

**Finance, Expenditure & Legal  
Subcommittee Meeting  
July 6, 2004  
8:00 p.m.  
Agenda**

**Finance, Expenditure & Legal Subcommittee Members:**

Melissa Gardner, Chairperson  
Dick Connealy, Vice-Chairperson  
John Conley  
Barb Nichols  
Jim Thompson

Alternate Members: Joe Neary

Staff Liaison: Jim Becic  
Martin Cleveland \*  
Jack Lawless

Dick Sklenar  
Trent Heiser

1. Meeting Called to Order – Chairperson Gardner
2. Quorum Call
3. Adoption of Agenda
4. Proof of Publication of Meeting Notice
5. Review and Recommendation on Papio Creek Watershed PL566 Structure D-17, Waterford Development, L.L.C., Easement Agreement – John Fullenkamp, Fullenkamp, Doyle & Jobeun; and Martin Cleveland
6. Review and Recommendations on FY 2005 Budget – Steve Oltmans
  - a. Review and Recommendation of 1% Increase to the Budgeted Restricted Funds for Lid Calculation for FY 2005 Budget

NOTE: Dates to Remember for P-MRNRD FY 2005 Budget:

- Public Input Meeting at July 8, 2004 Board Meeting
  - Budget Hearing and Adoption of FY 2005 Budget at August 12, 2004 Board Meeting
  - Set Tax Levy for FY 2004 at September 9, 2004 Board Meeting
7. Review and Recommendation on Western Sarpy/Clear Creek Flood Reduction Project – Sarpy County Side Riverside Cabins Purchase Agreements [*Executive Session*] – Jack Borgmeyer, Midwest Right-Of-Services, and Martin Cleveland
  8. Other Items of Interest
  9. Adjourn

## MEMORANDUM

TO: Finance, Expenditure and Legal Subcommittee

FROM: Martin P. Cleveland

SUBJECT: Papio Creek Watershed PL566 Structure D-17  
Waterford Development, L.L.C. Easement Agreement

DATE: June 22, 2004

The D-17 Project area with District owned dam and 30 acre lake is located near 144<sup>th</sup> and Ida Street (see attached location map) and is surrounded by the Waterford SID residential development. The District owns approximately 33 acres of the site and has an easement from the Corps of Engineers for the remainder of the area.

Recently Waterford Development, L.L.C., requested permission to construct, operate, maintain up to 2 acres of wetlands on District property. This wetland is required Corps of Engineers Section 404 mitigation to replace wetlands filled during the development grading in late 1990's. As a result of a oversight, Waterford Development neglected to construct the mitigation wetland earlier and a recent compliance check by the Corps revealed this error.

Attached is a proposed agreement to allow Waterford Development to construct, operate, and maintain up to 2 acres of wetland on District property. Waterford would pay the District \$15,000 for right to build this 2 acre wetland.

It is Management's recommendation that the Subcommittee recommend to the Board that the General Manager be authorized to execute an easement agreement with Waterford Development, L.L.C. for a wetland mitigation site on Papio Creek watershed PL566 site D-17 lands, subject to changes deemed necessary by the General Manager and approved as to form by District legal counsel and Nebraska Department of Natural Resources approval.

Enclosure

CC: John Fullenkamp; Fullenkamp, Doyle & Jobeun

# MEMORANDUM

TO: FEL Subcommittee

SUBJECT: FY 2005 Proposed Budget – Draft 2

DATE: June 29, 2004

FROM: Steven G. Oltmans, General Manager

Attached is the FY 2005 Budget – Draft 2. Because the Subcommittee and Board meetings are so early, there are still several unknowns, i.e., final revenues/expenditures, cash on hand, Treasurer's balance, valuations, final IPA budgets, etc.

## Budget Assumptions:

- ❖ **5% increase in valuations is used to calculate the tax levy. Final valuations are not available until mid August. We did receive a preliminary valuation from Sarpy County which reflects a 7.65% increase. Last year's valuation increase was 4.89%.**
- ❖ **\$516,000 budgeted for Necessary Cash Reserve.**
- ❖ **\$5,267,000 estimated for General Cash on Hand as of June 30, 2004.**
- ❖ **The expense and revenue figures used are as of June 25, 2005 and do not reflect final figures. Final figures will not be available until after the July 8th Board meeting when June expenditures are approved.**

Since the June 10, 2004, meeting there have been some changes, i.e., carry over expenditures to FY 2005, state aid, etc. I have listed these necessary adjustments to revenue and expenditures accounts separately for your review:

### *Necessary Adjustments - Revenue Accounts*

	<i>Acct #</i>	<i>Description</i>	<i>Cuts (-) Adds (+)</i>
<i>Page 3</i>	<i>#3000</i>	<i>Cash on Hand – Increased to \$5,267,000 vs. \$5,000,000 to reflect Urban Drainageway and Rec Area Development Applications carried over to FY 2005</i>	<i>+267,000</i>
<i>Page 3</i>	<i>#3010</i>	<i>State Aid – Notification received from State. FY 2005 amount \$508,86 vs. 500,000 estimate</i>	<i>+8,862</i>

Page 15	#3130	Misc. Chem, wells, buffers – Increased to \$29,000 vs. 8,800 to reflect increase in Buffer Strip Program.	+ 20,200
Page 15	3133	Misc. Savannah Shores Basin – New Account. Reimbursement for construction - \$50,000	+ 50,000
Page 17	#3010	Trails – State/TEA 21 – Increased to \$210,000 vs. \$100,000. Reimbursement for MoPac trail (carry over from FY 2004).	+ 110,000

### Necessary Adjustments - Expenditure Accounts

	Acct #	Description	Cuts (-) Adds (+)
Page 3	#4153	Workers Compensation – add \$8,000 per preliminary premium quote (\$98,000 vs. \$90,000).	+ 8,000
Page 3	#4250	Insurance – Decrease to \$163,500 vs. \$175,000. Deductible for general liability has been increased to \$10,000 and deductible for property has been increased to \$5,000, saving approximately \$11,500.	- 11,500
Page 4	#4398	Special Planning/Engineering – Decrease to \$132,000 vs. \$150,000. Zorinsky Basin paid in FY 2004.	- 18,000
Page 14	#4382	Elk/Pigeon Creek. Increase to \$40,000 vs. \$20,000.	+ 20,000
Page 14	#4383	Urban Drainageway Project – Increase to \$303,502 vs. \$178,202. Carry over City of Omaha project - \$122,300.	+ 122,300
Page 15	#4410	Clean Lakes Construction – Increase to \$350,000 vs. \$250,000. \$100,000 added for construction of Savannah Shores basin.	+ 100,000
Page 16	#4387	Recreation Area Development. Increase to \$345,525 vs. 192,025. Carry over Omaha (Kiwans Park) - \$50,000, City of Bellevue – \$46,000 and Gretna – \$57,700 applications.	+ 153,700
Page 17	#4410	Trails – Construction Costs. Increase to \$896,787 vs. \$649,787. \$220,000 added for carry over costs for MoPac Trail.	+220,000

We will not be able to calculate the lid computation until final revenues and expenditures are available. These will not be available until after the July 8<sup>th</sup> Board meeting. Therefore, I am asking the Board to authorize the GM to make any necessary adjustments to accounts to ensure that the District is in compliance with state statutes regarding the lid.

**It is the recommendation of the GM that the Subcommittee recommend to the Board that Draft-2 of the P-MRNRD FY 2005 budget be approved as the proposed FY 2005 budget and forwarded for review at the Budget Hearing at the August 12, 2004, Board Meeting, subject to changes deemed necessary by the General Manager to ensure that the District is in compliance with state statutes regarding the lid.**

Dates to Remember for P-MRNRD FY 2005 Budget:

- ➔ Public Input Meeting at July 8, 2004 Board Meeting
- ➔ Budget Hearing and Adoption of FY 2005 Budget at August 12, 2004 Board Meeting
- ➔ Set Tax Levy for FY 2005 at September 9, 2004 Board Meeting

Pt/budget/FY2004memo-draft 2

## DRAFT FACT SHEET

### FY 2005 BUDGET – DRAFT - 2

	FY 2004	FY 2005
<b>TOTAL OPERATING BUDGET</b>	\$24.04 million	\$31.9 million
<b>PROPERTY TAX LEVY</b>	0.030637	0.040637*
<b>PROPERTY TAX</b>	\$10,701,231.41	\$14,976,079
<b>STATE AID:</b>	\$ 504,395.76	\$516,000
<b>PROPERTY VALUED AT \$100,000</b>	\$30.63	\$40.63

\* Reflects an overall 5% increase in property tax revenues. This is an estimate. Preliminary valuation from Sarpy County = 7.65% increase. Final valuations will not be available from the County Assessors Offices until mid August.

This draft budget hopefully will be in compliance with provisions of Nebraska state statutes. The District is limited to a 2.5% increase in restricted funds plus growth, if the growth exceeds 2.5%. The Board can also exceed the limit by 1% with a ¾ vote of the members. The following items are lid exceptions that would apply to the District:

1. Capital Improvements (acquisition and improvements to real property)
2. Interlocal Agreements/Joint Public Agency Agreements
3. Repairs to infrastructure damaged by a natural disaster.

The 2.5% lid applies to General expenditures such as the Directors' per diem and expenditures, District's insurance coverage, equipment/vehicles, salaries, etc.

The budget worksheets are divided into 8 major budget categories: General Administration, Information and Education, Flood Prevention, Erosion Control, Water Quality, Recreation, Forestry, Fish and Wildlife and Improvement Project Areas. Each major project is shown on a separate sheet in the budget document detailing revenues and expenses for specific projects.

## **BUDGET SUMMARY (Major Programs and Projects):**

### **GENERAL ADMINISTRATION:**

- ◆ Dakota County Service Center in Dakota City, NE \$958,000

### **FLOOD CONTROL:**

- ◆ West Branch Papio Creek Flood Improvement (36<sup>th</sup> to I-80) \$1,944,000
- ◆ Flood Control – Nonstructural (Flood warning system and Ice Jam Contract) \$170,000
- ◆ Big Papio Channel Improvement Project (West Center Road to Blondo Street) \$523,375
- ◆ Floodway Purchase Program (Elbow Bend – south of Bellevue, Cole Creek in Omaha and acquisition of floodway properties in Douglas and Sarpy Counties) \$1,307,000
- ◆ Western Sarpy/Clear Creek Project \$3,445,000
- ◆ General Project Maintenance – includes on-going maintenance for District projects, i.e., Union Dike, Elkhorn River, Little Papio, R-613, PL 566 dam sites, etc. \$613,000
- ◆ Papio Dam Sites – Private/Public Partnerships that provide joint flood control and rec benefits.
  - ❖ Professional Services \$100,000
  - ❖ Land Rights \$500,000
- ◆ Papio Reservoir Sites – Sinking Fund - Flood control/multi purpose reservoir(s) are of the utmost importance to the Greater Omaha Area. The Papio Watershed truly has a very high potential for loss of life and property damage from flooding. As urban development continues at a rapid pace, the NRD needs to be more aggressive on achieving the construction of more flood control reservoirs. Opportunities for such are waning, thus, the recommendation for an additional one cent (\$3.5 million) earmarked for the sole purpose of building more reservoirs in a timely manner is being proposed at this time. \$3,560,000

### **EROSION CONTROL:**

- ◆ Small Dam Program \$22,000
- ◆ Urban Drainageway Cost Share Program \$300,502
  - ❖ Elkhorn – \$75,632
  - ❖ LaVista - \$102,570
  - ❖ Omaha (Carry Over) - \$122,300
- ◆ Conservation Assistance Program (Soil conservation/water quality cost-sharing with landowners. Includes special watershed projects, i.e., Silver Creek in Burt County, and Pigeon/Jones Creek in Dakota County.) \$990,000

### **WATER QUALITY:**

- ◆ Papio Creek Watershed Partnership (Partnership w/communities \$663,000

Within the watershed to address water quality and quantity concerns)

- ◆ Sarpy Water/Wastewater Study \$50,000
- ◆ Clean Lakes – Construction of Zorinsky Lake Basin #3 (3<sup>rd</sup> of 3 payments) - \$250,000; Savanah Shores Basin - \$100,000 \$350,000

**OUTDOOR RECREATION:**

- ◆ Recreation Development and general O&M for Chalco Hills, Walnut Creek, Prairie View, Platte River and Elkhorn River Rec Sites, development of Elkhorn River Access Site at West Maple Road \$620,000
- ◆ Recreation Area Development Program: \$345,525
  - ❖ South Sioux City - \$50,000
  - ❖ Blair – \$50,000
  - ❖ Omaha (Kiwanis Park) - \$50,000
  - ❖ Bellevue - \$46,000
  - ❖ Gretna – \$57,500
  - ❖ Bennington - \$8,500
  - ❖ Bellevue – \$37,775
  - ❖ Arlington – \$45,750
- ◆ Omaha Neighborhood Parks Program (1<sup>st</sup> of 4 payments) \$250,000
- ◆ Professional Services – Elkhorn River Canoe Access Study - \$60,000; design shelter at Chalco Hills and trail and road repair - \$40,000 \$100,000
- ◆ Trails:
  - ❖ Professional Services \$440,000
    - MoPac – \$5,000
    - Platte River Trail (Platte Lied Bridge – Hwy 31 connecting trail to Hwy 50) – \$175,000
    - Western Douglas County – \$150,000
    - Pedestrian Bridge Inspection – \$5,000
    - West Papio (Bellevue to Papillion) – \$25,000
    - Hwy 50 Trail (Hwy 370–Springfield) – \$80,000
  - ❖ Construction \$869,787
    - MoPac (Springfield to Platte River) – 270,000
    - West Papio (144<sup>th</sup> & F) – 75,000
    - West Papio (Papillion to Bellevue) – \$50,000
    - Springfield No. - \$130,000
    - Dakota City - \$60,325
    - Waterloo - \$43,104
    - South Sioux City - \$8,358
    - Bennington - \$45,000
    - Big Papio – \$188,000
  - ❖ Land Rights: Hwy 50 to Hwy 370 – \$300,000 and other - \$50,000 \$350,000

**FORESTRY, FISH AND WILDLIFE:**

- ◆ Wetland Banking \$92,000
- ◆ Missouri River Corridor Project
  - ❖ Professional Services – \$120,000
    - Missouri River remaining Trail Design Phase I -



	\$44,000	
○ Missouri River Trail Design – Phase II (N.P. Dodge Park north to Washington County line) -	\$66,000	
○ Appraisals, title commitments and surveys at Lower Decatur -	\$7,500	
○ NRD/Omaha Tribal agreement at Blackbird Site -	\$2,500	
❖ Construction		\$1,629,500
○ Lower Decatur Bend -	\$616,000	
○ Nathan’s Lake Icon/Site Development -	\$50,000	
○ Miller Land Park (2 <sup>nd</sup> of 5 payments) -	\$200,000	
○ Washington County Asphalt Trail to Boyer Chute –	\$172,000	
○ Pedestrian bridge (3rd of 3 payments) –	\$334,000	
○ Bellevue Riverfront Development (1st of 4 payments) -	\$250,000	
○ O&M for Back to the River sites –	\$7,500	
❖ Land Rights – ROW for Lower Decatur Bend -		\$525,000
\$500,000 and Other -	\$25,000	

If you have any questions regarding this material, please feel free to contact me.

# MEMORANDUM

To: FEL Subcommittee  
Subject: FY 2005 Budget – Lid Computation (1% Resolution)  
Date: June 29, 2004  
From: Steve Oltmans, General Manager

---

---

State statues require that no governmental unit shall adopt a budget containing a total of budgeted restricted funds more than the last prior year's total of budgeted restricted funds plus allowable increases. All political subdivisions have the ability to increase their base restricted funds by 2.5%. If a political subdivision has allowable growth due to improvement to real property as a result of new construction, additions to existing buildings, any improvements to real property, and any increase in valuation due to annexation and any personal property valuation over the prior year above 2.5%, you can use the amount over the 2.5% increase as the base of restricted funds. Growth numbers are provided by the County Assessors on the Certification of Valuation. These numbers are not available until mid-August. Last year the District used 3.19% (2.5% + .69% for allowable growth). I have attached a copy of FY 2004's Restricted Fund Authority form and chart showing allowable growth for your review.

The Board did not approve the additional 1% increase for FY 2004's budget. At least 75% of the governing body is required to approve the additional 1% increase (this is 75% of the authorized board [8 votes] and not just 75% of those present). There is no special hearing or notice required to consider the additional 1% increase. Following is a history showing the Board's actions in allowing for the additional 1% increase:

FY 1998	Yes
FY 1999	Yes
FY 2000	No
FY 2001	Yes
FY 2002	No
FY 2003	Yes
FY 2004	No

The following items are lid exceptions that would apply to the District:

- Capital Improvements (acquisition and improvements to real property)
- Interlocal Agreements/Joint Public Agency Agreements
- Repairs to infrastructure damaged by a natural disaster.

The 2.5% lid applies to General expenditures such as:

- Directors' per diem and expenditures
- District's insurance coverage
- Equipment/vehicles
- Salaries
- Gas, oil and vehicle repairs
- Utilities

It would be beneficial to the District if the Board approves the additional 1% to help cover those general costs that exceed the 2.5% and to help build the base for restricted funds for the FY 2006 budget.

**It is the recommendation of the GM that the Subcommittee recommend to the Board that the following resolution be adopted:**

**BE IT RESOLVED THAT the Board of Directors of the Papio-Missouri NRD approves an additional increase of 1% in the Total 2003-2004 Funds Subject to Limitation, pursuant to Neb. Rev. State. §§ 13-518 through 13-522.**

Memo(s) for the following agenda item(s) are posted under FEL  
“Confidential” on the District’s website at [www.papionrd.org](http://www.papionrd.org).

Agenda Item #7: Review and Recommendation on Western Sarpy/Clear  
Creek – Sarpy County Side Riverside Cabins Purchase  
Agreement [*Executive Session*]