

**Programs, Projects & Operations
Subcommittee Meeting
February 9, 2010
6:30 p.m.
Agenda**

Programs, Projects & Operations:

John Conley, Chairman
Rich Tesar, Vice-Chairman
David Klug
Rick Kolowski
John Schwope

Alternate Members: Fred Conley
Tim Fowler

Staff Liaison: Gerry Bowen
Martin Cleveland
Amanda Grint
Ralph Puls
Dick Sklenar *

1. Meeting Called to Order – Chairperson John Conley
2. Notification of Open Meetings Act Posting and Announcement of Meeting Procedure – Chairperson John Conley
3. Quorum Call
4. Adoption of Agenda
5. Proof of Publication of Meeting Notice
6. Review and Recommendation on City of Valley – North Spruce Street Drainage – Gerry Bowen, Mayor Mary Caffey, City of Valley and Jim Olmstead, Olmstead and Perry
7. Report on Trailfest – Gerry Bowen and Don Greer, UNO
8. Review and Recommendation on City of LaVista Thompson Creek Floodplain Buyout Grant – Lori Laster and John Kottmann, City of LaVista
9. Review and Recommendation on Request from Olsson Associates for Additional Professional Services Fees for Silver Creek Watershed – Ralph Puls and Paul Woodward, Olsson Associates
10. Review and Recommendation on NRCS Request for Approval of Acknowledgement of Section 1619 Compliance – Ralph Puls
11. Adjourn

Memorandum

To: Programs, Projects and Operations Subcommittee

Subject: Urban Drainageway Program – City of Valley (Spruce Street Drainageway)

Date: February 1, 2010

By: Gerry Bowen

In 2009, the City of Valley requested cost-share assistance on improving the North Spruce Street Drainageway (see attached map). The text of the memo is shown below:

“The City of Valley has requested financial assistance in improving the North Spruce Street Drainageway in the northern part of the city. The estimated cost of the project is \$310,800. The City has obtained a Hazard Mitigation Grant through the Nebraska Department of Natural Resources for \$233,100 for the project. The local share of the project costs is estimated to be \$77,700. The City is requesting 50% of this amount, or \$38,850 from the District to complete the funding package.”

The District approved the project and included \$38,850 in the FY 09 Budget. There was some difficulty with the Hazard Mitigation funding such that the project was put on hold, therefore, funds were not included in the FY10 Budget.

Currently, the City has been notified that Hazard Mitigation Funding will not be available for the project, mainly due to the City anticipating use of eminent domain to acquire some of the land rights necessary for the project. This makes the project ineligible for funding under that program.

The City has revised their request for 60% of the total estimated cost (\$310,800), or \$186,480. They are further requesting that the District finance the City’s share of the project costs, \$124,320 less \$38,850 currently in their budget, or \$85,470). The City would then reimburse the District the remainder over a period of four years as shown below:

FY 11 District Expense	\$271,950.00
FY 12 District Revenue	\$21,367.50
FY 13 District Revenue	\$21,367.50
FY 14 District Revenue	\$21,367.50
FY 15 District Revenue	\$21,367.50

- **It is recommended that the Subcommittee recommend to the Board that the City of Valley’s request for cost share assistance under the Urban Drainageway Program be approved in the amount of \$186,480, and that the General Manager be authorized to execute an interlocal agreement with the City to finance the City’s share of the project costs, or \$85,470, subject to minor changes by the General Manager and approved as to form by District Legal Counsel.**

Agenda Item 7

7. Report on Trailfest – Gerry Bowen and Don Greer, UNO

Report will be given at the Subcommittee Meeting.

Memorandum

To: Program Projects and Operations Subcommittee

From: Lori Laster, Stormwater Management Engineer

Date: February 1, 2010

Updated: February 9, 2010

Re: City of La Vista Thompson Creek Floodplain Buyout Grant

In May 2008, the City of La Vista applied for a Hazard Mitigation Grant Program grant through FEMA for the purchase of 24 properties along Thompson Creek. The existing homes along Thompson Creek east of 84th Street started to experience flooding and erosion problems due to urbanization and channel degradation in the early 1970s. Several projects have been undertaken since the late 1970s to address the flooding and erosion. The flooding potential had been reduced by the construction of a stormwater detention structure in conjunction with the deepening and widening of the creek channel by erosion. However, the channel degradation has resulted in channel bank stability problems which now threaten public utilities such as power lines located along the creek and threaten private garages and various outbuildings. The channel degradation is continuing and will ultimately threaten the principal dwelling structures on these lots. The location of the creek in the back yards of the existing lots makes access for public agencies to perform maintenance or install controls on the creek impossible where privately owned lots abut both sides of the creek.

The City of La Vista proposes to acquire 24 of the existing homes so that there will be continuous access to at least one side of Thompson Creek over public property. This will facilitate the repair of erosion issues in a timely manner, the relocation of existing power lines, and allow for the eventual implementation of construction measures where needed to protect the 34 homes that will be left on the south side of Thompson Creek in this area. Such construction measures are not included in the current project.

Once the properties are purchased, the City of La Vista will demolish the structures and maintain the lots as open space to allow for ease of maintenance of Thompson Creek. All land purchases will be voluntary. Eminent domain will not be used to acquire properties for this project.

The total cost of the project is \$2,721,240. The City of La Vista received Hazard Mitigation Grant Program funding for 75% of project costs (\$2,040,930). They are required to provide a 25% match in the amount of \$680,310. They are requesting that the District provide half of the local match, \$340,155, payable over three years.

- **Management recommends that the Subcommittee recommend to the Board of Directors that the District approve the City of La Vista request to cost share on the local contribution in the amount of \$340,155 payable over three years.**

MEMORANDUM

TO: Programs, Projects & Operations Subcommittee

SUBJECT: Request from Olsson Associates for Additional Professional Services Fees for Silver Creek Watershed

DATE: February 1, 2010

FROM: Ralph Puls and Paul Woodward – Olsson Associates

At their November 18, 2004, meeting, the P-MRNRD Board of Directors approved an Agreement with the Natural Resources Conservation Service that would accelerate the design and construction of 10 of the erosion/sediment control dams remaining in the Silver Creek Watershed Project (a map of the project area is attached). This Agreement called for the selection of a Technical Service Provider (TSP) to provide the necessary professional services. Olsson Associates was the Technical Service Provider that was chosen to do this work. A contract with Olssons was approved by both the P-MRNRD and the NRCS; the dollar amount of this contract was \$416,742.00. The costs were to be divided equally between the District and the NRCS. The same was true for the construction costs for the 10 dams in the plan; they were to be shared by the District and the NRCS.

To date, eight of the structures have been built, one has been deleted from the contract and one structure, Site 11, remains to be built. The costs to complete this work and thus to complete the work contracted for have increased since the project was approved.

Attached is a letter from Olsson Associates that explains in detail their request for additional professional service fees in the amount of \$42,180. If approved, it would increase the contract to \$619,263.24.

- **It is recommended by staff that the Subcommittee recommend to the Board that the maximum, not to exceed amount for professional services contract with Olsson Associates for the Silver Creek Watershed Project, be increased to \$619,263.24**

MEMORANDUM

TO: Programs, Projects and Operations Subcommittee

SUBJECT: NRCS request for approval of ACKNOWLEDGEMENT OF SECTION 1619 COMPLIANCE

DATE: January 28, 2010

FROM: Ralph Puls, Land/Water Programs Coordinator

The P-MRNRD in its cooperative efforts with the Natural Resources Conservation Service (NRCS) has access to information about landowners/cooperators that must remain confidential per NRCS requirements. The NRCS has requested that the P-MRNRD acknowledges these requirements and agree to maintain this confidentiality through the attached "ACKNOWLEDGEMENT OF SECTION 1619 COMPLIANCE". The 2008 Farm Bill provides that the USDA, or any other "contractor or cooperator" of the USDA, which in this case would be the P-MRNRD, not disclose (A) information provided by an agricultural producer or owner of agricultural land concerning the agricultural operation, farming or conservation practices, or the land itself, in order to participate in the programs of the Department. The ACKNOWLEDGEMENT OF SECTION 1619 COMPLIANCE continues with a lengthy description of other stipulations; stipulations that the P-MRNRD must agree to in order to continue to provide assistance to District cooperators.

The most common cooperative efforts of the P-MRNRD and NRCS that would apply to Section 1619 would be the planning, design and implementation of conservation measures, e.g. terrace systems, erosion control dams and other conservation practices. The P-MRNRD Field Office staff including the Field Representatives and Program Assistants must have access to the farmer/landowner information in order to do the required work. Therefore it is essential that the P-MRNRD agrees to acknowledge these requirements in order to implement these programs that are very important to the P-MRNRD.

- **It is recommended that the Programs, Projects and Operations Subcommittee recommend to the P-MRNRD Board of Directors that the SECTION 1619 COMPLIANCE agreement between the Natural Resources Conservation Service and the P-MRNRD be approved.**