



City of Grand Island

Tuesday, March 28, 2017

Council Session

Item G-19

**#2017-98 - Approving Amendment to the Agreement with Grow
Grand Island**

Staff Contact: Jerry Janulewicz

Council Agenda Memo

From: Jerry Janulewicz, City Attorney

Meeting: March 28, 2017

Subject: Amendment to Agreement between City and Grow Grand Island, Inc.

Presenter(s): Jerry Janulewicz, City Attorney

Background

The City of Grand Island and Grow Grand Island, Inc. are parties to an agreement whereby the City will provide, on an annual basis, funds to Grow Grand Island, Inc. to be utilized for community enhancement purposes as set forth in the agreement. Following approval of the Agreement, Grow Grand Island, Inc. has determined that it would for the foreseeable future utilize the Grand Island Community Foundation to provide fiscal management of funds received from the City.

Discussion

Grow Grand Island, Inc.'s utilization of the Grand Island Community Foundation to provide fiscal management of its funds will require amendment of the provisions of the Agreement regarding a fidelity bond. Additionally, due to the expense of obtaining a fidelity bond in the amount of \$500,000.00 as currently provided, it was requested that the bond amount be reduced and set in the amount of \$100,000.00. City staff consulted with representatives of the City's insurance agency to determine an appropriate modification of the fidelity bond and employee theft insurance provisions.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Move to approve.
2. Move to deny.

Recommendation

City Administration recommends that the Council approve the proposed Amendment to the Agreement between the City of Grand Island and Grow Grand Island, Inc.

Sample Motion

Move to approve the Amendment to the Agreement between the City of Grand Island and Grow Grand Island, Inc.

**AMENDMENT TO THE AGREEMENT BY AND BETWEEN
THE CITY OF GRAND ISLAND
AND
GROW GRAND ISLAND, INC. FOR COMMUNITY ENHANCEMENT PROGRAMS**

This amendment dated this ____ day of March, 2017, is made to that Agreement for Community Enhancement Programs dated October 25, 2016, by and between the City of Grand Island, hereinafter referred to as "City," and Grow Grand Island, Inc., hereinafter referred to as "GGI."

It is mutually understood and agreed by and between City and GGI to amend that previously executed agreement as follows:

Section 13 shall be deleted and replaced with the following: GGI shall carry Employee Theft Insurance with a policy limit of not less than One Hundred Thousand Dollars (\$100,000.00), covering all persons who handle or have access to funds of GGI. Should GGI transfer the management of these funds to other entities, such other entities shall be required to obtain and maintain a fidelity bond in the amount of One Hundred Thousand Dollars (\$100,000.00) for the management of GGI funds. GGI shall be an additional insured on any such fidelity bond.

All other terms and conditions that are not hereby amended shall remain in full force and effect.

CITY OF GRAND ISLAND

GROW GRAND ISLAND, INC.

BY _____

Jeremy L. Jensen, Mayor

BY Tanja Brown

Print Name: Tanja Brown

Title: Grow Grand Island Chair

ATTEST:

RaNae Edwards, City Clerk

R E S O L U T I O N 2017-98

WHEREAS, the City of Grand Island and Grow Grand Island, Inc. are parties to an Agreement for Community Enhancement Programs; and

WHEREAS, the Agreement requires Grow Grand Island, Inc. provide to the City a fidelity bond insuring the City against dishonesty or fraudulent acts of the employees of GGI in the amount of \$500,000.00 per employee; and

WHEREAS, Grow Grand Island, Inc. proposes to utilize the Grand Island Community Foundation as the holder and manager of Grow Grand Island, Inc.'s funds; and

WHEREAS, the proposed use of the Grand Island Community Foundation as the holder and manager of Grow Grand Island, Inc.'s funds provides an additional layer of oversight and security for funds provided by the City to Grow Grand Island, Inc.; and

WHEREAS, Grow Grand Island, Inc. requested that the fidelity bond amount be reduced and set in the amount of \$100,000.00 thereby reducing the cost for obtaining a fidelity bond; and

WHEREAS, the provisions of the Agreement regarding a fidelity bond should be amended due to the proposed utilization of the Grand Island Community Foundation as the holder and manager of Grow Grand Island, Inc.'s funds.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Amendment to the Agreement by and between the City of Grand Island and Grow Grand Island, Inc. for Community Enhancement Programs should be and is hereby approved.

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Adopted by the City Council of the City of Grand Island, Nebraska, March 28, 2017.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
March 27, 2017	☐ City Attorney