

METROPOLITAN UTILITIES DISTRICT
Committee Meetings

8:15 a.m.

October 6, 2021

AGENDA

1. Safety Briefing
2. Roll Call
3. Open Meetings Act Notice

Construction and Operations – Frost, Friend, Cavanaugh

1. Capital Expenditures [Gina Langel - SVP, Chief Operations Officer] – **Tab 5**
2. Acceptance of Contracts and Payment of Final Estimates
[Stephanie Henn – Director, Plant Engineering] – **Tab 6**
3. Bids on Materials and Contracts
[Jon Zellars – VP, Procurement & Enterprise Services] – **Tab 7**
4. Renewal of LaVista Water Franchise Agreement
[Mark Mendenhall – Senior Vice-President & General Counsel] – **Tab 9**

Services & Extensions – Friend, Begley, Howard

1. Authorization to Install Water Main District on Earl Avenue, Bruhn Estates
[Mark Mendenhall – Senior Vice-President & General Counsel] – **Tab 10**
2. Main Extensions [Cory O'Brien –VP, Engineering & Construction] – **Tab 11**

Personnel – Begley, Frost, Friend

1. Wage and/or Salary Increases and Ratifications
[Bonnie Savine – VP, Human Resources] - **Tab 12**

Accounts, Expenditures, Finance & Rates – McGowan, Begley, Cook

1. Proposed Changes to Gas Rate Schedule for Contract Gas Service
[Geneva Patterson – Manager, Rates & Regulatory Affairs] – **Tab 13**

Judicial and Legislative – Cook, Cavanaugh, Howard

1. OPPD Lease at LNG Property
[Mark Mendenhall – Senior Vice-President & General Counsel] – **Tab 14**
2. Ratification of Property Purchase of Property Near Platte South WTP
[Mark Mendenhall – Senior Vice-President & General Counsel] – **Tab 15**

Committee of the Whole

1. LNG Capital Improvement Project Update & Revisions to Scope
[Jim Knight – VP, Gas Operations] – **Tab A [Information Only]**

(Turn over for regular Board Meeting agenda)

METROPOLITAN UTILITIES DISTRICT
Regular Monthly Board Meeting

9:00 a.m.

October 6, 2021

AGENDA

1. Roll Call
2. Open Meetings Act Notice
3. Pledge of Allegiance
4. Approval of Minutes – Committee Meetings & Regular Board Meeting for September 1, 2021
- CONSTRUCTION & OPERATIONS 5. Capital Expenditures
6. Acceptance of Contracts and Payment of Final Estimates
7. Bids on Materials and Contracts
8. Notice of Purchases Between \$25,000 and \$50,000
9. Renewal of LaVista Water Franchise Agreement
- SERVICES & EXTENSIONS 10. Authorization to Install Water Main District on Earl Avenue, Bruhn Estates (RESOLUTION)
11. Main Extensions
- PERSONNEL 12. Wage and/or Salary Increases and Ratifications
- ACCOUNTS, EXPENDITURES, FINANCE & RATES 13. Proposed Changes to Gas Rate Schedule for Contract Gas Service
- JUDICIAL & LEGISLATIVE 14. OPPD Lease at LNG Property
15. Ratification of Property Purchase Near Platte South WTP
- BOARD 16. Other Matters of District Business for Discussion
17. CLOSED SESSION – Litigation, Personnel & Real Estate

Adjourn Regular Monthly Board Meeting

(Turn over for Committee Meetings agenda)

METROPOLITAN UTILITIES DISTRICT

Minutes of Committee Meetings

September 1, 2021

Vice-Chairperson Jack Frost called to order the Committee meetings of the Metropolitan Utilities District Board of Directors at 8:15 a.m. at its headquarters building located at 7350 World Communications Drive. Vice-Chairperson Frost served as acting Chairperson in place of Mike McGowan who was unable to attend.

Advance notice of the meetings was published in the print version of *The Omaha World-Herald* on Sunday, August 29, 2021, and the online version from August 25, 2021 through August 31, 2021. Notice was also provided on the M.U.D. website at www.mudomaha.com and other social media platforms. Agendas and pertinent documents to be presented at the September 1, 2021, meetings were delivered to Board Members and posted to the M.U.D. website by August 27, 2021.

Vice-Chairperson Frost announced that the meeting was being livestreamed and a recording of the meeting would be uploaded to the M.U.D. website after the meeting's conclusion. He also announced that due to the uptick in COVID cases, the District had reinstated additional COVID-related precautions. The number of attendees at the meeting was limited to the extent possible, unvaccinated people were required to wear masks, and all attendees were encouraged to abide by the six-foot social distancing rule.

Roll Call

On a roll call vote, the following Directors acknowledged their presence: Dave Friend, Jack Frost, Gwen Howard, Tim Cavanaugh, Jim Begley, Tanya Cook. Director McGowan was absent. All attending Directors participated in-person.

Safety Briefing

Vice-President of Safety, Security and Business Continuity Shane Hunter provided a safety briefing for all individuals attending the meeting in-person regarding the protocol in the event of an emergency.

Open Meetings Act Notice

Director Frost announced that a copy of the Open Meetings Act was located in the back of the Board Room as well as in the conference room designated for any members of the public who may attend.

Construction and Operations – Frost, Friend, Cavanaugh

Vice-President of Engineering & Construction Cory O'Brien reviewed the proposed capital expenditures as outlined in his letter to the Committee dated August 26, 2021. Mr. O'Brien requested that No. 9 under the heading "Buildings, Plants and Equipment" be tabled to allow for further review. This item pertained to the capital

expenditures necessary to provide natural gas to OPPD's Standing Bear electrical generation facility as part of OPPD's Power with Purpose decarbonization initiative, which will rely on solar power with natural gas as a backup energy source. Mr. O'Brien requested that the Board motion approving the Capital Expenditures letter at the regular Board Meeting specifically exclude that item.

Senior Vice-President & General Counsel Mark Mendenhall presented the proposed cell tower relocation project as outlined in his letter to the Committee dated August 25, 2021. The tower currently sits on property leased to Verizon by M.U.D. at 120th Street and Military Avenue. The \$1 million relocation project is also related to OPPD's Power with Purpose decarbonization initiative in that it will make way for the construction of OPPD's electrical generation facility. The District has entered into a memorandum of understanding with OPPD whereby OPPD will repay to M.U.D. the tower relocation costs together with M.U.D.'s costs to install the gas facilities over a five-year period.

Director of Plant Engineering Stephanie Henn reviewed the acceptance of contracts and payment of final estimates as outlined in her letter to the Committee dated August 25, 2021.

Vice-President of Procurement and Enterprise Services Jon Zellars reviewed the revised bids on materials and contracts as outlined in the letter from Director of Procurement Sherri Meisinger to the Committee dated August 26, 2021.

Services & Extensions – Friend, Begley, Howard

Mr. O'Brien reviewed the proposed main extensions as outlined in his letter to the Committee dated August 26, 2021.

Mr. Mendenhall presented the proposal to create a new water main district (WMD) in an area located at Earl Avenue in Bruhn Acres, as outlined in Mr. O'Brien's letter to the Committee dated August 26, 2021, and as outlined in the accompanying Resolution. No new WMD's have been created since 1993 due to the prominence of Sanitary and Improvement Districts (SIDs) as the primary mechanism used by housing developers to extend and install utilities, streets and sewers. In accordance with statutory requirements, property owners who will be served by the M.U.D. water main extension will be assessed prorated costs (by footage abutting the main) to be paid back annually to the District via property taxes over the course of a 10-year period. The proposal seeks Board approval to create a WMD in the Earl Avenue location as identified in the map and other written materials presented to the Board, assess the property owners and charge a 4% rate of interest on the deferred assessment payments.

Personnel - Begley, Frost, Friend

Vice-President of Human Resources Bonnie Savine provided an update on the current number of employees and the current status of job placements.

Ms. Savine reviewed the proposed wage and/or salary increases and ratifications as outlined in her letter to the Committee dated August 20, 2021.

Ms. Savine provided the annual review of the proposed group insurance contract renewals as outlined in her letter to the Committee dated August 23, 2021. The renewals included both PPO & HMO health through Blue Cross and Blue Shield, dental, vision, flexible spending accounts, basic life insurance, supplemental (voluntary) life insurance, accidental death & dismemberment (AD&D), long-term disability (LTD), and COBRA administration. Minor changes and newly negotiated rates were recommended.

Ms. Savine reviewed Management's proposed selection of Sue Lobsiger for the position of Senior Vice-President, Chief Information Officer as outlined in Ms. Savine's letter to the Committee dated August 24, 2021.

Judicial & Legislative - Cook, Cavanaugh, Howard

Staff Attorney Justin Cooper reviewed two agenda items regarding Management's recommendations to declare two District properties as surplus, one at 3710 Madison Street and one at 4951 Grover Street as outlined in his letters to the Committee dated August 18, 2021, and as outlined in the accompanying Resolutions. Photos and map locations for each of the two properties were presented.

Vice-Chairperson Frost asked whether any Board Members had any further comments. There were none.

Vice-Chairperson Frost announced that due to COVID-related precautions, any members of the public interested in speaking at the meeting were provided access via a Webex connection set up in a conference room adjacent to the Board Room at the Headquarters Building. He asked whether any members of the public were present and wished to speak, and if so, to please relay that information to the conference room moderator. There were none.

At 9:18 a.m., Vice-Chairperson Frost announced that the Committee Meetings had concluded and that the Board would convene at 9:30 a.m. for the regular monthly Board Meeting.



Mark E. Doyle
Secretary and President

MED/mjm

METROPOLITAN UTILITIES DISTRICT
Minutes of the Regular Monthly Board Meeting
September 1, 2021

Vice-Chairperson Jack Frost called to order the Board Meeting of the Metropolitan Utilities District Board of Directors at 9:30 a.m. at its headquarters building located at 7350 World Communications Drive. Vice-Chairperson Frost served as acting Chairperson in place of Mike McGowan who was unable to attend.

Advance notice of the meetings was published in the print version of *The Omaha World-Herald* on Sunday, August 29, 2021, and the online version from August 25, 2021, through August 31, 2021. Notice was also provided on the M.U.D. website at www.mudomaha.com and other social media platforms. Agendas and pertinent documents to be presented at the September 1, 2021, meetings were delivered to Board Members and posted to the M.U.D. website by August 27, 2021.

Vice-Chairperson Frost announced that the meeting was being livestreamed and a recording of the meeting would be uploaded to the M.U.D. website after the meeting's conclusion. He also announced that due to the uptick in COVID cases, the District had reinstated additional COVID-related precautions. The number of attendees at the meeting was limited to the extent possible, unvaccinated people were required to wear masks, and all attendees were encouraged to abide by the six-foot social distancing rule.

AGENDA NO. 1

ROLL CALL

On a roll call vote, the following Directors acknowledged their presence: Dave Friend, Jack Frost, Gwen Howard, Tim Cavanaugh, Jim Begley, Tanya Cook. Director McGowan was absent. All attending Directors participated in-person.

AGENDA NO. 2

OPEN MEETINGS ACT NOTICE

Vice-Chairperson Frost announced that a copy of the Open Meetings Act was located in the back of the Board Room as well as in the conference room designated for any members of the public who may attend.

AGENDA NO. 3

PLEDGE OF ALLEGIANCE

Vice-Chairperson Frost invited all who wished to participate to recite the Pledge of Allegiance.

AGENDA NO. 4

APPROVAL OF MINUTES FOR COMMITTEE MEETINGS AND REGULAR MONTHLY BOARD MEETING FOR AUGUST 4, 2021

Director Friend moved to approve the minutes for the Committee Meetings and regular monthly Board Meeting for August 4, 2021, which was seconded by Director Begley and carried on a roll call vote.

Voting Yes: Friend, Frost, Howard, Cavanaugh, Begley, Cook

Voting No: None

AGENDA NO. 5

CAPITAL EXPENDITURES

Director Cavanaugh moved to approve the capital expenditures as outlined in Mr. O'Brien's letter to the Committee dated July 27, 2021, with the exception of No. 9 under the Buildings, Plants and Equipment heading pertaining to M.U.D.'s installation of gas pipe, town border station improvements and meter equipment for OPPD's Standing Bear electrical generation facility. The motion was seconded by Director Howard and carried on a roll call vote.

Voting Yes: Friend, Frost, Howard, Cavanaugh, Begley, Cook

Voting No: None

AGENDA NO. 6

CELL TOWER RELOCATION AT 120TH STREET AND MILITARY AVENUE

Director Cavanaugh moved to approve the cell tower relocation at 120th and Military Avenue as outlined in Mr. Mendenhall's letter to the Committee dated August 25, 2021, which was seconded by Director Cook and carried on a roll call vote.

Voting Yes: Friend, Frost, Howard, Cavanaugh, Begley, Cook

Voting No: None

AGENDA NO. 7

ACCEPTANCE OF CONTRACTS AND PAYMENT OF FINAL ESTIMATES

Director Cavanaugh moved to approve the acceptance of contracts and payment of final estimates as outlined in the letter from Ms. Henn to the Committee dated August 25, 2021, which was seconded by Director Friend and carried on a roll call vote.

Voting Yes: Friend, Frost, Howard, Cavanaugh, Begley, Cook

Voting No: None

AGENDA NO. 8

BIDS ON MATERIALS AND CONTRACTS

Director Cavanaugh moved to approve Management's recommendations regarding the revised bids on materials and contracts as discussed by Mr. Zellars and as outlined in the letter from Director of Procurement Sherri Meisinger dated August 26, 2021. The motion was seconded by Director Begley and carried on a roll call vote.

Voting Yes: Friend, Frost, Howard, Cavanaugh, Begley, Cook
Voting No: None

AGENDA NO. 9
MAIN EXTENSIONS

Director Friend moved to approve the proposed main extensions as outlined in Mr. O'Brien's letter to the Committee dated August 26, 2021, which was seconded by Director Howard and carried on a roll call vote.

Voting Yes: Friend, Frost, Howard, Cavanaugh, Begley, Cook
Voting No: None

AGENDA NO. 10
CREATION OF WATER MAIN DISTRICT AT EARL AVENUE, BRUHN ACRES
(RESOLUTION)

Director Friend moved to approve the proposed creation of a water main district located at Earl Avenue in Bruhn Acres as outlined in Mr. O'Brien's letter to the Committee dated August 26, 2021 along with the accompanying Resolution and as presented by Mr. Mendenhall at the Committee Meetings. The motion was seconded by Director Cavanaugh and carried on a roll call vote.

Voting Yes: Friend, Frost, Howard, Cavanaugh, Begley, Cook
Voting No: None

AGENDA NO. 11
WAGE AND/OR SALARY INCREASES AND RATIFICATIONS

Director Begley moved to approve the wage and/or salary increases and ratifications as outlined in Ms. Savine's letter to the Committee dated August 20, 2021. The motion was seconded by Director Howard and carried on a roll call vote.

Voting Yes: Friend, Frost, Howard, Cavanaugh, Begley, Cook
Voting No: None

AGENDA NO. 12
GROUP INSURANCE CONTRACT RENEWALS

Director Begley moved to approve Management's recommendations pertaining to renewal of the group insurance products as outlined in Ms. Savine's letter dated August 23, 2021. The motion was seconded by Director Cavanaugh and carried on a roll call vote.

Voting Yes: Friend, Frost, Howard, Cavanaugh, Begley, Cook
Voting No: None

AGENDA NO. 13
RECOMMENDATION FOR SENIOR VICE-PRESIDENT, CHIEF INFORMATION OFFICER

Director Begley moved to approve Management's selection of Sue Lobsiger for the position of Senior Vice-President, Chief Information Officer as outlined in Ms. Savine's letter dated August 24, 2021. The motion was seconded by Director Howard and carried on a roll call vote.

Voting Yes: Friend, Frost, Howard, Cavanaugh, Begley, Cook
Voting No: None

AGENDA NO. 14
DECLARATION OF SURPLUS PROPERTY AT 3710 MADISON STREET (RESOLUTION)

Director Cook moved to approve the declaration of surplus property at 3710 Madison Street as outlined in Mr. Mendenhall's letter and accompanying Resolution to the Committee dated August 18, 2021, and as presented by Mr. Cooper at the Committee Meetings. The motion was seconded by Director Friend and carried on a roll call vote.

Voting Yes: Friend, Frost, Howard, Cavanaugh, Begley, Cook
Voting No: None

AGENDA NO. 15
DECLARATION OF SURPLUS PROPERTY AT 4951 GROVER STREET (RESOLUTION)

Director Cook moved to approve the declaration of surplus property at 4951 Grover Street as outlined in Mr. Mendenhall's letter and accompanying Resolution to the Committee dated August 18, 2021, and as presented by Mr. Cooper at the Committee Meetings. The motion was seconded by Director Cavanaugh and carried on a roll call vote.

Voting Yes: Friend, Frost, Howard, Cavanaugh, Begley, Cook
Voting No: None

AGENDA NO. 16
OTHER MATTERS OF DISTRICT BUSINESS FOR DISCUSSION

Vice-Chairperson Frost announced that due to COVID-related precautions, any members of the public interested in speaking at the meeting were provided access via a Webex connection set up in a conference room adjacent to the Board Room at the Headquarters Building. He asked whether any members of the public were present and wished to address the Board. There were none.

Director Friend moved to adjourn the regular monthly Board Meeting, which was seconded by Director Cook and carried on a roll call vote.

Voting Yes: Friend, Frost, Howard, Cavanaugh, Begley, Cook
Voting No: None

The regular monthly meeting was adjourned at 9:39 a.m.

A handwritten signature in blue ink that reads "Mark E. Doyle". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Mark E. Doyle
Secretary and President

MED/mjm

METROPOLITAN UTILITIES DISTRICT

Inter-Department Communication

September 28, 2021

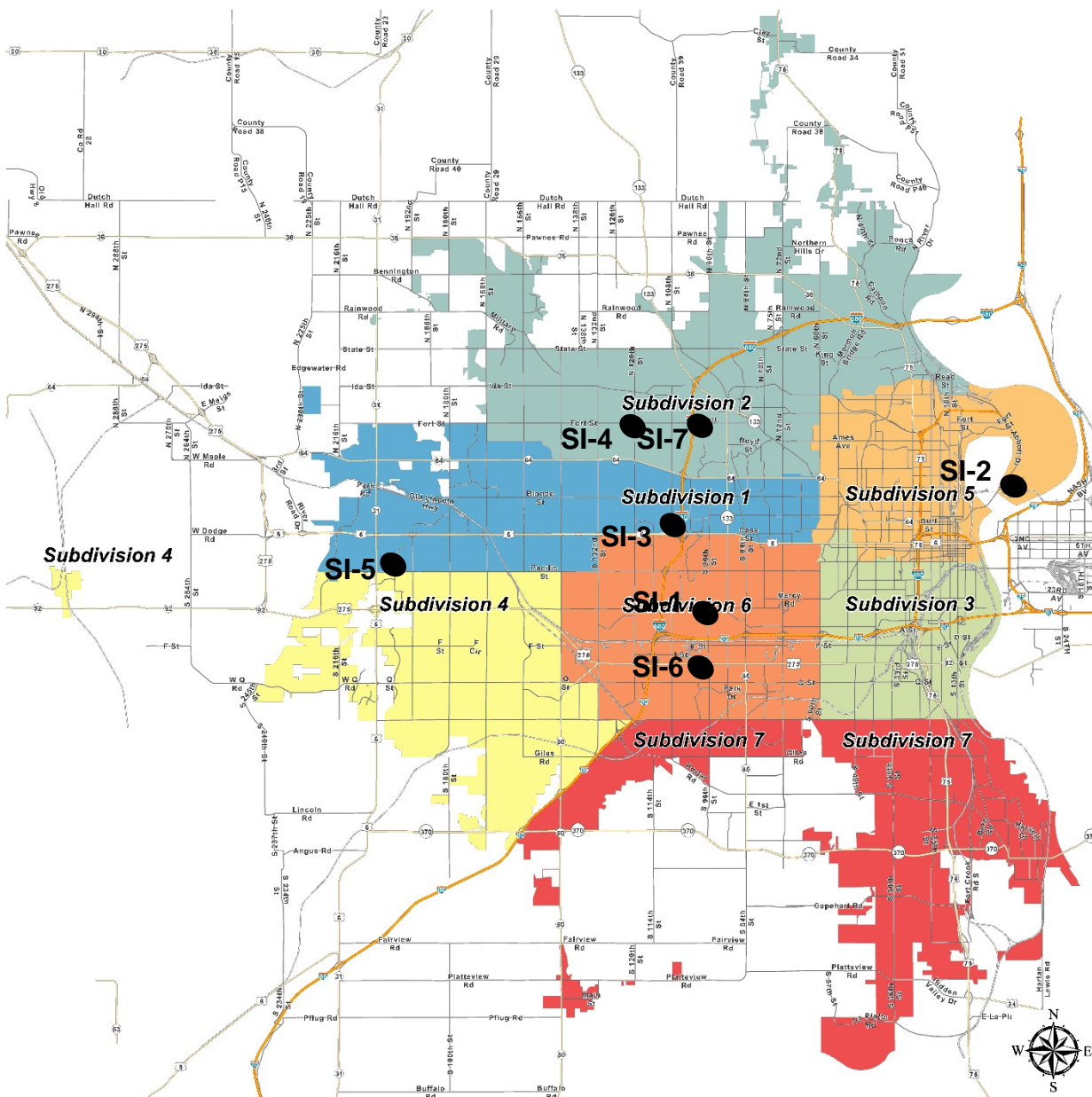
Subject: CAPITAL EXPENDITURES

To: Committee on Construction and Operations

cc: all Board Members, Doyle, Mendenhall, Schaffart, Ausdemore, Langel, and all Vice Presidents

From: Gina Langel, Senior Vice President, Chief Operations Officer

The following items will be on the October 6, 2021, Committee Agenda for consideration and the Board Agenda for approval:



SYSTEM IMPROVEMENTS

1. R 2076 (100053001496 and 100054001085) – \$63,600 – Install 120 feet of 12-inch water main and 230 feet of 3- and 4-inch gas main, 96th and Frederick Sts. Authorization for emergency gas and water main abandonment work was originally approved on June 9, 2021. The temporary abandonment of District facilities was completed in July of 2021 to allow the City of Omaha's contractor to safely begin emergency repairs related to a failing culvert in right-of-way under 96th Street. Final City plans were submitted to the District last month allowing water and gas main replacement design to proceed. This main replacement work is scheduled to start in October 2021. No residential gas or water services will be impacted by this work. This work is not reimbursable as the mains are in public right-of-way. **(Subdivision 6 – McGowan)**

2. WP 1660 (100051001041 and associated job numbers) - \$400,000 – Replace Two Carter Lake meters and vaults, 100 E. Locust St. and 1650 E. Locust St. Under the water service agreement between the District and Carter Lake, Iowa, the District owns and maintains the four wholesale meters and vaults that supply water to the town. The two oldest meters and vaults have become obsolete and require replacement. These were both installed in 1977. The vault at 1650 Locust is in an especially undesirable location at the edge of Locust Street in the driveway/entrance to a Casey's convenience store. This vault has begun to sink and crack after years of car and truck traffic loads. The reading of both these meters currently needs to be performed monthly and the vaults flood and must be pumped and cleaned out prior to each reading. The standing water inside the vaults is damaging to the meters themselves and the registers have needed frequent replacement. Since the meters are 30 years old, replacement parts have become unavailable. Additionally, Measurement is not currently able to test the meters and verify their accuracy. **(Subdivision 5 – Cook)**

3. R 2137 (100054001003 and 100068001046) - \$604,000 – Install 4,070 feet of 2-, 4- and 6-inch gas mains, 108th St., Decatur to Burt Sts. This work is required to eliminate conflicts with proposed grading, paving and storm sewers being done for a City of Omaha project. This project is anticipated to start in October of 2021. The grading cuts on this project are significant. Proposed cuts on the north end of the project are about six feet and on the south end they are nearly nine feet. Due to the significant cuts and scheduling requirements, the District must install most of these mains much deeper than normal prior to grading. The gas mains in this area were installed in 1963. Eight residential and four commercial gas services will be reconnected at a cost of \$44,000. This work is not reimbursable as the mains are in public right-of-way. **(Subdivision 1 – Begley)**

4. GP 2675 (100060001429 and associated job numbers) - \$3,200,000 – Install 3,300 feet of 16-inch steel gas pipe, gas metering equipment, and upgrade the MUD town border station at approximately 116th Court and Fort Street. This gas pipe, town board station improvements, and meter equipment are being installed to provide natural gas to the proposed OPPD Standing Bear power generation facility. The work covered by this capital expenditure request needs to be completed by November 1, 2022. The economic feasibility of the costs to be incurred by the District was addressed via a comprehensive multi-year financial analysis, with review by staff members from Finance, Engineering, Legal and Gas Supply. The applicable revenue streams were compared against the costs to be incurred, and the financial business case in support of these expenditures is sound. **(Subdivision 2, Friend)**

5. R 2029 REVISION (100053001432 and 100067001413) - \$752,085 – Install 550 feet of 30-inch water main in 192nd St., Grey Fawn Plz. and Harney St. This work was originally approved by the Board on November 5, 2020. Since then, the road widening causing this relocation has essentially been completed. In addition, to not delay this project the existing transmission main

is now temporarily buried under significant fill, behind a retaining wall to allow grading, sewer and paving completion. Though government requires these roadway improvements, most costs are passed along to adjacent development. In this case, Douglas County has funded much of this major road improvement project to date. The District's water main relocation costs were to be initially paid by the County but reimbursed by nearby development. However, the County is now resigned to bearing a significant portion of these main relocation costs. Therefore, the County has requested financial contributions from the District and the City of Omaha. The District has specifically been asked to waive overheads. After careful consideration management recommends approving this request with the mutual understanding that the County, the City and the adjacent developer will co-fund all remaining relocation costs. Approval of this request will authorize management to waive total estimated overhead costs of \$76,952. This main is critically important to serving northwest Omaha and must be relocated yet this fall to eliminate unacceptable risks associated with its current inaccessibility and the certainty of price increases associated with further delay. **(Subdivision 1, Begley)**

6. R 2108 (100053001478 and associated job numbers) - \$807,500 - Install 180 feet of 12- and 16-inch water main, relocate two hydrants, install 3,520 feet of 1-1/4-, 3-, 4- and 12-inch gas main, and install above and below ground regulator station piping, "I" St., 102nd to 108th Sts. This work is required to eliminate conflicts with proposed grading, paving and storm sewers being done for a City of Omaha project. This work is anticipated to start in October 2021. The water main in this corridor was conditionally assessed earlier this summer which provided data to assist with replacement decisions. A second capital expenditure request detailing the scope of main rehabilitation work will be submitted in the near future. This work is not reimbursable as the mains are in public right-of-way. **(Subdivision 6, McGowan)**

7. WP 1633 (100051001039 and 100065001590) - \$600,000 – Replace 32 feet of 48-inch water main at 99th and Fort Sts. and replace 16 feet of water main at 105th and Fort Sts., 10344 Fort St., 93rd and Fort Sts. and 9412 Fort St. There is a total of 47 miles of concrete pipe in the District's water transmission system. Thirteen miles of this pipe, produced by the Interpace Company and installed 50 years ago, are known to have a high rate of manufacturing defects. These defects involve the pipe's reinforcing wires and can lead to sudden and significant pipe failure. These mains have been evaluated through the District's concrete main condition assessment program to identify those sections at elevated risk of failure for targeted replacement. The District has made steady progress and has already replaced the sections with the most significant deterioration. Under this authorization we are requesting to remove and replace six additional 16-foot pipes that are in five separate locations along Fort Street. The work is expected to be performed by District crews in late 2021 or in nearly 2022. **(Subdivision 2, Friend)**

BUILDINGS, PLANTS AND EQUIPMENT

1. WP 1874 (100089000910) - \$120,000 – Purchase and install 20 additional hydrant based remote pressure transient and water temperature recorders. Infrastructure Integrity is proposing to purchase 20 additional Clow iHydrant pressure/temperature recorders to monitor system pressures more efficiently and track down sources of possible transients throughout the system. A pilot project was completed in May of 2021 to deploy five Clow iHydrants and the results have been beneficial. The Clow iHydrant was found to be the best value in terms of overall cost, data usability/reliability, installation and customer service.

2. 100088000787 - \$333,000 – Purchase four fiberglass service truck bodies with hydraulic valve operators, Field Services. The District is seeking approval to purchase four fiberglass service truck bodies with hydraulic valve operators to be installed on the four chassis

already on order. The valve operator trucks will be used to perform maintenance and emergency services on water and gas valves. The vehicles will be replacements for 15-year-old vehicles that have reached a point wherein they are no longer economical to maintain. The surplus trucks will be sold at auction.

3. GP 2609 – RATIFICATION (100084001270) - \$2,473,000 – New Construction Center land purchase and development. The existing Construction Center was built in the 1950s and 1960s. The facility houses the Construction, Stores, Transportation, Water Distribution, Gas Distribution, and Maintenance divisions. All these divisions are critical every day in meeting the mission of the District. The facility no longer has adequate space to meet the requirements of these divisions. This single facility presents a unique risk to the District in the event a natural disaster or other unforeseen event would prevent the use of the facility. Approximately 55 acres were purchased just southeast of Highway 133 and State Street. A new, additional Construction Center is proposed for this site to allow expansion and relocation of divisions at the current Construction Center. The second Construction Center will provide redundant operations in the event the existing facility is unable to be used. This request is for the land purchase, rezoning and platting services, and SID required site improvements. A separate capital expenditure request will be submitted for design services and construction of the new Construction Center.

4. GP 2686 (100084001298) - \$81,039 – Perform maintenance on the Enraf liquid propane level gauge at the Propane/Air Plant at 63rd and Oak Sts. During the most recent peakshaving run in February 2021, the Enraf gauge was experiencing some problems with the cable sticking and the puck not freely floating on top of the liquid propane. To service the gauge and inspect or replace the cable and puck, the existing Enraf gauge needs to be removed from its current mounting. In order to do this, a new valve needs to be installed. This work will be performed by a specialty contractor experienced in this type of work. District staff will assist as needed.

5. 100083001147 – RATIFICATION - \$1,700,000 – Purchase property adjacent to Platte South Water Treatment Plant. The District purchased 99.85 acres of adjacent land west of the Platte South Water Treatment Facility and north of the wellfields. This land will be used for development of a solids reduction facility should EP/NDEE require the District to remove all solids from our discharge stream in the future. The land falls within the Platte South Wellhead Protection Area. The District is able to control the land adjacent to our wellfield eliminating the possibility of pesticides and herbicides potentially contaminating the aquifer.



Gina Langel
Senior Vice President, Chief Operations Officer

Approved:



Mark E. Doyle
President

METROPOLITAN UTILITIES DISTRICT

Inter-Department Communication

September 29, 2021

Subject: ACCEPTANCE OF CONTRACTS AND PAYMENT OF FINAL ESTIMATES

To: Committee on Construction and Operations
cc: all Board Members, Doyle, Mendenhall, Schaffart, Ausdemore, Langel, Lobsiger and all Vice Presidents

From: Stephanie L. Henn, Director, Plant Engineering

The following items will be on the October 6, 2021, Committee Meeting for consideration and the Board Meeting Agenda for approval. Work has been satisfactorily completed on the following contracts and final payment is recommended:

Contract	Contract Approval Date	Amounts	
		*Unit Price Bid	Actual
a. Judd Brothers Construction, WP 1686, 100053001491, Water Main Connections to Meter House, 36 th St. and Lockbourne Dr.	June 1, 2021	\$94,500.00	\$96,631.67

Comments: Under Change Order No. 1, there was a net increase of \$2,131.67 for masonry repair work that was required on the building that was not evident prior to excavating for the project.
Approval of this final will also approve Change Order No. 1.

Contract	Contract Approval Date	Amounts	
		*Unit Price Bid	Actual
b. Midwest DCM, Inc., WP 1604, 100083001073, Install Material Storage Area at Platte South Water Treatment Facility	March 3, 2021	\$104,900.00	\$104,900.00

Comments: All work required by the contract has been completed by the contractor and is acceptable and in compliance with the contract and specifications.

Contract	Contract Approval Date	Amounts	
		*Unit Price Bid	Actual
c. Kersten Construction, WP 1759, 100055001332, 100057000480, Install Water Mains in Blue Sage Creek 2, George B. Lake Pkwy. And "F" St.	August 6, 2020	\$328,498.00	\$306,959.45

Comments: There was a decrease of \$22,543.55 primarily due to needing less pipe and fittings than originally estimated. Under Change Order No. 1, there was an increase of \$1,005.00 for additional restoration along "F" Street. **Approval of this final will also approve Change Order No. 1.**

Contract	Contract Approval Date	Amounts	
		*Unit Price Bid	Actual
d. Fager Excavating Company, GP 2547, 100084001282, LNG tank dike side slope grading and repair, LNG.	July 7, 2021	\$109,323.60	\$109,323.60

Comments: All work required by the contract has been completed by the contractor and is acceptable and in compliance with the contract and specifications.

**Based upon Engineering's estimated unit quantities.*



Stephanie L. Henn
Director, Plant Engineering

Approved:



Cory J. O'Brien
Vice President, Engineering & Construction



Gina Langel
Senior Vice President, Chief Operations Officer



Mark E. Doyle
President

METROPOLITAN UTILITIES DISTRICT
Inter-Department Communication

September 24, 2021

Subject: BIDS ON MATERIALS AND CONTRACTS DURING THE MONTH OF SEPTEMBER

To: Construction & Operations Committee
cc: All Board Members, Doyle, Ausdemore, Langel, Lobsiger, Mendenhall, Schaffart
and all Vice Presidents

From: Sherri A Meisinger, Director, Procurement

The following items will be on the October 6, 2021, Committee Agenda for consideration and the October 6, 2021, Board Agenda for approval. The recommended bid is bolded and listed first. Nonlocal bidders have been indicated in italics.

WATER/GAS MAIN CONTRACTS

<u>Item</u>	<u>Bids Sent / Rec'd</u>	<u>Bidders</u>	<u>Bid Amount</u>
Install Water Mains in Highway 370 Industrial Park S.150 th and Shepard Streets 100055001375 WP1843 Engineering Estimate: \$250,890.00 (A C&A in the amount of \$309,367.00 will be presented to the Board on October 6, 2021, for approval.)	18/2	Cedar Construction <i>Kersten Construction</i>	\$207,908.00 213,220.00
Install Water Mains in Pacific Renaissance Lots 2 & 3, S. 192 nd and Jones Streets 100055001381 WP1852 Engineering Estimate: \$101,875.00 (A C&A in the amount of \$145,807.00 will be presented to the Board on October 6, 2021, for approval.)	18/2	Kersten Construction <i>Cedar Construction</i>	\$94,068.50 127,276.00

Install Water Mains in Tiburon Ridge North, S. 180th Street and Highway 370 100055001382 WP1854 Engineering Estimate: \$147,865.00 (A C&A in the amount of \$201,481.00 will be presented to the Board on October 6, 2021, for approval.)	18/3	Kersten Construction \$134,142.00 Cedar Construction 134,541.00 Valley Corporation 154,614.52
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INFORMATION TECHNOLOGY

<u>Item</u>	<u>Bids Sent / Rec'd</u>	<u>Bidders</u>	<u>Bid Amount</u>
Annual Oracle License Renewal (October 15, 2021 to October 14, 2023)	3/2	Mythics DLT	\$724,337.81 736,685.47

OTHER

<u>Item</u>	<u>Bids Sent / Rec'd</u>	<u>Bidders</u>	<u>Bid Amount</u>
Four (4) 108" Fiberglass Service Truck Body With Hydraulic Valve Operators 10008800787 (A C&A in the amount of \$333,000.00 will be presented to the Board on October 6, 2021, for approval.)	6/2	Aspen Equipment Altec Industries Inc.	\$274,000.00 434,880.00

Three (3) Pipe Reel Trailers for Construction. (C&A for 100088000765 approved September 13, 2021 in the amount of \$43,000.00.)	2/2	Ditch Witch Undgnd DouLift	\$35,880.00 47,805.00
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ANNUALS

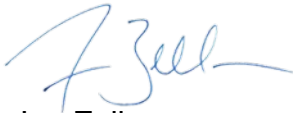
<u>Item</u>	<u>Bids Sent / Rec'd</u>	<u>Bidders</u>	<u>Bid Amount</u>
Automotive and Construction Passenger Tires (November 1, 2021 to October 31, 2022)	3/1	Pomp's Tire	\$62,645.87

Hydrofluorsolic Acid - Florence (160 Tons) (October 1, 2021 to August 31, 2022)	8/2	Univar Solutions <i>Pencco, Inc.</i>	\$72,000.00 91,723.20
Hydrofluorsolic Acid – Platte West (150 Tons) (October 1, 2021 to August 31, 2022)	8/2	Univar Solution <i>Pencco Inc.</i>	\$67,500.00 85,990.50



Sherri A. Meisinger
Director, Procurement
(402) 504-7253

Approved:



Jon Zellars
Vice President, Procurement and Enterprise Services



Steven E. Ausdemore
Senior Vice President, Safety, Security and Field Operations



Mark E. Doyle
President

METROPOLITAN UTILITIES DISTRICT
Inter-Department Communication

September 21, 2021

Subject: NOTICE OF PURCHASES BETWEEN \$25,000 - \$50,000

To: All Board Members
cc: Doyle, Ausdemore, Langel, Lobsiger, Mendenhall, Schaffart and all Vice Presidents
From: Sherri A. Meisinger, Director, Procurement

During the month of September, the following item was purchased or contracted for and is being submitted to the Board to be placed on file. The purchase or contract was initiated with the low bidder which is bolded and listed first. Nonlocal bidders have been indicated in italics.

<u>Item</u>	<u>Bids Sent / Rec'd</u>	<u>Bidder</u>	<u>Amount Bid</u>
Hydrofluorosilicic Acid – Platte South (95 Tons) (October 1, 2021 to August 31, 2022)	6/2	Univar Solutions <i>Pencoco, Inc.</i>	\$42,750.00 54,460.65



Sherri Meisinger
Director, Procurement
(402) 504-7253

Approved:



Jon Zellars
Vice President, Procurement and Enterprise Services



Steven E. Ausdemore
Senior Vice President, Safety, Security and Field Operations



Mark E. Doyle
President

METROPOLITAN UTILITIES DISTRICT
Inter-Department Communication

September 29, 2021

Subject: RENEWAL OF WATER FRANCHISE AGREEMENT WITH CITY OF LAVISTA

To: Construction and Operations Committee
cc: All Board Members, President. Doyle, Senior Vice Presidents Langel, Ausdemore, Schaffart and Lobsiger and all Vice Presidents

From: Mark Mendenhall, Senior Vice President, General Counsel

The District has, pursuant to a water franchise agreement, provided the City of LaVista, Nebraska with water services since 1971. The agreement has been in the form of a franchise and has been effective for twenty-five (25) years. That agreement was renewed in 1996 and is up for renewal again.

The District services several other communities via a franchise, including Bennington and Ralston. A franchise agreement is an agreement that allows the District to utilize the rights of way within the particular city in the same manner the District operates within Omaha, the only city of the metropolitan class. In addition, the franchise agreement requires the District to provide water services to customers within the City of LaVista in the same manner in which it provides water services to other, existing ratepayers.

Management has made efforts to align all franchise agreements so that all are very similar in nature. This effort took time. After multiple discussions with City of LaVista administrators and their counsel, we have agreed on the attached franchise agreement.

This matter will appear on the October 6, 2021 Committee Agenda and, subject to Committee review, the October 6, 2021 Board Agenda for consideration.

If you have any questions, please feel free to contact me.



Mark Mendenhall
Senior Vice President, General Counsel

Approved:



Mark E. Doyle
President

WATER FRANCHISE AGREEMENT

THIS AGREEMENT (“Agreement”), entered into this ___ day of _____, 2021, by and between the Metropolitan Utilities District of Omaha (“District”), a municipal corporation and political subdivision of the State of Nebraska, and the City of La Vista (“La Vista”), a city of the first class and political subdivision of the State of Nebraska, collectively referred to as the (“Parties”).

WHEREAS, the District was established and is governed by the State of Nebraska pursuant to Neb. Rev. Stat. § 14-2101 et seq. to provide gas and water services to a city of the metropolitan class and may contract with adjacent municipalities to provide water services outside of the city of the metropolitan class.

WHEREAS, District and La Vista previously entered into a twenty-five (25) year water franchise agreement on June 5th, 1996 to allow the District to provide water services to those ratepayers of the District located within La Vista’s City boundaries;

WHEREAS, this Agreement is entered pursuant to an Ordinance adopted by La Vista, on or about equal date with its resolution approving this Agreement, granting the District a water supply and distribution franchise within La Vista (“Ordinance”);

WHEREAS, in accordance with such Ordinance the Parties now desire to enter into this Agreement to continue the franchise to allow the District to continue providing water and related services within La Vista City boundaries as defined below for an additional 25 years from the Effective Date of this Agreement.

NOW THEREFORE, in consideration of the covenants and agreements set forth herein and within the prior agreements cited above, the Parties mutually agree as follows:

I. FRANCHISE

- A. La Vista in accordance with the Ordinance grants to the District a franchise to provide water services to those existing and future ratepayers of the District within La Vista's corporate boundaries and extra territorial jurisdiction ("ETJ") as defined by Neb. Rev. Stat. § 16-901 as it may be modified from time to time by La Vista.
- B. The District shall provide water services to its existing ratepayers and any new ratepayers within La Vista's corporate boundaries and ETJ in the same manner with which it provides water services to all of its other ratepayers.
- C. To provide this service, the District shall maintain all necessary water main pipelines, valves and other necessary appurtenances and shall, when deemed necessary by it, repair and construct such appurtenances to provide adequate water services.
- D. This franchise allows the District to use all existing and future publicly dedicated streets, avenues, alleys, bridges and public rights of way to lay, construct and operate the District's existing water distribution system.
- E. This franchise further allows the District to use all existing and future publicly dedicated streets, avenues, alleys, bridges and public rights of way to repair, maintain, replace, modify, extend and relocate its water distribution system as it deems necessary.
- F. The District will continue to keep all public fire hydrants within La Vista corporate boundaries and ETJ in good and working condition pursuant to all relevant District Water Rules and Regulations.

- G. In the event the District is required to initiate water use restrictions, those ratepayers within La Vista's corporate boundaries and ETJ shall be treated in the same manner as all other customers of the District.
- H. No provision within this Agreement shall be construed to create any property right or interest of any nature in, over, along, under or across any public right of way within La Vista nor shall it preclude La Vista from making any change or modification to its public rights of way as it deems necessary.
- I. All ratepayers within La Vista's corporate boundaries and ETJ as they exist as of the Effective Date of this Agreement and as they may change from time to time as determined by La Vista, will be subject to all applicable rules and regulations established by the District.
- J. The District will charge all ratepayers within La Vista's corporate boundaries and ETJ the appropriate rate schedule mandated by those ratepayers' respective agreements with the District as established by and modified by the District, being the same rate schedules charged by the District to its other ratepayers within the District's water service boundary.
- K. The Parties agree that all of the District's Water Rules and Regulations applicable to all similarly situated customers of District, including those rates and services set forth in its Billing Price Book as they exist on the Effective Date of this Agreement and as they may be amended from time to time by the District shall apply to the area subject to this franchise in the same manner as they apply throughout the remainder of the District's water service boundary.

- L. The Parties agree that this franchise will be in full force and effect for a period of twenty-five (25) years (“Term”) from the Effective Date of this Agreement. The effective date of this Agreement shall be the earlier of September 1, 2021 or expiration of the franchise granted by Ordinance No. 650 (“Effective Date”).
- M. The Parties agree that this Agreement will automatically renew at the end of the Term as defined in Paragraph L for an additional twenty-five (25) year term unless either Party at least three (3) years before the last day of the Term gives the other written notice that the Agreement shall not renew.

II. MISCELLANEOUS

- A. The Parties agree and acknowledge that La Vista and the District are municipal corporations and political subdivisions organized pursuant to, and that this Agreement shall be subject by, applicable laws, rules and regulations as adopted or amended from time to time, including without limitation Nebraska State Laws and in particular with respect to District all sections of state law under Section 14, Article 21 applicable to it.
- B. This Agreement shall be governed in all respects by the laws of the State of Nebraska and the jurisdiction and venue for any litigation with respect hereto shall be in the courts of Sarpy County, Nebraska.
- C. For purposes of determining the enforceability of this Agreement, electronic, digital and facsimile signatures shall be deemed originals, and this Agreement may be executed in any number of counterparts, each and all of which shall constitute an original and one and the same document.

IN WITNESS WHEREOF, Metropolitan Utilities District of Omaha and the City of La Vista execute this Agreement through their duly authorized officers.

CITY OF LA VISTA

METROPOLITAN UTILITIES
DISTRICT OF OMAHA

Douglas Kindig, Mayor

Mark Doyle, President

ATTEST:

By: _____

By: _____

APPROVED AS TO FORM:

CITY OF LA VISTA

METROPOLITAN UTILITIES DISTRICT OF OMAHA
Senior Vice President, General Counsel

METROPOLITAN UTILITIES DISTRICT
INTERDEPARTMENT COMMUNICATION

September 30, 2021

SUBJECT: RESOLUTION TO INSTALL WATER MAIN DISTRICT (WMD)
MUD Project Numbers 100063000001 and 100065001666 (WP1827)


TO: Services & Extensions Committee, Friend, Chairman; Begley, Howard
cc: All Board Members, Doyle, Mendenhall, Schaffart, Ausdemore, Langel
and all Vice Presidents

FROM: Mark Mendenhall, Senior Vice-President & General Counsel

Pursuant to Neb. Rev. Stat. §18-401, the creation of a water main district (WMD) in Earl Avenue was approved by the Board of Directors at its September 1st, 2021 meeting. The District's Procedure Manual Section 6.0 required that a notice of creation of the WMD be published in the Omaha World Herald which was done on September 5th, 2021. On September 8th, 2021, members of the proposed WMD were sent certified copies of the published notice of the creation of the WMD and a letter indicating that objections to the formation of the WMD must be made by October 4th, 2021.

The results of the notification were that 78.9% of the assessable front footage has approved of the formation of the WMD.

It is recommended that a resolution to install the WMD be approved by the Board and that this item be placed on the agenda for the October 6th, 2021 Board Meeting for consideration. Documents supporting this resolution are attached and consist of: Original Petition, Resolution to Create WMD, Affidavit of Mailing and Publication, Construction Drawings and Resolution to Install WMD.



Mark Mendenhall
Senior Vice President General Counsel

Approved:



Mark E. Doyle
Secretary and President

Petition for Water Main District

To the Metropolitan Utilities District of Omaha, Nebr.

We, the undersigned being owners of record of a majority of the feet frontage of the portions of street or streets herein designated, as shown by generally recognized maps of City of Omaha, Nebr. do hereby petition to have a Water Main District created, including said portions of said streets, and that a water main or mains be laid within the limits of said district as early as practicable, as follows:

12	on	Military Road	from	East P.L. of Lot 78 Bruhn Acres on West Military	to	East P.L. of Lot 11 Bruhn Acres on West Military
8	on	Earl Avenue	from	Military Road	to	1000'+/- North of Military Road
	on		from		to	
	on		from		to	
	on		from		to	
	on		from		to	
	on		from		to	
	on		from		to	
	on		from		to	
	on		from		to	

And we hereby agree to the levy of a tax by the Metropolitan Utilities District to pay the full cost of laying said water main or mains, as provided by law, and hereby waive all objection to said levy.

NOTE: This petition should be signed only by owner of record or attorney in fact.

Signature and Address of Owner	Date of Signature	Part of Lot	Lot	Block	Name of Addition	No. of Feet	
						Front	Deep
<i>Clayton J. Telle</i> 10631 EARL AVE	March 31 2021	Full	4		Bruhn Acres on West Military	200	200
<i>Bob W. Meind</i> 10720 Earl Ave	Mar. 31 2021	Full	8		Bruhn Acres West Military	200	200
<i>Jenny J. M. Mavinsky</i> 10740 EARL AVE	MAR 31 2021	FULL	7		Bruhn Acres West Military	203.99	200
<i>DM & Carolyn Meyer</i> 10640 EARL AVE	31 MARCH	Full	9		BRUHN ACRES WEST MILITARY	200	200
<i>Darin Campbell</i> 10741 Earl Ave.	Mar. 31 2021	Full	6		Bruhn Acres West Military	217.39	200
<i>Mark Fischer</i>							
<i>Don W. ...</i>							
<i>Terri J. ...</i> 10721 EARL AVE	3-31	Full	5				
	3-31 2021	Full	5		Bruhn Acres West Military	200	200
<i>Martha Newby</i> 10621 Earl Ave	3-31 2021	Part	3-N		Bruhn Acres West Military	100	100
<i>Carol Pak</i>	3-31 2021	Part	3S		Bruhn Acres West Military	100	100
<i>Judy ...</i> 10611 EARL AVE	3-31-2021						
<i>Judy ...</i> 10610 EARL AVE	3-31 2021	Full	10		Bruhn Acres West Military	200	200
<i>Judy Briggs</i>	3-31 2021	Full	11		Bruhn Acres West Military	221	200
<i>Michelle ...</i> 10541 Earl Ave	3-31 2021	Full	2		Bruhn Acres West Military	227	200

Water Main

District

No. 100063000001

METROPOLITAN UTILITIES DISTRICT
Inter-Department Communication

August 26, 2021

SUBJECT: CREATION OF WATER MAIN DISTRICT (WMD)
MUD Project Numbers 100063000001 and 100065001666 (WP1827)

TO: Services & Extensions Committee, Friend, Chairman; Begley, Howard
Cc: All Board Members, Doyle, Mendenhall, Schaffart, Ausdemore, Langel
and all Vice Presidents

FROM: Cory J. O'Brien, Vice President, Engineering and Construction

A water main district (WMD) is a mechanism provided for in Neb. Rev. Stat. § 18-401 et seq. to facilitate water main extensions to partially developed areas. A WMD allows property owners within an area to spread the costs of construction of the water main throughout all impacted properties. A unique feature of WMD's is that property owners are assessed a prorated cost (by footage of property abutting the main) to be paid back annually to the District through County property taxes over 10 years.

WMD's were once a very common means of extending District mains to existing properties. In fact, well over 2,500 WMD's have been created, beginning in 1912. Though a somewhat involved, multi-step process, WMD's remained common through the 1950s before declining significantly in the 1960s due to the use of S.I.D.s to develop land. The most recent WMD (2532) was completed in 1993 however, there have been several inquiries in recent years.

Several years ago, a water association serving many property owners (from multiple wells with deteriorating water quality) approached the District's Engineering Department about the possibility of connecting to the District's water distribution system. Many options were discussed, explored and considered by both parties before the association agreed (in 2019) to pursue a WMD. Because a majority of owners did not support a petition (as required by procedure) for a sizable WMD, it was not pursued further.

Since then, a smaller sub-group of owners along a single street (Earl Avenue) served by one of the failing wells again approached Engineering regarding a much smaller WMD. This time the District received a petition on April 5, 2021, to create a WMD on Earl Avenue north of Military Road.

The petition was supported and signed by 11 of the 13 property owners representing 88% of the assessable footage along the mains. After bids were opened and costs increased from preliminary (pre-design) District estimates, nine of the original signers, representing 75% of the assessable footage, remained supportive and requested a WMD. The petition has been reviewed and all supporting signatures appear to be valid.

If approved by the Board, this WMD will include approximately 930' of 8" water main in Earl Avenue and approximately 440' of 12" water main in Military Road to serve 13 lots. District estimated costs to be reimbursed over the 10-year period is \$297,926.

Under Nebraska Law, the Board of Directors has the authority and ability to approve a WMD and set an interest rate to be applied to deferred assessments by owners served by the WMD. The District's Accounting Department determined that a 4% annual interest rate would be appropriate for this WMD.

It is also worth noting that all but two property owners are current on property tax payments. One owner (who did not sign/support the petition) has a homestead exemption and another is currently a few weeks delinquent on second-half property taxes.

It is recommended that a resolution creating WMD 100063000001 (and WAJ 100065001666) be approved by the Board and that the annual interest rate for deferred assessment payments on this WMD be set at 4%. This item will be placed on the agenda of the September 2021 Board meeting for consideration.



Cory J. O'Brien
Vice President, Engineering and Construction

Approved:



Mark A. Mendenhall
Senior Vice President, General Counsel



Mark E. Doyle
Secretary and President

RESOLUTION
TO CREATE WATER MAIN DISTRICT
NO. 100063000001 & 100065001666

RESOLUTION OF THE BOARD OF DIRECTORS OF METROPOLITAN UTILITIES DISTRICT OF OMAHA, NEBRASKA, creating Water Main District No. 100063000001 & 100065001666, and fixing and defining the boundaries of said District; ordering a water main to be laid and constructed therein, and directing a notice to be published in the official paper of the City of Omaha, addressed to the owners of the real estate within said District, notifying them of the creation of, and the property included within said District, of the ordering of the laying of a water main through said District, and that they will have thirty days from and after the publication of such notice to file the Board of Directors of Metropolitan District their written protests, if any, against the creation of said District and against the laying of said Main within said District, and the setting of the rate of interest for deferred assessments.

BE IT RESOLVED BY THE DIRECTORS OF METROPOLITAN UTILITIES DISTRICT:

Resolution 1: That Water Main District No. 100063000001 & 100065001666 be and the same hereby is created; that said Water Main District shall comprise all real estate abutting upon that part of the following street or road: Earl Avenue from Military Road north approx. 1000 feet thereof and the outer boundary and depth being shown upon plat on file in the office of the Secretary of the Board at the Metropolitan Utilities District Headquarters in the City of Omaha, and shall include therein the following described real estate to the depth hereinbelow designated, to wit:

Lot 1 Bruhn Acres on West Military

Lot 2 Bruhn Acres on West Military

N ½ of Lot 3 Bruhn Acres on West Military

S ½ of Lot 3 Bruhn Acres on West Military

Lot 4 Bruhn Acres on West Military

Lot 5 Bruhn Acres on West Military

Lot 6 Bruhn Acres on West Military

Lot 7 Except E 15' Bruhn Acres on West Military

E 15' of Lot 7 Bruhn Acres on West Military

Lot 8 Bruhn Acres on West Military

Lot 9 Bruhn Acres on West Military

Lot 10 Bruhn Acres on West Military

Lot 11 Bruhn Acres on West Military

Resolution 2: BE IT FURTHER RESOLVED That a water main 12 inches in diameter be laid in West Military Road and an 8" water main be laid in Earl Avenue in said Water Main District thereof hereinbefore described.

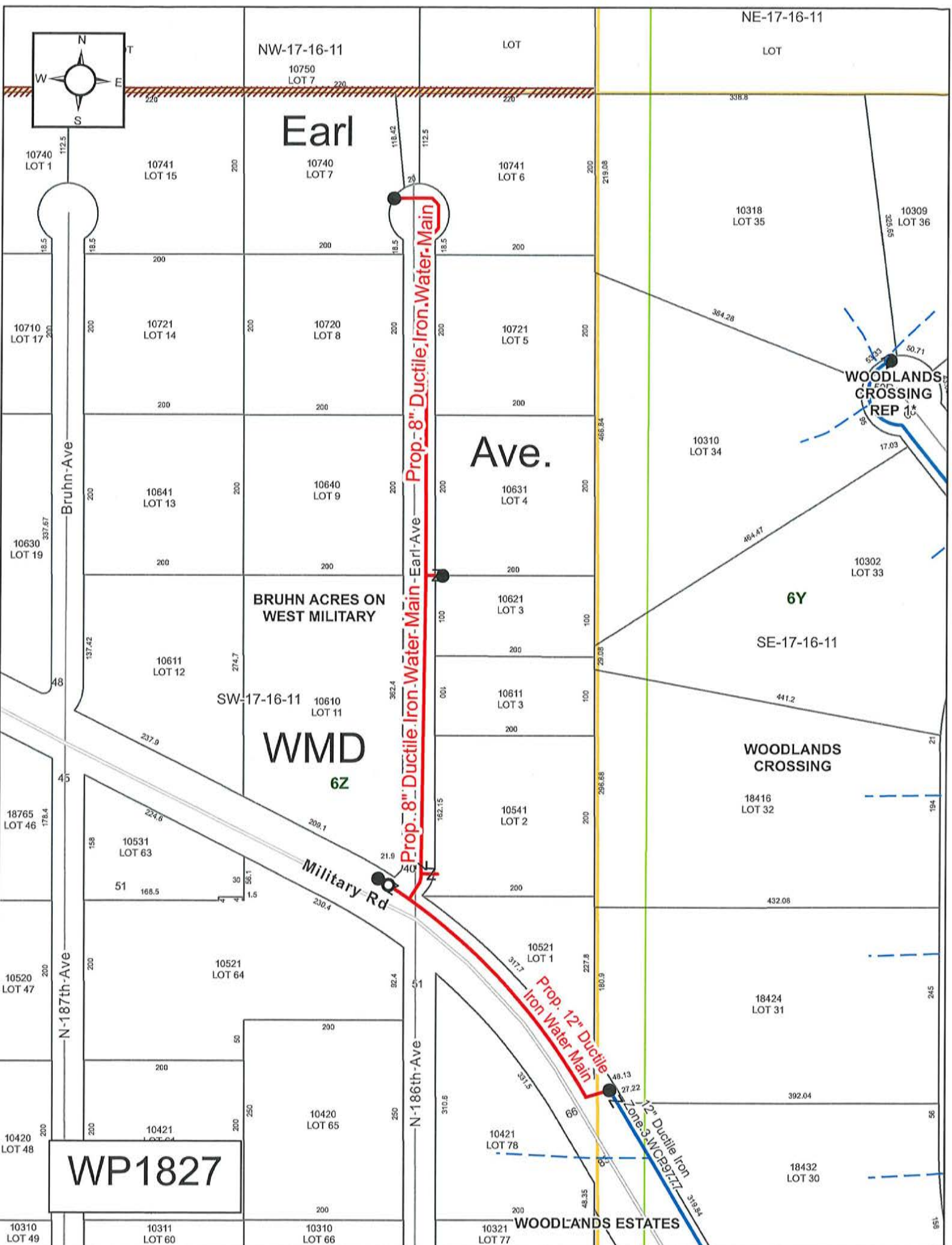
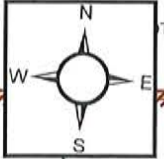
Resolution 3: BE IT FURTHER RESOLVED That the Secretary of Metropolitan Utilities District cause to be published in the official paper of the City of Omaha a notice addressed generally to the owners of the real estate in said Water Main District notifying them of the creation of and the property included in said District, and that they will have thirty days from and after the publication of such notice to file with the Board of Directors their written protest, if any, against the creation of said District and the laying of the water main therein as ordered.

Resolution 4: BE IT FURTHER RESOLVED That in the matter of the creation of said Water Main District No. 100063000001 & 100065001666 and in ordering and making and causing to be made the laying of a water main in and through said District, the Board of Directors of Metropolitan Utilities District hereby elects and determines to proceed under the provisions of Section 18-401 to 18-411, Revised Statutes of Nebraska, as amended, authorizing the creation of Water Main District and Gas Main Districts.

Resolution 5: BE IT FURTHER RESOLVED That the rate of interest for deferred assessment payments on Water Main District No. 100063000001 & 100065001666 be set at an annual rate of four (4) percent.

Resolution 6: BE IT FURTHER RESOLVED That this resolution shall take effect from and after its adoption.

Adopted:



NW-17-16-11

NE-17-16-11

Earl

Ave.

BRUHN ACRES ON WEST MILITARY

WMD
6Z

6Y

SE-17-16-11

WOODLANDS CROSSING

WOODLANDS CROSSING REP

Military Rd

Prop. 8" Ductile Iron Water Main - Earl Ave

Prop. 12" Ductile Iron Water Main

12" Ductile Iron Zone-3 MCB97Z

WP1827

WOODLANDS ESTATES

10740 LOT 1, 10741 LOT 15, 10740 LOT 7, 10741 LOT 6, 10721 LOT 8, 10721 LOT 5, 10641 LOT 13, 10640 LOT 9, 10631 LOT 4, 10621 LOT 3, 10611 LOT 3, 10610 LOT 11, 10611 LOT 12, 10541 LOT 2, 10521 LOT 1, 10521 LOT 64, 10421 LOT 65, 10421 LOT 78, 10420 LOT 48, 10421 LOT 64, 10420 LOT 66, 10310 LOT 49, 10311 LOT 60, 10310 LOT 66, 10321 LOT 77, 10318 LOT 35, 10309 LOT 36, 10310 LOT 34, 10302 LOT 33, 18416 LOT 32, 18424 LOT 31, 18432 LOT 30

AFFIDAVIT OF ALAN JUSTIN COOPER

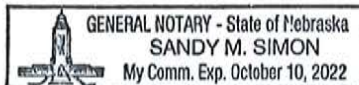
1. My name is Alan Justin Cooper. I am a staff attorney for the Metropolitan Utilities District of Omaha and have been in that position since June 2002.
2. I am over the age of 18 and have personal knowledge of the matters stated herein.
3. On September 8, 2021, I caused certified-return receipt letters to be mailed to 13 property owners within the Earl Avenue Water Main District notifying them that the MUD Board of Directors had approved of the creation of the Earl Avenue Water Main District at its September 1, 2021 Board meeting and that the members had until October 4, 2021, to file a written protest of the Water Main District's creation with MUD's Legal Department and that the Board of Directors would be notified of any such protest at its October 6, 2021 Board meeting.
4. That accompanied with the letter notifying members of the creation of the Water Main District was a copy of the Proof of Publication of Notice of the Creation of a Water Main District that was published in the Omaha World Herald on Sunday September 5, 2021.


FURTHER YOUR AFFIANT SAYETH NAUGHT.

DATED this 20 day of September, 2021.


Alan Justin Cooper

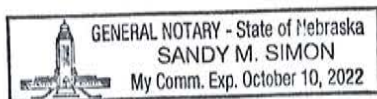
SUBSCRIBED AND SWORN to before me this 20th day of September, 2021.

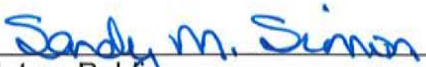



Notary Public


Mark E. Doyle, President

SUBSCRIBED AND SWORN to before me this 20th day of September, 2021.




Notary Public

METROPOLITAN UTILITIES DISTRICT

September 7, 2021

Name
Street Address
City, State, Zip Code

Dear Property Owner:

Attached please find the September 5, 2021, published notice in the Omaha World-Herald notifying you that the Metropolitan Utilities District Board of Directors has passed a resolution authorizing the creation of a water main district that affects your property.

You have 30 days from the publication date or until October 4, 2021, to file a written protest against the creation of the water main district. Such protest notice should be sent to:

Legal Department
Metropolitan Utilities District
7350 World Communications Drive
Omaha, NE 68122

Any such written protest received by that date will be presented to the Board of Directors at its meeting on October 6, 2021.

If you have any questions, please contact me at 402.504.7218.

Thank you,

Justin Cooper
Attorney
Metropolitan Utilities District

M.U.D. Headquarters

7350 World Communications Drive, Omaha, NE 68122

 mudomaha.com

 [/mudomahane](https://www.facebook.com/mudomahane)

 [@mudwaterontap](https://www.instagram.com/mudwaterontap)

 [@mudomahane](https://twitter.com/mudomahane)



Affidavit of Publication

Metropolitan utilities district
7350 WORLD COMMUNICATIONS DRIVE
OMAHA, NE 68122

Date	Category	Description	Ad Size	Total Cost
09/11/2021	Legal Notices	NOTICE OF CREATION OF DISTRICT To The Owr	2 x 0 L	1,278.82

**Publisher of the
World Herald**

I, (the undersigned) an authorized representative of the World Herald, a daily newspaper published in Omaha, Douglas County, Nebraska; do certify that the annexed notice NOTICE OF CREATION OF DIS was published in said newspapers on the following dates:

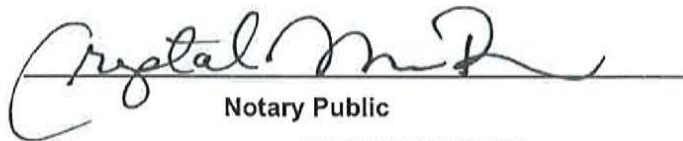
09/05/2021

The First insertion being given ... 09/05/2021

Newspaper reference: 0000256695


Billing Representative

Sworn to and subscribed before me this Sunday, September 5, 2021


Notary Public

Crystal Mickie Robinson
Notary Public
Commonwealth of Virginia
Reg. No. 7932290
My Comm. Expires June 30, 2025

State of Virginia
City of Richmond
My Commission expires _____

E-mail
Tracey_Christensen@mudnebr.com

NOTICE OF CREATION OF DISTRICT

To The Owners of Real Estate in Water Main District
No. 100063000001 & 100065001666 in the County of Douglas

You are hereby notified that on the 1st day of September, 2021, the Board of Directors of Metropolitan Utilities District, by resolution duly passed, created Water Main District No. 100063000001 & 100065001666 said District comprising all real estate abutting upon that part of

Earl Avenue from Military Road north approx. 1000 feet, the outer boundary and depth of the district being as shown upon plat on file in the office of the Secretary of the Board at the Utilities Building in the City of Omaha, and shall include therein the following real estate:

Lot 1 Bruhn Acres on West Military - 18424 Thayer Street
Lot 2 Bruhn Acres on West Military - 10541 Earl Avenue
N ½ of Lot 3 Bruhn Acres on West Military - 10611 Earl Avenue
S ½ of Lot 3 Bruhn Acres on West Military - 10621 Earl Avenue
Lot 4 Bruhn Acres on West Military - 10631 Earl Avenue
Lot 5 Bruhn Acres on West Military - 10721 Earl Avenue
Lot 6 Bruhn Acres on West Military - 12602 North 189th Cir. / 11802 No. 158th St.
Lot 7 Except E 15' Bruhn Acres on West Military - 10740 Earl Avenue
E 15' of Lot 7 Bruhn Acres on West Military - 10750 Earl Avenue
Lot 8 Bruhn Acres on West Military - 10720 Earl Avenue
Lot 9 Bruhn Acres on West Military - 10640 Earl Avenue
Lot 10 Bruhn Acres on West Military - 10610 Earl Avenue
Lot 11 Bruhn Acres on West Military - 10610 Earl Avenue

That by said Resolution the Board of Directors of Metropolitan Utilities District ordered a water main 12 & 8 inches in diameter to be laid and constructed on Earl Avenue from Military Road north approx. 930 feet and in Military Road from the east property line (EPL) of Lot 1 Bruhn Acres on West Military to the EPL of Lot 11 Bruhn Acres on West Military (approx. 440 feet) in and through said District.

You are further notified that you will have thirty days from and after the publication of this Notice to file with the Board of Directors of Metropolitan Utilities District your written protest, if any, against the creation of said District and the extension and laying of the main therein as ordered.

Dated at Omaha, Nebraska, this 1st day of September, 2021,
METROPOLITAN UTILITIES DISTRICT OF OMAHA, NEBRASKA

By: Jack Frost

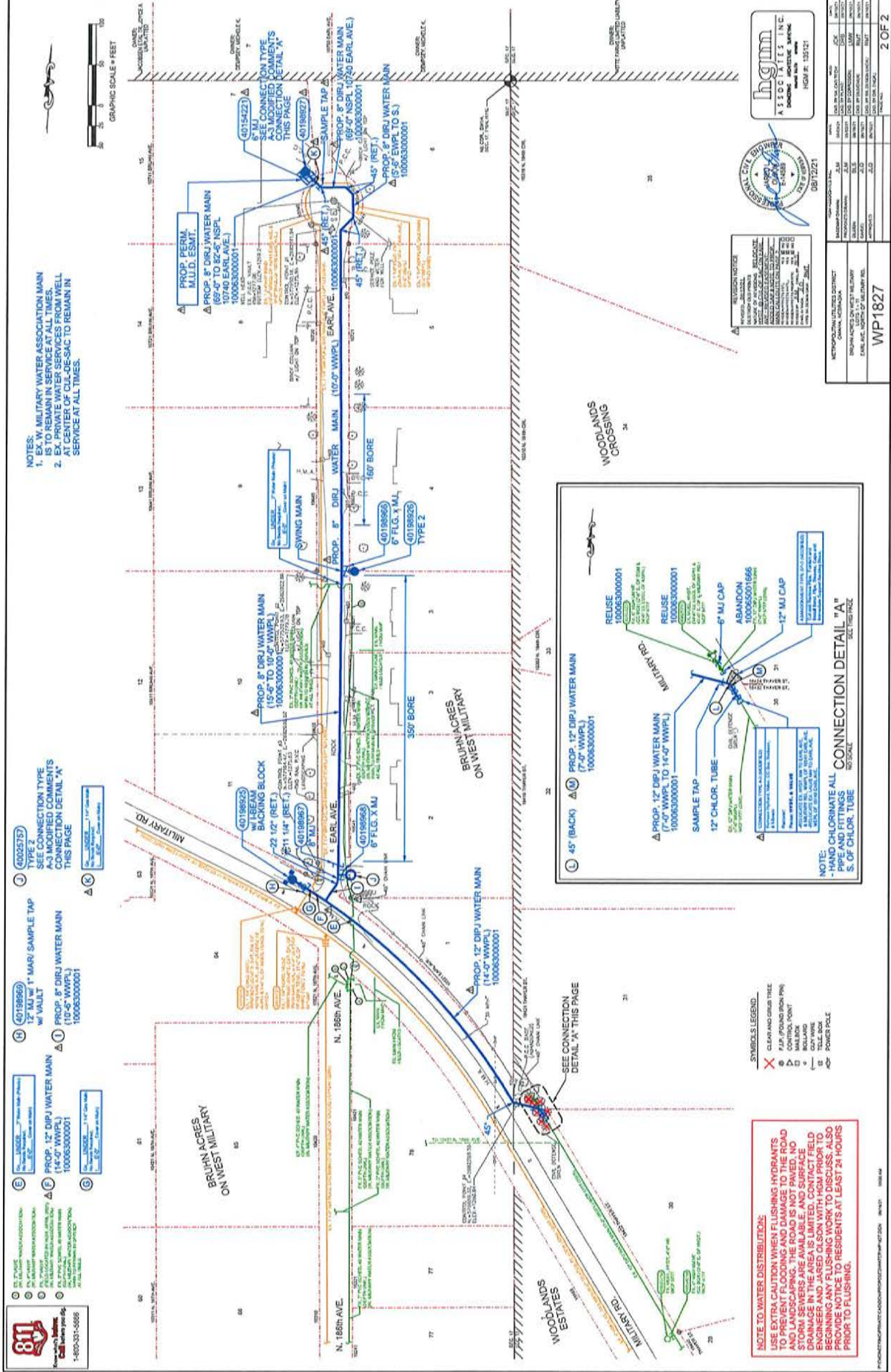
Acting Chairman of the Board of Directors

ATTEST:

Mark E. Doyle

Secretary

ZNEZ



- NOTES:
- MILITARY WATER ASSOCIATION MAIN IS TO REMAIN IN SERVICE AT ALL TIMES.
 - EX. PRIVATE WATER SERVICES FROM WELL AT CENTER OF CUL-DE-SAC TO REMAIN IN SERVICE AT ALL TIMES.

- 40025757 TYPE 2 CONNECTION TYPE AS SHOWN ON MAP'S CONNECTION DETAIL 'A' THIS PAGE

- 40198899 12" M.J. W/ 1" MARI SAMPLE TAP W/ VALVE
- 40198925 14" DIWJ WATER MAIN (14" O.D. WWPL) (10" I.D. WWPL) 100063000001

- 40198925 12" DIWJ WATER MAIN (12" O.D. TO 10" WWPL) 100063000001
- 40198925 8" DIRJ WATER MAIN (8" O.D. EARL AVE.) 10740 EARL AVE. 100063000001

- 40198925 12" DIWJ WATER MAIN (12" O.D. TO 10" WWPL) 100063000001
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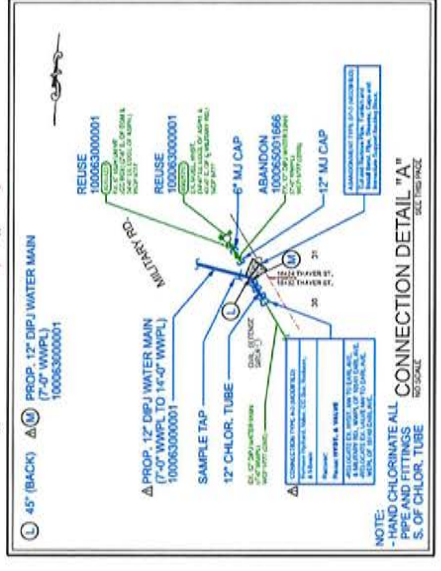
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- 45' (BACK) 17" DIWJ WATER MAIN (7" O.D. WWPL) 100063000001

- 40198925 12" DIWJ WATER MAIN (12" O.D. TO 10" WWPL) 100063000001
- 40198925 8" DIRJ WATER MAIN (8" O.D. EARL AVE.) 10740 EARL AVE. 100063000001

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SYMBOLS LEGEND

- CLEAR AND GRAB TITLE
- FLUSH POINT FROM PPM
- CONTROL POINT
- VALVE
- MANHOLE
- CITY WIRE
- POWERS POLE

NOTE TO WATER DISTRIBUTION: USE EXTREME CAUTION WHEN FLUSHING SUPPLEMENTS TO PREVENT FLOODING AND DAMAGE TO THE ROAD AND LANDSCAPING. THE ROAD IS NOT PAVED. NO STORM SEWERS ARE AVAILABLE. AND SURFACE DRAINAGE IN THE AREA IS LIMITED. CONTACT FIELD ENGINEERS AT 1-800-331-0889 FOR MORE INFO. ALSO BEGINNING ANY FLUSHING WORK TO DISCUSS AND PROVIDE NOTICE TO RESIDENTS AT LEAST 24 HOURS PRIOR TO FLUSHING.



REVISION NOTICE

REVISED: [] REVISION: []

APPROVED: []

hghm ASSOCIATES INC. DESIGN ENGINEERING

10000 S. WOODLANDS LANE, SUITE 100, ANN ARBOR, MI 48106

PHONE: (734) 769-1000 FAX: (734) 769-1001

WWW.HGHM.COM

METROPOLITAN WATER DISTRICT NO. 2		PROJECT INFORMATION	
PROJECT NAME	WM/1827	DATE	08/21/2011
LOCATION	BRUHN ACRES ON WEST MILITARY RD.	DRAWN BY	J.M.P.
SCALE	AS SHOWN	CHECKED BY	K.M.F.
DATE	08/21/2011	APPROVED BY	[Signature]
CLIENT	MILITARY WATER ASSOCIATION	PROJECT NO.	1827
CONTRACT NO.	1827	REVISED BY	[Signature]
CITY	ANN ARBOR, MI	CHECKED DATE	08/21/2011
COUNTY	WASHTENAW	APPROVED DATE	08/21/2011
STATE	MICHIGAN	PROJECT NO.	1827
FEDERAL	ANN ARBOR	REVISED NO.	0
LOCAL	ANN ARBOR	APPROVED NO.	0
TITLE	ANN ARBOR	PROJECT NO.	1827
SHEET NO.		OF TOTAL SHEETS	2 OF 2

WP1827

METROPOLITAN UTILITIES DISTRICT

Inter-Department Communication

9/28/2021

SUBJECT: Resolution to Install Water Main District 100063000001 & 100065001666

TO: Gina Langel, Sr. Vice President, Chief Operations Officer
cc: Mark Mendenhall

FROM: Mark A. Masek, acting for Main Extension Coordinator

Written protests have been received from property owners against the creation of the above Water Main District on Earl Avenue from Military Road north 1000'.

A Petition for Water Main District was received April 2, 2021 for the property owners along Earl Avenue north of Military Road in Douglas County.

The Water Main District was created September 1, 2021 following the September Board meeting.

The Water Main District was advertised for protest in The Omaha World Herald on September 5, 2021 and letters were sent by United States mail to each party appearing to have legal interest in the property included within the boundaries of the Water Main District.

The Petition for Water Main District has signatures covering 78.9% (1852.4 feet) of the foot frontage of the assessable property included in the District.

SUMMARY

Total assessable feet as of this date 2348.64 feet
Petitioners as of this date (1852.4 feet) 78.9%
Protestants as of this date (496.24 feet) 21.1%

Since this is a majority petition and only (3) protests were received, it is recommended we proceed with the installation of Water Main District 100063000001 & 100065001666.

APPROVED

Jeffery W. Schovanec

Jeffery W. Schovanec
Director, Engineering Design

Cory J. O'Brien

Cory J. O'Brien
Vice President, Engineering & Construction

Mark A. Masek

Mark A. Masek
Acting for Main Extension Coordinator

METROPOLITAN UTILITIES DISTRICT

Inter-Department Communication

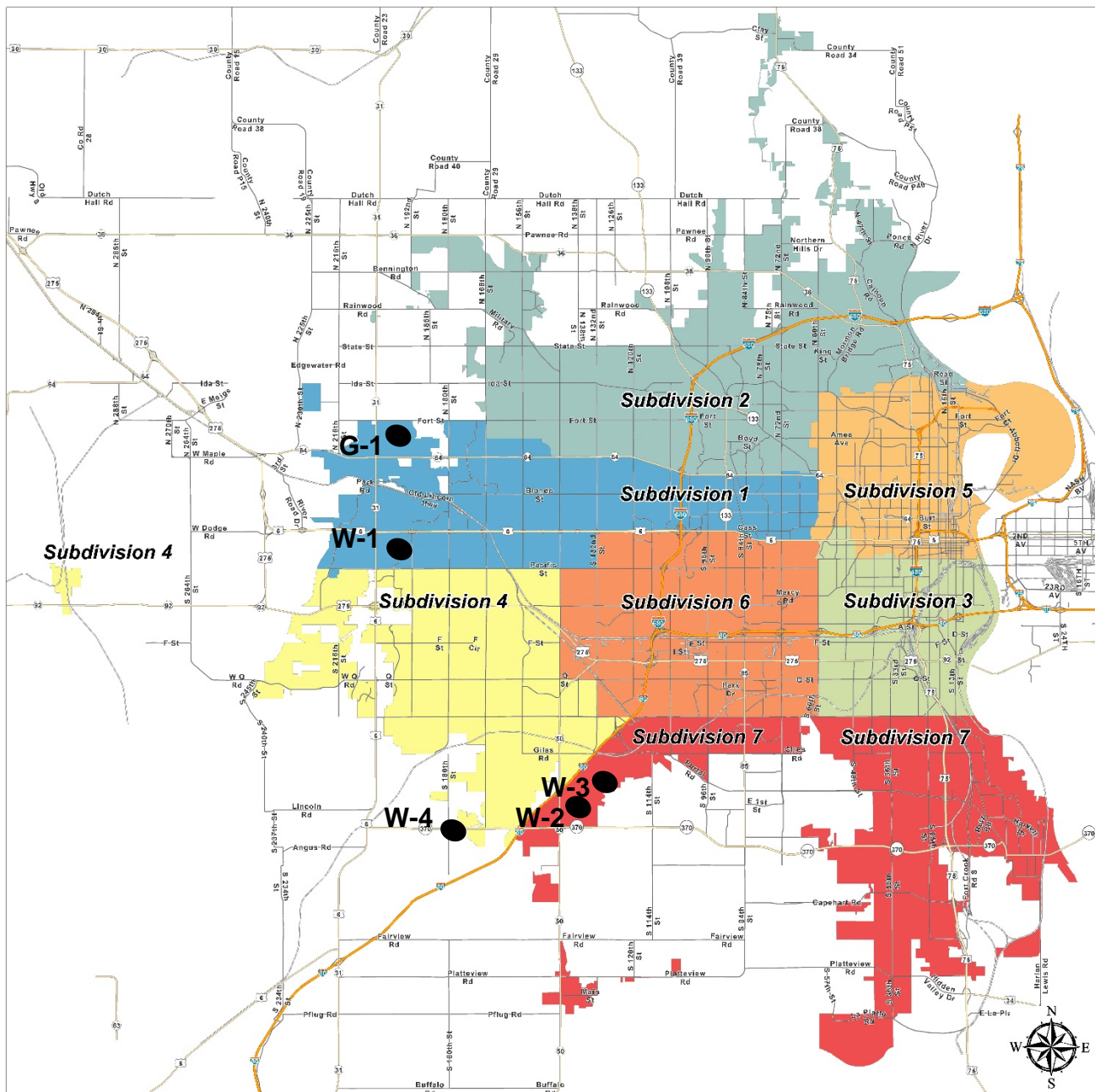
September 29, 2021

Subject: MAIN EXTENSIONS

To: Services and Extensions Committee
cc: All Board Members, Doyle, Mendenhall, Schaffart, Ausdemore, Langel, Lobsiger,
and all Vice Presidents

From: Cory J. O'Brien, Vice President, Engineering & Construction

The following main extensions will be on the October 6, 2021, Committee Agenda for consideration and the Board Agenda for approval:



MUD Subdivision Map

WATER					
1.	Project Number	Project Cost	Applicant Contribution	Construction by Applicant	M.U.D. Cost
	WP 1852	\$145,807	\$155,184	\$0	\$0
	Subdivision 1, Begley: These mains are being installed to provide domestic water service and fire protection to two multi residence lots in Pacific Renaissance Subdivision, 192 nd and Jones Sts. Work is requested to be completed by November 2021. There is a pioneer main fee due to the existing 30-inch water main in Pacific St. in the amount of \$9,377. (City of Omaha zoning, MRES Ravello II, Holdings LLC)				
2.	Project Number	Project Cost	Applicant Contribution	Construction by Applicant	M.U.D. Cost
	WP 1843	\$309,367	\$636,985	\$0	\$0
	Subdivision 7, Frost: These mains are being installed to provide domestic water service and fire protection to one industrial lot in Highway 370 Industrial Park, 150 th and Shepard Sts. Work is requested to be completed by December 2021. There are pioneer main fees due to the existing 16- and 24-inch water mains in 144 th , 153 rd , and 156 th Sts. in the amount of \$58,656. There are also connection charges due to the existing 12-inch water mains in Gold Coast Rd., and 150 th St. in the amount of \$268,962. (City of Papillion zoning, Mark Pflieger)				
3.	Project Number	Project Cost	Applicant Contribution	Construction by Applicant	M.U.D. Cost
	WP 1864	\$295,809	\$76,930	\$218,879	\$0
	Subdivision 7, Frost: These mains are being installed to provide domestic water service and fire protection to 23 multi residence lots in Prairie Queen Subdivision, 132 nd St. and Cornhusker Rd. Work is requested to be completed by Fall 2021. These mains will be installed under the District's WCD policy. There is a pioneer main fee due to the existing 24-inch water main in Giles Rd. in the amount of \$2,978. (City of Papillion zoning, Prairie Queen, LLC)				
4.	Project Number	Project Cost	Applicant Contribution	Construction by Applicant	M.U.D. Cost
	WP 1854	\$201,481	\$201,481	\$0	\$0
	Subdivision 4, Cavanaugh: These mains are being installed to provide domestic water service and fire protection to 42 single residence lots in Tiburon Ridge North Subdivision, 180 th St. and Hwy. 370. Work is requested to be completed by December 2021. (Sarpy County zoning, McCune Development)				

GAS						
1.	Project Number	Total Estimated	Cost		Allowable Revenue Credits Developer	Deficiency
			Developer Equivalent	Developer Estimate		
	GP 2653	\$65,786	\$65,786	\$59,055	\$91,715	\$0
<p>Subdivision 1, Begley: These mains are being installed to provide gas service to 85 single residence lots in The Trails Subdivision, 192nd St. and Grand Ave. Work is requested to be completed by February 2022. (City of Omaha zoning, Smart Development – Indian Trails, LLC)</p>						

Cory J. O'Brien
Vice President, Engineering & Construction

Approved:

Gina Langel
Sr. Vice President, Chief Operations Officer

Mark E. Doyle
President

METROPOLITAN UTILITIES DISTRICT
Inter-Department Communication

September 23, 2021

Subject: Wage and/or Salary Increases and Ratifications, October 2021 Board Meeting

To: Personnel Committee members Begley, Friend, and Frost

cc: Board Members Cavanaugh, Cook, Howard, and McGowan

President Doyle, and Senior Vice Presidents Ausdemore, Langel, Lobsiger, Mendenhall, and Schaffart

From: Bonnie Savine, Vice President, Human Resources

The Human Resources Department is recommending the Board of Directors approve the wage or salary increases outlined below. All positions involve District employees earning more than \$10,000 per year and therefore require your approval.

1. Operating and Clerical (OAC) Wage Increases Due To Promotion

The Human Resources Department is recommending the Board of Directors approve wage increases for the following Employees within the OAC classification. These wage increases are based on a job selection process, are in compliance with the Collective Bargaining Agreement, and are made following the posting and application process for a job opening in the District. The effective date for these increases will be the beginning of the next OAC pay period following Board approval.

Employee:	Rick Scarpello
Current position (department):	Maintenance Mechanic Trainee (Maintenance)
New position (department):	Carpenter Tradesman (Maintenance)
Current rate; step/grade:	\$31.52; Step 4
Proposed rate; step/grade:	\$33.14; EN
Percent of increase:	5.13%
District hire date:	June 4, 2018

Employee:	Pete Suski
Current position (department):	Utility Locator (Safety & Security)
New position (department):	Senior Utility Locator (Safety & Security)
Current rate; step/grade:	\$38.31; Step 4
Proposed rate; step/grade:	\$39.84; Step 4
Percent of increase:	3.99%
District hire date:	May 13, 2002

2. Operating and Clerical (OAC) Wage Increases Due To Job Transfer

The Human Resources Department is recommending the Board of Directors approve wage increases for the following Employees within the OAC classification. A transferring employee who is at less than Standard Wage will be moved to an equal rate in the new job classification or, if there is not an identical wage rate, to the nearest higher wage rate in the new job classification. These wage increases are based on a formal selection process, are in compliance with the Collective Bargaining Agreement, and are made following the posting and application process for a job opening in the District. The effective date for these increases will be the beginning of the next OAC pay period following Board approval.

3. Operating and Clerical (OAC) Wage Increases Due To Job Progression

The Human Resources Department is recommending the Board of Directors approve the following wage increases for the OAC employees who have successfully completed required training and who have been recommended by their supervisor for promotion as they progress within their job family. All increases are based on the bargaining unit wage structure. The effective date for these increases will be the beginning of the next OAC pay period following board approval.

Employee: Kyle Baughman
Current position (department): Material Handler Trainee (Stores)
New position (department): Material Handler (Stores)
Current rate; step/grade: \$32.03; Step 4
Proposed rate; step/grade: \$34.58; Step 3
Percent of increase: 7.96%
District hire date: February 18, 2014

4. Supervisory, Professional and Administrative (SPA) Salary Increases Due To Job Promotion

The following SPA employees are selected for promotion. It is recommended the President be authorized to increase the salary of these employees. These SPA positions have been evaluated, graded, appropriate job descriptions completed, and posting guidelines fulfilled. The effective date for these salaries will be the beginning of the next SPA pay period following board approval.

Employee: Brian Daehling
Current position (department): Water Plant Engineer (Platte West)
New position (department): System Controller (Systems Control)
Current rate; step/grade: \$42.08; Step 4
Proposed rate; step/grade: \$91,902; SPA – 03
Percent of increase: 5.00%
District hire date: July 9, 2007

Employee: Adam Gartner
Current position (department): Engineer II (Plant Engineering)
New position (department): Design Engineer (Plant Engineering)
Current rate; step/grade: \$100,027; SPA – 04
Proposed rate; step/grade: \$105,028; SPA – 05
Percent of increase: 5.00%
District hire date: February 19, 2019

Employee: Kyle Krause
Current position (department): Infrastructure Engineer (Infrastructure Integrity)
New position (department): Senior Design Engineer (Engineering Design)
Current rate; step/grade: \$98,188; SPA – 05
Proposed rate; step/grade: \$103,097; SPA – 07
Percent of increase: 5.00%
District hire date: June 2, 2014

Employee: **John Miller**
Current position (department): Water Plant Engineer (Platte South)
New position (department): System Controller (Systems Control)
Current rate; step/grade: \$42.08; Step 4
Proposed rate; step/grade: \$91,902; SPA – 03
Percent of increase: 5.00%
District hire date: September 4, 2007

Employee: **Joe Nuernberger**
Current position (department): Senior System Administrator (Information Technology)
New position (department): Manager, Enterprise Applications (Information Technology)
Current rate; step/grade: \$108,421; SPA – 05
Proposed rate; step/grade: \$113,842; SPA – 07
Percent of increase: 5.00%
District hire date: February 2, 2015

Employee: **Jarod Ponticello**
Current position (department): Engineer I (Engineering Design)
New position (department): Engineer II (Engineering Design)
Current rate; step/grade: \$82,306; SPA – 02
Proposed rate; step/grade: \$86,421; SPA – 04
Percent of increase: 5.00%
District hire date: April 3, 2017

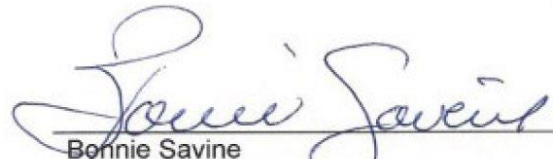
Employee: **Nathan Williams**
Current position (department): Engineer I (Plant Engineering)
New position (department): Design Engineer (Plant Engineering)
Current rate; step/grade: \$80,364; SPA – 02
Proposed rate; step/grade: \$85,866; SPA – 05
Percent of increase: 6.85%
District hire date: March 11, 2019

5. Supervisory, Professional and Administrative (SPA) New Hire Ratification

Board of Director Ratification of salaries, for new SPA employees hired from outside the District, is required to confirm the salary within the grade established for the position. Authorization to ratify the annual salary of SPA employees hired from outside the District will be requested each month, if appropriate.

Employee: **Samuel Deisz**
Current position (department): Engineer I (Plant Engineering)
Current rate; step/grade: \$68,254; SPA – 02
District hire date: September 13, 2021

Employee:	Terri Morrow
Current position (department):	Emergency Planning, Business Continuity Manager (Safety & Security)
Current rate; step/grade:	\$110,000; SPA – 06
District hire date:	August 30, 2021



Bonnie Savine
Vice President, Human Resources



Mark A. Mendenhall
Senior Vice President, General Counsel



Mark E. Doyle
President

METROPOLITAN UTILITIES DISTRICT
Inter-Department Communication

September 28, 2021

Subject: PROPOSED CHANGES TO RATE SCHEDULE CS-1,
CONTRACT GAS SERVICE

To: Committee on Accounts, Expenditures, Finance and Rates

cc: All Board Members, President Doyle, Senior Vice Presidents Ausdemore,
Langel, Lobsiger, Mendenhall and Schaffart and all Vice Presidents

From: Geneva Patterson, Manager – Rates

SUMMARY AND RECOMMENDATIONS

Management is requesting the Board's approval of revisions to Rate Schedule CS-1. Rate Schedule CS-1 applies to natural gas customers having alternate fuel capabilities and/or alternate energy choices and to economic development customers when such customer has executed a contract with the District. The requested changes remove the three-year limit on contract extensions.

The proposed updated changes provide management with flexibility in working with various customers allowing the District to support customer needs and encourage continued utilization of natural gas instead of alternate fuels/energy. The proposed rate schedule changes eliminate the restrictive nature of the existing language which limits contract extensions to three years by providing Management the flexibility to make contract extensions consistent with market conditions.

Geneva Patterson

Geneva Patterson, Manager - Rates

APPROVED:

Joseph Schaffart

Joseph A. Schaffart
Senior Vice President – Chief Financial Officer

Mark A. Doyle

Mark A. Doyle
President
Enclosures

METROPOLITAN
UTILITIES DISTRICT

SCHEDULE CS-1
CONTRACT GAS SERVICE
EFFECTIVE ~~JULY 1, 1999~~ OCTOBER 6, 2021

(Supersedes Schedule CS-1 effective ~~January 2, 1992~~ July 1, 1999)

AVAILABILITY

This rate schedule shall apply to natural gas volumes delivered to customers having alternate fuel capabilities and/or alternate energy choices and economic development customers when such customer has executed a contract with the District as described below.

CONTRACT

Customer must contract with District to purchase and/or transport all of customer's fuel requirements unless curtailed by District. The contract must specify the rate to be charged by the District to be paid by the customer, and said rate shall not be subject to renegotiation during the term of the contract.

Procedure to be used in contracting for service under this rate schedule shall be as follows:

1. This rate schedule is applicable only to those commercial and industrial customers with competitive energy options. It is applicable to potential economic development customers as an incentive to locate or expand in the District service area.
2. District will negotiate the cost of gas necessary to sell and/or transport natural gas to customer. No price for gas sales shall be lower than the District's commodity cost of purchased gas plus margin of five cents (\$.05) per decatherm. No rate for transportation shall be less than five cents (\$.05) per decatherm (MMBTU).
3. District reserves the right to reject any contract offered.
4. Term of contract normally will be for one month and ~~may be continued~~ automatically renewed from month to month unless ~~canceled-terminated~~ by the District, ~~however, The~~ term of the contract ~~may can~~ be extended at the same rate where ~~unusual~~ market conditions require such extension at the discretion of the District-warrant but not to exceed a period of three years.
5. Contract shall provide for a monthly customer charge ~~equal to~~ not less than the customer charge included in the customer's applicable interruptible/firm service gas rate schedule.

OTHER TERMS AND CONDITIONS

All terms and conditions regarding turn-ons, payments, priority and penalties which apply to District's interruptible/firm service gas rate schedules shall apply to this rate schedule.

METROPOLITAN UTILITIES DISTRICT

Inter-Department Communication

September 30, 2021

Subject: PROPOSED LEASE OF APPROXIMATELY 27 ACRES NEAR LNG PROPERTY

To: Judiciary and Legislative Committee

Cc: All Board Members; President Doyle, Senior Vice Presidents Langel, Ausdemore, Schaffart and Lobsiger and all Vice Presidents

From: Mark Mendenhall, Senior Vice President, General Counsel

The Metropolitan Utilities District of Omaha ("District") has been engaged in negotiations with the Omaha Public Power District ("OPPD") for over a year regarding an effort to provide natural gas to certain reciprocating engines OPPD intends to construct. Those engines will provide back up energy to OPPD's renewable portfolio. OPPD previously identified land near 120th and Military Street near the District's LNG facility as one of two sites for those engines. The land in question is owned by the District. This effort is referred to as OPPD's Power with Purpose initiative and OPPD refers to this site as Standing Bear Lake Station.

The Standing Bear site is a parcel of land close to Military Street on the north side of the LNG property. The land subject to the lease is approximately 27 acres and had been sitting dormant except for the presence of a cellular phone communications tower. The District had previously determined it had no future plans for the site but, in light of regulatory obligations, could not sell the land. The site in question is shown on an attachment to this letter although the dimensions are not to scale. The map is merely intended to give the Board a sense of its location.

The District and OPPD have negotiated the terms of a lease that will allow OPPD to construct and operate the Standing Bear electrical generating facility but also allow the District to maintain ownership over the property. The highlights of the lease include:

- A fifty (50) year term with options to renew for four additional five (5) year terms;
- Base rent of \$100,000.00 paid annually to the District with such base rent increased 2% every five (5) years;
- Base rent subject to reduction in any year that OPPD purchases sufficient quantity of gas from the District at the Standing Bear site;
- Under certain circumstances, OPPD may owe additional conditional rent in any year that OPPD's gas purchases at the site fall to below a certain threshold;
- OPPD will be allowed to also operate a substation at the site;

- The parties will work together in the event of regulatory changes at the site but OPPD is responsible for its costs related to such changes;
- OPPD to maintain the property in good order and repair.

This lease is one of many agreements contemplated by the parties. The parties have already entered into an MOU to reflect costs surrounding the relocation of the cellular tower and the upgrades to the Northern Natural Gas Town Border Station. The parties have also agreed on a main extension agreement to build the facilities necessary to provide sufficient gas supplies to the site. Finally, the parties have been in negotiations over separate gas supply agreements.

Management is recommending the Board authorize Mark Doyle to execute the lease, marking another step in the positive relationship between the two utility companies. This lease will ensure new gas revenue or rental revenue for the District on land that had been largely undeveloped. Such revenue is a positive for the District's budget which, in turn, is a positive for all District ratepayers.

This matter will appear on the October 6, 2021 Committee Agenda and, subject to Committee review, the October 6, 2021 Board Agenda for consideration.



Mark Mendenhall
Senior Vice President, General Counsel

Approved:



Mark E. Doyle
President



METROPOLITAN UTILITIES DISTRICT

Inter-Department Communication

September 29, 2021

Subject: RATIFICATION OF PURCHASE OF PROPERTY NEAR PLATTE SOUTH WATER TREATMENT PLANT

To: Judiciary and Legislative Committee

Cc: All Board Members; President Doyle, Senior Vice Presidents Langel, Ausdemore, Schaffart and Lobsiger and all Vice Presidents

From: Mark Mendenhall Senior Vice President, General Counsel

The District currently owns approximately 600 acres south of LaPlatte Road, west of 36th Street running to the Platte River. This land is utilized by the District as its Platte South Water Treatment Plant ("Platte South"). Platte South has been operational since 1968. It is one of the District's three water treatment plants contributing to the District's triangle of reliability.

Platte South is a treatment facility consisting of 40 wells that are capable of supporting the production of 60 million gallons of treated water per day. Platte South is a treatment plant that treats groundwater under the direct influence of surface water. This means the wells capture water beneath the surface of the ground, as opposed to the District's Florence Water Treatment Plant which collects water directly from the Missouri River.

Platte South is surrounded by agricultural land to the west and certain residential developments to the east, including Hanson's and Chris lakes communities. Land surrounding Platte South is not regularly conveyed and rarely comes up for sale.

The Lyman Richey Corporation most recently owned two parcels west of Platte South, since 2008. Both parcels were farmed via a farming lease since that time. Lyman Richey recently issued a notification that it intended to auction both parcels. The District did not receive advance notice of this auction.

One of the two Lyman Richey parcels consists of 99.85 acres and is directly west of the Platte South west boundary along the centerline of Section 29 in Sarpy County. This parcel, referred to as the "Iske Property" is identified in green on the attached map.

Management identified multiple benefits the Iske Property will provide for Platte South. Those benefits include the development of a solids reduction facility to ensure compliance with EPA regulations and the reduction or elimination of pesticides and

herbicides used in farming operations. In addition, the Iske Property will also provide a greater security barrier for the 40 wells.

With the assistance of Investors Realty, I identified a range of prices per acre for land that has sold near Platte South. We were able to identify sales ranging from approximately \$8,000 per acre to nearly \$16,000 per acre. We also engaged with Lyman Richey's brokerage firm to gather additional information regarding the usage and title history of the Iske Property. After this review, we determined it would be in the District's best interest to participate in the auction and secure the Iske Property for a price up to \$15,000 per acre.

Investors Realty and I participated in the auction on Tuesday, September 28 and were able to submit the winning bid for \$14,050 per acre. Closing is scheduled to occur by October 28, 2021, and the final purchase price is \$1,402,892.50. Management believes this is a sound decision that supports future needs for Platte South and therefore recommends the Committee and Board ratify this action.

This matter will appear on the October 6, 2021 Committee Agenda and, subject to Committee review, the October 6, 2021 Board Agenda for consideration.

If you have any questions, please feel free to contact me.



Mark Mendenhall
Senior Vice President/General Counsel

Approved:



Mark E. Doyle
President



Hackberry Ln

S 57th Ave

S 56th St

S 57th St

Merrill Mission Rd

S 57th St

S 48th Plz Ct

La Platte Rd

S 38th St

Lyman
Richie's
Iske
Property

Existing Platte South Property

Zwiebel Creek

Platte River

Platte River

0 250 500 1,000 Feet



METROPOLITAN UTILITIES DISTRICT*Inter-Department Communication*

September 23, 2021

Subject: LNG Capital Improvement Project Update and Revision to Scope**To:** All Board Members**From:** James J. Knight, Vice President, Gas Operations

At the February 2021 Board Meeting, the Board approved a capital expenditure authorization (C&A) of \$75,896,000 to replace the LNG Plant's liquefaction and vaporization systems and to increase the LNG vaporization capacity from 60,000 Dth/day to 150,000 Dth/day.

Our design consultant, CHI Engineering, and the MUD project team have been working together on the design and equipment procurement for the vaporization and liquefaction phases of the project. The vaporization phase is scheduled to start construction in 2022 and to be operational in November 2022. The liquefaction phase is scheduled to start construction in 2023 and be operational in 2024.

As detailed design work has progressed, the project team has agreed upon a revised layout that highly recommends the relocation of the regeneration heater and gas pretreatment valve skid to the east side of the plant site. This equipment removes the carbon dioxide and odorant from the natural gas before the natural gas is liquefied. Relocating the equipment to the east side of the plant will provide the following significant benefits:

- Reduces the liquefaction system outage from 16 to 14 months due to a less congested construction site
- Provides additional space for preventative maintenance of the new vaporization and liquefaction systems.

It should be noted that this is a change in project scope from what was initially proposed resulting in additional cost.

CHI provided an updated estimate of \$65.3 million for the LNG Capital Improvement Project (Vaporization/Liquefaction) which includes an additional \$4 million to relocate and replace the regeneration heater and gas pretreatment valve skid in 2023/2024. The regeneration heater was previously replaced in 2014 for \$2 million and has been experiencing operational problems in the recent past. If these problems can be resolved, the existing Regeneration Heater will be kept and relocated instead of purchasing a new piece of equipment. This will reduce the aforementioned \$4 million incremental cost to \$3.5 million.

The new total project estimate is \$79.0 million, including sales tax, MUD General & Administrative Costs, and a 15% contingency factor of \$10.3 million. The new estimate is \$3.1 million (4.1%) over the Board approved capital expenditure of \$75.9 million. District procedures state "Revisions in estimated C&A costs which exceed 10% and \$25,000 of the original C&A estimate must be approved by the Board of Directors". Since the revised estimate is only 4.1% over the original C&A amount, Board approval is not required. However, since this is a scope change and does increase estimated project costs, Management wanted to provide the Board with a project update.

Our Peak Shaving plants provided great value to our customers during the Polar Vortex event earlier this year. The LNG upgrade project will provide great value to our customers for decades to come.

Please feel free to call me with any questions.

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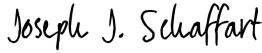
James J. Knight
Vice President, Gas Operations

Approved:

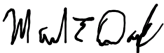
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Gina M. Langel
Senior Vice President, Chief Operations Officer

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Joseph J. Schaffart
Senior Vice President, Chief Financial Officer

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Mark E. Doyle
President