



City of Grand Island

Tuesday, June 12, 2018

Council Session

Item G-15

#2018-164 - Approving Agreement between the City of Grand Island and the Grand Island Public Library Foundation, Inc.

Staff Contact: Steve Fosselman

Council Agenda Memo

From: Steve Fosselman, Library Director

Meeting: June 12, 2018

Subject: Approving Agreement between the City of Grand Island and the Grand Island Public Library Foundation, Inc.

Presenter(s): Steve Fosselman, Library Director and Duane Burns, President, Grand Island Public Library Foundation, Inc.

Background

Preliminary plans for non-city-tax supported public library renovations were presented at the January 17, 2017 City Council study session, with information provided about funding through a donation from the Myrtle Grimminger estate in the library's 295 Special Projects fund, Grand Island Public Library Foundation fundraising and grants obtained.

The Grand Island Public Library Foundation, Inc. has formed a capital campaign to share in the costs of these renovations. The Library Foundation has also conferred with City Attorney Janulewicz regarding a financial participation agreement between the City and Foundation.

Discussion

The agreement between the City and the Library Foundation provides a framework for the Foundation's financial participation in this project encompassing a construction contract as well as procurement of specified furnishings and equipment. To fully fund the construction bid award of \$1,122,400.00, \$622,400.00 is reserved through the Grimminger estate and \$500,000 will be contributed by the Library Foundation upon City Council approval of the construction bid award. This agreement also ensures that the Library Foundation finances all costs associated with change orders and procurement of specified furnishings and equipment that are not provided by the Grimminger estate funds and grant funds received by the City.

Alternatives

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

1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council approve this agreement between the City of Grand Island and the Grand Island Public Library Foundation, Inc.

Sample Motion

Move to approve the agreement between the City of Grand Island and the Grand Island Public Library Foundation, Inc.

AGREEMENT

THIS AGREEMENT is made and entered into on this _____ day of _____, 2018, by and between City **OF GRAND ISLAND, NEBRASKA**, a municipal corporation, hereinafter referred to as “City” and **GRAND ISLAND PUBLIC LIBRARY FOUNDATION, INC.**, a Nebraska non-profit corporation, hereinafter referred to as “Foundation”.

1. Statement of Purpose. The purpose of this Agreement is to set forth the terms and conditions by which Foundation will participate financially in the Edith Abbott Memorial Library Renovation Project, consisting of a remodel construction contract and procurement of specified furnishings and equipment, hereinafter referred to as the “Project”.

2. Parties’ Shares. Monies received by City from the Myrtle Grimminger estate currently deposited in City’s 295 Special Projects account, hereinafter the “Estate Funds,” are designated for the Project. To supplement the Estate Funds, City shall apply for grants potentially available for Project purposes. Grant funds, if received, shall be deposited by City in the 295 Special Project Account and utilized solely for Project expenses. For its participation in the Project, Foundation shall contribute funds to City, hereinafter referred to as the “Foundation Share,” in an amount equal to the Project costs less the Estate Funds and grant funds received by City.

3. Foundation Contribution Schedule. Foundation shall contribute the Foundation Share as follows: \$500,000.00 to City immediately upon City Council approval of the Project construction bid award to ensure full funding for the construction contract, and shall contribute additional amounts as necessary to assure full funding of construction change orders and procurement of specified furnishings and equipment.

4. Entire Agreement. This Agreement constitutes the entire agreement between City and Foundation, notwithstanding any other oral agreements or understandings to the contrary, and may be amended only by written agreement of the parties hereto.

Attest:

CITY OF GRAND ISLAND, NEBRASKA
A Municipal Corporation

RaNae Edwards, City Clerk

by _____
Jeremy L. Jensen, Mayor

**GRAND ISLAND PUBLIC LIBRARY
FOUNDATION, INC.**
A Nebraska Non-Profit Corporation,

by _____
Duane A. Burns, President

RESOLUTION 2018-164

WHEREAS, the City of Grand Island (“City”) and the Grand Island Public Library Foundation, Inc. (“Foundation”) desire to form an agreement relative to Foundation’s financial participation in the Edith Abbott Memorial Library Renovation Project, consisting of a remodel construction contract and procurement of specified furnishings and equipment; and

WHEREAS, funds received by City from the Myrtle Grimminger estate (“Estate Fund”) currently deposited in City’s 295 Special Projects account are designated for the Project, of which \$622,400.00 is reserved for a remodel construction contract; and

WHEREAS, grants received by City for Project purposes shall be deposited by City in the 295 Special Project Account and utilized solely for Project expenses; and

WHEREAS, for its participation in the Project, Foundation shall contribute funds to City, in an amount equal to the Project costs less the Estate Funds and grant funds received by City; and

WHEREAS, Foundation shall initially contribute \$500,000.00 to City immediately upon City Council approval of the Project construction bid award to ensure full funding for the \$1,122,400 remodel construction contract.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Council approves the agreement between the City of Grand Island, Nebraska and Grand Island Public Library Foundation, Inc.

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Adopted by the City Council of the City of Grand Island, Nebraska, June 12, 2018.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

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| Approved as to Form | ☐ _____ |
| June 8, 2018 | ☐ City Attorney |