



# City of Grand Island

Monday, December 22, 2014

Council Session

## Item I-2

**#2014-382 - Consideration of Rescinding Resolution #2014-99  
Regarding Reimbursement for Insurance Expenses for Special  
Events**

**Staff Contact: Robert Sivick**

# Council Agenda Memo

**From:** Robert J. Sivick, City Attorney

**Meeting:** December 22, 2014

**Subject:** Consideration of Rescinding a Portion of Resolution 2014-99 Directing City Staff to Seek Reimbursement for Special Event Insurance Expenses

**Item #'s:** I-2

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

## Background

Neb. Rev. Stat. §39-1359(2) requires any special event making use of the State highway system be approved by the governing body of the political subdivision in which the event takes place, acknowledges that political subdivision indemnifies the State of Nebraska for any liability arising from claims resulting from the event, and provides at least thirty days' notice of the event to the Department of Roads.

On April 22, 2014 the Grand Island City Council considered Resolution 2014-99 in compliance with the aforementioned statute regarding the State Fair marathon held on August 23, 2014. During consideration of that resolution a motion was made to amend it directing City staff to seek reimbursement from special event organizers for the additional insurance expense incurred by the City for such events. The amendment was approved by a vote of 8-2 and Resolution 2014-99 as amended was approved unanimously.

On December 9, 2014 the Council approved Resolution 2014-366 regarding the Race for Grace event scheduled for April 11, 2015. During discussion of that matter Council President Donaldson raised concerns seeking reimbursement for expenses would reduce the funds available to the event sponsor for its charitable mission. Although the Council previously removed the fee for such events from the proposed City fee schedule during the last budget process, such removal does not rescind the Council's action in amending Resolution 2014-99 directing City staff to recover such costs. The Resolution before the Council for consideration tonight does so.

## **Discussion**

Presently the City pays two thousand dollars annually for a special events liability insurance rider covering any and all events that involve use of the State highway system. If the Council approves Resolution 2014-382 City staff will no longer attempt to recoup the cost of that rider from special event sponsors. If the Council does not approve Resolution 2014-382 City staff will continue to attempt to collect those costs as previously directed by the Council.

## **Alternatives**

It appears 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 has no recommendation regarding Resolution 2014-382.

## **Sample Motion**

Move to approve Resolution 2014-382 rescinding the amendment to Resolution 2014-99 directing City staff to collect the additional insurance expense from sponsors of special events using the State highway system.

RESOLUTION 2014-382

WHEREAS, on April 22, 2014 the Grand Island City Council amended Resolution 2014-99 directing City staff to collect additional insurance expenses from the sponsors of special events making use of the State highway system; and

WHEREAS, on April 22, 2014 Resolution 2014-99 with the aforementioned amendment was approved by the Council; and

WHEREAS, the Council no longer desires City staff to collect additional insurance expenses from sponsors of special events making use of the State highway system,

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that City staff shall not collect additional insurance expenses from the sponsors of special events making use of the State highway system.

Adopted by the City Council of the City of Grand Island, Nebraska, December 22, 2014.

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Jeremy L. Jensen, Mayor

ATTEST:

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RaNae Edwards, City Clerk

Approved as to Form	☐ _____
December 19, 2014	☐ City Attorney