

**Programs, Projects & Operations  
Subcommittee Meeting  
October 10, 2006  
7:00 p.m.  
Agenda**

**Programs, Projects & Operations:**

John Conley, Chairman  
Rich Tesar, Vice-Chairman  
Fred Conley  
Rich Jansen  
Rick Kolowski

**Alternate Members:** Dorothy Lanphier  
Jim Thompson

**Staff Liaison:** Gerry Bowen  
Martin Cleveland \*  
Ralph Puls  
Dick Sklenar  
Paul Woodward

1. Meeting Called to Order – Chairperson John Conley
2. Notification of Open Meetings Act Posting and Announcement of Meeting Procedure – Chairperson John Conley
3. Quorum Call
4. Adoption of Agenda
5. Proof of Publication of Meeting Notice
6. Review and Recommendation on Repairs to West Maple Ramp at Elkhorn River Public Access Site – Dick Sklenar and Dave Ciaccio, Tom Bentley and Kevin Strehle, BCDM
7. Review and Recommendation on Request from Olsson and Associates for Additional Design and Contract Administration Fees for Silver Creek Watershed – Ralph Puls and Mike Sotak, Olsson Associates
8. Review and Recommendation on 2007 Mack Dump Truck – Jean Tait and Bill Warren
9. Review and Recommendation on Long Range Implementation Plan – Gerry Bowen
10. Review and Recommendations for Purchase Agreement with Horgan Development Company for Wetland Mitigation Bank Site near 132<sup>nd</sup> and State Street [Postponed at February 9, 2006 Board Meeting] – Paul Woodward

11. Review and Recommendation on Papillion Creek Watershed Partnership Policies (P-MRNRD Policy 17.16 – District Programs – Urban Stormwater Management Program)  
– Paul Woodward

12. Adjourn

## MEMORANDUM

**TO:** Programs, Projects and Operations Subcommittee

**FROM:** Dick Sklenar, Project Manager

**SUBJECT:** Repairs to Ramp at West Maple Public Access Site/Elkhorn River

**DATE:** October 3, 2006

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Within weeks after the completion of the public access site on the Elkhorn River at West Maple Road, it was discovered that the end of the boat ramp jutting out into the Elkhorn River became undermined by the current. The District's consultant for this project (BCDM) was notified of the situation and asked to provide a remedy.

The contractor for the construction of the site, Dostal Construction Inc., constructed everything according to the plans and specifications provided to them. It is felt by the District's staff that the design of the ramp did not take into account the full dynamics of the river.

Over the past couple of months BCDM has devised a plan to remedy the situation at the West Maple site. This was done also in consultation with the principal contractor (Dostal Construction, Inc.)

BCDM is proposing that the boat ramp be altered so as not to protrude as much into the river channel. A part of the ramp will be regraded and steepened and additional sheet pile will be added to strengthen the immediate area.

The attached letter from BCDM indicates that repair costs are estimated at \$22,490. They are suggesting that BCDM and the District share the cost of such repairs (\$6,300.00 BCDM & \$16,190.00 NRD). The reasons for this proposal are indicated in their attached letter.

**It is recommended that the Subcommittee recommend to the Board of Directors that Management be authorized to retain Dostal Construction, Inc., to repair the project, according to the repair plans proposed by BCDM, for the firm price of \$22,490; and, that Management be authorized to accept from BCDM a contribution in the amount of \$ 11,245.00 as BCDM's share of the cost of the repairs, provided that BCDM also agrees to provide, at no cost to the District, all engineering and observation services needed to effect such repairs.**

## MEMORANDUM

**TO:** Programs, Projects & Operations Subcommittee

**FROM:** Ralph Puls

**SUBJECT:** Request from Olsson Associates for Additional Engineering Fees for Silver Creek Watershed

**DATE:** October 4, 2006

At their January 12, 2006, meeting the Papio-Missouri River NRD Board of Directors was advised that it was likely that the costs for the professional services contract with Olsson Associates for the design and contract administration of ten Silver Creek Watershed dams would exceed the contract amount of \$416,742.00 (See attached memo). However, no request was made at that time for additional funds; it was decided to wait and address any need for additional funds when the project was nearer to completion. At this time it is apparent that additional professional services fees will be needed to complete the project. There are two main reasons for this:

1. The remaining two dams, Site 11 and Site 35 are much larger than the other dams and they are being designed as high potential hazard dams. This has required considerably more design time and will require added construction observation; thus additional costs.
2. The construction schedules were developed with Sites 6, 30, 31, and 36 (built by Camden Construction) at the same time as Sites 23, 24, and 25 (built by Taylor Excavation). Since these sites were located close to each other the plan was to save construction observation services funds because all could be inspected in the same time frame. However, Taylor Excavation did not meet the schedule called for in the contract. They missed the deadline for completion of Sites 23, 24, and 25 and are being assessed liquidated damages of an amount equal to the additional construction observation costs (\$20,621.13) incurred by Olsson Associates after the contract deadline.

Attached is a letter from Olsson Associates that further explains their request for additional services fees in the amount of \$78,491.24. If approved it would increase the contract to \$495,233.24; however, the liquidated damages will offset some of this cost.

**It is recommended by District staff that the Subcommittee recommend to the Board that the maximum, not to exceed, amount for professional services contract with Olsson Associates for the Silver Creek Watershed Project be increased to \$495,233.24.**

## MEMORANDUM

TO: Programs, Projects and Operations Subcommittee  
FROM: Jean Friends Tait, Purchasing Agent and Bill Warren, Assistant O&M  
Superintendent  
DATE: October 3, 2006  
Re: Purchase of the 2007 Mack Dump Truck

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In conjunction of the approval of the FY 2007 budget, request for bid for the purchase of a FY 2007 Mack Dump Truck was received and opened on October 3, 2006 at 2:00 p.m. in the District Office. The bid summary sheet is attached for your review. The staff recommendation is as follows:

One – 2007, Mack Dump Truck (Bid Item A): The staff recommends that the low and best bid of \$110,497 from Wise-Mack be accepted with trade-in of the District's 1985 Mack Dump Truck, serial #1M2B126C7FA010820.

The 2007 Mack Dump Truck bid submitted by Wise-Mack comes to an expensed total of \$110,497. The budgeted amount for this truck is \$124,000.

*It is the staff's recommendation that the Subcommittee recommend to the Board that the lowest and best bid of \$110,497 from Wise-Mack for the 2007 Mack Dump Truck be accepted.*

## Memorandum

To: Programs, Projects and Operations Subcommittee

Subject: Fiscal Year 2007 Long Range Implementation Plan

Date: October 4, 2006

From: Gerry Bowen

State statutes (see below) require NRDs to prepare and submit a “Long Range Implementation Plan” (LRIP) each year.

**“2-3277 - Districts; long-range implementation plans; prepare and adopt; contents; review; filing; department; develop guidelines.** Each district shall also prepare and adopt a long-range implementation plan which shall summarize planned district activities and include projections of financial, personnel, and land rights needs of the district for at least the next five years and specific needs assessment upon which the current budget is based. Such long-range implementation plan shall be reviewed and updated annually. A copy of the long-range implementation plan and all revisions and updates thereto as adopted shall be filed with the department, the Governor’s Policy Research Office, and the Game and Parks Commission on or before October 1 of each year. The department shall develop and make available to the districts suggested guidelines regarding the general content of such long-range implementation plans.

**Source:** Laws 1978, LB 783, §3; Laws 1979, LB 412, §3; Laws 2000, LB 900 §61. Operative date July 1, 2000.”

The LRIP (see attached) is intended to summarize the current year’s budget (revenues and expenditures) in terms of the various programs and projects and the intended accomplishments during the fiscal year. It also projects the financial and personnel needs for these projects and programs for the next five fiscal years. The LRIP is shown in a “redline” format, while the tables in the back of the document are complete re-writes.

**Management recommends that the Subcommittee recommend to the Board that the Fiscal Year 2007 Long Range Implementation Plan be approved.**

## Memorandum

**To:** PPO Subcommittee  
**From:** Paul Woodward, Water Resources Engineer  
**Date:** October 2, 2006  
**Re:** Purchase Agreement for Wetland Bank Site SW of 132<sup>nd</sup> and State Street

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In February 2006, the Board postponed their consideration of purchasing property from Horgan Development Company near 132<sup>nd</sup> and State Street until a study could be completed to identify other comparable, privately-owned, unimproved properties in the Papillion Creek Watershed that might provide similar wetland and channel mitigation banking opportunities. Last month, District staff reported results from a study conducted by Jacobsen Helgoth Consultants which compared five other potential wetland bank sites with the referenced site.

In comparison with the other sites studied in the Wetland Bank Site Selection Report, the 132<sup>nd</sup> and State Street site offers the greatest potential for wetland and channel mitigation with the lowest estimated land cost, see attached table and maps. Also enclosed is a map of the 132<sup>nd</sup> and State Street site which shows the potential for approximately 40 acres of wetlands and 1,500 to 2,000 linear feet of channel.

The potential impacts traces of groundwater contamination from the closed Douglas County Landfill northwest of 132<sup>nd</sup> and State may have on this site have raised concerns. Several past investigations, northwest of the property being considered by the District, have reported contaminant levels slightly above the allowable levels for ground water. However, surface water quality tests performed on the unnamed tributary to the Big Papillion Creek from 1987 to 2002 revealed no unallowable level of contaminants as determined by Douglas County and the Nebraska Department of Environmental Quality. Based on these findings, District staff feels the implementation of wetland and channel mitigation on this site is feasible and appropriate.

Based on these results, it is the staff's recommendation that the prior Purchase Agreement with Horgan be reconsidered. This proposed agreement with LOHO LLC, Horgan's land holding company, is enclosed for your consideration for a total land price of \$576,731 based on an appraisal value of \$9,287/acre and a legal surveyed area of 62.099 acres, see both attached. Payment of this amount by the District includes an initial payment of \$325,000 at closing, on or before November 15, 2006. The remaining \$251,731 will become due the following fiscal year (FY 08). It is noted that the \$325,000 payment in FY 07 exceeds the \$200,000 budgeted for land rights under Wetland Mitigation Banking.

In conclusion, District staff is recommending that the Board consider and approve the enclosed Purchase Agreement with LOHO LLC to acquire 62.099 acres for \$576,731 to enhance the District's Wetland Mitigation Bank.

**Management recommends that the subcommittee recommend to the Board that the Acting General Manager be authorized to execute the revised Purchase Agreement with LOHO LLC to purchase 62.099 acres for \$576,731 for enhancement of the District's Wetland Mitigation Bank, subject to minor changes deemed necessary by the Acting General Manager and approved as to form by District legal counsel.**

## Memorandum

**To:** Programs, Projects and Operations Subcommittee  
**From:** Paul Woodward, Water Resources Engineer  
**Date:** October 10, 2006  
**Re:** Papillion Creek Watershed Partnership Stormwater Management Policies

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After consideration at the June 2006 Board meeting, the proposed Stormwater Management Policies were tabled for 3 months. These same policies along with revisions to Policy 17.16 of the District's Policy Manual were again considered and delayed last month.

Revisions to District Policy 17.16 Urban Stormwater Management are again enclosed for your considerations. These revisions incorporate the proposed Stormwater Management Policies as an appendix to the Policy Manual. These Policies guide District staff to incorporate stormwater management recommendations when reviewing new or significant redevelopment. In addition, Policy 17.16 clarifies that the District will continue to work on implementing Regional Detention and Water Quality Basins provided the Board determines they are appropriate and affordable. The District will also recommend that all cities and counties require developers to consider Low Impact Development BMPs, including local detention, to reduce runoff and improve water quality. Finally, it instructs District staff to recommend that local detention basins be evaluated on new development to reduce runoff and pollutants, especially if the development is not located upstream of an existing or proposed regional detention basin.

**Management recommends that the subcommittee recommend to the Board that the amended District Policy 17.16 - Urban Stormwater Management be adopted to incorporate the proposed Papillion Creek Watershed Partnership Stormwater Management Policies.**



**17.16 District Programs - Urban Stormwater Management Program.** The Urban Stormwater Management Program is an authorized program of the District. To promote the health, safety and well-being of the public, it is the present and long range intent of the District to:

A. Serve as a regional coordination and management agency for major urban drainage and flood control systems which are those systems that involve open channels where the drainage area is more than approximately 200 acres. Coordination of actions affecting these systems is necessary to achieve the best possible results in the District.

B. Develop Urban Drainage Master Plans which define policies and outline plans for the development, financing, implementation and continued maintenance of urban drainage and flood control systems in each basin. This will be done with the assistance of and in consultation with other local governmental agencies. The master plan will be presented for adoption to each local governmental agency identified as responsible for implementing all or portions of the plan.

In accordance with this policy, Stormwater Management Policies (hereinafter referred to as the “Policies”) were developed through a community-based process known as Watershed By Design involving the development community, Papillion Creek Watershed Partnership members, public agencies, non-profit organizations, other stakeholder groups and the general public. The Policies developed through the WBD process consist of six (6) Policy Groups, headed as follows:

- #1 Stormwater Management Financing
- #2 Peak Flow Reduction
- #3 Pollution Control
- #4 Landscape Preservation, Restoration, and Conservation
- #5 Erosion and Sediment Control and Other BMPs
- #6 Floodplain Management

These Policies are attached hereto as Appendix “S” and incorporated herein by reference, and provide guidance for a comprehensive approach to stormwater quality and quantity, subject to the following:

- As outlined in Policy Groups 1 and 2, the District intends to implement construction of Regional Detention and Water Quality Basins proposed in the conceptual Watershed Drainage Plan, as deemed necessary by the District and subject to available funding as determined by the District.
- The District will recommend to local zoning jurisdictions that all new development or significant redevelopment be required to consider Low Impact/Conservation Development strategies or best management practices.
- The District will recommend to local zoning jurisdictions that all new development or significant redevelopment be encouraged to evaluate local basins to reduce runoff and pollutants, especially if not located above regional basins.

C. Expect and continue to rely on other local governmental subdivisions (cities, counties and SID’s) to continue to develop, finance, implement, operate and maintain urban drainage and flood control systems that involve enclosed conduits (storm sewers), road crossing and other similar appurtenant systems.

D. Assume responsibility for major urban drainage and flood control systems in the District in accordance with the Urban Drainage Master Plan. For areas where no Urban Drainage Master Plan is currently available, the District will consider the planning, development, improvement, financing, implementation and continued maintenance of existing and proposed improvements to major urban drainage and flood control systems on an individual basis.

E. Expect, concurrent with or prior to assumption of responsibility for an urban drainage and flood control system, that the local subdivision with regulatory responsibility and authority enact for existing and proposed urban development Sediment and Erosion Control ordinances and Stormwater Management ordinances that provide for District review and concurrence of basin development proposals to ensure that they comply with Urban Drainage Master Plans if the District is expected to assume responsibility for any portion of the development plan.

F. Financing of the additional duties and responsibilities envisioned by this policy statement could be through:

1. District general tax levy revenue
2. Stormwater utility fees, and,
3. Federal, state and local funds that may be available to assist the District

(February 7, 1985 resolution, Revised September, 2006).