



**Programs, Projects & Operations
Subcommittee Meeting
September 13, 2005
7:00 p.m.
Agenda**

Programs, Projects & Operations:

John Conley, Chairman
Rich Tesar, Vice-Chairman
Fred Conley
Rick Kolowski
Joe Neary

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. Quorum Call
3. Adoption of Agenda
4. Proof of Publication of Meeting Notice
5. Review and Recommendation on Mentored Youth Hunting Agreement with NE Game and Parks Commission – Jeff Rawlinson, NE Game and Parks, and Gerry Bowen
6. Review and Recommendation of Agreements for Papio Dam Site 13 Project – Paul Woodward
 - a. Interlocal Agreement with City of Omaha and City of Elkhorn
 - b. Addendum to Purchase Agreement with Lyman-Richey Corporation
7. Request from City of Kennard for \$200,000 Grant for Pumping Wastewater to City of Blair for Treatment – Marlin Petermann
8. Review and Recommendation on Grant Application for MoPac Equestrian Trail Improvements – Gerry Bowen

9. Review and Recommendation on Western Sarpy Clear Creek Project Cabins Demolition Services Contract – Marlin Petermann
10. Review and Recommendation on Elk Creek Channel Grade Stabilization Structure #2 Project Bids – Dick Sklenar
11. Adjourn

Memo to the Programs, Projects, and Operations Subcommittee

Subject: Mentored Youth Hunting – Agreement with Nebraska Game and Parks Commission

Date: August 29, 2005

From: Gerry Bowen

As part of the Western Sarpy/Clear Creek Levee Project, the District acquired the Glasshoff property at the tip of Vencil's Island as a conservation measure for endangered species. Several flow through and/or backwater chutes are planned for the area.

The Nebraska Game and Parks Commission (NGPC) approached the District about the utilization of this area for mentored youth hunting and fishing. A draft of an agreement prepared by NGPC was reviewed at the August 2004 Subcommittee and Board of Directors meetings. The Board decided to limit the waterfowl hunting to only the established two-day mentored youth hunting season, prohibit high-powered and/or black powder rifles, and that the agreement be in effect for one year, with the option for one additional year at the election of the NGPC. A copy of the agreement with the proposed changes is attached. The project agreement was to be reviewed at the end of the term to determine the effectiveness of the program. See attached letters from NGPC and one of the youth mentors reporting on last year's program.

- a.) The NGPC has notified the District of its intent to exercise the option of extending the lease for one more year (see attached letter), but is also suggesting that some changes be made to the agreement. A draft of the proposed agreement revisions is also attached for your review. The revisions would: provide for waterfowl hunting throughout the entire season
- b.) provide for a three year agreement term with the option of an additional three years
- c.) specify the general location of the three waterfowl hunting blinds
- d.) provide for shotgun turkey hunting

Management recommends that the Subcommittee recommend to the Board that the General Manager be authorized to execute the proposed revised agreement with the Nebraska Game and Parks Commission to allow for mentored youth hunting and fishing on the Glasshoff Tract at Vencil's Island

Memorandum

To: PPO Subcommittee
From: Paul Woodward, Water Resources Engineer
Date: September 7, 2005
Re: Inter-Local Agreement w/ Omaha and Elkhorn for the Papio Dam Site 13 Project

District staff and legal counsel have prepared the enclosed agreement, for your review and consideration, between the District and the Cities of Omaha and Elkhorn to define each entity's responsibilities regarding the construction, ownership, operation and maintenance of public facilities near the proposed Dam Site 13 Project, northwest of 192nd and W. Dodge Road (see attached map). In addition, the agreement outlines all easements on Omaha and NRD property necessary for the reservoir and recreational facilities.

The following is a summary of the provisions in the agreement:

- Omaha and Elkhorn will retain engineering consultants to prepare preliminary park and recreational facility plans, subject to the District's review. These plans will at a minimum include a trail system surrounding the lake, a boat ramp and fishing pier, landscaping on NRD property, and any necessary channel or wetland mitigation.
- Omaha and Elkhorn will retain a contractor at their expense to construct their respective park and recreational facilities.
- After constructing the dam, the NRD will convey title of all public property per the enclosed legal drawing to Omaha and Elkhorn to construct and maintain park facilities while reserving its right through permanent easement to construct, operate, and maintain the dam and to store water and sediment in the reservoir.
- Upon completion of park facilities, Omaha and Elkhorn would agree to operate and maintain them in perpetuity.

In summary, the NRD would agree to operate and maintain the Papio Dam Site 13 flood control structure, while Omaha and Elkhorn would be responsible for planning, constructing, and maintaining all park and recreational facilities surrounding the lake.

Management recommends that the Subcommittee recommend to the Board that the General Manager be authorized to execute the proposed Inter-Local Agreement between the District, the City of Omaha, and the City of Elkhorn for Dam Site 13 Improvements, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Council.

Memorandum

To: PPO Subcommittee
From: Paul Woodward, Water Resources Engineer
Date: September 7, 2005
Re: Addendum to Purchase Agreement w/ Lyman Richey Corporation for the Papio Dam Site 13 Project

The enclosed Purchase Agreement with the Lyman Richey Corporation (LRC) to acquire property impacted by the reservoir of Dam Site 13 (NE of 192nd and Dodge) was approved by the Board in December 2004 and executed on March 1, 2005. However, since this time, several activities have taken place which altered provisions in the original purchase agreement and proposed easements. Therefore, enclosed for your consideration is an Addendum to the Purchase Agreement with LRC along with revisions to the Cross-Easements Agreement.

A summary of the revisions in the Purchase Agreement and Cross-Easements Agreement are as follows:

- The final purchase price was recalculated based on the agreed upon price per acre of \$51,031.75 in the original agreement. Therefore, the final purchase price for 24.77 acres is \$1,264,056.40.
- Several easements previously included in the Pre-Closing Cross Easements Agreement were moved to the Cross-Easements Agreement, including LRC's Temporary Grading and Construction Easement and the NRD's Permanent Channel and Wetland Mitigation Easement. Revisions to the Channel and Wetland Mitigation Easement reflect the NRD's final Channel Mitigation plan.
- In addition, other easements were added to the Cross-Easements Agreement. These easements include the right for Lyman-Richey or the City of Omaha to construct a Parking Lot on the future park property to be used jointly by LRC and the public. This latest plan for the park and future headquarters is shown in the attached drawing prepared by Kirkham Michael on July 18, 2005.

In conclusion, the District would acquire 24.77 acres from Lyman-Richey for the Dam Site 13 project and future regional park. Following this acquisition, the western-most portion of the property would still be sold to Dial for \$544,000 and the rest would be deeded to the City of Omaha or Elkhorn per a proposed Inter-local agreement. Ultimately, these revisions don't alter the cost of the Dam Site 13 project as shown in the table below.

EXPENSE ITEM	COST (IN MILLIONS)	DATE DUE
Belgrade Property	3.5	March 15, 2005
HDR Engineering	0.4	0.2 in FY 05, 0.2 in FY 06
Dam Construction	2.4	FY 06
LRC Property	1.3	September 16, 2005
SUB-TOTAL	7.6	
Less Dial Contribution	1.0	December 15, 2005
Less Dial Property Purchase	0.5	
SUB-TOTAL	1.5	
FINAL NRD TOTAL	6.1	

Management recommends that the Subcommittee recommend to the Board that the General Manager be authorized to execute the proposed Addendum to Purchase Agreement with Lyman Richey Corporation for the purchase price of \$1,264,056.40 to acquire land rights needed for Dam Site 13 project, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Council.

Information regarding Agenda Item 7 – Request from City of Kennard for \$200,000 Grant for Pumping Wastewater to City of Blair for Treatment can be found under PPO Attachments.

Memo to: Programs, Projects, and Operations Subcommittees

Subject: MoPac Trail – Application for Recreational Trails Program Funding

Date: August 30, 2005

From: Gerry Bowen

In August, 2005, the Board authorized allowing equestrian usage of the Mopac Trail between Springfield and the Platte River on a separate trail surface. The Board also required that the equestrian community provide half of the local share of the costs to accomplish this purpose.

The NRD is eligible for 80% funding from the Nebraska Game and Parks Commission (NGPC) for this purpose under the Recreational Trails Program (RTP). Upon Board authorization, an application for this purpose will be submitted to NGPC. Current NGPC procedures require the adoption of the attached resolution to accompany the application. The deadline for applications is October 1, 2005.

The cost estimate for the project is \$68,762.52. The RTP pays up to 80% of project costs, or \$55,010.00. The remaining 20%, or \$13,752.50, will be shared equally between the NRD and the equestrian community.

Management recommends that the Subcommittee recommend to the Board that the General Manager be authorized to submit a grant application to the Recreational Trails Program administered by the Nebraska Game and Parks Commission for the Mopac Equestrian Trail and that the attached resolution be adopted.

MEMORANDUM

TO: Programs, Projects and Operations Subcommittee

FROM: Martin P. Cleveland

SUBJECT: Western Sarpy Clear Creek Project Cabin Demolition Bids
Tracts 5L (Former Grothe Property) and 6L (Former Vosler
Property)

DATE: August 31, 2005

The Papio-Missouri River Natural Resources District received and opened Bids for the Western Sarpy Clear Creek Project Cabin Demolition, (Tracts #5L and 6L), on August 26, 2005 at 2:00 p.m.

There were three contactors who submitted bids. Attached is a bid summary and a location map. The bids were reviewed by the NRD Staff. The project consists of removing all structures (cabins, outbuildings, etc.), abandoning wells and septic tanks on Tracts #5L and 6L, owned by the District. These properties were purchased in winter 2005. This project allowed for structure salvage and possible payment to the District. The apparent lowest and best bid of \$14,700 was submitted by Brown Excavating/Warren Corporation.

It is Management's recommendation that the Subcommittee recommend to the Board that the General Manager be authorized to execute a contract with Brown Excavating/Warren Corporation for \$14,700 for the Western Sarpy Clear Creek Project Cabin Demolition (Tracts 5L and 6L).

MEMORANDUM

TO: Programs, Projects and Operations Subcommittee

FROM: Martin P. Cleveland

SUBJECT: Elk Creek Channel Grade Stabilization Structure

DATE: August 31, 2005

The Papio-Missouri River Natural Resources District received and opened bids for the Elk Creek Channel Grade Stabilization Structure #2 Project on August 26, 2005 at 10:00 a.m.

There were two contractors who submitted bids. Attached is a bid summary, a location map and photo of a previously completed structure #1. The bids were reviewed by the NRD Staff and the District's consultant, Troy Grothe, Sundquist Engineering (see attached email). The project consists of installing a 5 foot tall steel sheet pile weir across the creek and installing 3,900 tons of rock riprap to stabilize the nearby creek bank sloughs/erosion. This weir is a "twin" to a weir installed in 2003, about one mile downstream. These two weirs should reduce channel bottom degradation, which negatively impacts adjacent levees, in a two mile reach between Hwy 20 and 137th Street. The apparent lowest and best bid of \$165,085.25 was submitted by L.A. Carlson Contracting, Inc.

It is Management's recommendation that the Subcommittee recommend to the Board of Directors that the General Manager be authorized to execute a contract with L. A. Carlson Contracting Inc. for \$165,085.25 for the Elk Creek Channel Grade Stabilization Structure #2 Project.