



City of Grand Island

Tuesday, October 11, 2005

Council Session

Item G8

**#2005-288 - Approving Agreement with the Grand Island Dive
Rescue Team**

Staff Contact: Dave Springer

AGREEMENT

THIS AGREEMENT is made and entered into this 22 day of September, 2005, by and between the **CITY OF GRAND ISLAND, NEBRASKA**, a Municipal Corporation, hereinafter referred to as "City", and **GRAND ISLAND DIVE RESCUE TEAM, INC.**, a Nebraska Non-Profit Corporation, hereinafter referred to as "GIDRT".

WHEREAS, the City is authorized pursuant to Neb. Rev. Stat. §16-246 to maintain the peace, good government, and welfare of the City, for preserving order and securing persons or property from violence, danger and destruction, for protecting public and private property, and for promoting the public health, safety, convenience, comfort, morals and the general interests and welfare of the inhabitants of the City; and

WHEREAS, GIDRT provides services of volunteers for assisting police and fire department personnel in rescue and recovery operations in water; and

WHEREAS, the City desires to contract with GIDRT to provide assistance during rescue and recovery operations at area lakes, ponds and other waters.

NOW, THEREFORE, in consideration of the mutual promises set forth herein, the City and GIDRT agree as follows:

1. **Responsibilities.** GIDRT will provide, at its sole discretion, available volunteers for services in the event of rescue and recovery operations at area lakes, ponds and other waters. GIDRT will use its own equipment and supplies during such rescue and recovery situations.

2. **Compensation.** In consideration of GIDRT performing the services provided for in this agreement, the City agrees to pay GIDRT Two Thousand Dollars (\$2,000.00). Such amount to be paid upon the execution of this agreement by all parties, and upon approval of this agreement by the Grand Island City Council. The City further agrees to include GIDRT as an additional named insured under the coverage of the City's liability insurance.

3. **Term.** This agreement shall take effect upon its approval by the City Council and execution by the Mayor, and shall terminate on September 30, 2006.

4. **Limitation.** GIDRT hereby agrees that the money paid by the City hereunder shall be used solely and specifically for the purposes stated herein.

5. **Entire Agreement.** This agreement constitutes the entire agreement between the City and GIDRT notwithstanding any other oral agreements or understandings to the contrary and may be amended only in writing, approved and executed as required by law.

IN WITNESS WHEREOF, this agreement is executed by the respective parties.

CITY OF GRAND ISLAND, NEBRASKA,
A municipal corporation,

By: _____
Jay Vavricek, Mayor

Attest: _____
RaNae Edwards, City Clerk

GRAND ISLAND DIVE RESCUE TEAM,
INC. , a Nebraska Non-Profit Corporation,

By:  _____
Brad Laub,
Executive Board Member/Treasurer

STATE OF NEBRASKA)
) ss
COUNTY OF HALL)

On _____, 2005, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Brad Laub, Executive Board Member/Treasurer of the Grand Island Dive Rescue Team, Inc., a Nebraska Non-Profit Corporation, known personally to me to be the identical person who signed the foregoing Agreement and acknowledged the execution thereof to be his voluntary act and deed for the purpose therein expressed.

WITNESS my hand and notarial seal the date above written.

Notary Public

R E S O L U T I O N 2005-288

WHEREAS, the City is authorized by state law to contract with Grand Island Dive Rescue Team, Inc., a Nebraska non-profit corporation, to maintain the peace, good government, and welfare of the City, fore preserving order and securing persons or property from violence, danger and destruction, for protecting public and private property, and for promoting the public health, safety, convenience, comfort, morals and the general interests and welfare of the inhabitants of the City; and

WHEREAS, the City desires to enter into a contract with the Grand Island Dive Rescue Team to provide funding for services pertaining to rescue and recovery operations at area lakes, ponds and other waters; and

WHEREAS, the City shall provide funding to the Grand Island Dive Rescue Team in the amount of \$2,000 during fiscal year 2005-2006 for performing agreed upon services as outlined in the agreement; and

WHEREAS, such funding was approved by the Mayor and City Council pursuant to adopted budget statements and annual appropriation ordinance.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Mayor is hereby authorized and directed to sign on behalf of the City of Grand Island, an agreement by and between the Grand Island Dive Rescue Team, Inc. to provide funding in the amount of \$2,000 for services pertaining to rescue and recovery operations at area lakes, ponds, and other waters.

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Adopted by the City Council of the City of Grand Island, Nebraska on October 11, 2005.

RaNae Edwards, City Clerk

Approved as to Form <input type="checkbox"/> _____ October 5, 2005 <input type="checkbox"/> City Attorney
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