

**Papio-Missouri River Natural Resources District  
Board of Directors Meeting  
Suggested Resolutions/Recommendations  
February 9, 2012**

**\*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 Directors from the February 9, 2012, Board of Directors Meeting is/are excused:

None to date

Agenda Item 7. A. and B.

BE IT RESOLVED that the January 12, 2012 Papio-Missouri River NRD Board meeting minutes; and the January 11, 2012 Dakota County Rural Water Advisory Board meeting minutes are approved as printed.

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

BE IT RESOLVED that the minutes of the February 7, 2012, 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. Interlocal Agreement with City of Omaha for Omaha Levee Rehabilitation – Recommendation that the General Manager be authorized to execute the proposed Interlocal Agreement with the City of Omaha for the Omaha Levee Rehabilitation providing cost sharing assistance up to \$2,000,000, in the form as presented to the subcommittee and subject to changes deemed necessary by the General Manager and approved as to form by District Legal Counsel.
2. Lied Platte River Bridge Research Station – Recommendation that the General Manager be authorized to enter into the proposed Memorandum of Understanding with the University of Nebraska for the Lied Platte River Bridge Research Station project in the form as presented to the subcommittee.

3. MoPac Trail (Hwy. 50 to Lied Bridge) Engineering Fees – Contract with Ehrhart Griffin and Associates – Recommendation that the General Manager be authorized to execute proposed amendment No. 2 of the professional services contract with Ehrhart Griffin and Associates for the MoPac Trail Project (Hwy. 50 to Lied Bridge) increasing the not-to-exceed engineering fee amount from \$323,903.68 to \$468,414.70.
4. Elkhorn River IPA – Operation and Maintenance Assessment – Recommend that the following resolution be adopted:

Resolution  
Board of Directors  
Papio-Missouri River Natural Resources District  
Elkhorn River Bank Stabilization Improvement Project  
Annual Operation and Maintenance Assessment  
February 9, 2012

BE IT RESOLVED by the Board of Directors of the Papio-Missouri River Natural Resources District that each of the lots and parcels of ground in Douglas County, Nebraska, identified in the “2012 Assessment Schedule,” attached hereto as Exhibit “A” and incorporated herein by reference, has been specially benefited by the District’s program of operation and maintenance upon the construction and capital improvements involved with the District’s Elkhorn River Bank Stabilization Improvement Project; that special benefits from such program of operation and maintenance are correctly set out in the respective amounts appearing opposite the designation of said lots and parcels of ground in said schedule; that such respective amounts appearing opposite said lots and parcels of ground in said schedule are hereby levied as special assessments against such lots and parcels of ground; and, that said assessments shall become due fifty days after date, to-wit: shall become due on March 30, 2012, and may be paid within said time without interest, but if not paid by March 30, 2012, each such assessment shall draw interest at the rate of nine per cent (9%) per annum from and after date until delinquent; and, from and after date that each installment become delinquent, shall draw interest at the rate of fourteen per cent (14%) per annum until paid.

BE IF FURTHER RESOLVED that the Secretary of the District shall certify a copy of this levy resolution to the County Clerk and County Treasurer of Douglas County, Nebraska, for spreading the same on the tax records of such County, and such special assessments shall be collected by the County Treasurer as provided by law.

5. Missouri River Levee System Units R613 and R616 Cooperation Agreement with US Army Corps of Engineers Rehabilitation of Project – Recommendation that the Cooperation Agreements with the US Army Corps of Engineers for the rehabilitation of the Missouri River Levee System Units R613 and R616, as presented to the Subcommittee, be ratified.
6. Missouri River Floodway Purchase Program for Iske Place and Elbow Bend – Recommendation that the General Manager write a letter to the City of Bellevue requesting reconsideration of its local cost-share contribution for the Federal Emergency Management Agency program for buyout of properties located at Iske Place and Elbow Bend in Sarpy County, and that District staff further work with Bellevue officials to help remedy concerns by residents in said affected areas.

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

BE IT RESOLVED that the minutes of the February 7, 2012, 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. Accounts over 110% - Accounting Fees (01-01-000-4391) and Service Awards and Leave Paid Out (01-01-000-4154) – Recommendation that accounts 01-01-000-4391, Accounting fees and 01-01-000-4154 Service Awards and Leave Paid Out be allowed to exceed 110% of budgeted amounts.
2. Western Sarpy Levee – USA (Department of the Army) Emergency Access Temporary License Agreement – Recommendation that the General Manager be authorized to execute an Emergency Access Temporary License Agreement with the USA (Department of the Army) for the Western Sarpy Levee Fairview Road Access, in the form as presented to the Subcommittee meeting.
3. Pigeon/Jones Site 15 Project Right of Way Purchase Agreements: Recommendation that Management be authorized and directed to increase the amounts of the offers made by the District to owners of rights-of-way needed by the District for the Pigeon-Jones Creek Site 15 Project, in accordance with the proposed schedule of revised offers dated February 7, 2012, presented by Management to the Finance, Expenditure and Legal Subcommittee in closed session on February 7, 2012, and maintained in the District's confidential files.

**\*Agenda Item 9.C. – Personnel, Legislative and Public Affairs Subcommittee**

BE IT RESOLVED that the minutes of the February 7, 2012, meeting of the Personnel, Legislative and Public Affairs Subcommittee are accepted, incorporated in these minutes, and the following recommendation(s) of the Subcommittee are hereby adopted and approved.

- Authorize the General Manager to Study the Process and Requirements for a District Wide Ballot Initiative – Recommend that the following resolution be adopted:

WHEREAS, the Papio-Missouri River Natural Resources District faces numerous challenges in the areas of flood control and water quality; and

WHEREAS, the funding necessary to address these challenges is beyond the means of the District's annual Budget; and

WHEREAS, the Nebraska Legislature provided the District with authority in 2009, under certain limited conditions, to issue flood protection and water quality enhancement bonds in order to facilitate the efficient financing of necessary flood control and water quality enhancement projects; and

WHEREAS, the levy for such bonds may not exceed one cent on each one hundred dollars of taxable valuation and must be counted within the District's existing tax levy limit, unless a ballot measure is initiated which seeks voter approval to authorize the District to levy an additional one cent on each hundred dollars of taxable valuation.

WHEREAS, the District's statutory authority to issue such bonds expires on 12-31-2019 and the nearest statewide primary or general election after the current year is in 2014; and

WHEREAS, the Board will require additional information in order to make an informed decision whether or not to initiate voter consideration of exercising this additional bonding authority;

NOW, THEREFORE, be it resolved that the Board of Directors of the Papio-Missouri River Natural Resources District hereby authorizes and directs its General Manager to develop a plan and outline for Board consideration detailing the steps and factors involved in presenting a ballot issue to the District's voters for approval or rejection of issuance of flood protection and water quality enhancement bonds.

**\*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 January, 2012, 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 January, 2012, 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.