

METROPOLITAN UTILITIES DISTRICT

Committee Meetings Agenda

8:15 a.m.

March 6, 2024

1. Safety Briefing
2. Roll Call
3. Open Meetings Act Notice
4. Distinguished Service Award Presentation

Construction & Operations – Friend, Sidzyik, Cavanaugh

1. Capital Expenditures [Andy Melville – Interim SVP & Chief Operations Officer] – **Tab 5**
2. Acceptance of Contracts and Payment of Final Estimates
[Adam Gartner – Interim Director, Plant Engineering] – **Tab 6**
3. Water Service Reconnect Contract Extensions
[Adam Gartner – Interim Director, Plant Engineering] – **Tab 7**
4. Bids on Materials and Contracts
[Jon Zellars – VP, Procurement & Enterprise Services] – **Tab 8**

Services & Extensions – Friend, Begley, Howard

1. Main Extensions [Masa Niiya – VP, Engineering] – **Tab 9**

Personnel – Begley, Sidzyik, Friend

1. Wage and/or Salary Increases and Ratification [Bonnie Savine – VP, Human Resources] – **Tab 10**
2. Selection of Senior Vice-President & Chief Operations Officer
[Bonnie Savine – VP, Human Resources] – **Tab 11**

Judicial & Legislative – Cavanaugh, Cook, Howard

1. Bennington Condemnation Authority Request [Joseph Kehm – Assistant General Counsel] – **Tab 12**
2. Second Legislative Report for 2024 [Rick Kubat – Governmental Relations Attorney] – **Tab 13**

Public Comment

(Turn over for regular Board Meeting agenda)

METROPOLITAN UTILITIES DISTRICT
Regular Monthly Board Meeting Agenda

9:00 a.m.

March 6, 2024

1. Roll Call
2. Open Meetings Act Notice
3. Pledge of Allegiance
4. Approval of Minutes – Committee Meetings and Regular Board Meeting for February 7, 2024

**CONSTRUCTION
& OPERATIONS**

5. Capital Expenditures
6. Acceptance of Contracts and Payment of Final Estimates
7. Water Service Reconnect Contract Extensions
8. Bids on Materials and Contracts

**SERVICES
& EXTENSIONS**

9. Main Extensions

PERSONNEL

10. Wage and/or Salary Increases and Ratifications
11. Selection of Senior Vice-President & Chief Operations Officer

**JUDICIAL &
LEGISLATIVE**

12. Bennington Condemnation Authority Request (RESOLUTION)
13. Second Legislative Report for 2024

BOARD

14. President's Performance and Salary Review
15. Other Matters of District Business for Discussion
16. Public Comment
17. CLOSED SESSION – Litigation, Personnel and Real Estate

Adjourn Regular Monthly Board Meeting

(Turn over for Committee Meetings agenda)

METROPOLITAN UTILITIES DISTRICT
Minutes of the Committee Meeting
February 7, 2024

Chairperson Jim Begley 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.

Advance notice of the meeting was published in the print version of *The Omaha World-Herald* on Sunday, January 28, 2024. Notice was also provided on the MUD website at www.mudomaha.com and other social media platforms. Agendas and all pertinent Board materials to be presented at the meeting were emailed to Directors and posted on the MUD website on February 2, 2024.

Chairperson Begley announced that the meeting was being livestreamed and a recording of the meeting would be uploaded to the MUD website after the meeting's conclusion.

Safety Briefing

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

Roll Call

On a roll call vote, the following Directors acknowledged their attendance: Gwen Howard, Tim Cavanaugh, Jim Begley, Tanya Cook, Dave Friend, Bob Sidzyik, Mike McGowan.

Open Meetings Act Notice

Chairperson Begley announced that a copy of the Open Meetings Act was located on the wall in the back of the Board Room.

Construction and Operations – Friend, Sidzyik, Cavanaugh

Interim Senior Vice-President and Chief Operations Officer Andy Melville presented the proposed capital expenditures as outlined in his letter to the Committee dated February 1, 2024.

Interim Director of Plant Engineering, Adam Gartner reviewed the Acceptance of Contracts and Payment of Final Estimates as outlined in his letter to the Committee dated January 22, 2024.

Vice-President of Procurement & Enterprise Services Jon Zellars presented the bids on materials and contracts as outlined in the letter to the Committee from Director of Procurement Sherri Lightfoot dated January 26, 2024. Director McGowan inquired about the age of the Turer Pump Station Furnace. Mr. Zellars did not have that information at the time but will report back to the Board. Director Cook inquired if the Variable Frequency Pump at Platte West failed due to age, damage or flaw in the item. Interim Director of Central Maintenance Stephanie Henn reported the pump was installed when the plant was built and is approximately 15 years old, which is the expected lifespan of the pump.

Vice-President of Engineering Masa Niiya presented the proposed main extensions as outlined in his letter to the Committee dated January 31, 2024.

Personnel - Begley, Sidzyik, Friend

Vice-President of Human Resources Bonnie Savine updated the Board on the selection of Kendall Minor to the Senior Vice President and Chief Operating Officer role. Mr. Minor will join the District on March 4, 2024.

Ms. Savine provided an update to on employee counts and open positions.

Ms. Savine then presented a video in collaboration with Don't Panic Labs Pathways Program highlighting employee Tiffany Jackson's journey through an intensive 20-week apprenticeship course and placement on the Software Development team. President Doyle and Chairperson Begley congratulated Ms. Jackson on her accomplishment.

Ms. Savine continued, reviewing the wage and/or salary increases and ratifications as outlined in her letter to the Committee dated January 29, 2024.

Ms. Savine finished by reviewing the annual SPA Salary Structure Adjustment request as outlined in her letter to the Committee dated January 22, 2024.

Judicial & Legislative - Cavanaugh, Cook, Howard

Senior Vice-President & General Counsel Mark Mendenhall presented the Renewal of Water Franchise Agreement with the City of Ralston as outlined in his letter to the Committee on January 30, 2024. This renewal of the agreement will give the District ownership of the infrastructure of the system which was previously owned by the City of Ralston. Discussion was had regarding the system of record, state of Ralston's infrastructure, and how funds will be raised to pay for the necessary infrastructure updates. Mr. Mendenhall closed by thanking all the employees who collaborated on this effort. President Doyle complimented the Field Services team for taking care of the Ralston system over the last several decades.

Mr. Mendenhall presented the Ratification of Purchase and Easement Agreements for the Sarpy County Southwest Reservoir from G. Schram as outlined in his letter to the Committee dated January 25, 2024.

Staff Attorney Justin Cooper presented the Ratification of Purchase of 2816 State Street in Omaha to enhance the security surrounding the Florence Water Facility as outlined in his memo to the Committee dated January 30, 2023.

Governmental Relations Attorney Rick Kubat presented the First Legislative Report dated January 29, 2024, summarizing all legislative bills that have been identified as being of interest to the District. Of particular note was the recently introduced LB 1366 which proposes political subdivisions cannot obtain property through eminent domain without the approval of the local governing body. An extended discussion took place.

Insurance & Pension - Howard, McGowan, Cook

Senior Vice-President and Chief Financial Officer Mark Myers reviewed the 2023 Retirement Plan and Other Post-Employment Benefits (OPEB) Investment Review as outlined in his letter to the Committee dated January 30, 2024, and as explained in the accompanying year-end report prepared by Vanguard Institutional Advisory Services (VIAS). The report was provided 'for information only' and was not subject to approval by the full Board in the regular monthly Board Meeting to follow. All materials presented to the Board were reviewed by the Insurance & Pension Committee during the meeting of January 22, 2024.

Mr. Myers noted that the Vanguard report presents the 2023 investment performance for the Retirement and Other Post-Employment Benefits (OPEB) trust funds, and that the composite investment returns for the year ending December 31, 2023, were (16.22%) and (17.19%) for the Retirement and OPEB plans respectively (net of fees). The composite returns for the three-month period ending December 31, 2023, were 10.45% and 10.74% for the Retirement and OPEB plans respectively (net of fees).

Mr. Myers informed the Board that the selection process for a new Investment Management Firm will be underway in February due to Vanguard selling their Investment Advisory Business. PFM Asset Management will handle investment services in the interim under the same terms, pricing and investment strategy that is offered currently by Vanguard.

Mr. Myers introduced Joseph Wolfram, Senior Investment Consultant with Vanguard Investment Advisory Services, to provide a brief presentation regarding investment performance and answer questions from the Board.

President Doyle and members of the Board thanked Mr. Wolfram for his guidance and education to the Committee.

Committee of the Whole

Vice-President of Procurement & Enterprise Services Jon Zellars provided an update on the CC1 renovation and CC2 construction. Mr. Zellars introduced Adam Hoebelheinrich, Regional Vice President, Project Control, who was available for questions.

Public Comment

Chairperson Begley asked if there were any further comments from the Board or if any member of the public would like to address the Board. There were none.

At 9:42 a.m., Chairperson Begley announced the Committee Meetings had concluded and the Board would reconvene in ten minutes for the regular monthly Board Meeting.



Mark Doyle
President & Secretary to the Board

MD/sec

METROPOLITAN UTILITIES DISTRICT
Minutes of the Regular Monthly Board Meeting
February 7, 2024

Chairperson Jim Begley called to order the Committee meetings of the Metropolitan Utilities District Board of Directors at 9:54 a.m. at its headquarters building located at 7350 World Communications Drive.

Advance notice of the meeting was published in the print version of *The Omaha World-Herald* on Sunday, January 28, 2024. Notice was also provided on the MUD website at www.mudomaha.com and other social media platforms. Agendas and all pertinent Board materials to be presented at the meeting were emailed to Directors and posted on the MUD website on February 2, 2024.

Chairperson Begley announced that the meeting was being livestreamed and a recording of the meeting would be uploaded to the MUD website after the meeting's conclusion.

AGENDA NO. 1

ROLL CALL

On a roll call vote, the following Directors acknowledged their attendance: Gwen Howard, Tim Cavanaugh, Jim Begley, Tanya Cook, Dave Friend, Bob Sidzyik, Mike McGowan.

AGENDA NO. 2

OPEN MEETINGS ACT NOTICE

Chairperson Begley announced that a copy of the Open Meetings Act was located on the wall in the back of the Board Room.

AGENDA NO. 3

PLEDGE OF ALLEGIANCE

Chairperson Begley invited all who wished to participate to recite the Pledge of Allegiance.

AGENDA NO. 4

APPROVAL OF MINUTES FOR THE COMMITTEE MEETINGS, REGULAR MONTHLY BOARD MEETING AND PUBLIC HEARING FOR JANUARY 3, 2024.

Director Friend moved to approve the minutes for the Committee Meetings and regular monthly Board Meeting for January 3, 2024, which was seconded by Director Cavanaugh and carried on a roll call vote.

Voting Yes: Howard, Cavanaugh, Begley, Cook, Friend, Sidzyik, McGowan

Committee Meetings & Regular Board Meeting

February 7, 2024

Page 5 of 9

Voting No: None

AGENDA NO. 5
CAPITAL EXPENDITURES

Director Friend moved to approve the proposed capital expenditures as presented in the Committee Meetings by Interim Senior Vice-President and Chief Operations Officer Andy Melville as outlined in his letter to the Committee dated February 1, 2024. The motion was seconded by Director McGowan and carried on a roll call vote.

Voting Yes: Howard, Cavanaugh, Begley, Cook, Friend, Sidzyik, McGowan
Voting No: None

AGENDA NO. 6
ACCEPTANCE OF CONTRACTS AND PAYMENT OF FINAL ESTIMATES

Director Friend moved to approve the acceptance of contracts and payment of final estimates as presented in the Committee Meetings by Interim Director, Plant Engineering Adam Gartner and as outlined in his letter to the Committee dated January 22, 2024. The motion was seconded by Director McGowan and carried on a roll call vote.

Voting Yes: Howard, Cavanaugh, Begley, Cook, Friend, Sidzyik, McGowan
Voting No: None

AGENDA NO. 7
BIDS ON MATERIALS AND CONTRACTS

Director Friend moved to approve the bids on materials and contracts as presented by Vice-President of Procurement and Enterprise Services Jon Zellars and as outlined in the letter to the Committee dated January 26, 2024 from Director of Procurement Sherri Lightfoot. The motion was seconded by Director Cavanaugh and carried on a roll call vote.

Voting Yes: Howard, Cavanaugh, Begley, Cook, Friend, Sidzyik, McGowan
Voting No: None

AGENDA NO. 8
NOTICE OF PURCHASES BETWEEN \$25,000 AND \$50,000

Director Friend requested that the Notice of Purchases letter dated January 26, 2024, be placed on file.

AGENDA NO. 9
MAIN EXTENSIONS

Director Friend moved to approve the proposed main extensions as presented by Vice-President of Engineering Masa Niiya and as outlined in his letter to the Committee

dated January 31, 2024, which was seconded by Director Howard and carried on a roll call vote.

Voting Yes: Howard, Cavanaugh, Begley, Cook, Friend, Sidzyik, McGowan

Voting No: None

AGENDA NO. 10

WAGE AND/OR SALARY INCREASES AND RATIFICATIONS

Director Begley moved to approve the Wage and/or Salary Increases and Ratifications as presented by Vice-President of Human Resources Bonnie Savine and as outlined in her letter dated January 29, 2024. The motion was seconded by Director Friend and carried on a roll call vote.

Voting Yes: Howard, Cavanaugh, Begley, Cook, Friend, Sidzyik, McGowan

Voting No: None

AGENDA NO. 11

SPA SALARY STRUCTURE ADJUSTMENT

Director Begley moved to approve the Spa Salary Structure Adjustment as presented by Vice-President of Human Resources Bonnie Savine and as outlined in her letter dated January 22, 2024. The motion was seconded by Director Cook and carried on a roll call vote.

Voting Yes: Howard, Cavanaugh, Begley, Cook, Friend, Sidzyik, McGowan

Voting No: None

AGENDA NO. 12

CITY OF RALSTON FRANCHISE AND ACQUISITION

Director Cavanaugh moved to approve the City of Ralston Franchise and Acquisition agreement as presented by Senior Vice-President and General Counsel Mark Mendenhall and as outlined in his letter dated January 30, 2024. The motion was seconded by Director Friend and carried on a roll call vote.

Voting Yes: Howard, Cavanaugh, Begley, Cook, Friend, Sidzyik, McGowan

Voting No: None

AGENDA NO. 13

CLOSE ON PURCHASE, SARPY COUNTY SOUTHWEST RESERVOIR FROM G. SCHRAM

Director Cavanaugh moved to approve the Ratification of Purchase and Easement agreements, Sarpy County Southwest Reservoir from G. Schram as presented by Senior Vice-President and General Counsel Mark Mendenhall and as outlined in his letter dated January 25, 2024. The motion was seconded by Director Sidzyik and carried on a roll call vote.

Voting Yes: Howard, Cavanaugh, Begley, Cook, Friend, Sidzyik, McGowan
Voting No: None

AGENDA NO. 14

PURCHASE AGREEMENT AND CLOSING – 2816 STATE STREET

Director Cavanaugh moved to approve the Ratification of Purchase of 2816 State Street as presented by Staff Attorney Justin Cooper and as outlined in her letter dated January 30, 2024. The motion was seconded by Director Sidzyik and carried on a roll call vote.

Voting Yes: Howard, Cavanaugh, Begley, Cook, Friend, Sidzyik, McGowan
Voting No: None

AGENDA NO. 15

FIRST LEGISLATIVE REPORT FOR 2024

Director Cavanaugh moved to approve the recommended positions on legislative bills outlined in the First Legislative Report for 2024 as presented by Mr. Kubat in the Committee Meetings and as outlined in her letter dated January 29, 2024. The motion was seconded by Director Friend and carried on a roll call vote.

Voting Yes: Howard, Cavanaugh, Begley, Cook, Friend, Sidzyik, McGowan
Voting No: None

AGENDA NO. 16

OTHER MATTERS OF DISTRICT BUSINESS FOR DISCUSSION

Chairperson Begley asked whether any Board Members had any comments they wished to share.

Interim Senior Vice-President and Chief Operations Officer Andy Melville provided a Resiliency Report on the District's overall response to the recent winter weather incident. Vice President, Gas Operations Jim Knight spoke to the response from the Gas Operations Department. Vice President, Water Operations Matt Hammon spoke to the response from the Water Operations Department.

Chairperson Begley reminded those in attendance of the Heat the Streets event on Saturday, March 2 at Aksarben Village. Sponsorships are also still available.

AGENDA NO. 17

PUBLIC COMMENT

Chairperson Begley asked whether any members of the public were present who wished to address the Board. There were none.

AGENDA NO. 18

CLOSED SESSION – LITIGATION, PERSONNEL AND REAL ESTATE

At 10:29 a.m., Director Cook moved to go into Closed Session to discuss litigation, personnel and real estate. The motion was seconded by Director Howard and carried on a roll call vote.

Voting Yes: Howard, Cavanaugh, Begley, Cook, Friend, Sidzyik, McGowan
Voting No: None

At 10:56 a.m., Director Friend moved to return to Open Session. The motion was seconded by Director Cook and carried on a roll call vote.

Voting Yes: Howard, Cavanaugh, Begley, Cook, Friend, Sidzyik, McGowan
Voting No: None

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

Voting Yes: Howard, Cavanaugh, Begley, Cook, Friend, Sidzyik, McGowan
Voting No: None

The regular Board Meeting was adjourned at 10:57 a.m.



Mark Doyle
President & Secretary to the Board

MD/sec

METROPOLITAN UTILITIES DISTRICT*Inter-Department Communication*

February 27, 2024

Subject: CAPITAL EXPENDITURES

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

From: Andy Melville, Interim SVP & Chief Operations Officer

The following items will be on the March 6, 2024, Committee Agenda for consideration and the Board Agenda for approval.

BUILDINGS, PLANTS & EQUIPMENT

1. JOB #: (100086000770 - \$270,000)

TOTAL COST: \$270,000

LOCATION: Platte West, LNG, HQ and remote pumpstations

PURPOSE: Upgrade Network Equipment

DESCRIPTION: Annually, Information Technology Services Network team replaces a portion of network and telecom equipment to ensure the District's equipment is updated and maintained for improved reliability and security. This year's lifecycle replacement is focused on the following equipment switches at Platte West WPF, camera switches for the LNG Plant and the replacement of Software-defined wide-area networking (SD-WAN) equipment at pump stations. In addition, a portion of firewalls will be updated to enhance the District's cyber security posture.

2. JOB #: (100086000771 - \$80,000)

TOTAL COST: \$80,000

LOCATION: Platte West WPF, LNG Plant, HQ and Florence WPF

PURPOSE: Upgrade Audio/Video Equipment

DESCRIPTION: This C&A is to fund the upgrade of Audio Visual equipment to improve efficiency and consistency across the District for presentations, video meetings, and communications. This year's AV C&A is planned to be used for the HQ cafeteria, Platte West WPF small conference room, and LNG Plant large conference room.

3. JOB #: WP2052 (100033000007 - \$8,100,000)

TOTAL COST: \$8,100,000

LOCATION: Platte South Water Production Facility

PURPOSE: Construction of Electrical Building

DESCRIPTION: This Capital Expenditure Authorization (C&A) is for the construction of a new electrical building, installation of a new two-service electrical distribution system with associated switchgear, and installation of two new emergency power generators as identified in the Platte South Water Treatment Facility Capital Improvement Plan (CIP).

Due to the long lead times of the major equipment being placed in this building, procurement

of the transformers, electrical switchgear and generators was previously awarded by the District's Board of Directors in October and December of 2023.

This project was included in the 5-year capital plan associated with the 2024 budget, with expenditures in 2024 and 2025 totaling \$9,437,000. After receiving all the bids for the equipment procurement and construction portions of the project, total project costs are now estimated to be \$16,416,000 spanning budget years 2024 through 2026.

The unforeseen increase in projects costs is primarily attributed to volatility in pricing for large-scale electrical equipment and local competitiveness of specialized industrial electrical contracting. Given the critical importance of this project to plant reliability as well as to the execution and timing of the overall planned CIP at the Platte South Water Treatment Facility, approval for the Electrical Building Construction and Electrical installation is recommended. The amounts and timing of other Water Department and Water Bonded capital projects for the District will be evaluated and adjusted as necessary to minimize the impact of increases of this project to the overall District financial forecasts.

SYSTEM IMPROVEMENTS

1. JOB #: WP2066 (100051001079 - \$56,987) & (100065001726 - \$8,932)

TOTAL COST: \$65,918

LOCATION: Bennington – North 4th Street and North 158th Street

PURPOSE: Install new Pressure Reducing Valves for Bennington Pressure Zone

DESCRIPTION: This project is the final phase to improve system reliability and pressures for customers served by the Bennington Pressure Zone. Previous phases included Infrastructure Replacement work completed in 2023 within the Bennington Pressure Zone and a 12" HDPE water main extension, providing a second reliability connection that was approved by the District's Board of Directors in November 2023 and scheduled for construction in 2024. The obsoleted water tower will be reconveyed to the City of Bennington in accordance with the prior agreements with the City of Bennington.

2. JOB #: (100086000768 - \$250,000)

TOTAL COST: \$250,000

PURPOSE: Platte West SCADA Server and Workstation Replacement and Software Upgrade

DESCRIPTION: This expenditure will replace the existing Platte West Supervisory Control and Data Acquisition (SCADA) servers and workstations and upgrade them to the latest version of operating software. The budget includes engaging the services of Huffman Engineering who has typically supported these upgrades and will be engaged based on scope and complexity of the upgrade. Benefits of this initiative include increased system reliability and support. The current servers and workstations were installed in 2019 and standard practice is to replace them every 5 years.

DocuSigned by:

Andy Melville

FF7CDECE034EB...

Andy Melville
Interim SVP, Chief Operations Officer

Approved:

DocuSigned by:

Mark Doyle

C1E4FA06F330426...

Mark E. Doyle
President

METROPOLITAN UTILITIES DISTRICT*Inter-Department Communication*

February 16, 2024

Subject: ACCEPTANCE OF CONTRACTS AND PAYMENT OF FINAL ESTIMATES**To:** Committee on Construction and Operations

cc: all Board Members, Doyle, Mendenhall, Myers, Ausdemore, Melville, Lobsiger, and all Vice Presidents

From: Adam Gartner, Interim Director, Plant Engineering

The following items will be on the March 6, 2024, 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	
		Contract Bid	Actual
a. National Concrete Cutting, WP2011, 100083001175, Walnut Hill Reservoir Roof Removal; 1301 N 40th Street	9/11/2023	\$339,900.00	\$339,900.00

Comments: This was a project to remove deteriorated roofing materials over the existing concrete lid at the abandoned Walnut Hill Reservoirs. All work required by the contract has been completed by the Contractor and is acceptable and in compliance with the Contract and Specifications.

Approved:

DocuSigned by:

Adam Gartner

121846901F67477...

Adam Gartner

Interim Director, Plant Engineering

DocuSigned by:

Masa Miya

98B161DE431645F...

Masa Miya

Vice President
Engineering

DocuSigned by:

Andy Melville

FE77CDECEE024EB...

Andy Melville

Interim Senior Vice President
Chief Operations Officer

DocuSigned by:

Mark Doyle

C154FA06F330428...

Mark E. Doyle

President

METROPOLITAN UTILITIES DISTRICT*Inter-Department Communication*

February 14, 2024

Subject: WATER SERVICE RECONNECT CONTRACT EXTENTIONS FOR BACKLUND, NXTGEN PLUMBING, AND VESKERNA PLUMBING & EXCAVATING – THROUGH SPRING 2027

To: Committee on Construction & Operations
Cc: All Board Members, Doyle, Melville, Myers, Mendenhall, Ausdemore, Lobsiger, and All Vice Presidents

From: Adam Gartner, Interim Director, Plant Engineering

Purpose

Management is recommending that the District extend its partnership and contracts with Backlund Plumbing, NxtGen Plumbing, and Veskerna Plumbing & Excavating to perform the water service work required when a replacement water main is installed by District crews for three years in 2024 through 2027.

Backlund Plumbing, NxtGen Plumbing, and Veskerna Plumbing & Excavating were previously approved by the Board of Directors for a 3-year contract starting in June 2021, and will expire March 31, 2024.

In negotiating with these plumbing contractors, all entities will continue to be paid on the same price schedule with no price increase in 2024. Contract pricing will be negotiated for years 2025 and 2026.

Background

The District started hiring plumbing contractors in 2010 and has continued to the present. As a part of the District's Water Infrastructure Replacement Program, when a water main is replaced by District crews, existing water services need to be either reconnected to the newly installed water main or replaced in entirety by a contracted plumber.

In June 2021, the Board of Directors approved partnering with Backlund Plumbing for a 3-year contract, and NxtGen Plumbing ("NxtGen"), and Veskerna Plumbing & Excavating ("Veskerna") for 1-year contracts as the District's water service partners. NxtGen Plumbing ("NxtGen"), and Veskerna Plumbing & Excavating ("Veskerna") were later approved for 2-year contract extensions in 2022.

Partnering methodology has worked well with both the District's water and gas infrastructure contractors over recent years, and specifically worked well in 2021 thru 2023 for water service work.

Management determined that multiple plumbing contractors were necessary, due to the fragmented nature of water service reconnection work and needing flexibility to accommodate varying water infrastructure replacement project schedules.

Plan for April 2024 through March 2027

Successful negotiations with the three proposed plumbing contract partners, Backlund Plumbing, NxtGen Plumbing, and Veskerna Plumbing & Excavating, have been completed. All partners have agreed to continue to use a common pay schedule with no additional price increase for the first year of the proposed contract period.

It is recognized that the District intends to begin a significant amount of lead water service replacements. These projects will be completed using separate contracts and potentially different contractors than discussed in this letter. Funding sources such as the Drinking Water State Revolving Fund (DWSRF) and General Cash Fund require contractor bids, rather than negotiated pricing used for these Water Service contracts. The 3-year contract period will permit the District to lock in efficiencies gained with the District's water infrastructure replacement program while lead service replacement work ramps up.


Each of the plumbers will be paid with identical pricing. Pricing will be obtained by blending pricing obtained from each of the three plumbing contractors. There is no price increase in 2024, and contract pricing will be negotiated for years 2025 and 2026. If at any time, Management does not approve of the negotiated pricing, we can recommend to not move forward with any, or all, of the water service contractors.

Approximately half of the water service work will be assigned to Backlund Plumbing, as our longer established water services partner, and the remainder of the work will generally be split evenly between the other two plumbing contractors.

Recommendation

Management recommends approval for the President to be authorized to enter a 3-year contract extension with Backlund Plumbing, NxtGen Plumbing, and Veskerna Plumbing & Excavating, three existing water service work partners. All contractors will be paid on a common price schedule and with no price increase from 2023 for 2024.

The corresponding C&A funding for this work was submitted as part of the annual C&A requests for all gas and water infrastructure main and service work for the 2024 calendar year at the January 3, 2024 Board of Directors meeting. Your approval is requested.

DocuSigned by:

121848994F67477
Adam Gartner
Interim Director, Plant Engineering

Approved:

DocuSigned by:
Masa Niya
98B161DE431645F...
Masa Niya
Vice President,
Engineering

DocuSigned by:
Mark Doyle
C1E4FA06F330426...
Mark Doyle
President

DocuSigned by:
Andy Melville
FEF7CDECEE031EB...
Andy Melville
Sr. Vice President,
Chief Operations Officer

DocuSigned by:
Mark Mendenhall
51BB46766D35440...
Mark Mendenhall
Sr. Vice President,
General Counsel



METROPOLITAN UTILITIES DISTRICT

Inter-Department Communication

February 22, 2024

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

To: Construction & Operations Committee
 cc: All Board Members, Doyle, Ausdemore, Lobsiger, Melville, Mendenhall, Minor, Myers and all Vice Presidents

From: Sherri A Lightfoot, Director, Procurement

The following items will be on the March 6, 2024 Committee Agenda for consideration and the March 6, 2024 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 Morgan Ridge Lot 1-238, SW of 156 th Street and Bennington Road 100055001434 WP1989 Engineering Estimate: \$1,278,415.00 (A C&A in the amount of \$1,376,541.00 will be presented to the Board on March 6, 2024 for approval.)	18/3	Cedar Constr. Kersten Constr. Becker Trenching	\$1,175,221.00 1,308,231.00 1,665,900.00
Install Water Mains in 204 th and Harrison Street 36" Transmission Main, NE of 204 th Street and Harrison Street 100051001072 WP2031 Engineering Estimate: \$2,437,500.00 (A C&A in the amount of \$2,448,054.00 will be presented to the Board on March 6, 2024 for approval.)	18/8	Judds Bros Constr. Cedar Constr. L.G. Roloff Constr. Kersten Constr. <i>Neuvirth Constr.</i> <i>Valley Corporation</i> <i>Pat Thomas Constr.</i> <i>General Excavating</i>	\$1,937,500.00 2,068,450.00 2,369,364.00 2,505,409.54 2,513,250.00 2,697,419.14 2,816,500.00 2,820,667.00

Install Water Mains in Hagen Hills Lot 1-46 12" Pioneer Main, NE of 168 th Street and Rainwood Road 100055001457 100057000540 WP2070 Engineering Estimate: \$644,500.00 (A C&A in the amount of \$866,121.00 will be presented to the Board on March 6, 2024 for approval.)	18/4	Cedar Constr. Kersten Constr. Becker Trenching <i>Valley Corporation</i>	\$703,745.00 717,821.50 750,275.00 757,906.81
--	------	--	---

Install Water Mains in Sonnentaz Subdivision Lot 1 & 2, NW of Old Center Road and Skyline Drive 100055001458 WP2071 Engineering Estimate: \$111,360.00 (A C&A in the amount of \$101,266.00 will be presented to the Board on March 6, 2024 for approval.)	18/5	Cedar Constr. Castle Contracting Becker Trenching <i>Pat Thomas Constr.</i> Kersten Constr.	\$72,703.00 78,105.00 85,150.00 94,606.80 100,535.00
---	------	--	---

Install Water Mains in Sarpy West Industrial Lot 1, SW of 156 th Street and Schram Road 100055001466 WP2087 Engineering Estimate: \$232,960.00 (A C&A in the amount of \$235,766.00 will be presented to the Board on March 6, 2024 for approval.)	18/7	<i>Pat Thomas Constr.</i> <i>McAninch Corp.</i> Castle Contracting Cedar Constr. Becker Trenching Kersten Constr. <i>Judds Bros Constr.</i>	\$192,301.00 199,790.40 199,925.00 219,256.00 233,150.00 234,669.50 239,625.00
--	------	--	---

RATIFICATION

<u>Item</u>	<u>Bids Sent / Rec'd</u>	<u>Bidders</u>	<u>Bid Amount</u>
Mail Carrier Services for Various District Locations (January 1, 2024 – December 31, 2024)	6/2	Capital Express Midland Messenger	\$47,216.00 58,500.00

INFORMATION TECHNOLOGY

<u>Item</u>	<u>Bids Sent / Rec'd</u>	<u>Bidders</u>	<u>Bid Amount</u>
Implementation Partner Selection for S/4HANA Migration 100086000765	14/7	<i>Utegration/Cognizant</i>	<i>\$6,197,936.00</i>
		<i>Phoenix Team</i>	<i>6,347,836.00</i>
		<i>Tachyon</i>	<i>7,347,588.00</i>
		<i>IBM</i>	<i>7,406,879.00</i>
		<i>HCL</i>	<i>8,400,000.00</i>
		<i>EPIUSE</i>	<i>9,799,750.00</i>
		<i>Delaware Consulting</i>	<i>12,187,180.00</i>

(C&A for 100086000765 approved October 4, 2023 in the amount of \$12,000,000.00.)

OTHER

<u>Item</u>	<u>Bids Sent / Rec'd</u>	<u>Bidders</u>	<u>Bid Amount</u>
Platte South Water Production Facility Electrical Building 100033000007 WP 2052	14/3	<i>Meco-Henne</i>	<i>\$7,150,127.00</i>
		<i>Midwest DCM</i>	<i>7,295,127.00</i>
		<i>All Purpose Constr.</i>	<i>8,912,601.00</i>
(A C&A in the amount of \$8,100,000.00 will be presented to the Board on March 6, 2024 for approval.)			
Two (2) 800 Gallon Trailer Mounted Vacuum Excavator 100087000680	3/1	<i>Midwest Undgrd.</i>	<i>\$234,900.00</i>
(C&A for Annual Construction Machines, Equipment, Vehicles and Upfitting approved January 3, 2024 in the amount of \$18,794,100.00.)			
One (1) Mini Excavator 100087000683	7/6	<i>Kubota of Omaha</i>	<i>\$138,359.00</i>
		<i>Bobcat Omaha</i>	<i>142,981.37</i>
*Bid Rejected, Does Not Meet Specifications		<i>Road Builders Mach.</i>	<i>147,585.71</i>
		<i>Murphy Tractor</i>	<i>165,633.00</i>
		<i>NMC</i>	<i>183,600.97</i>
		<i>A1 Iron Corp</i>	<i>109,988.88*</i>

(C&A for Annual Construction Machines, Equipment, Vehicles and Upfitting approved January 3, 2024 in the amount of \$18,794,100.00.)

Four (4) Rubber Tired Four Wheel 6/1 **Vermeer High Plains \$661,490.00**
 Drive Combination Trencher Backhoe
 100087000685

(C&A for Annual Construction Machines, Equipment, Vehicles and Upfitting approved January 3, 2024 in the amount of \$18,794,100.00.)

One (1) 20,000 LB Tandem 6/2 **Duo Lift Manufacturing \$26,986.00**
 Axle Tilt Deck Trailer Bobcat of Omaha 22,875.00*
 100089000962

*Bid Rejected, Does Not Meet Specifications

(C&A for Annual Construction Machines, Equipment, Vehicles and Upfitting approved January 3, 2024 in the amount of \$18,794,100.00.)

Two (2) Single Axle Semi Tractor 1/1 **Truck Center \$214,530.00***
 100088000828

*Extension #1

(C&A for Annual Construction Machines, Equipment, Vehicles and Upfitting approved January 3, 2024 in the amount of \$18,794,100.00.)

ANNUALS

<u>Item</u>	<u>Bids Sent / Rec'd</u>	<u>Bidders</u>	<u>Bid Amount</u>
Ductile Iron Water Pipe (April 1, 2024 – March 31, 2025)	6/4	American Undgrd. Core and Main Omaha Winwater <i>American Cast Iron</i>	\$1,379,891.20 1,400,703.20 1,454,173.00 1,488,746.00
High Density Polyethylene (HDPE) Water Pipe (April 1, 2024 – March 31, 2025) *Bid Rejected, Does Not Meet Specifications	9/4	Core and Main <i>Irby Utilities</i> <i>Groeber</i> <i>Milford</i>	\$365,818.40 375,607.44 455,654.00 365,838.00*

Gas Odorant
(Approximately 40,000lbs)
Extension #1

1/1

USDI

\$154,200.00

DocuSigned by:

Sherri A. Lightfoot

FE517A20F86A486...

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

Approved:

DocuSigned by:

Jon Zellars

070E2068A16A419...

Jon Zellars
Vice President, Procurement and Enterprise Services

DocuSigned by:

Steve Ausdemore

965B650EBD3440D...

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

DocuSigned by:

Mark E. Doyle

C1E4FA06F330426...

Mark E. Doyle
President

METROPOLITAN UTILITIES DISTRICT*Inter-Department Communication*

February 27, 2024

Subject: MAIN EXTENSIONS**To:** Services and Extensions Committeecc: All Board Members, Ausdemore, Doyle, Lobsiger, Melville, Mendenhall, Myers,
and all Vice Presidents**From:** Masa Niiya, Vice President, Engineering

The following main extensions will be on the March 6, 2024, Committee Agenda for consideration and the Board Agenda for approval:

1. JOB #: WP2071 (100055001458 - \$101,266)**PROJECT COST:** \$101,266**DISTRICT COST:** \$0**LOCATION:** NW of Old Center Road and Skyline Drive**DISTRICT SUBDIVISION:** Cavanaugh**PURPOSE:** Install water mains for Sonnentanz Subdivision**DESCRIPTION:** Work to be done will provide domestic water service and fire protection to 2 single family residences in Sonnentanz Subdivision.**2. JOB #: WP2087** (100055001466 - \$235,766)**PROJECT COST:** \$235,766**DISTRICT COST:** \$0**LOCATION:** South 156th Street and Schram Road**DISTRICT SUBDIVISION:** Sidzyik**PURPOSE:** Install water main in Sarpy West Industrial Subdivision**DESCRIPTION:** Work to be done will provide domestic water service and fire protection to 1 commercial lot in Sarpy West Industrial Subdivision.**3. JOB #: WP1989** (100055001434 - \$1,376,541)**PROJECT COST:** \$1,376,541**DISTRICT COST:** \$0**LOCATION:** North 156th Street and Kempton Creek Drive**DISTRICT SUBDIVISION:** Friend**PURPOSE:** Install water mains for Morgan Ridge Subdivision**DESCRIPTION:** Work to be done will provide domestic water service and fire protection to 4 commercial lots and 234 single family residential lots in Morgan Ridge Subdivision.**4. JOB #: WP2031** (100051001072 - \$2,448,054)**PROJECT COST:** \$2,448,054**DISTRICT COST:** \$2,448,054**LOCATION:** S. 204th Street and Harrison Street**DISTRICT SUBDIVISION:** Cavanaugh**PURPOSE:** Install 3,500 ft. of 36" transmission mains for improved system resiliency and future growth in Sarpy County**DESCRIPTION:** This 36" water main extension in S. 204th St. and Harrison St. is the final

segment of three projects identified to complete the transmission system from the Platte West WTP to developing areas of Sarpy County and the future Southwest Reservoir. The main extension is identified in the Water Master Plan as Project P112. The other two projects identified as part of this series, were previously approved by the Board of Directors as part of WP1890A water main extension from V St. to George B. Lake Parkway along S. 204th St., and WP1493/WP1870 water main extension from S. 180th St. to S. 185th St. along Giles Rd in November 2022 and April 2023 respectively.

5. JOB #: WP2070 (100055001457 - \$355,356) & (100057000540 - \$510,765)

PROJECT COST: \$866,121

DISTRICT COST: \$0

LOCATION: N. 168th Street and Rainwood Road

DISTRICT SUBDIVISION: Friend

PURPOSE: Install water mains for Hagen Hills Subdivision

DESCRIPTION: Work to be done will provide domestic water service and fire protection to 46 single family residential lots in Hagen Hills Subdivision.

6. JOB #: GP2828 (100060001492 - \$148,388)

PROJECT COST: \$148,388

DISTRICT COST: \$0

LOCATION: N. 216th Street and Fort Street

DISTRICT SUBDIVISION: Begley

PURPOSE: Install gas mains for Magnolia Trails Subdivision

DESCRIPTION: Work to be done will provide gas service to 206 single family residential lots in Magnolia Trails Subdivision.

DocuSigned by:

Masa Niya

98B161DE431845F...

Masa Niya

Vice President, Engineering

Approved:

DocuSigned by:

Andy Melville

FEF7C0ECEE034EB...

Andy Melville

Interim Sr. Vice President, Chief Operations Officer

DocuSigned by:

Mark Doyle

C1E4FA08F330426...

Mark E. Doyle

President

METROPOLITAN UTILITIES DISTRICT*Inter-Department Communication*

February 27, 2024

Subject: Wage and/or Salary Increases and Ratifications, March 2024 Board Meeting**To:** Personnel Committee members Begley, Friend, and Sidzyik**cc:** Board Members Cavanaugh, Cook, Howard, and McGowanPresident Doyle, and Senior Vice Presidents Ausdemore, Lobsiger, Mendenhall, and Myers;
Interim Senior Vice President Melville**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:	Nicole Anzalone
Current position (department):	Meter Reader – Reread (Meter Services)
New position (department):	Meter Reader – Reread (Meter Services) Job Reclassification
Current rate; step/grade:	\$35.56; Step 4
Proposed rate; step/grade:	\$36.41; Step 4
Percent of increase:	2.39%
District hire date:	September 28, 2002

Employee:	Marcela Chudomelka
Current position (department):	Administrative Clerk III (Central Maintenance)
New position (department):	Accounting Clerk I (Accounting)
Current rate; step/grade:	\$30.90; Step 4
Proposed rate; step/grade:	\$32.62; Step 4
Percent of increase:	5.57%
District hire date:	March 10, 2014

Employee:	John Connolly
Current position (department):	Meter Reader – Reread (Meter Services)
New position (department):	Meter Reader – Reread (Meter Services) Job Reclassification
Current rate; step/grade:	\$35.56; Step 4
Proposed rate; step/grade:	\$36.41; Step 4
Percent of increase:	2.39%
District hire date:	October 11, 2014

Wage and/or Salary Increases and Ratifications

March 2024

Page 2

Employee: **Shawn Dewitz**
Current position (department): Machine Operator (Construction)
New position (department): Utility Worker (Construction)
Current rate; step/grade: \$38.86; Step 4
Proposed rate; step/grade: \$41.15; Step 4
Percent of increase: 5.89%
District hire date: September 30, 2019

Employee: **Phil Gravert**
Current position (department): Gas Plant Operator (Gas Production)
New position (department): Instrument Technician (Gas Production)
Current rate; step/grade: \$42.19; Step 4
Proposed rate; step/grade: \$44.30; Step 2
Percent of increase: 5.00%
District hire date: June 23, 2003

Employee: **Keith Hale**
Current position (department): Water Plant Maintenance Mechanic (Water Pumping)
New position (department): Water Plant Engineer (Water Pumping)
Current rate; step/grade: \$32.67; Step 1
Proposed rate; step/grade: \$36.14; EN
Percent of increase: 10.62%
District hire date: May 17, 2021

Employee: **Suzanne Hanus**
Current position (department): Meter Reader – Reread (Meter Services)
New position (department): Meter Reader – Reread (Meter Services) Job Reclassification
Current rate; step/grade: \$35.56; Step 4
Proposed rate; step/grade: \$36.41; Step 4
Percent of increase: 2.39%
District hire date: May 1, 2000

Employee: **Colton Meador**
Current position (department): Machine Operator (Construction)
New position (department): Utility Worker (Construction)
Current rate; step/grade: \$38.86; Step 4
Proposed rate; step/grade: \$41.15; Step 4
Percent of increase: 5.89%
District hire date: July 31, 2017

Wage and/or Salary Increases and Ratifications

March 2024

Page 3

Employee: **Mike Paskevic**
Current position (department): Machine Operator (Construction)
New position (department): Utility Worker (Construction)
Current rate; step/grade: \$36.92; Step 3
Proposed rate; step/grade: \$39.09; Step 3
Percent of increase: 5.88%
District hire date: March 23, 2020

Employee: **Vanessa Salinas**
Current position (department): Meter Reader – Reread (Meter Services)
New position (department): Meter Reader – Reread (Meter Services) Job Reclassification
Current rate; step/grade: \$35.56; Step 4
Proposed rate; step/grade: \$36.41; Step 4
Percent of increase: 2.39%
District hire date: June 6, 2011

Employee: **Tyler Vaca-Keller**
Current position (department): Pipe Layer – Welder (Construction)
New position (department): Utility Worker (Construction)
Current rate; step/grade: \$38.86; Step 4
Proposed rate; step/grade: \$41.15; Step 4
Percent of increase: 5.89%
District hire date: August 13, 2018

Employee: **Justin Weber**
Current position (department): Machine Operator (Construction)
New position (department): Utility Worker (Construction)
Current rate; step/grade: \$38.86; Step 4
Proposed rate; step/grade: \$41.15; Step 4
Percent of increase: 5.89%
District hire date: March 4, 2019

Employee: **Garrith Whaley**
Current position (department): Machine Operator (Construction)
New position (department): Utility Worker (Construction)
Current rate; step/grade: \$36.92; Step 3
Proposed rate; step/grade: \$39.09; Step 3
Percent of increase: 5.88%
District hire date: March 30, 2020

Wage and/or Salary Increases and Ratifications

March 2024

Page 4

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.

There are no recommendations for approval this month

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:	Douglas Brennan
Current position (department):	Gas Leak Assistant (Gas Distribution)
New position (department):	Gas Leak Technician (Gas Distribution)
Current rate; step/grade:	\$36.72; Step 4
Proposed rate; step/grade:	\$39.21; Step 3
Percent of increase:	6.78%
District hire date:	October 14, 2002

Employee:	Derek Wikoff
Current position (department):	Geographic Information System Technician I (Infrastructure Integrity)
New position (department):	Geographic Information System Technician II (Infrastructure Integrity)
Current rate; step/grade:	\$30.03; Step 4
Proposed rate; step/grade:	\$33.11; Step 2
Percent of increase:	10.26%
District hire date:	September 20, 2021

Wage and/or Salary Increases and Ratifications

March 2024

Page 5

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: **Rowland Alcala**
Current position (department): Field Foreman (Field Services)
New position (department): Field Foreman (Field Services) Job Re-evaluation
Current rate; step/grade: \$112,424; SPA – 04
Proposed rate; step/grade: \$118,045; SPA – 05
Percent of increase: 5.00%
District hire date: September 23, 1996

Employee: **Gregory Cardenas**
Current position (department): Operations Risk Manager (Engineering and Construction)
New position (department): Director, Water Distribution (Water Distribution)
Current rate; step/grade: \$116,113; SPA – 07
Proposed rate; step/grade: \$121,919; SPA – 8D
Percent of increase: 5.00%
District hire date: March 15, 1993

Employee: **Kenneth Clifford**
Current position (department): Construction Foreman (Construction)
New position (department): Construction Foreman (Construction) Job Re-evaluation
Current rate; step/grade: \$113,966; SPA – 04
Proposed rate; step/grade: \$119,664; SPA – 05
Percent of increase: 5.00%
District hire date: March 25, 1996

Employee: **Tony Dillow**
Current position (department): Construction Foreman (Construction)
New position (department): Construction Foreman (Construction) Job Re-evaluation
Current rate; step/grade: \$113,966; SPA – 04
Proposed rate; step/grade: \$119,664; SPA – 05
Percent of increase: 5.00%
District hire date: March 3, 1997

Employee: **James Horan**
Current position (department): Construction Foreman (Construction)
New position (department): Construction Foreman (Construction) Job Re-evaluation
Current rate; step/grade: \$113,966; SPA – 04
Proposed rate; step/grade: \$119,664; SPA – 05
Percent of increase: 5.00%
District hire date: February 10, 1992

Wage and/or Salary Increases and Ratifications

March 2024

Page 6

Employee: **Emily Hovda Walton**
Current position (department): Engineer II (Engineering Design)
New position (department): Design Engineer (Engineering Design)
Current rate; step/grade: \$97,292; SPA – 04
Proposed rate; step/grade: \$102,157; SPA – 05
Percent of increase: 5.00%
District hire date: March 21, 2022

Employee: **Vincent Juarez**
Current position (department): Construction Foreman (Construction)
New position (department): Construction Foreman (Construction) Job Re-evaluation
Current rate; step/grade: \$113,966; SPA – 04
Proposed rate; step/grade: \$119,664; SPA – 05
Percent of increase: 5.00%
District hire date: October 18, 1993

Employee: **Michael Kerres**
Current position (department): Field Foreman (Field Services)
New position (department): Field Foreman (Field Services) Job Re-evaluation
Current rate; step/grade: \$112,424; SPA – 04
Proposed rate; step/grade: \$118,045; SPA – 05
Percent of increase: 5.00%
District hire date: September 26, 2005

Employee: **Guenevere Klug**
Current position (department): Water Analyst I (Water Quality)
New position (department): Water Analyst II (Water Quality)
Current rate; step/grade: \$87,715; SPA – 01
Proposed rate; step/grade: \$92,101; SPA – 02
Percent of increase: 5.00%
District hire date: July 27, 2020

Employee: **Chad Koehler**
Current position (department): Construction Foreman (Construction)
New position (department): Construction Foreman (Construction) Job Re-evaluation
Current rate; step/grade: \$113,942; SPA – 04
Proposed rate; step/grade: \$119,639; SPA – 05
Percent of increase: 5.00%
District hire date: January 2, 2002

Wage and/or Salary Increases and Ratifications

March 2024

Page 7

Employee: Jerry Markham
Current position (department): Field Foreman (Field Services)
New position (department): Field Foreman (Field Services) Job Re-evaluation
Current rate; step/grade: \$112,424; SPA – 04
Proposed rate; step/grade: \$118,045; SPA – 05
Percent of increase: 5.00%
District hire date: November 6, 2006

Employee: Kay Matejka
Current position (department): Manager, Meter Services (Meter Services)
New position (department): Director, Meter Services (Meter Services) Job Re-evaluation
Current rate; step/grade: \$131,031; SPA – 06
Proposed rate; step/grade: \$137,583; SPA – 7D
Percent of increase: 5.00%
District hire date: March 6, 1995

Employee: Richard Miranda
Current position (department): Training Foreman – Construction (Construction)
New position (department): Training Foreman - Construction (Construction) Job Re-evaluation
Current rate; step/grade: \$113,966; SPA – 04
Proposed rate; step/grade: \$119,664; SPA – 05
Percent of increase: 5.00%
District hire date: April 16, 2001

Employee: Brandon Pokorski
Current position (department): Field Foreman (Field Services)
New position (department): Field Foreman (Field Services) Job Re-evaluation
Current rate; step/grade: \$112,409; SPA – 04
Proposed rate; step/grade: \$118,029; SPA – 05
Percent of increase: 5.00%
District hire date: October 10, 2011

Employee: Michael Quinn
Current position (department): Senior Design Engineer (Engineering Design)
New position (department): Director, Central Maintenance (Central Maintenance)
Current rate; step/grade: \$131,562; SPA – 07
Proposed rate; step/grade: \$138,140; SPA – 8D
Percent of increase: 5.00%
District hire date: April 15, 2019

Wage and/or Salary Increases and Ratifications

March 2024

Page 8

Employee: **Gregory Ramirez**
Current position (department): Construction Foreman (Construction)
New position (department): Construction Foreman (Construction) Job Re-evaluation
Current rate; step/grade: \$113,966; SPA – 04
Proposed rate; step/grade: \$119,664; SPA – 05
Percent of increase: 5.00%
District hire date: November 27, 2000

Employee: **Theodore Wiles**
Current position (department): Field Foreman (Field Services)
New position (department): Field Foreman (Field Services) Job Re-evaluation
Current rate; step/grade: \$112,424; SPA – 04
Proposed rate; step/grade: \$118,045; SPA – 05
Percent of increase: 5.00%
District hire date: May 23, 1988

Employee: **Jon Wollenburg**
Current position (department): Training Foreman – Construction (Construction)
New position (department): Training Foreman - Construction (Construction) Job Re-evaluation
Current rate; step/grade: \$113,966; SPA – 04
Proposed rate; step/grade: \$119,664; SPA – 05
Percent of increase: 5.00%
District hire date: August 6, 2001

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: **Amanda Nelson**
Current position (department): Human Resources Generalist (Human Resources)
Current rate; step/grade: \$81,973; SPA – 03
District hire date: February 26, 2024

Wage and/or Salary Increases and Ratifications

March 2024

Page 9

DocuSigned by:

Bonnie Savine

20D4ADB94CE343B...

Bonnie Savine

Vice President, Human Resources

APPROVED:

DocuSigned by:

Mark Mendenhall

51BB46766D35446...

Mark A. Mendenhall

Senior Vice President, General Counsel

DocuSigned by:

Mark Doyle

01E4FA00F330426...

Mark E. Doyle

President

METROPOLITAN UTILITIES DISTRICT
Inter-Department Communication

March 1, 2024

Subject: Selection of Senior Vice President, Chief Operations Officer

To: Personnel Committee members Begley, Friend, and Sidzyik

cc: Board Members Cavanaugh, Cook, Howard, and McGowan
President Doyle, and Senior Vice Presidents Ausdemore, Lobsiger, Mendenhall,
and Myers; Interim Senior Vice President Melville

From: Bonnie Savine, Vice President, Human Resources

It is recommended that the Board of Directors approve the selection of Kendall Minor as Senior Vice President, Chief Operations Officer.

Mr. Minor received his Bachelor's and Master of Science in Civil Engineering from the University of Alabama at Birmingham. Mr. Minor also has over 15 years of experience in the utilities industry.

In his most recent role as Executive Director of Utilities at the City of Fort Collins Utility, he was responsible for water (storm, sewer, water/wastewater treatment), light and power, finance, and customer service, with an annual budget over \$275 million dollars. Mr. Minor also represented the City of Fort Collins as the Executive Director on the Platte River Power Authority Board. Fort Collins is the largest shareholder of Platte River Power Authority, with 48% ownership.

While working in his previous role with Cherry Street Renewables, Mr. Minor had full P&L responsibility for solar deployment, including business development, pre-construction, EPC, O&M, project management, construction, and safety, reporting to the CEO.

The Senior Team and Human Resources team conducted a thorough recruitment and job placement process. Over multiple months, candidates were reviewed and vetted, resulting in candidates throughout the United States (34 candidates and 3 finalists). The District's Senior Management team and I agreed on the selection. Based on his education and proven work experience, Mr. Minor is recommended for the position of Senior Vice President, Chief Operations Officer.

Given the responsibilities of this position as the Senior Vice President, Chief Operations Officer, it is recommended that the Board of Directors authorize the salary of Mr. Minor at \$290,000 per year, effective March 4, 2024, under District policy.

Selection of SVP, COO March 2024 Board meeting
Page 2

DocuSigned by:

Bonnie Savine

26D4ADB94CE943B...

Bonnie Savine

Vice President, Human Resources

APPROVED:

DocuSigned by:

Mark Mendenhall

51B546766D35440...

Mark A. Mendenhall

Senior Vice President, General Counsel

DocuSigned by:

Mark Doyle

C1E4EA06E330426...

Mark E. Doyle

President

METROPOLITAN UTILITIES DISTRICT

February 28, 2024

Subject: CONDEMNATION AUTHORITY-PERMANENT EASEMENT IN LOT 16 BENNINGTON PARK, A PLATTED SUBDIVISION IN DOUGLAS COUNTY, NEBRASKA

To: Judiciary and Legislative Committee (Cavanaugh, Cook, and Howard)

cc: all Board Members; Mark Doyle, Andy Melville, Mark Mendenhall, Steve Ausdemore, Sue Lobsiger, Mark Myers and all Vice Presidents

From: Joseph Kehm, Assistant General Counsel

In Spring of 2024, the District will be making improvements to our water distribution system to ensure consistent pressure and redundant reliability for our Bennington customers. The planned improvements include the installation of a water main in North 158th Street.

To facilitate the installation of the main in North 158th Street, the District will need a permanent easement in the southeast corner of Lot 16 of the Bennington Park subdivision. The District has spoken to the owners of this property, Kristina Kintziger and Jeffery Kintziger, about the District's requested easement. The District has made good faith offers of compensation to the owners to acquire the easement by agreement. So far, however, the owners have not accepted our offers.

Therefore, the District must use its authority of eminent domain as set forth in Neb. Rev. Stat. §§ 14-2113 and 14-2116 to acquire the permanent easement. Neb. Rev. Stat. § 14-2113 provides, in part:

The board of directors of the metropolitan utilities district shall have . . . *the power to appropriate private property* required by the district for natural gas and water service, to purchase and contract for necessary materials, labor, and supplies, and to supply water and natural gas without the district upon such terms and conditions as it may deem proper. The authority and power conferred in this section upon the board of directors shall extend as far beyond the corporate limits of the metropolitan utilities district as the board may deem necessary.

(Italics added). Neb. Rev. Stat. § 14-2116 provides, in part:

In addition to any other rights and powers conferred upon metropolitan utilities districts under sections 14-2101 to 14-2157, such districts shall have and may exercise *the power of eminent domain* for the purpose of erecting, constructing, locating, maintaining, or supplying such waterworks, gas works, or mains or the extension of any system of waterworks, water supply, gas works, or gas supply, and any such district may go beyond its

territorial limits and may take, hold, or acquire rights, property, and real estate, or either or any of the same, by purchase or otherwise. Such a district may for such purposes take, hold, and condemn any and all necessary property.

(Italics added).

Management is recommending the Board authorize the use of eminent domain to acquire the referenced permanent easement by adopting and approving the attached Board Resolution, which includes a diagram of the proposed permanent easement.

This matter will be on the March 6, 2024 Committee agenda and subject to Committee review, and on the March 6, 2024 Board Agenda.

Please contact me if you have any questions.

DocuSigned by:

DFE5A12C089C40A...
Joseph Kehm
Assistant General Counsel

Approved:

DocuSigned by:

C1E4FA08F330426...
Mark Doyle
President

Attachment



RESOLUTION

WHEREAS, the Metropolitan Utilities District of Omaha will be making improvements to its water distribution system for the important public purposes of ensuring consistent pressure and redundant reliability for customers located in Bennington, Douglas County, Nebraska;

WHEREAS, one of the improvements will be the installation of a water main in North 158th Street in Bennington;

WHEREAS, to complete the installation of such water main, the District requires a permanent easement over Lot 16, Bennington Park, a platted subdivision in Douglas County, Nebraska (the "Property") for the purpose of installing water mains, vaults, and any other necessary above or below ground appurtenances;

WHEREAS, Kistina Kintziger and Jeffery Kintziger ("Kintzigers") are the fee simple owners of the Property;

WHEREAS the District, in good faith, has attempted to negotiate with the Kintzigers to acquire the needed permanent easement by agreement, including by making good faith offers of compensation to the Kintzigers;

WHEREAS the Kintzigers have not accepted the District's offers of compensation;

WHEREAS under *Neb. Rev. Stat. § 14-2113*, the District's board of directors has "the power to appropriate private property required by the district for natural gas and water service" and, further, under *Neb. Rev. Stat. § 14-2116*, the District "may exercise the power of eminent domain for the purpose of erecting, constructing, locating, maintaining, or supplying such waterworks, gas works, or mains or the extension of any system of waterworks, water supply, gas works, or gas supply" and "may for such purposes take, hold, and condemn any and all necessary property";

WHEREAS the Property is located within the territorial limits of the District.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Metropolitan Utilities District of Omaha, a municipal corporation and political subdivision of the State of Nebraska, that in order to achieve the important public purpose of ensuring consistent pressure and redundant reliability for the District's water customers located in Bennington, Douglas County, Nebraska, the District should and will exercise its power of eminent domain under *Neb. Rev. Stat. §§ 14-2113 and 14-2116* to take the following described permanent easement:

A permanent easement to lay, maintain, operate, repair, relay, and remove, at any time, underground pipelines for the transportation of water and all underground and above-ground appurtenances thereto, including, but not limited to, hydrants, valve boxes, stop boxes, manhole rings, manhole covers, vaults, and pipeline markers, together with the rights of ingress and egress on, over, under, and through the following described tract of land:

THE EASTERLY 5.00 FEET OF THE SOUTHERLY 15.00 FEET OF LOT 16,
BENNINGTON PARK, A PLATTED SUBDIVISION IN DOUGLAS COUNTY,
NEBRASKA.

SAID PARCEL CONTAINS AN AREA OF 0.0017 ACRES MORE OR LESS.

The permanent easement is generally shown on the drawing attached to this
Resolution.

BE IT FURTHER RESOLVED that the Senior Vice President/General Counsel, with
assistance from the District's Legal Department, is hereby authorized to institute
condemnation proceedings on behalf of the District for this purpose.

Adopted:

James P. Bally



METROPOLITAN
UTILITIES DISTRICT

EASEMENT
ACQUISITION

GROUP NO. WP2005

PROJECT NO. 100051001065


TOTAL ACRE PERMANENT 0.0017[±]
TOTAL ACRE TEMPORARY N/A

LEGEND


PERMANENT EASEMENT 

TEMPORARY EASEMENT 

SECTION CORNER 

SECTION LINE 

PROPERTY LINE 

EXISTING ESMT 

DRAWN BY JTB

DATE 10-02-23

CHECKED BY EHW

DATE 10-23-2023

APPROVED BY KMK

DATE 10/19/2023

15

25

NO SCALE

BENNINGTON
PARK

16

PROP. 5'x15' PERM.
M.U.D. ESMT.

11802

N. 158th ST.

24

50'

N. 2nd ST.

60'

N. 2nd ST.

15803

METROPOLITAN UTILITIES DISTRICT*Inter-Department Communication*

February 28, 2024

Subject: SECOND LEGISLATIVE REPORT – 2024 SESSION**To:** Judicial and Legislative Committee**cc:** All Board Members; Doyle, Mendenhall, Ausdemore, Myers, Melville, Lobsiger; all Vice Presidents; Edwards**From:** Rick Kubat, Government Relations Attorney

The legislature will be concluding all legislative hearings the week of February 26, 2024, with full day floor debate scheduled for the remaining of the session beginning the week of March 4th. Provided below is an update of the bills introduced in the 2024 session. Management is recommending that the Board change the District's position regarding LB 1069 from opposition to neutral. LB 1069 is the State Fire Marshall's clean up bill and the legislation as introduced will be altered via an amendment that addresses some of the concerns raised by the District and Nebraska's other natural gas providers. In addition to the list of bills provided below, there are numerous other legislative proposals that will be monitored on behalf of the District.

NEWLY INTRODUCED LEGISLATION IN THE 2024 SESSION

LB 1018 (Holdcroft) – State agencies or political subdivisions may not require applicants for public employment to possess a postsecondary degree, provided the applicant has qualifying career and life skills. Exceptions are provided for positions where a postsecondary degree is mandated by federal or state law. LB 1018 has a pending amendment making the bill only applicable to state agencies, thus excluding the District.

Board Pos: Neutral**Status:** Remains in the Government, Military and Veterans Affairs Committee

LB 1069 (Halloran) – Introduced on behalf of the State Fire Marshall's Office (SFM) and proposes numerous changes to SFM statutes. Of concern to the District are the following two items:

1. Raises the potential fines for violations of the Nebraska Natural Gas Pipeline Safety Act from \$10k per violation to \$200k and raises the potential of penalties for a series of violations arising out of the same event from \$500k to \$2 million.
2. The SFM plans to raise their current statutory authority on meter set assessments paid by natural gas providers from 20 cents to 50 cents. The SFM claims the increase in the assessment is necessary to fund one more employee

at the SFM's Office and without an increase, the SFM might be subject to less allocation of federal funds. The District has roughly 240,000 meter sets. The District pays roughly \$50,000 per year under current law at 20 cents. If LB 1069 were to be enacted, and the meter set assessment fee was set at the statutory maximum of 50 cents, it would be a \$75,000 increase to the District for a total of roughly \$125,000.

The District, Black Hills Energy, Northwestern Energy and the Nebraska League of Municipalities worked with the State Fire Marshall in an effort to reach a compromise related to LB 1069. The enhanced potential fines and the increase in the meter set assessment remain. However, there is a pending amendment to LB 1069 that provides natural gas providers with additional due process rights for alleged violations to the Nebraska Natural Gas Pipeline Safety Act via access to the Administrative Procedures Act. With the understanding that the amendment to LB 1069 will be adopted, management is recommending that the District remove our opposition to the bill. Black Hills, Northwestern and the remaining Nebraska natural gas providers via the Nebraska League of Municipalities have removed their opposition to LB 1069 when the pending amendment becomes adopted.

Board Pos: Oppose
Mgmt. Rec: Change District position from oppose to neutral with the adoption of AM 2583

Status: Speaker priority and advanced to General File with pending amendment AM 2583

LB 1186 (Sanders) – Removes strict liability for excavators when telecommunications or fiber are not buried at a depth of ten inches or more.

Board Pos: Neutral
Status: Remains in the Transportation and Telecommunications Committee

LB 1234 (Wayne) – Appropriates \$1,000,000 from the general fund to the Nebraska Department of Environment and Energy for the Low-Income Weatherization Assistance Program for weatherization improvements and energy efficiency audits.

Board Pos: Support
Status: Remains in the Appropriations Committee

LB 1245 (McDonnell) – In the 2023 session, the legislature appropriated \$10 million for the District to replace lead service lines via the Lead Service Line Cash Fund (LSLCF) to be administered by the Nebraska Department of Environment and Energy (NDEE). LB 1245 clarifies that up to \$2 million of the LSLCF may be used for expenditures necessary to establish a labor training program via grants to qualified labor training organizations. Senator McDonnell has indicated his intent with LB 1245 is for the District to be the grant

administrator of the labor training component contained within the bill. The bill further clarifies that the District has the authority to utilize the LSLCF to pay loan provisions of NDEE's Drinking Water State Revolving Fund. LB 1245 also provides the District with additional discretion for expenditures related to replacing lead service lines from the LSLCF.

Board Pos: Support
Status: Remains in the Appropriations Committee

LB 1277 (Wayne) – Provides political subdivisions that supply electricity, natural gas, water, or sewer service with permissive authority to request an emergency proclamation from the Governor when the political subdivision operates in multiple counties. LB 1277 was introduced to address the requirement of requesting multiple counties to sign-off on an emergency declaration when utilities are operating in more than one county. The utilities listed will have the authority under the bill to make a direct request to the Governor for such a declaration.

Board Pos: Support
Status: Remains in the Government, Military and Veterans Affairs Committee

LB 1300 (Bostar) – Enacts the Pacific Conflict Stress Test Act. The purpose of this Act is to make reasonable preparations for conflict in the Pacific theater that would disrupt the state and the nation's supply chains. The Act requires the Governor to annually publish a state risk assessment that includes "all substantial risks to state or national security...occurring within and threatening the State of Nebraska." It requires the Department of Administrative Services to conduct an audit of all state critical procurements and to identify all procurements and supply chains subject to disruption in the event of a conflict. The bill requires the State Treasurer to review and identify all state investments at risk of losing value or being frozen or seized in the event of a Pacific conflict and recommend alternative strategies and investments. The bill creates a Committee on Pacific Conflict to prepare a "comprehensive risk assessment" focused on critical infrastructure. For purposes of completing the assessment, owners and operators of critical infrastructure may be required to submit information related to such assets. LB 1300 creates constraints and certain prohibitions on the ability of a public entity to contract with a foreign adversary. The bill continues to evolve and will likely be substantively changed to address security concerns brought forward by on behalf of public utilities.

Board Pos: Neutral
Status: Remains in the Government, Military and Veterans Affairs Committee, Senator Ballard priority

LB 1315 (Linehan) – Raises the state sales tax rate from 5.5% to 6.5%.

Board Pos: Oppose
Status: Remains in the Revenue Committee

LB 1342 (Wayne) – Provides a state sales tax exemption for residential electricity and natural gas.

Board Pos: Support
Status: Remains in the Revenue Committee

LB 1358 (McDonnell) – The bill provides that it is the intent of the legislature that any increase in the salary of any governing body of any political subdivision which is in excess of the increase in the cost of living since the last increase in salary of such governing body plus one percent be approved by the registered voters of such political subdivision at a statewide general election before the increase can be included in the budget of the political subdivision. The bill also provides that no governing body shall increase such salaries more than once every two fiscal years. The bill further directs the Government, Military and Veterans Affairs Committee to prepare legislation to amend the necessary statutes affecting salaries of governing bodies, budgeting, tax levies, and elections for the various political subdivisions in order to implement the act. LB 1358 continues to evolve as several drafts of amended language have been offered for consideration by public power, the District and other political subdivisions under the purview of the bill.

Board Pos: Support
Status: Remains in the Government, Military and Veterans Affairs Committee

LB 1366 (Cavanaugh J.) – The bill proposes that a political subdivision of this state shall not take property through the use of eminent domain under sections outside of the boundaries of such political subdivision unless a majority vote of the governing body of the county, city, or village where the property is located approves such taking. The bill also proposes that a private entity shall not take property through the use of eminent domain for use of pipelines unless all pipeline routes are approved by the Public Service Commission; or unless a majority vote of the governing body of the county, city, or village where the property is located.

Board Pos: Oppose
Status: Remains in the Judiciary Committee



Richard A. Kubat
Government Relations Attorney

Approved:

A handwritten signature in blue ink, appearing to read 'Mark A. Mendenhall', with a long horizontal flourish extending to the right.

Mark A. Mendenhall
Senior Vice President/General Counsel

A handwritten signature in blue ink, appearing to read 'Mark E. Doyle', with a long horizontal flourish extending to the right.

Mark E. Doyle
President

