

**Finance, Expenditure & Legal
Subcommittee Meeting
July 6, 2010
6:45 p.m.
(Or immediately following the PPO Subcommittee Meeting)
Agenda**

Finance, Expenditure & Legal Subcommittee Members:

Rich Tesar, Chairperson
Rick Kolowski, Vice-Chairperson
Larry Bradley
John Conley
Dorothy Lanphier

Alternate Members: Fred Conley
Jim Thompson

Staff Liaison: Jim Becic
Jerry Herbster
Carey Fry *
Brian Henkel
Lori Laster

1. Meeting Called to Order – Chairperson Tesar
2. Notification of Open Meetings Act Posting and Announcement of Meeting Procedure – Chairperson Tesar
3. Quorum Call
4. Adoption of Agenda
5. Proof of Publication of Meeting Notice
6. Review and Recommendations on FY 2011 Budget – John Winkler

NOTE: Dates to Remember for P-MRNRD FY 2011 Budget:

- Public Input Meeting at July 8, 2010 Board Meeting
 - Budget Hearing and Adoption of FY 2011 Budget at August 12, 2010 Board Meeting
 - Set Tax Levy for FY 2011 at September 9, 2010 Board Meeting
7. Review and Recommendation on Purchase of UPRR Abandoned Right of Way – Gerry Bowen
 8. Review and Recommendation on King Lake Floodway Purchase Program Acquisitions – Lori Laster
 - a. Georgian Property
 - b. Lunn Property
 9. Adjourn

MEMORANDUM

TO: Finance, Expenditures and Legal Subcommittee

SUBJECT: FY 2011 Budget – Draft 2

DATE: July 1, 2010

FROM: John Winkler, General Manager

Attached is Draft 2 of the P-MRNRD FY 2011 budget for your review. Changes from Draft 1 are in red in the budget document.

Budget Assumptions:

- ✪ 1% increase in valuations is used to calculate the tax levy. The District has received a preliminary valuation from Sarpy County reflecting a .46% increase. Final valuations are not available until mid August. Last year's valuation increase was 3.5%.
- ✪ \$500,000 budgeted for Necessary Cash Reserve
- ✪ \$5,156,621 estimated for General Cash on Hand as of June 30, 2010.
- ✪ The expense and revenue figures used in a few instances do not reflect final figures. Final figures will not be available until after the July 8th Board meeting when June expenditures are approved.

Once again, I would like to point out that there are still several unknowns, i.e., final revenues/expenditures, cash on hand, Treasurer's balance, valuations, final IPA budgets, etc.

NOTE: Dates to Remember for P-MRNRD FY 2011 Budget:

- Public Input Meeting at July 8, 2010 Board Meeting
 - Budget Hearing and Adoption of FY 2011 Budget at August 12, 2010 Board Meeting
 - Set Tax Levy for FY 2011 at September 9, 2010 Board Meeting
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- **It is management's recommendation that the Subcommittee recommend to the Board that the FY 2011 budget, as presented, be forwarded for review at the August 12, 2010, Budget Hearing with the provision that the General Manager be authorized to make necessary adjustments once final figures are available to achieve compliance of state statutes regarding the lid.**

Agenda Item 7.

Memorandum

To Finance, Expenditures, and Legal Subcommittee

Subject: UPRR Abandonment

Date: June 28, 2010

From: Gerry Bowen

The Union Pacific Railroad (UPRR) is planning to abandon the rail line (see attached map) between Q Street (approximately 132nd Street) and Giles Road (approximately 108th Street), a distance of 2.5 miles. UPRR has approached the District about purchasing this right-of-way for a trail under the federal rail-banking program. This federal legislation keeps the corridor intact and void of reversionary clauses associated with railroad properties.

The right-of-way is 100 feet wide. The proposed abandonment follows the West Branch Papillion Creek on the east side and encompasses approximately 33 acres.

The Papio Trails Plan includes the West Papio Trail at this location connecting Papillion and Millard. Over the years there have been numerous inquiries from the public as to when this trail would be complete.

At the present time, the District has no plans for channel improvements upstream of Giles Road; therefore, the purchase would be strictly for trail purposes.

The District had the property appraised. The value was determined to be \$1,500,000. Staff has discussed the potential purchase and reached a tentative agreement with Union Pacific on this sale price, payable in three equal, annual installments of \$500,000 beginning in July, 2010. The attached purchase agreement accomplishes this purpose.

- **It is recommended that the Subcommittee recommend to the Board that the District enter into a purchase agreement with the Union Pacific Railroad in the amount of \$1.5 million for the rail line abandonment between Q Street and Giles Road, subject to changes deemed necessary by the General Manager, and approved as to form by District Legal Counsel.**

Memorandum

To: Finance, Expenditures, and Legal Subcommittee

Re: Floodway Property Purchase, 5708 North 242nd Street, King Lake

Date: June 28, 2010

From: Lori Ann Laster, Stormwater Management Engineer

The District has received grant funding to purchase 14 properties in the floodway in the King Lake area. One of the properties included in the grant funding is 5708 North 242nd Street. According to the Flood Insurance Rate Map for Douglas County, Panel 31153C 0160 H, effective December 2, 2005, the property is located in a Zone AE floodway of the Elkhorn River.

The District hired Thomas E. Stevens & Associates to perform an appraisal of the property currently owned by Mrs. Georgian. In Mr. Stevens' opinion, the market value of the entire property as of July 28, 2009 was \$27,000. Based on this opinion, District staff and legal counsel worked with Mrs. Georgian to develop the enclosed assignment which will give the District the right to purchase the property for the appraised value.

- **Recommendation that the General Manager be authorized to execute for and on behalf of the District the Purchase Agreement in the form as presented to this meeting providing for the purchase by the District from Lisa Georgian, of 0.23 acres of floodway land for the purchase price of \$27,000, subject to changes deemed necessary by the General Manager and approved as to form by District Legal Counsel.**

Memorandum

To: Finance, Expenditures, and Legal Subcommittee

Re: Floodway Property Purchase, 24221 Vernon Avenue, King Lake

Date: June 28, 2010

From: Lori Ann Laster, Stormwater Management Engineer

The District has received grant funding to purchase 14 properties in the floodway in the King Lake area. One of the properties included in the grant funding is 24221 Vernon Avenue. According to the Flood Insurance Rate Map for Douglas County, Panel 31153C 0160 H, effective December 2, 2005, the property is located in a Zone AE floodway of the Elkhorn River.

The District hired Thomas E. Stevens & Associates to perform an appraisal of the property currently owned by Mrs. Lunn. In Mr. Stevens' opinion, the market value of the entire property as of May 3, 2010 was \$21,000. Based on this opinion, District staff and legal counsel worked with Mrs. Lunn to develop the enclosed assignment which will give the District the right to purchase the property for the appraised value.

The property included in the grant application was only a portion of Mrs. Lunn's property. The property included in the grant application was 0.18 acres and appraised for \$16,000. Mrs. Lunn requested that the District consider purchasing her additional lots, 0.46 acres, for \$5,000.

- **Recommendation that the General Manager be authorized to execute for and on behalf of the District the Purchase Agreement in the form as presented to this meeting providing for the purchase by the District from Glenda J. Lunn, etal, of 0.64 acres of floodway land for the purchase price of \$21,000, subject to changes deemed necessary by the General Manager and approved as to form by District Legal Counsel.**