be allowed to exceed 110% of the budgeted amount.
2. Western Sarpy Clear Creek Levee Project – Right of Way Acquisition on Melvin Bundy Property (252nd and Platteview Road) – Recommendation that the General Manager be authorized to execute the Purchase Agreement for warranty deed with Melvin E. Bundy for the amount of \$76,700 and such additional documents to effectuate those transactions as deemed necessary by the General Manager and approved as to form by District Legal Counsel.
3. Agreement with Washington County Prohibiting the District from Building Dams in Washington County – Recommendation that the Board encourage the Papillion Creek Watershed Partnership members and Washington County to adopt the proposed Partnership plan and to support the passage of LB 160 by the Nebraska Legislature as presented to general file.

***Agenda Item 9.C. – Programs, Projects and Operations Subcommittee**

BE IT RESOLVED that the minutes of the April 7, 2009, 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. Stonecrest Trail Access to Chalco Hills – Recommendation that the General Manager be authorized to seek formal approval from the U.S. Army Corps of Engineers to authorize a public access point for the Stonecrest S.I.D., Sarpy County, Nebraska.
2. Papio Creek Watershed Structure W-3 Rehabilitation Project
 - a. Project Agreement – Recommendation that the General Manager be authorized to execute the proposed Papio Creek Watershed Structure #W-3 Project Agreement with the Natural Resources Conservation Service for rehabilitation of Papio Creek Watershed Structure #W-3, subject to changes deemed necessary by the General Manager and approved as to form by District Legal Counsel.

- b. Professional Services Contract - Recommendation that the appointment of an Ad Hoc Consultant Selection Subcommittee, called for by the District's Professional Services Policy 15.2, be waived in this case; and, that the General Manager be authorized to execute the proposed Professional Services Contract with HDR Engineering, Inc. for the rehabilitation of Papio Creek Watershed Structure #W-3 for a maximum not to exceed amount of \$95,000, subject to changes deemed necessary by the General Manager and approved as to form by District Legal Counsel
3. FY 2010 Urban Cost Share Programs
- a. Recreation Area Development Program – Recommendation that the applications from the City of LaVista for \$7,000, the City of Bellevue for \$20,000, and the City of South Sioux City for \$50,000 be approved, for a total of \$77,000, subject to funding in the FY 2010 budget.
 - b. Urban Drainageway Program – Recommendation that the applications from the City of Omaha for \$651,800, the City of South Sioux City for \$300,000, the City of Bellevue for \$54,000, the City of Gretna for \$24,000, Mission Creek SID \$63,300, and the City of Papillion for \$286,962 and \$25,962, for a total of \$1,406,024 subject to funding in the FY 2010 Budget.
 - c. Urban Conservation Assistance Program – Recommendation that the applications from Millard West High School for \$18,969 and the City of Omaha for \$14,389 for a total of \$32,358 be approved, subject to funding in the FY 2010 budget.
 - d. Stormwater Best Management Practices Program – Recommendation that the applications from the City of Papillion Rain Garden for \$9,735, the City of La Vista Stormceptor for \$10,000, and the City of South Sioux City for Scenic Park Rain Garden 1 for \$6,777.50, and the Scenic Park Rain Garden 2 for \$6,777.50, for a total of \$33,290, be approved subject to funding the in Fiscal Year 2010 budget.
4. Amendments to 17.0 District Programs – Urban Conservation Assistance Program - Recommendation that the following revisions to District Program 17.0 - Urban Conservation Assistance Program be approved.

17.0 URBAN CONSERVATION ASSISTANCE PROGRAM

The Urban Conservation Assistance Program is an authorized program of the District to provide technical and financial assistance to units of government (sponsors) ~~and citizen groups~~ to help prevent or control erosion, flooding, and related resource concerns in urbanized areas.

Criteria For Assistance

1. ~~Benefits must accrue to more than one landowner.~~
2. ~~Be located on publicly owned land~~ Potential projects need to be on lands under control of the Sponsor through deed, lease, or easement.
3. Acceptable Practices:
 - a. permanent grade stabilization structures
 - b. channel stabilization measures

- c. stormwater management facilities
 - d. diversions and terraces
 - e. ~~permanent seeding, sodding, and mulching of critical areas (\$100 per acre maximum)~~ Establishment of permanent vegetation on critical areas, includes seeding or sodding and mulching
4. An enclosed storm sewer is not and eligible practice or project.

~~Level of District Assistance~~ District Responsibilities

- 1. Administer the Urban Conservation Assistance Program.
- 2. ~~Provide 60% of actual contracted construction costs up to a maximum of \$25,000 on each project~~ Reimburse Sponsors 60% of the actual costs of the project, including engineering, up to a maximum District contribution of \$30,000 per project.
- 3. All projects shall be approved by Management.
- 4. ~~Provide technical assistance by Staff in review and guidance on projects~~ Provide technical assistance on all projects.
- 5. ~~Applications are considered on a "first come, first served" basis.~~

Sponsor Responsibilities

- 1. Complete District's UCAP Special Project Request, Form 17.0.B, Manual of Standard Forms (Appendix E)
- 2. Execute and fulfill the District's Special Project Operation and Maintenance Agreement, Form 17.0.C, Manual of Standard Forms (Appendix E)
- 3. Provide all necessary land rights.
- 4. Provide the local matching funds.
- 5. Contract for the construction of the approved project. Sponsor's personnel and equipment costs are not eligible for reimbursement.
- 6. ~~Begin construction within one year of approval~~ Complete the project within one year of approval, unless prior written approval is obtained from the District.

(February 5, 1987; February 9, 1989; April 9, 2009)

- 5. Waterloo Interlocal Agreement for Construction of Levee Improvements – Recommendation that the General Manager be authorized to execute the proposed Interlocal Agreement with the Village of Waterloo to equally share the cost for levee improvements, up to a maximum District cost of \$2,000,000, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

***Agenda Item 10. A.-I. - Financials**

BE IT RESOLVED that the Treasurer is authorized to expend general funds to pay: (l) claims listed in the March, 2009, 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 #1 and Washington County #2 rural water supply projects, the Elkhorn River Bank Stabilization Project, the Elkhorn Breakout Project, the Elk/Pigeon Creek Drainage Project, and the Western Sarpy Drainage District, the project bills listed on the March, 2009, 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 11.A. – Appointment of P-MRNRD Standing Subcommittees**

BE IT RESOLVED that Standing Subcommittee appointments, as presented by the Chairperson, are hereby approved.

/pt/board/2009/February/apr09_resolutions