




## LOWER PLATTE SOUTH natural resources district

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### Memorandum

**Date:** October 11, 2023  
**To:** Urban Subcommittee  
**From:** Mark Lindemann, District Engineer   
**Subject:** Urban Subcommittee Meeting Minutes – October 2023

The Urban Subcommittee met on Wednesday, October 11<sup>th</sup>, at the NRD Office, at 5:30 pm. Subcommittee members participating included John Yoakum- committee chair, Gary Aldridge, Melissa Baker, Larry Ruth, Susan Seacrest, and Stacie Sinclair. Others participating included Board Chair Landis, NRD staff Mike Sousek, Mike Murren, Drew Ratkovec, Mark Lindemann, and Corey Wasserburger from Legal Counsel. Mary Furnas from Rolling Hills Park Association/ HOA and Scott Speicher from Clark and Enersen were also in attendance. Director Yoakum called the meeting to order at 5:30pm. There were two items on the agenda the Subcommittee took action on, and two update reports. A quorum was present for the meeting.

**A. Discussion on the Development of Formal Policy for the Community Assistance Program** – In recent Urban Subcommittee and Board meetings, there was discussion that a formal policy should be developed for the Community Assistance Program (CAP). Lindemann noted that there was no formal policy written to this point and that NRD staff worked together to develop a new draft policy for Directors to review and comment on. Drew Ratkovec, NRD Stormwater Specialist who manages the CAP referred to the Draft Policy for the subcommittee to discuss and comment on. The intent of this policy is to provide clear and consistent guidance on the determination of eligibility and to direct staff on the processes to follow and convey to applicants with flexibility to adapt the policy based on the program’s needs. Ratkovec provided a history of the CAP, and stated that the average all CAP projects to date cost around \$93,000, with a range of \$7,000 to \$1 Million. Directors and staff discussed the draft policy regarding the allowance for the NRD to sunset an approved application based on progress thresholds, utilizing a contract or interlocal agreement based on a threshold dollar amount, requiring a claw-back clause ensuring a project is maintained for a minimum duration, and procedures for applicants to follow to request an increase in cost-share assistance due to project cost increases. A Microsoft Word version of the draft policy document was requested by Directors so additional wording could be refined. It was agreed that staff and Directors would work to prepare a final policy to bring to the November subcommittee meeting for recommendation of adoption and approval by the Board.

**B. Consideration of a Community Assistance Program Application for the Low Flow Channel Liner Repair Construction Project from the Rolling Hills Park/Homeowners Association [ACTION]** – Lindemann referred to the memorandum from Drew Ratkovec, dated October 4, 2023, included in the background materials. Ratkovec then explained the original Community Assistance Program (CAP) application request from the May 2023 Board Meeting received from Rolling Hills Park Association/HOA for a cost-share for

the design and construction observation services to repair the existing low-flow liner. Ratkovec noted that Mary Furnas, president of Rolling Hills Park Association and Scott Speicher, design engineer from Clark & Enersen were present. Final plans have been prepared by Clark & Enersen, the applicant's engineer, and have been reviewed by NRD staff. Bids for construction were solicited with the applicant selecting the low bid from Nebraska Digging Services, LLC, for a total cost of \$53,270.25 for the project. The HOA is requesting the NRD to cost share the low bid of \$53,270.25. The City of Lincoln has agreed to reimburse the NRD \$5,327.03 (10%) as part of the FY23-24 Interlocal Stormwater Work Plan with the NRD. Total funding by the NRD would be \$29,298.64, including the City Reimbursement of \$5,327.03. If approved by the Board, the funding would be broken down as; Rolling Hills \$23,971.61 (45%), LPSNRD \$23,971.61 (45%), and City \$5,327.03 (10%).

It was moved by Seacrest, seconded by Sinclair, and unanimously approved by the Subcommittee to recommend that the Board of Directors approve the Community Assistance Program application request for the Low Flow channel Liner Repair Construction Project from Rolling Hills Park Association Inc./ Homeowners Association, at a cost-share amount of \$29,298.64 of NRD funds, with the City reimbursing the NRD \$5,327.03.

**C. Consideration of a Professional Services Agreement with Felsburg, Holt, and Ullevig for Construction Management Services for the Deadmans Run N. 66<sup>th</sup> to Vine Street Bank Repair Project [ACTION]** – Lindemann reported that the final design for the Deadmans Run Bank Repair Project from 66<sup>th</sup> to Vine Street was complete and that advertising for bids for construction is expected to occur in November. FHU has prepared plans and specifications for the project. This project will require bidding services, construction management, and site observation services during active construction and vegetation establishment to ensure proper construction methods and that the project is built to the plans and specifications. NRD staff has worked with FHU to provide a scope and fee for professional services, at a cost not to exceed \$29,555. Questions were answered relating to estimated construction costs, project duration, and remaining permits required.

It was moved by Baker, seconded by Seacrest, and unanimously approved by the Subcommittee to recommend that the Board of Directors approve the Professional Services Agreement with Felsburg, Holt, and Ullevig, for Construction Management Services for the Deadmans Run N. 66<sup>th</sup> to Vine St. Bank Repair Project, at an amount not to exceed \$29,555.

**D. Update on Beal Slough Watershed Master Plan Project 70<sup>th</sup> to Pine Lake**– Lindemann introduced the Beal Slough stream stability project from 70<sup>th</sup> Street to Pine Lake and referred to the screen to show the location of the project. This stream stabilization project on Beal Slough is one of the capital improvement projects that resulted from the Beal Slough Watershed Masterplan. Intuition & Logic Engineering, Inc. was the designer and engineer of record who developed the final plans and performed construction observation and administration. Schemmer, a sub-consultant for Intuition & Logic, provided onsite observation and documentation for the project. It was noted that a significant portion of this property was donated to the City, who intends to develop a trail along this corridor of Beal Slough. Mike Murren, then explained the requirements of the specifications described the events of the project during construction. This stream stabilization project, awarded to High Plains Enterprises in January of 2021, included construction of rock grade control structures, bank stabilization, and vegetated rock using live stake planting. To date, all work has been completed by the contractor, with the live stake plantings performed unsuccessfully, as defined by the specifications, after two attempts. The plans and specifications for the project require a total of 2,118 live stakes plants with an 80% plant survival rate after one year (1,694 living

plants = 80% Survival Rate). After both Contractor attempts in live stakes planting, the number of observed living live stake plants were observed to be significantly less than the number required to meet the plant survival specification with 46 and 117 plants living after the first and second attempts, respectively. A copy of Intuition & Logic's construction observation report of live stake planting review is attached. The bid items for Vegetated Rock total \$87,320.25. Murren noted that previous projects at South Salt Creek #3 and #4 were examples of successful NRD projects with similar designs and specifications. The NRD currently is withholding \$5,000 for as-built plans (not yet received) and \$42,198.55 in total retainage. Corey Wasserburger, NRD Legal Counsel was asked to provide next actions that could be pursued by the NRD and appropriate next steps. Directors discussed the possibility of damage to the project that could occur during a high-water event without proper live stake plant growth and that action should be taken by the District. The subcommittee recommended that the District to follow Legal Counsel's advice to continue next steps and report back on progress.

Meeting adjourned at 6:53 pm.

cc: Dave Landis  
Steve Seglin  
Corey Wasserburger