



LOWER PLATTE SOUTH natural resources district

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Memorandum

Date: August 21, 2020
To: Urban Subcommittee
From: Jared Nelson, District Engineer
Subject: Urban Subcommittee Meeting Minutes – August 2020

The Urban Subcommittee met at 5:30pm, on Thursday, August 20, 2020. Subcommittee members participating included Mike DeKalb, Karen Amen, Robert Andersen, Tom Green, Greg Osborn, Milt Schmidt and Ray Stevens. Members absent include Anthony Schutz. Others participating included NRD staff Paul Zillig, Dave Potter, Mike Murren, Al Langdale, Tracy Zayac and Jared Nelson; Sara Hartzell with City of Lincoln Parks & Recreation Department; and Brad Marshall and Brian Schuele with Olsson. Director DeKalb called the meeting to order at 5:30pm, gave a brief welcome, and reviewed the agenda. There were three items the Subcommittee took action on and a couple of reports discussed as described below.

(a.) Consideration of Amendment #1 to the 2006 Wilderness Hills South and Wilderness Commons Settlement Agreement. – Sara Hartzell referred to the attached information beginning with a letter from Lynn Johnson, the Director of Parks and Recreation for City of Lincoln. She described that back in 2006, there was a Settlement Agreement which was agreed upon as a package between the City, NRD, and the developer of Wilderness Hills. She discussed how in addition to establishing the City/NRD conservation easement located northwest of S 40th & Rokeby Rd, the Settlement Agreement also contained provisions between the City and developers regarding parkland and trails and a planned S. 34th St crossing.

She went on to describe that the City and developer are proposing an amendment to the 2006 Settlement Agreement, and the changes proposed relate to the trail, parkland, and revisions to S. 34th St crossing, but no changes were proposed to the conservation easement itself. She discussed that due to high costs and impacts to the floodplain, a trail crossing over the conservation easement is now proposed instead of the S. 34th St roadway crossing. She also discussed changes to trail configurations, and moving the location of the proposed 5-acre City park to be next to the new school instead of in the conservation easement.

DeKalb asked about the legal aspect of this amendment, and Zillig described how legal counsel advised that that the NRD needs to take action on this since they were a party to the original Settlement Agreement. Amen asked about the rationale in 2006 to obtain the conservation easement, and Zillig responded it was established to protect the stream corridor and area not mapped as floodplain at that time.

It was moved by Osborn, seconded by Stevens, and unanimously approved by the Subcommittee to recommend that the Board of Directors approve Amendment #1 to the Settlement Agreement with the City of Lincoln, Lincoln Federal Bankcorp, INC, and Wilderness Commons, LLC, for the Wilderness Hills Conservation Easement, pending legal counsel review.

(b.) Consideration of a Preliminary Engineering Services Agreement with BNSF Railway Company to review bridge plans for the Deadmans Run Flood Reduction Project. – Jared Nelson, staff, described that currently the Deadmans Run Flood Reduction Project (DMRFRP) plans to build a concrete flume under the Burlington Northern Santa Fe (BNSF) railroad bridge at Deadmans Run to increase conveyance. He said a different option is also being discussed to alternatively replace the BNSF bridge altogether with a larger one, and BNSF is wanting to understand more in order to make a decision. He added that the City is interested in this new bridge option, and had Olsson develop preliminary plans of a new bridge structure.

Nelson described how BNSF needs to review the plans to learn more, and is requesting the NRD enter into an agreement with them, in order for a third-party engineering firm to review the plans on behalf of BNSF. Nelson explained that the intended outcome is that BNSF can decide if they want to move forward with a bridge or not. If they do, the higher costs of a bridge (vs. flume) would likely necessitate that BNSF contribute to the project cost or take the lead on building a new bridge.

Green asked what the benefits of a bridge are, and Zillig said there are benefits to the public, trail, and increased conveyance of flood flows. Stevens asked if a flume option was chosen, would we need BNSF to approve the flume as part of the DMRFRP project; have we looked if the flume would work; and what are the cost implications. Zillig responded the flume is proposed on BNSF property so they would need to approve it, and Nelson also added that BNSF would need to review the flume design. Zillig discussed that if the DMRFRP project doesn't build a flume, then the City/NRD could participate on the bridge cost. Zillig said the cost of this proposal, like all DMRFRP aspects, would be split 50/50 with the City.

It was moved by Schmidt, seconded by Osborn, and approved by the Subcommittee (with Green voting 'no') to recommend that the Board of Directors approve the Preliminary Engineering Services Agreement with BNSF Railway Company, to review bridge plans for the Deadmans Run Flood Reduction Project, at a cost not to exceed \$8,000, pending legal counsel review.

(c.) Review of FY20 Measurable Goals and acceptance of FY21 Measurable Goals for inclusion in the FY2021 Long Range Implementation Plan. – Dave Potter, staff, discussed the Measurable Goals which were sent to all Board members. Potter then led the Subcommittee through the discussion of 12-month review of the Urban Subcommittee's Measurable Goals from FY 20 and the proposed Measurable Goals for FY 21.

It was moved by Stevens, seconded by Amen, and unanimously approved by the Subcommittee to accept the FY21 Measurable Goals for the Urban Subcommittee and submit the Goals to the Finance & Planning Subcommittee for inclusion in the FY2021 Long Range Implementation Plan.

(d.) Reports. – Nelson gave a report on the DMRFRP Flume model, and UNL is close to having the model complete. He said by mid-to-late September, the flume should be up and running. Next, Al Langdale, staff gave an update on the Salt Creek Levee USACE PL84-99 Repair project and said the contractor keeps progressing but is behind schedule. He said the final completion date is September 10th, but the contractor will not likely finish by then, so the USACE will assess Liquidated Damages to the contractor if work is not completed by then.

There being no further business the meeting adjourned at approximately 6:15 pm.

JN/jn

Enclosures;