
City of Grand Island



Tuesday, June 23, 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, June 23, 2020

Council Session

Item E-1

Public Hearing on Acquisition of Utility Easement - 3974 Westgate Road - Construction Rental, Inc.

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: June 23, 2020

Subject: Acquisition of Utility Easement – 3974 Westgate Road – Construction Rental, Inc.

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 Construction Rental, Inc., located through a part of Lot One (1), Westgate Industrial Park Third Subdivision, in the City of Grand Island, Hall County, Nebraska (3974 Westgate Road), in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers.

Discussion

Construction Rental, Inc., has requested a new electrical service for their new commercial building located at 3974 Westgate Road. A three-phase transformer, a high voltage sectionalizer terminal, and approximately 350 linear feet of 4" and 6" PVC conduit, and 150 linear feet of 1/0 copper cable will be installed to accommodate the new electrical service.

Alternatives

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

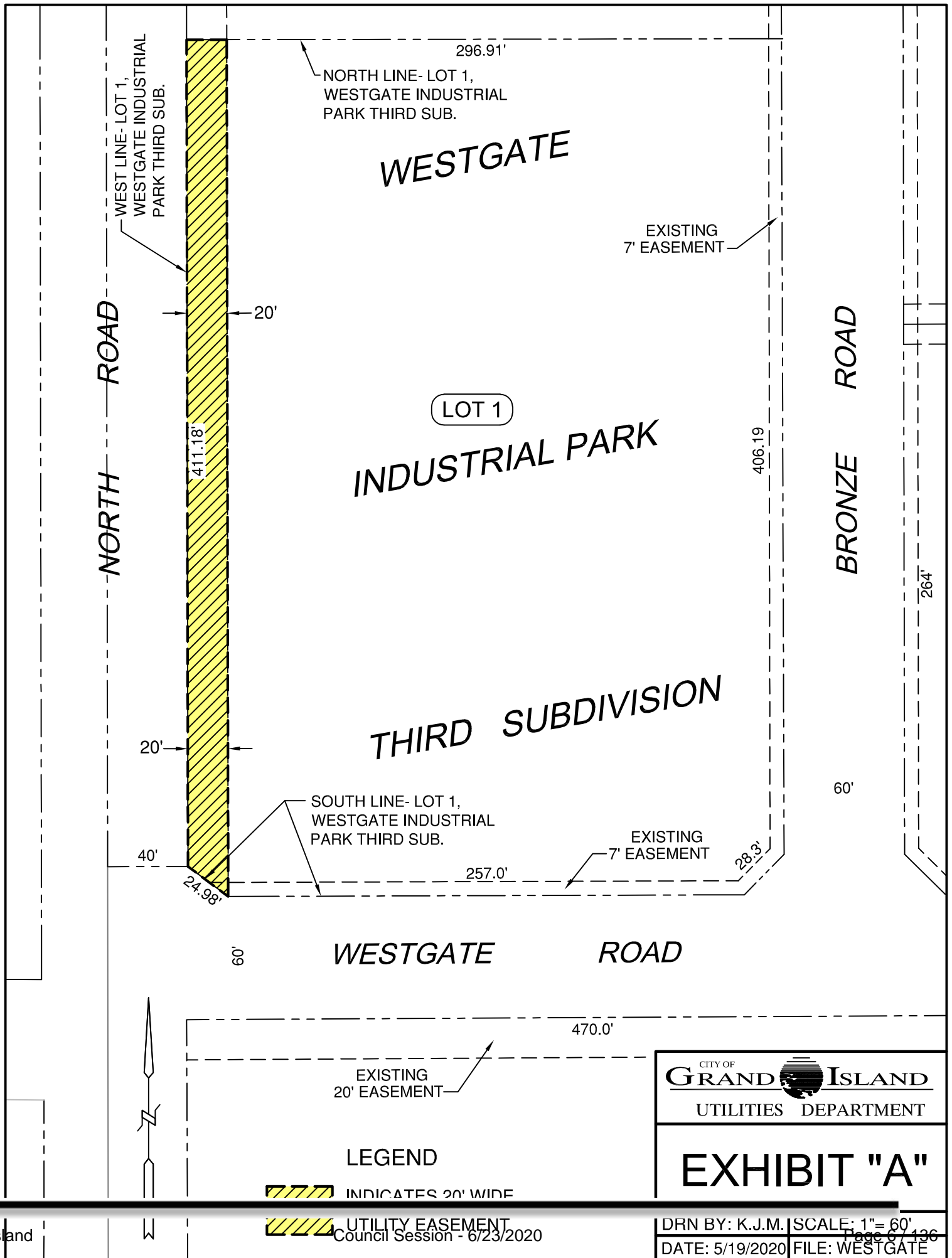
1. Make a motion to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

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

Tuesday, June 23, 2020

Council Session

Item E-2

Public Hearing on Acquisition of Public Right-of-Way for Old Potash Highway Roadway Improvements; Project No. 2019-P-1 (Westside Bowling, LLC- 112 Kaufman Avenue)

Council action will take place under Consent Agenda item G-9.

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

Council Agenda Memo

From: Keith Kurz PE, Assistant Public Works Director

Meeting: June 23, 2020

Subject: Public Hearing on Acquisition of Public Right-of-Way for Old Potash Highway Roadway Improvements; Project No. 2019-P-1 (Westside Bowling, LLC- 112 Kaufman Avenue)

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

Background

The Old Potash Highway Roadway Improvements; Project No. 2019-P-1 is for improvements to Old Potash Highway, as well as intersecting roadways from North Road to Webb Road. 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. This 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.

Nebraska State Statutes stipulate that the acquisition of property requires a public hearing to be conducted with the acquisition approved by the City Council.

Discussion

Public right-of-way is needed to accommodate intersection improvements for the Old Potash Highway Roadway Improvements; Project No. 2019-P-1. The property owner has signed the necessary document to grant the property, as shown on the attached drawing.

Engineering staff of the Public Works Department negotiated with the property owner for such purchase, at no cost to the City.

<i>Property Owner</i>	<i>Legal Description</i>
Westside Bowling, LLC	COMMENCING AT THE SOUTHEAST CORNER OF LOT 1, COMMONWEALTH BUSINESS PARK SUBDIVISION, AN ADDITION TO THE CITY OF GRAND ISLAND, NEBRASKA; THENCE ON AN ASSUMED BEARING OF S89°26'45"W ALONG THE SOUTH LINE OF SAID LOT 1, LINE ALSO BEING THE NORTH RIGHT-OF-WAY LINE OF OLD POTASH HIGHWAY, A DISTANCE OF 299.83 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1; THENCE N01°39'02"W ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 294.20 FEET TO A POINT OF CURVATURE; THENCE AROUND A CURVE IN A COUNTER-CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 17°32'54", A RADIUS OF 718.50 FEET, A CHORD BEARING OF S10°25'29"E, A CHORD DISTANCE OF 219.20 FEET, AN ARC LENGTH OF 220.06 FEET; THENCE S40°45'50"E A DISTANCE OF 81.49 FEET; THENCE N89°28'39"E A DISTANCE OF 194.98 FEET; THENCE N43°55'44"E A DISTANCE OF 28.01 FEET TO A POINT ON THE EAST LINE OF SAID LOT 1, POINT ALSO BEING ON THE WEST RIGHT-OF-WAY LINE OF KAUFMAN AVENUE; THENCE S01°37'11"E ALONG THE EAST LINE OF SAID LOT 1, LINE ALSO BEING THE SAID WEST RIGHT-OF-WAY LINE OF KAUFMAN AVENUE, A DISTANCE OF 35.84 FEET TO A POINT OF BEGINNING. SAID TRACT CONTAINS 11,035 SF MORE OR LESS.

Alternatives

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

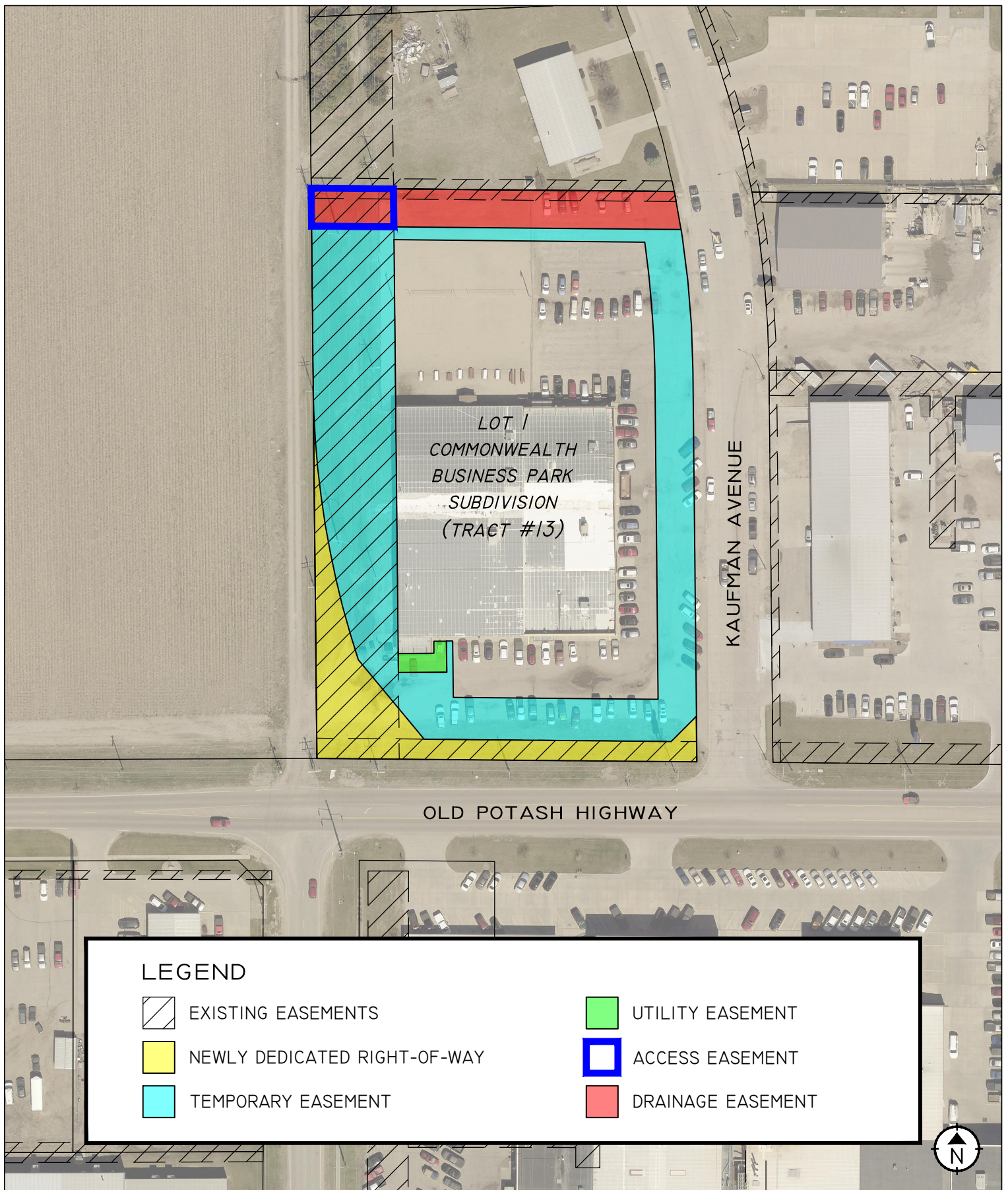
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council conduct a Public Hearing and approve acquisition of the public right-of-way from the affected property owner, in the amount of \$1.00.

Sample Motion

Move to approve the acquisition.



PROPERTY ACQUISITION EXHIBIT

2019-P-1 OLD POTASH HIGHWAY PAVING IMPROVEMENTS
GRAND ISLAND, NEBRASKA

CITY OF
GRAND ISLAND
PUBLIC WORKS DEPARTMENT



City of Grand Island

Tuesday, June 23, 2020

Council Session

Item E-3

Public Hearing on Acquisition of Public Utility, Drainage and Access Easements for Old Potash Highway Roadway Improvements; Project No. 2019-P-1 (Westside Bowling, LLC- 112 Kaufman Avenue)

Council action will take place under Consent Agenda item G-11.

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

Council Agenda Memo

From: Keith Kurz PE, Assistant Public Works Director

Meeting: June 23, 2020

Subject: Public Hearing on Acquisition of Public Utility, Drainage and Access Easements for Old Potash Highway Roadway Improvements; Project No. 2019-P-1 (Westside Bowling, LLC- 112 Kaufman Avenue)

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

Background

The Old Potash Highway Roadway Improvements; Project No. 2019-P-1 is for improvements to Old Potash Highway, as well as intersecting roadways from North Road to Webb Road. 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. This 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.

Nebraska State Statutes stipulate that the acquisition of property requires a public hearing to be conducted with the acquisition approved by the City Council.

Discussion

A public utility, drainage, and access easement are needed to accommodate the roadway improvements along Old Potash Highway. The property owner has signed the necessary documents to grant the property, as shown on the attached drawings.

Engineering staff of the Public Works Department negotiated with the property owner for such purchase, as no cost to the City.

<i>Property Owner</i>	<i>Legal Description</i>
Westside Bowling, LLC	<p><u>UTILITY EASEMENT-</u> COMMENCING AT THE SOUTHWEST CORNER OF LOT 1, COMMONWEALTH BUSINESS PARK SUBDIVISION, AN ADDITION TO THE CITY OF GRAND ISLAND, NEBRASKA; THENCE ON AN ASSUMED BEARING N89°26'45"E ALONG THE SOUTH LINE OF SAID LOT 1, LINE ALSO BEING THE NORTH LINE OF OLD POTASH HIGHWAY RIGHT-OF-WAY, A DISTANCE 65.01 FEET TO THE SOUTHEAST CORNER OF AN EXISTING 65.00 FOOT UTILITY EASEMENT; THENCE N01°39'02"W PARALLEL TO AND 65.00 FEET EAST OF THE WEST LINE OF SAID LOT 1, LINE ALSO BEING ALONG THE EAST LINE OF SAID EXISTING 65.00 FOOT UTILITY EASEMENT, A DISTANCE OF 68.39 FEET TO THE POINT OF BEGINNING; THENCE N01°39'02"W PARALLEL TO AND 65.00 FEET EAST OF THE WEST LINE OF SAID LOT 1, A DISTANCE OF 15.00 FEET; THENCE N88°39'16"E A DISTANCE OF 28.16 FEET; THENCE N01°39'02"W PARALLEL TO AND 96.16 FEET EAST OF THE WEST LINE OF SAID LOT 1, A DISTANCE OF 9.54 FEET; THENCE N88°20'58"E A DISTANCE OF 10.00 FEET; THENCE S01°39'02"E PARALLEL TO AND 103.16 FEET EAST OF THE WEST LINE OF SAID LOT 1, A DISTANCE OF 24.60 FEET; THENCE S88°39'16"W A DISTANCE OF 38.16 FEET TO A PONT OF BEGINNING. SAID PERMANENT EASEMENT CONTAINS 668 SQ FT MORE OR LESS.</p> <p style="text-align: center;">and</p> <p><u>DRAINAGE EASEMENT-</u> BEGINNING AT THE NORTHWEST CORNER OF LOT 1, COMMONWEALTH BUSINESS PARK SUBDIVISION, AN ADDITION TO THE CITY OF GRAND ISLAND, NEBRASKA; THENCE ON AN ASSUMED BEARING N89°31'46"E ALONG THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 287.08 FEET TO THE NORTHEAST CORNER OF SAID LOT 1, POINT ALSO BEING ON THE WEST LINE OF A KAUFMAN AVENUE RIGHT-OF-WAY, SAID POINT ALSO BEING A POINT OF CURVATURE; THENCE ALONG THE WEST SIDE OF SAID KAUFMAN AVE ROW, ALSO ALONG THE EAST SIDE OF SAID LOT 1, AROUND A CURVE IN A CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 2°16'15", A RADIUS OF 770.00 FEET, A CHORD BEARING OF S11°01'38"E WITH A CHORD DISTANCE OF 30.52 FEET, AN ARC LENGTH OF 30.52 FEET; THENCE S89°31'46"W PARALLEL TO AND 30.00 FEET SOUTH OF THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 292.05 FEET TO A POINT ON THE WEST LINE OF LOT 1; THENCE N01°39'02"W ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 30.01 TO A POINT OF BEGINNING. SAID PERMANENT EASEMENT CONTAINS 8,690 SQ FT MORE OR LESS.</p> <p style="text-align: center;">and</p>

	<p><u>ACCESS EASEMENT-</u> BEGINNING AT THE NORTHWEST CORNER OF LOT 1, COMMONWEALTH BUSINESS PARK SUBDIVISION, AN ADDITION TO THE CITY OF GRAND ISLAND, NEBRASKA; THENCE ON AN ASSUMED BEARING OF N89°31'46"E ALONG THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 65.01 FEET; THENCE S01°39'02"E A DISTANCE OF 30.01 FEET; THENCE S89°31'46"W PARALLEL TO AND 30.00 FEET SOUTH OF THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 65.01 FEET TO A POINT ON THE WEST LINE OF SAID LOT 1; THENCE N01°39'02"W ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 30.01 FEET TO A POINT OF BEGINNING. SAID PERMANENT EASEMENT CONTAINS 1,950 SQ FT MORE OR LESS.</p>
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Alternatives

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

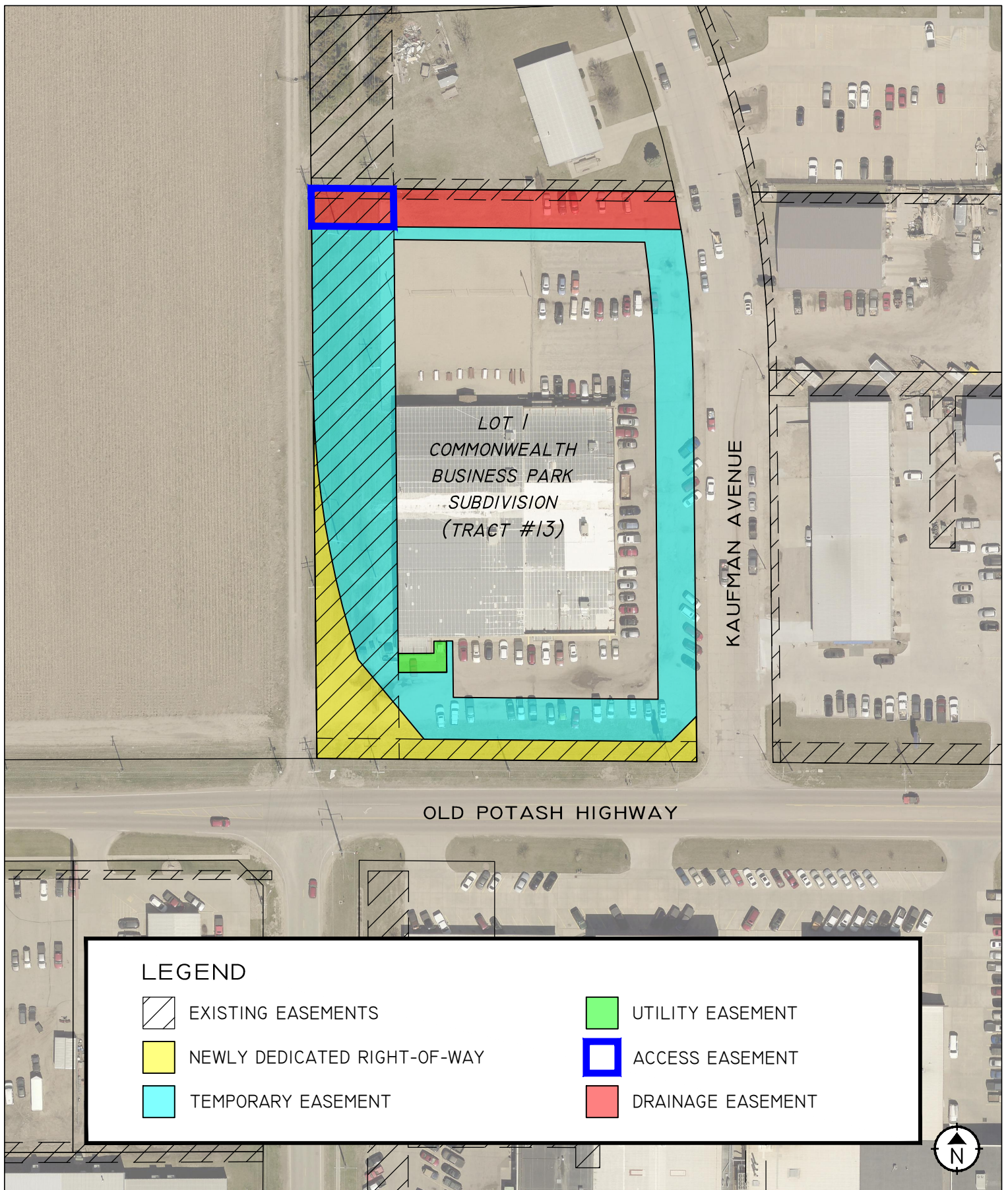
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council conduct a Public Hearing and approve acquisition of the public utility, drainage, and access easements from the affected property owner for Old Potash Highway Roadway Improvements; Project No. 2019-P-1.

Sample Motion

Move to approve the acquisition.



PROPERTY ACQUISITION EXHIBIT

2019-P-1 OLD POTASH HIGHWAY PAVING IMPROVEMENTS
GRAND ISLAND, NEBRASKA

CITY OF
GRAND ISLAND
PUBLIC WORKS DEPARTMENT



City of Grand Island

Tuesday, June 23, 2020

Council Session

Item E-4

Public Hearing on Acquisition of Public Right-of-Way for North Road- 13th Street to Highway 2 Roadway Improvements; Project No. 2019-P-5 (Eickhoff- 4030 W Capital Avenue)

Council action will take place under Consent Agenda item G-14.

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

Council Agenda Memo

From: Keith Kurz PE, Assistant Public Works Director

Meeting: June 23, 2020

Subject: Public Hearing on Acquisition of Public Right-of-Way for North Road- 13th Street to Highway 2 Roadway Improvements; Project No. 2019-P-5 (Eickhoff- 4030 W Capital Avenue)

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

Background

The North Road- 13th Street to Highway 2 Roadway Improvements; Project No. 2019-P-5 is for the improvement of North Road from just north of 13th Street to Highway 2. The Engineering Division of the Public Works Department is proposing a concrete curb and gutter roadway section with associated sidewalk, traffic control, drainage and related improvements needed to complete the project.

Nebraska State Statutes stipulate that the acquisition of property requires a public hearing to be conducted with the acquisition approved by the City Council.

Discussion

Public right-of-way is needed to accommodate intersection improvements for the North Road- 13th Street to Highway 2 Roadway Improvements; Project No. 2019-P-5. The property owner has signed the necessary document to grant the property, as shown on the attached drawing.

Engineering staff of the Public Works Department negotiated with the property owner for such purchase.

<i>Property Owner</i>	<i>Legal Description</i>	<i>Amount</i>
FRED EICKHOFF AND ROCHELLE EICKHOFF	A PARCEL OF LAND LOCATED IN LOT 1, BLOCK 1, JENKINSON SUBDIVISION, IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: REFERRING TO THE SOUTHWEST CORNER OF LOT 1, BLOCK 1, JENKINSON SUBDIVISION; THENCE S89°25'27"E (ASSUMED BEARING) ON THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 109.68 FEET TO THE POINT OF BEGINNING; THENCE N85°00'29"E, A DISTANCE OF 60.74 FEET; THENCE NORTHERLY ON A 65.15 FOOT RADIUS CURVE TO THE LEFT, AN ARC DISTANCE OF 54.69 FEET TO THE EAST LINE OF SAID LOT 1, THE CHORD OF SAID CURVE BEARS N61°22'31"E, 53.10 FEET; THENCE S00°27'17"E ON SAID EAST LINE, A DISTANCE OF 31.80 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1; THENCE N89°25'27"W ON SAID SOUTH LINE, A DISTANCE OF 107.38 FEET TO THE POINT OF BEGINNING, CONTAINING 859 SQUARE FEET, MORE OR LESS.	\$1,710.00

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 conduct a Public Hearing and approve acquisition of the public right-of-way from the affected property owner, in the amount of \$1,710.00.

Sample Motion

Move to approve the acquisition.

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Grand Island



LEGEND

- SECTION LINE
TEMPORARY C
RIGHT OF WAY

800.723.8567
Island, NE 308.381.7428
www.jeo.com



City of Grand Island

Tuesday, June 23, 2020

Council Session

Item F-1

#9773 – Consideration of Annexing Property being Platted as Brooklyn Subdivision an Addition to the City of Grand Island (Second Reading)

Staff Contact: Chad Nabity

Council Agenda Memo

From: Regional Planning Commission

Meeting: June 23, 2020

Subject: An Ordinance to include Brooklyn Subdivision as an Addition to the City of Grand Island, Nebraska and the adjoining Right-of-Way

Presenter(s): Chad Nabity, AICP Planning Director

Background

The Annexation Component of the Grand Island Comprehensive Development Plan as adopted by the Grand Island City Council on July 13, 2004 sets as the policy of Grand Island that any and all property subdivided adjacent to the Corporate Limits of the City of Grand Island be annexed into the City at the time of subdivision approval.

Gerald L. Dean and Pamela K. Dean, husband and wife, as owners of the property submitted a plat of Brooklyn Subdivision an Addition to the City of Grand Island. The Hall County Regional Planning Commission recommended approval of the subdivision at their meeting on June 3, 2020.

Discussion

Staff has prepared an ordinance in accordance with the requirements of Nebraska Revised Statute §16-117. Annexation ordinances must be read on three separate occasions. This is the second reading of the ordinance. This ordinance includes exhibits showing the property to be considered for annexation and the legal descriptions of that property.

Annexation of this property will not result in the extension of the Grand Island Zoning Jurisdiction.

Two residential lots would be added to the City as a result of this annexation. This property is located west of St. Paul Road where it intersects with Dean Street east of and contiguous with Capital Mobile Home Park.

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

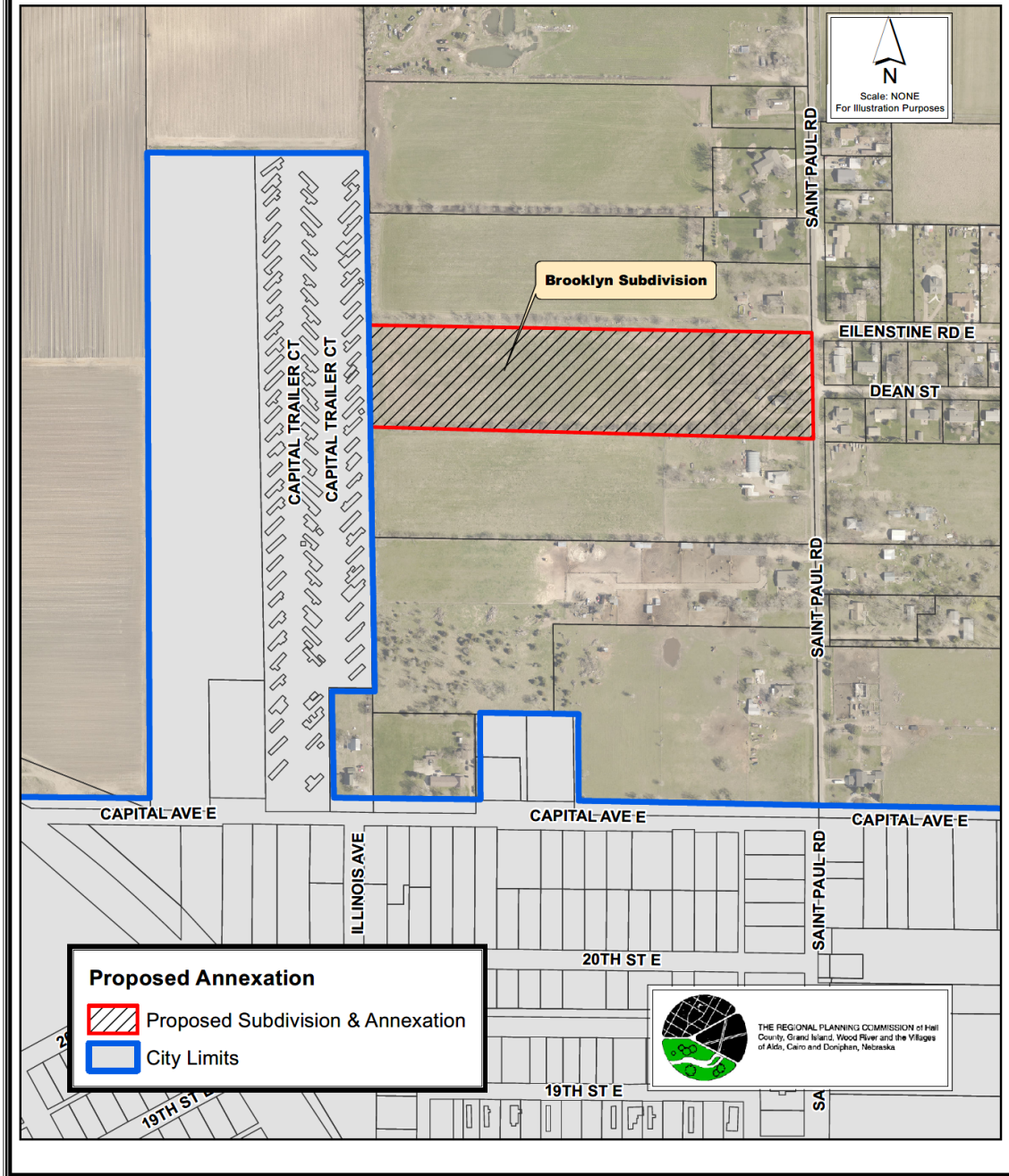
Recommendation

City Administration recommends that the Council pass the annexation ordinance.

Sample Motion

Move to approve the annexation ordinance on second reading.

PROPOSED ANNEXATION LOCATION MAP



* This Space Reserved For Register of Deeds *

ORDINANCE NO. 9773

An ordinance to extend the boundaries and include within the corporate limits of, and to annex into the City of Grand Island, Nebraska, a tract of land comprised of Brooklyn Subdivision and all adjoining right-of-way in Hall County, Nebraska as more particularly described hereinafter and as shown on the subdivision plat and more particularly described in Exhibit “A” attached hereto; to provide service benefits thereto; to repeal any ordinance or resolutions or parts of thereof in conflict herewith; to provide for publication in pamphlet form; and to provide the effective date of this ordinance.

WHEREAS, after Gerald L. Dean and Pamela K. Dean, husband and wife, as owner of the property submitted a plat of Brooklyn Subdivision an Addition to the City of Grand Island for approval; and

WHEREAS, the Annexation Component of the Comprehensive Development Plan for the City of Grand Island requires that owners of property proposed for subdivision adjacent to the Corporate Limits submit such subdivisions as additions to the City; and

Approved as to Form	<input type="checkbox"/>
June 18, 2020	<input type="checkbox"/> City Attorney

ORDINANCE NO. 9773(Cont.)

WHEREAS, according to NRSS §16-177 the City of Grand Island can upon petition of the property owner(s) of property contiguous and adjacent to the City Limits annex said property by ordinance; and

WHEREAS, on June 9, 2020 the City Council of the City of Grand Island held a considered such annexation and approved such annexation on first reading and on June 23, 2020 approved such annexation on second reading and on July 14, 2020 approved such annexation on third and final reading.

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

SECTION 1. It is hereby found and determined that:

(A) The above-described tracts of land are urban or suburban in character, and that the subject properties are contiguous or adjacent to the corporate limits of said City.

(B) The subject lands will receive the material benefits and advantages currently provided to land within the City's corporate limits including, but not limited to police, fire, emergency services, street maintenance, and utilities services upon annexation to the City of Grand Island, Nebraska, and that City electric, water and sanitary sewer service is available, or will be made available, as provided by law.

(C) The various zoning classifications of the land shown on the Official Zoning Map of the City of Grand Island, Nebraska, are hereby confirmed and that this annexation does not extend the extraterritorial zoning jurisdiction.

(D) There is unity of interest in the use of the said tract of land, lots, tracts, highways and streets (lands) with the use of land in the City, and the community convenience

and welfare and in the interests of the said City will be enhanced through incorporating the subject land within the corporate limits of the City of Grand Island.

SECTION 2. The boundaries of the City of Grand Island, Nebraska, be and are hereby extended to include within the corporate limits of the said City the contiguous and adjacent tract of land located within the boundaries described above.

SECTION 3. The subject tract of land is hereby annexed to the City of Grand Island, Hall County, Nebraska, and said land and the persons thereon shall thereafter be subject to all rules, regulations, ordinances, taxes and all other burdens and benefits of other persons and territory included within the City of Grand Island, Nebraska.

SECTION 4. The owners of the land so brought within the corporate limits of the City of Grand Island, Nebraska, are hereby compelled to continue with the streets, alleys, easements, and public rights-of-way that are presently platted and laid out in and through said real estate in conformity with and continuous with the streets, alleys, easements and public rights-of-way of the City.

SECTION 5. That a certified copy of this Ordinance shall be recorded in the office of the Register of Deeds of Hall County, Nebraska and indexed against the tracts of land.

SECTION 6. Upon taking effect of this Ordinance, the services of said City shall be furnished to the lands and persons thereon as provided by law, in accordance with the Plan for Extension of City Services adopted herein.

SECTION 7. That all ordinances and resolutions or parts thereof in conflict herewith are hereby repealed.

SECTION 8. This ordinance shall be in full force and effect from and after its passage, approval and publication, in pamphlet form, as provided by law.

ORDINANCE NO. 9773(Cont.)

Enacted: July 14, 2020.

Roger Steele, Mayor

Attest:

RaNae Edwards, City Clerk

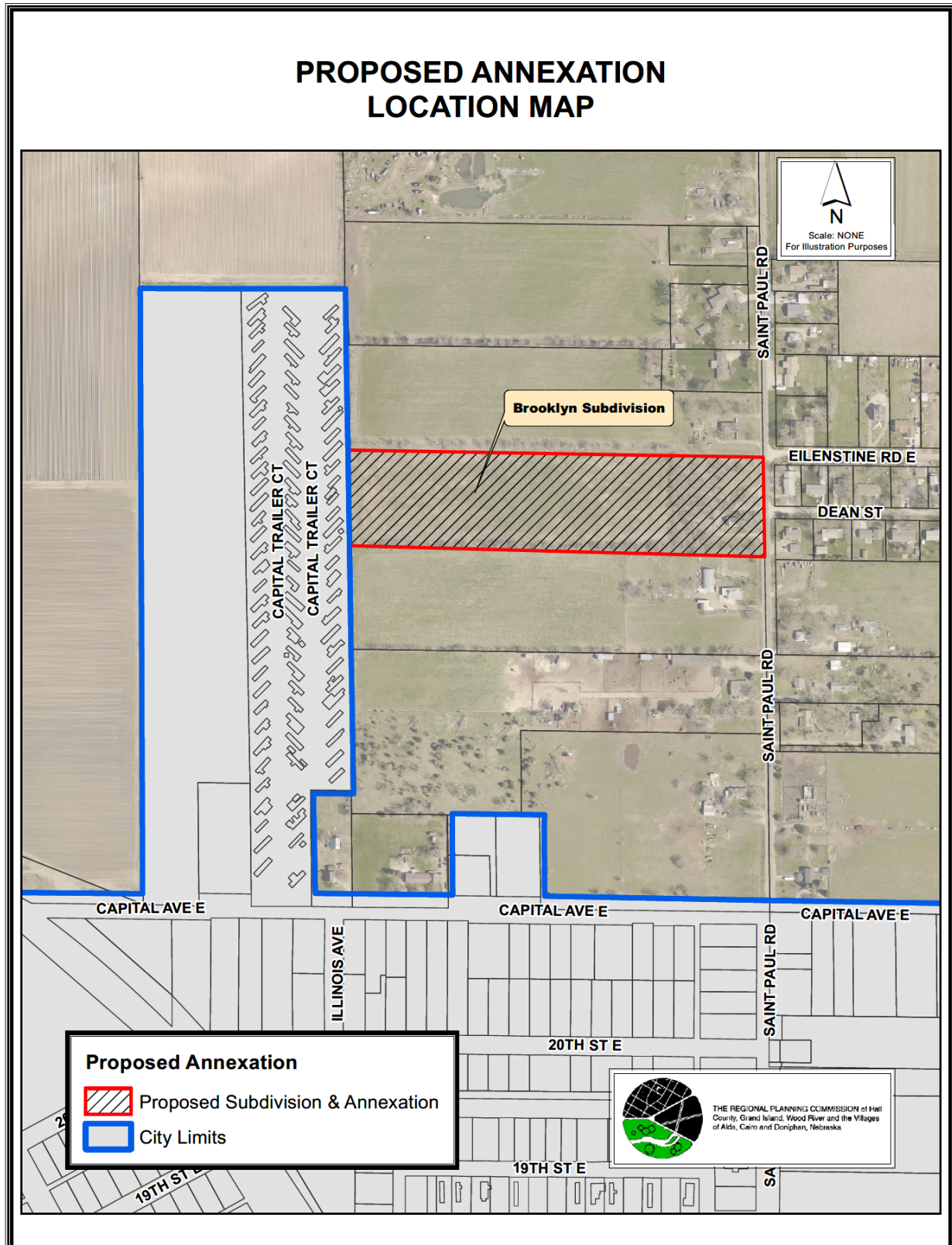
Exhibit A

LEGAL DESCRIPTION

A tract of land comprising the South Five (5.0) acres of the Northeast Quarter of the Southeast Quarter (NE1/4 SE1/4), and the North Five (5.0) acres of the Southeast Quarter of the Southeast Quarter (SE1/4 SE1/4) of Section Four (4), Township Eleven (11) North, Range Nine (9) West of the 6th P.M., Hall County, Nebraska, and more particularly described as follows:

Beginning at a point on the east line of said Northeast Quarter of the Southeast Quarter (NE1/4 SE1/4), said point being One Thousand One Hundred Fifteen and Twenty Eight Hundredths (1,115.28) feet south of the northeast corner of said Northeast Quarter of the Southeast Quarter (NE1/4 SE1/4), said point also being the southeast corner of Pollock Subdivision; thence running southerly, along and upon the east line of said Northeast Quarter of the Southeast Quarter (NE1/4 SE1/4), and along and upon the east line of of said Southeast Quarter of the Southeast Quarter (SE1/4 SE1/4), a distance of Three Hundred Twenty Nine and Eighty Nine Hundredths (329.89) feet; thence deflecting right 91°27'37" and running westerly, a distance of One Thousand Three Hundred Thirty Six and Sixteen Hundredths (1,336.16) feet to a point on the west line of said Southeast Quarter of the Southeast Quarter (SE1/4 SE1/4); thence deflecting right 88°44'43" and running northerly, along and upon the west line of said Southeast Quarter of the Southeast Quarter (SE1/4 SE1/4), and along and upon the west line of said Northeast Quarter of the Southeast Quarter (NE1/4 SE1/4), a distance of Three Hundred Twenty Nine and Nine Hundredths (329.09) feet to the southwest corner of said Pollock Subdivision, thence deflecting right 91°13'19" and running easterly, along and upon the south line of said Pollock Subdivision, a distance of One Thousand Three Hundred Thirty Four and Ninety Six Hundredths (1,334.96) feet to the point of beginning. Along with all Additional dedicated rights-of-way.

Actual tract containing 10.099 acres, more or less.





City of Grand Island

Tuesday, June 23, 2020

Council Session

Item F-2

**#9774 - Consideration of Creation of Drainage Improvement
District No. 2020- 1; Portions of Platte Valley Industrial Park 3rd,
4th, 6th, 8th, 9th & 10th Subdivisions**

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

Council Agenda Memo

From: Keith Kurz PE, Public Works Engineer

Meeting: June 23, 2020

Subject: Consideration of Creation of Drainage Improvement District No. 2020- 1; Portions of Platte Valley Industrial Park 3rd, 4th, 6th, 8th, 9th & 10th Subdivisions

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

Background

Council action is needed to create a Drainage Improvement District. If the District is created, a notice will be mailed to all affected property owners and a 30-day protest period will begin. If the district passes the protest the Council has the decision to continue the district. The City will then bid, construct, and levy special assessments for the work. This process is being executed pursuant to Section 16-667 of the Nebraska Revised Statutes.

Public Works staff will present information on the proposed drainage system that would serve the subdivision.

Discussion

The District will be made up properties on both the east and west side of Gold Core Drive, south of Schimmer Drive, as shown on the attached exhibit. The project would consist of creating an outlet for the Platte Valley Industrial Park (PVIP) and connecting it to a ditch, which would be constructed in partnership with the Central Platte Natural Resources District (CPNRD), City of Grand Island, Hall County, and the Grand Island Area Economic Development Corporation (GIAEDC). Property owners have inquired about improving drainage in this area and a plan has been developed by the above partnership. The new ditch will improve drainage both up and down stream of the PVIP.

A draft Memorandum of Understanding (MOU) is currently being worked through involving the Central Platte Natural Resources District (CPNRD), City of Grand Island, Hall County, and the Grand Island Area Economic Development Corporation (GIAEDC). The MOU is contingent on the establishment of an assessment district. An agreement will be developed from the MOU detailing each entities responsibility and will be presented for City Council review and subsequent approval.

The assessment to the property owners within the district will be based on contributing area. Because all of the lots included in this district contribute to the drainage creating the problem, the assessment distribution will be based on each property owner's lot size relative to the whole district area. If owner "A" owns a one (1) acre parcel within a ten (10) acre district, owner "A" will pay 10% of the project cost as owner "A"'s land creates 10% of the runoff.

Alternatives

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

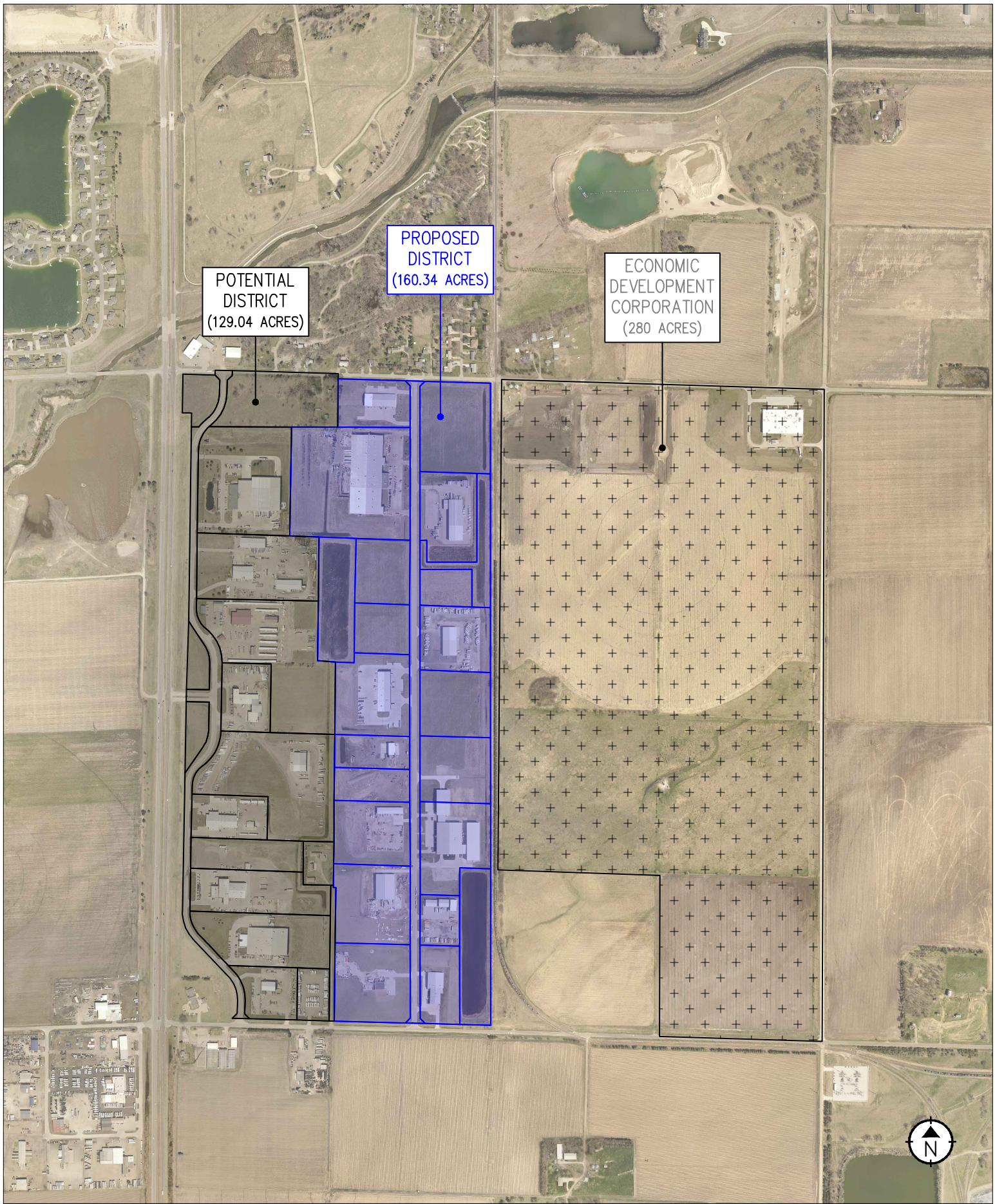
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council approve the creation of Drainage Improvement District No. 2020-1; Portions of Platte Valley Industrial Park 3rd, 4th, 6th, 8th, 9th & 10th Subdivisions.

Sample Motion

Move to approve the ordinance.



POTENTIAL DISTRICT PARCELS

• THIS SPACE RESERVED FOR REGISTER OF DEEDS •

ORDINANCE NO. 9774

An ordinance to create Drainage Improvement District No. 2020-1; to define the boundaries of the district; to provide for the improvement of storm sewer within the district by storm drainage and other incidental work in connection therewith; to provide for the filing of this ordinance with the Hall County Register of Deeds; and to provide the publication and effective date of this ordinance.

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

SECTION 1. Drainage Improvement District No. 2020-1 in the City of Grand Island, Nebraska, is hereby created.

SECTION 2. The properties included in such district shall be as follows:

<i>Parcel No.</i>	<i>Owner</i>	<i>Legal Description</i>
400404753	PVIPW, LLC	Lot B, Platte Valley Industrial Park Third Sub Detention Cell
400295407	Store Capital Acquisitions, LLC	Lot 1, Platte Valley Industrial Park Fourth Sub
400404664	City of Grand Island	Lot C, Platte Valley Industrial Park Third Sub to the City of Grand Island Detention Cell
400404745	Royce & Janice Carville	Lot A, Platte Valley Industrial Park Eighth Sub Detention Cell
400402149	Randall J & Jean M Kathman	Lot 9, Platte Valley Industrial Park Third Sub

Approved as to Form ☐ _____
June 18, 2020 ☐ City Attorney

ORDINANCE NO. 9774 (Cont.)

400404737	ASAP Real Estates, LLC	Lot 20, Platte Valley Industrial Park Third Sub
400397218	Judith Poland	Lot 1, Platte Valley Industrial Park Third Sub
400402076	Royce & Janice Carville	Lot 1, Platte Valley Industrial Park Eighth Sub
400404710	Old Dominion Freight Line, Inc.	Lot 18, Platte Valley Industrial Park Third Sub
400402084	Royce & Janice Carville	Lot 2, Platte Valley Industrial Park Eighth Sub
400404702	Old Dominion Freight Line, Inc.	Lot 1, Platte Valley Industrial Park Tenth Sub
400402092	TNS Holdings, LLC	Lot 4, Platte Valley Industrial Park Third Sub
400404699	Inland Truck Parts Co.	Lot 2, Platte Valley Industrial Park Tenth Sub
400402106	Zitzke, LLC	Lot 5, Platte Valley Industrial Park Third
400404680	GMD, LLC	Lot 1, Platte Valley Industrial Park Ninth Sub
400404685	GMD, LLC	Lot 2, Platte Valley Industrial Park Ninth Sub
400402114	Zitzke, LLC	Lot 6, Platte Valley Industrial Park Third Sub
400404672	J & L Land Company, LLC	Lot 14, Platte Valley Industrial Park Third Sub
400402122	Zitzke, LLC	Lot 1, Platte Valley Industrial Park Sixth Sub
400209187	Lyne Realty L.P.	Lot 13, Platte Valley Industrial Park Third Sub to the City of Grand Island
400402130	Joseph M & Lori J Brown	Lot 2, Platte Valley Industrial Park Sixth Sub
400402157	Mountain Tower & Land, LLC	Lot 10, Platte Valley Industrial Park Third Sub to the City of Grand Island
ROW	City of Grand Island	Platte Valley Industrial Park Third Sub

SECTION 3. The following storm sewer in the district shall be improved by installing drainage pipe underground and other incidental work in connection therewith.

SECTION 4. All improvements shall be made at public cost, but the cost thereof shall be assessed upon the lots and lands in the district specially benefited thereby as provided by law.

SECTION 5. This ordinance, with the plat, is hereby directed to be filed in the office of the Register of Deeds, Hall County, Nebraska.

SECTION 6. This ordinance shall be in force and take effect from and after its passage and publication, without the plat, as provided by law.

SECTION 7. After passage, approval and publication of this ordinance, without the plat, notice of the creation of said district shall be published in the Grand Island Independent, a legal newspaper published and of general circulation in said City, as provided by law.

ORDINANCE NO. 9774 (Cont.)

SECTION 8. This process is being executed pursuant to Section 16-667 of the Nebraska Revised Statutes.

Enacted: June 23, 2020

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, June 23, 2020

Council Session

Item G-1

Approving Minutes of June 9, 2020 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

June 9, 2020

Pursuant to due call and notice thereof, a Regular Meeting of the City Council of the City of Grand Island, Nebraska was conducted by Zoom in the Council Chambers of City Hall, 100 East First Street, on June 9, 2020. Notice of the meeting was given in *The Grand Island Independent* on June 3, 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, Jeremy Jones, Mark Stelk, Jason Conley, Vaughn Minton, Julie Hehnke, Clay Schutz, Mitch Nickerson, and Chuck Haase. 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 Request from Spirit in the Sky dba 40 North Tap & Grille, 520 West 3rd Street for an Addition of an Outdoor Area to their Class "CKG-123244" Liquor License. City Clerk RaNae Edwards reported that an application for an addition of an Outdoor Area to their Class "CKG-123244" Liquor License had been received from Spirit in the Sky dba 40 North Tap & Grille, 520 West 3rd Street. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on May 20, 2020; notice to the general public of date, time, and place of hearing published on May 30, 2020; notice to the applicant of date, time, and place of hearing mailed on May 20, 2020. Staff recommended approval contingent upon final inspections. Jay Vavricek, 2729 Brentwood Blvd. spoke in support. No further public testimony was heard.

Public Hearing on Request from Prairie Pride Brewing Company dba Prairie Pride Brewing, 115 South Front Street, Suite 1 for an Addition to their Class "C-121599" Liquor License. City Clerk RaNae Edwards reported that an application for an addition to their Class "C-121599" Liquor License had been received from Prairie Pride Brewing Company dba Prairie Pride Brewing, 115 South Front Street, Suite 1. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on May 26, 2020; notice to the general public of date, time, and place of hearing published on May 30, 2020; notice to the applicant of date, time, and place of hearing mailed on May 26, 2020. Staff recommended approval contingent upon final inspections. Amos Anson, 4234 Arizona Avenue spoke in support. No further public testimony was heard.

Public Hearing on Acquisition of Utility Easement - 4304 Gold Core Drive - Old Dominion Freight Line, Inc. Utilities Director Tim Luchsinger reported that acquisition of a utility easement located at 4304 Gold Core Drive was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. Old Dominion Freight Line, Inc., had requested a new electrical service for their new commercial building. The proposed easement would allow the Utilities Department to install, access, operate and maintain

the electrical infrastructure at this location. 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 (City of Grand Island- 3505 West Old Potash Highway). Public Works Director John Collins reported that the City of Grand Island was dedicating property located at 3505 West Old Potash Highway as right-of-way to be used for the Old Potash Highway Roadway Improvements; Project No. 2019-P-1. Staff recommended approval. No public testimony was heard.

ORDINANCES:

Councilmember Minton moved “that the statutory rules requiring ordinances to be read by title on three different days are suspended and that ordinances numbered:

#9770 – Consideration of Approving Zoning Change for Property located at 641 S Cherry Street from RD – Residential Development to Amended RD – Residential Development (JNIK, LLC & Jim Nikodym Trust)

#9771 – Consideration of Vacating Westgate Ninth Subdivision and Retaining Certain Easements

#9772 - Consideration of Sale of Property Located at 3231 West Schimmer Drive (Parcel No. 400401746)

be considered for passage on the same day upon reading by number only and that the City Clerk be permitted to call out the number of these ordinances on second reading and then upon final passage and call for a roll call vote on each reading and then upon final passage.” Councilmember Nickerson seconded the motion. Upon roll call vote, all voted aye. Motion adopted.

#9770 – Consideration of Approving Zoning Change for Property located at 641 S Cherry Street from RD – Residential Development to Amended RD – Residential Development (JNIK, LLC & Jim Nikodym Trust)

Regional Planning Director Chad Nabity reported that an application had been made to rezone Lot 3 Nikodym Subdivision from Residential Development Zone (RD) to Amended Residential Development Zone (RD). This would allow the property to be split into two lots. Lot 1 would be the location of a natural gas regulator station. Lot 2 would be reserved for future residential development. Staff recommended approval.

Motion by Schutz, second by Stelk to approve Ordinance #9770.

City Clerk: Ordinance #9770 on first reading. All those in favor of the passage of this ordinance on first reading, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

City Clerk: Ordinance #9770 on second and final reading. All those in favor of the passage of this ordinance on second and final reading, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

Mayor Steele: By reason of the roll call votes on first reading and then upon second and final readings, Ordinance #9770 is declared to be lawfully adopted upon publication as required by law.

#9771 – Consideration of Vacating Westgate Ninth Subdivision and Retaining Certain Easements

Regional Planning Director Chad Nabity reported that the prospective owners of Westgate Ninth Subdivision with the approval of the owners had requested that the City vacate the Westgate Ninth Subdivision and allow it to revert back to Lot 10 of Westgate Subdivision. The new owners intend to submit a plat to divide this property zoned for manufacturing uses into two lots. Staff recommended approval.

Motion by Paulick, second by Hehnke to approve Ordinance #9771.

City Clerk: Ordinance #9771 on first reading. All those in favor of the passage of this ordinance on first reading, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

City Clerk: Ordinance #9771 on second and final reading. All those in favor of the passage of this ordinance on second and final reading, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

Mayor Steele: By reason of the roll call votes on first reading and then upon second and final readings, Ordinance #9771 is declared to be lawfully adopted upon publication as required by law.

#9772 - Consideration of Sale of Property Located at 3231 West Schimmer Drive (Parcel No. 400401746)

Public Works Director John Collins reported that two (2) offers were previously submitted on the property with Council rejecting both via Ordinance No. 9765. One offer was submitted by Midwest Waste Trucks, LLC in the amount of \$136,000.00, which did not share their plan/intent for the property as requested by City Council at the April 28, 2020 meeting. The 2nd offer was from 3 Diamonds, Inc. in the amount of \$125,000.00, with rejection based on their 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. 3 Diamonds, Inc. had submitted a new proposal in the amount of \$75,000.00 and removed the condition of the sale be for a sign variance.

Fred Bosselman, 10550 South Buffalo Road, Doniphan, Nebraska spoke in opposition. Discussion was held regarding the price and a development plan.

Motion by Stelk, second by Paulick to deny Ordinance #9772. Upon roll call vote, all voted aye. Motion adopted.

#9773 – Consideration of Annexing Property being Platted as Brooklyn Subdivision an Addition to the City of Grand Island (First Reading)

Regional Planning Director Chad Nabity reported that Gerald and Pamela Dean, owners of the property, submitted a plat of Brooklyn Subdivision an Addition to the City of Grand Island. Two residential lots would be added to the City as a result of this annexation. This property is located west of St. Paul Road where it intersects with Dean Street and east of and contiguous with Capital Mobile Home Park. This was the first of three readings. Staff recommended approval.

Motion by Haase, second by Hehnke to approve Ordinance #9733 on first reading only. Upon roll call vote, all voted aye. Motion adopted.

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

Approving Minutes of May 26, 2020 City Council Regular Meeting.

#2020-127 - Approving Request from Spirit in the Sky dba 40 North Tap & Grille, 520 West 3rd Street for an Addition of an Outdoor Area to their Class "CKG-123244" Liquor License.

#2020-128 - Approving Request from Prairie Pride Brewing Company dba Prairie Pride Brewing, 115 South Front Street, Suite 1 for an Addition to their Class "C-121599" Liquor License.

#2020-129 - Approving Acquisition of Utility Easement - 4304 Gold Core Drive - Old Dominion Freight Line, Inc.

#2020-130 - Approving Change Order #1 - Burdick Station Maintenance Building with Chief Construction Company of Grand Island, Nebraska for an Increase of \$16,605.00 and a Revised Contract Amount of \$1,757,242.00.

#2020-131 - Approving Amendment #3 to the Power Purchase Agreement between the City of Grand Island and Prairie Hills Wind, LLC for an Extension to the Guaranteed COD and Outside COD to December 1, 2022 and June 30, 2023 respectively.

#2020-132 - Approving Acceptance of 2020 High Intensity Drug Trafficking Area (HIDTA) Grant.

#2020-133 - Approving Address Point Layer Updates for Next Gen E911 with GeoComm, Inc. of St. Cloud, Minnesota in an Amount of \$21,845.00.

#2020-134 - Approving Dedication of Public Right-of-Way for Old Potash Highway Roadway Improvements; Project No. 2019-P-1 (City of Grand Island- 3505 West Old Potash Highway).

#2020-135 - Approving Bid Award for Annual Supply of Road Deicing Salt 2020-2021 with Nebraska Salt & Grain Co. of Gothenburg, Nebraska in an Amount of \$52.79 per ton for Road Sale, Off-Peak and \$55.55 per ton for Road Sale, On Peak.

#2020-136 - Approving Amendment No. 2 for 2019 Signal Timing Project with Iteris, Inc. of Lincoln, Nebraska to Extend the Completion Date to October 31, 2020.

#2020-137 - Approving Amendment No. 1 to Engineering Consulting Agreement for North Road- US Highway 30 to Old Potash Highway Roadway Improvements; Project No. 2019-P-12 with Alfred Benesch & Company of Lincoln, Nebraska for an Increase of \$116,324.00 and a Revised Contract Amount of \$193,268.00.

#2020-138 - Approving Final Plat and Subdivision Agreement for Nikodym Second Subdivision. It was noted that JNIK, LLC & Jim Nikodym Revocable Trust, owners, had submitted the Final Plat and Subdivision Agreement for Nikodym Second Subdivision located north of Bismark Road, west of Stuhr Road and east of Cherry Street for the purpose of creating 2 lots on 13.432 acres.

RESOLUTION:

#2020-139 - Consideration of Approving Golf Pro Request for Reduced Bonus Thresholds. City Administrator Jerry Janulewicz reported that Don Kruse requested the following:

I am asking the City to amend my contract concerning my cart bonus quotas. I would like all the quotas to be reduced by \$25,000.

From	To	Bonus
\$155,000	\$160,000	\$6,000
\$160,001	\$165,000	\$7,000
\$165,001	\$170,000	\$8,000
\$170,001	\$175,000	\$9,000
\$175,001	Or more	\$10,000

Comments were made regarding the loss of revenue due to COVID-19 and the golf course being closed for 39 days. Mentioned was the amount of time it takes to clean the rentals to comply with the restrictions.

Motion by Haase, second by Minton to approve Resolution #2020-139. Upon roll call vote, Councilmembers Haase, Hehnke, Paulick, and Stelk voted aye. Councilmembers Conley, Jones, Minton, Nickerson, Schutz, and Scott voted no. Motion failed.

PAYMENT OF CLAIMS:

Motion by Minton, second by Hehnke to approve the payment of claims for the period of May 27, 2020 through June 9, 2020 for a total amount of \$3,600,238.02. Upon roll call vote, all voted aye. Motion adopted.

ADJOURNMENT: The meeting was adjourned at 7:56 p.m.

RaNae Edwards
City Clerk



City of Grand Island

Tuesday, June 23, 2020

Council Session

Item G-2

Approving Minutes of June 16, 2020 City Council Study Session

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL STUDY SESSION

June 16, 2020

Pursuant to due call and notice thereof, a Study Session of the City Council of the City of Grand Island, Nebraska was conducted by Zoom in the Council Chambers of City Hall, 100 East First Street, on June 16, 2020. Notice of the meeting was given in *The Grand Island Independent* on June 10, 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, Jeremy Jones, Mark Stelk, Jason Conley, Vaughn Minton, Julie Hehnke, Mitch Nickerson, and Chuck Haase. Councilmember Clay Schutz was 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.

SPECIAL ITEMS:

Initial 2020/2021 Budget Discussion and Update from City Finance Director. Finance Director Patrick Brown reviewed the FY 2020 End of Year Projections. He stated they were projecting a reduction of the General Fund revenues of \$1,206,371 reducing the total to \$37,983,599. Discussion was held regarding the percentage reduction in revenue for July, August, and September.

Personnel expenses were projected a vacancy savings of \$939,134. Operating expenses were projected a savings of \$405,907 due to some purchases not being made and closures or delayed opening of some facilities. Transfers out of the General Fund were presented. The net effect of all the projections would not build or use any cash reserves. Ending Cash in the Bank would be the same as the beginning Cash in the Bank of \$13,419,024. Cash reserves were \$113,613.

The proposed Budget for FY2021 was presented. As of June 16, 2020 the FY 2021 proposed budgeted revenue was projected at \$37,322,241 which was \$1,886,729 less than last years budgeted revenue of \$39,208,970. He was budgeting revenue using a 2% growth for Property Taxes, a 15% reduction in Sales Tax collections, and reductions in other revenue sources as well.

The following transfers in for FY 2021 were proposed at \$1,100,000:

- \$ 35,000 City owned farm ground lease
- \$ 65,000 2004 Sales Tax for Grand Generation
- \$250,000 Possible use of Keno funds
- \$750,000 Possible use from Food & Beverage fund for City's commitment to Economic Development for LB840 funds

Discussed was the \$500,000 to Grow Grand Island. Mr. Brown was recommending transferring \$750,000 from the Food & Beverage Fund to the General Fund.

Personnel expenses were budgeted at \$30,551,496. The Personnel costs did not include any additional FTE's and included a reduction of Library FTE's from 23.5 to 18. Operating expenses were budgeted at \$6,625,382. Transfers Out were budgeted at \$1,485,000. Discussion was held with possibly using cash reserves to balance the budget and for Parks projects.

Mr. Brown stated they were short of balancing the FY 2021 budget by \$239,637. These figures were all projections and would change as revenues came in. They would have a better idea on Sales Tax collections after they had received the collections for June and July's revenues.

Reviewed were the 410 Capital Equipment requests for FY 2021 for the Building, Fire, Police, Emergency Management, Streets Equipment, Library Equipment, and Parks Department. Mr. Brown stated a presentation would come before Council at a later date.

Brad Mellema, representing the Convention & Visitors Bureau spoke in support of the dollars in the Grow Grand Island Fund which bring events to Grand Island. Mayor Steele commented on meeting with Grow Grand Island and asking them to help brand Grand Island to bring people here to grow our economy and build our image.

Presented were bond projects for Old Potash and North Road. Refunding 2013 Sewer Bonds was mentioned with a total savings of \$4,499,821.

ADJOURNMENT: The meeting was adjourned at 8:16 p.m.

RaNae Edwards
City Clerk



City of Grand Island

Tuesday, June 23, 2020

Council Session

Item G-3

Approving Re-Appointments of Sara White, Jaime Parr, and Tanya Hansen to the Library Board

Mayor Steele has submitted the re-appointments of Sara White, Jaime Parr, and Tanya Hansen to the Library Board. These appointments would become effective July 1, 2020 upon approval by the City Council and would expire on June 30, 2024.

Staff Contact: Mayor Roger Steele



City of Grand Island

Tuesday, June 23, 2020

Council Session

Item G-4

**#2020-140 - Approving Acquisition of Utility Easement - 3974
Westgate Road - Construction Rental, Inc.**

This item relates to the aforementioned Public Hearing item E-1.

Staff Contact: Tim Luchsinger, Stacy Nonhof

RESOLUTION 2020-140

WHEREAS, a public utility easement is required by the City of Grand Island from Construction Rental, Inc., 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 June 23, 2020, for the purpose of discussing the proposed acquisition of a twenty (20.0) foot utility easement located through a part of Lot One (1), Westgate Industrial Park Third Subdivision, in the City of Grand Island, Hall County, Nebraska, and more particularly described as follows:

The westerly twenty (20.0) feet of Lot One (1), Westgate Industrial Park Third Subdivision in the City of Grand Island, Hall County, Nebraska.

The above-described easement and right-of-way containing a total of .19 acres, more or less as shown on the plat dated 5/19/2020, 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 Construction Rental, Inc., on the above-described tract of land.

- - -

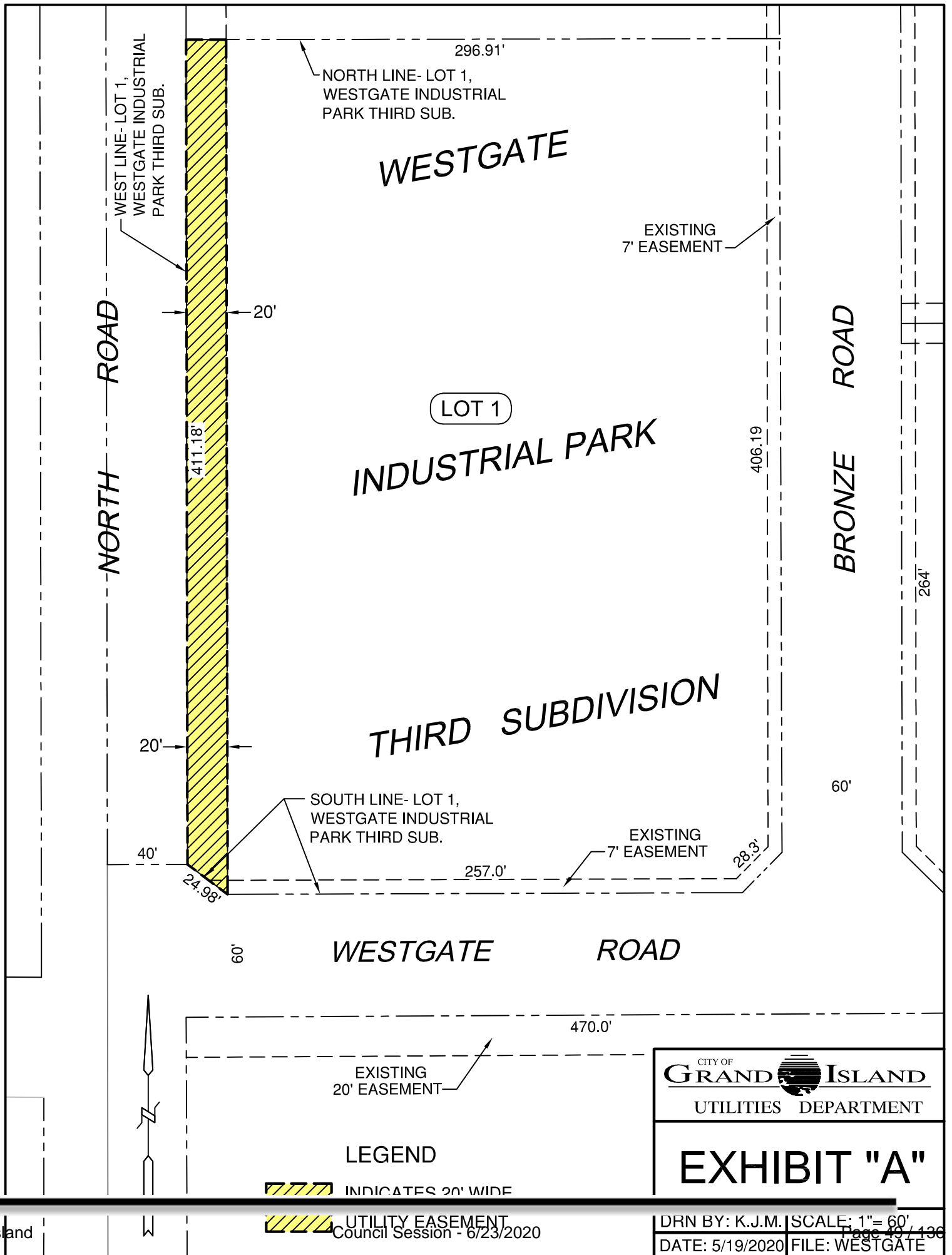
Adopted by the City Council of the City of Grand Island, Nebraska, June 23, 2020.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
June 18, 2020	☐ City Attorney





City of Grand Island

Tuesday, June 23, 2020

Council Session

Item G-5

**#2020-141 - Approving Change Order #1 with Diamond
Engineering for Water Main Project 2020-W-1 - Lincoln & Delta**

Staff Contact: Tim Luchsinger, Stacy Nonhof

Council Agenda Memo

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

Meeting: June 23, 2020

Subject: Change Order #1 – Water Main Project 2020-W-1 –
Lincoln & Delta

Presenter(s): Timothy Luchsinger, Utilities Director

Background

Water Main Project 2020-W-1 installed approximately 497 linear feet of 8” diameter ductile iron water main by trenchless construction within Lincoln Avenue extending from Delta Street north. The project connected two existing dead-end water mains and installed a public fire hydrant.

Discussion

The original contract was awarded by City Council on November 12, 2019, in the amount of \$119,457.59 to The Diamond Engineering Company of Grand Island, Nebraska. The following scope alterations were encountered during the construction of the project:

Additional items were required to complete the project. An 8” Romac Macro coupling was necessary to connect two sections of the new water main. An 8” mechanical joint plug was needed due to a valve size differing from that of record. The total cost for the additional items is \$1,175.00.

During the process, materials were added or deducted to complete the work. Unit prices were provided in the contract and specified that the contractor be paid on the basis of actual quantity installed, times the contract’s unit price. This total is a deduct of \$609.16.

The original Engineer’s Estimate was \$125,000.00. The original contract was for \$119,457.59. The total changes to the contract amount to \$565.84. This results in a final contract cost of \$120,023.43.

Alternatives

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

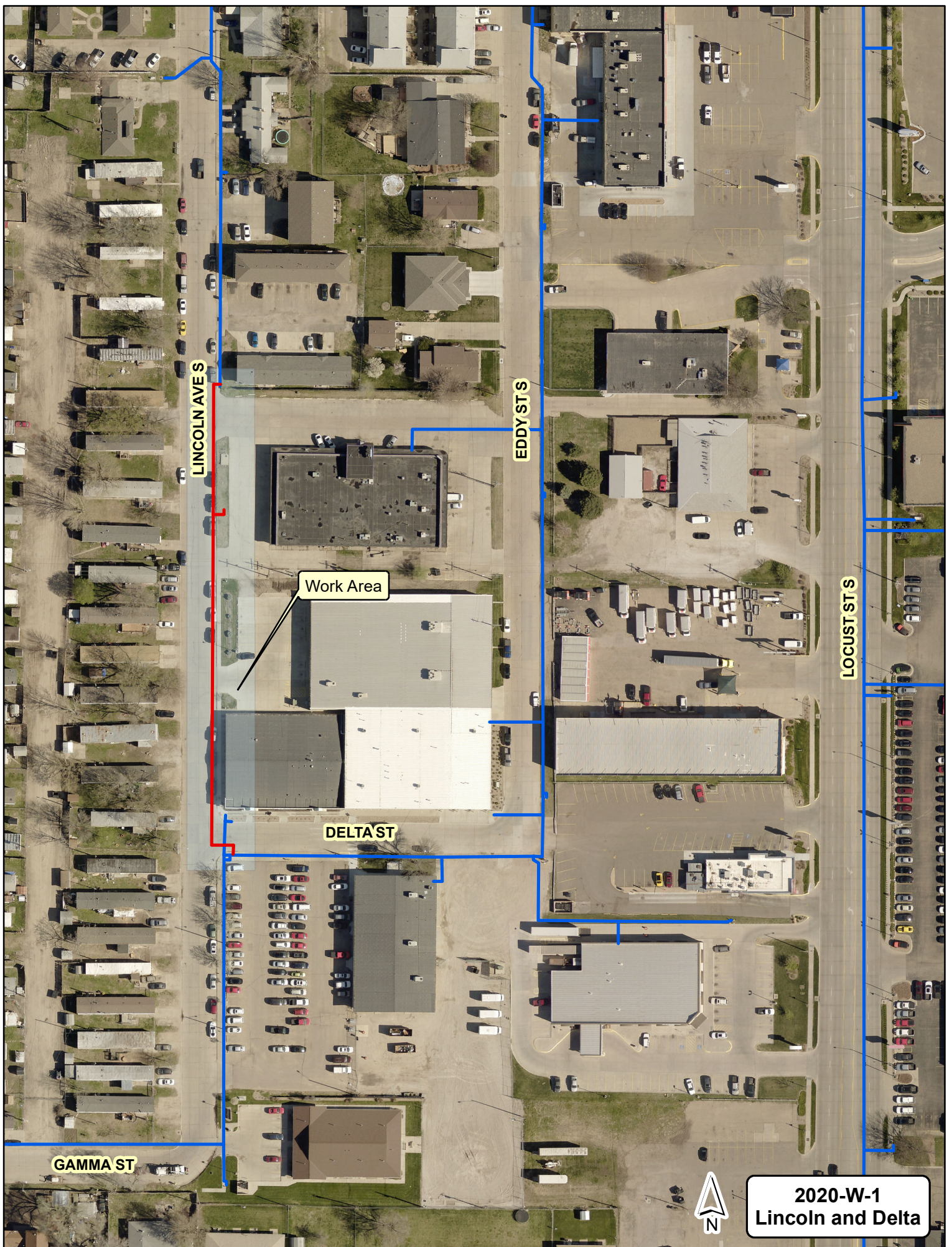
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council approve Change Order #1 to the Water Main Project 2020-W-1 contract in the amount of \$565.84, for a final contract amount of \$120,023.43.

Sample Motion

Move to approve Change Order #1 with the Diamond Engineering Company for Water Main Project 2020-W-1 in the amount of \$565.84, for a final contract amount of \$120,023.43.



CHANGE ORDER #1

NAME OF PROJECT: Water Main Project 2020-W-1, Lincoln Ave. and Delta St.

CONTRACTOR: The Diamond Engineering Company
1521 W. Anna, PO Box 1327
Grand Island, NE 68802-1327

OWNER: City of Grand Island, NE

THE FOLLOWING MODIFICATIONS TO THE CONTRACT ARE HEREBY ORDERED:

<u>ITEM</u>	<u>DESCRIPTION</u>	<u>BID</u>			<u>INSTALLED</u>		
		<u>QUANTITY</u>	<u>UNIT</u>	<u>Unit Price \$</u>	<u>QUANTITY</u>	<u>UNIT</u>	<u>\$ +/-</u>
D.1.01	8" R.J. D.I. PIPE	495.90	LF	\$166.00	496.80	LF	\$149.40
D.1.03	8 MIL. POLYWRAP	515.50	LF	\$3.35	516.40	LF	\$3.01
D.1.07	8"X45° M.J. BEND	1.00	EA	\$395.00	0.00	EA	-\$395.00
D.1.09	8" RETAINER GLANDS	12.00	EA	\$110.00	10.00	EA	-\$220.00
D.1.14	6" MJ PLUG	1.00	EA	\$255.00	0.00	EA	-\$255.00
D.1.20	THRUST BLOCK	7.00	EA	\$360.00	6.00	EA	-\$360.00
D.1.22	REMOVE EXISTING WATER MAIN AND DISPOSE	3.00	LF	\$51.00	7.00	LF	\$204.00
D.1.24	REMOVE EXISTING ROADWAY	137.70	SY	\$8.00	142.40	SY	\$37.60
D.1.25	REPLACE ROADWAY	137.70	SY	\$66.50	142.40	SY	\$312.55
D.1.26	REMOVE INTEGRAL CURB	85.40	LF	\$0.50	68.80	LF	-\$8.30
D.1.27	REPLACE INTEGRAL CURB	85.40	LF	\$3.20	68.80	LF	-\$53.12
D.1.28	REMOVE SIDEWALK	265.40	SF	\$1.15	264.30	SF	-\$1.26
D.1.29	REPLACE SIDEWALK	265.40	SF	\$8.55	264.30	SF	-\$9.40
D.1.31	SODDING	275.00	SF	\$1.55	266.20	SF	<u>-\$13.64</u>

SUBTOTAL D.1.01-D.1.33 (DEDUCT): (\$ 609.16)

-	8" ROMAC MACRO COUPLING	-	-	\$825.00	1.00	EA	\$825.00
-	8" MJ PLUG	-	-	\$350.00	1.00	EA	<u>\$350.00</u>

SUBTOTAL ADDITIONAL ITEMS (ADD): \$ 1,175.00

THIS CHANGE ORDER AMOUNT: \$ 565.84

ORIGINAL CONTRACT AMOUNT: \$ 119,457.59

REVISED CONTRACT AMOUNT (including this Change Order) **\$ 120,023.43**

REASONS FOR MODIFICATIONS:

During the process of constructing the contract, materials were added or deducted to complete the work. Unit prices were provided in the Contract and specified that the contractor be paid on the basis of actual quantity installed, times the Contract's unit prices. Additional items were required to complete the project, including an 8" coupling for a connection and an 8" plug due to a valve size differing from that of record.

Contractor: *Jamie H. Hender, President*
The Diamond Engineering Company

Date: *June 12th, 2020*

Owner: _____
City of Grand Island, NE

Date: _____

RESOLUTION 2020-141

WHEREAS, at the November 12, 2019 meeting, Council awarded the contract for Water Main Project 2020-W-1 – Lincoln and Delta - to the Diamond Engineering Company of Grand Island, Nebraska in the amount of \$119,457.59; and

WHEREAS, during the process of constructing the project, it was found that an 8” coupling was necessary to connect two sections of the new water main, and an 8” plug was needed due to a valve size differing from that of record for a total cost for the additional items of \$1,175.00; and

WHEREAS, material were added or deducted to complete the work, and unit prices were provided in the contract and specified that the contractor be paid on the basis of actual quantity installed, times the contract’s unit price, and this amounted to a deduct of \$609.16; and

WHEREAS, the total amount of changes to the contract is \$565.84, for a total contract amount of \$120,023.43.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that Change Order #1 in the amount of \$565.84 to the contract for Water Main Project 2020-W-1 – Lincoln and Delta – 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, June 23, 2020.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	▣ _____
June 18, 2020	▣ City Attorney



City of Grand Island

Tuesday, June 23, 2020

Council Session

Item G-6

**#2020-142 - Approving Coal Combustion Residual (CCR)
Groundwater Services Task 14 with HDR Engineering**

Staff Contact: Tim Luchsinger, Stacy Nonhof

Council Agenda Memo

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

Meeting: June 23, 2020

Subject: PGS - Coal Combustion Residual (CCR) Groundwater Services – Task 14

Presenter(s): Timothy G. Luchsinger, Utilities Director

Background

On April 17, 2015, the U.S. Environmental Protection Agency (EPA) published the final rule for the regulation and management of Coal Combustion Residual (CCR) under the Resource Conservation and Recovery Act (RCRA). The rule became effective on October 19, 2015. In general, CCR compliance activities include publication of public information on the web, signage, groundwater sampling, and impoundment structural and safety assessment is required for the Platte Generating Station.

Platte Generating Station personnel reviewed the regulations and determined consulting services were needed to meet the CCR Rule compliance schedule. HDR Engineering was hired as the sole source to ensure timeliness, high quality and consistency among other electric utilities and independent power producers in Nebraska.

Discussion

On September 27, 2016, Council Approved HDR Engineering to complete Tasks 1-4 to include ground water sampling, review of the Ash Landfill Closure Plan, Post-Closure Plan, and Run on/run off Control System plan for a cost not to exceed \$86,290.00.

On September 24, 2019, Council approved HDR Engineering to complete Tasks 5-9 to include groundwater sampling, fugitive dust control, alternative source demonstration (ASD) investigation, statistical analysis reporting, and preparation of a conceptual site model of the hydrologic and hydro-geochemical setting of the PGS Ash Landfill including evaluation of the results of the model for a cost not to exceed \$189,960.00.

On October 8, 2019, Council approved HDR Engineering to complete Task 10 to include preparation for the Title 132 Permit Renewal Application and amend the CCR Run-On and Run-Off Control System Plan for a cost not to exceed \$39,970.00. On March 10,

2020, Council approved HDR Engineering to amend Task 10 to address and respond to NDEE regarding the Title 132 Permit Renewal Application revisions and amend the CCR Run-On and Run-Off Control system for an additional cost not to exceed \$14,860.00.

On October 8, 2019, Task 11 was presented for the CCR 2019 Annual Landfill Inspection and Fugitive Dust Control Reporting for a cost not to exceed \$12,990.00.

On November 26, 2019, Council approved HDR Engineering to complete Task 12 to meet the next phase of the CCR Rule for finalizing the Assessment of Corrective Measures (ACM) and update the CCR Groundwater Certifications including the upgradient well MW-10, Task 12 for a cost not to exceed \$16,600.00.

On March 10, 2020, Council approved HDR Engineering to complete Task 13 for the CCR Groundwater Monitoring and Reporting, including semi-annual Groundwater Sampling for the first and second half of 2020, and the 2020 Spring and Fall Groundwater Reports for a cost not to exceed \$47,100.00.

The Nebraska Department of Environment and Energy (NDEE) began requesting ash disposal areas to incorporate the CCR Rule plans into their permit renewal and other plans, such as the Groundwater Sampling and Analysis Plan. Groundwater monitoring continues at the PGS Ash Landfill in accordance with the CCR Rule and NDEE Title 132. Recent sampling events identified contaminants of boron and cobalt at a statistically significant increased level on several monitoring wells.

Task 14 is being presented for the CCR Groundwater Services-Site Investigation services for the detection of contaminants at an increased level. Task 14 is being presented for a cost not to exceed \$25,900.00.

To ensure the same high quality and consistency for these next phases of the CCR Rule 257.95(g) and NDEE Title 132, it is recommended that HDR Engineering continue with these tasks. HDR is providing state-wide consistency across the state of Nebraska with the NDEE.

In accordance with City procurement code, plant staff recommends that the Council authorize HDR Engineering continue their services as the Consulting Engineer for the Platte Generating Station CCR requirements.

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 authorize HDR Engineering, Inc., of Omaha, Nebraska, for providing Engineering services to meet the Coal Combustion Residuals program CCR Groundwater Services – Site Investigation Task 14 for a fee not to exceed \$25,900.00.

Sample Motion

Move to authorize HDR Engineering, Inc., of Omaha, Nebraska for providing Engineering Services for the Platte Generating Station CCR Groundwater Services – Site Investigation Task #14 for a fee not to exceed \$25,900.00.

RESOLUTION 2020-142

WHEREAS, the U.S. Environmental Protection Agency's Rule for the regulation and management of Coal Combustion Residual (CCR) under the Resource Conservation and Recovery Act (RCRA) became effective on October 19, 2015; and

WHEREAS, personal at the Platte Generating Station reviewed the regulations and determined consulting services were needed to meet the CCR Rule Compliance schedule, and HDR Engineering was hired as the sole source to ensure timeliness, high quality and consistency among other electric utilities and independent power producers in Nebraska; and

WHEREAS, on September 27, 2016 Council approved HDR Engineering to complete task 1-4 to include ground water sampling, review of the Ash Landfill Closure Plan, Post-closure Plan, and Run-on/run-off Control System Plan for a cost not to exceed \$86,290.00

WHEREAS, on September 24, 2019 Council approved HDR Engineering to complete Tasks #5-9 to allow compliance with the CCR Rule in an amount not to exceed \$189,960.00; and

WHEREAS, on October 8, 2019, Council approved HDR Engineering to complete Task 10 to include preparation for the Title 132 Permit Renewal Application and amend the CCR Run-On and Run-Off Control System Plant at a cost not to exceed \$39,970.00; and Task 11 for the CCR 2019 Annual Landfill Inspection and Fugitive Dust Control Reporting for a cost not to exceed \$12,990.00; and

WHEREAS, on November 26, 2019, Council approved HDR Engineering to completed Task 12, upgradient Well MW-11, for a cost not to exceed \$16,660.00; and

WHEREAS, to ensure continued preparation and to address and respond to NDEE regarding the Title 132 Permit Renewal Application revisions and amend the CCR Run-on and Run-off Control System, Task 10-300, it is recommended that HDR Engineering continue with these tasks. Task 10-300 is being presented for a cost not to exceed \$14,860.00.

WHEREAS, on March 10, 2020, Council approved Task 13 for the CCR Groundwater Monitoring and Reporting which included semi-annual Groundwater Sampling for the first and second half of 2020, and the 2020 Spring and Fall Groundwater Reports for a cost not to exceed \$47,100.00.

WHEREAS, the ensure the same high quality and consistency for these next phases of the CCR Rule 257.95(g) and NDEE Title 132, it is recommended that HDR Engineering continue with Task 14 for the detection of contaminants for a cost not to exceed \$25,900.00.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that HDR Engineering is authorized to continue with Task 14 associated with the CCR Rule and NDEE Title 132 in an amount not to exceed \$25,900.00.

Approved as to Form	□ _____
June 18, 2020	□ City Attorney

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, June 23, 2020.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

- 2 -



City of Grand Island

Tuesday, June 23, 2020

Council Session

Item G-7

**#2020-143 - Approving Certificate of Final Completion for Lift
Station No. 11 Relocation- 2018; Project No. 2018-S-1**

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

Council Agenda Memo

From: Keith Kurz PE, Assistant Public Works Director

Meeting: June 23, 2020

Subject: Approving Certificate of Final Completion for Lift Station No. 11 Relocation- 2018; Project No. 2018-S-1

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

Background

Midlands Contracting, Inc. of Kearney, Nebraska was awarded a \$1,647,665.35 contract on March 27, 2018, via Resolution No. 2018-85, for Lift Station No. 11 Relocation – 2018; Project No. 2018-S-1.

On June 12, 2018, via Resolution No. 2018-160, City Council approved Change Order No. 1, which added pay items for directional drilling at the intersection of Custer Avenue & 13th Street and at the detention cell north of this area, as well as adjusted quantities for such work. This alternative was proposed by the contractor to save time and lessen the impact of street closures in the area. Change Order No. 1 resulted in a contract reduction of \$15,657.70, modifying the total contract agreement to \$1,632,007.65.

On July 10, 2018, via Resolution No. 2018-203, City Council approved Change Order No. 2, which established a new unit price for bedding the force main in native sand, resulting in a unit price reduction of \$1.97 over the originally bid granular bedding. Change Order No. 2 had no impact on the total contract agreement of \$1,632,007.65; quantities will be rectified once known.

On September 11, 2018, via Resolution No. 2018-269, City Council approved Change Order No. 3, which allowed for the addition of an ADA ramp, abandonment of water service at Walnut Middle School, reconstruction of storm sewer inlet, pavement stripe on Custer Avenue, and traffic control credit on Custer Avenue. Change Order No. 3 increased the original contract amount by \$8,780.80, resulting in a total contract agreement of \$1,640,788.45.

On June 11, 2019, via Resolution No. 2019-189, City Council approved Change Order No. 4, which extended the completion date to December 1, 2019, as the original contract stated “The contractor is to also have all work completed within 14 months of commencement of construction.” Work began on Lift Station No. 11 Relocation- 2018; Project No. 2018-S-1 on June 12, 2018, which put the completion date at August 12,

2019. Due to the unworkable winter and spring weather conditions it was requested to give the contractor a four (4) month credit on the completion date, which put such date at December 1, 2019. There was no impact on the total contract amount.

On January 14, 2020, via Resolution No. 2020-9, City Council approved Change Order No. 5, which extended the completion date from December 1, 2019 to May 1, 2020 to allow for seeding to take place in Spring 2020; as well rectify quantities. Such change order resulted in an increase of \$680.18 to the original contract, resulting in a revised contract amount of \$1,641,468.63.

Lift Station No. 11, which was located on 8th Street between Custer Avenue and Howard Avenue at 2511 W 8th Street, was in need of upgrade. The hospital contributed debris and rags that clogged the previous pumps, the wet well did not have sufficient capacity, and there was no space for a stand-by generator. A new submersible, duplex style lift station, with a grinder pump on the influent, and a stand-by generator was constructed at a larger, nearby location.

A new 6-inch force main was re-routed from the South Interceptor to the North Interceptor. Lift Station No. 11 contributes an average of 100-150 thousand gallons per day to the South Interceptor. The Lift Station No. 11 upgrade & re-route alleviated some capacity issues in the South Interceptor by re-routing Lift Station No. 11 force main to the North Interceptor.

Discussion

The project was completed in accordance with the terms, conditions, and stipulations of the contract, plans and specifications. Construction was completed for a total cost of \$1,641,468.63. Additional project costs are shown below.

ADDITIONAL COSTS

B2 Environmental, Inc.	Asbestos Testing	\$ 300.00
Grand Island Independent	Advertising	\$ 218.70
City of Grand Island- PW Engineering	Engineering Services	\$ 3,414.22
Hall Co Register of Deeds	Filing Fees	\$ 40.00
Toms Tree Service	Tree Removal	\$ 600.00
Olsson, Inc.	Engineering Services	\$ 260,047.00
		\$ 264,619.92

Total project cost is \$1,906,088.55.

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 Certificate of Final Completion for Lift Station No. 11 Relocation- 2018; Project No. 2018-S-1.

Sample Motion

Move to approve the Certificate of Final Completion.

ENGINEER'S CERTIFICATE OF FINAL COMPLETION

Lift Station No. 11 Relocation- 2018; Project No. 2018-S-1
 CITY OF GRAND ISLAND, NEBRASKA
 June 23, 2020

TO THE MEMBERS OF THE COUNCIL
 CITY OF GRAND ISLAND
 GRAND ISLAND, NEBRASKA

This is to certify that Lift Station No. 11 Relocation- 2018; Project No. 2018-S-1 has been fully completed by Midlands Contracting, Inc. of Kearney, Nebraska under the contract awarded March 27, 2018. The work has been completed in accordance with the terms, conditions, and stipulations of said contract and complies with the contract, the plans and specifications. The work is hereby accepted for the City of Grand Island, Nebraska, by me as Public Works Director in accordance with the provisions of Section 16-650 R.R.S., 1943.

Item No.	Description	Total Quantity	Unit	Unit Price	Total Cost
Base Bid-					
1	Mobilization / Demobilization	1.00	LS	\$ 40,000.00	\$ 40,000.00
2	6-Inch Force Main, PVC	450.00	LF	\$ 25.00	\$ 11,250.00
3	18-Inch Gravity Sewer Line	426.00	LF	\$ 102.00	\$ 43,452.00
4	12-Inch Gravity Sewer Line	59.00	LF	\$ 53.00	\$ 3,127.00
5	10-Inch Gravity Sewer Line	269.00	LF	\$ 82.00	\$ 22,058.00
6	4-Inch Gravity Sewer Line	8.00	LF	\$ 46.00	\$ 368.00
7	4 Foot Diameter Manhole, Type 1 (16' Depth)	7.00	EA	\$ 8,130.00	\$ 56,910.00
8	4 Foot Diameter Drop Manhole, Type 1 (16' Depth)	1.00	EA	\$ 12,650.00	\$ 12,650.00
9	4 Foot Diameter Manhole, Type 3	1.00	EA	\$ 5,400.00	\$ 5,400.00
10	Additional Manhole Depth (Type 1)	13.53	VF	\$ 300.00	\$ 4,059.00
11	Air Release Structure	2.00	EA	\$ 6,000.00	\$ 12,000.00
12	10" x 4" Sanitary Sewer Connection	1.00	EA	\$ 190.00	\$ 190.00
13	D.I. Fittings	1,200.00	LB	\$ 5.35	\$ 6,420.00
14	Connection to Existing Sewer	4.00	EA	\$ 1,915.00	\$ 7,660.00
15	Connection to Existing Sewer Manhole (Drop Connection)	1.00	EA	\$ 4,325.00	\$ 4,325.00
16	Build Lift Station No. 29	1.00	LS	\$ 422,000.00	\$ 422,000.00
17	Build Electrical Building	1.00	LS	\$ 197,000.00	\$ 197,000.00
18	1-Inch Water Service Connection	1.00	EA	\$ 900.00	\$ 900.00
19	1-Inch Water Service Curb Stop w/ Box	1.00	EA	\$ 545.00	\$ 545.00
20	1-Inch Water Service Tubing (Type K Cu.)	110.00	LF	\$ 20.00	\$ 2,200.00
21	Existing Lift Station No. 11 Abandonment	1.00	LS	\$ 17,000.00	\$ 17,000.00
22	Tracer Wire Test Box	12.00	EA	\$ 285.00	\$ 3,420.00
23	Dewatering	1.00	LS	\$ 135,000.00	\$ 135,000.00
24	Bypass Pumping	1.00	LS	\$ 6,600.00	\$ 6,600.00
25	Abandon Existing Manhole	3.00	EA	\$ 670.00	\$ 2,010.00
26	Remove Existing Sanitary Sewer Manhole	3.00	EA	\$ 1,400.00	\$ 4,200.00
27	Abandon Sewer Line 18-Inch and Less (Grout Fill)	296.00	LF	\$ 15.00	\$ 4,440.00
28	Remove Sanitary Sewer Line 18-Inch and Less	495.00	LF	\$ 9.00	\$ 4,455.00
29	Plug Existing Sewer Line (12-Inch or Less)	1.00	EA	\$ 135.00	\$ 135.00
30	Remove Pavement	6,741.00	SY	\$ 8.00	\$ 53,928.00
31	Remove Walk	100.12	SY	\$ 5.15	\$ 515.62

32	Place 8-Inch Concrete Pavement	6,670.00	SY	\$ 46.35	\$ 309,154.50
33	Place 6-Inch Concrete Pavement	362.00	SY	\$ 51.50	\$ 18,643.00
34	Place 4-Inch Concrete Walk	91.22	SY	\$ 51.25	\$ 4,675.03
35	Remove Concrete Low Flow Liner	0.00	SY	\$ 5.15	\$ -
36	Place Concrete Low Flow Liner	0.00	SY	\$ 46.35	\$ -
37	Concrete Header	17.00	LF	\$ 21.00	\$ 357.00
38	Gravel Surfacing	8.00	TN	\$ 26.00	\$ 208.00
39	Bollards	4.00	EA	\$ 550.00	\$ 2,200.00
40	Seeding (Type 1)	0.66	AC	\$ 9,000.00	\$ 5,940.00
41	Sodding	0.90	AC	\$ 26,920.00	\$ 24,228.00
42	Sprinkler Repair (North Detention Cell / Walnut School)	1.00	LS	\$ 17,025.00	\$ 17,025.00
43	Sprinkler Repair (South Detention Cell)	1.00	LS	\$ 3,605.00	\$ 3,605.00
44	Traffic Control	1.00	LS	\$ 40,500.00	\$ 40,500.00
45	Erosion Control	1.00	LS	\$ 15,000.00	\$ 15,000.00
46	Remove Cable Wire Fence	146.00	LF	\$ 2.50	\$ 365.00
47	Clearing / Grubbing / Tree Removal	1.00	LS	\$ 2,000.00	\$ 2,000.00
48	Temporary Access Road	1.00	LS	\$ 3,500.00	\$ 3,500.00
Total Base Bid=					\$ 1,531,618.14

Change Order No. 1-					
CO1-1	Directional Drilling Mobilization	1.00	LS	\$ 1,650.00	\$ 1,650.00
CO1-2	6-Inch Directional Drilling (13th Street)	120.00	LF	\$ 52.50	\$ 6,300.00
CO1-3	6-Inch Directional Drilling (North Detention Cell)	637.00	LF	\$ 37.00	\$ 23,569.00
CO1-4	Dewatering Credit	-300.00	LS	\$ 18.75	\$ (5,625.00)
Total Change Order No. 1=					\$ 25,894.00

Change Order No. 2-					
CO2-1	6-Inch Force Main w/ Native Bedding (sand)	3,223.00	LF	\$ 23.03	\$ 74,225.69
Total Change Order No. 2=					\$ 74,225.69

Change Order No. 3-					
CO3-1	Construct ADA Ramp	80.00	SF	\$ 23.26	\$ 1,860.80
CO3-2	Abandon 2" Water Service at Walnut Middle School	1.00	LS	\$ 3,895.00	\$ 3,895.00
CO3-3	Reconstruct Storm Sewer Inlet	1.00	EA	\$ 2,150.00	\$ 2,150.00
CO3-4	Custer Street Pavement Striping	1.00	LS	\$ 1,875.00	\$ 1,875.00
CO3-5	Traffic Control Credit (Custer Avenue)	1.00	LS	\$ (1,000.00)	\$ (1,000.00)
Total Change Order No. 3=					\$ 8,780.80

Change Order No. 5-					
CO5-1	Existing Manhole Modification	1.00	EA	\$ 950.00	\$ 950.00
Total Change Order No. 2=					\$ 950.00
Grand Total Lift Station No. 11=					
					\$ 1,641,468.63

Additional Costs:

B2 Environmental, Inc.	Asbestos Testing	\$ 300.00
Grand Island Independent	Advertising	\$ 218.70
City of Grand Island- PW Engineering	Engineering Services	\$ 3,414.22
Hall Co Register of Deeds	Filing Fees	\$ 40.00
Toms Tree Service	Tree Removal	\$ 600.00
Olsson, Inc.	Engineering Services	\$ 260,047.00
		\$ 264,619.92

Total Project Cost=	\$1,906,088.55
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I hereby recommend that the Engineer's Certificate of Final Completion for Lift Station No. 11 Relocation-2018; Project No. 2018-S-1 be approved.

John Collins – City Engineer/Public Works Director

Roger G. Steele – Mayor

R E S O L U T I O N 2020-143

WHEREAS, the City Engineering/Public Works Director for the City of Grand Island issued a Certificate of Final Completion for Lift Station No. 11 Relocation- 2018; Project No. 2018-S-1 certifying that Midlands Contracting, Inc. of Kearney, Nebraska, under contract, has completed such project for the total construction amount of \$1,641,468.63; and

WHEREAS, the City Engineer/Public Works Director recommends the acceptance of the project; and

WHEREAS, additional project costs equate to \$264,619.92, as shown

ADDITIONAL COSTS

B2 Environmental, Inc.	Asbestos Testing	\$ 300.00
Grand Island Independent	Advertising	\$ 218.70
City of Grand Island- PW Engineering	Engineering Services	\$ 3,414.22
Hall Co Register of Deeds	Filing Fees	\$ 40.00
Toms Tree Service	Tree Removal	\$ 600.00
Olsson, Inc.	Engineering Services	\$ 260,047.00
		\$ 264,619.92

WHEREAS, the Mayor concurs with the recommendation of the City Engineer/Public Works Director, and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Certificate of Final Completion for Lift Station No. 11 Relocation- 2018; Project No. 2018-S-1, in the amount of \$1,906,088.55 is hereby confirmed.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, June 23, 2020.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	▣ _____
June 18, 2020	▣ City Attorney



City of Grand Island

Tuesday, June 23, 2020

Council Session

Item G-8

**#2020-144 - Approving Certificate of Final Completion for
Downtown Sanitary Sewer Rehabilitation- 2019; Project No. 2019-
S-1**

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

Council Agenda Memo

From: Keith Kurz PE, Assistant Public Works Director

Meeting: June 23, 2020

Subject: Approving Certificate of Final Completion for Downtown Sanitary Sewer Rehabilitation- 2019; Project No. 2019-S-1

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

Background

Municipal Pipe Tool Co., LLC of Hudson, Iowa was awarded a \$634,409.00 contract on April 23, 2019, via Resolution No. 2019-143, for Downtown Sanitary Sewer Rehabilitation- 2019; Project No. 2019-S-1.

On November 12, 2019, via Resolution No. 2019-342, City Council approved Change Order No. 1 in the amount of \$19,290.00 to allow an increase to the pre-liner footage and additional pay items for 12" pre-liner and mortar plugging for pipe transition to minimize risk of failure on this project. Change Order No. 1 resulted in a revised contract amount of \$653,699.00.

On January 14, 2020, via Resolution No. 2020-14, City Council approved Change Order No. 2 to address reinstatement of an unknown service at the time of design, add a transition liner to a line that was found to be in bad repair which is adjacent to pipes included in the original project, add bypass pumping and traffic control, as well as rectify quantities on a few pay items. Change Order No. 2, in the amount of \$47,341.00, resulting in a revised contract amount of \$701,040.00.

On April 14, 2020, via Resolution No. 2020-96, City Council approved Change Order No. 3 for a contract decrease of \$52,557.00, which allowed for quantities to be rectified. Such change order resulted in a revised contract amount of \$648,483.00.

Public Works took a proactive approach in rehabilitating sanitary sewer in the downtown area to avoid failures. Cured in Place Pipe (CIPP) lining with manhole rehabilitation was the focus of the project to reinforce structural integrity of the collection system. Pipe segments were within constricted alleyways of the project boundary, Clark Street to the west, South Front Street to the north, Plum Street to the east, and First Street to the south. Additional failing pieces in the area were assessed to determine the best rehabilitation method. Segments were mostly 8-inch pipe, with total length of approximately 13,000 linear feet.

There are approximately 230 miles of gravity sewer within the City of Grand Island's collection system. The majority of this infrastructure is between 26 and 75 years old, and between 8 and 18 inches in diameter. The majority of the sanitary sewer rehabilitations are for old clay tile pipe and or damaged / dilapidated manholes.

Discussion

The project was completed in accordance with the terms, conditions, and stipulations of the contract, plans and specifications. Construction was completed for a total cost of \$648,482.50. Additional project costs are shown below.

ADDITIONAL COSTS

City of Grand Island- PW Engineering	Engineering Services	\$ 3,005.27
Olsson, Inc.	Engineering Services	\$ 142,913.00
		\$ 145,918.27

Total project cost is \$794,400.77.

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 Certificate of Final Completion for Downtown Sanitary Sewer Rehabilitation- 2019; Project No. 2019-S-1.

Sample Motion

Move to approve the Certificate of Final Completion.

ENGINEER'S CERTIFICATE OF FINAL COMPLETION

Downtown Sanitary Sewer Rehabilitation- 2019; Project No. 2019-S-1
CITY OF GRAND ISLAND, NEBRASKA
June 23, 2020

TO THE MEMBERS OF THE COUNCIL
CITY OF GRAND ISLAND
GRAND ISLAND, NEBRASKA

This is to certify that Downtown Sanitary Sewer Rehabilitation- 2019; Project No. 2019-S-1 has been fully completed by Municipal Pipe Tool Co., Inc. of Hudson, Iowa under the contract awarded April 23, 2019. The work has been completed in accordance with the terms, conditions, and stipulations of said contract and complies with the contract, the plans and specifications. The work is hereby accepted for the City of Grand Island, Nebraska, by me as Public Works Director in accordance with the provisions of Section 16-650 R.R.S., 1943.

Item No.	Description	Total Quantity	Unit	Unit Price	Total Cost
Base Bid-					
1	MOBILIZATION / DEMOBILIZATION	1.00	LS	\$ 14,000.00	\$ 14,000.00
2	18- INCH CIPP LINING	0.00	LF	\$ 115.00	\$ -
3	15-INCH CIPP LINING	348.00	LF	\$ 52.00	\$ 18,096.00
4	12-INCH CIPPP LINING	2,812.00	LF	\$ 27.50	\$ 77,330.00
5	8-INCH CIPP LINING	10,296.00	LF	\$ 25.00	\$ 257,400.00
6	15-INCH PRE-LINER	0.00	LF	\$ 5.00	\$ -
7	8-INCH PRE-LINER	3,567.00	LF	\$ 5.00	\$ 17,835.00
8	TRIM PROTRUSION	47.00	EA	\$ 250.00	\$ 11,750.00
9	SERVICE REINSTATEMENT	384.00	EA	\$ 90.00	\$ 34,560.00
10	MANHOLE END SEAL	75.00	EA	\$ 125.00	\$ 9,375.00
11	PRE-LINING CCTV INSPECTION / PIPE CLEANING	13,456.00	LF	\$ 2.50	\$ 33,640.00
12	BYPASS PUMPING	1.00	LS	\$ 15,000.00	\$ 15,000.00
13	POST-LINING CCTV INSPECTION	13,456.00	LF	\$ 0.50	\$ 6,728.00
14	MANHOLE 365 EXCAVATION	0.00	LS	\$ 15,000.00	\$ -
15	MANHOLE 368 REHABILITATION	1.00	LS	\$ 2,182.00	\$ 2,182.00
16	TRAFFIC CONTROL	1.00	LS	\$ 5,000.00	\$ 5,000.00
Total Base Bid=					\$ 502,896.00

Alternate Bid Section "A"-					
1	MOBILIZATION / DEMOBILIZATION	1.00	LS	\$ 2,500.00	\$ 2,500.00
2	30-INCH CIPP LINING	31.00	LF	\$ 975.00	\$ 30,225.00
3	30-INCH CIPP PRE-LINER	31.00	LF	\$ 25.00	\$ 775.00
4	MANHOLE END SEAL	2.00	EA	\$ 426.00	\$ 852.00
5	PRE-LINING CCTV INSPECTION / PIPE CLEANING	31.00	LF	\$ 40.00	\$ 1,240.00
6	BYPASS PUMPING	1.00	LS	\$ 10,000.00	\$ 10,000.00
7	POST-LINING CCTV INSPECTION	31.00	LF	\$ 1.00	\$ 31.00
8	MANHOLE REHABILITATION- CEMENTITIOUS LINING	27.50	VF	\$ 336.00	\$ 9,240.00
9	MANHOLE REHABILITATION- EPOXY LINING	27.50	VF	\$ 373.00	\$ 10,257.50
10	REMOVE AND REPLACE MANHOLE FLAT LID	0.00	EA	\$ 3,500.00	\$ -

11	REMOVE AND REPLACE 6" CONCRETE	0.00	SY	\$ 105.00	\$ -
12	TRAFFIC CONTROL	1.00	LS	\$ 2,500.00	\$ 2,500.00
Total Alternate Bid Section "A"=				\$ 67,620.50	

Change Order No. 1-					
CO1-1	12-INCH PRE-LINER	575.00	LF	\$ 5.00	\$ 2,875.00
CO1-2	MORTAR PLUGGING FOR PIPE TRANSITION	1.00	EA	\$ 500.00	\$ 500.00
Total Change Order No. 1=				\$ 3,375.00	

Change Order No. 2-					
CO2-1	REINSTATEMENT OF MISSED SERVICE	1.00	LS	\$ 712.50	\$ 712.50
CO2-2	MANHOLE 368 REHABILITATION CREDIT (ITEM #15)	-1.00	LS	\$ 1,382.00	\$ (1,382.00)
CO2-3	30" TO 21" CIPP TRANSITION LINER	1.00	LS	\$ 2,500.00	\$ 2,500.00
CO2-4	CIPP LINE 24" SEWER LINE BETWEEN MH #198 & MH #195	1.00	LS	\$ 55,760.50	\$ 55,760.50
CO2-5	ADDITIONAL BYPASS PUMPING AND TRAFFIC CONTROL	1.00	LS	\$ 17,000.00	\$ 17,000.00
Total Change Order No. 2=				\$ 74,591.00	

Grand Total Lift Station No. 11=				\$ 648,482.50	
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Additional Costs:

City of Grand Island- PW Engineering	Engineering Services	\$ 3,005.27
Olsson, Inc.	Engineering Services	\$ 142,913.00
		\$ 145,918.27

Total Project Cost=		\$794,400.77
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I hereby recommend that the Engineer's Certificate of Final Completion for Downtown Sanitary Sewer Rehabilitation- 2019; Project No. 2019-S-1 be approved.

John Collins – City Engineer/Public Works Director

Roger G. Steele – Mayor

RESOLUTION 2020-144

WHEREAS, the City Engineering/Public Works Director for the City of Grand Island issued a Certificate of Final Completion for Downtown Sanitary Sewer Rehabilitation- 2019; Project No. 2019-S-1 certifying that Municipal Pipe Tool Co., Inc. of Hudson, Iowa, under contract, has completed such project for the total construction amount of \$648,482.50; and

WHEREAS, the City Engineer/Public Works Director recommends the acceptance of the project; and

WHEREAS, additional project costs equate to \$145,918.27, as shown

ADDITIONAL COSTS

City of Grand Island- PW Engineering	Engineering Services	\$ 3,005.27
Olsson, Inc.	Engineering Services	\$ 142,913.00
		\$ 145,918.27

WHEREAS, the Mayor concurs with the recommendation of the City Engineer/Public Works Director, and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Certificate of Final Completion for Downtown Sanitary Sewer Rehabilitation- 2019; Project No. 2019-S-1, in the amount of \$794,400.77 is hereby confirmed.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, June 23, 2020.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	▣ _____
June 18, 2020	▣ City Attorney



City of Grand Island

Tuesday, June 23, 2020

Council Session

Item G-9

#2020-145 - Approving Acquisition of Public Right-of-Way for Old Potash Highway Roadway Improvements; Project No. 2019-P-1 (Westside Bowling, LLC- 112 Kaufman Avenue)

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

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

RESOLUTION 2020-145

WHEREAS, public right-of-way is required by the City of Grand Island, from Westside Bowling, LLC, Grand Island, Hall County, Nebraska and more particularly described as follows:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 1, COMMONWEALTH BUSINESS PARK SUBDIVISION, AN ADDITION TO THE CITY OF GRAND ISLAND, NEBRASKA; THENCE ON AN ASSUMED BEARING OF S89°26'45"W ALONG THE SOUTH LINE OF SAID LOT 1, LINE ALSO BEING THE NORTH RIGHT-OF-WAY LINE OF OLD POTASH HIGHWAY, A DISTANCE OF 299.83 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1; THENCE N01°39'02"W ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 294.20 FEET TO A POINT OF CURVATURE; THENCE AROUND A CURVE IN A COUNTER-CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 17°32'54", A RADIUS OF 718.50 FEET, A CHORD BEARING OF S10°25'29"E, A CHORD DISTANCE OF 219.20 FEET, AN ARC LENGTH OF 220.06 FEET; THENCE S40°45'50"E A DISTANCE OF 81.49 FEET; THENCE N89°28'39"E A DISTANCE OF 194.98 FEET; THENCE N43°55'44"E A DISTANCE OF 28.01 FEET TO A POINT ON THE EAST LINE OF SAID LOT 1, POINT ALSO BEING ON THE WEST RIGHT-OF-WAY LINE OF KAUFMAN AVENUE; THENCE S01°37'11"E ALONG THE EAST LINE OF SAID LOT 1, LINE ALSO BEING THE SAID WEST RIGHT-OF-WAY LINE OF KAUFMAN AVENUE, A DISTANCE OF 35.84 FEET TO A POINT OF BEGINNING. SAID TRACT CONTAINS 11,035 SF MORE OR LESS.

WHEREAS, an Agreement for the public right-of-way has been reviewed and approved by the City Legal Department.

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 enter into the Agreement for the public right-of-way on the above described tract of land, at no cost to the City.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized and directed to execute such agreement on behalf of the City of Grand Island.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, June 23, 2020.

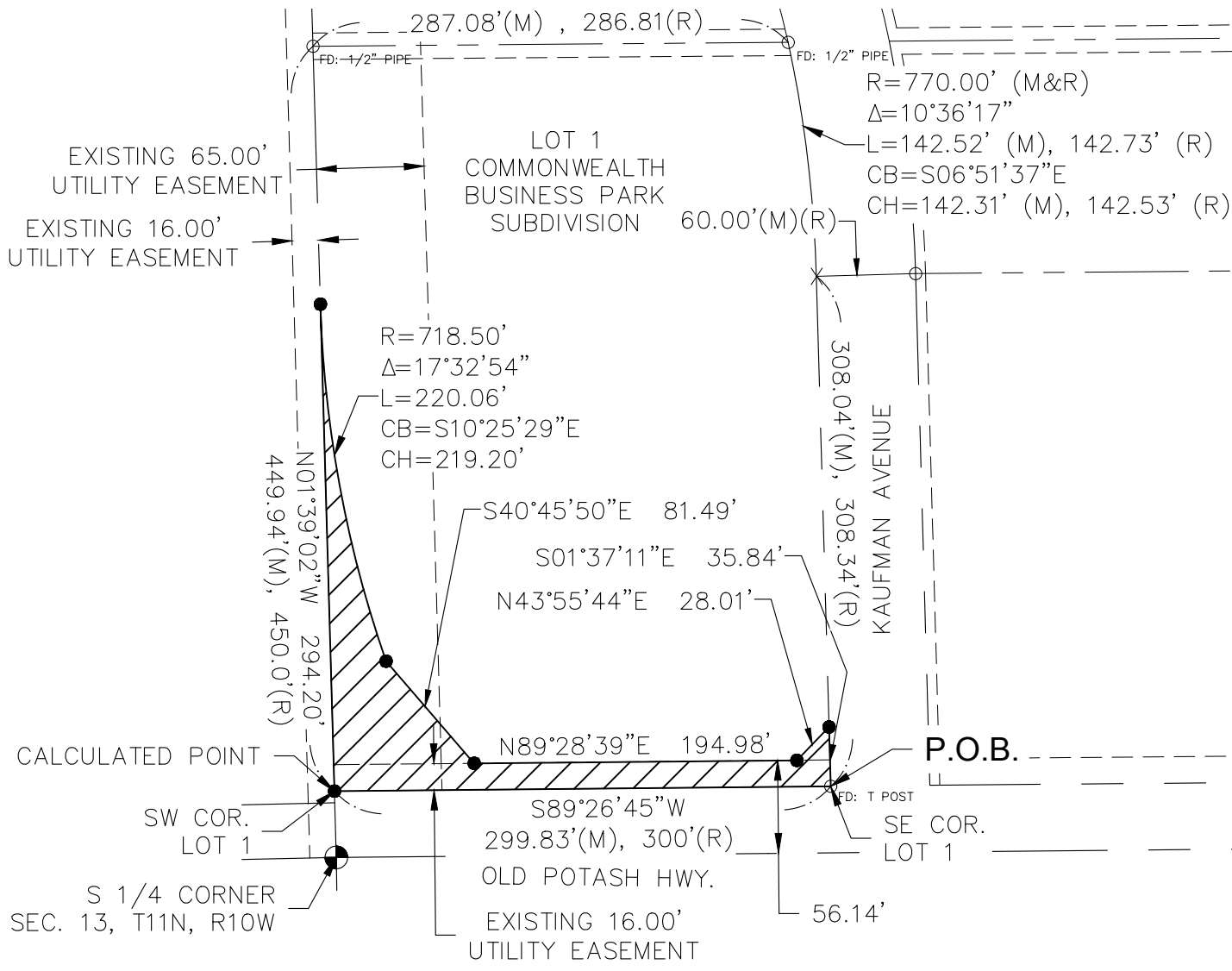
Roger G. Steele, Mayor

Attest:

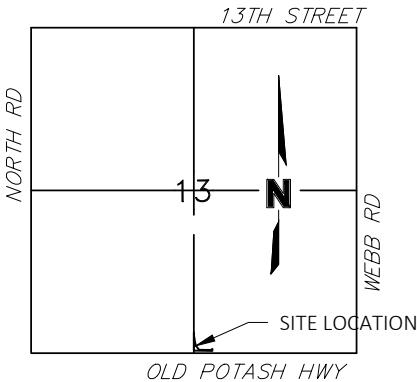
RaNae Edwards, City Clerk

Approved as to Form	by _____
June 18, 2020	City Attorney

RIGHT-OF-WAY
CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA
TRACT NO. 13
OLD POTASH HIGHWAY PAVING IMPROVEMENTS




LOCATION MAP
SEC. 13 T11N-R10W



LEGEND

- SET CORNER (5/8"x24" REBAR W/CAP)
- FOUND CORNER
- - - - - EXISTING EASEMENT LINE
- - - - - EXISTING PROPERTY LINE
- ▨ NEW RIGHT OF WAY
- M MEASURED DISTANCE
- R RECORDED DISTANCE
- X CALCULATED POINT

DWG: F:\2017\3001-3500\017-3110\40-Design\Exhibits\R.O.W\13_ROW_0173110.dwg USER: Istoltenberg
DATE: Jan 08, 2020 9:39am XREFS: v_xrway_gimsp_73110 V_XTOPO_GIMSP_73110

PROJECT NO: 2017-3110	RIGHT OF WAY		201 East 2nd Street Grand Island, NE 68801 TEL 308.384.8750	EXHIBIT
DRAWN BY: LS				
DATE: 1.8.2020				

RIGHT-OF-WAY
CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA
TRACT NO. 13
OLD POTASH HIGHWAY PAVING IMPROVEMENTS

RIGHT-OF-WAY DESCRIPTION

A TRACT OF LAND LOCATED IN LOT 1, COMMONWEALTH BUSINESS PARK SUBDIVISION, AN ADDITION TO THE CITY OF GRAND ISLAND, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 1, COMMONWEALTH BUSINESS PARK SUBDIVISION, AN ADDITION TO THE CITY OF GRAND ISLAND, NEBRASKA; THENCE ON AN ASSUMED BEARING OF S89°26'45"W ALONG THE SOUTH LINE OF SAID LOT 1, LINE ALSO BEING THE NORTH RIGHT-OF-WAY LINE OF OLD POTASH HIGHWAY, A DISTANCE OF 299.83 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1; THENCE N01°39'02"W ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 294.20 FEET TO A POINT OF CURVATURE; THENCE AROUND A CURVE IN A COUNTER-CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 17°32'54", A RADIUS OF 718.50 FEET, A CHORD BEARING OF S10°25'29"E, A CHORD DISTANCE OF 219.20 FEET, AN ARC LENGTH OF 220.06 FEET; THENCE S40°45'50"E A DISTANCE OF 81.49 FEET; THENCE N89°28'39"E A DISTANCE OF 194.98 FEET; THENCE N43°55'44"E A DISTANCE OF 28.01 FEET TO A POINT ON THE EAST LINE OF SAID LOT 1, POINT ALSO BEING ON THE WEST RIGHT-OF-WAY LINE OF KAUFMAN AVENUE; THENCE S01°37'11"E ALONG THE EAST LINE OF SAID LOT 1, LINE ALSO BEING THE SAID WEST RIGHT-OF-WAY LINE OF KAUFMAN AVENUE, A DISTANCE OF 35.84 FEET TO A POINT OF BEGINNING. SAID TRACT CONTAINS 11,035 SF MORE OR LESS.

SECTION TIES


S 1/4 CORNER SECTION 13-T11N-R10W
FND SURVEY SPIKE W/ WASHER @ ASPHALT GRADE
S 2.0 TO CL E-W RD
W 12.0 TO CL RD SOUTH
SE 42.66 TO X NAILS IN PWP
SW 88.56 TO MAG AND WASHER IN PPL
NW 42.09 TO X NAILS IN PWP
N 32.58 TO REDHEAD IN PWP

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT ON _____ UNDER MY PERSONAL SUPERVISION, I COMPLETED AN ACCURATE SURVEY OF A TRACT OF LAND BEING PART OF LOT 1, COMMONWEALTH BUSINESS PARK SUBDIVISION, AN ADDITION TO THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, AS SHOWN ON THE ACCOMPANYING SURVEY RECORD THEREOF; THAT IRON MARKERS, EXCEPT WHERE INDICATED WERE FOUND OR PLACED AT ALL PROPERTY CORNERS; THAT THE DIMENSIONS OF THE TRACT ARE AS SHOWN ON THE SURVEY RECORD; AND THAT SAID SURVEY WAS MADE WITH REFERENCE TO KNOWN AND RECORDED MONUMENTS.

DOUGLAS J. STEVENSON
NEBRASKA REGISTERED LAND SURVEYOR NO. LS-485

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V_XTOPO_GIMSP_73110
USER: Istoltenberg

PROJECT NO: 2017-3110	RIGHT OF WAY		201 East 2nd Street Grand Island, NE 68801 TEL 308.384.8750	EXHIBIT
DRAWN BY: LS				
DATE: 1.8.2020				



City of Grand Island

Tuesday, June 23, 2020

Council Session

Item G-10

#2020-146 - Approving Temporary Construction Easement for Old Potash Highway Roadway Improvements; Project No. 2019-P-1 (Westside Bowling, LLC- 112 Kaufman Avenue)

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

Council Agenda Memo

From: Keith Kurz PE, Assistant Public Works Director

Meeting: June 23, 2020

Subject: Approving Temporary Construction Easement for Old Potash Highway Roadway Improvements; Project No. 2019-P-1 (Westside Bowling, LLC- 112 Kaufman Avenue)

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

Background

The Old Potash Highway Roadway Improvements; Project No. 2019-P-1 is for improvements to Old Potash Highway, as well as intersecting roadways from North Road to Webb Road. 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. This 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.

A Temporary Construction easement is needed to accommodate the construction activities for Old Potash Highway Roadway Improvements; Project No. 2019-P-1, which must be approved by City Council. The temporary construction easement will allow for the roadway improvements to this area.

A sketch is attached to show the temporary construction easement area.

Discussion

A temporary construction easement is needed from one (1) property owner for Old Potash Highway Roadway Improvements; Project No. 2019-P-1 to be constructed.

Engineering staff of the Public Works Department negotiated with the property owner for use of such temporary construction easement.

<i>Property Owner</i>	<i>Legal Description</i>	<i>Cost</i>
Westside Bowling, LLC	<p>COMMENCING AT THE NORTHWEST CORNER OF LOT 1; THENCE ON AN ASSUMED BEARING OF S01°39'02"E ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 30.01 FEET TO THE SOUTHWEST CORNER OF A PROPOSED UTILITY EASEMENT, SAID POINT ALSO BEING POINT OF BEGINNING; THENCE N89°31'46"E PARALLEL TO AND 30.00 FEET SOUTH OF THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 292.05 TO A POINT OF CURVATURE ON THE EAST LINE OF SAID LOT 1, POINT ALSO BEING ON THE WEST RIGHT-OF-WAY LINE OF KAUFMAN AVENUE; THENCE ALONG THE EAST SIDE OF LOT 1, ALSO ALONG THE WEST RIGHT-OF-WAY SIDE OF SAID KAUFMAN AVE, AROUND A CURVE IN A CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 8°20'02", A RADIUS OF 770.00 FEET, A CHORD BEARING OF S05°43'30"E WITH A CHORD DISTANCE OF 111.90 FEET, AN ARC LENGTH OF 112.00 FEET; THENCE S01°37'11"E ALONG THE EAST LINE OF SAID LOT 1, LINE ALSO BEING THE WEST RIGHT-OF-WAY LINE OF SAID KAUFMAN AVE, A DISTANCE OF 272.20 FEET TO THE NORTHEAST CORNER OF A PROPOSED RIGHT-OF-WAY TRACT; THENCE S43°55'44"W ALONG A NORTHERLY LINE OF SAID PROPOSED ROW TRACT, A DISTANCE OF 27.81 FEET TO A NORTHEASTERLY CORNER OF SAID PROPOSED ROW TRACT; THENCE S89°26'04"W ALONG A NORTHERLY LINE OF SAID PROPOSED ROW TRACT, A DISTANCE OF 195.12 FEET TO A NORTHERLY CORNER OF SAID PROPOSED ROW TRACT; THENCE N40°45'50"W ALONG A NORTHERLY LINE OF SAID PROPOSED ROW TRACT, A DISTANCE OF 81.49 FEET TO A POINT OF CURVATURE, POINT ALSO BEING A NORTHERLY CORNER OF SAID PROPOSED ROW TRACT; THENCE ALONG THE EASTERLY SIDE OF SAID PROPOSED ROW TRACT, AROUND A CURVE IN A CLOCKWISE DIRECTION WITH A DELTA ANGLE OF 17°32'54", A RADIUS OF 718.50 FEET, A CHORD BEARING OF N10°25'29"W WITH A CHORD DISTANCE OF 219.20 FEET TO A NORTHERLY CORNER OF SAID PROPOSED ROW TRACT; THENCE N01°39'02"W ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 125.74 TO A POINT OF BEGINNING. EXCEPTING A TRACT DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 1; THENCE S01°39'02"E ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 40.01 FEET; THENCE N89°31'46"E PARALLEL TO AND 40.00 FEET SOUTH OF THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 65.01 FEET TO THE POINT OF BEGINNING; THENCE N89°31'46"E A DISTANCE OF 198.06 FEET TO A POINT OF CURVATURE; THENCE AROUND A CURVE IN A CLOCKWISE DIRECTION</p>	\$23,000.00

	<p>WITH A DELTA ANGLE OF 7°56'14", A RADIUS OF 740.00 FEET, A CHORD BEARING OF S05°31'27"E WITH A CHORD DISTANCE OF 102.43 FEET, AN ARC LENGTH OF 102.51 FEET; THENCE S01°37'11"E, A DISTANCE OF 258.53 FEET; THENCE S89°28'39"W, A DISTANCE OF 161.67 FEET; THENCE N01°39'02"W A DISTANCE OF 44.57 FEET; THENCE S88°20'58"W A DISTANCE OF 5.00 FEET TO THE NORTHEAST CORNER OF A PROPOSED UTILITY EASEMENT; THENCE S01°39'02"E ALONG THE EAST LINE OF SAID PROPOSED UTILITY EASEMENT, A DISTANCE OF 24.60 FEET TO THE SOUTHEAST CORNER OF SAID PROPOSED UTILITY EASEMENT; THENCE S88°39'16"W ALONG THE SOUTH LINE OF SAID PROPOSED UTILITY EASEMENT, A DISTANCE OF 38.16 FEET; THENCE N01°39'02" A DISTANCE OF 341.45 FEET TO THE POINT OF BEGINNING. SAID TEMPORARY EASEMENT CONTAINS 41,827 SQ FT MORE OR LESS.</p>	
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Alternatives

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

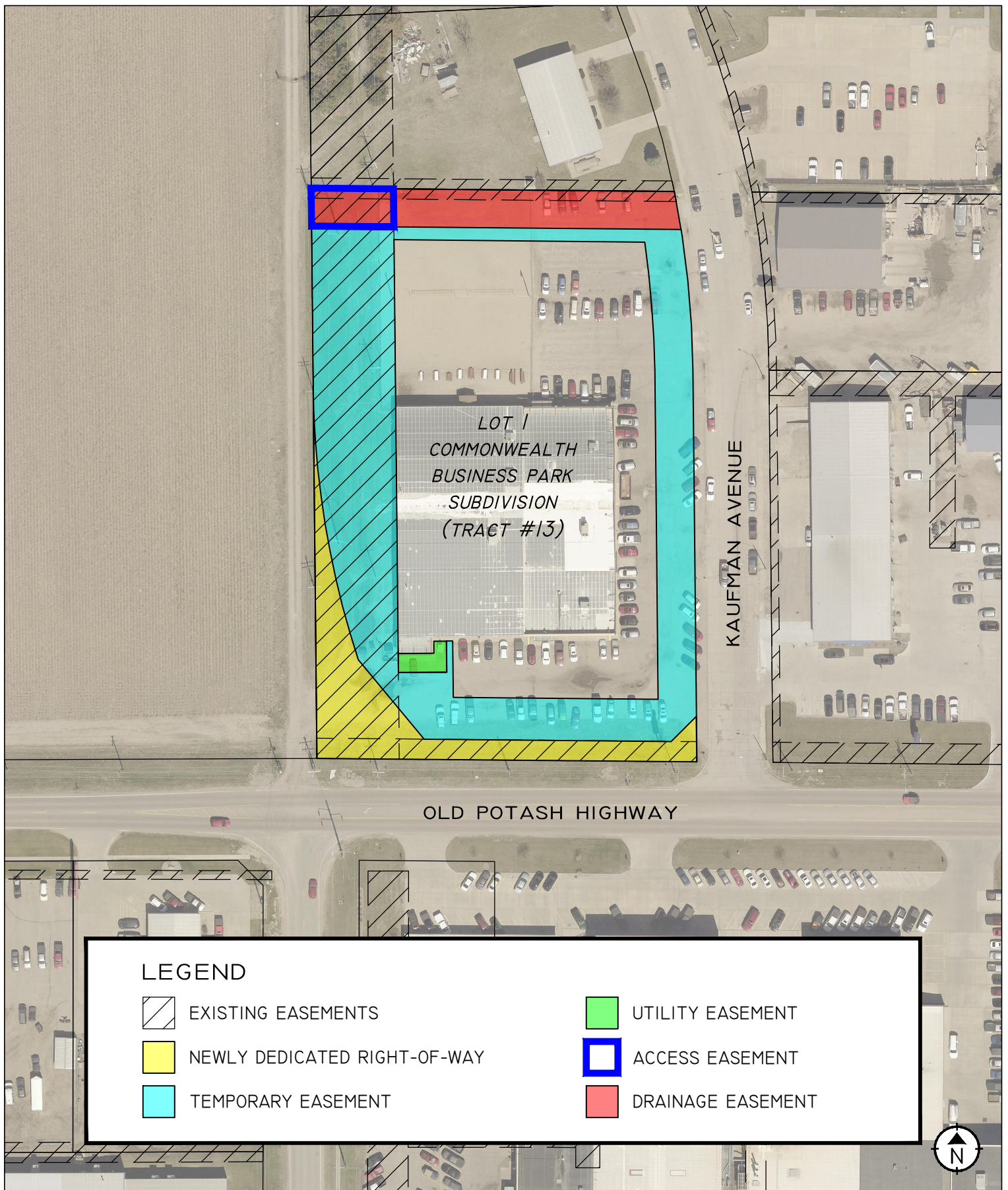
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council approve the Temporary Construction Easement between the City of Grand Island and the affected property owner for Old Potash Highway Roadway Improvements; Project No. 2019-P-1, \$23,000.00.

Sample Motion

Move to approve the temporary construction easement.



PROPERTY ACQUISITION EXHIBIT

2019-P-1 OLD POTASH HIGHWAY PAVING IMPROVEMENTS
GRAND ISLAND, NEBRASKA

CITY OF
GRAND ISLAND
PUBLIC WORKS DEPARTMENT

RESOLUTION 2020-146

WHEREAS, a temporary construction easement is required by the City of Grand Island, from an affected property owner in Old Potash Highway Roadway Improvements; Project No. 2019-P-1 project area:

Westside Bowling, LLC

COMMENCING AT THE NORTHWEST CORNER OF LOT 1; THENCE ON AN ASSUMED BEARING OF S01°39'02"E ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 30.01 FEET TO THE SOUTHWEST CORNER OF A PROPOSED UTILITY EASEMENT, SAID POINT ALSO BEING POINT OF BEGINNING; THENCE N89°31'46"E PARALLEL TO AND 30.00 FEET SOUTH OF THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 292.05 TO A POINT OF CURVATURE ON THE EAST LINE OF SAID LOT 1, POINT ALSO BEING ON THE WEST RIGHT-OF-WAY LINE OF KAUFMAN AVENUE; THENCE ALONG THE EAST SIDE OF LOT 1, ALSO ALONG THE WEST RIGHT-OF-WAY SIDE OF SAID KAUFMAN AVE, AROUND A CURVE IN A CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 8°20'02", A RADIUS OF 770.00 FEET, A CHORD BEARING OF S05°43'30"E WITH A CHORD DISTANCE OF 111.90 FEET, AN ARC LENGTH OF 112.00 FEET; THENCE S01°37'11"E ALONG THE EAST LINE OF SAID LOT 1, LINE ALSO BEING THE WEST RIGHT-OF-WAY LINE OF SAID KAUFMAN AVE, A DISTANCE OF 272.20 FEET TO THE NORTHEAST CORNER OF A PROPOSED RIGHT-OF-WAY TRACT; THENCE S43°55'44"W ALONG A NORTHERLY LINE OF SAID PROPOSED ROW TRACT, A DISTANCE OF 27.81 FEET TO A NORTHEASTERLY CORNER OF SAID PROPOSED ROW TRACT; THENCE S89°26'04"W ALONG A NORTHERLY LINE OF SAID PROPOSED ROW TRACT, A DISTANCE OF 195.12 FEET TO A NORTHERLY CORNER OF SAID PROPOSED ROW TRACT; THENCE N40°45'50"W ALONG A NORTHERLY LINE OF SAID PROPOSED ROW TRACT, A DISTANCE OF 81.49 FEET TO A POINT OF CURVATURE, POINT ALSO BEING A NORTHERLY CORNER OF SAID PROPOSED ROW TRACT; THENCE ALONG THE EASTERLY SIDE OF SAID PROPOSED ROW TRACT, AROUND A CURVE IN A CLOCKWISE DIRECTION WITH A DELTA ANGLE OF 17°32'54", A RADIUS OF 718.50 FEET, A CHORD BEARING OF N10°25'29"W WITH A CHORD DISTANCE OF 219.20 FEET TO A NORTHERLY CORNER OF SAID PROPOSED ROW TRACT; THENCE N01°39'02"W ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 125.74 TO A POINT OF BEGINNING. EXCEPTING A TRACT DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 1; THENCE S01°39'02"E ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 40.01 FEET; THENCE N89°31'46"E PARALLEL TO AND 40.00 FEET SOUTH OF THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 65.01 FEET TO THE POINT OF BEGINNING; THENCE N89°31'46"E A DISTANCE OF 198.06 FEET TO A POINT OF CURVATURE; THENCE AROUND A CURVE IN A CLOCKWISE DIRECTION WITH A DELTA ANGLE OF 7°56'14", A RADIUS OF 740.00 FEET, A CHORD BEARING OF S05°31'27"E WITH A CHORD DISTANCE OF 102.43 FEET, AN ARC LENGTH OF 102.51 FEET; THENCE S01°37'11"E, A DISTANCE OF 258.53 FEET; THENCE S89°28'39"W, A DISTANCE OF 161.67 FEET; THENCE N01°39'02"W A DISTANCE OF 44.57 FEET; THENCE S88°20'58"W A DISTANCE OF 5.00 FEET TO THE NORTHEAST CORNER OF A PROPOSED UTILITY EASEMENT; THENCE S01°39'02"E ALONG THE EAST LINE OF SAID PROPOSED UTILITY EASEMENT, A DISTANCE OF 24.60 FEET TO THE SOUTHEAST CORNER OF SAID PROPOSED UTILITY EASEMENT; THENCE S88°39'16"W ALONG THE SOUTH LINE OF SAID PROPOSED UTILITY EASEMENT, A DISTANCE OF 38.16 FEET; THENCE N01°39'02" A DISTANCE OF 341.45 FEET TO THE POINT OF BEGINNING. SAID TEMPORARY EASEMENT CONTAINS 41,827 SQ FT MORE OR LESS.

Approved as to Form	▣ _____
June 18, 2020	▣ City Attorney

WHEREAS, such Temporary Construction easement has been reviewed and approved by the City Legal Department.

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 compensate the affected property owner for the Temporary Construction easement on the above described tract of land, at no cost.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, June 23, 2020.

Roger G. Steele, Mayor

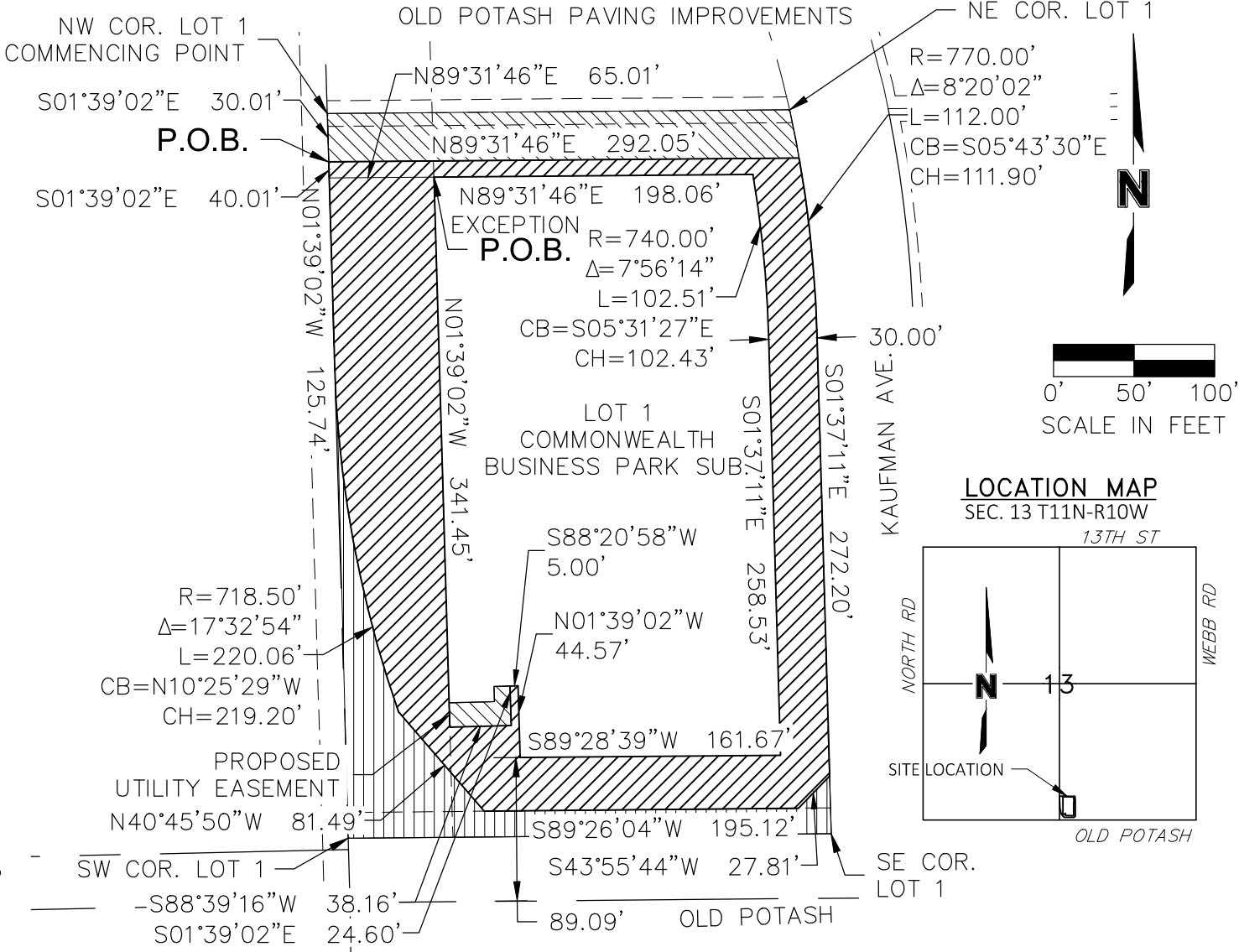
Attest:

RaNae Edwards, City Clerk

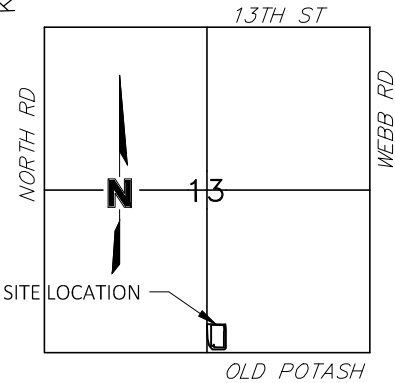
TEMPORARY EASEMENT

CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA
TRACT NO. 13

OLD POTASH PAVING IMPROVEMENTS



LOCATION MAP
SEC. 13 T11N-R10W



TEMPORARY EASEMENT DESCRIPTION

A TEMPORARY EASEMENT LOCATED IN PART OF LOT 1, COMMONWEALTH BUSINESS PARK SUBDIVISION, AN ADDITION TO THE CITY OF GRAND ISLAND, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 1; THENCE ON AN ASSUMED BEARING OF S01°39'02"E ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 30.01 FEET TO THE SOUTHWEST CORNER OF A PROPOSED UTILITY EASEMENT, SAID POINT ALSO BEING POINT OF BEGINNING; THENCE N89°31'46"E PARALLEL TO AND 30.00 FEET SOUTH OF THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 292.05 TO A POINT OF CURVATURE ON THE EAST LINE OF SAID LOT 1, POINT ALSO BEING ON THE WEST RIGHT-OF-WAY LINE OF KAUFMAN AVENUE; THENCE ALONG THE EAST SIDE OF LOT 1, ALSO ALONG THE WEST RIGHT-OF-WAY SIDE OF SAID KAUFMAN AVE, AROUND A CURVE IN A CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 8°20'02", A RADIUS OF 770.00 FEET, A CHORD BEARING OF S05°43'30"E WITH A CHORD DISTANCE OF 111.90 FEET, AN ARC LENGTH OF 112.00 FEET; THENCE S01°37'11"E ALONG THE EAST LINE OF SAID LOT 1, LINE ALSO BEING THE WEST RIGHT-OF-WAY LINE OF SAID KAUFMAN AVE, A DISTANCE OF 272.20 FEET TO THE NORTHEAST CORNER OF A PROPOSED RIGHT-OF-WAY TRACT; THENCE S43°55'44"W ALONG A NORTHERLY LINE OF SAID PROPOSED ROW TRACT, A DISTANCE OF 27.81 FEET TO A NORTHEASTERLY CORNER OF SAID PROPOSED ROW TRACT; THENCE S89°26'04"W ALONG A NORTHERLY LINE OF SAID PROPOSED ROW TRACT, A DISTANCE OF 195.12 FEET TO A NORTHERLY CORNER OF SAID PROPOSED ROW TRACT; THENCE N40°45'50"W ALONG A NORTHERLY LINE OF SAID PROPOSED ROW TRACT, A DISTANCE OF 81.49 FEET TO A POINT OF CURVATURE, POINT ALSO BEING A NORTHERLY CORNER OF SAID PROPOSED ROW TRACT; THENCE ALONG THE EASTERLY SIDE OF SAID PROPOSED ROW TRACT, AROUND A CURVE IN A CLOCKWISE DIRECTION WITH A DELTA ANGLE OF 17°32'54", A RADIUS OF 718.50 FEET, A CHORD BEARING OF N10°25'29"W WITH A CHORD DISTANCE OF 219.20 FEET TO A NORTHERLY CORNER OF SAID PROPOSED ROW TRACT; THENCE N01°39'02"W ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 125.74 TO A POINT OF BEGINNING. EXCEPTING A TRACT DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 1; THENCE S01°39'02"E ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 40.01 FEET; THENCE N89°31'46"E PARALLEL TO AND 40.00 FEET SOUTH OF THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 65.01 FEET TO THE POINT OF BEGINNING; THENCE N89°31'46"E A DISTANCE OF 198.06 FEET TO A POINT OF CURVATURE; THENCE AROUND A CURVE IN A CLOCKWISE DIRECTION WITH A DELTA ANGLE OF 7°56'14", A RADIUS OF 740.00 FEET, A CHORD BEARING OF S05°31'27"E WITH A CHORD DISTANCE OF 102.43 FEET, AN ARC LENGTH OF 102.51 FEET; THENCE S01°37'11"E, A DISTANCE OF 258.53 FEET; THENCE S89°28'39"W, A DISTANCE OF 161.67 FEET; THENCE N01°39'02"W A DISTANCE OF 44.57 FEET; THENCE S88°20'58"W A DISTANCE OF 5.00 FEET TO THE NORTHEAST CORNER OF A PROPOSED UTILITY EASEMENT; THENCE S01°39'02"E ALONG THE EAST LINE OF SAID PROPOSED UTILITY EASEMENT, A DISTANCE OF 24.60 FEET TO THE SOUTHEAST CORNER OF SAID PROPOSED UTILITY EASEMENT; THENCE S88°39'16"W ALONG THE SOUTH LINE OF SAID PROPOSED UTILITY EASEMENT, A DISTANCE OF 38.16 FEET; THENCE N01°39'02" A DISTANCE OF 341.45 FEET TO THE POINT OF BEGINNING. SAID TEMPORARY EASEMENT CONTAINS 41,827 SQ FT MORE OR LESS.

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PROJECT NO: 2017-3110	TEMPORARY EASEMENT		201 East 2nd Street Grand Island, NE 68801 TEL 308.384.8750	EXHIBIT
DRAWN BY: LS				
DATE: 1.8.2020				



City of Grand Island

Tuesday, June 23, 2020

Council Session

Item G-11

#2020-147 - Approving Acquisition of Public Utility, Drainage and Access Easements for Old Potash Highway Roadway Improvements; Project No. 2019-P-1 (Westside Bowling, LLC- 112 Kaufman Avenue)

This item relates to the aforementioned Public Hearing item E-3.

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

RESOLUTION 2020-147

WHEREAS, a public utility, drainage, and access easements are required by the City of Grand Island, from an affected property owner in Old Potash Highway Roadway Improvements; Project No. 2019-P-1 project area:

<i>Property Owner</i>	<i>Legal Description</i>
Westside Bowling, LLC	<p><u>UTILITY EASEMENT-</u> COMMENCING AT THE SOUTHWEST CORNER OF LOT 1, COMMONWEALTH BUSINESS PARK SUBDIVISION, AN ADDITION TO THE CITY OF GRAND ISLAND, NEBRASKA; THENCE ON AN ASSUMED BEARING N89°26'45"E ALONG THE SOUTH LINE OF SAID LOT 1, LINE ALSO BEING THE NORTH LINE OF OLD POTASH HIGHWAY RIGHT-OF-WAY, A DISTANCE 65.01 FEET TO THE SOUTHEAST CORNER OF AN EXISTING 65.00 FOOT UTILITY EASEMENT; THENCE N01°39'02"W PARALLEL TO AND 65.00 FEET EAST OF THE WEST LINE OF SAID LOT 1, LINE ALSO BEING ALONG THE EAST LINE OF SAID EXISTING 65.00 FOOT UTILITY EASEMENT, A DISTANCE OF 68.39 FEET TO THE POINT OF BEGINNING; THENCE N01°39'02"W PARALLEL TO AND 65.00 FEET EAST OF THE WEST LINE OF SAID LOT 1, A DISTANCE OF 15.00 FEET; THENCE N88°39'16"E A DISTANCE OF 28.16 FEET; THENCE N01°39'02"W PARALLEL TO AND 96.16 FEET EAST OF THE WEST LINE OF SAID LOT 1, A DISTANCE OF 9.54 FEET; THENCE N88°20'58"E A DISTANCE OF 10.00 FEET; THENCE S01°39'02"E PARALLEL TO AND 103.16 FEET EAST OF THE WEST LINE OF SAID LOT 1, A DISTANCE OF 24.60 FEET; THENCE S88°39'16"W A DISTANCE OF 38.16 FEET TO A PONT OF BEGINNING. SAID PERMANENT EASEMENT CONTAINS 668 SQ FT MORE OR LESS.</p>
	and
	<p><u>DRAINAGE EASEMENT-</u> BEGINNING AT THE NORTHWEST CORNER OF LOT 1, COMMONWEALTH BUSINESS PARK SUBDIVISION, AN ADDITION TO THE CITY OF GRAND ISLAND, NEBRASKA; THENCE ON AN ASSUMED BEARING N89°31'46"E ALONG THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 287.08 FEET TO THE NORTHEAST CORNER OF SAID LOT 1, POINT ALSO BEING ON THE WEST LINE OF A KAUFMAN AVENUE RIGHT-OF-WAY, SAID POINT ALSO BEING A POINT OF CURVATURE; THENCE ALONG THE WEST SIDE OF SAID KAUFMAN AVE ROW, ALSO ALONG THE EAST SIDE OF SAID LOT 1, AROUND A CURVE IN A CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 2°16'15", A RADIUS OF 770.00 FEET, A CHORD BEARING OF S11°01'38"E WITH A CHORD DISTANCE OF 30.52 FEET, AN ARC LENGTH OF 30.52 FEET; THENCE S89°31'46"W PARALLEL TO AND 30.00 FEET SOUTH OF THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 292.05 FEET TO A POINT ON THE WEST LINE OF LOT 1; THENCE N01°39'02"W ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 30.01 TO A POINT OF BEGINNING. SAID PERMANENT EASEMENT CONTAINS 8,690 SQ FT MORE OR LESS.</p>

Approved as to Form ☐ _____
June 18, 2020 ☐ City Attorney

ACCESS EASEMENT-

BEGINNING AT THE NORTHWEST CORNER OF LOT 1, COMMONWEALTH BUSINESS PARK SUBDIVISION, AN ADDITION TO THE CITY OF GRAND ISLAND, NEBRASKA; THENCE ON AN ASSUMED BEARING OF N89°31'46"E ALONG THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 65.01 FEET; THENCE S01°39'02"E A DISTANCE OF 30.01 FEET; THENCE S89°31'46"W PARALLEL TO AND 30.00 FEET SOUTH OF THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 65.01 FEET TO A POINT ON THE WEST LINE OF SAID LOT 1; THENCE N01°39'02"W ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 30.01 FEET TO A POINT OF BEGINNING. SAID PERMANENT EASEMENT CONTAINS 1,950 SQ FT MORE OR LESS.

WHEREAS, agreement for the public utility, drainage, and access easements have been reviewed and approved by the City Legal Department.

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 enter into the Agreement for the public utility, drainage, and access easements on the above described tracts of land.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized and directed to execute such agreement on behalf of the City of Grand Island.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, June 23, 2020.

Roger G. Steele, Mayor

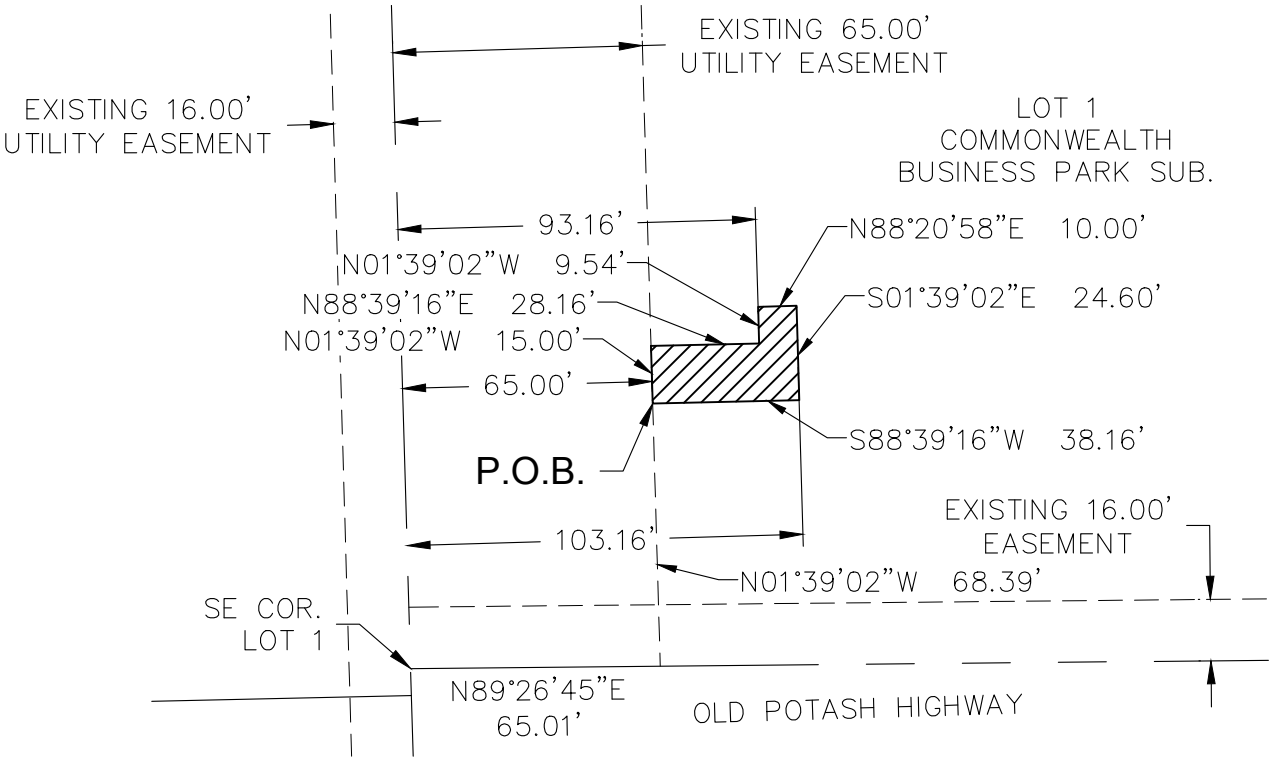
Attest:

RaNae Edwards, City Clerk

- 2 -

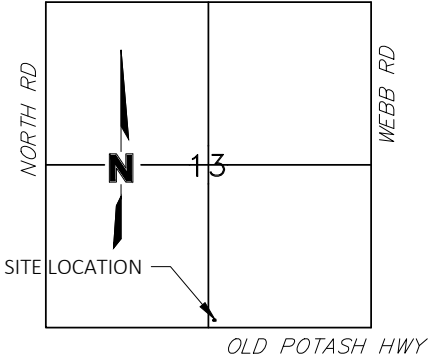
UTILITY EASEMENT

CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA
TRACT NO. 13
OLD POTASH HIGHWAY PAVING IMPROVEMENTS



LOCATION MAP

SEC. 13 T11N-R10W



LEGEND

- EXISTING EASEMENT LINE
- - - EXISTING PROPERTY LINE
- [Hatched Box] PROPOSED TEMPORARY EASEMENT


UTILITY EASEMENT DESCRIPTION

A PERMANENT UTILITY EASEMENT LOCATED IN PART OF LOT 1, COMMONWEALTH BUSINESS PARK SUBDIVISION, AN ADDITION TO THE CITY OF GRAND ISLAND, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 1, COMMONWEALTH BUSINESS PARK SUBDIVISION, AN ADDITION TO THE CITY OF GRAND ISLAND, NEBRASKA; THENCE ON AN ASSUMED BEARING N89°26'45"E ALONG THE SOUTH LINE OF SAID LOT 1, LINE ALSO BEING THE NORTH LINE OF OLD POTASH HIGHWAY RIGHT-OF-WAY, A DISTANCE OF 65.01 FEET TO THE SOUTHEAST CORNER OF AN EXISTING 65.00 FOOT UTILITY EASEMENT; THENCE N01°39'02"W PARALLEL TO AND 65.00 FEET EAST OF THE WEST LINE OF SAID LOT 1, LINE ALSO BEING ALONG THE EAST LINE OF SAID EXISTING 65.00 FOOT UTILITY EASEMENT, A DISTANCE OF 68.39 FEET TO THE POINT OF BEGINNING; THENCE N01°39'02"W PARALLEL TO AND 65.00 FEET EAST OF THE WEST LINE OF SAID LOT 1, A DISTANCE OF 15.00 FEET; THENCE N88°39'16"E A DISTANCE OF 28.16 FEET; THENCE N01°39'02"W PARALLEL TO AND 96.16 FEET EAST OF THE WEST LINE OF SAID LOT 1, A DISTANCE OF 9.54 FEET; THENCE N88°20'58"E A DISTANCE OF 10.00 FEET; THENCE S01°39'02"E PARALLEL TO AND 103.16 FEET EAST OF THE WEST LINE OF SAID LOT 1, A DISTANCE OF 24.60 FEET; THENCE S88°39'16"W A DISTANCE OF 38.16 FEET TO A POINT OF BEGINNING. SAID PERMANENT EASEMENT CONTAINS 668 SQ FT MORE OR LESS.



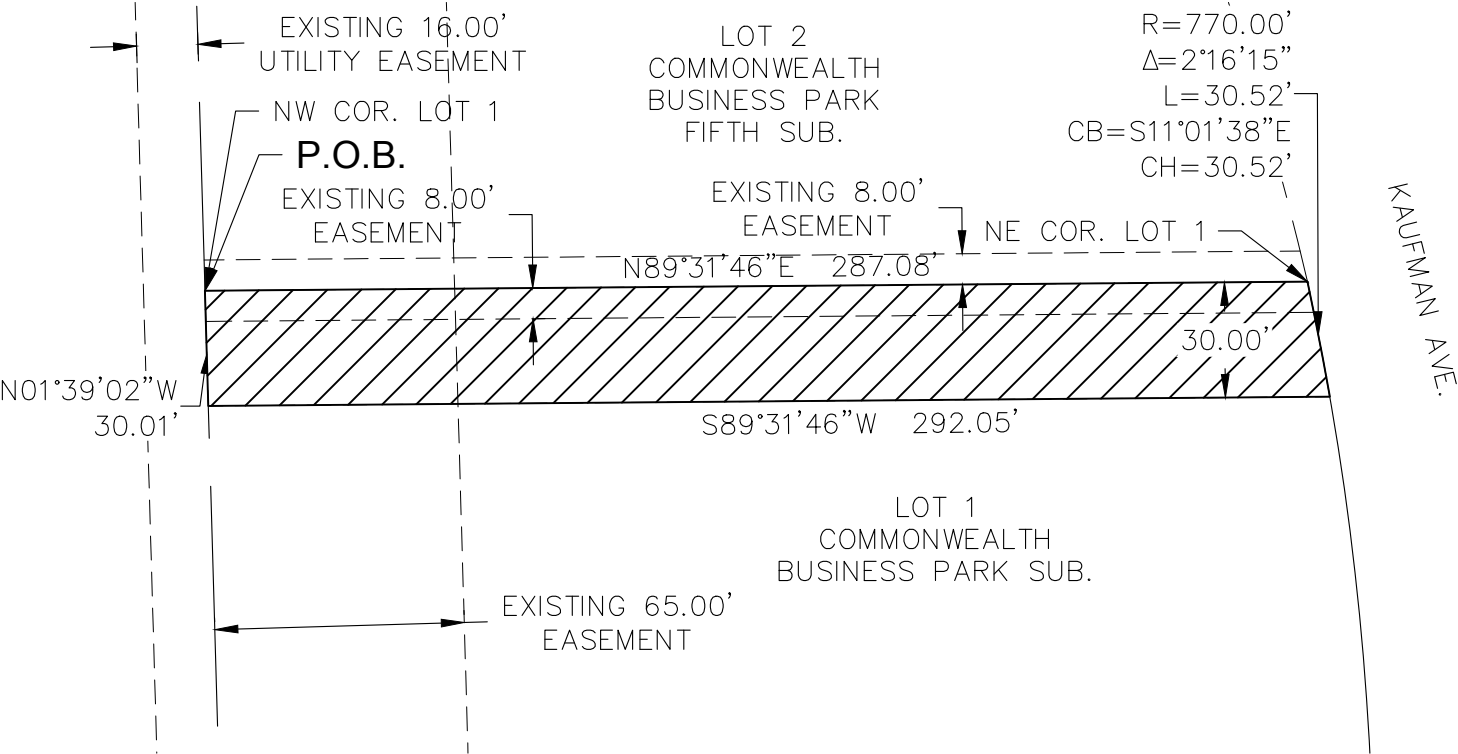
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DATE: Jan 08, 2020 10:02am XREFS: v_xrway_gimsp_73110 V_XTOPO_GIMSP_73110

PROJECT NO: 2017-3110	UTILITY EASEMENT		201 East 2nd Street Grand Island, NE 68801 TEL 308.384.8750	EXHIBIT
DRAWN BY: LS				
DATE: 1.8.2020				

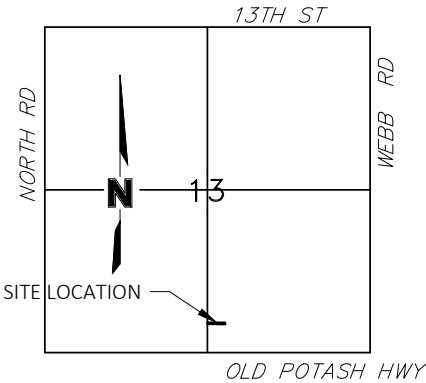
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DATE: Jan 08, 2020 10:02am XREFS: v_xrway_gimsp_73110 V_XTOPO_GIMSP_73110

DRAINAGE EASEMENT

CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA
TRACT NO. 13
OLD POTASH HIGHWAY PAVING IMPROVEMENTS

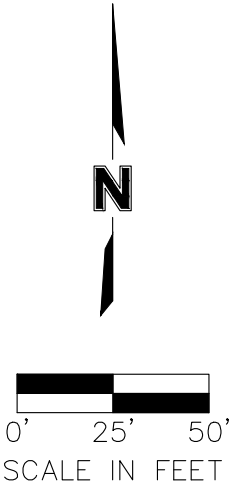


LOCATION MAP
SEC. 13 T11N-R10W



LEGEND

- EXISTING EASEMENT LINE
- - - EXISTING PROPERTY LINE
- [Hatched Box] PROPOSED TEMPORARY EASEMENT



DRAINAGE EASEMENT DESCRIPTION

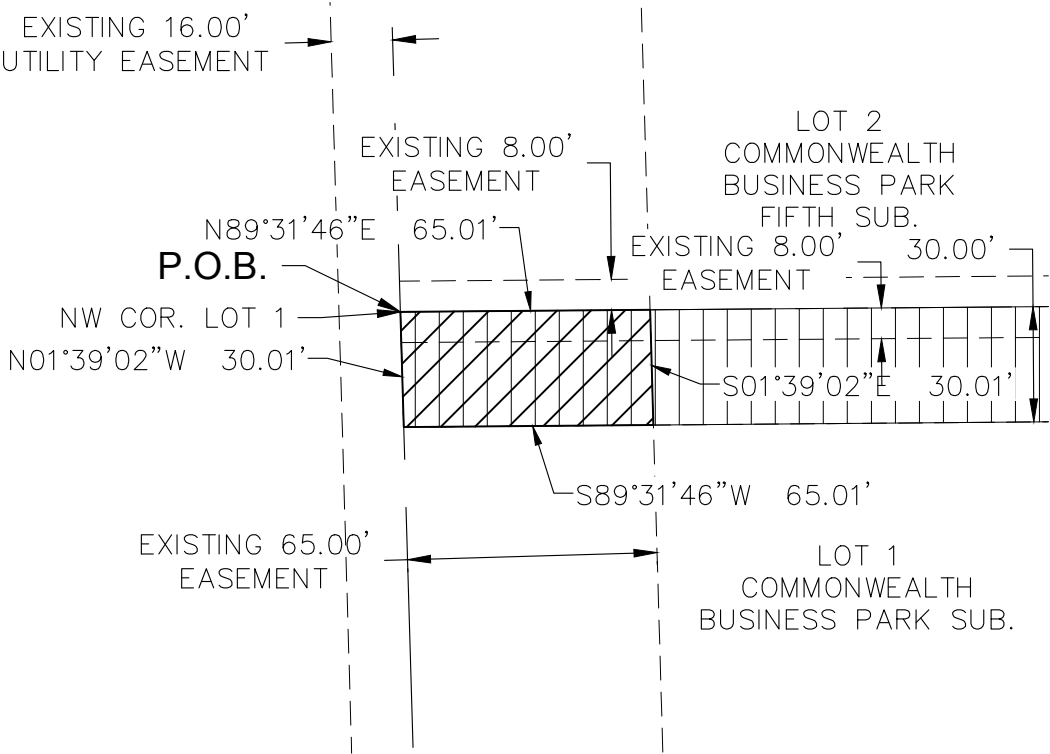
A PERMANENT DRAINAGE EASEMENT LOCATED IN PART OF LOT 1, COMMONWEALTH BUSINESS PARK SUBDIVISION, AN ADDITION TO THE CITY OF GRAND ISLAND, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 1, COMMONWEALTH BUSINESS PARK SUBDIVISION, AN ADDITION TO THE CITY OF GRAND ISLAND, NEBRASKA; THENCE ON AN ASSUMED BEARING N89°31'46"E ALONG THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 287.08 FEET TO THE NORTHEAST CORNER OF SAID LOT 1, POINT ALSO BEING ON THE WEST LINE OF A KAUFMAN AVENUE RIGHT-OF-WAY, SAID POINT ALSO BEING A POINT OF CURVATURE; THENCE ALONG THE WEST SIDE OF SAID KAUFMAN AVE ROW, ALSO ALONG THE EAST SIDE OF SAID LOT 1, AROUND A CURVE IN A CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 2°16'15", A RADIUS OF 770.00 FEET, A CHORD BEARING OF S11°01'38"E WITH A CHORD DISTANCE OF 30.52 FEET, AN ARC LENGTH OF 30.52 FEET; THENCE S89°31'46"W PARALLEL TO AND 30.00 FEET SOUTH OF THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 292.05 FEET TO A POINT ON THE WEST LINE OF LOT 1; THENCE N01°39'02"W ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 30.01 TO A POINT OF BEGINNING. SAID PERMANENT EASEMENT CONTAINS 8,690 SQ FT MORE OR LESS.

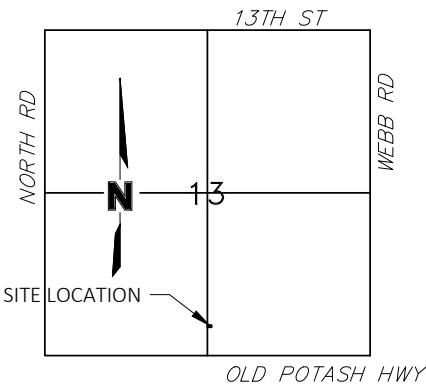
PROJECT NO: 2017-3110	DRAINAGE EASEMENT	olsson	201 East 2nd Street Grand Island, NE 68801 TEL 308.384.8750	EXHIBIT
DRAWN BY: LS				
DATE: 1.8.2020				

ACCESS EASEMENT

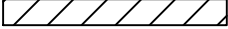

CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA
TRACT NO. 13
OLD POTASH HIGHWAY PAVING IMPROVEMENTS



LOCATION MAP
SEC. 13 T11N-R10W



LEGEND

- EXISTING EASEMENT LINE
- EXISTING PROPERTY LINE
-  PROPOSED ACCESS EASEMENT
-  PROPOSED DRAINAGE EASEMENT



ACCESS EASEMENT DESCRIPTION

A PERMANENT ACCESS EASEMENT LOCATED IN PART OF LOT 1, COMMONWEALTH BUSINESS PARK SUBDIVISION, AN ADDITION TO THE CITY OF GRAND ISLAND, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 1, COMMONWEALTH BUSINESS PARK SUBDIVISION, AN ADDITION TO THE CITY OF GRAND ISLAND, NEBRASKA; THENCE ON AN ASSUMED BEARING OF N89°31'46"E ALONG THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 65.01 FEET; THENCE S01°39'02"E A DISTANCE OF 30.01 FEET; THENCE S89°31'46"W PARALLEL TO AND 30.00 FEET SOUTH OF THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 65.01 FEET TO A POINT ON THE WEST LINE OF SAID LOT 1; THENCE N01°39'02"W ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 30.01 FEET TO A POINT OF BEGINNING. SAID PERMANENT EASEMENT CONTAINS 1,950 SQ FT MORE OR LESS.

DWG: F:\2017\3001-3500\017-3110\40-Design\Exhibits\13_P.E._0173110.dwg USER: Istoltenberg
DATE: Jan 08, 2020 10:02am XREFS: v_xrway_gimsp_73110 V_XTOPO_GIMSP_73110

PROJECT NO: 2017-3110	ACCESS EASEMENT		201 East 2nd Street Grand Island, NE 68801 TEL 308.384.8750	EXHIBIT
DRAWN BY: LS				
DATE: 1.8.2020				



City of Grand Island

Tuesday, June 23, 2020

Council Session

Item G-12

#2020-148 - Approving Agreement with NDOT for the Grand Island Area Metropolitan Planning Organization (GIAMPO) for the 2021 Fiscal Year Transportation Planning Program

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

Council Agenda Memo

From: Andres Gomez, MPO Program Manager

Meeting: June 23, 2020

Subject: Approving Agreement with NDOT for the Grand Island Area Metropolitan Planning Organization (GIAMPO) for the 2021 Fiscal Year Transportation Planning Program

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

Background

All agreements must be approved by the City Council. In March 2013 the City of Grand Island was designated as a urbanized area with a population over 50,000 which required the metropolitan area to establish a transportation planning process in accordance with Title 23 CFR 450 of the current federal transportation bill. On an annual basis, the Grand Island Area Metropolitan Planning Organization (GIAMPO) develops a Unified Planning Work Program (UPWP), which identifies work activities to be performed during the fiscal year. The UPWP is approved by the GIAMPO Policy Board and Technical Advisory Committee. The UPWP is then submitted to the Nebraska Department of Transportation for review, and forwarded for approval for federal reimbursement by the Federal Highway Administration and Federal Transit Administration.

Discussion

The Nebraska Department of Transportation-Intermodal Planning Division has drawn up Program Agreements with the City of Grand Island for the purpose of assisting the Local Public Agency (LPA) in obtaining Federal financial assistance to ensure a continued, comprehensive, and cooperative transportation planning process between the state and local governments for the Grand Island Metropolitan Planning Area for Fiscal Year 2021. The agreement with the Department of Transportation is attached for reference.

The maximum Federal participation under this agreement is not to exceed \$114,271.63 for FY 2021 (July 1, 2020– June 30, 2021) eligible costs. The Federal share on any portion of this project will be a maximum of 80% of the eligible costs. The local 20% funds would be the City's obligation not to exceed \$28,567.91 and can be part of in-kind services (staff time & expenses). The cost of the program is expected to be \$142,839.54.

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 authorizes the Mayor to sign the GIAMPO Fiscal Year 2021 Transportation Planning Program agreement.

Sample Motion

Move to approve resolution authorizing the Mayor to sign the agreement.

RESOLUTION 2020-148

WHEREAS, the Nebraska Department of Transportation has prepared a Planning Agreement for Fiscal Year 2021 for the City of Grand Island for the purpose of providing partial funding of Grand Island Area Metropolitan Planning Organization's (GIAMPO) transportation planning activities scheduled to be performed commencing July 1, 2020, as outlined in the Unified Planning Work Program attached to such agreements; and

WHEREAS, the maximum Federal participation under such agreement is \$114,271.63 (80%) of Metropolitan Planning funds in accordance with 23 USC 104(d) for Fiscal Year 2021; and

WHEREAS, the local 20% funds would be the City's obligation not to exceed \$28,567.91 and can be part of inkind services (staff time & expenses); and

WHEREAS, an agreement with the Nebraska Department of Transportation for Fiscal Year 2021 is required to proceed.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, the agreement with the Nebraska Department of Transportation for the purpose of providing partial funding of Grand Island Area Metropolitan Planning Organization's (GIAMPO) transportation planning activities scheduled to be performed commencing July 1, 2020, as outlined in the Unified Planning Work Program attached to such agreement is hereby approved.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized and directed to execute the Planning Agreement for Fiscal Year 2021.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, June 23, 2020.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	▣ _____
June 18, 2020	▣ City Attorney



City of Grand Island

Tuesday, June 23, 2020

Council Session

Item G-13

#2020-149 - Approving Certificate of Final Completion for Chip Seal Project No. 2020-CS-1

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

Council Agenda Memo

From: Keith Kurz PE, Assistant Public Works Director

Meeting: June 23, 2020

Subject: Approving Certificate of Final Completion for Chip Seal Project No. 2020-CS-1

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

Background

Topkote, Inc. of Yankton, South Dakota was awarded a \$175,669.02 contract by the City Council on March 24, 2020, via Resolution No. 2020-74, for Chip Seal Project No. 2020-CS-1. This project allowed for a chip seal on the following roadways:

- Shady Bend Road; 300' south of NBRR to UPRR
- Seedling Mile Road; Cul-de-sac to east City limits
- Heartland Public Shooting Park entrance driveway

Chip Seal is the sprayed application of asphaltic material with a covering of aggregate.

Discussion

The project was completed in accordance with the terms, conditions and stipulations of the contract, plans and specifications. Construction was completed at a total cost of \$177,538.56, resulting in an overrun of \$1,869.54. The project overrun was due to Grand Island Parks and Recreation Department requesting an additional area around the maintenance building at the Heartland Public Shooting Park be chip sealed.

Additional project costs (detailed below) totaled \$4,360.78 for a final project cost of \$181,899.34.

Additional Project Costs-

Grand Island Public Works- Engineering Services	\$ 4,360.78
Additional Project Costs Total =	\$ 4,360.78

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 Certificate of Final Completion for Chip Seal Project No. 2020-CS-1.

Sample Motion

Move to approve the Certificate of Final Completion for Chip Seal Project No. 2020-CS-1.

ENGINEER'S CERTIFICATE OF FINAL COMPLETION

Chip Seal Project No. 2020-CS-1
CITY OF GRAND ISLAND, NEBRASKA
June 23, 2020

TO THE MEMBERS OF THE COUNCIL
CITY OF GRAND ISLAND
GRAND ISLAND, NEBRASKA

This is to certify that Chip Seal Project No. 2020-CS-1 has been fully completed by Topkote, Inc. of Yankton, South Dakota under the contract dated December 12, 2018. The work has been completed in accordance with the terms, conditions, and stipulations of said contract and complies with the contract, the plans and specifications. The work is hereby accepted for the City of Grand Island, Nebraska, by me as Public Works Director in accordance with the provisions of Section 16-650 R.R.S., 1943.

Chip Seal Project No. 2020-CS-1

Item No.	Description	Total Quantity	Unit	Unit Price	Total Cost
Bid Section 1- Shady Bend Road					
1	MOBILIZATION	1.00	LS	\$12,000.00	\$12,000.00
2	CHIP SEAL AGGREGATE	147.00	TON	\$173.92	\$25,566.24
3	CHIP SEAL EMULSIFIED ASPHALT	9,046.00	GAL	\$4.49	\$40,616.54
4	TEMPORARY SIGN DAY	15.00	DAY	\$50.00	\$750.00
5	BARRICADE, TYPE II	0.00	BDAY	\$8.00	\$0.00
6	BARRICADE, TYPE III	15.00	BDAY	\$40.00	\$600.00
7	TEMPORARY RAISED LANE MARKERS	169.00	EA	\$1.50	\$253.50
8	FLAGGING	2.00	DAY	\$250.00	\$500.00
Total Base Bid=					\$80,286.28
Bid Section 2- Seedling Mile Road					
1	MOBILIZATION	1.00	LS	\$9,000.00	\$9,000.00
2	CHIP SEAL AGGREGATE	107.00	TON	\$173.92	\$18,609.44
3	CHIP SEAL EMULSIFIED ASPHALT	6,603.00	TGA	\$4.49	\$29,647.47
4	TEMPORARY SIGN DAY	6.00	DAY	\$50.00	\$300.00
5	BARRICADE, TYPE II	0.00	BDAY	\$8.00	\$0.00
6	BARRICADE, TYPE III	6.00	BDAY	\$40.00	\$240.00
7	TEMPORARY RAISED LANE MARKERS	133.00	EA	\$1.50	\$199.50
8	FLAGGING	2.00	DAY	\$250.00	\$500.00
Total Base Bid=					\$58,496.41
Bid Section 3- Heartland Public Shooting Park					
1	MOBILIZATION	1.00	LS	\$5,400.00	\$5,400.00
2	CHIP SEAL AGGREGATE	72.00	TON	\$173.92	\$12,522.24
3	CHIP SEAL EMULSIFIED ASPHALT	4,437.00	GAL	\$4.49	\$19,922.13
4	TEMPORARY SIGN DAY	6.00	EA	\$50.00	\$300.00
5	BARRICADE, TYPE II	0.00	BDAY	\$8.00	\$0.00
6	BARRICADE, TYPE III	6.00	BDAY	\$40.00	\$240.00
7	TEMPORARY RAISED LANE MARKERS	81.00	EA	\$1.50	\$121.50
8	FLAGGING	1.00	DAY	\$250.00	\$250.00
Total Base Bid=					\$38,755.87

Grand Total =	\$177,538.56
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Additional Project Costs-

Grand Island Public Works- Engineering Services	\$ 4,360.78
Additional Project Costs	\$ 4,360.78

Chip Seal Project No. 2020-CS-1 Total = \$181,899.34

I hereby recommend that the Engineer's Certificate of Final Completion for Chip Seal Project No. 2020-CS-1 be approved.

John Collins, PE - City Engineer/Public Works Director

Roger G. Steele – Mayor

RESOLUTION 2020-149

WHEREAS, the City Engineer/Public Works Director for the City Of Grand Island has issued a Certificate of Completion for Chip Seal Project No. 2020-CS-1, certifying that Topkote, Inc. of Yankton, South Dakota, under contract, has completed such project; and

WHEREAS, the City Engineer/Public Works Director recommends the acceptance of the project; and

WHEREAS, the Mayor concurs with the recommendation of the City Engineer/Public Works Director.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Certificate of Final Completion, in the total amount of \$181,899.34, is hereby confirmed.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, June 23, 2020.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	▣ _____
June 18, 2020	▣ City Attorney



City of Grand Island

Tuesday, June 23, 2020

Council Session

Item G-14

#2020-150 - Approving Acquisition of Public Right-of-Way for North Road- 13th Street to Highway 2 Roadway Improvements; Project No. 2019-P-5 (Eickhoff- 4030 W Capital Avenue)

This item relates to the aforementioned Public Hearing item E-4.

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

RESOLUTION 2020-150

WHEREAS, public right-of-way is required by the City of Grand Island, from Fred Eickhoff and Rochelle Eickhoff at 4030 W Capital Avenue, Grand Island, Hall County, Nebraska and more particularly described as follows:

Fred Eickhoff and Rochelle Eickhoff– \$1,710.00

A PARCEL OF LAND LOCATED IN LOT 1, BLOCK 1, JENKINSON SUBDIVISION, IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: REFERRING TO THE SOUTHWEST CORNER OF LOT 1, BLOCK 1, JENKINSON SUBDIVISION; THENCE S89°25'27"E (ASSUMED BEARING) ON THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 109.68 FEET TO THE POINT OF BEGINNING; THENCE N85°00'29"E, A DISTANCE OF 60.74 FEET; THENCE NORTHERLY ON A 65.15 FOOT RADIUS CURVE TO THE LEFT, AN ARC DISTANCE OF 54.69 FEET TO THE EAST LINE OF SAID LOT 1, THE CHORD OF SAID CURVE BEARS N61°22'31"E, 53.10 FEET; THENCE S00°27'17"E ON SAID EAST LINE, A DISTANCE OF 31.80 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1; THENCE N89°25'27"W ON SAID SOUTH LINE, A DISTANCE OF 107.38 FEET TO THE POINT OF BEGINNING, CONTAINING 859 SQUARE FEET, MORE OR LESS.

WHEREAS, an Agreement for the public right-of-way has been reviewed and approved by the City Legal Department.

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 enter into the Agreement for the public right-of-way on the above described tract of land, in the amount of \$1,710.00.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized and directed to execute such agreement on behalf of the City of Grand Island.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, June 23, 2020.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
June 18, 2020	☐ City Attorney

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City of Grand Island

Tuesday, June 23, 2020

Council Session

Item G-15

#2020-151 - Approving Temporary Construction Easement for North Road- 13th Street to Highway 2 Roadway Improvements; Project No. 2019-P-5 (Eickhoff- 4030 W Capital Avenue)

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

Council Agenda Memo

From: Keith Kurz PE, Assistant Public Works Director

Meeting: June 23, 2020

Subject: Approving Temporary Construction Easement for North Road- 13th Street to Highway 2 Roadway Improvements; Project No. 2019-P-5 (Eickhoff- 4030 W Capital Avenue)

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

Background

The North Road- 13th Street to Highway 2 Roadway Improvements; Project No. 2019-P-5 is for the improvement of North Road from just north of 13th Street to Highway 2. The Engineering Division of the Public Works Department is proposing a concrete curb and gutter roadway section with associated sidewalk, traffic control, drainage and related improvements needed to complete the project.

A Temporary Construction easement is needed to accommodate the construction activities for North Road- 13th Street to Highway 2 Roadway Improvements; Project No. 2019-P-5, which must be approved by City Council. The temporary construction easement will allow for the roadway improvements to this area.

A sketch is attached to show the temporary construction easement area.

Discussion

A temporary construction easement is needed from one (1) property owner for North Road- 13th Street to Highway 2 Roadway Improvements; Project No. 2019-P-5 to be constructed.

Engineering staff of the Public Works Department negotiated with the property owner for use of such temporary construction easement.

<i>Property Owner</i>	<i>Legal Description</i>	<i>Amount</i>
FRED EICKHOFF AND ROCHELLE EICKHOFF	A PARCEL OF LAND LOCATED IN LOT 1, BLOCK 1, JENKINSON SUBDIVISION, IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: REFERRING TO THE SOUTHWEST CORNER OF LOT 1, BLOCK 1, JENKINSON SUBDIVISION; THENCE S89°25'27"E (ASSUMED BEARING) ON THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 24.48 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S89°25'27"E ON SAID SOUTH LINE, A DISTANCE OF 85.20 FEET; THENCE N85°00'29"E, A DISTANCE OF 60.74 FEET; THENCE NORTHEASTERLY ON A 65.15 FOOT RADIUS CURVE TO THE LEFT, AN ARC DISTANCE OF 54.69 FEET TO THE EAST LINE OF SAID LOT 1, THE CHORD OF SAID CURVE BEARS N61°22'31"E, 53.10 FEET; THENCE N00°27'17"W ON SAID EAST LINE, A DISTANCE OF 97.05 FEET TO THE NORTHEAST CORNER OF SAID LOT 1; THENCE N89°32'50"W ON THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 11.24 FEET; THENCE S04°04'07"W, A DISTANCE OF 86.12 FEET; THENCE S29°16'11"W, A DISTANCE OF 26.07 FEET; THENCE S82°22'34"W, A DISTANCE OF 70.55 FEET; THENCE N00°34'33"E, PERPENDICULAR TO SAID SOUTH LINE, A DISTANCE OF 9.50 FEET; THENCE N89°25'27"W, PARALLEL WITH SAID SOUTH LINE, A DISTANCE OF 91.43 FEET; THENCE S00°34'33"W, PERPENDICULAR TO SAID SOUTH LINE, A DISTANCE OF 19.43 FEET TO THE POINT OF BEGINNING, CONTAINING 4,402 SQUARE FEET, MORE OR LESS.	\$23,056.00

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 Temporary Construction Easement between the City of Grand Island and the affected property owner for North Road- 13th Street to Highway 2 Roadway Improvements; Project No. 2019-P-5, in the amount of \$23,056.00.

Sample Motion

Move to approve the temporary construction easement.

RESOLUTION 2020-151

WHEREAS, a temporary construction easement is required by the City of Grand Island, from an affected property owner in North Road- 13th Street to Highway 2 Roadway Improvements; Project No. 2019-P-5 project area:

Fred Eickhoff and Rochelle Eickhoff– \$23,056.00

A PARCEL OF LAND LOCATED IN LOT 1, BLOCK 1, JENKINSON SUBDIVISION, IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: REFERRING TO THE SOUTHWEST CORNER OF LOT 1, BLOCK 1, JENKINSON SUBDIVISION; THENCE S89°25'27"E (ASSUMED BEARING) ON THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 24.48 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S89°25'27"E ON SAID SOUTH LINE, A DISTANCE OF 85.20 FEET; THENCE N85°00'29"E, A DISTANCE OF 60.74 FEET; THENCE NORTHEASTERLY ON A 65.15 FOOT RADIUS CURVE TO THE LEFT, AN ARC DISTANCE OF 54.69 FEET TO THE EAST LINE OF SAID LOT 1, THE CHORD OF SAID CURVE BEARS N61°22'31"E, 53.10 FEET; THENCE N00°27'17"W ON SAID EAST LINE, A DISTANCE OF 97.05 FEET TO THE NORTHEAST CORNER OF SAID LOT 1; THENCE N89°32'50"W ON THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 11.24 FEET; THENCE S04°04'07"W, A DISTANCE OF 86.12 FEET; THENCE S29°16'11"W, A DISTANCE OF 26.07 FEET; THENCE S82°22'34"W, A DISTANCE OF 70.55 FEET; THENCE N00°34'33"E, PERPENDICULAR TO SAID SOUTH LINE, A DISTANCE OF 9.50 FEET; THENCE N89°25'27"W, PARALLEL WITH SAID SOUTH LINE, A DISTANCE OF 91.43 FEET; THENCE S00°34'33"W, PERPENDICULAR TO SAID SOUTH LINE, A DISTANCE OF 19.43 FEET TO THE POINT OF BEGINNING, CONTAINING 4,402 SQUARE FEET, MORE OR LESS..

WHEREAS, such Temporary Construction easement has been reviewed and approved by the City Legal Department.

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 compensate the affected property owner for the Temporary Construction easement on the above described tract of land, in the total amount of \$23,056.00.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, June 23, 2020.

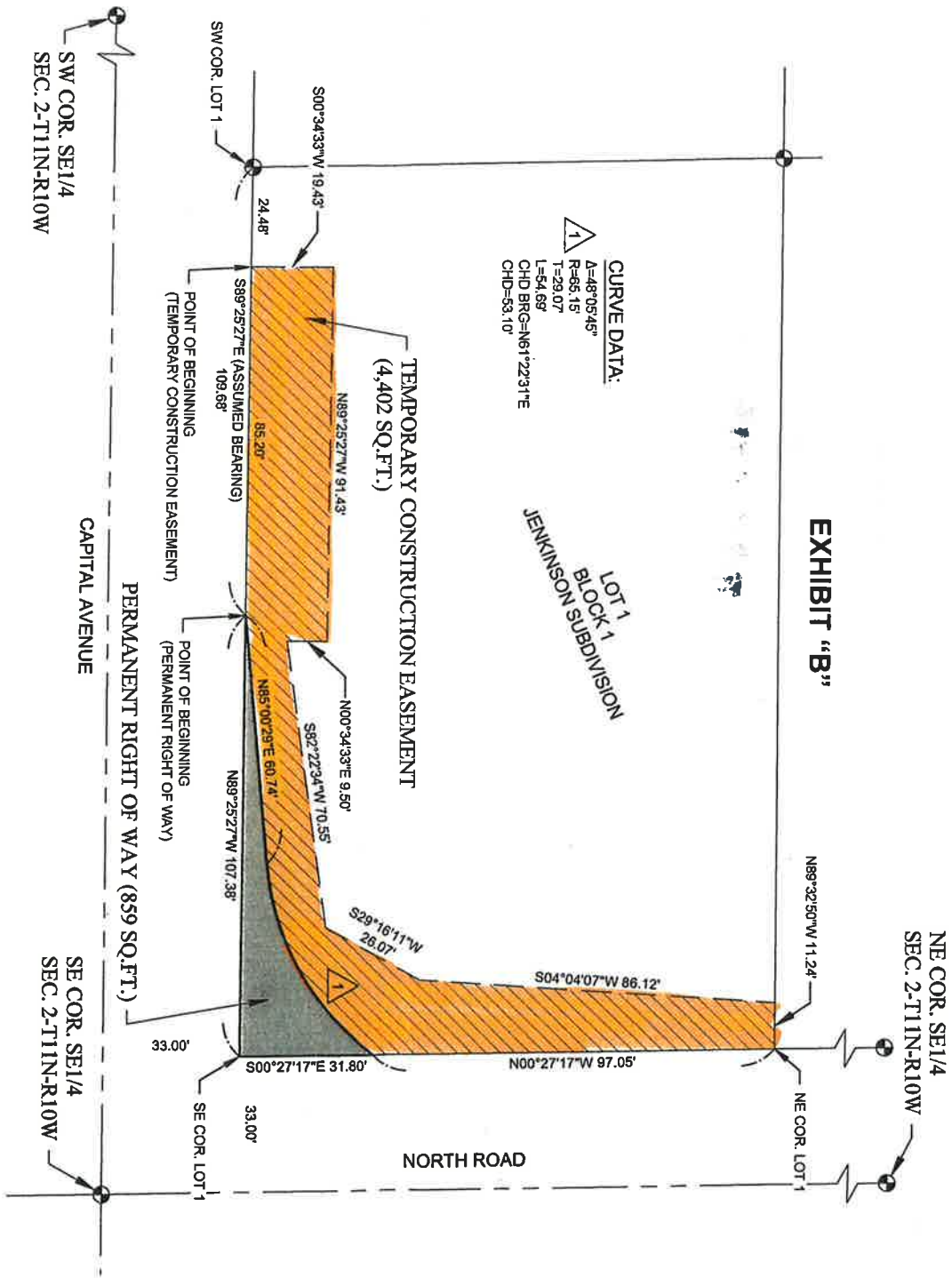
Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
June 18, 2020	☐ City Attorney

TEMPORARY CONSTRUCTION EASEMENT



TEMPORARY CONSTRUCTION EASEMENT DESCRIPTION:

VICINITY SKETCH

HALL COUNTY
NEBRASKA

NOTE: ALL BEARINGS ARE ASSUMED.

LEGEND

MONUMENT FOUND
CALCULATED POINT
DEEDED DISTANCE
GOVERNMENT DISTANCE
MEASURED DISTANCE
PLATTED DISTANCE
RECORDED DISTANCE

SECTION LINE
TEMPORARY CONSTRUCTION EASEMENT AREA
RIGHT OF WAY AREA

GRAPHIC SCALE

0 10 20 40

DATE
1/27/2020

SCALE
1" = 40'

DRAWN
AJG

109 NO.
R190020

FIELD BOOK
GRAND ISLAND #7

AG/BS

SHEET 1 OF 1

TRACT NO. 8

800.723.8567
Grand Island, NE 68801
www.jeo.com

A PARCEL OF LAND LOCATED IN LOT 1, BLOCK 1, JENKINSON SUBDIVISION, IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: REFERRING TO THE SOUTHWEST CORNER OF LOT 1, BLOCK 1, JENKINSON SUBDIVISION: THENCE S89°25'27"E (ASSUMED BEARING) ON THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 24.48 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S89°25'27"E ON SAID SOUTH LINE, A DISTANCE OF 85.20 FEET; THENCE N85°00'29"E, A DISTANCE OF 60.74 FEET; THENCE N00°27'17"W ON SAID EAST LINE, A DISTANCE OF 97.05 FEET TO THE NORTHEAST CORNER OF SAID LOT 1; THENCE N89°32'50"W ON THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 11.24 FEET; THENCE S04°04'07"W, A DISTANCE OF 86.12 FEET; THENCE S29°16'11"W, A DISTANCE OF 26.07 FEET; THENCE S82°22'34"W, A DISTANCE OF 70.55 FEET; THENCE N00°34'33"E, PERPENDICULAR TO SAID SOUTH LINE, A DISTANCE OF 9.50 FEET; THENCE N89°25'27"W, PARALLEL WITH SAID SOUTH LINE, A DISTANCE OF 19.43 FEET TO THE POINT OF BEGINNING, CONTAINING 4,402 SQUARE FEET, MORE OR LESS.



City of Grand Island

Tuesday, June 23, 2020

Council Session

Item G-16

#2020-152 - Approving Additional Time Clocks Purchase

Staff Contact: Patrick Brown

Council Agenda Memo

From: Patrick Brown, Finance Director

Meeting: June 23, 2020

Subject: Approving Additional Time Clocks Purchase

Presenter(s): Patrick Brown, Finance Director

Background

On July 23, 2019 City Council approved the purchase of ExecuTime software and hardware to implement a new time clock system with resolution 2019-222. Additional time clocks are needed for the expansion of additional locations the original purchase did not include.

Discussion

The original time clock resolution included the purchase of twenty time clock terminals as part of the \$143,276, 2019-222 resolution. A quote was received on 3/10/2020 to acquire seventeen additional in the amount of \$45,067 which includes one year of maintenance. The additional clocks will be used to serve the Electric and Water divisions along with some additional backups. The annual credit card rebate will be used to make the additional purchase.

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 Finance recommends that the City Council approve the amendment to approve the purchase of additional time clocks.

Sample Motion

Move to approve the purchase of additional time clocks in the amount of \$45,067.

RESOLUTION 2020-152

WHEREAS, the City of Grand Island did not currently utilize time clocks for payroll; and

WHEREAS, on July 23, 2019 by Resolution No. 2019-222 City Council approved award of the proposal for such equipment and services for ExecuTime software in the amount of \$143,276; and

WHEREAS, it is necessary to amend the original agreement to include purchasing additional time clock terminals to cover additional city owned locations; and

WHEREAS, Tyler Technologies has agreed to provide this additional equipment in the amount of \$45,067, resulting in a revised agreement cost of \$188,343.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the amendment to the original agreement with Tyler Technologies is hereby approved.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, June 23, 2020.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
June 18, 2020	☐ City Attorney



City of Grand Island

Tuesday, June 23, 2020

Council Session

Item G-17

#2020-153 - Approving Coronavirus Emergency Supplemental Funding Program Grant with the Bureau of Justice Assistance

Staff Contact: Patrick Brown

Council Agenda Memo

From: Patrick Brown, Finance Director

Meeting: June 23, 2020

Subject: Approval of Coronavirus Emergency Supplemental Funding (CESF) Program Grant

Presenter(s): Patrick Brown, Finance Director

Background

City of Grand Island was allocated CARES act money through the Department of Justice (DOJ) related to coronavirus related response.

Discussion

The City of Grand Island was notified through our Emergency Management Director that the City had been allocated \$85,491.00 through the Federal CARES Act to the DOJ for Coronavirus Emergency Supplemental Funding (CESF) Program. The City of Grand Island responded to the coronavirus outbreak through multiple areas to help limit exposure to its employees and citizens. The City Finance Department submitted the application on behalf of the City of Grand Island to become eligible for the CESF program for coronavirus response reimbursement. The funding does not require a local match.

Alternatives

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

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

Recommendation

City Administration recommends that the Council approve acceptance of the DOJ 2020-VD-BX-1521 award for \$85,491.00 for the City of Grand Island.

Sample Motion

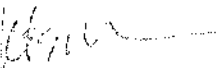
Move to approve acceptance of the DOJ coronavirus award for \$85,491.00 for the City of Grand Island.



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

Grant

PAGE 1 OF 16

1. RECIPIENT NAME AND ADDRESS (Including Zip Code) City of Grand Island 100 E 1st St. Grand Island, NE 68801-6023		4. AWARD NUMBER: 2020-VD-BX-1521	
		5. PROJECT PERIOD: FROM 01/20/2020 TO 01/31/2022 BUDGET PERIOD: FROM 01/20/2020 TO 01/31/2022	
		6. AWARD DATE 06/04/2020	7. ACTION Initial
2a. GRANTEE IRS/VENDOR NO. 476006205	8. SUPPLEMENT NUMBER 00		
2b. GRANTEE DUNS NO. 040919607	9. PREVIOUS AWARD AMOUNT		\$ 0
3. PROJECT TITLE Coronavirus Response for the City of Grand Island, NE		10. AMOUNT OF THIS AWARD	\$ 85,491
		11. TOTAL AWARD	\$ 85,491
12. SPECIAL CONDITIONS THE ABOVE GRANT PROJECT IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS AS ARE SET FORTH ON THE ATTACHED PAGE(S).			
13. STATUTORY AUTHORITY FOR GRANT This project is supported under FY20(BJA - CEF) Pub. L. No. 116-136, Div. B; 28 U.S.C. 530C			
14. CATALOG OF DOMESTIC FEDERAL ASSISTANCE (CFDA Number) 16.034 - Coronavirus Emergency Supplemental Funding Program			
15. METHOD OF PAYMENT GPRS			
AGENCY APPROVAL		GRANTEE ACCEPTANCE	
16. TYPED NAME AND TITLE OF APPROVING OFFICIAL Katharine T. Sullivan Principal Deputy Assistant Attorney General		18. TYPED NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL Roger Steele Mayor	
17. SIGNATURE OF APPROVING OFFICIAL 		19. SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL	19A. DATE
AGENCY USE ONLY			
20. ACCOUNTING CLASSIFICATION CODES FISCAL FUND BUD. DIV. YEAR CODE ACT. OFC REG. SUB. POMS AMOUNT X B VD 80 00 00 85491		21. VVDUGT1458	

OJP FORM 4000-2 (REV. 5-87) PREVIOUS EDITIONS ARE OBSOLETE.

OJP FORM 4000-2 (REV. 4-88)



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET
Grant**

PAGE 2 OF 16

PROJECT NUMBER 2020-VD-BX-1521

AWARD DATE 06/04/2020

SPECIAL CONDITIONS

I. Requirements of the award; remedies for non-compliance or for materially false statements

The conditions of this award are material requirements of the award. Compliance with any assurances or certifications submitted by or on behalf of the recipient that relate to conduct during the period of performance also is a material requirement of this award.

Limited Exceptions. In certain special circumstances, the U.S. Department of Justice ("DOJ") may determine that it will not enforce, or enforce only in part, one or more requirements otherwise applicable to the award. Any such exceptions regarding enforcement, including any such exceptions made during the period of performance, are (or will be during the period of performance) set out through the Office of Justice Programs ("OJP") webpage entitled "Legal Notices: Special circumstances as to particular award conditions" (ojp.gov/funding/Explore/LegalNotices-AwardReqs.htm), and incorporated by reference into the award.

By signing and accepting this award on behalf of the recipient, the authorized recipient official accepts all material requirements of the award, and specifically adopts, as if personally executed by the authorized recipient official, all assurances or certifications submitted by or on behalf of the recipient that relate to conduct during the period of performance.

Failure to comply with one or more award requirements -- whether a condition set out in full below, a condition incorporated by reference below, or an assurance or certification related to conduct during the award period -- may result in OJP taking appropriate action with respect to the recipient and the award. Among other things, the OJP may withhold award funds, disallow costs, or suspend or terminate the award. DOJ, including OJP, also may take other legal action as appropriate.

Any materially false, fictitious, or fraudulent statement to the federal government related to this award (or concealment or omission of a material fact) may be the subject of criminal prosecution (including under 18 U.S.C. 1001 and/or 1621, and/or 34 U.S.C. 10271-10273), and also may lead to imposition of civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. 3729-3730 and 3801-3812).

Should any provision of a requirement of this award be held to be invalid or unenforceable by its terms, that provision shall first be applied with a limited construction so as to give it the maximum effect permitted by law. Should it be held, instead, that the provision is utterly invalid or -unenforceable, such provision shall be deemed severable from this award.



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET
Grant**

PAGE 3 OF 16

PROJECT NUMBER 2020-VD-BX-1521

AWARD DATE 06/04/2020

SPECIAL CONDITIONS

2. Applicability of Part 200 Uniform Requirements

The Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted and supplemented by DOJ in 2 C.F.R. Part 2800 (together, the "Part 200 Uniform Requirements") apply to this FY 2020 award from OJP.

The Part 200 Uniform Requirements were first adopted by DOJ on December 26, 2014. If this FY 2020 award supplements funds previously awarded by OJP under the same award number (e.g., funds awarded during or before December 2014), the Part 200 Uniform Requirements apply with respect to all funds under that award number (regardless of the award date, and regardless of whether derived from the initial award or a supplemental award) that are obligated on or after the acceptance date of this FY 2020 award.

For more information and resources on the Part 200 Uniform Requirements as they relate to OJP awards and subawards ("subgrants"), see the OJP website at <https://ojp.gov/funding/Part200UniformRequirements.htm>.

Record retention and access: Records pertinent to the award that the recipient (and any subrecipient ("subgrantee") at any tier) must retain -- typically for a period of 3 years from the date of submission of the final expenditure report (SF 425), unless a different retention period applies -- and to which the recipient (and any subrecipient ("subgrantee") at any tier) must provide access, include performance measurement information, in addition to the financial records, supporting documents, statistical records, and other pertinent records indicated at 2 C.F.R. 200.333.

In the event that an award-related question arises from documents or other materials prepared or distributed by OJP that may appear to conflict with, or differ in some way from, the provisions of the Part 200 Uniform Requirements, the recipient is to contact OJP promptly for clarification.

3. Compliance with DOJ Grants Financial Guide

References to the DOJ Grants Financial Guide are to the DOJ Grants Financial Guide as posted on the OJP website (currently, the "DOJ Grants Financial Guide" available at <https://ojp.gov/financialguide/DOJ/index.htm>), including any updated version that may be posted during the period of performance. The recipient agrees to comply with the DOJ Grants Financial Guide.

4. Reclassification of various statutory provisions to a new Title 34 of the United States Code

On September 1, 2017, various statutory provisions previously codified elsewhere in the U.S. Code were editorially reclassified (that is, moved and renumbered) to a new Title 34, entitled "Crime Control and Law Enforcement." The reclassification encompassed a number of statutory provisions pertinent to OJP awards (that is, OJP grants and cooperative agreements), including many provisions previously codified in Title 42 of the U.S. Code.

Effective as of September 1, 2017, any reference in this award document to a statutory provision that has been reclassified to the new Title 34 of the U.S. Code is to be read as a reference to that statutory provision as reclassified to Title 34. This rule of construction specifically includes references set out in award conditions, references set out in material incorporated by reference through award conditions, and references set out in other award requirements.



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Office of Justice Programs
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**AWARD CONTINUATION
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PROJECT NUMBER 2020-VD-RX-1521

AWARD DATE 06/04/2020

SPECIAL CONDITIONS

5. Required training for Point of Contact and all Financial Points of Contact

Both the Point of Contact (POC) and all Financial Points of Contact (FPOCs) for this award must have successfully completed an "OJP financial management and grant administration training" by 120 days after the date of the recipient's acceptance of the award. Successful completion of such a training on or after January 1, 2018, will satisfy this condition.

In the event that either the POC or an FPOC for this award changes during the period of performance, the new POC or FPOC must have successfully completed an "OJP financial management and grant administration training" by 120 calendar days after -- (1) the date of OJP's approval of the "Change Grantee Contact" GAN (in the case of a new POC), or (2) the date the POC enters information on the new FPOC in GMS (in the case of a new FPOC). Successful completion of such a training on or after January 1, 2018, will satisfy this condition.

A list of OJP trainings that OJP will consider "OJP financial management and grant administration training" for purposes of this condition is available at <https://www.ojp.gov/training/fmts.htm>. All trainings that satisfy this condition include a session on grant fraud prevention and detection.

The recipient should anticipate that OJP will immediately withhold ("freeze") award funds if the recipient fails to comply with this condition. The recipient's failure to comply also may lead OJP to impose additional appropriate conditions on this award.

6. Requirements related to "de minimis" indirect cost rate

A recipient that is eligible under the Part 200 Uniform Requirements and other applicable law to use the "de minimis" indirect cost rate described in 2 C.F.R. 200.414(i), and that elects to use the "de minimis" indirect cost rate, must advise OJP in writing of both its eligibility and its election, and must comply with all associated requirements in the Part 200 Uniform Requirements. The "de minimis" rate may be applied only to modified total direct costs (MTDC) as defined by the Part 200 Uniform Requirements.

7. Requirement to report potentially duplicative funding

If the recipient currently has other active awards of federal funds, or if the recipient receives any other award of federal funds during the period of performance for this award, the recipient promptly must determine whether funds from any of those other federal awards have been, are being, or are to be used (in whole or in part) for one or more of the identical cost items for which funds are provided under this award. If so, the recipient must promptly notify the DOJ awarding agency (OJP or OVW, as appropriate) in writing of the potential duplication, and, if so requested by the DOJ awarding agency, must seek a budget-modification or change-of-project-scope grant adjustment notice (GAN) to eliminate any inappropriate duplication of funding.



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
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PROJECT NUMBER 2020-VD-BX-1521

AWARD DATE 06/04/2020

SPECIAL CONDITIONS

8. Requirements related to System for Award Management and Universal Identifier Requirements

The recipient must comply with applicable requirements regarding the System for Award Management (SAM), currently accessible at <https://www.sam.gov/>. This includes applicable requirements regarding registration with SAM, as well as maintaining the currency of information in SAM.

The recipient also must comply with applicable restrictions on subawards ("subgrants") to first-tier subrecipients (first-tier "subgrantees"), including restrictions on subawards to entities that do not acquire and provide (to the recipient) the unique entity identifier required for SAM registration.

The details of the recipient's obligations related to SAM and to unique entity identifiers are posted on the OJP web site at <https://ojp.gov/funding/Explore/SAM.htm> (Award condition: System for Award Management (SAM) and Universal Identifier Requirements), and are incorporated by reference here.

This condition does not apply to an award to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).



Department of Justice (DOJ)
Office of Justice Programs
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**AWARD CONTINUATION
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Grant**

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PROJECT NUMBER 2020-VD-BX-1521

AWARD DATE 06/04/2020

SPECIAL CONDITIONS

9. Employment eligibility verification for hiring under the award

1. The recipient (and any subrecipient at any tier) must--

A. Ensure that, as part of the hiring process for any position within the United States that is or will be funded (in whole or in part) with award funds, the recipient (or any subrecipient) properly verifies the employment eligibility of the individual who is being hired, consistent with the provisions of 8 U.S.C. 1324a(a)(1) and (2).

B. Notify all persons associated with the recipient (or any subrecipient) who are or will be involved in activities under this award of both--

(1) this award requirement for verification of employment eligibility, and

(2) the associated provisions in 8 U.S.C. 1324a(a)(1) and (2) that, generally speaking, make it unlawful, in the United States, to hire (or recruit for employment) certain aliens.

C. Provide training (to the extent necessary) to those persons required by this condition to be notified of the award requirement for employment eligibility verification and of the associated provisions of 8 U.S.C. 1324a(a)(1) and (2).

D. As part of the recordkeeping for the award (including pursuant to the Part 200 Uniform Requirements), maintain records of all employment eligibility verifications pertinent to compliance with this award condition in accordance with Form I-9 record retention requirements, as well as records of all pertinent notifications and trainings.

2. Monitoring

The recipient's monitoring responsibilities include monitoring of subrecipient compliance with this condition.

3. Allowable costs

To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions designed to ensure compliance with this condition.

4. Rules of construction

A. Staff involved in the hiring process

For purposes of this condition, persons "who are or will be involved in activities under this award" specifically includes (without limitation) any and all recipient (or any subrecipient) officials or other staff who are or will be involved in the hiring process with respect to a position that is or will be funded (in whole or in part) with award funds.

B. Employment eligibility confirmation with E-Verify

For purposes of satisfying the requirement of this condition regarding verification of employment eligibility, the recipient (or any subrecipient) may choose to participate in, and use, E-Verify (www.e-verify.gov), provided an appropriate person authorized to act on behalf of the recipient (or subrecipient) uses E-Verify (and follows the proper E-Verify procedures, including in the event of a "Tentative Nonconfirmation" or a "Final Nonconfirmation") to confirm employment eligibility for each hiring for a position in the United States that is or will be funded (in whole or in part) with award funds.

C. "United States" specifically includes the District of Columbia, Puerto Rico, Guam, the Virgin Islands of the United States, and the Commonwealth of the Northern Mariana Islands.

D. Nothing in this condition shall be understood to authorize or require any recipient, any subrecipient at any tier, or



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**AWARD CONTINUATION
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PROJECT NUMBER 2020-VD-BX-1521

AWARD DATE 06/04/2020

SPECIAL CONDITIONS

any person or other entity, to violate any federal law, including any applicable civil rights or nondiscrimination law.

E. Nothing in this condition, including in paragraph 4.B., shall be understood to relieve any recipient, any subrecipient at any tier, or any person or other entity, of any obligation otherwise imposed by law, including 8 U.S.C. 1324a(a)(1) and (2).

Questions about E-Verify should be directed to DHS. For more information about E-Verify visit the E-Verify website (<https://www.e-verify.gov/>) or email E-Verify at E-Verify@dhs.gov. E-Verify employer agents can email E-Verify at E-VerifyEmployerAgent@dhs.gov.

Questions about the meaning or scope of this condition should be directed to OJP, before award acceptance.

10. Requirement to report actual or imminent breach of personally identifiable information (PII)

The recipient (and any "subrecipient" at any tier) must have written procedures in place to respond in the event of an actual or imminent "breach" (OMB M-17-12) if it (or a subrecipient) -- (1) creates, collects, uses, processes, stores, maintains, disseminates, discloses, or disposes of "personally identifiable information (PII)" (2 CFR 200.79) within the scope of an OJP grant-funded program or activity, or (2) uses or operates a "Federal information system" (OMB Circular A-130). The recipient's breach procedures must include a requirement to report actual or imminent breach of PII to an OJP Program Manager no later than 24 hours after an occurrence of an actual breach, or the detection of an imminent breach.

11. All subawards ("subgrants") must have specific federal authorization

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements for authorization of any subaward. This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a "subaward" (and therefore does not consider a procurement "contract").

The details of the requirement for authorization of any subaward are posted on the OJP web site at <https://ojp.gov/funding/Explore/SubawardAuthorization.htm> (Award condition: All subawards ("subgrants") must have specific federal authorization), and are incorporated by reference here.

12. Specific post-award approval required to use a noncompetitive approach in any procurement contract that would exceed \$250,000

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements to obtain specific advance approval to use a noncompetitive approach in any procurement contract that would exceed the Simplified Acquisition Threshold (currently, \$250,000). This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a procurement "contract" (and therefore does not consider a subaward).

The details of the requirement for advance approval to use a noncompetitive approach in a procurement contract under an OJP award are posted on the OJP web site at <https://ojp.gov/funding/Explore/NoncompetitiveProcurement.htm> (Award condition: Specific post-award approval required to use a noncompetitive approach in a procurement contract (if contract would exceed \$250,000)), and are incorporated by reference here.



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
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PROJECT NUMBER 2020-VD-BX-1521

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SPECIAL CONDITIONS

13. Unreasonable restrictions on competition under the award; association with federal government

SCOPE. This condition applies with respect to any procurement of property or services that is funded (in whole or in part) by this award, whether by the recipient or by any subrecipient at any tier, and regardless of the dollar amount of the purchase or acquisition, the method of procurement, or the nature of any legal instrument used. The provisions of this condition must be among those included in any subaward (at any tier).

1. No discrimination, in procurement transactions, against associates of the federal government

Consistent with the (DOJ) Part 200 Uniform Requirements -- including as set out at 2 C.F.R. 200.300 (requiring awards to be "manage[d] and administer[ed] in a manner so as to ensure that Federal funding is expended and associated programs are implemented in full accordance with U.S. statutory and public policy requirements") and 200.319(a) (generally requiring "[a]ll procurement transactions [to] be conducted in a manner providing full and open competition" and forbidding practices "restrictive of competition," such as "[p]lacing unreasonable requirements on firms in order for them to qualify to do business" and taking "[a]ny arbitrary action in the procurement process") -- no recipient (or subrecipient, at any tier) may (in any procurement transaction) discriminate against any person or entity on the basis of such person or entity's status as an "associate of the federal government" (or on the basis of such person or entity's status as a parent, affiliate, or subsidiary of such an associate), except as expressly set out in 2 C.F.R. 200.319(a) or as specifically authorized by USDOJ.

2. Monitoring

The recipient's monitoring responsibilities include monitoring of subrecipient compliance with this condition.

3. Allowable costs

To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions designed to ensure compliance with this condition.

4. Rules of construction

A. The term "associate of the federal government" means any person or entity engaged or employed (in the past or at present) by or on behalf of the federal government -- as an employee, contractor or subcontractor (at any tier), grant recipient or -subrecipient (at any tier), agent, or otherwise -- in undertaking any work, project, or activity for or on behalf of (or in providing goods or services to or on behalf of) the federal government, and includes any applicant for such employment or engagement, and any person or entity committed by legal instrument to undertake any such work, project, or activity (or to provide such goods or services) in future.

B. Nothing in this condition shall be understood to authorize or require any recipient, any subrecipient at any tier, or any person or other entity, to violate any federal law, including any applicable civil rights or nondiscrimination law.



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14. Requirements pertaining to prohibited conduct related to trafficking in persons (including reporting requirements and OJP authority to terminate award)

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements (including requirements to report allegations) pertaining to prohibited conduct related to the trafficking of persons, whether on the part of recipients, subrecipients ("subgrantees"), or individuals defined (for purposes of this condition) as "employees" of the recipient or of any subrecipient.

The details of the recipient's obligations related to prohibited conduct related to trafficking in persons are posted on the OJP web site at <https://ojp.gov/funding/Explore/ProhibitedConduct-Trafficking.htm> (Award condition: Prohibited conduct by recipients and subrecipients related to trafficking in persons (including reporting requirements and OJP authority to terminate award)), and are incorporated by reference here.

15. Determination of suitability to interact with participating minors

SCOPE. This condition applies to this award if it is indicated -- in the application for the award (as approved by DOJ) or in the application for any subaward, at any tier), the DOJ funding announcement (solicitation), or an associated federal statute -- that a purpose of some or all of the activities to be carried out under the award (whether by the recipient, or a subrecipient at any tier) is to benefit a set of individuals under 18 years of age.

The recipient, and any subrecipient at any tier, must make determinations of suitability before certain individuals may interact with participating minors. This requirement applies regardless of an individual's employment status.

The details of this requirement are posted on the OJP web site at <https://ojp.gov/funding/Explore/Interact-Minors.htm> (Award condition: Determination of suitability required, in advance, for certain individuals who may interact with participating minors), and are incorporated by reference here.

16. Compliance with applicable rules regarding approval, planning, and reporting of conferences, meetings, trainings, and other events

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable laws, regulations, policies, and official DOJ guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences (as that term is defined by DOJ), including the provision of food and/or beverages at such conferences, and costs of attendance at such conferences.

Information on the pertinent DOJ definition of conferences and the rules applicable to this award appears in the DOJ Grants Financial Guide (currently, as section 3.10 of "Postaward Requirements" in the "DOJ Grants Financial Guide").

17. Requirement for data on performance and effectiveness under the award

The recipient must collect and maintain data that measure the performance and effectiveness of work under this award. The data must be provided to OJP in the manner (including within the timeframes) specified by OJP in the program solicitation or other applicable written guidance. Data collection supports compliance with the Government Performance and Results Act (GPRA) and the GPRA Modernization Act of 2010, and other applicable laws.

18. OJP Training Guiding Principles

Any training or training materials that the recipient -- or any subrecipient ("subgrantee") at any tier -- develops or delivers with OJP award funds must adhere to the OJP Training Guiding Principles for Grantees and Subgrantees, available at <https://ojp.gov/funding/Implement/TrainingPrinciplesForGrantees-Subgrantees.htm>.



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SPECIAL CONDITIONS

19. Effect of failure to address audit issues

The recipient understands and agrees that the DOJ awarding agency (OJP or OVW, as appropriate) may withhold award funds, or may impose other related requirements, if (as determined by the DOJ awarding agency) the recipient does not satisfactorily and promptly address outstanding issues from audits required by the Part 200 Uniform Requirements (or by the terms of this award), or other outstanding issues that arise in connection with audits, investigations, or reviews of DOJ awards.

20. Potential imposition of additional requirements

The recipient agrees to comply with any additional requirements that may be imposed by the DOJ awarding agency (OJP or OVW, as appropriate) during the period of performance for this award, if the recipient is designated as "high-risk" for purposes of the DOJ high-risk grantee list.

21. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 42

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 42, specifically including any applicable requirements in Subpart E of 28 C.F.R. Part 42 that relate to an equal employment opportunity program.

22. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 54

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 54, which relates to nondiscrimination on the basis of sex in certain "education programs."

23. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 38

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 38 (as may be applicable from time to time), specifically including any applicable requirements regarding written notice to program beneficiaries and prospective program beneficiaries.

Currently, among other things, 28 C.F.R. Part 38 includes rules that prohibit specific forms of discrimination on the basis of religion, a religious belief, a refusal to hold a religious belief, or refusal to attend or participate in a religious practice. Part 38, currently, also sets out rules and requirements that pertain to recipient and subrecipient ("subgrantee") organizations that engage in or conduct explicitly religious activities, as well as rules and requirements that pertain to recipients and subrecipients that are faith-based or religious organizations.

The text of 28 C.F.R. Part 38 is available via the Electronic Code of Federal Regulations (currently accessible at <https://www.ecfr.gov/cgi-bin/ECFR?page=browse>), by browsing to Title 28-Judicial Administration, Chapter 1, Part 38, under e-CFR "current" data.



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24. Restrictions on "lobbying"

In general, as a matter of federal law, federal funds awarded by OJP may not be used by the recipient, or any subrecipient ("subgrantee") at any tier, either directly or indirectly, to support or oppose the enactment, repeal, modification, or adoption of any law, regulation, or policy, at any level of government. See 18 U.S.C. 1913. (There may be exceptions if an applicable federal statute specifically authorizes certain activities that otherwise would be barred by law.)

Another federal law generally prohibits federal funds awarded by OJP from being used by the recipient, or any subrecipient at any tier, to pay any person to influence (or attempt to influence) a federal agency, a Member of Congress, or Congress (or an official or employee of any of them) with respect to the awarding of a federal grant or cooperative agreement, subgrant, contract, subcontract, or loan, or with respect to actions such as renewing, extending, or modifying any such award. See 31 U.S.C. 1352. Certain exceptions to this law apply, including an exception that applies to Indian tribes and tribal organizations.

Should any question arise as to whether a particular use of federal funds by a recipient (or subrecipient) would or might fall within the scope of these prohibitions, the recipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.

- 25. Compliance with general appropriations-law restrictions on the use of federal funds (FY 2020)** The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable restrictions on the use of federal funds set out in federal appropriations statutes. Pertinent restrictions that may be set out in applicable appropriations acts are indicated at <https://ojp.gov/funding/Explore/FY20AppropriationsRestrictions.htm>, and are incorporated by reference here. Should a question arise as to whether a particular use of federal funds by a recipient (or a subrecipient) would or might fall within the scope of an appropriations-law restriction, the recipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.

26. Reporting potential fraud, waste, and abuse, and similar misconduct

The recipient, and any subrecipients ("subgrantees") at any tier, must promptly refer to the DOJ Office of the Inspector General (OIG) any credible evidence that a principal, employee, agent, subrecipient, contractor, subcontractor, or other person has, in connection with funds under this award-- (1) submitted a claim that violates the False Claims Act; or (2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct.

Potential fraud, waste, abuse, or misconduct involving or relating to funds under this award should be reported to the OIG by--(1) online submission accessible via the OIG webpage at <https://oig.justice.gov/hotline/contact-grants.htm> (select "Submit Report Online"); (2) mail directed to: U.S. Department of Justice, Office of the Inspector General, Investigations Division, ATTN: Grantee Reporting, 950 Pennsylvania Ave., NW, Washington, DC 20530; and/or (3) by facsimile directed to the DOJ OIG Investigations Division (Attn: Grantee Reporting) at (202) 616-9881 (fax).

Additional information is available from the DOJ OIG website at <https://oig.justice.gov/hotline>.



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27. Restrictions and certifications regarding non-disclosure agreements and related matters

No recipient or subrecipient ("subgrantee") under this award, or entity that receives a procurement contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information.

The foregoing is not intended, and shall not be understood by the agency making this award, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the nondisclosure of classified information.

1. In accepting this award, the recipient--

a. represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

b. certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

2. If the recipient does or is authorized under this award to make subawards ("subgrants"), procurement contracts, or both--

a. it represents that--

(1) it has determined that no other entity that the recipient's application proposes may or will receive award funds (whether through a subaward ("subgrant"), procurement contract, or subcontract under a procurement contract) either requires or has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

(2) it has made appropriate inquiry, or otherwise has an adequate factual basis, to support this representation; and

b. it certifies that, if it learns or is notified that any subrecipient, contractor, or subcontractor entity that receives funds under this award is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds to or by that entity, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.



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28. Compliance with 41 U.S.C. 4712 (including prohibitions on reprisal; notice to employees)

The recipient (and any subrecipient at any tier) must comply with, and is subject to, all applicable provisions of 41 U.S.C. 4712, including all applicable provisions that prohibit, under specified circumstances, discrimination against an employee as reprisal for the employee's disclosure of information related to gross mismanagement of a federal grant, a gross waste of federal funds, an abuse of authority relating to a federal grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal grant.

The recipient also must inform its employees, in writing (and in the predominant native language of the workforce), of employee rights and remedies under 41 U.S.C. 4712.

Should a question arise as to the applicability of the provisions of 41 U.S.C. 4712 to this award, the recipient is to contact the DOJ awarding agency (OJP or OVW, as appropriate) for guidance.

29. Encouragement of policies to ban text messaging while driving

Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), DOJ encourages recipients and subrecipients ("subgrantees") to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this award, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

30. Requirement to disclose whether recipient is designated "high risk" by a federal grant-making agency outside of DOJ

If the recipient is designated "high risk" by a federal grant-making agency outside of DOJ, currently or at any time during the course of the period of performance under this award, the recipient must disclose that fact and certain related information to OJP by email at OJP.ComplianceReporting@ojp.usdoj.gov. For purposes of this disclosure, high risk includes any status under which a federal awarding agency provides additional oversight due to the recipient's past performance, or other programmatic or financial concerns with the recipient. The recipient's disclosure must include the following: 1. The federal awarding agency that currently designates the recipient high risk, 2. The date the recipient was designated high risk, 3. The high-risk point of contact at that federal awarding agency (name, phone number, and email address), and 4. The reasons for the high-risk status, as set out by the federal awarding agency.

31. Signing Authority

This award must be signed by an authorized official of the applicant State, local, or tribal government, on behalf of that applicant State, unit of local government, or Tribe, unless the applicant designates an organizational unit to apply on its behalf. For example, if designated by a unit of local government, a Police Department or Sheriff's Office (or similar agency) may apply on behalf of the applicant jurisdiction, as long as the department, office, or agency is listed as the organizational unit on the SF-424. In that case, the head of the designated organizational unit (such as a Police Chief or Sheriff) may sign the award. Documentation of the designation by the appropriate governing body must be retained by the grant recipient.

32. The "Emergency Appropriations for Coronavirus Health Response and Agency Operations" law (Public Law 116-136) includes definitions, reporting requirements, and certain other provisions that apply (whether in whole or in part) to this award. In addition, consistent with the CESF Program's purposes, which involve preparing for, preventing, and responding to the coronavirus national emergency, OJP will provide notice of any additional CESF program-specific grants administrative requirements on an award page, accessible at <https://www.ojp.gov/funding/explore/CESF-program-specific-condition>, that is incorporated by reference here.



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33. The recipient agrees to comply with OJP grant monitoring guidelines, protocols, and procedures, and to cooperate with BJA and OCFO on all grant monitoring requests, including requests related to desk reviews, enhanced programmatic desk reviews, and/or site visits. The recipient agrees to provide to BJA and OCFO all documentation necessary to complete monitoring tasks, including documentation related to any subawards made under this award. Further, the recipient agrees to abide by reasonable deadlines set by BJA and OCFO for providing the requested documents. Failure to cooperate with BJA's/OCFO's grant monitoring activities may result in sanctions affecting the recipient's DOJ awards, including, but not limited to: withholdings and/or other restrictions on the recipient's access to grant funds; referral to the Office of the Inspector General for audit review; designation of the recipient as a DOJ High Risk grantee; or termination of an award(s).

34. FFATA reporting: Subawards and executive compensation

The recipient must comply with applicable requirements to report first-tier subawards ("subgrants") of \$25,000 or more and, in certain circumstances, to report the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients (first-tier "subgrantees") of award funds. The details of recipient obligations, which derive from the Federal Funding Accountability and Transparency Act of 2006 (FFATA), are posted on the OJP web site at <https://ojp.gov/funding/Explore/FFATA.htm> (Award condition: Reporting Subawards and Executive Compensation), and are incorporated by reference here.

This condition, including its reporting requirement, does not apply to-- (1) an award of less than \$25,000, or (2) an award made to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).

35. Required monitoring of subawards

The recipient must monitor subawards under this award in accordance with all applicable statutes, regulations, award conditions, and the DOJ Grants Financial Guide, and must include the applicable conditions of this award in any subaward. Among other things, the recipient is responsible for oversight of subrecipient spending and monitoring of specific outcomes and benefits attributable to use of award funds by subrecipients. The recipient agrees to submit, upon request, documentation of its policies and procedures for monitoring of subawards under this award.

36. Use of program income

Program income (as defined in the Part 200 Uniform Requirements) must be used in accordance with the provisions of the Part 200 Uniform Requirements. Program income earnings and expenditures both must be reported on the quarterly Federal Financial Report, SF 425.

37. Justice Information Sharing

Recipients are encouraged to comply any information-sharing projects funded under this award with DOJ's Global Justice Information Sharing Initiative (Global) guidelines. The recipient (and any subrecipient at any tier) is encouraged to conform to the Global Standards Package (GSP) and all constituent elements, where applicable, as described at: https://it.ojp.gov/gsp_grantcondition. The recipient (and any subrecipient at any tier) must document planned approaches to information sharing and describe compliance with the GSP and appropriate privacy policy that protects shared information.

38. Avoidance of duplication of networks

To avoid duplicating existing networks or IT systems in any initiatives funded by BJA for law enforcement information sharing systems which involve interstate connectivity between jurisdictions, such systems shall employ, to the extent possible, existing networks as the communication backbone to achieve interstate connectivity.



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39. Compliance with National Environmental Policy Act and related statutes

Upon request, the recipient (and any subrecipient at any tier) must assist BJA in complying with the National Environmental Policy Act (NEPA), the National Historic Preservation Act, and other related federal environmental impact analyses requirements in the use of these award funds, either directly by the recipient or by a subrecipient. Accordingly, the recipient agrees to first determine if any of the following activities will be funded by the grant, prior to obligating funds for any of these purposes. If it is determined that any of the following activities will be funded by the award, the recipient agrees to contact BJA. The recipient understands that this condition applies to new activities as set out below, whether or not they are being specifically funded with these award funds. That is, as long as the activity is being conducted by the recipient, a subrecipient, or any third party, and the activity needs to be undertaken in order to use these award funds, this condition must first be met. The activities covered by this condition are: a. New construction; b. Minor renovation or remodeling of a property located in an environmentally or historically sensitive area, including properties located within a 100-year flood plain, a wetland, or habitat for endangered species, or a property listed on or eligible for listing on the National Register of Historic Places; c. A renovation, lease, or any proposed use of a building or facility that will either (a) result in a change in its basic prior use or (b) significantly change its size; d. Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or education environments; and e. Implementation of a program relating to clandestine methamphetamine laboratory operations, including the identification, seizure, or closure of clandestine methamphetamine laboratories. The recipient understands and agrees that complying with NEPA may require the preparation of an Environmental Assessment and/or an Environmental Impact Statement, as directed by BJA. The recipient further understands and agrees to the requirements for implementation of a Mitigation Plan, as detailed at <https://bja.gov/Funding/nepa.html>, for programs relating to methamphetamine laboratory operations. Application of This Condition to Recipient's Existing Programs or Activities: For any of the recipient's or its subrecipients' existing programs or activities that will be funded by these award funds, the recipient, upon specific request from BJA, agrees to cooperate with BJA in any preparation by BJA of a national or program environmental assessment of that funded program or activity.

40. Establishment of interest-bearing account

If award funds are being drawn down in advance, the recipient (or a subrecipient, with respect to a subaward) is required to establish an interest-bearing account dedicated specifically to this award. Recipients (and subrecipients) must maintain advance payments of federal awards in interest-bearing accounts, unless regulatory exclusions apply (2 C.F.R. 200.305(b)(8)). The award funds, including any interest, may not be used to pay debts or expenses incurred by other activities beyond the scope of the Coronavirus Emergency Supplemental Funding (CESF) program. The recipient also agrees to obligate the award funds in the account (including any interest earned) during the period of performance for the award and expend within 90 days thereafter. Any unobligated or unexpended funds, including interest earned, must be returned to OJP at the time of closeout.

41. Expenditures requiring prior approval

No funds under this award may be expended on individual items costing \$500,000 or more, or to purchase Unmanned Aerial Systems (UAS), Unmanned Aircraft (UA), and/or Unmanned Aerial Vehicles (UAV) without prior written approval from BJA. Prior approval must be obtained post-award, through the submission and approval of a Grant Adjustment Notice (GAN) through OJP's Grant Management System (GMS).



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42. Authorization to obligate (federal) award funds to reimburse certain project costs incurred on or after January 20, 2020

The recipient may obligate (federal) award funds only after the recipient makes a valid acceptance of the award. As of the first day of the period of performance for the award (January 20, 2020), however, the recipient may choose to incur project costs using non-federal funds, but any such project costs are incurred at the recipient's risk until, at a minimum-- (1) the recipient makes a valid acceptance of the award, and (2) all applicable withholding conditions are removed by OJP (via a Grant Adjustment Notice). (A withholding condition is a condition in the award document that precludes the recipient from obligating, expending, or drawing down all or a portion of the award funds until the condition is removed.)

Nothing in this condition shall be understood to authorize the recipient (or any subrecipient at any tier) to use award funds to "supplant" State or local funds.

43. Use of funds for DNA testing; upload of DNA profiles

If award funds are used for DNA testing of evidentiary materials, any resulting eligible DNA profiles must be uploaded to the Combined DNA Index System ("CODIS," the DNA database operated by the FBI) by a government DNA laboratory with access to CODIS. No profiles generated under this award may be entered or uploaded into any non-governmental DNA database without prior express written approval from BJA. Award funds may not be used for the purchase of DNA equipment and supplies unless the resulting DNA profiles may be accepted for entry into CODIS.

44. Body armor - compliance with NIJ standards and other requirements

Ballistic-resistant and stab-resistant body armor purchased with award funds may be purchased at any threat level, make or model, from any distributor or manufacturer, as long as the body armor has been tested and found to comply with applicable National Institute of Justice ballistic or stab standards and is listed on the NIJ Compliant Body Armor Model List (<https://nij.gov/topics/technology/body-armor/Pages/compliant-ballistic-armor.aspx>). In addition, ballistic-resistant and stab-resistant body armor purchased must be made in the United States and must be uniquely fitted, as set forth in 34 U.S.C. 10202(c)(1)(A). The latest NIJ standard information can be found here: <https://nij.gov/topics/technology/body-armor/pages/safety-initiative.aspx>.

45. Missing Attachment: Disclosure of lobbying

The recipient must complete a Disclosure of Lobbying Activities (SF-LLL) form, and submit it to the grant manager for this award. Award closeout will not be possible until OJP has issued a Grant Adjustment Notice to remove this special condition.

46. Recipient may not obligate, expend, or drawdown funds until the Bureau of Justice Assistance, Office of Justice Programs has reviewed and approved the Budget Narrative portion of the application and has issued a Grant Adjustment Notice (GAN) informing the recipient of the approval.

RESOLUTION 2020-153

WHEREAS, the City of Grand Island has been approved for \$85,491.00 of Department of Justice (DOJ) funding from the Coronavirus Emergency Supplemental Funding (CESF) Program; and

WHEREAS, the City Finance Department is acting as the grant management team for the City's coronavirus response.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, to approve award 2020-VD-BX-1521 of \$85,491.00 of Federal DOJ funding as part of the response to the coronavirus outbreak.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, June 23, 2020.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	▣ _____
June 18, 2020	▣ City Attorney



City of Grand Island

Tuesday, June 23, 2020

Council Session

Item J-1

Approving Payment of Claims for the Period of June 10, 2020 through June 23, 2020

*The Claims for the period of June 10, 2020 through June 23, 2020 for a total amount of \$6,117,881.38.
A MOTION is in order.*

Staff Contact: Patrick Brown