



City of Grand Island

Tuesday, August 11, 2020

Council Session

Item D-1

#2020-BE-2 - Consideration of Determining Benefits for Sanitary Sewer District No. 543; Willow Street

Council action will take place under Ordinance item F-3.

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

Council Agenda Memo

From: Keith Kurz PE, Assistant Public Works Director

Meeting: August 11, 2020

Subject: Consideration of Determining Benefits for Sanitary Sewer District No. 543; Willow Street

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

Background

The Certificate of Final Completion for Sanitary Sewer District No. 543; Willow Street was approved by City Council on July 14, 2020, via Resolution No. 2020-158; with August 11, 2020 set as the date for Council to sit as the Board of Equalization. Starostka Group Unlimited, Inc. of Grand Island, Nebraska was hired to perform such work in the amount of \$402,798.85. Work was completed at a price of \$365,223.08; with additional costs of \$57,172.63, all detailed below.

Original Bid	\$ 402,798.85
Overruns	\$ (37,575.77)
Sub Total (Construction Price) =	\$ 365,223.08
Additional Costs:	
The Grand Island Independent – Advertising	\$ 266.42
Hall County Register of Deeds – Filing Fees	\$ 62.00
Grand Island Utilities- Pole Relocation & Hold	\$ 4,743.07
GSI Engineering, LLC- Soil Boring	\$ 3,130.00
JEO Consulting Group, Inc.- Locate Property Pins	\$ 3,325.00
Grand Island Public Works Engineering	\$ 45,646.14
Sub Total of Additional Costs =	\$ 57,172.63
TOTAL COST =	\$ 422,395.71

Total project cost is \$422,395.71, with an assessable amount of \$242,395.71. The remaining \$180,000.00 was covered by the Community Development Block Grant (CDBG) funds.

All work has been completed and special assessments have been calculated for the improvements.

Discussion

The costs for this project will be assessed to the benefitting properties. The payments are spread over ten (10) years at 7% simple interest. The first payment of principle only at 1/10th of the assessment is due 25 days after filing of the ordinance that levies the costs as approved at the Board of Equalization. The City has had multiple correspondences with the property owners and sent a reminder letter advising them that the BOE is scheduled for August 11, 2020 and the first payment will be due shortly after.

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 meet as the Board of Equalization to determine benefits and pass an ordinance to levy Special Assessments to the individual properties.

Sample Motion

(Sample Motion for the Board of Equalization)

Move to approve the resolution establishing benefits for Sanitary Sewer District No. 543; Willow Street.

(Sample Motion for the Resolution)

Move to approve the ordinance levying the assessments for Sanitary Sewer District No. 543; Willow Street.

STATE OF NEBRASKA)
) ss
COUNTY OF HALL)

AFFIDAVIT OF MAILING

RaNae Edwards, City Clerk, being first duly sworn on oath, deposes and says that she is the duly appointed and acting City Clerk of the City of Grand Island, Nebraska, and that on July 28, 2020; she mailed copies of the "Notice of Board of Equalization Hearing - Sanitary Sewer District No. 543; Willow Street", which notice was first published in the Grand Island Independent on July 28, 2020, to the following named parties:

Armando's Construction, Inc.
812 E 5th St
Grand Island, NE 68801

Miguel A & Maria I Mendoza
405 E 3rd St
Grand Island, NE 68801

Irene E Avery Life Estate
404 Woodland Dr Stop #1
Grand Island, NE 68801

Jennifer M Jimenez
1507 E 7th St
Grand Island, NE 68801

Blender, LLC
2885 St Paul Rd
Grand Island, NE 68801

Michael C & Norma I Wagner
1623 E 7th St
Grand Island, NE 68801

Alicia Canfield
1511 E 7th St
Grand Island, NE 68801

Irma K Fregoso Ochoa
1522 E 7th St
Grand Island, NE 68801

Edwin C Chamberlin
1908 W 1st St
Grand Island, NE 68803

Patrick Rentals, LLC
2885 St Paul Rd
Grand Island, NE 68801

Michael & Marilyn J Galvan
552 E Capital Ave
Grand Island, NE 68801

Wayne W & Irene C Radcliff
1511 1/2 E 7th St
Grand Island, NE 68801

Edy O Hernandez Ortiz
1212 W Koenig St
Grand Island, NE 68801

Angel Cordova Sotelo*
209 E 15th St
Schuyler, NE 68661

L & P Investments, LLC
429 Industrial Ln
Grand Island, NE 68803

Michael Carl Wagner
1623 E 7th St
Grand Island, NE 68801

Such communications were properly posted and deposited in the United States mail.

Those names shown with an asterisk were mailed copies by certified mail, return receipt requested, being owners of property within the district whose addresses were shown on the tax rolls of Hall County at the time said Notice was first published as being outside the boundaries of Hall County.

Affiant further states that she, and her attorney, after diligent investigation and inquiry, were unable to ascertain and does not know the post office address of any other party appearing to have a direct legal interest in the proceedings other than the above parties to whom notice has been mailed.

DATED: July 28, 2020


RaNae Edwards, City Clerk

Subscribed and sworn to before me this 28th date July, 2020.




Notary Public

NOTICE OF BOARD OF EQUALIZATION HEARING

NOTICE OF BOARD OF EQUALIZATION HEARING Sanitary Sewer District No. 543; Willow Street NOTICE is hereby given to all persons owning real estate within the Sanitary Sewer District No. 543; Willow Street in the City of Grand Island, Hall County, Nebraska, and to all persons interested, that the City Council of said City will sit as a Board of Equalization at the City Council Chambers on August 11, 2020 at 7:00 p.m., to determine benefits accruing to the respective lots, tracts, and parcels of land in said district to pay the cost of such sanitary sewer district. All owners of real estate within said sanitary sewer district, and all persons interested, will take notice of the time and place of the sitting of the Board of Equalization, at which time any person or persons may appear and show cause, if any there be, why assessments should not be made. By order of the City Council, Grand Island, Nebraska. RaNae Edwards, City Clerk 28-4-11

Grand Island Daily Independent publication 2020/7/28

- [Legal](#)

DRAFT

RESOLUTION 2020

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, sitting as a Board of Equalization for Sanitary Sewer District No. 543; Willow Street, after due notice having been given thereof, that we find and adjudge:

That total project cost is \$422,395.71, with benefits accruing to the real estate in such district to be the total sum of \$242,395.71; and

Such benefits are based on Sanitary Sewer District No. 543; Willow Street at the adjacent property and are equal and uniform; and

According to the area of the respective lots, tracts, and real estate within such Sanitary Sewer District No. 543; Willow Street, such benefits are the sums set opposite the description as follows:

Parcel No.	Property Owner	LEGAL	Assessment
400398214	ARMANDO'S CONSTRUCTION INC	LAMBERT'S FOURTH SUB LT 2	\$ 6,551.23
400059711	IRENE E AVERY LIFE ESTATE	LAMBERT'S SUB LT 4	\$ 6,551.23
400059843	BLENDER LLC	LAMBERT'S FOURTH SUB LT 1	\$ 6,551.23
400059738	ALICIA CANFIELD	LAMBERT'S SUB N 422' LT 5	\$ 6,551.23
400205890	EDWIN C CHAMBERLIN	MISCELLANEOUS TRACTS 10-11-9 PT E 1/2 SW 1/4 NE 1/4 .39 AC	\$ 6,551.23
400059789	MICHAEL & MARILYN J GALVAN	LAMBERT'S SUB LT 9	\$ 6,551.23
400145642	EDY O HERNANDEZ ORTIZ	SANCHEZ SUBDIVISION LOT 2	\$ 6,551.23
400059800	L & P INVESTMENTS LLC	FIFTH STREET SUB LT 1	\$ 6,551.24
400523080	L & P INVESTMENTS LLC	FIFTH STREET SUB LT 2	\$ 6,551.24
400523085	L & P INVESTMENTS LLC	FIFTH STREET SUB LT 3	\$ 6,551.24
400523090	L & P INVESTMENTS LLC	FIFTH STREET SUB LT 4	\$ 6,551.24
400523095	L & P INVESTMENTS LLC	FIFTH STREET SUB LT 5	\$ 6,551.24
400523100	L & P INVESTMENTS LLC	FIFTH STREET SUB LT 6	\$ 6,551.24
400523105	L & P INVESTMENTS LLC	FIFTH STREET SUB LT 7	\$ 6,551.24
400523110	L & P INVESTMENTS LLC	FIFTH STREET SUB LT 8	\$ 6,551.24
400523115	L & P INVESTMENTS LLC	FIFTH STREET SUB LT 9	\$ 6,551.24
400523120	L & P INVESTMENTS LLC	FIFTH STREET SUB LT 10	\$ 6,551.24
400523125	L & P INVESTMENTS LLC	FIFTH STREET SUB LT 11	\$ 6,551.24
400059819	L & P INVESTMENTS LLC	FIFTH STREET SUB LT 12	\$ 6,551.24
400059827	L & P INVESTMENTS LLC	FIFTH STREET SUB LT 20	\$ 6,551.24
400059835	L & P INVESTMENTS LLC	FIFTH STREET SUB LT 19	\$ 6,551.24

Approved as to Form c ____
July 28, 2020 c City Attorney

400523160	L & P INVESTMENTS LLC	FIFTH STREET SUB LT 18	\$ 6,551.24
400523155	L & P INVESTMENTS LLC	FIFTH STREET SUB LT 17	\$ 6,551.24
400523150	L & P INVESTMENTS LLC	FIFTH STREET SUB LT 16	\$ 6,551.24
400523145	L & P INVESTMENTS LLC	FIFTH STREET SUB LT 15	\$ 6,551.24
400523140	L & P INVESTMENTS LLC	FIFTH STREET SUB LT 14	\$ 6,551.24
400523135	L & P INVESTMENTS LLC	FIFTH STREET SUB LT 13	\$ 6,551.24
400205858	MIGUELA & MARIA I MENDOZA	MISCELLANEOUS TRACTS 10-11-9 PT E 1/2 SW 1/4 NE 1/4 .39 AC	\$ 6,551.23
400059762	JENNIFER M JIMENEZ	LAMBERT'S THIRD SUB LT 2	\$ 6,551.23
400059703	MICHAEL C & NORMA I WAGNER	LAMBERT'S SIXTH SUB LOT 1	\$ 6,551.23
400205831	IRMA K FREGOSO OCHOA	SANCHEZ SUBDIVISION LOT 1	\$ 6,551.23
400038994	PATRICK RENTALS LLC	COTIAGE GROVE ADD PT 118 THRU 127 & PT VAC ST	\$ 6,551.23
400145723	PATRICK RENTALS LLC	MISCELLANEOUS TRACTS 10-11-9 PT NE 1/4 SE 1/4 1.47 AC	\$ 6,551.23
400059746	WAYNE W & IRENE C RADCLIFF	LAMBERT'S SUBS 141' LT 5	\$ 6,551.23
400205866	ANGEL CORDOVA SOTELO	MISCELLANEOUS TRACTS 10-11-9 PT E 1/2 SW 1/4 NE 1/4 1.38 AC	\$ 6,551.23
400059673	MICHAEL CARL & NORMA WAGNER	LAMBERT'S SIXTH SUB LT 3	\$ 6,551.23
400059681	MICHAEL CARL WAGNER	LAMBERT'S SIXTH SUB LT 2	\$ 6,551.23

TOTAL: \$242,395.71

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, August 11, 2020.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

- 2 -

DRAFT

This Space Reserved for Register of Deeds

ORDINANCE NO. _____

An ordinance assessing and levying a special tax to pay the cost of Sanitary Sewer District No. 543; Willow Street of the City of Grand Island, Nebraska; providing for the collection of such special tax; repealing any provisions of the Grand Island City Code, ordinances, and parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

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

SECTION 1. There is hereby assessed upon the following described lots, tracts and parcels of land specially benefited, for the purpose of paying the cost of Sanitary Sewer District No. 543; Willow Street, as adjudged by the Mayor and Council of the City, to the extent of benefits thereto by reason of such improvement, after due notice having been given thereof as provided by law; and a special tax for such cost of construction is hereby levied at one time upon such lots, tracts and land as follows:

Parcel No.	Property Owner	LEGAL	Assessment
400398214	ARMANDO'S CONSTRUCTION INC	LAMBERT'S FOURTH SUB LT 2	\$ 6,551.23
400059711	IRENE E AVERY LIFE ESTATE	LAMBERT'S SUB LT 4	\$ 6,551.23
400059843	BLENDER LLC	LAMBERT'S FOURTH SUB LT 1	\$ 6,551.23
400059738	ALICIA CANFIELD	LAMBERT'S SUB N 422' LT 5	\$ 6,551.23
400205890	EDWIN C CHAMBERLIN	MISCELLANEOUS TRACTS 10-11-9 PT E 1/2 SW 1/4 NE 1/4 .39 AC	\$ 6,551.23
400059789	MICHAEL & MARILYN J GALVAN	LAMBERT'S SUB LT 9	\$ 6,551.23
400145642	EDY O HERNANDEZ ORTIZ	SANCHEZ SUBDIVISION LOT 2	\$ 6,551.23
400059800	L & P INVESTMENTS LLC	FIFTH STREET SUB LT 1	\$ 6,551.24
400523080	L & P INVESTMENTS LLC	FIFTH STREET SUB LT 2	\$ 6,551.24
400523085	L & P INVESTMENTS LLC	FIFTH STREET SUB LT 3	\$ 6,551.24

Approved as to Form a _____
July 28, 2020 a City Attorney

ORDINANCE NO. __ __ (Cont.)

400523090	L & P INVESTMENTS LLC	FIFTH STREET SUB LT 4	\$ 6,551.24
400523095	L & P INVESTMENTS LLC	FIFTH STREET SUB LT 5	\$ 6,551.24
400523100	L & P INVESTMENTS LLC	FIFTH STREET SUB LT 6	\$ 6,551.24
400523105	L & P INVESTMENTS LLC	FIFTH STREET SUB LT 7	\$ 6,551.24
400523110	L & P INVESTMENTS LLC	FIFTH STREET SUB LT 8	\$ 6,551.24
400523115	L & P INVESTMENTS LLC	FIFTH STREET SUB LT 9	\$ 6,551.24
400523120	L & P INVESTMENTS LLC	FIFTH STREET SUB LT 10	\$ 6,551.24
400523125	L & P INVESTMENTS LLC	FIFTH STREET SUB LT 11	\$ 6,551.24
400059819	L & P INVESTMENTS LLC	FIFTH STREET SUB LT 12	\$ 6,551.24
400059827	L & P INVESTMENTS LLC	FIFTH STREET SUB LT 20	\$ 6,551.24
400059835	L & P INVESTMENTS LLC	FIFTH STREET SUB LT 19	\$ 6,551.24
400523160	L & P INVESTMENTS LLC	FIFTH STREET SUB LT 18	\$ 6,551.24
400523155	L & P INVESTMENTS LLC	FIFTH STREET SUB LT 17	\$ 6,551.24
400523150	L & P INVESTMENTS LLC	FIFTH STREET SUB LT 16	\$ 6,551.24
400523145	L & P INVESTMENTS LLC	FIFTH STREET SUB LT 15	\$ 6,551.24
400523140	L & P INVESTMENTS LLC	FIFTH STREET SUB LT 14	\$ 6,551.24
400523135	L & P INVESTMENTS LLC	FIFTH STREET SUB LT 13	\$ 6,551.24
400205858	MIGUEL A & MARIA I MENDOZA	MISCELLANEOUS TRACTS 10-11-9 PT E 1/2 SW 1/4 NE 1/4 .39 AC	\$ 6,551.23
400059762	JENNIFER M JIMENEZ	LAMBERT'S THIRD SUB LT 2	\$ 6,551.23
400059703	MICHAEL C & NORMA I WAGNER	LAMBERT'S SIXTH SUB LOT 1	\$ 6,551.23
400205831	IRMA K FREGOSO OCHOA	SANCHEZ SUBDIVISION LOT 1	\$ 6,551.23
400038994	PATRICK RENTALS LLC	COTTAGE GROVE ADD PT 118 THRU 127 & PT VAC ST	\$ 6,551.23
400145723	PATRICK RENTALS LLC	MISCELLANEOUS TRACTS 10-11-9 PT NE 1/4 SE 1/4 1.47 AC	\$ 6,551.23
400059746	WAYNE W & IRENE C RADCLIFF	LAMBERT'S SUBS 141' LT 5	\$ 6,551.23
400205866	ANGEL CORDOVA SOTELO	MISCELLANEOUS TRACTS 10-11-9 PT E 1/2 SW 1/4 NE 1/4 1.38 AC	\$ 6,551.23
400059673	MICHAEL CARL & NORMA WAGNER	LAMBERT'S SIXTH SUB LT 3	\$ 6,551.23
400059681	MICHAEL CARL WAGNER	LAMBERT'S SIXTH SUB LT 2	\$ 6,551.23

TOTAL: \$242,395.71

SECTION 2. The special tax shall become delinquent as follows: One-tenth of the total amount shall become delinquent in twenty-five (25) days; one-tenth in one year; one-tenth in two years; one-tenth in three years; one-tenth in four years; one-tenth in five years; one-tenth in six years; one-tenth in seven years; one-tenth in eight years; one-tenth in nine years respectively, after the date of such levy; provided, however, the entire amount so assessed and

levied against any lot, tract or parcel of land may be paid within twenty-five (25) days from the date of this levy without interest, and the lien of special tax thereby satisfied and released. Each of said installments, except the first, shall draw interest at the rate of seven percent (7.0%) per annum from the time of such levy until they shall become delinquent. After the same become delinquent, interest at the rate specified by Nebraska Revised Statutes Section 45-104.01, as such rate may from time to time be adjusted by the Legislature, shall be paid thereon until such installment is collected and paid.

SECTION 3. The treasurer of the City of Grand Island, Nebraska is hereby directed to collect the amount of said taxes herein set forth as provided by law.

SECTION 5. Any provision of the Grand Island City Code and any provision of any ordinance, or part of ordinance, in conflict herewith is hereby repealed.

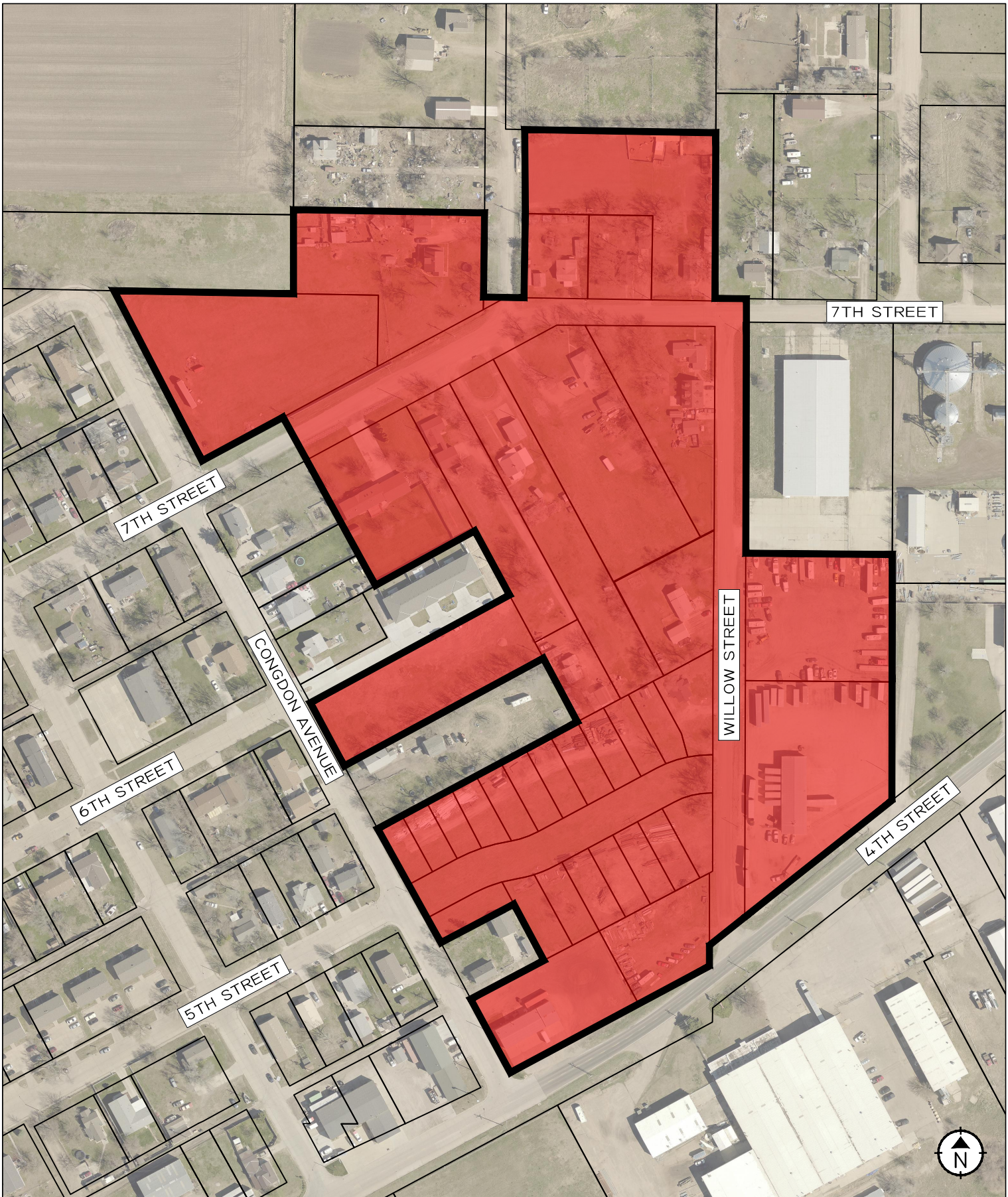
SECTION 6. This ordinance shall be in force and take effect from and after its passage and publication within fifteen days in one issue of the Grand Island Independent as provided by law.

Enacted: August 11, 2020

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk



SEWER DISTRICT BOUNDARY

WILLOW STREET SANITARY SEWER DISTRICT #543

GRAND ISLAND, NEBRASKA

CITY OF
GRAND ISLAND
PUBLIC WORKS DEPARTMENT

RESOLUTION 2020-BE-2

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, sitting as a Board of Equalization for Sanitary Sewer District No. 543; Willow Street, after due notice having been given thereof, that we find and adjudge:

That total project cost is \$422,395.71, with benefits accruing to the real estate in such district to be the total sum of \$242,395.71; and

Such benefits are based on Sanitary Sewer District No. 543; Willow Street at the adjacent property and are equal and uniform; and

According to the area of the respective lots, tracts, and real estate within such Sanitary Sewer District No. 543; Willow Street, such benefits are the sums set opposite the description as follows:

Parcel No.	Property Owner	LEGAL	Assessment
400398214	ARMANDO'S CONSTRUCTION INC	LAMBERT'S FOURTH SUB LT 2	\$ 6,551.23
400059711	IRENE E AVERY LIFE ESTATE	LAMBERT'S SUB LT 4	\$ 6,551.23
400059843	BLENDER LLC	LAMBERT'S FOURTH SUB LT 1	\$ 6,551.23
400059738	ALICIA CANFIELD	LAMBERT'S SUB N 422' LT 5	\$ 6,551.23
400205890	EDWIN C CHAMBERLIN	MISCELLANEOUS TRACTS 10-11-9 PT E 1/2 SW 1/4 NE 1/4 .39 AC	\$ 6,551.23
400059789	MICHAEL & MARILYN J GALVAN	LAMBERT'S SUB LT 9	\$ 6,551.23
400145642	EDY O HERNANDEZ ORTIZ	SANCHEZ SUBDIVISION LOT 2	\$ 6,551.23
400059800	L & P INVESTMENTS LLC	FIFTH STREET SUB LT 1	\$ 6,551.24
400523080	L & P INVESTMENTS LLC	FIFTH STREET SUB LT 2	\$ 6,551.24
400523085	L & P INVESTMENTS LLC	FIFTH STREET SUB LT 3	\$ 6,551.24
400523090	L & P INVESTMENTS LLC	FIFTH STREET SUB LT 4	\$ 6,551.24
400523095	L & P INVESTMENTS LLC	FIFTH STREET SUB LT 5	\$ 6,551.24
400523100	L & P INVESTMENTS LLC	FIFTH STREET SUB LT 6	\$ 6,551.24
400523105	L & P INVESTMENTS LLC	FIFTH STREET SUB LT 7	\$ 6,551.24
400523110	L & P INVESTMENTS LLC	FIFTH STREET SUB LT 8	\$ 6,551.24
400523115	L & P INVESTMENTS LLC	FIFTH STREET SUB LT 9	\$ 6,551.24
400523120	L & P INVESTMENTS LLC	FIFTH STREET SUB LT 10	\$ 6,551.24
400523125	L & P INVESTMENTS LLC	FIFTH STREET SUB LT 11	\$ 6,551.24
400059819	L & P INVESTMENTS LLC	FIFTH STREET SUB LT 12	\$ 6,551.24
400059827	L & P INVESTMENTS LLC	FIFTH STREET SUB LT 20	\$ 6,551.24
400059835	L & P INVESTMENTS LLC	FIFTH STREET SUB LT 19	\$ 6,551.24
400523160	L & P INVESTMENTS LLC	FIFTH STREET SUB LT 18	\$ 6,551.24
400523155	L & P INVESTMENTS LLC	FIFTH STREET SUB LT 17	\$ 6,551.24
400523150	L & P INVESTMENTS LLC	FIFTH STREET SUB LT 16	\$ 6,551.24
400523145	L & P INVESTMENTS LLC	FIFTH STREET SUB LT 15	\$ 6,551.24
400523140	L & P INVESTMENTS LLC	FIFTH STREET SUB LT 14	\$ 6,551.24

Approved as to Form ☐ _____
August 7, 2020 ☐ City Attorney

400523135	L & P INVESTMENTS LLC	FIFTH STREET SUB LT 13	\$ 6,551.24
400205858	MIGUEL A & MARIA I MENDOZA	MISCELLANEOUS TRACTS 10-11-9 PT E 1/2 SW 1/4 NE 1/4 .39 AC	\$ 6,551.23
400059762	JENNIFER M JIMENEZ	LAMBERT'S THIRD SUB LT 2	\$ 6,551.23
400059703	MICHAEL C & NORMA I WAGNER	LAMBERT'S SIXTH SUB LOT 1	\$ 6,551.23
400205831	IRMA K FREGOSO OCHOA	SANCHEZ SUBDIVISION LOT 1	\$ 6,551.23
400038994	PATRICK RENTALS LLC	COTTAGE GROVE ADD PT 118 THRU 127 & PT VAC ST	\$ 6,551.23
400145723	PATRICK RENTALS LLC	MISCELLANEOUS TRACTS 10-11-9 PT NE 1/4 SE 1/4 1.47 AC	\$ 6,551.23
400059746	WAYNE W & IRENE C RADCLIFF	LAMBERT'S SUB S 141' LT 5	\$ 6,551.23
400205866	ANGEL CORDOVA SOTELO	MISCELLANEOUS TRACTS 10-11-9 PT E 1/2 SW 1/4 NE 1/4 1.38 AC	\$ 6,551.23
400059673	MICHAEL CARL & NORMA WAGNER	LAMBERT'S SIXTH SUB LT 3	\$ 6,551.23
400059681	MICHAEL CARL WAGNER	LAMBERT'S SIXTH SUB LT 2	\$ 6,551.23

TOTAL: \$242,395.71

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, August 11, 2020.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk