



# City of Grand Island

Tuesday, June 10, 2014

Council Session

## Item G-20

**#2014-156 - Approving Supplemental Agreement to the Temporary Construction Easement Agreement for Tract 2 for the US-30 Drainage Improvement Project**

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

# Council Agenda Memo

**From:** Scott Griepenstroh, PW Project Manager

**Meeting:** June 10, 2014

**Subject:** Approving Supplemental Agreement to the Temporary Construction Easement Agreement for Tract 2 for the US-30 Drainage Improvement Project

**Item #'s:** G-20

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

## Background

The purpose of the US-30 Drainage Improvement project is to construct storm sewer to the detention cell at the former location of the Wasmer Elementary School from connections on Second Street at Logan Street, Broadwell Avenue, and Madison Street. The improvements will significantly reduce the likelihood of flooding during storm events on Second Street. The project includes constructing drainage inlets on First Street and Division Street between Logan Street and Madison Street, which will provide drainage relief in those areas as well.

This project is receiving Federal Funding through the Surface Transportation Program (STP).

On November 13, 2012, City Council approved Resolution 2012-333 authorizing the City of Grand Island to enter into agreements for Temporary Easements and Leasehold Agreements for 15 of the tracts that were necessary for the project to be completed.

The contract for construction of the project was awarded to Van Kirk Construction on June 11, 2013. Work began on August 28, 2013.

## Discussion

As per City Code Section §35-5 Service Pipes; Specifications; Laying, “service pipe laid between the water main and the curb stop at the property line shall be built of continuous construction without joints, unions, or splices.” Replacement of existing water service pipe from the water main to the water meter in the residence that is impacted by construction is considered a project cost.

Storm sewer construction, replacement of the water service pipe and installation of a new curb stop box for the property at 1701 West First Street, also referred to as Tract 2 in the project plans, occurred in April of 2014. The plans indicated that the existing water service pipe from the residence connected to the water main to the east under the pavement of Broadwell Avenue. The new curb stop box would have been installed without needing to replace any of the existing private water service pipe into the residence. However, it was discovered that the existing service pipe turns immediately south on the east side of the residence and connects into the water main at Division Street.

Because the plans indicated the existing water service pipe connected to the water main under Broadwell Avenue, the temporary easement agreement with the property owner of Tract 2 did not include any compensation for hiring a licensed plumber to replace the private water service pipe from the new curb stop box to the water meter inside the residence.

As per guidance from the Nebraska Department of Roads, an offer for compensation to the property owner to hire a licensed plumber was made in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. The amount of the offer was based on an estimate of \$4,500.00 provided by a licensed plumber.

Authorization of the supplemental agreement is contingent upon City Council approval.

### **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 Supplemental Agreement to the Temporary Construction Easement Agreement for Tract 2 for the US-30 Drainage Improvement Project.

### **Sample Motion**

Move to approve the Supplemental Agreement to the Temporary Construction Easement Agreement for Tract 2.

RESOLUTION 2014-156

WHEREAS, temporary construction easement and leasehold agreements were obtained on the property located at 1701 W 1<sup>st</sup> St, Grand Island, Nebraska through City Council approval of Resolution No. 2012-333, from the affected property owner/lessee in the US-30 Drainage Improvement Project area; and

WHEREAS, replacement of the existing water service pipe at such address from the water main to the water meter was caused due to construction activities and is considered a project cost; and

WHEREAS, the temporary easement agreement executed with the owner of such property did not include compensation for hiring a licensed plumber to replace the private water service pipe from the new curb stop box to the water meter inside the residence; and

WHEREAS, the amount of the offer is based on an estimate of \$4,500.00 provided by a licensed plumber; and

WHEREAS, a Supplemental Agreement to the temporary construction easement with the property owner, Juan Munoz, has been reviewed and approved by the City Legal Department.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island be, and hereby is, authorized to enter into the Supplemental Agreement to the Temporary Easement Agreement on the above described tract of land, in the amount of \$4,500.00.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, June 10, 2014.

\_\_\_\_\_  
Jay Vavricek, Mayor

Attest:

\_\_\_\_\_  
RaNae Edwards, City Clerk

Approved as to Form	☒ _____
June 6, 2014	☒ City Attorney