

**Programs, Projects, and Operations Subcommittees
Meeting Minutes
April 6, 2010**

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, Nebraska, on April 6, 2010. The meeting was called to order by Chairperson John Conley at 6:30 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 in Attendance
John Conley		Scott Japp	John Winkler, NRD
David Klug		Jim Thompson	Marlin J. Petermann, NRD
John Schwope		Dorothy Lanphier	Paul Peters, NRD Legal
Rich Tesar		Fred Conley	Gerry Bowen, NRD
Rick Kolowski		Larry Bradley	Lori Laster, NRD
			Martin Cleveland, NRD
			Brian Henkel, NRD
			Barb Sudrula, NRD
			Carey Fry, NRD
			Trent Heiser, NRD
			Jerry Herbster, NRD
			Mark Wayne, Sarpy Co
			Mark Augustine, JEO
			Stan Benke, Waterloo
			Russ Falcon, RW Engineering
			Steve Kunkel, Stonebrook
			Dennis Ward, Stonebrook
			Paul Woodward, OA

Adoption of Agenda

- **It was moved by Director Schwope and seconded by Director Klug, that the agenda be adopted.**

Roll call was taken on the motion. The motion carried on a vote of 5-0.

Voting yes: John Conley, Klug, Tesar, Schwope, Kolowski
 Voting no: None
 Abstain: None
 Absent: None

Proof of Publication: Public notice of the meeting was posted at all District offices and in the Omaha World-Herald on April 1, 2010. The Chairperson ordered the Proof of Publication recorded in the minutes of this meeting.

Interlocal Agreement with P-MRNRD, Sarpy County and City of Papillion for West Papio

Flood Control: Amanda Grint updated the Subcommittee on the elements of the West Papio Flood Control Interlocal Agreement. The parties involved in the agreement are the NRD, Sarpy County, and the City of Papillion. The agreement involves several projects necessary to bring the West Papio levees in to compliance or providing 100 year flood protection. The construction of upstream reservoirs, bridge raises and levee raises are all necessary for the West Papillion Flood Control. Amanda briefly discussed the responsibility of the 66th Street bridge improvements, the 84th Street bridge improvements and the levee raises. For each bridge improvement, the NRD would contribute 1/3 of the cost up to \$1.5 million dollars. Sarpy County would contribute the remaining estimated \$3 million for the 66th Street bridge and the City of Papillion would contribute the remaining estimated \$3 million for the 84th Street bridge. Each of the three entities would contribute \$500,000 toward the levee raises. Amanda discussed the WP5 project and then reviewed the items concerning that project in the interlocal. The transfer date to the City of Papillion is at time of annexation of adjacent property or a date certain of June 1, 2030. Amanda also outlined the responsibilities of the supplemental projects associated with the WP5 project. Those projects are an east sanitary sewer main, the west sanitary sewer relocation, Cornhusker Road closing, Lincoln Road extension, NRD recreation improvements, City recreation improvements and future infrastructure right of way. Mark Wayne spoke on behalf of Sarpy County of the need for this agreement and indicated that Sarpy County was supportive of this agreement.

- **It was moved by Director Klug and seconded by Director Kolowski that the Programs, Projects and Operations Subcommittee recommend to the Board of Directors that the General Manager be authorized to execute the proposed West Papillion Creek Flood Control Interlocal Agreement subject to changes deemed necessary by the General Manager and approval as to form by District Legal Council.**

Roll call was taken on the motion. The motion carried on a vote of 5- 0.

Voting yes: John Conley, Klug, Kolowski, Tesar, Schwoppe
Voting no: None
Abstain: None
Absent: None

Wetland/Stream Channel Mitigation Bank/ Wildlife Habitat Area for Pigeon/Jones

Watershed Offline Storage Area: Ralph Puls described to the Subcommittee the situation with 404 permitting for small flood control structures. There are sixteen remaining small structures planned for the Silver Creek and Pigeon Jones watershed. Each of these structures will be required to mitigate for wetland and stream channel impacts. In the past these structures were covered under a nationwide 404 permit. In order to accommodate this new requirement, staff proposed to purchase offline storage areas rather than acquire an easement over them. This land purchase would allow for the areas to be used as a wetland and stream channel mitigation bank to offset the impacts from the small flood control structures. Paul Woodward, Olsson Associates, noted that this proposal would increase the land needed for the project by approximately 50 acres. Of this 50 acres there are 10 tracts of land with four property owners. Ralph noted that the appraisals were not yet complete but the approximate value of the land intended to be purchased is about \$5,000 per acre. It was also noted that based on the impacts of the remaining 16 small flood control structures it is unlikely that there would be additional mitigation acres to sell for credits.

- **It was moved by Director Klug and seconded by Director Tesar that the Programs, Projects and Operations Subcommittee recommend to the Board of Directors that the Pigeon/Jones Site #15 Project plan be revised to reflect establishment of the proposed wetland/stream channel mitigation bank/wildlife habitat area.**

Roll call was taken on the motion. The motion carried on a vote of 5- 0.

Voting yes: John Conley, Klug, Kolowski, Tesar, Schwope
 Voting no: None
 Abstain: None
 Absent: None

Waterloo Levee Design Interlocal Agreement Amendment #3: Amanda Grint presented to the Subcommittee a request from the Village of Waterloo to cost share 50/50 on Amendment #3 to the Interlocal Agreement for the design of the Waterloo levee improvements. She noted that Amendment #3 consists of two parts, a third contract amendment with JEO Consulting Group and a contract with SEH for an Independent External Peer Review (IEPR) required by the US Army Corps of Engineers. Amanda Grint and Stan Benke, Village of Waterloo, described the lengthy process that the Village has been through in trying to meet Federal Emergency Management Agency (FEMA) requirements to accredit the levee and the USACE requirements to modify a federal levee. They described the recent coordination between the two federal agencies as positive. The direction from the two federal agencies resulted in the following items being added to the scope of work; additional floodplain study, additional geotechnical evaluation, revised plans and specs, project coordination permitting and an IEPR completed by a third party. Mark Augustine, JEO Consulting, described the technical aspects of the additional floodplain study and how the results could provide much needed time and cost savings by potentially lowering the planned levee raise and eliminating a Union Pacific railroad crossing.

- **It was moved by Director Kolowski and seconded by Director Klug that the Programs, Projects and Operations Subcommittee recommend to the Board of Directors that the General Manager be authorized to execute a revised Interlocal Agreement with the Village of Waterloo that provides for the equal sharing of the levee design costs up to \$344,500 subject to changes deemed necessary by the General Manager and District Counsel.**

Roll call was taken on the motion. The motion carried on a vote of 5- 0.

Voting yes: John Conley, Klug, Kolowski, Tesar, Schwope
 Voting no: None
 Abstain: None
 Absent: None

Bids for the Chalco Hills Recreation Area Rain Garden Demonstration Project: Lori Laster noted that the advertisement for bids on the Chalco rain garden was published on March 10th and 17th. On March 31st the bids were opened and Lanoha Nurseries, Inc. was the low bidder at \$23,829.00. Lori gave a brief description of the project and noted that it included a rain garden just to the west of the parking lot and pervious pavers which would drain in to the rain garden. Concern was expressed regarding the durability of the pavers and the cost of the project. Concern was also noted on the type of soil and the maintenance of the rain garden. Lori noted that amended soil would be placed in the rain garden and that maintenance after the plants are established should be minimal.

- **It was moved by Director Kolowski and seconded by Director Klug that the Programs, Projects and Operations Subcommittee recommend to the Board of Directors that the General Manager be authorized to execute a contractor agreement with Lanoha Nurseries, Inc. for \$23,829.00.**

Roll call was taken on the motion. The motion failed on a vote of 2- 3.

Voting yes: John Conley, Kolowski,
 Voting no: Klug, Tesar, Schwope
 Abstain: None
 Absent: None

Papio-Missouri River NRD Master Plan: Gerry Bowen noted that the NRD Master Plan is something that is updated every 10 years. Based on the formation of the NRDs, seven priority areas for the District have been established. Ranking of these priorities is periodically done by the Board of Directors with the last ranking being completed approximately 3 years ago. Gerry described to the Subcommittee the schedule of activities to approve the Master Plan which includes setting priorities, two public meetings and approval of the Master Plan. It was noted that there is time for comments and revisions as this motion is to approve the priority ranking and the schedule. Concern was noted that pollution prevention is not addressed. The priority reads maintain water quality and since existing waterways are impaired perhaps the priority ought to be improve rather than maintain.

- **It was moved by Director Klug and seconded by Director Kolowski that the Programs, Projects and Operations Subcommittee recommend to the Board of Directors that the NRD’s priority areas be adopted and that the proposed adoption schedule be approved.**

Roll call was taken on the motion. The motion carried on a vote of 5- 0.

Voting yes: John Conley, Klug, Kolowski, Tesar, Schwope
 Voting no: None
 Abstain: None
 Absent: None

FY 2011 Urban Cost Share Programs:

a. **Recreation Area Development:** Gerry Bowen noted that five applications were received for the Recreation Area Development Program. Three were from the City of Omaha, one from South Sioux City and one from Papillion. Gerry stated that the maximum share for this program is \$50,000. He gave a brief update on the projects that were submitted and provided a history of the program. He noted that the Recreation Area Development Program was established 10 to 15 years ago as a means of directing much needed funds to urban areas and to help increase park usage.

- **It was moved by Director Tesar and seconded by Director Kolowski that the Programs, Projects and Operations Subcommittee recommend to the Board of Directors that the applications from the City of Omaha for \$50,000 (Levi Carter Park), \$50,000 (Hummel Park), and \$24,000 (Trendwood Park), the City of Papillion**

for \$24,059, and the City of South Sioux City for \$23,574 be approved, for a total of \$171,633, subject to funding in the FY 2011 budget.

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

Voting yes: John Conley, Klug, Kolowski, Tesar
Voting no: Schwope
Abstain: None
Absent: None

b. Urban Drainageway Program: Gerry Bowen noted that two projects that were approved last year had components to account for this year and that one project would not need funding this fiscal year. There were 8 new projects submitted by Omaha, South Sioux City, La Vista and Bellevue. If all projects were funded the total necessary for this program would be \$4.1 million. Gerry gave a brief description of the projects and noted that all eight of the submitted projects met program guidelines and that the approval is subject to funding availability in the FY2011 budget.

- **It was moved by Director Schwope and seconded by Director Klug that the Programs, Projects and Operations Subcommittee recommend to the Board of Directors that the applications from the City of Omaha for \$120,000 (McKinley), \$150,000 (Maple), \$186,000 (Democracy Park), and \$142,698 (Happy Hollow), the City of LaVista for 237,996, the City of South Sioux City for \$700,950, the City of Bellevue for \$1,093,138 (Ft. Crook) and \$1,494,154 (Quail), plus \$300,000 for South Sioux City for a total of \$4,424,936, subject to funding in the FY 2011 Budget.**

Roll call was taken on the motion. The motion carried on a vote of 5- 0.

Voting yes: John Conley, Klug, Kolowski, Tesar, Schwope
Voting no: None
Abstain: None
Absent: None

c. Urban Conservation Assistance Program: Gerry Bowen described to the Subcommittee that this program was intended to cost share on minor projects and that the maximum amount was \$30,000 per project which was just updated last year. He noted that six new project applications were received. Five projects from Omaha and one project from South Sioux City for a total of \$105,000. Gerry gave a brief update on the projects and noted that they all met program guidelines.

- **It was moved by Director Kolowski and seconded by Director Klug that the Programs, Projects and Operations Subcommittee recommend to the Board of Directors that the application from the City of Omaha for \$30,000 (Goodman), \$24,000 (Keystone), \$30,000 (Common Ground), \$3,000 (Meadowlane), and \$6,000 (Barrington), and from the City of South Sioux City for \$11,600, for a total of \$104,600 be approved, subject to funding in the FY 2011 budget.**

There was discussion on the idea that a golf course, although public property, operates for profit and should not be considered for this program. An amended motion was made.

**Amendment
No. 1 to the
Motion on the
Floor**

It was moved by Director Schwope and seconded by Director Klug that the Programs, Projects and Operations Subcommittee recommend to the Board of Directors that the application from the City of Omaha for \$30,000 for Johnny Goodman Golf Course be struck from the proposed motion.

Roll call was taken on the amendment to the motion. The amendment to the motion failed on a vote of 2- 3.

Voting yes: Klug, Schwope
Voting no: Kolowski, Tesar, John Conley
Abstain: None
Absent: None

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

Voting yes: Klug, Kolowski, Tesar, John Conley
Voting no: Schwope
Abstain: None
Absent: None

d. Trails Assistance Program: Gerry Bowen briefed the Subcommittee on the two projects that were received for the Trails Assistance Program. One project was from Omaha and one from the City of Papillion. Gerry gave a description of the projects and noted that they met program guidelines and were subject to funding availability in the FY2011 budget.

- **It was moved by Director Klug and seconded by Director Kolowski that the Programs, Projects and Operations Subcommittee recommend to the Board of Directors that the applications from the City of Papillion for \$35,500, and the City of Omaha for \$29,980, for a total of \$65,480, be approved, subject to funding in the FY 2011 Budget.**

Roll call was taken on the motion. The motion carried on a vote of 5- 0.

Voting yes: John Conley, Klug, Kolowski, Tesar, Schwope
Voting no: None
Abstain: None
Absent: None

Stormwater Best Management Practices Program FY2011 Applications: Lori Laster indicated that seven applications were received for the Stormwater BMP program. She noted that this program was to address stormwater management that is not specifically to meet an ordinance requirement. The applicants were Omaha, Millard Public Schools, Bennington Public Schools and South Sioux City for a total of \$65,288. Lori briefly described each project. It was noted that we should have the grant recipients report back to the NRD on a yearly basis regarding the success or trials of their projects. There was discussion on the golf course project and whether a public golf course should be eligible for this program.

- **It was moved by Director Klug and seconded by Director Kolowski that the Programs, Projects and Operations Subcommittee recommend to the Board of Directors to approve the Benson Rain Garden Initiative application for \$10,000, the**

Orchard Park Bio-Retention Garden application for \$10,000, the Pervious Pavement Bridge Embankments application for \$10,000, the Johnny Goodman Golf Course Bio-Retention Garden application for \$10,000, the Cody Elementary School Drainage application for \$8,510, the Wetland Restoration Project application for \$10,000, and the Cardinal Park Rain Garden application for \$6,778, a total of \$65,288 for District Program 17.41, Stormwater BMP Program, subject to funding the in Fiscal Year 2011 budget.

Amendment No. 1 to the Motion on the Floor **It was moved by Director Schwope and seconded by Director Klug that the Programs, Projects and Operations Subcommittee recommend to the Board of Directors that the application from the City of Omaha for \$10,000 for Johnny Goodman Golf Course be struck from the proposed motion.**

Roll call was taken on the amendment to the motion. The amendment to the motion failed on a vote of 2- 3.

Voting yes: Klug, Schwope
Voting no: Kolowski, Tesar, John Conley
Abstain: None
Absent: None

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

Voting yes: Klug, Kolowski, Tesar, John Conley
Voting no: Schwope
Abstain: None
Absent: None

Keystone Trail Stabilization Project: Martin Cleveland described an erosion problem along the Keystone Trail which is in the area of the Harrison Street bridge and the Big Papio Creek. In order to resolve a reoccurring erosion problem, Kirkham Michael has designed a section of the trail with a curb and a curb inlet to catch runoff. The stormwater is then piped down to the creek. Martin noted that the main reason for the project is safety of trail users and also NRD staff who use this area for access. Two bids were received for the project and Lawn Smith and Co. was the low bidder. Although the low bid was higher than the engineer's estimate provided by Kirkham Michael, it was thought that there would be no significant gain by rebidding the project. The area where the work will take place is under the bridge and awkward for getting equipment in therefore it is believed that is the reason that the bids were higher than expected. Martin noted that he had checked references and that Lawn Smith and Co appears to be a reputable company.

- **It was moved by Director Klug and seconded by Director Kolowski that the Programs, Projects and Operations Subcommittee recommend to the Board of Directors that the General Manager be authorized to execute a contract for construction of the Keystone Trail Stabilization Project, with Lawn Smith and Co., for their total base bid (Sites A and B) of \$65,938.00.**

Roll call was taken on the motion. The motion carried on a vote of 5- 0.

Voting yes: John Conley, Klug, Kolowski, Tesar, Schwope
Voting no: None

Abstain: None
Absent: None

Glacier Creek Wetland/Stream Mitigation Bank Professional Services Contract: Amanda Grint gave a brief project description of the 80 acre site that was recently purchased as a wetland and stream channel mitigation site for the District. It was noted that a feasibility study was completed by Jacobsen Satchell and the individual who conducted that study is now employed with HWS Consulting. Amanda described the phases of the HWS proposal and the items that are included in the scope for the first phase. She requested that the consultant selection process be waived in this case because the individual who completed the feasibility study would likely be selected and there are not that many qualified individuals to complete the design. Also the waiver would allow for construction to begin this year.

- **It was moved by Director Tesar and seconded by Director Kolowski that the Programs, Projects and Operations Subcommittee recommend to the Board of Directors that the General Manager be authorized to execute the proposed professional services contract with HWS Consulting Group for the Glacier Creek Stream and Wetland Mitigation Bank Project in an amount not to exceed \$106,800, subject to changes deemed necessary by the General Manager and approved as to form by District Legal Counsel.**

Roll call was taken on the motion. The motion carried on a vote of 5- 0.

Voting yes: John Conley, Klug, Kolowski, Tesar, Schwope
Voting no: None
Abstain: None
Absent: None

Rumsey Station West Channel/Wetland Mitigation Bank and Monitoring Professional Services Contract: Amanda Grint gave a brief project description of the Rumsey West mitigation site that was purchased as an expansion to the Rumsey Station mitigation bank. This site will also be the location for Green Hearts, a children’s nature center. Amanda described the tasks in the HDR Engineering proposal and the items that are included in the scope. She requested that the consultant selection process be waived in this case because of the work that HDR Engineering has done on the existing Rumsey Station site and the ongoing work they have there, they would likely be selected and there are not that many qualified individuals to complete the design. Also the waiver would allow for construction to begin this year.

- **It was moved by Director Tesar and seconded by Director Kolowski that the Programs, Projects and Operations Subcommittee recommend to the Board of Directors that the General Manager be authorized to execute the proposed professional services contract with HDR Engineering for the Rumsey Station West Channel/Wetland Mitigation Bank Project in an amount not to exceed \$94,869, subject to changes deemed necessary by the General Manager and approved as to form by District Legal Counsel.**

Roll call was taken on the motion. The motion carried on a vote of 5- 0.

Voting yes: John Conley, Klug, Kolowski, Tesar, Schwope
Voting no: None

Abstain: None
Absent: None

NRC Roof Replacement Bids: Jerry Herbster updated the Subcommittee on the NRC building roof replacement bids. He noted that bids were received on March 30th and there were 12 bids for asphalt shingles and 4 bids for a metal roof. Jerry noted that Roof Tech did not submit the complete bid forms and therefore should not be included in the decision. He also noted that the low bid for asphalt shingles, 123 Exteriors, had very little local experience and did not provide a project that was similar to the size of the NRC building. Further, they appeared to be bringing laborers from another city to complete the work. Based on those items, staff recommends that Stonebrook be awarded the bid for asphalt shingles. The directors discussed the metal roof versus the asphalt and the costs. The warranty of the asphalt shingles is 50 years and the metal roof is a lifetime warranty. A representative from RW Engineering spoke on the specifications provided to the contractors and discussed that the contractors were to verify that all workers were legal citizens. Representatives from Stonebrook addressed the Subcommittee and gave a brief description of their company and the metal roof product. They noted that if they were awarded the project they would look at value engineering options and submit changes to the specifications that may better fit the needs of the District.

- **It was moved by Director Schwope and seconded by Director Kolowski that the Subcommittee recommends to the District that the bid of Stonebrook Roofing at \$146,700 for a metal roof and gutters at \$5,701.00 be accepted.**

Roll call was taken on the motion. The motion carried on a vote of 3 - 2.

Voting yes: Kolowski, Tesar, Schwope
Voting no: John Conley, Klug
Abstain: None
Absent: None

Conservation Assistance Program: Director Japp addressed the Subcommittee to increase funding for the Conservation Assistance Program for spring projects. He noted that there are constituents in his district who wish to complete projects this spring but there are no funds available. He suggested moving some funding from the special watershed fund to the conservation fund in order to fund these projects. Ralph Puls and John Winkler noted that last month the Board approved a resolution to exceed the programs budget to fund work that was completed in the fall. At that time no additional money was requested for spring projects. It was noted that the NRCS does have approximately \$60,000 that they would be able to distribute as EQUIP funds for spring projects if the NRD provides matching money. Ralph Puls noted that to date approximately \$900,000 has been spent in the Conservation Assistance Program and if the Board wishes to expend additional funds on that program it could take action. It was noted that the agenda item was not an action item and therefore Director Japp indicated that he would prepare an action item for the Board meeting's agenda on Thursday, April 8th.

Adjournment: Being no further business, the Subcommittee adjourned at 9:20 p.m. by acclamation.