
City of Grand Island



Tuesday, January 10, 2023 Council Session Agenda

City Council:

Jason Conley
Michelle Fitzke
Bethany Guzinski
Chuck Haase
Doug Lanfear
Maggie Mendoza
Mitchell Nickerson
Mike Paulick
Jack Sheard
Mark Stelk

Mayor:

Roger G. Steele

City Administrator:

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 - Pastor Kelly Karges, Trinity United Methodist Church, 511 North Elm Street

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, January 10, 2023

Council Session

Item C-1

Recognition of Police Chief Robert Falldorf for Service to the City of Grand Island

Mayor Roger G. Steele and the City Council will recognize Police Chief Robert Falldorf for his service to the City of Grand Island. Mr. Falldorf was hired on September 1, 1986 as a Police Officer; was promoted to Police Sergeant on April 12, 1993 and Police Captain on December 29, 2003. He then was appointed Police Chief on June 20, 2016. We congratulate Chief Falldorf on his retirement and 36 years of service with the City of Grand Island Police Department.

Staff Contact: Mayor Roger Steele



City of Grand Island

Tuesday, January 10, 2023

Council Session

Item E-1

**Public Hearing on Request from Aloha Investments, LLC dba
Afternooners, 3773 Sky Park Road, Suite 5 for a Class "C"
Liquor License**

Council action will take place under Consent Agenda item G-3.

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: January 10, 2023

Subject: Public Hearing on Request from Aloha Investments, LLC
dba Afternooners, 3773 Sky Park Road, Suite 5 for a
Class "C" Liquor License

Presenter(s): RaNae Edwards, City Clerk

Background

Section 4-2 of the Grand Island City Code declares the intent of the City Council regarding liquor licenses and the sale of alcohol.

Declared Legislative Intent

- It is hereby declared to be the intent and purpose of the city council in adopting and administering the provisions of this chapter:
- (A) To express the community sentiment that the control of availability of alcoholic liquor to the public in general and to minors in particular promotes the public health, safety, and welfare;
 - (B) To encourage temperance in the consumption of alcoholic liquor by sound and careful control and regulation of the sale and distribution thereof; and
 - (C) To ensure that the number of retail outlets and the manner in which they are operated is such that they can be adequately policed by local law enforcement agencies so that the abuse of alcohol and the occurrence of alcohol-related crimes and offenses is kept to a minimum.

Discussion

Aloha Investments, LLC dba Afternooners, 3773 Sky Park Road, Suite 5 has submitted an application for a Class "C" Liquor License. A Class "C" Liquor License allows for the sale of alcohol on and off sale inside the corporate limits of the city.

City Council action is required and forwarded to the Nebraska Liquor Control Commission for issuance of all licenses. This application has been reviewed by the Clerk, Building, Fire, Health, and Police Departments. See attached Police Department report.

Also submitted was a request for Liquor Manager Designation for Kialani Hose, 1407 N Cherry Street. Ms. Hose has completed a state approved alcohol server/seller training program. Staff recommends approval of the liquor license contingent upon final inspections and Liquor Manager Designation for Kialani Hose, 1407 N Cherry Street.

Alternatives

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

1. Approve the application.
2. Forward to the Nebraska Liquor Control Commission with no recommendation.
3. Forward to the Nebraska Liquor Control Commission with recommendations.
4. Deny the application.

Recommendation

Based on the Nebraska Liquor Control Commission's criteria for the approval of Liquor Licenses, City Administration recommends that the Council approve this application.

Sample Motion

Move to approve the application for Aloha Investments, LLC dba Afternooners, 3773 Sky Park Road, Suite 5 for a Class "C" Liquor License contingent upon final inspections and Liquor Manager Designation for Kialani Hose, 1407 N Cherry Street.



Grand Island Police Department

Officer Report for Incident L22120598

Nature: Liquor Lic Inv

Address: 3773 SKY PARK RD;

AFTERNOONERS

Location: PAON

Grand Island NE 68801

Offense Codes:

Received By: Dvorak T

How Received: T

Agency: GIPD

Responding Officers: Dvorak T

Responsible Officer: Dvorak T

Disposition: CLO 12/26/22

When Reported: 14:06:25 12/09/22

Occurred Between: 14:06:25 12/09/22 and 14:06:25 12/09/22

Assigned To:

Detail:

Date Assigned: **/**/**

Status:

Status Date: **/**/**

Due Date: **/**/**

Complainant:

Last:

First:

Mid:

DOB: **/**/**

Dr Lic:

Address:

Race: **Sex:**

Phone:

City: ,

Offense Codes

Reported:

Observed:

Circumstances

LT21 LT21 Restaurant

Responding Officers:

Unit :

Dvorak T

309

Responsible Officer: Dvorak T

Agency: GIPD

Received By: Dvorak T

Last Radio Log: **:*.**:** **/**/**

How Received: T Telephone

Clearance: CL CL Case Closed

When Reported: 14:06:25 12/09/22

Disposition: CLO **Date:** 12/26/22

Judicial Status:

Occurred between: 14:06:25 12/09/22

Misc Entry:

and: 14:06:25 12/09/22

Modus Operandi:

Description :

Method :

Involvements

Date

Type

Description

12/27/22

12/26/22	Name	Brown, Douglas	mentioned
12/09/22	Name	Brown, Terry	Mentioned
12/09/22	Name	Hose, Kialani K	Applicant
12/09/22	Name	Afternooners,	Location

12/27/22

Narrative

309 Liquor License
Grand Island Police Department

Lialani Hose, doing business as Aloha Investments LLC, has applied for a new Class C Liquor License; beer, wine, distilled spirits on and off sale; at Afternooners, a restaurant at the Grand Island Regional Airport.

Responsible LEO:

Approved by:

Date

12/27/22

Supplement

309

Afternooners License

Grand Island Police Department
Supplemental Report

Date, Time: 12-15-22

Reporting Officer: Sgt Dvorak #309

Unit #: CID

I received an application for a new liquor license at the Afternooners Restaurant, located within the terminal at the Regional Airport. Kialani Hose is the daughter of the current owners, Terry and Doug Brown. Hose is purchasing the LLC, Aloha Investments LLC, from her parents. Afternooners Restaurant is the primary vehicle for the LLC operation. Terry and Doug Brown currently have a valid liquor license, #095177.

Hose does not list a spouse on the application. I performed background checks utilizing local Spillman files, the State NNJIS database, and a paid law enforcement only website that typically covers personal and civil statistics such as address/phone, residency history, and any liabilities or litigation issues.

I found that Kialani has no active warrants for her arrest. Hose indicates that she has resided in Grand Island for at least ten years. She has worked for Afternooners Restaurant since at least 2007. No items of local interest or concern.

Hose disclosed two moving violations, both more than ten years in the past. I found her driver's history to be accurate with that information. During both my NCJIS and LEO only search, I found items of concern with regards to current and past bankruptcies, judgements, and collections actions. Kialani shows three discharged collections filings, and one currently valid collections entry. I also noted one historical bankruptcy, but noted it was from 20 years ago. All considered, I found nothing in Hose's background that would preclude issuing her a liquor license.

I met with Kialani at Afternooners on 12-15-22. Hose confirmed that she is purchasing the business (and LLC) from Doug and Terry Brown. Hose said she will be the sole owner. She said Doug and Terry will continue to help with the business, but this sale will allow them to transition towards retirement, and not be tied to the business so much.

Kialani said she has worked the business for over ten years with her family. She said she is familiar with the requirements of the liquor license, and has more or less been the manager for several years. However, she said she has never been on the liquor license, or held a license elsewhere. Hose said she plans to keep the business in the family, and her daughters and parents will continue to work at the restaurant. She confirmed that the hours of operation vary every day depending on the timing of flights to the airport.

I asked Hose about the collections entries I saw in her background. She advised that she only has one that is outstanding, and advised that all stem from medical related costs, as good medical insurance is difficult to afford and obtain for her. She said she is slowly paying the outstanding balance, and will continue to do so. Kialani said the action should not reflect negatively on her ability to own/run a business since it was medical in nature, and out of her

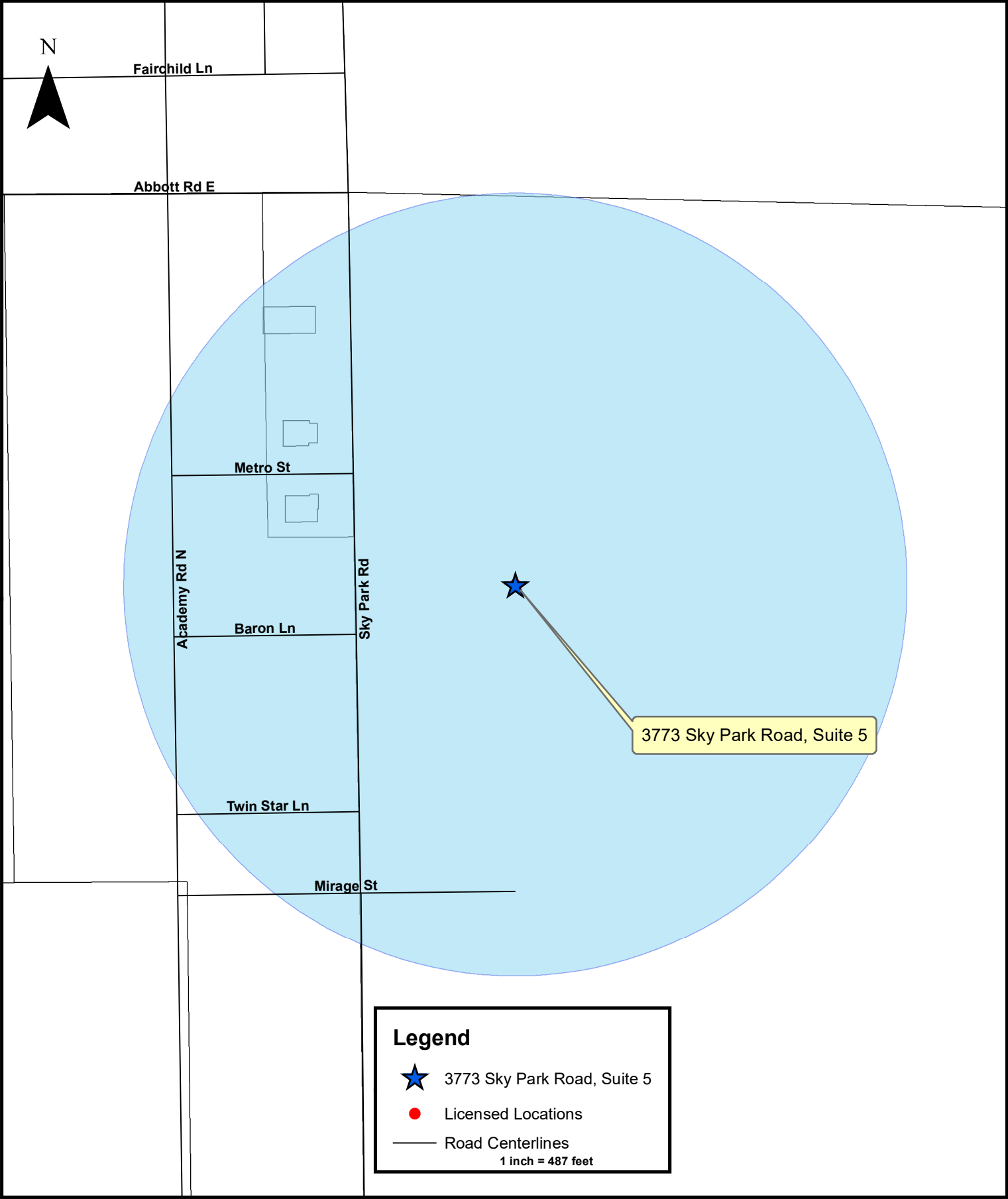
12/27/22

control. We then discussed scenarios related to serving alcohol, and stressed cooperation with law enforcement personnel for any issues she might encounter.

The Grand Island Police Department does not object to the issuance of a Class C Liquor License; beer wine and distilled spirits on and off sale; to Kialani Hose, as the owner of Aloha Investments LLC, for the purpose of operating the Afternooners Restaurant at the CNRA.

12/27/22

**Liquor License Application:
Class “C”: Afternooners**





City of Grand Island

Tuesday, January 10, 2023

Council Session

Item E-2

**Public Hearing on Request from Grand Island Casino Resort, LLC
dba Grand Island Casino Resort, 700 E Stolley Park Road, Suite 2
for a Class “I” Liquor License**

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

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: January 10, 2023

Subject: Public Hearing on Request from Grand Island Casino Resort, LLC dba Grand Island Casino Resort, 700 E. Stolley Park Road, Suite 2 for a Class "I" Liquor License

Presenter(s): RaNae Edwards, City Clerk

Background

Section 4-2 of the Grand Island City Code declares the intent of the City Council regarding liquor licenses and the sale of alcohol.

Declared Legislative Intent

- It is hereby declared to be the intent and purpose of the city council in adopting and administering the provisions of this chapter:
- (A) To express the community sentiment that the control of availability of alcoholic liquor to the public in general and to minors in particular promotes the public health, safety, and welfare;
 - (B) To encourage temperance in the consumption of alcoholic liquor by sound and careful control and regulation of the sale and distribution thereof; and
 - (C) To ensure that the number of retail outlets and the manner in which they are operated is such that they can be adequately policed by local law enforcement agencies so that the abuse of alcohol and the occurrence of alcohol-related crimes and offenses is kept to a minimum.

Discussion

Grand Island Casino Resort, LLC dba Grand Island Casino Resort, 700 E. Stolley Park Road, Suite 2 has submitted an application for a Class "I" Liquor License. A Class "I" Liquor License allows for the sale of alcohol on sale only inside the corporate limits of the city.

City Council action is required and forwarded to the Nebraska Liquor Control Commission for issuance of all licenses. This application has been reviewed by the Clerk, Building, Fire, Health, and Police Departments. See attached Police Department report.

Also submitted was a request for Liquor Manager Designation for Vincent Fiala, 3784 Lilac Lane. Mr. Fiala has completed a state approved alcohol server/seller training program. Staff recommends approval of the liquor license contingent upon final inspections and Liquor Manager Designation for Vincent Fiala, 3784 Lilac Lane.

Alternatives

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

1. Approve the application.
2. Forward to the Nebraska Liquor Control Commission with no recommendation.
3. Forward to the Nebraska Liquor Control Commission with recommendations.
4. Deny the application.

Recommendation

Based on the Nebraska Liquor Control Commission's criteria for the approval of Liquor Licenses, City Administration recommends that the Council approve this application.

Sample Motion

Grand Island Casino Resort, LLC dba Grand Island Casino Resort, 700 E. Stolley Park Road, Suite 2 for a Class "I" Liquor License contingent upon final inspections and Liquor Manager Designation for Vincent Fiala, 3784 Lilac Lane.



Grand Island Police Department

Officer Report for Incident L22121737

Nature: Liquor Lic Inv
Location: PAOS

Address: 700 STOLLEY PARK RD E; suite 2
Grand Island NE 68801

Offense Codes:

Received By: Dvorak T **How Received:** T **Agency:** GIPD
Responding Officers: Dvorak T
Responsible Officer: Dvorak T **Disposition:** CLO 01/03/23
When Reported: 15:06:22 12/27/22 **Occurred Between:** 15:06:22 12/27/22 and 15:06:22 12/27/22

Assigned To:
Status:

Detail:
Status Date: **/**/**

Date Assigned: **/**/**
Due Date: **/**/**

Complainant:

Last: **First:** **Mid:**
DOB: **/**/** **Dr Lic:** **Address:**
Race: **Sex:** **Phone:** **City:** ,

Offense Codes

Reported:

Observed:

Circumstances

LT47 LT47 Gambling/Casino/Race Trk

Responding Officers:

Dvorak T

Unit :

309

Responsible Officer: Dvorak T

Received By: Dvorak T

How Received: T Telephone

When Reported: 15:06:22 12/27/22

Judicial Status:

Misc Entry:

Agency: GIPD

Last Radio Log: **.*.*.* **/**/**

Clearance: CL CL Case Closed

Disposition: CLO **Date:** 01/03/23

Occurred between: 15:06:22 12/27/22

and: 15:06:22 12/27/22

Modus Operandi:

Description :

Method :

Involvements

Date	Type	Description	Owner/CEO
01/03/23	Name	Kehl, Daniel J	

01/03/23

12/27/22	Name	Fiala, Vincent J	Owner/proposed mgr
12/27/22	Name	Grand Island Casino Resort,	location

01/03/23

Narrative

309 Liquor License Investigation
Grand Island Police Department

Grand Island Casino Resort LLC, doing business as the Grand Island Casino Resort, has applied for a Class I Liquor License; beer wine and distilled spirits on sale only; for the temporary casino at the concourse of Fonner Park. Vincent Fiala is listed as the potential on-site liquor manger for the Grand Island Casino Resort. Elite Casinos out of Iowa is the management team for the new facility.

Responsible LEO:

Approved by:

Date

01/03/23

Supplement

309

Grand Island Casino Resort

Grand Island Police Department
Supplemental Report

Date, Time: 12-28-22

Reporting Officer: Sgt Dvorak #309

Unit #: CID

The temporary Casino located in the concourse of Fonner Park has applied for a Class I liquor license for that location, until the new physical casino is built on the property, sometime in the next two years. The area of the temporary casino is currently covered by NE License #078819, issued to Fonner Park.

Elite Casinos, under the Kehl Management Group, is the operator of the new casino. Daniel Kehl, CEO of Elite Casinos, and Vincent Fiala formed a new LLC for this location. Kehl is the operating manager and Fiala is the proposed liquor manager and in charge of on site operations.

In beginning my background check, I noted that Elite Casinos, and the Kehl Group, are involved in the operation of at least four other casinos in Iowa and South Dakota. I found no active warrants for Kehl or Fiala. I utilized our local Spillman database, State NCJIS files, and a paid law enforcement only site to check backgrounds. I found no entry in Nebraska files for Kehl, who is a resident of Iowa. I found Fiala recently obtained a Nebraska operators license, and no other State history.

Fiala indicates that he has been the Assistant General Manager of a casino in Larchwood IA for the past nine years. He also completed the TIPs training program recommended by the NLCC.

Fiala self disclosed historical traffic violations, with the most recent a 2015 citation for speeding in Iowa. All other violations were more than 15 years ago. I located nothing of concern in any of the contacts. Fiala lists a spouse, Julie Fiala, who signed a non-participation affidavit. I found no local or NE records for Julie. Daniel Kehl lists a spouse, Leslie Funk, who also signed a spousal non-participation affidavit. I found no local or State records for Funk.

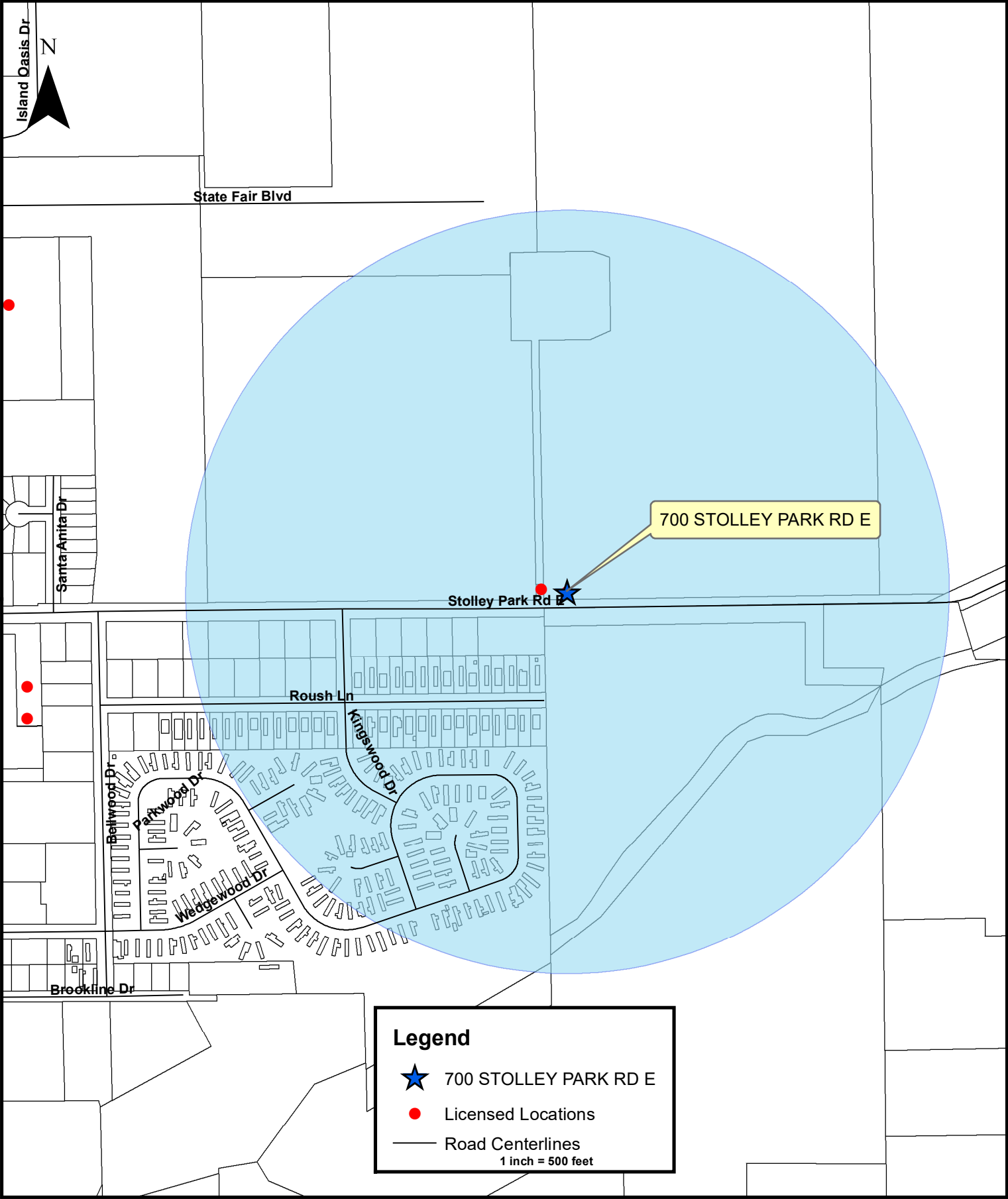
The law enforcement only site mostly covers concerns of a civil nature, such as lawsuits, bankruptcies, liens and judgements. I found no items of concern for anyone mentioned in this application.

Due to the fact that Elite Casinos, Kehl Management Group, and both Kehl and Fiala have been involved in casino management for many years, and local, day to day, operation of the Grand Island Casino Resort will likely be handled by individuals not involved with, or listed in, the formal LLC, I did not meet with anyone in person regarding procedures or local police involvement.

The Grand Island Police Department does not oppose the issuance of a Class I Liquor License, beer, wine and distilled spirits on sale only, for the Grand Island Casino Resort, operated by the Grand Island Casino Resort LLC.

01/03/23

**Liquor License Application:
Class “I”: Grand Island Casino Resort**





City of Grand Island

Tuesday, January 10, 2023

Council Session

Item E-3

Public Hearing on Acquisition of Utility Easement - 2983 S. Stuhr Road (Phillip Beckett, II)

Council action will take place under Consent Agenda item G-6.

Staff Contact: Tim Luchsinger, Stacy Nonhof

Council Agenda Memo

From: Tim Luchsinger, Utilities Director
Laura McAloon, City Attorney

Meeting: January 10, 2023

Subject: Acquisition of Utility Easement – 2983 S. Stuhr Rd –
Phillip Beckett, II

Presenter(s): Timothy Luchsinger, Utilities Director

Background

Nebraska State Statutes state that the acquisition of property requires a public hearing to be conducted with the acquisition approved by the City Council. The Utilities Department needs to acquire a twenty (20.0) foot wide easement tract through a part of Lot Four (4), Stuhr Acres Subdivision, Hall County, Nebraska.

Discussion

Developer Phillip A. Beckett, II has requested electric service supply for the five lots in the newly developed Stuhr Acres Subdivision. Approximately 1,050 linear feet of 2” conduit, a high voltage terminal, and a 50 kva padmount transformer will be installed to accommodate the new services. The proposed easement will allow the Utilities Department to install, access, operate, and maintain the existing power line and infrastructure at this location.

Alternatives

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

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

Recommendation

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

Sample Motion

Move to adopt resolution authorizing the acquisition of a 20 foot wide Utility Easement, in a form approved by legal counsel, from Phillip Beckett, II over certain real property located at 2983 S. Stuhr Rd, Hall County, NE.



City of Grand Island

Tuesday, January 10, 2023

Council Session

Item E-4

Public Hearing on Acquisition of Public Right-of-Way in Lassonde Third Subdivision (Parcel No. 400059893- 2002 Nelson Ln)

Council action will take place under Consent Agenda item G-8.

Staff Contact: Keith Kurz PE, Interim Public Works Director

Council Agenda Memo

From: Keith Kurz PE, Interim Public Works Director

Meeting: January 10, 2023

Subject: Public Hearing on Acquisition of Public Right-of-Way in Lassonde Third Subdivision (Parcel No. 400059893-2002 Nelson Ln)

Presenter(s): Keith Kurz PE, Interim Public Works Director
Chad Nabity, Regional Planning Director

Background

Nebraska State Statutes stipulate that the acquisition of property requires a public hearing to be conducted prior to the approval of the acquisition by the City Council. The owner of 2002 Nelson Lane, The Orchard, LLC, is dedicating the necessary public right-of-way to allow public access to the Orchard Subdivision from the north. 2002 Nelson Lane is also known as Parcel No. 4000598893, Lot 14, Lassonde Third Subdivision, City of Grand Island, Hall County, Nebraska.

Discussion

To allow for public access to the Orchard Subdivision from the north, the dedication of public right-of-way is required (see attached sketches).

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, following its consideration of any testimony provided in the Public Hearing, approve a resolution authorizing the acquisition of Parcel No. 4000598893 and the dedication of such real property as public right of way.

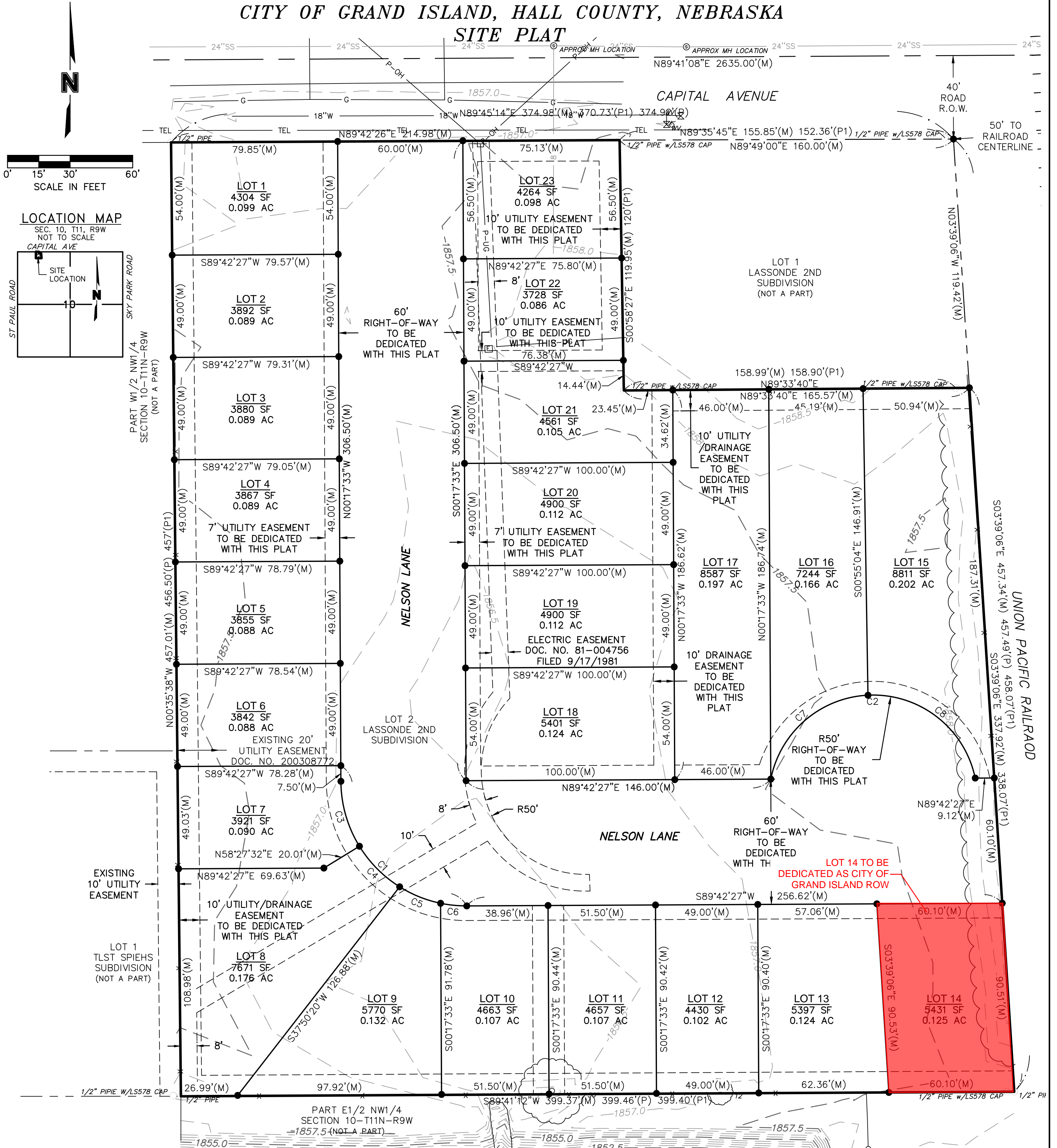
Sample Motion

Move to adopt a resolution approving the acquisition of Parcel No. 4000598893 from The Orchard, LLC, and the dedication of the real property as public right of way.

LASSONDE THIRD SUBDIVISION

CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA

SITE PLAT



CURVE TABLE					
CURVE ID	RADIUS (FT)	DELTA	LENGTH (FT)	CHORD BEARING	CHORD LENGTH (FT)
C1	60.00	090°00'00"	94.25	N45°17'33"W	84.85
C2	50.00	156°55'34"	136.94	S89°42'27"W	97.98
C3	60.00	031°16'23"	32.75	S15°55'45"E	32.34
C4	60.00	026°22'15"	27.62	S44°45'04"E	27.37
C5	60.00	020°17'46"	21.25	S68°05'05"E	21.14
C6	60.00	012°03'35"	12.63	S84°15'46"E	12.61
C7	50.00	075°56'40"	66.27	N49°13'00"E	61.53
C8	50.00	080°58'54"	70.67	S52°19'13"E	64.93

LEGEND

- SET CORNER (5/8"x24" REBAR W/CAP)
- FOUND CORNER (AS NOTED)
- EASEMENT LINE
- NEW PROPERTY LINE
- NEW SUBDIVISION LINE
- M MEASURED DISTANCE
- P LASSONDE SUBDIVISION DISTANCE
- P1 LASSONDE 2ND SUBDIVISION DISTANCE

MOLSSON ASSOCIATES

201 East 2nd Street
P.O. Box 1072
Grand Island, NE 68802-1072
TEL 308.384.8750
FAX 308.384.8752

PROJECT NO. 2017-3831
GI HABITAT FOR HUMANITY SURVEY
FB



City of Grand Island

Tuesday, January 10, 2023

Council Session

Item F-1

#9913 - Consideration of Approving Amendment to Chapter 18 of the Grand Island City Code Relative to Uniform Mechanical Code

Staff Contact: Craig Lewis

Council Agenda Memo

From: Craig A. Lewis, Building Department Director

Meeting: January 10, 2023

Subject: Amending Chapter 18 of the Grand Island City Code, to adopt the 2021 edition of the Uniform Mechanical Codes

Presenter(s): Craig Lewis, Building Department Director

Background

The City of Grand Island has adopted and enforced mechanical regulations for several years. Currently the 2018 edition of the Uniform Mechanical Code is adopted to provide minimum standards for the protection of the public health, safety, and welfare in regard to mechanical installations and facilities. This proposal is to amend the City code to adopt the latest edition of the Uniform Mechanical Code, that being the 2021 edition.

Discussion

The City generally adopts published model codes on a three to six year cycle as model codes are published and revised every three years. This edition and adoption is intended to keep Grand Island current with the latest model codes.

These modifications have been before the Grand Island Mechanical Board and received their approval and endorsement.

Alternatives

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

1. Approve the ordinance.
2. Disapprove or /Deny the ordinance.
3. Modify the ordinance to meet the wishes of the Council
4. Table the issue

Recommendation

City Administration recommends that the Council approve the ordinance to adopt the 2021 Uniform Mechanical Code and modify chapter 18 of the City Code.

Sample Motion

Move to approve Ordinance #9913 to amend Chapter 18 of the City Code.

ORDINANCE NO. 9913

An ordinance to amend Chapter 18 of the Grand Island City code; to amend Sections 18-5 and 18-6; to clarify and/or make general corrections to various code sections, to repeal any ordinance or parts of ordinances in conflict herewith; and to provide for publication and effective date of this ordinance.

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

SECTION 1. Sections 18-5 and 18-6, of the Grand Island City Code Chapter 18 are amended to read as follows:

18-5 Uniform Mechanical Code Adopted

The Uniform Mechanical Code, 2018 ~~2018~~ 2021 Edition, published by the International Association of Plumbing and Mechanical Officials, is hereby adopted, together with Appendices as set forth hereafter, and any amendments thereto as may be made from time to time, except such portions as are hereinafter deleted, modified, or amended by ordinance and set forth in this chapter of the Grand Island City Code. One copy of the Uniform Mechanical Code, 2018 ~~2018~~ 2021 Edition, and all supplements or amendments thereto shall be filed in the office of the city clerk as provided by law.

The following appendices shall be adopted along with the Uniform Mechanical Code adopted by this section:

- A. Appendix C- Installation and Testing of Oil (Liquid) Fuel-Fired Equipment.
- B. Appendix E- Sustainable Practices
- C. Appendix F- Sizing of Venting Systems and Outdoor Combustion and Ventilation Opening Design
- D. Appendix G- Example Calculation of Outdoor Air Rate

18-6 UMC - Certain Sections not Adopted

It is especially provided that the following chapters, sections, and tables of the Uniform Mechanical Code are not adopted or approved, and the same shall be of no force and effect:

- A. 1 Table 104.5 Mechanical Permit Fees.
- B. Sections 1203.2 Dual Purpose Water Heater, 1207.3 Dual-Purpose Water Heaters, 1207.3.1 Temperature Limitations and Table 1203.2 Water Heaters.
- C. Chapter 11- Refrigeration.
- D. Chapter 14- Process Piping.
- E. Chapter 16- Stationary Power Plants.

Approved as to Form	by _____
January 5, 2023	City Attorney

ORDINANCE NO. 9913 (Cont.)

- F. Appendix A- Residential Plan Examiner Review Form for HVAC System Design.
- G. Appendix B- Procedures to be followed to Place Gas Equipment in Operation.
- H. Appendix D- Fuel Supply: Manufactured/Mobile Home Parks and Recreational Vehicle Parks.
- I. Section 806.0 Certificate of Acceptance Forms of Appendix E- Sustainable Practice.
- J. Section 603.10.1 Duct Leakage Test.
- K. Section 405.4 Kitchen Exhaust.

SECTION 2. Any ordinance or parts of ordinances in conflict herewith be, and hereby are, repealed.

SECTION 3. This ordinance shall be in force and take effect from and after its passage and publication pursuant to law beginning February 1st, 2023.

Enacted: January 10, 2023.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, January 10, 2023

Council Session

Item F-2

#9914 - Consideration of Approving Amendment to Chapter 26 of the Grand Island City Code Relative to Uniform Plumbing Code

Staff Contact: Craig Lewis

Council Agenda Memo

From: Craig A. Lewis, Building Department Director

Meeting: January 10, 2023

Subject: Amending Chapter 26 of the Grand Island City Code to Adopt the 2021 Uniform Plumbing Code

Presenter(s): Craig Lewis, Building Department Director

Background

The Grand Island City has adopted and enforced plumbing regulations for several decades. Currently the 2018 edition of the Uniform Plumbing Code is adopted to provides minimum standards for the protection of the public health, safety, and welfare in regard to plumbing installations and facilities. This proposal is to amend the City code to adopt the latest edition of the Uniform Plumbing code, that being the 2021 edition.

Discussion

The City generally adopts published model codes on a three to six year cycle as model codes are published and revised every three years. This edition and adoption is intended to keep Grand Island current with the latest model plumbing code.

These modifications have been before the Grand Island Plumbing Board and received their approval and endorsement.

Alternatives

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

1. Approve the ordinance.
2. Disapprove or /Deny the ordinance.
3. Modify the ordinance to meet the wishes of the Council
4. Table the issue

Recommendation

City Administration recommends that the Council approve the ordinance to adopt the 2021 Uniform Plumbing Code and modify chapter 26 of the City Code.

Sample Motion

Move to approve Ordinance #9914 to amend Chapter 26 of the City Code.

ORDINANCE NO. 9914

An ordinance to amend Chapter 26 of the Grand Island City code; to amend Sections 26-1, 26-13, 26-17 and 26-26 to clarify and/or make general corrections to various code sections, to repeal any ordinance or parts of ordinances in conflict herewith; and to provide for publication and effective date of this ordinance.

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

SECTION 1. Sections 26-1, 26-13, 26-17 and 26-26 of the Grand Island City Code Chapter 26 are amended to read as follows:

26-1 Uniform Plumbing Code Adopted

The Uniform Plumbing Code, 2018 **2021** Edition, published by the International Association of Plumbing and Mechanical Officials, is hereby adopted, together with Appendices as set forth hereafter, and any amendments thereto as may be made from time to time, except such portions as are hereinafter deleted, modified, or amended by ordinance and set forth in this chapter of the Grand Island City Code. One copy of the Uniform Plumbing Code, 2018 **2021** Edition, and all supplements or amendments thereto shall be filed in the office of the city clerk as provided by law.

The following appendices shall be used with the Uniform Plumbing Code adopted by this section:

- A. Appendix A – Recommended Rules for Sizing the Water Supply System.
- B. Appendix B – Explanatory Notes on Combination Waste and Vent Systems.
- C. Appendix C – Alternative Plumbing Systems
- D. Appendix D – Sizing Storm Water Drainage Systems

26-13 ~~Reserved~~ Section 609.0 amended to include the following section.

609.13 Electrical Bonding and Grounding of Water Services. Electrical Bonding and Grounding of all new and existing water services, whether metallic or plastic shall be under the scope of NFPA 70.

26-17 ~~Reserved~~ UPC – Amendment of Section 1211 Electrical Bonding and Grounding.

1211.0 Electrical Bonding and Grounding.

1211.1 Pipe and Tubing Other than CSST. Each aboveground portion of a gas piping system, other than CSST, that is likely to become energized shall be electrically continuous and bonded to an effective ground fault current path. Gas piping, other than CSST, shall be considered to be bonded when it is connected to appliances that are connected to the appliance grounding conductor of the circuit supplying that appliance. [NFPA 54:7.12.1]

1211.2 Bonding of CSST Gas Piping. CSST gas piping systems, and gas piping systems containing one or more segments of CSST, shall be electrically continuous and bonded to the electrical service grounding electrode system or, where provided, lightning protection grounding electrode system. [NFPA 54:7.12.2]

1211.2.1 Bonding Jumper Connection. The bonding jumper shall connect to a metallic pipe, pipe fitting, or CSST fitting. [NFPA 54:7.12.2.1]

1211.2.2 Bonding Jumper Size. The bonding jumper shall not be smaller than 6 AWG copper wire or equivalent. [NFPA 54:7.12.2.2]

Approved as to Form	□ _____
January 5, 2023	□ City Attorney

ORDINANCE NO. 9914 (Cont.)

~~1211.2.3 Bonding Jumper Length.~~ The length of the jumper between the connection to the gas-piping system and the grounding electrode system shall not exceed 75 feet (22,860 mm). Any additional grounding electrodes installed to meet this requirement shall be bonded to the electrical service grounding electrode system or, where provided, lightning protection grounding electrode system. [NFPA 54:7.12.2.3]

~~1211.2.4 Bonding Connections.~~ Bonding connections shall be in accordance with NFPA 70. [NFPA 54:7.12.2.4]

~~1211.2.5 Devices Used for Bonding.~~ Devices used for the bonding connection shall be listed for the application in accordance with UL 467. [NFPA 54:7.12.2.5]

~~1211.3 Arc-Resistant Jacketed CSST.~~ CSST listed with an arc-resistant jacket or coating system in accordance with CSA LC 1 shall be electrically continuous and bonded to an effective ground fault current path. Where any CSST component of a piping system does not have an arc-resistant jacket or coating system, the bonding requirements of Section 1211.2 shall apply. Arc-resistant jacketed CSST shall be considered to be bonded when it is connected to appliances that are connected to the appliance grounding conductor of the circuit supplying that appliance. [NFPA 54:7.12.3]

~~1211.4 Prohibited Use.~~ Gas piping shall not be used as a grounding conductor or electrode. [NFPA 54:7.12.4]

~~1211.5 Lighting Protection System.~~ Where a lightning protection system is installed, the bonding of the gas piping shall be in accordance with NFPA 780. [NFPA 54:7.12.5]

~~1211.6 Electrical Circuits.~~ Electrical circuits shall not utilize gas piping or components as conductors. **Exception:** Low-voltage (50 V or less) control circuits, ignition circuits, and electronic flame detection device circuits shall be permitted to make use of piping or components as part of an electric circuit. [NFPA 54:7.13]

~~1211.7 Electrical Connections.~~ All electrical connections between wiring and electrically operated control devices in a piping system shall conform to the requirements of NFPA 70. [NFPA 54:7.14.1]

~~1211.7.1 Safety Control.~~ Any essential safety control depending on electric current as the operating medium shall be of a type that shuts off (fail safe) the flow of gas in the event of current failure. [NFPA 54:7.14.2]

Amended by Ordinance No. 9806, effective 01-01-2021

26-26 Established; Appointment; Term

There is hereby established a Plumbers Examining Board, hereinafter referred to as the Board, to consist of seven members. The chief building official, or his/her designee, shall be an ex-officio member of the Board and shall act as secretary thereof. One member shall represent the board of health, one member shall be a contracting master plumber, one member shall represent the general public, **one member shall be a professional engineer licensed with the State of Nebraska**, and ~~three~~ two members shall be either master or journeyman plumbers. Each member of the board shall have had at least three years' experience in his or her respective field.

The members of the Board shall be appointed by the mayor. Upon expiration of the terms of the individuals currently serving on the Board, the mayor shall appoint three (3) members to serve for one (1) year and three (3) members to serve for two (2) years. Thereafter, each member shall serve a term of two (2) years.

SECTION 2. Any ordinance or parts of ordinances in conflict herewith be, and hereby are, repealed.

SECTION 3. This ordinance shall be in force and take effect from and after its passage and publication pursuant to law beginning February 1, 2023.

ORDINANCE NO. 9914 (Cont.)

Enacted: January 10, 2023.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, January 10, 2023

Council Session

Item G-1

Approving Minutes of December 20, 2022 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

December 20, 2022

Pursuant to due call and notice thereof, a Regular Meeting of the City Council of the City of Grand Island, Nebraska was conducted in the Council Chambers of City Hall, 100 East First Street, on December 20, 2022. Notice of the meeting was given in *The Grand Island Independent* on December 14, 2022.

Mayor Roger G. Steele called the meeting to order at 7:00 p.m. The following City Council members were present: Maggie Mendoza, Bethany Guzinski, Chuck Haase, Jack Sheard, Mike Paulick, Mark Stelk, Mitch Nickerson, Doug Lanfear and Jason Conley. Councilmember Michelle Fitzke was absent. The following City Officials were present: City Clerk RaNae Edwards, Finance Director Patrick Brown, City Attorney Laura McAloon and Interim Public Works Director Keith Kurz.

INVOCATION was given by Councilmember Mitch Nickerson followed by the PLEDGE OF ALLEGIANCE.

PUBLIC HEARINGS:

Public Hearing on Request from Burgos Queen Mexican Food, LLC dba Burgos Queen Mexican Food, 2610 South Locust Street for a Class "C" Liquor License. City Clerk RaNae Edwards reported that an application for a Class "C" Liquor License had been received from Burgos Queen Mexican Food, LLC dba Burgos Queen Mexican Food, 2610 South Locust Street. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on November 18, 2022; notice to the general public of date, time, and place of hearing published on December 10, 2022; notice to the applicant of date, time, and place of hearing mailed on November 18, 2022. Staff recommended approval contingent upon final inspections. No public testimony was heard.

Public Hearing on Request from La Jaula Restaurant, LLC dba La Jaula Restaurant, 613 East 4th Street for a Class "CK" Liquor License. City Clerk RaNae Edwards reported that an application for a Class "CK" Liquor License had been received from La Jaula Restaurant, LLC dba La Jaula Restaurant, 613 East 4th Street. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on November 22, 2022; notice to the general public of date, time, and place of hearing published on December 10, 2022; notice to the applicant of date, time, and place of hearing mailed on November 22, 2022. Staff recommended approval contingent upon final inspections. No public testimony was heard.

Public Hearing on Redevelopment Plan for CRA No. 17 for Property Located at 3553 Prairieview Street for an Amendment to Change the Proposed Hotel to a Medical Office Building (Prataria Ventures LLC). Regional Planning Director Chad Nabity reported that in 2016 Prataria Ventures, LLC had submitted an application for Tax Increment Financing to aid in the

redevelopment of property to prepare for the construction of a Hospital, a Medical Office Building and a Hotel with attached conference space. This property is located at the southwest corner of Husker Highway and U.S. Highway 281. Staff has prepared a redevelopment plan for this property consistent with the TIF application. As of 2022 both the hospital and the medical office building had been constructed and were operating. Additionally a new office will open across the street from the hospital in January and Tabitha has begun accepting tenants in their senior living development. Prataria has requested an amendment to the redevelopment plan and the zoning on the lot for the hotel to allow development of a second 60,000 square foot medical office building in place of the hotel. It is likely that a hotel will still be part of the development but moved to one of the commercial lots south and west of the hospital. . Staff recommended approval. Roger Bullington, 3935 Westgate Road spoke in support. No further public testimony was heard.

Public Hearing on Zoning Change to Property Located at 3553 Prairieview Street Lots 1 and 3 of Prairie Commons Second Subdivision CD Commercial Development Zone to Amended CD Commercial Development Zone (Prairie Commons MOB 2.0). Regional Planning Director Chad Nabity reported that Prataria Ventures, LLC, owners of property located at 3553 Prairieview Street located south of Husker Highway between Prairieview Street and U.S. Highway 281 were requesting an amendment to the current CD Commercial Development Zone. The request was to allow a 60,000 square foot medical office building instead of a hotel. Staff recommended approval. No public testimony was heard.

Public Hearing on Zoning Change to Property Located at 1510 E 7th Street Lot 2 of Sanchez Subdivision and Adjoining right of way to the center of the dedicated streets from R2 Low Density Residential to R3-SL Medium Density Residential Small Lot. (Edy and Nancy Hernandez). Rashad Moxy, Planner I reported that Edy and Nancy Hernandez, the owners of property at 1510 East 7th Street located north of 7th Street and east of Congdon Avenue were requesting the zoning on this property be changed from R2 Low Density Residential to R3-SL Medium Density Small Lot Residential Zone. They were proposing to develop this property with a combination of single family homes, duplexes and townhomes. Staff recommended approval. Roger Bullington, 3935 Westgate Road spoke in support. No further public testimony was heard.

Public Hearing on Comprehensive Plan Amendment to Consider the Adoption of the Grand Island Affordable Housing Plan as an Appendix to the 2004 Comprehensive Development Plan. Regional Planning Director Chad Nabity reported that LB 866 was adopted by the Unicameral and signed by Governor Ricketts in 2020. This created the Municipal Density and Missing Middle Housing Act N.R.S.S. 19-551 to 19-5506. As part of that Act cities with a population of 50,000 or more were required to adopt an Affordable Housing Action Plan prior to January 1, 2023. The Regional Planning Commission contracted for this study as part of the updated Comprehensive Plan for the City of Grand Island. Staff recommended approval. No public testimony was heard.

Public Hearing on the Annual Report by the Grand Island Area Economic Development Corporation/Citizens Advisory Review Committee on the Economic Development Program Plan. Matthew Armstrong, 2101 Stagecoach Road reported that the Citizen Advisory Review Committee had been conducting regular meetings during the last six months as required by the

City Code and Nebraska Statutes. The committee received the annual report from the Economic Development Corporation at its meeting December 1, 2022 and voted to forward it to City Council. EDC President Mary Berlie gave the Annual Report. Staff recommended approval. No public testimony was heard.

Public Hearing on Request from Hall County Livestock Improvement Assn. for a Conditional Use Permit to Allow for Temporary Use to Facilitate Rework of CNHI Combines located at 700 East Stolley Park Road. Building Director Craig Lewis reported that Hall County Livestock Improvement Assn. requested a Conditional Use Permit to accommodate CNHI Industrial to utilize the existing beef barn as a rework site to install missing parts on assembled combines. The proposed site is zoned B-2 General Business, that zoning classification does not allow as a permitted principal use manufacturing. The proposed request would utilize the existing building to rework the combines and install the missing part from December 20, 2022 through May of 2023. The proposal is to truck in 8 to 10 units per day to facilitate the rework. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement - 2210 S. Webb Rd (Amerco Real Estate Company). Utilities Director Tim Luchsinger reported that a utility easement was needed at 2210 South Webb Road. The Utilities Department needed to acquire a twenty (20.0) foot wide easement tract through a part of Lot Five (5), Mayer-Mehring Subdivision, in the City of Grand Island, Hall County, Nebraska. The proposed easement would allow the Utilities Department to install, access, operate, and maintain the water main and water service infrastructure at this location. Staff recommended approval. No public testimony was heard.

RESOLUTIONS:

#2022-374 - Consideration of Amending Resolution #2022-341 Approving the Redevelopment Plan for CRA No. 28 for Property Located between Webb Road and U.S. Highway 281 North of 13th Street for Commercial and Residential Purposes (Woodsonia Acquisitions). Regional Planning Director Chad Nabity reported that on November 22, 2022, City Council adopted Resolution 2022-341, which approved the Redevelopment Plan of the City for Redevelopment Area No. 28 in the City of Grand Island. The Redevelopment Plan included the project known as Conestoga Marketplace. In addition to approving the Redevelopment Plan, Resolution 2022-341 also imposed two contingencies that must be satisfied by Woodsonia Hwy 281, LLC before the Community Redevelopment Authority could move forward on implementation of the Redevelopment Plan for the Marketplace, which would include the issuance of Tax Increment Financing (TIF) Bonds and Enhanced Employment Area (EEA) Bonds, both of which would be repaid through their respective dedicated tax revenue streams: TIF revenue from increased property valuation and tax collections within the project area and EEA revenue derived from an occupation tax on certain businesses located at the Marketplace.

City Attorney Laura McAloon explained the amendment to Resolution 2022-341 and the contingencies and changes to the contract. A lengthy discussion was held regarding the contingencies in the contract and the risk to the city. Drew Snider and Mitch Hohlen representing Woodsonia and Kent Seacrest, Attorney for Woodsonia answered questions regarding the anchor

store and the timeline of completing the project. He was confident the project would move forward even though there were risks, but he felt they were very low.

Mayor Steele stated there was a risk in doing nothing and there was a risk in doing something. He was in favor of moving forward with the project. Mr. Nabity mentioned the improvements the City would get were new water and sewer lines, new parking, and new street, etc.

Motion by Haase, second by Paulick to approve Resolution #2022-374. Upon roll call vote, Councilmembers Conley, Nickerson, Stelk, Paulick, Sheard, Haase, Guzinski, and Mendoza voted aye. Councilmember Lanfear voted no. Motion adopted.

#2022-352 - Consideration of Approving Redevelopment Contract with Woodsonia Hwy 281, LLC and the City of Grand Island Community Redevelopment Authority for Redevelopment of the Conestoga Mall Property. Regional Planning Director Chad Nabity explained the terms of the redevelopment contract. Cindy Johnson, 309 West 2nd Street representing the Chamber of Commerce stated economic and community development took time, many years. She supported the project. Mayor Steele thanked Mr. Nabity and Ms. McAloon for their hard work on this project.

Motion by Guzinski, second by Stelk to approve Resolution #2022-352. Upon roll call vote, all voted aye. Motion adopted.

ORDINANCES:

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

#9909 - Consideration of Adding Article XI to Chapter 23 of the Grand Island City Code, Providing for the Levy of a Retail Business Occupation Tax for a Redevelopment Project

#9910 - Consideration of Approving Zoning Change to Property Located at 3553 Prairieview Street Lots 1 and 3 of Prairie Commons Second Subdivision CD Commercial Development Zone to Amended CD Commercial Development Zone (Prairie Commons MOB 2.0)

#9911 - Consideration of Approving Zoning Change to Property Located at 1510 E 7th Street Lot 2 of Sanchez Subdivision and Adjoining right of way to the center of the dedicated streets from R2 Low Density Residential to R3-SL Medium Density Residential Small Lot. (Edy and Nancy Hernandez)

#9912 - Consideration of Revision of Chapter 35 of the Grand Island City Code Relative to Water

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 failed.

#9909 - Consideration of Adding Article XI to Chapter 23 of the Grand Island City Code, Providing for the Levy of a Retail Business Occupation Tax for a Redevelopment Project

Regional Planning Director Chad Nabity reported that Woodsonia Hwy. 281, LLC was proposing to redevelop the Conestoga Mall property at 3404 West 13th Street for commercial and residential purposes. The property was currently zoned CD Commercial Development District and RD Residential Development zone. On November 22, 2022 the Grand Island City Council approved a redevelopment plan for this project. That plan designated an Enhanced Employment Area and as such Council was authorized to impose an occupancy tax on the area to aid in redevelopment.

Staff had prepared a redevelopment contract including all of the elements of the approved redevelopment plan including: the use of Tax Increment Financing, declaration of an enhanced Employment Area with an associated occupation tax, and grants from the City of Grand Island, Grow Grand Island and the Community Redevelopment Authority of the City of Grand Island. That plan designated an Enhanced Employment Area and as such Council was authorized to impose an occupancy tax on the area to aid in redevelopment.

In addition to the Resolution authorizing the Mayor to sign the contract, Staff had prepared an ordinance to levy a 1.5% occupation tax on all sales on lots 1-12 of Conestoga Mall Ninth Subdivision (all areas of the subdivision excepting lot 13 which are approved for apartments). The occupation tax ordinance would not become effective until after the same contingencies were met and a period of at least 60 days to notify the retailers in the area and give them time to prepare to begin collecting the taxes. Staff recommended approval.

Motion by Nickerson, second by Haase to approve Ordinance #9909.

City Clerk: Ordinance #9909 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 #9909 on second and final reading. All those in favor of this 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 #9909 is declared to be lawfully adopted upon publication as required by law.

#9910 - Consideration of Approving Zoning Change to Property Located at 3553 Prairieview Street Lots 1 and 3 of Prairie Commons Second Subdivision CD Commercial Development Zone to Amended CD Commercial Development Zone (Prairie Commons MOB 2.0)

This item was related to the aforementioned Public Hearing. Staff recommended approval.

Motion by Haase, second by Paulick to approve Ordinance #9910.

City Clerk: Ordinance #9910 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 #9910 on second and final reading. All those in favor of this 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 #9910 is declared to be lawfully adopted upon publication as required by law.

#9911 - Consideration of Approving Zoning Change to Property Located at 1510 E 7th Street Lot 2 of Sanchez Subdivision and Adjoining right of way to the center of the dedicated streets from R2 Low Density Residential to R3-SL Medium Density Residential Small Lot. (Edy and Nancy Hernandez)

This item was related to the aforementioned Public Hearing. Staff recommended approval. Nancy Hernandez, 1212 West Koenig Street, owner of the lot spoke in support.

Motion by Guzinski, second by Nickerson to approve Ordinance #9911.

City Clerk: Ordinance #9911 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 #9911 on second and final reading. All those in favor of this 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 #9911 is declared to be lawfully adopted upon publication as required by law.

#9912 - Consideration of Revision of Chapter 35 of the Grand Island City Code Relative to Water

Utilities Director Tim Luchsinger reported that during this year's budget hearings, it was discussed that the Utilities Department assume ownership and maintenance of the water service lines in the City right of way. This would provide an equitable basis for property owners needing to replace water services and allow timely repairs to avoid damage to infrastructure in the right of way. Based on feedback from the Council, this recommendation was included in the current Water Utility budget and the following changes to City Code are proposed. Staff recommended approval.

Motion by Haase, second by Conley to approve Ordinance #9912.

City Clerk: Ordinance #9912 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 #9912 on second and final reading. All those in favor of this 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 #9912 is declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Consent Agenda items G-2, G-17, and G-20 (Resolution #2022-363 and #2022-366) were pulled for further discussion. Motion by Paulick, second by Mendoza to approve the Consent Agenda excluding items G-2, G-17, and G-20. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of December 6, 2022 City Council Regular Meeting.

Approving Councilmembers Appointments to Boards and Commissions. Motion by Paulick, second by Sheard to refer this item to the January 10, 2023 City Council meeting. Upon roll call vote, all voted aye. Motion adopted.

Approving Curtis Dill to the Fonner Park Business Improvement District Board.

Approving Re-Appointments to the Electrical Board.

Approving Re-Appointments to the Mechanical Examining Board.

Approving Re-Appointments to the Plumbing Board.

#2022-353 - Approving Request from Burgos Queen Mexican Food, LLC dba Burgos Queen Mexican Food, 2610 South Locust Street for a Class "C" Liquor License and Liquor Manager Designation for Bibiana Burgos, 2513 Central Avenue, Kearney, Nebraska.

#2022-354 - Approving Request from La Jaula Restaurant, LLC dba La Jaula Restaurant, 613 East 4th Street for a Class "CK" Liquor License and Liquor Manager Designation for Nancy Avitia Huerta, 407 West 9th Street.

#2022-355 - Approving Certificate of Final Completion for North Road Paving Improvements; Project No. 2019-P-5 (Phase I & II) and 2019-S-8 North Road Northview Crossing and Water Main Project No. 2020-W-7 and 2020-W-11 with The Diamond Engineering Company of Grand Island, Nebraska.

#2022-356 - Approving Agreement for Construction Engineering Services for Five Points Intersection in Grand Island with Olsson, Inc. of Lincoln, Nebraska in an Amount not to exceed \$285,554.06.

#2022-357 - Approving Purchase of Front End Loader for the Streets Division of the Public Works Department from NMC of Doniphan, Nebraska in an Amount of \$280,886.00.

#2022-358 - Approving Acquisition of Utility Easement - 2210 S. Webb Rd (Amerco Real Estate Company).

#2022-359 - Approving Change Order #1 for WMP 2021-W-1 - Oak and Kimball from Koenig to Division with Van Kirk Bros. Contracting of Sutton, Nebraska for an Decrease of \$8,713.89 and a Revised Contract Amount of \$731,125.71.

#2022-360 - Approving Re-Allocation of FTE - Cashier to Senior Account Clerk - Customer Service.

#2022-361 - Approving Purchase of Parks Maintenance Equipment from Midwest Turf and Irrigation of Omaha, Nebraska in an Amount of \$168,099.24.

#2022-362 - Approving Proposal for New Playground Equipment at Grace Abbott Park with Creative Sites of Omaha, Nebraska in an Amount not to exceed \$145,000.00.

#2022-363 - Approving Purchase of New Restroom Facilities at Ryder and George Parks from CXT, Inc. of Dallas, Texas in an Amount of \$495,910.00. Parks & Recreation Director Todd McCoy explained the reasons for the new restrooms and why there were needed along with the cost.

Motion by Nickerson, second by Paulick to approve Resolution #2022-363. Upon roll call vote, all voted aye. Motion adopted.

#2022-364 - Approving Amendment to Agreement with Grow Grand Island for Plaza Expansion Project.

#2022-365 - Approving Sending the CDBG Consolidated Annual Performance Evaluation and Review to HUD.

#2022-366 - Approving Comprehensive Plan Amendment to Consider the Adoption of the Grand Island Affordable Housing Plan as an Appendix to the 2004 Comprehensive Development Plan. Regional Planning Director Chad Nabity stated this was required by State Statutes. He mentioned the upcoming Comprehensive Development Plan study which would be held on January 31, 2023 along with a survey that would be coming out in the near future.

Motion by Haase, second by Lanfear to approve Resolution #2022-366. Upon roll call vote, all voted aye. Motion adopted.

#2022-367 - Approving Preliminary, Final Plat and Subdivision Agreement for Prairie Commons Fifth Subdivision. It was noted that Prairie Commons MOB, LLC, owners, had submitted the Preliminary, Final Plat and Subdivision Agreement for Prairie Commons Fifth Subdivision

located south of Husker Highway between Prairieview Street and U.S. Highway 281 for the purpose of creating 2 Lots on 17.119 acres.

#2022-368 - Approving Final Plat and Subdivision Agreement for Morales Subdivision. It was noted that Rene Morales, Owner, had submitted the Final Plat and Subdivision Agreement for Morales Subdivision located south of Airport Road and west of Saint Paul Road for the purpose of creating 2 Lots on 5 acres.

#2022-369 - Approving Final Plat and Subdivision Agreement for Rezac Subdivision. It was noted that Richard Rezac, owner, had submitted the Final Plat and Subdivision Agreement for Rezac Subdivision located north of Stolley Park Road and east of Stuhr Road for the purpose of creating 2 Lots on 16.162 acres.

REQUESTS AND REFERRALS:

Consideration of Approving Request from Hall County Livestock Improvement Assn. for a Conditional Use Permit to Allow for Temporary Use to Facilitate Rework of CNHI Combines located at 700 East Stolley Park Road. This item was related to the aforementioned Public Hearing.

Motion by Haase, second by Paulick to approve the request from Hall County Livestock Improvement Assn. Upon roll call vote, all voted aye. Motion adopted.

RESOLUTIONS:

#2022-370 - Consideration of Approving Redevelopment Plan for CRA No. 17 for Property Located at 3553 Prairieview Street for an Amendment to Change the Proposed Hotel to a Medical Office Building (Prataria Ventures LLC). This item was related to the aforementioned Public Hearing.

Motion by Stelk, second by Conley to approve Resolution #2022-370. Upon roll call vote, all voted aye. Motion adopted.

#2022-371 - Consideration of Approving the Annual Report by Grand Island Area Economic Development Corp./Citizens Advisory Review Committee on the EDC Program Plan. This item was related to the aforementioned Public Hearing. Discussion was held regarding the balance of unused funds in the current program and what would happen going forward with the new 10 year program. Finance Director Patrick Brown stated they would keep track of these funds in separate accounts.

Motion by Guzinski, second by Sheard to approve Resolution #2022-371. Upon roll call vote, all voted aye. Motion adopted.

#2022-372 - Consideration of Approving Funding for the Grand Island Area Economic Development Program Plan. EDC President Mary Berlie reported that the Grand Island Area Economic Development Corporation and the Citizen's Review Committee approved the request

for payment of \$350,000.00. Funding would be used for the inbound and outbound marketing and business recruitment initiatives.

Motion by Sheard, second by Guzinski to approve Resolution #2022-372. Upon roll call vote, all voted aye. Motion adopted.

#2022-373 - Consideration of Approving the Appointment of Kevin Denney as Police Chief. Mayor Steele submitted his appointment of Kevin Denney as Police Chief for the City of Grand Island. Mr. Denney stated he was excited about serving the community and serving alongside the men and women of the Police Department

Motion by Guzinski, second by Conley to approve Resolution #2022-373. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Guzinski, second by Mendoza to approve the payment of claims for the period of December 7, 2022 through December 20, 2022 for a total amount of \$7,171,745.74. Upon roll call vote, all voted aye. Motion adopted.

ADJOURN TO EXECUTIVE SESSION: Motion by Paulick, second by Stelk to adjourn to Executive Session at 9:17 p.m. for the purpose of a strategy session relative to threatened litigation. Unanimously approved.

RETURN TO REGULAR SESSION: Motion by Paulick, second by Conley to return to Regular Session at 9:59 p.m. Unanimously approved.

ADJOURNMENT: The meeting was adjourned at 9:59 p.m.

RaNae Edwards
City Clerk



City of Grand Island

Tuesday, January 10, 2023

Council Session

Item G-2

Approving Councilmembers Appointments to Boards and Commissions

Staff Contact: Mayor Roger Steele

Council Agenda Memo

From: Mayor Roger G. Steele

Meeting: January 10, 2023

Subject: Approving Councilmember Appointments to Boards and Commissions for 2023

Presenter(s): Mayor Roger G. Steele

Background

It is customary each year for the Mayor to recommend appointments of Councilmember's to represent the City on various Boards and Commissions.

Discussion

The following appointments have been submitted by the Mayor for approval. These appointments will become effective January 1, 2023 and will expire on December 31, 2023:

Animal Advisory Board:	Bethany Guzinski
Building Code Advisory:	Doug Lanfear
Central District Health Board (<i>Term of 3 years</i>)	Chuck Haase
Central NE Humane Society:	Doug Lanfear
Citizen Advisory Review Committee:	Mike Paulick
Community Redevelopment Authority:	Mitch Nickerson
Emergency Management/Communications:	Jason Conley Michelle Fitzke
Entitlement Stakeholders Committee:	Michelle Fitzke
Firefighters Pension Committee:	Chuck Haase
Fonner Park BID 2013: (<i>So. Locust – Stolley to Fonner</i>)	Maggie Mendoza
Grand Generation Board:	Mark Stelk

Grow Grand Island	Mike Paulick Mark Stelk
Heartland Events Center Board:	Mark Stelk
Law Enforcement Co-Location Committee:	Jack Sheard
Library Board:	Mitch Nickerson
Metropolitan Planning Organization Policy Board:	Bethany Guzinski Doug Lanfear Jack Sheard
Police Pension Committee:	Chuck Haase
Problem Resolution Team:	Mike Paulick Jack Sheard
Railside BID:	Jason Conley
Regional Planning Commission:	Mark Stelk
South Locust Street BID 2013: <i>(So. Locust – Hwy 34 to Stolley)</i>	Maggie Mendoza
Systems Information Advisory Committee: <i>(City/County)</i>	Maggie Mendoza

Alternatives

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

1. Move to approve the appointments of Councilmember's to Board and Commissions
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 recommendation of the Mayor.

Sample Motion

Move to approve the appointments of Councilmember's to the Boards and Commissions for 2023 as recommended by the Mayor.



City of Grand Island

Tuesday, January 10, 2023

Council Session

Item G-3

#2023-1 - Approving Request from Aloha Investments, LLC dba Afternooners, 3773 Sky Park Road, Suite 5 for a Class "C" Liquor License and Liquor Manager Designation for Kialani Hose, 1407 N. Cherry Street

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

Staff Contact: RaNae Edwards

RESOLUTION 2023-1

WHEREAS, an application was filed by Aloha Investments, LLC dba Afternooners, 3773 Sky Park Road, Suite 5 for a Class "C" Liquor License; and

WHEREAS, a public hearing notice was published in the *Grand Island Independent* as required by state law on December 31, 2022; such publication cost being \$14.40; and

WHEREAS, a public hearing was held on January 10, 2023 for the purpose of discussing such liquor license application.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that:

_____ The City of Grand Island hereby recommends approval of the above-identified liquor license application contingent upon final inspections.

_____ The City of Grand Island hereby makes no recommendation as to the above-identified liquor license application.

_____ The City of Grand Island hereby makes no recommendation as to the above-identified liquor license application with the following stipulations:

_____ The City of Grand Island hereby recommends denial of the above-identified liquor license application for the following reasons: _____

_____ The City of Grand Island hereby recommends approval of Kialani Hose, 1407 N. Cherry Street, Grand Island, Nebraska.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, January 10, 2023.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
January 5, 2023	☐ City Attorney



City of Grand Island

Tuesday, January 10, 2023

Council Session

Item G-4

#2023-2 - Approving Request from Grand Island Casino Resort, LLC dba Grand Island Casino Resort, 700 E Stolley Park Road, Suite 2 for a Class “I” Liquor License and Liquor Manager Designation for Vincent Fiala, 3784 Lilac Lane

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

Staff Contact: RaNae Edwards

RESOLUTION 2023-2

WHEREAS, an application was filed by Grand Island Casino Resort, LLC dba Grand Island Casino Resort, 700 E. Stolley Park Road, Suite 2 for a Class "I" Liquor License; and

WHEREAS, a public hearing notice was published in the *Grand Island Independent* as required by state law on December 31, 2022; such publication cost being \$14.80; and

WHEREAS, a public hearing was held on January 10, 2023 for the purpose of discussing such liquor license application.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that:

- _____ The City of Grand Island hereby recommends approval of the above-identified liquor license application contingent upon final inspections.
- _____ The City of Grand Island hereby makes no recommendation as to the above-identified liquor license application.
- _____ The City of Grand Island hereby makes no recommendation as to the above-identified liquor license application with the following stipulations:

- _____ The City of Grand Island hereby recommends denial of the above-identified liquor license application for the following reasons: _____

- _____ The City of Grand Island hereby recommends approval of Vincent Fiala, 3784 Lilac Lane, Grand Island, Nebraska.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, January 10, 2023.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
January 5, 2023	☐ City Attorney



City of Grand Island

Tuesday, January 10, 2023

Council Session

Item G-5

#2023-3 - Approving Bid Award for Recruiting Firm for Search to Fill City Administrator and Public Works Director Positions

Staff Contact: Aaron Schmid, Human Resources Director

Council Agenda Memo

From: Aaron Schmid, Human Resources Director

Meeting: January 10, 2023

Subject: Approving Proposal for Recruiting Firm for Search to Fill City Administrator and Public Works Director/City Engineer Positions

Presenter(s): Aaron Schmid, Human Resources Director

Background

The City Administrator position became vacant in December of 2022. City Administrator, Jerry Janulewicz, retired after nearly six years with the City and two and a half years as the City Administrator.

The Public Works Director/City Engineer position has been vacant since May of 2022. Keith Kurz has served as the interim Public Works Director/City Engineer during the search for a replacement. Efforts to find a new Public Works Director/City Engineer have been unsuccessful despite multiple recruiting efforts.

Administration conducted a Request for Proposal for a recruiting firm to assist with filling the positions.

Discussion

The Administration is seeking approval to utilize the services of Government Professional Solutions (GPS) of Monument, CO for the City Administrator and Public Works Director/City Engineer positions. GPS provides services based on the best practices built from a combined 30+ years of experience in the public sector and city management. Their staff is comprised of only senior level, former city managers with MPA degrees.

GPS's fee for the City Administrator search is \$21,500 billed in three installments. The fee for the City Engineer/Public Works Director is \$15,500 billed in three installments. The total cost is \$37,000. The recruitment is guaranteed for 24 months against termination or resignation for any reason. Any subsequent search will be done for actual cost.

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 proposal to utilize the services of GPS for the City Administrator and Public Works Director/City Engineer vacancies.

Sample Motion

Move to approve the request to utilize GPS for the City Administrator and Public Works Director/City Engineer vacancies.



Stacy Nonhof, Purchasing Agent

*Working Together for a
Better Tomorrow, Today*

**REQUEST FOR PROPOSAL
FOR
RECRUITING FIRM FOR SEARCH TO FILL CITY ADMINISTRATOR & PUBLIC WORKS
DIRECTOR POSITIONS**

RFP DUE DATE: October 12, 2022 at 4:00 p.m.

DEPARTMENT: Human Resources

PUBLICATION DATE: September 22, 2022

NO. POTENTIAL BIDDERS: 1

PROPOSALS RECEIVED

Government Professional Solutions, LLC
Monument, CO

Baker Tilly US, LLP
St. Paul, MN

cc: Aaron Schmid, Human Resources Director
Jerry Janulewicz, City Administrator

Stacy Nonhof, Purchasing Agent
Patrick Brown, Finance Director

P2402

EXECUTIVE RECRUITMENT SERVICES - CONTRACT AGREEMENT

THIS AGREEMENT made and entered into by and between **GOVERNMENT PROFESSIONAL SOLUTIONS, LLC**, hereinafter called the Contractor or “GPS”, and the **CITY OF GRAND ISLAND, NEBRASKA**, hereinafter called the City.

WITNESSETH:

THAT, WHEREAS, in accordance with law, the City has caused contract documents to be prepared and an advertisement calling for proposals to be published for *RECRUITMENT SERVICES TO FILL THE CITY ADMINISTRATOR AND PUBLIC WORKS DIRECTOR POSITIONS* and

WHEREAS, the City, in the manner prescribed by law, has evaluated the proposals submitted, and has determined the aforesaid Contractor to be the responsible proposer, and has duly awarded to the said Contractor a contract therefore, for the sum or sums named in the Contractor’s proposal, portions thereof being attached to and made a part of this contract.

NOW, THEREFORE, in consideration of the compensation to be paid to the Contractor and of the mutual agreements herein contained, the parties have agreed and hereby agree, the City for itself and its successors, and the Contractor for itself, him/herself, or themselves, and its, his, or their successors, as follows:

ARTICLE I. That the following documents shall comprise the Contract, and shall together be referred to as the “Agreement” or the “Contract Documents”;

1. This Contract Agreement.
2. GPS, LLC Proposal dated September 28, 2022.
3. City of Grand Island Request for Proposals.

In the event of any conflict between the terms of the Contract Documents, the provisions of the document first listed shall prevail. The documents listed above are incorporated by reference as if set forth fully herein.

ARTICLE II. That the Contractor shall (a) furnish all tools, equipment, superintendence, transportation, and other construction materials, services and facilities; (b) provide and perform all necessary labor; and (c) in a good substantial and workmanlike manner and in accordance with the requirements, stipulations, provisions, and conditions of the contract documents as listed in the attached General Specifications, said documents forming the contract and being as fully a part thereof as if repeated verbatim herein, perform, execute, construct and complete all

work included in and covered by the City's official award of this contract to the said Contractor, such award being based on the acceptance by the City of the Contractor's proposal;

ARTICLE III. That the City shall pay to the Contractor for the performance of the work embraced in this contract and the Contractor will accept as full compensation therefore the sum (subject to adjustment as provided by the contract) of **Thirty seven thousand and no/100 Dollars (\$37,000.00)** for all services and work covered by and included in the contract award and designated in the foregoing Article II; payments thereof to be made in cash or its equivalent in the manner provided in the General Specifications.

The total cost of the Contract includes:

Base Bid:	\$ 37,000.00
Sales Tax on Materials/Equipment:	\$.00
Sales Tax on Labor:	<u>\$.00</u>
Total	\$ 37,000.00

The City of Grand Island, Nebraska operates on a fiscal year beginning October 1st and ending on the following September 30th. It is understood and agreed that any portion of this agreement which will be performed in a future fiscal year is contingent upon the City Council adopting budget statements and appropriations sufficient to fund such performance.

ARTICLE IV. The Contractor hereby agrees to act as agent for the City. The invoice for contractor's services will be paid after approval at the next regularly scheduled City Council meeting and occurring after departmental approval of invoice. The City Council typically meets the second and fourth Tuesday of each month. Invoices must be received well in advance of Council date to allow evaluation and processing time.

ARTICLE V. The Contractor agrees to comply with all applicable State fair labor standards in the execution of this contract as required by Section 73-102, R.R.S. 1943. The Contractor further agrees to comply with the provisions of Section 48-657, R.R.S. 1943, pertaining to contributions to the Unemployment Compensation Fund of the State of Nebraska. During the performance of this contract, the Contractor and all subcontractors agree not to discriminate in hiring or any other employment practice on the basis, of race, color, religion, sex, national origin, age or disability. The Contractor agrees to comply with all applicable Local, State and Federal rules and regulations. The Contractor agrees to maintain a drug-free workplace policy and will provide a copy of the policy to the City upon request. Every public contractor and his, her or its subcontractors who are awarded a contract by the City for the physical performance of services within the State of Nebraska shall register with and use a federal immigration verification system to determine the work eligibility status of new employees physically performing services within the State of Nebraska.

GRATUITIES AND KICKBACKS

City Code states that it is unethical for any person to offer, give, or agree to give any City employee or former City employee, or for any City employee or former City employee to solicit, demand, accept, or agree to accept from another person, a gratuity or an offer of employment in connection with any decision, approval, disapproval, recommendation, or preparation of any part of a program requirement or a purchase request, influencing the content of any specification or procurement standard, rendering of advice, investigation, auditing, or in any other advisory capacity in any proceeding or application, request for ruling, determination, claim or controversy, or other particular matter, pertaining to any program requirement or a contract or subcontract, or to any solicitation or proposal therefor. It shall be unethical for any payment, gratuity, or offer of employment to be made by or on behalf of a subcontractor under a contract to the prime contractor or higher tier subcontractor or any person associated therewith, as an inducement for the award of a subcontract or order.

ARTICLE VI. General Insurance Requirements - Recruiter will provide proof of its general and professional liability coverages to the City upon request. Recruiter maintains at least \$2,000,000 in general business liability coverages.

ARTICLE VII. Indemnification - Recruiter shall indemnify and hold the City and all its personnel harmless from and against any and all claims, damages, losses and expenses, including reasonable attorney's fees and litigation costs, arising out of or resulting from the performance of services, provided that any such claim, damage, loss or expenses, is caused in whole or in part by the negligent act, omission and or liability of the Recruiter, its agents or employees, and subject to the limits of available insurance coverage available through Recruiter.

ARTICLE VIII. Delegation and Subcontracting - Unless otherwise proposed and approved in the Recruiter's proposal for services, the Recruiter shall not delegate or subcontract any work to be performed by the Recruiter under this agreement to any other person, business or entity without the express advance written approval of the City for such delegation or subcontract work.

ARTICLE IX. To the extent not otherwise transferred to the City's possession, Recruiter agrees to retain and provide the City with reasonable access to all work product, records, papers and other documents involving transactions and work related to or performed under this agreement for a period of three (3) years after this agreement expires.

ARTICLE X. No additional services beyond an approved proposal shall be provided by Recruiter unless requested and authorized in writing by the City.

ARTICLE XI. City Authorization -When the term City is used in this agreement, it shall mean the government of the City of Grand Island or its governing body, as the context requires.

Authorization by the City shall mean written instruction from the governing body, the Mayor, the City Administrator or by an authorized representative of the City.

ARTICLE XII. Period of Services and Termination – Recruiter shall perform the services in full within the period specified in the proposal. The City may and reserves the right to terminate this agreement at any time with or without cause by giving the Recruiter written notice of termination. Upon receipt of such notice, Recruiter shall discontinue all services in connection with the performance of services authorized under this agreement or City approved proposal for services and City shall upon invoice remit payment for all authorized services completed up to the date of termination notice. This agreement or work performed under the provisions of this agreement may also be terminated by the Recruiter upon not less than seven days written notice in the event the City shall substantially fail to perform in accordance with the terms and conditions of this agreement, through no fault of the Recruiter. In the event of termination by the Recruiter, the other provisions concerning termination contained in this paragraph shall be applicable.

ARTICLE XIII. Governing Law - This agreement shall be governed by the laws of the State of Nebraska and it is agreed that this agreement is made in Hall County, Nebraska and that Hall County, Nebraska is proper venue for any action pertaining to the interpretation or enforcement of any provision within or services performed under this agreement.

ARTICLE XIV. Miscellaneous - This agreement constitutes the entire agreement of the parties superseding all prior negotiations, written or verbal, and may only be amended by signed writing executed by the parties through their authorized representatives hereunder.

Government Professional Solutions, LLC

Date November 10, 2022

By 

Chris Lowe

Title Partner

CITY OF GRAND ISLAND, NEBRASKA

By _____ Date _____

Mayor

Attest: _____
City Clerk

The contract is in due form according to law and hereby approved.

Attorney for the City

Date _____

RESOLUTION 2023-3

WHEREAS, the City of Grand Island requested proposals for a Recruiting Firm for search to fill the City Administrator and Public Works Director/City Engineer positions; and

WHEREAS, on October 12, 2022, proposals were received, opened and reviewed; and

WHEREAS, Government Professional Solutions (GPS) of Monument, CO submitted a proposal in accordance with the terms of the advertisement of request for proposal.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the proposal of GPS, in the amount of \$37,000, is hereby approved.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, January 10, 2023.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
January 5, 2023	☐ City Attorney



City of Grand Island

Tuesday, January 10, 2023

Council Session

Item G-6

#2023-4 - Approving Acquisition of Utility Easement - 2983 S. Stuhr Road (Phillip Beckett, II)

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

Staff Contact: Tim Luchsinger, Stacy Nonhof

RESOLUTION 2023-4

WHEREAS, a public utility easement is required by the City of Grand Island from Phillip A Beckett, II, 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 January 10, 2023, for the purpose of discussing the proposed acquisition of a permanent and perpetual easement and right-of-way tract located through a part of Lot Four (4), Stuhr Acres Subdivision, Hall County, Nebraska, the twenty (20.0) foot wide utility easement and right-of-way tract being more particularly described as follows:

Beginning at the Southwest corner of Lot Four (4) Stuhr Acres Subdivision, Hall County, Nebraska; thence N00°08'33", along the westerly line of said Lot Four (4), a distance of twenty (20.0) feet; thence N89°59'00"E, a distance of one thousand forty (1,040.0) feet; thence S00°08'33"W, a distance of twenty (20.0) feet to a point on the southerly line of said Lot Four (4), thence S89°59'00"W, a distance of one thousand forty (1,040) feet to the said Point of Beginning.

The above-described easement and right-of-way containing a total of .48 acres, more or less as shown on the plat dated 11/21/2022, 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 Phillip A. Beckett, II, on and over the tract of land described herein and as depicted on Exhibit A hereto.

BE IT FURTHER RESOLVED that the Mayor and designee are hereby authorized to execute all documents necessary to effect the purpose of this Resolution.

- - -

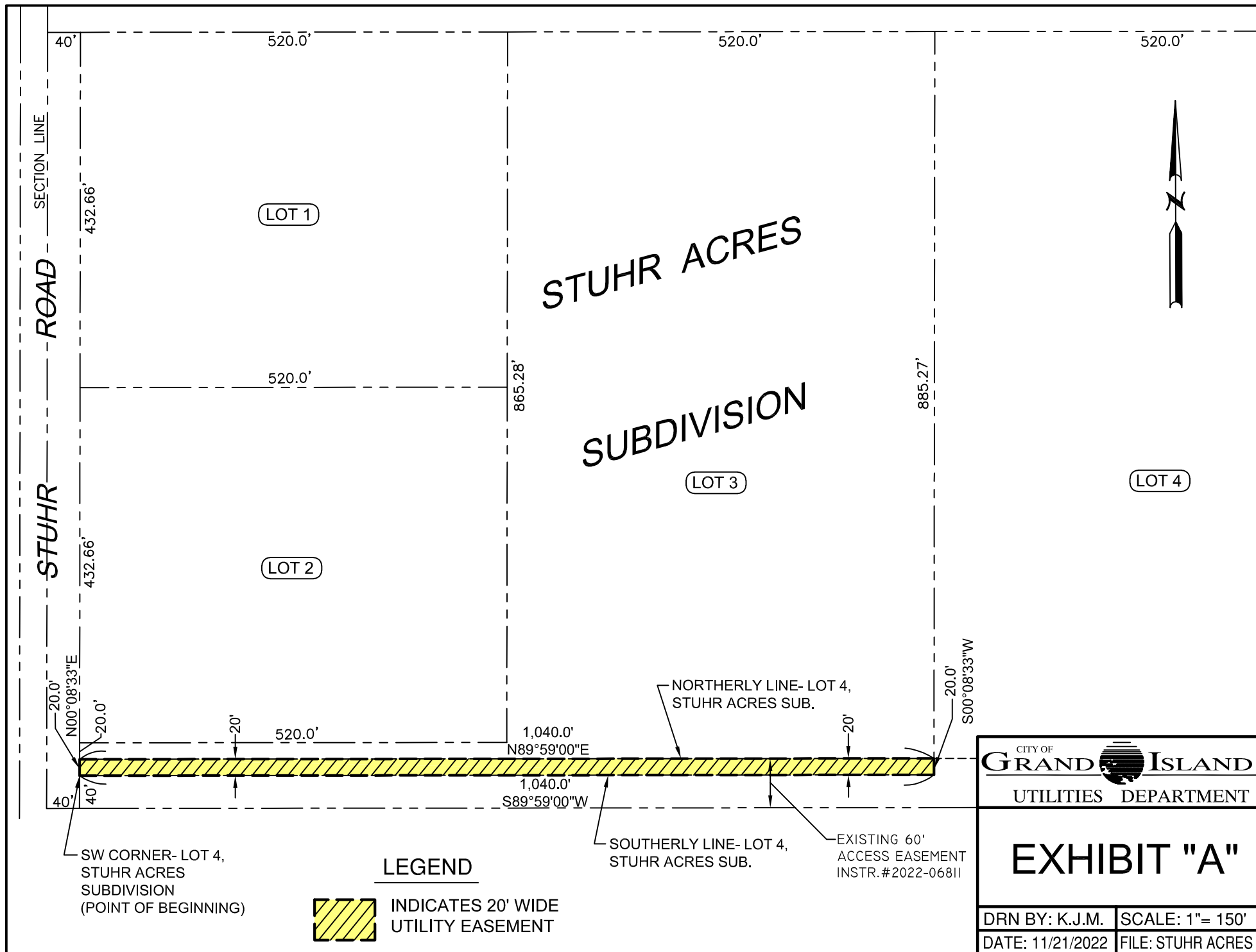
Adopted by the City Council of the City of Grand Island, Nebraska, January 10, 2023.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
January 5, 2023	☐ City Attorney





City of Grand Island

Tuesday, January 10, 2023

Council Session

Item G-7

**#2023-5 - Approving Certificate of Final Completion WMP 2021-
W-1 - Oak and Kimball from Koenig to Division**

Staff Contact: Tim Luchsinger, Stacy Nonhof

Council Agenda Memo

From: Timothy Luchsinger, Utilities Director

Meeting: January 10, 2023

Subject: Certificate of Final Completion for Main Project 2021-W-1 – Oak Street and Kimball Avenue from Koenig Street to Division Street

Presenter(s): Timothy Luchsinger, Utilities Director

Background

Water Main Project 2021-W-1 installed approximately 2,445 linear feet of 8” diameter ductile iron pipe for water main within Oak Street and Kimball Avenue from Koenig Street to Division Street. The work replaced the existing 4” water mains within Oak Street and Kimball Avenue which were undersized and subject to multiple breaks. A site map is attached for reference.

Discussion

The project has been completed in accordance with the terms and conditions of the contract documents and plans. The final contract amount for the work was \$731,125.71.

Alternatives

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

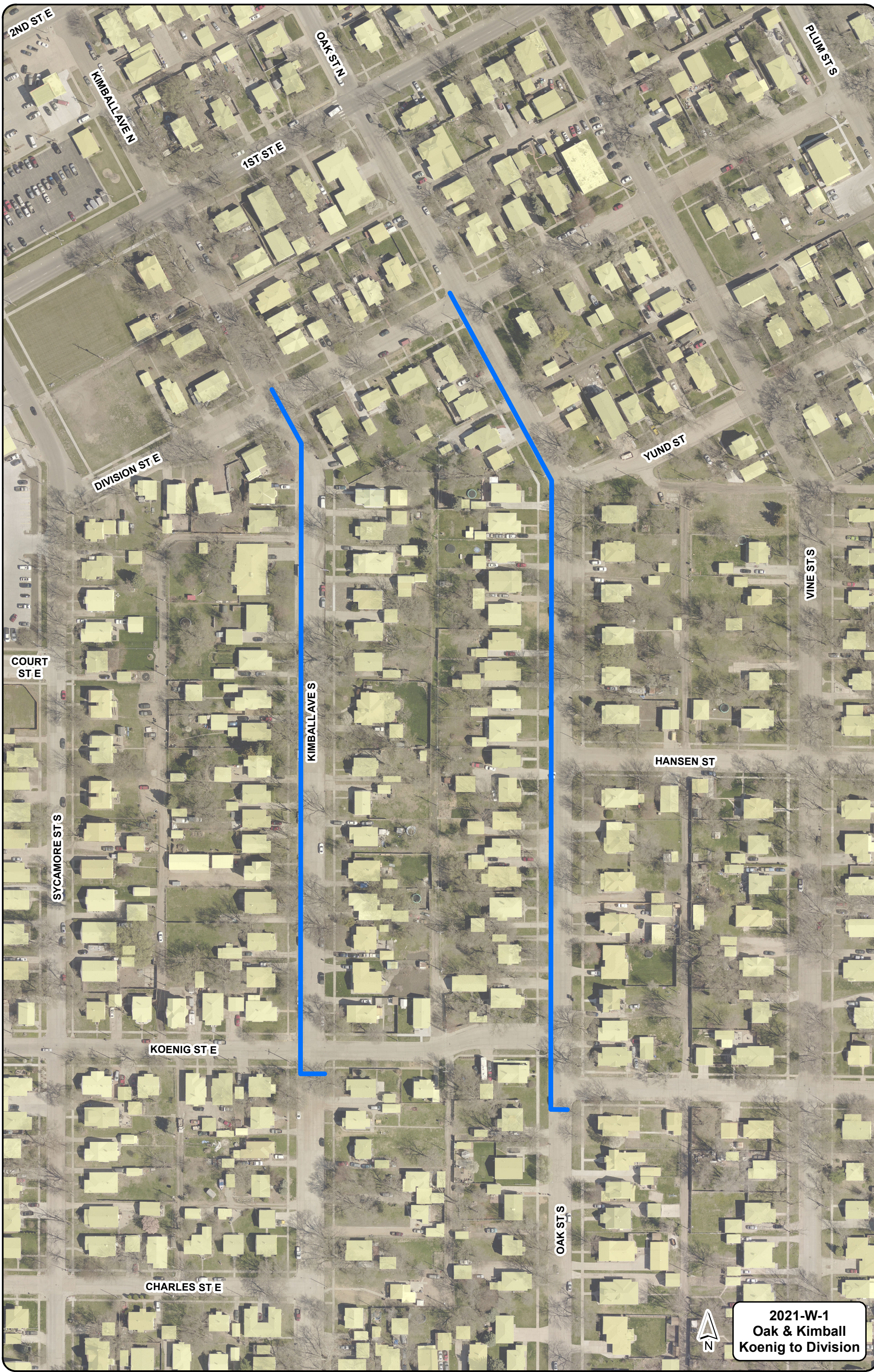
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to a future date
4. Take no action on the issue

Recommendation

It is recommended that the Certificate of Final Completion for Water Main Project 2021-W-1, Oak Street and Kimball Avenue from Koenig Street to Division Street be presented for approval at the January 10, 2023 Council meeting.

Sample Motion

Move to approve the resolution confirming the Certificate of Final Completion for Water Main Project 2021-W-1, Oak Street and Kimball Avenue from Koenig Street to Division Street.



2021-W-1
Oak & Kimball
Koenig to Division

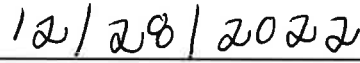
ENGINEER'S CERTIFICATE OF FINAL COMPLETION

Water Main Project 2021-W-1

Water Main Project 2021-W-1 was installed under a contract issued to Van Kirk Bros. Contracting of Sutton, NE. The project installed 8" ductile iron water main within Oak Street and Kimball Avenue from Koenig Street to Division Street which replaced the existing 4" water main. Improving supply and fire protection while also resolving the growing number of water main breaks in the area. The work has been fully completed in accordance with the terms and conditions of the contract and complies with the plans and specifications.



Jamie L. Royer, P.E. #E-17387

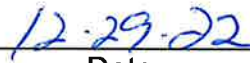


Date

I hereby authorize Water Main Project 2021-W-1 to be incorporated into the City of Grand Island water system.



Tim Luchsinger, Utilities Director



Date

CERTIFICATE OF FINAL COMPLETION

Water Main Project 2021-W-1

_____, 2023

Water Main Project 2021-W-1 was awarded to Van Kirk Bros. Contracting of Sutton, Nebraska.

The work on this project, as certified to be fully completed by Tim Luchsinger, Utilities Director, is hereby accepted for the City of Grand Island, Nebraska, by me as Public Works Director in accordance with the provision on Section 16-650, R.R.S., 1943.

Respectfully submitted,



Keith Kurz, P.E. – Interim Public Works Director

WATER MAIN PROJECT 2021-W-1

_____, 2023

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

I hereby recommend that the Engineer's Certificate of Final Completion for Water Main Project 2021-W-1 be approved.

Respectfully submitted,

Mayor

RESOLUTION 2023-5

WHEREAS, the Engineer and Public Works Director have issued a Certificate of Final Completion for Water Main Project 2021-W-1 within Oak Street and Kimball Avenue of the City of Grand Island, Nebraska, certifying that Van Kirk Bros. Contracting of Sutton, NE has completed such project according to the terms, conditions, and stipulations of the contract, plans and specifications for such improvements; and

WHEREAS, the Public Works Director recommends the acceptance of the Engineer's Certificate of Final Completion; and

WHEREAS, the Mayor concurs with the recommendation of the Public Works Director's recommendation.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Certificate of Final Completion for Water Main Project 2021-W-1 is hereby confirmed.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, January 10, 2023.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
January 5, 2023	☐ City Attorney



City of Grand Island

Tuesday, January 10, 2023

Council Session

Item G-8

**#2023-6 - Approving Acquisition of Public Right-of-Way in
Lassonde Third Subdivision (Parcel No. 400059893- 2002 Nelson
Ln)**

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

Staff Contact: Keith Kurz PE, Interim Public Works Director

RESOLUTION 2023-6

WHEREAS, the owner of real property located at 2002 Nelson Lane has offered to transfer ownership to the City for the purpose of providing public access from the north to the Orchard Subdivision, such real property being further described as follows:

The Orchard, LLC- Parcel No. 400059893

ALL OF LOT FOURTEEN (14), LASSONDE THIRD SUBDIVISION, CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA.

WHEREAS, a public hearing on the acquisition and dedication of this property for public right of way was held on January 10, 2023 and the City Council has considered any testimony presented at the public hearing; and

WHEREAS, the warranty deed for Parcel No. 400059893 transferring title and dedicating the land as 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.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized and directed to to take all actions necessary to effect the purpose of this resolution.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, January 10, 2023.

Roger G. Steele, Mayor

Attest:

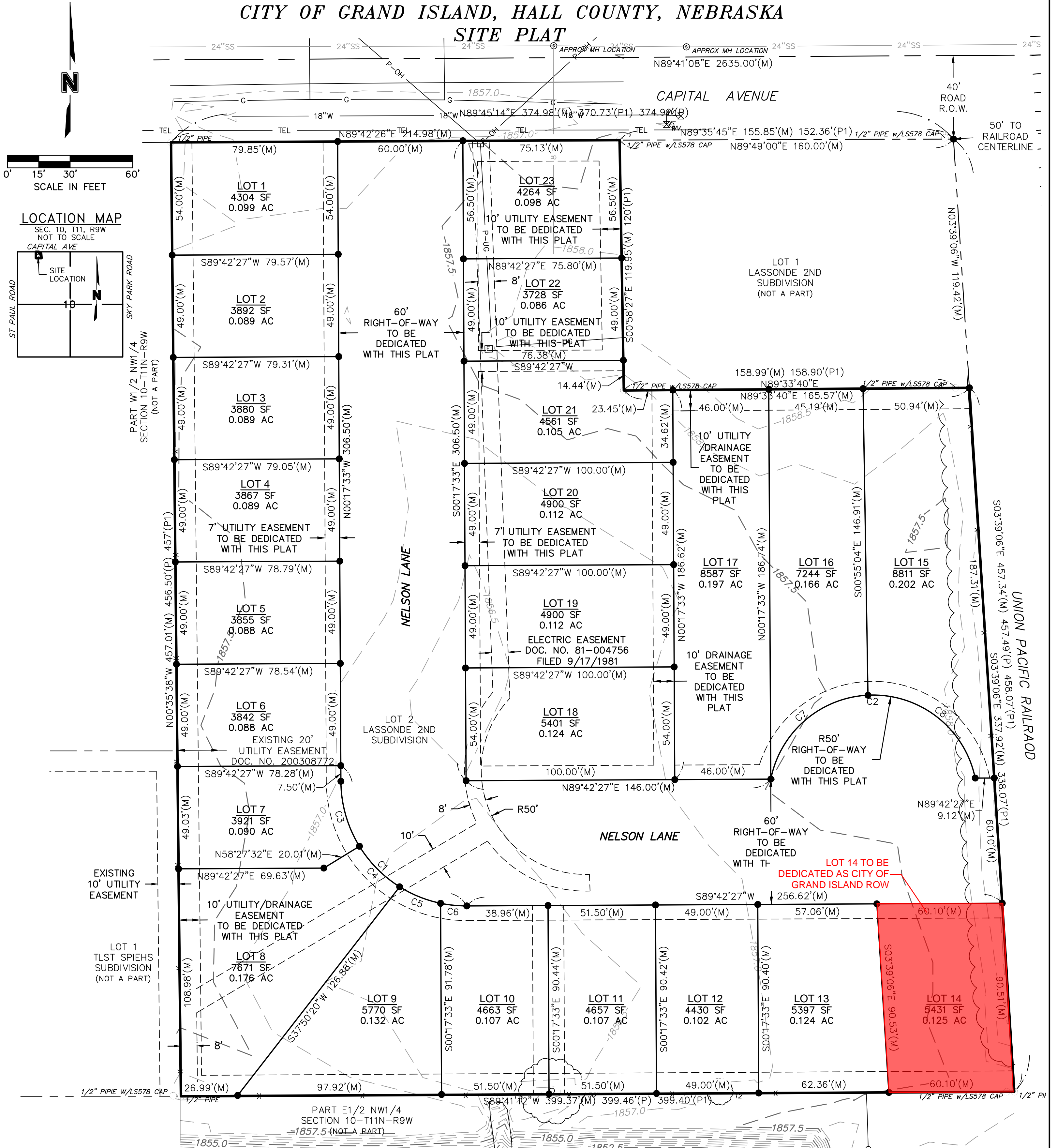
RaNae Edwards, City Clerk

Approved as to Form	▣ _____
January 5, 2023	▣ City Attorney

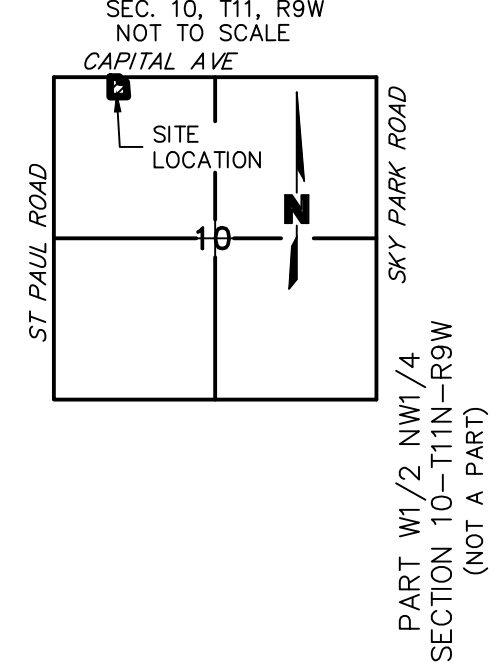
LASSONDE THIRD SUBDIVISION

CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA

SITE PLAT



LOCATION MAP



CURVE TABLE					
CURVE ID	RADIUS (FT)	DELTA	LENGTH (FT)	CHORD BEARING	CHORD LENGTH (FT)
C1	60.00	090°00'00"	94.25	N45°17'33"W	84.85
C2	50.00	156°55'34"	136.94	S89°42'27"W	97.98
C3	60.00	031°16'23"	32.75	S15°55'45"E	32.34
C4	60.00	026°22'15"	27.62	S44°45'04"E	27.37
C5	60.00	020°17'46"	21.25	S68°05'05"E	21.14
C6	60.00	012°03'35"	12.63	S84°15'46"E	12.61
C7	50.00	075°56'40"	66.27	N49°13'00"E	61.53
C8	50.00	080°58'54"	70.67	S52°19'13"E	64.93

LEGEND

- SET CORNER (5/8"x24" REBAR W/CAP)
- FOUND CORNER (AS NOTED)
- EASEMENT LINE
- NEW PROPERTY LINE
- NEW SUBDIVISION LINE
- M MEASURED DISTANCE
- P LASSONDE SUBDIVISION DISTANCE
- P1 LASSONDE 2ND SUBDIVISION DISTANCE

MOLSSON ASSOCIATES

201 East 2nd Street
P.O. Box 1072
Grand Island, NE 68802-1072
TEL 308.384.8750
FAX 308.384.8752

PROJECT NO. 2017-3831
GI HABITAT FOR HUMANITY SURVEY
FB

DWG: F:\2017\3501-4000\017-3831\40-Design\Survey\SRVY\Sheets\V_ FPT_73831.dwg
DATE: Feb 02, 2018 3:13pm XREFS: V_XTPO_73831

USER: jjimenez



City of Grand Island

Tuesday, January 10, 2023

Council Session

Item G-9

#2023-7 - Approving Bid Award for Crushed Rock for 2023

Staff Contact: Keith Kurz PE, Interim Public Works Director

Council Agenda Memo

From: Jeff Wattier, Solid Waste Superintendent

Meeting: February 10, 2023

Subject: Approving Bid Award for Crushed Rock for 2023

Presenter(s): Keith Kurz PE, Interim Public Works Director

Background

On December 9, 2022 the Solid Waste Division of the Public Works Department advertised for bids for the purchase of Crushed Rock for 2023 to be used as stabilization of the roadway at the landfill throughout the 2023 calendar year.

Discussion

Four (4) bids were received and opened on December 29, 2022. The bids were submitted in accordance with the terms of the advertisement of bids and specifications and all other statutory requirements contained therein with no exceptions.

Material	Primary Award	Secondary Award
3" Minus Crushed Concrete Delivered	Dobesh Land Leveling, LLC \$32.53 per ton	Southwest Gravel Products, LLC \$33.19 per ton
4"- 6" Coarse Crushed Concrete Delivered	Southwest Gravel Products, LLC \$35.05 per ton	Dobesh Land Leveling, LLC \$36.95 per ton
47-B Limestone Rock Delivered	NSG Logistics, LLC \$45.45 per ton	Southwest Gravel Products, LLC \$49.98 per ton

A primary and secondary bid award is being recommended which sets prices for more than one producer so material can be purchased in the event the other producer(s) are not delivering due to larger job demands.

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 purchase of Crushed Rock for 2023 according to the bid award recommendation.

Sample Motion

Move to adopt a resolution approving the award of contracts to Dobesh Land Leveling, LLC, Southwest Gravel Products, LLC and NSG Logistics for the purchase of Crushed Rock for 2023 according to the bid award recommendation for primary and secondary contracts.



Stacy Nonhof, Purchasing Agent

*Working Together for a
Better Tomorrow, Today*

BID OPENING

BID OPENING DATE: December 29, 2022 at 2:00 p.m.

FOR: Crushed Rock 2023

DEPARTMENT: Public Works

ESTIMATE: \$37.50/ton (3" minus Crushed Concrete Delivered)
\$41.50/ton (4"-6" Coarse Crushed Concrete Delivered)
\$45.00/ton (47-B Limestone Rock Delivered)

FUND/ACCOUNT: 50530043

PUBLICATION DATE: December 9, 2022

NO. POTENTIAL BIDDERS: 4

SUMMARY

Bidder:	<u>Dobesh Land Leveling, LLC</u> Grand Island, NE	<u>Nitro Construction</u> Grand Island, NE
Bid Price:		
3" Crushed:	\$32.53 per ton	\$33.70 per ton
4"-6" Coarse:	\$36.95 per ton	41.70 per ton
47-B Limestone:	No Bid	No Bid
Bidder:	<u>Southwest Gravel Products, LLC</u> Axtell, NE	<u>NSG Logistics, LLC</u> Gothenburg, NE
Bid Price:		
3" Crushed:	\$33.19 per ton	\$45.45 per ton (1 1/2" Clean or Smaller)
4"-6" Coarse:	\$35.05 per ton	No Bid
47-B Limestone:	\$49.98 per ton	\$45.45 per ton

cc: Keith Kurz, Interim Public Works Director
Patrick Brown, Finance Director
Catrina DeLosh, Admin. Asst. Public Works

Jeff Wattier, Solid Waste Superintendent
Stacy Nonhof, Purchasing Agent

P2413

RESOLUTION 2023-7

WHEREAS, the City of Grand Island invited sealed bids for furnishing and delivering Crushed Rock for 2023 for the Solid Waste Division of the Public Works Department, according to specifications on file with the Public Works Department; and

WHEREAS, on December 29, 2022, bids were received, opened and reviewed; and all bids were submitted in accordance with the terms of the advertisement of bids and specifications and all other statutory requirements contained therein; and

WHEREAS, in order to ensure the availability of crushed rock for the City's projects during times of high demand, staff recommends the award of primary and secondary contracts for each type of crushed rock material to Dobesh Land Leveling, LLC, Southwest Gravel Products, LLC and NSG Logistics, LLC, as the low bidders and second lowest bidders for each type of material.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the award of primary and secondary contracts for Crushed Rock 2023 to the bidders listed below is hereby approved;

Material	Primary Award	Secondary Award
3" Minus Crushed Concrete Delivered	Dobesh Land Leveling, LLC \$32.53 per ton	Southwest Gravel Products, LLC \$33.19 per ton
4"- 6" Coarse Crushed Concrete Delivered	Southwest Gravel Products, LLC \$35.05 per ton	Dobesh Land Leveling, LLC \$36.95 per ton
47-B Limestone Rock Delivered	NSG Logistics, LLC \$45.45 per ton	Southwest Gravel Products, LLC \$49.98 per ton

BE IT FURTHER RESOLVED that the Mayor and designees are hereby authorized to take all actions necessary to effect the purpose of this resolution.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, January 10, 2023.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form January 5, 2023	by _____ City Attorney
--	---------------------------



City of Grand Island

Tuesday, January 10, 2023

Council Session

Item G-10

**#2023-8 - Approving Certificate of Final Completion and
Scheduling the Board of Equalization for Sidewalk Repair at 239
South Plum Street**

Staff Contact: Keith Kurz PE, Interim Public Works Director

Council Agenda Memo

From: Keith Kurz PE, Interim Public Works Director

Meeting: January 10, 2023

Subject: Approving Certificate of Final Completion and
Scheduling the Board of Equalization for Sidewalk
Repair at 239 South Plum Street

Presenter(s): Keith Kurz PE, Interim Public Works Director

Background

At the October 25, 2022 meeting the City Council approved Resolution No. 2022-307, which ordered the sidewalk at 239 South Plum Street to be repaired.

Galvan Construction, Inc. of Grand Island, Nebraska was hired through informal bids to repair the sidewalk adjacent to 239 South Plum Street.

Discussion

The repairs to the sidewalk adjacent to 239 South Plum Street were completed to the City standards for a cost of \$1,750.00. Total cost of the repairs, including Engineering Services of \$175.00, is \$1,925.00.

The cost for this project will be assessed to the adjacent property. The payments are spread over seven (7) years at 7% simple interest. The first payment of principle only at 1/7th of the assessment is due ten (10) days after filing of the ordinance (Section 32-58) that levies the costs as approved at the Board of Equalization. The City has had multiple correspondences with the property owner and will send a reminder letter advising them that the BOE is scheduled for February 14, 2023; 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 approve the Certificate of Final Completion for sidewalk repairs adjacent to 239 South Plum Street and set the Board of Equalization date of February 14, 2023.

Sample Motion

Move to approve the Certificate of Final Completion and Set the Board of Equalization for sidewalk repairs adjacent to 239 South Plum Street.

ENGINEER'S CERTIFICATE OF FINAL COMPLETION

Sidewalk Repairs at 239 South Plum Street
CITY OF GRAND ISLAND, NEBRASKA
January 10, 2023

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

This is to certify that sidewalk repairs at 239 South Plum Street have been fully completed by Galvan Construction, Inc. of Grand Island, Nebraska. 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 City Engineer/Public Works Director in accordance with the provisions of Section 16-650 R.R.S., 1943.

Sidewalk Repairs at 239 South Plum Street

<u>No.</u>	<u>Description</u>	<u>Lump Sum Price</u>	<u>Total Cost</u>
1.	Remove & Replace Sidewalk	\$1,750.00	\$1,750.00
TOTAL CONSTRUCTION COST – SIDEWALK REPAIRS AT 239 South Plum Street			\$1,750.00
Engineering Costs			\$ 175.00
TOTAL COST OF SIDEWALK REPAIRS AT 239 South Plum Street			\$1,925.00
<i>Amount Assessable to Property Owner</i>			<i>\$1,925.00</i>

Respectfully submitted,

Keith Kurz, P.E.
Interim Public Works Director

I hereby recommend that the Engineer's Certificate of Final Completion for sidewalk repairs at 239 South Plum Street be approved and that the costs of City Engineering be credited to Account No. 10033001-74516 from Account No. 40033535-90072 in the amount of \$175.00.

I further recommend that the City Council sit as a Board of Equalization on February 14, 2023 to determine benefits and levy special assessments.

Respectfully submitted,

Roger G. Steele
Mayor

Notes:
179.60 SqFt. Sidewalk



SIDEWALK REPAIRS

239 S. PLUM ST.
GRAND ISLAND, NEBRASKA



RESOLUTION 2023-8

WHEREAS, the City Engineer/Public Works Director of the City of Grand Island has issued a Certificate of Final Completion for sidewalk repairs at 239 South Plum Street, certifying that Galvan Construction, Inc. of Grand Island, Nebraska has completed such project according to the terms, conditions, and stipulations for such improvements; and

WHEREAS, the City Engineer/Public Works Director recommends the acceptance of the certificate of final completion for sidewalk repairs at 239 South Plum Street; and

WHEREAS, the Mayor concurs with the recommendations 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:

1. The City Engineer/Public Works Director's Certificate of Final Completion for sidewalk repairs at 239 South Plum Street, is hereby confirmed.
2. The costs of City Engineering be credited to Account No. 10033001-74516 from Account No. 40033535-90072 in the amount of \$175.00.
3. The City Council will sit as a Board of Equalization on February 14, 2023 to determine benefits and set assessments for sidewalk repairs at 239 South Plum Street.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, January 10, 2023.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
January 5, 2023	☐ City Attorney



City of Grand Island

Tuesday, January 10, 2023

Council Session

Item G-11

#2023-9 - Approving Certificate of Final Completion for Diffuser Replacement; Project No. 2022-WWTP-2

Staff Contact: Keith Kurz PE, Interim Public Works Director

Council Agenda Memo

From: Matt Walker PE, Assistant Public Works Director- Wastewater

Meeting: January 10, 2023

Subject: Approving Certificate of Final Completion for Diffuser Replacement; Project No. 2022-WWTP-2

Presenter(s): Keith Kurz PE, Interim Public Works Director

Background

JCI Industries, Inc. of Lee's Summit, Missouri was awarded a \$25,125.00 contract on April 26, 2022, via Resolution No. 2022-119, for Diffuser Replacement; Project No. 2022-WWTP-2.

This project replaced the ethylene propylene diene terpolymer (EPDM) membrane component within the diffuser assemblies in the oxic zones of one (1) of the four (4) aeration basins with a 9-inch membrane diffuser at the Wastewater Treatment Plant. The original membranes were installed in 2012 and require replacement on a seven (7) year cycle.



Aeration Basin



Diffuser

Discussion

The project was completed in accordance with the terms, conditions, and stipulations of the contract, plans and specifications. Construction was completed on budget, for a total cost of \$25,125.00, with Public Works Engineering staff cost of \$2,283.68 and advertising expense of \$113.43, resulting in a total project cost of \$27,522.11.

Alternatives

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

1. Move to approve a resolution authorizing the Certificate of Final Completion.
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 confirm the Certificate of Final Completion for Diffuser Replacement; Project No. 2022-WWTP-2 and accept the project as completed.

Sample Motion

Move to approve the resolution confirming the Certificate of Final Completion for Diffuser Replacement; Project No. 2022-WWTP-2.

ENGINEER'S CERTIFICATE OF FINAL COMPLETION

Diffuser Replacement; Project No. 2022-WWTP-2
CITY OF GRAND ISLAND, NEBRASKA

January 10, 2023

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

This is to certify that Diffuser Replacement; Project No. 2022-WWTP-2 has been fully completed by JCI Industries, Inc. of Lee Summit, Missouri under the contract awarded April 26, 2022. 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.

Base Bid-

Item No.	Description	Total Quantity	Unit	Unit Price	Total Cost
1	9-Inch EPDM Membrane Diffuser Replacement	1.00	LS	\$ 25,125.00	\$ 25,125.00

Total Base Bid Section = \$25,125.00

Additional Costs-

Grand Island Public Works Department	Construction Engineering	\$2,283.68
Grand Island Independent	Advertising	\$113.43

Total Additional Costs= \$2,397.11

Total Project Costs= \$27,522.11

I hereby recommend that the Engineer's Certificate of Final Completion for Diffuser Replacement; Project No. 2022-WWTP-2 certifying that JCI Industries, Inc. of Lee Summit, Missouri be approved.

Keith Kurz, PE– Interim City Engineer/Public Works Director

Roger G. Steele – Mayor

RESOLUTION 2023-9

WHEREAS, the City Engineer/Public Works Director issued a Certificate of Final Completion for Diffuser Replacement; Project No. 2022-WWTP-2 certifying that JCI Industries, Inc., Lee's Summit, Missouri, has completed such for the total amount of \$25,125.00; and

WHEREAS, with Public Works Engineering staff cost of \$2,283.68 and advertising expense of \$113.43, the project resulted in a total cost of \$27,522.11; 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 for Diffuser Replacement; Project No. 2022-WWTP-2, in the total amount of \$27,522.11, is hereby confirmed and the project is hereby accepted as complete.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, January 10, 2023.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
January 5, 2023	☐ City Attorney



City of Grand Island

Tuesday, January 10, 2023

Council Session

Item G-12

**#2023-10 - Approving Transit Scheduling System with Foxster
Opco, LLC, dba CTS Software**

Staff Contact: Keith Kurz PE, Interim Public Works Director

Council Agenda Memo

From: Charley Falmlen, Transit Program Manager

Meeting: January 10, 2023

Subject: Approving Transit Scheduling System with Foxster Opco, LLC, dba CTS Software

Presenter(s): Keith Kurz PE, Interim Public Works Director

Background

The State of Nebraska Department of Transportation (NDOT) issued a Request for Qualifications on January 13, 2020 for the purpose of prequalifying contractors to provide Transit Scheduling Software. Per Federal Transit Administration regulations, the City of Grand Island can participate in the State of Nebraska's group procurements for the purpose of obtaining equipment and services.

On March 9, 2021, via Resolution No. 2021-46, City Council approved RouteMatch, LLC of Atlanta, Georgia, in the amount \$184,804, as the top vendor based on the pre-approved selection criteria for transit scheduling software.

Discussion

Due to the sale of RouteMatch, LLC and the fact that the software will no longer be updated/improved City staff has worked with Senior Citizen Industries, Inc. (transit provider) to choose another provider from the list of pre-approved Transit Scheduling Software vendors through the State of Nebraska Department of Transportation (NDOT).

Upon evaluation of vendors from the NDOT pre-approved list, Foxster Opco, LLC dba CTS Software of Swansboro, North Carolina has been chosen as the preferred Transit Scheduling System for the City of Grand Island. Total cost of such software from Foxster Opco, LLC dba CTS Software, which includes the components, along with associated items as listed in Exhibit A: Cost Tables (attached for review) is \$181,150.00. As the implementation of this software will allow for contactless transactions and improved availability of service, 100% of the contract cost will be paid for with CARES funding which has been allocated directly to the Transit Division of the Public Works Department. There is no City match required.

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 Transit Scheduling Software from Foxster Opco, LLC dba CTS Software of Swansboro, North Carolina in the amount of \$181,150.00.

Sample Motion

Move to adopt the resolution approving the contract with Foxster Opco, LLC dba CTS Software for Transit Scheduling Software.

RESOLUTION 2023-10

WHEREAS, the State of Nebraska Department of Transportation (NDOT) issued a Request for Qualifications on January 13, 2020 for the purpose of prequalifying contractors to provide Transit Scheduling Software; and

WHEREAS, under Section 3019 of the Fast Act, the City of Grand Island may purchase equipment under a State cooperative agreement; and

WHEREAS, on February 12, 2020 nine (9) submitted, with seven (7) being qualified for providing Transit Scheduling Software; and

WHEREAS, RouteMatch Software, LLC. Atlanta, Georgia was selected as the top vendor based on the pre-approved selection criteria; and

WHEREAS, due to the sale of RouteMatch Software, LLC and the fact that the software will no longer be updated/improved City staff has chosen another provider from the pre-approved Transit Scheduling Software vendors through the State of Nebraska Department of Transportation (NDOT); and

WHEREAS, Foxster Opco, LLC dba CTS Software of Swansboro, North Carolina has been chosen as the preferred Transit Scheduling System for the City of Grand Island; and

WHEREAS, total cost of the Transit Scheduling Software from Foxster Opco, LLC dba CTS Software, which includes the components, along with associated items as listed in Exhibit A: Cost Tables (attached for review) is \$181,150.00.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Transit Scheduling Software from Foxster Opco, LLC dba CTS Software of Swansboro, North Carolina in the amount of \$181,150.00 is hereby approved.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute the contract with Foxster Opco, LLC dba CTS Software, and to take all other actions necessary to effect the purpose of this resolution.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, January 10, 2023.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
January 5, 2023	☐ City Attorney

SOFTWARE LICENSE AND SERVICES AGREEMENT SCHEDULE A

Form B.5

Cost Proposal Summary

Request for Qualification Number R207-20

To complete the cost proposal summary, please indicate summary costs for different items and different years in the table, noting that values should only be entered in white cells. Additionally, please indicate total costs by category (across years) and by year (across categories). The summary costs entered in table are to be based on detailed cost worksheets in Form A.6. As discussed at the beginning of Form A.6, elements of these cost categories may be based upon the characteristics of the representative small transit agency described at the beginning of Form A.

The payment schedule for a selected system deployment is tied to fixed lump sum payments for the completion and acceptance of related deliverables corresponding to cells in the table below. No invoice will be approved unless the associated deliverables have been approved.

Cost Proposal Summary

Category	Startup	Year 1	Year 2	Year 3	Year 4	Year 5	Total
Initial System Planning and Design	\$47,900						\$47,900
Initial System Implementation and Training	\$11,300						\$11,300
Annual System Maintenance and Support		\$24,390	\$24,390	\$24,390	\$24,390	\$24,390	\$121,950
Total	\$59,200	\$24,390	\$24,390	\$24,390	\$24,390	\$24,390	\$181,150

Initial System Planning and Design: All of the system planning and design costs will occur at the beginning of the project (Startup column), in advance of system implementation and training. Please enter the cost for system planning and design work as determined in the detailed table in Form A.6.

Initial System Implementation and Training: All of the system implementation costs will occur at the beginning of the project (Startup column) following the planning and design activities. Please enter the cost for system implementation work as determined in the detailed table in Form A.6.

Annual System Maintenance and Support: This category includes annual licensing, hosting, maintenance, and support costs for software elements along with annual warranty costs for any applicable hardware elements. Please enter the cost value for each period as determined in the detailed annual tables in Form A.6.



City of Grand Island

Tuesday, January 10, 2023

Council Session

Item G-13

**#2023-11 - Approving Disadvantaged Business Enterprises
Program for the City of Grand Island Transit Division of the
Public Work Department**

Staff Contact: Keith Kurz PE, Interim Public Works Director

Council Agenda Memo

From: Charley Falmlen, Transit Program Manager

Meeting: January 10, 2023

Subject: Approving Disadvantaged Business Enterprises Program for the City of Grand Island Transit Division of the Public Work Department

Presenter(s): Keith Kurz PE, Interim Public Works Director

Background

The City of Grand Island is the recipient of the United States Department of Transportation's Federal Transit Authority (FTA) Section 5307 Urbanized Area Formula Program funds authorized as part of 49 U.S.C. 5307, and FTA Section 5303 Metropolitan and Statewide Planning Funds under 49 U.S.C. 5303. The FTA requires that all communities which receive these funds adopt a Disadvantaged Business Enterprise (DBE) Plan. This plan sets forth how the City of Grand Island will ensure that DBE's have an equal opportunity to receive and participate in Department of Transportation-assisted contracts.

Discussion

The City of Grand Island Transit Division of the Public Works Department has established a Disadvantaged Business Enterprise (DBE) Program, as required by FTA. The DBE was available for public comment for a 30 day period (November 18-December 19, 2022). There were no public comments received. This DBE Program will replace and supersede the DBE Program previously approved pursuant to Resolution 2017-183.

Only the Policy Statement has been included with this memo, the full page document is available for review in the City Clerk's office.

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 updated Disadvantaged Business Enterprise (DBE) Program for the Transit Division of the Public Works Department.

Sample Motion

Move to approve the resolution adopting the updated Disadvantaged Business Enterprise (DBE) Program for the Transit Division of the Public Works Department.

INTRODUCTION

1.1 PLAN POLICY STATEMENT

The City of Grand Island - Transit Division (herein called "Transit Division") has established a Disadvantaged Business Enterprise (DBE) Program in accordance with regulations of the U.S. Department of Transportation (DOT), 49 CFR Part 26. The Transit Division has received Federal financial assistance from DOT, and as a condition of receiving this assistance, has signed an assurance that it will comply with 49 CFR Part 26 (hereafter referred to as "Part 26").

It is the policy of the Transit Division to ensure that DBEs as defined in Part 26, have an equal opportunity to receive and participate in DOT-assisted contracts. It is also the Transit Division's policy to engage in the following objectives on a continuing basis:

- Ensure nondiscrimination in the award and administration of DOT- assisted contracts;
- Create a level playing field on which DBEs can compete fairly for DOT-assisted contracts;
- Ensure that the DBE Program is narrowly tailored in accordance with applicable law;
- Ensure that only firms that fully meet 49 CFR Part 26 eligibility standards are permitted to participate as DBEs;
- Help remove barriers to the participation of DBEs in DOT assisted contracts;
- Assist the development of firms which can compete successfully in the market place outside the DBE Program; and

The City of Grand Island's Grant Administrator has been delegated as the DBE Liaison Officer. In that capacity, the Grant Administrator has oversight of all aspects of the DBE program. Implementation of the DBE program is afforded the same priority as compliance with all other legal obligations incurred by the Transit Division in its financial assistance agreements with DOT.

The Transit Division has disseminated this policy statement to City Council. This statement has been distributed to DBE and non-DBE business communities that may perform work on the Transit Division's DOT-assisted contracts. The distribution was accomplished by public notice in the Grand Island Independent and publish on the Transit Division's website at crane-transit.com, and on the City of Grand Island's social media.

[signature of CEO here]
Mayor [Date]

RESOLUTION 2023-11

WHEREAS, the City of Grand Island is the recipient of the United States Department of Transportation's Federal Transit Administration (FTA) Section 5307 Urbanized Area Formula Program funds authorized under 49 U.S.C. 5307, and the recipient of FTA Section 5303 Metropolitan and Statewide Planning Funds under 49 U.S.C. 5303; and

WHEREAS, FTA requires all recipients of these funds adopt a Disadvantaged Business Enterprise Program; and

WHEREAS, by Resolution 2017-183, the City Council of the City of Grand Island previously adopted its Disadvantaged Business Enterprise Program; and

WHEREAS, the Transit Division of the Public Works Department has created an updated Disadvantaged Business Enterprise Program in accordance with FTA regulations; and

WHEREAS, the public comment period, which ran from November 18-December 19, 2022 and was duly publicized, offered the public an opportunity to make comments on the program.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island, Nebraska hereby approves and adopts the revised Disadvantaged Business Enterprise Program, attached hereto as Exhibit A and incorporated herein by reference, and the Mayor is hereby authorized to sign such plan on behalf of the City of Grand Island.

BE IT FURTHER RESOLVED, that the Mayor and designees are hereby authorized to take all actions necessary to implement the City's Disadvantaged Business Enterprise Program.

BE IT FURTHER RESOLVED, Resolution 2017-183 is hereby rescinded in its entirety and the Disadvantaged Business Enterprise Program adopted herein shall replace and supersede the prior program.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, January 10, 2023.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
January 5, 2023	☐ City Attorney



City of Grand Island

Tuesday, January 10, 2023

Council Session

Item G-14

#2023-12 - Approving Purchase of Trojan Technologies Items for UV System at the Wastewater Treatment Plant

Staff Contact: Keith Kurz PE, Interim Public Works Director

Council Agenda Memo

From: Matt Walker PE, Assistant Public Works Director of Wastewater

Meeting: January 10, 2023

Subject: Approving Purchase of Trojan Technologies Items for UV System at the Wastewater Treatment Plant

Presenter(s): Keith Kurz PE, Interim Public Works Director

Background

The City of Grand Island Wastewater Treatment Plant Ultraviolet (UV) disinfection system is a Trojan UV3000 Plus. In the system, there are a total of four (4) UV banks, which disinfect effluent water. This system was installed in 2004 and is in need of updating to a self-cleaning system. Updating the system requires replacement of the drive cylinder, cleaning canisters and drive bar mechanism, for each of the four (4) banks. Wastewater Division staff plan to do one (1) bank per year over the next three (3) years to complete the updates.

During Fiscal Year 2021 one (1) bank was updated for a cost of \$38,581.75. Fiscal Year 2022 consisted of the second bank update for a cost of \$50,119.37.

Discussion

The City of Grand Island is required to meet State mandated disinfection standards for treated effluent discharged from the Wastewater Treatment Plant each year from May through September. The City UV disinfection system is a Trojan UV3000 Plus which uses UV disinfection lamps to inactivate pathogens, such as *E. coli*, before discharging the effluent.

On January 12, 2021, via Resolution No. 2021-8, City Council approved MC² Inc. of Omaha, Nebraska as the sole source provider for Trojan Technologies UV parts, materials, and service.

In order to update the third UV bank City Council approval is necessary, as the estimated amount is over the \$30,000.00 purchase authority for Administration. At this time, the cost to provide updates to the third bank of the system is estimated at \$48,072.16 plus freight.

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 a resolution approving the purchase of Trojan Technologies UV parts and materials for updates to the third UV bank from MC² Inc. in the amount of \$48,072.16 plus freight.

Sample Motion

Move to approve the resolution for the purchase of Trojan Technologies UV parts and materials for updates to the third UV bank from MC² Inc. in the amount of \$48,072.16 plus freight.



















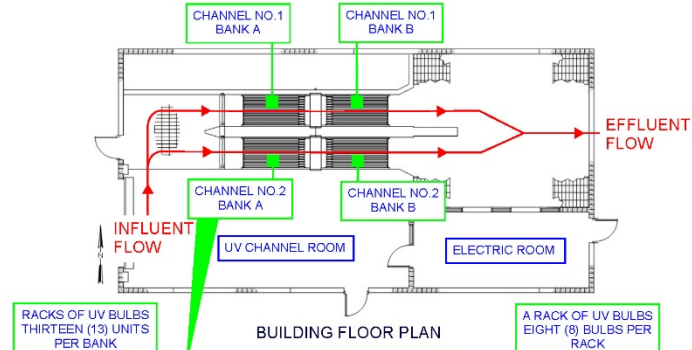








GRAND ISLAND WASTEWATER TREATMENT PLANT UV DISINFECTION SYSTEM PROJECT 2004-VVWTP-1



RACKS OF UV BULBS THIRTEEN (13) UNITS PER BANK

A RACK OF UV BULBS EIGHT (8) BULBS PER RACK



CHANNEL NO. 2 - BANK A

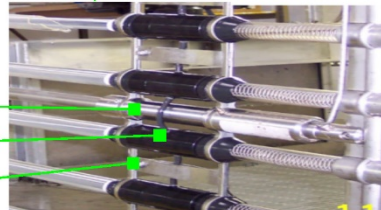


RACK NO. 13

UV BULB CLEANING SYSTEM

CLEANING SYSTEM COMPOSED OF:

- DRIVE CYLINDER
- CLEANING CANISTERS
- DRIVE BAR MECHANISM



RESOLUTION 2023-12

WHEREAS, the City of Grand Island Wastewater Treatment Plant (WWTP) uses a Trojan Technologies UV disinfection system at the plant; and

WHEREAS, on January 12, 2021, via Resolution No. 2021-8, City Council approved MC² Inc. of Omaha, Nebraska as the sole source provider for Trojan Technologies UV parts, materials, and service; and

WHEREAS, in order to update the third UV bank City Council approval is necessary, as the estimated amount is over the \$30,000.00 purchase authority for Administration; and

WHEREAS, at this time the cost to provide the updates to the self-cleaning system are estimated at \$48,072.16 plus freight.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the purchase of Trojan Technologies UV parts and materials for updates to the third UV bank from MC² Inc. in the amount of \$48,072.16 plus freight is hereby approved.

BE IT FURTHER RESOLVED, that the Mayor and designees are hereby authorized to take all actions necessary to effect the purpose of this resolution.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, January 10, 2023.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
January 5, 2023	☐ City Attorney



City of Grand Island

Tuesday, January 10, 2023

Council Session

Item G-15

**#2023-13 - Approving Amendment No. 1 for North Moores Creek
Wetland Mitigation Bank**

Staff Contact: Keith Kurz PE, Interim Public Works Director

Council Agenda Memo

From: Keith Kurz PE, Interim Public Works Director

Meeting: January 10, 2023

Subject: Approving Amendment No. 1 for North Moore's Creek Wetland Mitigation Bank

Presenter(s): Keith Kurz PE, Interim Public Works Director

Background

The North Moore's Creek Wetland Mitigation Bank project will determine the feasibility of a wetland bank on an 80 acre parcel of the land the City currently owns just north of Eagle Scout Lake, which Moore's Creek drains through. This project will permit future City wetland impacts to be offset and potentially permit the sale of wetland credits if desired. This area is also likely to provide additional detention capacity for the Moore's Creek system allowing the removal of several weir structures to encourage faster flow through town. The City of Grand Island completed a Master Plan for the Moore's Creek system in 2019 in which these concepts were initially investigated. The intent would be to use that as a starting point for this analysis.

On November 12, 2019, via Resolution No. 2019-334, City Council approved an engineering services agreement with Felsburg Holt & Ullevig of Omaha, Nebraska in the amount of \$96,320.00 for the North Moore's Creek Wetland Mitigation Bank.

Discussion

With the Corp of Engineer preliminary investigation completed and assurance that the conceptual plan can be put in place it is now necessary to amend the agreement with Felsbur Holt & Ullevig to include project management, data collection, preliminary design and project permitting. Amendment No. 1 will increase the original agreement with Felsbur Holt & Ullevig by \$116,515.00, resulting in a revised amount of \$212,835.00.

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 Amendment No. 1 to the original agreement with Felsburg Holt & Ullevig of Omaha, Nebraska, in the amount of \$116,515.00.

Sample Motion

Move to approve the resolution.

RESOLUTION 2023-13

WHEREAS, on November 12, 2019, via Resolution No. 2019-334, City Council approved an engineering services agreement with Felsburg Holt & Ullevig of Omaha, Nebraska in the amount of \$96,320.00 for the North Moore's Creek Wetland Mitigation Bank; and

WHEREAS, with Corp of Engineer preliminary investigation completed and assurance that the conceptual plan can be put in place it is now necessary to amend the agreement with Felsburg Holt & Ullevig to include project management, data collection, preliminary design and project permitting; and

WHEREAS, Amendment No. 1 will increase the original agreement with Felsburg Holt & Ullevig \$116,515.00, resulting in a revised amount of \$212,835.00.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that Amendment No. 1 with Felsburg Holt & Ullevig of Omaha, Nebraska for the North Moore's Creek Wetland Mitigation Bank is hereby approved.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, January 10, 2023.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	▣ _____
January 5, 2023	▣ City Attorney



City of Grand Island

Tuesday, January 10, 2023

Council Session

Item I-1

#2023-14 - Consideration of Approving Proposal for the Inflation Reduction Act Generation Evaluation and Advisory

Staff Contact: Tim Luchsinger, Stacy Nonhof

Council Agenda Memo

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

Meeting: January 10, 2023

Subject: Inflation Reduction Act – Generation Evaluation and Advisory

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

Background

The Utilities Department provides our retail customers electric service through distribution and transmission infrastructure, with generation using coal, natural gas, oil, wind, hydro, and solar resources. An engineering study in 2022 recommended that additional solar generation would benefit our current asset mix. On August 7th, 2022, the federal Inflation Reduction Act was passed, which included provisions for public utilities to receive payments through tax credits for developing zero emissions generation. The Department sought the services of a firm to provide financial consultation of options to utilize the opportunities of this legislation and optimize an eligible project for the highest economic return on investment.

Discussion

The request for proposal for financial evaluation and advisory services for power generation provisions of the Inflation Reduction Act was publicly advertised in accordance with the City Purchasing Code. Proposals were received from the following consultants:

Baker Tilly St. Paul, MN
Larsen & Toubro Limited Inc. Fairfield, CA

Using a matrix of the Utility Department's established evaluation criteria, which included pricing and commercial terms, fees, company and personnel experience, contract forms, and proposal responsiveness, these proposals were reviewed by Department and Finance management staff. A tabulation of the evaluation factors indicated a consensus for Baker Tilly. This firm's proposal was ranked the highest by each evaluator.

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 presented in this motion.

Recommendation

City Administration recommends that the Council award the Proposal for the Inflation Reduction Act Generation Evaluation and Advisory to Baker Tilly of St. Paul, Minnesota as the best evaluated proposal, with a proposal price not to exceed \$130,500.00.

Sample Motion

Move to approve the resolution authorizing the Mayor to accept the proposal from Baker Tilly of St. Paul, Minnesota, for the Inflation Reduction Act Generation Evaluation and Advisory for a price not to exceed \$130,500.00 as submitted.



Stacy Nonhof, Purchasing Agent

*Working Together for a
Better Tomorrow, Today*

**REQUEST FOR PROPOSAL
FOR
INFLATION REDUCTION ACT GENERATION EVALUATION AND ADVISORY**

RFP DUE DATE: December 20, 2022 at 4:00 p.m.

DEPARTMENT: Utilities

PUBLICATION DATE: November 17, 2022

NO. POTENTIAL BIDDERS: 3

PROPOSALS RECEIVED

Baker Tilley US, LLP
St. Paul, MN

Larsen & Toubro Limited Inc.
Fairfield, CA

cc: Tim Luchsinger, Utilities Director
Patrick Brown, Finance Director
Lynn Mayhew, Assist. Utilities Director

Karen Nagel, Utilities Secretary
Stacy Nonhof, Purchasing Agent

P2410

RESOLUTION 2023-14

WHEREAS, the City of Grand Island solicited proposals for financial evaluations of the Inflation Reduction Act, according to plans and specifications on file with the Utilities Department; and

WHEREAS, on December 20, 2022 proposals were received, opened and reviewed; and

WHEREAS, Baker Tilly of St. Paul, Minnesota, submitted a proposal in accordance with the terms of the advertisement and plans and specifications and all other statutory requirements contained therein, such proposal not to exceed the amount of \$130,500.00.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that proposal from Baker Tilly for financial evaluations of the Inflation Reduction Act for the Utilities Department is hereby approved.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute the contract with Baker Tilly for financial evaluations of the Inflation Reduction Act, and to take all other actions necessary to effect the purpose of this resolution.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, January 10, 2023.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	▣ _____
January 5, 2023	▣ City Attorney



City of Grand Island

Tuesday, January 10, 2023

Council Session

Item I-2

#2023-15 - Consideration of Approving Compact for Apprehension of Narcotics Dealers and Offenders (CANDO) Interlocal Agreement

Staff Contact: Robert Falldorf, Police Chief

Council Agenda Memo

From: Robert Falldorf, Police Chief

Meeting: January 10, 2023

Subject: Approval of Compact for Apprehension of Narcotics Dealers and Offenders (CANDO) Interlocal Agreement

Presenter(s): Robert Falldorf, Police Chief

Background

The Police Department has been a charter member of the Compact for Apprehension of Narcotics Dealers and Offenders (CANDO) through an Interlocal Agreement since the inception of the organization. Member agencies include Adams County Sheriff's Office, Buffalo County Sheriff's Office, Clay County Sheriff's Office, Franklin County Sheriff's Office, Hall County Sheriff's Office, Kearney County Sheriff's Office, Phelps County Sheriff's Office, Grand Island Police Department, Hastings Police Department, Kearney Police Department, Minden Police Department, and Holdrege Police Department.

Discussion

At a recent CANDO Board Meeting, the Clay County Sheriff's Office made a request to the CANDO Board for consideration on being allowed to join CANDO. An internet vote was taken, polling all voting members of CANDO on August 22, 2022. The voting result was of the affirmative by a majority vote to allow the Clay County Sheriff's Department to join CANDO. This Interlocal Agreement is before you to approve a new agreement that adds the Clay County Sheriff's Department as a member of CANDO.

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 new Compact for Apprehension of Narcotics Dealers and Offenders (CANDO) Interlocal Agreement.

Sample Motion

Move to approve the new Compact for Apprehension of Narcotics Dealers and Offenders (CANDO) Interlocal Agreement.

**INTER-LOCAL COOPERATION ACT AGREEMENT
COMPACT FOR APPREHENSION OF NARCOTICS
DEALERS AND OFFENDERS (C.A.N.D.O.)**

Now on this 22nd day of August, 2022, this agreement is made and entered into by and between the following entities: Adams County Sheriff's Office, Buffalo County Sheriff's Office, Franklin County Sheriff's Office, Hall County Sheriff's Office, Kearney County Sheriff's Office, Phelps County Sheriff's Office and Clay County Sheriff's Office, all in the state of Nebraska; and the cities of Grand Island, Hastings, Kearney, Minden and Holdrege, also all in the State of Nebraska. This Inter-local Agreement shall be referred to as a compact and more specifically as the Compact for Apprehension of Narcotics Dealers and Offenders (C.A.N.D.O.). The aforementioned members hereby enter into an Inter-local Agreement consistent with the Interlocal Cooperation Act, Neb. Rev. Statutes §13-801 - 13-827 et. seq.

1. This agreement shall be made by and between the aforementioned Political subdivisions of the State of Nebraska, and shall take effect until the C.A.N.D.O. project is terminated by mutual agreement of a majority of the participating members.
2. At any time during the operative dates of this agreement, any member of this compact that wishes to terminate its participation in the compact may do so by providing written notice of such intent not less than thirty (30) days prior to said termination date.
3. The purpose of this compact shall be to identify, investigate, apprehend and facilitate the prosecution of narcotics dealers and offenders in the compact region and within the jurisdictions of the aforementioned participating agencies. Specific attention will be directed at narcotics and drug activity that involves hand-to-hand or individuals sales as well as illegal activities between the seller and their supplier. Narcotics offenses include those involving controlled substances as defined by the Uniform Controlled Substances Act, Nebraska Statutes §28-401 – 28-456.01 and 28-458 to 28-476.
4. The Sheriff or Chief of Police for each of the participating member agencies will make up the C.A.N.D.O. Governing Board for the compact. The Governing Board will develop necessary forms for the recording and reporting of expenditures and hours committed to the activities of the compact. The Governing Board will develop an operating budget, and manage and approve expenditures of said budget; determine dues and see that an accounting of funds is made on a regular basis and kept current.
5. The compact will establish a committee which will consist of one Person from each participating agency who will function as a

**INTER-LOCAL COOPERATION ACT AGREEMENT
COMPACT FOR APPREHENSION OF NARCOTICS
DEALERS AND OFFENDERS (C.A.N.D.O.)**

C.A.N.D.O. Coordinator for the agency. The Governing Board will select and appoint a person from this group who will be designated Chief Project Director/Coordinator who will administer the operations and actions of the committee under standard parliamentary procedures.

6. Each member agency of the compact will supply adequate manpower to assist in investigations of narcotics violations and offenders within the jurisdictional boundaries of the compact members. Each member agency will provide manpower to assist in the investigations, execution of any search or arrest warrants and provide surveillance activities and provide testimony as required. This manpower will be provided at the cost of each assisting officer's agency of employment with no additional cost to the jurisdiction of the investigation and prosecution.
7. It is the responsibility of each agency coordinator to promptly and accurately complete all required forms and reports and insure that these and investigatory reports are forwarded to the Chief Project Director/Coordinator in a timely and regular fashion.
8. Any sheriff, deputy sheriff, marshal, deputy marshal, police officer or peace officer employed by any party (C.A.N.D.O. member agency) shall have the power and authority to enforce the laws of the State of Nebraska and to perform the functions of his or her office anywhere within the geographic territory of any party (C.A.N.D.O. agency) when acting or participating in a cooperative investigation or cooperative law enforcement activity at the request of any Party's (member agency's) Sheriff or Chief of Police or an authorized designee of any such Sheriff or Chief of Police.
9. At all times while acting or participating in a cooperative investigation or cooperative law enforcement activity, any such participating sheriff, deputy sheriff, marshal, deputy marshal, police officer or peace officer shall remain the employee of the Party (member agency) supplying such officer. Each Party (member agency) shall provide liability insurance and indemnification for its own personnel as provided by Neb.Rev.Stat. §13-1802.
10. Any seizure of property or funds and the distribution of those items resulting from an investigation by members of the C.A.N.D.O. compact will be returned to the respective jurisdiction consistent with State and Federal guidelines, regulations and laws.

**INTER-LOCAL COOPERATION ACT AGREEMENT
COMPACT FOR APPREHENSION OF NARCOTICS
DEALERS AND OFFENDERS (C.A.N.D.O.)**

11. Any modification of this agreement shall be in writing and signed by all active members of the compact.
12. Any and all resolutions passed by the governing political subdivisions of the participating agencies to this Inter-local Agreement shall become a part of this Agreement by reference and are hereby attached.

**INTER-LOCAL COOPERATION ACT AGREEMENT
COMPACT FOR APPREHENSION OF NARCOTICS
DEALERS AND OFFENDERS (C.A.N.D.O.)**

ACKNOWLEDGEMENT

We hereby acknowledge receipt of a copy of the INTER-LOCAL COOPERATION ACT AGREEMENT COMPACT FOR APPREHENSION OF NARCOTICS DEALERS AND OFFENDERS (C.A.N.D.O.)” dated August 22, 2022; and with the signing of this Acknowledgement hereby agree to the terms and conditions set forth in said Inter-Local Cooperation Act Agreement. Further, we ask that the original of this Acknowledgment be attached to the original Inter-Local Cooperation Act Agreement maintained by the C.A.N.D.O. Secretary, P. O. Box 666, Hastings, Nebraska 68902-0666.

Dated: _____, 202____.

Chairperson, Adams County Board
of Commissioners

Adams County Sheriff’s Office
Sheriff John Rust

**INTER-LOCAL COOPERATION ACT AGREEMENT
COMPACT FOR APPREHENSION OF NARCOTICS
DEALERS AND OFFENDERS (C.A.N.D.O.)**

ACKNOWLEDGEMENT

We hereby acknowledge receipt of a copy of the INTER-LOCAL COOPERATION ACT AGREEMENT COMPACT FOR APPREHENSION OF NARCOTICS DEALERS AND OFFENDERS (C.A.N.D.O.)” dated August 22, 2022; and with the signing of this Acknowledgement hereby agree to the terms and conditions set forth in said Inter-Local Cooperation Act Agreement. Further, we ask that the original of this Acknowledgment be attached to the original Inter-Local Cooperation Act Agreement maintained by the C.A.N.D.O. Secretary, P. O. Box 666, Hastings, Nebraska 68902-0666.

Dated: _____, 202____.

Chairperson, Buffalo County Board
of Commissioners

Buffalo County Sheriff’s Office
Sheriff Neil Miller

**INTER-LOCAL COOPERATION ACT AGREEMENT
COMPACT FOR APPREHENSION OF NARCOTICS
DEALERS AND OFFENDERS (C.A.N.D.O.)**

ACKNOWLEDGEMENT

We hereby acknowledge receipt of a copy of the INTER-LOCAL COOPERATION ACT AGREEMENT COMPACT FOR APPREHENSION OF NARCOTICS DEALERS AND OFFENDERS (C.A.N.D.O.)” dated August 22, 2022; and with the signing of this Acknowledgement hereby agree to the terms and conditions set forth in said Inter-Local Cooperation Act Agreement. Further, we ask that the original of this Acknowledgment be attached to the original Inter-Local Cooperation Act Agreement maintained by the C.A.N.D.O. Secretary, P. O. Box 666, Hastings, Nebraska 68902-0666.

Dated: _____, 202____.

Chairperson, Phelps County Board
of Commissioners

Phelps County Sheriff’s Office
Sheriff Gene Samuelson

**INTER-LOCAL COOPERATION ACT AGREEMENT
COMPACT FOR APPREHENSION OF NARCOTICS
DEALERS AND OFFENDERS (C.A.N.D.O.)**

ACKNOWLEDGEMENT

We hereby acknowledge receipt of a copy of the INTER-LOCAL COOPERATION ACT AGREEMENT COMPACT FOR APPREHENSION OF NARCOTICS DEALERS AND OFFENDERS (C.A.N.D.O.)” dated August 22, 2022; and with the signing of this Acknowledgement hereby agree to the terms and conditions set forth in said Inter-Local Cooperation Act Agreement. Further, we ask that the original of this Acknowledgment be attached to the original Inter-Local Cooperation Act Agreement maintained by the C.A.N.D.O. Secretary, P. O. Box 666, Hastings, Nebraska 68902-0666.

Dated: _____, 202____.

Chairperson, Hall County Board
of Commissioners

Hall County Sheriff’s Office
Sheriff Richard Conrad

**INTER-LOCAL COOPERATION ACT AGREEMENT
COMPACT FOR APPREHENSION OF NARCOTICS
DEALERS AND OFFENDERS (C.A.N.D.O.)**

ACKNOWLEDGEMENT

We hereby acknowledge receipt of a copy of the INTER-LOCAL COOPERATION ACT AGREEMENT COMPACT FOR APPREHENSION OF NARCOTICS DEALERS AND OFFENDERS (C.A.N.D.O.)” dated August 22, 2022; and with the signing of this Acknowledgement hereby agree to the terms and conditions set forth in said Inter-Local Cooperation Act Agreement. Further, we ask that the original of this Acknowledgment be attached to the original Inter-Local Cooperation Act Agreement maintained by the C.A.N.D.O. Secretary, P. O. Box 666, Hastings, Nebraska 68902-0666.

Dated: _____, 202____.

Chairperson, Kearney County Board
of Supervisors

Kearney County Sheriff’s Office
Sheriff Scott White

**INTER-LOCAL COOPERATION ACT AGREEMENT
COMPACT FOR APPREHENSION OF NARCOTICS
DEALERS AND OFFENDERS (C.A.N.D.O.)**

ACKNOWLEDGEMENT

We hereby acknowledge receipt of a copy of the INTER-LOCAL COOPERATION ACT AGREEMENT COMPACT FOR APPREHENSION OF NARCOTICS DEALERS AND OFFENDERS (C.A.N.D.O.)” dated August 22, 2022; and with the signing of this Acknowledgement hereby agree to the terms and conditions set forth in said Inter-Local Cooperation Act Agreement. Further, we ask that the original of this Acknowledgment be attached to the original Inter-Local Cooperation Act Agreement maintained by the C.A.N.D.O. Secretary, P. O. Box 666, Hastings, Nebraska 68902-0666.

Dated: _____, 202____.

Chairperson, Franklin County Board
of Supervisors

Franklin County Sheriff’s Office
Sheriff Jerry Archer

**INTER-LOCAL COOPERATION ACT AGREEMENT
COMPACT FOR APPREHENSION OF NARCOTICS
DEALERS AND OFFENDERS (C.A.N.D.O.)**

ACKNOWLEDGEMENT

We hereby acknowledge receipt of a copy of the INTER-LOCAL COOPERATION ACT AGREEMENT COMPACT FOR APPREHENSION OF NARCOTICS DEALERS AND OFFENDERS (C.A.N.D.O.)” dated August 22, 2022; and with the signing of this Acknowledgement hereby agree to the terms and conditions set forth in said Inter-Local Cooperation Act Agreement. Further, we ask that the original of this Acknowledgment be attached to the original Inter-Local Cooperation Act Agreement maintained by the C.A.N.D.O. Secretary, P. O. Box 666, Hastings, Nebraska 68902-0666.

Dated: _____, 202____.

Chairperson, Clay County Board
of Commissioners

Clay County Sheriff’s Office
Sheriff Jeff Franklin

**INTER-LOCAL COOPERATION ACT AGREEMENT
COMPACT FOR APPREHENSION OF NARCOTICS
DEALERS AND OFFENDERS (C.A.N.D.O.)**

ACKNOWLEDGEMENT

We hereby acknowledge receipt of a copy of the INTER-LOCAL COOPERATION ACT AGREEMENT COMPACT FOR APPREHENSION OF NARCOTICS DEALERS AND OFFENDERS (C.A.N.D.O.)” dated August 22, 2022; and with the signing of this Acknowledgement hereby agree to the terms and conditions set forth in said Inter-Local Cooperation Act Agreement. Further, we ask that the original of this Acknowledgment be attached to the original Inter-Local Cooperation Act Agreement maintained by the C.A.N.D.O. Secretary, P. O. Box 666, Hastings, Nebraska 68902-0666.

Dated: _____, 202____.

Mayor, City of Hastings

City of Hastings Police Chief
Adam Story

**INTER-LOCAL COOPERATION ACT AGREEMENT
COMPACT FOR APPREHENSION OF NARCOTICS
DEALERS AND OFFENDERS (C.A.N.D.O.)**

ACKNOWLEDGEMENT

We hereby acknowledge receipt of a copy of the INTER-LOCAL COOPERATION ACT AGREEMENT COMPACT FOR APPREHENSION OF NARCOTICS DEALERS AND OFFENDERS (C.A.N.D.O.)” dated August 22, 2022; and with the signing of this Acknowledgement hereby agree to the terms and conditions set forth in said Inter-Local Cooperation Act Agreement. Further, we ask that the original of this Acknowledgment be attached to the original Inter-Local Cooperation Act Agreement maintained by the C.A.N.D.O. Secretary, P. O. Box 666, Hastings, Nebraska 68902-0666.

Dated: _____, 202____.

Mayor, City of Kearney

City of Kearney Police Chief
Bryan Waugh

**INTER-LOCAL COOPERATION ACT AGREEMENT
COMPACT FOR APPREHENSION OF NARCOTICS
DEALERS AND OFFENDERS (C.A.N.D.O.)**

ACKNOWLEDGEMENT

We hereby acknowledge receipt of a copy of the INTER-LOCAL COOPERATION ACT AGREEMENT COMPACT FOR APPREHENSION OF NARCOTICS DEALERS AND OFFENDERS (C.A.N.D.O.)” dated August 22, 2022; and with the signing of this Acknowledgement hereby agree to the terms and conditions set forth in said Inter-Local Cooperation Act Agreement. Further, we ask that the original of this Acknowledgment be attached to the original Inter-Local Cooperation Act Agreement maintained by the C.A.N.D.O. Secretary, P. O. Box 666, Hastings, Nebraska 68902-0666.

Dated: _____, 202____.

Mayor, City of Holdrege

City of Holdrege Police Chief
Martin McIntire

**INTER-LOCAL COOPERATION ACT AGREEMENT
COMPACT FOR APPREHENSION OF NARCOTICS
DEALERS AND OFFENDERS (C.A.N.D.O.)**

ACKNOWLEDGEMENT

We hereby acknowledge receipt of a copy of the INTER-LOCAL COOPERATION ACT AGREEMENT COMPACT FOR APPREHENSION OF NARCOTICS DEALERS AND OFFENDERS (C.A.N.D.O.)” dated August 22, 2022; and with the signing of this Acknowledgement hereby agree to the terms and conditions set forth in said Inter-Local Cooperation Act Agreement. Further, we ask that the original of this Acknowledgment be attached to the original Inter-Local Cooperation Act Agreement maintained by the C.A.N.D.O. Secretary, P. O. Box 666, Hastings, Nebraska 68902-0666.

Dated: _____, 202____.

Mayor, City of Grand Island

City of Grand Island Police Chief
Robert Falldorf

**INTER-LOCAL COOPERATION ACT AGREEMENT
COMPACT FOR APPREHENSION OF NARCOTICS
DEALERS AND OFFENDERS (C.A.N.D.O.)**

ACKNOWLEDGEMENT

We hereby acknowledge receipt of a copy of the INTER-LOCAL COOPERATION ACT AGREEMENT COMPACT FOR APPREHENSION OF NARCOTICS DEALERS AND OFFENDERS (C.A.N.D.O.)” dated August 22, 2022; and with the signing of this Acknowledgement hereby agree to the terms and conditions set forth in said Inter-Local Cooperation Act Agreement. Further, we ask that the original of this Acknowledgment be attached to the original Inter-Local Cooperation Act Agreement maintained by the C.A.N.D.O. Secretary, P. O. Box 666, Hastings, Nebraska 68902-0666.

Dated: _____, 202____.

Mayor, City of Minden

City of Minden Police Chief
Brad Butler

RESOLUTION 2023-15

WHEREAS, The Grand Island Police Department has been a member of the Compact for Apprehension of Narcotics Dealers and Offenders (CANDO), since inception; and

WHEREAS, CANDO has been beneficial to the Grand Island Police Department and the City of Grand Island; and

WHEREAS, The Clay County Sheriff's Department was added as a charter member to CANDO by way of a majority internet vote on August 22, 2022; and

WHEREAS, The CANDO Board of Directors is requesting approval of a new Interlocal Agreement adding the Clay County Sheriff's Office as a CANDO member.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, to approve the new CANDO Interlocal Agreement.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, January 10, 2023.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	▣ _____
January 5, 2023	▣ City Attorney



City of Grand Island

Tuesday, January 10, 2023

Council Session

Item J-1

Approving Payment of Claims for the Period of December 21, 2022 through January 10, 2023

The Claims for the period of December 21, 2022 through January 10, 2023 for a total amount of \$5,544,021.36. A MOTION is in order.

Staff Contact: Patrick Brown