
City of Grand Island



Tuesday, October 8, 2013
Council Session Packet

City Council:

Linna Dee Donaldson
Scott Dugan
John Gericke
Peg Gilbert
Chuck Haase
Julie Hehnke
Vaughn Minton
Mitchell Nickerson
Bob Niemann
Mike Paulick

Mayor:

Jay Vavricek

City Administrator:

Mary Lou Brown

City Clerk:

RaNae Edwards

7:00 PM
Council Chambers - City Hall
100 East 1st Street

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 Scott Taylor, First Christian Church, 2400 West 14th 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, October 8, 2013

Council Session

Item C-1

Presentation of ICMA Video

The city of Grand Island was proudly featured as one of approximately 20 community video productions throughout the United States at the recent national International City/County Management Association (ICMA) conference. The ICMA recognized these cities because of the positive and unique activities and development taking place within their communities.

Grand Island was highlighted because of its creative packaging and funding of development projects, such as the extension of sewer along Highway 281 to Interstate 80 and the funding of Lincoln Park Pool. Additional developments featured in the film will be the Nebraska State Fair, use of economic development funds, and the completion of a downtown study and upcoming downtown redevelopment projects.

Grand Island was also acclaimed for its use of the budget funding methodology of Program Prioritization, as well as community involvement in city government through citizen participation in the Mayor's Advisory Council and the Grand Visioning process.

Staff Contact: Mary Lou Brown



City of Grand Island

Tuesday, October 8, 2013

Council Session

Item E-1

**Public Hearing on Request from RSI, Inc. dba The Upper Deck,
2110 West 2nd Street for a Class “C” Liquor License**

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: October 8, 2013

Subject: Public Hearing on Request from RSI, Inc. dba The Upper Deck, 2110 West 2nd Street for a Class “C” Liquor License

Item #'s: E-1 & I-1

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

RSI, Inc. dba The Upper Deck, 2110 West 2nd Street 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.

Also submitted with the application was a request from Gary Phillips, 4309 Quail Lane for a Liquor Manager Designation.

Alternatives

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

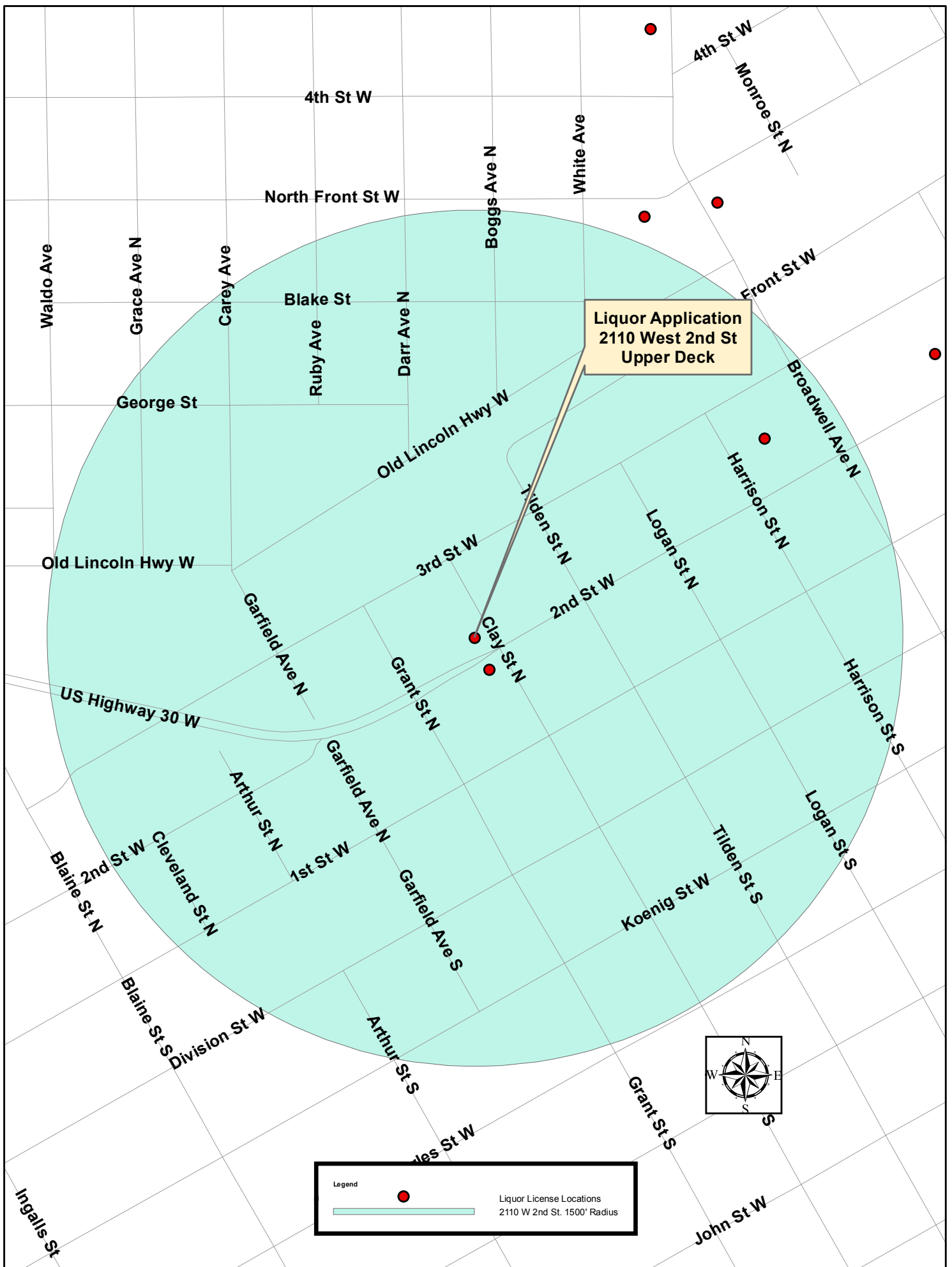
1. Approve the application.
2. Forward to the Nebraska Liquor Control Commission with no recommendation.
3. Forward to the Nebraska Liquor Control Commission with recommendations.
4. Deny the application.

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 RSI, Inc. dba The Upper Deck, 2110 West 2nd Street for a Class "C" Liquor License contingent upon final inspections and Manager Designation for Gary Phillips, 4309 Quail Lane contingent upon completion of a state approved alcohol server/seller training program.



10/03/13
14:10

Grand Island Police Department
LAW INCIDENT TABLE

450
Page: 1

City : Grand Island
Occurred after : **:**:** **/**/****
Occurred before : **:**:** **/**/****
When reported : 08:00:00 09/24/2013
Date disposition declared : 09/30/2013
Incident number : L13094134
Primary incident number :
Incident nature : Liquor Lic Inv Liquor License
Investigation
Incident address : 2110 2nd St W
State abbreviation : NE
ZIP Code : 68803
Contact or caller :
Complainant name number :
Area location code : PCID Police - CID
Received by : Vitera D
How received : T Telephone
Agency code : GIPD Grand Island Police Department
Responsible officer : Vitera D
Offense as Taken :
Offense as Observed :
Disposition : ACT Active
Misc. number : RaNae
Geobase address ID : 32350
Long-term call ID :
Clearance Code : CL Case Closed
Judicial Status : NCI Non-criminal Incident

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INVOLVEMENTS:

Px	Record #	Date	Description	Relationship
NM	6979	09/30/13	Phillips, Debra	Gary's Wife
NM	27696	09/30/13	Phillips, Gary D	Owner/Manager
NM	29730	09/30/13	Wieseman, Dale L	Owner
NM	56059	09/30/13	Upper Deck,	Business
Involved				
NM	90121	09/30/13	Wieseman, Cynthia	Dale's Wife

LAW INCIDENT CIRCUMSTANCES:

Se	Circu	Circumstance code	Miscellaneous
1	LT03	Bar/Night Club	

LAW INCIDENT NARRATIVE:

The Upper Deck is Applying for a Liquor License, and Gary Phillips is Applying to be the Liquor Manager.

LAW INCIDENT OFFENSES DETAIL:

Se	Offe	Offense code	Arson	Dama
1	AOFF	Alcohol Offense		0.00

LAW INCIDENT RESPONDERS DETAIL:

Se	Responding offi	Unit n	Unit number
1	Vitera D	318	Vitera D

LAW SUPPLEMENTAL NARRATIVE:

Seq	Name	Date
1	Vitera D	09:40:07 09/30/2013

Grand Island Police Department
Supplemental Report

Date, Time: Mon Sep 30 09:40:17 CDT 2013
Reporting Officer: Vitera
Unit- CID

I received a copy of a Class C (beer, wine, distilled spirits on & off sale) corporate retail liquor license application from the Upper Deck. I also received a copy of the liquor manger application. Gary Phillips is applying to be the liquor manager at The Upper Deck.

While reviewing the liquor license application, I noted that Gary Phillips from Phillips & Associates Corporation filled out the application and requested that mail from the NLCC be sent to him at 211 W. 3rd. According to the dex directory, Phillips Tax & Business Service is listed at 211 W. 3rd.

The next section I looked at deals with criminal convictions. The only person and piece of information listed is Dale Wieseman with a DUI in 1978. Other information on the application includes statements that no money will be borrowed to establish and/or operate the business, Gary Phillips and Dale Wieseman are authorized to make transactions on the business account at the bank, and neither one of them have had a liquor license before.

The last thing I found relevant on the application is that Gary is married to Debra Phillips. They have lived in Grand Island since 1982. Dale is married to Cynthia Wieseman. Dale has lived in Grand Island since 1980, and Cynthia has lived in Grand Island since 1957. Debra and Cynthia each signed a Spousal Affidavit of Non-Participation.

The corporation (RSI Inc.) lists Gary Phillips as the president. He owns 500 shares of stock. Dale Wieseman is listed at the secretary, and he also owns 500 shares of stock. The business plan for The Upper Deck

indicates that they plan on being a sports bar and serving lunch from 11 a.m. until 2 p.m. and dinner from 5 p.m. until 10 p.m. At some point in the future, they may serve breakfast beginning at 6 a.m. The business plan also states that The Upper Deck will stay open in the evening at their discretion until legal closing time.

I checked all four people on the application through Spillman and NCJIS. All four were in Spillman, but none of them had any indication of undisclosed convictions or anything else that might preclude them from receiving a liquor license. Other than Dale who had an undisclosed speeding conviction, no one else had any undisclosed convictions listed in NCJIS.

I searched the Internet for all four people listed on the application. The last name of Phillips is too common to narrow down all the information. On the other hand, Wieseman didn't generate much information at all. I ran all four people through a law enforcement-only database but didn't find anything out of the ordinary.

I called Gary Phillips on 9/30/13 and arranged to meet him at The Upper Deck on 10/2/13 around 0900 hours. While on the phone, Gary stated that he plans on having security from the very start, and he will deal with problems so they don't reoccur. When I met with Gary at The Upper Deck, he showed me the changes and upgrades that have been made.

I told Gary that I didn't see any problems with his application. However, I also discussed with him that there were a lot of fights and disturbances at the bar under the prior liquor license holder. I also told him that the police department has encountered a lot of problems occurring in the area of the Resident Suites or located people in the area of the Resident Suites who have caused problems in a different area of town. My point in telling Gary this was to inform him of the potential challenges he faces and to also offer some suggestions on how to handle those problems if and when they occur.

Gary had a difference of opinion and seemed to think that the disturbances and police activity in and around The Upper Deck and Resident Suites were exaggerated in scope and number of occurrences. He stated to me that he hadn't personally seen many problems at the bar or Resident Suites, and the people working there contradicted what the police were saying.

In attempt to make Gary realize there is more going on in the general vicinity of The Upper Deck and Resident Suites and to point out the challenges he will be facing as a liquor license holder at The Upper Deck, I asked Gary what happened a couple of weeks ago under the deck at The Upper Deck. Gary didn't know. I gave him a few small details, and he was eventually able to recall the incident I was describing. However, he didn't know the main crux of the problem, a man had been stabbed multiple times and wound up in the ICU at the hospital.

I went on to tell Gary that most of the problems I heard about with the disturbances at The Upper Deck didn't occur inside the bar. They were happening on the stairs, at the entry/exit door, and in the parking lot

and adjacent outside areas. I told Gary he is still responsible for what happens in those areas with his patrons, and he needs to make sure he has security monitoring those areas at closing time. I encouraged him to tell his security personnel to not let people who have just come from his bar gather outside the bar at closing time, disperse them if it occurs, and call the police for help if people don't comply.

While Gary still seemed skeptical of what I had told him about the problems the police department encountered at The Upper Deck (under prior management) and continues to encounter in the area surrounding the Resident Suites, he seemed genuinely concerned and interested in what I had to say. Gary also pointed out that he feels the level of cooperation with the police department from the Resident Suites has been very good. While I haven't polled every officer in the department, I agree with his assessment. I can personally attest to an outstanding level of cooperation from the staff at Resident Suites, and I have also seen it with some of the investigators in the police department.

Gary wants to run a good, clean business. I hope my conversation with him will help him minimize and correct some of the problems he may face. All in all, I don't see anything in the application that would preclude The Upper Deck from receiving a liquor license or Gary Phillips becoming the liquor manager.



City of Grand Island

Tuesday, October 8, 2013

Council Session

Item G-1

Approving Minutes of September 24, 2013 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING
September 24, 2013

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 September 24, 2013. Notice of the meeting was given in *The Grand Island Independent* on September 18, 2013.

Mayor Jay Vavricek called the meeting to order at 7:00 p.m. The following City Council members were present: Bob Niemann, Linna Dee Donaldson, Chuck Haase, Julie Hehnke, Mitch Nickerson, Peg Gilbert, John Gericke, Scott Dugan, Mike Paulick, and Vaughn Minton. The following City Officials were present: City Clerk RaNae Edwards, City Attorney Robert Sivick and Engineer and Public Works Director John Collins.

INVOCATION was given by Pastor Gary Schulte, Evangelical Free Church, 2609 South Blaine Street followed by the PLEDGE OF ALLEGIANCE.

Mayor Vavricek introduced Community Youth Council member Marlena Ramirez.

PRESENTATIONS AND PROCLAMATIONS:

Recognition of Don David for Donation for New Police Service Dog. Mayor Vavricek and the Council recognized Don David for his donation of \$8,000 to the Police Department for their purchase of a new K-9 police service dog. Police Chief Steve Lamken introduced Officer Jeremy Gildersleeve, Police service dog handler and Sgt. Ryan Rathbun. Mr. David was present for the recognition.

Proclamation "Hispanic Heritage Month" September 15 – October 15, 2013. Mayor Vavricek proclaimed the month of September 15 through October 15, 2013 as "Hispanic Heritage Month". Yolanda Nuncio was present to receive the proclamation.

PUBLIC HEARINGS:

Public Hearing on Request from Nebraska CVS Pharmacy LLC dba CVS/Pharmacy 10243, 1710 West 2nd 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 Nebraska CVS Pharmacy LLC dba CVS/Pharmacy 10243, 1710 West 2nd Street. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on August 28, 2013; notice to the general public of date, time, and place of hearing published on September 14, 2013; notice to the applicant of date, time, and place of hearing mailed on August 28, 2013; along with Chapter 4 of the City Code. Staff recommended approval. No public testimony was heard.

Public Hearing on Request to Rezone Property Located at 2012 N Webb Road from CD Commercial Development to Amended CD Commercial Development Zone. Regional Planning Director Chad Nabity reported that this request was to rezone properties located west of Webb Road and north of State Street from CD - Commercial Development to Amended CD –

Commercial Development to allow for the expansion of a building at this location. This would vacate 15 feet of the existing access easement along the west side of this property. Staff recommended approval. No public testimony was heard.

Public Hearing on Annual Report by the Grand Island Area Economic Development Corporation/Citizens' Review Committee on the Economic Development Program Plan. Mark Stelk, Vice-President of the Citizens' Review Committee (CRC) stated the CRC had met and recommended approval of the EDC Annual Report and Annual Funding. Randy Gard, president of Grand Island Area Economic Development Corporation (GIAEDC) gave the annual report. He stated the landscape had changed and was more global now. Mentioned was what makes a city competitive and advantages Grand Island had in competitiveness. Presented were the top eight priorities of GIAED. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Public Utility Easement in Sterling Estates Second Subdivision (TS12, LLC). Public Works Director John Collins reported that a public utility easement was needed to be relocated in the Sterling Estates Subdivision as a result of the construction of additional garages for the apartment complex. The easement would allow for the construction, operation, maintenance, extension, repair, replacement, and removal of public utilities within the easement. Staff recommended approval. No public testimony was heard.

Public Hearing for Comprehensive Revitalization Supplemental Community Development Block Grant Application. Regional Planning Director Chad Nabity reported that the City was requesting a 2013 Comprehensive Revitalization Supplemental Grant in the amount of \$295,000 plus \$5,000 in general administration to broaden and advance the grant activities approved in the Phase 1 2013 Comprehensive Revitalization Grant. These activities included infrastructure improvements in the selected low-to-moderate income neighborhoods, specifically, improvements to streets, curbs, gutters and sewers. The City would provide the required local match of \$150,000. Staff recommended approval. No public testimony was heard.

ORDINANCES:

#9444 – Consideration of Annexation of Property Located at the Corner of W. Phoenix Street and Lincoln Avenue (Clark Gauthier) (Third Reading)

Regional Planning Director Chad Nabity reported that Clark Gauthier, owner of property located at 1104 W. Phoenix Street had submitted a petition to the Hall County Board of Supervisors requesting that this property be removed from the County Industrial Tract. The County Board approved his request on July 16, 2013. Mr. Gauthier requested that the City annex this property into the City of Grand Island. This was the last of three readings.

Motion by Dugan, second by Donaldson to approve Ordinance #9444 on third reading. Upon roll call vote, all voted aye. Motion adopted.

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

#9452 – Consideration of Request to Rezone Property Located at 2012 N Webb Road from CD Commercial Development to Amended CD Commercial Development Zone

#9453 – Consideration of Vacation of a Utility Easement Located in Sterling Estates Second Subdivision (TS12, LLC)

#9454 – Consideration of Amending Chapter 2 of the Grand Island City Code to Set Forth the Method for Publicizing Meetings of the City Council

#9455 – Consideration of Amending Chapter 38 of the Grand Island City Code Relative to the Economic Development Program

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

#9452 – Consideration of Request to Rezone Property Located at 2012 N Webb Road from CD Commercial Development to Amended CD Commercial Development Zone

Ordinance #9452 related to the aforementioned Public Hearing.

Motion by Gericke, second by Dugan to approve Ordinance #9452.

City Clerk: Ordinance #9452 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 #9452 on final passage. All those in favor of the passage of this ordinance on final passage, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

Mayor Vavricek: By reason of the roll call votes on first reading and then upon final passage, Ordinance #9452 is declared to be lawfully adopted upon publication as required by law.

#9453 – Consideration of Vacation of a Utility Easement Located in Sterling Estates Second Subdivision (TS12, LLC)

Public Works Director John Collins reported that Ordinance #9453 would vacate a 37’ wide utility easement in the Sterling Estates Second Subdivision as it was not needed.

Motion by Donaldson, second by Niemann to approve Ordinance #9453.

City Clerk: Ordinance #9453 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 #9453 on final passage. All those in favor of the passage of this ordinance on final passage, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

Mayor Vavricek: By reason of the roll call votes on first reading and then upon final passage, Ordinance #9453 is declared to be lawfully adopted upon publication as required by law.

#9454 – Consideration of Amending Chapter 2 of the Grand Island City Code to Set Forth the Method for Publicizing Meetings of the City Council

City Attorney Robert Sivick reported Ordinance #9454 would amend Chapter 2 of the Grand Island City Code relative to the method for publicizing meetings of the City Council. He stated meetings had been advertised in *The Grand Island Independent* since the late 19th century and noted in the minutes of those meetings. The proposed Ordinance memorializes in the Grand Island City Code the existing method of providing notice to the public of Council meetings.

Discussion was held regarding meeting these requirements all the time and if we did not would there be problems with litigation. Mr. Sivick stated we currently were meeting all the requirements. Comments were made regarding the 24 hour meeting notice.

Motion by Minton, second by Dugan to approve Ordinance #9454.

City Clerk: Ordinance #9454 on first reading. All those in favor of the passage of this ordinance on first reading, answer roll call vote. Upon roll call vote, Councilmembers Minton, Paulick, Dugan, Gericke, Gilbert, Nickerson, Hehnke, Donaldson, and Niemann voted aye. Councilmember Haase voted no. Motion adopted.

City Clerk: Ordinance #9454 on final passage. All those in favor of the passage of this ordinance on final passage, answer roll call vote. Upon roll call vote, Councilmembers Minton, Paulick, Dugan, Gericke, Gilbert, Nickerson, Hehnke, Donaldson, and Niemann voted aye. Councilmember Haase voted no. Motion adopted.

Mayor Vavricek: By reason of the roll call votes on first reading and then upon final passage, Ordinance #9454 is declared to be lawfully adopted upon publication as required by law.

#9455 – Consideration of Amending Chapter 38 of the Grand Island City Code Relative to the Economic Development Program

Assistant City Attorney Stacy Nonhof reported that Ordinance #9455 would amend Chapter 38 of the Grand Island City Code relative to the Economic Development Program. This ordinance would bring the City Code into conformity with the Plan approved by the voters in 2012. Citizens' Review Committee Vice-Chairman Mark Stelk and EDC President Randy Gard stated they were in favor of the changes. Discussion was held regarding the four step process for approval.

Motion by Dugan, second by Paulick to approve Ordinance #9455.

City Clerk: Ordinance #9455 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 #9455 on final passage. All those in favor of the passage of this ordinance on final passage, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

Mayor Vavricek: By reason of the roll call votes on first reading and then upon final passage, Ordinance #9455 is declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Consent agenda items G-7 and G-12 were pulled for further discussion. Motion by Donaldson, second by Niemann to approve the Consent Agenda excluding items G-7 and G-12. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of September 10, 2013 City Council Regular Meeting.

Approving Minutes of September 17, 2013 City Council Special Meeting.

Receipt of Official Document – Tort Claim filed by Grand Island Public Schools.

Approving Re-Appointment of Sue Pirnie to the Community Redevelopment Advisory Board.

Approving Garbage Permits for Heartland Disposal and Mid-Nebraska Disposal, Inc. and Refuse Permits for Full Circle, Inc. and O'Neill Transportation and Equipment.

#2013-311 – Approving Final Plat and Subdivision Agreement for Kenmare Third Subdivision. It was noted that Janet Speck, owner had submitted the final plat and subdivision agreement for Kenmare Third Subdivision located west of Blaine Street and east of Wicklow Drive for the purpose of creating 1 lot containing 7.725 acres.

#2013-312 – Approving Annual Report by the Grand Island Area Economic Development Corporation/Citizens' Review Committee on the Economic Development Program Plan. EDC President Randy Gard stated his commitment was to do the right thing. He was complimented on the detail of how the \$350,000 would be spent. Mr. Gard stated there were several opportunities they were working on.

Motion by Gilbert, second by Hehnke to approve Resolution #2013-312. Upon roll call vote, all voted aye. Motion adopted.

#2013-313 – Approving Bid Award for Installation of 72/48 Fiber – Electrical Yard to Library & Library to Substation "B" with IES Commercial, Inc. of Holdrege, NE in an Amount of \$307,117.00.

#2013-314 – Approving Public Safety Technology Interlocal Agreement with Hall County.

#2013-315 – Approving Maintenance Services for Supervisory Control and Data Acquisition (SCADA) Programming at the Wastewater Treatment Plant with Interstate Industrial Instrumentation, Inc. of Omaha, NE in an Amount not-to-exceed \$50,000.00 per year for 5 years.

#2013-316 – Approving Storm Water Management Plan Program Grant.

#2013-317 – Approving Selection of Vontz Paving, Inc. of Hastings, NE for the Construction Contract for the Various Locations in Grand Island Resurfacing Project. Public Works Director John Collins reported that the NE Department of Roads went out for bids and recommended awarding the bid to Vontz Paving, Inc. of Hastings, NE. Discussion was held regarding bids coming in higher than engineers estimates and if projects would be cut. Mr. Collins stated the biggest problems were delays in acquiring easements but would not stop the project.

Motion by Nickerson, second by Hehnke to approve Resolution #2013-317. Upon roll call vote, all voted aye. Motion adopted.

#2013-318 – Approving Bid Award for a Wireless Magnetometer Vehicle Detection System for the Streets Division of the Public Works Department with Sensys Networks of Berkeley, CA in an Amount of \$22,539.00.

#2013-319 – Approving Change Order No. 1 for Stuhr Road – Bismark Road to Burlington Northern Santa Fe Railroad Paving Project No. 2013-P-4 with Gehring Construction and Ready Mix Co., Inc. of Columbus, NE for an Increase of \$4,674.05 and a Revised Contract Amount of \$367,632.56.

#2013-320 – Approving Agreement with NDOR for US Highway 30 Improvements from the Southwest City Limits Extending Near Johnstown Road.

#2013-321 – Approving Acquisition of Public Utility Easement in Sterling Estates Second Subdivision (TS12, LLC).

#2013-322 – Approving Comprehensive Revitalization Supplemental Community Development Block Grant Application.

#2013-323 – Approving Change Order No. 1 for Stolley Park Restroom Installation with Nelson Contracting of Grand Island, NE for an Increase of \$1,557.00 and a Revised Contract Amount of \$107,357.00.

RESOLUTIONS:

#2013-324 – Consideration of Request from Nebraska CVS Pharmacy LLC dba CVS/Pharmacy 10243, 1710 West 2nd Street for a Class “C” Liquor License and Liquor Manager Designation for Dale ZurKammer, 18601 Chandler Street, Omaha, NE. This item related to the aforementioned Public Hearing.

Motion by Gilbert, second by Minton to approve Resolution #2013-324. Upon roll call vote, Councilmembers Minton, Paulick, Gericke, Gilbert, Nickerson, Hehnke, Haase, and Niemann voted aye. Councilmember Dugan voted no. Councilmember Donaldson was absent from the room. Motion adopted.

#2013-325 – Consideration of Approving Bid Award for Construction of Electrical Substation “J” on Wildwood Road at Blaine Street with IES Commercial, Inc. of Holdrege, NE in an Amount of \$2,472,834.38. Utilities Director Tim Luchsinger reported that bids were received for construction of Electrical Substation “J” to help power the southwest area of the City near the Highway 281 corridor and the Platte Valley Industrial Park. Staff recommended approval.

Motion by Dugan, second by Gericke to approve Resolution #2013-325. Upon roll call vote, all voted aye. Motion adopted.

#2013-326 – Consideration of Approving Bid Award for Utility Management Software with Mainsaver Software, Inc. of San Diego, CA in an Amount of \$209,320.00 Utilities Director Tim

Luchsinger reported that proposals were received for the Utility Management Software to replace the current AS400 computer system. Staff recommended approving the proposal from Mainsaver Software, Inc. of San Diego, CA.

Motion by Donaldson, second by Niemann to approve Resolution #2013-326. Upon roll call vote, all voted aye. Motion adopted.

#2013-327 – Consideration of Approving Agreement for Natural Gas Supply to Burdick Station with Tenaska Marketing Ventures of Omaha, NE. Utilities Director Tim Luchsinger reported that proposals were received for Natural Gas Supply to Burdick Station. Staff recommended approving the agreement from Tenaska Marketing Ventures for Natural Gas Supply Services for a nominal two year term.

Motion by Haase, second by Minton to approve Resolution #2013-327. Upon roll call vote, all voted aye. Motion adopted.

#2013-328 – Consideration of Approving Funding of Economic Development Request. EDC President Randy Gard stated this request was for the annual \$350,000 to the LB 840 Program.

Motion by Haase, second by Gilbert to approve Resolution #2013-328. Upon roll call vote, all voted aye. Motion adopted.

#2013-329 – Consideration of Approving Central Nebraska Humane Society Contract. Assistant City Attorney Stacy Nonhof reported that the current contract with the Central Nebraska Humane Society would expire on September 30, 2013. Contract negotiations had taken place for a three year contract with a flat fee of \$360,000.00 per year.

Laurie Dethlefs, 1312 Sky Park Road updated the Council on the Central Nebraska Humane Society programs. She stated they were full and explained the licensing fees. Discussion was held regarding revenues and the budget and the possibility of the Police Department taking over animal control. Police Chief Steve Lamken stated the revenues were a pass through with the Police Department budget. A lengthy discussion was held regarding increased licensing fees.

Gale Yenny, 1716 Monroe Road explained the process of licensing and its history.

Motion by Gericke, second by Niemann to approve Resolution #2013-329. Upon roll call vote, all voted aye. Motion adopted.

#2013-330 – Consideration of Amending the Fee Schedule Relative to Animal Control Services. Assistant City Attorney Stacy Nonhof reported that the new contract with the Central Nebraska Humane Society required changes to the fee schedule. Discussion was held regarding licensing pets, impound fees, boarding fees, and animals running at large. Also mentioned was there were very few cat licenses.

Motion by Donaldson, second by Niemann to approve Resolution #2013-330. Upon roll call vote, Councilmembers Minton, Paulick, Dugan, Gericke, Gilbert, Nickerson, Hehnke, Donaldson, and Niemann voted aye. Councilmember Haase voted no. Motion adopted.

#2013-331 – Consideration of Approving Wastewater Cost of Service Based Rates. Public Works Director John Collins reported that the final waste water cost of service based rate study report had been completed and was ready for council approval. The final report recommended rate increases for fiscal years 2013 through 2016.

Motion by Minton, second by Niemann to approve Resolution #2013-331.

Discussion was held regarding rates outside of the City limits.

Motion by Gilbert, second by Hehnke to require the Public Works Department to bring back within two months an alternative non-resident fee schedule for those living outside of the city limits. Upon roll call vote, Councilmembers Minton, Paulick, Dugan, Gilbert, Hehnke, Haase, Donaldson, and Niemann voted aye. Councilmembers Gericke and Nickerson voted no. Motion adopted.

Upon roll call vote of the main motion, Councilmembers Minton, Paulick, Dugan, Gilbert, Nickerson, Hehnke, Haase, Donaldson, and Niemann voted aye. Councilmember Gericke voted no. Motion adopted.

#2013-310 – Consideration of Authorizing the Legal Department to Acquire Certain Real Estate through Eminent Domain. City Attorney Bob Sivick reported that he had been notified by Mr. Stahla's attorney and would be meeting with him on October 2, 2013. He requested this item be postponed to the October 8, 2013 Council meeting.

Motion by Dugan, second by Hehnke to postpone Resolution #2013-310 until October 8, 2103. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Dugan, second by Paulick to approve the Claims for the period of September 11, 2013 through September 24, 2013, for a total amount of \$7,123,067.22. Unanimously approved.

ADJOURN TO EXECUTIVE SESSION: Motion by Dugan, second by Niemann to adjourn to Executive Session at 9:46 p.m. for the purpose of a strategy session with respect to pending litigation; a strategy session with respect to real estate acquisition; and a strategy session with respect to litigation which is imminent as evidenced by communication or threat of litigation to or by the public body. Unanimously approved.

RETURN TO REGULAR SESSION: Motion by Nickerson, second by Gilbert to return to Regular Session at 11:40 p.m. Unanimously approved.

ADJOURNMENT: The meeting was adjourned at 11:40 p.m.

RaNae Edwards
City Clerk



City of Grand Island

Tuesday, October 8, 2013

Council Session

Item G-2

**#2013-332 - Approving Certificate of Final Completion and
Scheduling the Board of Equalization for Sidewalk Repair at 1141
Pleasant View Drive**

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

Council Agenda Memo

From: Terry Brown PE, Manager of Engineering Services

Meeting: October 8, 2013

Subject: Approving Certificate of Final Completion and
Scheduling the Board of Equalization for Sidewalk
Repair at 1141 Pleasant View Drive

Item #'s: G-2

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

Background

At the July 9, 2013 meeting the City Council approved Resolution No. 2013-217, which ordered the sidewalk at 1141 Pleasant View Drive to be repaired.

Reimers Construction of Grand Island, Nebraska was hired through informal bids to repair the sidewalk adjacent to 1141 Pleasant View Drive.

Discussion

The repairs to the sidewalk adjacent to 1141 Pleasant View Drive were completed to the City standards for a cost of \$500.00. Total cost of the repairs, including Engineering Services of \$50.00, is \$550.00.

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 10 days after filing of the ordinance that levies the costs as approved at the Board of Equalization. The City has had multiple correspondences with the property owner and will send a reminder letter advising them that the Board of Equalization is scheduled for November 12, 2013; 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 1141 Pleasant View Drive and set the Board of Equalization date of November 12, 2013.

Sample Motion

Move to approve the Certificate of Final Completion and Set the Board of Equalization for sidewalk repairs adjacent to 1141 Pleasant View Drive.

ENGINEER'S CERTIFICATE OF FINAL COMPLETION

Sidewalk Repairs at 1141 Pleasant View Drive
CITY OF GRAND ISLAND, NEBRASKA
October 8, 2013

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

This is to certify that sidewalk repairs at 1141 Pleasant View Drive have been fully completed by Reimers 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 1141 Pleasant View Drive

<u>No.</u>	<u>Description</u>	<u>Lump Sum Price</u>	<u>Total Cost</u>
1.	4' x 8' Sidewalk	\$500.00	\$500.00
TOTAL CONSTRUCTION COST – SIDEWALK REPAIRS AT 1141 Pleasant View Drive			\$500.00
LESS AMOUNT PREVIOUSLY PAID CONTRACTOR			\$ 0.00
BALANCE DUE CONTRACTOR THIS FINAL PAYMENT			\$500.00
Engineering Costs			\$ 50.00

TOTAL COST OF SIDEWALK REPAIRS AT 503 E YUND STREET			\$550.00
Amount Assessable to Property Owner			\$550.00

Respectfully submitted,

John Collins, P.E.
Public Works Director

I hereby recommend that the Engineer's Certificate of Final Completion for sidewalk repairs at 1141 Pleasant View Drive 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 \$50.00.

I further recommend that the City Council sit as a Board of Equalization on November 12, 2013 to determine benefits and levy special assessments.

Respectfully submitted,

Jay Vavricek
Mayor

RESOLUTION 2013-332

WHEREAS, the City Engineer/Public Works Director of the City of Grand Island has issued a Certificate of Final Completion for sidewalk repairs at 1141 Pleasant View Drive, certifying that Reimers Construction 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 1141 Pleasant View Drive; 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 1141 Pleasant View Drive, 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 \$50.00.
3. The City Council will sit as a Board of Equalization on November 12, 2013 to determine benefits and set assessments for sidewalk repairs at 1141 Pleasant View Drive.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, October 8, 2013.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
October 4, 2013	☐ City Attorney



City of Grand Island

Tuesday, October 8, 2013

Council Session

Item G-3

#2013-333 - Approving Change Order No. 1 for the Walk to Walnut Safe Routes to School Project

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

Council Agenda Memo

From: Scott Griepenstroh, Project Manager

Meeting: October 8, 2013

Subject: Approving Change Order No. 1 for the Walk to Walnut Safe Routes to School Project

Item #'s: G-3

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

Background

All agreements must be approved by the City Council.

The Walk to Walnut project will realign the main driveway to Walnut Middle School with the intersection of 15th Street and Custer Avenue and install traffic signals. This project is mostly funded with Safe Routes to School (SRTS) funds authorized by the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A legacy for Users (SAFETEA-LU). These funds are administered by the Nebraska Department of Road (NDOR).

The new driveway will be constructed through the Custer and Fifteenth Mini-park. A permanent easement was granted to Grand Island Public Schools for the driveway. Traffic signal poles and public sidewalk will be constructed on the edge east of the Minipark at the intersection of the new driveway and Custer Avenue. This project will improve traffic flow by Walnut Middle School, improve safety for students crossing Custer Avenue, and encourage more students to walk and bicycle to school.

The City Council approved the program agreement with the Nebraska Department of Roads for Safe Routes to School Program Funding for the Walk to Walnut Project on August 28, 2007. This project was initially anticipated to be completed in 2008, but changes in Federal Highway funded projects caused significant delays. Increased environmental clearance requirements, most notably the process for converting a portion of the Mini-park to use as a driveway, caused the majority of delays.

The original funding limit for this project was set at \$249,004.00. The funding limit was recently removed and Federal Aid will be used to pay for 100% of the costs for construction, construction engineering and utility relocation. On June 11, 2013, City

Council approved concurrence of the bid award with NDOR to the Diamond Engineering Company for the construction contract of \$337,104.36.

Discussion

As part of the improvement, new pavement marking will be placed on Custer Avenue for left turn movements and crosswalks at the intersection of 15th Street. The concrete pavement for the new school driveway will be connected to pavement on Custer Avenue by embedded reinforcing steel bars. It was determined that concrete pavement at some locations on Custer Avenue was in deteriorated condition and needed to be replaced. In order to expedite work efficiently, Streets Division and Engineering Division staff directed Diamond Engineering to replace the concrete pavement on Custer Avenue that is in deteriorated condition near the intersection. This work was not included in the original construction contract.

Since the bid for the existing concrete pavement item was based on smaller quantities, a lower unit cost was negotiated with Diamond Engineering for the additional concrete pavement replacement work.

Officials from NDOR and the Federal Highway Administration (FHWA) responsible for project oversight determined that only the concrete pavement at the new Custer Avenue crosswalk is eligible for federal funds. The remaining concrete pavement to be replaced was determined to be the responsibility of the City of Grand Island and will be paid for by Capital Improvement Funds.

The approval of Change Order No. 1 for an amount of \$39,159.41 will result in a revised contract price of \$376,263.77. \$8,426.00 of the additional work will be paid for by Federal Safe Routes to Schools funds.

Construction commenced on August 26, 2013. Construction of the new driveway at 15th Street was completed in September; the new driveway was opened to traffic on September 26, 2013. Signal work will not be completed until mid-November due to delays of fabrication and delivery of signal poles.

Alternatives

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

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

Recommendation

City Administration recommends that the Council approve Change Order No. 1 for the Walk to Walnut Safe Routes to School Project.

Sample Motion

Move to approve the resolution.

Nebraska Department of Roads

Date: 9/25/2013

Change Order Report

Page: 1 of 4

Contract ID: 4521Y

Change Order Nbr: 001

Change Order Description: Additional Pavement Reconstruction

CO/SA #: _____ Potential for Design Error/Omission: Yes

Vendor: 0013 THE DIAMOND ENGINEERING COMPANY

Primary Project Information: 42521 000 SRTS-40(57)

Primary Project Location: GRAND ISLAND WALNUT MIDDLE SCHOOL

Contract Desc: GRAC CONC PAVE CULV ELEC

Change Order Approval Date:

Letting Date: 05.23.2013

Change Order Type: SUPPLEMENTAL AGREEMENT

Force Acct ID: 0

Zero Dollar Change Order: N

Project Information: 42521 000 SRTS-40(57)

Project Location: GRAND ISLAND WALNUT MIDDLE SCHOOL

Item Nbr	Catg	Funds	Item Code	Unit	Unit Price	Bid Qty	Total Apprvd Qty	This CO Qty	Amount of Change	
0007	0010	P	1101.00	SY	\$7.50	967.300	967.300	110.000	This Change:	\$825.00
Item Description			Suppl Description			CO Item Description			Prev Revised:	\$0.00
REMOVE PAVEMENT						participating			New Revised:	\$825.00
									Bid Amount:	\$7,254.75
									Revised Total:	\$8,079.75
									Pct Change:	11.37%
0008	0010	P	1101.25	LF	\$7.50	612.000	612.000	131.000	This Change:	\$982.50
Item Description			Suppl Description			CO Item Description			Prev Revised:	\$0.00
SAWING PAVEMENT						participating			New Revised:	\$982.50
									Bid Amount:	\$4,590.00
									Revised Total:	\$5,572.50
									Pct Change:	21.41%
0017	0030	P	3008.05	EACH	\$13.23	213.000	213.000	48.000	This Change:	\$635.04
Item Description			Suppl Description			CO Item Description			Prev Revised:	\$0.00
TIE BARS						participating			New Revised:	\$635.04
									Bid Amount:	\$2,817.99
									Revised Total:	\$3,453.03
									Pct Change:	22.54%
0023	0030	P	3075.32	SY	\$76.44	39.300	39.300	-39.300	This Change:	\$-3,004.09
Item Description			Suppl Description			CO Item Description			Prev Revised:	\$0.00
8" CONCRETE PAVEMENT, CLASS 47B-3500						removed the 8" paving item quantity due to new price			New Revised:	\$-3,004.09
									Bid Amount:	\$3,004.09
									Revised Total:	\$0.00
									Pct Change:	-100.0%
0071	0100	P	0001.08	BDAY	\$0.50	492.000	492.000	2,000.000	This Change:	\$1,000.00
Item Description			Suppl Description			CO Item Description			Prev Revised:	\$0.00
BARRICADE, TYPE II						Added additional type II barricades			New Revised:	\$1,000.00
									Bid Amount:	\$246.00
									Revised Total:	\$1,246.00
									Pct Change:	406.5%

Nebraska Department of Roads

Date: 9/25/2013

Change Order Report

Page: 2 of 4

Contract ID: 4521Y

Change Order Nbr: 001

Change Order Description: Additional Pavement Reconstruction

Project Information: 42521 000 SRTS-40(57)

Project Location: GRAND ISLAND WALNUT MIDDLE SCHOOL

Item Nbr	Catg	Funds	Item Code	Unit	Unit Price	Bid Qty	Total Apprvd Qty	This CO Qty	Amount of Change	
0085	0030	P	3075.32	SY	\$53.50	0.000	0.000	149.300	This Change:	\$7,987.55
Item Description			Suppl Description			CO Item Description			Prev Revised:	\$0.00
8" CONC PVMT, 47B-3500			participating			8" pavement (participating)			New Revised:	\$7,987.55
									Bid Amount:	\$0.00
									Revised Total:	\$7,987.55
									Pct Change:	0.0%
4000	0031	NP	3075.33	SY	\$53.50	0.000	0.000	393.000	This Change:	\$21,025.50
Item Description			Suppl Description			CO Item Description			Prev Revised:	\$0.00
8" CONC PVMT, 47B-3500			non-participating			8" pavement with negotiated price			New Revised:	\$21,025.50
									Bid Amount:	\$0.00
									Revised Total:	\$21,025.50
									Pct Change:	0.0%
4001	0031	NP	1101.00	SY	\$7.50	0.000	0.000	393.000	This Change:	\$2,947.50
Item Description			Suppl Description			CO Item Description			Prev Revised:	\$0.00
REMOVE PAVEMENT			non-participating			Pavement Removal			New Revised:	\$2,947.50
									Bid Amount:	\$0.00
									Revised Total:	\$2,947.50
									Pct Change:	0.0%
4002	0031	NP	1101.25	LF	\$7.50	0.000	0.000	504.000	This Change:	\$3,780.00
Item Description			Suppl Description			CO Item Description			Prev Revised:	\$0.00
SAWING PAVEMENT			non-participating			Sawing			New Revised:	\$3,780.00
									Bid Amount:	\$0.00
									Revised Total:	\$3,780.00
									Pct Change:	0.0%
4003	0031	NP	1107.00	SY	\$10.50	0.000	0.000	15.000	This Change:	\$157.50
Item Description			Suppl Description			CO Item Description			Prev Revised:	\$0.00
REMOVE WALK			non-participating			Remove walk			New Revised:	\$157.50
									Bid Amount:	\$0.00
									Revised Total:	\$157.50
									Pct Change:	0.0%
4004	0031	NP	3016.21	SY	\$45.31	0.000	0.000	15.000	This Change:	\$679.65
Item Description			Suppl Description			CO Item Description			Prev Revised:	\$0.00
CONC 47B-3000 SIDEWALKS			non-participating			Sidewalk			New Revised:	\$679.65
									Bid Amount:	\$0.00
									Revised Total:	\$679.65
									Pct Change:	0.0%

Change Order Report

Contract ID: 4521Y

Change Order Nbr: 001

Change Order Description: Additional Pavement Reconstruction

Project Information: 42521 000 SRTS-40(57)

Project Location: GRAND ISLAND WALNUT MIDDLE SCHOOL

Item Nbr	Catg	Funds	Item Code	Unit	Unit Price	Bid Qty	Total Apprvd Qty	This CO Qty	Amount of Change
4005	0031	NP	3008.05	EACH	\$13.23	0.000	0.000	162.000	This Change: \$2,143.26
<div> <div>Item Description</div> <div>Suppl Description</div> <div>CO Item Description</div> </div> <div> <div>TIE BARS</div> <div>non-participating</div> <div>Tiebars</div> </div>									Prev Revised: \$0.00
									New Revised: \$2,143.26
									Bid Amount: \$0.00
									Revised Total: \$2,143.26
									Pct Change: 0.0%

Total Value for Change Order 001

\$39,159.41

Contract Completion Date Time Adjustment

Original Compl Date:

Adj Compl Date:

Adj No. of Days: 8

We hereby request approval of changes in the plans, specifications, or work not included in the plans or contract, described as follows:

It has been discovered that several locations of the existing pavement along Custer Avenue are in poor condition and will not allow for a sound tie-in for the proposed curb and gutter nor allow for an ADA compliant cross-walk across Custer Avenue. In addition, it is anticipated the proposed crosswalk permanent pavement markings will not hold up long-term because of the pavement conditions. The City of Grand Island is also requesting additional pavement be reconstructed adjacent to the project which isn't required with this project but would provide the City an opportunity to replace aging concrete panels without having to disrupt traffic again by the school in the near future

Attached is a drawing showing the approximate locations of the additional pavement repair locations. The portions of the pavement reconstruction estimated to be eligible for federal reimbursement along with the non-participating pavement reconstruction areas are identified. The participating portion of this change order will include the work required to replace the concrete pavement where the crosswalk is to be placed crossing Custer Avenue. The remaining pavement reconstruction contained in this change order are non-participating.

Actual locations will be marked by the construction engineer. Existing unit prices for the items contained within this change order will be used except for the price for 8-inch concrete pavement. Due to the significant quantity increase in 8-inch pavement, an updated unit price was requested from the contractor. The contractor provided a unit price of \$53.50/SY compared to the original contract unit price of \$76.44/SY. This new price compares favorably to recent projects bid with similar quantities of 8-inch paving.

FHWA has reviewed the content in the change order.

The agreed unit price(s) shall be full compensation for all material, labor equipment, tools and incidentals necessary to complete the work.

Due to the requirement to phase the construction of the 8-inch concrete pavement crossing the entire width of Custer Avenue and to allow for cure time and traffic shifts, it is estimated that 8 additional working days are added to the project.

Nebraska Department of Roads
Change Order Report

Date: 9/25/2013

Page: 4 of 4

Contract ID: 4521Y Change Order Nbr: 001
Change Order Description: Additional Pavement Reconstruction

Change Order Signature Page

Project Manager

Date

LPA Responsible Charge

Date

State Representative

Date

District Engineer

Date

Contractor name and title

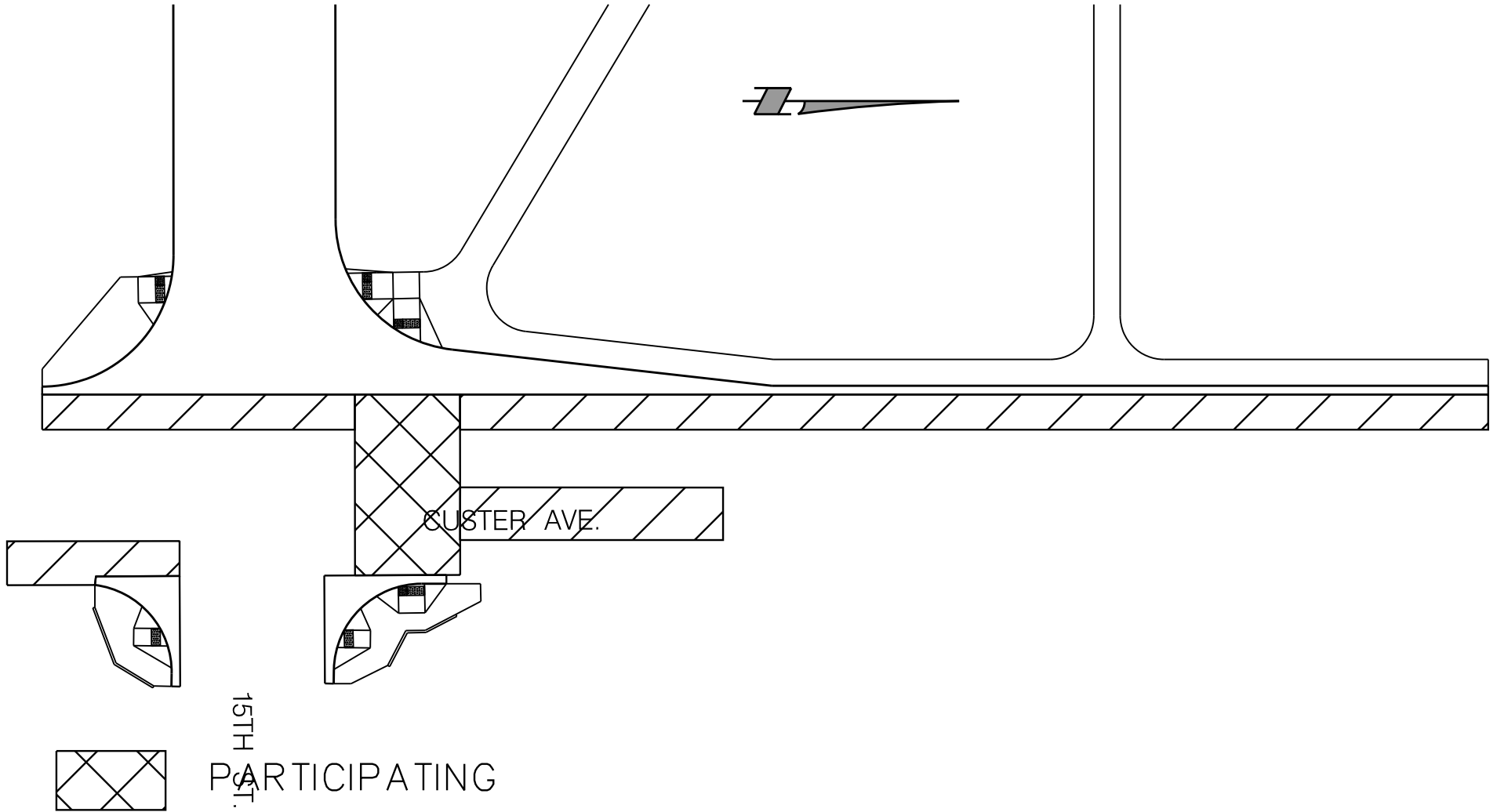
Date

FHWA

Date

JAY VAVRICEK, MAYOR DATE

RANAE EDWARDS, CITY CLERK DATE



RESOLUTION 2013-333

WHEREAS, on June 11, 2013, by Resolution 2013-177, the City Council of the City of Grand Island approved concurrence of bid award with the Nebraska Department of Roads to the Diamond Engineering Company of Grand Island, Nebraska, for the bid in the amount of \$337,104.36 for the Walk to Walnut Safe Routes to School Project; and

WHEREAS, it has been determined that additional work is necessary to complete such project; and

WHEREAS, such modifications have been incorporated into Change Order No. 1; and

WHEREAS, the result of such modifications will increase the contract amount by \$39,159.41 for a revised contract price of \$376,263.77; and

WHEREAS, \$8,426.00 of the additional work is eligible to be paid by Federal Safe Routes to Schools Funds.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Mayor be, and hereby is, authorized and directed to execute Change Order No. 1 between the City of Grand Island and The Diamond Engineering Company of Grand Island, Nebraska on the Walk to Walnut Safe Routes to School project.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, October 8, 2013.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
October 4, 2013	☐ City Attorney



City of Grand Island

Tuesday, October 8, 2013

Council Session

Item G-4

#2013-334 - Approving COPS Hiring Grant

Staff Contact: Steve Lamken

Council Agenda Memo

From: Steven Lamken, Police Chief
Meeting: October 8, 2013
Subject: Community Oriented Policing Grant
Item #'s: G-4
Presenter(s): Captain Robert Falldorf

Background

The Police Department submitted an application for an Office of Community Oriented Policing, COPS, grant to assist in paying for up to three of the Police Officer positions proposed in our 2014 budget. We have received notice from the COPS Office that we have been awarded a three year grant for \$375,000 that will support three of our new Police Officer positions approved in the 2014 budget.

Discussion

The Police Department submitted an application for an Office of Community Oriented Policing, COPS, grant to assist in paying for up to three of the Police Officer positions proposed in our 2014 budget. The City Council approved the grant application at the May 14, 2013 meeting under agenda item 2013-144. The Police Department has received notice on September 27th that we have been awarded a COPS grant that will provide funding for three of the new officer positions. The grant title and number are: COPS Hiring Program Grant #2013UMWX019.

The grant will pay up to \$375,000 total over three years for Police Officer wages and benefits. The City is required to and will match a percentage of the cost of the Police Officers. The Police Department is requesting the City Council approve the acceptance of the COPS grant. We anticipate that the grant will be used to fund officers who start employment in late February or March.

The COPS Hiring grant requires the City to maintain the three Police Officer positions for one year after the end of the three year grant or the City can be penalized.

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 COPS Hiring Program Grant #2013UMWX0194 that will provide funding support for the wages and benefits of three Police Officers.

Sample Motion

Move to approve COPS Hiring Program Grant # 2013UMWX0194 that will support the cost of wages and benefits of three Police Officers.

September 27, 2013

Chief of Police Steven Lamken
Grand Island, City of
111 Public Safety Drive
Grand Island, NE 68801

Re: COPS Hiring Program Grant # 2013UMWX0194
ORI#: NB04001

Dear Chief of Police Lamken:

Congratulations! On behalf of Attorney General Eric Holder, I am pleased to inform you that the COPS Office has approved your agency for 3 officer positions under the 2013 COPS Hiring Program (CHP). The **estimated** amount of federal funds to be awarded to your jurisdiction over the three-year grant period is \$375,000.00. Your local cash match will be \$249,192.00. Your agency may use CHP grant funding to hire new officers or rehire officers who have been laid off, or are scheduled to be laid off on a specific future date, as a result of local budget cuts, on or after the official grant award start date. Please note that any changes to the awarded hiring categories require an official review and approval by the COPS Office.

To officially accept and begin your COPS Hiring Program grant, your agency must access www.cops.usdoj.gov and select the Account Access link in the upper right corner to log in, review, and electronically sign the Award Document (including Grant Terms and Conditions) and any special conditions as applicable. Your Award Document will be placed in your account and available to you in early October. In addition, if your agency was awarded funding for school resource officers, a Memorandum of Understanding (MOU) must be signed by the law enforcement executive and designated representative for the school/school district and submitted to the COPS Office for review prior to the drawdown of grant funding.

In order to electronically sign your Award Document, the appropriate Account Roles with E-Signature and User Permissions must be established and assigned in the COPS Agency Portal. The Agency Portal Instruction Manual available on the COPS website at <https://portal.cops.usdoj.gov/GrantsManagement/HelpContents/UserGuide.pdf> has been enhanced to include a Quick Step Guide. This guide will provide your agency with all of the information needed to successfully establish Account Roles and assign User Permissions in preparation to sign the Award Document, as well as manage many aspects of your COPS grant online. Please review and follow these steps carefully, as this is the only method for signing and accepting your Award Document.

The CHP grant award start date is **September 1, 2013**. Therefore, your agency can be reimbursed for allowable and approved expenditures made on or after this date. Please be advised that some of your requested items may not have been approved by the COPS Office during the budget review process. When you receive your award package, please carefully review your Financial Clearance Memorandum (FCM) to determine your approved budget, as grant funds may only be used for approved items. The FCM will specify the final award amount, and will

also identify any disallowed costs. We strongly encourage you to visit the CHP information page at <http://cops.usdoj.gov/Default.asp?Item=2367> to access a supplemental online award package that contains a variety of important and helpful documents that will assist you with the implementation of your grant, including the 2013 CHP Grant Owner's Manual, which specifies the programmatic and financial terms, conditions, and requirements of your grant. Please print out a copy of your application and maintain it with your grant file records.

As a reminder, all positions awarded under CHP (or an equal number of veteran officers) must initiate or enhance community policing in accordance with the community policing plan as described within Section 6 of your application. If, for any reason, your agency finds that your community policing plans have significantly changed from those outlined in your application (e.g., because you received fewer officers than originally requested and thus must alter the scope of your community policing plans), please revise the plan accordingly and submit it to the COPS Office for review and approval.

As part of the 2013 COPS Hiring Program, your agency will be required to submit quarterly Federal Financial Reports (SF-425) as well as quarterly program progress reports. CHP grantees should be prepared to track and report CHP funding separately from other funding sources (including other COPS and federal grants) to ensure accurate financial and programmatic reporting on a timely basis. Your agency should ensure that you have financial internal controls in place to monitor the use of CHP funding and ensure that its use is consistent with the grant terms and conditions. In addition, your agency will be required to complete the Community Policing Self-Assessment Tool (CP-SAT) at the beginning and again towards the end of the grant award period.

Also, please remember that grantees must retain all sworn officer positions awarded under the 2013 CHP grant for a minimum of 12 months following the 36-month federal funding period. The retained CHP-funded position(s) should be added to your law enforcement budget with state and/or local funds, over and above the number of locally-funded positions that would have existed in the absence of the grant. In your 2013 CHP grant application, your agency was required to affirm that it plans to retain the additional officer positions awarded following the expiration of the grant, and to identify the planned sources of retention funding. If, during the life of the grant, you have questions regarding the retention requirement or your retention funding sources, please contact the COPS Office for assistance.

We look forward to working with your agency in a productive partnership to further your community policing efforts. If you have any questions about your grant, please do not hesitate to call your Grant Program Specialist through the COPS Office Response Center at 1.800.421.6770.

Sincerely,

A handwritten signature in black ink, appearing to read 'Joshua A. Ederheimer', written in a cursive style.

Joshua A. Ederheimer
Acting Director



COPS Application

ORI : NB04001

Legal Name : GRAND ISLAND, CITY OF

Submission date : N/A



COPS Application

Attachment to SF-424

SECTION 1: COPS PROGRAM REQUEST

Federal assistance is being requested under the following COPS program:

Verify the COPS grant program for which you are requesting federal assistance. A separate application must be completed for each COPS program for which you are applying. Please ensure that you read, understand, and agree to comply with the applicable grant terms and conditions as outlined in the COPS Application Guide before finalizing your selection.

The program you have selected is:

COPS Hiring Program

COPS Application

Attachment to SF-424

SECTION 2: Agency Eligibility Information

Type of Agency (select one)

☒ Law Enforcement ☐ Non-Law Enforcement

From the list below, please select the type of agency which best describes the applicant.

Law Enforcement Entities

2A. CHP Eligibility Questions

In this section, we will ask you several questions about your law enforcement agency operations and authority to determine your eligibility to apply for a COPS Hiring Program (CHP) grant. Please note that CHP applicants **must** have a police department which is operational as of the 4/15/2013 date of this application, or receive services through a new or existing contract for law enforcement services. Applicants must also maintain primary law enforcement authority for the population to be served.

Additionally, if funds under this program are to be used as part of a written contracting arrangement for law enforcement services (e.g., a town which contracts with a neighboring sheriff's department to receive services), the government agency wishing to receive law enforcement services must be the legal applicant in this application (although we will ask you to supply some information about the contract service provider later).

Part I. Law Enforcement Agency Operations

A law enforcement agency is established and operational if the jurisdiction has passed authorizing legislation and it has a current operating budget.

Q1) Is your agency established and currently operational?

Part II. Contracting to Receive Law Enforcement Services

Q1) If awarded, does your agency plan to use funds awarded under this grant to establish or supplement a written contract for law enforcement services (e.g., a town contracting for services with a nearby sheriff's department)?

Part III. Law Enforcement Agency Authority

An agency with primary law enforcement authority is defined as the first responder to calls for service for all types of criminal incidents within its jurisdiction. Agencies are not considered to have primary law enforcement authority if they only: respond to or investigate specific type(s) of crime(s); respond to or investigate crimes within a correctional institution; serve warrants; provide courthouse security; transport prisoners; and/or have cases referred to them for investigation or investigational support.

Q1) Based on the definition above, does your agency have primary law enforcement authority? [Or, if contracting to receive services, does the agency that will be providing law enforcement services have primary law enforcement authority for the population to be served?]

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Section 3: GENERAL AGENCY INFORMATION

A. Applicant ORI Number:

The ORI number is assigned by the FBI and is your agency's unique identifier. The COPS Office uses the first seven characters of this number. The first two letters are your state abbreviation, the next three numbers are your county's code, and the next two numbers identify your jurisdiction within your county. If you do not currently have an ORI number, the COPS Office will assign one to your agency for the purpose of tracking your grant. ORI numbers assigned to agencies by the COPS Office may end in "ZZ."

B. Applicant Data Universal Numbering System (DUNS) Number:

A Data Universal Numbering System (DUNS) number is required **prior** to submitting this application. A DUNS number is a unique nine or thirteen digit sequence recognized as the universal standard for identifying and keeping track of entities receiving federal funds. For more information about how to obtain a DUNS number, please refer to the "How to Apply" section of the COPS Application Guide.

C. System for Award Management (SAM)

The System for Award Management (SAM) replaces the Central Contractor Registration (CCR) database as the repository for standard information about federal financial assistance applicants, recipients, and sub-recipients DOJ requires that all applicants (other than individuals) for federal financial assistance maintain current registrations in the SAM database. Please note that Applicants must update or renew their SAM registration at least once a year to maintain active status.

Applicants that were previously registered in the CCR database must, at a minimum:

- Create a SAM account
- Log into SAM and migrate permissions to the SAM account (all the entity registrations and records should already have been migrated).

Applicants that were not previously registered in the CCR database must register in SAM prior to registering in Grants.gov. Information about SAM Registration procedures can be accessed at www.sam.gov.

For more information about how to register with SAM, please refer to the "How to Apply" section of the COPS Application Guide.

Your SAM Registration is set to expire on:

Please enter date in MM/DD/YYYY format.

Note: If your SAM registration is set to expire prior to September 30, 2013, please renew your SAM Registration prior to completing this application. Contact the SAM Service Desk at 866-606-8220 or view/update your registration information at www.sam.gov.

D. Geographic Names Information System (GNIS) ID:

Please enter your Geographic Names Information System (GNIS) Identification Number. This is a unique ID assigned to all geographic entities by the U.S. Geological Survey. To look up your GNIS Feature ID, please go to the website: <http://geonames.usgs.gov/domestic/index.html>. For more information about how to obtain a GNIS number, please refer to the "How to Apply" section of the COPS Application Guide.

E. Cognizant Federal Agency:

Select the legal applicant's Cognizant Federal Agency. A Cognizant Federal Agency, generally, is the federal agency from which your jurisdiction receives the most federal funding. Your Cognizant Federal Agency also may have been previously designated by the Office of Management and Budget. Applicants

that have never received federal funding should select the “Department of Justice” as the Cognizant Federal Agency.

F. Fiscal Year

From: To:

G. Law Enforcement Agency Sworn Force Information

1. Enter the Fiscal Year Budgeted Sworn Force Strength for the current fiscal year below. *The budgeted number of sworn officer positions is the number of sworn positions funded in your agency’s budget, including funded but frozen positions, as well as state, Bureau of Indian Affairs, and/or locally funded vacancies. Do not include unfunded vacancies or unpaid/reserve officers.*

a. Number of officers funded in agency’s *current* fiscal year budget:

Full-Time: Part-Time:

H. Civilian Staffing

1. Number of civilian positions funded in agency’s *current* fiscal year budget:

a. Number of civilian positions funded in agency’s *current* fiscal year budget:

Full-Time: Part-Time:

I. U.S. Department of Justice Funding

Be advised that grantees may not use COPS funding for the same item or service also funded by another U.S. Department of Justice award. To aid the COPS Office in the prevention of awarding potentially duplicative funding, please indicate which other components of the Department of Justice your agency receives grant funding (check all that apply):

- ☒ Bureau of Justice Assistance (BJA)
- ☒ Office of Justice Programs (OJP)
- ☒ Office of Juvenile Justice and Delinquency Prevention (OJJDP)
- ☒ Office on Violence Against Women (OVW)
- ☐ Other

COPS Hiring - current, HIDTA,VAWA - Victim/Witness Unit, JAG, Bulletproof Vest

☒ No Other Department of Justice Funding

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SECTION 4: EXECUTIVE INFORMATION

Note: Listing individuals without ultimate programmatic and financial authority for the grant could delay the review of your application, or remove your application from consideration.

A. Law Enforcement Executive/Agency Executive Information:

For Law Enforcement Agencies: Enter the law enforcement executive’s name and contact information. This is the highest ranking law enforcement official within your jurisdiction (e.g., Chief of Police, Sheriff, or equivalent).

For Non-Law Enforcement Agencies: Enter the highest ranking individual in the applicant agency (e.g., CEO, President, Chairperson, Director, etc.) who has the authority to apply for this grant on behalf of the applicant agency. If the grant is awarded, this position would ultimately be responsible for the programmatic implementation of the award.

Title: ☒ Interim/Acting

First Name: MI: Last Name: Suffix:

Agency Name:

Street Address 1:

Street Address 2:

City: State: ☒ Zip Code:

Telephone: Fax: E-mail:

B. Government Executive/Financial Official Information:

For Government Agencies: Enter the government executive’s name and contact information. This is the highest ranking government official within your jurisdiction (e.g., Mayor, City Administrator, Tribal Chairman, or equivalent).

For Non-Government Agencies: Enter the name and contact information of the financial official who has the authority to apply for this grant on behalf of the applicant agency (e.g., CFO, Treasurer, etc.). If the grant is awarded, this position would ultimately be responsible for the financial management of the award. Please note that information for non-executive positions (e.g., clerks, trustees, etc.) is not acceptable.

Title: ☒ Interim/Acting

First Name: MI: Last Name: Suffix:

Agency Name:

Street Address 1:

Street Address 2:

City: State: ☒ Zip Code:

Telephone: Fax: E-mail:

C. CAP Contact Information:

CAP Contact: Enter the CAP Contact's name and contact information.

Title: ☒ Interim/Acting

First Name: MI: Last Name: Suffix:

Agency Name:

Street Address 1:

Street Address 2:

City: State: ☒ Zip Code:

Telephone: Fax: E-mail:

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SECTION 5: COPS Officer Request

SECTION 5A: COPS HIRING PROGRAM OFFICER REQUEST

Part I

Enter the Fiscal Year Actual Sworn Force Strength as of the date of this application. *The actual number of sworn officer positions is the actual number of sworn positions employed by your agency as of the date of this application. Do not include funded but currently vacant positions or unpaid positions.*

Number of officers employed by your agency as of the date of this application:

Full-Time:

Part-Time:

What is the actual population your department serves as the primary law enforcement entity?

This may or may not be the same as your census population. For example, a service population may be the census population minus incorporated towns and cities that have their own police department within your geographic boundaries or estimates of ridership (e.g., transit police) or visitors (e.g., park police). An agency with primary law enforcement authority is defined as having first responder responsibility to calls for service for all types of criminal incidents within its jurisdiction.

For FY 2013 COPS Hiring Program (CHP) applicants are eligible to apply for the number of officers equal to 5% of their actual sworn force strength up to a maximum of 25 officers. Agencies with a sworn force of twenty or fewer officers may apply for one (1) officer position. Agencies with a service population of 1 million or above may apply for up to 25 officer positions; however, agencies with a service population less than 1 million may apply for up to 15 officer positions.

FY 2013 CHP grant funds cover 75 percent of the approved entry-level salary and fringe benefits of each newly-hired and/or rehired, full-time sworn career law enforcement officer for three years (36 months) up to \$125,000 per officer position. CHP grant funding will be based on your agency’s current entry-level salaries and fringe benefits for full-time sworn officers.

A priority of 2013 CHP funding is the hiring of School Resource Officers (SRO). If your agency requests officers to be deployed as School Resource Officers, ALL OF THE OFFICER POSITIONS REQUESTED BELOW MUST BE USED TO DEPLOY FULL-TIME SCHOOL RESOURCE OFFICERS. Do not request more officer positions than your agency can expect to deploy in this capacity. A “school resource officer” is a career law enforcement officer, with sworn authority, who is engaged in community policing activities and is assigned by the employing agency to work in collaboration with schools. If awarded a grant for SRO position(s), please note that the COPS Office requires that the officer(s) deployed into the SRO position(s) spend a minimum of 75 percent of their time in and around primary and secondary schools working on school and youth-related activities.

There must be an increase in the level of community policing activities performed in and around primary or secondary school in the agency’s jurisdiction as a result of the grant. The time commitment of the funded officers must be above and beyond the amount of time that the agency devoted to the schools before receiving the grant.

In addition, in section 6B you must select “School Based Policing through School Resource Officers” under “Child and Youth Safety Problems” as your problem area.

Is your agency requesting that **all of these officer positions** be deployed as School Resource Officers (SROs)?

☒ Yes

☐ No

Based on the information provided in this application:

Your agency is eligible to apply for up to officer position(s).

How many entry-level, full-time officer positions is your agency requesting in this application?

Next, your agency must allocate the number of positions requested under each of the three hiring categories described below based on your agency's current needs at

the time of this application. Please be mindful of the initial three-year grant period, and your agency's ability to fill and retain the officer positions awarded, while following your agency's established hiring policies and procedures. CHP grant awards will be made for officer positions requested in each of the three hiring categories, and grantees are required to use awarded funds for the specific categories awarded.

It is imperative that your agency understand that the COPS statutory nonsupplanting requirement mandates that grant funds may only be used to supplement (increase) a grantee's law enforcement budget for sworn officer positions and may not supplant (replace) state, local, or tribal funds that a grantee otherwise would have spent on officer positions if it had not received a grant award. This means that if your agency plans to:

- (a) Hire new officer positions (including filling existing vacancies that are no longer funded in your agency's budget): If awarded under this category, a department must hire these new additional positions on or after the official grant award start date, above its current budgeted (funded) level of sworn officer positions, and otherwise comply with the nonsupplanting requirement as described in detail in the Grant Owner's Manual.
- (b) Rehire officers who have been laid off by any jurisdiction as a result of state, local, or tribal budget cuts: It must rehire the officers on or after the official grant award start date, maintain documentation showing the date(s) that the positions were laid off and rehired, and otherwise comply with the nonsupplanting requirement as described in detail in the Grant Owner's Manual.
- (c) Rehire officers who are (at the time of application) currently scheduled to be laid off (by your jurisdiction) on a specific future date as a result of state, local, or tribal budget cuts: It must continue to fund the officers with its own funds from the grant award start date until the date of the scheduled lay-off (for example, if the CHP award start date is September 1 and the lay-offs are scheduled for November 1, then the CHP funds may not be used to fund the officers until November 1, the date of the scheduled lay-off); identify the number and date(s) of the scheduled lay-off(s) in this application (see below); maintain documentation showing the date(s) and reason(s) for the lay-off; and otherwise comply with the nonsupplanting requirement as described in detail in the Grant Owner's Manual. [Please note that as long as your agency can document the date that the lay-off(s) would occur if CHP funds were not available, it may transfer the officers to the CHP funding on or immediately after the date of the lay-off without formally completing the administrative steps associated with a lay-off for each individual officer.]

Documentation that may be used to prove that scheduled lay-offs are occurring for local economic reasons that are unrelated to the availability of CHP grant funds may include (but are not limited to) council or departmental meeting minutes, memoranda, notices, or orders discussing the lay-offs; notices provided to the individual officers regarding the date(s) of the lay-offs; and/or budget documents ordering departmental and/or jurisdiction-wide budget cuts. These records must be maintained with your agency's CHP grant records during the grant period and for three years following the official closeout of the CHP grant in the event of an audit, monitoring, or other evaluation of your grant compliance.

If your agency's request is funded, it will have the opportunity after the award announcement to request a grant modification to move awarded funding into the category or categories that meet your agency's law enforcement needs at that time (including updating the dates of future scheduled lay-offs).

If you need additional information regarding requesting a modification, please contact the COPS Office Response Center at 1-800-421-6770.

Category A: New, additional officer positions (including filling existing vacancies no longer funded in your agency's budget).

Category A Request:

Category B: Rehire officers laid off (from any jurisdiction) as a result of state or local budget reductions.

Category B Request:

Category C: Rehire officers scheduled to be laid off (at the time of the application) on a specific future date as a result of state or local budget reductions.

Category C Request: 0 (total)

We also need some information about when the layoff of officers in this category is scheduled to occur. In the space below, please indicate when the officer(s) specified in this category are scheduled to be laid off.

Number of officers	Date these officers are scheduled to be laid off	Delete	Edit
<input type="text"/>	<input type="text"/>		Insert

Part 3

As noted previously, the number of officers an applicant can request under the COPS Hiring Program in 2013 is capped. However, the COPS Office is interested in learning more about the overall need for officer positions within your department. Therefore, if no officer caps were in place, what is the total number of officers that your agency would be requesting in this application?

Hire Re-Hires Lay Off

Part 4

1. Under the 2013 COPS Hiring Program, applicants are not required to hire post-September military veterans as new hires. However, the COPS Office supports the Attorney General's commitment to hiring military veterans whenever possible. Please note that if your agency checks "yes" to the question below, your agency will be required to hire at least one military veteran.

Does your agency commit to hire and/or rehire at least one post-September 11, 2001 military veteran (as defined in the Application Guide) for the officer position(s) you have requested?

☒ Yes ☐ No

2. If yes, how many officer position(s) from your total 2013 CHP request does your agency anticipate filling with post-September 11, 2001 military veterans?

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SECTION 6B: Law Enforcement and Community Policing Strategy

Community Policing Strategy

COPS Office grants must be used to reorient the mission and activities of law enforcement agencies through initiating community policing or enhancing their involvement in community policing. If awarded funds, your responses to sections II(a) and II(b) that follow will constitute your agency’s community policing plan under this grant. Your organization may be audited or monitored to ensure that it is initiating or enhancing community policing in accordance with this plan. The COPS Office may also use this information to understand the needs of the field, and potentially provide for training, technical assistance, problem solving and community policing implementation tools. Please note that the COPS Office recognizes that your COPS-funded officer(s) (or an equal number of veteran officers who are redeployed after hiring the entry-level COPS-funded officers) will engage in a variety of community policing activities and strategies, including participating in some or all aspects of your identified community policing plan. Your community-policing plan may be influenced and impacted by others within and outside of your organization; this is considered beneficial to your community policing efforts.

At any time during your grant, you should be prepared to demonstrate (1) the community policing activities engaged in prior to the grant award that are detailed in section I of this application and (2) how the grant funds were specifically used to enhance (increase) or initiate community policing activities according to your community policing plan contained in sections II (a) and II (b) of this application.

Finally, we also understand that your community policing needs may change during the life of your grant. **Minor changes to this plan may be made without prior approval of the COPS Office;** however, grantees will be required to report on progress and/or changes to the community policing plan (if any) through required progress reports. **If your agency’s community policing plan changes significantly, you must submit those changes to the COPS Office for approval.** Changes are “significant” if they deviate from the specific crime problems(s) originally identified and approved in the community policing plan submitted with the application. In some cases, changes to the approved community policing strategies may also be deemed significant and may require approval of a modified community policing plan by the COPS Office, depending on the scope and nature of those changes as identified in the quarterly progress reports.

Community Policing Definition Framework

The following is the COPS Office definition of community policing that emphasizes the primary components of community partnerships, organizational transformation, and problem solving. Please refer to the COPS Office web site (www.cops.usdoj.gov) for further information regarding this definition.

Community policing is a philosophy that promotes organizational strategies, which support the systematic use of partnerships and problem solving techniques, to proactively address the immediate conditions that give rise to public safety issues, such as crime, social disorder, and fear of crime.

The COPS Office has completed the development of a comprehensive community policing self-assessment tool for use by law enforcement agencies. Based on this work, we have developed the following list of primary sub-elements of community policing. Please refer to the COPS Office web site (www.cops.usdoj.gov) for further information regarding these sub-elements.

Community Partnerships:

Collaborative partnerships between the law enforcement agency and the individuals and organizations they serve to both develop solutions to problems and increase trust in police.

- Other Government Agencies
- Community Members/Groups
- Non-Profits/Service Providers
- Private Businesses
- Media

Organizational Transformation:

The alignment of organizational management, structure, personnel and information systems to support community partnerships and proactive problem-solving efforts.

- Agency Management**
- Climate and culture
 - Leadership
 - Labor relations
 - Decision-making
 - Strategic planning
 - Policies
 - Organizational evaluations
 - Transparency

Organizational Structure

Problem Solving:

- The process of engaging in the proactive and systematic examination of identified problems to develop effective responses that are rigorously evaluated.
- Scanning: Identifying and prioritizing problems
 - Analysis: Analyzing problems
 - Response: Responding to problems
 - Assessment: Assessing problem-solving initiatives
- Using the Crime Triangle to focus on immediate conditions (Victim/Offender/Location)

Geographic assignment of officers
Despecialization
Resources and finances

Personnel

Recruitment, hiring and selection
Personnel supervision/evaluations
Training

Information Systems(Technology)

Communication/access to data
Quality and accuracy of data

I. Current Organizational Commitment to Community Policing

1) For each of the following statements, please answer in terms of existing agency policies and practices as they relate to collaborative partnerships and problem solving activities. Please check all that apply.

ACTIVITY	Community Partnerships	Problem Solving
Q1a. The agency mission statement, vision, and/or goals includes references to:	<input type="checkbox"/>	<input type="checkbox"/>
Q1b. The agency strategic plan includes specific goals and/or objectives relating to:	<input type="checkbox"/>	<input type="checkbox"/>
Q1c. The agency recruitment, selection and hiring processes include elements relating to:	<input type="checkbox"/>	<input type="checkbox"/>
Q1d. Annual line officers valuations assess performance in:	<input type="checkbox"/>	<input type="checkbox"/>
Q1e. Supervisor and manager evaluations assess performance in:	<input type="checkbox"/>	<input type="checkbox"/>
Q1f. Line officers receive regular (at least once every two years) training in:	<input type="checkbox"/>	<input type="checkbox"/>

2) Which of the following internal management practices does your agency currently employ? Please check all that apply.

- ☐ Assignment of officers to specific neighborhoods or areas for longer periods of time to enhance customer service and facilitate more contact between police and citizens
- ☐ Assignment of officers to geographic hot spots that are defined statistically by creating incident maps to identify geographic clustering of crime and disorder
- ☐ Monitoring calls for service dispatch records, crime incidents, and/or other activity for specific street addresses, buildings, or locations that account for a disproportionate share of crime or disorder
- ☐ In-service training for officers on basic and advanced community policing principles
- ☐ Defined community policing roles and expectations for officers
- ☐ Early Intervention Systems that help identify officers who may be showing signs of stress, personal problem, and questionable work conduct
- ☐ Alternatives to formal disciplinary practices that encourage ethical behavior
- ☐ Police officers ethical conduct initiative
- ☐ Use of a departmental values statement to establish officer standards of behavior and guide disciplinary processes
- ☐ None of the above

3) Which of the following do you count/measure to annually assess your agency's overall performance? Please check all that apply.

- ☐ Response times
- ☐ Reported crimes
- ☐ Reported incidents
- ☐ Arrests and citations
- ☐ Problem solving outcomes
- ☐ Department employee satisfaction
- ☐ Clearance rates
- ☐ Complaints of officer behavior
- ☐ Reduction of crime in identified hot spots
- ☐ Repeat calls for service
- ☐ Social disorder/nuisance problems (e.g. graffiti, panhandling, loitering, etc.)
- ☐ Satisfaction with police services
- ☐ Fear of crime
- ☐ Victimization (i.e. non-reported crime)
- ☐ Community meetings held/attended
- ☐ Use of force incidents
- ☐ Meeting the priorities as identified in your agency strategic plan
- ☐ My agency does not conduct annual assessments of overall performance

4) Through which of the following does your agency routinely share information with community members? Please check all that apply.

- ☐ Neighborhood, beat, and/or school meetings
- ☐ Local media outlets
- ☐ Agency newsletter
- ☐ Neighborhood newsletters
- ☐ Agency website
- ☐ Social networking (Blogs, Twitterfeeds, Facebook pages, etc.)
- ☐ Citizen alert system (telephone, email, text, etc.)
- ☐ Citizen alert system that is geographically targeted, based on updated hot spots
- ☐ Public access television/radio
- ☐ Community organization board membership
- ☐ Public forums with Chief/Sheriff/Command staff
- ☐ Posters, billboards, flyers
- ☐ None of the above

5) Through which of the following ways does your agency routinely participate in collaborative efforts with federal, tribal, state, and/or local law enforcement agencies? Please check all that apply.

- ☐ NCIC/CJIS
- ☐ Co-located staff or detail assignments, independent of task forces
- ☐ Database systems that facilitate data and information sharing
- ☐ Interoperable communication systems
- ☐ Federally initiated task forces (e.g. HIDTA's, Fusion centers, JTTF's, etc.)
- ☐ Other multi-agency task forces
- ☐ None of the above

6) Through which of the following ways does your agency formally involve community members in influencing agency practices and operations? Please check all that apply.

- ☐ Citizen police academies
- ☐ Volunteer activities

- ê Auxiliary police programs
- ê Civilian review boards (e.g. disciplinary review boards)
- ê Citizen advisory groups (i.e. informal advisory function)
- ê Involvement in hiring decisions (i.e. interview panels, selection boards, etc.)
- ê Involvement in contributing to annual line officer performance reviews
- ê Representation on promotional boards
- ê Participation in accountability and performance reporting and tracking meetings
- ê Participation in complaint resolution process (i.e. formal mediation, disciplinary boards, etc.)
- ê None of the above

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SECTION 6B: Law Enforcement and Community Policing Strategy

II(a) Proposed Community Policing Plan: Problem Solving and Partnerships

COPS grants must be used to initiate or enhance community policing activities. In this section you will be asked to identify a crime or disorder **problem** and the **partners** to be engaged through your requested COPS funding. Identifying the specific problem and partnerships that your agency plans to focus on is important to ensure that you satisfy the requirements for COPS funding under this program and to ensure that ultimately the use of these funds will initiate or enhance your agency's capacity to implement community policing strategies.

7) Using the following list, select a problem that will be addressed with these grant funds. Please choose the option that best fits your problem. You may select one problem to address through this grant funding.

When identifying a problem, it is important to think about the nature of similar incidents that taken together comprise the problem, and accordingly **describe it in precise, specific terms** (e.g. "burglary of retail establishments", rather than just "burglary"). In doing this, it can be helpful to consider all aspects of the problem, including the likely offenders, the suitable targets/victims, and how these come together in time and space.

Child and Youth Safety Problems

- ☐ Child Sexual Predators and Internet Safety
- ☐ Children Exposed to Violence
- ☐ Youth and Crime Delinquency
- ☐ Other Child and Youth Safety Problem (please specify)

Drug Related Problems

- ☐ Drug Manufacturing/Trafficking
- ☐ Drug Dealing
- ☐ Drug Abuse
- ☐ Other Drug Related Problem (please specify)

Homeland Security Problems

- ☐ Protecting Critical Infrastructure Problems
- ☐ Information or Intelligence Problems
- ☐ Other Homeland Security Problem (please specify)

Non-Violent Crime Problems

- ☐ Burglary

Please specify your burglary problem; for example, burglary of single family houses, burglary of retail establishments, burglary of construction sites etc.

both high residential and commercial burglary rate

- è Fraud
- è Larceny/Theft (Non-Motor Vehicle)
- è Motor Vehicle Theft/Theft from Motor Vehicle
- è Vandalism
- è Social Disorder
- è Quality of Life Problem
- è Prostitution
- è Other Non-Violent Crime Problem (please specify)

Police Operations and Specific Environment Problems

- è Inefficient Use of Police Resources
- è Officer Ethics and Integrity
- è Police Response to Specific Populations
- è Police Operations in Specific Environments
- è Other Police Operations or Specific Environment Problem (please specify)

Traffic/Pedestrian Safety Problems

- è Traffic Congestion
- è Pedestrian Safety
- è Driver Safety
- è Traffic Accidents
- è Other Traffic/Pedestrian Safety Problem (please specify)

Violent Crime Problems

- è Assault
- è Homicide
- è Rape
- è Robbery
- è Domestic/Family Violence
- è Gun Violence
- è Other Violent Crime Problem (please specify)

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7a) Briefly describe the problem that you will address with these grant funds and your approach to the problem. [4,000 characters or less]

Burglary
<div>A 2012 ICMA Public Safety study identified that Grand Island has a very high crime rate, both against property and persons. We have a very high residential burglary rate and a high commercial burglary rate. Our residential burglaries are occurring mostly in our lower socio-economic parts of the community. Our commercial burglaries are occurring throughout the City in commercial areas. The most common items being stolen in residences are electronics, jewelry, identifications, and money. We have made some arrests and have been able to establish that there are multiple offenders or groups of offenders committing residential burglaries in the City. The most common items stolen in commercial burglaries are cash and electronics; however, many other items are stolen. Again, we have been able to establish that multiple offenders or groups of offenders are committing burglaries in our city.</div>

7b) Will the problem described above be addressed with an explicit place-based strategy (e.g. hot-spot policing) that targets specific addresses or locations with a disproportionate share of crime or disorder?

☒ Yes ☐ No

7c) Which of the following activities will your agency engage as it pertains to your identified crime hot spot? (please check all that apply):

	Burglary
Enhance enforcement efforts (sweeps or increased patrol)	<input checked="" type="checkbox"/>
Targeted community alerts	<input checked="" type="checkbox"/>
Prevention efforts directed at high-risk victims	<input checked="" type="checkbox"/>
Prevention efforts directed at high-risk offenders	<input checked="" type="checkbox"/>
On-going identification of crime concentrations by qualified analysts	<input checked="" type="checkbox"/>
Formal evaluations of the effectiveness of interventions (e.g. using pre/post-test and/or comparison groups)	<input checked="" type="checkbox"/>
None of the above	<input type="checkbox"/>

8) Which of the following information sources did you use to prioritize this problem as a problem to address through this grant program (please check all that apply):

	Burglary
Police department data (e.g. police reports, calls for service, crime data, citizen complaints)	<input checked="" type="checkbox"/>
Agency personnel (e.g. officer feedback, command staff priorities)	<input checked="" type="checkbox"/>
Other local non law enforcement government agency data	<input checked="" type="checkbox"/>
Community based organizations (e.g. faith based, non-profits, social service providers)	<input type="checkbox"/>
Local businesses	<input checked="" type="checkbox"/>
Individual community members/community meetings	<input checked="" type="checkbox"/>
Community survey	<input type="checkbox"/>

Local government officials	b
The media	b
None of the above	e

9) If awarded funds, my agency will improve our understanding of this problem by examining (please check all that apply):

	Burglary
Routinely collected law enforcement data/information related to the problem (e.g. arrest, incident reports, calls for service)	b
The location and/or time aspects of the problem(e.g. mapping)	b
The conditions and environmental factors related to the problem	b
The strengths and limitations of current responses to the problem	b
Non-law enforcement data/information related to the problem (e.g. insurance crash data, other government agency data, census data, survey data)	e
Existing research and best practices related to the problem	b
Data/information from the community related to the problem (e.g. resident associations, business groups, non-profit community service organizations)	b
Information about offenders contributing to the problem (e.g. offender interview, arrest records)	b
Information about victims affected by the problem(e.g. crime reports, victim interviews)	b
Strengths and weaknesses of previous responses to the problem	b
None of the above	e

10) If awarded funds my agency will use the following information sources to assess our response to this problem to determine whether the response was implemented and achieved the desired outcomes(please check all that apply):

	Burglary
Routinely collected law enforcement data/information related to the problem (e.g. arrest, incident reports, calls for service)	b
Data/information regarding whether the response was implemented as planned	b
Police data collected for this specific problem (e.g. problem-specific surveys, field interview contact cards, etc.)	b
Non-police data/information related to the problem(e.g. insurance crash data, other government agency data, census data, survey data)	e
Data/information from the community related to the problem (e.g. resident associations, business groups, non-profit community service organizations)	e
Information about offenders contributing to the problem (e.g. offender interview, arrest records, probation/parole data)	b
Information about victims and/or stake holders affected by the problem(e.g. crime repots, victim interviews)	b
None of the above	e

11) To the best of your ability at this time, would you say your primary goals(s) in responding to the bellow problems include which of the following (please select up to 3):

Burglary

Eliminating the problem	e
Reducing the number of incidents	b
Increasing public trust in your agency	e
Reducing the seriousness of the incidents or the amount of harm	e
Reducing the number of victims and /or repeat victims	e
Reducing the number of offenders and/or repeat offenders	e
Moving the problem to another area	e
Getting other agencies and/or stake holders to assume responsibility for the problem	b
Improving the response to the problem(i.e., more comprehensive and coordintaed way of dealing with the problem, providing better services to victims, or greater efficiency in dealing with the problem)	b
Improving citizen perceptions of the problem	e
Increasing the number of affests/citations	e
Reducing the number of calls for service	e
None of the above	e

COPS Application

Attachment to SF-424

SECTION 6B: Law Enforcement and Community Policing Strategy







12) An important part of a comprehensive community policing plan is the formation of partnerships, such as working with other public agencies, private organizations, or participation in regional law enforcement partnerships. If awarded funds, will your agency initiate or enhance a partnership with an external group/organization to develop responses to this problem?

	Burglary
<input checked="" type="radio"/> Yes <input checked="" type="radio"/> No	

12a) If awarded funds, how many external groups/organizations will your agency initiate or enhance a partnership with to develop responses to this problem

	Burglary
Number of Organizations	<input type="text" value="7"/>

12b) Name the most important external groups/organizations that your agency will initiate or enhance a partnership with to develop responses to this problem (maximum of three partners). Note: you may attach optional letters of this support from any or all of these prospective partners in Section 13 of the application. You will be limited to listing no more than three partners per public safety problem.

	Burglary	
Partner 1	Hall County Attorney	 
Partner 2	Neighborhood Groups	 
Partner 3	Workers in neighborhoods	 

COPS Application

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SECTION 6B: Law Enforcement and Community Policing Strategy

Please enter the partner's name in the box below.

Partner Name:

12c) For this partner, please indicate the statement that best characterizes this partner:

- ☐ Local government agencies (non-law enforcement, e.g. probation/parole, parks and recreation, code enforcement, etc.)
- ☐ Community based organizations (e.g. faith based, community redevelopment groups, social service providers, resident associations)
- ☐ Businesses operating in the community
- ☐ Tribal law enforcement agencies
- ☐ Federal, state, or local law enforcement agencies (non-tribal) including through multi-jurisdictional/regional partnerships
- ☐ Local educational institutions (schools/colleges/universities)
- ☐ Individual stake holders (persons residing, working, or with an interest in the community or problem)

COPS Application

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SECTION 6B: Law Enforcement and Community Policing Strategy

Please enter the partner's name in the box below.

Partner Name:

Neighborhood Groups

12c) For this partner, please indicate the statement that best characterizes this partner:

- ☐ Local government agencies (non-law enforcement, e.g. probation/parole, parks and recreation, code enforcement, etc.)
- ☐ Community based organizations (e.g. faith based, community redevelopment groups, social service providers, resident associations)
- ☐ Businesses operating in the community
- ☐ Tribal law enforcement agencies
- ☐ Federal, state, or local law enforcement agencies (non-tribal) including through multi-jurisdictional/regional partnerships
- ☐ Local educational institutions (schools/colleges/universities)
- ☐ Individual stake holders (persons residing, working, or with an interest in the community or problem)

COPS Application

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SECTION 6B: Law Enforcement and Community Policing Strategy

Please enter the partner's name in the box below.

Partner Name:

Workers in neighborhoods

12c) For this partner, please indicate the statement that best characterizes this partner:

- ☐ Local government agencies (non-law enforcement, e.g. probation/parole, parks and recreation, code enforcement, etc.)
- ☐ Community based organizations (e.g. faith based, community redevelopment groups, social service providers, resident associations)
- ☐ Businesses operating in the community
- ☐ Tribal law enforcement agencies
- ☐ Federal, state, or local law enforcement agencies (non-tribal) including through multi-jurisdictional/regional partnerships
- ☐ Local educational institutions (schools/colleges/universities)
- ☐ Individual stake holders (persons residing, working, or with an interest in the community or problem)

COPS Application

Attachment to SF-424

SECTION 6B: Law Enforcement and Community Policing Strategy

II(b) Proposed Community Policing Plan: Organizational Transformation

COPS grants must be used to initiate or enhance community policing activities. In this section you will be asked to identify the **organizational change(s)** that your agency plans to focus on through your requested COPS funding. Identifying the specific **organizational change(s)** that your agency plans to focus on is important to ensure that you satisfy the requirements for COPS funding under this program, and to ensure that ultimately the use of these funds will initiate or enhance your agency’s capacity to implement community policing strategies.

13) If awarded funds, will your agency initiate or enhance any of the following internal changes to personnel management? (Select no more than 2 internal changes to personnel management that will be addressed with these grant funds.)

- ☐ Flexibility in officer shift assignments to facilitate addressing specific problems
- ☐ Assignment of officers to specific neighborhoods or areas for longer periods of time to enhance customer service and facilitate more contact between police and citizens

Please provide a narrative for each internal change to personnel management identified (2,000 characters or less)

The 2012 Public Safety study identified that the Patrol Division was operating under stress and lacked resources to effectively conduct proactive strategies. The Police Department intends to use the new officers in Patrol to increase resources and allow more time for proactive problem oriented policing. This included being able to take extra time on a criminal investigation and talk to the victim in greater detail. It includes conducting neighborhood contacts and canvasses. It includes targeting crime prevention programs in problem areas. It includes increased directed patrol using foot patrol and bicycle patrol to supplement vehicle patrol in our neighborhoods and business districts. It also includes expansion of department hot spot patrol techniques such as DDACTS.

- ☐ Recruitment and hiring practices that reflect an orientation towards problem solving and community engagement
- ☐ In-service training for officers on basic and advanced community policing principle
- ☐ Field training officer (FTO) programs that teach and test problem solving, community engagement, and critical thinking skills
- ☐ Further define and clarify community policing roles and expectations for officers
- ☐ Personnel evaluation systems that assess officer activities, accomplishments, and performance related to problem solving and community engagement
- ☐ Early intervention systems that help identify officers who may be showing early signs of stress, personal problems, and questionable work conduct
- ☐ First-line supervisory skills to support officer problem solving and community engagement activities

Please provide a narrative for each internal change to personnel management identified (2,000 characters or less)

We have selected four Sergeants who are serving as Special Operations Sergeants in Patrol. They have received advanced problem oriented policing training and are being tasked with developing comprehensive strategies to address targeted problems in the City. They will work closely with our Crime Analyst to identify hot spots and problems and then develop strategies that use a variety of resources to address the issue to include crime prevention measures, neighborhood canvasses, and proactive problem oriented patrol techniques such as DDACTS, foot patrol and bicycle patrol in hot spot areas. It will also include using the departments code enforcement officers as well as other government and private agencies to address disorder problems in our neighborhoods. They will

partner with individual citizens or groups of citizens to promote safety and reduce vulnerability to crimes.

☐ Career development and/or promotional processes that reinforce problem solving and community engagement

☐ None of the above

14) If awarded funds, will your agency initiate or enhance any of the following internal changes to agency management? (Select up to 2 internal changes to agency management that will be addressed with these grant funds.)

☐ Agency mission statement, vision, and/or goals that reflect the core values of community policing

☐ Agency strategic plan that outlines the goals and objectives around community policing and other departmental priorities

☐ Organizational performance measurement systems that include community policing metrics, and conduct annual assessments of agency performance

Please provide a narrative for each internal change to agency management identified (2,000 characters or less)

We are just in the very initial stages of implementing our strategic policing initiative in Grand Island. We have developed a set of performance measures for the Department that we share with our elected officials, the community and the media both monthly and annually. The strategic policing initiative calls for the Department to use information to better identify problems and then develop specific problem oriented policing strategies to address the problems. Crime Prevention programs directed towards the targets and increased citizen contact in the target areas are fundamental parts of a comprehensive strategy to target problems. The Department Crime Analyst will also conduct post strategy assessments of the impacts we have had on the problem and the effectiveness of the effort.

☐ Police officer ethical conduct initiative (e.g. procedural justice, values-based policing, etc.)

☐ Technology systems that provide officers, analysts, and the community better and more timely access to data and information

☐ Mediation strategies to resolve citizen complaints

☐ Collection, analysis, and use of crime data and information in support of problem solving goals

Please provide a narrative for each internal change to agency management identified (2,000 characters or less)

The Police Department has recently hired a person to serve as a Crime Analyst. The Crime Analyst is tasked with the collection and analysis of data and information to help identify problem areas or hot spots. The Crime Analyst is also tasked with working closely with our Special Operations Sergeants to ensure they have the information when developing problem oriented policing strategies to target problems and hot spots. The Crime Analyst is also tasked with conducting post strategy assessments for level of strategy implementation and effectiveness. These will be used by the leadership and the Special Operations Sergeants to assess our accomplishments as measured by our department performance objectives. the data will also be used to identify the effectiveness of strategies and programs to enhance productivity.

☐ Formal accreditation process

☐ System to capture and track problem solving and partnership efforts and activities

☐ An organizational assessment of community policing

☐ Level and frequency of communication with the community on crime problems and agency activities to enhance transparency

☐ None of the above

COPS Application

Attachment to SF-424

SECTION 6B: Law Enforcement and Community Policing Strategy

III. General Community Support and Engagement

15) Did your agency consult with any of the following groups/organizations on the development of this community policing plan? Please check all that apply.

- ☐ Local government agencies (non-law enforcement, e.g. probation/parole, parks and recreation, code enforcement, etc.)
- ☐ Community based organizations (e.g. faith based, community redevelopment groups, social service providers, resident associations)
- ☐ Businesses operating in the community
- ☐ Tribal law enforcement agencies (outside your jurisdiction)
- ☐ Other Federal, state, or local law enforcement agencies
- ☐ Multi-jurisdictional or regional task forces/partnerships
- ☐ Local educational institutions (schools/colleges/universities)
- ☐ Local government officials
- ☐ Individual stakeholders residing, working or with an interest in the community and/or problem
- ☐ None of the above

16) To what extent are there related governmental and/or community initiatives that complement your agency's proposed community policing plan?

- ☐ a) There are a significant number of related initiatives
- ☐ b) There are a moderate number of related initiatives
- ☐ c) There are a minimal number of related initiatives
- ☐ d) There are no related initiatives

17) To what extent is there community support in your jurisdiction for implementing the proposed community policing plan?

- ☐ a) High level of support
- ☐ b) Moderate level of support
- ☐ c) Minimum level of support

18) If awarded funds, to what extent will the community policing plan impact the other components of the criminal justice system in your jurisdiction?

- ☐ a) Potentially decreased burden
- ☐ b) No change in burden
- ☐ c) Potentially increased burden

COPS Application

Attachment to SF-424

SECTION 7: Need For Federal Assistance

A. Service Population

1. Enter the total population of the government entity applying for this grant using the latest census estimate available in the American Fact Finder at <http://FactFinder.census.gov>.
2. ☐ Check here if the population of the entity applying for this grant is not represented by U.S. Census figures (e.g., colleges, special agencies, school police departments, etc.).
3. What is the actual population your department serves as the primary law enforcement entity?
-

This may or may not be the same as the population specified above. For example, a service population may be the census population minus incorporated towns and cities that have their own police department within your geographic boundaries or estimates of ridership (e.g., transit police) or visitors (e.g., park police). An agency with primary law enforcement authority is defined as having first responder responsibility to calls for service for all types of criminal incidents within its jurisdiction.

3a. If applicable, please explain why the service population differs from the census population:

B. Explanation of Need for Federal Assistance

All applicants are required to explain their inability to address the need for this award without federal assistance. Please do so in the space below.

[Please limit your response to a maximum of 3,000 characters.]

The ICMA conducted a comprehensive public safety study for the City in 2012. The ICMA study was data driven. Some of the critical findings were: 1. Grand Island's crime rate was too high. 2. Grand Island had the highest UCR crime rate of the nine largest cities in Nebraska and exceeded some large metropolitan cities rates. 3. The Police Department needed to implement a strategic policing or intelligence led policing model that used data to identify hot spots and problems and they used comprehensive problem oriented policing to target those problems. 4. The Police Department resources were under significant stress due to the demands for service and crime. 5. The Police Department would not be able to implement a strategic policing program without additional resources both sworn officers and non-sworn staff. The City had moved forward with a commitment to implement strategic policing in Grand Island. Adding new Police Officers is creating a strain on the City's ability to fund the positions. The COPS grant would allow the City to hire three additional Police Officers and phase in and absorb the costs over time. The three new Police Officers will be assigned to the Patrol Division to provide additional resources for problem oriented policing strategies. The Department intends to expand our problem oriented policing philosophy and infuse a strategic policing mindset at all levels of the department and not just in specialized units.

C. Fiscal Health

- 1) Enter your **law enforcement agency's total operating budget** for the current AND previous two fiscal years.
Please note: All figures must be rounded to the nearest whole dollar.

CURRENT FISCAL YEAR (2013) \$

PREVIOUS FISCAL YEAR (2012) \$ 8,308,974
PREVIOUS FISCAL YEAR (2011) \$ 8,312,277

2) Enter the **total jurisdiction (city, county, state, tribal, university) locally-generated revenues** for the current AND previous two fiscal years. Locally-generated revenues may include locally generated property taxes, sales taxes, and other taxes and revenue sources (e.g., transportation taxes, transient lodging taxes, licensing fees, other non-property taxes, and franchise taxes). For example, college/university police departments would include tuition and fees, park police may include entrance and parking fees, etc. *Please note: All figures must be rounded to the nearest whole dollar.*

CURRENT FISCAL YEAR (2013) \$ 35,419,336
PREVIOUS FISCAL YEAR (2012) \$ 33,534,563
PREVIOUS FISCAL YEAR (2011) \$ 30,991,731

3) Since January 1, 2012, what percentages of the following employees in your jurisdiction (city, county, state, tribal, university) have been reduced through lay-offs. *Please note: All figures must be rounded to the nearest whole percent.*

Civilian Law Enforcement Agency Personnel 0 %
Sworn Law Enforcement Agency Personnel 0 %
Other Government Agency Personnel 0 %

4) Since January 1, 2012, what percentages of the following employees in your jurisdiction (city, county, state, tribal, university) have been reduced through furloughs that have lasted or are scheduled to last a minimum of forty hours per affected employee over the course of a fiscal year. *Please note: All figures must be rounded to the nearest whole percent.*

Civilian Law Enforcement Agency Personnel 0 %
Sworn Law Enforcement Agency Personnel 0 %
Other Government Agency Personnel 0 %

5) Since January 1, 2012, what percentages of the following authorized positions in your jurisdiction (city, county, state, tribal, university) are currently unfilled due to **official policies and/or decisions** that limit your jurisdiction’s ability to fill vacancies (i.e., hiring freezes). *For example, if your agency has ten authorized sworn positions and one is currently frozen, you would enter 10% on the sworn personnel line. Please note: All figures must be rounded to the nearest whole percent.*

Civilian Law Enforcement Agency Personnel 0 %
Sworn Law Enforcement Agency Personnel 0 %
Other Government Agency Personnel 0 %

6) The U.S. Census Bureau American Community Survey (ACS) provides multi-year poverty rate estimates for communities. Please go to the U.S. Census Bureau’s American FactFinder (<http://FactFinder2.census.gov>) to determine the percentage of individuals in poverty in your jurisdiction. For jurisdictions not included in the census (e.g., schools, universities, transit, parks), please check the box for “Not Applicable.” Please see the program Application Guide for additional information and help in using the American FactFinder. *Please note: All figures must be rounded to the nearest whole percent.*

Percentage of individuals in poverty 13 %
Not Applicable ☐

7) The Bureau of Labor Statistics’ Local Area Unemployment Statistics (LAUS) program provides monthly estimates of unemployment for communities. Please go to the Bureau of Labor Statistics’ LAUS website (www.bls.gov/lau/data.htm) to find detailed instructions for looking up your local area’s unemployment rate. It may be necessary to select the nearest best match to your jurisdiction (for example, a city of fewer than 25,000 people may report their county level rate). Please see the program Application Guide for additional information and help in using the LAUS data. For jurisdictions not included in the census (e.g., schools, universities, transit, parks), please check the box for “Not Applicable”. *Please note: All figures must be rounded to the nearest whole percent.*

Percentage unemployed for January 2013 4 %
Not Applicable ☐

8) Indicate if your jurisdiction has experienced any of the following events since January 1, 2012 (Check all that apply)

- Ⓔ A declaration of natural or other major disaster or emergency has been made pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act. (42 U.S.C. 5121 et seq.)
- Ⓔ A declaration as an economically or financially distressed area by the state in which the applicant is located.
- Ⓔ Downgrading of the applicant’s bond rating by a major rating agency.
- Ⓔ Has filed for or been declared bankrupt by a court of law.
- Ⓔ Has been placed in receivership or its functional equivalent by the state or federal government.
- Ⓔ Taken on additional law enforcement duties and responsibilities resulting from an agency merger or the disbanding of a neighboring law enforcement agency (which did not result in a new or supplemented funded contract to provide these law enforcement services).

D. Property/Violent Crime

1) **Using UCR crime definitions, enter the actual number of incidents reported to your agency in the previous three calendar years, 2012, 2011, 2010 for the following crime types.** Note that only those incidents for which your agency had primary response authority should be provided.

UCR Data*	2012	2011	2010
Criminal Homicide	0	1	3
Forcible Rape	40	29	33
Robbery	21	30	22
Aggravated Assault	101	89	113
Burglary	367	400	373
Larceny (except motor vehicle theft)	1861	1968	1836
Motor Vehicle Theft	71	91	95

COPS Application

Attachment to SF-424

SECTION 8: Continuation of Project After Federal Funding Ends

If you are applying for a COPS grant with a post-grant retention plan requirement, please complete A. If you are applying for a COPS grant without a post-grant retention plan requirement, please complete B.

A. Continuation of Project after Federal Funding Ends (for COPS grants with a retention plan requirement)

Applicants must plan to retain all sworn officer positions awarded under your COPS hiring grant for a minimum of 12 months at the conclusion of 36 months of federal funding for each position. The retained COPS funded positions should be added to your agency’s law enforcement budget with state and/or local funds at the end of grant funding, over and above the number of locally-funded sworn officer positions that would have existed in the absence of the grant. These additional position(s) must be retained using state, local, or other non-federal funding only. You may not use funds awarded by other federal grants to cover the costs of retention. At the time of grant application, applicants must affirm that they plan to retain the positions and identify the planned source(s) of retention funding. We understand that your agency’s source(s) of retention funding may change during the life of the grant. Your agency should maintain proper documentation of any changes in the event of an audit, monitoring or other evaluation of your grant compliance. Please refer to the frequently asked questions on retention which can be found here <http://www.cops.usdoj.gov/Default.asp?Item=2367>.

1. Will your agency plan to retain any additional positions awarded under this grant for a minimum of 12 months at the conclusion of federal funding for each position?

☒ Yes ☐ No

Note: Agencies that do not plan to retain all the positions awarded under this grant are ineligible to receive CHP funding

2. Please identify the source(s) of funding that your agency plans to utilize to cover the costs of retention:
(check all that apply)

- ☒ General funds
- ☐ Raise bond/tax issue
- ☐ Private sources/donations
- ☐ Non-federal asset forfeiture funds (subject to approval from the state or local oversight agency)
- ☐ Fundraising efforts
- ☐ State, local, or other non-federal grant funding
- ☐ Other (Please provide a brief description of the source(s) of funding not to exceed 350 characters.)

COPS Application

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SECTION 12: Official Partner(s) Contact Information

An official “partner” under the grant may be a governmental, private, school district, or other applicable entity that has established a legal, contractual, or other agreement with the applicant for the purpose of supporting and working together for mutual benefits of the grant. Please see the COPS Application Guide for more information on official partners that may be required.

FirstName LastName AgencyName Delete Edit

Title:

First Name: MI: Last Name: Suffix:

Name of Partner Agency (e.g., Smithville High School):

Type of Partner Agency (e.g., School District):

Street Address 1:

Street Address 2:

City: State: Zip Code:

Telephone: Fax:

Email:

Add

Person Submitting this Application

By clicking this box and typing my name below, I certify that I have been legally and officially authorized by the appropriate governing body to identify the partner (s) listed above and act on behalf of the grant applicant entity. I also certify that the above agency (or agencies) is a partner (or are partners) to the grant project as required by the grant and that our agencies mutually agreed to this partnership as related to this grant project prior to submission of this grant application. In addition, I certify that the information provided above regarding the partner(s) is true and accurate to the best of my knowledge. I understand that false statements or claims made in connection with COPS programs may result in fines, imprisonment, debarment from participating in federal grants, cooperative agreements, or contracts, and/or any other remedy available by law to the Federal Government.

Please type your name here in place of your signature:

COPS Application

Attachment to SF-424

SECTION 13: Application Attachments

File Name	File Type	Delete
NB04001_424_11392349.pdf	Attachment424	Delete

This section should be used to attach any required or applicable attachments to your grant applications (e.g., Memorandum of Understanding, etc.)

If the program for which you are applying requires a Memorandum of Understanding (MOU), this document should define the roles and responsibilities of the individuals and partner(s) involved in your proposed project. Please refer to the program-specific Application Guide to determine if an MOU or other application attachments are required. The Guide will also specify if optional attachments are permitted for submission.

Browse...

Attachment type:

Please select attachment type

6

Upload

COPS Application

Attachment to SF-424

SECTION 14: Budget Detail Worksheets

Instructions for Completing the Budget Detail Worksheets

The following Budget Detail Worksheets are designed to allow all COPS grant and cooperative agreement applicants to use the same budget forms to request funding. Allowable and unallowable costs vary widely and depend upon the type of COPS program. The maximum federal funds that can be requested and the federal/local share breakdown requirements also vary.

Please refer to the program-specific Application Guide to determine the allowable/unallowable costs, the maximum amount of federal funds that can be requested, and the federal/local share requirements for the COPS program for which your agency is applying. To assist you, sample Budget Detail Worksheets are included in each Application Guide.

Please complete each section of the Budget Detail Worksheets applicable to the program for which you are applying (see the [Program-specific Application Guide](#) for requirements). If you are not requesting anything under a particular budget category, please check the appropriate box in that category indicating that no positions or items are requested.

All calculations should be rounded to the nearest whole dollar. Once the budget for your proposal has been completed, a budget summary page will reflect the total amounts requested in each category, the total project costs, and the total federal and local shares.

If you need assistance in completing the Budget Detail Worksheets, please call the COPS Office Response Center at 800.421.6770.

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SECTION 14: Budget Detail Worksheets

Instructions: This worksheet will assist your agency in reporting your agency’s current *entry-level* salary and benefits and identifying the total salary and benefits request per officer position for the length of the grant term. Please list the current entry-level base salary and fringe benefits *rounded to the nearest whole dollar* for one full-time sworn officer position within your agency. Do not include employee contributions. (Please refer to the [Program-specific Application Guide](#) for information on the length of the grant term for the program under which you are applying.)

Please refer to the [Program-specific Application Guide](#) for information about allowable and unallowable fringe benefits for sworn officer positions requested under the program to which your agency is applying.

SWORN:

Title	Description	Number of Positions	Delete	Edit
Sworn	Sworn Officers	3	Delete	Edit

COPS Application

Attachment to SF-424

SECTION 14: Budget Detail Worksheets

B. BUDGET DETAILS

A. Sworn Officer Positions Part 1

Part 1: Instructions: Please complete the questions below for one position salary and benefits package. As applicable per the program -specific Application Guide, you may also be required to project Year 2 and Year 3 salaries.

A. Base Salary Information	Year 1 Salary	Year 2 Salary	Year 3 Salary
	Enter the current first year base salary for one position	Enter the current second year base salary for one position	Enter the current third year base salary for one position
	<input type="text" value="\$38,811.00"/>	<input type="text" value="\$41,684.00"/>	<input type="text" value="\$44,770.00"/>
	Does the base salary include vacation costs?	Does the base salary include vacation costs?	Does the base salary include vacation costs?
	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
	Does the base salary include sick leave costs?	Does the base salary include sick leave costs?	Does the base salary include sick leave costs?
	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

B. Fringe benefit costs should be calculated for each year of the grant term.

FRINGE BENEFITS:	Year 1 Fringe Benefits		Year 2 Fringe Benefits		Year 3 Fringe Benefits	
	COST BASE:	% OF	COST BASE:	% OF	COST BASE:	% OF
Social Security (<i>Cannot exceed 6.2 of Total Base Salary</i>) <input type="checkbox"/> Exempt <input type="checkbox"/> Fixed Rate	<input type="text" value="\$2,406.00"/>	<input type="text" value="6.2%"/>	<input type="text" value="\$2,584.00"/>	<input type="text" value="6.2%"/>	<input type="text" value="\$2,776.00"/>	<input type="text" value="6.2%"/>
Medicare (<i>Cannot exceed 1.45 of Total Base Salary</i>) <input type="checkbox"/> Exempt <input type="checkbox"/> Fixed Rate	<input type="text" value="\$563.00"/>	<input type="text" value="1.45%"/>	<input type="text" value="\$604.00"/>	<input type="text" value="1.45%"/>	<input type="text" value="\$649.00"/>	<input type="text" value="1.45%"/>
Health Insurance	<input type="text" value="\$16,092.00"/>	<input type="text" value="41.46%"/>	<input type="text" value="\$21,241.00"/>	<input type="text" value="50.96%"/>	<input type="text" value="\$23,645.00"/>	<input type="text" value="52.81%"/>
Life Insurance	<input type="text" value="\$70.00"/>	<input type="text" value="0.18%"/>	<input type="text" value="\$96.00"/>	<input type="text" value="0.23%"/>	<input type="text" value="\$96.00"/>	<input type="text" value="0.21%"/>
Vacation Number of Hours Annually: <input type="text" value="80"/>	<input type="text" value="\$0.00"/>	<input type="text" value="0%"/>	<input type="text" value="\$0.00"/>	<input type="text" value="0%"/>	<input type="text" value="\$0.00"/>	<input type="text" value="0%"/>

Sick Leave	Number of Hours Annually: 120	\$0.00	0%	\$0.00	0%	\$0.00	0%
Retirement		\$2,523.00	6.5%	\$2,710.00	6.5%	\$3,134.00	7.0%
Worker's Compensation	Exempt	\$990.00	2.55%	\$1,063.00	2.55%	\$1,142.00	2.55%
Unemployment Insurance	Exempt	\$0.00	0%	\$0.00	0%	\$0.00	0%
Other	Disability Insurance	\$129.00	0.33%	\$138.00	0.33%	\$148.00	0.33%
Other		\$0.00	0%	\$0.00	0%	\$0.00	0%
Other		\$0.00	0%	\$0.00	0%	\$0.00	0%
Benefits Sub-Total Per Year (1 Position)		\$22,773.00		\$28,436.00		\$31,590.00	
Total (A+B)		\$61,584.00 (A+B)		\$70,120.00 (A+B)		\$76,360.00 (A+B)	
D. Total Salary and Benefits for Years 1, 2, and 3 (1 Position):		\$ 208,064.00	X 3	# of Positions =	\$624,192.00		

SECTION 14: Budget Detail Worksheets

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COPS Application

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SECTION 14: Budget Detail Worksheets

BUDGET SUMMARY

Instructions: Please review the category totals and the total project costs below. If the category totals and project amounts shown are correct, please continue with the submission of your application. Should you need to make revisions to a budget category, please return to the Budget Detail Worksheet.

	Budget Category	Category Total	
A.	Sworn Officer Positions	\$624,192.00	
B.	Civilian/Non-Sworn Personnel	\$0.00	
C.	Equipment/Technology	\$0.00	
D.	Supplies	\$0.00	
E.	Travel/Training	\$0.00	
F.	Contracts/Consultants	\$0.00	
G.	Other Costs	\$0.00	
H.	Indirect Costs	\$0.00	
Total Project Amount:		\$624,192.00	
Total Federal Share Amount:		\$375,000.00	60.1%
(Total Project Amount X Federal Share Percentage Allowable)			
Total Local Share Amount (If applicable):		\$249,192.00	39.9%
(Total Project Amount - Total Federal Share Amount)			

If your application is funded, but for a reduced number of officer positions, the percentage of the local share provided above will be applied to the total project cost of the awarded officers

Contact Information for Budget Questions

Please provide contact information of the financial official that the COPS Office may contact with questions related to your budget submission.

First Name:	<input type="text" value="Jaye"/>
Last Name:	<input type="text" value="Montor"/>
Title:	<input type="text" value="City Finance Director"/>
Phone:	<input type="text" value="308-385-5444"/>

Fax:

E-mail Address:

COPS Application

Attachment to SF-424

SECTION 15A: Assurances

Several provisions of federal law and policy apply to all grant programs. The Office of Community Oriented Policing Services needs to secure your assurance that the applicant will comply with these provisions. If you would like further information about any of these assurances, please contact your state's COPS Grant Program Specialist at 800-421-6770.

By signing this form, the applicant assures that it will comply with all legal and administrative requirements that govern the applicant for acceptance and use of federal grant funds. In particular, the applicant assures us that:

1. It has been legally and officially authorized by the appropriate governing body (for example, mayor or city council) to apply for this grant and that the persons signing the application and these assurances on its behalf are authorized to do so and to act on its behalf with respect to any issues that may arise during processing of this application.
2. It will comply with the provisions of federal law, which limit certain political activities of grantee employees whose principal employment is in connection with an activity financed in whole or in part with this grant. These restrictions are set forth in 5 U.S.C. § 1501, et seq.
3. It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act, if applicable.
4. It will establish safeguards, if it has not done so already, to prohibit employees from using their positions for a purpose that is, or gives the appearance of being, motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business or other ties.
5. It will give the Department of Justice or the Comptroller General access to and the right to examine records and documents related to the grant.
6. It will comply with all requirements imposed by the Department of Justice as a condition or administrative requirement of the grant, including but not limited to: the requirements of 28 CFR Part 66 and 28 CFR Part 70 (governing administrative requirements for grants and cooperative agreements); 2 CFR Part 225 (OMB Circular A-87), 2 CFR 220 (OMB Circular A-21), 2 CFR Part 230 (OMB Circular A-122) and 48 CFR Part 31.000, et seq. (FAR 31) (governing cost principles); OMB Circular A-133 (governing audits) and other applicable OMB circulars; the applicable provisions of the Omnibus Crime Control and Safe Streets Act of 1968, as amended; 28 CFR Part 38.1; the applicable COPS Application Guidelines; the applicable COPS Grant Owner's Manuals; and with all other applicable program requirements, laws, orders, regulations, or circulars.
7. It will, to the extent practicable and consistent with applicable law, seek, recruit and hire qualified members of racial and ethnic minority groups and qualified women in order to further effective law enforcement by increasing their ranks within the sworn positions in the agency.
8. It will not (and will require any subgrantees, contractors, successors, transferees, and assignees not to), on the ground of race, color, religion, national origin, sex, disability, or age, unlawfully exclude any person from participation in, deny the benefits of or employment to any person, or subject any person to discrimination in connection with any programs or activities funded in whole or in part with federal funds. These civil rights requirements are found in the non-discrimination provisions of Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. § 2000d); the Omnibus Crime Control and Safe Streets Act of 1968, as amended (42 U.S.C. § 3789d); Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794); the Age Discrimination Act of 1975 (42 U.S.C. §6101, et seq.); Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681 et seq.); and the corresponding DOJ regulations implementing those statutes at 28 C.F.R. part 42 (subparts C, D, E, G, and I). It will also comply with Executive Order 13279 Equal Treatment for Faith-Based Organizations and its implementing regulations at 28 C.F.R Part 38, which requires equal treatment of religious organizations in the funding process and nondiscrimination of beneficiaries by Faith-Based Organizations on the basis of belief or non-belief."

A. In the event that any court or administrative agency makes a finding of discrimination on grounds of race, color, religion, national origin, gender, disability or age against the applicant after a due process hearing, it agrees to forward a copy of the finding to the Office for Civil Rights, Office of Justice Programs, 810 7th Street, NW, Washington, D.C. 20531.

B. If your organization has received an award for \$500,000 or more and has 50 or more employees, then it has to prepare an Equal Employment Opportunity Plan (EEOP) and submit it to the Office for Civil Rights ("OCR"), Office of Justice Programs, 810 7th Street, N.W., Washington, DC 20531, for review within 60 days of the notification of the award. If your organization received an award between \$25,000 and \$500,000 and has 50 or more employees, your organization still has to prepare an EEOP, but it does not have to submit the EEOP to OCR for review. Instead, your organization has to maintain the EEOP on file and make it available for review on request. In addition, your organization has to complete Section B of the Certification Form and return it to OCR. If your organization received an award for less than \$25,000; or if your organization has less than 50 employees, regardless of the amount of the award; or if your organization is a medical institution, educational institution, nonprofit organization or Indian tribe, then your organization is exempt from the EEOP requirement. However, your organization must complete Section A of the Certification

9. Pursuant to Department of Justice guidelines (June 18, 2002 Federal Register (Volume 67, Number 117, pages 41455-41472)), under Title VI of the Civil Rights Act of 1964, it will ensure meaningful access to its programs and activities by persons with limited English proficiency.

10. It will ensure that any facilities under its ownership, lease or supervision which shall be utilized in the accomplishment of the project are not listed on the Environmental Protection Agency' (EPA) list of Violating Facilities and that it will notify us if advised by the EPA that a facility to be used in this grant is under consideration for such listing by the EPA..

11. If the applicant's state has established a review and comment procedure under Executive Order 12372 and has selected this program for review, it has made this application available for review by the state Single Point of Contact.

12. It will submit all surveys, interview protocols, and other information collections to the COPS Office for submission to the Office of Management and Budget for clearance under the Paperwork Reduction Act of 1995 if required.

13. It will comply with the Human Subjects Research Risk Protections requirements of 28 CFR Part 46 if any part of the funded project contains non-exempt research or statistical activities which involve human subjects and also with 28 CFR Part 22, requiring the safeguarding of individually identifiable information collected from research participants.

14. Pursuant to Executive Order 13043, it will enforce on-the-job seat belt policies and programs for employees when operating agency-owned, rented or personally-owned vehicles.

15. It will not use COPS funds to supplant (replace) state, local, or Bureau of Indian Affairs funds that otherwise would be made available for the purposes of this grant, as applicable.

16. If the awarded grant contains a retention requirement, it will retain the increased officer staffing level and/or the increased officer redeployment level, as applicable, with state or local funds for a minimum of 12 months following expiration of the grant period.

17. It will not use any federal funding directly or indirectly to influence in any manner a Member of Congress, a jurisdiction, or an official of any government, to favor, adopt, or oppose, by vote or otherwise, any legislation, law ratification, policy or appropriation whether before or after the introduction of any bill, measure, or resolution proposing such legislation, law, ratification, policy or appropriation as set forth in the Anti- Lobby Act, 18 U.S.C. 1913.

18. In the event that a portion of grant reimbursements are seized to pay off delinquent federal debts through the Treasury Offset Program or other debt collection process, it agrees to increase the non-federal share (or, if the awarded grant does not contain a cost sharing requirement, contribute a non-federal share) equal to the amount seized in order to fully implement the grant project.

19. None of the funds made available under this award may be distributed to the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries.

False statements or claims made in connection with COPS grants (including cooperative agreements) may result in fines, imprisonment, disbarment from participating in federal grants or contracts, and/or any other remedy available by law.

I certify that the assurances provided are true and accurate to the best of my knowledge.

Elections or other selections of new officials will not relieve the grantee entity of its obligations under this grant.

Steven Lamken

Signature of Law Enforcement Executive/Agency Executive
(For your electronic signature, please type in your name)
Steven Lamken

05/20/2013

Date

Joseph Vavricek

Signature of Government Executive/Financial Official
(For your electronic signature, please type in your name)
Joseph Vavricek

05/20/2013

Date

COPS Application

Attachment to SF-424

SECTION 15B: Certifications

Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; Federal Taxes and Assessments; Drug-Free Workplace Requirements; and Coordination with Affected Agencies.

Although the Department of Justice has made every effort to simplify the application process, other provisions of federal law require us to seek your agency’s certification regarding certain matters. Applicants should read the regulations cited below and the instructions for certification included in the regulations to understand the requirements and whether they apply to a particular applicant. Signing this form complies with certification requirements under 28 CFR Part 69, “New Restrictions on Lobbying,” 2 CFR Part 2867, “Nonprocurement Debarment and Suspension,” Public Law 111-117 or the most recent applicable appropriations Act, 28 CFR Part 83, “Government-Wide Requirements for Drug-Free Workplace (Grants),” and the coordination requirements of the Public Safety Partnership and Community Policing Act of 1994. The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Justice determines to award the covered grant.

1. Lobbying

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 CFR Part 69, the applicant certifies that:

- A. No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the making of any federal grant; the entering into of any cooperative agreement; and the extension, continuation, renewal, amendment or modification of any federal grant or cooperative agreement;
- B. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, “Disclosure of Lobbying Activities,” in accordance with its instructions; and
- C. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all sub-recipients shall certify and disclose accordingly.

2. Debarment, Suspension and Other Responsibility Matters (Direct Recipient)

As required by Executive Order 12549, Debarment and Suspension, and implemented at 2 CFR Part 2867, for prospective participants in primary covered transactions, as defined at 2 CFR Part 2867.20(a), the applicant certifies that it and its principals:

- A. Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of federal benefits by a state or federal court, or voluntarily excluded from covered transactions by any federal department or agency;
- B. Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state or local) or private agreement or transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion or receiving stolen property, making false claims, or obstruction of justice, or commission of any offense indicating a lack of business integrity or business honesty that seriously and directly affects your present responsibility;
- C. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any of the offenses enumerated in paragraph (B) of this certification; and
- D. Have not within a three-year period preceding this application had one or more public transactions (federal, state or local) terminated for cause or default.

3. Federal Taxes and Assessments

- A. If applicable, an applicant who receives an award in excess of \$5,000,000 certifies that, to the best of its knowledge and belief, the applicant has filed all federal tax returns required during the three years preceding the certification, has not been convicted of a criminal offense under the Internal Revenue

Code of 1986, and has not, more than 90 days prior to certification, been notified of any unpaid federal tax assessment for which the liability remains unsatisfied, unless the assessment is the subject of an installment agreement or offer in compromise that has been approved by the Internal Revenue Service and is not in default, or the assessment is the subject of a non-frivolous administrative or judicial proceeding.

B. The applicant certifies that it does not have any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability.

4. Drug-Free Workplace (Grantees Other Than Individuals)

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 83, for grantees/recipients, as defined at 28 CFR Part 83.660 -

A. The applicant certifies that it will, or will continue to, provide a drug-free workplace by:

- (i) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- (ii) Establishing an on-going drug-free awareness program to inform employees about -
 - (a) The dangers of drug abuse in the workplace;
 - (b) The grantee's policy of maintaining a drug-free workplace;
 - (c) Any available drug counseling, rehabilitation and employee assistance programs; and
 - (d) The penalties that may be imposed upon employees for drug-abuse violations occurring in the workplace;
- (iii) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (i);
- (iv) Notifying the employee in the statement required by paragraph (i) that, as a condition of employment under the grant, the employee will -
 - (a) Abide by the terms of the statement; and
 - (b) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
- (v) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (iv)(b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: COPS Office, 145 N St, NE, Washington, D.C. 20530. Notice shall include the identification number(s) of each affected grant;
- (vi) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (iv)(b), with respect to any employee who is so convicted -
 - (a) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - (b) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement or other appropriate agency;
- (vii) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (i), (ii), (iii), (iv), (v), and (vi).

Grantee Agency Name and Address:

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of performance (street address, city, county, state, zip code)

Grand Island Police Department 111 Public Safety Drive Grand Island, Hall County, NE, 68801
--

Check ☐ if there are workplaces on file that are not identified here.

5. Coordination

The Public Safety Partnership and Community Policing Act of 1994 requires applicants to certify that there has been appropriate coordination with all agencies that may be affected by the applicant’s grant proposal if approved. Affected agencies may include, among others, the Office of the United States Attorney, state or local prosecutors, or correctional agencies. The applicant certifies that there has been appropriate coordination with all affected agencies.

Where the applicant is unable to certify to any of the statements in this Certifications form, he or she shall attach an explanation to this application regarding the particular statement that cannot be certified. Please check here ☐ if an explanation is attached to this application. Please note that the applicant is still required to sign the Certifications form to certify to all the other applicable statements.

Grantee Agency Name and Address:

Grand Island, City of 111 Public Safety Drive Grand Island, NE 68801

Grantee IRS/ Vendor Number: 476006205

False statements or claims made in connection with COPS grants (including cooperative agreements) may result in fines, imprisonment, disbarment from participating in federal grants or contracts, and/or any other remedy available by law.

I certify that the assurances provided are true and accurate to the best of my knowledge.

Elections or other selections of new officials will not relieve the grantee entity of its obligations under this grant.

Steven Lamken

Signature of Law Enforcement Executive/Agency Executive
(For your electronic signature, please type in your name)
Steven Lamken

05/20/2013

Date

Joseph Vavricek

Signature of Government Executive/Financial Official
(For your electronic signature, please type in your name)
Joseph Vavricek

05/20/2013

Date

COPS Application

Attachment to SF-424

SECTION 16: Disclosure of Lobbying Activities

Instructions for Completion of SF-LLL, Disclosure of Lobbying Activities

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a follow-up report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, state and zip code of the reporting entity. Include Congressional District number, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee," then enter the full name, address, city, state and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFPD E-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, state and zip code of the lobbying entity engaged by the reporting registrant identified in item 4 to influence the covered Federal action.

(b) Enter the full name(s) of the individual(s) performing services, and include full address if different from 10 (a). Enter Last Name, First Name, and Middle Initial (MI).
11. The certifying official shall sign and date the form, print his/her name, title and telephone number.

According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB Control Number. The valid OMB control number for this information collection is OMB No. 0348-0046. Public reporting burden for this collection of information is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, DC 20503.

Disclosure of Lobbying Activities

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352.

COPS Application

Attachment to SF-424

SECTION 17: REVIEWS AND CERTIFICATIONS

1) Federal Civil Rights and Grant Reviews:

Please be advised that an application may not be funded and, if awarded, a hold may be placed on the award if it is deemed that the applicant is not in compliance with federal civil rights laws, and/or is not cooperating with an ongoing federal civil rights investigation, and/or is not cooperating with a Department of Justice grant review or audit.

2) Certification of Review of 28 C.F.R. Part 23/Criminal Intelligence Systems:

Please review the COPS Application Guide: Legal Requirements Section for additional information.

Please check one of the following, as applicable to your agency’s intended use of this grant:

- ☐ No, my agency will not use these COPS grant funds (if awarded) to operate an interjurisdictional criminal intelligence system.
- ☐ Yes, my agency will use these COPS grant funds (if awarded) to operate an interjurisdictional criminal intelligence system. By signing below, we assure that our agency will comply with the requirements of 28 C.F.R. Part 23.

3) Certification of Review and Representation of Compliance with Requirements:

The signatures of the Law Enforcement Executive/Agency Executive, Government Executive/Financial Official, and the Person Submitting this Application on the Reviews and Certifications represent to the COPS Office that:

- a) the signatories have been legally and officially authorized by the appropriate governing body to submit this application and act on behalf of the grant applicant entity;
- b) the applicant will comply with all legal, administrative, and programmatic requirements that govern the applicant for acceptance and use of federal funds as outlined in the applicable COPS Application Guide; the COPS Grant Owner’s Manual, Assurances, Certifications and all other applicable program regulations, laws, orders, and circulars;
- c) the applicant understands that false statements or claims made in connection with COPS programs may result in fines, imprisonment, debarment from participating in federal grants, cooperative agreements, or contracts, and/or any other remedy available by law to the federal government; AND
- d) the information provided in this application, including any amendments, shall be treated as material representations of fact upon which reliance will be placed when the Department of Justice determines to award the covered grant.

The signatures of the Law Enforcement Executive/Agency Executive and the Government Executive/Financial Official on this application must be the same as those identified in Section 4 of this application. Applications with missing, incomplete, or inaccurate signatories or responses may not be considered for funding.

<div>Steven Lamken</div> <div>Signature of Law Enforcement Executive/Agency Executive (For your electronic signature, please type in your name)</div> <div>Steven Lamken</div>	<div>05/20/2013</div> <div>Date</div>
<div>Joseph Vavricek</div> <div>Signature of Government Executive/Financial Official (For your electronic signature, please type in your name)</div> <div>Joseph Vavricek</div>	<div>05/20/2013</div> <div>Date</div>
<div>Steven Lamken</div>	<div>05/20/2013</div>

Signature of Person Submitting This Application
(For your electronic signature, please type in your name)

Date

- By clicking this box, the applicant understands that the use of typed names in this grant application and the required grant forms, including the Assurances and Certifications, constitute electronic signatures and that the electronic signatures are the legal equivalent of handwritten signatures.

RESOLUTION 2013-334

WHEREAS, The City Council approved the submission of a Grand Island Police Department COPS Hiring Grant application in May of 2013; and

WHEREAS, The Office of Community Oriented Policing has sent notice of approval of a COPS Hiring Grant, # 2013UMWX0194 for the Grand Island Police Department; and

WHEREAS, the COPS Hiring Grant will pay up to a total of \$375,000 over a three year period to support the wages and benefits of three Police Officers authorized in the 2014 City budget.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, to authorize the acceptance of COPS Hiring grant # 2013UMWX0194 for the Grand Island Police Department.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, October 8, 2013.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	▣ _____
October 4, 2013	▣ City Attorney



City of Grand Island

Tuesday, October 8, 2013

Council Session

Item I-1

#2013-335 - Consideration of Request from RSI, Inc. dba The Upper Deck, 2110 West 2nd Street for a Class “C” Liquor License and Liquor Manager Designation for Gary Phillips, 4309 Quail Lane

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

Staff Contact: RaNae Edwards

RESOLUTION 2013-335

WHEREAS, an application was filed by RSI, Inc. doing business as The Upper Deck, 2110 West 2nd Street 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 August 28, 2013; such publication cost being \$16.28; and

WHEREAS, a public hearing was held on October 8, 2013 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 Gary Phillips, 4309 Quail Lane, Grand Island, NE as liquor manager of such business contingent upon completing a state approved alcohol server/seller program.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, October 8, 2013.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
October 4, 2013	☐ City Attorney



City of Grand Island

Tuesday, October 8, 2013

Council Session

Item I-2

#2013-336 - Consideration of Approving Wastewater Rates for Non-Resident Customers

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

Council Agenda Memo

From: Marvin Strong PE, Wastewater Plant Engineer

Meeting: October 8, 2013

Subject: Consideration of Approving Wastewater Rates for Non-Resident Customers

Item #'s: I-2

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

Background

On September 24, 2013 City Council approved new wastewater rates, through Resolution No. 2013-331, which went into effect October 1, 2013.

The City Council directed staff to present an increased rate for non-resident customers within 2 months.

Discussion

At the September 24, 2013 council meeting a discussion occurred regarding setting higher rates for non-resident wastewater customers to encourage annexation.

There are currently five (5) suburban sanitary sewer accounts being served by the Wastewater Treatment Plant.

- Grand Island Kennel Club (1 account)
- The Diamond Engineering Company (2 accounts)
- Hornady Tool Company (1 account)
- Hornady Manufacturing (1 account)

Due to the small amount involved the fee will have no significant impact on revenue. Therefore we are recommending that we match the Utility Department's practice of charging 20% over the rate for non-resident water customers. This will generate approximately \$2,625.30 annually. The charge for each customer will be determined by using the approved fee schedule to calculate the non-resident customer fee and multiply by 1.2.

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

City Administration recommends that the Council approve the non-resident sanitary sewer customer rates for the Wastewater Treatment Plant.

Sample Motion

Move to approve the resolution.

RESOLUTION 2013-336

WHEREAS, at the September 17, 2013 City Council Study Session, representatives from the engineering consulting firm Black & Veatch Corporation of Kansas City, Missouri presented tables and allocations for a wastewater cost of services based rate study; and

WHEREAS, at the September 24, 2013 City Council meeting the final wastewater cost of service based rates were approved through Resolution No. 2013-331; and

WHEREAS, City Council directed staff to recommend increased rates for non-resident wastewater customers within 2 months to encourage annexation.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that non-resident wastewater customers shall be charged 120% of the rates, to emulate the non-resident water rates, stated in the City's approved fee schedule.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, October 8, 2013

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	▣ _____
October 4, 2013	▣ City Attorney



City of Grand Island

Tuesday, October 8, 2013

Council Session

Item I-3

**#2103-337 – Consideration of Approving Appointments to the
Citizens Advisory Review Committee**

Staff Contact: Mayor Jay Vavricek

Council Agenda Memo

From: Jay Vavricek, Mayor

Meeting: October 8, 2013

Subject: Consideration of Approving Seven Member Citizen Advisory Review Committee as Called for by the City of Grand Island Economic Development Plan

Item #s: I-3

Presenter(s): Jay Vavricek, Mayor

Background

The City of Grand Island on May 22, 2012, in Resolution 2012-138 approved a ten year renewal of its Economic Development Program. Pursuant to the Local Option Municipal Economic Development Act, a proposed Economic Development Program was prepared for the voters of the City of Grand Island for their approval. The general election took place on November 6, 2012, at which time the voters of the City of Grand Island approved new guidelines to administer a ten year renewal of the Economic Development Program. Included in the Program under Section I are two paragraphs addressing the Citizen Advisory Review Committee (Committee). These two paragraphs read as follows:

The core of the process involves the formulation of a proposed plan for a local economic development program. The program forms the foundation for the expenditure of local revenues for economic development. As outlined in the legislation, a Citizen Advisory Review Committee appointed by the Mayor and approved by the City Council was created to advise, review and recommend proposals. This committee would continue in place with the new plan. The Committee will be comprised of seven members. All members must be registered voters in the City of Grand Island. It is recommended that professionals in the fields of accounting, banking and finance, business owners and business professionals be included on the Citizen Advisory Review Committee. At least one member of the Committee shall have expertise or experience in business, finance and accounting. Members may be removed in the same manner as appointed, subject to City Council approval. The term of four members will end in even numbered years and the term of the remaining three members will end in odd numbered years. Eligibility to continue service beyond the initial term is based on City Council approval. No member shall be an elected or appointed City

Official, an employee of the City, a participant in a decision making position regarding expenditures of program funds, an official or employee of any qualifying business receiving financial assistance under the Program or an official or employee of any financial institution participating directly in the Program. Both the City Council President and the City Administrator or designee will serve as Liaison to the Citizen Advisory Review Committee. All Citizen Advisory Review Committee meetings are subject to open meeting laws. A quorum of four members is needed to officially hold a meeting.

The Citizen Advisory Review Committee (Section 18-2715) shall: (a) review the economic development program's function and progress at quarterly meetings and advise the City Council with regard to the program; and (b) report to the City Council on its findings and suggestions at a public hearing called for that purpose, at least once in every six-month period after the effective date of the ordinance.

Discussion

Terms for the existing seven Committee members ended on September 30, 2013 concurrent with the expiration of the original Economic Development Program. The City issued a press release indicating citizens interested in serving on the Committee should apply. The Mayor also reached out to existing Committee members to determine their willingness to continue serving.

Based on an interview process including Mayor Jay Vavricek, Program Administrator Mary Lou Brown and EDC President Randy Gard, a slate of prospective Committee members is being provided to Council for its consideration. The final selection was based on four criteria: 1) registered within the City of Grand Island as a voter; 2) background or experience in the fields of accounting, banking and finance or business owners and business professionals; 3) willingness to serve; and 4) skill set added to the diversity of the Committee.

The proposed seven Committee members for Council consideration and their corresponding terms are:

Bruce Lux	9/30/2014
Ray O'Connor	9/30/2014
Dehn Renter	9/30/2015
Mark Stelk	9/30/2014
Craig Vincent	9/30/2015
Tim White	9/30/2015
Lisa Willman	9/30/2014

Alternatives

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

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

Recommendation

City Administration, along with GIAEDC President Randy Gard, recommend Council approve the proposed seven Committee members for appointment to the Citizen Advisory Review Committee.

Sample Motion

Move to approve the resolution approving the proposed seven Committee members for appointment to the Citizen Advisory Review Committee.

RESOLUTION 2013-337

WHEREAS, the voters of the City of Grand Island approved an Economic Development Program on November 6, 2012; and

WHEREAS, the Economic Development Program requires that a Citizen Advisory Review Committee be appointed by the Mayor and approved by the City Council to advise, review and recommend proposals; and

WHEREAS, the Economic Development Program states the Citizen Advisory Review Committee will be comprised of seven members, all of whom must be registered voters in the City of Grand Island and should be professionals in the fields of accounting, banking and finance, business owners and business professionals; and

WHEREAS, the Economic Development Program states the term of four members will end in even numbered years and the term of the remaining three members will end in odd numbered years; and

WHEREAS, the public was invited to apply, an interview process was completed.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the following seven citizens of the City of Grand Island be appointed to serve as the Citizen Advisory Review Committee for the indicated term of service:

Bruce Lux	9/30/2014
Ray O'Connor	9/30/2014
Dehn Renter	9/30/2015
Mark Stelk	9/30/2014
Craig Vincent	9/30/2015
Tim White	9/30/2015
Lisa Willman	9/30/2014

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, October 8, 2013.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
October 4, 2013	☐ City Attorney



City of Grand Island

Tuesday, October 8, 2013

Council Session

Item I-4

#2013-338 - Consideration of Approving an Agreement with the Grand Island Area Chamber of Commerce

Staff Contact: Mayor Jay Vavricek

Council Agenda Memo

From: Jay Vavricek, Mayor

Meeting: October 8, 2013

Subject: Consideration of Approving an Agreement with the Grand Island Area Chamber of Commerce

Item #s: I-4

Presenter(s): Jay Vavricek, Mayor

Background

The City of Grand Island, Hall County, Grand Island Area Economic Development Corporation and the Grand Island Area Chamber of Commerce all agreed to contribute funds for the hiring of Rembolt Ludtke, LLP, a law firm from Lincoln, Nebraska to evaluate all legal options available with the intent of retaining the Grand Island Veterans Home. The City's portion of the legal fees was \$5,000 and Council approval was obtained through the passage of Resolution 2013-292. The Resolution included the statement that timely communication of research will be extended to the council through the Mayor.

Discussion

In order to retain the confidentiality required as the potential for litigation is continued to be researched, it has been recommended by Don Dunn from the Rembolt Ludtke firm that an agreement between the Chamber and the City be completed. This document must be approved prior to the direct sharing of any written documents or reports as prepared by Rembolt Ludtke with the Mayor and the Mayor being able to share that information with the Council pursuant to the terms of Resolution 2013-292.

Alternatives

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

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

Recommendation

City Administration recommends the approval of the agreement between the Grand Island Area Chamber of Commerce and the City of Grand Island.

Sample Motion

Move to approve the resolution approving the agreement between the Grand Island Area Chamber of Commerce and the City of Grand Island.

RESOLUTION 2013-292

WHEREAS, veterans today and generations before have served honorably with bravery, courage and dedication to support the freedom of this land and community; and

WHEREAS, this community made possible 640 acres of land as the home of the Grand Island Veterans Home, which, in the estimation of many in our community, became "hallowed ground" with approval of state statute LB247 on March 4, 1887; and

WHEREAS, efforts to move the Grand Island Veterans Home to Kearney cast aside with little or no regard the pioneer spirit, generosity, initiative and 126 years of service from our community; and

WHEREAS, a recent state wide request for community offerings supporting a new Central Nebraska Veterans Home used a proposal process that remains in doubt, a process that did not take into account proximity of adjacent and available resources such as the Veterans Hospital, camaraderie of the membership of veterans' organizations, land readily available for member access and residency, nor did it solicit suitable involvement from members or employees of the Grand Island Veterans Home, or conduct a public hearing to ascertain facts; and

WHEREAS, based on the unprecedented show of support at the August 20th city council meeting and public comments made at that time; and


WHEREAS, the City of Grand Island, Hall County, Grand Island Area Economic Development Corporation and the Grand Island Area Chamber of Commerce have representatives serving as members of the Home for Our Heroes Committee; and

WHEREAS, the City, County, Economic Development Corporation and Chamber of Commerce along with the entire Grand Island area community have an interest in retaining the Grand Island Veterans Home and will be affected by the loss of that Home; and

WHEREAS, the Chamber of Commerce plans to engage Donald L. Dunn of the law firm of Rembolt Ludtke, LLP to analyze the legal situation regarding the decision to move the Home, to analyze the legal options available to retain the Home in Grand Island, and to offer advice to the Home for Our Heroes Committee regarding the legal situation and available options regarding the State's decision to relocate the Home; and

WHEREAS, the total fee for Mr. Dunn's and Rembolt Ludtke's services is \$15,000.00 with Hall County contributing \$5,000, Economic Development Corporation contributing \$2,500 and Chamber of Commerce contributing \$2,500; and

WHEREAS, at the request of The Home For Our Heroes Committee, the City of Grand Island is contributing \$5,000.00 to assist it in paying Mr. Dunn and Rembolt Ludtke only to research, analyze and evaluate matters concerning the Veterans Home relocation recommendation; and

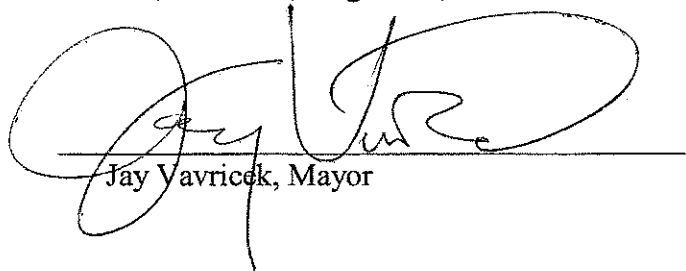
Approved as to Form	<input checked="" type="checkbox"/>	
August 26, 2013	<input checked="" type="checkbox"/>	City Attorney

WHEREAS, the following council acknowledgements are also made: since federal funding of the project would benefit veterans regardless of the Home's location, federal funding is essential and will be supported; a reasonable and respectful dialogue is expected; other actions, including the possibility of state-wide legislative action, may be warranted; timely communication of research will be extended to the council through the Mayor; and if future financial assistance is needed to address this community concern, any action is dependent upon council approval with the hope the same four community partners would participate in a similar manner as this initial effort.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island is hereby authorized to disburse \$5,000.00 to the Grand Island Area Chamber of Commerce to assist it in retaining the professional services of Donald L. Dunn and Rembolt Ludtke, LLP and for paying the fee for those services.

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Adopted by the City Council of the City of Grand Island, Nebraska, August 27, 2013.



Jay Vavricek, Mayor

Attest:



RaNae Edwards, City Clerk

PRIVILEGED AND CONFIDENTIAL
Attorney Work Product
Prepared in Anticipation of Litigation

1. The undersigned Parties (“Parties”) have certain common interests in the State of Nebraska’s announced plans to relocate the Grand Island Veterans’ Home from the City of Grand Island to the City of Kearney (the “Home Relocation”). Further, the Parties have reason to believe that they may become parties in litigation involving the Home Relocation (the “Potential Litigation”).

2. The Potential Litigation is expected to raise legal and factual issues and interests common to the Parties. The Parties therefore have a common interest in sharing information to prepare a joint case. These mutual interests warrant joint efforts in preparing for, and if necessary, conducting the Potential Litigation. The Parties desire to take all lawful, ethical and proper steps to assure that their respective counsel are free to share and exchange strategies, legal theories, confidences and other secrets, information, and documents (hereinafter “Information”) in order to advance their preparation and positions in the Potential Litigation and protect the Parties’ interests and rights. Based on these circumstances, the Parties and their respective counsel agree to exchange and share information, subject to Paragraph 5 below, for the purpose of advancing their common interests.

3. The joint litigation privilege or common interest doctrine enables counsel for clients facing a common litigation opponent to exchange privileged communications and attorney work product in order to adequately prepare a defense without waiving either privilege. The Parties enter into this Agreement to take advantage of those protections and for the purpose of allowing their legal counsel to share and exchange information in a common effort to prepare for and conduct the Potential Litigation and to enhance their

respective counsels' ability to represent them in the Potential Litigation, without thereby waiving any privilege or claim of confidentiality or attorney work product with respect to the information.

4. To further the mutual interests of the undersigned Parties, they agree:
 - a) to share and exchange among and between themselves, their counsel, their insurers, if any, and any of their respective agents, representatives, experts, consultants, legal assistants and employees, subject to the provisions herein, information for the limited and restricted purpose of assisting the Parties and their counsel in preparing for and conducting the Potential Litigation while protecting their respective interests and not otherwise authorizing or permitting any other publication or use of the information;
 - b) not to reveal the information to any third party without prior notice and written consent of the Party (or its counsel) who contributed or caused the same to be disclosed pursuant to this Agreement;
 - c) not to approve or authorize any waiver or modification of any provision of this Agreement except pursuant to an addendum or like memorandum signed by each Party hereto;
 - d) that this Agreement does not preclude or prohibit the Parties from disclosing and producing documents and materials that are the proper subject of discovery pursuant to the Federal Rules of Civil Procedure or the Nebraska Discovery Rules; and
 - e) that injunctive relief may be sought by any Party to prevent any Party to this Agreement from disclosing or using the information in violation of this Agreement.

5. Nothing in this Agreement obligates any Party to this Agreement to share documents, secrets or other information with the other Party, but the provisions of this Agreement shall apply to any such document, secret or other information which is so shared. Nothing in this Agreement alters the rights of any Parties to this Agreement to obtain documents, secrets or other information from the Party where they would otherwise have such rights absent this Agreement. Notwithstanding the provisions of Paragraph 4, in the event of any adversarial action, proceeding or litigation between the Parties, the Parties agree not to use any information, documents, or secret obtained by virtue of this Agreement

against the other unless also obtained through discovery or from independent third party sources, and nothing in this Agreement shall be construed to prevent such Parties from revealing, using or introducing in such action, proceeding or litigation any information, document, or secret that is otherwise obtained through discovery or from independent third party sources.

6. The parties may jointly hire certain experts or expert witnesses, and those joint experts or expert witnesses may be witnesses for each Party, regardless of which attorney or Party actually contacts such witness. In the event of a settlement or dismissal of one of the Parties to this agreement, any joint expert witnesses shall remain as expert witnesses for any Party remaining in the Potential Litigation, and the dismissed Party shall not, as condition of the dismissal, agree to restrict access to the experts. Any Party who is or will be settled or dismissed from the Potential Litigation shall provide to any remaining Party to this Agreement the entire file concerning any expert witness, including notes and work product materials, in order for any remaining Party to fully utilize the experts of the settling or dismissed Party. In addition, the settling/dismissed Party's attorney shall provide telephone introductions to all experts and encourage the experts to continue with assistance in the Potential Litigation. Moreover, all possible or proposed exhibits for such experts, and all questions anticipated for such experts, shall be provided to any non-settling/non-dismissed Party. The attorney for the settling/dismissed Party agrees to devote a reasonable amount of time to assist any non-settling/non-dismissed Party in understanding the details of the expert opinions. No settling/dismissed Party will enter into any agreement with any potential plaintiff that will compromise any of the above commitments.

7. Any Party wishing to withdraw from the Agreement will give prior written notice to the other Party. Withdrawal shall not constitute a waiver of the attorney-client or

work-product privilege, and the obligations of any Party that has received documents or other information pursuant to this Agreement shall survive and remain in effect following any such withdrawal or the termination of this Agreement.

8. The Parties agree that nothing contained in this Agreement, including the sharing of information, shall be the basis of a claim of conflict of interest or disqualification by any of the Parties to this Agreement against counsel for any other Party.

9. This Agreement shall be binding on all attorneys, agents, employees, consultants, experts, and other representatives of the Parties.

10. This Agreement shall be governed by, and shall be construed in accordance with, principles of Nebraska law.

DATED: October 2, 2013

Grand Island Area Chamber of Commerce

By: Cady K Johnson

Its: President

City of Grand Island, Nebraska

By: _____

Its: _____

RESOLUTION 2013-338

WHEREAS, the City of Grand Island, Hall County, Grand Island Area Economic Development Corporation and the Grand Island Area Chamber of Commerce all agreed to contribute funds for the hiring of Rembolt Ludtke, LLP, a law firm from Lincoln, Nebraska to evaluate all legal options available with the intent of retaining the Grand Island Veterans Home; and

WHEREAS, the City's portion of the legal fees was \$5,000 which was approved by the City Council through the passage of Resolution 2013-292; and

WHEREAS, in order to retain the confidentiality required as the potential for litigation is continued to be researched it has been recommended that an agreement between the Chamber and the City be signed; and

WHEREAS, the agreement must be in place prior to the direct sharing of any written documents or reports as prepared by Rembolt Ludtke with the Mayor and the Mayor being able to share that information with the Council pursuant to the terms of Resolution 2013-292.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the agreement between The Grand Island Area Chamber of Commerce and the City of Grand Island be approved.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, October 8, 2013.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
October 4, 2013	☐ City Attorney



City of Grand Island

Tuesday, October 8, 2013

Council Session

Item I-5

#2013-310 – Consideration of Authorizing the Legal Department to Acquire Certain Real Estate through Eminent Domain

Staff Contact: Robert Sivick

Council Agenda Memo

From: Robert J. Sivick, City Attorney

Meeting: October 8, 2013

Subject: Consideration of Authorizing the Legal Department to Acquire Certain Real Estate through Eminent Domain

Item #'s: I-5

Presenter(s): Robert J. Sivick, City Attorney

Background

Over the last few months the Legal and Public Works Departments have attempted to purchase approximately eighty acres of pasture land located north of Eagle Scout Lake along Highway 2. The Public Works Department wishes to convert this parcel into a detention cell to allow the City of Grand Island (City) to better control storm water runoff and drainage affecting Northwest Grand Island. City staff made reasonable offers to the listed owner in excess of the fair market value to no avail.

On September 10, 2013 the Grand Island City Council (Council) postponed action on this matter until September 24, 2013. On September 24 the Council postponed action until tonight. On October 1, 2013 City legal staff met with the property owner and his attorney to again attempt to negotiate a purchase price for the property in question. The property owner held fast in his demand for a price per acre far in excess of fair market value. Consequently, his demand was rejected by City legal staff.

Discussion

Since the proposed use of the land is for a public purpose, Chapter 76, Article 7 of the Nebraska Revised Statutes permits the City to acquire it through eminent domain. This would be accomplished through a Petition to Condemn Real Property filed in the Hall County Court.

The issue to be decided by the Council tonight is not to negotiate a purchase price for the real estate in question. Rather, the issue is limited to whether it will authorize the Legal Department to acquire the real estate through the City's power of eminent domain.

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

The City Administration recommends the Council approve Resolution 2013-309 to authorize the Legal Department to acquire certain real estate for public use through Eminent Domain.

Sample Motion

Move to approve Resolution 2013-309 authorizing the Legal Department to acquire certain real estate for public use through Eminent Domain.

R E S O L U T I O N 2013-310

WHEREAS, the City of Grand Island has sought to acquire real property consisting of the West ½ of the Southeast ¼ of the Lake Township located in Hall County, Nebraska for a public purpose; and

WHEREAS, City staff has made numerous market based offers for this real property but those offers have been rejected by the listed owner; and

WHEREAS, in light of the owner's rejection of the City's offers, the City must exercise its power of Eminent Domain to acquire the real property.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City Legal Department is hereby authorized to acquire the above described real estate through Eminent Domain by filing a Petition to Condemn Real Property in the Hall County Court.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, October 8, 2013.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	▣ _____
October 4, 2013	▣ City Attorney



City of Grand Island

Tuesday, October 8, 2013

Council Session

Item J-1

Approving Payment of Claims for the Period of September 25, 2013 through October 8, 2013

The Claims for the period of September 25, 2013 through October 8, 2013 for a total amount of \$4,292,986.78. A MOTION is in order.

Staff Contact: Jaye Monter, Finance Director