

Memorandum

To: Finance, Expenditure & Legal

Re: Legislative Representative Contract Renewal

Date: July 7, 2007

From: John Winkler, General Manager

The current one year contract between the Papio Missouri River NRD and Husch Blackwell Sanders expired on June 30, 2009. Husch Blackwell Sanders proposes to enter into a new one year contract with the District beginning July 1, 2009 thru June 30, 2010 for a proposed retainer fee of \$60,000, with equal monthly payments of \$5,000.00.

Per the attached Extension of Terms of Engagement letter Husch Blackwell Sanders would continue furnishing intergovernmental representation and professional lobbying services to the District with respect to legislative matters of interest before the Nebraska Unicameral and the Executive Branch for the period of the proposed contract.

Per the Client Scope and Representation of the proposed engagement proposal the District will be faced with a myriad of legislative challenges this next legislative session. Therefore, it is imperative that the District retain a professional presence in Lincoln to interface with the legislature and the executive branch on a consistent and professional basis.

Management recommends that the subcommittee recommend to the Board of Directors that the General Manager be authorized to execute the proposed contract with Husch Blackwell Sanders, LLP, for the provision of intergovernmental and professional lobbying services per the terms and conditions outlined in the attached agreement.

June 1, 2009

JUN 3 2009

VIA E-MAIL

Mr. John Winkler
General Manager
Papio-Missouri River Natural Resources
District
8901 South 154th Street
Omaha, NE 68138-3621

Re: Extension of Terms of Engagement

Dear John:


We are pleased to request a one-year renewal and extension of the Engagement letter dated May 30, 2008.

This legal and legislative counsel will be provided at the same monthly retainer fee of \$5000 per month, to be effective beginning July 1st, 2009 and concluding on June 30, 2010.

Client And Scope of Representation. All services specified in the original agreement shall be provided as directed by the client. The professional team remains the same. Special attention will be given to these areas of particular concern to the Papio-Missouri River Natural Resources District:

- (1) Monitoring and counsel on Interim Study of the consolidation of Natural Resource Districts, directed by Resolution No. LR 181, and eleven (11) other related natural resource interim studies listed in the attachment to this extension agreement that could significantly impact the District's business; and
- (2) Advocacy following the success of the enactment of LB 160, with lawmakers and executive Branch policy makers to avert attempts to amend or add zoning authority limitations, monitor any new legislation introduced in the 2010 Session as directed by the General Manager and the Board; and
- (3) Management and enhancement of the relationships established from the successful LB 160 efforts to further the reputation and continuing effectiveness of the Papio Missouri River Natural Resource District's role with local and county governments of the District, and particularly with the Legislative and Executive Branch agencies of the State of Nebraska as directed by the General Manager and the policy position of the Board.

Respectfully submitted,



Hal Daub

Hjd:jlhw

ACCEPTED:

Papio-Missouri River Natural Resources District

By: _____

Name: John Winkler

Title: Manager, Papio-Missouri River Natural Resource District

Dated: _____

SCHEDULE OF CHARGES FOR INCIDENTAL SERVICES

Effective 1/1/2008

This schedule identifies charges that will be added to our invoices for incidental services we provide and costs we incur in connection with our legal services. If we have reached a separate written agreement with you concerning any of these charges, the terms of that separate agreement will prevail over any conflicting provisions of this schedule.

Long distance telephone calls	Not to exceed 50% of the AT&T prevailing standard tariff on all long distance calls based on measured use
Outgoing faxes	\$1.00 per page, plus long distance charges if applicable
Incoming faxes	No Charge
Postage	No Charge for mailings under \$1.00
Internal Messengers/Couriers/Delivery	In-House Messengers charges are billed at \$60 per hour, in 6 minute increments
3rd party couriers and delivery	Charges to client is billed to client at courier's standard charge
Secretarial overtime	Secretaries will be billed at a rate of \$35.00 per hour
Computer-assisted legal research Westlaw and Lexis	Charge amount not to exceed 95% of the standard Lexis or Westlaw transactional rates
Hosting of internal databases	No Charge
Paper and electronic file storage during engagement	No Charge
Paper file storage following conclusion of engagement	\$0.17 per bankers' box per month
Electronic file storage following conclusion of engagement	\$50.00 per gigabyte per year

Practice Support/General Services Scanning	
Black & White, Letter & Legal Paper	
Light Handling	\$0.06 per page
Medium Handling	\$0.09 per page
Extensive Handling	\$0.13 per page
Color	\$0.25 per page
Electronic Bates Numbering	
	\$0.02 per page
Electronic Document Production	
	\$0.09 per page
OCR Processing	
	\$0.02 per page
CD/DVD loading and update to Summation or Concordance database	
	\$75.00 per CD/DVD
Electronic Document Processing	
	\$0.10 per page
Format Conversion (Example: TIF to PDF)	
	\$0.02 per page
Printing Services	
Black and White	\$0.06 per page
Color	\$0.25 per page
Copying Services	
Black and White	Not to exceed \$0.20 per page for Black & White or \$0.75 per page for Color. Pricing dependent on the level of manual handling required.
Color	
Media Services	
Digitizing of Video	\$35.00 per tape/DVD/CD
Synchronizing of Text to Video	\$25.00 per Video Hour (pro-rated)
CD Creation/Duplication	\$15.00 per CD
DVD Creation/Duplication	\$30.00 per DVD
VHS Duplication	\$10.00 per VHS
Video Conferencing	
Husch initiated; 2 locations	\$100 per hour/per location: charges passed directly to client
Husch initiated; each additional location	\$100 per hour/per location: charges passed directly to client
Non Husch Initiated – each additional location	No Charge

In certain circumstances, we receive and retain discounts from our third-party contractors based on our volume use of their services.

Interim Study List

The following provides a list of interim studies related to natural resources introduced this session. The introducers name follows the one-line summary. Hearings on interim studies are usually held late summer through December; however, it is not required that all interim studies have a hearing.

- **LR 101** - Interim study to examine issues relating to the impact of additional well development on water use by domestic wells in areas of the state where ground water supplies are limited. Haar.
- **LR 103** - Interim study to examine the statutory duties of riparian landowners adjacent to natural streams and other watercourses for the control and removal of noxious and invasive vegetation. Agriculture Committee.
- **LR 115** - Interim study to review issues under the jurisdiction of the Natural Resources Committee. Langemeier.
- **LR 122** - Interim study to examine the feasibility of making the Game and Parks Commission a code agency. McCoy.
- **LR 124** - Interim study to examine the use of eminent domain by natural resources districts for the taking of private land for development or management of recreational trails or corridors. Pankonin.
- **LR 128** - Interim study to examine issues relating to the laws of Nebraska governing the management and use of Nebraska surface water and ground water. Langemeier.
- **LR 141** - Interim study to examine the subject matter of LB 474, 2009, that would have required the state and its governmental subdivisions to pay property tax on property that was not being used for a public purpose. Stuthman.
- **LR 181** - Interim study to examine the feasibility and benefits of restructuring the natural resources districts. McCoy.
- **LR 214** - Interim study to examine local government levy limits and property tax proposals that have been implemented since 1995. Revenue Committee.
- **LR 222** - Interim study to examine granting the Department of Environmental Quality the statutory authority to file and collect environmental liens on property. Langemeier.
- **LR 235** - Interim study to examine water issues. Christensen.
- **LR 240** - Interim study to examine ideas for encouraging responsible livestock development through participation and partnerships between communities, counties, organizations and state agencies. Christensen.