



## LOWER PLATTE SOUTH natural resources district

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### Memorandum

**Date:** January 12, 2023  
**To:** Urban Subcommittee  
**From:** Mark Lindemann, District Engineer   
**Subject:** Urban Subcommittee Meeting Minutes – January 2023

The Urban Subcommittee met on Thursday, January 12, 2023, at the NRD Office, at 5:30 pm. Subcommittee members participating included Tom Green- committee chair, Gary Aldridge, Lisa Lewis, Larry Ruth, and John Yoakum. Others participating included Board Chair Deb Egan, NRD staff Paul Zillig, David Potter, Al Langdale, Drew Ratkovec, Mike Murren, and Mark Lindemann. Myron Tremain with Lincoln Meadows HOA, and Tim Gergen and Speicher of Clark Enersen were also in attendance. Director Green called the meeting to order at 5:30pm and thanked the committee members for their service over the past year. There were three (3) items the Subcommittee took action on, and a report was given on one item. A quorum was present for the meeting.

**12a. Consideration of a Professional Services Agreement with Intuition and Logic for Stream Stability Design Review of the Dead Man’s Run Flood Reduction Project [ACTION]**—Lindemann explained that the U.S. Army Corps of Engineers (USACE) are expected to provide their 65 % design plans for the Section 205 Flood Reduction Project to the NRD on January 17<sup>th</sup>. With the 65% plans in hand, many activities will be taking place, including ROW negotiations, finalizing design on 48<sup>th</sup> and 38<sup>th</sup> St. bridges, and coordination and review with the BNSF Railroad, departments of Lincoln Transportation and Utilities (LTU), Lincoln’s Railroad Transportation Safety District (RTSD), and various utilities. In previous meetings on the project, the City Watershed and NRD had agreed on the need for a review of the plans to verify that the project designs provide a stable channel long term, and that the future maintenance requirements are practical for NRD staff. The NRD contacted Intuition & Logic to provide a scope of services for this plan review. The NRD believes the work that Intuition and Logic does is exceptional, and they are considered national experts in stream stability and flood reduction projects and have previously participated in analysis and review of the project in earlier stages of design. Intuition & Logic’s proposal, at a cost not to exceed \$11,370, consists of plan review, design and maintenance plan recommendations, and meetings with the City and NRD and with the USACE project team.

It was moved by Lewis, seconded by Yoakum, and unanimously approved by the Subcommittee to recommend that the Board of Directors approve the Professional Services Agreement with Intuition and Logic, in an amount not to exceed \$11,370 for the Stream Stability Design Review of the Dead Man’s Run Flood Reduction Project.

**12b. Consideration of a Community Assistance Program Application for a Storm Sewer Replacement Project from the Lincoln Meadows Homeowners Association [ACTION]** – Murren introduced Drew Ratkovec, the new stormwater specialist that will take over the Community Assistance Program (CAP) duties. Murren then went on to explain that the Lincoln Meadows Homeowners Association (HOA) has submitted an application to the CAP for cost-share assistance request for the replacement of their 48-inch storm sewer system. The concrete pipes have settled and separated at many locations and not is functioning properly, and as a result, has caused extensive erosion along the private drainageway. It was also noted that some of the erosion holes have been fenced off due to safety concerns. The HOA retained Clark Enersen to develop plans for a replacement project and received three bids from contractors. President of the HOA, Myron Tremain, and representatives of Clark Enersen were available to answer questions about the project. Tim Gergen, from Clark Enersen described the drainage area size and original design of the existing storm sewer system and that the project, designed to meet City standards, will remove and replace the existing storm sewer from South Street to the open portion of the channel. Mr. Tremain stated that he has spoken with the low-bid contractor and that construction would begin soon after approval by the Board, and is expected to be completed in two weeks. The low bid of \$71,768.41, by Bauer Infrastructure, LLC has been selected by the HOA. The HOA has requested a 50-50 cost-share with the NRD, of which the NRD would contribute \$35,884.20 for the project.

It was moved by Lewis, seconded by Ruth, and unanimously approved by the Subcommittee to recommend that the Board of Directors approve the Community Assistance Program application request for the storm sewer replacement project from Lincoln Meadows HOA, at a cost-share amount of 50% of the total cost of \$71,768.41, not to exceed \$35,884.20 of NRD funds, pending legal counsel review.

The Subcommittee then discussed the need to go into closed session for the next agenda item to discuss the landrights negotiations for an easement for the South Salt Creek Master Plan Project #6. At 6:03 pm, it was moved by Lewis, seconded by Ruth, and approved (4 “yes”, Aldridge voting “no”) for the Subcommittee to go into closed session to protect the public interest to discuss the negotiations for the South Salt Creek Master Plan Project #6.

At 6:16 pm, it was moved by Lewis, seconded by Yoakum, and approved by the Subcommittee (4 “yes”, Aldridge voting “no”) to return to Open Session.

**12c. Consideration of Appraisals and Landrights Negotiations for a Permanent Easement for the South Salt Creek #6 Watershed Master Plan Project [ACTION]** – Murren reported that he made contact with Ronald Oelling December 19<sup>th</sup> and delivered the NRD’s offer per the December 14<sup>th</sup> recommendation of the Board to approve of the appraisal and authorization of NRD staff to negotiate and acquire the necessary easement. Murren then met with Mr. Oelling on January 5, 2023, to discuss the NRD’s offer. Mr. Oelling and has proposed a counteroffer. The Subcommittee discussed the counteroffer and there was consensus that it is reasonable and fair.

It was moved by Lewis, seconded by Yoakum, and unanimously approved by the Subcommittee to recommend that the Board of Directors approve the counteroffer from Ronald and Judeen Oelling for a permanent easement for construction and future operations and to draft easement documents for the South Salt Creek #6 Watershed Master Plan Project, pending legal counsel review.

**12d. Report on Landrights Acquisition Processes for Temporary Construction Easements for the 52<sup>nd</sup> and Beal Slough Project**– Langdale reported that Travis Figard at E&A Consulting Group had made contact with the landowners A.M. Davis Mercantile Company and Mark A. Bousek to negotiate damages for acquiring temporary landrights for the 52<sup>nd</sup> & Beal Slough Stream Stabilization Project as per the December 14<sup>th</sup> recommendation of the Board to authorize staff to begin the process of landrights acquisition in accordance with Director Lewis’s guidance. A.M. Davis and Bousek both have accepted the offers made. Next steps will be to draft easement agreements and exhibits. Zillig explained that District Operating Policies (item G-1, paragraph 1) gives the General Manager authorization to execute temporary construction easements, and no further Board action is required.

After no further questions, Zillig and Lindemann reported that they attended the final reading at City Council for the City Ordinance updates to the Flood and Water Quality Protection Manual. The Ordinances and City supported amendments were approved and will go into effect March 1, 2023. An amendment approved by the Council requires LTU to develop a work plan in six months for structural solutions to help mitigate floodplain elevations and also public outreach informing of the updated FEMA floodplain maps and provide awareness of predicted flooding as related to NOAA Atlas 14 rainfall data. Zillig noted that the NRD will be involved in the development of this work plan, and may request some Directors for assistance.

Meeting adjourned at 6:24 pm.

cc: Deb Eagan  
Steve Seglin  
Corey Wasserburger