
City of Grand Island



Tuesday, July 10, 2007

Council Session Packet

City Council:

Vacant

Tom Brown

Larry Carney

John Gericke

Peg Gilbert

Joyce Haase

Robert Meyer

Mitchell Nickerson

Fred Whitesides

Jose Zapata

Mayor:

Margaret Hornady

City Administrator:

Vacant

City Clerk:

RaNae Edwards

7:00:00 PM
Council Chambers - City Hall
100 East First 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.

Youth Minister Brian Pielstick, Harvest Time Baptist Church, 1125 North Beal 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.

MAYOR COMMUNICATION

This is an opportunity for the Mayor to comment on current events, activities, and issues of interest to the community.



City of Grand Island

Tuesday, July 10, 2007

Council Session

Item C1

Presentation of Service Award to Councilmember Scott Walker

Mayor Margaret Hornady will present a plaque to former Councilmember Scott Walker who retired on June 28, 2007 in recognition of his service to the City of Grand Island.

Councilmember Walker was elected to serve Ward 1 in 2000 and was sworn into office on December 5, 2000, he was then re-elected in 2004. We congratulate Mr. Walker for his dedicated service to the citizen's of Grand Island.

Staff Contact: Mayor Margaret Hornady



City of Grand Island

Tuesday, July 10, 2007

Council Session

Item -1

Approving Appointment of Bob Niemann as City Councilmember for Ward 1

Mayor Margaret Hornady has submitted the name of Bob Niemann for appointment as Councilmember to represent Ward 1. This vacancy was created when Councilmember Scott Walker resigned as of June 28, 2007. As is required by City Code Section 2-25, "The mayor shall fill by appointment any vacancy which may exist, caused by death, resignation or disability of any elective officer of the City. Such appointment of the mayor shall be subject, however, to approval of the majority of the council." A MOTION is in order.

Staff Contact: Mayor Margaret Hornady



City of Grand Island

Tuesday, July 10, 2007

Council Session

Item -2

Administration of Oath of Office to Bob Niemann City Councilmember for Ward 1

*City Clerk RaNae Edwards will administer the Oath of Office to newly appointed
Councilmember Bob Niemann - Ward 1.*

Staff Contact: RaNae Edwards



City of Grand Island

Tuesday, July 10, 2007

Council Session

Item E1

**Public Hearing Concerning Acquisition of Utility Easement -
Southeast Corner of 640 S. Pine Street - Gambill**

Staff Contact: Gary R. Mader

Council Agenda Memo

From: Robert H. Smith, Asst. Utilities Director

Meeting: July 10, 2007

Subject: Acquisition of Utility Easement – Southeast Corner of Business Located at 640 S. Pine Street - Gambill

Item #'s: E-1 & G-4

Presenter(s): Gary R. Mader, Utilities Director

Background

Nebraska State Law requires that acquisition of property must be approved by City Council. The Utilities Department needs to acquire an easement relative to the property of Joy and Robert Gambill, located on the southeast corner of the business located at 640 S. Pine Street, in the City of Grand Island, Hall County, in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers.

Discussion

This easement will be used to locate a pad-mounted transformer which will provide upgraded service to the existing buildings at 640 S. Pine Street and 645 S. Locust Street.

Alternatives

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

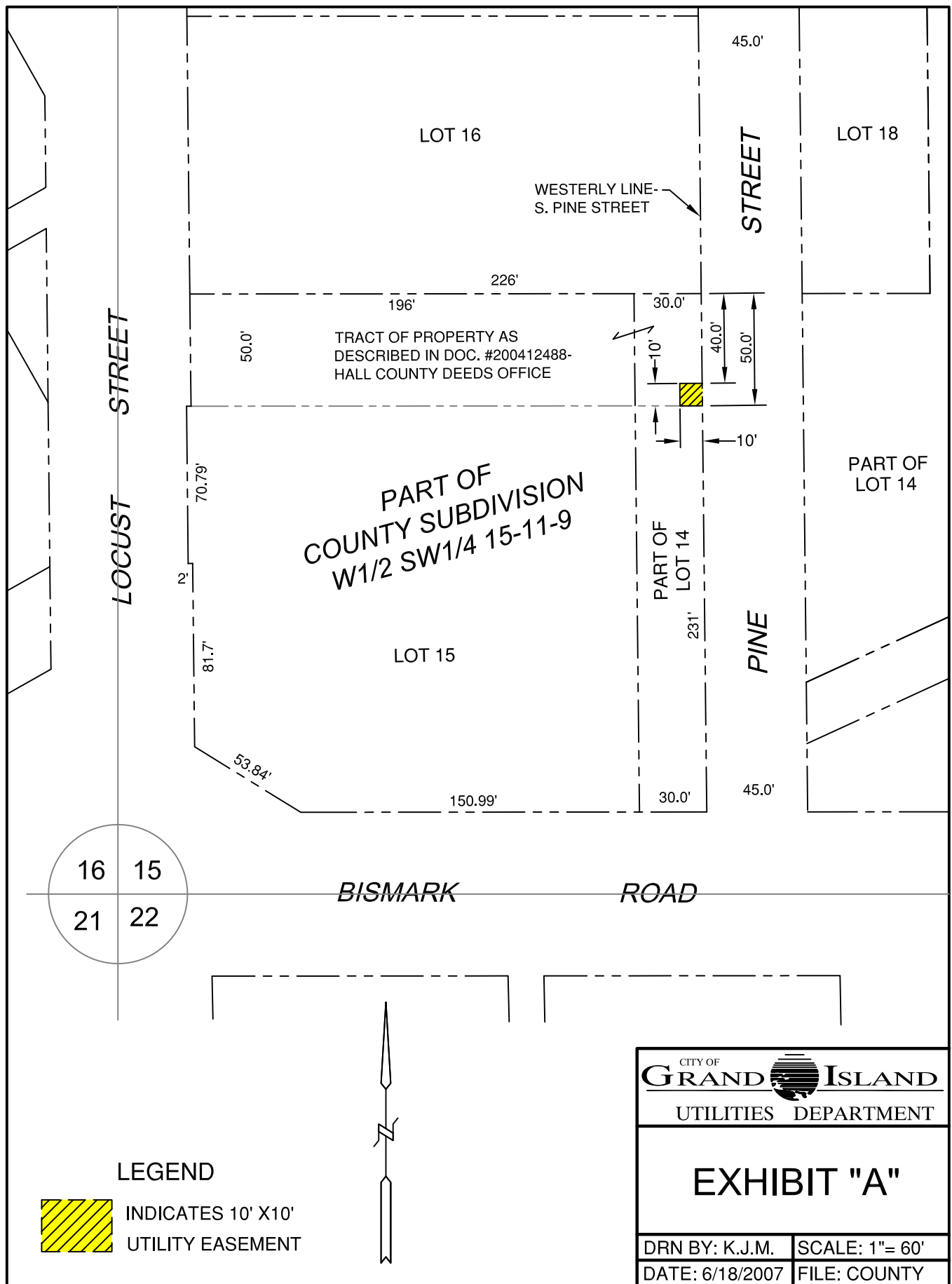
1. Make a motion to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

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

Sample Motion

Motion to approve acquisition of the Utility Easement.





City of Grand Island

Tuesday, July 10, 2007

Council Session

Item E2

**Public Hearing on Referral of Blighted and Substandard Study for
Property Located 1/2 Mile West of South Locust Street Primarily
Between Wildwood Drive and Schimmer Drive to the Regional
Planning Commission**

Staff Contact: Chad Nabity

Council Agenda Memo

From: Chad Nabity, AICP

Meeting: July 10, 2006

Subject: Public Hearing on Referral of Blighted and Substandard Study to the Regional Planning Commission

Item #'s: E-2 & I-1

Presenter(s): Chad Nabity, Director Grand Island CRA

Background

Enclosed you will find a copy of a Substandard and Blight Study as prepared for the Grand Island EDC by Hanna:Keelan Associates, P.C. entitled "Grand Island, Nebraska Value Added Redevelopment Area". This area as defined by the study will be referred to as Community Redevelopment Authority (CRA) Area #7. The study as prepared and submitted indicates that this property could be considered substandard and blighted.

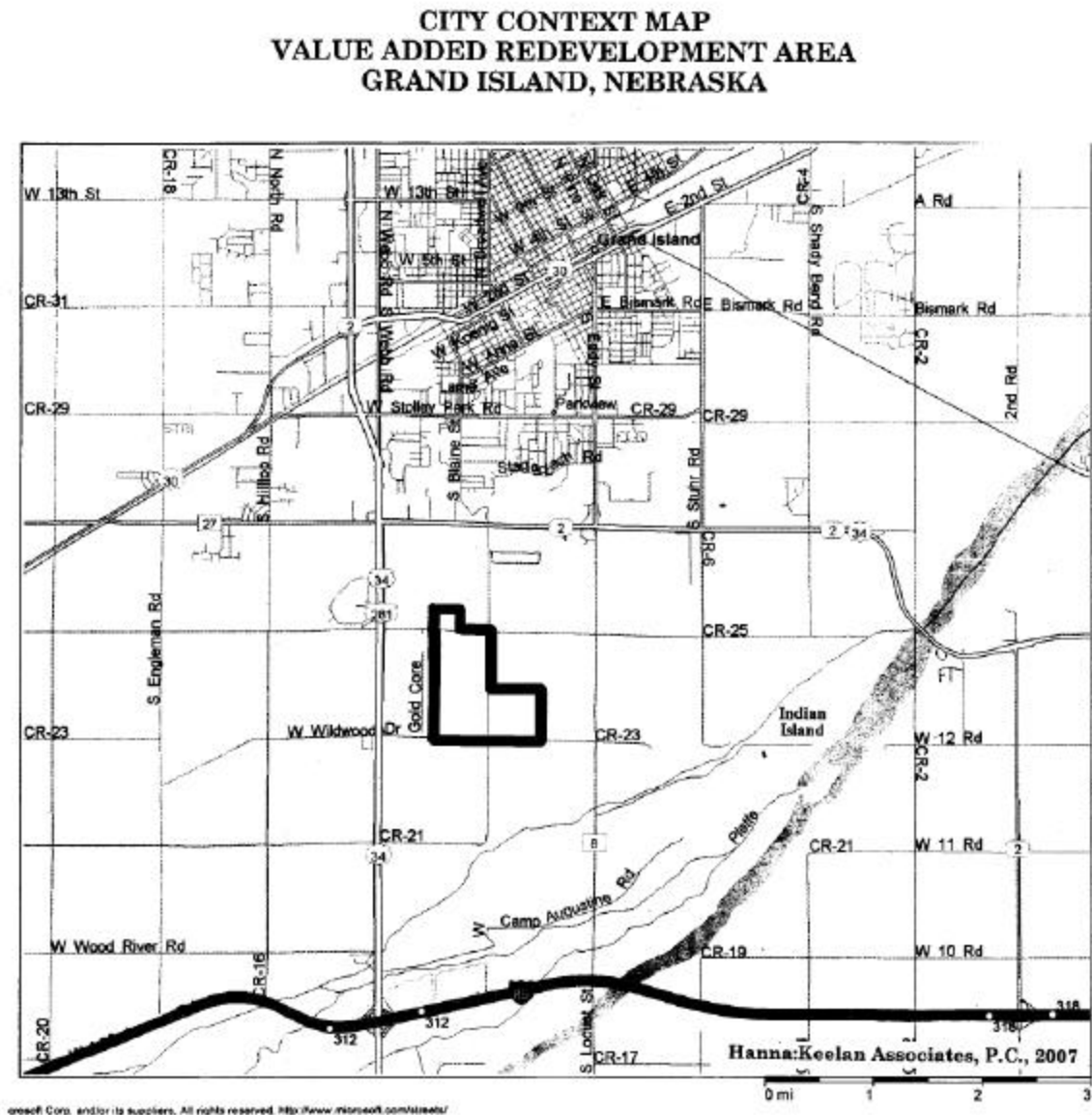
The CRA has forwarded this study for the review and consideration of the Grand Island City Council. The CRA is not required to make a recommendation and CRA chose not to make a recommendation on this study. The decision on whether to declare an area substandard and blighted is entirely within the jurisdiction of the City Council with a recommendation from the Planning Commission.

The question before Council is whether to send the Study to the Planning Commission for their review and feedback or not to send the Study to the Planning Commission. If the item is not sent to the Planning Commission the Council cannot declare the area substandard and blighted. The Planning Commission will meet on August 1st and would have a recommendation ready for one of the Council meetings in August, either the 14th or the 28th.

Once an area has been declared substandard and blighted the CRA can accept redevelopment proposals for the area that may or may not include an application for Tax Increment Financing.

Discussion

The public hearing and action item relate to the Study for proposed CRA Area #7 located east of the Platte Valley Industrial Park primarily between Schimmer Drive and Wildwood Drive and beginning ½ mile west of South Locust Street as shown below. The study was prepared for 498.5 acres, of which approximately 440 are in the Grand Island City Limits



Wes Nespor, Assistant City Attorney has reviewed the Nebraska Statutes and case law pertaining to the declaration of property as blighted and substandard. His comments on this application are as follows:

The statutory procedures for accomplishing blight relief include the following steps: (1) the identification of a community redevelopment area consisting of portions of a city declared to be substandard or blighted in accordance with statutory definitions and in need of redevelopment, (2) the formulation of a redevelopment plan for such area or a redevelopment project within such area, and (3) the implementation of the redevelopment plan through various means including acquisition, sale, leasing, and contracting for redevelopment. Nebraska Revised State Statutes (NRSS) 18-2103, 18-2107, and 18-2109.

Under this statutory scheme, a private development project would be eligible for tax increment financing only if it is included within an area which has previously been declared blighted or substandard and is in furtherance of an existing redevelopment plan for that area. The declaration of property as blighted or substandard is not simply a formality which must be met in order to assist a private developer with tax increment financing; it is the recognition of a specific public purpose which justifies the expenditure of public funds for redevelopment. See *Monarch Chemical Works, Inc. v. City of Omaha*, 203 Neb. 33, 277 N.W.2d 423 (1979), *Fitzke v. Hastings*, 255 NEB 46 (1998)

At this point, Council is only considering point 1 of Mr. Nespor's opinion. According to NRSS §18-2109, it is clear that the City Council must send the Study to the Planning Commission prior to declaring the property substandard and blighted. If Council wishes to consider a declaration of substandard and blight State Statute requires the Council to submit the question of whether an area is substandard and blighted to the Planning Commission for its review and recommendation.

The Planning Commission recommendation should be done at the first available opportunity, as the Planning Commission has 30 days to respond to Council's request for a recommendation.

Alternatives

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

1. Move to forward the Study to the Planning Commission for their recommendation.
2. Move to not forward the Study to the Planning Commission for their recommendation
3. Refer the issue to a Committee
4. Postpone the issue to future date
5. Take no action on the issue

Recommendation

City Administration recommends that the Council move to forward the Study to the Planning Commission.

Sample Motion

Motion to adopt Resolution #2007-159 to forward the Study to the Planning Commission for their review and recommendation.

GRAND ISLAND, NEBRASKA

VALUE ADDED REDEVELOPMENT AREA

Blight / Substandard Determination Study & General Redevelopment Plan

Prepared for:

GRAND ISLAND AREA
ECONOMIC DEVELOPMENT CORPORATION

Prepared by:

HANNA:KEELAN ASSOCIATES, P.C.
Community Planning & Research
LINCOLN, NEBRASKA
www.hannakeelan.com

JANUARY, 2007

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**BLIGHT AND SUBSTANDARD
DETERMINATION STUDY**

A. BLIGHT AND SUBSTANDARD DETERMINATION STUDY

EXECUTIVE SUMMARY

Purpose of Study/Conclusion

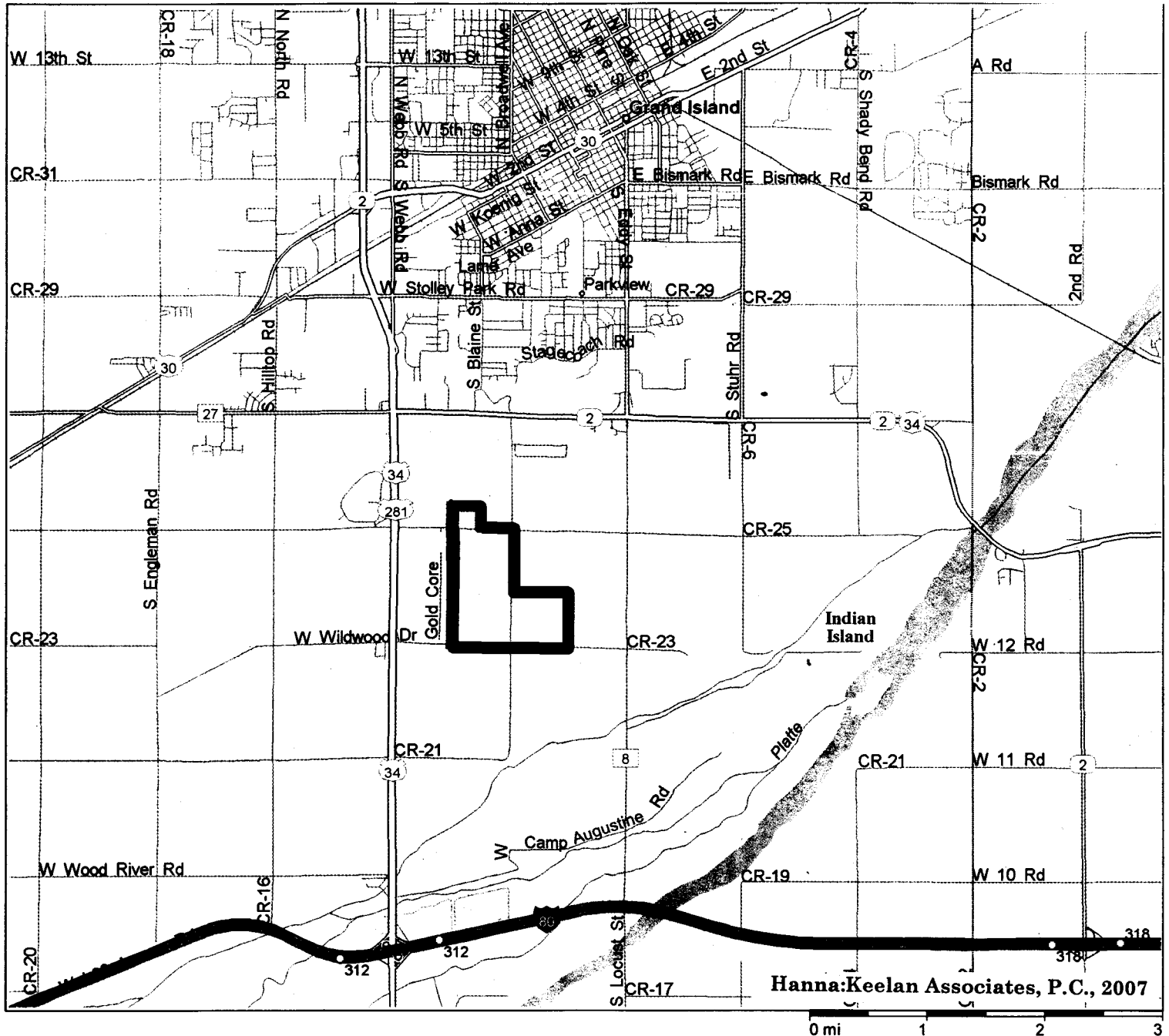
The purpose of this Blight and Substandard Determination Study is to apply the criteria set forth in the Nebraska Community Development Law, Section 18-203, to the designated Value Added Industrial Facility, or Redevelopment Area in Grand Island, Nebraska, for a value added agriculture land use development, an Ethanol Production Facility. The results of this Study will assist the Grand Island Area Economic Development Corporation, the Grand Island City Council and its legal representation to compare the findings of the Study to statutory requirements as to the declaration of the Value Added Redevelopment Area as both **blighted and substandard**.

Location

The findings presented in this Blight and Substandard Determination Study are based on surveys and analyses conducted for the, **Redevelopment Area**. In general, the Redevelopment Area consists of an area in the southern portion of Grand Island, adjacent the City's Corporate Limits, along the Highway 281 corridor. The Area is located between Schimmer and Wildwood Drives and is bound on the west by the St. Joseph Branch Railroad, which is located approximately one-half mile east of Highway 281, in Hall County, Nebraska. Beginning at the intersection of the east line of Blaine Street and the north line of Schimmer Drive West, thence south along said east line to its intersection with the north line of the southwest quarter of Section 4, Township 11 North, Range 9 West, of the 6th Principle Meridian, thence east along said north line to its intersection with the east line of the southwest quarter of Section 4, Township 11 North, Range 9 West, of the 6th Principle Meridian, thence south along said east line to its intersection with the south line of Wildwood Drive West, thence west along said south line to its intersection with the west line of the St. Joseph Branch Railroad right-of-way, thence north to the north line of Schimmer Drive West, and continuing north along the west line of the St. Joseph Branch Railroad right-of-way approximately 660' (or one-eighth of a mile), thence east approximately 660' and south approximately 660' to the north line of Schimmer Drive West, thence east along said north line to its intersection with the east line of Blaine Street, also the point of beginning.

Illustration 1 delineates the Area in relation to the City of Grand Island. The Redevelopment Area is an estimated 498.5 acres, and includes the right-of-ways of the St. Joseph Branch Railroad and Hall County roads. The boundary of the Redevelopment Area contains land areas outside the Corporate Limits of Grand Island. Any parcels for which Tax Increment Financing is used will first need to be annexed.

CITY CONTEXT MAP VALUE ADDED REDEVELOPMENT AREA GRAND ISLAND, NEBRASKA



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ILLUSTRATION 1

Grand Island Value Added Redevelopment Area
Blight and Substandard Determination Study

SUBSTANDARD AREA

As set forth in the Nebraska legislation, **a substandard area** shall mean one in which there is a predominance of buildings or improvements, whether nonresidential or residential in character, which by reason of the presence of:

1. Dilapidated/deterioration;
2. Age or obsolescence;
3. Inadequate provision for ventilation, light, air, sanitation or open spaces;
4.
 - (a) High density of population and overcrowding; or
 - (b) The existence of conditions which endanger life or property by fire and other causes; or
 - (c) Any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime, and is detrimental to the public health, safety, morals or welfare.

This evaluation included a detailed **exterior structural survey of 24 structures**, a parcel-by-parcel field inventory, conversations with pertinent City of Grand Island and Hall County department staff and a review of available reports and documents containing information which could substantiate the existence of substandard conditions.

BLIGHTED AREA

As set forth in the Section 18-2103 (11) Nebraska Revised Statutes (Cumulative Supplement 1994), **a blighted area** shall mean "an area, which by reason of the presence of:

1. A substantial number of deteriorated or deteriorating structures;
2. Existence of defective or inadequate street layout;
3. Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
4. Insanitary or unsafe conditions;
5. Deterioration of site or other improvements;
6. Diversity of ownership;
7. Tax or special assessment delinquency exceeding the fair value of the land;

8. Defective or unusual conditions of title;
9. Improper subdivision or obsolete platting;
10. The existence of conditions which endanger life or property by fire or other causes;
11. Any combination of such factors, substantially impairs or arrests the sound growth of the community, retards the provision of housing accommodations or constitutes an economic or social liability; and
12. Is detrimental to the public health, safety, morals or welfare in its present condition and use; and in which there is at least one or more of the following conditions exists;
 1. Unemployment in the study or designated blighted area is at least one hundred twenty percent of the state or national average;
 2. The average age of the residential or commercial units in the area is at least 40 years;
 3. More than half of the plotted and subdivided property in an area is unimproved land that has been within the Village for 40 years and has remained unimproved during that time;
 4. The per capita income of the study or designated blighted area is lower than the average per capita income of the City or Village in which the area is designated; or
 5. The area has had either stable or decreasing population based on the last two decennial censuses."

While it may be concluded the mere presence of a majority of the stated Factors may be sufficient to make a finding of blighted and substandard, this evaluation was made on the basis that existing Blighted and Substandard Factors must be present to an extent which would lead reasonable persons to conclude public intervention is appropriate or necessary to assist with any development or redevelopment activities. Secondly, the distribution of Blighted and Substandard Factors throughout the Redevelopment Area must be reasonably distributed so basically good areas are not arbitrarily found to be blighted simply because of proximity to areas which are blighted.

On the basis of this approach, the Redevelopment Area is found to be eligible as "blighted" and "substandard", within the definition set forth in the legislation. Specifically:

SUBSTANDARD FACTORS

Of the four Factors set forth in the Nebraska Community Development Law, all four Factors in the Redevelopment Area were found to be present to a strong extent. The Substandard Factors, present in the Area, are reasonably distributed throughout the Redevelopment Area.

**TABLE 1
SUBSTANDARD FACTORS
VALUE ADDED REDEVELOPMENT AREA
GRAND ISLAND, NEBRASKA**

1.	Dilapidated/deterioration.	☐
2.	Age or obsolescence.	☐
3.	Inadequate provision for ventilation, light, air, sanitation or open spaces.	☐
4.	Existence of conditions which endanger life or property by fire and other causes.	☐
	Strong Presence of Factor	☐
	Reasonable Presence of Factor	■
	No Presence of Factor	○

Source: Hanna:Keelan Associates, P.C., 2007

Strong Presence of Factor -

The Field Study method used to analyze exterior building conditions determined that 20, or 83.3 percent of the 24 total structures, in the Redevelopment Area, were ***deteriorating or dilapidated***. This Factor is of a strong presence.

Based on the results of a parcel-by-parcel Field Analysis, approximately 23 (95.8 percent) of the total 24 structures within the Redevelopment Area are ***40+ years of age*** (built prior to 1967). The Factor of **age or obsolescence** is a strong presence.

The conditions which result in ***inadequate provision for ventilation, light, air, sanitation or open space*** are strongly present and distributed throughout the Redevelopment Area. Factors such as graveled roads with open storm water ditches, were present throughout the Area.

The parcel-by-parcel Field Analysis determined that the substandard Factor ***existence of conditions which endanger life or property*** by fire and other causes was a strong presence throughout the Redevelopment Area. The primary contributing items include inadequate provisions for a means of egress (15, or 62.5 percent of the structures had substandard porches, steps and fire escapes), parcels with excessive debris (34.6 percent of the parcels had the presence of major or minor debris), and areas exist that are without water and/or sewer mains.

The prevailing substandard conditions evident in buildings and the public infrastructure, as determined by the Field Survey, include:

1. Aging structures;
2. Dilapidated/deteriorating structures;
3. “Fair” to “Poor” site conditions;
4. Gravel surfaced roads with open storm water drainage ditches;
5. Frame buildings and wood structural components in masonry buildings as potential fire hazards;
6. Parcels lacking adequate accessibility to industrial land use types;
7. Frame buildings and wood structural components in masonry buildings as potential fire hazards;
8. Lack of municipal water and sanitary sewer infrastructure;
9. Parcels with excessive debris; and
10. Gravel surfaced private driveways and parking surfaces.

BLIGHT FACTORS

Of the 12 Factors set forth in the Nebraska Community Development Law, **five** are present to a strong extent, in the Redevelopment Area, and **five** are present to a reasonable, but more limited extent. The Factor “tax or special assessment excluding the fair value of land” was not determined to be a blighting factor. “Defective or unusual condition of title” was not reviewed. The Blight Factors which are present are reasonably distributed throughout the Grand Island Value Added Redevelopment Area.

**TABLE 2
BLIGHT FACTORS
VALUE ADDED REDEVELOPMENT AREA
GRAND ISLAND, NEBRASKA**

1.	A substantial number of deteriorated or deteriorating structures.	☐
2.	Existence of defective or inadequate street layout.	■
3.	Faulty lot layout in relation to size, adequacy, accessibility or usefulness.	■
4.	Insanitary or unsafe conditions.	☐
5.	Deterioration of site or other improvements.	☐
6.	Diversity of Ownership.	■
7.	Tax or special assessment exceeding the fair value of land.	○
8.	Defective or unusual condition of title.	NR
9.	Improper subdivision or obsolete platting.	■
10.	The existence of conditions which endanger life or property by fire or other causes.	☐
11.	Other environmental and blighting factors.	■
12.	One of the other five conditions.	☐
Strong Presence of Factor		☐
Reasonable Presence of Factor		■
Little or No Presence of Factor		○
Not Reviewed		NR

Source: Hanna:Keelan Associates, P.C., 2007

Strong Presence of Factor -

Deteriorated or dilapidated structures are a strong presence in the Redevelopment Area. A total of 83.3 percent of the 24 structures were found to be deteriorating or dilapidated.

Insanitary or unsafe conditions are strongly present throughout the Redevelopment Area. Conditions contributing to this Factor include the substandard age and condition of structures, as well as the presence of abandoned and dilapidated buildings.

Deterioration of site or other improvements is a strong presence throughout the Redevelopment Area. Four primary land parcels exist in the Area. Individual parcels exist for each of the 24 structures, plus two large vacant parcels, for a total of 26 individual parcels. The parcel-by-parcel Survey identified a total of 18, or 69.2 percent of the total parcels as possessing “fair” overall site conditions. Additionally, four, or 15.4 percent of the total 26 parcels were identified as being in “poor” condition. This represents a total of 84.6 percent (22 parcels) of the total 26 parcels as being in either “fair” or “poor” condition.

The ***existence of conditions which endanger life or property*** by fire or other causes is strongly present throughout the Redevelopment Area. Conditions related to this Factor include the advanced age of wood frame buildings, many of which are abandoned and dilapidated, shelter belts and extensive tree and underbrush areas containing dead and/or damaged trees and areas of excessive debris prone to fire and vermin. A majority (62.5 percent) of the structures surveyed had substandard porches, steps and fire escapes.

One of the required five additional blight factors has a strong presence throughout the Redevelopment Area. According to the field analysis, the estimated average age of residential buildings is 89.5 years.

Reasonable Presence of Factor -

Defective or inadequate street layout is reasonably present, due to a lack of adequate hard surfaced road access into the proposed site, as well as gravel surfaced private entry lane roads or driveways. In addition, gravel surfaced access roads with open storm water ditches exist throughout the Redevelopment Area.

Faulty lot layout exists to a reasonable extent throughout the Redevelopment Area. Conditions contributing to the presence of this Factor include inadequate lot sizes and limited accessibility.

Improper subdivision or obsolete platting is a reasonable presence throughout the Redevelopment Area. Generally, lot sizes throughout the Area contain subdivisions in which individual lot sizes are too large by today's development standards. Single parcels of large land areas led owners or developers to subdivide the parcel in a piecemeal fashion, rather than as a unified subdivision.

In regards to ***other environmental and blighting factors***, the presence of economically and socially undesirable land uses and functional obsolescence is reasonably present throughout the Redevelopment Area. A majority of the rural agricultural outbuildings are underutilized, or are abandoned and dilapidated.

Conclusion

It is the conclusion of the Consultant retained by the Grand Island Area Economic Development Corporation that the number, degree and distribution of Blight Factors, as documented in this Study, are beyond remedy and control solely by regulatory processes in the exercise of the police power and cannot be dealt with effectively by the ordinary operations of private enterprise without the aids provided in the Nebraska Community Development Law. It is also the opinion of the Consultant, that the findings of this Blight and Substandard Determination Study warrant designating the Redevelopment Area as **"substandard" and "blighted."**

The conclusions presented in this Study are those of the Consultant engaged by the Grand Island Area Economic Development Corporation to examine whether conditions of blight/substandard exist. The local governing body should review this report and, if satisfied with the summary of findings contained herein, may adopt a resolution making a finding of blight/substandard and this Study a part of the public record.

BASIS FOR REDEVELOPMENT

For a project in Grand Island to be eligible for redevelopment under the Nebraska Community Development Law, the subject area or areas must first qualify as both a “substandard” and “blighted” area, within the definition set forth in the Nebraska Community Development Law. This Study has been undertaken to determine whether conditions exist which would warrant designation of the Redevelopment Area as a “blighted and substandard area” in accordance with provisions of the law.

As set forth in Section 18-2103 (10) Neb. Rev. Stat. (Cumulative Supplement 1994), **substandard area** shall mean an area in which there is a predominance of buildings or improvements, whether nonresidential or residential in character, which by reason of the following:

1. Dilapidation/deterioration;
2. Age or obsolescence;
3. Inadequate provision for ventilation, light, air, sanitation or open spaces;
4.
 - (a) High density of population and overcrowding; or
 - (b) The existence of conditions which endanger life or property by fire and other causes; or
 - (c) Any combination of such factors is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency and crime, and is detrimental to the public health, safety, morals or welfare.

As set forth in the Nebraska legislation, **a blighted area** shall mean an area, which by reason of the presence of:

1. A substantial number of deteriorated or deteriorating structures;
2. Existence of defective or inadequate street layout;
3. Faulty lot layout in relation to size, adequacy, accessibility or usefulness;
4. Insanitary or unsafe conditions;
5. Deterioration of site or other improvements;
6. Diversity of ownership;
7. Tax or special assessment delinquency exceeding the fair value of the land;

8. Defective or unusual conditions of title;
9. Improper subdivision or obsolete platting;
10. The existence of conditions which endanger life or property by fire or other causes;
11. Any combination of such factors, substantially impairs or arrests the sound growth of the community, retards the provision of housing accommodations or constitutes an economic or social liability;
12. Is detrimental to the public health, safety, morals, or welfare in its present condition and use; and in which there is at least one of the following conditions:
 1. Unemployment in the designated blighted area is at least one hundred twenty percent of the state or national average;
 2. The average age of the residential or commercial units in the area is at least 40 years;
 3. More than half of the plotted and subdivided property in the area is unimproved land that has been within the City for 40 years and has remained unimproved during that time;
 4. The per capita income of the designated blighted area is lower than the average per capita income of the City or Village in which the area is designated; or
 5. The area has had either stable or decreasing population based on the last two decennial censuses."

The Consultant for the Grand Island Value Added Redevelopment Area #7 Blight and Substandard Determination Study was guided by the premise that the finding of blight and substandard must be defensible and sufficient evidence of the presence of Factors should exist so members of the Grand Island City Council (local governing body), acting as reasonable and prudent persons, could conclude public intervention is necessary or appropriate. Therefore, each Factor was evaluated in the context of the extent of its presence and the collective impact of all Factors found to be present.

Also, these deficiencies should be reasonably distributed throughout the Redevelopment Area. Such a "reasonable distribution of deficiencies test" would preclude localities from taking concentrated areas of blight and expanding them arbitrarily into non-blighted areas for planning or other reasons. The only exception which should be made to this rule is where projects must be brought to a logical boundary to accommodate new development and ensure accessibility, but even in this instance, the conclusion of such areas should be minimal and related to an area otherwise meeting the reasonable distribution of deficiencies test.

THE STUDY AREA

The purpose of this Study is to determine whether all or part of the Value Added Redevelopment Area in Grand Island, Nebraska, qualifies as a **blighted and substandard area**, within the definition set forth in the Nebraska Community Development Law, Section 18-2103.

The findings presented in this Blight and Substandard Determination Study are based on surveys and analyses conducted for the, **Redevelopment Area**. In general, the Redevelopment Area consists of an area in the southern portion of Grand Island, adjacent the City's Corporate Limits, along the Highway 281 corridor. The Area is located between Schimmer and Wildwood Drives and is bound on the west by the St. Joseph Branch Railroad, which is located approximately one-half mile east of Highway 281, in Hall County, Nebraska. Beginning at the intersection of the east line of Blaine Street and the north line of Schimmer Drive West, thence south along said east line to its intersection with the north line of the southwest quarter of Section 4, Township 11 North, Range 9 West, of the 6th Principle Meridian, thence east along said north line to its intersection with the east line of the southwest quarter of Section 4, Township 11 North, Range 9 West, of the 6th Principle Meridian, thence south along said east line to its intersection with the south line of Wildwood Drive West, thence west along said south line to its intersection with the west line of the St. Joseph Branch Railroad right-of-way, thence north to the north line of Schimmer Drive West, and continuing north along the west line of the St. Joseph Branch Railroad right-of-way approximately 660' (or one-eighth of a mile), thence east approximately 660' and south approximately 660' to the north line of Schimmer Drive West, thence east along said north line to its intersection with the east line of Blaine Street, also the point of beginning.

Illustration 1 delineates the Area in relation to the City of Grand Island. The Redevelopment Area is an estimated 498.5 acres, and includes the right-of-ways of the St. Joseph Branch Railroad and Hall County roads.

The boundary of the Redevelopment Area contains land areas outside the Corporate Limits of Grand Island. These areas will need to be annexed prior to the use of Tax Increment Financing.

Existing land uses within the Grand Island Value Added Redevelopment Area are identified in **Illustration 2**.

Major land uses within the Redevelopment Area include vacant agricultural, farmsteads and Hall County road and railroad right-of-ways. The Redevelopment Area contains an estimated 498.5 acres, of which approximately 22.5 acres have been developed as farmsteads. Residential uses are comprised of single family dwellings.

The principle east-west arterial within the Redevelopment Area is Wildwood Drive which intersects with Highway 281, located approximately one-half mile west of the Redevelopment Area; Blaine Street, the main north-south route into the Redevelopment Area, provides access into Area from Wildwood Drive.

Table 3 identifies the estimated existing land uses within the Redevelopment Area, in terms of number of acres and percentage of total for all existing land uses. An estimated 90 percent of the land use throughout the Area is comprised of vacant or agricultural land.

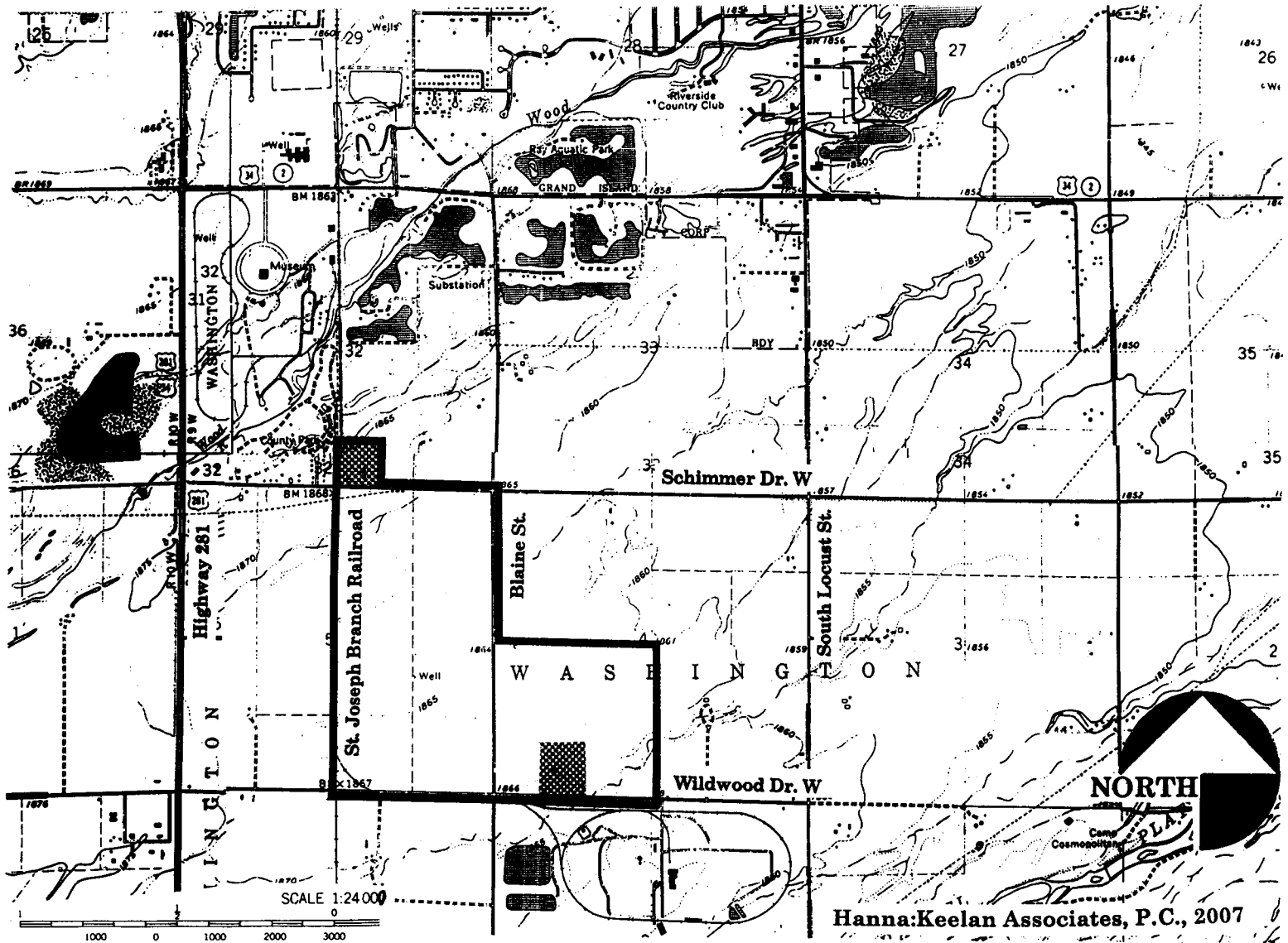
**TABLE 3
EXISTING LAND USE
VALUE ADDED REDEVELOPMENT AREA
GRAND ISLAND, NEBRASKA**

<u>LAND USE</u>	<u>ACRES</u>	<u>PERCENT</u>
Agricultural	449.2	90.1%
Farmstead	22.5	4.5%
Railroad Corridor	6.8	1.4%
Road Right-Of-Ways		
* Asphalt	16.0	3.2%
* Gravel	4.0	0.8%
Total Acreage	498.5	100.0%

Source: Hanna:Keelan Associates, P.C., 2007

Illustration 3 identifies the Redevelopment Area within the Planning Jurisdiction of the City of Grand Island. Currently, the Area is zoned A-2 Secondary Agricultural District and TA Transitional Agricultural. An Ethanol Production Facility is not a permitted use in the TA District. The TA District includes non-farm residential dwellings and general agricultural uses as a rural residential transitional area between Hall County and the Corporate Limits of Grand Island. The A-2 Secondary Agricultural District allows property owners to apply for a Conditional Use Permit within the Zone, to build an Ethanol Production Facility. However, the owners and financial backers of the project may require that the Facility have out-right permissive zoning designation, where an Ethanol Production Facility is a principally permitted use in a zoning district such as an Agricultural/Industrial District.

EXISTING LAND USE MAP VALUE ADDED REDEVELOPMENT AREA GRAND ISLAND, NEBRASKA



LEGEND



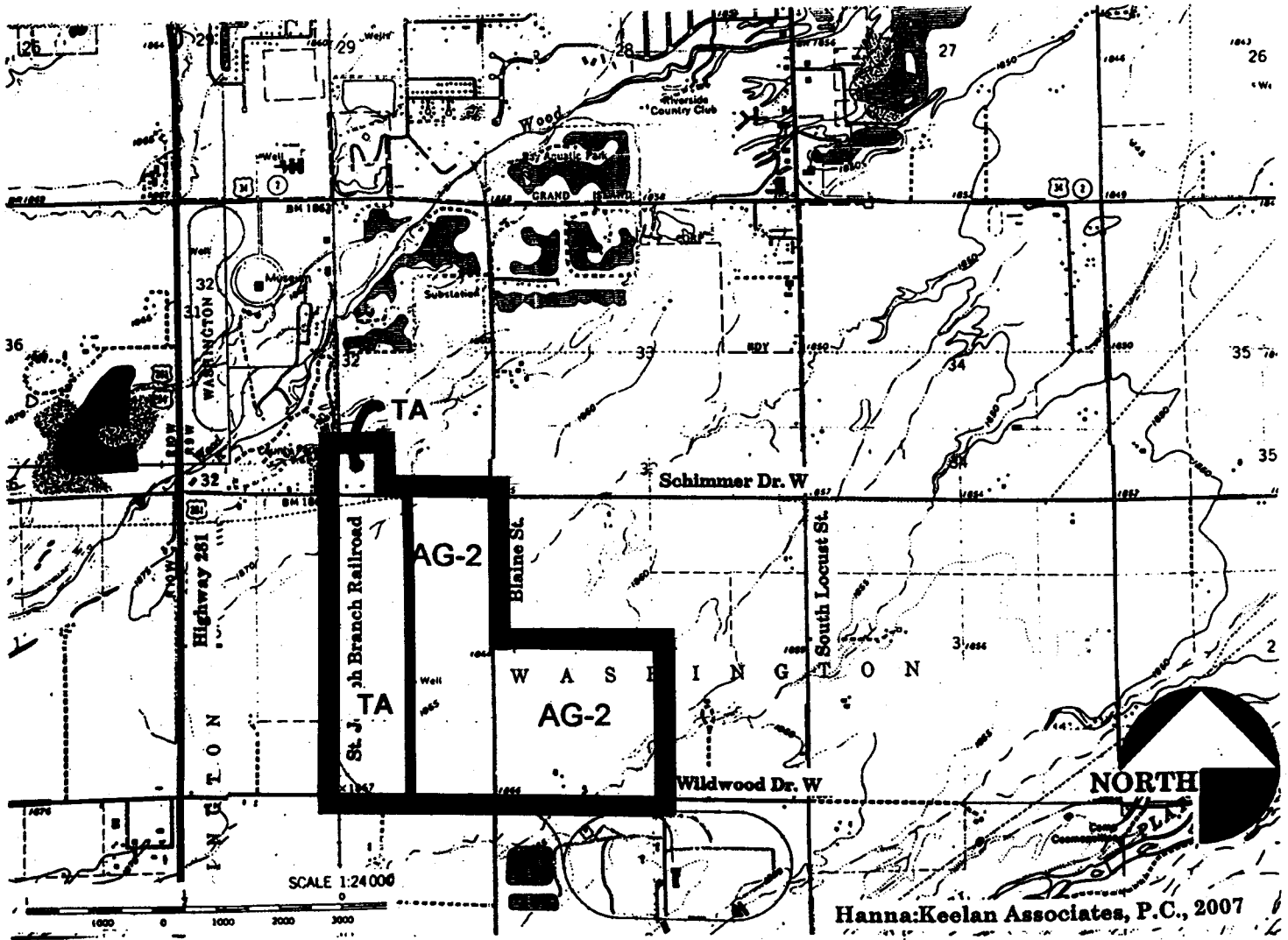
-  FARMSTEAD
-  VACANT / AGRICULTURAL

ILLUSTRATION 2

Grand Island Value Added Redevelopment Area
Blight and Substandard Determination Study

EXISTING ZONING MAP VALUE ADDED REDEVELOPMENT AREA GRAND ISLAND, NEBRASKA



LEGEND

- TA TRANSITIONAL AGRICULTURAL DISTRICT
- AG-2 SECONDARY AGRICULTURAL DISTRICT

ILLUSTRATION 3

Grand Island Value Added Redevelopment Area
Blight and Substandard Determination Study

THE RESEARCH APPROACH

The blight and substandard determination research approach implemented for the Redevelopment Area included an area-wide assessment (100 percent sample) of all Factors identified in the Nebraska Community Development Law, with the exception of “defective or unusual condition of title.” All Factors were investigated on an area-wide basis.

Structural Survey Process

The rating of building conditions is a critical step in determining the eligibility of an area for redevelopment. It is important that the system for classifying buildings be based on established evaluation standards and criteria and that it result in an accurate and consistent description of existing conditions.

A structural condition survey was conducted in the month of October, 2006. A total of **24 structures** received exterior inspections. These structures were examined to document structural deficiencies in individual buildings and to identify related environmental deficiencies in the Redevelopment Area. The structural Condition Survey Form utilized in this process is provided in the **Appendix**.

Parcel-by-Parcel Field Survey

A parcel-by-parcel Field Survey was conducted in the month of October, 2006. Each structure was considered to be on its own parcel.

As an example, an imaginary farmstead containing one farmhouse and 12 outbuildings, with two distinct agricultural tracts of land, all included on an 80-acre tract of land, equals 15 individual surveyed parcels.

Thus, in this Study, a total of four overall parcels, containing **26 individual parcels**, with 24 structures and two large vacant tracts of land, were inspected for existing and adjacent land uses, overall site conditions, existence of debris, parking conditions and street, sidewalk and alley surface conditions. The Condition Survey Form is included in the **Appendix**, as well as the results of the Survey.

Research on Property Ownership and Financial Assessment of Properties

Public records and Cadastral Maps or aerial photographs of all parcels in the Redevelopment Area were analyzed to determine the number of property owners in each block.

An examination of public records was conducted to determine if tax delinquencies existed for properties in the Redevelopment Area. The valuation, tax amount and any delinquent amount was examined for each of the properties.

ELIGIBILITY SURVEY AND ANALYSIS FINDINGS

An analysis was made of each of the Blighted and Substandard Factors listed in the Nebraska legislation to determine whether each or any were present in the Redevelopment Area and, if so, to what extent and in what locations. The following represents a summary evaluation of each Blight and Substandard Factor presented in the order of listing in the Law.

SUBSTANDARD FACTORS

(1) Dilapidation/Deterioration of Structures

The rating of building conditions is a critical step in determining the eligibility of a substandard area for redevelopment. The system for classifying buildings must be based on established evaluation standards and criteria and result in an accurate and consistent description of existing conditions.

This section summarizes the process used for assessing building conditions in the Grand Island Value Added Redevelopment Area, the standards and criteria used for evaluation and the findings as to the existence of dilapidation/deterioration of structures.

The building condition analysis was based on an exterior inspection of all **24** existing structures, within the Redevelopment Area, to note structural deficiencies in individual buildings and to identify related environmental deficiencies for individual sites or parcels within the area.

1. Structures/Building Systems Evaluation

During the on-site field analysis, each component of a structure/building was examined to determine whether it was in sound condition or had minor, major, or critical defects. Structures/building systems examined included the following types, **one, Primary** and **two, Secondary**.

Structural Systems (Primary Components). These include the basic elements of any structure/building: roof structure, wall foundation, and basement foundation.

(Secondary Components)

Building Systems. These components include: roof surface condition, chimney, gutters/down spouts, and exterior wall surface.

Architectural Systems. These are components generally added to the structural systems and are necessary parts of the structure/building, including exterior paint, doors, windows, porches, steps, and fire escape, and driveways and site conditions.

The evaluation of each individual parcel of land included the review and evaluation of: adjacent land use, street surface type, street conditions, sidewalk conditions, parking, railroad track/right-of-way composition, existence of debris, existence of vagrants, and overall site condition, and the documentation of age and type of structure/building.

2. Criteria for Rating Components for Structural, Building and Architectural Systems

The components for the previously identified Systems, are individually rated utilizing the following criteria.

Sound. Component that contains no defects, is adequately maintained, and requires no treatment outside of normal ongoing maintenance.

Minor - Defect. Component that contains minor defects (loose or missing material or holes and cracks over a limited area) which often can be corrected through the course of normal maintenance. The correction of such defects may be accomplished by the owner or occupants, such as pointing masonry joints over a limited area or replacement of less complicated systems. Minor defects are considered in rating a structure/building as deteriorating/dilapidated.

Major - Defect. Components that contain major defects over a widespread area and would be difficult to correct through normal maintenance. Structures/buildings having major defects would require replacement or rebuilding of systems by people skilled in the building trades.

Critical Defect. Components that contain critical defects (bowing, sagging, or settling to any or all exterior systems causing the structure to be out-of-plumb, or broken, loose or missing material and deterioration over a widespread area) so extensive the cost of repairs would be excessive in relation to the value returned on the investment.

3. Final Structure/Building Rating

After completion of the **Exterior Rating** of each structure/building, each individual structure/building is placed in one of four categories, based on the combination of defects found with Components contained in Structural, Building and Architectural Systems. Each final rating is described below

Sound. Defined as structures/buildings that can be kept in a standard condition with normal maintenance. Structures/buildings, so classified, **have less than six points**.

Deficient-Minor. Defined as structures/buildings classified as deficient--requiring minor repairs--**having between six and 10 points**.

Deteriorating. Defined as structures/buildings classified as deficient--requiring major repairs--**having between 11 and 20 points**.

Dilapidated. Defined as structurally substandard structures/buildings containing defects that are so serious and so extensive that it may be most economical to raze the structure/building. Structures/buildings classified as dilapidated will **have at least 21 points**.

An individual ***Exterior Rating form*** is completed for each structure/building. The results of the ***Exterior Rating*** of all structures/buildings are presented in a ***Table format***.

<u>Primary Components</u>	<u>Secondary Components</u>
One Critical = 11 pts	One Critical = 6 pts
Major Deteriorating = 6 pts	Major Deteriorating = 3 pts
Minor = 2 pts	Minor = 1 pt

____ Major deficient buildings are considered to be the same as deteriorating buildings as referenced in the Nebraska legislation; substandard buildings are the same as dilapidated buildings. The word “building” and “structure” are presumed to be interchangeable.

4. Field Survey Conclusions

The condition of the total 24 buildings within the Redevelopment Area was determined based on the finding of the Exterior Survey. These surveys indicated the following:

- None (0) of the structures were classified as structurally sound;
- Four (4) structures were classified as deteriorating with minor defects;
- Ten (10) structures were classified as deteriorating with major defects; and
- Ten (10) structures were classified as dilapidated.

The results of the Exterior Structural Survey identified the conditions of the structures, throughout the Redevelopment Area. A total of 20 (83.3 percent) of the total 24 structures, within the Area, are either deteriorating or dilapidated to a substandard condition.

Conclusion

The results of the Structural Survey indicate dilapidated and deteriorating structures are present to a strong extent throughout the Redevelopment Area. Table 4 identifies the results of the structural rating process per building type.

TABLE 4
EXTERIOR SURVEY FINDINGS
VALUE ADDED REDEVELOPMENT AREA
GRAND ISLAND, NEBRASKA

Exterior Structural Rating

<u>Activity</u>	<u>Sound</u>	<u>Deficient Minor</u>	<u>Deteriorating</u>	<u>Dilapidated</u>	<u>Number of Structure</u>	<u>Deteriorating or Dilapidated</u>
Single Family	0	2	0	0	2	0
<u>Agricultural/ Other</u>	<u>0</u>	<u>2</u>	<u>10</u>	<u>10</u>	<u>22</u>	<u>20</u>
Totals	0	4	10	10	24	20
Percent	0.0%	16.7%	41.7%	41.7%	100.0%	83.3%

Source: Hanna:Keelan Associates, P.C., 2007

(2) Age and Obsolescence

As per the results of the Field Survey, the estimated average age of residential structures in the Redevelopment Area is 89.5 years of age. The Survey also estimates that of the total 24 structures, 23 (95.8 percent) are 40+ years of age, or were built prior to 1967.

Conclusion

The age and obsolescence of structures is a strong presence throughout the Redevelopment Area.

(3) Inadequate Provision for Ventilation, Light, Air, Sanitation or Open Spaces

The results from the Exterior Structural Survey, along with other field data, provided the basis for the identification of insanitary and unsafe conditions in the Grand Island Value Added Redevelopment Area. Factors contributing to insanitary and unsafe conditions are discussed below.

The Survey determined that 83.3 percent of the total 24 structures, in the Redevelopment Area, were deteriorated or dilapidated. When not adequately maintained or upgraded to present-day occupancy standards, buildings that are deteriorating or dilapidated pose special safety and sanitary problems. There is a significant number of wood-framed, one- and two story farm or residential buildings in need of structural repair or fire protection. There is a substantial number of structures with substandard doors (25 percent) and windows (21 percent).

The parcel-by-parcel Survey identified a total of 18, or 69.2 percent of the total parcels as possessing “fair” overall site conditions. Additionally, four, or 15.4 percent of the total 26 parcels were identified as being in “poor” condition. This represents a total of 84.6 percent (22 parcels) of the total 26 parcels as being in either “fair” or “poor” condition.

Vacant parcels within the Redevelopment Area, presently lack modern municipal infrastructure and utility systems, including water and sewer systems, however, these utilities are adjacent the Area and can be extended into the Area upon annexation by the City. Lands associated with agricultural production within the Redevelopment Area are located within Lamoure Clay Loam Soils associated with the Wood River bottom lands.

Conclusion

The inadequate provision for ventilation, light, air, sanitation or open spaces in the Grand Island Value Added Redevelopment Area is strongly sufficient to constitute a Substandard Factor.

4) **The Existence of Conditions Which Endanger Life or Property by Fire and Other Causes**

1. Inadequate Provisions, or a Lack of a Means of Egress

Potential life-threatening conditions exist in each of the existing structures. The Field Survey identified that approximately 15 (or 62.5 percent) of the 24 total structures in the Redevelopment Area have substandard porches, steps and fire escapes.

2. Frame Buildings

There were wood-framed buildings with wooden structural elements throughout the Redevelopment Area, in need of structural repair or fire protection. These buildings have been determined to be deteriorating or dilapidated, amounting to nearly 82 percent of the structures surveyed.

3. Lack of adequate utilities

The Redevelopment Area is served by the City of Grand Island electrical system, but lacks modern municipal water and sanitary sewer systems needed to support future industrial development. As portions of this Area are annexed and planned for industrial development, all utility systems will need to be extended from the Corporate Limits of Grand Island to service the Redevelopment Area.

Specific data relating to the Redevelopment Area is discussed in the following paragraphs.

Minor and major debris located on nine parcels (34.6 percent) is significant and poses a potential fire hazard, as well as a place to harbor pests, which can be detrimental to the public's overall health and safety.

Approximately 96 percent of the structures in the Redevelopment Area were built prior to 1967, thus 40+ years of age.

There are masonry buildings with wooden structural elements, located within the Area, in need of structural repair or fire protection. Several of these buildings have been determined to be deteriorating or dilapidated.

Overall site conditions, throughout the Redevelopment Area, were generally found to be in “fair” condition. The Field Survey determined that 18 parcels, or 69.2 percent of the total 26 parcels, are in “fair” condition, while an additional four parcels (15.4 percent) were determined to be in “poor” condition. This overall condition rating indicates that 84.6 percent, or 22 of the total 26 properties were found to be in “fair” or “poor” overall site condition. This includes the general condition of structures and an evaluation of the land with improvements, such as culverts, bridges, highways, county roads, driveways, parking areas and landscaping.

Conclusion

The conditions which endanger life or property by fire and other causes are strongly present throughout the Redevelopment Area.

BLIGHT FACTORS

(1) Dilapidation/Deterioration of Structures

The rating of building conditions is a critical step in determining the eligibility of a substandard area for redevelopment. The system for classifying buildings must be based on established evaluation standards and criteria and result in an accurate and consistent description of existing conditions.

This section summarizes the process used for assessing building conditions in the Grand Island Value Added Redevelopment Area, the standards and criteria used for evaluation and the findings as to the existence of dilapidation/deterioration of structures.

The building condition analysis was based on an exterior inspection of all **24** existing structures, within the Redevelopment Area, to note structural deficiencies in individual buildings and to identify related environmental deficiencies for individual sites or parcels within the area.

1. Building Systems Evaluated

During the on-site field analysis, each component of a structure/building will be examined to determine whether it is in sound condition or has minor, major, or critical defects. Structures/building systems to be examined will include the following three types, **one Primary** and **two Secondary**.

Structural Systems (Primary Components). These include the basic elements of any structure/building: roof structure, wall foundation, and basement foundation.

(Secondary Components)

Building Systems. These components include: roof surface condition, chimney, gutters/down spouts, and exterior wall surface.

Architectural Systems. These are components generally added to the structural systems and are necessary parts of the structure/building, including exterior paint, doors, windows, porches, steps, and fire escape, and driveways and site conditions.

The evaluation of each individual parcel of land includes the review and evaluation of: adjacent land use, street surface type, street conditions, sidewalk conditions, parking, railroad track/right-of-way composition, existence of debris, existence of vagrants, and overall site condition, and the documentation of age and type of structure/building.

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3. Final Structure/Building Rating

After completion of the **Exterior Rating** of each structure/building, each individual structure/building is placed in one of four categories, based on the combination of defects found with Components contained in Structural, Building and Architectural Systems. Each final rating is described below

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Deteriorating. Defined as structures/buildings classified as deficient--requiring major repairs-- **having between 11 and 20 points**.

Dilapidated. Defined as structurally substandard structures/buildings containing defects that are so serious and so extensive that it may be most economical to raze the structure/building. Structures/buildings classified as dilapidated will **have over 21 points**.

An individual ***Exterior Rating form*** is completed for each structure/building. The results of the ***Exterior Rating*** of all structures/buildings are presented in a ***Table format***.

<u>Primary Components</u>	<u>Secondary Components</u>
One Critical = 11 pts	One Critical = 6 pts
Major Deteriorating = 6 pts	Major Deteriorating = 3 pts
Minor = 2 pts	Minor = 1 pt

Major deficient buildings are considered to be the same as deteriorating buildings as referenced in the Nebraska legislation; substandard buildings are the same as dilapidated buildings. The word “building” and “structure” are presumed to be interchangeable.

4. Field Survey Conclusions

The condition of the total 24 buildings within the Redevelopment Area were determined based on the finding of the Exterior Survey. These surveys indicated the following:

- None (0) of the structures were classified as structurally sound;
- Four (4) structures were classified as deteriorating with minor defects.
- Ten (10) structures were classified as deteriorating with major defects; and
- Ten (10) structures were classified as dilapidated,

The results of the Exterior Structural Survey identified the conditions of the structures, throughout the Redevelopment Area. A total of 20 (83.3 percent) of the total 24 structures, within the Area, are either deteriorating or dilapidated to a substandard condition.

Conclusion

The results of the Structural Survey indicates dilapidated and deteriorating structures are present to a strong extent throughout the Redevelopment Area. Table 5 identifies the results of the structural rating process per building type.

TABLE 5
EXTERIOR SURVEY FINDINGS
VALUE ADDED REDEVELOPMENT AREA
GRAND ISLAND, NEBRASKA

Exterior Structural Rating

<u>Activity</u>	<u>Sound</u>	<u>Deficient (Minor)</u>	<u>Deteriorating</u>	<u>Dilapidated</u>	<u>Number of Structure</u>	<u>Deteriorating or Dilapidated</u>
Single Family	0	2	0	0	2	0
<u>Agricultural/Other</u>	<u>0</u>	<u>2</u>	<u>10</u>	<u>10</u>	<u>22</u>	<u>20</u>
Totals	0	4	10	10	24	20
Percent	0.0%	16.7%	41.7%	41.7%	100.0%	83.3%

Source: Hanna:Keelan Associates, P.C., 2007

(2) Existence of Defective or Inadequate Street Layout

The street pattern within the Grand Island Value Added Redevelopment Area consists of Wildwood and Schimmer Drives, bordering the Area on the south and north, respectively, and Blaine Street, running north to south through the center of the Redevelopment Area. The only existing roads within the Redevelopment Area are private gravel surfaced drives, which provide access to the hard surfaced Hall County roads for the farmsteads located within the Redevelopment Area. Major problem conditions that contribute to the Factor of existence of defective or inadequate street layout are discussed below.

1. Conditions of Rural Roads

The Redevelopment Area is primarily accessed by asphalt surfaced rural County roads, all of which were observed to be in “good” or “fair” condition. Generally, the Area has good access to transportation networks along its perimeter, but little or no access for motorized vehicles into the Area. Blaine Street, the main north-south road into the site, is a gravel surfaced County road with open storm water ditches. Periods of inclement weather, coupled with heavy truck traffic associated with farm vehicles and semi-trucks, during harvest, can be detrimental to unpaved road conditions. Lands identified for future value added industrial development (Ethanol Production Facility) typically need hard surfaced roads for access to processing facilities.

2. Lack of Adequate Access

The Redevelopment Area is not currently serviced by roads within the site of the proposed Ethanol Production Facility. Future development in the Area will require road improvements that include asphalt-surfaced access roads with integral concrete box culverts, small scale bridges and other road systems to allow the area to be accessible to semi-truck and other heavy machinery associated with an Ethanol Production Facility.

The St. Joseph Branch Railroad generally runs north to south along the western portion of Redevelopment Area #7, and Wildwood Drive, which connects to Highway 281, approximately one-half mile west of the Redevelopment Area, runs east to west along the southern border of the Area. A rail spur from the existing St. Joseph Branch Railroad tracks, into the Redevelopment Area, will enhance accessibility to markets for the proposed Ethanol Production Facility.

Conclusion

The existence of defective or inadequate street layout in the Redevelopment Area is present to a reasonable degree and constitutes a Blighted Factor.

(3) Faulty Lot Layout in Relation to Size, Adequacy, Accessibility or Usefulness

Building use and condition surveys, the review of property ownership and subdivision records and Field Survey resulted in the identification of conditions associated with faulty lot layout in relation to size, adequacy and accessibility, or usefulness of land within the Redevelopment Area. The problem conditions include:

1. Inadequate Lot Size

Large lot sizes and configurations are present throughout the Area. Generally, the Area is subdivided into three 160 acre tracts of un-platted land, with a farmstead adjacent the St. Joseph Branch Railroad corridor north of Schimmer Drive, and another on the north side of Wildwood Drive, east of Blaine Street.

No hard surfaced roads provide access from either Wildwood Drive or Blaine Street into the Redevelopment Area. The north/south St. Joseph Branch Railroad generally borders the proposed Ethanol Plant site along the western boundary of the Redevelopment Area. This further complicates the use, adequacy and accessibility of the individual parcels. Furthermore, some of the parcels are not supportive of standard agricultural practices, where farm equipment and potentially irrigation systems are not accessible to modern equipment, so their effectiveness is reduced.

Conclusion

Problems relating to faulty lot layout are present to a reasonable extent in the Redevelopment Area.

(4) Insanitary and Unsafe Conditions

The results of the Field Survey, along with information from various City and County departments, provided the basis for the identification of insanitary and unsafe conditions in the Grand Island Value Added Redevelopment Area.

1. Age of structure

The analysis of all 24 structures, in the Redevelopment Area, identified approximately 96 percent of the structures as being 40+ years of age, built prior to 1967. This results in the potential for substandard single family dwellings and associated agricultural outbuildings.

2. Dilapidated/Deteriorating Buildings

The deteriorating or dilapidated conditions cited in this Study were prevalent in existing structures (approximately 83% of all structures). The structures can harbor or promote hazards which endanger adjacent properties.

3. Existence of Debris

Two of the four large parcels, with excessive debris, are associated with abandoned farm outbuildings. These abandoned structures and adjacent areas with debris harbor pests and vermin, as well as being a threat to the health, safety and welfare of trespassers. The existence of these abandoned structures and associated areas with debris are a detriment to the appearance and development potentials of the Redevelopment Area.

4. Overall site condition

The Field Survey determined that 18 (69.2 percent) of the total 26 parcels had overall site conditions that were in “fair” condition and four (15.4 percent) in “poor” condition.

Conclusion

Insanitary and unsafe conditions are present to a strong extent throughout the Redevelopment Area.

(5) Deterioration of Site or Other Improvements

Field observations were conducted to determine the condition of site improvements within the Grand Island Value Added Redevelopment Area, including County Roads, storm water drainage ditches, traffic control devices and off-street parking. The **Appendix** documents the present condition of these improvements. The primary problems in the Redevelopment Area are age and condition of public utilities, debris and inadequate public improvements.

A total of 18, or 69.2 percent of the total 26 parcels, within the Redevelopment Area, received an overall site condition rating of “fair”, while four parcels (15.4 percent) received a “poor” rating, as per the results of the Field Survey.

All parcels within the Redevelopment Area currently lack municipal infrastructure and utility systems. Private wells and septic tanks handle the water and sewer needs for the existing properties on the proposed Ethanol Production Facility site. The developers of the Ethanol Production Facility would need to access municipal water and sewer services from the City of Grand Island, which maintains modern water and sewer mains adjacent the Redevelopment Area. Lands associated with agricultural production within the Redevelopment Area are located within Lamoure Clay Loam Soils associated with the Wood River bottom lands.

Conclusion

Deterioration of site or other improvements is present to a strong extent in the Redevelopment Area.

(6) Diversity of Ownership

The total number of unduplicated owners within the Redevelopment Area, is estimated to be nine individuals, partnerships or corporations. There are no publicly owned lands within the Area, with the exception of the Hall County road public right-of-ways.

Conclusion

Problems resulting from diversity of ownership are a reasonable presence in the Redevelopment Area.

(7) **Tax or Special Assessment Delinquency Exceeding the Fair Value of the Land**

A thorough examination of public records was conducted to determine the status of taxation of properties located in the Redevelopment Area. It should be noted, real estate is taxed at approximately 98 percent of fair value, rendering it almost impossible for a tax to exceed value in a steady real estate market. If a badly dilapidated property was assessed/valued too high, a public protest system is designed to give the owner appropriate relief and tax adjustment.

1. **Real estate taxes.**

Public records were examined for the purposes of determining if delinquent taxes currently outstanding on parcels within the Redevelopment Area. The records indicated that **none** of the parcels were classified as tax delinquent by Hall County.

2. **Real Estate Taxes**

The tax values within the Redevelopment Area generally appeared to be equal to or greater than the market value of the properties. **The total assessed valuation of properties was \$779,961.**

3. **Tax Exempt**

None of the lands associated with the Redevelopment Area were classified as tax exempt.

Conclusion

Examination and analysis of public records, leads to the conclusion that taxes or special assessments delinquency were of no presence throughout the Redevelopment Area.

(8) Defective or Unusual Condition of Title

Whenever land is sold, mortgaged, or both, a title insurance policy is typically issued, at which time any title defects corrected. Once title insurance has been written, all other titles in the same subdivision or addition will only have to be checked for the period of time subsequent to the creation of the addition or subdivision, as everything previous is the same and any defects will already have been corrected. Thus, the only possibility for title problems are from improper filings, since platting on properties that have not been mortgaged or sold is very small. Thus, the only possibility for title problems are from improper filing, since platting on properties that have not been mortgaged or sold is very small.

Conclusion

Examination of public records does not provide any basis for identifying any defective or unusual conditions of title. Such few conditions as may exist would contribute to neither any existing problems nor to difficulty in acquisition for redevelopment and are therefore not found to exist at a level nearly large enough to constitute a blighted factor in the Redevelopment Area.

(9) Improper Subdivision or Obsolete Platting

An analysis of the subdivision conditions in the Redevelopment Area indicates that improper subdivision and obsolete platting is prevalent throughout the Area.

The Redevelopment Area is subdivided into two large parcels of approximately 290 and 160 acres each, plus two farmstead sites in the northwest and the southeast. The land has not been subdivided or platted for any purpose other than agricultural uses. As such, the tracts of land within the Area remain large and without platted streets, in order to maximize the current, agricultural utilization of the land.

The above referenced issues are inhibiting factors to development and redevelopment efforts throughout the Redevelopment Area. Inadequately sized parcels and development without regard for existing platted subdivisions has and will continue to inhibit development without publicly supported programs that provide incentives for reinvestment in this Area.

Conclusion

A reasonable presence of improper subdivision or obsolete platting exists throughout the Redevelopment Area.

(10) The Existence of Conditions Which Endanger Life or Property by Fire and Other Causes

Specific data relating to the Redevelopment Area is discussed in the following paragraphs.

Approximately 96 percent of the structures in the Redevelopment Area were built prior to 1967, thus 40+ years of age. There are frame buildings and masonry buildings with wooden structural elements located throughout the Area, in need of structural repair or fire protection. Several of these buildings, 20 structures (or 83.3 percent), have been determined to be deteriorating or dilapidated.

Overall site conditions on properties throughout the Redevelopment Area were generally found to be in “fair” condition. The Field Survey determined that seven parcels, or 69.2 percent of the total 26 parcels, are in “fair” condition, while an additional four parcels (15.4 percent) were determined to be in “poor” condition. This overall condition rating includes the general condition of structures and an evaluation of the land with improvements, such as roads, private driveways, storm water drainage ditches and shelter belts.

Conclusion

The conditions which endanger life or property by fire and other causes are strongly present throughout the Redevelopment Area.

(11) Other Environmental and Blighting Factors

The Nebraska Community Development Law includes in its statement of purpose an additional criterion for identifying blight, viz., "economically or socially undesirable land uses." Conditions which are considered to be economically and/or socially undesirable include: (a) incompatible uses or mixed-use relationships, (b) economic obsolescence, and (c) functional obsolescence. For purpose of this analysis, functional obsolescence relates to the physical utility of a structure and economic obsolescence relates to a property's ability to compete in the market place. These two definitions are interrelated and complement each other.

No public improvements have occurred in the Redevelopment Area in the past several years. Efforts should be planned. Without some type of public assistance and coordination of effort, difficult challenges will be rendered for future private projects to be successful ventures. Numerous problems or obstacles exist for comprehensive redevelopment efforts by the private sector in the project area; problems that only public assistance programs can help remedy. These include removal of substantially dilapidated structures and socially undesirable land uses. These types of programs are proven stimulants to the creation of successful private developments.

Vacant parcels within the Redevelopment Area, lack modern municipal infrastructure and utility systems, including water and sewer systems. These utilities, however, are located adjacent the Area and could be extended into the Area upon annexation by the City. Lands associated with agricultural production, within the Redevelopment Area, are located within Lamoure Clay Loam Soils associated with the Wood River bottom lands.

The Redevelopment Area lacks the necessary infrastructure required to facilitate value-added developments. No hard surfaced roads provide access into the site. Open storm water drainage ditches exist and will need to be improved prior to development activities.

Conclusion

Other environmental, blighted factors are present to a reasonable extent throughout the Redevelopment Area. The Redevelopment Area also contains a fair amount of functionally obsolete structures.

(12) Additional Blighting Conditions

According to the definition set forth in the Nebraska Community Development Law, Section 18-2102, in order for an area to be determined "blighted" it must (1) meet the eleven criteria by reason of presence and (2) contain at least one of the five conditions identified below:

1. Unemployment in the designated blighted and substandard area is at least one hundred twenty percent of the state or national average;
2. The average age of the residential or commercial units in the area is at least 40 years;
3. More than half of the plotted and subdivided property in the area is unimproved land that has been within the City for forty years and has remained unimproved during that time;
4. The per capita income of the designated blighted and substandard area is lower than the average per capita income of the City or Village in which the area is designated;
or
5. The area has had either stable or decreasing population based on the last two decennial censuses.

One of the aforementioned criteria is prevalent throughout the designated blighted areas.

The average age of the residential or commercial units in the area is at least forty (40) years.

Based on the results of the Field Survey, **the estimated average age of the residential structures is 89.5 years of age.**

Conclusion

The criteria of one of five additional blighting conditions is average age of residential units is over 40 years of age and is strongly present throughout the Redevelopment Area.

DETERMINATION OF REDEVELOPMENT AREA ELIGIBILITY

The Grand Island Value Added Redevelopment Area meets the requirements of the Nebraska Community Development Law for designation as both a "blighted and substandard area." There is at least a reasonable distribution of all **four** Factors that constitute an area as substandard in the Redevelopment Area. Of the 12 possible Factors that can constitute an area blighted, **10** are at least reasonably present in the Area. Factors present in each of the criteria are identified below.

Substandard Factors

1. Dilapidated/deterioration.
2. Age or obsolescence.
3. Inadequate provision for ventilation, light, air, sanitation, or open spaces.
4. Existence of conditions which endanger life or property by fire and other causes.

Blighted Factors

1. A substantial number of deteriorated or deteriorating structures.
2. Existence of defective or inadequate street layout.
3. Faulty lot layout in relation to size, adequacy, accessibility or usefulness.
4. Insanitary or unsafe conditions.
5. Deterioration of site or other improvements.
6. Diversity of ownership.
7. Improper subdivision or obsolete platting.
8. The existence of conditions which endanger life or property by fire or other causes.
9. Other environmental and blighting factors.
10. One of the other five conditions.

Although all of the previously listed Factors are reasonably present throughout the Redevelopment Area, the conclusion is that the average age of the structures, lack of a modern infrastructure system, and the deterioration of site or other improvements are a sufficient basis for designation of the Redevelopment Area as blighted and substandard.

The extent of Blight and Substandard Factors in the Redevelopment Area addressed in this document are presented in **Tables 1 and 2**, located on **Pages 5 and 7**, respectively. The eligibility findings indicate the Redevelopment Area is in need of revitalization and strengthening to ensure it will contribute to the physical, economic and social well-being of the City of Grand Island. Indications are, the Area, on the whole, has not been subject to comprehensive, sufficient growth and development through investment by the private sector nor would the areas be reasonably anticipated to be developed without public action or public intervention.

APPENDIX

**Structural/Site Conditions
Survey Form**

Parcel # _____

Address: _____

Section I:

1. Type of Units: ___ SF ___ MF ___ Mixed Use ___ Duplex ___ No. of Units
2. Units: _____ Under construction/rehab _____ For Sale _____ Both
3. Vacant Units: _____ Inhabitable _____ Uninhabitable
4. Vacant Parcel: _____ Developable _____ Undevelopable
5. Non-residential Use: _____ Commercial _____ Industrial _____ Public
_____ Other/Specify: _____

Section II: Structural Components

	Primary Components	(Critical) Dilapidated	(Major) Deteriorating	Minor	None	Sound
1	Roof					
2	Wall Foundation					
3	Foundation					
___ Concrete ___ Stone ___ Rolled Asphalt ___ Brick ___ Other						
	Secondary Components	(Critical) Dilapidated	(Major) Deteriorating	Minor	None	Sound
4	Roof					
___ Asphalt Shingles ___ Rolled Asphalt ___ Cedar ___ Combination ___ Other						
5	Chimney					
6	Gutters, Downspouts					
7	Wall Surface					
___ Frame ___ Masonry ___ Siding ___ Combination ___ Stucco ___ Other						
8	Paint					
9	Doors					
10	Windows					
11	Porches, Steps, Fire Escape					
12	Driveways, Side Condition					

Final Rating:

___ Sound ___ Deficient-Minor ___ Deteriorating ___ Dilapidated
Built Within: ___ 1 year ___ 1-5 years ___ 5-10 years
 ___ 10-20 years ___ 20-40 years ___ 40-100 years ___ 100+ years

Section III: Revitalization Area

1. Adjacent Land Usage: _____
2. Street Surface Type: _____
3. Street Condition: ___ E ___ G ___ F ___ P
4. Sidewalk Condition: ___ N ___ E ___ G ___ F ___ P
5. Parking (Off-Street): ___ N ___ # of Spaces ___ Surface
6. Railroad Track/Right-of Way Composition: ___ N ___ E ___ G ___ F ___ P
7. Existence of Debris: ___ MA ___ MI ___ N
8. Existence of Vagrants: ___ MA ___ MI ___ N
9. Overall Site Condition: ___ E ___ G ___ F ___ P

**GRAND ISLAND, NEBRASKA VALUE ADDED REDEVELOPMENT AREA
BLIGHT/SUBSTANDARD DETERMINATION STUDY**

TOTAL PERCENT RESIDENTIAL COMMERCIAL INDUSTRIAL VACANT OTHER

AGE OF STRUCTURE

1-5 years	0	0.0%	0	0	0	NA	0
5-10 years	0	0.0%	0	0	0	NA	0
10-20 years	0	0.0%	0	0	0	NA	0
20-40 years	1	4.2%	0	0	0	NA	1
40-100 years	19	79.2%	2	0	0	NA	17
100+ years	4	16.7%	0	0	0	NA	4
TOTAL	24	100.0%	2	0	0	NA	22

FINAL STRUCTURAL RATING

sound	0	0.0%	0	0	0	NA	0
deficient minor	4	16.7%	2	0	0	NA	2
deteriorating	10	41.7%	0	0	0	NA	10
dilapidated	10	41.7%	0	0	0	NA	10
TOTAL	24	100.0%	2	0	0	NA	22

STREET CONDITION

none	0	0.0%	0	0	0	0	0
excellent	0	0.0%	0	0	0	0	0
good	26	100.0%	2	0	0	2	22
fair	0	0.0%	0	0	0	0	0
poor	0	0.0%	0	0	0	0	0
TOTAL	26	100.0%	2	0	0	2	22

SIDEWALK CONDITION

none	26	100.0%	2	0	0	2	22
excellent	0	0.0%	0	0	0	0	0
good	0	0.0%	0	0	0	0	0
fair	0	0.0%	0	0	0	0	0
poor	0	0.0%	0	0	0	0	0
TOTAL	26	100.0%	2	0	0	2	22

DEBRIS

major	0	0.0%	0	0	0	0	0
minor	9	34.6%	0	0	0	1	8
none	17	65.4%	2	0	0	1	14
TOTAL	26	100.0%	2	0	0	2	22

OVERALL SITE CONDITION

excellent	0	0.0%	0	0	0	0	0
good	4	15.4%	1	0	0	0	3
fair	18	69.2%	1	0	0	1	16
poor	4	15.4%	0	0	0	1	3
TOTAL	26	100.0%	2	0	0	2	22

**GRAND ISLAND, NEBRASKA VALUE ADDED REDEVELOPMENT AREA
BLIGHT/SUBSTANDARD DETERMINATION STUDY**

TOTAL PERCENT RESIDENTIAL COMMERCIAL INDUSTRIAL VACANT OTHER

DOORS

sound	5	20.8%	2	0	0	N/A	3
none	1	4.2%	0	0	0	N/A	1
minor	12	50.0%	0	0	0	N/A	12
substandard	5	20.8%	0	0	0	N/A	5
critical	1	4.2%	0	0	0	N/A	1
TOTAL	24	100.0%	2	0	0		22

WINDOWS

sound	6	25.0%	2	0	0	N/A	4
none	4	16.7%	0	0	0	N/A	4
minor	9	37.5%	0	0	0	N/A	9
substandard	4	16.7%	0	0	0	N/A	4
critical	1	4.2%	0	0	0	N/A	1
TOTAL	24	100.0%	2	0	0		22

STREET TYPE

none	0	0.0%	0	0	0	0	0
concrete	0	0.0%	0	0	0	0	0
asphalt	26	100.0%	2	0	0	2	22
gravel	0	0.0%	0	0	0	0	0
dirt	0	0.0%	0	0	0	0	0
brick	0	0.0%	0	0	0	0	0
TOTAL	26	100.0%	2	0	0	2	22

PORCHES...

sound	0	0.0%	0	0	0	N/A	0
none	0	0.0%	0	0	0	N/A	0
minor	9	37.5%	2	0	0	N/A	7
substandard	14	58.3%	0	0	0	N/A	14
critical	1	4.2%	0	0	0	N/A	1
TOTAL	24	100.0%	2	0	0		22

PAINT

sound	3	12.5%	1	0	0	N/A	2
none	3	12.5%	0	0	0	N/A	3
minor	10	41.7%	1	0	0	N/A	9
substandard	5	20.8%	0	0	0	N/A	5
critical	3	12.5%	0	0	0	N/A	3
TOTAL	24	100.0%	2	0	0		22

DRIVEWAY

sound	0	0.0%	0	0	0	N/A	0
none	0	0.0%	0	0	0	N/A	0
minor	3	12.5%	0	0	0	N/A	3
substandard	20	83.3%	2	0	0	N/A	18
critical	1	4.2%	0	0	0	N/A	1
TOTAL	24	100.0%	2	0	0		22

**GRAND ISLAND, NEBRASKA VALUE ADDED REDEVELOPMENT AREA
BLIGHT/SUBSTANDARD DETERMINATION STUDY**

TOTAL PERCENT RESIDENTIAL COMMERCIAL INDUSTRIAL VACANT OTHER

ROOF STRUCTURE

sound	0	0.0%	0	0	0	N/A	0
none	0	0.0%	0	0	0	N/A	0
minor	17	70.8%	2	0	0	N/A	15
substandard	6	25.0%	0	0	0	N/A	6
critical	1	4.2%	0	0	0	N/A	1
TOTAL	24	100.0%	2	0	0		22

WALL FOUNDATION

sound	1	4.2%	1	0	0	N/A	0
none	0	0.0%	0	0	0	N/A	0
minor	18	75.0%	1	0	0	N/A	17
substandard	4	16.7%	0	0	0	N/A	4
critical	1	4.2%	0	0	0	N/A	1
TOTAL	24	100.0%	2	0	0		22

FOUNDATION

sound	10	41.7%	2	0	0	N/A	8
none	0	0.0%	0	0	0	N/A	0
minor	9	37.5%	0	0	0	N/A	9
substandard	4	16.7%	0	0	0	N/A	4
critical	1	4.2%	0	0	0	N/A	1
TOTAL	24	100.0%	2	0	0		22

FOUNDATION TYPE

Concrete	22	91.7%	2	0	0	N/A	20
Stone	2	8.3%	0	0	0	N/A	2
Rolled Asphalt	0	0.0%	0	0	0	N/A	0
Brick	0	0.0%	0	0	0	N/A	0
Other	0	0.0%	0	0	0	N/A	0
None	0	0.0%	0	0	0	N/A	0
TOTAL	24	100.0%	2	0	0		22

ROOF SURFACE

sound	3	12.5%	2	0	0	N/A	1
none	0	0.0%	0	0	0	N/A	0
minor	12	50.0%	0	0	0	N/A	12
substandard	8	33.3%	0	0	0	N/A	8
critical	1	4.2%	0	0	0	N/A	1
TOTAL	24	100.0%	2	0	0		22

ROOF TYPE

Asphalt Shingles	15	62.5%	2	0	0	N/A	13
Rolled Asphalt	0	0.0%	0	0	0	N/A	0
Cedar	2	8.3%	0	0	0	N/A	2
Combination	0	0.0%	0	0	0	N/A	0
Other	7	29.2%	0	0	0	N/A	7
TOTAL	24	100.0%	2	0	0		22

**GRAND ISLAND, NEBRASKA VALUE ADDED REDEVELOPMENT AREA
BLIGHT/SUBSTANDARD DETERMINATION STUDY**

TOTAL PERCENT RESIDENTIAL COMMERCIAL INDUSTRIAL VACANT OTHER

CHIMNEY

sound	2	8.3%	2	0	0	N/A	0
none	22	91.7%	0	0	0	N/A	22
minor	0	0.0%	0	0	0	N/A	0
substandard	0	0.0%	0	0	0	N/A	0
critical	0	0.0%	0	0	0	N/A	0
TOTAL	24	100.0%	2	0	0		22

GUTTER, DOWNSPOUTS

sound	1	4.2%	1	0	0	N/A	0
none	22	91.7%	0	0	0	N/A	22
minor	1	4.2%	1	0	0	N/A	0
substandard	0	0.0%	0	0	0	N/A	0
critical	0	0.0%	0	0	0	N/A	0
TOTAL	24	100.0%	2	0	0		22

WALL SURFACE

sound	4	16.7%	2	0	0	N/A	2
none	0	0.0%	0	0	0	N/A	0
minor	12	50.0%	0	0	0	N/A	12
substandard	7	29.2%	0	0	0	N/A	7
critical	1	4.2%	0	0	0	N/A	1
TOTAL	24	100.0%	2	0	0		22

WALL SURFACE TYPE

Frame	18	75.0%	0	0	0	N/A	18
Masonry	1	4.2%	0	0	0	N/A	1
Siding	3	12.5%	1	0	0	N/A	2
Combination	0	0.0%	0	0	0	N/A	0
Stucco	0	0.0%	0	0	0	N/A	0
Other	2	8.3%	1	0	0	N/A	1
TOTAL	24	100.0%	2	0	0		22

PARKING SURFACE

none	2	7.7%	0	0	0	1	1
concrete	0	0.0%	0	0	0	0	0
asphalt	0	0.0%	0	0	0	0	0
gravel	23	88.5%	2	0	0	0	21
dirt	1	3.8%	0	0	0	1	0
brick	0	0.0%	0	0	0	0	0
TOTAL	26	100.0%	2	0	0	2	22

PARKING SPACES

none	2	7.7%	0	0	0	1	1
1 to 2	24	92.3%	2	0	0	1	21
3 to 5	0	0.0%	0	0	0	0	0
6 to 10	0	0.0%	0	0	0	0	0
11 to 20	0	0.0%	0	0	0	0	0
21 or more	0	0.0%	0	0	0	0	0
TOTAL	26	100.0%	2	0	0	2	22

Grand Island Value Added Redevelopment Area
Blight and Substandard Determination Study

GENERAL REDEVELOPMENT PLAN

B. GENERAL REDEVELOPMENT PLAN

EXECUTIVE SUMMARY

Purpose of Plan/Conclusion

The purpose of this General Redevelopment Plan is to serve as a guide for implementation of redevelopment activities within the **Value Added Redevelopment Area, in Grand Island, Nebraska**. Redevelopment activities associated with the Community Development Law, State Statutes, 18-2101 through 18-2154 should be utilized to promote the general welfare, enhance the tax base and the economic and social well being of the Community, and promote the development of any public activities and public events in the Area, along with any and all other purposes, as outlined in the Community Development Law.

A Community Redevelopment Authority (CRA) General Redevelopment Plan must contain the general planning elements required by Nebraska State Revised Statutes, Section 18-2111 re-issue 1991 items (1) through (6). A description of these items are as follows:

- (1) The boundaries of the redevelopment project area with a map showing the existing uses and condition of the real property therein; (2) a land-use plan showing proposed uses of the area; (3) information showing the standards of population densities, land coverage and building intensities in the area after redevelopment; (4) a statement of the proposed changes, if any, in zoning ordinances or maps, street layouts, street levels or grades, or building codes and ordinances; (5) a site plan of the area; and (6) a statement as to the kind and number of additional public facilities or utilities which will be required to support the new land uses in the area after redevelopment.

Furthermore, the General Redevelopment Plan must further address the items required under Section 18-2113, "Plan; considerations", which the CRA must consider prior to recommending a redevelopment plan to the Planning Commission and City Council for adoption. These "considerations" are defined as follows:

"...whether the proposed land uses and building requirements in the redevelopment project area are designed with the general purpose of accomplishing, in conformance with the general plan, a coordinated, adjusted and harmonious development of the City and its environs which will, in accordance with present and future needs, promote health, safety, morals, order, convenience, prosperity, and the general welfare, as well as efficiency and economy in the process of development; including,

among other things, adequate provision for traffic, vehicular parking, the promotion of safety from fire, panic, and other dangers, adequate provision for light and air, the promotion of the healthful and convenient distribution of population, the provision of adequate transportation, water, sewage, and other public utilities, schools, parks, recreational and community facilities and other public requirements, the promotion of sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of insanitary or unsafe dwelling accommodations, or conditions of blight."

Conclusion

The General Redevelopment Plan applies to the Value Added Redevelopment Area, which consists of the Area included in the Blight and Substandard Area Determination Study.

The findings presented in this Blight and Substandard Determination Study are based on surveys and analyses conducted for the, **Redevelopment Area**. In general, the Redevelopment Area consists of an area in the southern portion of Grand Island, adjacent the City's Corporate Limits, along the Highway 281 corridor. The Area is located between Schimmer and Wildwood Drives and is bound on the west by the St. Joseph Branch Railroad, which is located approximately one-half mile east of Highway 281, in Hall County, Nebraska. Beginning at the intersection of the east line of Blaine Street and the north line of Schimmer Drive West, thence south along said east line to its intersection with the north line of the southwest quarter of Section 4, Township 11 North, Range 9 West, of the 6th Principle Meridian, thence east along said north line to its intersection with the east line of the southwest quarter of Section 4, Township 11 North, Range 9 West, of the 6th Principle Meridian, thence south along said east line to its intersection with the south line of Wildwood Drive West, thence west along said south line to its intersection with the west line of the St. Joseph Branch Railroad right-of-way, thence north to the north line of Schimmer Drive West, and continuing north along the west line of the St. Joseph Branch Railroad right-of-way approximately 660' (or one-eighth of a mile), thence east approximately 660' and south approximately 660' to the north line of Schimmer Drive West, thence east along said north line to its intersection with the east line of Blaine Street, also the point of beginning.

Illustration 1 delineates the Area in relation to the City of Grand Island. The Redevelopment Area is an estimated 498.5 acres, and includes the right-of-ways of the St. Joseph Branch Railroad and Hall County roads.

Conclusion

The redevelopment planning process for the Redevelopment Area resulted in a comprehensive listing of general planning and implementation recommendations. As previously discussed in the Blight and Substandard Determination Study, there are two major land uses (vacant/agricultural and two farmsteads), with structural and substandard conditions that are nonconforming in nature, detrimental to the health, safety and general welfare of the Community and generally obsolete in respect to the development and living environmental norms of today's Nebraska communities, including the City of Grand Island. To eliminate these conditions and enhance private development activities within the Redevelopment Area, the City of Grand Island needs to endorse the following general planning and redevelopment actions:

- 1. Rezone the Redevelopment Area to conform to the City of Grand Island's Industrial Zoning Regulations.**
- 2. Upgrading of bridges, culverts and storm water drainage ditches to facilitate development in the Redevelopment Area.**
- 3. Reconfiguration of intersections along Hall County roads to provide adequate turning lanes, road widths and sufficient right-of-ways, to support anticipated volumes of truck traffic to the proposed Ethanol Production Facility.**
- 4. Extend municipal water and sanitary sewer systems from the perimeter of the Redevelopment Area into the proposed Ethanol Production Facility site and maintain and/or replace the current electrical system in the Area.**
- 5. Removal of abandoned and dilapidated structures and associated debris.**
- 6. Create a partnership with the State and Hall County to facilitate the needed road and intersection improvements, as well as for the extension of all appropriate utilities to service the Area.**
- 7. Remove excessive debris from the Redevelopment Area. Parcels with excessive debris exist in specific locations of the Redevelopment Area.**
- 8. Develop a plan for the screening and/or buffering of industrial sites with outside storage of materials from the view along Wildwood and Schimmer Drives.**

9. **Capture property taxes through the provision of Tax Increment Financing. Capture the annual increase in the total tax base throughout the Redevelopment Area. This will establish a source of funding for public improvements including, but not limited to, infrastructure needs such as water, sewer streets and sidewalks, parking improvements and general landscaping and signage enhancements.**

Implementation

Both a time-line and budget should be developed for the implementation of the Redevelopment Plan. Each of these processes should be designed in conformance with the resources and time available to the City. A reasonable time-line to complete the redevelopment activities identified in the Plan would be five to 10 years.

Various funding sources exist for the preparation and implementation of a capital improvement budget designed to meet the funding needs of proposed redevelopment activities. These include City and federal funds commonly utilized to finance street improvement funds, i.e. Community Development Block Grants, special assessments, general obligation bonds and Tax Increment Financing (TIF). The use of TIF for redevelopment projects in the Redevelopment Area is deemed to be an essential and integral element of the Redevelopment Area and use of TIF in connection with such projects is contemplated by the Plan and such designation and use of TIF will not constitute a substantial modification to the Plan.

The City agrees, when approving the Plan, to the utilization of TIF by the Grand Island Community Redevelopment Authority for redevelopment projects and agrees to pledge the taxes generated in redevelopment projects for such purposes in accordance with the Act.

Any redevelopment program receiving TIF is subject to a Cost Benefit Analysis. TIF, as a source of public financing, ultimately impacts taxing authorities in the City of Grand Island and Hall County. Proposed redevelopment projects using TIF must meet the cost benefit analysis and the "But For" test. Accordingly, "**But for TIF**" a redevelopment project could not be fully executed and constructed in the Community.

1. Future Land Use Patterns

The existing land use patterns within the Redevelopment Area were depicted in **Illustration 2** and described, in detail, in the Blight and Substandard Determination Study. In general, the Redevelopment Area consists of three land use types. The primary land uses are vacant/agricultural, farmstead and right-of-ways of the Highway and Railroad corridors.

Illustration 4, Future Land Use Map, recommends land uses that stimulate future growth opportunities in the Redevelopment Area, while creating compatible land uses resulting in the efficient use of the physical features of the landscape. The recommended future land use classifications are generally in conformance with the "City of Grand Island Comprehensive Plan."

In the Future Land Use Map, "value-added" agricultural/industrial land uses are recommended to be utilized throughout the Redevelopment Area, except for the portion of the Area containing the farmstead north of Schimmer Drive, which is recommended for large lot single family residential development. Additional railway and road access corridors will need to be constructed within the Area, and the existing Blaine Street will need to be paved and upgraded to support heavy truck traffic associated with the proposed Ethanol Production Facility.

It is recommended that substantially deteriorated structures, throughout the Redevelopment Area, and those too deteriorated to rehabilitate, be replaced with new "value-added" industrial uses in conformance with the Future Land Use Map.

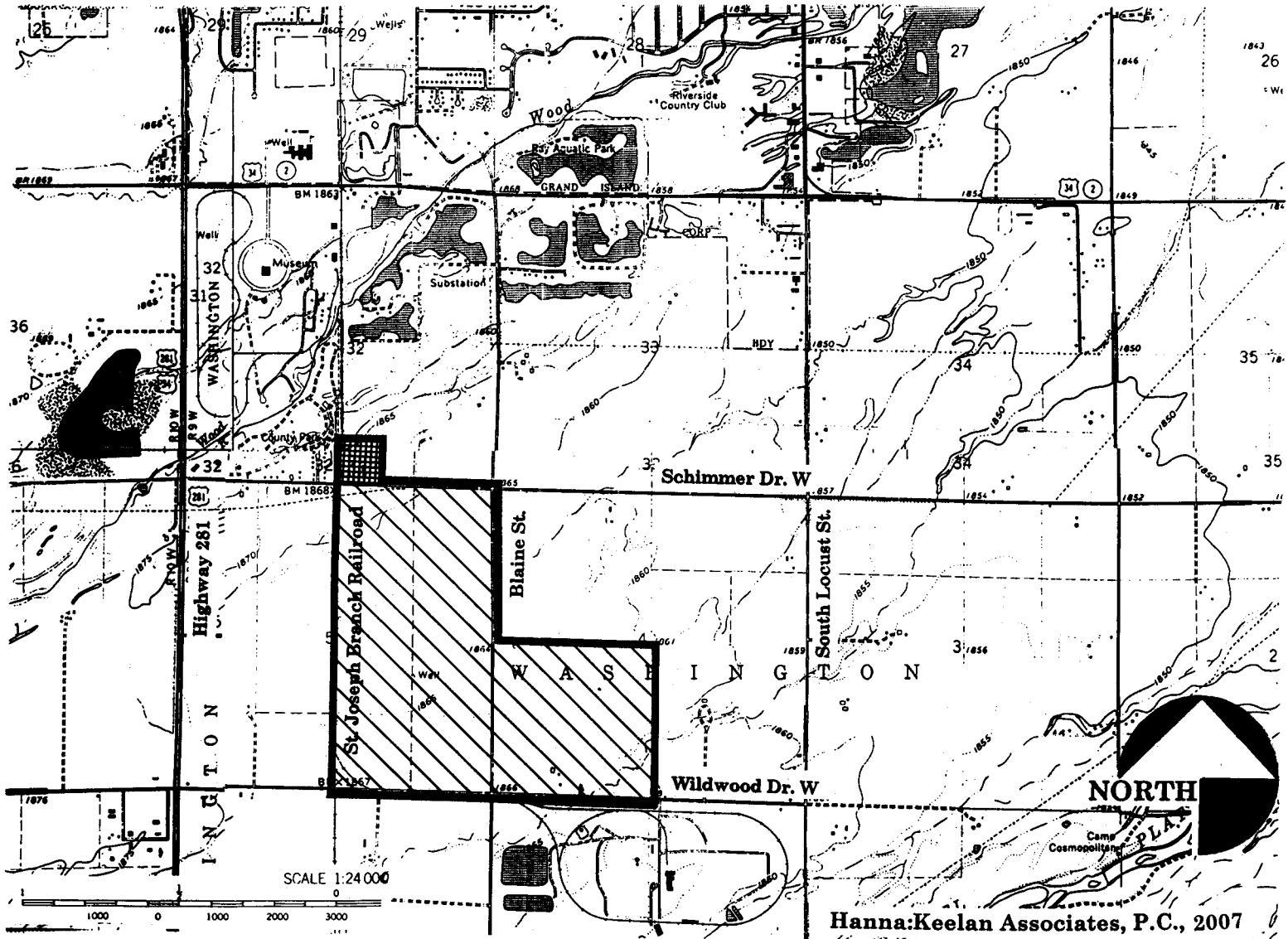
2. Future Zoning Districts

The Existing Zoning Map, **Illustration 3**, indicates that the entire Value Added Redevelopment Area is within the City of Grand Island's Planning Jurisdiction and is currently zoned A-2 Agricultural and TA Transitional Agricultural, according to information provided by the City of Grand Island Planning Office. The City of Grand Island has annexed the portion of the Redevelopment Area that the proposed Ethanol Production Facility will utilize, however, two zoning classifications including TA Transitional Agricultural and AG-2 Secondary Agricultural are utilized to control development options within the Area. It is recommended that the City rezone the entire area to one zoning classification that permits the Ethanol Facility as a Principle Permitted Use. Currently, only the AG-2 allows ethanol facilities as a Specially Permitted Use. The site is recommended to be re-zoned an industrial zoning classification in which ethanol facilities are permitted. This will require a Public Hearing by both the City Planning Commission and the City Council.

The recommended Future Zoning Map, for the Redevelopment Area, is identified in **Illustration 5** of this General Redevelopment Plan.

The City of Grand Island currently has four industrial zoning districts: M-1 Light Manufacturing, M-2 Heavy Manufacturing, M-3 Mixed Use Manufacturing and ME Industrial Estates. The City will need to select one of these zoning districts to apply to the proposed Ethanol Production Facility site. The City may need to amend the selected zoning district to allow the proposed Facility as a permissive use. Often, financial institutions and investment companies require that properties in which they have holdings be a permissive use within the zoning district, as opposed to a conditional or special use permit, in case, for one reason or another, the conditional or special use permit be pulled or revoked in the future.

FUTURE LAND USE MAP VALUE ADDED REDEVELOPMENT AREA GRAND ISLAND, NEBRASKA



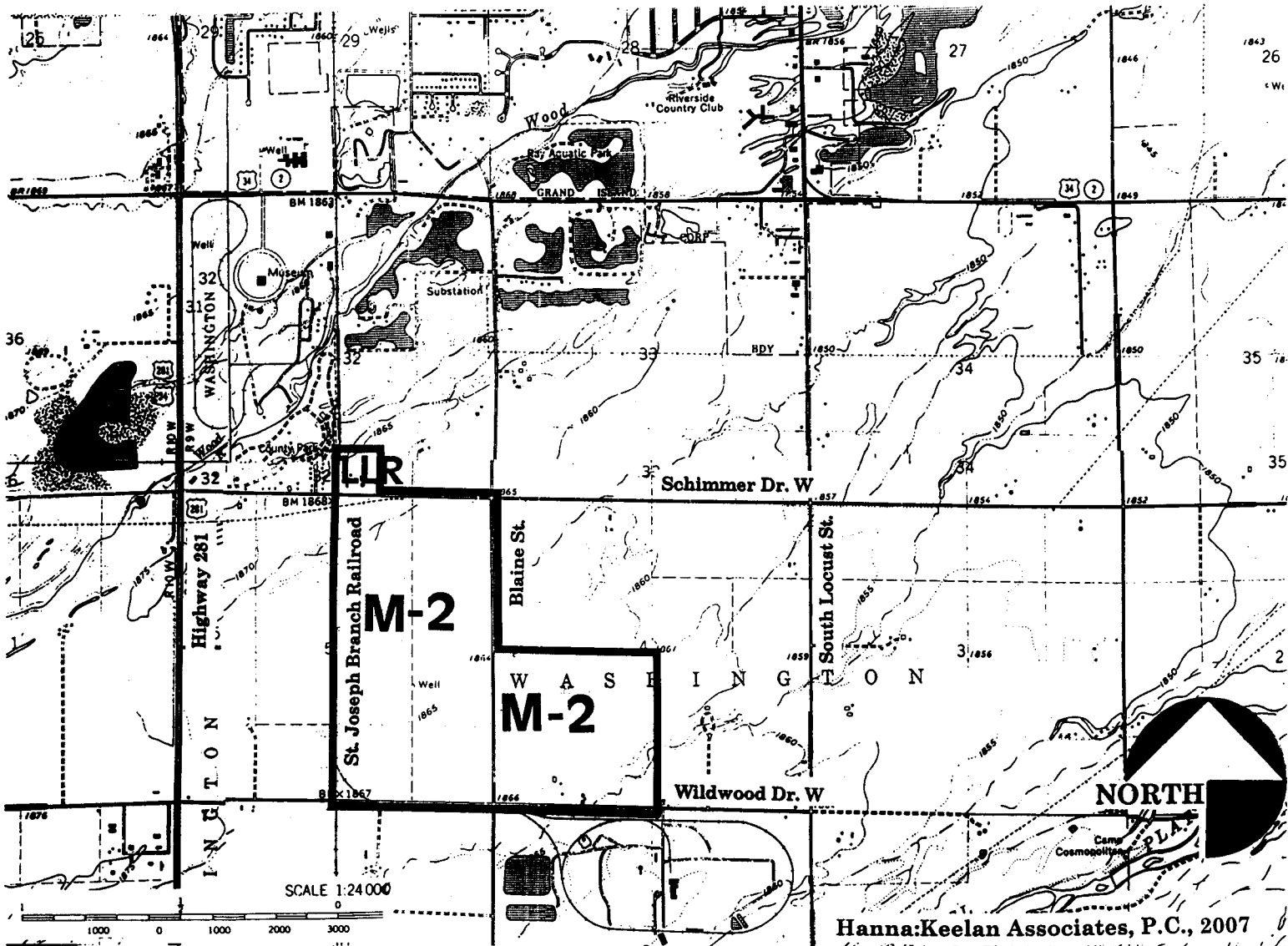
LEGEND

-  HEAVY INDUSTRIAL
-  LARGE LOT RESIDENTIAL

ILLUSTRATION 4

Grand Island Value Added Redevelopment Area
General Redevelopment Plan

FUTURE ZONING MAP VALUE ADDED REDEVELOPMENT AREA GRAND ISLAND, NEBRASKA



LEGEND

- M-2 HEAVY MANUFACTURING DISTRICT
- LLR LARGE LOT RESIDENTIAL

ILLUSTRATION 5

Grand Island Value Added Redevelopment Area
General Redevelopment Plan

3. Recommended Public Improvements

The primary purpose for a General Redevelopment Plan, accompanied with the Blight and Substandard Determination Study, is to allow for the use of public financing in a specific area. This public financing is planned and implemented to serve as a "first step" for public improvements and encourage private development within the Redevelopment Area. The most common form of public improvements occur with infrastructure, specifically roads, water, sanitary sewer and storm sewer systems, and recreational uses. The primary infrastructure concerns in the Redevelopment Area are road improvements, and the need for improvements and extensions of underground water, storm water and sanitary sewer systems.

The Redevelopment Area contains conditions that would benefit from public improvements and private redevelopment. The Area is currently comprised of two farmsteads and vacant/agricultural uses, which are bound on the south by Wildwood Drive, and Schimmer Drive on the north, both of which connect to Highway 281, approximately one-half mile west of Redevelopment Area #7. The St. Joseph Branch Railroad corridor serves as the Area's western boundary. Blaine Street serves as a main north-south arterial within the Redevelopment Area, connecting the northern and southern boundaries of the Area. Primary redevelopment activities should focus on extending municipal water, sewer and electrical systems to support industrial development.

The Field Survey indicated that most portions of the arterial roads are in "good" or "fair" condition. However, to facilitate industrial development, roads providing access into the Area will need to be hard surfaced to support heavy truck traffic. Blaine Street, the main north-south road in the Area, is presently a gravel surfaced county road, with open storm water ditches along the sides. Wildwood Drive may need to be widened at appropriate road and highway intersections to allow designated turning lanes for semi-truck traffic associated with the Ethanol Processing Facility.

Conclusions

The Grand Island Community Redevelopment Authority (CRA) and the City of Grand Island should seek funding sources to create a revolving loan and/or grant program for the rehabilitation infrastructure and improvement of utility services and public uses in the Redevelopment Area. To encourage development, the Consultant recommends investment in all mechanical infrastructure systems, throughout the entire Redevelopment Area. Prior to the transportation network improvements, the City and the CRA should develop a plan in conjunction with the City's Capital Improvement Plan and the One- and Six-Year Street Plan, to accommodate efficient infrastructure development and improvements.

The combination of the recommendations listed above are to aid the City of Grand Island and the CRA in creating a viable and sustainable living environment in this central Nebraska community, under the general provisions of the Nebraska Community Development Law, Chapter 18, Article 21 of the Statutes of State of Nebraska. This Plan does not intend the displacement of families or persons residing in the Area. If necessary for proper redevelopment activities, the City will conduct the necessary relocation of property owners.

The following identifies estimated costs for the improvement of various infrastructure features in Redevelopment Area.

Normal Street Replacement

Costs are dependent on street width and thickness of pavement or overlay. Concrete paving of 6" thick with integral curbs costs an estimated \$45 per square yard. Asphalt overlay has a cost of \$3 per square yard, per inch of thickness of asphalt overlay.

The cost to construct a 6" thick, 30' wide concrete street is \$150 per linear foot

The cost to construct a 6" thick, 60' wide concrete street is \$300 per linear foot

The cost to construct a 2" thick, 30' wide asphalt overlay is \$20 per linear foot

The cost to construct a 2" thick, 60' wide asphalt overlay is \$40 per linear foot

<u>Ramped Curb Cuts</u>	<u>Sanitary Sewer</u>
\$1,250 each	\$50 to \$60 per linear foot
<u>Water Valves</u>	<u>Fire Hydrants</u>
\$750 each	\$2,500 each

Overlay of Parking Lots
Asphalt overlay costs \$3 per square yard per inch of thickness of asphalt overlay.
Therefore the cost of a 2" overlay of a 150' x 150' parking lot is \$15,000.

Paved Alleys

The cost for paved alleys is dependent on alley width and pavement thickness. A 6" thick concrete alley would cost \$45 per square yard.

The cost of a 6" thick, 16' wide concrete alley is \$80 per linear foot.

The cost of a 6" thick, 20' wide concrete alley is \$100 per linear foot.

Storm Sewers

The cost of Storm Sewers is dependent upon the size of the storm sewer pipe and on the number of inlets required. A breakdown of approximate unit prices is as follows:

15" RCP costs \$22 per linear foot	18" RCP costs \$26 per linear foot
24" RCP costs \$35 per linear foot	30" RCP costs \$44 per linear foot
36" RCP costs \$52 per linear foot	42" RCP costs \$61 per linear foot
48" RCP costs \$70 per linear foot	Inlets cost and estimated \$2,500 each

Therefore, assuming 470 linear feet of 30" storm sewer and four inlets per block, a block of storm sewer would cost approximately \$30,680.

This General Redevelopment Plan identifies several community and economic development activities for the entire Redevelopment Area, in Grand Island, Nebraska. The major components of this General Redevelopment Plan will be accomplished as individual projects, however, a comprehensive redevelopment effort is recommended. Just as the redevelopment efforts should be tied together, so should the funding sources to ensure a complete project. The use of state and federal monies, local equity and tax incentives coupled with private funding sources, can be combined for a realistic and feasible funding package. The following provides a summary listing of the types of funding to assist in implementing this General Redevelopment Plan. Each selected redevelopment project should be accompanied with a detailed budget of both sources and uses of various funds.

Building Improvement District
Tax Increment Financing
LB 840 or LB 1240
Historic Preservation Tax Credits
Low Income Housing Tax Credits
Sales Tax
Community Development Block Grants - Re-Use Funds
Local Lender Financing
Owner Equity
Small Business Association-Micro Loans
Community Assistance Act
Donations and Contributions
Intra-modal Surface Transportation Efficiency Act

Private Foundations

American Express Foundation
Kellogg Corporate Giving Program
Marietta Philanthropic Trust
Monroe Auto Equipment Company Foundation
Norwest Foundation
Piper, Jaffray & Hopwood Corporate Giving
Target Stores Corporate Giving
Pitney Bowes Corporate Contributions
Union Pacific Foundation
US West Foundation
Woods Charitable Fund, Inc.
Abel Foundation
ConAgra Charitable Fund, Inc.
Frank M. and Alice M. Farr Trust
Hazel R. Keene Trust
IBP Foundation, Inc.
Mid-Nebraska Community Foundations, Inc.
Northwestern Bell Foundation
Omaha World-Herald Foundation
Peter Kiewit and Sons Inc. Foundation
Thomas D. Buckley Trust
Valmont Foundation
Quivey-Bay State Foundation



City of Grand Island

Tuesday, July 10, 2007

Council Session

Item F1

#9125 - Partial Vacation of Utility Easement - Lot One (1) and Lot Two (2), Cedar Ridge First Subdivision

Staff Contact: Gary R. Mader

Council Agenda Memo

From: Robert H. Smith, Asst. Utilities Director

Meeting: July 10, 2007

Subject: Partial Vacation of Easement – Cedar Ridge First Subdivision – Lots One (1) and Two (2)

Item #'s: F-1

Presenter(s): Gary R. Mader, Utilities Director

Background

The owners of Lot One (1) and Two (2), Cedar Ridge First Subdivision are planning to place “Professional Buildings” on each lot. To meet the landscaping and zoning requirements, a portion of the 20 foot wide easement that was dedicated at the time of platting for utilities, now needs to be vacated. The Electric Department and Cable TV are using the easements from the road to the transformer locations on each lot. The physical location of the cables is such that part of the easement may be vacated if a like amount of easement is dedicated on the adjacent lots.

A map of the lots and easement areas are attached for reference.

The adjacent property owner has indicated a willingness to dedicate the additional easement required to serve the affected utilities.

Discussion

The construction project is currently held up pending the vacation of part of the easement prior to a building permit being issued. If Council concurs in the vacation of part of the utility easement, it is requested that the rules be waived so the ordinance can be approved at a single meeting, allowing construction to begin as soon as possible.

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 Ordinance #9125 to vacate part of the easement on Lot One (1) and Lot Two (2), Cedar Ridge First Subdivision.

Sample Motion

Make a motion to approve Ordinance #9125 to vacate part of the easement on Lot One (1) and Lot Two (2), Cedar Ridge First Subdivision.

Easement To Be Vacated - Ordinance No. 9125

... an ordinance to vacate part of an easement as described in Document #200307344 recorded in the Hall County Register of Deeds Office, located in part of Lot One (1) and part of Lot Two (2) Cedar Ridge First Subdivision ...

The part of the said easement to be vacated being more particularly described as follows:

TRACT #1:

The southerly twenty (20.0) feet of the westerly one hundred twenty five and thirty eight hundredths (125.38) feet except the westerly ten (10.0) feet of Lot Two (2) Cedar Ridge First Subdivision.

TRACT #2:

The northerly ten (10.0) feet of the southerly twenty (20.0) feet of the easterly one hundred twenty four and six tenths (124.6) feet of Lot Two (2) Cedar Ridge First Subdivision.

TRACT #3

The northerly ten (10.0) feet of the southerly twenty (20.0) feet of the easterly one hundred fifteen and six tenths (115.6) feet of the westerly one hundred twenty five and six tenths (125.6) feet of Lot One (1) Cedar Ridge First Subdivision.

TRACT #4

The southerly twenty (20.0) feet of the westerly ninety four and thirty eight hundredths (94.38) feet of the easterly one hundred twenty four and thirty eight hundredths (124.38) feet of Lot One (1) Cedar Ridge First Subdivision.

... plat dated 6/21/2007

General location – Cedar Ridge First Subdivision is located south of 13th Street and west of K-Mart.

* This Space Reserved for Register of Deeds *

ORDINANCE NO. 9125

An ordinance to vacate part of an easement as described in Document #200307344 recorded in the Hall County Register of Deeds Office, located in part of Lot One (1) and part of Lot Two (2) Cedar Ridge First Subdivision and to provide for filing this ordinance in the office of the Register of Deeds of Hall County; and to provide for publication and the effective date of this ordinance.

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

SECTION 1. That a portion of existing easements in the City of Grand Island, Hall County, Nebraska, more particularly described as follows:

TRACT #1:

The southerly twenty (20.0) feet of the westerly one hundred twenty five and thirty eight hundredths (125.38) feet except the westerly ten (10.0) feet of Lot Two (2) Cedar Ridge First Subdivision in the City of Grand Island, Hall County, Nebraska; and

TRACT #2:

The northerly ten (10.0) feet of the southerly twenty (20.0) feet of the easterly one hundred twenty four and six tenths (124.6) feet of Lot Two (2) Cedar Ridge First Subdivision in the City of Grand Island, Hall County, Nebraska; and

Approved as to Form	<input type="checkbox"/> _____
July 6, 2007	<input type="checkbox"/> City Attorney

ORDINANCE NO. 9125

TRACT #3

The northerly ten (10.0) feet of the southerly twenty (20.0) feet of the easterly one hundred fifteen and six tenths (115.6) feet of the westerly one hundred twenty five and six tenths (125.6) feet of Lot One (1) Cedar Ridge First Subdivision in the City of Grand Island, Hall County, Nebraska; and

TRACT #4

The southerly twenty (20.0) feet of the westerly ninety four and thirty eight hundredths (94.38) feet of the easterly one hundred twenty four and thirty eight hundredths (124.38) feet of Lot One (1) Cedar Ridge First Subdivision in the City of Grand Island, Hall County, Nebraska.

is hereby vacated. Such easements to be vacated are shown and more particularly described on Exhibit A attached hereto.

SECTION 2. This ordinance is directed to be filed in the office of the Register of Deeds of Hall County, Nebraska.

SECTION 3. This ordinance shall be in force and take effect from and after its passage and publication, without the plat, within fifteen days in one issue of the Grand Island Independent as provided by law.

Enacted: July 10, 2007.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, July 10, 2007

Council Session

Item F2

**#9126 - Consideration of Vacation of a Portion of Midaro Drive
(East of 610 Midaro Drive) to Correct Error in Legal Description
on Ordinance No. 9124**

Staff Contact: Steve Riehle, City Engineer/Public Works Director

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: June 26, 2007

Subject: Consideration of Vacation of a Portion of Midaro Drive;
Firethorne Subdivision

Item #'s: F-2

Presenter(s): Steven P. Riehle, City Engineer/Public Works Director

Background

At the June 26, 2007 Council meeting, the eastern approximately 250 feet of Midaro Drive was vacated by Ordinance number 9124. The vacated street right-of-way reverted to the abutting properties in equal portions.

Discussion

The south 30 foot of the street right-of-way reverted to a tract of land that has not yet been subdivided. To ensure that the Ordinance vacating the street is filed with the correct tract of land, a new Ordinance is being presented to Council with a legal description for the tracts of land that the vacated street right of way is being reverted to.

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 the passing of an Ordinance vacating a portion of Midaro Drive and the repeal of the previous Ordinance number 9124 in Firethorne Subdivision.

Sample Motion

Motion to approve an Ordinance vacating a portion of Midaro Drive and repeal the previous Ordinance number 9124 in Firethorne Subdivision.

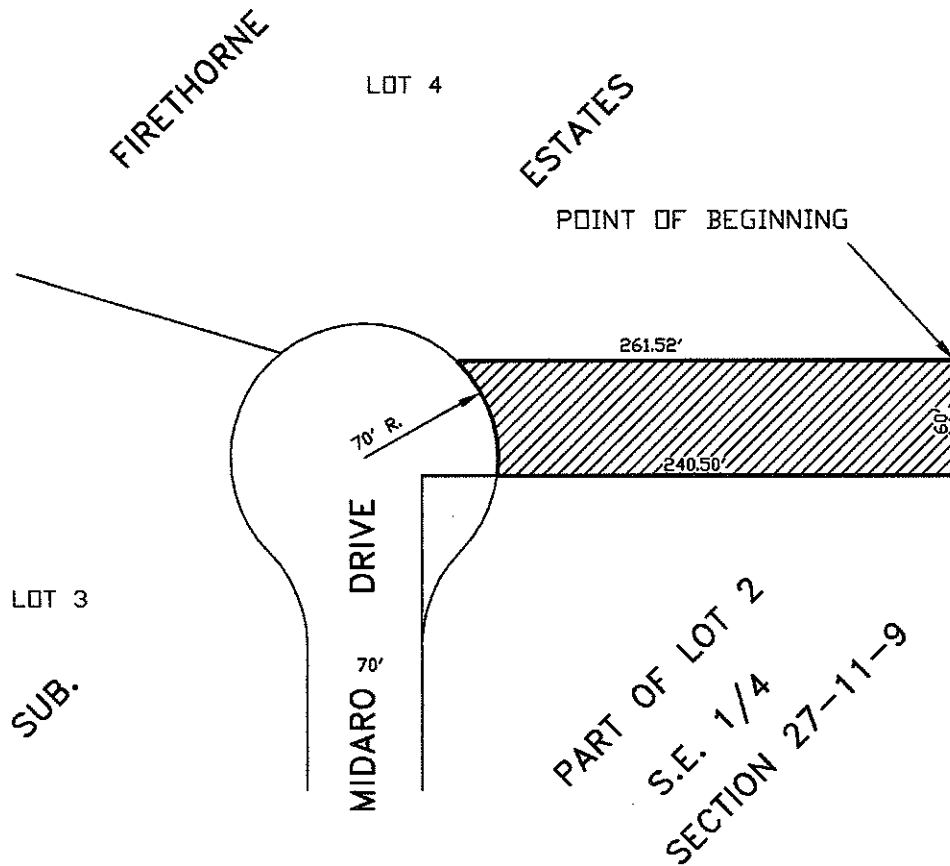


EXHIBIT "A"

CITY OF
GRAND ISLAND
PUBLIC WORKS DEPARTMENT

DATE: 9/25/06
DRN BY: L.D.C.
SCALE: 1"=100'

PLAT TO ACCOMPANY
ORDINANCE NO.

* This Space Reserved for Register of Deeds *

ORDINANCE NO. 9126

An ordinance to vacate a portion of an existing right of way and to provide for filing this ordinance in the office of the Register of Deeds of Hall County; to repeal Ordinance No. 9124 and any ordinance or parts of ordinances in conflict herewith, and to provide for publication and the effective date of this ordinance.

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

SECTION 1. That a portion of an existing right of way of Midaro Drive, more particularly described as follows:

Beginning at the Southeast Corner of Lot Four (4), Firethorne Estates Subdivision, thence South on a Prolongation of the East Line of Lot Four (4) Firethorne Estates Subdivision for a distance of Sixty Feet (60') to the Southeast Corner of Firethorne Estates Subdivision; thence Westerly on the South Line of Firethorne Estates Subdivision for a distance of Two Hundred Forty and Fifty One Hundredths Feet (240.50'); thence Northwesterly on an arc with a radius of Seventy Feet (70') to a point on the South Line of Lot Four (4), Firethorne Estate Subdivision; thence East on the South Line of Lot Four (4), Firethorn Estates Subdivision, for a distance of Two Hundred Sixty One and Fifty Two Hundredths Feet (261.52'), to the Point of Beginning

Approved as to Form	<input type="checkbox"/> _____
July 5, 2007	<input type="checkbox"/> City Attorney

ORDINANCE NO. 9126

is hereby vacated. Such right-of-way to be vacated is shown and more particularly described on Exhibit A attached hereto.

SECTION 2. The title to the property vacated by Section 1 of this Ordinance shall revert to the owner or owners of the real estate abutting the same with the North Thirty Feet (N30') reverting to Lot Four (4) of Firethorne Estates Subdivision, in the City of Grand Island, Hall County, Nebraska, and the South Thirty Feet (S30') reverting to the West Two Hundred Seventy Nine and Fifty Six Hundredths Feet (279.56) of the North Two Hundred Feet (200') of the Northwest Quarter of the Southeast Quarter of Section Twenty Seven (27), Township Eleven (11), Range Nine (9), West of the 6th P.M., in the City of Grand Island, Hall County, Nebraska.

SECTION 3. Ordinance No. 9124 and all other ordinances and parts of ordinances in conflict herewith be, and the same are, hereby repealed.

SECTION 4. This ordinance is directed to be filed in the office of the Register of Deeds of Hall County, Nebraska.

SECTION 5. This ordinance shall be in force and take effect from and after its passage and publication, without the plat, within fifteen days in one issue of the Grand Island Independent as provided by law.

Enacted: July 10, 2007.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, July 10, 2007

Council Session

Item G1

Approving Minutes of June 26, 2007 City Council Regular Meeting

Staff Contact: RaNae Edwards

OFFICIAL PROCEEDINGS

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

June 26, 2007

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 June 26, 2007. Notice of the meeting was given in *The Grand Island Independent* on June 20, 2007.

Mayor Margaret Hornady called the meeting to order at 7:00 p.m. The following City Council members were present: Councilmember's Carney, Zapata, Nickerson, Gericke, Brown, Gilbert, Whitesides, Haase, and Meyer. Councilmember Walker was absent. The following City Officials were present: City Clerk RaNae Edwards, City Attorney Dale Shotkoski, Finance Director David Springer, and Public Works Director Steve Riehle.

INVOCATION was given by Reverend Alberta Danner, First Church of the Nazarene, 1022 West 6th Street followed by the PLEDGE OF ALLEGIANCE.

MAYOR COMMUNICATION: Mayor Hornady acknowledged Community Youth Council member Derrick Morrison. Mentioned was the City wide picnic at Stolley Park this Sunday, July 1, 2007 in conjunction with the Hall County 150th Anniversary.

PRESENTATIONS AND PROCLAMATIONS:

Presentation of Service Award to Councilmember Scott Walker. This item was pulled from the agenda and rescheduled for the July 10, 2007 City Council meeting due to Councilmember Walker being absent.

PUBLIC HEARINGS:

Public Hearing on Request from Mongolian Vietnamese Restaurant, LLC dba Mongolian Vietnamese Restaurant, 1816 North Webb Road for Class "A" Liquor License. RaNae Edwards, City Clerk reported that an application had been received from Mongolian Vietnamese Restaurant, LLC dba Mongolian Vietnamese Restaurant, 1816 North Webb Road for a Class "A" Liquor License. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on June 1, 2007; notice to the general public of date, time, and place of hearing published on June 16, 2007; notice to the applicant of date, time, and place of hearing mailed on June 1, 2007; along with Chapter 4 of the City Code. Staff recommended denial because of "Falsification of Application" under Nebraska Liquor Control Rules and Regulations Section 53-131.01 and Chapter 2 Section 010.01. Dzung Nguyen, 303 East 18th Street spoke in support. No further public testimony was heard.

Public Hearing on Request of JG & J, Inc. dba Bullwinkle's Bar and Grill, 3235 South Locust Street for a Change of Location for Class "C-23100" Liquor License to 2118 North Webb Road. RaNae Edwards, City Clerk reported that an application had been received from JG & J, Inc. dba Bullwinkle's Bar and Grill, 3235 South Locust Street for a Change of Location to their Class 'C-

23100” Liquor License to 2118 North Webb Road. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on June 6, 2007; notice to the general public of date, time, and place of hearing published on June 16, 2007; notice to the applicant of date, time, and place of hearing mailed on June 6, 2007; along with Chapter 4 of the City Code. Staff recommended approval contingent upon final inspections. Becki Keeshan, 3235 South Locust Street spoke in support. No further public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at the Southeast Corner of the New HY-VEE Store at Webb Road and Old Potash Highway (HY-VEE, Inc.). Tim Luchsinger, Assistant Utilities Director reported that acquisition of a utility easement located at the southeast corner of the new HY-VEE store located at Webb Road and Old Potash Highway was needed to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. This easement would be used to place underground electrical cable and a pan-mounted transformer to serve the new HY-VEE store. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at 1313 Johnstown Road Across from Diamond Plastics (Kevin and Tammie Hulse). Tim Luchsinger, Assistant Utilities Director reported that acquisition of a utility easement located at 1313 Johnstown Road was needed to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. This easement would be used to locate primary underground electrical cable and a three-phase pad-mounted transformer to a new building at this address. No public testimony was heard.

Public Hearing on Amendment to Chapter 36 of the Grand Island City Code Relative to Accessory Building and Uses. Chad Nabity, Regional Planning Director reported that Portable Storage Unites had been used across the United States for the past several years. These units are designed to be delivered to a property where the property owner can load them and the company hauls them to a warehouse for storage. Mr. Nabity stated changes were needed in City Code to regulate the size of the containers and length of time the unit could be left at a residence. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at 516 and 508 Sandalwood Drive, South of Faidley Avenue (Rudolf and Jeannice Plate). Chad Nabity, Regional Planning Director reported that acquisition of a utility easement located at 516 and 508 Sandalwood Drive, south of Faidley Avenue was needed to have access to install, upgrade, and maintain telephone lines and switches, cable TV lines and switches and natural gas lines. This easement would be used to facilitate the installation of telephone, cable TV and gas lines to the property. No public testimony was heard.

Public Hearing on Application for Edward Byrne Memorial Justice Assistance Grant (JAG) 2007. Steve Lamken, Police Chief reported that the Grand Island Police Department and Hall County Sheriff’s Department were eligible to receive Justice Assistance Grant monies from the U.S. Department of Justice in 2007 in the amount of \$28,366.00 to be spent over a four year period. The Hall County Sheriff’s Department would receive \$7,091.50 for purchase of computer equipment. The Grand Island Police Department would receive \$14,183.00 to purchase a back-up server for the Data911 mobile data and video equipment for patrol vehicles, additional Data911 equipment and operational costs for the Central Nebraska Drug Court. No public testimony was heard.

ORDINANCES:

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

#9114 – Consideration of Vacation of Alley through Wasmer Detention Cell (between Koenig and Division from Broadwell to Monroe)

#9122 – Consideration of Partial Vacation of Utility Easement (Principal Financial Group)

#9123 – Consideration of Amendment to Chapter 36 of the Grand Island City Code Relative to Accessory Buildings and Uses

#9124 – Consideration of Vacation of a Portion of Midaro Drive (East of 610 Midaro Drive)

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 first reading and then upon final passage and call for a roll call vote on each reading and then upon final passage.” Councilmember Nickerson second the motion. Upon roll call vote, all voted aye. Motion adopted.

Steve Riehle, Public Works Director reported Ordinance #9114 was necessary to vacate street and alley right-of-way at the site of the old Wasmer School which is now a detention cell. There were no utilities in the alley and the detention cell prevents use of the alley and should be vacated.

Tim Luchsinger, Assistant Utilities Director reported Ordinance #9122 would vacate the north 10’ of the current easement and allow The Principal Financial Group to extend their building onto the easement 8’. Existing utilities would not be affected. Discussion was held concerning landscaping. Craig Lewis, Building Department Director explained that Principal Financial Group would expand the landscaping to the east side of the property and drainage would slope to the south.

Chad Nabity, Regional Planning Director reported Ordinance #9123 referred to the aforementioned Public Hearing. Discussion was held concerning portable storage units with regards to the length of time a unit could be on a persons property.

Steve Riehle, Public Works Director reported Ordinance #9124 would allow for the vacation of a portion of Midaro Drive that was no longer needed because of changes in the development plan.

Motion by Whitesides, second by Brown to approve Ordinances #9114, #9122, #9123 and #9124.

City Clerk: Ordinances #9114, #9122, #9123 #9124 on first reading. All those in favor of the passage of these ordinances on first reading, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

City Clerk: Ordinances #9114, #9122, #9123 #9124 on final passage. All those in favor of the passage of these ordinances on final passage, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

Mayor Hornady: By reason of the roll call votes on first reading and then upon final passage, Ordinances #9114, #9122, #9123 and #1924 are declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Consent agenda item G-12 was removed for further discussion Motion by Gilbert, second by Haase to approve the Consent Agenda excluding item G-12. Upon roll call vote, all voted aye. Motion adopted.

Receipt of Official Document – Pawnbroker Official Bond for Stewart’s Pawn Shop, 803 West 4th Street.

Approving Minutes of June 12, 2007 City Council Regular Meeting.

Approving Minutes of June 19, 2007 City Council Study Session.

Approving Appointment of Ann Marsh to the Central District Health Department.

Approving Appointment of John Schultz to the Zoning Board of Adjustment.

#2007-143 – Approving Acquisition of Utility Easement Located at the Southeast Corner of the New HY-VEE Store at Webb Road and Old Potash Highway (HY-VEE, Inc.)

#2007-144 – Approving Acquisition of Utility Easement Located at 1313 Johnstown Road Across from Diamond Plastics (Kevin and Tammie Hulse).

#2007-145 – Approving Bid Award for Cooling Tower Rebuild at Platte Generating Station with Midwest Towers of Blue Springs, Missouri in an Amount of \$409,094.00.

#2007-146 – Approving Bid Award for Boiler Inspection and Repair at Platte Generating Station with W-S Mechanical Group, LLC of Council Bluffs, Iowa in an Amount of \$579,337.11.

#2007-147 – Approving Acquisition of Utility Easement Located at 516 and 508 Sandalwood Drive, South of Faidley Avenue (Rudolf and Jeannice Plate).

#2007-148 – Approving Application for Edward Byrne Memorial Justice Assistance Grant (JAG) 2007.

#2007-150 – Approving Setting Board of Equalization Date of July 24, 2007 for Annual Mowing Assessments.

#2007-151 – Approving Change Order No. 1 for Fiber Optic Cable Installation Project 2006-OPGW-III with Kayton Electric of Grand Island, Nebraska for an Increase of \$5,120.00 and a Revised Contract Amount of \$64,853.00.

#2007-152 – Approving Agreement with Farmers National Company of Grand Island, Nebraska for Land Management Services in an Amount of 7% of the Gross Farm Income.

#2007-149 – Approving Release and Rescission of Bid Award for Backhoe/Loader with Nebraska Machinery Co. and Approving Bid Award to Ditch Witch of Nebraska in an Amount of \$59,360.61. It was noted that Nebraska Machinery Co. would be discharged from its bid upon payment to the City for the difference in price.

Motion by Meyer, second by Whitesides to approve Resolution #2007-149. Upon roll call vote, all voted aye. Motion adopted.

RESOLUTIONS:

#2007-153 – Consideration of Request from Mongolian Vietnamese Restaurant, LLC dba Mongolian Vietnamese Restaurant, 1816 North Webb Road for Class “A” Liquor License and Request of Dua Tran Huyen, 303 East 8th Street for Liquor Manager Designation. RaNae Edwards, City Clerk reported this item related to the aforementioned Public Hearing. Discussion was held regarding the Liquor Control requirements regarding denial.

Motion by Meyer, second by Whitesides to deny the request of Mongolian Vietnamese Restaurant and Liquor Manager Designation with the findings that the application was falsified. Upon roll call vote, all voted aye. Motion adopted.

#2007-154 – Consideration of Request from JG & J, Inc. dba Bullwinkle’s Bar and Grill, 3235 South Locust Street for a Change of Location for Class “C-23100” Liquor License to 2118 North Webb Road. RaNae Edwards, City Clerk reported this item related to the aforementioned Public Hearing.

Motion by Meyer, second by Gericke to approve Resolution #2007-154. Upon roll call vote, all voted aye.

#2007-155 – Consideration of Northwestern Gas Rate Negotiation/Increase. Dale Shotkoski, City Attorney introduced Mark Paulson, Attorney representing NorthWestern Energy and Roger Cox, Attorney/Public Advocate representing the Public Service Commission.

Mr. Paulson explained the negotiation process. Requested was that the City negotiate directly with NorthWestern Energy on a proposed rate increase of 5.48. Benefits would be a cost savings to the City and local control.

Mr. Cox explained the history of rate negotiations and the role of the Public Advocate. Benefits to the City would be time savings, expertise, cost studies, availability to consultants and formal discovery process.

Discussion was held concerning the cost to the City if negotiations were held directly with NorthWestern. Mr. Cox stated those costs would be passed through to the customers. Mr. Shotkoski commented that if the City would decide to negotiate directly, the City would need to hire an attorney with expertise in this field.

Motion by Whitesides, second by Carney to approve Resolution #2007-155. Upon roll call vote, Councilmember's Zapata, Gericke, Whitesides, Haase, and Meyer voted aye. Councilmember's Carney, Nickerson, Brown, and Gilbert voted no. Motion failed.

Motion by Gilbert, second by Carney to not negotiate directly with NorthWestern Energy. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Brown, second by Haase to approve the Claims for the period of June 13, 2007 through June 26, 2007, for a total amount of \$2,080,609.59. Motion adopted unanimously.

Approving Payment of Claim Submitted by Howard Maxon:

Motion by Meyer to deny the claim submitted by Howard Maxon. Motion died due to lack of a second.

Motion by Whitesides, second by Nickerson to adjourn to executive session at 8:20 p.m. for the purpose of discussing the claim submitted by Howard Maxon. Upon roll call vote, all vote aye. Motion adopted.

Motion by Whitesides, second by Gilbert to return to regular session at 8:50 p.m. Upon roll call vote, all voted aye. Motion adopted.

Motion by Meyer, second by Whitesides to table the claim submitted by Howard Maxon to a future date not yet determined. Upon roll call vote, all voted aye. Motion adopted.

SPECIAL ITEMS:

Motion by Meyer, second by Gericke to adjourn to executive session at 8:55 p.m. for the purpose of updating the council on FOP and IBEW (Wastewater Treatment Plant) Union Contract Negotiations. Upon roll call vote, all voted aye. Motion adopted.

RETURN TO REGULAR SESSION:

Motion by Meyer, second by Gericke to return to regular session at 9:45 p.m. Upon roll call vote, all voted aye. Motion adopted.

ADJOURNMENT: The meeting was adjourned at 9:45 p.m.

RaNae Edwards
City Clerk



City of Grand Island

Tuesday, July 10, 2007

Council Session

Item G2

Approving Re-Appointments of Todd Enck, Marv Webb, Richard Willis, and Mike Wenzl to the Building Code Advisory Board

The Mayor has submitted the re-appointments of Todd Enck, Marv Webb, Richard Willis, and Mike Wenzl to the Building Code Advisory Board. These appointments would become effective August 2, 2007 upon approval by Council, and would expire on August 1, 2009. Approval is recommended.

Staff Contact: Mayor Margaret Hornady



City of Grand Island

Tuesday, July 10, 2007

Council Session

Item G3

**#2007-140 - Approving Service Agreement with Medtronic for
Cardiac Monitors**

Staff Contact: Jim Rowell

Council Agenda Memo

From: Troy Shubert, EMS Division Chief

Meeting: July 10, 2007

Subject: Medtronic Technical Service Support Agreement

Item #'s: G-3

Presenter(s): Jim Rowell, Fire Chief
Troy Shubert, EMS Division Chief

Background

The Fire Department currently utilizes eight LifePak 12 cardiac monitors. In the past, the Fire Department has signed one year service agreements for \$7,900 per year. This contract includes updates in patient care treatments, calibration, free labor, free battery replacement, and free battery charger replacement. It also includes 10% discounts on accessories and electrodes as well as a 17% discount on upgrades.

Discussion

The Fire Department recommends a five year Technical Service Support Agreement for the eight cardiac monitors not under warranty. Without the extended agreement the cost is estimated to increase by a minimum of 5% (\$8,295) next year. Under the agreement, the annual cost would be "locked in" for five years at \$7,900.

This next fiscal year with the agreement we are estimating spending \$3,240 for accessory replacement. Without the service agreement, the cost for the same accessories and upgrades would be \$13,300. This agreement would save money for battery replacement at \$220 each; labor fees of \$275 per hour; travel reimbursement of \$400 per trip; and software upgrades of \$595 each unit and catastrophic failure of components.

The use of a third party for service and repair is not recommended because the parts and accessories are proprietary.

Current replacement cost of a new LifePak 12 monitor is \$25,000.

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 service support agreement with Medtronic Emergency Response Systems.

Sample Motion

Motion to approve the service support agreement with Medtronic Emergency Response Systems.

TECHNICAL SERVICE SUPPORT AGREEMENT

Contract Number:

End User # 00558203
GRAND ISLAND FIRE DEPT
1720 N BROADWELL
GRAND ISLAND, NE 68803

Bill To # 00558202
GRAND ISLAND FIRE DEPARTMENT
PURCHASING DIVISION
P.O. BOX 1968
GRAND ISLAND, NE 68802

This Technical Service Support Agreement begins on 6/1/2007 and expires on 5/31/2012.

The designated Covered Equipment and/or Software is listed on Schedule A. This Technical Service Agreement is subject to the Terms and Conditions on the reverse side of this document and any Schedule B, if attached. If any Data Management Support and Upgrade Service is included on Schedule A then this Technical Service Support Agreement is also subject to Medtronic's Data Management Support and Upgrade Service Terms and Conditions, rev 7/99-1.

Price of coverage specified on Schedule A is \$36,700.00 per term, payable in Annual installments.

Special Terms

10% DISCOUNT ON ACCESSORIES
10% DISCOUNT ON ALL ELECTRODES
17% DISCOUNT ON LP12 UPGRADES

Accepted: MEDTRONIC Emergency Response Systems, Inc. Customer:

By:

By:

Title:

Print:

Date:

Title:

Date:

Purchase Order Number:

Territory Rep: WEMM59
Hallam, Kevin
Phone: 800-442-1142 x2470
FAX: 800-772-3340

Customer Contact:
Troy Schurbert
Phone: 308-379-9915
FAX: NA

MEDTRONIC EMERGENCY RESPONSE SYSTEMS, INC.
TECHNICAL SERVICE SUPPORT AGREEMENT TERMS AND CONDITIONS

RENEWAL TERMS

Medtronic Emergency Response Systems, Inc.'s ("Medtronic") acceptance of Customer's Technical Service Support Agreement is expressly conditioned on Customer's assent to the terms set forth in this document and its attachments. Medtronic agrees to furnish the services ordered by Customer only on these terms, and Customer's acceptance of any portion of the goods and services covered by this document shall confirm their acceptance by Customer. These terms constitute the complete agreement between the parties and they shall govern any conflicting or ambiguous terms on Customer's purchase order or on other documents submitted to Medtronic by Customer. These terms may not be revised in any manner without the prior written consent of an officer of Medtronic.

REPAIR SERVICES

If "Repair" services are designated, subject to the Exclusions identified below, they shall include, for the designated Covered Equipment, all repair parts and materials required, all required Medtronic service technician labor, and all related travel expenses. For offsite (ship-in) services, units will be returned to Customer by Medtronic freight prepaid.

INSPECTION SERVICES

If "Inspection" services are designated, subject to the Exclusions identified below, they shall include, for the designated Covered Equipment, verification of proper instrument calibration, verification that instrument mechanical operations and output measurements are consistent with applicable product specifications, performance of an electrical safety check in accordance with National Fire and Protection Guidelines, all required Medtronic service technician labor and all related travel expenses. For offsite (ship-in) services, units will be returned to Customer by Medtronic freight prepaid.

DOCUMENTATION

Following each Repair and/or Inspection, Medtronic will provide Customer with a written report of actions taken or recommended and identification of any materials replaced or recommended for replacement.

LOANERS

If a Medtronic product is designated as a unit of Covered Equipment for Repair Services and needs to be removed from service to complete repairs, an appropriate Loaner unit will be provided, if available, until the removed unit is returned. Customer assumes complete responsibility for the Loaner and shall return the Loaner to Medtronic in the same condition as received, at Customer's expense, upon the earlier of the return of the removed unit or Medtronic's request.

EXCLUSIONS

This Technical Service Support Agreement does not include: supply or repair of accessories or disposables (e.g., patient cables, recorder paper, etc.); repair of damage caused by misuse, abuse, abnormal operating conditions, operator errors, and/or acts of God; repairs to return an instrument to normal operating equipment at the time of initial service by Medtronic under this Technical Service Support Agreement; case changes; repair or replacement of items not originally distributed or installed by Medtronic; and exclusions on Schedule B to this Technical Service Support Agreement, if any, which apply to Covered Equipment.

SCHEDULE SERVICES

Designated Repair and Inspections Services will be performed at the designated service frequency and during designated service hours except where service technicians are rendered unavailable due to mandatory training commitments, in which case Medtronic will provide alternate coverage. Customer is to ensure Covered Equipment is available for Repair and/or Inspection at scheduled times. If Covered Equipment is not available as scheduled and Customer requests additional services to be performed or if Medtronic is requested to perform Repair or Inspection services not designated in this Technical Service Support Agreement (due to the nature of services selected, instruments involved not being Covered Equipment, request being outside of designated service frequency or hours, or application of the Exclusions); Customer shall reimburse Medtronic at Medtronic's standard labor rates less 10% (including overtime, if appropriate), plus standard list prices for related parts and materials less 15%, plus actual travel costs incurred.

PAYMENT

The cost of services performed by Medtronic shall be payable by Customer within thirty (30) days of Customer's receipt of Medtronic's Invoice (or such other terms as Medtronic confirms to Customer in writing). In addition to the cost of services performed, Customer shall pay or reimburse Medtronic for any taxes assessed Medtronic. If the number or configuration of Covered Equipment is altered during the Term of this Technical Service Support Agreement, the price of Services shall be adjusted accordingly.

WARRANTY

Medtronic warrants Services performed under this Technical Service Support Agreement and replacement parts provided in performing such Services against defects in material and workmanship for ninety (90) days from the date a Service was performed or a part was provided. Customer's sole remedy shall be reservicing the affected unit and/or replacement of any part determined to be defective, without any additional Customer charge, provided Customer notifies Medtronic of any allegedly defective condition within ten (10) calendar days of its discovery by Customer. Medtronic makes no other warranties, express or implied, including,

without limitation, NO WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, AND IN NO EVENT SHALL MEDTRONIC BE LIABLE FOR INCIDENTAL, CONSEQUENTIAL, SPECIAL, OR OTHER DAMAGES.

Medtronic warrants Services performed under this Technical Service Support Agreement and replacement parts provided in performing such Services against defects in material and workmanship for ninety (90) days from the date a Service was performed or a part was provided. Customer shall be entitled to re-service of the affected unit and/or replacement of any part determined to be defective, without any additional Customer charge, provided Customer notifies Medtronic of any allegedly defective condition discovered.

Medtronic agrees to indemnify and save harmless the City against any and all loss and expense, including attorneys' fees and other legal expenses, by reason of liability imposed or claimed to be imposed by law upon the City for property damage, bodily injuries, or wrongful death arising out of the performance of the terms of this Agreement, providing such bodily injuries, death or damage to property arise or are claimed to have arisen in whole or in part from the negligence of Medtronic or under liability imposed by Federal or State law upon Medtronic. However, this hold harmless and indemnification agreement by the Medtronic does not extend to instances and consequences in which City employees, in the course of supervision, maintenance, or use of Medtronic serviced equipment, engage in intentional torts or any intentional misconduct not covered by Medtronic's liability insurance policy.

TERMINATION

Either party may terminate this Technical Service Support Agreement at any time upon sixty (60) days prior written notice to the other, except that Medtronic may terminate this Technical Service Support Agreement immediately upon Customer's failure to make timely payments for services rendered under this Technical Service Support Agreement. In the event of termination, Customer shall be obligated to reimburse Medtronic for that portion of the designated price which corresponds to that portion of the Term and the scope of Services provided prior to the effective date of termination.

DELAYS

Medtronic will not be liable for any loss or damage of any kind due to its failure to perform or delays in its performance resulting from any cause beyond its reasonable control, including, but not limited to, acts of God, labor disputes, labor shortages, the requirements of any governmental authority, war, civil unrest, delays in manufacture, obtaining any required license or permit, and Medtronic's inability to obtain goods from its usual sources. Any such delay shall not be considered a breach of Medtronic's obligations and the performance dates shall be extended for the length of such delay.

MISCELLANEOUS

- a) Customer agrees to not employ or offer employment to anyone performing Services on Medtronic's behalf during the Term of this Technical Service Support Agreement or for one (1) year following its expiration without Medtronic's prior written consent.
- b) This Technical Service Support Agreement, and any related obligation of other party, may not be assigned in whole or in part without the prior written consent of the other party.
- c) The rights and obligations of Medtronic and Customer under this Technical Service Support Agreement shall be governed by the laws of the State in which the service is provided. All costs and expenses incurred by the prevailing party related to the enforcement of its rights under this document, including reasonable attorney's fees, shall be reimbursed by the other party.

MEDTRONIC EMERGENCY RESPONSE SYSTEMS, INC.
TECHNICAL SERVICE SUPPORT AGREEMENT
SCHEDULE A

Contract Number:

Servicing Rep: Hallam, Kevin, WEMM59
 District: MIDWEST
 Phone: 800-442-1142 x2470
 FAX: 800-772-3340

Equipment Location: GRAND ISLAND FIRE DEPT, 00558203
 1720 N BROADWELL
 GRAND ISLAND, NE 68803

Scope Of Service Ship In Repair - 1 On Site Inspection per year:M-F/8-5

Model	Part Number	Serial Number	Ref. Line	Effective Date	Expiration Date	Total Inspections
LIFEPAK® 12	VLP12-02-002936	14006685	1	6/1/2007	5/31/2012	5
LIFEPAK® 12	VLP12-02-002936	14307561	2	6/1/2007	5/31/2012	5
LIFEPAK® 12	VLP12-02-005956	33029188	3	6/1/2007	5/31/2012	5
LIFEPAK® 12	VLP12-02-005956	33029189	4	6/1/2007	5/31/2012	5
LIFEPAK® 12	VLP12-02-005956	33029191	5	6/1/2007	5/31/2012	5
LIFEPAK® 12	VLP12-02-005985	33029192	6	6/1/2007	5/31/2012	5
LIFEPAK® 12	VLP12-02-005985	33029622	7	6/1/2007	5/31/2012	5
LIFEPAK® 12	VLP12-02-005956	33029833	8	6/1/2007	5/31/2012	5

Scope Of Service Ship In Repair Only:M-F/8-5

Model	Part Number	Serial Number	Ref. Line	Effective Date	Expiration Date	Total Inspections
LIFEPAK® 12 AC/DC PA	VLP12-06-000076	024798	9	6/1/2007	5/31/2012	0
LIFEPAK® 12 AC/DC PA	VLP12-06-000102	053129	10	6/1/2007	5/31/2012	0
LIFEPAK® 12 AC/DC PA	VLP12-06-000102	053165	11	6/1/2007	5/31/2012	0
LIFEPAK® 12 AC/DC PA	VLP12-06-000102	053880	12	6/1/2007	5/31/2012	0

** Denotes an inventory line that has changed since the last contract revision or addendum.

Reference Number:
 Printed: 6/20/2007

M59-1926
 Page

New

4 of 5

MEDTRONIC EMERGENCY RESPONSE SYSTEMS, INC.
TECHNICAL SERVICE SUPPORT AGREEMENT
SCHEDULE B

LIFEPAK® 12 DEFIBRILLATOR/MONITOR

- AC Power Adapter included when listed on equipment inventory (Schedule A).
- DC Power Adapter included when listed on equipment inventory (Schedule A).
- Defibrillator paddle repairs are included (excludes internal, sterilizable and pediatric paddles).
- Communications and Patient cables are excluded.
- PCMCIA Modems are excluded.
- Therapy cables are excluded.
- SpO2 Sensors are excluded.
- Case Changes are excluded.
- Discount of 17% from the field installed list price for any current and/or future available LIFEPAK®12 upgrade is included when installed by Medtronic Technical Services.
- Discounts may not be combined with any other special terms, discounts and/or promotions.

Medtronic Fastpak®, Fastpak 2, Lifepak SLA and Lifepak NiCd Battery

- Customer retains the responsibility to perform the battery maintenance and evaluation procedures outlined in the operating instruction manual and to replace batteries that do not pass the conditions outlined under "Discarding/ Recycling Batteries." Batteries failing to meet battery performance tests should be removed from service and properly discarded (recycled).
- If customer provides evidence that a Medtronic Battery Pak fails to meet the performance tests noted above and/or the Battery Pak age exceeds 2 years, Medtronic shall replace said Medtronic Battery Pak (like for like) i.e. FASTPAK for FASTPAK, FASTPAK2 for FASTPAK2, LIFEPAK SLA for LIFEPAK SLA, or LIFEPAK NiCd for LIFEPAK NiCd, up to a maximum of 4 Medtronic Battery Paks every two years (including prior Support Plan periods) per LIFEPAK® 12 defibrillator/monitor (listed on Schedule A). To assist in proper recycling and removal of low capacity batteries, replaced Battery Paks become the property of Medtronic and must be returned at the time of exchange.
- Only batteries manufactured by Medtronic are covered under this Service Agreement. Any batteries manufactured by other sources are expressly excluded from coverage under this Service Agreement. Medtronic cannot guarantee the operation, safety and/or performance of our product when operating with a non-Medtronic battery. Repairs and inspections performed under this Agreement meet original equipment manufacturer's product specifications only when operating with a Medtronic battery. Any repairs, as determined by a Medtronic Service Representative, resulting from the use of a non-Medtronic battery, will be billed at our standard list prices for parts and labor, including actual travel charges incurred.

Lifepak®12 Software Updates

- If combined Repair and Inspection services are designated on the Technical Service Support Agreement inventory for Lifepak 12 units, at the customer's request, a Medtronic Technical Services Representative will install Lifepak 12 software updates at no additional charge provided it is installed at the time of a regularly scheduled inspection. In addition during the term of this agreement, where an assembly such as a printed circuit board must be replaced in order to install the new software, these assemblies may be purchased by the customer at a 50% discount off the current list price of a new assembly. Software updates requested to be installed at a time other than the regularly scheduled inspection will be billed at \$205 per unit per software update. The cost of the software update will be billed on a separate invoice.
- If Repair-Only services are designated on the Service Order inventory for Lifepak 12 units, at the customer's request a Medtronic Technical Services Representative will install a Lifepak 12 software update at a discounted price of \$205 per unit per software update. In addition during the term of this agreement, where an assembly such as a printed circuit board must be replaced in order to install the new software, these assemblies may be purchased by the customer at a 50% discount off the current list price of a new assembly. The cost of the software update will be billed on a separate invoice.

RESOLUTION 2007-140

WHEREAS, the City of Grand Island Fire Department utilizes eight LifePak 12 cardiac monitors which are currently not covered by warranty; and

WHEREAS, the Fire Department has entered into one year service agreements in the past for updated patient care treatments at the cost of \$7,900 per year; and

WHEREAS, it would be in the best fiscal interest of the city to enter into a five year Technical Service Support Agreement with Medtronic Emergency Response Systems, thus eliminating annual budget increases for this item; and

WHEREAS, a proposed service support agreement between the City of Grand Island and Medtronic Emergency Response Systems for such purposes has been reviewed by the City Attorney's office.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the service support agreement by and between the City and Medtronic Emergency Response Systems to service the Fire Department cardiac monitors is hereby approved.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, July 10, 2007.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
July 6, 2007	☐ City Attorney



City of Grand Island

Tuesday, July 10, 2007

Council Session

Item G4

**#2007-156 - Approving Acquisition of Utility Easement - Southeast
Corner of 640 S. Pine Street - Gambill**

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

Staff Contact: Gary R. Mader

RESOLUTION 2007-156

WHEREAS, a public utility easement is required by the City of Grand Island, from Joy A. Gambill, a/k/a Joy A. Romsa and Robert P. Gambill, wife and husband, to install, upgrade, maintain and repair public utilities and appurtenances, including lines and transformers; and

WHEREAS, a public hearing was held on July 10, 2007, for the purpose of discussing the proposed acquisition of an easement located in a part of Lot Fourteen (14) County Subdivision of the West Half of the Southwest Quarter (S ½, SW ¼) lying west of South Pine Street in Section Fifteen (15), Township Eleven (11) North, Range Nine (9) West located in the City of Grand Island, Hall County, Nebraska, the said Ten (10.0) foot wide easement being more particularly described as follows:

The Easterly ten (10.0) feet of the Southerly Ten (10.0) feet of the Northerly Fifty (50.0) feet of that portion of Lot Fourteen (14) in County Subdivision of the West Half of the Southwest Quarter (W½ SW¼) lying west of South Pine Street in Section Fifteen (15), Township Eleven (11) North, Range Nine (9), West of the Sixth P.M., Grand Island, Hall County, Nebraska.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island be, and hereby is, authorized to acquire a public utility easement from Joy A. Gambill, a/k/a Joy A. Romsa and Robert P. Gambill, wife and husband, on the above-described tract of land.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, July 10, 2007.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
July 5, 2007	☐ City Attorney



City of Grand Island

Tuesday, July 10, 2007

Council Session

Item G5

#2007-157 - Approving Bid Award for Liquid Ortho-Polyphosphate for Corrosion Control - Utilities Department

Staff Contact: Gary R. Mader; Wesley Nespor

Council Agenda Memo

From: Gary R. Mader, Utilities Director
Wesley Nespor, Asst. City Attorney/Purchasing

Meeting: July 10, 2007

Subject: Bid Award - Liquid Ortho-Polyphosphate for Corrosion Control - Platte River Pumping Station

Item #'s: G-5

Presenter(s): Gary R. Mader, Utilities Director

Background

The City was issued an Administrative Order by the Nebraska Health and Human Services on March 24, 1998, requiring compliance with the Lead and Copper Rule. Because City water was corrosive enough to leach copper from household plumbing and fixtures in excess of EPA limits, the order required the preparation of an Optimum Corrosion Control Treatment program (OCCT).

The OCCT program includes the addition of liquid ortho-polyphosphate solution to the source water and the addition was implemented in May 2003. Annual testing of the water system indicates that the goal of reducing corrosiveness, and thus copper levels, to comply with the regulatory order has been achieved.

Discussion

The contract to provide the additive for this year is completed. Therefore, specifications for the purchase of Liquid Ortho-Polyphosphate for Corrosion Control for another year were prepared and issued for bid. The specifications require a firm price for the product to maintain the guaranteed dose rate. Two bids were received as listed below. The bids were evaluated based upon the total cost to treat 4.5 billion gallons of water (a high estimate of annual treatment needed).

Bidder	Price/gal	Price/mil gal	Annual cost
Shannon Chemical Corporation	\$7.17	\$14.34	\$ 64,530.00
Carus Phosphates, Inc., Belmont, NC	\$4.69	\$18.76	\$ 84,420.00

Department engineering staff has reviewed the bids for compliance with the City's detailed specifications. The products proposed by the two suppliers are similar in chemical composition, as well as with another product successfully used previously. However, the "as read" low bidder, Shannon Chemical, has specified a dosage rate that is one-half of the rate used with the other products. Utility staff does not recommend changing the dosage rate that was approved as part of the OCCT and has been proven to achieve compliance with State Health Department regulations. Using the current dosage rate, the bid of Shannon Chemical would result in an annual cost of \$129,060. Based on using the same dosage rates, the current supplier, Carus Phosphates, is recommended as the low evaluated bidder.

Alternatives

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

1. Move to approve the 2007 Liquid Ortho-Polyphosphate for Corrosion Control
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 purchase of liquid ortho-polyphosphate be awarded to Carus Phosphates, Inc. from Belmont, North Carolina, as the low responsive bidder, for a not-to-exceed price of \$18.76 per million gallons of water treated in an annual amount estimated at \$84,420.00. The actual annual amount will depend on City water usage.

Sample Motion

Move to approve the award for the purchase of Liquid Ortho-Polyphosphate for Corrosion Control in the amount of \$18.76 per million gallons of treated water be awarded to Carus Phosphates, Inc. from Belmont, North Carolina.

Purchasing Division of Legal Department
INTEROFFICE MEMORANDUM



Dale M. Shotkoski, Assistant City Attorney

*Working Together for a
Better Tomorrow, Today*

BID OPENING

BID OPENING DATE: June 12, 2007 at 11:00 a.m.

FOR: Liquid Ortho-Polyphosphate for Corrosion Control - 2007

DEPARTMENT: Utilities

ESTIMATE: \$175,000.00

FUND/ACCOUNT: E525

PUBLICATION DATE: May 16, 2007

NO. POTENTIAL BIDDERS: 5

SUMMARY

Bidder:	<u>Carus Phosphates, Inc.</u> Belmont, NC	<u>Shannon Chemical Corp.</u> Malvern, PA
Bid Security:	International Fidelity Ins. Co.	\$1,613.25
Exceptions:	None	None
Bid Price:	\$84,420.00	\$64,530.00

cc: Gary Mader, Utilities Director
Pat Gericke, Utilities Admin. Assist.
Dale Shotkoski, City Attorney
Sherry Peters, Legal Secretary

Bob Smith, Assist. Utilities Director
Karen Nagel, Utilities Secretary
Wes Nespor, Assist. City Attorney

P1171

RESOLUTION 2007-157

WHEREAS, the City of Grand Island invited sealed bids for Liquid Ortho-Polyphosphate for Corrosion Control – 2007 , according to plans and specifications on file with the Utilities Department; and

WHEREAS, on June 12, 2007, bids were received, opened and reviewed; and

WHEREAS, Carus Phosphates, Inc., of Belmont, North Carolina, submitted a bid in accordance with the terms of the advertisement of bids and plans and specifications and all other statutory requirements contained therein, such bid being in the amount of \$84,420.00; and

WHEREAS, Carus Phosphates, Inc.'s bid is less than the estimate for such project.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Carus Phosphates, Inc., of Belmont, North Carolina, in the amount of \$84,420.00 for Liquid Ortho-Polyphosphate for Corrosion Control - 2007 is hereby approved as the lowest responsible bid.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, July 10, 2007.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
July 5, 2007	☐ City Attorney



City of Grand Island

Tuesday, July 10, 2007

Council Session

Item G6

#2007-158 - Approving Agreement with the Nebraska Department of Roads for Resurfacing Project on US HWY 281; Old Potash Highway to Capital Avenue

Staff Contact: Steve Riehle, City Engineer/Public Works Director

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: July 10, 2007

Subject: Approving Agreement for Resurfacing Project on US HWY 281; Old Potash Highway to Capital Avenue

Item #'s: G-6

Presenter(s): Steven P. Riehle, Public Works Director

Background

All agreements must be approved by the City Council. The City of Grand Island is preparing plans and bid specifications for a concrete repair project to repair US HWY 281 in 2007.

Discussion

The lanes of US HWY 281 between Old Potash Highway and Capital Avenue have deteriorated and are in need of repair. The Nebraska Department of Roads (NDOR) will share in 50% of the repair costs up to a maximum cost to NDOR of \$150,000.

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 a resolution authorizing the Mayor to sign the agreement.

Sample Motion

Motion to approve authorization for the Mayor to sign the agreement with the Nebraska Department of Roads.

AGREEMENT

CITY OF GRAND ISLAND
STATE OF NEBRASKA, DEPARTMENT OF ROADS
RESURFACING PROJECT
HIGHWAY U.S. 281 – OLD POTASH HIGHWAY TO CAPITAL AVENUE

THIS AGREEMENT, made and entered into by and between the City of Grand Island, hereinafter referred to as the "City", and the State of Nebraska, Department of Roads, hereinafter referred to as the "State",

WITNESSETH:

WHEREAS, it is the desire of the City and the State to maintain the urban extensions of State Highways in a favorable condition for the general public. Because of increased traffic and general deterioration of the roadway, some of the streets require resurfacing work. It is hereby agreed that the City and State join in resurfacing work on U.S. Highway 281 between Old Potash Highway and Capital Avenue, and

WHEREAS, the State for its Fiscal Year 2006 maintenance program has programmed \$150,000 for the resurfacing of various State highways in Grand Island, and

WHEREAS, this resurfacing shall consist of: concrete pavement patching and SP-5 asphalt overlay.

NOW THEREFORE, in consideration of these facts, the parties hereto agree as follows:

SECTION 1. The City agrees to prepare specifications, take bids, award contracts, provide the necessary inspection to insure the performance is within specification requirements and maintain sufficient records to fully document locations and actual costs of work performed.

The City further agrees that final inspection of the work shall be by the State and only that work which is deemed satisfactory shall be eligible for payment by the State.

The City also agrees that the State's share of the cost of the work shall be limited only to the actual construction cost of accepted work based on the lane responsibilities of the City and the State at the location described in Section 3 herein.

SECTION 2. The State agrees to participate in 50 percent of the actual construction cost only of work approved and accepted. Construction engineering is not included in the above construction cost. The maximum monetary amount which the State will provide for their share of the actual construction costs is \$150,000.

SECTION 3. The specific location for which resurfacing is authorized, within the \$150,000 limit is as follows:

Highway U.S. 281, Old Potash Highway to Capital Avenue (DOR RP 69.50 to RP 71.50).

SECTION 4. Upon completion of the work described herein, the City shall provide to the State certification that the work has been performed according to specifications and shall furnish a summary and supporting pay estimates of actual costs of work performed in the specific areas. These items shall be submitted to the Department of Roads through the District 4 Office in Grand Island.

The State agrees to make payment to the City for 95 percent of the State's share of the actual eligible construction costs within thirty (30) days after inspection and approval of the work by the State's District Engineer and the subsequent receipt of the City's billing. The final payment of the State's share will be made after the State's cost audit of City records have been made to verify actual costs.

SECTION 5. The City agrees to abide by the provisions of the Nebraska Fair Employment Practices Act as provided by Neb.Rev.Stat. §48-1101 through 48-1126.

SECTION 6. The City shall maintain all books, documents, papers, accounting records and other evidence pertaining to costs incurred and shall make such material available at its office at all reasonable times during the contract period and for three (3) years from the date of final payment under this agreement; such records to be available for inspection by the State, and copies thereof shall be furnished by the City if requested.

SECTION 7. Nothing said or implied to the contrary, the State's maximum share of the actual costs under this agreement shall not exceed \$150,000.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed by their proper officials thereunto duly authorized as of the dates below indicated.

EXECUTED by the City this _____ day of _____, 2007.

ATTEST: CITY OF GRAND ISLAND

City Clerk _____ Mayor _____

EXECUTED by the State this _____ day of _____, 2007.

STATE OF NEBRASKA
DEPARTMENT OF ROADS
Wesley Wahlgren, P.E.

District Engineer

AGR12-ZU

NONDISCRIMINATION CLAUSES

During the performance of this contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the "contractor"), agrees as follows:

- (1) Compliance with Regulations: The Contractor will comply with the Regulations of the Department of Transportation relative to nondiscrimination in federally assisted programs of the Department of Transportation (Title 49, Code of Federal Regulations, Parts 21 and 27, hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.
- (2) Nondiscrimination: The contractor, with regard to the work performed by it after award and prior to completion of the contract work, will not discriminate on the basis of disability, race, color, sex, religion or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix "A," "B," and "C" of Part 21 of the Regulations.
- (3) Solicitations for Subcontracts, Including Procurements of Materials and Equipment: In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the basis of disability, race, color, sex, religion or national origin.
- (4) Information and Reports: The contractor will provide all information and reports required by the Regulations, or orders and instructions issued pursuant thereto, and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the State Highway Department or the Federal Highway Administration to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to the State Highway Department, or the Federal Highway Administration as appropriate, and shall set forth what efforts it has made to obtain the information.
- (5) Sanctions for Noncompliance: In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, the State Highway Department shall impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including but not limited to,
 - (a) withholding of payments to the contractor under the contract until the contractor complies, and/or
 - (b) cancellation, termination or suspension of the contract, in whole or in part.
- (6) Incorporation of Provisions: The contractor will include the provisions of paragraph (1) through (6) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, order, or instructions issued pursuant thereto. The contractor will take such action with respect to any subcontract or procurement as the State Highway Department or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance: Provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the State to enter into such litigation to protect the interests of the State, and in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

RESOLUTION 2005-158

WHEREAS, the Nebraska Department of Roads needs to repair U.S. Highway 281 between Old Potash Highway and Capital Avenue due to increased traffic and general deterioration of the roadway; and

WHEREAS, such repair shall consist of concrete pavement patching; and

WHEREAS, the total project construction costs are anticipated to be \$300,000; and

WHEREAS, the State agrees to participate in fifty percent of the actual construction cost, with a maximum amount of \$150,000; and

WHEREAS, an agreement with the Nebraska Department of Roads is required to proceed with this project.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the agreement with the Nebraska Department of Roads for the repair of U.S. Highway 281 between Old Potash Highway and Capital Avenue is hereby approved.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, July 10, 2007.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
July 5, 2007	☐ City Attorney



City of Grand Island

Tuesday, July 10, 2007

Council Session

Item I1

#2007-159 - Consideration of Referring Blighted and Substandard Study for Property Located 1/2 Mile West of South Locust Street Primarily Between Wildwood Drive and Schimmer Drive to the Regional Planning Commission

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

Staff Contact: Chad Nabity

RESOLUTION 2007-159

WHEREAS, on June 27, 1994, the City of Grand Island enacted Ordinance No. 8021 creating the Community Redevelopment Authority of the City of Grand Island, Nebraska, to address the need for economic development opportunities through the vehicles provided in the Nebraska Community Development law at Neb. Rev. Stat. §18-2101, et seq., as amended; and

WHEREAS, the Grand Island Area Economic Development Corporation caused to be prepared a Blight/Substandard Study for 498.5 acres located primarily one-half mile east of U.S. Highway 281 and one-half mile west of South Locust Street between Schimmer Drive and Wildwood Drive referred to as Area No. 7; and

WHEREAS, on June 20, 2007, the Grand Island Community Redevelopment Authority accepted a Blight/Substandard Study for Redevelopment Area No. 7 as prepared by Hanna:Keelan; and

WHEREAS, the Community Redevelopment Authority forwarded this study to the Grand Island City Council for review and consideration; and

WHEREAS, a public hearing was held on July 10, 2007; and

WHEREAS, City Council is required to send areas under consideration as substandard and blighted to the Regional Planning Commission for their review and recommendation before an area can be declared blighted and substandard.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Study for Area No. 7 shall be forwarded to the Regional Planning Commission for their review and recommendation.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, July 10, 2007.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
July 5, 2007	☐ City Attorney



City of Grand Island

Tuesday, July 10, 2007

Council Session

Item I2

#2007-160 - Consideration of Funding Outside Agencies

Staff Contact: David Springer

Council Agenda Memo

From: Dave Springer, Finance Director

Meeting: July 10, 2007

Subject: Approve 2007-2008 Funding for Outside Agencies

Item #'s: I-2

Presenter(s): Dave Springer, Finance Director

Background

At the June 19, 2007 Study Session, the funding for Outside Agencies was discussed with numerous options and alternatives suggested, but with no resolution. In order to get another piece of the budget process completed, staff has made changes to its recommendation for council to enact or modify as it chooses.

Discussion

It is felt that a gradual reduction in agency funding would be the appropriate course of action, with 20% a year being reasonable. No change was made to Retired and Senior Volunteer Program or Senior Citizens Industries, Inc. as the city funds would represent their grant match. Nor was the Multicultural Coalition changed as the City has a five year funding commitment. The fishing derby was deleted as it was questioned as to really meeting the community need criteria. Agencies that the City has contracts and working relations with are recommended for the same dollars as last year.

Alternatives

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

1. Approve the recommendation for Outside Agency funding.
2. Modify the request to meet the policy direction of the Council.
3. Postpone the issue to a future date.

Recommendation

City Administration recommends approval of the funding as presented.

Sample Motion

Approve the Outside Agency funding for incorporation into the 2007-2008 budget.

OUTSIDE AGENCY FUNDING

<u>ORGANIZATION</u>	<u>2004 FUNDED</u>	<u>2005 FUNDED</u>	<u>2006 FUNDED</u>	<u>2007 FUNDED</u>	<u>2008 REQUESTED</u>	<u>STAFF RECOMMEND</u>
Hope Harbor	\$ 4,500	\$ 4,500	\$ 4,500	\$ 4,500	\$ 5,000	\$ 3,600
Convention and Visitors Bureau	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 15,000	\$ 8,000
Council for International Visitors	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 800
Crisis Center	\$ 12,000	\$ 12,000	\$ 12,000	\$ 12,000	\$ 13,000	\$ 9,600
G. I. Dive and Rescue Team - Trailer	\$ 2,500	\$ -	\$ 2,000	\$ 2,000	\$ -	\$ -
Retired and Senior Volunteer Program (RSVP)	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000
Senior Citizens Industries, Inc.	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000
Multicultural Coalition		\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000
Fishing Derby	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ -
Central Nebraska Ethnic Festival (Some in kind, postage, etc.)					\$ 900	\$ 900
Third City Community Clinic					\$ 1,000	0
Heartland CASA (Court Appointed Special Advocate)					\$ 5,000	0
Totals	\$ 57,000	\$ 64,500	\$ 66,500	\$ 66,500	\$ 71,000	\$ 57,900

AGENCIES WITH WORKING RELATIONSHIPS WITH CITY DEPARTMENTS

<u>ORGANIZATION</u>	<u>2004 FUNDED</u>	<u>2005 FUNDED</u>	<u>2006 FUNDED</u>	<u>2007 FUNDED</u>	<u>2008 REQUESTED</u>	<u>STAFF RECOMMEND</u>
Central Nebraska Humane Society	\$150,000	\$157,500	\$157,500	\$167,500	\$ 225,000	\$ 167,500
Central Nebraska Health Department	\$135,000	\$135,000	\$135,000	\$125,000	\$ 120,000	\$ 120,000
Clean Community Systems	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000
Totals	\$305,000	\$312,500	\$312,500	\$312,500	\$ 365,000	\$ 307,500
TOTAL OUTSIDE AGENCIES	\$362,000	\$377,000	\$379,000	\$379,000	\$ 436,000	\$ 365,400

RESOLUTION 2007-160

WHEREAS, the Mayor and Council have reviewed application materials from the following not for profit entities and determined that each provides services that constitute a legitimate public purpose; and

WHEREAS, each entity has agreed to submit an annual audit or accounting reflecting how public funds are being expended to accomplish such public purpose.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that funding is hereby approved for the 2007-2008 budget year to the following agencies in the stated amounts:

Central District Health Department	\$ 120,000
Central Nebraska Ethnic Festival	900
Central Nebraska Humane Society	167,500
Crisis Center	9,600
Grand Island Area - Clean Community Systems	20,000
Grand Island Area Council for International Visitors	800
Grand Island / Hall County Convention and Visitors Bureau	8,000
Hope Harbor	3,600
Multicultural Coalition	10,000
Retired Senior Volunteer Program	10,000
Senior Citizens Industries, Inc.	15,000

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, July 10, 2007.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	<input type="checkbox"/>	_____
July 6, 2007	<input type="checkbox"/>	City Attorney



City of Grand Island

Tuesday, July 10, 2007

Council Session

Item J1

Approving Payment of Claims for the Period of June 27, 2007 through July 10, 2007

The Claims for the period of June 27, 2007 through July 10, 2007 for a total amount of \$2,081,439.95. A MOTION is in order.

Staff Contact: David Springer



City of Grand Island

Tuesday, July 10, 2007

Council Session

Item J2

Approving Payment of Claims for the Library Expansion for the Period of June 13, 2007 through July 10, 2007

The Claims for the Library Expansion for the period of June 13, 2007 through July 10, 2007 for the following requisition:

#74 \$76,095.16

#75 \$ 350.00

A MOTION is in order.

Staff Contact: David Springer

EXHIBIT B
Mortgage, Trust Indenture and Security Agreement

Requisition Form

REQUISITION FOR DISBURSEMENT

Requisition No. 74

TO: Wells Fargo Bank, National Association, Trustee
1248 O Street, 4th Floor
Lincoln, NE 68501
Attention: Trust Department

As Trustee under that Mortgage, Trust Indenture and Security Agreement, dated as of October 1, 2005 (the "Indenture"), executed by Grand Island Facilities Corporation, a Nebraska nonprofit corporation (the "Corporation") under which you serve as trustee, you are hereby directed to make payment from the Construction Fund (and/or Costs of Issuance Fund) pursuant to Article VI of said Indenture of the following amounts to the persons or firms indicated:

<u>Payee</u>	<u>Dollar Amount</u>	<u>Reason for Payment</u>
Mid Plains Construction Co.	\$76,095.16	Design/Build Contract

Pursuant to said Indenture, the undersigned Project Manager does hereby certify the following:

1. The above requested payments represent obligations incurred in the amounts shown by or on behalf of the Corporation with respect to the Project (or for costs of issuance for the Building Bonds) and have not previously been paid from the Construction Fund (and/or Costs of Issuance Fund).
2. The payments requested above represent disbursements permitted to be made from the Construction Fund (and/or Costs of Issuance Fund) under the terms of the Indenture and the Agreement (as defined in the Indenture), by and between said Corporation and the City of Grand Island, Nebraska.
3. Attached to this Requisition are copies of the invoices in the case of payment to third parties for services or materials. In the case of payments to the contractor under the Construction Contract (as defined in the Indenture) such contractor's application (and/or architect's certificate for payment).

IN WITNESS WHEREOF, the undersigned has caused this disbursement requisition to be executed pursuant to the terms of said Indenture this 3rd day of July, 200 7.


Project Manager

Mid Plains Construction Co.
1319 W North Front St
Grand Island, NE 68801
(308) 382-2760 Fax (308) 382-2770

INVOICE #: 103151
INVOICE DATE: 06/30/07
PERIOD TO: 06/30/07
APPLICATION #: 20
CONTRACT DATE: 07/01/05
DUE DATE: 07/10/07
PAGE: 2

BILL TO: 0001

Grand Island Facilities Corp
 211 N Washington
 Grand Island, NE 68801

JOB: 50175

Edith Abbott Memorial Library
 211 N Washington
 Grand Island, NE 68801

<<<< This Application >>>>

CODE	DESCRIPTION	SCHEDULED VALUE	PREVIOUS APPLICATIONS	CURRENT COMPLETED	STORED MATERIALS	TOTAL COMPLETED	% COMPL	BALANCE TO FINISH	RETAINAGE
	proposal dated 6/8/07								
			Add						
	\$111,003.00								
	TOTALS:	5830,969.84	5300,340.89	76,095.16	0.00	5376,436.05	94.3	454,533.79	142,500.00

PREVIOUS RETAINAGE.....\$ 142,500.00
 CURRENT BILLING.....\$ 76,095.16
 NEW RETAINAGE.....\$ 0.00

ORIGINAL CONTRACT SUM.....\$ 5,700,000.00
 CHANGE BY CHANGE ORDER.....\$ 130,969.84
 CONTRACT SUM TO DATE.....\$ 5,830,969.84
 TOTAL COMPLETED & STORED TO DATE.....\$ 5,376,436.05
 TOTAL RETAINAGE.....\$ 142,500.00
 TOTAL EARNED LESS RETAINAGE.....\$ 5,233,936.05
 LESS PREVIOUS CERTIFICATES FOR PAYMENT..\$ 5,157,840.89

CONTRACTOR:



DATE:

7/2/07

ARCHITECT:

DATE:

CURRENT PAYMENT DUE.....\$ 76,095.16

Thank you for your business!

EXHIBIT B
Mortgage, Trust Indenture and Security Agreement

Requisition Form

REQUISITION FOR DISBURSEMENT

Requisition No. 75

TO: Wells Fargo Bank, National Association, Trustee
1248 O Street, 4th Floor
Lincoln, NE 68501
Attention: Trust Department

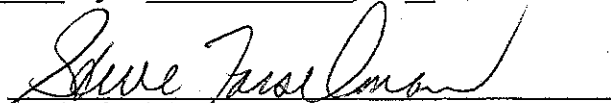
As Trustee under that Mortgage, Trust Indenture and Security Agreement, dated as of October 1, 2005 (the "Indenture"), executed by Grand Island Facilities Corporation, a Nebraska nonprofit corporation (the "Corporation") under which you serve as trustee, you are hereby directed to make payment from the Construction Fund (and/or Costs of Issuance Fund) pursuant to Article VI of said Indenture of the following amounts to the persons or firms indicated:

<u>Payee</u>	<u>Dollar Amount</u>	<u>Reason for Payment</u>
Jones Library Sales, Inc.	\$350.00	Estey display shelving, 66"H X 30"W to fit space.

Pursuant to said Indenture, the undersigned Project Manager does hereby certify the following:

1. The above requested payments represent obligations incurred in the amounts shown by or on behalf of the Corporation with respect to the Project (or for costs of issuance for the Building Bonds) and have not previously been paid from the Construction Fund (and/or Costs of Issuance Fund).
2. The payments requested above represent disbursements permitted to be made from the Construction Fund (and/or Costs of Issuance Fund) under the terms of the Indenture and the Agreement (as defined in the Indenture), by and between said Corporation and the City of Grand Island, Nebraska.
3. Attached to this Requisition are copies of the invoices in the case of payment to third parties for services or materials. In the case of payments to the contractor under the Construction Contract (as defined in the Indenture) such contractor's application (and/or architect's certificate for payment).

IN WITNESS WHEREOF, the undersigned has caused this disbursement requisition to be executed pursuant to the terms of said Indenture this 3rd day of July, 2007.


Project Manager

Jones Library Sales, Inc.

100 E. School Street
P.O. Box 536
Carlisle, IA 50047

INVOICE

DATE INVOICE
6/21/2007 0607-19

BILL TO

**EDITH ABBOTT MEMORIAL LIBRARY
ATTN: STEVE FOSSELMAN
211 N. WASHINGTON
GRAND ISLAND, NE 68801
P: 308-385-5333 F: 308-385-5339**

SHIP TO

**EDITH ABBOTT MEMORIAL LIBRARY
211 N. WASHINGTON
GRAND ISLAND, NE 68801**

YOUR ORDER # **VERBAL**

ORDER	TERMS	REP	SHIP DATE	SHIP VIA	FOB
4487	Net 30	KEN	6/15/2007	OUR TRUCK	DEL/INSTALL

QTY	ITEM	DESCRIPTION	UNIT	TOTAL
1	DWFD6630	ESTEY DISPLAY SHELVING, 66"H X 30"W TO FIT SPACE	350.00	350.00

**SHELVING FRAME: BLACK
SHELVES: SAND**

THANKS STEVE !!!

**JONES LIBRARY SALES INC
PHONE: 515-989-4241 FAX: 515-989-4230
FIN #42-1145395
www.joneslibrary.com joneslib@msn.com**

Total \$350.00



City of Grand Island

Tuesday, July 10, 2007

Council Session

Item X1

Update Concerning Howard Maxon Litigation

City Attorney Dale Shotkoski will update the Mayor and Council on the Howard Maxon litigation.

Staff Contact: Dale Shotkoski