

**INTERLOCAL COOPERATION ACT AGREEMENT
NORTH BEND DRAINAGE DITCH IMPROVEMENTS
FOR
LOWER PLATTE NORTH NATURAL RESOURCES DISTRICT
DODGE COUNTY
CITY OF FREMONT
CITY OF NORTH BEND
NORTH BEND DRAINAGE DISTRICT**

This Agreement (hereinafter named "Agreement") is made by and among the following Parties (all are political subdivisions of the State of Nebraska):

Lower Platte North Natural Resources District
Dodge County
City of Fremont
City of North Bend
North Bend Drainage District

The parties hereinafter being referred to individually as "Partner" and collectively as "Partners".

WHEREAS:

Flooding and resulting damages from winter ice jams and seasonal rainstorms frequently occur along the Lower Platte River corridor. Protection measures against flooding damages located along the Platte River include three drainage ditches that were built to collect and divert Platte River flood waters back to the Platte River. The North Bend Drainage Ditch is one of three ditches. The drainage ditch, approximately four miles in length, protects the City of North Bend, River View Estates and other residential developments around North Bend, as well as many acres agricultural cropland located in the North Bend area.

The North Bend Drainage District has applied for FEMA/NEMA Hazard Mitigation grant assistance, up to \$1.7 million, to assist the District in increasing the level of protection provided by the North Bend Drainage Ditch by deepening the ditch and raising the height of ditch bank.

The Partners desire to enter into an Interlocal Agreement to pledge support for the project and to share the required local match of 25% or up to \$425,000.

THEREFORE, in consideration of the foregoing recitals and their mutual covenants hereinafter expressed, the Partners agree as follows:

1. Authority:

The Partners desire to work together to make improvements to the North Bend Drainage Ditch and to make the most efficient use of their respective powers by cooperating on a basis of mutual advantage under the auspices of the Interlocal Cooperation Act (Neb. Rev. Stat. §§ 13-801 to 13-827). In furtherance of this cooperative effort the Parties desire to enter into this Interlocal Agreement with one another for joint and cooperative action for any power or powers, privileges or authorities exercised or capable of exercise individually by them as public agencies under the Interlocal Cooperation Act.

2. Funding for Improvements to the North Bend Drainage Ditch:

The Partners agree to share the maximum local cost estimated at \$425,000, for improvements to the North Bend Drainage Ditch in the following proportions:

City of North Bend - \$100,000
Dodge County - \$100,000
Lower Platte North NRD - \$100,000
City of Fremont - \$100,000
North Bend Drainage Ditch - \$25,000

It is anticipated that the Partners may receive NEMA/FEMA grant assistance, reimbursable up to \$1,275,000 (75%), based on the total maximum estimated project cost. Dodge County would be the subgrantee and fiscal agent for the NEMA/FEMA grant, if received.

The North Bend Drainage District will issue Requests for Proposals for engineering and improvement work and take the lead for making the improvements to the ditch. If the NEMA/FEMA grant is approved, the North Bend Drainage District will submit expenses to the County for 75% reimbursement and bill each Partner for their monetary share (shown above) of the remaining 25%, minus any contributed in-kind credit.

3. Effective Date:

This Agreement becomes effective upon execution by all Partners. The original copy of this Agreement will be maintained as part of the records of LPNNRD, with a copy being provided to each of the Partners. The Agreement may be signed in counterparts, as necessary.

4. Duration of Agreement:

This Agreement shall extend from the date of execution by all Partners and will remain in effect, unless mutually or individually terminated by one or more of the Partners upon an advance 90 day written notice.

5. Amendments and Addendums of Agreement:

This Agreement may be amended, or Addendums added, subject to approval by all Partners.

6. Indemnification:

The Partners assume no liability under this Agreement unless expressly accepted herein. Each party agrees to defend the other from and against all liabilities, obligations, losses, damages, claims, and demands arising from the acts of its respective officers, agents, or employees.

IN WITNESS WHEREOF, each Partner has caused this Agreement to be executed by its duly authorized officer as of the date and year.

Lower Platte North Natural Resources District

By: _____
Board Chairperson

Date: _____

City of North Bend

By: _____
Mayor

Date: _____

Dodge County

By: _____
Chairman, Board of Supervisors

Date: _____

City of Fremont

By: _____
Scott Getzschman, Mayor

Date: _____

North Bend Drainage District

By: _____
Chairman

Date: _____

Dodge County Board of Supervisors



435 North Park, Fremont Nebraska 68025

August 12 2020
Nebraska Emergency Management Agency
2433 NW 24th Street
Lincoln NE 68524

RE: North Bend Drainage District- Cutoff Ditch Improvements

To Whom it May Concern,
North Bend Drainage District is requesting financial assistance through FEMA's Hazard Mitigation Grant Program, to improve the North Bend Cut Off Ditch addressing drainage issues and mitigate flood risk.

As part of the Joint Water Management Advisory Board, Dodge County is committed to funding the local share of this project as outlined in an interlocal agreement between members of the Joint Water Management Advisory Board. Funding outlined in the Interlocal Agreement will be available for the duration of this project. Dodge County approved the Interlocal Agreement on August 12th, 2020, committing \$100,000.00, not to exceed \$100,000.00, towards the required local match of the project.

Dodge County, on behalf of the North Bend Drainage District, will be applying for a Community Development Block Grant, which may also cover a portion of the local share of the project. Should Dodge County not receive the block grant, Dodge County will contribute our share of the local match towards the project.

If you have any questions please call Tom Smith, the County's Emergency Management Director, at 402-727-2785. Thank you.

Sincerely,



Chair, Dodge County
Board of Supervisors

Bob Missel, Chairman
Lon Strand, Vice-
Chairman
David W. Saalfeld
Doug Backens

