

**Papio-Missouri River Natural Resources District
Board of Directors Meeting
Suggested Resolutions/Recommendations
May 14, 2009**

***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 absence of the following Director(s) from the May 14, 2009, Board of Directors Meeting are excused:

Tim Fowler

Agenda Item 7 A.

BE IT RESOLVED that the April 9, 2009 Papio-Missouri River NRD Board meeting minutes are approved as printed.

***Agenda Item 10.A. – Multi Hazard Mitigation Plan Ad Hoc Consultant Selection Subcommittee**

BE IT RESOLVED that the minutes of the April 30, 2009, Multi Hazard Mitigation Plan Ad Hoc Consultant Selection Subcommittee are accepted, incorporated in these minutes, and the following recommendation(s) of the Subcommittee are hereby adopted and approved.

1. Interviews for Multi Hazard Mitigation Plan and Recommendation on Firm to be Hired – Recommendation that the firms interviewed by the Subcommittee should be ranked in the following order, to-wit: Olsson Associates, PBS&J, JEO Consulting Group and Kirkham Michael; and, that the General Manager, on behalf of the District, should be authorized to negotiate a professional services contract with Olsson Associates to provide engineering services to draft an updated Regional Multi Hazard Mitigation Plan.

***Agenda Item 10.B. – Blair Service Center Ad Hoc Consultant Selection Subcommittee**

BE IT RESOLVED that the minutes of the May 12, 2009, Blair Service Center Ad Hoc Consultant Selection Subcommittee are accepted, incorporated in these minutes, and the following recommendation(s) of the Subcommittee are hereby adopted and approved.

1. Contract with Alley-Poyner Macchietto Architecture to Provide Architectural, Design and Construction Administration Services for the Blair Service Center – Recommendation that the General Manager be authorized to execute a professional services contract with Alley Poyner Macchietto for the Washington County Service Center Office Building for a fee of \$148,000 plus reimbursable expenses not to exceed \$15,000, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

***Agenda Item 10.C. – Finance, Expenditures and Legal Subcommittee**

BE IT RESOLVED that the minutes of the May 12, 2009, Finance, Expenditures and Legal Subcommittee are accepted, incorporated in these minutes, and the following recommendation(s) of the Subcommittee are hereby adopted and approved.

1. 1% Increase to the Budgeted Restricted Funds for Lid Calculation – No action taken at this time.
2. Papio WP-5 Right of Way Acquisition – No action taken at this time.

***Agenda Item 10.D. – Programs, Projects and Operations Subcommittee**

BE IT RESOLVED that the minutes of the May 12, 2009, 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. Summit Lake Lease Agreement – Recommendation that the General Manager be authorized to execute the proposed 25-year lease between the Papio-Missouri River Natural Resources District and the State of Nebraska Game And Parks Commission for Summit Lake State Recreation Area, subject to changes deemed necessary by the General Manager and approved as to form by District Legal Counsel.
2. First Addendum to the Interlocal Cooperation Act Agreement with City of Bellevue for Bellevue Riverfront Development – Recommendation that the General Manager be authorized to execute the proposed First Addendum to the Interlocal Cooperation Act Agreement between the City of Bellevue, Nebraska and Papio-Missouri River Natural Resources District for Bellevue Riverfront Development, providing for contribution by the District of an additional \$500,000 in cost share funds towards such project, thereby increasing the District's total contribution to \$1,750,000.

3. Lake Dredging Program:

- a. New District Policy – 17.42 – Lake Dredging Program – Recommendation that the following be adopted and included in the District’s Policy Manual:

17.42 LAKE DREDGING PROGRAM

The Lake Dredging Program is an authorized program of the District to provide technical and financial assistance to units of government (sponsors) to dredge retained sediments in permanent water quality basins and lakes within the sponsor’s boundaries and extraterritorial jurisdiction.

Criteria for Eligible Projects:

1. The Sponsor must be a unit of government (city, county, sanitary & improvement district).
2. Only public access lakes and permanent water quality basins are eligible for assistance.
3. Dredging shall be limited to the capacity of the conservation pool of the water quality basin or lake.
4. An individual lake or basin shall be eligible for assistance if the following specific criteria are met:
 - a. The water body has not been dredged in the immediately preceding ten (10) years.
 - b. Verification that 75% of the original capacity has been lost to sedimentation.
 - c. Verification of impaired water quality that will be improved by dredging project, including calculation of benefits.
5. The Sponsor must have a watershed management plan to control erosion and reduce sedimentation from the drainage area.

District Responsibilities:

1. Provide 50% of the local costs (after applying any state or federal cost share assistance) of the project up to a maximum NRD cost share of \$100,000 per project. Eligible costs include:
 - a. Actual dredging costs
 - b. Professional engineering services for design, calculation of dredging amount and water quality benefits.Ineligible costs include:
 - a. Costs associated with land rights acquisition.
 - b. Costs associated with the acquisition of necessary permits for the project.
 - c. Costs associated with relocation of utilities.
 - d. Sponsor’s “in-house” labor and equipment costs.
2. All projects will require the approval of the Board of Directors.
3. Review and approve all dredging plans prior to Sponsors’ bidding of the project.

Sponsor Responsibilities:

1. Complete District's LDP Application Form, Form 17.42A, Manual of Standard Forms (Appendix E). The following items should accompany the application:
 - a. Copy of the original construction plans for the lake or water quality basin. If original plans are not available, an engineering study will be necessary to calculate the original capacity.
 - b. Location map of the project.
 - c. Location map of the proposed disposal site(s) and site restoration plan.
 - d. Detailed project cost estimate.
2. Execute and fulfill an agreement outlining these guidelines (Form 17.42B. Manual of Standard Forms, Appendix E)
3. Provide all matching funds.
4. Provide all permits required for the project at no cost to the District.
5. Provide all necessary land rights at no cost to the District.
6. Contract for the dredging of the lake or water quality basin of the approved project.
7. Complete dredging operation within one year of approval.

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- b. Request from City of Papillion – Dredging of Walnut Creek Sediment Basin – Recommendation that the City of Papillion's request for assistance to dredge a water quality basin at Walnut Creek Lake and Recreation Area be approved under the District's Lake Dredging Program up to a maximum District cost share amount of \$100,000.

4. Urban Cost Share Programs:

- a. Recreation Area Development – Recommendation that the application from the City of Blair for \$50,000 be approved; that the applications from Blair for \$12,500 and Dakota City for \$7,215 be approved; and, that the total amount of project applications for FY 2010 be revised to a total of \$146,715, all subject to funding in the FY 2010 budget.

and

- b. Trails Assistance Program – Recommendation that the application from the City of Blair for \$8,358 be approved, subject to funding in the FY 2010 Budget.

5. MoPac Trail (Highway 50 to Chalco Hills) – Nebraska Department of Roads Agreement – Recommendation that the following proposed resolutions be approved and that the General Manager be authorized to execute the proposed agreement with the Nebraska Department of Roads for the funding of the MoPac Trail (Highway 50 to Chalco Hills segment).

RESOLUTION

WHEREAS, the Papio-Missouri River Natural Resources District wishes to enter into an agreement with the State of Nebraska Department of Roads to construct a granular and concrete pedestrian and bicycle trail from Chalco Hills Recreation Area to Nebraska Highway 50, with funds made available through STP Enhancement Program funds, and

WHEREAS, the Federal share payable shall be a maximum of forty-seven(47) percent of the eligible costs thereof, up to a maximum payment of federal funds of \$500,000.00, and

WHEREAS, the Papio Missouri River Natural Resources District shall be responsible for approximately \$562, 913.00, which is estimated by the NRD to be the NRD's fifty-three (53) percent matching share of eligible project costs, and

WHEREAS, the Papio-Missouri River Natural Resources District has agreed to place in its fiscal budget said amount,

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT, Omaha, Nebraska, that the NRD enter into an agreement with the State of Nebraska Department of Roads for the construction of a granular and concrete pedestrian and bicycle trail from Chalco Hills Recreation Area to Nebraska Highway 50; that this project be constructed under the designation of Project Number ENH-28(98), Control Number 22413, and that the terms and conditions as contained in the Agreement with the Nebraska Department of Roads are hereby approved and that the NRD's General Manager is hereby authorized to execute said Agreement.

6. Equipment Purchases/Replacements for FY 2010 – Recommendation that the FY 2010 Equipment Requirements, as presented, be approved subject to funding in the FY 2010 Budget.

*Agenda Item 11. A.-I. - Financials

BE IT RESOLVED that the Treasurer is authorized to expend general funds to pay: (l) claims listed in the April, 2009, 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 April, 2009, 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.

/pt/board/2009/may/may09_resolutions