
City of Grand Island



Tuesday, May 26, 2020 Council Session Agenda

City Council:

Jason Conley
Chuck Haase
Julie Hehnke
Jeremy Jones
Vaughn Minton
Mitchell Nickerson
Mike Paulick
Clay Schutz
Justin Scott
Mark Stelk

Mayor:

Roger G. Steele

City Administrator:

Jerry Janulewicz

City Clerk:

RaNae Edwards

7:00 PM

Council Chambers - City Hall
100 East 1st Street, Grand Island, NE 68801

Call to Order

This is an open meeting of the Grand Island City Council. The City of Grand Island abides by the Open Meetings Act in conducting business. A copy of the Open Meetings Act is displayed in the back of this room as required by state law.

The City Council may vote to go into Closed Session on any agenda item as allowed by state law.

Invocation

Pledge of Allegiance

Roll Call

A - SUBMITTAL OF REQUESTS FOR FUTURE ITEMS

Individuals who have appropriate items for City Council consideration should complete the Request for Future Agenda Items form located at the Information Booth. If the issue can be handled administratively without Council action, notification will be provided. If the item is scheduled for a meeting or study session, notification of the date will be given.

B - RESERVE TIME TO SPEAK ON AGENDA ITEMS

This is an opportunity for individuals wishing to provide input on any of tonight's agenda items to reserve time to speak. Please come forward, state your name and address, and the Agenda topic on which you will be speaking.



City of Grand Island

Tuesday, May 26, 2020

Council Session

Item E-1

Public Hearing on Zoning Change for property located at 641 S Cherry Street from RD - Residential Development to Amended RD - Residential Development (JNIK, LLC & Jim Nikodym Trust)

Council action will take place at a later date.

Staff Contact: Chad Nabity

Council Agenda Memo

From: Regional Planning Commission

Meeting: May 26, 2020

Subject: Rezone from RD Zone & Amended RD Zone

Presenter(s): Chad Nabity AICP, Regional Planning Director

Background

An application has been made to rezone Lot 3 Nikodym Subdivision from Residential Development Zone (RD) to Amended Residential Development Zone (RD). This will allow the property to be re-subdivided into 2 lots as Nikodym Second Subdivision. Lot 1 will be the location of a natural gas regulator station. Lot 2 will be reserved for future residential development. Any development will require additional Council approval.

Discussion

At the regular meeting of the Regional Planning Commission, held January 8, 2020 the above item was considered following a public hearing.

O'Neill opened the public hearing.

Nabity stated Northwestern Energy is looking into adding a gas line regulator station on Lot 1. Substations are a permitted use in that district and recommends approval. Nabity also noted Les Ruge and himself are present at City Hall in case any members of the public showed up and a copy of the open meetings act is available.

O'Neill closed the public hearing.

A motion was made by Rainforth and second by Rubio to recommend approval of Redevelopment Rezoning of Lot 3 Nikodym Subdivision and the Nikodym Second Subdivision Plat.

The motion carried with nine members voting in favor (O'Neill, Nelson, Ruge, Monter, Maurer, Rainforth, Rubio, Robb and Randone) and no members voting no. Robb was unable to voice his vote on the Zoom Virtual Meeting but call Planning Director Nabity and indicated his approval.

The memo sent to the planning commission with staff recommendation is attached for review by Council.

Alternatives

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

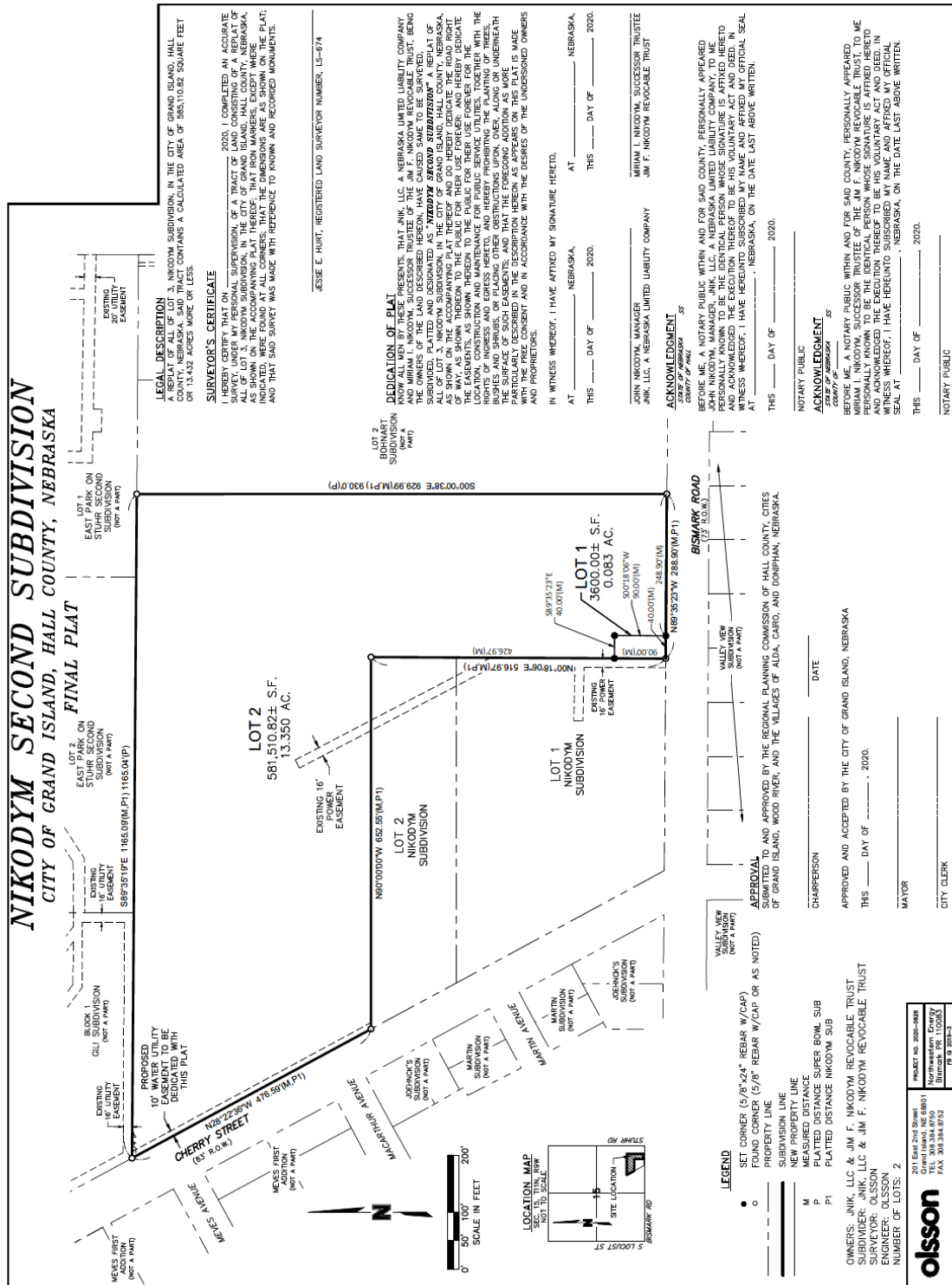
1. Approve the rezoning request as presented
2. Modify the rezoning request to meet the wishes of the Council
3. Postpone the issue

Recommendation

City Administration recommends that the Council approve the proposed changes as recommended.

Sample Motion

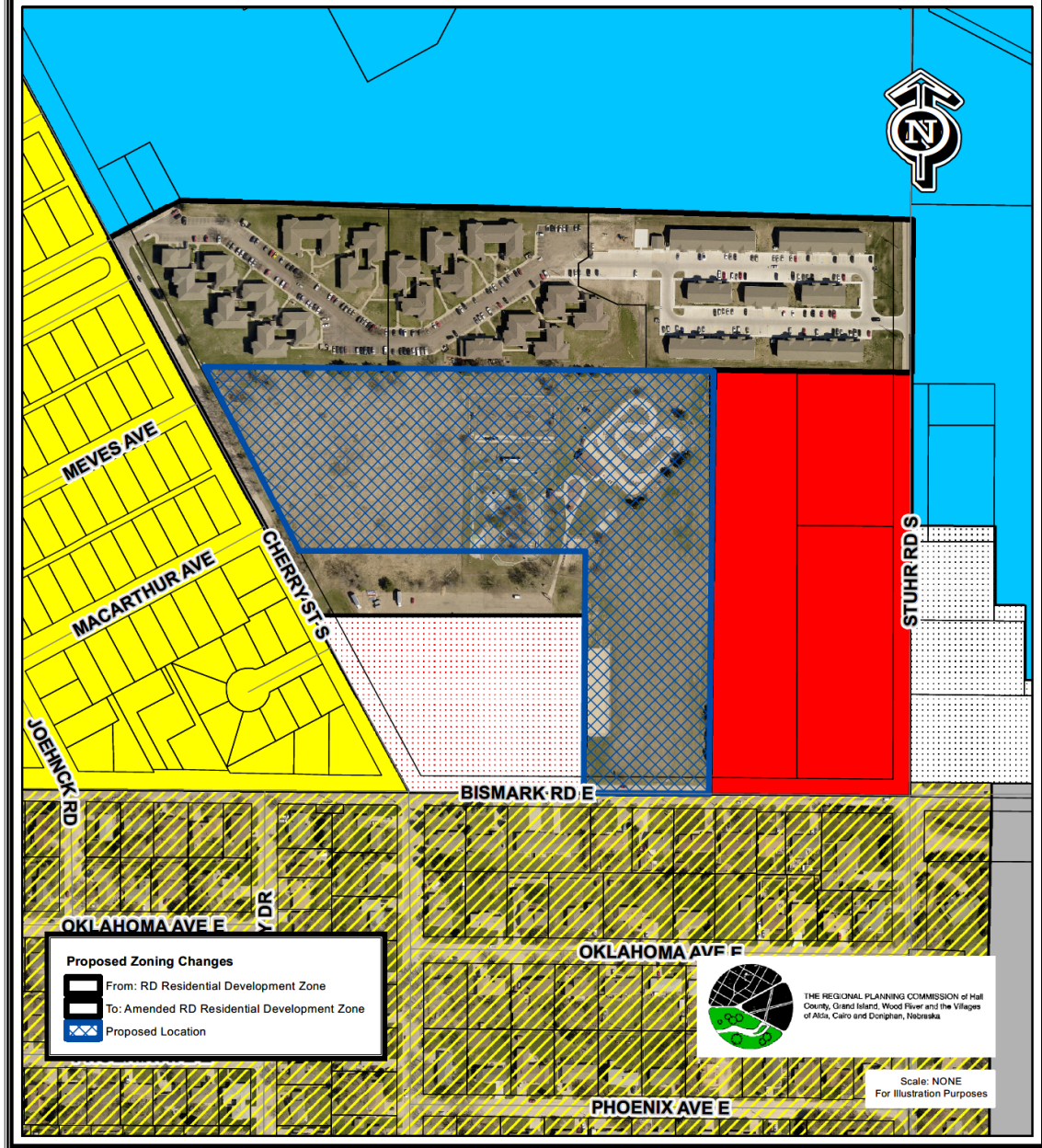
Move to approve the ordinance and development plan as presented.



DWG: F:\2020\0501-1000\020-0289\40-Drawg\Survey\SSV\Shet\V\FLAT 2ND SUB.0200028.dwg USER: jlmenez

Proposed Zoning Change Location Map

A tract of land consisting of all of lot 3 Nikodym Subdivision,
in the City of Grand Island



Agenda Item # 4

PLANNING DIRECTOR RECOMMENDATION TO REGIONAL PLANNING COMMISSION:

April 27, 2020

SUBJECT: *Zoning Change (C-15-2020GI)*

PROPOSAL: To change a portion of Lot 3 Nikodym Subdivision from Residential Development Zone (RD) to Amended Residential Development Zone (RD), which keeps the use consistent with Residential/ Housing Development and allows for a creation of a lot to be used for a Utility Substation (Natural Gas Regulator Station) The new development will consist of 2 lots, both lots with remain RD. Lot 1 will be used for a Utility Substation. Lot 2 will be reserved for future development and is restricted until such time as approved by Council.

OVERVIEW:

Site Analysis

Current zoning designation:

RD: Residential Development Zone

Permitted and conditional uses:

RD: The intent of this zoning district is to permit a more flexible regulation of land use, and so as to more fully implement comprehensive planning for large parcels of land proposed predominantly for residential use. Permitted uses includes and not limited to residential uses, community building, and retirement and/or assisted living.

Comprehensive Plan Designation:

Designated for future development as a Park or Recreational uses. Commercial and residential uses are planned adjacent to this property.

Existing land uses:

Vacant

Proposed Zoning Designation:

Amended RD: Residential Development Zone

Permitted and conditional uses:

RD: The intent of this zoning district is to permit a more flexible regulation of land use, and so as to more fully implement comprehensive planning for large parcels of land proposed predominantly for residential use. Permitted uses includes and not limited to residential uses, community building, and retirement and/or assisted living.

Adjacent Properties Analysis

Current zoning designations:

North: RD - Residential Development Zone

South: R1 - Suburban Density Residential

East: B2 - General Business

West: R2 - Low Density Residential Zone

CD – Commercial Development Zone

Permitted and conditional uses:

RD: Residential Development Zone – residential uses, community building, and retirement and/or assisted living.

R1: Residential uses at a density of 4 dwelling units per acre, churches, schools, parks;

B2: Commercial and retail uses including those with outside storage of merchandise, office uses and residential uses up to a density of 43 units per acre.

R2: Residential uses at a density of 14 to 15 dwelling units per acre, churches, schools, parks.

CD: Permitted uses includes and not limited to retail uses, offices, hotels and entertainment uses – **as approved with the development plan**

Comprehensive Plan Designation:

North: Designated for low to medium density residential

East: Designated for General Commercial and some low to medium density residential

South: Designated for low to medium density residential

West: Designated for low to medium density residential

Existing land uses:

North: Apartments

South: Single family residential

East: Single family residential and commercial development.

West: Private Museum and Reception Hall

EVALUATION:

Positive Implications:

- *Allow for a modernized Gas Regulation System (Utility Station) to help with natural gas efficiency and distribution throughout the area.*

- *Largely Consistent with the existing land use within the area.*
- *Accessible to Existing Municipal Infrastructure:* City water and sewer services have been extended to serve the rezoning area.
- *Monetary Benefit to Applicant:* Would allow the applicant to develop the property that better relates to the existing uses within the area.
- **Negative Implications:**
- *None foreseen:*

Other Considerations:

- Natural Gas regulator stations need to be located with in close proximity of natural gas lines.

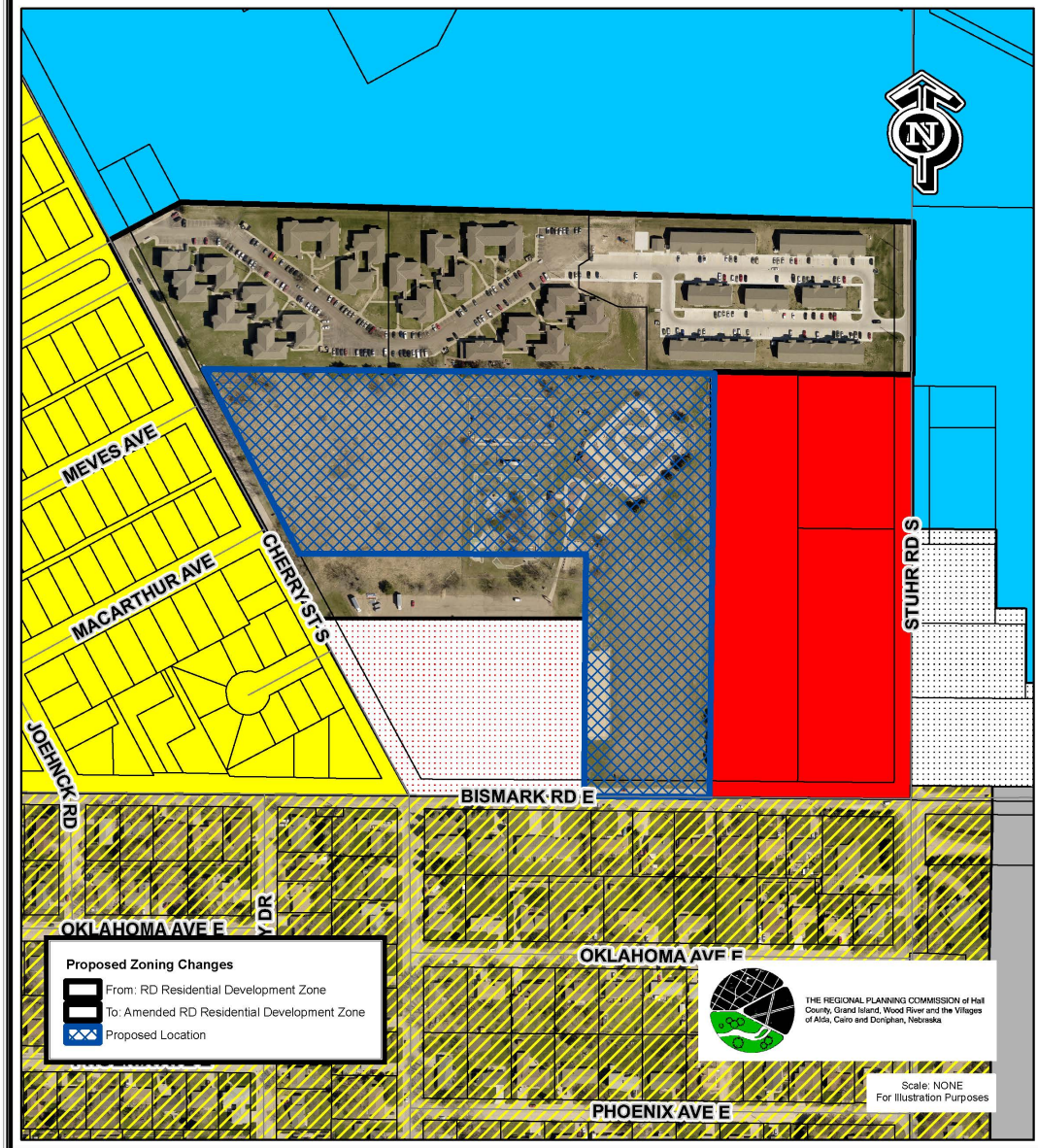
RECOMMENDATION:

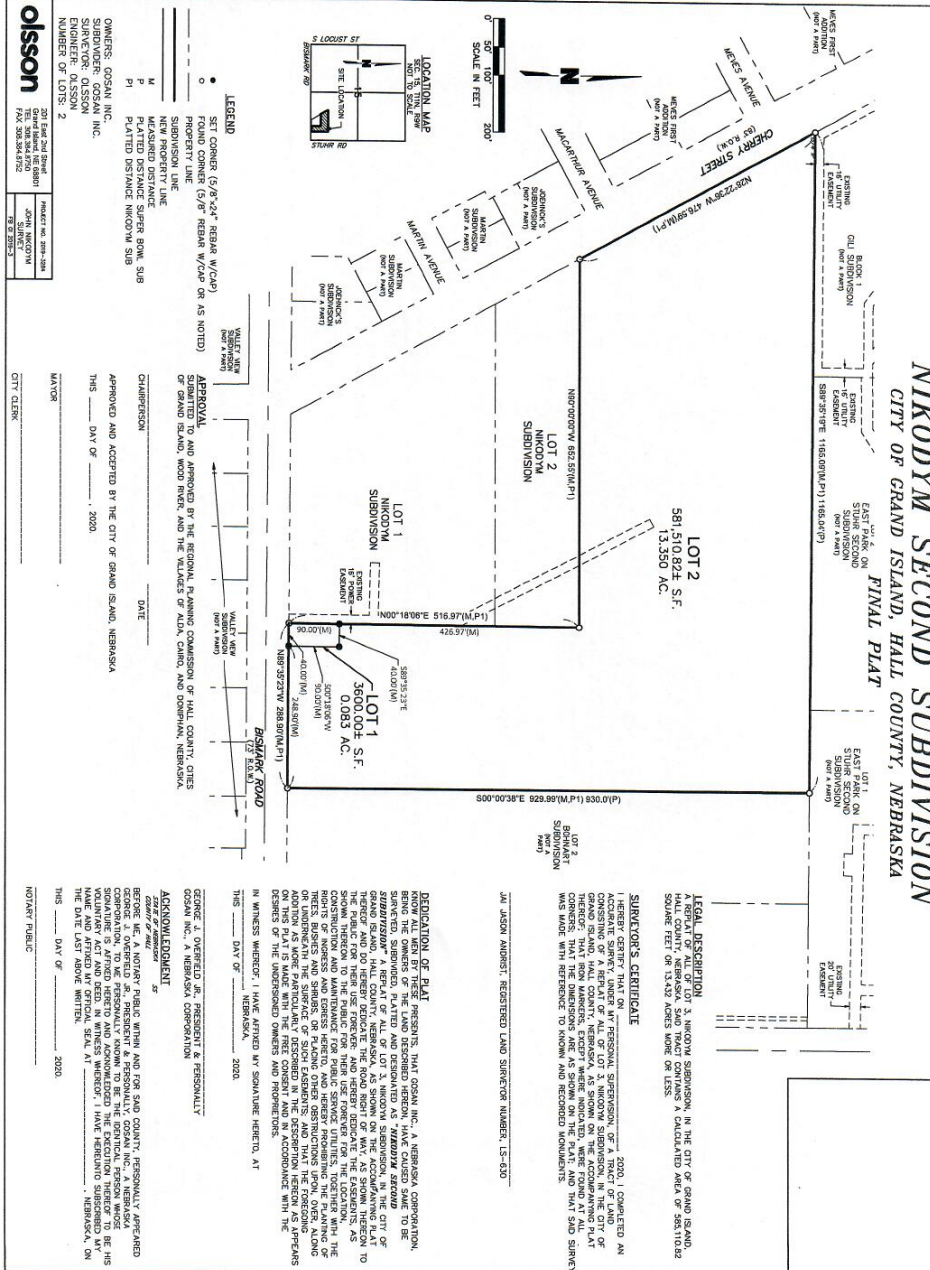
That the Regional Planning Commission recommend that the Grand Island City Council change the zoning on this site from ***RD: Residential Development Zone*** to an Amended ***RD: Residential Development Zone*** by amending the Subdivision Agreement and development plan as shown above and in the attached Exhibit 1.

_____ Chad Nabity AICP, Planning Director

Proposed Zoning Change Location Map

A tract of land consisting of all of lot 3 Nikodym Subdivision,
in the City of Grand Island







City of Grand Island

Tuesday, May 26, 2020

Council Session

Item E-2

Public Hearing on Acquisition of Utility Easement - 1212 Johnstown Road - Diamond Plastics

Council action will take place under Consent Agenda item G-4.

Staff Contact: Tim Luchsinger, Stacy Nonhof

Council Agenda Memo

From: Tim Luchsinger, Utilities Director
Stacy Nonhof, Interim City Attorney

Meeting: May 26, 2020

Subject: Acquisition of Utility Easement – 1212 Johnstown Road
– Diamond Plastics Corporation

Presenter(s): Timothy Luchsinger, Utilities Director

Background

Nebraska State Law requires that acquisition of property must be approved by City Council. The Utilities Department needs to acquire utility easement relative to the property of Diamond Plastics Corporation, located through a part of Lot Two (2) Lot Two (2), Bick's Third Subdivision and a part of the North Half (N ½) of the Southwest Quarter (SW ¼) of Section Twenty-Four (24), Township Eleven (11) North, Range Ten (10) West of the 6th PM, in the City of Grand Island, Hall County, Nebraska (1212 Johnstown Road), in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers.

Discussion

Diamond Plastics Corporation has requested to have their existing electrical service upgraded for their manufacturing plant located at 1212 Johnstown Road. Two three-phase transformers will be relocated and 4" PVC conduit with 4/0 copper cable will be installed along the south, east and north side of their property to accommodate the relocation and back-up loop feeds. The proposed easement will allow the Utilities Department to install, access, operate and maintain the electrical infrastructure at this location.

Alternatives

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

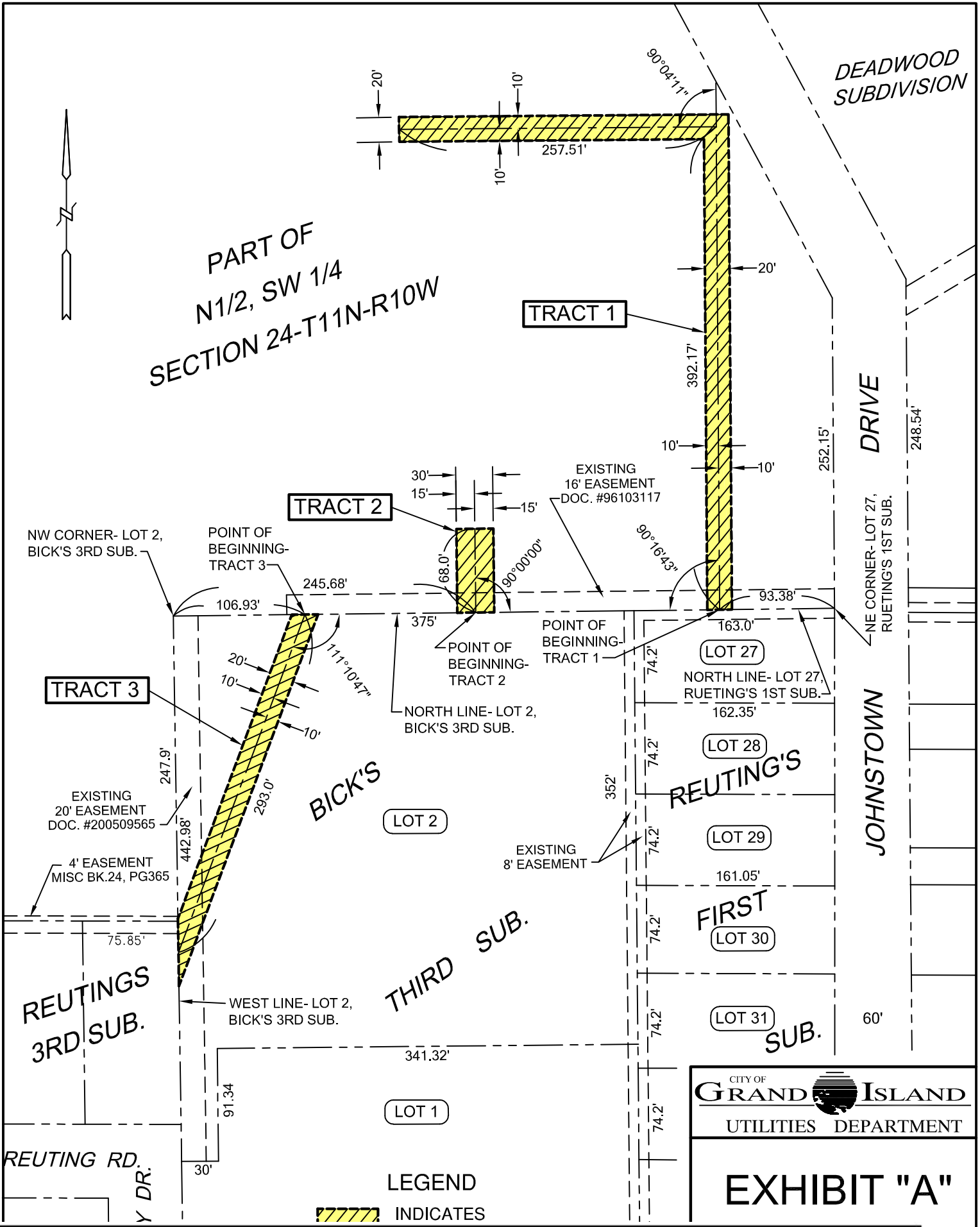
1. Make a motion to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council approve the resolution for the acquisition of the easement for one dollar (\$1.00).

Sample Motion

Move to approve acquisition of the Utility Easement.



CITY OF
Grand Island
UTILITIES DEPARTMENT

EXHIBIT "A"



City of Grand Island

Tuesday, May 26, 2020

Council Session

Item F-1

#9765 - Consideration of Sale of Property Located at 3231 West Schimmer Drive (Parcel No. 400401746)

Staff Contact: John Collins

Council Agenda Memo

From: Keith Kurz PE, Assistant Public Works Director

Meeting: May 26, 2020

Subject: Consideration of Sale of Property Located at 3231 West Schimmer Drive (Parcel No. 400401746)

Presenter(s): John Collins PE, Public Works Director

Background

On April 9, 2019, via Resolution No. 2019-127, City Council approved an agreement with Berkshire Hathaway Home Services Da-Ly Realty of Grand Island, Nebraska for real estate services at 3231 West Schimmer Drive (Parcel No. 400401746). With no City use for this parcel the sale of such will eliminate maintenance costs and liability for the City.

Two (2) offers were submitted on the subject property, which requires City Council approval. The original offer submitted from Midwest Waste Trucks, LLC has been pulled, as the prospective buyer did not share their plan/intent for the subject parcel as requested by City Council at the April 28, 2020 meeting. The 2nd offer from 3 Diamonds, Inc. has also been pulled, as the prospective buyer requested a condition of the sale be a sign variance to allow an outdoor advertising digital billboard, which isn't allowed per City Code Section 31-40 through 31-49.

Discussion

At this time City staff is recommending the rejection of both proposals, as one doesn't comply with City Council's request of the plan/intent being shared by the prospective buyer and the other doesn't comply with City Code.

It has been explained to 3 Diamonds, Inc. the sign variance request cannot be a condition of the sale, as the legal way to request the variance is through zoning.

City staff would like to continue to market this property until an acceptable bid is received.

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 reject the proposal from Midwest Waste Trucks, LLC and 3 Diamond, Inc.

Sample Motion

Move to approve.

ORDINANCE NO. 9765

An ordinance directing and authorizing the sale of Parcel No. 400401746, addressed as 3231 West Schimmer Drive, City of Grand Island, Hall County, Nebraska to Midwest Waste Trucks, LLC; providing for the giving of notice of such conveyance and the terms thereof; providing for the right to file a remonstrance against such conveyance; providing for publication and the effective date of this ordinance.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA:

SECTION 1. The conveyance by warranty deed to Midwest Waste Trucks, LLC, a Nebraska Limited Liability Company (“Buyer”), of the City’s interests in and to Parcel No. 400401746, address as 3231 West Schimemr Drive, Grand Island, Hall County, Nebraska is hereby approved and authorized.

SECTION 2. Consideration for such conveyance shall be One Hundred Thirty Six Thousand One Dollars and 00/100 (\$136,001.00) and other valuable considerations.

SECTION 3. As provided by law, notice of such conveyance and the terms thereof shall be published for three (3) consecutive weeks in the *Grand Island Independent*, a newspaper published for general circulation in the City of Grand Island. Immediately after the passage and publication of this ordinance, the City Clerk is hereby directed and instructed to prepare and publish said notice.

SECTION 4. Authority if hereby granted to the electors of the City of Grand Island to file a remonstrance against the conveyance of such within described real estate; and if a remonstrance against such conveyance signed by registered voters of the City of Grand Island equal in number to thirty percent (30%) of the registered voters of the City of Grand Island

Approved as to Form	by _____
May 22, 2020	City Attorney

ORDINANCE NO. 9765 (Cont.)

voting at the last regular municipal election held in such City be filed with the City Council within thirty (30) days of passage and publication of such ordinance, said property shall not then, nor within one (1) year thereafter, be conveyed.

SECTION 5. The conveyance of said real estate is hereby authorized, directed and confirmed; and if no remonstrance be filed against such conveyance, the Mayor shall make, execute and deliver to Buyer, a warranty deed for said real estate, and the execution of such deed is hereby authorized without further action on behalf of the City Council.

SECTION 6. This ordinance shall be in force and take effect from and after its passage and publication, within fifteen (15) days in one issue of the Grand Island Independent as provided by law.

Enacted: May 26, 2020.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, May 26, 2020

Council Session

Item G-1

Approving Minutes of May 12, 2020 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

May 12, 2020

Pursuant to due call and notice thereof, a Regular Meeting of the City Council of the City of Grand Island, Nebraska was conducted in the Council Chambers of City Hall, 100 East First Street, on May 12, 2020. Notice of the meeting was given in *The Grand Island Independent* on May 6, 2020.

Mayor Roger G. Steele called the meeting to order at 7:00 p.m. The following City Council members were present by Zoom: Mike Paulick, Justin Scott, Mark Stelk, Jason Conley, Vaughn Minton, Julie Hehnke, Mitch Nickerson, and Chuck Haase. Councilmembers Jeremy Jones and Clay Schutz were absent. The following City Officials were present also by Zoom: City Administrator Jerry Janulewicz, City Clerk RaNae Edwards, Finance Director Patrick Brown, Interim City Attorney Stacy Nonhof, and Public Works Director John Collins.

PUBLIC HEARINGS:

Public Hearing on Acquisition of Utility Easement - Intersection of Jessie and Ellie Drive - Dana Point Development Corp. Utilities Director Tim Luchsinger reported that acquisition of a utility easement located at the intersection of Jessie and Ellie Drive was needed in order to have access to install, upgrade, maintain, and repair water infrastructure. Dana Point Development Corporation is developing the new McCoy Meadows Subdivision and had requested an easement for the water main infrastructure. This would allow the Utilities Department to access, operate, and maintain the water infrastructure at this location. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Public Right-of-Way for Old Potash Highway Roadway Improvements; Project No. 2019-P-1 (City of Grand Island Utilities Roger's Reservoir- 3990 W Old Potash Highway & Substation B- South of Faidley Avenue, West of Diers Avenue). Public Works Director John Collins reported that acquisition of a public right-of-way was needed for the Old Potash Highway Roadway Improvements Project No. 2019-P-1. Engineering staff of the Public Works Department negotiated with the property owner for such acquisitions, at no cost to the City. Staff recommended approval. No public testimony was heard.

Public Hearing on Dedication of Public Right-of-Way for Old Potash Highway Roadway Improvements; Project No. 2019-P-1 (Kaufman Retention Cell- North of Old Potash Highway, West of Diers Avenue). Public Works Director John Collins reported that acquisition of a public right-of-way was needed for the Old Potash Highway Roadway Improvements Project No. 2019-P-1. The City of Grand Island is dedicating property as right-of-way to be used for connection from Claude Road to Kaufman Avenue. Staff recommended approval. No public testimony was heard.

CONSENT AGENDA: Motion by Stelk, second by Nickerson to approve the Consent Agenda. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of April 28, 2020 City Council Regular Meeting.

#2020-110 - Approving Acquisition of Utility Easement - Intersection of Jessie and Ellie Drive - Dana Point Development Corp..

#2020-111 - Approving Bid Award - 125 VDC Battery System Replacement - Platte Generating Station with HM Cragg of LaVista, Nebraska in an Amount of \$78,894.48.

#2020-112 - Approving Platte Generating Station Boiler Safety Repair with Pioneer Industrial Corporation of Hastings, Nebraska in an Amount of \$57,040.72 and a Total Contract Amount of \$80,415.43.

#2020-113 - Approving Change Order #1 for the Transformer Maintenance Project with Transfluid Service, Inc. of Houston, Texas for an Increase of \$7,879.70 and a Total Contract Amount of Approximately \$269,642.20.

#2020-114 - Approving Acquisition of Public Right-of-Way for Old Potash Highway Roadway Improvements; Project No. 2019-P-1 (City of Grand Island Utilities Roger's Reservoir- 3990 W Old Potash Highway & Substation B- South of Faidley Avenue, West of Diers Avenue).

#2020-115 - Approving Dedication of Public Right-of-Way for Old Potash Highway Roadway Improvements; Project No. 2019-P-1 (Kaufman Retention Cell- North of Old Potash Highway, West of Diers Avenue).

#2020-116 - Approving Bid Award for Diffuser Replacement; Project No. 2020-WWTP-3 with JCI Industries, Inc. of Lincoln, Nebraska in an Amount of \$25,295.00.

#2020-117 - Approving Amendment No. 1 to Engineering Consulting Services Related to Central Nebraska Regional Airport Sanitary Sewer Collection System Rehabilitation; Project No. 2017-S-4 with HDR Engineering, Inc. of Omaha, Nebraska in an Amount of \$267,000.00 and a Revised Agreement Amount of \$302,550.00.

#2020-118 - Approving Public Transit Vehicle User Agreement with the Senior Citizens Industries, Inc. of Grand Island, Nebraska in an Amount of \$1.00 per year.

#2020-119 - Approving Amendment to CDBG Revolving Loan Fund.

PAYMENT OF CLAIMS:

Motion by Minton, second by Hehnke to approve the payment of claims for the period of April 29, 2020 through May 12, 2020 for a total amount of \$3,223,930.73. Upon roll call vote, all voted aye. Motion adopted.

ADJOURNMENT: The meeting was adjourned at 7:13 p.m.

RaNae Edwards
City Clerk



City of Grand Island

Tuesday, May 26, 2020

Council Session

Item G-2

Approving Re-Appointment of Paul Leeper to the Civil Service Commission

Mayor Steele has submitted the re-appointment of Paul Leeper to the Civil Service Commission. The appointment would become effective June 1, 2020 upon approval by the City Council and would expire on June 1, 2026.

Staff Contact: Mayor Roger Steele



City of Grand Island

Tuesday, May 26, 2020

Council Session

Item G-3

Approving Re-Appointments of Barry Burrows and Bryan Fiala to the Tree Board

Mayor Steele has submitted the re-appointments of Barry Burrows and Bryan Fiala to the Tree Board. These appointments would become effective August 1, 2020 upon approval by the City Council and would expire on July 31, 2023.

Staff Contact: Mayor Roger Steele



City of Grand Island

Tuesday, May 26, 2020

Council Session

Item G-4

#2020-120 - Approving Acquisition of Utility Easement - 1212 Johnstown Road - Diamond Plastics

This item relates to the aforementioned Public Hearing item E-2.

Staff Contact: Tim Luchsinger, Stacy Nonhof

RESOLUTION 2020-120

WHEREAS, a public utility easement is required by the City of Grand Island from Diamond Plastics Corporation, to survey, construct, inspect, maintain, repair, replace, relocate, extend, remove, and operate thereon, public utilities and appurtenances, including power lines and;

WHEREAS, a public hearing was held on May 26, 2020, for the purpose of discussing the proposed acquisition of utility easement located through a part of Lot Two (2) Bick's Third Subdivision and a part of the North Half (N ½) of the Southwest Quarter (SW ¼) of Section Twenty-Four (24), Township Eleven (11) North, Range Ten (10) West of the 6th PM, in the City of Grand Island, Hall County, Nebraska, and more particularly described as follows:

TRACT 1

A twenty (20.0) foot wide tract located in part of the North Half (N1/2) of the Southwest Quarter (SW1/4) of Section Twenty-Four (24), Township Eleven (11) North, Range Ten (10) West of the 6th PM in the City of Grand Island, Hall County, Nebraska, the centerline being more particularly described as follows: Commencing at the Northeast corner of Lot Twenty Seven (27), Reuting's First Subdivision; thence westerly along the northerly line of said Lot Twenty Seven (27), a distance of ninety-three and thirty-eight hundredths (93.38) feet to the ACTUAL Point of Beginning of Tract 1; thence deflecting right 90°16'43" and running in a northerly direction, a distance of three hundred ninety-two and seventeen hundredths (392.17) feet; thence deflecting left 90°04'11" and running in a westerly direction, a distance of two hundred fifty-seven and fifty-one hundredths (257.51) feet to the point of termination of said Tract 1.

TRACT 2

A thirty (30.0) foot wide tract located in part of the North Half (N1/2) of the Southwest Quarter (SW1/4) of Section Twenty-Four (24), Township Eleven (11) North, Range Ten (10) West of the 6th PM in the City of Grand Island, Hall County, Nebraska, the centerline being more particularly described as follows: Commencing at the Northwest corner of Lot Two (2), Bick's Third Subdivision; thence easterly, along the northerly line of said Lot Two (2), a distance of two hundred forty-five and sixty-eight hundredths (245.68) feet to the ACTUAL Point of Beginning of Tract 2; thence northerly and perpendicular to the northerly line of said Lot Two (2), a distance of sixty-eight (68.0) feet to the point of termination of said Tract 2.

TRACT 3

A twenty (20.0) foot wide tract located in part of Lot Two (2), Bick's Third Subdivision in the City of Grand Island, Hall County, Nebraska, the centerline being more particularly described as follows: Commencing at the Northwest corner of Lot Two (2), Bick's Third Subdivision; thence easterly, along the northerly line of said Lot Two (2), a distance of one hundred six and ninety-three hundredths (106.93) feet to the ACTUAL Point of Beginning of Tract 3; thence

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May 22, 2020	City Attorney

deflecting right 111°10'47" and running in a southwesterly direction, a distance of two hundred ninety-three (293.0) feet to a point of termination on the westerly line of said Lot Two (2). The side lines of the above described tract shall be prolonged or shortened as required to terminate on the boundary of Grantor's property.

The above-described easement and right-of-way containing a combined total of .48 acres, more or less as shown on the plat dated 4/30/2020, marked Exhibit "A", attached hereto and incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island be, and hereby is, authorized to acquire a public utility easement from Diamond Plastics Corporation, on the above-described tract of land.

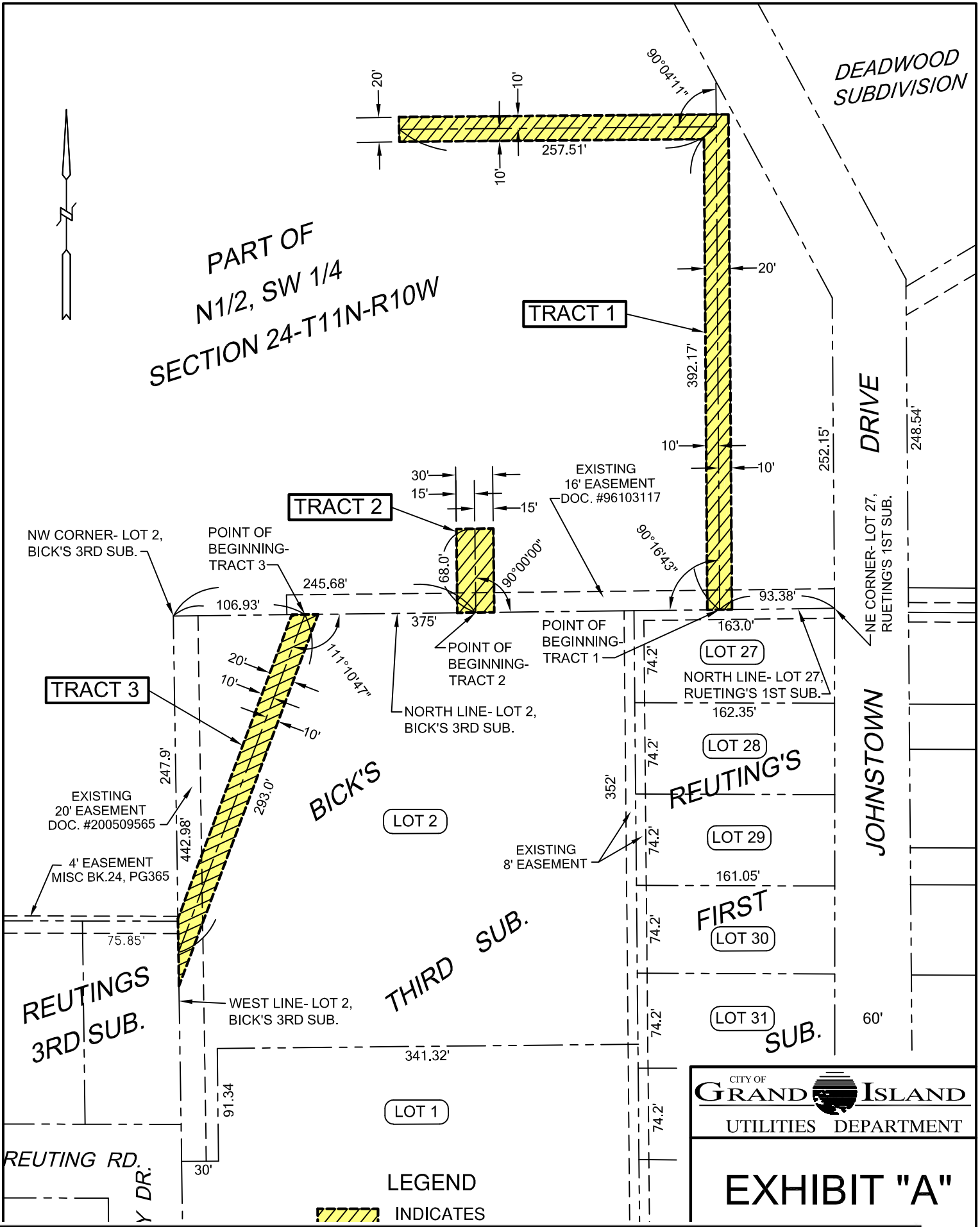
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Adopted by the City Council of the City of Grand Island, Nebraska, May 26, 2020.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk





City of Grand Island

Tuesday, May 26, 2020

Council Session

Item G-5

#2020-121 - Approving Change Order #1 with Watts Electric Company for Transmission Line Work and Installation of OPGW Fiber Optic Cable

Staff Contact: Tim Luchsinger, Stacy Nonhof

Council Agenda Memo

From: Timothy G. Luchsinger, Utilities Director
Stacy Nonhof, Interim City Attorney

Meeting Date: May 26, 2020

Subject: Transmission Line Work - OPGW Upgrade - Change Order #1

Presenter(s): Timothy Luchsinger, Utilities Director

Background

On March 26, 2019, City Council approved a contract to Watts Electric Company of Waverly, Nebraska, for Transmission Line Work and the installation of new OPGW fiber optic cable. The bid package included unit pricing for all items as well as some major maintenance items. The project was recently completed, and several bid units were adjusted as well as some minor additional maintenance items that were unplanned.

Discussion

During the construction, several maintenance items were recommended that were priced with the original bid but not included in the original contract. In addition, several items were deducted from the total cost due to those items not being necessary. The original amount awarded for this contract was \$934,582.11. The total for this Change Order is a subtraction of \$9,015.07 and decreases the contract by approximately 1% to \$925,567.04.

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 Council award Change Order #1 to the Contract for Transmission Line Work – OPGW Upgrade to Watts Electric Company of Waverly, Nebraska, in the amount of (\$9,015.07), for a final contract amount of \$925,567.04.

Sample Motion

Move to approve Change Order #1 for Transmission Line Work – OPGW Upgrade to Watts Electric Company in the amount of (\$9,015.07), for a final contract amount of \$925,567.04.

TO: Watts Electric Company
13351 Dovers St.
Waverly, NE 68462

PROJECT: Contract for "Transmission Line Work - OPGW Upgrade"

You are hereby directed to make the following change in your contract:

1 Subtraction per the attached spreadsheet.

SUBTRACTION -\$9,015.07

The original Contract Sum	<u>\$934,582.11</u>
Previous Change Order Amounts	<u>\$ -</u>
The Contract Sum is increased by this Change Order	<u></u>
The Contract Sum is decreased by this Change Order	<u>\$ (9,015.07)</u>
The total modified Contract Sum to date	<u>\$ 925,567.04</u>

Approval and acceptance of this Change Order acknowledges understanding and agreement that the cost and time adjustments included represent the complete values arising out of and/or incidental to the work described therein.

APPROVED: CITY OF GRAND ISLAND

By: _____

Date _____

Attest: _____

Approved as to Form, City Attorney

ACCEPTED: WATTS ELECTRIC COMPANY

By: Joni J. Watts-McDonald

Date May 5, 2020

Transmission Line Work - OPGW Upgrade

Comments: Changes due to additional required maintenance and removal of unused line items

Contract: Watts Electric Company

\$934,582.11

<u>Change Order Request</u>	<u>Description</u>	<u>Amount</u>
001	Deduct 6 ea. STOPW items	\$ (17,775.00)
002	Add 3 more RECR units	\$ 2,862.00
003	Deduct 1 ea. RECRB item	\$ (139.38)
004	Deduct 1 ea. REHX item	\$ (694.23)
005	Add 4 more REPG units	\$ 453.00
006	Deduct 1 ea REDC item	\$ (857.50)
007	Deduct 1 ea. REPI item	\$ (534.00)
008	Add 5 more RESI units	\$ 4,080.00
009	Deduct 1 ea. RESH item	\$ (1,132.00)
010	Deduct 1 ea. RETDG item	\$ (163.50)
011	96 fiber termination	\$ 2,137.50
012	96 fiber mid line splice	\$ 2,981.25
013	Straighten 6 bell insulators	\$ 2,844.00
014	Install 3 pole bands	\$ 474.00
015	Contract bid unit price adjustments	\$ (3,551.21)
017		
018		
019		
020		
021		
023		
024		
028		
029		
030		
	Total	\$ (9,015.07)

RESOLUTION 2020-121

WHEREAS, at the March 26, 2019 meeting, Council approved a contract to Watts Electric Company of Waverly, Nebraska, for Transmission Line Work and the installation of new OPGW fiber optic cable; and

WHEREAS, the bid package included unit pricing for all items as well as some major maintenance items; and

WHEREAS, during the construction, several maintenance items were recommended that were priced with the original bid but not included in the original contract and several items were deducted from the total cost due to those items not being necessary; and

WHEREAS, the total for this Change Order is a subtraction of \$9,015.07 and decreases the original contract in the amount of \$934,582.11 by approximately 1% to \$925,567.04.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that Change Order #1 to the Transmission Line Work – OPGW Upgrade is approved, and the Mayor is hereby authorized to sign the Change Order on behalf of the City of Grand Island.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, May 26, 2020.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
May 22, 2020	☐ City Attorney



City of Grand Island

Tuesday, May 26, 2020

Council Session

Item G-6

**#2020-122 - Approving Bid Award for Old Potash Highway
Roadway Improvements; Project No. 2019-P-1**

Staff Contact: John Collins, P.E. - Public Works Director

Council Agenda Memo

From: Keith Kurz PE, Assistant Public Works Director

Meeting: May 26, 2020

Subject: Approving Bid Award for Old Potash Highway Roadway Improvements; Project No. 2019-P-1

Presenter(s): John Collins PE, Public Works Director

Background

A master plan was established for the Old Potash Highway corridor from approximately North Road to Webb Road, including intersections to the north and south of Old Potash Highway. The interaction between the various traffic features is complex, so an overall master plan was created to ensure that the individual projects will function together and address other safety issues in these areas. The plan includes widening and reconfiguring Old Potash Highway, signal and geometric improvements at each intersection, access management throughout the corridor, and improvements to the north and south of the Old Potash Highway corridor. Improvements are needed to allow the corridor to safely handle the ever increasing traffic in this area.

On April 14, 2020 the Engineering Division of the Public Works Department advertised for bids for Old Potash Highway Roadway Improvements; Project No. 2019-P-1. There were twenty-six (26) potential bidders for this project.

Discussion

Three (3) bids were received and opened on May 12, 2020. The bids were submitted in compliance with the contract, plans and specifications. A summary of the bids is shown below.

	<i>Starostka Group Unlimited, Inc. of Grand Island, NE</i>	<i>Paulsen, Inc. of Cozad, NE</i>	<i>The Diamond Engineering Co. of Grand Island, NE</i>
Bid Option 1- includes Claude Road Extension Improvements north of Faidley Ave & Polyurea Grooved Roadway Markings	\$10,712,372.27	\$11,356,501.90	\$11,814,367.55*
Bid Option 2- includes Claude Road Extension Improvements north of Faidley Ave & Paint Beaded Grooved Roadway Markings	\$10,530,764.77	\$11,162,302.70	\$11,704,596.25*
Bid Option 3- <u>does not</u> include Claude Road Extension Improvements north of Faidley Ave & Polyurea Grooved Roadway Markings	\$10,295,644.97	\$10,893,052.90	\$11,367,867.99
Bid Option 4- <u>does not</u> include Claude Road Extension Improvements north of Faidley Ave & Paint Beaded Grooved Roadway Markings	\$10,114,037.47	\$10,698,853.70	\$11,258,096.69

*Corrected bid

Public Works Administration recommends awarding Bid Option 2 to Starostka Group Unlimited, Inc. of Grand Island, Nebraska, as it is over \$3.8M below the Engineer's estimate for such work. Painted roadway markings are recommended as the cost increase to change to Polyurea roadway markings is too great based on the increased life expectancy. The Claude Road extension north of Faidley Avenue is also recommended based on the current bid prices and allows for future extension of Concord Avenue to hook on to this allowing for better circulation in the area north of Faidley Avenue. The project is anticipated to begin June 2020, with a completion date of December 1, 2022.

There are sufficient funds in Account No. 21000001-2100-40028 to fund this project.

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 awarding the contract for Old Potash Highway Roadway Improvements; Project No. 2019-P-1 to Starostka Group Unlimited, Inc. of Grand Island, Nebraska in the amount of \$10,530,764.77 as the low compliant bid that meets specifications.

Sample Motion

Move to approve the bid award.



Stacy Nonhof, Purchasing Agent

*Working Together for a
Better Tomorrow, Today*

BID OPENING

BID OPENING DATE: May 12, 2020 at 2:00 p.m.

FOR: Old Potash Highway Roadway Improvements;
Project No. 2019-P-1

DEPARTMENT: Public Works

ESTIMATE: \$14,400,000.00

FUND/ACCOUNT: 21000001-2100-40028

PUBLICATION DATE: April 14, 2020

NO. POTENTIAL BIDDERS: 26

SUMMARY

Bidder:	<u>Paulsen, Inc.</u> Cozad, NE	<u>The Diamond Engineering Co.</u> Grand Island, NE
Bid Security:	The Cincinnati Ins. Co.	Universal Surety Co.
Exceptions:	None	None

Bid Price:		
Summary 1:	\$11,356,501.90	\$11,814,387.55
Summary 2:	\$11,162,302.70	\$11,704,616.25
Summary 3:	\$10,893,052.90	\$11,367,867.99
Summary 4:	\$10,698,853.70	\$11,258,096.69

Bidder:	<u>Starostka Group Unlimited, Inc.</u> Grand Island, NE
Bid Security:	Universal Surety Co.
Exceptions:	None

Summary 1:	\$10,712,372.27
Summary 2:	\$10,530,764.77
Summary 3:	\$10,295,644.97
Summary 4:	\$10,114,037.47

cc: John Collins, Public Works Director
Jerry Janulewicz, City Administrator
Stacy Nonhof, Purchasing Agent

Catrina DeLosh, PW Admin. Assist.
Patrick Brown, Finance Director
Matt Rief, Engineer – Olsson, Inc.

P2208

RESOLUTION 2020-122

WHEREAS, the City of Grand Island invited sealed bids for Old Potash Highway Roadway Improvements; Project No. 2019-P-1, according to plans and specifications on file with the City Engineer/Public Works Director; and

WHEREAS, on May 12, 2020 bids were received, opened, and reviewed; and

WHEREAS, Starostka Group Unlimited, Inc. of Grand Island, Nebraska submitted a bid in accordance with the terms of the advertisement of bids and plans and specifications and all other statutory requirements contained therein, such bid being in the amount of \$10,530,764.77; and

WHEREAS, Starostka Group Unlimited, Inc.'s bid was below the engineer's estimate for the project: and

WHEREAS, funds are available in the Fiscal Year 2019/2020 budget for this project.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Starostka Group Unlimited, Inc. of Grand Island, Nebraska in the amount of \$10,530,764.77 for Old Potash Highway Roadway Improvements; Project No. 2019-P-1 is hereby approved as the lowest responsible bid.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized and directed to execute a contract with such contractor for such project on behalf of the City of Grand Island.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, May 12, 2020.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
May 22, 2020	☐ City Attorney



City of Grand Island

Tuesday, May 26, 2020

Council Session

Item G-7

**#2020-123 - Approving Bid Award for Moores Creek Drain
Extension- North Road to Engleman Road; Project No. 2020-D-1**

Staff Contact: John Collins, P.E. - Public Works Director

Council Agenda Memo

From: Keith Kurz PE, Assistant Public Works Director

Meeting: May 26, 2020

Subject: Approving Bid Award for Moores Creek Drain Extension- North Road to Engleman Road; Project No. 2020-D-1

Presenter(s): John Collins PE, Public Works Director

Background

On April 21, 2020 the Engineering Division of the Public Works Department advertised for bids for Moores Creek Drain Extension- North Road to Engleman Road; Project No. 2020-D-1. The bid package for this project was sent to thirteen (13) potential bidders.

This project will build a portion of the Moores Creek Drainage Ditch extension, which will develop drainage to the southwest, serve current areas, as well as the proposed US Highway 30 realignment project. This portion of Moores Creek will provide a drainage outlet to the rapidly expanding Copper Creek Subdivision. The proposed route is shown on the attached exhibit.

Discussion

Seven (7) bids were received and opened on May 14, 2020. The Engineering Division of the Public Works Department and the Purchasing Division of the City Attorney's Office have reviewed the bids that were received. A summary of the bids is shown below.

<i>Bidder</i>	<i>Exceptions</i>	<i>Bid Price</i>
Mid Nebraska Land Developers, LLC of Aurora, NE	None	\$239,593.20
Van Kirk Sand & Gravel of Sutton, NE	None	\$248,429.80
Blessing Construction of Kearney, NE	None	\$256,454.35
Island Landhandlers, LLC of Grand Island, NE	None	\$297,366.20
Myers Construction, Inc. of Broken Bow, NE	None	\$341,304.40
AMP Works, LLC of Grand Island, NE	None	\$369,920.89*
B-D Construction, Inc. of Columbus, NE	None	\$543,207.00

*Corrected Bid

The bid of Mid Nebraska Land Developers, LLC of Aurora, Nebraska is considered fair and reasonable and is well below the engineer's estimate.

Funds are available in Account No. 40000400-2000-40014.

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 the bid award to Mid Nebraska Land Developers of Aurora, Nebraska in the amount of \$239,593.20.

Sample Motion

Move to approve the bid award.



Stacy Nonhof, Purchasing Agent

*Working Together for a
Better Tomorrow, Today*

BID OPENING

BID OPENING DATE: May 14, 2020 at 2:00 p.m.

FOR: Moores Creek Drain Extension – North Road to Engleman Road;
Project No. 2020-D-1

DEPARTMENT: Public Works

ESTIMATE: \$422,000.00

FUND/ACCOUNT: 40000400-2000-40014

PUBLICATION DATE: April 21, 2020

NO. POTENTIAL BIDDERS: 13

SUMMARY

Bidder:	<u>Mid Nebraska Land Developers, LLC</u> Aurora, NE	<u>AMP Works. LLC</u> Grand Island, NE
Bid Security:	Cashier's Check	Western Surety Co.
Exceptions:	None	None
Bid Price:	\$239,593.20	\$369,922.20
Bidder:	<u>Island Landhandlers, Inc.</u> Grand Island, NE	<u>Blessing, LLC</u> Kearney
Bid Security:	Universal Surety Co.	Hudson Insurance Co.
Exceptions:	None	None
Bid Price:	\$297,366.20	\$256,454.35
Bidder:	<u>Myers Construction, Inc.</u> Broken Bow, NE	<u>Van Kirk Bros. Contracting</u> Sutton, NE
Bid Security:	United Fire & Casualty Co.	Universal Surety Co.
Exceptions:	None	None
Bid Price:	\$341,304.40	\$248,429.80

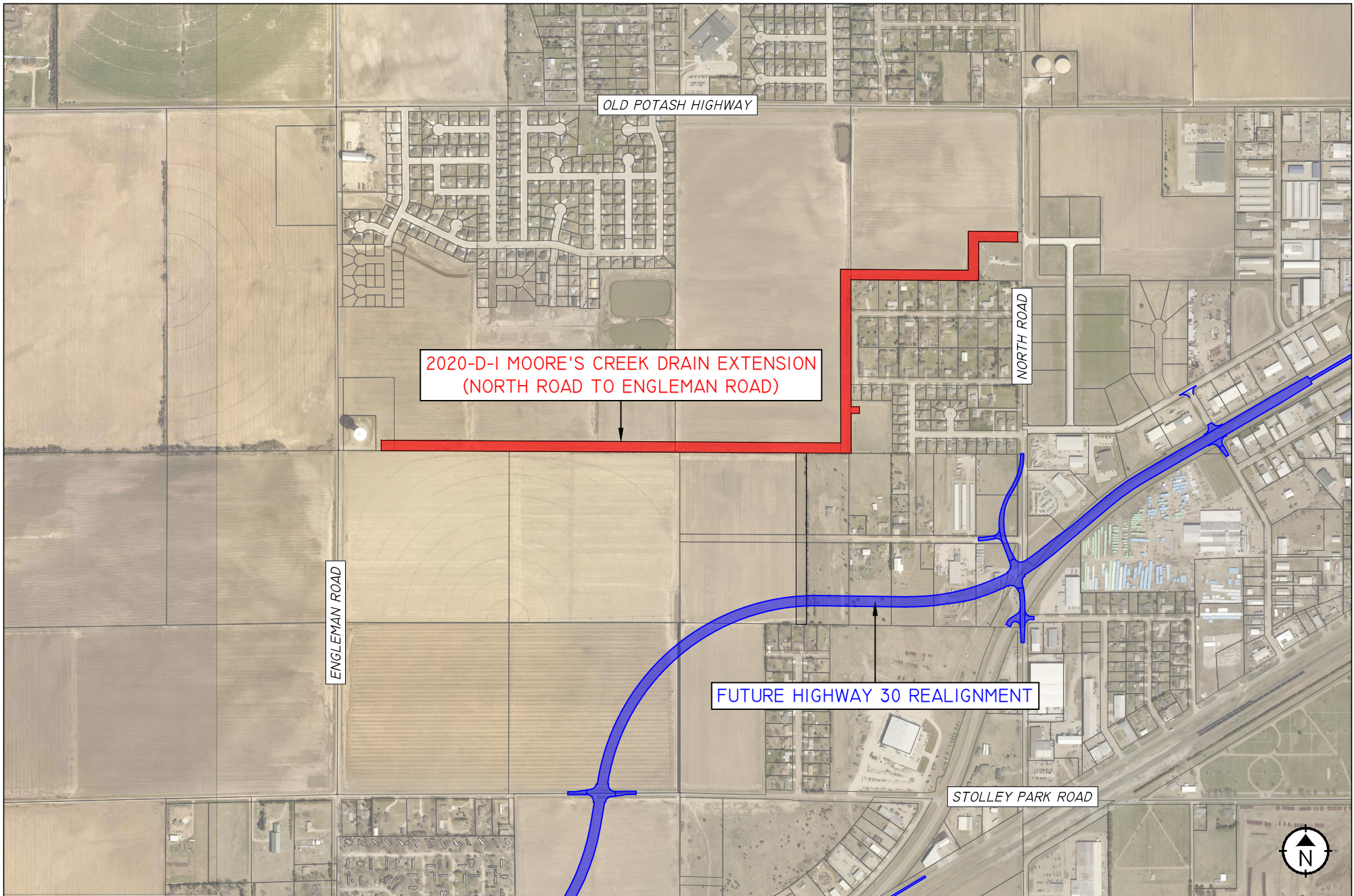
Bidder: **B-D Construction, Inc.**
Columbus, NE
Bid Security: **North American Specialty Ins. Co.**
Exceptions: **None**

Bid Price: **\$543,207.00**

cc: John Collins, Public Works Director
Jerry Janulewicz, City Administrator
Stacy Nonhof, Purchasing Agent

Catrina DeLosh, PW Admin. Coordinator
Patrick Brown, Finance Director
Tim Golka, PW Engineer I

P2210



2020-D-I MOORE'S CREEK DRAIN EXTENSION

RESOLUTION 2020-123

WHEREAS, the City of Grand Island invited sealed bids for Moors Creek drain Extension- North Road to Engleman Road; Project No. 2020-D-1, according to plans and specifications on file with the Public Works Department; and

WHEREAS, on May 14, 2020 bids were received, opened, and reviewed; and

WHEREAS, Mid Nebraska Land Developers, LLC of Aurora, Nebraska submitted a bid in accordance with the terms of the advertisement of bids and plans and specifications and all other statutory requirements contained therein, such bid being in the amount of \$239,593.20; and

WHEREAS, Mid Nebraska Land Developers, LLC's bid is considered fair and reasonable for such project.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Mid Nebraska Land Developers, LLC of Aurora, Nebraska in the amount of \$239,593.20 for Moores Creek Drain Extension- North Road to Engleman Road; Project No. 2020-D-1 is hereby approved.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized and directed to execute a contract with such contractor for such project on behalf of the City of Grand Island.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, May 26, 2020.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
May 22, 2020	☐ City Attorney



City of Grand Island

Tuesday, May 26, 2020

Council Session

Item G-8

#2020-124 -Approving Change Order No. 3 for North Broadwell Avenue Drainage; Project No. 2018-D-1

Staff Contact: John Collins, P.E. - Public Works Director

Council Agenda Memo

From: Keith Kurz PE, Assistant Public Works Director

Meeting: May 26, 2020

Subject: Approving Change Order No. 3 for North Broadwell Avenue Drainage; Project No. 2018-D-1

Presenter(s): John Collins PE, Public Works Director

Background

The Starostka Group Unlimited, Inc. of Grand Island, Nebraska was awarded a \$247,981.06 contract on February 26, 2019, via Resolution No. 2019-80, for North Broadwell Avenue Drainage; Project No. 2018-D-1.

On August 27, 2019, via Resolution No. 2019-256, City Council approved Change Order No. 1 to the original contract approving a time extension from September 1, 2019 to May 31, 2020. Such change order was at no cost to the City.

On March 24, 2020, via Resolution No. 2020-81, City Council approved Change Order No. 2 to the original contract, which allowed for re-building of the temporary storm water diversion structure due to continual rainfall experienced in 2019. Change Order No. 2 increased the original contract by \$15,000.00, resulting in a revised total contract amount of \$262,981.06.

The drainage improvements consist of removing trees and re-grading the ditch to allow for proper maintenance and improved channel flow.

Discussion

During construction of the North Broadwell Avenue Drainage; Project No. 2018-D-1 asphalt was damaged in the Eagle Scout Lake parking area and a sanitary sewer force main in the Vet's Sports Complex was damaged. The additional work to repair said damage will increase the contract amount by \$7,868.00, resulting in a revised contract amount of \$270,849.06.

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 Change Order No. 3 for the North Broadwell Avenue Drainage; Project No. 2018-D-1 in the amount of \$7,868.00 with Starostka Group Unlimited, Inc.

Sample Motion

Move to approve the resolution.



CHANGE ORDER NO. 3

PROJECT: North Broadwell Avenue Drainage; Project No. 2018-D-1

CONTRACTOR: Starostka Group Unlimited, Inc.

AMOUNT OF CONTRACT: \$247,981.06

CONTRACT DATE: March 5, 2019

Due to the continual rainfall experienced in 2019 the temporary storm water diversion structure requires re-building.

Original Contract Amount -----	\$247,981.06
Change Order No. 1 -----	\$ 0.00
Change Order No. 2 -----	\$ 15,000.00
Change Order No. 3 -----	\$ 7,868.00
Revised Contract Amount -----	\$270,849.06
Notice to Proceed Date -----	March 5, 2019
Original Completion Date -----	September 1, 2019
Revised Completion Date -----	May 31, 2020

The Above Change Order Accepted:
Starostka Group Unlimited, Inc.

By _____ Date _____

Approval Recommended:

By _____ Date _____
John Collins PE, Public Works Director/City Engineer

Approved for the City of Grand Island, Nebraska

By _____ Date _____
Mayor

Attest _____
City Clerk

RESOLUTION 2020-124

WHEREAS, on February 26, 2019, via Resolution 2019-80, the City of Grand Island awarded Starostka Group Unlimited, Inc. of Grand Island, Nebraska the bid in the amount of \$247,981.06 for North Broadwell Avenue Drainage; Project No. 2018-D-1; and

WHEREAS, on August 27, 2019, via Resolution No. 2019-256, City Council approved Change Order No. 1, at no cost to the City, to the original contract approving a time extension from September 1, 2019 to May 31, 2020; and

WHEREAS, on March 24, 2020, via Resolution No. 2020-81, City Council approved Change Order No. 2, in the amount of \$15,000.00, which allowed for re-building of the temporary storm water diversion structure due to continual rainfall experienced in 2019; and

WHEREAS, during construction asphalt was damaged in the Eagle Scout Lake parking area and a sanitary sewer force main in the Vet's Sports Complex was damaged; and

WHEREAS, the additional work to repair said damage will increase the contract amount by \$7,868.00, resulting in a revised contract amount of \$270,849.06.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Mayor be, and hereby is, authorized and directed to execute Change Order No. 3 between the City of Grand Island and Starostka Group Unlimited, Inc. of Grand Island, Nebraska to provide the necessary work for North Broadwell Avenue Drainage; Project No. 2018-D-1.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, May 26, 2020.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
May 22, 2020	☐ City Attorney



City of Grand Island

Tuesday, May 26, 2020

Council Session

Item G-9

#2020-125 - Approving Time Extension with Engineering and Research International, Inc. for 2019 Pavement Condition Assessment

Staff Contact: John Collins, P.E. - Public Works Director

Council Agenda Memo

From: Keith Kurz PE, Assistant Public Works Director

Meeting: May 26, 2020

Subject: Approving Time Extension with Engineering and Research International, Inc. for 2019 Pavement Condition Assessment

Presenter(s): John Collins PE, Public Works Director

Background

The City is required to assess roadway pavement every three (3) years, at a minimum. Such assessment is used to determine roadways that become part of the annual maintenance project, as well as roadways that require more substantial work or rebuild. This information is also used for the City's annual audit and for GASB 34 (GASB 34 provides a comprehensive framework for financial reporting with the objective of making annual reports easier to understand and more useful to the people who rely upon the financial condition contained therein. The most significant aspect of Statement 34 was that for the first time general infrastructure assets (such as roads, bridges and dams) were to be reported together with related depreciation or preservation costs.

On January 22, 2019, via Resolution No. 2019-34, City Council awarded a \$154,542.55 agreement to Engineering and Research International, Inc. of Savoy, Illinois for Pavement Condition Assessment and Pavement Management services.

On March 24, 2020, via Resolution No. 2020-75, City Council approved a time extension from January 22, 2020 to May 31, 2020, which was requested due to additional time and effort necessary to make corrections to the City's pavement database. Such extension was at no cost to the City.

Discussion

As a result of the recent restrictions related to COVID-19 staff of Engineering and Research International, Inc. (ERI, Inc.) have not been able to work as efficiently with changes in work location and limited office time, also software issues have been delaying progress of the Pavement Condition Assessment. At this time ERI, Inc. has requested a time extension from May 31, 2020 to July 31, 2020. There will not be any agreement amount modification with this extension.

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 extending the completion date to July 31, 2020, as noted in Amendment No. 2.

Sample Motion

Move to approve the resolution.



AGREEMENT TIME EXTENSION AMENDMENT NO. 2

PROJECT: 2019 Pavement Condition Assessment

CONTRACTOR: Engineering and Research International, Inc.

AMOUNT OF CONTRACT: \$154,542.55

CONTRACT DATE: January 22, 2019

Notice to Proceed Date ----- January 24, 2019

Original Completion Date ----- January 22, 2020

Amendment No. 1 Completion Date ----- May 31, 2020

Amendment No. 2 Completion Date ----- July 31, 2020

The Above Change Order Accepted:

Engineering and Research International, Inc.

By _____ Date _____

Approval Recommended:

By _____ Date _____
John Collins PE, Public Works Director/City Engineer

Approved for the City of Grand Island, Nebraska

By _____ Date _____
Mayor

Attest _____
City Clerk

RESOLUTION 2020-125

WHEREAS, on January 22, 2019, via Resolution No. 2019-34, City Council awarded a \$154,542.55 agreement to Engineering and Research International, Inc. of Savoy, Illinois for Pavement Condition Assessment and Pavement Management services; and

WHEREAS, on March 24, 2020, via Resolution No. 2020-75, City Council approved a time extension from January 22, 2020 to May 31, 2020 due to o additional time and effort to make corrections to the City's pavement database; and

WHEREAS, Engineering and Research International, Inc. has requested another extension from May 31, 2020 to July 31, 2020 as a result of recent restrictions related to COVID-19, which has changed work location for staff and limited office time, and also due to software issues that have been encountered; and

WHEREAS, there will not be any agreement amount modification with such time extension; and

WEREAS, the Public Works Department supports such contract extension.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Mayor be, and hereby is, authorized and directed to execute Amendment No. 2 between the City of Grand Island and Engineering and Research International, Inc. of Savoy, Illinois to provide the requested time extension for the 2019 Pavement Condition Assessment.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, May 26, 2020.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
May 22, 2020	☐ City Attorney



City of Grand Island

Tuesday, May 26, 2020

Council Session

Item G-10

#2020-126 - Approving Amendment to the Citizen Participation Plan

Staff Contact: Amber Alvidrez

Council Agenda Memo

From: Amber Alvidrez, Community Development

Meeting: May 26, 2020

Subject: Citizen Participation Plan for Community Development Block Grant

Presenter(s): Amber Alvidrez, Community Development

Background

The United States Department of Housing and Urban Development requires that all communities that receive Community Development Block Grant (CDBG) funds adopt a Citizen Participation Plan. This plan sets forth how citizens, especially lower income and/or disabled persons, are to be provided with opportunities to participate in the planning, implementation and assessment of the CDBG programs.

Discussion

On March 27th the CARES Act was signed lessening the Citizen Participation requirements due to COVID-19 pandemic for Community Development Block Grant funds. At this time HUD has encouraged many Entitlement Communities to adopt the lessened restrictions in order to aid in creating programs that offer COVID-19 relief to communities. The following exception has been added to the City's Citizen Participation Plan.

Exceptions to this plan will apply to any substantial amendments to the 2019 Annual Action Plan and to the creation of the 2020 Annual Action Plan. Change of requirements by the Housing and Urban Development through the CARES Act which was signed on March 27, 2020 allows for Entitlement Communities to allow these plans to require a 1 day notice for virtual public hearings and a 5 day public comment. The above changes are a direct result of the COVID-19 Pandemic.

As required by HUD, the City followed the current Citizen Participation Plan and left the changes open to public comment for 15 days.

Alternatives

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

1. Move to approve the Citizen Participation Plan
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 the Citizen Participation Plan.

Sample Motion

Move to approve the Citizen Participation Plan and authorize the Mayor to sign all related documents.

City of Grand Island Citizen Participation Plan

Introduction

The City of Grand Island has established a Citizen Participation Plan to provide opportunities for citizen involvement in the process of developing and implementing the Community Development Block Grant (CDBG) Program and other programs administered by the U. S. Department of Housing and Urban Development (HUD). This Citizen Participation Plan outlines when, where and how citizens can access information, review and comment on major community plans, and comment on progress of funded activities under these programs. The primary planning document for any of the CDBG-assisted program is the City of Grand Island's Consolidated Plan, which is developed every three to five years to serve as a guide for strategic actions to enhance the City's housing and community development assets. Other major documents related to the Consolidated Plan and covered by this Citizen Participation Plan are the Fair Housing Plan - which describes how the City will be affirmatively furthering Fair Housing, an Annual Action Plan - which describes the specific actions and project activities the City will carry out with the funds and the Consolidated Annual Performance & Evaluation Report (CAPER) - an annual evaluation of progress in implementing program activities.

Encouraging Public Participation

The City of Grand Island welcomes and encourages the participation of all of its citizens in the development of these plans and in the review of progress in implementing plan activities. The City particularly encourages involvement by low and moderate income households, individuals residing in areas targeted for program activities, minorities and non-English speaking persons, as well as persons with disabilities. In addition, residents of public housing and other assisted housing groups are encouraged to participate. Finally, we encourage local and regional institutions and other organizations including businesses, neighborhood associations, housing developers including the Hall County Housing Authority, and community and faith-based organizations to become involved in the planning process. Opportunities for citizen involvement occur in the initial stages of developing the long range plan and the annual plan as well as during the implementation of activities.

These opportunities include:

- Participation in public hearings to discuss needs, available funds and project/program activities
- Participation in meetings with committees and focus groups involved in planning housing and community development activities
- Review and comment on proposed plans and activities such as:
 - The Fair Housing Plan
 - The Citizen Participation Plan
 - The Consolidated Plan
 - The Annual Action Plans
 - Amendments to the Plans

- Consolidated Annual Performance Reports (CAPERs)

Anyone who wishes to be informed of the time/place of meetings and opportunities, to review documents or who wishes to learn more about activities may ask to be placed on mailing and/or e-mail lists of interested citizens by contacting the City of Grand Island Community Development Division, City of Grand Island 100 E. 1st, Grand Island, NE 68801 or mailing address P.O. Box 1968, Grand Island, NE 68802. Direct communication to Community Development Division at (308) 389-0212 or sign up for emails by visiting www.grand-island.com and selecting to receive “Community Development” e-Notices

Public Hearings

During the process of developing the Consolidated Plan and Annual Action Plan, City staff meets with community groups, organizations and persons interested in housing and community development activities to discuss community needs and to provide information on CDBG and other HUD Programs.

Purpose of the Public Hearings

A minimum of two Public Hearings will be held during the year to obtain the comments of citizens and representatives of public agencies, non-profit organizations and other interested parties. The Hearings provide opportunities to obtain the views of citizens on housing and community development needs, provide information on the amount of funds available (and the purpose for which they can be used), discuss proposed activities and review program performance over the previous year.

All oral and written comments received at the Hearings will be considered in decisions on the HUD-assisted programs and their planning documents. A summary of the City’s response to comments made in the Consolidated Planning process will be provided in the Appendix of the Plan submitted to HUD. At least one of the Hearings will be held prior to publishing the draft plan for public comment.

Location of Hearings

The location and timing of the Hearings will ensure maximum opportunities for citizens to participate. Hearings will be conducted in buildings that are accessible to persons with physical disabilities. Location of the hearings will be provided in all announcements and advertisements. Entrance to the Hearings is accessible to persons with physical disabilities.

Expanding Opportunities for All to Participate at Hearings

The City encourages all citizens to attend and participate in the hearings. A special effort will be made to ensure that low and moderate income persons, households in areas assisted by program activities and persons special needs have opportunities to participate. The City will provide translators for Non-English speaking persons who request assistance at least 3 days prior to the Hearing or other meetings in the planning process. Persons who need auxiliary aids or other

assistance to be able to fully participate may request assistance at least 3 days in advance of the Hearing or meeting. Persons seeking all such assistance should contact the City Clerk at (308) 385-5444, Ext. 111 to make arrangements.

Notification of Hearing Dates and Locations

Notices of the location and timing of the hearings will be placed in The Grand Island Independent newspaper in English, with directions for translation in Spanish, at least 14 days prior to the Hearing. Notice will also be sent to interested citizens via the email list generated by the “Community Development” E –Notice list.

Public Comment on Proposed Plans and Reports

Outside of the Public Hearing Process, opportunities to comment on proposed plans and other documents are available to the general public and other persons affected by the activities of the programs. A notice will be published in The Grand Island Independent in English, with directions for translation in Spanish, providing 30 calendar days for the public to comment on the Citizen Participation Plan, Consolidated Plan, Annual Action Plan, Plan Amendments and the Consolidated Annual Performance & Evaluation Report. Comments may be sent in writing to the Community Development Division, City of Grand Island PO Box 1968, Grand Island, NE 68802 or by direct communication to Community Development Division at (308) 389-0288. A summary of comments received on the Consolidated Plan, Annual Action Plan, CAPERs and any Amendments will be considered by the City and attached to the document (along with City comments responding to the views) when submitted to HUD.

These documents available for public comment are briefly described as follows:

Citizen Participation Plan

The City of Grand Island Citizen Participation Plan outlines the steps the City will take to provide citizens with opportunities for input into the development of plans and to comment on performance of assisted activities.

Consolidated Plan

The City of Grand Island Consolidated Plan is a long-range strategic plan that assesses community needs, establishes priority objectives and outlines strategies the City will pursue over a 3 to 5 year period to improve the City’s housing and community development assets principally benefiting low and moderate income persons.

Annual Action Plans

Each year, the City is required to prepare an Annual Action Plan for submission to HUD that outlines the programs and activities the City will undertake in the coming year to implement the strategies of the Consolidated Plan. The Annual Plans also describe how the CDBG funds will be used over the course of the year.

Consolidated Annual Performance & Evaluation Reports (CAPERs)

Each year, the City prepares a description of how the CDBG funds were used over the prior program year and describes progress on other non-funded activities of the Consolidated Plan.

Amendments

From time to time, amendments to the plans will be necessary as conditions change.

Amendments of a minor nature will be made as needed throughout the year. However, the public will be invited to review and comment on substantial amendments to adopted plans. The City will consider all comments received in writing or orally at the Public Hearings and will provide a summary of the comments and the City's response (and, if applicable, the reasons the comment was not accepted) to HUD with their request for a substantial amendment. The definition of a "substantial amendment" to the Consolidated and Annual Action Plans is defined as:

Change in budget

- Project Budgets of more than \$25,000
 - An increase or decrease in the budget of more than 25% (unless the decrease is caused by a budget under run).
- Project Budgets of less than \$25,000
 - An increase or decrease of 50% of the budgeted amount (unless the decrease is caused by a budget under run).

Change in Use

- If there is a change to a goal or objective in the Consolidated Plan.
- If funds change from one eligible activity to another in the Annual Action Plan.

Change in Beneficiaries

- An increase or decrease in the low-to-moderate income beneficiaries of more than 25% for all projects

Access to Information and Availability of Plan Documents

The City will provide citizens, public agencies and other interested parties reasonable and timely access to information and records on the adopted Fair Housing Plan, Consolidated Plan, Annual Action Plan, Citizen Participation Plan and CAPER as well as any amendments to those documents. In addition, reasonable accommodation will be made for non-English speaking persons and persons with disabilities who need assistance with documents or program information. These adopted documents and information on the use of funds and other program information will be available at the Community Development Division; City of Grand Island 100 E. 1st Street, Grand Island, NE 68801, an appointment for picking up documents to view can be made by contacting the Community Development Division at (308) 389-0288. A reasonable number of free copies of these documents are available upon request at City Hall through the Community Development Division's office. All of these documents will also be available on the City of Grand Island's website, under the Community Development Division section. All materials discussed above will be kept on record in the Community Development Division office and displayed on the City of Grand Island's website for 5 years after adoption.

Technical Assistance

The City will provide technical assistance to groups representing low- and moderate income persons to assist them in understanding the requirements for developing proposals for funding assistance under CDBG. Technical assistance may include referral to information sources, providing information on programs and activities, and one-on-one project reviews.

In addition to the translation efforts listed above related to Public Hearings and Public Notices, the City of Grand Island also offers free translation of all of their website information in 104 languages. The Community Development Division also makes CDBG all public notices available in Spanish on their website. All postings of the public notices include directions in Spanish on where to view the translation.

Complaints and Grievances

Complaints concerning the Fair Housing Plan, Consolidated Plan, Annual Plan or CAPER may be submitted in writing to the Community Development Division, City of Grand Island PO Box 1968, Grand Island, NE 68802 or direct communication to Community Development Division at (308) 389-0288. Phone communication is allowed; however, all complaints must be eventually submitted in writing and will be responded to in writing within 15 working days of receiving the complaint in writing. Persons not satisfied with the response may write an appeal of the decision and request a review of the complaint by the City of Grand Island's Regional Planning Department Director at the above address. A written response from the City conveying the results of the review to the complainant will be made in writing within 15 working days. All decisions will be final.

Anti-displacement and Relocation Assistance Plan

The City has an Anti-displacement and Relocation Assistance Plan to minimize the displacement of persons as a result of program activities and to assist any persons actually displaced. The policy is to discourage displacement unless it is clearly necessary to achieve the Plan's objectives and to minimize the adverse impacts of the displacement. In the event that displacement is unavoidable, displaced persons will receive the full benefits and assistance provided for under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended and HUD regulations. Additional information on the services available to individuals displaced by the City of Grand Island is available by contacting the Community Development Division, City of Grand Island PO Box 1968, Grand Island, NE 68802 or direct communication to Community Development Division at (308) 389-0288.

Exceptions to this plan will apply to any substantial amendments to the 2019 Annual Action Plan and to the creation of the 2020 Annual Action Plan. Change of requirements by the Housing and Urban Development through the CARES Act which was signed on March 27, 2020 allows for Entitlement Communities to allow these plans to require a 1 day notice for

virtual public hearings and a 5 day public comment. The above changes are a direct result of the COVID-19 Pandemic.

RESOLUTION 2020-126

WHEREAS, on March 25, 2014, the City of Grand Island approved and adopted the existing Citizen Participation Plan to comply with the citizen participation requirements of the Community Development Block Grant program as per the State of Nebraska's requirements; and

WHEREAS, on August 25, 2015, the City of Grand Island became an Entitlement Community; and

WHEREAS, on March 27th the CARES Act was signed lessening the Citizen Participation requirements due to COVID-19 pandemic; and

WHEREAS, the Community Development Department amends the Citizen Participation Plan to serve under the Entitlement Program.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA that the City of Grand Island, Nebraska is hereby approves and adopts the revised Citizen Participation Plan; and the Mayor is hereby authorized and such plan on behalf of the City of Grand Island.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, May 26, 2020.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	▣ _____
May 22, 2020	▣ City Attorney



City of Grand Island

Tuesday, May 26, 2020

Council Session

Item H-1

Consideration of Forwarding Blighted and Substandard Area #31 to the Hall County Regional Planning Commission (John Baasch Augers)

Staff Contact: Chad Nabity

Council Agenda Memo

From: Chad Nabity, AICP

Meeting: May 26, 2020

Subject: Proposed Blighted and Substandard Area #31

Presenter(s): Chad Nabity, Director Grand Island CRA

Background

Enclosed you will find a copy of a Substandard and Blight Study as prepared for John Baasch Augurs by Marvin Planning Consultants. This study is approximately 1.69 acres of property south of South Street between Henry Street and the bike trail in south central Grand Island. The study as prepared and submitted indicates that this property could be considered blighted and substandard. The full study is attached for your review and consideration.

John Baasch Augurs has submitted this study for the review and consideration of the Grand Island City Council as permitted by Nebraska law. The decision on whether to declare an area blighted and substandard is entirely within the jurisdiction of the City Council with a recommendation from the Planning Commission. If the study is approved it is anticipated that an application for Tax Increment Financing would follow.

The question before Council will be whether to send the study to the Planning Commission for its review and feedback. If the item is not sent to the Planning Commission, the Council cannot declare the area blighted and substandard. Planning Commission will meet July 1, and would have a recommendation ready following that meeting.

Once an area has been declared blighted and substandard, the CRA can accept redevelopment proposals for the area.

Discussion

The action item tonight relates to the study for proposed CRA Area No. 31 in south central Grand Island as shown below. The study was prepared for 1.69 acres, all of which is in the Grand Island City Limits.

Figure 1: Study Area Map



Source: Hall County GIS and Marvin Planning Consultants 2020

Note: Lines and Aerial may not match.

While practicing as Grand Island City Attorney, Jerry Janulewicz reviewed the Nebraska Statutes and case law pertaining to the declaration of property as blighted and substandard. His comments on this application are as follows:

The statutes which provide for the creation of a redevelopment area or redevelopment project within a redevelopment area require the following procedure:

- A request is made to the city council to declare an area to be substandard and blighted and in need of development for purposes of enabling the creation of a redevelopment area or a redevelopment project within a redevelopment area.
- The city council submits the question of whether an area is substandard and blighted to the planning commission for its review and recommendation prior to making its declaration that an area is substandard and blighted.
- The planning commission must hold a public hearing and submit its written recommendations within 30 days holding a public hearing on the request.
- Upon receipt of the recommendations from the planning commission the city council may make its findings and declaration with respect to the property within an area.
- Unless the city council of the city in which such area is located has, by resolution adopted after a public hearing with notice, declared such area to be a substandard and blighted area in need of redevelopment, the Community Redevelopment Agency cannot prepare a redevelopment plan for a redevelopment project area.
- Following a declaration that an area is substandard and blighted, the Community Redevelopment Agency is authorized to prepare or cause to be prepared and recommend redevelopment plans to the governing body of the city and to undertake and carry out redevelopment projects within its area of operation and may enter into contracts with redevelopers of property containing covenants,

restrictions, and conditions regarding the use of such property for residential, commercial, industrial, or recreational purposes or for public purposes in accordance with the redevelopment plan and such other covenants, restrictions, and conditions as the authority may deem necessary to prevent a recurrence of substandard and blighted areas or to effectuate the purposes of the Community Development Law, and to provide grants, loans, or other means of financing to public or private parties in order to accomplish the rehabilitation or redevelopment in accordance with a redevelopment plan. Within the area of operation of the Community Redevelopment Authority, the authority may exercise its statutory powers with respect to the redevelopment project.

Neb. Rev. Stat. §§ 18-2107; 18-2109.

As stated in Fitzke v. City of Hastings, 582 N.W.2d 301 (Neb. 1998):

A CRA is not authorized to prepare a redevelopment plan for a redevelopment project area unless the governing body of the city first enacts a resolution declaring such area to be “a substandard or blighted area in need of redevelopment.” § 18–2109. After such a declaration has been made and a redevelopment plan has been prepared and approved, a CRA is authorized to enter into contracts with redevelopers of property containing covenants, restrictions, and conditions regarding the use of such property for residential, commercial, industrial, or recreational purposes or for public purposes in accordance with the redevelopment plan and such other covenants, restrictions, and conditions as the [CRA] may deem necessary to prevent a recurrence of substandard or blighted areas ... and to provide grants, loans, or other means of financing to public or private parties in order to accomplish the rehabilitation or redevelopment in accordance with a redevelopment plan. § 18–2107(4). The CRA may utilize tax increment financing to pay for redevelopment projects undertaken pursuant to the CDL. § 18–2124.

“Under this statutory scheme, a private development project would be eligible for tax increment financing only if it is included within an area which has previously been declared blighted or substandard and is in furtherance of an existing redevelopment plan for that area. The declaration of property as blighted or substandard is not simply a formality which must be met in order to assist a private developer with tax increment financing; it is the recognition of a specific public purpose which justifies the expenditure of public funds for redevelopment.” Fitzke, id., citing Monarch Chemical Works, Inc. v. City of Omaha, 203 Neb. 33, 277 N.W.2d 423 (1979). The legislative intent underlying the Community Development Law is the elimination of blighted and substandard areas and to prevent the reoccurrence of blight through a cooperative effort of the public and private sectors, not to aid private developers. Fitzke, id.

At this point, Council is only making a decision about whether to forward the study to the Planning Commission for its recommendation or not. According to NRSS §18-2109, it is

clear that the Planning Commission must hold a public hearing and have the opportunity to review the Blight Study prior to Council declaring the property substandard and blighted. If Council wishes to consider a declaration of substandard and blight, State Statute requires that the question of whether an area is substandard and blighted is submitted to the Planning Commission for hearing, review and recommendation.

Blighted Area of the Community

The city of Grand Island, as a City of the First Class, is permitted to designate an area of up to 35% of the municipal limits as blighted and substandard. As of May 15, 2020, 22.74% of the City has been declared blighted and substandard. Area 31 would add 1.69 acres to the total of blighted and substandard property and would, if approved, add 0.01% to the total area declared blighted and substandard bringing the total to 22.76%. One other blighted area is outstanding representing a total increase of 0.40% if this were also approved the total would be 23.15%.

It does not appear that the declaration of Area 31 would significantly impact the City's ability to declare other areas blighted and substandard.

Alternatives

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

1. Move to forward the Study to the Planning Commission for its recommendation.
2. Move to not forward the Study to the Planning Commission for its recommendation.
3. Refer the issue to a committee.
4. Postpone the issue to future date.
5. Take no action on the issue.

Recommendation

City Administration recommends that the Council move to forward the study to the Planning Commission if Council wishes to consider the use of Tax Increment Financing as a redevelopment tool for this property.

Sample Motion

Move to forward the Study to the Planning Commission for their review and recommendation.

City of Grand Island, NE
Blight and Substandard Study
Area #31
May 2020



PURPOSE OF THE BLIGHT AND SUBSTANDARD STUDY

The purpose of completing this Blight and Substandard study is to examine existing conditions within a specific part of Grand Island. This study has been commissioned by John Baasch Augers in order to analyze the possibility of declaring the area as blighted and substandard.

The City of Grand Island, when considering conditions of Blight and Substandard, will be looking at those issues and definitions provided for in the Nebraska Community Redevelopment Law as found in Chapter 18, Section 2104 of the Revised Nebraska State Statutes, as follows:

"The governing body of a city, to the greatest extent it deems to be feasible in carrying out the provisions of the Community Development Law, shall afford maximum opportunity, consistent with the sound needs of the city as a whole, to the rehabilitation or redevelopment of the community redevelopment area by private enterprises. The governing body of a city shall give consideration to this objective in exercising its powers under the Community Development Law, including the formulation of a workable program, the approval of community redevelopment plans consistent with the general plan for the development of the city, the exercise of its zoning powers, the enforcement of other laws, codes, and regulations, relating to the use of land and the use and occupancy of buildings and improvements, the disposition of any property acquired, and the providing of necessary public improvements."

The Nebraska Revised Statutes §18-2105 continues by granting authority to the governing body for formulation of a workable program; disaster assistance; effect. The statute reads,

"The governing body of a city or an authority at its direction for the purposes of the Community Development Law may formulate for the entire municipality a workable program for utilizing appropriate private and public resources to eliminate or prevent the development or spread of urban blight, to encourage needed urban rehabilitation, to provide for the redevelopment of substandard and blighted areas, or to undertake such of the aforesaid activities or other feasible municipal activities as may be suitably employed to achieve the objectives of such workable program. Such workable program may include, without limitation, provision for the prevention of the spread of blight into areas of the municipality which are free from blight through diligent enforcement of housing, zoning, and occupancy controls and standards; the rehabilitation or conservation of substandard and blighted areas or portions thereof by replanning, removing congestion, providing parks, playgrounds, and other public improvements by encouraging voluntary rehabilitation and by compelling the repair and rehabilitation of deteriorated or deteriorating structures; and the clearance and redevelopment of substandard and blighted areas or portions thereof."

"Notwithstanding any other provisions of the Community Development Law, where the local governing body certifies that an area is in need of redevelopment or rehabilitation as a result of flood, fire, hurricane, earthquake, storm, or other catastrophe respecting which the Governor of the state has certified the need for disaster assistance under federal law, the local governing body may approve a redevelopment plan and a redevelopment project with respect to such area without regard to the provisions of the Community Development Law requiring a general plan for the municipality and notice and public hearing or findings other than herein set forth."

Based on the Nebraska Revised Statutes §18-2103 the following definitions shall apply:

"Blighted area" means an area (a) which, by reason of the presence of a substantial number of deteriorated or deteriorating structures, existence of defective or inadequate street layout, faulty lot layout in relation to size, adequacy, accessibility, or usefulness, insanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair value of the land, defective or unusual conditions of title, improper subdivision or obsolete platting, or the existence of conditions which endanger life or

property by fire and other causes, or any combination of such factors, substantially impairs or arrests the sound growth of the community, retards the provision of housing accommodations, or constitutes an economic or social liability and is detrimental to the public health, safety, morals, or welfare in its present condition and use and (b) in which there is at least one of the following conditions: (i) Unemployment in the designated area is at least one hundred twenty percent of the state or national average; (ii) the average age of the residential or commercial units in the area is at least forty years; (iii) more than half of the plotted and subdivided property in an area is unimproved land that has been within the city for forty years and has remained unimproved during that time; (iv) the per capita income of the area is lower than the average per capita income of the city or village in which the area is designated; or (v) the area has had either stable or decreasing population based on the last two decennial censuses. In no event shall a city of the metropolitan, primary, or first class designate more than thirty-five percent of the city as blighted, a city of the second class shall not designate an area larger than fifty percent of the city as blighted, and a village shall not designate an area larger than one hundred percent of the village as blighted. A redevelopment project involving a formerly used defense site as authorized under section 18-2123.01 shall not count towards the percentage limitations contained in this subdivision;"

"Extremely blighted area means a substandard and blighted area in which: (a) The average rate of unemployment in the area during the period covered by the most recent federal decennial census is at least two hundred percent of the average rate of unemployment in the state during the same period; and (b) the average poverty rate in the area exceeds twenty percent for the total federal census tract or tracts or federal census block group or block groups in the area;"

"Substandard area means an area in which there is a predominance of buildings or improvements, whether nonresidential or residential in character, which, by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime, (which cannot be remedied through construction of prisons), and is detrimental to the public health, safety, morals, or welfare; and"

"Workforce housing means:

- (a) Housing that meets the needs of today's working families;
- (b) Housing that is attractive to new residents considering relocation to a rural community;
- (c) Owner-occupied housing units that cost not more than two hundred seventy-five thousand dollars to construct or rental housing units that cost not more than two hundred thousand dollars per unit to construct. For purposes of this subdivision (c), housing unit costs shall be updated annually by the Department of Economic Development based upon the most recent increase or decrease in the Producer Price Index for all commodities, published by the United States Department of Labor, Bureau of Labor Statistics;
- (d) Owner-occupied and rental housing units for which the cost to substantially rehabilitate exceeds fifty percent of a unit's assessed value; and
- (e) Upper-story housing."

This Blight and Substandard Study is being considered a "micro-blight" area under the definition established by the City of Grand Island. The Study is intended to give the Grand Island Community Redevelopment Authority, Hall County Regional Planning Commission and Grand Island City Council the basis for identifying and declaring Blighted and Substandard conditions existing within the City's jurisdiction and as allowed under Chapter 18. Through this process, the City and property owners will be attempting to address economic and/or social liabilities which are harmful to the well-being of the entire community.

The study area can be seen in Figure 1 of this report. A Redevelopment Plan to be submitted in the future containing, in accordance with the law, definite local objectives regarding appropriate land uses, improved traffic, public transportation, public utilities and other public improvements, and the proposed land uses and building requirements in the redevelopment area and shall include:

- The boundaries defining the blighted and substandard areas in question (including existing uses and conditions of the property within the area), and
- A list of the conditions present, which qualify the area as blighted and substandard.

BLIGHT AND SUBSTANDARD ELIGIBILITY STUDY

This study targets a specific area within an established part of the community for evaluation. The area is indicated in Figure 1 of this report. The existing uses in this Micro-blight include residential uses including accessory uses within the corporate limits of Grand Island.

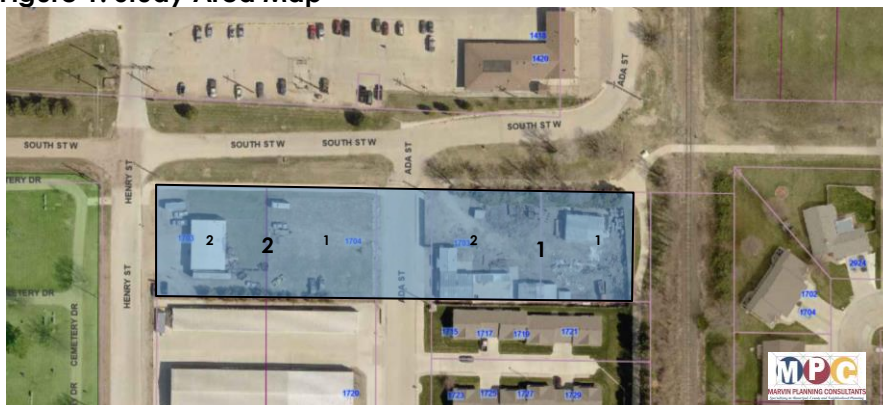
Through the redevelopment process the City of Grand Island can guide future development and redevelopment throughout the area. The use of the Community Redevelopment Act by the City of Grand Island is intended to redevelop and improve the area. Using the Community Redevelopment Act, the City of Grand Island can assist in the elimination of negative conditions and implement different programs/projects identified for the City.

The following is the description of the designated area within Grand Island.

Lots 1 and 2 Block 1, Dawn Subdivision and Lots 1 and 2, Block 2, Dawn Subdivision and the adjacent right-of-way of Ada Street.

Study Area

Figure 1: Study Area Map



Source: Hall County GIS and Marvin Planning Consultants 2020

Note: Lines and Aerial may not match.

EXISTING LAND USES

The term "Land Use" refers to the developed uses in place within a building or on a specific parcel of land. The number and type of uses are constantly changing within a community and produce a number of impacts either benefitting or detracting from the community. Existing patterns of land use are often fixed in older communities and neighborhoods, while development in newer areas is often reflective of current development practices.

Existing Land Use Analysis within Study Area

As part of the planning process, a survey was conducted through both in-field observations, as well as data collection online using the Hall County Assessors website. This survey noted the use of each parcel of land within the study area. These data from the survey are analyzed in the following paragraphs.

TABLE 1: EXISTING LAND USE, GRAND ISLAND - 2020

Type of Use	Acres	Percent of Developed land within the Study Area	Percent of Study Area
Residential	0	0.0%	0.0%
Single-family	0	0.0%	0.0%
Multi-family	0	0.0%	0.0%
Manufactured Housing	0	0.0%	0.0%
Commercial	0	0.0%	0.0%
Industrial	1.49	88.2%	88.2%
Quasi-Public/Public	0	0.0%	0.0%
Parks/Recreation	0	0.0%	0.0%
Transportation	0.20	11.8%	11.8%
Total Developed Land	1.69	100.0%	100.0%
Vacant/Agriculture	0.00		0.00%
Total Area	1.69		100.0%

Source: Marvin Planning Consultants 2020

Table 1 includes the existing land uses for the entire study area. The table contains the total acres determined per land use from the survey; next is the percentage of those areas compared to the total developed land; and finally, the third set of data compare the all land uses to the total area within the Study Area. The Study Area is made up of manufacturing/industrial uses (88.2%), and Transportation oriented land (street and R.O.W)(11.8%). The entire area considered completely developed.

Figure 2
Existing Land Use Map



Source: Hall County GIS and Marvin Planning Consultants 2020

Note: Lines and Aerial may not match.

FINDINGS OF BLIGHT AND SUBSTANDARD CONDITIONS ELIGIBILITY STUDY

This section of the study examines the conditions found in the study area. The Findings Section will review the conditions based upon the statutory definitions.

CONTRIBUTING FACTORS

There were a number of conditions examined and evaluated in the field and online. There are a number of conditions that will be reviewed in detail, on the following pages, while some of the statutory conditions are not present.

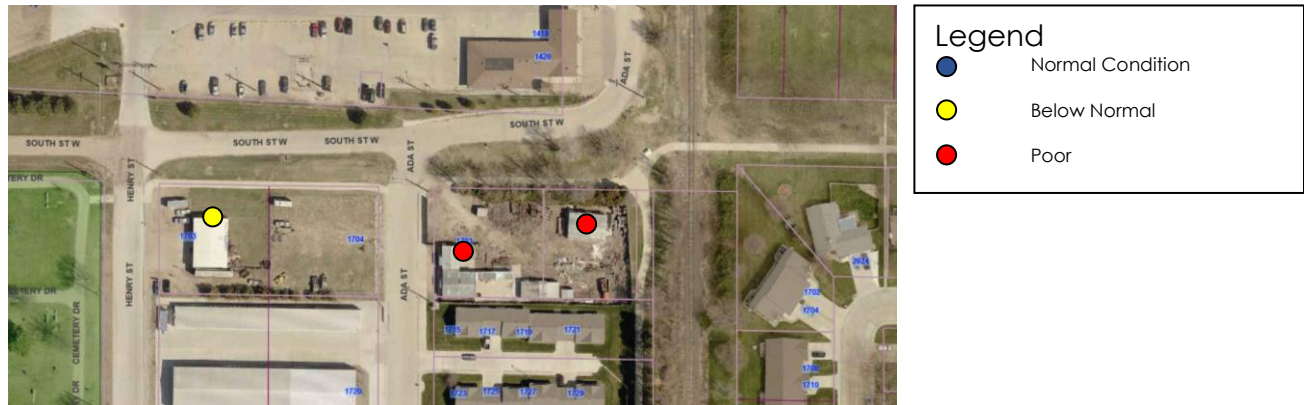
Structural Conditions

Structural conditions were evaluated, structures were either rated as: Very Good, Good, Fair, Average, or badly worn. The data and rating system comes from the Hall County Assessor's database and is the same database used to value properties in the area.

Based upon the data provided to the planning team, the following is the breakdown for structures in the study area:

- 0 (0.0%) structures rated as very good
- 0 (0.0%) structures rated as good
- 0 (0.0%) structure rated as fair
- 8 (66.7%) structures rated as average
- 4 (33.3%) structure rated as badly worn

Figure 3: Structural Conditions



Source: Hall County Assessor and Marvin Planning Consultants 2020

Note: Lines and Aerial may not match.



Based upon these data, an assumption has been made that average condition and less would constitute less than desirable conditions due to age and conditions. It is common for older structures to get more maintenance and upkeep in order to maintain a good or higher condition. Even an average structure will show some signs of deteriorating which in turn can become a dilapidated structure in the future if it is not addressed over time. Overall, 100.0% of the structures in this study area are below normal condition or worse based upon the Hall County Assessor's data.

Due to the stated conditions found in the Hall County Assessor's data, the condition of the structure is a contributing factor.

Figure 4: Deterioration of Site or Other Improvements

Source: Hall County GIS, Google Earth and Marvin Planning Consultants 2020

Note: Lines and Aerial may not match.



Deterioration of Site or Other Improvements

Site Improvements Conditions

The only site improvements within the study area are between Block 1 and 2 along Ada Street.

Based upon review of images of the study area, Figure 4 was created. The Figure indicates:

- 100% of the road surfaces serving this study area are considered in an average to below average condition.
- 100.0% of the curb and gutter are in an average to deteriorating condition
- Approximately 50.0% of the sidewalk is in a deteriorating state

Based upon the field analysis, there are sufficient elements present to meet the definition of deterioration of site and other improvements in the Study Area.

Dangerous conditions to life or property due to fire or other causes

The properties within this study have existing conditions which can be considered to be dangerous conditions to life or property due to fire or other causes.

- Along the Ada Street side of Block 2 there is considerable rubble lying in the right-of-way
- Both properties have considerable debris



Stable or decreasing population based on the last two decennial censuses

The Dawn Subdivision was originally platted in 1890. However, the buildings constructed within this study area were constructed around 1985. Therefore, the overall population of this study has been zero and has had no growth during the last two decennial censuses.

Blighting Summary

These conditions are contributing to the blighted conditions of the study area.

Criteria under Part A of the Blight Definition

- **Substantial number of deteriorating structures**
 - Within the study area 100.0% of the structures were deemed to be in either below normal or poor condition.
- **Deterioration of site or other improvements**
 - 100% of the road surfaces serving this study area are considered in an average to below average condition.
 - 100.0% of the curb and gutter are in an average to deteriorating condition
 - Approximately 50.0% of the sidewalk is in a deteriorating state
- **Dangerous conditions to life or property due to fire or other causes**
 - All of the lots within the study area contain rubble and/or materials throughout the properties that are dangerous to life or property.

Criteria under Part B of the Blight Definition

- **Stable or decreasing population based upon the last two decennial census**
There has been zero population change during the past two decennial censuses.

The other criteria for Blight were not present in the area, these included:

- The average age of the residential or commercial units in the area is at least forty years
- Faulty Lot Layout
- Improper Subdivision or Obsolete Platting
- Combination of factors which are impairing and/or arresting sound growth
- Insanitary and Unsafe Conditions
- Defective/Inadequate street layouts
- Tax or special assessment delinquency exceeding fair value of the land.
- Defective or unusual condition of title,
- Unemployment in the designated area is at least 120% of the state or national average.
- The per capita income of the area is lower than the average per capita income of the city or village in which the area is designated.

These issues were either not present or were limited enough as to have little impact on the overall condition of the study area.

Substandard Conditions

Existence of conditions which endanger life or property by fire and other causes

The properties within this study have existing conditions which can be considered to be dangerous conditions to life or property due to fire or other causes.

- Along the Ada Street side of Block 2 there is considerable rubble lying in the right-of-way
- Both properties have considerable debris



Substandard Summary

Nebraska State Statute requires that "...an area in which there is a predominance of buildings or improvements, whether nonresidential or residential in character, which, by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or **the existence of conditions which endanger life or property by fire and other causes**, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime, (which cannot be remedied through construction of prisons), and is detrimental to the public health, safety, morals, or welfare;"

This Study Area in Grand Island meets the definition of Substandard as defined in the Revised Nebraska State Statutes.

FINDINGS FOR GRAND ISLAND BLIGHT STUDY AREA #31

Blight Study Area #31 has several items contributing to the Blight and Substandard Conditions. These conditions include:

Blighted Conditions under Part A

Substantial number of deteriorating structures
Deterioration of site or other improvements
Dangerous conditions to life or property due to fire or other causes

Criteria under Part B of the Blight Definition

Stable or decreasing population based upon the last two decennial census

Substandard Conditions

Dangerous conditions to life or property due to fire or other causes



City of Grand Island

Tuesday, May 26, 2020

Council Session

Item J-1

Approving Payment of Claims for the Period of May 13, 2020 through May 26, 2020

The Claims for the period of May 13, 2020 through May 26, 2020 for a total amount of \$5,005,251.16. A MOTION is in order.

Staff Contact: Patrick Brown