



# City of Grand Island

Tuesday, January 28, 2020

Council Session

## Item G-16

**#2020-31 - Approving Memorandum of Agreement and Deed for the Transfer of the Veterans Home Cemetery to the City of Grand Island**

Staff Contact: Jerry Janulewicz

# **Council Agenda Memo**

**From:** Jerry Janulewicz, City Administrator  
**Meeting:** January 28, 2020  
**Subject:** Veterans Home Cemetery.  
**Presenter(s):** Jerry Janulewicz, City Administrator

## **Background and Discussion**

On December 17, 2019, Council approved Resolution #2019-379 thereby approving a Memorandum of Agreement (MOA) with the Nebraska Department of Administrative Services providing for the City to assume title to and responsibility for the Nebraska State Veterans Home Cemetery. The MOA as presented to and approved by Council referenced the use of headstones to be provided by the Nebraska Department of Veterans Affairs. Following Council action, the Nebraska Department of Administrative Services (DAS) learned that such headstones are provided by the United States Department of Veterans Affairs. In response to this information, DAS did not approve the original MOA and submits the accompanying MOA with the correct agency identified for the source of headstones. This revised MOA is in other respects substantively the same as the MOA approved by Council on December 17, 2019.

## **Conclusion**

City Administration recommends approval of the MOA that accompanies this Memo, thereby agreeing to accept title to and responsibility for the Nebraska State Veterans Home Cemetery

## **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

## **Sample Motion**

Move to approve the resolution.

## Memorandum of Agreement

This memorandum of Agreement between the City of Grand Island (“City”) and the State of Nebraska by and through the Nebraska Department of Administrative Services, (“State”) this 17th day of December, 2019.

Whereas, a cemetery is located on the grounds of the Grand Island Veterans Home (GIVH).

Parcel # 400145379, miscellaneous tracts S5-T11-R9; 3.76 Acres

Parcel# 400145376, miscellaneous tracts S5-T11-R9; 2.28 Acres

Whereas, the State of Nebraska intends to transfer ownership of the Grand Island Veterans Cemetery to the City of Grand Island.

Now, therefore, in consideration of the premises herein, the City and State agree as follows:

- 1) Commencing upon final approval of this Memorandum of Agreement by State and by City , and transfer of the property to City, the City shall:
  - a) Assume responsibility for general maintenance of the cemetery grounds to including, but not limited to, the following: general landscaping maintenance and snow removal.
  - b) Protect the cemetery by continued maintenance of fencing and protective boundary obstacles to general accessible areas.
  - c) Protect the cemetery grounds from commercial and residential encroachment through greenspace buffer or the addition of public cemetery areas.
  - d) Permit future internments of those individuals identified on the list of reserved gravesites provided by State on January 4, 2019 (the “reserved internments”). Additional internments shall be permitted at the discretion of City’s City Council.
  - e) For reserved internments only, open and close the gravesite and set headstones provided by the United States Department of Veterans Affairs, all at no cost or fee to the deceased’s estate or next of kin. City’s fee schedule and policies shall apply to all non-reserved internments permitted by City.
  - f) Unless otherwise permitted by City, only headstones provided by United States Department of Veterans Affairs, shall be permitted.
  - g) Maintain the cemetery records received from the state and shall update such records as needed.
- 2) Upon approval of this Memorandum of Agreement by State and City, State agrees to transfer the Veterans Home Cemetery property to the City of Grand Island by quitclaim deed.

Dated: \_\_\_\_\_, 2020.

Dated: \_\_\_\_\_, 2020.

STATE OF NEBRASKA, DEPARTMENT OF  
ADMINISTRATIVE SERVICES

CITY OF GRAND ISLAND

BY: \_\_\_\_\_

By: \_\_\_\_\_  
Roger G. Steele, Mayor

[attest]

\_\_\_\_\_  
RaNae Edwards, City Clerk

RESOLUTION 2020-31

WHEREAS, the Memorandum of Agreement, executed in March and April, 2016, by and between the City of Grand Island (“City”) and the State of Nebraska Department of Administrative Services (“DAS”) contemplated that DAS would transfer the former Nebraska State Veterans Home buildings, campus grounds, and cemetery to the City upon mutually agreeable terms; and

WHEREAS, it is right and fitting that the City and community honor the veterans interred at the Nebraska Veterans Home Cemetery at Grand Island by accepting transfer of the Veterans Home Cemetery, thereby assuming responsibility for the continued maintenance and care of the cemetery grounds pursuant; and

WHEREAS, the prior Memorandum of Agreement dated December 17, 2019 with DAS was not approved by DAS and is replaced with a Memorandum of Agreement dated January \_\_\_, 2020.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Memorandum of Agreement by and between City and DAS dated January \_\_\_, 2020 should be and is hereby approved.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, January 28, 2020.

\_\_\_\_\_  
Roger G. Steele, Mayor

Attest:

\_\_\_\_\_  
RaNae Edwards, City Clerk

Approved as to Form	☒ _____
January 24, 2020	☒ City Attorney