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# City of Grand Island



**Tuesday, August 28, 2007**

## **Council Session Packet**

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### **City Council:**

**Tom Brown  
Larry Carney  
John Gericke  
Peg Gilbert  
Joyce Haase  
Robert Meyer  
Mitchell Nickerson  
Bob Niemann  
Fred Whitesides  
Jose Zapata**

### **Mayor:**

**Margaret Hornady**

### **City Administrator:**

**Dale Shotkoski - Interim**

### **City Clerk:**

**RaNae Edwards**

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

**Call to Order**

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**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.**

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**Invocation - Pastor Nancy Lambert, Trinity United Methodist Church, 511 North Elm Street**

**Pledge of Allegiance**

**Roll Call**

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## **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.**

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## **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.**

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## **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, August 28, 2007

Council Session

## Item C1

### Proclamation "Preparedness Month" September 2007

*The U.S. Department of Homeland Security has designated the month of September as National Preparedness Month. Emergency preparedness is the shared responsibility of the entire nation. Citizens are encouraged to take steps to be better prepared. The Mayor has proclaimed the month of September 2007 as "Preparedness Month". See attached PROCLAMATION.*

Staff Contact: Mayor Margaret Hornady

THE OFFICE OF THE MAYOR  
City of Grand Island  
State of Nebraska

PROCLAMATION

WHEREAS, emergency preparedness is the shared responsibility of the entire nation. Every community, business, and individual has a role to plan in preparing for emergencies; and

WHEREAS, the U.S. Department of Homeland Security has designated September as National Preparedness Month, to provide an opportunity to highlight the importance of emergency preparedness and encourage all Americans to take steps to be better prepared for emergencies in their homes, businesses, and schools; and

WHEREAS, federal, state, and local officials, and the private sector are working to deter, prevent, and respond to all types of emergencies. These activities, along with an active American community, contribute to a level of national preparedness that is critical to securing homeland; and

WHEREAS, National Preparedness Month is a nationwide coordinated effort that allows Americans to learn more about ways to prepare for all types of emergencies from natural disasters to potential terrorist attacks; and

WHEREAS, the U.S. Department of Homeland Security and the American Red Cross urge all Americans to take time during September 2007 to get an emergency supply kit, make a family emergency plan, be informed about different threats and their appropriate responses, and get involved in preparing their community.

NOW, THEREFORE, I, Margaret Hornady, Mayor of the City of Grand Island, Nebraska, do hereby proclaim the month of September, 2007 as

***“PREPAREDNESS MONTH”***

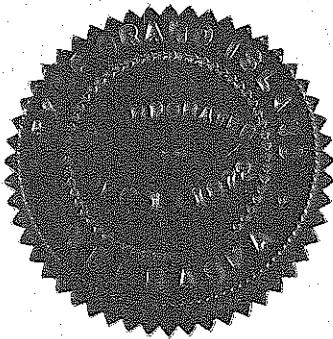
in the city of Grand Island, and encourage all citizens to recognize the importance of preparing for and responding to emergencies.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Grand Island to be affixed this twenty-eight day of August in the year of our Lord Two Thousand and Seven.

Margaret Hornady  
Margaret Hornady, Mayor

Attest:

RaNae Edwards  
RaNae Edwards, City Clerk





# City of Grand Island

Tuesday, August 28, 2007

Council Session

## Item D1

**#2007-BE-4 - Consideration of Determining Benefits for 2006  
Weed Abatement Program**

Staff Contact: Wes Nespor, Assistant City Attorney

# **Council Agenda Memo**

**From:** Wesley D. Nespor, Attorney

**Meeting:** August 28, 2007

**Subject:** Determination of Benefits  
2006 Weed Abatement Program

**Item #'s:** D-1 & F-2

**Presenter(s):** Wesley D. Nespor, Attorney

## **Background**

Article III of Chapter 17 to the Grand Island City Code contains a procedure for abating nuisances created by properties that have excessive growths of weeds, grasses and other vegetation. The City Code provides for owners to receive a notice to cut their weeds and grasses and if the owners do not comply with such notice, the City is authorized to do the work and bill the property owner. If the owner fails to pay the bill, the City is authorized by Section 17-38 of the City Code to levy an assessment on the property for the amount of the mowing expenses.

## **Discussion**

The City Council, sitting as the Board of Equalization, is being asked to determine the benefits for the weed abatement program that took place during the growing season of 2006. There were a number of properties within the City of Grand Island which were not mowed after notice was given. The property owners did not respond to the notice, the City contracted to have the properties mowed, and sent a statement to the property owners for the cost of the mowing. The determination of benefits and levying of special assessments by ordinance on the properties are the next steps in the process of collecting the mowing expense.

## **Alternatives**

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

1. Determine the benefits and approve levying the assessment against the property.
2. Continue the issue to a later date.

### **Recommendation**

City Administration recommends that the Council determine the benefits of mowing done during 2006 and levy the unpaid benefits as a lien against the properties that were mowed.

### **Sample Motion**

Motion to adopt the resolution determining the special benefits of mowing and weed nuisance abatement for the properties listed and in the amounts set forth in the resolution.

After the resolution is adopted, a separate motion to adopt the assessment ordinance will be made in the manner for adopting ordinances.



## RESOLUTION BE-2007-4

WHEREAS, pursuant to Sections 16-230 and 16-707, Neb. R.R.S. 1943, as amended, the City Clerk of the City of Grand Island, Nebraska, gave notice at least ten days prior thereto by publication in a newspaper having general circulation in the City and by mail to persons whose addresses were known to her that the City Council would meet as a Board of Equalization to equalize special weed cutting assessments.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, sitting as a Board of Equalization for the purpose of assessing the costs and expenses of cutting and removing weeds, grasses, or worthless vegetation to the various lots and pieces of ground during the 2006 season, that:

1. The special benefits accruing to the real estate hereinafter described for each cutting is the actual expense thereof plus \$50.00 as costs for the City per lot or piece of ground or any combination thereof; and
2. The several lots and pieces of ground hereinafter described are respectively benefited by reason of such weed elimination as follows:

<u>Name/Address</u>	<u>Description</u>	<u>Assessment</u>
Gary and Cindy Clerc 803 E 14 <sup>th</sup> St Grand Island, NE 68801	Lot 4, Block 6, George Loan's Subdivision, City of Grand Island, Hall County, Nebraska	\$100.00
Household Mortgage Funding Corp 636 Grand Regency Blvd Brandon, FL 33510	N ½ Lot 4, Block 93, Original Town, City of Grand Island, AKA Lot 1 Cooper Subdivision, Grand Island, Hall County, Nebraska	\$140.00
John and Tammy Dearing 1320 N Wheeler Grand Island, NE 68801		
Stephen R. and Gladis M. Schuller and Desa Tucker 624 N. Broadwell Grand Island, NE 68803 and 247 S. Locust, Grand Island, NE 68801	N 7' of Lot 4 & S 43' of Lot 3, Hann's Addition, City Of Grand Island, Hall County, Nebraska	\$140.00

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Approved as to Form	☐ _____
August 24, 2007	☐ City Attorney

Adopted by the City Council of the City of Grand Island, Nebraska, August 28, 2007.

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Margaret Hornady, Mayor

Attest:

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RaNae Edwards, City Clerk

\* This Space Reserved for Register of Deeds \*

### ORDINANCE NO. 9134

An ordinance levying a special tax to pay the cost to the City of cutting, destroying, and removing weeds, grasses, or worthless vegetation, pursuant to Sections 17-36 and 17-38 of the Grand Island City Code upon certain lots and pieces of ground; providing for the collection thereof; repealing ordinances or parts of ordinances in the Grand Island City Code in conflict herewith; and providing for the publication and effective date of this ordinance.

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

SECTION 1. A special tax is hereby levied for the cost of cutting, destroying, and removing weeds, grasses, or worthless vegetation upon the hereinafter described lots and pieces of ground during the 2006 season in proportion to the special benefits to such real estate as determined and assessed by the City Council sitting as a Board of Equalization after due notice thereof, in the following amounts:

<u>Name/Address</u>	<u>Description</u>	<u>Assessment</u>
Gary and Cindy Clerc 803 E 14 <sup>th</sup> St Grand Island, NE 68801	Lot 4, Block 6, George Loan's Subdivision, City of Grand Island, Hall County, Nebraska	\$100.00

Approved as to Form    ☐ \_\_\_\_\_  
August 24, 2007        ☐ City Attorney

ORDINANCE NO. 9134 (Cont.)

Household Mortgage Funding Corp 636 Grand Regency Blvd Brandon, FL 33510 John and Tammy Dearing 1320 N Wheeler Grand Island, NE 68801	N ½ Lot 4, Block 93, Original Town, City of Grand Island, AKA Lot 1 Cooper Subdivision, Grand Island, Hall County, Nebraska	\$140.00
Stephen R. and Gladis M. Schuller and Desa Tucker 624 N. Broadwell Grand Island, NE 68803 and 247 S. Locust, Grand Island, NE 68801	N 7' of Lot 4 & S 43' of Lot 3, Hann's Addition, City Of Grand Island, Hall County, Nebraska	\$140.00

SECTION 2. Such special tax shall be due and payable to the City thirty (30) days after such levy and shall become delinquent fifty (50) days after such levy. After the same shall become delinquent, interest at the rate of 14 percent (14%) per annum shall be paid thereon. The same shall be collected in the same manner as other city taxes.

SECTION 3. Such special taxes shall be collected by the Finance Director of the City of Grand Island, Nebraska, as provided by law.

SECTION 4. Such special taxes, if not previously paid, shall be certified to the County Clerk at the same time as the next certification for general revenue purposes.

SECTION 5. Such special taxes, when received, shall be applied to reimburse the general fund.

SECTION 6. All ordinances or parts of ordinances or provisions in the Grand Island City Code in conflict herewith be, and the same hereby are, repealed.

ORDINANCE NO. 9134 (Cont.)

SECTION 7. This ordinance shall be in force and take effect from and after its passage and publication within fifteen days in one issue of the *Grand Island Independent* as provided by law.

Enacted: August 28, 2007.

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Margaret Hornady, Mayor

Attest:

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RaNae Edwards, City Clerk



# City of Grand Island

**Tuesday, August 28, 2007**

**Council Session**

## **Item E1**

**Public Hearing Concerning Blight/Substandard Study for  
Redevelopment Area No. 7 Located 1/2 Mile East of Highway 281  
and 1/2 Mile West of South Locust Street between Schimmer Drive  
and Wildwood Drive**

Staff Contact: Chad Nabity

# **Council Agenda Memo**

**From:** Regional Planning Commission

**Meeting:** August 28, 2007

**Subject:** Public Hearing on Blight/Substandard Study for  
Redevelopment Area No. 7

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

**Presenter(s):** Chad Nabity AICP, Regional Planning Director

## **Background**

**SUBJECT:** *EDC Blight Study (Proposed CRA Area #7) C-24-2007GI*

**PROPOSAL:** The Grand Island Area Economic Development Corporation (GIAEDC) commissioned a Blight/Substandard Study for Redevelopment Area No. 7 to be prepared by Hanna:Keelan Associates of Lincoln Nebraska. The study area includes 498.5 acres referred to as CRA Area #7. This area is 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.

## **OVERVIEW**

The majority of this property was annexed by the City of Grand Island in March of 2007. The annexation was at the request of the GIAEDC in anticipation of industrial development on this property. Approximately 10 acres north of Schimmer Drive and 40 acres at the SW corner of the subject property were not annexed by the City. Areas outside of the city limits may be included within a study but redevelopment of those properties using TIF or other CRA funds may not be considered until after annexation.

The Planning Commission held a public hearing, made findings of fact and recommended approval of the blight declaration at their meeting on August 1, 2007.

Below is a synopsis of their comments and discussion and the motion to recommend approval with the attached findings of fact.

You will also find attached: a copy of the blight study as prepared by Hanna:Keelan Associates and a copy of the Planning Directors Report to the Planning Commission.

## **Discussion**

Chairman O'Neill opened the above mentioned Public Hearing. Nabity reported that the Grand Island Area Economic Development Corporation (GIAEDC) commissioned a Blight/Substandard Study for Redevelopment Area No. 7 to be prepared by Hanna:Keelan Associates of Lincoln Nebraska. This study area includes 498.5 acres referred to as CRA Area #7. This area is 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. Council referred the study to the Planning Commission for its review and recommendation at their meeting on July 10, 2007. If the Planning Commission does not make a recommendation within 30 days, Council can proceed with a decision on the declaration without recommendation from Planning Commission. Nabity stated that the Statutory authority and direction to the Planning Commission is referenced in Section 18-2109 – Redevelopment plan; preparation; requirements. Nabity presented a flow chart of the blight declaration process. He pointed out that, at this time, the Planning Commission and Council are only concerned with determining if the property is blighted and substandard. He presented an overview of the differences between the blight and substandard declaration and the redevelopment plan. If a declaration as blighted and substandard is made by Council, then the Community Redevelopment Authority (CRA) can consider appropriate redevelopment plans. The redevelopment plans must also be reviewed by the Planning Commission, and approved by Council, prior to final approval. Nabity stated that it is appropriate, in conducting its review and considering its recommendation regarding the substandard and blighted designation, for the planning commission to: (1) review the study; (2) take testimony from interested parties; (3) make findings of fact, and; (4) include those findings of fact as part of its recommendation to Council. To determine the terms blighted and substandard, Nabity referred to State Statutes Section 18-2103 – Terms, defined. He discussed the two principal structures, as well as the remaining 22 structures included in the study, as shown on pictures from the Hall County Assessor's Office. Nabity stated that the majority of the subject property was annexed by the City of Grand Island in March of 2007. The annexation was at the request of the GIAEDC in anticipation of industrial development on this property. Approximately ten acres north of Schimmer Drive and 40 acres at the SW corner of the property were not annexed by the City. He explained that areas outside of the City limits may be included within a study but redevelopment of those properties using TIF, or other CRA funds, may not be considered until after annexation.

Prior to opening discussion, O'Neill reiterated that a redevelopment plan is not a part of the consideration at this hearing. He then asked for questions from commissioners.

Heineman stated that she was familiar with the legislation that allows for the declaration of areas as blighted and substandard. However, she was unable to find information on how to apply the reasonable distribution of deficiencies test in that legislation. Nabity responded stating that you would know it (blighted and substandard) when you see it. Wes Nespor, with the Grand Island City Attorney's office, responded to Heineman's question stating that this comes down through case law where it has been established that



it is necessary to show that parcels that are not themselves declared blighted or substandard can be included in an area if they are necessary for the purpose of alleviating the blighted and substandard issues on the other parcels. The whole concept of having them distributed throughout is just another way of stating that if there is basically a good parcel mixed in the entire project, it is there because it is necessary to alleviate blighted and substandard conditions in the parcels that are not good. Heineman stated that the opposite would then apply as well. If the area adds a portion, because it does have blight and substandard, it cannot be pulled in just to make the area in question declared blighted and substandard. Nespor replied that applies if you are amending a blighted and substandard area. If one is starting from scratch, you would consider all of those questions from the beginning. Heineman had a second question regarding the portion of legislation, which reads "in its present use". She questioned the current use, since the City zoned this property M2 when it was annexed. Is its current use manufacturing, or is it agriculture? Nabity answered that its current use is agriculture and its expected use is manufacturing. He stated that it is not unusual for the City to zone property that is anticipated for other uses appropriately so that it is ready to be developed prior to the actual development occurring. Heineman contended that, when it doesn't say its intended, or expected, use and it just says its current use, then we have to take that to mean the way it is presently being used. Nespor agreed that is a fair reading of that statement, but even in the present use, we need to look at the various conditions. Are there buildings that are dilapidated, or are of a certain age that they fall within one of those categories? Heineman stated that she was referring specifically to the roads as to whether the roads were adequate for the current use. She stated that this Study makes the point that the roads would not be adequate for heavy manufacturing, but she contends that we are supposed to make a consideration based on its present use. Nespor agreed that, strictly speaking, she is most likely correct; however, this property is in an area that has been annexed and zoned M2. He continued stating that it is just a matter of time before this area is developed since it has been annexed. He referred to a broader aspect by considering if it is in the best interest of the City to address that issue at this point. He suggested that it was something that could be addressed when findings and facts are being discussed.

Reynolds questioned how each of the 24 structures could be considered individual parcels. Nabity referred the question to Marlan Ferguson since the Study came from the EDC. Ferguson then referenced page 16 of the Study; specifically, the section entitled "Parcel-by-Parcel Field Survey". He stated that Hanna:Keelan is a well respected firm who has completed five studies in this community. Ferguson defers to Hanna:Keelan, since they stand by this Study and this report. They explained their reasoning in the paragraph that Ferguson referred to on page 16. His opinion is that there are 26 structures on this property that are considered blighted and substandard. Nabity stated that, in listening to the paragraph that was read, the survey referred to was not a land survey. They were referring to a site condition survey, where they drove out and looked at the site, as opposed to a legal land survey. Reynolds noted that in the Study, it found that the barn structures were determined to be substandard due to substandard porches, steps, fire escapes, without water and extreme age. She cited page 16 of the Study which stated that "the system for classifying buildings be based on established evaluation

standards and criteria". Reynolds contends that the criteria are not standard for this type of structure. O'Neill answered by referring to page 17 of the Study regarding dilapidated or deteriorated structures. They examine structural components as primary components and then secondary components as building systems. Reynolds had the opinion that the Study measured the barns more as a residence, rather than a farm structure. Heineman questioned the standard with which they were doing the comparison. She contends that a chicken coop is compared in this Study as though it does not have adequate fire systems, as are the two houses that are on both farmsteads. A discussion followed regarding the buildings located on the southern farmstead, and questions raised and debated, as to the standards by which they were compared. Ferguson discussed the language, which described the standards of comparison. He also pointed out that the infrastructure needs to be a consideration of determining the blight and substandard designation. State statute does not differentiate between residential buildings and other buildings located in other places. He noted that there are enough factors of dilapidation and blight, plus lack of infrastructure, to designate this area as blighted and substandard. Reynolds asked another question regarding information contained on page 32, under number three, "Existence of Debris". She quoted, "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." She stated that she understood "attractive nuisance", but farms are not usually considered attractive nuisances. She also expressed agreement with Heineman regarding the condition of the rural roads needing to be hard surfaced for the municipal infrastructure and utility systems. Also, she did not think that the ethanol production facilities should have been mentioned, or used as a basis for criteria for finding the infrastructure and utility systems lacking.

Miller commented that perhaps the ethanol business should not have been mentioned at this point. However, the area will be bought into by other businesses and will need adequate infrastructure in order for those businesses to be developed. She stated that the question before the Commission is whether they found it blighted and substandard. Miller questioned whether that area would be considered beyond private enterprise ability to deal with effectively due to infrastructure requirements. O'Neill's opinion was that the existing surrounding land uses need to be considered, such as the power plant and the industrial park to the west. He suggested that the big picture should be considered by not just looking at what is actually there now, but look ahead to the potential for redevelopment. Miller asked Nabity to explain the potential positive, as well as the potential negative ramifications, if RPC accepts the Blight & Substandard Study. Nabity stated that the positive ramification would be that sewer and water could be extended through the property for redevelopment and potentially be financed with tax increment financing. The possible detriment would be that it could potentially open other areas on the urban fringe for the blight & substandard designation based on this same criteria.

Marlan Ferguson, President GIAEDC, responded to the possible negative impact of accepting the Study mentioned by Nabity before proceeding with his testimony. He stated that this property is what should be considered at this time since it has been annexed by the City Of Grand Island.

Ferguson provided a written statement, which he outlined for the RPC. This statement is copied below.



P.O. Box 1151

GRAND ISLAND, NE 68802-1151

August 1, 2007

To: Board of the Regional Planning Commission

From: Marlan Ferguson, President GIAEDC

The Nebraska Legislature passed the Nebraska Community Development Law to allow certain areas of the communities to be designated Blighted and Substandard thereby allowing a redevelopment plan to commence. A redevelopment plan can among other things include the use of tax increment financing (TIF). This is an invaluable tool which has been used multiple times in communities across Nebraska and the nation. As an example Kearney has approved 17 TIF projects, Hastings has 47 projects and Grand Island which currently has 8 projects. As you know Wood River has designated a large area Blighted and Substandard for the benefit of increased development.

Recruitment of businesses and industries is becoming extremely competitive and all the tools economic developers can have at their disposal is critical. The potential for TIF financing is attractive to potential new job creation and gives us another tool in the competition for economic development. It expedites the development of an area which is good for the tax base in the long run.

The Grand Island Area Economic Development Corporation has invested heavily in developing the Platte Valley Industrial Park including acquiring additional property titled PVIP II. This includes 320 acres with large tracts of land available. This acquisition was made in response to a potential project that would have taken 170 acres for a 1,000,000 square foot Distribution Center employing over 600 people. One of the first items they asked for was the availability of TIF and they continued to ask if the City would make that property eligible for TIF, so it was abundantly clear the need for TIF was paramount. Since then we have had numerous inquiries on this property and the request for TIF has been asked each time. We currently have two projects interested in locating in this area and one has indicated they would come.

The City has now annexed most of the area including an area not owned by the EDC but is a projected site for an ethanol plant, for which they too have asked about the availability of TIF. Most of the area has also been zoned to M-2 making this an excellent location for development. However there remains the need to upgrade the roads, improve surface drainage and extend the water and sewer system. The GIAEDC decided to have a "Blight and Substandard" study completed as the annexation and rezoning were taking place in order to plan for the future development of the area.

The study was completed by Hanna:Keelan Associates, P.C. from Lincoln, Ne. the same firm who completed previous studies for the City. 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 Redevelopment Area.

It is 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 GIAEDC Board encourages the Planning Commission to recommend approval of the designation to the City Council.

Bob Niemann, a former member of the Regional Planning Commission, spoke before the RPC. He encouraged members to recommend the approval of the declaration of this area

as blighted and substandard. He stated that it would be in the best interest of the City Of Grand Island since business recruitment is very competitive.

Greg Baxter spoke before the RPC. Baxter commended Heineman and Reynolds for their statements as fellow advocates for agriculture. He does not generally support municipal expansion on agricultural land, but in this case he supports this effort.

Eriksen stated that, even though he did not necessarily agree with the subjectivity that exists with the Statutory criteria pertaining to the blighted and substandard factors, clearly the professional opinion of Hanna:Keelan supports the designation. Since the experts support the finding, Eriksen stated that he will support it as well.

Hayes questioned what percentage of Grand Island would be declared blighted and substandard if both Studies were to be approved. Nabity stated that with the current areas and both this area and area 6 that will likely be before the planning commission in September 16.66% of the City would be considered blighted and substandard.

Haskins questioned Ferguson regarding tax increment financing in the consideration of determining whether public intervention was appropriate, or necessary, for the redevelopment of this area. Ferguson responded that because the City of Grand Island annexed this property, the City has one year to extend sewer and water to this area. He stated that while tax increment financing is the primary public intervention, it is not the only public intervention. Public intervention is absolutely necessary to get the needed infrastructure in place in order to have it ready for development.

Reynolds stated that, in her opinion the way the law is written now , the legislature should have looked at it more carefully. A brief discussion followed regarding the merits of TIF funds, both pro and con, which ultimately encourages community competition for the location of industry. Haskins stated that in the November election, Amendment Six put a vote to the people to actually use TIF funds for a wider array of projects, but it was soundly defeated. O'Neill pointed out that the Amendment contained other items as well. Hayes stated that he thinks that TIF funds have a purpose in many areas, and if it takes TIF funding to get businesses here to provide jobs, it is well worth it. He cited the Wal-Mart Distribution Center in North Platte, which used TIF funds, resulting in a great benefit to their community. Heineman agreed with everyone that industry is needed in Grand Island. She stated that she has a dilemma in her mind when she reads the Study. She is unable to see a predominance of dilapidated buildings in the subject area, or that there are substandard issues that meet the criteria as set forth by the legislature. Her dilemma is that the voters of the state of Nebraska were asked specifically if it would be appropriate to revise these statutes so that TIF funding could be used for areas other than substandard and dilapidated areas. The voters, who are represented by this body, declined those revisions. Heineman's opinion is, therefore, that it is the responsibility of this body to follow the dictates of what the legislature set forth as criteria, rather than follow the lead of the Hanna:Keelan Study, no matter what the consequences of that decision may be. Ferguson responded that the state statutes may have many interpretations. However, in his opinion, state statutes clearly state that there only needs

to be one of those twelve issues identified. The Study identified eight out of the twelve issues. Heineman disagreed with the interpretation, stating that there is an overlying sentence over the entire law, which states that “substandard areas shall meet an area in which there is a predominance of buildings or improvements in which” and then they list different areas in which you just need to have one of those pertain. Also, in addition, they list other criteria. Going down to the second paragraph, where it says the blighted area shall mean an area where there are a substantial number of deteriorated structures. She stated that you actually have to fulfill the whole thing, not just find one dilapidated building and therefore the entire area that you assign to it is considered substandard. Ferguson disagrees, but states that he is not an attorney. He again defers to the opinion of Hanna:Keelan. Changes to legislation to help in this area have been discussed but no changes have been enacted yet. Reynolds made statement pointing out that in looking at this area, as opposed to other areas, this looks like a typical farmstead in her opinion. Ferguson responded that it may be true, but in this definition and Study, it is considered a dilapidated farmstead. From tax roll information, there is no value assigned to these buildings, which clearly makes them dilapidated. In this case, this property is on the urban fringe and has been annexed and zoned M2, which is much different than most farmsteads in Hall County. O’Neill spoke concerning the definition of “blighted” on page 5, Section 18.2103. He stated that according to this definition, any combination of such factors under “(a)” and “at least one of the following conditions” under “(b)” would suffice. It is his opinion, according to this definition, that it is not necessary to find that all of these factors exist; but, that any combination is all that is required.

Snodgrass commented on the approval by the RPC of housing developments and infrastructure expansions. He noted the large number of homes currently for sale in our area. A discussion followed regarding the number and price ranges of the homes available. Snodgrass continued his comments by stating that if we have these houses and housing developments available, we need people with jobs to purchase those homes. It is his opinion that for the good of City, and the good of the community, this is a situation that we need to approve.

O’Neill had a question for Steve Riehle, Public Works Director, regarding the costs involved with adding sewer and water to the annexed area being discussed. According to Riehle, the trunk sewer line costs would be six to eight million dollars, a half a million dollars for the lift station and two million dollars for the water lines.

Ruge commented on the time of year the Study was prepared. He stated that obviously the buildings would look different today than they did in January when the photos were taken. There is some improvement being done that does make it look better. His assumption is that Hanna:Keelan physically inspected the buildings to determine the condition. He noted that there was a building on the south farmstead that is totally dilapidated and needs to be destroyed as well as some improvements that need to be done in that area for safety. He also noted that from the view from the street on the north farmstead, it is harder to see any deterioration that may be there. There is definitely an age factor involved for these buildings. However, improvements are currently being made.

Reynolds had one question on whether it would be beyond private enterprise ability to do this effectively.

Nespor noted the various portions of this hearing that need to be made a part of this public record. They are the slides and power point presentation, the Blighted and Substandard Study, and the written testimony of Marlan Ferguson.

O'Neill commented on the costs of bringing sewer and water to this property. He stated that if private enterprise had to spend eight million dollars to extend the trunk line to this area, it is not likely to be developed. It is his opinion that this is a huge issue.

Chairman O'Neill closed the public meeting.

### **Motion to Recommend Approval**

A motion was made by Hayes, and seconded by Miller, to recommend the approval of the declaration of the area under consideration as blighted and substandard based on the facts presented and identified.

Chairman O'Neill stated that the findings of fact needed to be identified. These findings of fact will include the presentation; the Blight/Substandard Study presented by Hanna:Keelan, with the exception of Amendment B, the Redevelopment Plan; the written testimony by the Grand Island Economic Development Corporation; the buildings located on the property identified as aged/dilapidated; the age of structures are at least 40 years old ; property is different from other properties because of location on the urban fringe of the community in that it is directly adjacent to an industrial area on the west, directly adjacent to a power plant on the south with high voltage lines, as well as, close to rail lines, which would be good for manufacturing growth, but possibly detrimental for other development; location of major commercial arterial roads between, but not on, property; and, public intervention is deemed appropriate for the redevelopment of the area due to inadequate infrastructure, specifically sewer and water, and the high cost of making that available.

A roll call vote was taken and the motion passed with 9 members present (Ruge, Hayes, Monter, Haskins, Eriksen, Bredthauer, Snodgrass) voting in favor, and 2 members present (Reynolds, Heineman) voting against. Motion carried.

## **Alternatives**

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

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

### **Recommendation**

The Hall County Regional Planning Commission recommends that the Council approve the declaration of the area under consideration as blighted and substandard based on the facts presented and identified.

### **Sample Motion**

Motion to approve as recommended.

## Agenda Item 4

### PLANNING DIRECTOR RECOMMENDATION TO REGIONAL PLANNING COMMISSION:

July 23, 2007

**SUBJECT:** *EDC Blight Study (Proposed CRA Area #7) C-24-2007GI*

**PROPOSAL:** The Grand Island Area Economic Development Corporation (GIAEDC) commissioned a Blight/Substandard Study for Redevelopment Area No. 7 to be prepared by Hanna:Keelan Associates of Lincoln Nebraska. The study area includes 498.5 acres referred to as CRA Area #7. This area is 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. See Figure 1 for a map of the area. Council has referred the attached study to the Planning Commission for its review and recommendation. If the Planning Commission does not make a recommendation within 30 days Council can proceed with a decision on the declaration without recommendation from Planning Commission.

### OVERVIEW

The Statutory authority and direction to the Planning Commission is referenced below to explain the Planning Commission purpose in reviewing the study:

#### **Section 18-2109**

*Redevelopment plan; preparation; requirements.*

An authority shall not prepare a redevelopment plan for a redevelopment project area unless the governing body of the city in which such area is located has, by resolution adopted after a public hearing with notice provided as specified in section 18-2115, declared such area to be a substandard and blighted area in need of redevelopment. The governing body of the city shall submit the question of whether an area is substandard and blighted to the planning commission or board of the city for its review and recommendation prior to making its declaration. The planning commission or board shall submit its written recommendations within thirty days after receipt of the request. Upon receipt of the recommendations or after thirty days if no recommendation is received, the governing body may make its declaration.

~Reissue Revised Statutes of Nebraska

A flow chart of the blight declaration process is shown in Figure 2.

At this time, the Planning Commission and Council are only concerned with determining if the property is blighted and substandard. Figure 3 is an overview of the differences between the blight and substandard declaration and the redevelopment plan. If a declaration as blighted and substandard is made by Council then the Community Redevelopment Authority (CRA) can consider appropriate redevelopment plans. The redevelopment plans must also be reviewed by the Planning Commission and approved by Council prior to final approval.



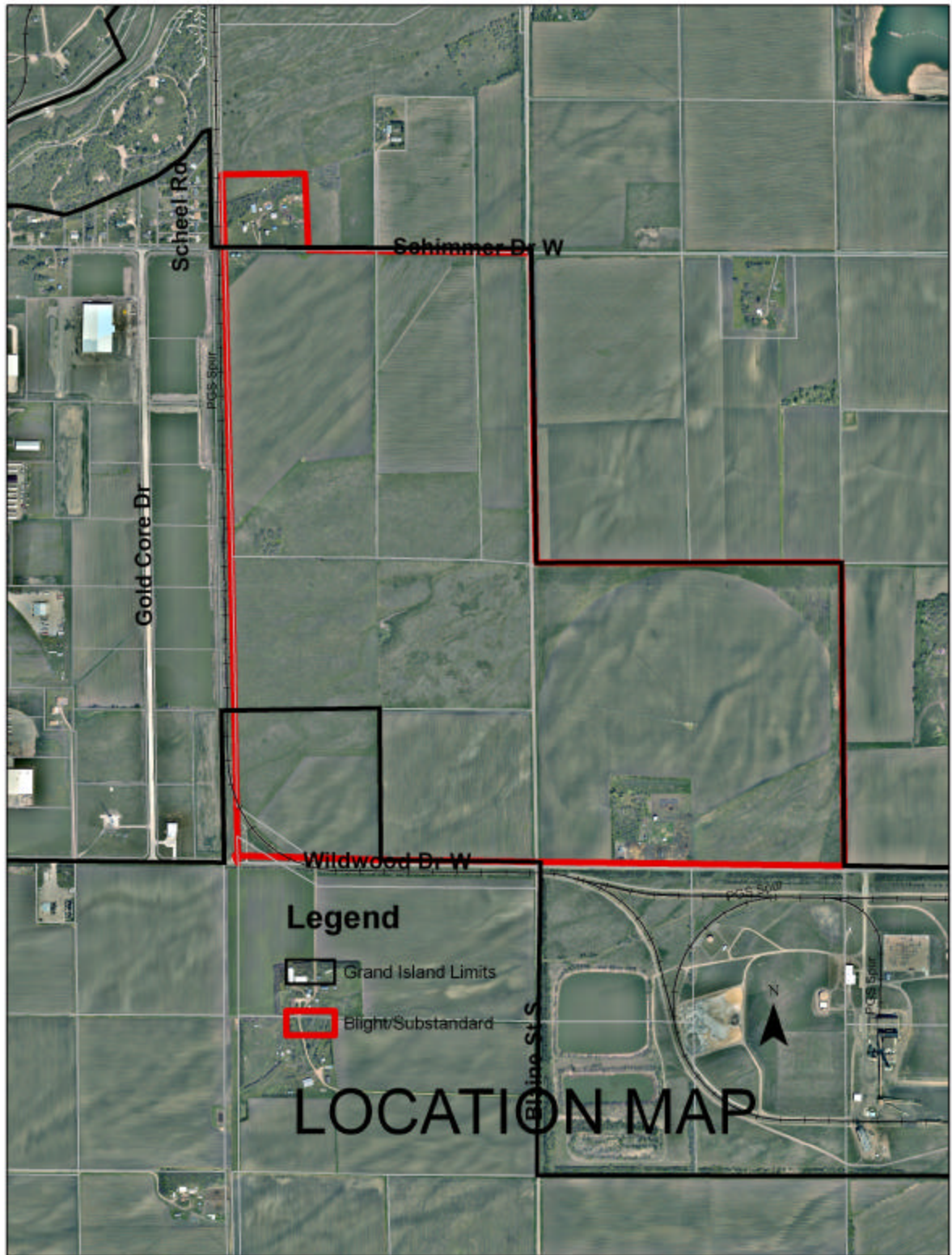
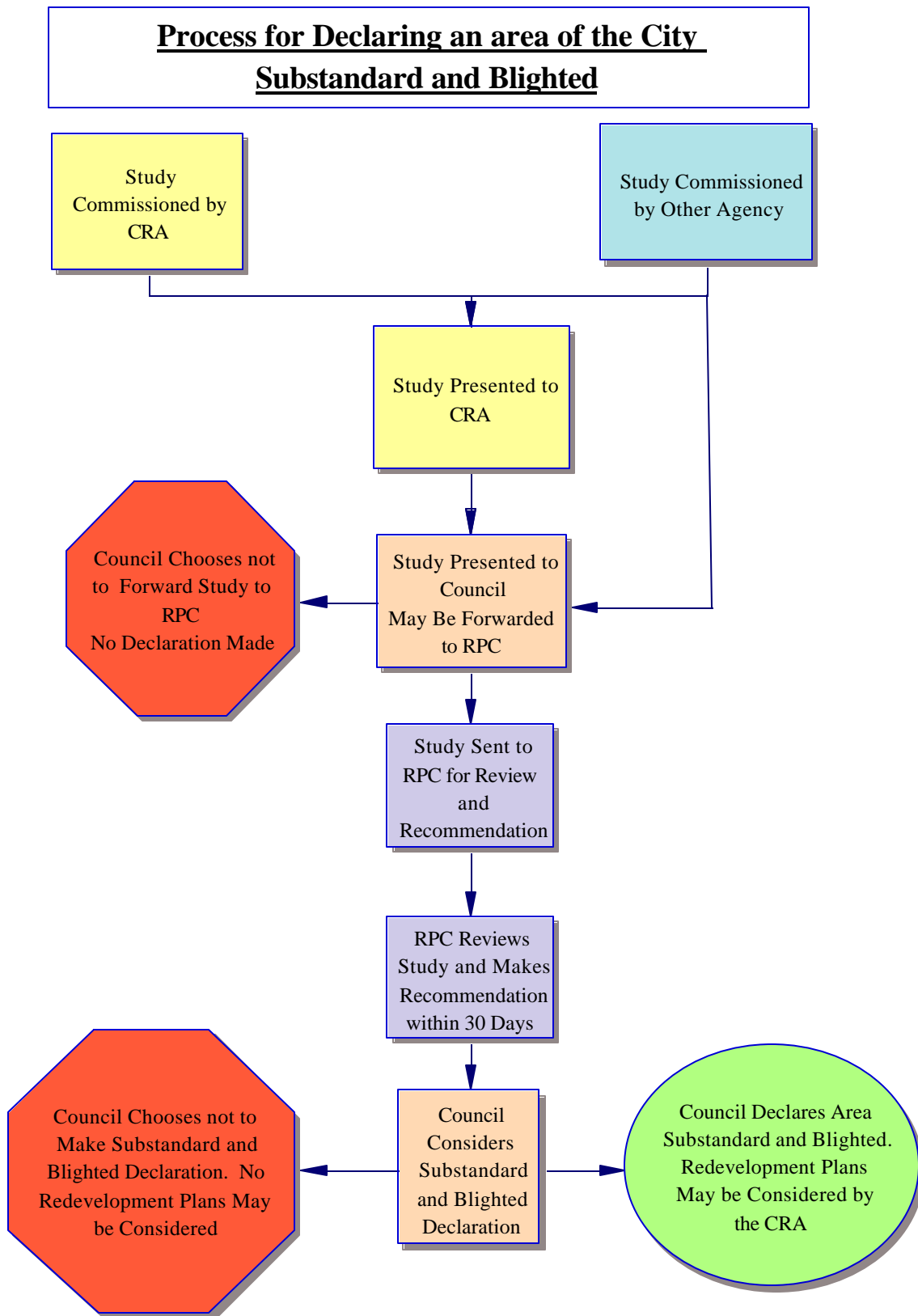


Figure 1 Redevelopment Area 7 includes all properties within the red outline.



**Figure 2 Blight Declaration Process (Planning Commission Recommendation is the second purple box).**

# Substandard and Blighted Declaration vs. Redevelopment Plan



- |   |  |
|---|--|
| <ul style="list-style-type: none"><li>● <b>Substandard and Blighted Declaration</b></li><li>● A Study of the Existing Conditions of the Property in Question</li><li>● Does the property meet one or more Statutory Conditions of Blight?</li><li>● Does the Property meet one or more Statutory Conditions of Substandard Property?</li><li>● Is the declaration in the best interest of the City?</li></ul> | <ul style="list-style-type: none"><li>● <b>Redevelopment Plan</b></li><li>● What kinds of activities and improvements are necessary to alleviate the conditions that make the property blighted and substandard?</li><li>● How should those activities and improvements be paid for?</li><li>● Will those activities and improvements further the implementation of the general plan for the City?</li></ul> |
|---|--|

Figure 3 Blight and Substandard Declaration compared to a Redevelopment Plan

## OVERVIEW Continued

It is appropriate for the planning commission in conducting its review and considering its recommendation regarding the substandard and blighted designation to:

1. review the study,
2. take testimony from interested parties,
3. make findings of fact, and
4. include those findings of fact as part of its recommendation to Council.

### Blighted and Substandard Defined

The terms blighted and substandard have very specific meanings within the context of the Community Redevelopment Statutes. Those terms as defined by Statute are included below:

#### Section 18-2103

*Terms, defined.*

For purposes of the Community Development Law, unless the context otherwise requires:

(10) **Substandard areas** shall mean an area in which there is a predominance of buildings or improvements, whether nonresidential or residential in character, which, by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime, (which cannot be remedied through construction of prisons), and is detrimental to the public health, safety, morals, or welfare;

(11) **Blighted area** shall mean an area, which (a) by reason of the presence of a substantial number of deteriorated or deteriorating structures, existence of defective or inadequate street layout, faulty lot layout in relation to size, adequacy, accessibility, or usefulness, insanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair value of the land, defective or unusual conditions of title, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or 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 is detrimental to the public health, safety, morals, or welfare in its present condition and use and (b) in which there is at least one of the following conditions: (i) Unemployment in the designated area is at least one hundred twenty percent of the state or national average; (ii) the average age of the residential or commercial units in the area is at least forty years; (iii) more than half of the platted and subdivided property in an area is unimproved land that has been within the city for forty years and has remained unimproved during that time; (iv) the per capita income of the area is lower than the average per capita income of the city or village in which the area is designated; or (v) the area has had either stable or decreasing population based on the last two decennial censuses. In no event shall a city of the metropolitan, primary, or first class designate more than thirty-five percent of the city as blighted, a city of the second class shall not designate an area larger than fifty percent of the city as blighted, and a village shall not designate an area larger than one hundred percent of the village as blighted;

~Reissue Revised Statutes of Nebraska

## ANALYSIS

The following tables are copied directly from the Study. The analysis of the substandard and blighted factors is conducted on pages 5 to 9 of the study.

**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.	■
	<b>Strong Presence of Factor</b>	■
	<b>Reasonable Presence of Factor</b>	■
	<b>No Presence of Factor</b>	○

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

**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.	■
	<b>Strong Presence of Factor</b>	■
	<b>Reasonable Presence of Factor</b>	■
	<b>Little or No Presence of Factor</b>	○
	<b>Not Reviewed</b>	NR

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

Grand Island Value Added Redevelopment Area  
Blight and Substandard Determination Study

There are two principal structures on the subject property. Both are farm houses. The remaining 22 structures included in the study are assorted farm buildings and sheds see Figures 4 and 5 from the Hall County Assessor's Office. The house on the southern property was originally built in 1910 and moved onto this property in 2004. The house on the northern property was built in 1928. There are no structures on the property on the west side of Blaine Street between Schimmer Drive and Wildwood Drive. Seven structures identified in the study are not shown on the assessor's records. This can occur when the building has been fully depreciated and has no value.

## ANALYSIS CONTINUED...

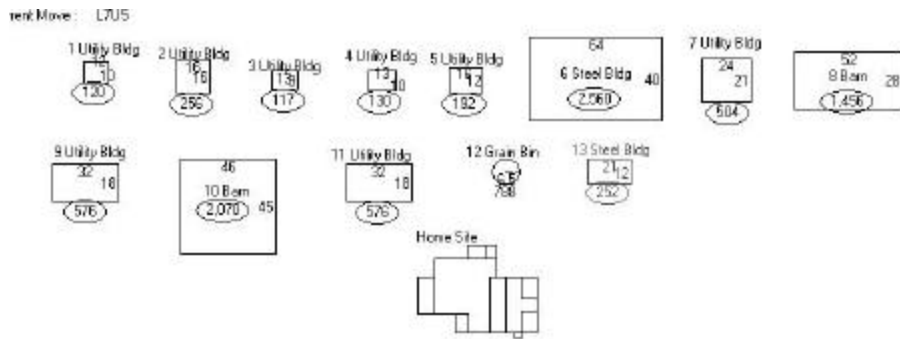


Figure 4 Northern Farmstead Sketch of Buildings from Hall County Assessors Records 7-23-07

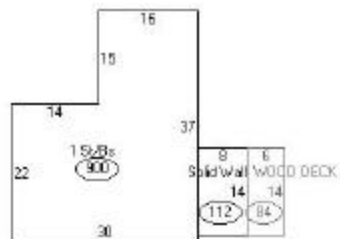


Figure 5 Southern Farmstead Sketch of Buildings from Hall County Assessors Records 7-23-07

The majority of this property was annexed by the City of Grand Island in March of 2007. The annexation was at the request of the GIAEDC in anticipation of industrial development on this property. Approximately 10 acres north of Schimmer Drive and 40 acres at the SW corner of the subject property were not annexed by the City. Areas outside of the city limits may be included within a study but redevelopment of those properties using TIF or other CRA funds may not be considered until after annexation.

## RECOMMENDATION:

Based on the following excerpt from the Blight Study as presented by the GIAEDC and Hanna:Keelan Associates:

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. (Page 4, Blight and Substandard Study and General Redevelopment Plan as prepared for the Grand Island Area EDC by Hanna:Keelan Associates, P.C.)

Planning Commission staff is recommending consideration of the following questions as a starting point in the analysis of this Study and in making a recommendation on the question of whether the property in question is blighted and substandard.

### Recommend Questions for Planning Commission

- Does this property meet the statutory requirements to be considered blighted and substandard? (See Page 5 for requirements)
- Are the blighted and substandard factors distributed throughout the Redevelopment Area, so basically good areas are not arbitrarily found to be substandard and blighted simply because of proximity to areas which are substandard and blighted?
- Is public intervention appropriate and/or necessary for the redevelopment of the area?
- Is this property different than other properties on the urban fringe of the community?

Findings of fact must be based on the study and testimony presented including all written material and staff reports. The recommendation must be based on the declaration, not based on any proposed uses of the site.

If the Regional Planning Commission concludes that the area in question meets the definition of blighted and substandard and supports such conclusion with findings of fact they should move to recommend **approval** of the declaration as blighted and substandard based on the facts presented and identified at this meeting.

If the Regional Planning Commission concludes that the area in question does not meet the definition of blighted and substandard and supports such conclusions with findings of fact, they should move to recommend **denial** of the declaration as blighted and substandard based on the facts identified.

# 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](http://www.hannakeelan.com)

JANUARY, 2007



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**BLIGHT AND SUBSTANDARD  
DETERMINATION STUDY**

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# A. BLIGHT AND SUBSTANDARD DETERMINATION STUDY

## *EXECUTIVE SUMMARY*

### Purpose of Study/Conclusion

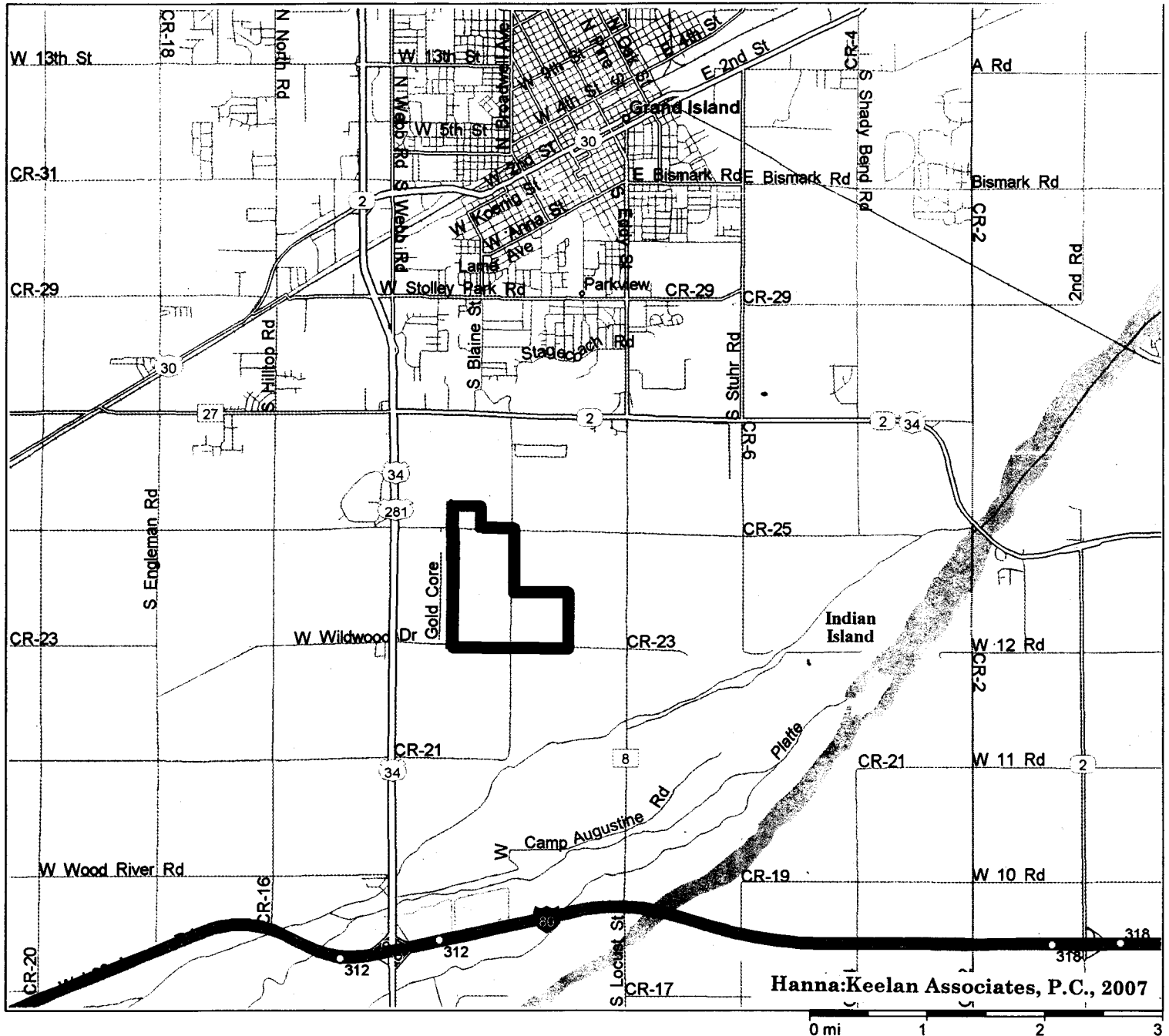
The purpose of this Blight and Substandard Determination Study is to apply the criteria set forth in the Nebraska Community Development Law, Section 18-203, to the designated Value Added Industrial Facility, or Redevelopment Area in Grand Island, Nebraska, for a value added agriculture land use development, 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.	☐
	<b>Strong Presence of Factor</b>	☐
	<b>Reasonable Presence of Factor</b>	■
	<b>No Presence of Factor</b>	○

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.	☐
	<b>Strong Presence of Factor</b>	☐
	<b>Reasonable Presence of Factor</b>	■
	<b>Little or No Presence of Factor</b>	○
	<b>Not Reviewed</b>	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**

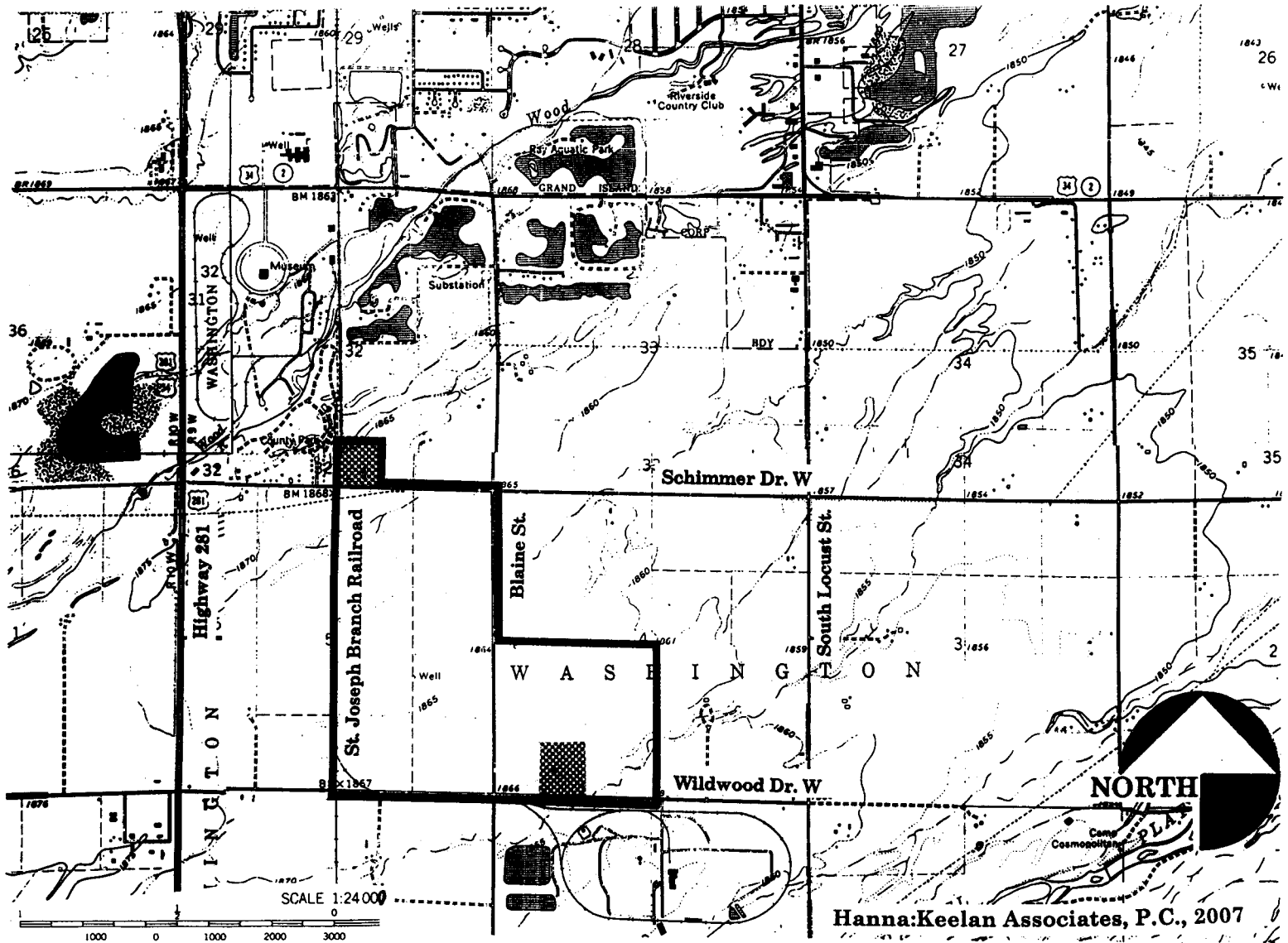
<u>LAND USE</u>	<u>ACRES</u>	<u>PERCENT</u>
Agricultural	449.2	90.1%
Farmstead	22.5	4.5%
Railroad Corridor	6.8	1.4%
Road Right-Of-Ways		
* Asphalt	16.0	3.2%
* Gravel	4.0	0.8%
<b>Total Acreage</b>	<b>498.5</b>	<b>100.0%</b>

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



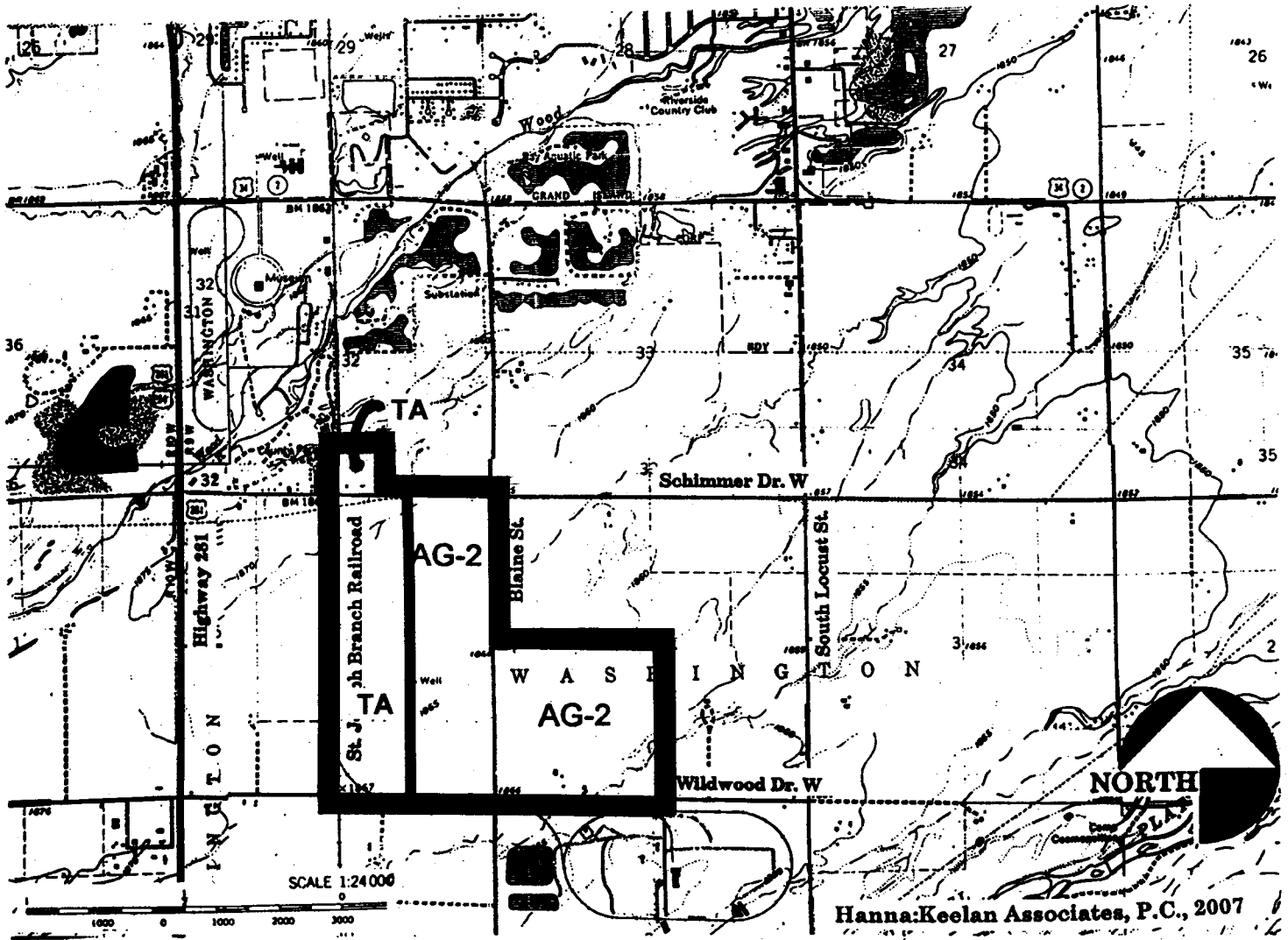
## LEGEND

-  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***.

<b><u>Primary Components</u></b>	<b><u>Secondary Components</u></b>
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><b>Activity</b></u>	<u><b>Sound</b></u>	<u><b>Deficient Minor</b></u>	<u><b>Deteriorating</b></u>	<u><b>Dilapidated</b></u>	<u><b>Number of Structure</b></u>	<u><b>Deteriorating or Dilapidated</b></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>
<b>Totals</b>	<b>0</b>	<b>4</b>	<b>10</b>	<b>10</b>	<b>24</b>	<b>20</b>
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.

## **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.

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**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 6 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 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***.

<b><u>Primary Components</u></b>	<b><u>Secondary Components</u></b>
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><b>Activity</b></u>	<u><b>Sound</b></u>	<u><b>Deficient (Minor)</b></u>	<u><b>Deteriorating</b></u>	<u><b>Dilapidated</b></u>	<u><b>Number of Structure</b></u>	<u><b>Deteriorating or Dilapidated</b></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>
<b>Totals</b>	<b>0</b>	<b>4</b>	<b>10</b>	<b>10</b>	<b>24</b>	<b>20</b>
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.

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#### **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.

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## APPENDIX

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**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
<b>TOTAL</b>	<b>24</b>	<b>100.0%</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>NA</b>	<b>22</b>

**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
<b>TOTAL</b>	<b>24</b>	<b>100.0%</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>NA</b>	<b>22</b>

**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
<b>TOTAL</b>	<b>26</b>	<b>100.0%</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>22</b>

**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
<b>TOTAL</b>	<b>26</b>	<b>100.0%</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>22</b>

**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
<b>TOTAL</b>	<b>26</b>	<b>100.0%</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>22</b>

**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
<b>TOTAL</b>	<b>26</b>	<b>100.0%</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>22</b>



**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
<b>TOTAL</b>	<b>24</b>	<b>100.0%</b>	<b>2</b>	<b>0</b>	<b>0</b>		<b>22</b>

**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
<b>TOTAL</b>	<b>24</b>	<b>100.0%</b>	<b>2</b>	<b>0</b>	<b>0</b>		<b>22</b>

**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
<b>TOTAL</b>	<b>26</b>	<b>100.0%</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>22</b>

**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
<b>TOTAL</b>	<b>24</b>	<b>100.0%</b>	<b>2</b>	<b>0</b>	<b>0</b>		<b>22</b>

**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
<b>TOTAL</b>	<b>24</b>	<b>100.0%</b>	<b>2</b>	<b>0</b>	<b>0</b>		<b>22</b>

**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
<b>TOTAL</b>	<b>24</b>	<b>100.0%</b>	<b>2</b>	<b>0</b>	<b>0</b>		<b>22</b>

**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
<b>TOTAL</b>	<b>24</b>	<b>100.0%</b>	<b>2</b>	<b>0</b>	<b>0</b>		<b>22</b>

**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
<b>TOTAL</b>	<b>24</b>	<b>100.0%</b>	<b>2</b>	<b>0</b>	<b>0</b>		<b>22</b>

**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
<b>TOTAL</b>	<b>24</b>	<b>100.0%</b>	<b>2</b>	<b>0</b>	<b>0</b>		<b>22</b>

**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
<b>TOTAL</b>	<b>24</b>	<b>100.0%</b>	<b>2</b>	<b>0</b>	<b>0</b>		<b>22</b>

**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
<b>TOTAL</b>	<b>24</b>	<b>100.0%</b>	<b>2</b>	<b>0</b>	<b>0</b>		<b>22</b>

**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
<b>TOTAL</b>	<b>24</b>	<b>100.0%</b>	<b>2</b>	<b>0</b>	<b>0</b>		<b>22</b>

**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
<b>TOTAL</b>	<b>24</b>	<b>100.0%</b>	<b>2</b>	<b>0</b>	<b>0</b>		<b>22</b>

**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
<b>TOTAL</b>	<b>24</b>	<b>100.0%</b>	<b>2</b>	<b>0</b>	<b>0</b>		<b>22</b>

**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
<b>TOTAL</b>	<b>24</b>	<b>100.0%</b>	<b>2</b>	<b>0</b>	<b>0</b>		<b>22</b>

**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
<b>TOTAL</b>	<b>24</b>	<b>100.0%</b>	<b>2</b>	<b>0</b>	<b>0</b>		<b>22</b>

**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
<b>TOTAL</b>	<b>26</b>	<b>100.0%</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>22</b>

**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
<b>TOTAL</b>	<b>26</b>	<b>100.0%</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>22</b>

Grand Island Value Added Redevelopment Area  
Blight and Substandard Determination Study

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# **GENERAL REDEVELOPMENT PLAN**

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## 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.

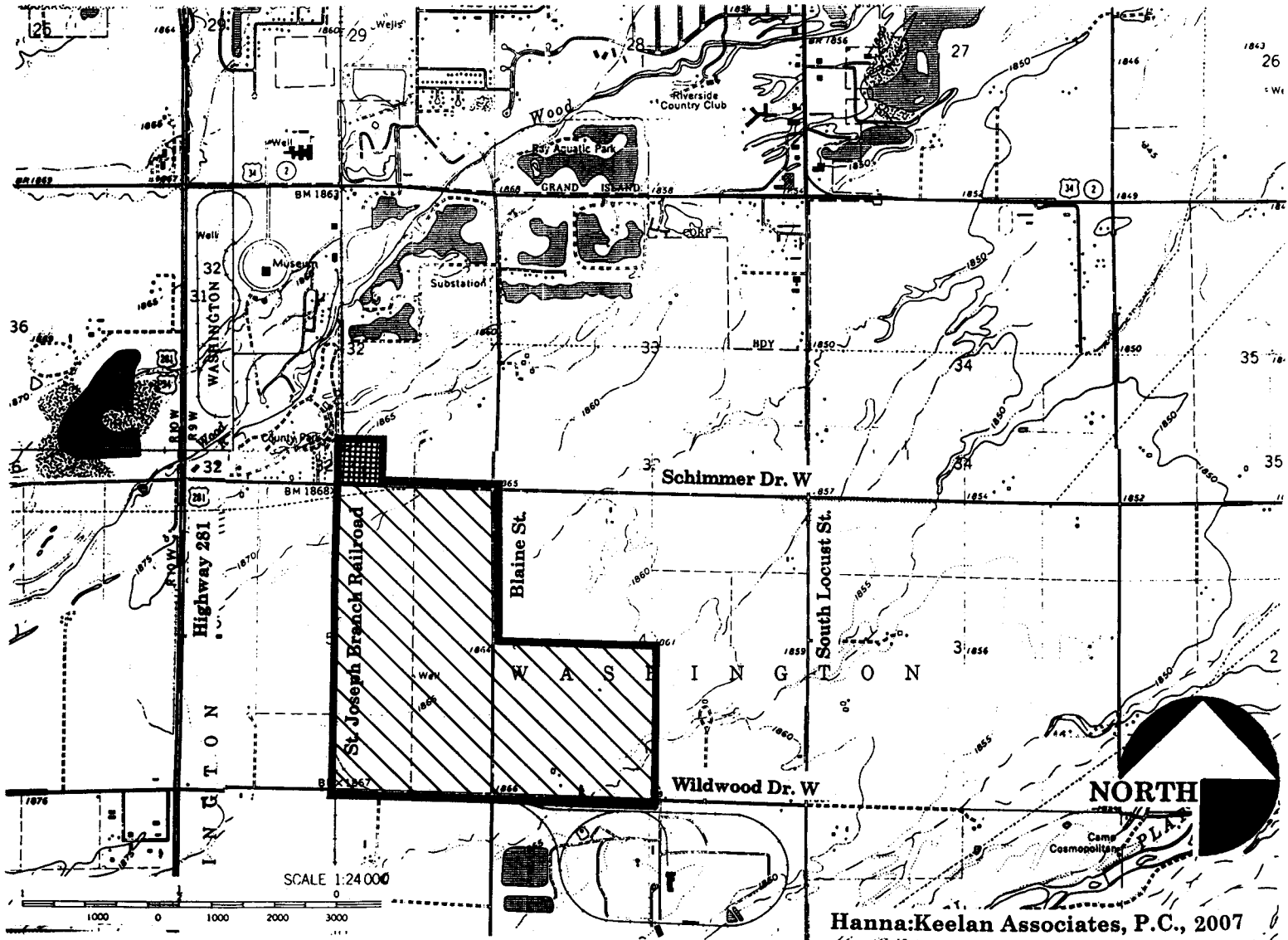
## 2. Future Zoning Districts

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



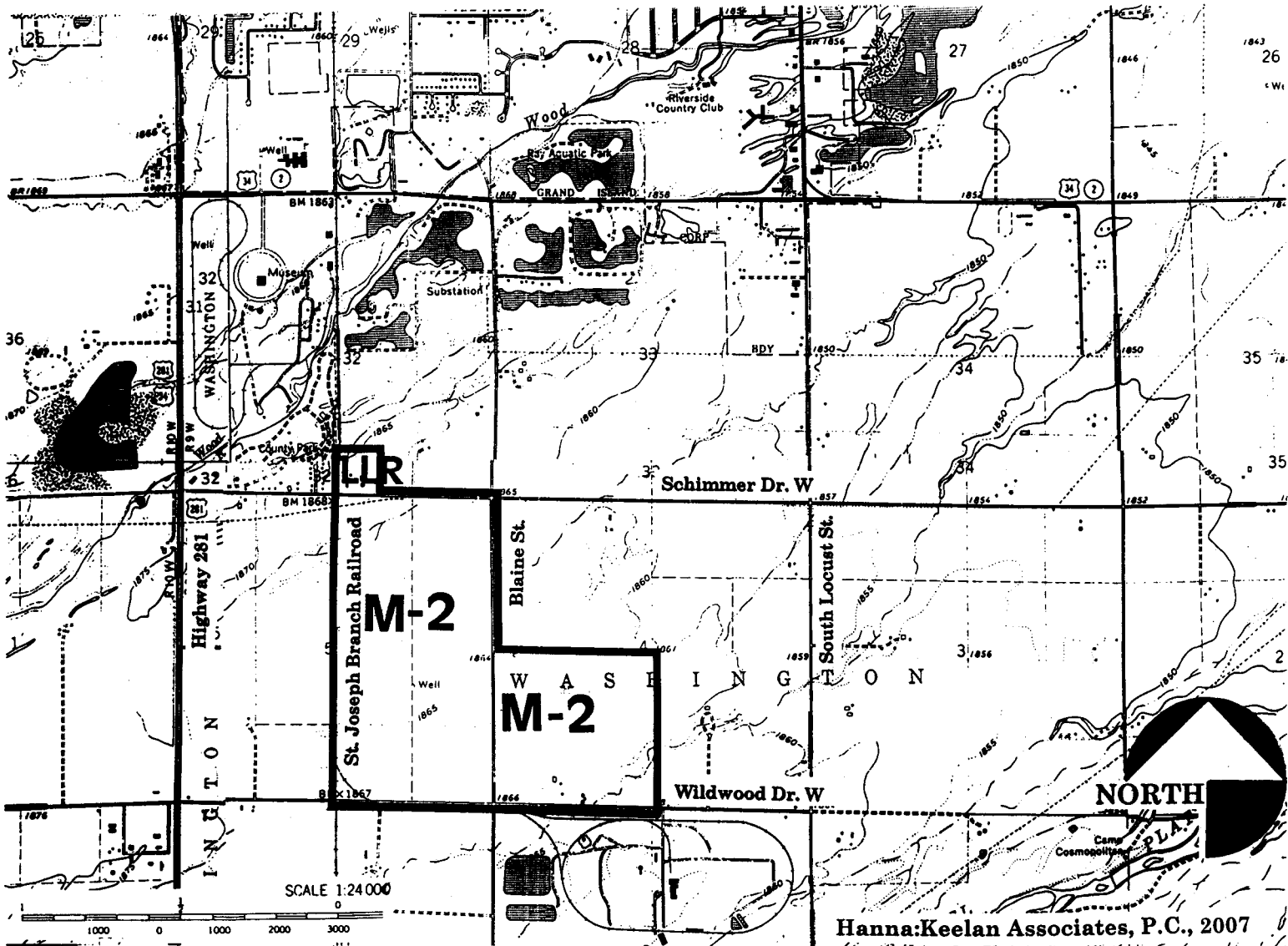
## LEGEND

-  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.

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### 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.

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### 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, August 28, 2007**

**Council Session**

## **Item E2**

**Public Hearing Concerning Acquisition of Utility Easement - South  
Side of the Airport between Sky Park & Shady Bend Roads - Hall  
County Airport Authority**

**Staff Contact: Gary R. Mader**

# **Council Agenda Memo**

**From:** Robert H. Smith, Asst. Utilities Director

**Meeting:** August 28, 2007

**Subject:** Acquisition of Utility Easement – South of the Airport  
between Sky Park & Shady Bend Roads - Hall Co. Airport  
Authority

**Item #'s:** E-2 & G-3

**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 the Hall County Airport Authority, located south of the Airport between Sky Park Road and Shady Bend Road, in the City of Grand Island, Hall County, in order to have access to install, upgrade, maintain, and repair all utilities.

## **Discussion**

This easement will be used to locate water, sewer and natural gas utilities from Sky Park Road, across the southern end of the airport to north of the golf course and finally to the new National Guard Helicopter facility at Airport Road and Shady Bend Road. These utilities will provide service to the new helicopter facility.

## **Alternatives**

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

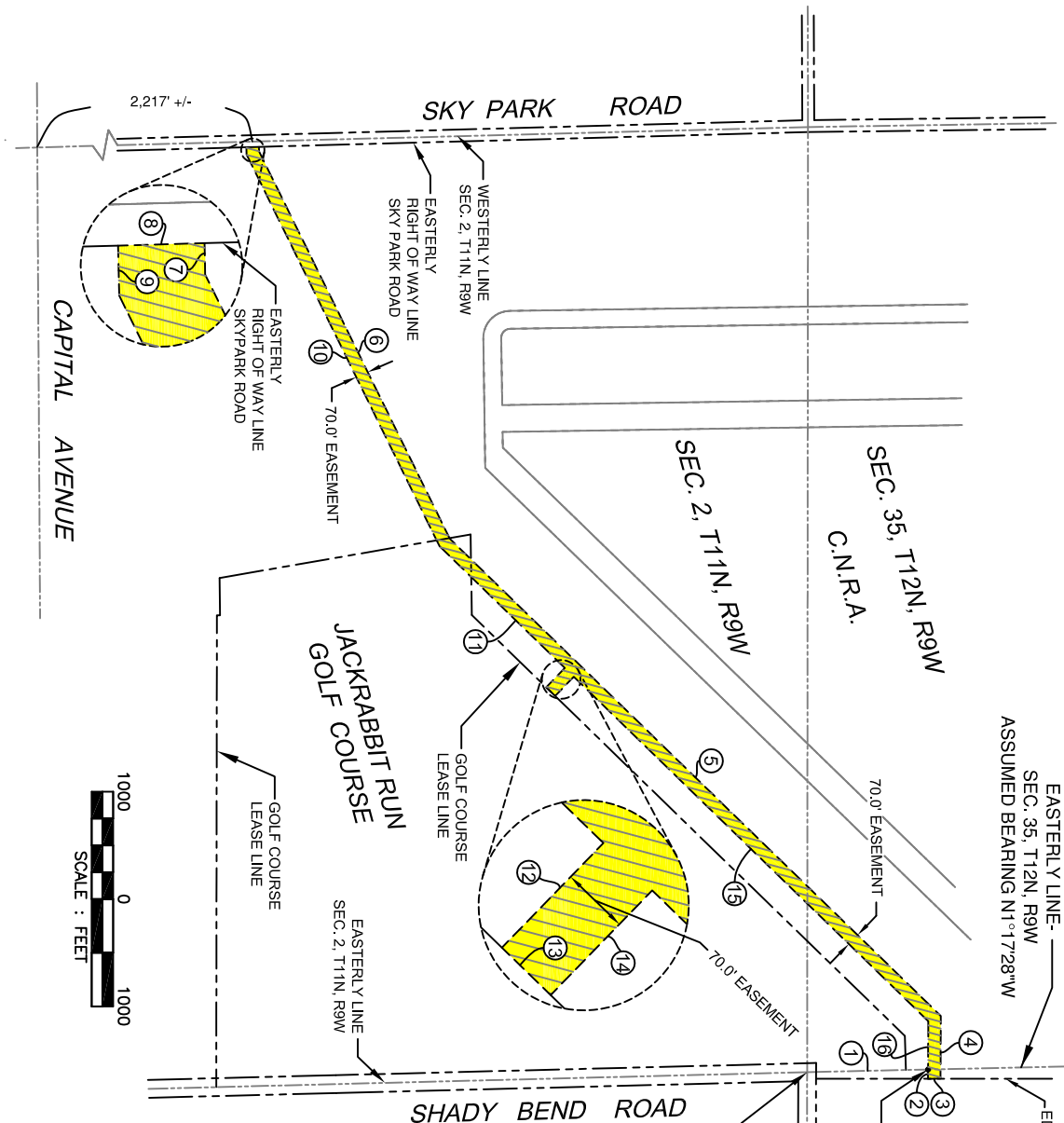
1. Make a motion to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

## **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.



Course No.	Bearing	Distance in feet
1	N01°17'28"W	675.96
2	S89°40'49"E	53.04
3	N01°17'28"W	70.03
4	N89°40'49"W	350.31
5	S44°10'13"W	3827.00
6	S63°46'20"W	2413.32
7	S88°42'43"W	25.39
8	S01°32'51"E	70.00
9	N88°42'43"E	40.55
10	N63°46'20"E	2440.89
11	N44°10'13"E	976.22
12	S45°49'47"E	150.00
13	N44°10'13"E	70.00
14	N45°49'47"W	150.00
15	N44°10'13"E	2763.06
16	S89°40'49"E	269.42

CITY OF  
**GRAND ISLAND**  
UTILITIES DEPARTMENT

**EXHIBIT "A"**  
70' Wide  
Utility Easement

DRN BY: P.F.G.      SCALE: 1" = 1000'

DATE: 07/31/2007    FILE: CNRA-GIAASF



# **City of Grand Island**

**Tuesday, August 28, 2007**

**Council Session**

## **Item E3**

**Public Hearing Concerning Acquisition of Utility Easement - South  
of Potash Hwy. and East of North Road - Little B's Corporation**

**Staff Contact: Gary R. Mader**

# **Council Agenda Memo**

**From:** Robert H. Smith, Asst. Utilities Director

**Meeting:** August 28, 2007

**Subject:** Acquisition of Utility Easement – South of Old Potash Highway and east of North Road – Little B's Corporation

**Item #'s:** E-3 & 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 Little B's Corporation, located south of Old Potash Highway and east of North Road, in the City of Grand Island, Hall County, in order to have access to install, upgrade, maintain, and repair all utilities.

## **Discussion**

This easement will be used to provide utilities to the new Westgate Industrial Park 2<sup>nd</sup> Subdivision. This tract of land will be part of the right-of-way in a future subdivision. Utilities will be installed as part of the current subdivision and will need to cross this unplatted area.

## **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.

DWG: F:\Projects\20060827\Land\Final\_Plans\60827.EAS.dwg  
DATE: JUL 31, 2007 10:12am  
USER: mhersh  
60827 ROW  
60827 PPLT BASE rev  
XREFS: 60827 PBASE

UNPLATTED

NORTH ROAD

POINT OF BEGINNING  
SW COR. OF LOT 4, BLOCK 1  
OF WESTGATE INDUSTRIAL  
PARK 2nd SUBDIVISION

PROPOSED 10" WATER MAIN

N89°49'42"E 570.74'

SILVER ROAD

S89°49'42"W 570.74'

60' ACCESS/UTILITY EASEMENT

N00°04'18"W 60.00'

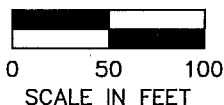
S00°04'18"E 60.00'

WESTGATE INDUSTRIAL PARK  
2nd SUBDIVISION  
LOT 4, BLOCK 1

WESTGATE INDUSTRIAL PARK  
2nd SUBDIVISION  
LOT 4, BLOCK 2

UNPLATTED

SCALE: 1" = 100'



## EASEMENT DESCRIPTION

A PERMANENT ACCESS/UTILITY EASEMENT CONSISTING OF PART OF THE NORTHWEST QUARTER (NW1/4) OF SECTION 24, TOWNSHIP 11 NORTH, RANGE 10 WEST OF THE 6TH P.M., CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 4, BLOCK 1 OF WESTGATE INDUSTRIAL PARK 2nd SUBDIVISION IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA; THENCE ON AN ASSUMED BEARING OF S00°04'18"E ALONG THE WEST LINE OF SAID WESTGATE INDUSTRIAL PARK 2nd SUBDIVISION A DISTANCE OF 60.00 FEET TO THE NORTHWEST CORNER OF LOT 4, BLOCK 2 OF WESTGATE INDUSTRIAL PARK 2nd SUBDIVISION; THENCE S89°49'42"W A DISTANCE OF 570.74 FEET TO A POINT ALONG THE EAST RIGHT-OF-WAY LINE OF NORTH ROAD; THENCE N00°04'18"W A DISTANCE OF 60.00 FEET TO ANOTHER POINT ALONG THE EAST RIGHT-OF-WAY LINE OF NORTH ROAD; THENCE N89°49'42"E A DISTANCE OF 570.74 FEET TO THE POINT OF BEGINNING. SAID PERMANENT UTILITY EASEMENT CONTAINS 34,244 SQUARE FEET OR 0.79 ACRES MORE OR LESS.

PROJECT NO: 07-0827

DRAWN BY: MDH

DATE: 07.25.07

WESTGATE INDUSTRIAL  
PARK 2nd SUBDIVISION  
EASEMENT EXHIBIT "A"

**MOLSSON**  
ASSOCIATES

201 East 2nd Street  
P.O. Box 1072  
Grand Island, NE 68802-1072  
TEL 308.384.8750  
FAX 308.384.8752

EXHIBIT

"A"



# **City of Grand Island**

**Tuesday, August 28, 2007**

**Council Session**

## **Item F1**

**#9133 - Consideration of Electric Utility Rate Increase**

**Staff Contact: Gary R. Mader**

# **Council Agenda Memo**

**From:** Gary R. Mader, Utilities Director

**Meeting:** August 28, 2007

**Subject:** Electric Rates

**Item #'s:** F-1

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

## **Background**

From 1980 to 2005 the Electric Utility did not increase electric rates, but after 25 years, rate increases became necessary as operating costs and equipment costs began to increase rapidly. The costs of transformers, power cable, and other basic electric system components increased from 40% to over 100% in a relatively short period in the early 2000's. The materials cost increases along with increasing fuel costs necessitated electric rate increases. Last year rates were increased \$0.007 per Kilowatt Hour (kWH), which increased a 1000kwh residential electric bill by \$7.00 per month.

## **Discussion**

At the time of Council's deliberations concerning that needed increase, there was discussion that the Council would prefer that rate increases be more spread out over longer time frames so as to lessen the impact on customers.

During this year's budget preparation period, Utility and Finance staff reviewed the possibility of utilizing small, incremental rate changes based on a general evaluation of the current economic conditions affecting the costs incurred to operate the Electric System. Equipment costs continue to increase. Fuel costs for Department power plants, trucks and equipment remain high and major, costly projects, such as the Mercury control, are recently initiated. These and other factors, led to the conclusion that the costs to operate, maintain, improve, and expand the electric system will likely continue to increase in the near future.

During last year's discussions of increasing costs, the recent pricing history of several of the Departments routine materials purchases were tracked on graphs; aluminum power conductors, transformers, copper power conductors and PVC conduits. Increased costs over the 2001 to 2006 time frame ranged from 38% for a 15 kVA pole mount transformer



to 148% for 2" PVC conduit.

Those materials costs graphs have been updated to include the last year's, '06 – '07, cost data and are attached for reference. Over the last year, most materials costs have continued to increase substantially. The range for the selected items was from slightly less cost for PVC conduit to a 97% increase for 25 kVA padmount transformers. Therefore, in response to continued uptrending costs, and the Council's expressed interest in smoothing rate increases, the Department would recommend a \$0.001 per kWh increase in electric rates for the '07-'08 fiscal year. That increase would raise a 1000 kW residential bill by \$1.00 per month.

### **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

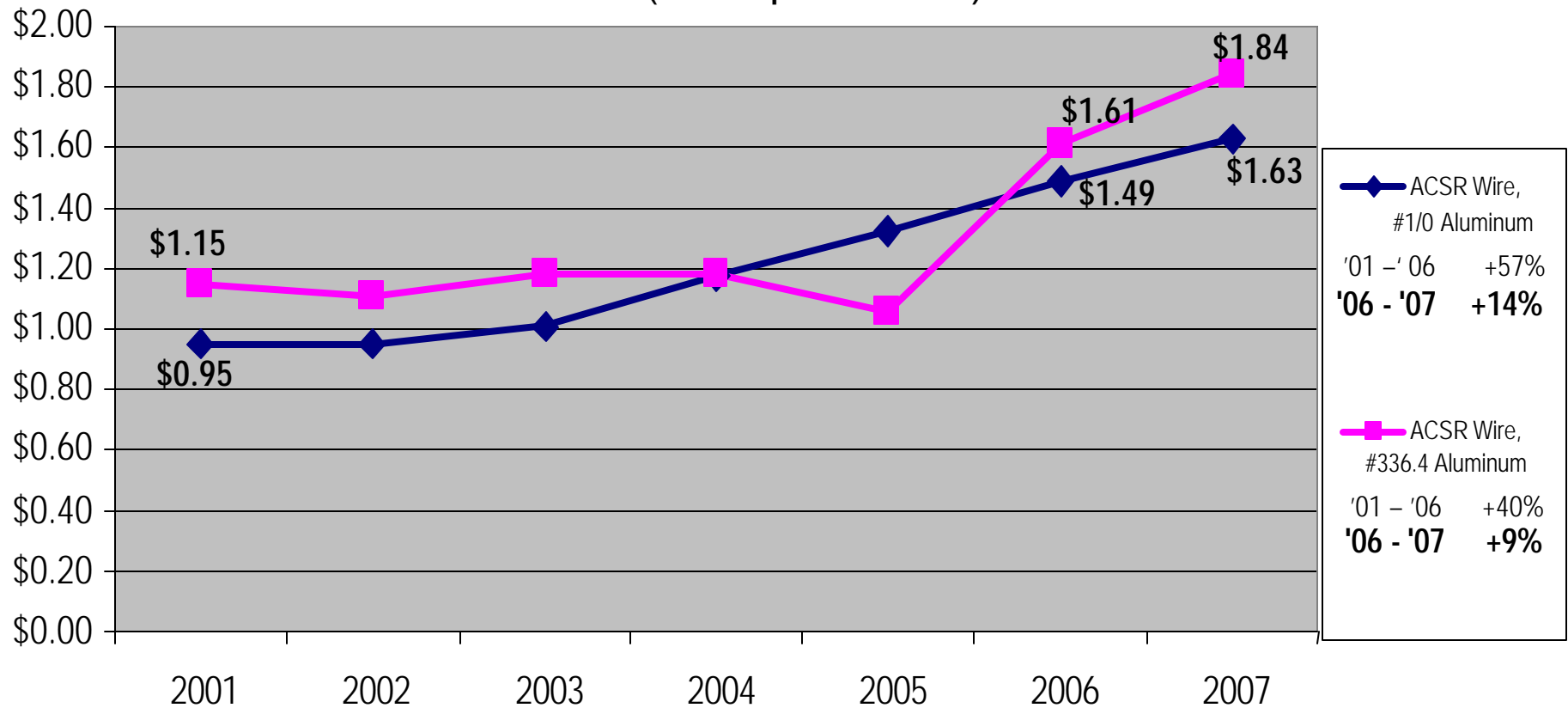
### **Recommendation**

City Administration recommends that the Council approve the implementation of an electric rate increase of \$0.001 per kWh.

### **Sample Motion**

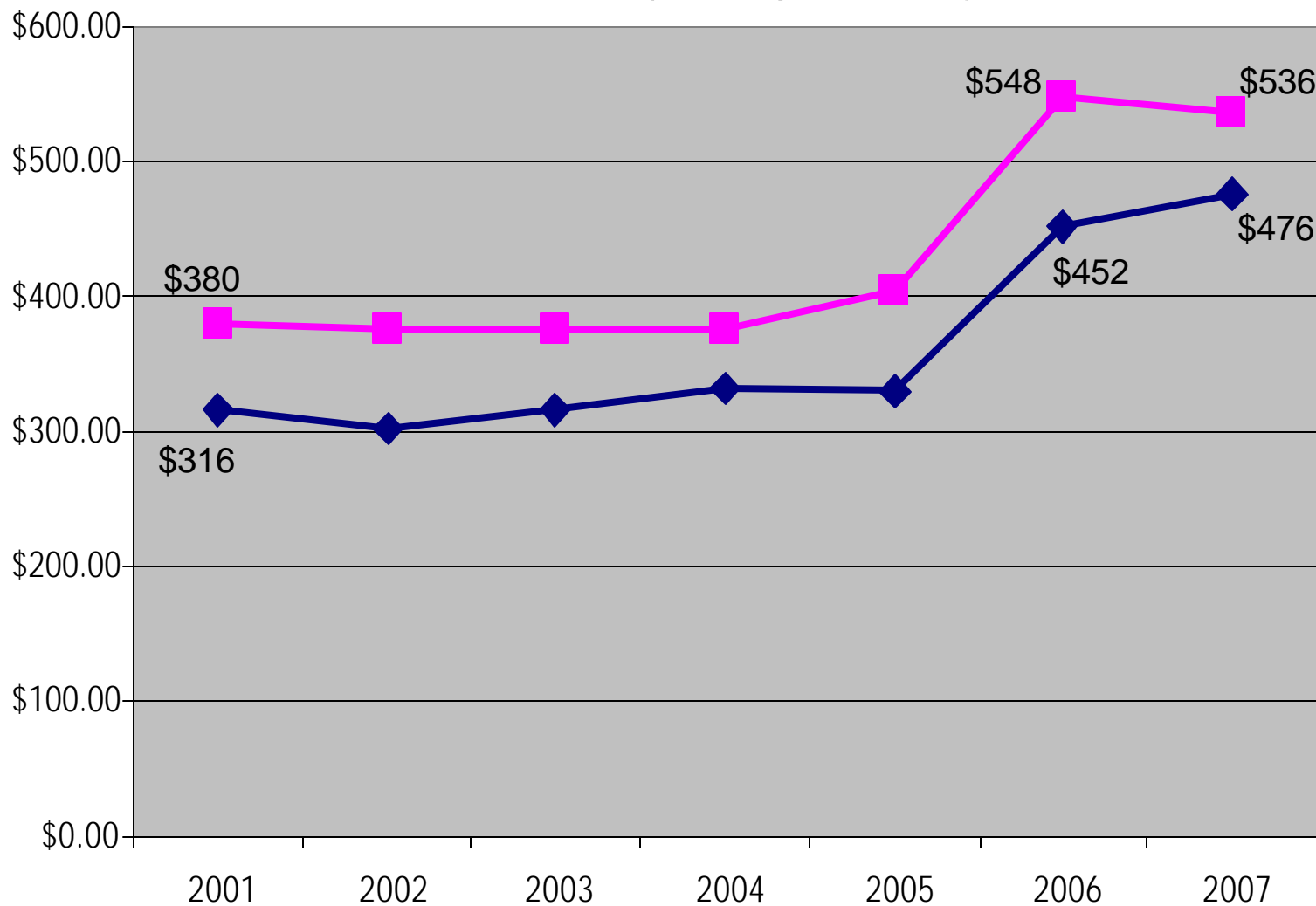
Motion to approve Ordinance # 9133 to implement a \$0.001 per kWh electric rate increase.

## Aluminum Wire (Price per Pound)



# Power Pole Prices

(Price per Each)



◆ 45 ft. pole

'01 – '06 43%

'06 - '07 +5%

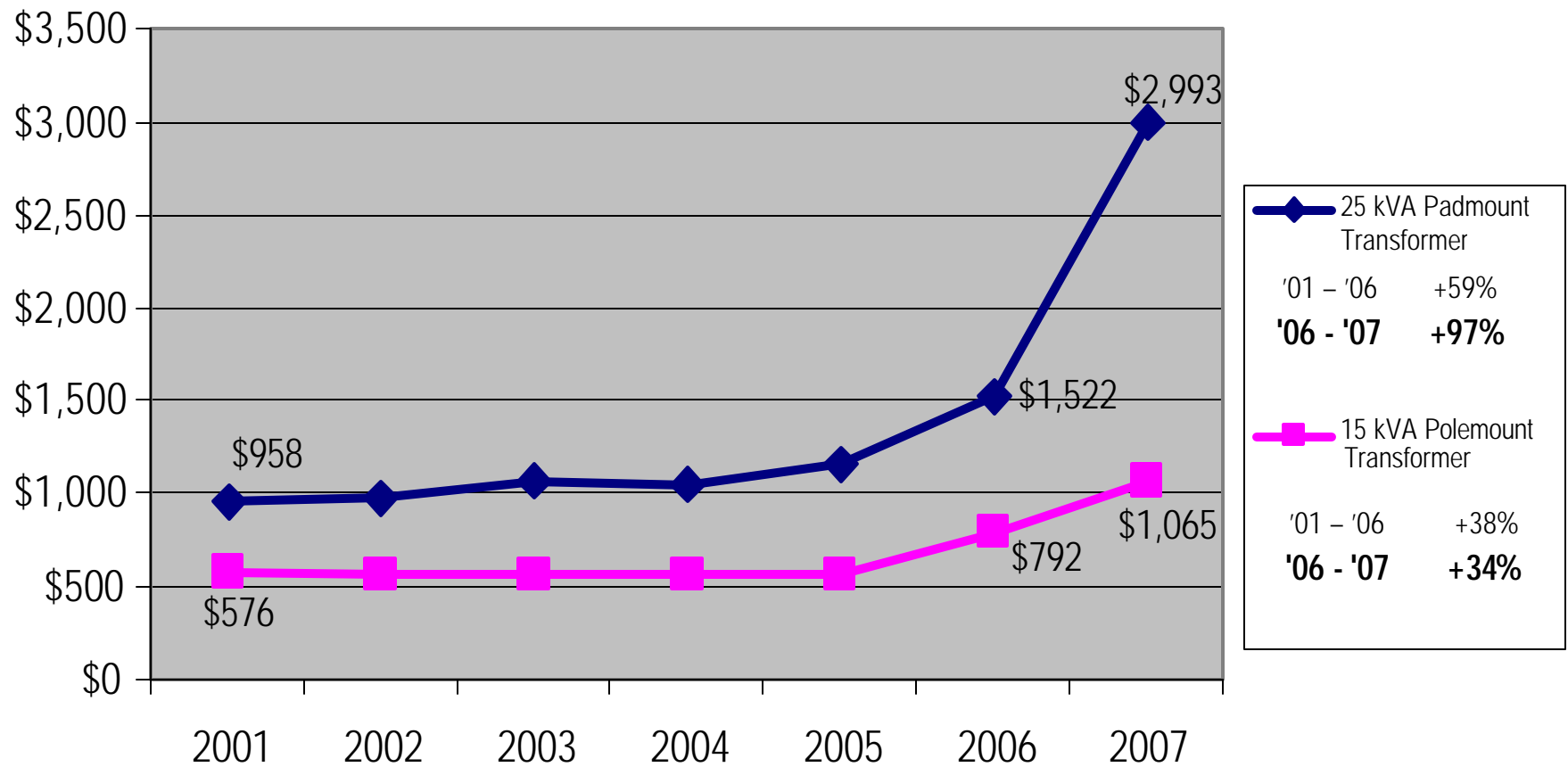
■ 50 ft. pole

'01 – '06 +45%

'06 - '07 -2%

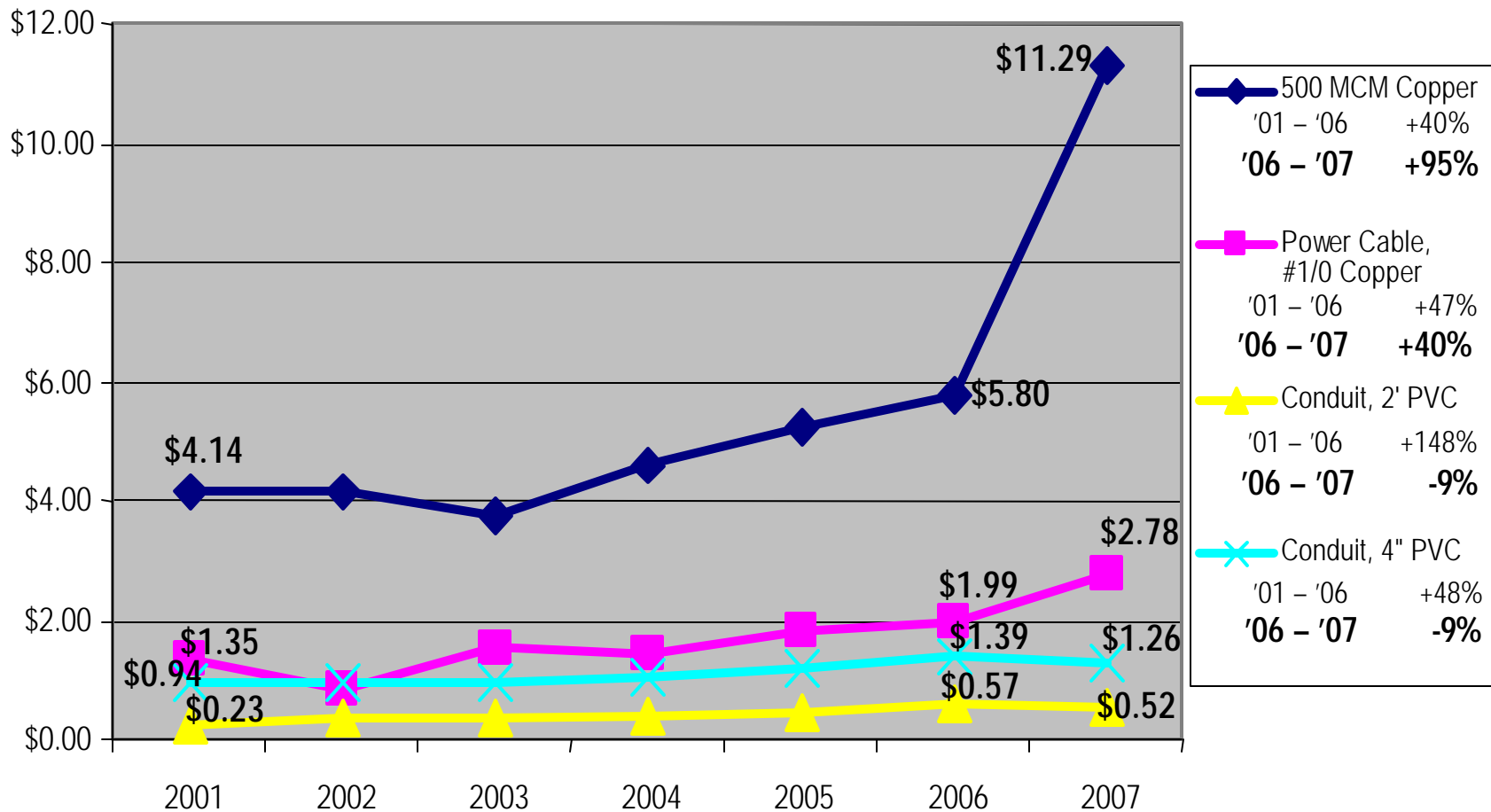
# Transformer Prices

(Price per Each)



# Power Cable & Conduit Pricing

(Price per foot)



ORDINANCE NO. 9133

An ordinance to amend the Grand Island City Code; Sections 15-55, 15-57, 15-60, 15-63 and 15-74, pertaining to electric utility rates; to repeal Sections 15-55, 15-57, 15-60, 15-63 and 15-74, as now existing, 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. Section 15-55 of the Grand Island City Code is hereby amended to read as follows:

**§15-55. 010 Residential Service**

Applicable in urban and rural distribution areas. Available at single phase, through a single meter, to residential consumers for domestic use in a single-family dwelling unit; but is not available for commercial or non-domestic use.

Individual single-phase motors, not to exceed 10 HP each, may be connected; however, the City Utilities Department must be notified in writing, if a motor over 5 HP is installed.

This schedule has two sets of rates: one for the summer period of five months, beginning with the June billing; and the second for the winter season of seven months, beginning with the November billing.

<b>Summer Rate Beginning October 1, 2007</b>	
<b>Kilowatt-Hours Used Per Month</b>	<b>(June – October)</b>
First 300 KWH.....	\$0.085 per KWH
Next 700 KWH.....	\$0.060 per KWH
All additional KWH.....	\$0.067 per KWH

Plus a customer charge of \$5.00 per month, in addition to that charged for the electrical energy used, plus the applicable Power Cost Adjustment charge. The minimum monthly bill shall be \$5.00 prior to the Power Cost Adjustment.

<b>Winter Rate Beginning October 1, 2007</b>	
<b>Kilowatt-Hours Used Per Month</b>	<b>(November - May)</b>
First 300 KWH.....	\$0.085 per KWH
Next 700 KWH.....	\$0.060 per KWH
Additional KWH.....	\$0.039 per KWH

Plus a customer charge of \$5.00 per month, in addition to that charged for the electrical energy used, plus the applicable Power Cost Adjustment charge. The minimum monthly bill shall be \$5.00 prior to the Power Cost Adjustment.

SECTION 2. Section 15-57 of the Grand Island City Code is hereby amended to read as follows:

Approved as to Form	<input checked="" type="checkbox"/>	_____
August 24, 2007	<input checked="" type="checkbox"/>	City Attorney

## ORDINANCE NO. 9133 (Cont.)

### **§15-57. 030 Single-Phase Commercial Service**

Applicable in urban and rural distribution areas. Available for commercial customers, for lighting and small appliances. Available for single meter apartment units, and combined residential-commercial use, where the Residential Rate is not applicable. Service shall be through a single meter.

Individual single-phase motors, not to exceed 10 HP each, may be connected; however, the City Utilities Department must be notified in writing, if a motor over 5 HP is installed.

<b>Kilowatt-Hours Used Per Month</b>	<b>Rates Beginning October 1, 2007</b>
First 350 KWH.....	\$0.090 per KWH
Next 650 KWH.....	\$0.080 per KWH
Next 1,500 KWH.....	\$0.074 per KWH
Next 2,500 KWH.....	\$0.070 per KWH
Next 5,000 KWH.....	\$0.064 per KWH
Over 10,000 KWH.....	\$0.061 per KWH

Plus a customer charge of \$7.00 per month, in addition to that charged for the electrical energy used, plus the applicable Power Adjustment charge. The minimum monthly bill shall be \$7.00 prior to the Power Adjustment.

SECTION 3. Section 15-60 of the Grand Island City Code is hereby amended to read as follows:

### **§15-60. 050 Three-Phase Commercial Service**

Applicable in the territory served by the City of Grand Island; and is available through a single meter at three phase, for any electric service uses where three-phase service is available.

This schedule has two sets of rates: one for the summer period of five months, beginning with the June billing; and the second for the winter season of seven months, beginning with the November billing.

<b>Summer Rate Beginning October 1, 2007</b>	
<b>Kilowatt-Hours Used Per Month</b>	<b>(June - October)</b>
First 1,000 KWH.....	\$0.087 per KWH
Next 1,500 KWH.....	\$0.079 per KWH
Next 2,500 KWH.....	\$0.075 per KWH
Next 15,000 KWH.....	\$0.069 per KWH
Over 20,000 KWH.....	\$0.066 per KWH

Plus a customer charge of \$10.00 per month, in addition to that charged for the electrical energy used, plus the applicable Power Cost Adjustment charge.

<b>Winter Rate Beginning October 1, 2007</b>	
<b>Kilowatt-Hours Used Per Month</b>	<b>(November - May)</b>
First 500 KWH.....	\$0.087 per KWH
Next 1,000 KWH.....	0.079 per KWH

## ORDINANCE NO. 9133 (Cont.)

Next 2,500 KWH..... \$0.066 per KWH

Over 4,000 KWH..... \$0.063 per KWH

Plus a customer charge of \$10.00 per month, in addition to that charged for the electrical energy used, plus the applicable Power Cost Adjustment charge.

### **Minimum**

The minimum monthly charge shall be no less than \$10.00. The minimum shall in no event be less than \$0.70 per month per connected horsepower.

The billing horsepower shall be determined as follows:

1. Total connected horsepower, if total connected horsepower is less than 20 HP.
2. If total connected horsepower exceeds 20 HP, then the billing horsepower shall be the larger of 20 HP, or the largest single connected motor.
3. If questions arise as to the actual billing horsepower, the City Utilities Department may, at its option, install demand meters. The Kilowatt reading shall determine the billing horsepower on the basis of 0.75 Kilowatt = 1.0 HP.

It is the responsibility of the customer, to inform the City Utilities Department of changes that may effect minimum billings.

SECTION 4. Section 15-63 of the Grand Island City Code is hereby amended to read as follows:

### **§15-63. 100 Three-Phase Power Service**

Applicable in the territory served by the City of Grand Island, available through a single meter at three phase. Available for any commercial or industrial use of energy.

#### **Beginning October 1, 2007**

<b>Demand Charge</b>	
\$8.50	per KW of billing demand
<b>Energy Charge</b>	
\$0.0355	per KWH for the first 450 hours of monthly demand
\$0.0290	per KWH for all additional usage; plus applicable Power Cost Adjustment charge.
<b>Customer Charge</b>	
\$300.00	per month.

The minimum monthly bill shall be no less than \$700. The Power Cost Adjustment charge is applied to energy consumption only.

SECTION 5. Section 15-74 of the Grand Island City Code is hereby amended to read as follows:

### **§15-74. Rate 116; Interdepartmental; Streetlights**

The monthly charge for various size lights used for public street lighting and public parks lighting, whether



ORDINANCE NO. 9133 (Cont.)

City or privately-owned shall be \$0.38 per watt per year billed on a monthly basis beginning October 1, 2007. Power Cost Adjustment is not applicable to the Interdepartmental Streetlights Rate.

SECTION 6. Those portions of Sections 15-55; 15-57; 15-60; 15-63 and 15-74 as now existing, and any ordinances or parts of ordinances in conflict herewith be, and hereby are, repealed.

SECTION 7. The validity of any section, subsection, sentence, clause, or phrase of this ordinance shall not affect the validity or enforceability of any other section, subsection, sentence, clause, or phrase thereof.

SECTION 8. That this ordinance shall be in force and take effect from and after its passage and publication, in pamphlet form, within fifteen days in one issue of the Grand Island Independent as provided by law.

Enacted: August 28, 2007.

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Margaret Hornady, Mayor

Attest:

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RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, August 28, 2007

Council Session

## Item F2

### **#9134 - Consideration of Assessments for 2006 Weed Abatement Program**

*This item relates to the aforementioned Board of Equalization Item D-1.*

Staff Contact: Wes Nespor, Assistant City Attorney



# **City of Grand Island**

**Tuesday, August 28, 2007**

**Council Session**

## **Item F3**

**#9135 - Consideration of Approving FY 2007-2008 Annual Single  
City Budget, The Annual Appropriations Bill Including Addendum  
#1**

**Staff Contact: David Springer**

# **Council Agenda Memo**

**From:** Dave Springer, Finance Director

**Meeting:** August 28, 2007

**Subject:** Consideration of Approving FY 2007-2008 Annual Single City Budget, The Annual Appropriations Bill Including Addendum #1

**Item #'s:** F-3

**Presenter(s):** Dave Springer, Finance Director

## **Background**

On August 14, 2007, the City Council held a Public Hearing to receive public input relative to the proposed FY2007-2008 Annual Single City Budget. Following the Public Hearing, the Finance Director presented the budget and conducted a work session.

## **Discussion**

The following action relative to the budget is included on this evening's agenda: Consideration of the FY2007-2008 Annual Single City Budget, The Annual Appropriations Bill, including Addendum #1 (Changes made during the budget work session and subsequent to tonight). Related items to be considered by the City Council at the September 11<sup>th</sup> meeting include the holding of a public hearing to address the change in property tax asking, and setting the FY2007-2008 General All Purpose Property Tax, CRA, and Parking District #2 (Ramp) levies. The budget must be submitted to the state by September 20, 2007.

## **Alternatives**

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

1. Approve the City Budget and Addendum.
2. Modify the Budget to meet the wishes of the Council

## **Recommendation**

City Administration recommends that the Council approve the budget and addendum as presented.

## **Sample Motion**

Approve the FY2007-2008 Annual Single City Budget, The Annual Appropriations Bill, Including Addendum #1.

**FISCAL YEAR 2007- 2008 ADDENDUM TO PROPOSED BUDGET**

Page 1 of 2

<u>FUND</u>	<u>DEPARTMENT</u>	<u>CHANGE</u>	<u>ACCT #</u>	<u>INCREASE (DECREASE) FUND APPROPRIATION</u>
General	All	Health Insurance Increase	Division-85120	297,135
General	Administration	EDC Expenditures	10011102-85454	86,000
General	Fire-Ambulance	Payroll Changes	10022101-10022102	32,770
General	Fire	Overtime	10022101-85110	(10,000)
General	Fire	Workman's Compensation	10022101-85150	(25,000)
General	Fire	Other Employee Benefits	10022101-85160	(15,000)
General	Fire	Repairs & Maintenance-Building	10022101-85324	(10,000)
General	Fire	Insurance Premiums	10022101-85405	(5,000)
General	Fire	Misc Operating Equipment	10022101-85540	(6,250)
General	Fire	Concrete Repair-Station 2	10022101-85608	(40,000)
General	Fire	Building Imp-Replace Roof St 3-4	10022101-85612	(45,000)
General	Fire	Remove Rescue Pumper Truck	10022101-85625	(650,000)
General	Ambulance	Overtime	10022102-85110	(8,000)
General	Ambulance	Travel & Training	10022102-85428	(3,000)
General	Ambulance	Ambulance Supplies	10022102-85591	(5,000)
General	Police	Payroll Changes	10022301-10022302	4,396
General	Police	Overtime	10022301-85110	(30,000)
General	Police	Workman's Compensation	10022301-85150	(5,000)
General	Police	Computer Services	10022301-85241	(4,000)
General	Police	Other Professional & Technical	10022301-85290	(2,000)
General	Police	Repairs & Maint-Buildings	10022301-85324	(5,000)
General	Police	Towing Expenses	10022301-85390	(7,000)
General	Police	Insurance Premiums	10022301-85405	(10,000)
General	Police	Misc Operating Equipment	10022301-85540	(10,000)
General	Police	Vehicles	10022101-85625	(18,000)
General	Emergency Mgmt	Reduce Siren purchases	10022605-85615	(20,000)
General	Library	Remove FTE request	10044301	(27,115)
General	Streets & Alleys	Payroll Changes	10033501	(2,368)
General	Streets & Alleys	Contracted Services	10033506-85213	150,000
General	Streets & Alleys	Contracted Concrete Pavement	10033506-85351	(100,000)
General	Streets & Alleys	Street Resurfacing	10033506-85354	300,000
General	Cemetery	Payroll Changes	10044405	612
General	Greenhouse	Payroll Changes	10044404	(155)
General	Water Park	Payroll Changes	10044525	(82)
General	Water Park	Repairs & Maintenance-Paint Pool	10044525-85319	30,000
General	Rec Admin	Remove FTE request	10044501	(12,705)
General	HPSP	Remove FTE request	10044801	(37,615)
General	Nondept	Lower Contingency Personnel exps	10055002	(45,618)
CHANGE IN APPROPRIATION				(257,995)
PROPOSED APPROPRIATION				34,312,270
AMENDED APPROPRIATION				34,054,275

**FISCAL YEAR 2007- 2008 ADDENDUM TO PROPOSED BUDGET**

Page 2 of 2

<u>FUND</u>	<u>DEPARTMENT</u>	<u>CHANGE</u>	<u>ACCT #</u>	<u>INCREASE (DECREASE) FUND APPROPRIATION</u>
215 Fund	Enhanced 911			
CHANGE IN APPROPRIATION	Health Insurance Increase	21520006		1,137
PROPOSED APPROPRIATION				209,961
AMENDED APPROPRIATION				211,098
250 Fund	Community Develop			
CHANGE IN APPROPRIATION	Health Insurance Increase	25010001		1,826
PROPOSED APPROPRIATION				105,076
AMENDED APPROPRIATION				106,902
290 Fund	Backflow			
CHANGE IN APPROPRIATION	Health Insurance Increase	29010001		1,624
PROPOSED APPROPRIATION				64,918
AMENDED APPROPRIATION				66,542
400 Fund	Capital Projects			
CHANGE IN APPROPRIATION	Capital Avenue Widening	40033530-90148		150,000
PROPOSED APPROPRIATION				6,467,847
AMENDED APPROPRIATION				6,617,847
510 Fund	Golf Course			
CHANGE IN APPROPRIATION	Health Insurance Increase	51040001		3,381
PROPOSED APPROPRIATION				584,685
AMENDED APPROPRIATION				588,066
530 Fund	WWTP	Health Insurance Increase & Keying Error	53030001-53030053	(371,052)
530 Fund	WWTP	Payroll Changes	53030001-53030053	(25,763)
530 Fund	WWTP	Bond Interest Payment-Correction	53030001-85715	3,000
530 Fund	WWTP	Capital Expenditures-Contract Services	53030054-85213	(1,500,000)
530 Fund	WWTP	Sewer Construction-Contract Services	53030055-85213	700,000
530 Fund	WWTP	Contract Services-Helicopter Lift Station	53030055-85213-53036	286,410
CHANGE IN APPROPRIATION				(907,405)
PROPOSED APPROPRIATION				13,288,069
AMENDED APPROPRIATION				12,380,664
605 Fund	Info Technology			
CHANGE IN APPROPRIATION	Health Insurance Increase	60510001		8,735
PROPOSED APPROPRIATION				986,933
AMENDED APPROPRIATION				995,668
610 Fund	Fleet Services	Health Insurance Increase	61010001	4,604
610 Fund	Fleet Services	Payroll Changes	61010001	(521)
CHANGE IN APPROPRIATION				4,083
PROPOSED APPROPRIATION				1,263,913
AMENDED APPROPRIATION				1,267,996
<b>2008 Budget Summary Appropriations</b>				
<b>GENERAL FUND</b>				<b>(257,995)</b>
<b>SPECIAL REVENUE FUNDS</b>				<b>4,587</b>
<b>CAPITAL PROJECTS FUND</b>				<b>150,000</b>
<b>ENTERPRISE FUNDS</b>				<b>(904,024)</b>
<b>INTERNAL SERVICE FUNDS</b>				<b>12,818</b>
CHANGE IN APPROPRIATION				(994,614)
PROPOSED APPROPRIATION				150,326,410
AMENDED APPROPRIATION				149,331,796

ORDINANCE NO. 9135

An ordinance known as "The Annual Appropriation Bill" of the City of Grand Island, Nebraska, to adopt the proposed budget statement pursuant to the Nebraska Budget Act, as amended by Addendum #1, for the fiscal year commencing October 1, 2007 and ending September 30, 2008 to provide for severability; 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. An appropriation is hereby made for the ensuing fiscal year to defray all necessary expenses and liabilities of City departments, funds, and operations. The object and purpose of the appropriation shall be to pay for any and all necessary expenses and liabilities for the following departments, funds, and operations.

<u>Funds</u>	<u>Expenditures</u>	<u>Transfers</u>	<u>Total Appropriation</u>
General	34,054,275	1,343,079	35,397,354
Permanent Funds	0	0	0
Special Revenue	5,009,050	4,566,347	9,575,397
Debt Service	1,607,263	0	1,607,263
Capital Projects	6,617,847	0	6,617,847
Special Assessments	0	845,000	845,000
Enterprise	90,657,868	725,000	91,382,868
Internal Service	9,837,664	0	9,837,664
Agency	753,750	0	753,750
Trust	794,079	600,000	1,394,079
Total Appropriation All Funds	<u>149,331,796</u>	<u>8,079,426</u>	<u>157,411,222</u>



ORDINANCE NO. 9135 (Cont.)

SECTION 2. The proposed budget statement pursuant to the Nebraska Budget Act, is hereby amended by Addendum #1 attached hereto and approved and adopted for the fiscal year beginning October 1, 2007 and ending September 30, 2008.

SECTION 3. If any section, subsection, or any other portion of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed separate, distinct, and independent, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 4. This ordinance shall be in force and take effect from and after its passage and publication, within fifteen days in one issue of the Grand Island Independent as provided by law.

Enacted: August 28, 2007.

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Margaret Hornady, Mayor

Attest:

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RaNae Edwards, City Clerk



# **City of Grand Island**

**Tuesday, August 28, 2007**

**Council Session**

## **Item G1**

**Approving Minutes of August 14, 2007 City Council Regular Meeting**

**Staff Contact: RaNae Edwards**

## CITY OF GRAND ISLAND, NEBRASKA

### MINUTES OF CITY COUNCIL SPECIAL REGULAR MEETING

August 14, 2007

Pursuant to due call and notice thereof, a Special 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 August 14, 2007. Notice of the meeting was given in *The Grand Island Independent* on August 8, 2007.

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

INVOCATION was given by Pastor John Hayes, Grace Baptist Church, 1115 South Vine Street followed by the PLEDGE OF ALLEGIANCE.

MAYOR COMMUNICATION: Mayor Hornady announced the State H2O program for Stormwater was kicked off with a press conference held August 14<sup>th</sup>. The Grand Island Public Works Department has a Stormwater Division. Mayor Hornady further mentioned the importance of proper disposal of household hazardous waste and recycling.

#### PRESENTATIONS AND PROCLAMATIONS:

Recognition of Teresa Svoboda, Human Resources Specialist for 20 years of service with the City of Grand Island.

Recognition of Patricia Buettner, Parks and Recreation Secretary for 25 years of service with the City of Grand Island

#### PUBLIC HEARINGS:

Public Hearing on Request from CXT/LB Foster Co. for a Conditional Use Permit for a Temporary Office Trailer Located at 710 East US Highway 30. Craig Lewis, Building Director gave a brief presentation of this item including background. In 1998 the City Council approved a two year conditional use permit to place two temporary buildings at the site. Subsequent approvals were granted by Council in 200, 2002, and 2004.

Dave Sanders of 2119 Sherwood Road spoke on behalf of the CXT/LB Foster Co for approval of the Conditional Use Permit.

Public Hearing on Referral of Blighted and Substandard Study for Site Known as Redevelopment Area No. 6 Including Five Points, Eddy Street, Broadwell Avenue, and 2<sup>nd</sup> Street West to the Regional Planning Commission. Chad Nabity, Regional Planning Director gave a brief presentation of this item. The process for a Blighted and Substandard Study was outlined and it was mentioned that this item would need to be forwarded to the Planning Commission for proper ruling of the study. This Study is for the central and northern Grand Island area including

5-Points, North Eddy Street, North Broadwell Avenue and the Second Street West area. There were no members of the public that wished to speak on this item.

Public Hearing Concerning Acquisition of Utility Easement – 406 N. St. Paul Road – Rodriguez and Lopez Gary Mader, Utilities Director gave a brief presentation of this item. There were no members of the public that wished to speak on this item.

Public Hearing Concerning Acquisition of Utility Easement – North Side of 4705 Juergen Road – Bosselman Tank and Trailer Gary Mader, Utilities Director gave a brief presentation of this item. There were no members of the public that wished to speak on this item.

#### ORDINANCES:

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

##### #9132 – Consideration of Approving Salary Ordinance

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.

Brenda Sutherland, Human Resource Director reported that Ordinance #9132 was forwarded to Council every year for approval of wages for City employees. The ordinance presented addressed the wages for two employee groups. These groups were IBEW Utilities/Finance and non—union employees. Administration recommended 3% increase for IBEW and 3.5% increase for non-union.

Motion by Whitesides, second by Zapata to approve Ordinances #9132.

A motion by Councilmember Gilbert and Seconded by Haase was made to decrease non-union employees from 3.5% to 3%. Upon roll call vote, Councilmembers Haase, Gilbert, and Niemann voted aye and Councilmembers Brown, Carney, Gericke, Meyer, Nickerson, Whitesides and Zapata voted no, Motion failed.

Councilmembers Meyer and Gericke discussed the Commission for Industrial Relations rulings and the effects of the salary ordinance. Councilmember’s Gilbert, Whitesides, and Nickerson discussed the process and survey used to calculate the percentage presented to Council. After much debate Councilmember Gilbert called the question ending all debate, Councilmember Whitesides seconded. Upon roll call vote, Councilmembers Meyer and Carney voted no, the rest voted aye, Motion passed.

City Clerk: Ordinances #9132 on first reading. All those in favor of the passage of these ordinances on first reading, answer roll call vote. Upon roll call vote, Councilmembers Gilbert, Meyer, and Gericke voted no and Councilmembers Brown, Carney, Haase, Nickerson, Niemann, Whitesides, and Zapata voted aye. Motion adopted.

City Clerk: Ordinance #9132 on final passage. All those in favor of the passage of these ordinances on final passage, answer roll call vote. Upon roll call vote, Councilmembers Gilbert, Meyer, and Gericke voted no and Councilmembers Brown, Carney, Haase, Nickerson, Niemann, Whitesides, and Zapata voted aye. Motion adopted.

Mayor Hornady: By reason of the roll call votes on first reading and then upon final passage, Ordinance #9132 is declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Motion by Gilbert, second by Haase to approve the Consent Agenda. Upon roll call vote, all voted aye. Motion adopted.

#### Approving Minutes of August 7, 2007 City Council Special Meeting

#### Approving Preliminary Plat for Westgate Industrial Park Subdivision

#### #2007-189 – Approving Final Plat and Subdivision Agreement for Westgate Industrial Park Second Subdivision

#### #2007-190-Approving Acquisition of Utility Easement – 406 N. St. Paul road Rodriguez and Lopez

#### #2007-191 – Approving Acquisition of Utility Easement – North Side of 4705 Juergen Road – Bosselman Tank and Trailer

#### #2007-192 – Approving Request for Proposal for Turbine Generator Overhaul Technical Representation and Steam Path Audit – Platte Generating Station

#### #2007-193 – Approving Bid Award for Sanitary Sewer District Numbers 523 and 525 in Westwood Park Subdivision

#### #2007-194 – Approving Subordination Request for 107 East 7<sup>th</sup> Street (Dennis and Diane Gerbers)

#### #2007-195 – Approving Subordination Request for 310 East 6<sup>th</sup> Street (Deborrah Jeanne Scroggin Krugman)

#### #2007-196 – Approving Renewal of Microsoft License with ASAP Software Express

#### REQUEST AND REFERRALS

Consideration of Request from CXT/LB Foster Co. for a Conditional Use Permit for a Temporary Office Trailer Located at 710 East US Highway 30. Craig Lewis, Building Director reported that this item was presented within the Public Hearings Item E1. Motion was made by Councilmember Meyer and seconded by Gericke for denial of the Conditional Use Permit. Councilmember Gilbert commented on the multiple renewals of the conditional use permits. Upon roll call vote, all voted aye, Motion adopted.

Consideration of Request from James Truell on Behalf of Jrel Ross Regarding City Code Section 36-06 Relative to Parking Lot Surfaces. Craig Lewis, Building Director reported that this item was a request from Mr. Ross to allow for the use of asphalt millings and a top coating of oil to comply with the requirements of the City Code as an approved permanent type dust free parking lot surface, equivalent to asphaltic cement concrete, Portland cement concrete, or paving brick.

Councilmember Meyer moved to forward the request to the Planning Commission for a detailed analysis and recommendation, the motion died for lack of a second. Councilmember Whitesides made the motion to approve the request to allow the use of asphalt millings and a top coating of oil to comply with the requirements of the City Code as an approved permanent type dust free parking lot surface, the motion died for lack of a second. Councilmember Meyer made the motion to approve staffs recommendation of denial of the request, Councilmember Brown seconded. Much discussion occurred from Councilmembers Nickerson, Haase, Whitesides, Gilbert, Gericke, and Craig Lewis. Councilmembers Meyer and Brown withdrew their motions. Councilmember Meyer made the motion to refer the item to the Regional Planning Commission for review and provide an analysis of their findings, Councilmember Whitesides seconded the motion. Upon roll call vote, all voted aye. Motion adopted.

#### RESOLUTIONS:

#2007-197 – Consideration of Referring Blighted and Substandard Study for Site Known as Redevelopment Area No. 6 including Five Points, Eddy Street, Broadwell Avenue, and 2<sup>nd</sup> Street West to the Regional Planning Commission. Chad Nabity, Director of the Planning Department reported that this was the same item presented in the Public Hearings Item E-2.

Motion by Gilbert, second by Haase to approve Resolution #2007-197. Upon roll call vote, all voted aye. Motion adopted.

#### OTHER ITEMS

Review of Proposed FY 2007/2008 City Single Budget. David Springer, Finance Director presented a brief summary of the city budget including the General Fund, cash balances, and addendums. Steve Riehle, Public Works Director presented a recommended budget and directional change for the Wastewater Treatment Facility. It was recommended that the plant's plan of constructing a permanent compost operation be diverted to an acid anaerobic digestion process. The increased costs of corn stocks needed for composting and decrease cost of disposal of sludge made the acid anaerobic digestion more economically feasible.

Councilmembers Nickerson, Haase, Gericke, and Gilbert commented on the current and proposed mill levy. Council requested that at the September 11 Council Meeting, staff have an analysis of increased revenue for a slight increase in the mill levy.

Councilmember Nickerson made the motion to approve the revised Wastewater treatment plans for FY 2007/2008 and approve the 2007/2008 addendums as presented by staff, Councilmember Whitesides seconded. 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 August 8, 2007 through August 14, 2007, for a total amount of \$2,533,440.77. Motion adopted unanimously.

Motion by Brown, second by Haase to approve the following Claims for the Library Expansion for the period of July 11, 2007 through August 14, 2007:

#76	\$1,967.70
#77	\$193,375.42
#78	\$303.24
#79	\$6,339

Motion adopted unanimously.

ADJOURNMENT: The meeting was adjourned at 9:25 p.m.

Paul M. Briseno  
Deputy City Clerk



# **City of Grand Island**

**Tuesday, August 28, 2007**

**Council Session**

## **Item G2**

**Approving Minutes of August 21, 2007 City Council Special Meeting**

**Staff Contact: RaNae Edwards**



CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL SPECIAL MEETING

August 21, 2007

Pursuant to due call and notice thereof, a Special 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 August 21, 2007. Notice of the meeting was given in the Grand Island Independent on August 15, 2007.

Mayor Margaret Hornady called the meeting to order at 7:00 p.m. The following Councilmembers were present: Meyer, Niemann, Whitesides, Gilbert, Carney, Gericke, Nickerson, Haase, and Brown. Councilmember Zapata was absent. The following City Officials were present: Interim City Administrator/City Attorney Dale Shotkoski, City Clerk RaNae Edwards, and Human Resources Director Brenda Sutherland. Also present was Oscar Erives and Lisa Heineman of the Mayor's Citizens Committee.

PLEDGE OF ALLEGIANCE was said.

MAYOR COMMUNICATION: Mayor Hornady commented on the Grand Island Little Theatre event "Rave On" to be held Friday, August 24, 2007 and Saturday, August 25, 2007 at College Park. Also mentioned was the "Goodwill Charity Shoot" to be held at the Heartland Public Shooting Park on Saturday, August 25, 2007.

PUBLIC INTERVIEW WITH JEFF PEDERSON: Human Resources Director Brenda Sutherland, Councilmember's, and the Citizens Committee asked questions to better understand the candidate for the position of City Administrator. Introduced was Jeff Pederson from Dodge City, Kansas. Mr. Pederson answered questions concerning his desire to come to Grand Island and his experience in City Government.

Mr. Pederson commented on his past experience with electric utilities, union negotiations, diverse ethnic groups and many different projects. Empathy and desire were mentioned as his strong abilities. He stated communication and open government was important.

Councilmember Zapata was present at 7:10 p.m.

Mr. Pederson stated he has had a lot of experience with municipal utilities. His style of management was open, accessible and he was open-minded. He manages his staff by fostering an identity to promote the value and understanding of what they are doing.

Mr. Pederson stated he wanted to move to Grand Island because it felt like home. He sees himself as City Administrator of Grand Island in five years. The three words that best described him were capable, problem solver, and someone who was willing to help people. He stated he likes to help people and make himself available to those in need.

Mr. Pederson stated he has a strong code of ethics that he follows. He has an open door policy and would get out in the community to meet the citizens and employees of the City. Traits that were important to him were credibility, integrity, honesty, empathy, impartiality, dedication, and accountability.

Mr. Pederson stated it would be his goal to make this organization as good as it could be. He would work with the employees to help make things happen and give them the tools to do their job. He stated it was important that the citizens be informed.

Mr. Pederson stated Grand Island should hire him for two reasons: 1) he wants to be here and 2) he has the background that fits well with Grand Island. He wants to be a part of a growing and vibrant community like Grand Island.

ADJOURNMENT: The meeting was adjourned at 8:25 a.m.

RaNae Edwards  
City Clerk



# City of Grand Island

Tuesday, August 28, 2007

Council Session

## Item G3

**#2007-198 - Approving Acquisition of Utility Easement - South Side of the Airport between Sky Park & Shady Bend Roads - Hall County Airport Authority**

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

Staff Contact: Gary R. Mader

## RESOLUTION 2007-198

WHEREAS, a public utility easement is required by the City of Grand Island, from The County of Hall, State of Nebraska, a body corporate and politic, and the Hall County Airport Authority, a body corporate and politic, to install, upgrade, maintain and repair public utilities and appurtenances, including lines and transformers; and

WHEREAS, a public hearing was held on August 28, 2007, for the purpose of discussing the proposed acquisition of an easement located in a part of the Southwest Quarter (SW¼), the Northwest Quarter (NW¼), and the Northeast Quarter (NE¼) of Section Two (2), Township Eleven (11) North, Range Nine (9) West of the 6<sup>th</sup> P.M.; and part of the Southeast Quarter (SE¼) of Section Thirty five (35), Township Twelve (12) North, Range Nine (9) West of the 6<sup>th</sup> P.M.; and the Southwest Quarter (SW¼) of Section Thirty Six (36), Township Twelve (12) North, Range Nine (9) West of the 6<sup>th</sup> P.M., all of Hall County, Nebraska, the said Seventy (70.0) foot wide easement being more particularly described as follows:

Commencing at the southeast corner of Section Thirty Five (35), Township Twelve (12) North, Range Nine (9) West of the 6<sup>th</sup> P.M., Hall County, Nebraska; thence northerly, along the easterly line of said Section Thirty Five (35), on an assumed bearing of N01°17'28"W, a distance of six hundred seventy five and ninety six hundredths (675.96) feet to the ACTUAL Point of Beginning; thence easterly on a bearing of S89°40'49"E, a distance of fifty three and four hundredths (53.04) feet to a point on the lease line for the Grand Island Army Aviation Support Facility; thence northerly on a bearing of N01°17'28"W along and upon said lease line, a distance of seventy and three hundredths (70.03) feet; thence westerly on a bearing of N89°40'49"W, a distance of three hundred fifty and thirty one hundredths (350.31) feet; thence southwesterly on a bearing of S44°10'13"W, a distance of three thousand eight hundred twenty seven (3827.00) feet; thence southwesterly on a bearing of S63°46'20"W, a distance of two thousand four hundred thirteen and thirty two hundredths (2413.32) feet; thence westerly on a bearing of S88°42'43"W, a distance of twenty five and thirty nine hundredths (25.39) feet to a point on the easterly right-of-way of Sky Park Road; thence southerly on a bearing of S01°32'51"E along and upon said easterly right-of-way, a distance of seventy (70.00) feet; thence easterly on a bearing of N88°42'43"E, a distance of forty and fifty five hundredths (40.55) feet; thence northeasterly on a bearing of N63°46'20"E, a distance of two thousand four hundred forty and eighty nine hundredths (2440.89) feet; thence northeasterly on a bearing of N44°10'13"E, a distance of nine hundred seventy six and twenty two hundredths (976.22) feet; thence southeasterly on a bearing of S45°49'47"E, a distance of one hundred fifty (150.00) feet to a point on the lease line of the City of Grand Island Municipal Golf Course; thence northeasterly on a bearing of N44°10'13"E along and upon said lease line, a distance of seventy (70.00) feet; thence northwesterly on a bearing of N45°49'47"W, a distance of one hundred fifty (150.00) feet; thence northeasterly on a bearing of N44°10'13"E, a distance of two thousand seven hundred sixty three and six hundredths (2763.06) feet; thence easterly on a bearing of S89°40'49"E, a distance of two hundred sixty nine and forty two hundredths (269.42) feet

to the said Point of Beginning.

The above-described easement and right-of-way containing a total of 10.87 acres, more or less, as shown on the plat dated 7/31/2007, marked Exhibit "A," attached hereto and incorporated herein by reference,

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 The County of Hall, State of Nebraska, a body corporate and politic, and the Hall County Airport Authority, a body corporate, on the above-described tract of land.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, August 28, 2007.

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Margaret Hornady, Mayor

Attest:

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RaNae Edwards, City Clerk



# City of Grand Island

Tuesday, August 28, 2007

Council Session

## Item G4

**#2007-199 - Approving Acquisition of Utility Easement - South of Potash Hwy. and East of North Road - Little B's Corporation**

*This item relates to the aforementioned Public Hearing Item E-3.*

Staff Contact: Gary R. Mader

RESOLUTION 2007-199

WHEREAS, a public utility easement is required by the City of Grand Island, from Little B's Corporation, a Nebraska Corporation, to install, upgrade, maintain and repair public utilities and appurtenances, including lines and transformers; and

WHEREAS, a public hearing was held on August 28, 2007, for the purpose of discussing the proposed acquisition of an easement located in a part of the Northwest Quarter (NW ¼) of Section Twenty Four (24), Township eleven (11) North, Range Ten (10), West of the 6<sup>th</sup> P.M., in the City of Grand Island, Hall County, Nebraska; the said Sixty (60.0) foot wide easement being more particularly described as follows:

Beginning at the Southwest corner of Lot Four (4), Block One (1) of Westgate Industrial Park Second Subdivision in the City of Grand Island, Hall County, Nebraska; thence on an assumed bearing of S00°04'18"E along the west line of said Westgate Industrial Park Second Subdivision, a distance of sixty (60.0) feet to the Northwest corner of Lot Four (4), Block Two (2) of Westgate Industrial Park Second Subdivision; thence S89°49'42"W, a distance of five hundred seventy and seventy four hundredths (570.74) feet to a point along the east right-of-way line of North Road; thence N00°04'18"W, a distance of sixty (60.0) feet to another point along the east right-of-way line of North Road; thence N89°49'42"E, a distance of five hundred seventy and seventy four hundredths (570.74) feet to the point of said beginning.

The above-described easement and right-of-way containing a total of 34,244 square feet or 0.79 acres, more or less, as shown on the plat dated 7/25/2007, marked Exhibit "A" attached hereto and incorporated herein by reference,

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 Little B's Corporation, a Nebraska Corporation, on the above-described tract of land.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, August 28, 2007.

\_\_\_\_\_  
Margaret Hornady, Mayor

Attest:

\_\_\_\_\_

Approved as to Form	☐ _____
August 24, 2007	☐ City Attorney

RaNae Edwards, City Clerk





# City of Grand Island

Tuesday, August 28, 2007

Council Session

## Item G5

**#2007-200 - Approving Bid Award - Chimney Repair - Platte  
Generating Station**

Staff Contact: Gary R. Mader; Wesley Nespor

# **Council Agenda Memo**

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

**Meeting:** August 28, 2007

**Subject:** Bid Award Chimney Repair – Platte Generating Station

**Item #'s:** G-5

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

## **Background**

The chimney at the Platte Generating Station exhausts combustion gases from the boiler. The chimney is a 412' tall concrete shell structure with an independent interior brick structure. The last inspection uncovered several minor deficiencies. These deficiencies will be addressed during the outage planned for this fall and will include exterior and interior cleaning and repairs.

## **Discussion**

The specifications for the Chimney Repairs were issued for bid and responses were received from the following bidders. The engineer's estimate for this project was \$52,000.00.

<u>Bidder</u>	<u>Bid Price</u>
Gerard Chimney Co.	\$ 45,400.00
International Chimney	\$ 67,330.00

Department Staff reviewed the bids for compliance with the City's detailed specifications. The bid of Gerard Chimney Co. is compliant with those specifications.

## **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 award the bid to Gerard Chimney Co. from St. Louis, Missouri, as the low responsive bidder, with the bid price of \$45,400.00.

### **Sample Motion**

Motion to approve the bid of \$45,400.00 from Gerard Chimney Co. for the Chimney Repairs as submitted.

*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:** August 9, 2007 at 11:00 a.m.  
**FOR:** Chimney Repair  
**DEPARTMENT:** Utilities  
**ESTIMATE:** \$52,000.00  
**FUND/ACCOUNT:** 520  
**PUBLICATION DATE:** July 28, 2007  
**NO. POTENTIAL BIDDERS:** 4

**SUMMARY**

<b>Bidder:</b>	<b>International Chimney Joliet, IL</b>	<b>Cerard Chimney Co. St. Louis, MO</b>
<b>Bid Security:</b>	<b>International Fidelity Ins. Co.</b>	<b>Fidelity &amp; Deposit Co. of Maryland</b>
<b>Exceptions:</b>	<b>None</b>	<b>Noted</b>
<b>Bid Price:</b>	<b>\$67,330.00</b>	<b>\$45,400.00</b>

**Bidder:** R & P Industrial Chimney Co.  
No Bid

cc: Gary Mader, Utilities Director  
Pat Gericke, Utilities Admin. Assist.  
Rodger Zawondniak, Utilities Dept.  
Wes Nespore, Assist. City Attorney

Bob Smith, Assist. Utilities Director  
Karen Nagel, Utilities Secretary  
Dale Shotkoski, City Attorney  
Sherry Peters, Legal Secretary

**P1183**

R E S O L U T I O N    2007-200

WHEREAS, the City of Grand Island invited sealed bids for chimney repair, according to plans and specifications on file with the Utilities Department – Platte Generating Station; and

WHEREAS, on August 9, 2007, bids were received, opened and reviewed; and

WHEREAS, Gerard Chimney Co., of St. Louis, Missouri, 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 \$45,400.00; and

WHEREAS, Gerard Chimney Co.'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 Gerard Chimney Co., of St. Louis, Missouri, in the amount of \$45,400.00 for chimney repair is hereby approved as the lowest responsible bid.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, August 28, 2007.

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Margaret Hornady, Mayor

Attest:

---

RaNae Edwards, City Clerk



# **City of Grand Island**

**Tuesday, August 28, 2007**

**Council Session**

## **Item G6**

**#2007-201 - Approving Bid Award - Outage Cleaning Services -  
Platte Generating Station**

**Staff Contact: Gary R. Mader; Wesley Nespor**

# **Council Agenda Memo**

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

**Meeting:** August 28, 2007

**Subject:** Bid Award – Outage Cleaning Services – Platte  
Generating Station

**Item #'s:** G-6

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

## **Background**

A major inspection and overhaul at the Platte Generating Station is performed every five years. The next outage is scheduled for the fall of this year. Prior to the inspection of some the major components, it is necessary to remove ash deposits, scale, slag, and other combustion byproducts. Specifications were developed by the plant maintenance staff to include grit blasting of electrostatic precipitator, high pressure water blasting of the air heater and ash tanks, and large-scale bulk vacuuming in designated areas.

## **Discussion**

The specifications for the Outage Cleaning Services were issued for bid and responses were received from the following bidders. The engineer's estimate for this project was \$75,000.00.

<u>Bidder</u>	<u>Bid Price</u>
W-S Industrial Services, Inc.	\$ 80,787.00
Plant Maintenance Services	\$ 87,386.25
PSC Industrial Outsourcing	\$112,900.00

Department Staff reviewed the bids for compliance with the City's detailed specifications. The low bid exceeds the engineer's estimate due to fuel cost increases and the cost associated with the contractor providing their own source of external ventilation for the precipitator work. The plant staff determined that these specified items were not accounted for in the estimate, and that rebidding would not change the bid prices received. The bid of W-S Industrial Services is compliant with the specifications.

## **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 award the bid to W-S Industrial Services from Council Bluffs, Iowa, as the low responsive bidder, with the bid price of \$80,787.00.

## **Sample Motion**

Motion to approve the bid of \$80,787.00 from W-S Industrial Services, Inc. for the Outage Cleaning Services as submitted.



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:** August 7, 2007 at 11:00 a.m.

**FOR:** Outage Cleaning Services

**DEPARTMENT:** Utilities

**ESTIMATE:** \$75,000.00

**FUND/ACCOUNT:** 520

**PUBLICATION DATE:** July 23, 2007

**NO. POTENTIAL BIDDERS:** 4

**SUMMARY**

<b>Bidder:</b>	<b><u>W-S Industrial Services, Inc.</u></b> Council Bluffs, IA	<b><u>Plant Maintenance Services</u></b> Goddard, KS
<b>Bid Security:</b>	Merchants Bond Company	\$4,369.31
<b>Exceptions:</b>	None	Noted
<b>Bid Price:</b>	\$80,787.00	\$87,386.25

<b>Bidder:</b>	<b><u>PSC Industrial Outsourcing</u></b> Pueblo West, CO
<b>Exceptions:</b>	Exceptions
<b>Bid Price:</b>	\$112,900.00

cc: Gary Mader, Utilities Director  
Rodger Zawodniak, Utilities Dept.  
Dale Shotkoski, City Attorney  
Sherry Peters, Legal Secretary

Bob Smith, Assist. Utilities Director  
Pat Gericke, Utilities Admin. Assist.  
Wes Nespor, Assist. City Attorney

RESOLUTION 2007-201

WHEREAS, the City of Grand Island invited sealed bids for outage cleaning services, according to plans and specifications on file with the Utilities Department – Platte Generating Station; and

WHEREAS, on August 7, 2007, bids were received, opened and reviewed; and

WHEREAS, W-S Industrial Services, of Council Bluffs, Iowa, 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 \$80,787.00; and

WHEREAS, W-S Industrial Services' bid exceeds the estimate for such project, but factors such as fuel costs and external ventilation were not accounted for in the estimate and re-bidding would not result in a lower bid.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of W-S Industrial Services of Council Bluffs, Iowa, in the amount of \$80,787.00 for chimney repair is hereby approved as the lowest responsible bid.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, August 28, 2007.

\_\_\_\_\_  
Margaret Hornady, Mayor

Attest:

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



# City of Grand Island

Tuesday, August 28, 2007

Council Session

## Item G7

**#2007-202 - Approving Change Order #1 - Water Main District  
455 - Park-View Area**

Staff Contact: Gary R. Mader; Wesley Nespor

# **Council Agenda Memo**

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

**Meeting:** August 28, 2007

**Subject:** Water Main District 455 – Change Order #1  
Commerce Avenue and Pioneer Blvd.

**Item #'s:** G-7

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

## **Background**

During the initial site investigation for design of the referenced district, exploratory soil borings were done in the project area. On January 18, 2007, several borings were drilled to a depth of ten feet along the route of water main installation. Groundwater was not noted in the exploratory borings during the field investigation. In March 2007, the City entered into a contract for District 455 with the Starostka Group Unlimited, Inc., of Grand Island, to install water lines and services to the properties along Commerce Avenue from Blaine Street east to Park Drive; and in Pioneer Blvd., from the end of the existing public water main, east approximately 750 ft. A map of the district is attached for reference.

In June, prior to commencing work on the project, the contractor excavated “pot-holes” along the water line routing to again check the depth to groundwater. At that time, the depth varied from 5.5 ft. to 6.5 ft. in depth.

Since the earlier water level checks, the area has received significant additional rainfall and groundwater levels have risen to only 4 to 4.5 ft. below grade. Service lines are normally installed at 5 ft. depth for freeze protection.

## **Discussion**

The specifications require service lines to be pushed under the roadways. However, due to the high groundwater table, the contractor is not able to proceed as originally planned and specified.

Service lines can be installed in areas of high groundwater by utilizing directional boring methods, dewatering the area, or by cutting the street at all crossing locations. The least cost and least disruptive of these options is directional boring. In order to maintain project

schedule, an addition to the work scope is proposed. Price quotes were solicited for directional boring; tabulated below:

D & A Trenching	\$ 9.00 per foot
Hersch Digging, Inc.	\$ 9.00 per foot
Horizontal Boring Company	\$19.00 per foot

Change Order #1 would provide for the installation of the District's 22 long service lines that cross under Commerce and Pioneer, by utilizing directional boring methods. The Change Order is only for the use of the specialized equipment. There is no change in cost for the service installation or material costs.

### **Alternatives**

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

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

### **Recommendation**

City Administration recommends that the Council approve Change Order #1 with the Starostka Group Unlimited, Inc., at the lowest price rate of \$9.00 per ft. The total amount for 22 service lines at 45 ft. per service length is \$8,910.00. The total contract price would increase from \$219,862.80 to \$228,772.80.

### **Sample Motion**

Motion to approve Change Order #1 with the Starostka Group Unlimited, Inc., for the sum of \$8,910.00 for installation of water service lines.



CHANGE ORDER #1

TO: Starostka Group Unlimited, Inc.  
429 Industrial Lane  
Grand Island, NE 68803

Project: Water Main District 455 (Commerce Avenue and Pioneer Blvd.)

You are hereby directed to make the following change in your contract:

1. Amend the awarded contract price to include the cost of directional boring water service lines for the sum of \$8,910.00 (22 services at 45 l.f. each x \$9.00 per foot) for a total amended contract price of \$228,772.80.

---

<b>The original Contract Sum</b>	<b><u>\$219,862.80</u></b>
<b>Change Order #1</b>	<b><u>\$ 8,910.00</u></b>
<b>Amended Contract Sum</b>	<b><u>\$228,772.80</u></b>

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Approval and acceptance of this Change Order acknowledges understanding and agreement that the cost and time adjustments included represent the complete values arising out of and/or incidental to the Work described herein. Additional claims will not be considered.

APPROVED: **CITY OF GRAND ISLAND**

By: \_\_\_\_\_  
Mayor

Date \_\_\_\_\_

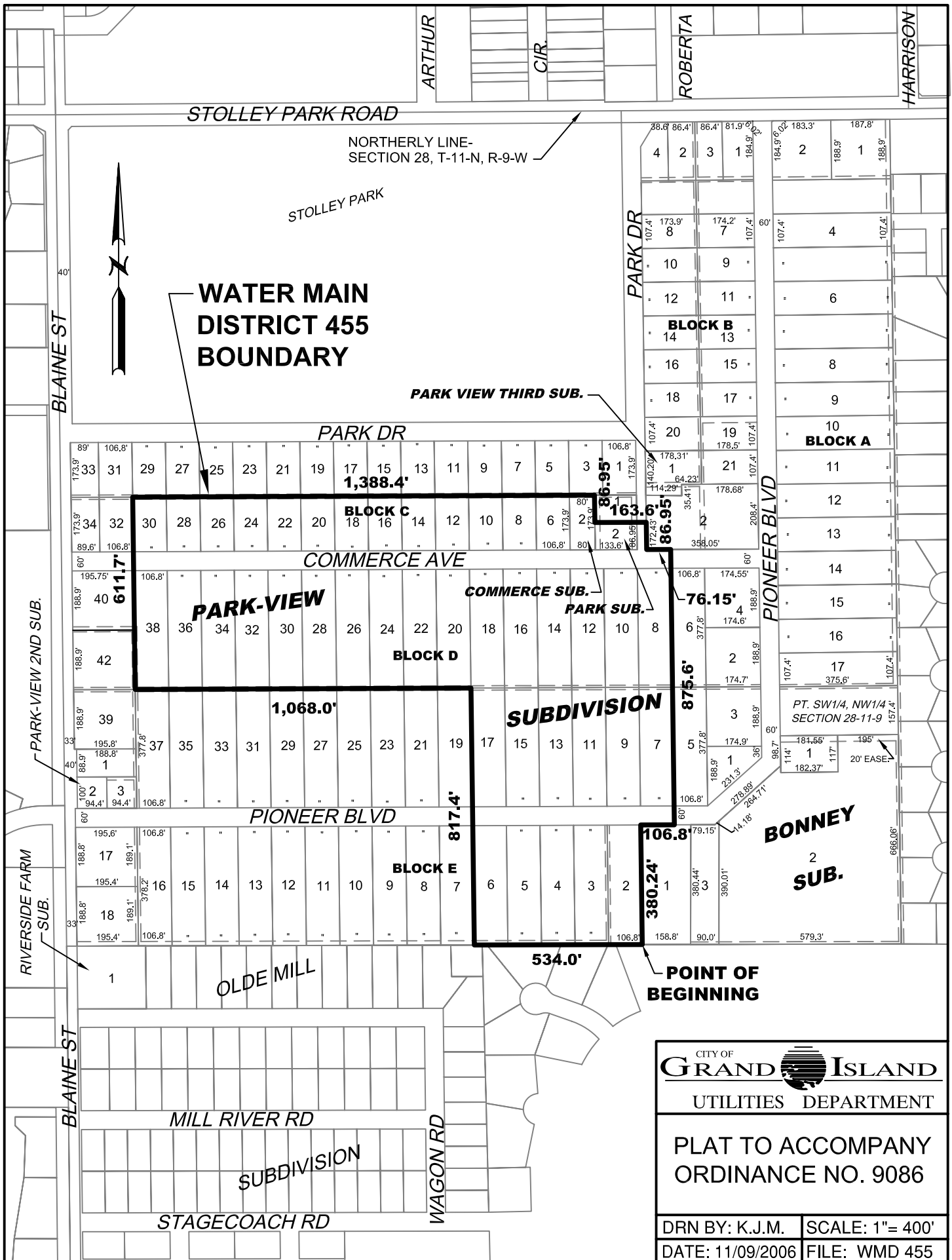
Attest: \_\_\_\_\_

\_\_\_\_\_  
Approved as to Form, City Attorney

ACCEPTED: **STAROSTKA GROUP UNLIMITED, INC.**

By: \_\_\_\_\_

Date \_\_\_\_\_



CITY OF  
**GRAND ISLAND**  
UTILITIES DEPARTMENT

PLAT TO ACCOMPANY  
ORDINANCE NO. 9086

DRN BY: K.J.M. SCALE: 1"= 400'  
DATE: 11/09/2006 FILE: WMD 455

RESOLUTION 2007-202

WHEREAS, on February 27, 2007, by Resolution 2007-43, the City of Grand Island awarded the bid for Water Main District No. 455 to Starostka Group Unlimited, Inc., of Grand Island, Nebraska; and

WHEREAS, it has been determined that modifications to the work to be performed by Starostka Group Unlimited, Inc., are necessary; and

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

WHEREAS, the result of such modification will increase the contract amount by \$8,910.00 for a revised contract price of \$228,772.80.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Mayor be, and hereby is, authorized and directed to execute Change Order No. 1 between the City of Grand Island and Starostka Group Unlimited, Inc., of Grand Island, Nebraska to provide the modification set out as follows:

Additional Expense for Directional Boring Water Service Lines ..... \$8,910.00

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, August 28, 2007.

\_\_\_\_\_  
Margaret Hornady, Mayor

Attest:

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

Approved as to Form	☐ _____
August 24, 2007	☐ City Attorney





# City of Grand Island

Tuesday, August 28, 2007

Council Session

## Item G8

**#2007-203 - Approving Oversize of Water Main Project 2006-W-8 - Copper Creek Estates Subdivision - Old Potash Hwy. and Engleman Road**

Staff Contact: Gary R. Mader; Wesley Nespor

# **Council Agenda Memo**

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

**Meeting:** August 28, 2007

**Subject:** Approving Oversize of Water Main Project 2006-W-8  
Copper Creek Estates Subdivision – Old Potash Hwy.  
and Engleman Road

**Item #'s:** G-8

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

## **Background**

Copper Creek Estates Subdivision is a new residential development located at the southeast corner of Old Potash Hwy. and Engleman Road on the west side of the City. A plat of the area is attached for reference. The total build-out is planned for approximately 560 lots. The developer (W.C. “Dub” Baker – Re-Max Realty Specialists) has recently completed installation of the water main to serve the first 97 lots in Phase One. That construction involved 1,188 linear feet of 20” main; 1,818 linear feet of 12” main; 995 linear feet of 8” main, 3,939 linear feet of 6” main; service lines and related infrastructure. All construction was installed as per City standards, placed in service and incorporated into the City system. The developer’s total cost for all water main construction was \$498,257.55.

## **Discussion**

As part of the initial planning for the development, the Utilities Department evaluated the project’s overall design to ensure pipe sizing was adequate to meet Department volume requirements to meet fire flow needs, while maintaining adequate residual pressures. Based on the City’s master plan and verified with the water system computer model, pipes were sized to meet standards for velocity, pressure, and flow for the current development, and to meet City standards for water infrastructure as adjacent areas also develop in the future.

The data results also indicated the necessity of continuing the 20” diameter main in Old Potash Hwy. – west toward Engleman Road. This pipe size was larger than the 12”

diameter line needed to support Copper Creek's water requirements, but necessary to accommodate future growth in the area. To meet the City's request, the developer agreed to install the larger size pipe adjacent to the north side of his subdivision. It has been a long standing City policy that the Water Department pay the cost to over-size water mains when the installation of a major trunk pipeline benefits the overall water system.

In order to establish a cost for the over-sizing, the City's Water Department independently solicited quotations from three vendors. These unit prices were used to compare the material cost difference between 12" vs. 20" pipe, valves, and fittings based on the plans for the referenced project.

The cost difference for 12" vs. 20" diameter pipe is tabulated below:

Municipal Supply:	\$36,341.37
National Water Works	\$37,517.48
Water Products	\$39,390.82

All prices include sales tax. Detailed cost breakdowns are attached.

Municipal Supply, Inc. of Hastings, indicated the cost for the 20" diameter materials was \$59,848.69 and 12" diameter materials were \$25,884.79. A difference of \$33,963.90, plus 7% sales tax, for a total of \$36,341.37 in value to over-size the main to meet system demands.

The Department has now received a request from the developer for reimbursement in this amount.

### **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 payment of \$36,341.37 to W.C. "Dub" Baker – Re-Max Realty Specialists, for the over-sized cost of the water main materials installed in Old Potash Hwy. as part of Water Main Project 2006-W-8. The trunk line provides the required supply capacity and is necessary to maintain City standards of performance for future area development.

## **Sample Motion**

Motion to approve the cost for over-sized materials used on Water Main Project 2006-W-8 to W.C. “Dub” Baker – Re-Max Realty Specialists in the amount of \$36,341.37.

Pt. SW1/4, Section 23, T11N-R10W

Unplatted

NE 1/4 Sec. 23, T11N-R10W  
Recorded in Book 10, Page 10

Old Polish Highway

Old Polish Highway

Arapahoe Ave.

Cherokee Ave

Dale

Rough

Sub.

Sub.

AREA OF REQUESTED  
REIMBURSEMENT FOR  
SYSTEM OVER-SIZE.

Pt. NW1/4, Section 23, T11N-R10W

Unplatted

CURVE DATA

Curve No.	1	2	3	4
R	210.00'	300.00'	210.00'	210.00'
D	19.00'	19.00'	19.00'	19.00'
L	11.55'	11.55'	11.55'	11.55'
C	21.07'	21.07'	21.07'	21.07'



Cherokee Avenue

Pt. E1/2NW1/4, Section 23, T11N-R10W

Unplatted

Entered As Instrument No

STATE OF NEBRASKA } Pt. NW1/4, Section 23, T11N-R10W  
COUNTY OF HALL }

1965 JUL 31 PM 2 52

Kathy Samsel  
REG. OF DEEDS

SCALE 1" = 100'

G.E.N.D.  
indicates 1/2" Iron Pipe Found Unless Otherwise Noted  
indicates 1/2" Iron Pipe Placed Unless Otherwise Noted  
indicates ACTUAL Distance  
indicates RECORDED Distance  
indicates PROPOSED Distance  
Distances Shown On Curves And Cul-de-sacs Are Chord Distances

COPPER CREEK ESTATES SUBDIVISION

IN THE CITY OF GRAND ISLAND, NEBRASKA

ROCKWELL AND ASSOC. L.L.C. - ENGINEERING & SURVEYING - GRAND ISLAND, NEBRASKA

Sheet No. 1





Wm. C. "Dub" Baker  
Broker

Friday, June 08, 2007

Bob Smith  
City of Grand Island, Utilities Department  
Fax : 308.389.5449

RE: Copper Creek Estates Subdivision  
Revised Quotation for Over-sized Water Line

Hi Bob

Please consider this letter as my formal request for payment of the City's portion of the 20" water main extension, along Old Potash Road, as per the attached letter from Tom Barnes. I understand that the reimbursement can only be paid after the line has passed all required City testing, and Rockwell Engineering has submitted a complete set of "as-built" plans for the extended line. Rockwell Engineering has been noticed, and they have made plans to submit the required drawings within the next few business days.

Thanks in advance for your timely attention to this matter.

W.C. "DUB" Baker  
Copper Creek Estates



Realty Specialists

1233 N. Webb Rd., Ste. 120

Grand Island, NE 68803

Office / Direct: (308) 389-4800

Fax: (308) 389-2846 / Cell Phone: (308) 383-2700

E-Mail: dbaker@cccusa.net

Each Office Independently Owned and Operated



Water Main Project 2006-W-8  
Copper Creek Estates Subdivision - Oversize  
Request for Material Quotes

Grand Island Utilities Dept  
Received 10/6/2006  
\* Revised 10/12/2006

**MUNICIPAL SUPPLY, INC - Hastings, NE**

ITEM	DESCRIPTION	QUANTITY	UNIT \$	20" dia TOTAL \$
1.01	20" D.I. Pipe (sj)	1,188.00 LF	43.49	51,666.12
1.02	20" Butterfly Valve	1.00 EA	2,826.35	2,826.35
1.03	20" Sleeve Coupling	2.00 EA	546.44	1,092.88
1.04	20"x20"x12" Tapping Sleeve	1.00 EA	1,325.59	1,325.59
1.05	20"x20"x 8" Tee (mj)	1.00 EA	706.73	706.73
1.06	20"x20"x 6" Tee (mj)	2.00 EA	685.84	1,371.68
1.07	20"x 6" Reducer (mj)	1.00 EA	507.11	507.11
1.08	20" Cap (mj)	1.00 EA	261.74	261.74
1.09	20" Retainer Gland	1.00 EA	90.49	90.49
				\$59,848.69

1.10	12" D.I. Pipe (sj)	1,188.00 LF	19.60	
1.11	12" R.S. Gate Valve	1.00 EA	1,213.22	
1.12	12"x12"x12" Tapping Sleeve	1.00 EA	769.68	
1.13	12"x12"x 8" Tee (mj)	1.00 EA	160.38	
1.14	12"x12"x 6" Tee (mj)	2.00 EA	147.11	
1.15	12"x 6" Reducer (mj)	1.00 EA	78.49	
1.16	12" Cap (mj)	1.00 EA	53.36	
1.17	12" Retainer Gland	1.00 EA	30.64	

**12" dia TOTAL \$**

23,284.80
1,213.22
769.68
160.38
294.22
78.49
53.36
30.64
\$25,884.79

**DIFFERENCE \$**

\$33,963.90
7.00%
\$36,341.37

**NATIONAL WATERWORKS - Omaha, NE**

ITEM	DESCRIPTION	QUANTITY	UNIT \$	20" dia TOTAL \$
1.01	20" D.I. Pipe (sj)	1,188.00 LF	43.33 *	51,476.04 *
1.02	20" Butterfly Valve	1.00 EA	3,700.00	3,700.00
1.03	20" Sleeve Coupling	2.00 EA	699.50	1,399.00
1.04	20"x20"x12" Tapping Sleeve	1.00 EA	899.31	899.31
1.05	20"x20"x 8" Tee (mj)	1.00 EA	692.00	692.00
1.06	20"x20"x 6" Tee (mj)	2.00 EA	671.00	1,342.00
1.07	20"x 6" Reducer (mj)	1.00 EA	504.00	504.00
1.08	20" Cap (mj)	1.00 EA	256.00	256.00
1.09	20" Retainer Gland	1.00 EA	153.80	153.80
				\$60,422.15 *

1.10	12" D.I. Pipe (sj)	1,188.00 LF	19.25 *	
1.11	12" R.S. Gate Valve	1.00 EA	1,110.00	
1.12	12"x12"x12" Tapping Sleeve	1.00 EA	743.94	
1.13	12"x12"x 8" Tee (mj)	1.00 EA	157.00	
1.14	12"x12"x 6" Tee (mj)	2.00 EA	144.00	
1.15	12"x 6" Reducer (mj)	1.00 EA	81.00	
1.16	12" Cap (mj)	1.00 EA	53.00	
1.17	12" Retainer Gland	1.00 EA	57.14	

**12" dia TOTAL \$**

22,869.00 *
1,110.00
743.94
157.00
288.00
81.00
53.00
57.14
\$25,359.08 *

**DIFFERENCE \$**

\$35,063.07
7.00%
\$37,517.48

**WATER PRODUCTS, INC - McPherson, KS**

ITEM	DESCRIPTION	QUANTITY	UNIT \$	20" dia TOTAL \$
1.01	20" D.I. Pipe (sj)	1,188.00 LF	46.60	55,360.80
1.02	20" Butterfly Valve	1.00 EA	3,112.50	3,112.50
1.03	20" Sleeve Coupling	2.00 EA	795.35	1,590.70
1.04	20"x20"x12" Tapping Sleeve	1.00 EA	1,296.10	1,296.10
1.05	20"x20"x 8" Tee (mj)	1.00 EA	695.25	695.25
1.06	20"x20"x 6" Tee (mj)	2.00 EA	674.70	1,349.40
1.07	20"x 6" Reducer (mj)	1.00 EA	524.40	524.40
1.08	20" Cap (mj)	1.00 EA	257.50	257.50
1.09	20" Retainer Gland	1.00 EA	171.25	171.25
				\$64,357.90

1.10	12" D.I. Pipe (sj)	1,188.00 LF	21.10	
1.11	12" R.S. Gate Valve	1.00 EA	1,094.40	
1.12	12"x12"x12" Tapping Sleeve	1.00 EA	752.55	
1.13	12"x12"x 8" Tee (mj)	1.00 EA	157.75	
1.14	12"x12"x 6" Tee (mj)	2.00 EA	144.70	
1.15	12"x 6" Reducer (mj)	1.00 EA	77.20	
1.16	12" Cap (mj)	1.00 EA	52.50	
1.17	12" Retainer Gland	1.00 EA	53.45	

**12" dia TOTAL \$**

25,066.80
1,094.40
752.55
157.75
289.40
77.20
52.50
53.45
\$27,544.05

**DIFFERENCE \$**

\$36,813.85
7.00%
\$39,390.82







CITY OF GRAND ISLAND  
 ACCOUNTS RECEIVABLE  
 PO BOX 1968  
 GRAND ISLAND NE 68802  
 Telephone: 308-385-5444  
 Fax: 308-385-5422

NWW - Omaha NE  
 10707 S 149th Street  
 Omaha NE 68138  
 Telephone: 402-896-6173  
 Fax: 402-896-6379

TOM 308-385-5463

308-385-5449

10/04/06 Bid ID: 1232333 RUBEN W/ GI

Page 1

Line	Quantity	Sell Per	Description	Net Price	Extended Price
10	1200	FT	20 PC350 20 TJ CL52 DI PIPE C/L	43.33 46.73	
20	2	EA	20 CAST CPLG 501-2135-2175	699.50	56,076.00
30	1	EA	622-216012-003 20X12 TAP SLV EPOXY W/ALLOY B&N 21.51-22.15	899.31	1,399.00 899.31
40	1	EA	20X8 MJ TEE C/L CP DI C153	692.00	692.00
50	2	EA	20X6 MJ TEE C/L CP DI C153	671.00	1,342.00
60	1	EA	20X8 MJ REDUCER C/L CP DI C153	453.00	453.00
70	1	EA	8X6 MJ REDUCER C/L CP DI C153	51.00	51.00
80	1	EA	20 MJ CAP T/C CP DI C153	256.00	256.00
90	1	EA	20" MJ RETAINER GLAND/SET SCREW	153.80	153.80
100	10	EA	20" MJ REGULAR ACC SET	N/C	N/C
110	2	EA	8" MJ REGULAR ACC SET	N/C	N/C
120	3	EA	6" MJ REGULAR ACC SET	N/C	N/C
150	1200	FT	12 PC350 12 TJ CL52 DI PIPE C/L	19.25 23.89	
160	1	EA	12 2512MM AFC MJ RW GV OL L/A DI BODY	1,110.00	28,668.00 1,110.00
170	1	EA	664-S VALVE BOX IMP	65.00	65.00
180	2	EA	501-12.95X13.55 12" CAST CPLG PIPE OD LG END 13.15-13.55 SM END 12.65-12.95	217.72	435.44
190	1	EA	622-132012-203 12X12 TAP SLV EPOXY W/ALLOY B&N OD 13.13-13.60 DI	743.94	743.94
200	1	EA	12X8 MJ TEE C/L CP DI C153	157.00	157.00
210	2	EA	12X6 MJ TEE C/L CP DI C153	144.00	288.00
220	1	EA	12X6 MJ REDUCER C/L CP DI C153	81.00	81.00
230	1	EA	12 MJ CAP T/C CP DI C153	53.00	53.00
240	1	EA	12 MJ RETAINR GLAND RGBS-12-UT W/UNI-TORQUE SET SCREWS	57.14	57.14
250	10	EA	12" MJ REGULAR ACC SET	N/C	N/C
260	1	EA	8" MJ REGULAR ACC SET	N/C	N/C
270	3	EA	6" MJ REGULAR ACC SET	N/C	N/C

# Water Products INC.

## QUOTATION

CORPORATE HEADQUARTERS  
 P.O. Box 349  
 14701 E. 116th Street North  
 Owasso, Oklahoma 74055-0349  
 918-371-5100 - FAX: 918-371-4978

P.O. Box 100  
 371 Industrial Drive  
 Tontitown, Arkansas 72770-0100  
 479-361-2830 - FAX: 479-361-9058

P.O. Box 774  
 81 Bypass & Avenue A  
 McPherson, Kansas 67460  
 620-241-3885 - FAX: 620-241-5087

PROJECT GRAND ISLAND, NE  
ATTN: RUBEN

BID DATE PRICES FOR PROJECT ESTIMATE ONLY  
SUBJECT TO CHANGE

NUMBER \_\_\_\_\_  
 DATE 10-4-06

Quantity	Size	Description	Unit Price	Extension
1193'	20"	CL 50 DI PIPE	44 <sup>45</sup>	
1	20"	PRATT BUTTERFLY VALVE MJ w/ Acc	3112 <sup>50</sup>	
2	20"	ROMAC 501 BOLTED COUPLING <sup>2"</sup> 14"	549 <sup>90</sup> 795 <sup>35</sup>	
1	20"	(2120-2160) x 12 ALL SS TAP SLEEVE	1826 <sup>55</sup>	
- OR -	20"	" x 12 TAP SLEEVE w/ CARBON	1296 <sup>10</sup>	
		STEEL FLANGES		
1	20"	x 8" MJ TEE w/ Acc	695 <sup>25</sup>	
2	20"	x 6" MJ TEE w/ Acc	674 <sup>70</sup>	
1	20"	x 6" MJ REDUCER w/ Acc	* NOT AVAILABLE	
1	20"	MJ CAP w/ Acc	257 <sup>50</sup>	
1	20"	RETAINER CLAMP FOR D.I.	171 <sup>25</sup>	
* 1	20"	x 12" MJ REDUCER w/ Acc	458 <sup>85</sup>	
* 1	12"	x 6" SSB REDUCER w/ Acc	65 <sup>55</sup>	
	20"	CL 350 DI PIPE	46 <sup>60</sup>	
		20" DI PIPE FLANGE = 3,112.50		

WPQS1



10/05/2008 13:41 FAX 620 241 8635

WATER PRODUCTS INC

001

# Water Products, INC.

## QUOTATION

**CORPORATE HEADQUARTERS**  
P.O. Box 348  
14701 E. 116th Street North  
Owasso, Oklahoma 74055-0348  
918-371-5100 - FAX: 918-371-4978

P.O. Box 100  
371 Industrial Drive  
Tontitown, Arkansas 72770-0100  
479-361-2630 • FAX: 479-361-9058

P.O. Box 774  
81 Bypass & Avenue A  
McPherson, Kansas 67460  
620-241-3865 - FAX: 620-241-5087

PROJECT

GRAND ISLAND NE

Att: Ruben

BID DATE

PRICES FOR PROTECT ESTIMATE ONLY

SUBJECT TO CHANGE

FAX  
NUMBER 308-385-5394

DATE 10-4-06


Quantity	Size	Description	Unit Price	Extension
1188'	12"	CL 50 D.I. PIPE	22 <sup>20</sup>	
1	12"	MJ GATE VALVE w/ ACC	1094 <sup>40</sup>	
1	12"	(13.10.13.50) x 12 ALL SS TAP SLEEVE	1205 <sup>75</sup>	
- OR -	12"	" x 12 TAP SLEEVE w/ CARBON	752 <sup>55</sup>	
		STEEL FLANGE		
1	12"	x 8" MJ TEE w/ ACC	157 <sup>75</sup>	
2	12"	x 6" MJ TEE w/ ACC	144 <sup>70</sup>	
1	12"	x 6" MJ REDUCER w/ ACC	77 <sup>20</sup>	
1	12"	MJ CAP w/ ACC	52 <sup>50</sup>	
1	12"	RETAINER GLAND FOR D.I.	53 <sup>45</sup>	
	12"	CL 350 D.I. PIPE	21 <sup>10</sup>	

WPQ51

WATER MAIN PROJECT 2006-W-8:  
Copper Creek Estates Subdivision  
GRAND ISLAND, NEBRASKA.

**COPY**

I, DANA L. PETERSON, a Registered Professional Engineer in the State of Nebraska, hereby state that to the best of my knowledge, the referenced project was constructed in accordance with City of Grand Island standards and specifications; and shall submit within 30 days, a complete set of "as constructed" mylar drawings and construction costs for said referenced project.

  
Engineer

8/14/07  
Date

I, John M. Van Kirk Sr., contractor for the installation of the referenced project, hereby state that said construction was done under my direction, and is in accordance with City of Grand Island standards and specifications.

  
Contractor

8/13/07  
Date

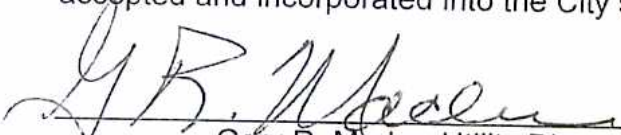
I, WILLIAM C. BAKER, owner and developer of the properties to be served by the above referenced project, hereby dedicates the referenced project to the City of Grand Island, Nebraska.

  
Developer

8/13/07  
Date

\*\*\*\*\*

Water Main Project 2006-W-8, providing municipal water service to Copper Creek Estates Subdivision, located south of Old Potash Highway and east of Engleman Road, is hereby accepted and incorporated into the City system.

  
Gary R. Mader, Utility Director

8-20-07  
Date

cc: B. Smith / S. Riehle / D. Buettner / J. Rowell  
D. Goosic / T. Barnes / K. Spiehs / D. Jelinek  
Darrell Sorgenfrei - Rockwell / Tagge Engineering & Surveying

RESOLUTION 2007-203

WHEREAS, Copper Creek Estates Subdivision is a new residential development located at the southeast corner of Old Potash Highway and Engleman Road in the City of Grand Island, developed by W.C. "Dub" Baker of Re-Max Realty Specialists; and

WHEREAS, the Utilities Department evaluated the project's overall design to ensure pipe sizing was adequate to meet the Utilities Department volume requirements; and

WHEREAS, evaluation of the development's design indicated a necessity of continuing 20" water main piping west toward Engleman Road which is larger than the 12" line needed to support the development's water requirements, but necessary to accommodate future growth in the area; and

WHEREAS, it has been a long standing city policy that the Water Department pay the cost to over-size water mains when the installation of a major trunk pipeline benefits the overall water system; and

WHEREAS, quotations have been solicited by the City's Water Department from multiple area material suppliers, ranging from \$36,341.37 to 39,390.82 in order to establish a cost for the over sizing.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that payment in the amount of \$36,341.37 to W.C. "Dub" Baker – Re-Max Realty Specialists of Grand Island, Nebraska, for the oversized cost of the water main materials as part of Water Main Project 2006-W-8 is hereby approved.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, August 28, 2007.

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Margaret Hornady, Mayor

Attest:

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RaNae Edwards, City Clerk

Approved as to Form	☐ _____
August 24, 2007	☐ City Attorney



# City of Grand Island

Tuesday, August 28, 2007

Council Session

## Item G9

**#2007-204 - Approving Purchase of Two (2) Wheel Loaders for use in the Sludge Disposal Operation at Waste Water Division**

Staff Contact: Steven P. Riehle, City Engineer/Public Works Direc

# **Council Agenda Memo**

**From:** Steven P. Riehle, Public Works Director

**Meeting:** June 26, 2007

**Subject:** Approving Purchase of Two (2) Wheel Loaders for use in the Sludge Disposal Operation at Waste Water Division

**Item #'s:** G-9

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

## **Background**

The Case Loaders at the Waste Water Division were last replaced by Mid-Land Equipment in the 2005/2006 Budget as per Replacement Agreement and as State Contract Holder. The City has utilized the Replacement Agreement and State Contract to replace the Case Loaders annually for the past several years.

The current Replacement Agreement is based on \$12.25 per hour for 1000 hours of use for a replacement price of \$12,250 for each loader.

The City of Grand Island keeps the specialty high-lift bucket portion of the loader each time the loader is replaced. The high-lift bucket is manufactured by Ryland Industries Inc., and will fit only a Case Loader. The value of the Ryland bucket is approximately \$15,000.

## **Discussion**

It is to the advantage of the City of Grand Island to continue using Case Loaders from Mid-Land Equipment of Omaha, Nebraska, as opposed to purchasing another brand of loader which would require a new high-lift bucket which currently exceeds the cost of replacing the Case Loader.

## **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 awarding the purchase of two (2) Wheel Loaders under the Replacement Agreement with Mid-Land Equipment of Omaha, Nebraska.

### **Sample Motion**

Motion to approve awarding the purchase of two (2) Wheel Loaders under the Replacement Agreement with Mid-Land Equipment of Omaha, NE for \$24,500.00 (after trade-in).



RESOLUTION 2007-204

WHEREAS, the Waste Water Division of the Public Works Department budgeted in the 2006/2007 fiscal year to purchase two (2) wheel loaders for use in the sludge disposal operations; and

WHEREAS, the City of Grand Island has a Replacement Agreement with Mid-Land Equipment of Omaha, Nebraska; and

WHEREAS, the Case Loaders at the Waste Water Division were last replaced by Mid-Land Equipment in the 2005-2006 budget; and

WHEREAS, the funding for such vehicles is provided in the 2006/2007 budget.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the purchase of two 621 D wheel loaders at \$12,250.00 per loader (after trade-in) for a total net amount of \$24,500.00 from Mid-Land Equipment of Omaha, Nebraska, is hereby approved.

BE IT FURTHER RESOLVED that the purchase of two 621D wheel loaders under the Replacement Agreement in the total amount of \$24,500.00 (after trade-in) is hereby approved.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, August 28, 2007.

\_\_\_\_\_  
Margaret Hornady, Mayor

Attest:

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

Approved as to Form	☐ _____
August 24, 2007	☐ City Attorney



# City of Grand Island

Tuesday, August 28, 2007

Council Session

## Item G10

**#2007-205 - Approving Program Agreement with the Nebraska Department of Roads for Safe Routes to School Funding for the "Walk to Walnut" Project**

Staff Contact: Steven P. Riehle, City Engineer/Public Works Direc

# **Council Agenda Memo**

**From:** Steven P. Riehle, Public Works Director

**Meeting:** August 28, 2007

**Subject:** Approving Program Agreements with the Nebraska Department of Roads for Safe Routes to School Program Funding for the "Walk to Walnut" Project

**Item #'s:** G-10

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

## **Background**

Congress signed the Safe Routes to School Program into law in August 2005 and will dedicate \$612 million nationwide towards Safe Routes to Schools through 2009. Safe Routes is 100 percent funded by the Federal Government, with no state receiving less than \$1 million per year.

The "Walk to Walnut" infrastructure and non-infrastructure projects successfully competed with more than 160 other Nebraska communities in the draft application process. The "Walk to Walnut" projects made it into the final application process with 80 other applicants. The final applications were pared down to 40 and scored, resulting in 23 projects funded, 7 projects selected as pending available funding and 10 projects not selected for funding.

The City of Grand Island was awarded a total of \$269,644 in May 2007, with work scheduled to be complete by fall of 2008, for a two-part grant from the Nebraska Department of Roads Safe Routes Nebraska Program. Project partners include the City, Grand Island Public Schools, the Central District Health Department, and Safe Kids Tri-Cities.

### **Infrastructure Program Funds**

The City was awarded \$249,004 to fund pedestrian, bike crossing, and traffic calming improvements at Walnut Middle School.

### **Non-Infrastructure Program Funds**

The remaining \$20,640 that was awarded to the City will fund implementation of a Safe Routes to Schools walking and biking educational program at Walnut Middle School.

## **Discussion**

### **Infrastructure Program Funds**

The pedestrian, bike crossing, and traffic calming improvements will encourage students to walk and bike to school by making it safer to cross Custer Avenue. The main driveway to the school off of Custer Avenue will be shifted to align with 15<sup>th</sup> Street and a traffic signal installed. The project will consolidate and move pedestrian crossings to the new signalized intersection. The temporary stop signs at the school entrance will be eliminated resulting in improved traffic flow.

### **Non-Infrastructure Program Funds**

The Safe Routes to Schools walking and biking educational program will focus on a social marketing campaign to modify attitudes and behaviors related to walking and biking. The Central District Health Department will develop and coordinate the program with school staff, parents, students, the Grand Island Police Department, School Resource Officers, and Safe Kids Tri-Cities.

A total of \$269,644 is in the FY 2008 Capital Budget, account number 40033530-90065, for the projects.

## **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 program agreements with the Nebraska Department of Roads for Safe Routes to School Infrastructure and Non-Infrastructure Program Funding for the "Walk to Walnut" Project.

## **Sample Motion**

Motion to approve the program agreements with the Nebraska Department of Roads for Safe Routes to School Infrastructure and Non-Infrastructure Program Funding for the "Walk to Walnut" Project.

AGREEMENT  
(Program)

PROJECT NO. SRTS-40(57) STATE CONTROL NO. 42521  
CITY OF GRAND ISLAND  
STATE OF NEBRASKA, DEPARTMENT OF ROADS  
GRAND ISLAND WALNUT MIDDLE SCHOOL PROJECT

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, certain infrastructure improvements, in the City have been designated as being eligible for the Safe Routes to School portion of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users Act (SAFETEA-LU) funds by the Department of Transportation, Federal Highway Administration, hereinafter called FHWA, in compliance with Federal laws pertaining thereto, and

WHEREAS, SAFETEA-LU funds have been made available by Title 23 of the United States Code, providing for infrastructure improvements, and

WHEREAS, the Federal share payable of the eligible costs thereof will be a maximum of \$249,004 and

WHEREAS, regulations for implementing the provisions of the above mentioned act provide that the Federal share of the cost of such projects shall be paid only to the State, and

WHEREAS, the City shall supervise the contract letting and shall ensure that the project receives the same degree of supervision and inspection as a project constructed under a contract let and directly supervised by the State, and

WHEREAS, regulations further permit the use of funds other than State funds in matching Federal funds for infrastructure improvements, and

WHEREAS, the State's responsibility is to provide project oversight to insure that the City or its Contractor is constructing the project in accordance with the approved plans and to further notify the City or its Project Manager when federal funding will be withheld or lost where such construction of the project is not being prosecuted in accordance with the approved plans, and

WHEREAS, the State retains the services of Sinclair Hille Architects whose business address is 700 Q Street, Lincoln, NE 68508 hereinafter referred to as the "Safe Routes Nebraska Program Consultant" to assist the State with administration of the Safe Routes Nebraska Program, and

WHEREAS, the State is willing to cooperate to the end of obtaining Federal approval of the proposed work and Federal funds for the construction of the proposed improvement, with the understanding that no State Funds are to be expended on this project, and

WHEREAS, funding for the project under this agreement, includes pass-through monies from the Federal Highway Administration (FHWA). If a non-federal entity expends \$500,000 or more in total federal awards in a fiscal year, then the A-133 Audit is required as explained further in the agreement, and

WHEREAS, Federal Regulations provide that the City shall not profit or otherwise gain from local property assessments that exceed the City's share of project costs, and

WHEREAS, it is the desire of the City that the project be constructed under the designation of Project No. SRTS-40(57), as evidenced by the Resolution of the City Council dated the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, attached and identified as Exhibit "B" and made a part of this agreement, and

WHEREAS, the City has agreed to provide in-kind donations in the amount of \$7,940 and a local cash match in the amount of \$15,000 for a total of \$22,940 to be applied toward the total project cost. Both parties recognize this is a preliminary estimate only and that the final costs may well be higher or lower than this preliminary estimate, and

WHEREAS, the project indicated on the location map identified as Exhibit "C", is described as follows:

Preliminary engineering and construction of pedestrian and bike crossing improvements and traffic calming at Walnut Middle School. This will be achieved by shifting the main driveway to the school off of Custer Avenue to align with 15th Street and by installing a traffic signal.

WHEREAS, both parties agree all costs of this project will be the sole responsibility of the City if the proposed project improvements are not under construction contract prior to December 31, 2008. This includes repayment to the State of Federal funds reimbursed for preliminary engineering costs and payment of all other expenses incurred as specified in Section 27 of this agreement.

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

SECTION 1. The State agrees to present the above-mentioned project to the FHWA for its approval, if necessary.

SECTION 2. The funding for the project under this agreement includes pass-through federal monies from the FHWA. According to the Single Audit Act Amendments of 1996 and the implementing regulations contained in OMB Circular A-133, the A-133 Audit is required if the non-federal entity expends \$500,000 or more in total federal awards in a fiscal year. Non-federal entity means state and local governments and non-profit organizations.

The City shall have its finance officer or auditor review the situation to determine what the City must do to comply with this federal mandate. If applicable, the expenditures related to the FHWA should be shown in the Supplementary Schedule of Expenditures of the Federal Awards under U.S. Department of Transportation as a pass through Nebraska Department of Roads, Federal CFDA Number 20.205. If an A-133 Audit is performed, the City shall send the

audit report to the Nebraska Department of Roads, Highway Audits Manager, P.O. Box 94759, Lincoln, NE 68509-4759.

SECTION 3. The City, with such assistance as may be required from the State, agrees to perform or cause to be performed a preliminary survey and all necessary plans, specifications and estimates for the proposed work. The City agrees to acquire any or all permits necessary to accomplish the project.

SECTION 4. The project must be designed according to the following current publications: State of Nebraska Standard Specifications for Highway Construction; The American Association of State Highway and Transportation Officials Guide for the Development of Bicycle Facilities; Designing Sidewalks and Trails for Access Part II of II: Best Practices Design Guide; The Federal Manual on Uniform Traffic Control Devices (MUTCD); and the State of Nebraska MUTCD Supplement. The project will be designed to conform to Americans with Disabilities Act (ADA) Accessibility Guidelines. Any deviations from the above must be approved by the State prior to preparation of plans.

SECTION 5. The State agrees to reimburse the City, using Federal Funds, for eligible costs of the improvement up to a maximum of \$249,004. Progress billings to reimburse the City 95 percent of the eligible costs may be submitted no more often than monthly until 95 percent of the maximum Federal share has been reimbursed. The final settlement between the State and the City will be made after final inspection and acceptance, and audit, if deemed necessary, and after final costs have been determined by the State.

SECTION 6. The parties agree that the preliminary engineering, which includes project design and plan development, will be accomplished by the City or a consultant selected by the City.

In all instances, the State, through the Safe Routes Nebraska Program Consultant, will draft the agreement between the City and the Consultant prior to execution. Preliminary engineering is estimated to be \$21,756, and the State agrees to reimburse the eligible costs thereof.

It is understood by the parties that the State will rely on the professional performance and ability of the City or their consultant. Any examination by the State, or any acceptance or use of the work product of the City or their consultant will not be considered to be a full and comprehensive examination and will not be considered an approval of the work product of the City or their consultant which would relieve the City from any liability or expense that would be connected with the City's sole responsibility for the propriety and integrity of the professional work to be accomplished by the City.

SECTION 7. The parties further agree the City is to advertise and conduct a letting and receive bids for the contemplated improvement. All plans, specifications and bid proposals, permits, Right-of-Way Certificate, and any other contract documents must be submitted to and approved by the State, through the Safe Routes Nebraska Program Consultant, prior to any bid letting by the City. The selection of low bidders and the awarding of a contract or contracts must be submitted to the State, through the Safe Routes Nebraska Program Consultant, for concurrence. The City shall sign the contract. After signing, the City shall send a copy of the

signed contract, including all plans and specifications, to the State, through the Safe Routes Nebraska Program Consultant.

SECTION 8. The parties agree that the construction engineering, an expense eligible for Federal funds, which includes construction staking, inspection and field testing, will be accomplished by City forces or a consultant selected by the City with State assistance and review.

The City agrees, if a Consultant is to be selected, that the method of selection and the resulting agreement between the Consultant and the City shall conform to the State's standard practices and will be subject to State review and concurrence prior to agreement execution between the City and the Consultant. Any construction engineering work performed prior to the letting date will be done at the expense of the City.

Any dispute concerning a question of fact in connection with the construction engineering work not disposed of by this agreement shall be referred for determination to the State Engineer or his duly authorized representative whose decision in the matter shall be final and conclusive on the parties to the contract.

The inspection, sampling and testing of all materials must be in accordance with the current State of Nebraska Standard Specifications for Highway Construction, the State Materials Sampling Guide and the State Standard Methods of Tests. The City must send a letter of certification to the State, through the Safe Routes Nebraska Program Consultant, stating that all test results of materials used on the project, manufacturer's certificates of compliance and manufacturer's certified test reports meet specification requirements for sampling and testing. The City will provide quality assurance, as may be required, to include random sampling and testing of material as well as random checks of test method procedures being performed by the inspector. In all cases, the City shall provide a Project Manager on a part-time basis who will be responsible for the prosecution of the project in accordance with the approved plans. The State will provide a Project Representative whose responsibility is to be available to advise the City's Project Manager where the project is not being built in accordance with the approved plans, and that the City's federal share of the project may be withheld for failure to comply with the plans. The City shall contact the State, through the Safe Routes Nebraska Program Consultant, for State Representative assignment prior to advertising for project letting. It is understood that any construction engineering services furnished by the State will be part of the cost of the project and the State's expenses therein will be included as costs of the project as specified in Section 23 hereof.

The City shall provide a Project Manager to oversee the project and to ensure that the construction engineering performed by the City forces or the City's consultant comply with requirements for Federal funding. The Project Manager's services include, but are not limited to, arranging and presiding over the pre-construction conference, project management as required, and preparing contractor change orders and supplemental agreements.

SECTION 9. The City agrees to locate and reference or have located and referenced all section corners, quarter section corners and sub-division lot corners required for construction



of the proposed project in accordance with Section 39-1708 et. seq., R.R.S. 1943 as amended.

SECTION 10. The Federal share of this project must be reduced by any project specific local property assessments that exceed the appropriate local share on this project.

SECTION 11. If Federal participation is to be received for any portion of the work on the proposed project, it is necessary that all phases of work, including but not limited to preliminary engineering, acquisition of right of way and construction be accomplished in accordance with the appropriate Federal requirements.

SECTION 12. If the City performs any part of the work on this project itself, 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, and all regulations relative to nondiscrimination in federally assisted programs of the Department of Transportation, Title 49 CFR, Parts 21 and 27 as set forth in Exhibit "A" attached, and made a part of this agreement. The reference to "Contractor" in this exhibit means the "City."

SECTION 13. The City shall have on file with the State an acceptable drug-free workplace policy.

#### SECTION 14. DISADVANTAGED BUSINESS ENTERPRISES

##### A. Policy

The City agrees to ensure that disadvantaged business enterprises as defined in 49 CFR Part 23 shall have the maximum opportunity to participate in the performance of contracts and subcontracts financed in whole or in part with Federal funds under this agreement. Consequently, the disadvantaged business requirements of 49 CFR Part 23 are hereby made a part of and incorporated by this reference into this agreement.

##### B. Disadvantaged Business Enterprises Obligation

The City and State agree to ensure that disadvantaged business enterprises as defined in 49 CFR Part 23 have the maximum opportunity to participate in the performance of contracts and subcontracts financed in whole or in part with Federal funds provided under this agreement. In this regard, the City shall take all necessary and reasonable steps in accordance with 49 CFR Part 23 to ensure that disadvantaged business enterprises have the maximum opportunity to compete for and perform contracts. The City shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of FHWA assisted contracts.

The City, acting as a subrecipient of Federal-aid funds on this project agrees to adopt the disadvantaged business enterprise program of the State for the Federal-aid contracts the City enters into on this project.

Failure of the City to carry out the requirements set forth above will constitute breach of contract and, after the notification of the FHWA, may result in termination of the agreement or contract by the State or such remedy as the State deems appropriate.

SECTION 15. Changes to the project made by the City which affect the function or operation of the infrastructure improvements made either during construction or after the project is completed, will require prior approval of the State.

Requests for changes during project construction must be made to the State Representative through the Safe Routes Nebraska Program Consultant.

SECTION 16. Upon project completion and final inspection, the City shall send one set of "as-built" plans to the State, through the Safe Routes Nebraska Program Consultant.

SECTION 17. Upon completion, the City shall maintain this project at its own expense, and agrees to make provisions each year for the maintenance costs involved in properly maintaining this facility.

SECTION 18. Any utility rehabilitations or installations made within the right of way of this project after execution of this agreement will be in accordance with the provisions of Federal-Aid Highway Policy Guide, 23 CFR 645A, "Utility Relocations, Adjustments and Reimbursement", Federal-Aid Policy Guide, 23 CFR 645B, "Accommodation of Utilities" issued by the U.S. Department of Transportation, Federal Highway Administration, or a State approved Utility Accommodation Policy. In order to receive Federal-Aid Funds for this improvement, the City agrees to adopt the current "Policy for Accommodating Utilities on State Highway Right of Way."

All nonbetterment municipally owned and operated utility rehabilitation costs within the corporate limits of the City will become a project cost, but that outside the corporate limits, only the nonbetterment portion of the rehabilitation costs of facilities currently occupying private right of way will be reimbursed. Further, there will be no Federal reimbursement for private or nonmunicipally owned and operated utilities if they are located on public right of way, however, nonbetterment costs of privately owned and operated utilities will be reimbursed if they exist on privately owned right of way and it is necessary to rehabilitate the utilities due to this project. All such reimbursements must be based on items and estimates submitted by the utility and approved by the City and State. Should this project necessitate the nonbetterment rehabilitation of any municipally or privately owned and operated utilities, the parties agree to enter into a Supplemental Agreement to provide for the nonbetterment utility rehabilitation and the reimbursement to the City for the Federal share of the costs of the nonbetterment utility rehabilitation. The parties agree that should any nonbetterment utility rehabilitation be accomplished before State execution of a Supplement to this Agreement, the rehabilitation work will be at the sole expense of the City.

Should any utilities include work which is eligible for reimbursement, the City shall pay the utility and bill the State for the Federal share. The State, subject to a final audit of the utility costs, will reimburse the City for the approved Federal share of the costs.

SECTION 19. If Federal participation is requested in right of way appraisal or acquisition, the State on behalf of the City, will review appraisals and negotiations for any additional right of way. The City shall be responsible for any eminent domain proceedings required for acquisition of the necessary property. The appropriate procedures as outlined in the current

Nebraska Right of Way Manual approved by the FHWA shall be followed. Regardless of whether or not Federal funds are requested for the right of way, the City agrees to contact the State prior to beginning any right of way activity in order that the State may advise the City of the required right of way functions and procedures. It is understood that any right of way services furnished by the State shall be considered as a part of the cost of the project and the State's expenses therein shall be included as costs of the project as specified in Section 23 hereof.

SECTION 20. The City agrees, at no cost to the project, to clear the present right of way of this project of all advertising signs. The City also agrees, at no cost to the project, to clear any other privately owned facility or thing that may interfere with the construction, maintenance and operation of the improvement planned in this project, and to keep the old and new right of way free of future encroachments, except those authorized by permit.

SECTION 21. The City hereby agrees, and shall certify after accomplishment, that any right of way for this improvement not donated in compliance with FHWA guidelines will be acquired in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended, 49 CFR 24, and the State's Right of Way Manual as approved by FHWA.

SECTION 22. Traffic control during project construction shall conform with the Manual on Uniform Traffic Control Devices.

Before final acceptance of the project by the State, all signing and marking will be in conformance with the Manual on Uniform Traffic Control Devices. The edition of the manual which is current at the time of final acceptance shall be used.

SECTION 23. Costs incurred by the State with respect to the entire project will be part of the cost of the project to be paid out of City and Federal funds. Costs incurred by the State attributable to this project will not include any administrative costs or expenses of administrative officials. The State may, at its discretion, initiate progress invoices for costs incurred by the State during the progression of the project and the City agrees to pay such invoices within thirty (30) days of their receipt. The City's share of the total project cost shall be all costs not paid for by Federal funds.

The criteria contained in Part 31 of the Federal Acquisition Regulations System (48 CFR 31) shall be applied to determine the allowability of costs incurred by the City under this agreement.

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 the Federal Highway Administration or any authorized representatives of the Federal government, and copies thereof shall be furnished by the City if requested.

SECTION 24. It is mutually agreed that final approval of the project will be made by the State and that final payment cannot be made to the City until the project has been approved

by the State.

SECTION 25. The City understands and agrees that the sole duty of proper prosecution of the project, in accordance with the approved plans, belongs with the City, its Project Manager and Contractors, and that failure to properly prosecute and construct the project in accordance with the approved plans may result in the loss of federal funding.

SECTION 26. The City agrees to acknowledge federal and state funding with proper signage such as recognition plaques on buildings or markers on trails. The funding acknowledgement shall state, "This project made possible through funds provided by the Nebraska Department of Roads Safe Routes Nebraska Program and the Federal Highway Administration." This statement shall also be incorporated into all press releases, web sites and printed information about the project.

SECTION 27. It is understood by the City that payment for the costs of this project, whether they be services, engineering, right of way, utilities material or otherwise, are the sole responsibility of the City where Federal participation is not allowable or available. Therefore, where the Federal government refuses to participate in the project or any portion thereof the City is responsible for full project payment with no cost or expense to the State in such project or portion thereof. Should the project be abandoned before completion, the City will pay all costs incurred by the State prior to such abandonment.

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 \_\_\_\_\_, 20\_\_.

WITNESS: \_\_\_\_\_ City of Grand Island

\_\_\_\_\_  
City Clerk Mayor

EXECUTED by the State this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

On behalf of the  
STATE OF NEBRASKA  
DEPARTMENT OF ROADS  
Kelly R. Morgan

\_\_\_\_\_  
Safe Routes Nebraska Program Coordinator

#### 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.

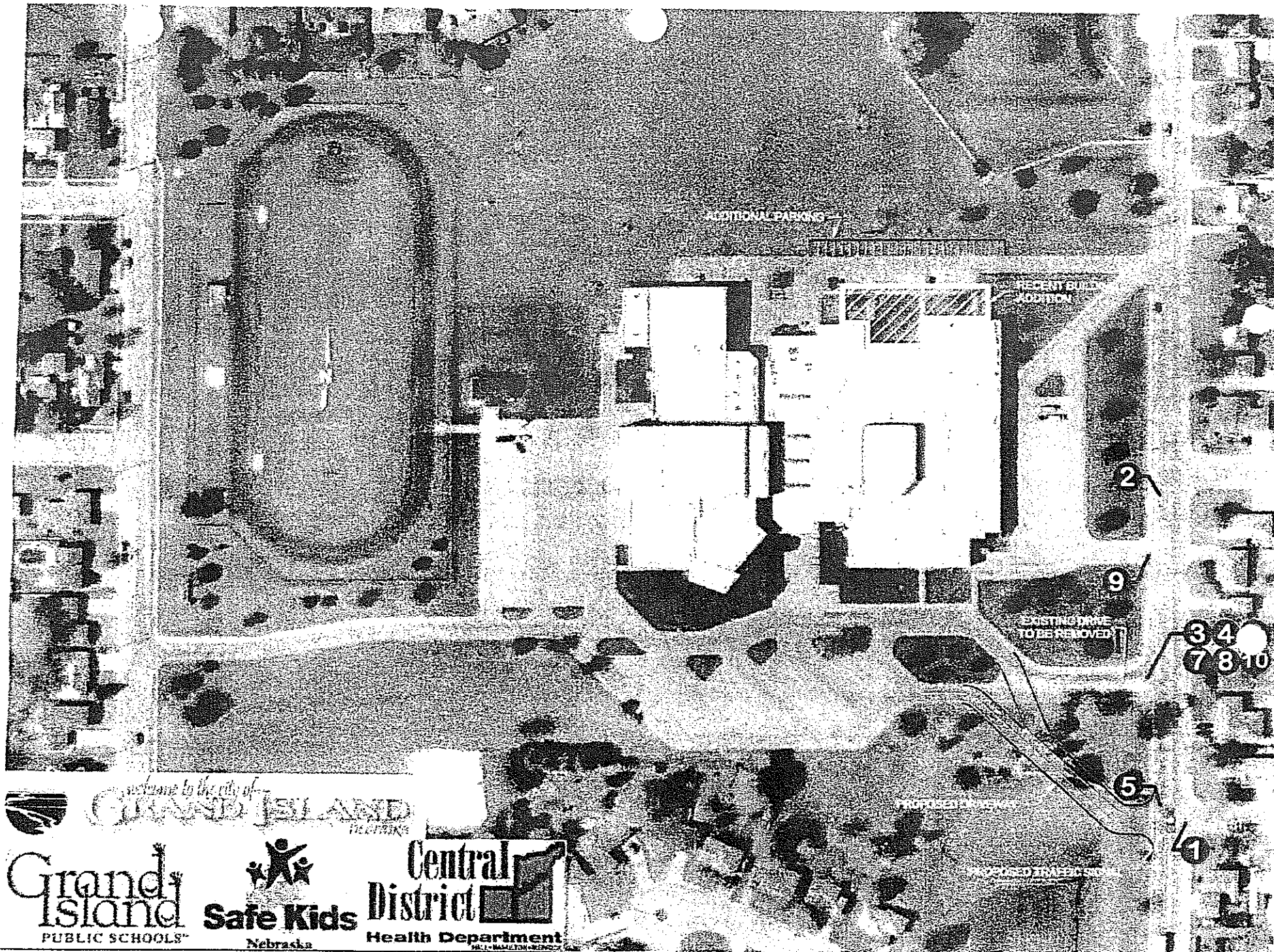
(4) Information and Reports: The contractor will provide all information and reports required by the Regulations, or orders and instructions issued pursuant thereto, and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the State 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.





A G R E E M E N T  
(Program)

PROJECT NO. SRTS-40(58) STATE CONTROL NO. 42522  
CITY OF GRAND ISLAND  
STATE OF NEBRASKA, DEPARTMENT OF ROADS  
GRAND ISLAND WALNUT MIDDLE SCHOOL SRTS PROGRAM

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, certain non-infrastructure activities, in the City have been designated as being eligible for the Safe Routes to School portion of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users Act (SAFETEA-LU) funds by the Department of Transportation, Federal Highway Administration, hereinafter called FHWA, in compliance with Federal laws pertaining thereto, and

WHEREAS, SAFETEA-LU funds have been made available by Title 23 of the United States Code, providing for non-infrastructure activities, and

WHEREAS, the Federal share payable of the eligible costs thereof will be a maximum of \$20,640 and

WHEREAS, regulations for implementing the provisions of the above mentioned act provide that the Federal share of the cost of such projects shall be paid only to the State, and

WHEREAS, the State's responsibility is to provide project oversight to insure that the City is implementing the project in accordance with the approved state and federally-approved project description and to further notify the City or its Project Manager when federal funding will be withheld or lost where the implementation of the project is not being prosecuted in accordance with the approved project description, and

WHEREAS, the State retains the services of Sinclair Hille Architects whose business address is 700 Q Street, Lincoln, NE 68508, hereinafter referred to as the "Safe Routes Nebraska Program Consultant" to assist the State with administration of the Safe Routes Nebraska Program, and

WHEREAS, the State is willing to cooperate to the end of obtaining Federal approval of the proposed work and Federal funds for the proposed activity, with the understanding that no State Funds are to be expended on this project, and

WHEREAS, funding for the project under this agreement, includes pass-through monies from the Federal Highway Administration (FHWA). If a non-federal entity expends \$500,000 or more in total federal awards in a fiscal year, then the A-133 Audit is required as explained further in the agreement, and

WHEREAS, Federal Regulations provide that the City shall not profit or otherwise gain from the federally-funded project, and

WHEREAS, it is the desire of the City that the project be implemented under the designation of Project No. SRTS-40(58), as evidenced by the Resolution of the City Council dated the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, attached and identified as Exhibit "B" and made a part of this agreement, and

WHEREAS, the City has agreed to provide in-kind donations in the amount of \$7,417 to be applied toward the total project cost. Both parties recognize this is a preliminary estimate only and that the final costs may well be higher or lower than this preliminary estimate, and

WHEREAS, the project is described as follows:

Implementation of a Safe Routes to School program at Walnut Middle School in Grand Island, NE. The project team will consist of a bilingual Project Coordinator (Central District Health Department), School Resource Officer (Grand Island Police Department), Tri-City Safe Kids staff member, and representatives of school staff, parents, and students. A social marketing campaign will focus on modifying identified attitudes and behaviors related to walking/biking patterns. Educational and public awareness materials including posters, videos, etc. will be obtained through the Safe Routes Nebraska Department of Roads website. The community-tailored campaign will target three groups: students, parents and drivers. The student campaign will focus on adolescent behaviors of behavioral anatomy (independent decision making) and value autonomy (developing a set of principles), with the power of peer group influence. A student-generated campaign will change the current culture to one where walking/biking is "cool" and "healthy".

WHEREAS, both parties agree all costs of this project will be the sole responsibility of the City if the proposed project is not completed prior to December 31, 2008.

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

SECTION 1. The State agrees to present the above-mentioned project to the FHWA for its approval, if necessary.

SECTION 2. The funding for the project under this agreement includes pass-through federal monies from the FHWA. According to the Single Audit Act Amendments of 1996 and the implementing regulations contained in OMB Circular A-133, the A-133 Audit is required if the non-federal entity expends \$500,000 or more in total federal awards in a fiscal year. Non-federal entity means state and local governments, schools, and non-profit organizations.

The City shall have its finance officer or auditor review the situation to determine what the City must do to comply with this federal mandate. If applicable, the expenditures related to the FHWA should be shown in the Supplementary Schedule of Expenditures of the Federal Awards under U.S. Department of Transportation as a pass through Nebraska Department of Roads, Federal CFDA Number 20.205. If an A-133 Audit is performed, the City shall send the audit report to the Nebraska Department of Roads, Highway Audits Manager, P.O. Box 94759, Lincoln, NE 68509-4759.

SECTION 3. The State agrees to reimburse the City, using Federal Funds, for eligible costs of the activity up to a maximum of \$20,640. Progress billings to reimburse the City 95 percent of the eligible costs may be submitted no more often than monthly until 95 percent of the maximum Federal share has been reimbursed. The final settlement between the State and the City will be made after final inspection and acceptance, and audit, if deemed necessary, and after final costs have been determined by the State.

SECTION 4. The parties further agree the City is to solicit three-like quotes for the materials and/or services. All project specifications and any other documents must be submitted to and approved by the State, through the Safe Routes Nebraska Program Consultant, prior to soliciting quotes. Before award is given to the lowest responsible quote, all quotes must be submitted to the State, through the Safe Routes Nebraska Program Consultant, for concurrence. The City shall sign any necessary agreements to secure materials and/or services. After signing, the City shall send a copy of the signed agreement, including all project specifications, to the State, through the Safe Routes Nebraska Program Consultant.

SECTION 5. If Federal participation is to be received for any portion of the work on the proposed project, it is necessary that all phases of work be accomplished in accordance with the appropriate Federal requirements.

SECTION 6. If the City performs any part of the work on this project itself, 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 (Reissue 1988), and all regulations relative to nondiscrimination in federally assisted programs of the Department of Transportation, Title 49 CFR, Parts 21 and 27 as set forth in Exhibit "A" attached, and made a part of this agreement. The reference to "Contractor" in this exhibit means the "City."

SECTION 7. The City shall have on file with the State an acceptable drug-free workplace policy.

#### SECTION 8. DISADVANTAGED BUSINESS ENTERPRISES

##### A. Policy

The City agrees to ensure that disadvantaged business enterprises as defined in 49 CFR Part 23 shall have the maximum opportunity to participate in the performance of contracts and subcontracts financed in whole or in part with Federal funds under this agreement. Consequently, the disadvantaged business requirements of 49 CFR Part 23 are hereby made a part of and incorporated by this reference into this agreement.

##### B. Disadvantaged Business Enterprises Obligation

The City and State agree to ensure that disadvantaged business enterprises as defined in 49 CFR Part 23 have the maximum opportunity to participate in the performance of contracts and subcontracts financed in whole or in part with Federal funds provided under this agreement. In this regard, the City shall take all necessary and reasonable steps in accordance with 49 CFR Part 23 to ensure that disadvantaged business enterprises have the maximum opportunity to compete for and perform contracts. The City shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of FHWA assisted contracts.

The City, acting as a subrecipient of Federal-aid funds on this project agrees to adopt the disadvantaged business enterprise program of the State for the Federal-aid contracts the City enters into on this project.

Failure of the City to carry out the requirements set forth above will constitute breach of contract and, after the notification of the FHWA, may result in termination of the agreement or contract by the State or such remedy as the State deems appropriate.

SECTION 9. Changes to the project made by the City which affect the function or operation of the non-infrastructure activities made either during project initiation or after the project is completed, will require prior approval of the State.

Requests for changes during the project must be made to the State through the Safe Routes Nebraska Program Consultant.

SECTION 10. Upon project completion, the City shall provide a written summary regarding the project achievements, plus one copy of all materials (i.e. brochures, handouts, fliers, etc.) to the State, through the Safe Routes Nebraska Program Consultant.

SECTION 11. Upon completion, the City shall maintain this project at its own expense.

SECTION 12. The criteria contained in Part 31 of the Federal Acquisition Regulations System (48 CFR 31) shall be applied to determine the allowability of costs incurred by the City under this agreement.

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 the Federal Highway Administration or any authorized representatives of the Federal government, and copies thereof shall be furnished by the City if requested.

SECTION 13. It is mutually agreed that final approval of the project will be made by the State and that final payment cannot be made to the City until the project has been approved by the State.

SECTION 14. The City understands and agrees that the sole duty of proper prosecution of the project, in accordance with the state and federally-approved project description, belongs with the City, its Project Manager and Contractors, and that failure to properly implement the project in accordance with the approved project description may result in the loss of federal funding.

SECTION 15. The City agrees to acknowledge federal and state funding with proper recognition. The funding acknowledgement shall state, "This project made possible through funds provided by the Nebraska Department of Roads Safe Routes Nebraska Program and the Federal Highway Administration." This statement shall also be incorporated into all press releases, web sites and printed information about the project.

SECTION 16. It is understood by the City that payment for the costs of this project, are the sole responsibility of the City where Federal participation is not allowable or available. Therefore, where the Federal government refuses to participate in the project or any portion thereof the City is responsible for full project payment with no cost or expense to the State in such project or portion thereof. Should the project be abandoned before completion, the City will pay all costs incurred by the State prior to such abandonment.

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 \_\_\_\_\_, 20 \_\_\_\_.

WITNESS:

City of Grand Island

City Clerk

Mayor

EXECUTED by the State this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

On behalf of the  
STATE OF NEBRASKA  
DEPARTMENT OF ROADS  
Kelly R. Morgan

Safe Routes Nebraska Program Coordinator

#### 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 2007-205

WHEREAS, in August, 2005, Congress signed the Safe Routes to School Program into law, which dedicates \$612,000,000 nationwide towards Safe Routes to Schools through the year 2009; and

WHEREAS, on January 9, 2007, City Council approved the final applications for the Safe Routes to Schools Funding for the “Walk to Walnut” projects; and

WHEREAS, the “Walk to Walnut” infrastructure and non-infrastructure projects were successful in the grant application process and the City of Grand Island was awarded \$249,004.00 for the infrastructure project and \$20,640.00 for the non-infrastructure project, for a total of \$269,644.00 in May, 2007; and

WHEREAS, it is necessary to enter into agreements with the Nebraska Department of Roads to implement the projects.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Program Agreements with the Nebraska Department of Roads for the Safe Routes to School Infrastructure and Non-Infrastructure Program funding for the Walk to Walnut Project 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, August 28, 2007.

---

Margaret Hornady, Mayor

Attest:

---

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
August 24, 2007	☐ City Attorney



# **City of Grand Island**

**Tuesday, August 28, 2007**

**Council Session**

## **Item G11**

**#2007-206 - Approving Amendment No. 2 to the Interlocal Agreement with the Central District Health Department**

**Staff Contact: Wes Nespor, Assistant City Attorney**

# **Council Agenda Memo**

**From:** Wes Nespor, Assistant City Attorney

**Meeting:** August 28, 2007

**Subject:** Amendment to Health Department Interlocal Agreement and Dispersal of Joint Employees Pension Funds

**Item #'s:** G-11

**Presenter(s):** Dave Springer, Finance Director

## **Background**

Effective October 1, 2002, the joint City-County Health Department was replaced by a Central District Health Department which included the addition of Hamilton and Merrick Counties. This was approved by the Department of Health and Human Services of the State of Nebraska. An inter-local agreement entered into at that time called for the City Treasurer to act as the department's fiscal agent and provide financial management services for a nominal fee. The agreement also stated that the employees who to that point were City employees, would henceforth be employees of the Central District Health Department.

## **Discussion**

The Central District Health Department functions as an independent entity apart from the City and has decided to perform its own financial operations with assistance from an accounting firm. Thus, the inter-local agreement needs to reflect that duties will no longer be provided by the City.

## **Alternatives**

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

1. Approve the Amendment to the agreement and division of funds.
2. Disapprove or deny the recommendation.
3. Table the issue.

## **Recommendation**

City Administration recommends that the Council approve the Amendment to the Inter-local Agreement and a dispersal of monies to close the accrual fund.

## **Sample Motion**

Approve the Amendment to the Inter-local Agreement with the Central District Health Department and a distribution of accrual funds as indicated.

## **AMENDMENT 2**

### **CENTRAL DISTRICT HEALTH DEPARTMENT INTERLOCAL AGREEMENT AUGUST 13, 2007**

**Whereas, the parties hereto find it necessary to amend the Interlocal Cooperation Agreement by and between the City of Grand Island, the County of Hall, the County of Hamilton, and the County of Merrick, dated October 1, 2002, hereafter referred to as the "Agreement," as amended by Amendment 1 dated October 13, 2003.**

**Now, therefore, the parties signatory hereto agree as follows:**

**I. Paragraph 5 as set forth in the Agreement be deleted in its entirety and replaced with the following:**

5. The Board shall annually meet and organize by the election of one of its own members as president, one as vice president, and another as secretary and, either from its own members or otherwise, a treasurer. The officers shall have such power as the Board may establish from time to time. The Board may elect such other officers and appoint such committees, as it may deem necessary from time to time. The Board may adopt and promulgate such rules and regulations, consistent with applicable Nebraska law and this Agreement, for its own guidance and for the governance of the Department as may be necessary. The Board shall not transact business unless there is a quorum, herein defined as a majority of six (6) Board members present. All questions and matters before the Board shall be decided by majority vote of the members present.

**II. Paragraph 11 as set forth in the Agreement be deleted in its entirety and replaced with the following:**

11. Subject to any contract for financial management services approved by the Board, the treasurer shall have custody of the Department's funds and securities and shall keep full and accurate accounts of receipts and disbursements in books belonging to the Department and shall deposit all moneys and other valuable effects in the name and to the credit of the Department in such depositories as may be designated by the Board. The treasurer shall disburse the funds of the District as may be ordered by the Board, taking proper, signed vouchers for such disbursements, and shall render to the Board, at the regular meetings of the Board, or whenever they may require it, an account of all transactions as treasurer and of the financial condition of the Department. If required by the Board, the treasurer shall give the Department a bond in such sum and with such surety or sureties as shall be satisfactory to the Board for the faithful performance of the duties of the office and for the restoration to the Department (in case of death, resignation, or removal from office) of all books, papers, vouchers, money and other property of whatever kind in possession or under the control of the treasurer and belonging to the Department.

The Board may enter into one or more contracts for financial management services provided to the Department. The Board shall adopt policies for financial checks and balances, claims auditing, and internal control procedures consistent with sound accounting practices for public funds. Control of Department accounts will be assumed by the Department on October 1, 2007.

**III. Paragraph 15 as set forth in the Agreement be deleted in its entirety and replaced with the following:**

15. Employees of the Central District Health Department below the level of Director shall be employees of the Central District Health Department. Those employees shall be entitled to benefits provided by the Central District Health Department at the discretion of the Board unless such benefits are expressly required by Nebraska statute or federal law. The District will establish its own personnel system. Any collective bargaining agreement covering such employees shall be subject to the approval of the Board of Health.

**IV. This Amendment 2 shall have an effective date of October 1, 2007.**

Approved by the member political subdivisions to the Central District Health Department:

City of Grand Island, Nebraska  
A Municipal District

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

County of Hall

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Chair of the County Board

Attest:

\_\_\_\_\_  
Hall County Clerk

County of Hamilton

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Chair of the County Board

Attest:

\_\_\_\_\_  
Hamilton County Clerk

County of Merrick

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Chair of the County Board

Attest:

\_\_\_\_\_  
Merrick County Clerk

R E S O L U T I O N    2007-206

WHEREAS, on April 23, 2002, by Resolution 2002-119, the City of Grand Island approved its participation in the Central District Health Department and approved an Interlocal Cooperation Agreement for such participation; and

WHEREAS, on October 28, 2003, by Resolution No. 2003-315, the City Council approved Amendment No. 1 of the Interlocal Cooperation Agreement with the Central District Health Department; and

WHEREAS, certain funds need to be transferred to the Central District Health Department; and

WHEREAS, it is the desire of the Central District Health Department to perform its own financial operations with the assistance of a private accounting firm, which will require an amendment of the Interlocal Agreement between the city and the Central District Health Department reflecting this request, as shown on Exhibit "A" attached hereto; and

WHEREAS, the City Attorney's office has reviewed and approved the amendment to the Interlocal Cooperation Agreement setting out such changes.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the amendment to the Interlocal Cooperation Agreement for the Central District Health Department is hereby approved subject to the approval of the other member entities and the Nebraska Department of Health and Human Services.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, August 28, 2007.

\_\_\_\_\_  
Margaret Hornady, Mayor

Attest:

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

Approved as to Form	☐ _____
August 24, 2007	☐ City Attorney





# City of Grand Island

Tuesday, August 28, 2007

Council Session

## Item G12

**#2007-207 - Approving Interlocal Agreement Between the Cities of Grand Island, Kearney, North Platte and the Village of Alda Regarding Direct Negotiations of Rate Changes with Northwestern Energy**

Staff Contact: Dale Shotkoski

# **Council Agenda Memo**

**From:** Dale M. Shotkoski, City Attorney

**Meeting:** August 28, 2007

**Subject:** Interlocal Agreement Regarding Direct Negotiations of Rate Changes with Northwestern Energy

**Item #'s:** G-12

**Presenter(s):** Dale M. Shotkoski, City Attorney

## **Background**

On June 1, 2007, NorthWestern Corporation, doing business as NorthWestern Energy, filed an application for Natural Gas Rate Increase with the Nebraska Public Service Commission. This application not only affects the City of Grand Island, but also the cities of Kearney, North Platte and the Village of Alda. State statutes authorize jurisdictional utilities such as NorthWestern to negotiate directly with affected municipalities with respect to a proposed general rate change.

## **Discussion**

In order to collectively negotiate the pending rate case with NorthWestern, and to share the costs associated with said negotiations, it is necessary to enter into an interlocal agreement with the cities of Kearney, North Platte and the Village of Alda. Furthermore, an interlocal agreement will allow the cities to file an application for a loan from the Nebraska Municipal Rate Negotiations Revolving Loan Fund to provide for the payment of any costs or expenses which may be reimbursed from the Loan Fund as allowed by the Nebraska Public Service Commission.

## **Alternatives**

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

1. Move to approve the proposed Interlocal Agreement between the cities of Grand Island, Kearney, North Platte and the Village of Alda regarding negotiations of rate changes with NorthWestern Energy.
2. Postpone the issue to future date.

3. Take no action on the issue.

### **Recommendation**

City administration recommends that the City Council approve the proposed Interlocal Agreement between the cities of Grand Island, Kearney, North Platte and the Village of Alda regarding negotiations of rate changes with NorthWestern Energy.

### **Sample Motion**

Motion to approve the Interlocal Agreement as proposed between the cities of Grand Island, Kearney, North Platte and the Village of Alda and NorthWestern Energy.

**INTERLOCAL AGREEMENT BETWEEN THE CITIES OF**  
**GRAND ISLAND, KEARNEY, NORTH PLATTE AND THE VILLAGE OF ALDA**  
**REGARDING DIRECT NEGOTIATIONS OF RATE CHANGES WITH**  
**NORTHWESTERN ENERGY**

**THIS AGREEMENT** is made and entered into on this \_\_\_\_ day of \_\_\_\_\_, 2007, by and between the City of Grand Island, the City of Kearney, the City of North Platte and the Village of Alda.

**WHEREAS**, the parties hereto are governmental units and political subdivisions of the State of Nebraska, and are public agencies for the purposes of the Interlocal Cooperation Act, Neb. Rev. Stat. Section §13-801 et seq. as amended; and

**WHEREAS**, the Interlocal Cooperation Act permits two or more public agencies to enter into agreements with one another, for the mutual benefit of the parties, to provide services in a manner that will accord best with geographic, economic, population, and other factors influencing the needs of local communities;

**WHEREAS**, pursuant to Neb. Rev. Stat. §66-1838 the requisite number of municipalities have voted in favor of negotiating directly between the Cities and Northwestern Energy with reference to the proposed rate adjustment that has been filed by Northwestern;

**WHEREAS**, the parties anticipate engaging the services of a consultant to assist in this negotiation process and provide information for all of the effected communities;

**WHEREAS**, the parties wish to share costs and expenses incurred in the negotiating process and also desire to apply to the Municipal Rate Negotiations Revolving Loan Fund to provide for payment of any of those costs or expenses which

may be reimbursed from said Loan Fund as allowed by the Nebraska Public Service Commission;

**NOW, THEREFORE**, it is mutually agreed between the parties as follows:

1. TERM PERIOD. This agreement shall continue in full force and effect from the date of execution by the parties until negotiations between the parties and Northwestern Energy either result in a settlement which is thereafter approved by the Nebraska Public Service Commission or negotiations do not result in a settlement and the rate case is referred to the Public Advocate for further proceedings. The parties agree that the term of this agreement will continue until such time as fees and expenses have been paid for by the Revolving Loan Fund as contemplated herein.

2. GENERAL ORGANIZATION, COMPOSITION, AND NATURE OF ANY SEPARATE LEGAL OR ADMINISTRATIVE ENTITY CREATED. No separate legal or administrative entity is hereby created.

3. PURPOSE. The purpose of this Agreement is to allow the parties to collectively negotiate the pending rate case with Northwestern Energy and to share the costs associated with said negotiation process including costs and expenses of a consultant. The further purpose of this agreement is to allow the parties to make one application to the Revolving Loan Fund to seek reimbursement for expenses incurred in the negotiation process.

4. COSTS OF NEGOTIATION PROCESS. The parties agree that application will be made to the Municipal Rate Negotiation Revolving Loan Fund and that this will be initiated by City Staff from Grand Island. The parties agree that they will submit bills for costs and expenses incurred in the negotiation process, including bills

received from a consultant hired, to the City of Grand Island who will then submit said bills for payment to the Loan Fund. The parties agree that any and all costs which are not covered by the Loan Fund will be split by the parties proportionally based upon the population of each community. There will be no real or personal property utilized in this joint undertaking, therefore, there will be no disposition of any real or personal property at the termination of this agreement.

5. ADMINISTRATOR. The City Attorneys and Village Attorney for each of the communities will jointly administer this agreement.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2007.

CITY OF GRAND ISLAND, NEBRASKA

By: \_\_\_\_\_  
Margaret Hornady, Mayor

STATE OF NEBRASKA            )  
  ) SS.  
COUNTY OF HALL            )

Before me, a Notary Public qualified in said county, personally came Margaret Hornady, Mayor, for the City of Grand Island, Nebraska, known to me to be the identical person who signed the foregoing instrument, and acknowledged the execution hereof to by her voluntary act and deed of the corporation.

Witness my hand and notarial seal this \_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
Notary Public

My Commission Expires:

\_\_\_\_\_

Dated this \_\_\_\_ day of \_\_\_\_\_, 2007.

CITY OF KEARNEY, NEBRASKA

By: \_\_\_\_\_  
Stan Clouse, Mayor

STATE OF NEBRASKA            )  
  ) SS.  
COUNTY OF BUFFALO        )

Before me, a Notary Public qualified in said county, personally came Stan Clouse, Mayor, for the City of Kearney, Nebraska, known to me to be the identical person who signed the foregoing instrument, and acknowledged the execution hereof to by his voluntary act and deed of the corporation.

Witness my hand and notarial seal this \_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
Notary Public

My Commission Expires:

\_\_\_\_\_

Dated this \_\_\_\_ day of \_\_\_\_\_, 2007.

CITY OF NORTH PLATTE, NEBRASKA

By: \_\_\_\_\_  
G. Keith Richardson, Mayor

STATE OF NEBRASKA            )  
  ) SS.  
COUNTY OF LINCOLN        )

Before me, a Notary Public qualified in said county, personally came G. Keith Richardson, Mayor, for the City of North Platte, Nebraska, known to me to be the identical person who signed the foregoing instrument, and acknowledged the execution hereof to be his voluntary act and deed of the corporation.

Witness my hand and notarial seal this \_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
Notary Public

My Commission Expires:

\_\_\_\_\_



Dated this \_\_\_\_ day of \_\_\_\_\_, 2007.

VILLAGE OF ALDA, NEBRASKA

By: \_\_\_\_\_  
David Harders, Chairman of the Board

STATE OF NEBRASKA            )  
  ) SS.  
COUNTY OF HALL            )

Before me, a Notary Public qualified in said county, personally came David Harders, Chairman of the Board, for the Village of Alda, Nebraska, known to me to be the identical person who signed the foregoing instrument, and acknowledged the execution hereof to be his voluntary act and deed of the corporation.

Witness my hand and notarial seal this \_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
Notary Public

My Commission Expires:

\_\_\_\_\_

RESOLUTION 2007-207

WHEREAS, on June 1, 2007, NorthWestern Corporation, doing business as NorthWestern Energy, filed an application for Natural Gas Rate Increase with the Nebraska Public Service Commission, affecting the cities of Grand Island, Kearney, North Platte, and the Village of Alda; and

WHEREAS, State Statutes authorize jurisdictional utilities such as NorthWestern to negotiate directly with affected municipalities; and

WHEREAS, on June 26, 2007, by Resolution No. 2007-155, City Council authorized the City of Grand Island to work cooperatively with other affected municipalities to commence joint negotiations with NorthWestern Energy; and

WHEREAS, in order to collectively negotiate the pending rate case with NorthWestern and to share the costs associated with said negotiations, it is in the best interest of the city to enter into an interlocal agreement with the cities of Kearney, North Platte and the Village of Alda.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the proposed Interlocal Agreement by and between the cities of Grand Island, Kearney, North Platte and the Village of Alda, is hereby approved according to the terms set out in the agreement.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, August 28, 2007.

\_\_\_\_\_  
Margaret Hornady, Mayor

Attest:

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

Approved as to Form	☐ _____
August 24, 2007	☐ City Attorney



# **City of Grand Island**

**Tuesday, August 28, 2007**

**Council Session**

## **Item G13**

**#2007-208 - Approving Purchase of Furniture Systems for Law Enforcement Center**

**Staff Contact: Steve Lamken**

# **Council Agenda Memo**

**From:** Steven Lamken, Police Chief  
**Meeting:** August 28, 2007  
**Subject:** Purchase of Systems Furniture  
**Item #'s:** G-13  
**Presenter(s):** Steven Lamken

## **Background**

The Police Department and Sheriff's Office are preparing for moving to the new Law Enforcement Center in late 2007. The Police Department is in the process of purchasing furnishings for the new Center. As per our request, the City Council previously approved the purchase of systems furnishings through the State of Nebraska contract. The Police Department has worked with Surroundings Inc., the company with the State contract. The Police Department is now prepared to order the systems furnishing for the Center. The cost for the purchase, setup and installation of systems furnishings is \$153,189.51.

## **Discussion**

The Police Department previously received permission from the Council to purchase systems furnishings for the new law enforcement center through the State of Nebraska contract. We have been working with the State contractor, Surroundings Inc. during the past year to develop plans for the furnishings. We need to submit our order for the furnishings as the project is nearing completion. There are over 50 workstations as well as some additional items that will be purchased for the Center. The contract cost of all of the systems furnishings is \$139,299.51. The cost of set up and installation of the furnishings in the new Center is \$13,890 for a total cost of \$153,189.51

Funding for new furnishings is provided for in the budget for the new Center.

## **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 purchase, setup and installation of systems furnishings from Surroundings Inc. from the State of Nebraska contract for \$153,189.51.

### **Sample Motion**

Motion to approve the purchase of systems furnishings from Surroundings Inc. from the State of Nebraska contract for \$153,189.51.

RESOLUTION 2007-208

WHEREAS, the City Council previously approved the purchase of systems furnishings for the Law Enforcement Center through a State of Nebraska contract holder; and

WHEREAS, purchasing the systems furnishings from the State contract holder meets all statutory bidding requirements; and

WHEREAS, the funding for such vehicle is provided in the 2006/2007 budget.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the purchase of systems furnishings for the Law Enforcement Center in the amount of \$153,189.51 from the State contract holder, Surroundings, Inc., is hereby approved.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, August 28, 2007.

---

Margaret Hornady, Mayor

Attest:

---

RaNae Edwards, City Clerk



# **City of Grand Island**

**Tuesday, August 28, 2007**

**Council Session**

## **Item G14**

**#2007-209 - Approving Bid Award for River-Way Hike/Bike Trail Construction**

**Staff Contact: Steve Paustian**

# **Council Agenda Memo**

**From:** Steve Paustian, Parks and Recreation Director

**Meeting:** August 14, 2007

**Subject:** Bid Award for River-Way Hike/Bike Trail Construction

**Item #'s:** G-14

**Presenter(s):** Steve Paustian, Parks and Recreation Director

## **Background**

The City of Grand Island has been in the process of developing a trails network throughout Grand Island and the surrounding area for over ten years. The expansion of the system is before you tonight.

## **Discussion**

A project to extend the existing trail from its terminus at Hall County Park to South Locust Street has been designed and bid. Three bids were received, with the low bid being provided by Diamond Engineering. The bid provided by Diamond Engineering was in the amount of \$339,423.85. The City received an 80/20 matching grant with the 80% cost share provided by the State of Nebraska. The City has funds in place to pay for our cost of the project. Completion date for the project is June 1, 2008.

## **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 bid award to Diamond Engineering in the amount of \$339,423.85.

## **Sample Motion**

Motion to award the bid to Diamond Engineering for the construction of the River-Way Hike/Bike Trail for \$339,423.85.



*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:** July 26, 2007 at 11:00 a.m.

**FOR:** Riverway Hike & Bike Trail – Project STPB-40(53)

**DEPARTMENT:** Parks and Recreation

**ESTIMATE:** \$440,000.00

**FUND/ACCOUNT:** 40044450-90031

**PUBLICATION DATE:** July 5, 12, 19, 2007

**NO. POTENTIAL BIDDERS:**

**SUMMARY**

<b>Bidder:</b>	<b><u>Diamond Engineering Co.</u></b> Grand Island, NE	<b><u>Remcon/CYC Construction, Inc.</u></b> Omaha, NE
<b>Bid Security:</b>	Universal Surety Company	North American Specialty Inc. Co.
<b>Exceptions:</b>	None	None
<b>Bid Price:</b>		
<b>Section A:</b>	\$288,818.50	\$386,334.19
<b>Section A &amp; B:</b>	\$339,423.85	\$472,053.74
<b>Section A, B, &amp; C:</b>	\$378,457.10	\$544,445.59
<b>Alt. A:</b>	\$293,718.50	\$394,338.19
<b>Alt. A &amp; B:</b>	\$344,323.85	\$480,057.74
<b>Alt. A, B, &amp; C:</b>	\$383,357.10	\$552,449.59

**Bidder:** M.E. Collins Contracting Co.

Wahoo, NE

**Bid Security:** Universal Surety Company

**Exceptions:** None

**Bid Price:**

**Section A:** \$318,935.00

**Section A & B:** \$372,881.95

**Section A, B, & C:** \$411,833.95

**Alt. A:** \$325,678.00

**Alt. A & B:** \$379,624.95

**Alt. A, B, & C:** \$418,576.95

cc: Steve Paustian, Parks & Recreation Director  
Dale Shotkoski, City Attorney  
Sherry Peters, Legal Secretary

Patti Buettner, Parks & Rec. Sec.  
Wes Nespor, Assist. City Attorney

**P1175**

RESOLUTION 2007-209

WHEREAS, the City of Grand Island invited sealed bids for Riverway Hike and Bike Trail, Project STPB-40(53), according to plans and specifications on file with the Parks and Recreation Department; and

WHEREAS, on July 26, 2007, bids were received, opened and reviewed; and

WHEREAS, the Diamond Engineering Company of Grand Island, Nebraska, 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 \$339,423.85; and

WHEREAS, the Diamond Engineering Company'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 the Diamond Engineering Company of Grand Island, Nebraska, in the amount of \$339,423.85 for the Riverway Hike and Bike Trail, Project STPB-40(53) construction is hereby approved as the lowest responsible bid.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, August 28, 2007.

\_\_\_\_\_  
Margaret Hornady, Mayor

Attest:

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

Approved as to Form	☐ _____
August 24, 2007	☐ City Attorney



# City of Grand Island

Tuesday, August 28, 2007

Council Session

## Item I1

**#2007-210 - Consideration of Approving 1% Increase to the Lid  
Limit**

Staff Contact: David Springer

# **Council Agenda Memo**

**From:** Dave Springer, Finance Director

**Meeting:** August 28, 2007

**Subject:** Consideration of Approving 1% Increase to the Lid Limit

**Item #'s:** I-1

**Presenter(s):** Dave Springer, Finance Director

## **Background**

In 1998, the Nebraska State Legislature passed LB989, which put a cap on the amount of restricted revenues a political subdivision can budget. The restricted revenues that the City of Grand Island includes in the budget are Property Taxes, Local Option Sales Tax, Motor Vehicle Tax, Highway Allocation, and State Aid. Of these restricted revenues, property tax is the only revenue which the City can control.

## **Discussion**

Each year political subdivisions are allowed by State Statute to raise the restricted revenue base from the prior year by 2.5%. The base may also be increased if the growth in taxable valuation is higher than the allowed 2.5%. A third way to increase the base is to have the Political Subdivision governing board (City Council) vote to increase the base by an additional 1%. The base amount is then the maximum amount of restricted revenues the City can receive. If the City is not at the base amount, the remaining amount is carried forward as unused authority. The increase in restricted funds authority using the 1% additional amount and the population growth factor is **not** an increase in budgeted revenues. It only provides the ability to increase restricted revenues, particularly property tax, in a future year as necessary, if council so decides. Approval of the 1% increase does not increase authorized expenditures and is prudent fiscal management.

## **Alternatives**

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

1. Approve the 1% increase to the Lid Limit.
2. Disapprove or deny the 1% increase.

### **Recommendation**

City Administration recommends that the Council approve the increase to the Lid Limit.

### **Sample Motion**

Approve the 1% increase to the Lid Limit.

RESOLUTION 2007-210

WHEREAS, pursuant to Neb. Rev. Stat. §13-519, the City of Grand Island is limited to increasing its total of budgeted restricted funds to no more than the last prior year's total of budgeted restricted funds plus population growth plus two and one-half percent (2 1/2%) expressed in dollars; and

WHEREAS, §13-519 authorizes the City of Grand Island to exceed the foregoing budget limit for a fiscal year by up to an additional one percent (1%) increase in budgeted restricted funds upon the affirmative vote of at least 75% of the governing body; and

WHEREAS, the Annual Budget for Fiscal Year 2007-2008 and Program for Municipal Services in the Lid Computation FY 2007-2008 supported by the detail relating to restricted revenue accounts, proposes an additional increase in budgeted restricted funds of one percent (1%) as provided by the statute; and

WHEREAS, approval of the additional one percent (1%) increase in budgeted restricted funds is prudent fiscal management, does not increase authorized expenditures and is in the best interests of the City of Grand Island and its citizens.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that by affirmative vote by more than 75% of the City Council, budgeted restricted funds for Fiscal Year 2007-2008 shall be increased by an additional one percent (1%) as provided by Neb. Rev. Stat. §13-519.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, August 28, 2007.

\_\_\_\_\_  
Margaret Hornady, Mayor

Attest:

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

Approved as to Form	☐ _____
August 24, 2007	☐ City Attorney



# City of Grand Island

Tuesday, August 28, 2007

Council Session

## Item I2

**#2007-211 - Consideration of Approving Blight/Substandard Study for Redevelopment Area No. 7 Located 1/2 Mile East of Highway 281 and 1/2 Mile West of South Locust Street between Schimmer Drive and Wildwood Drive**

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

Staff Contact: Chad Nabity



RESOLUTION 2007-211

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 an area located one half mile east of 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, Hanna:Keelan Associates completed such Blight/Substandard Study and has determined that the area should be declared as substandard or blighted areas in need of redevelopment; and

WHEREAS, the Grand Island Area Economic Development Corporation presented such study to the Community Redevelopment Authority at its June 20, 2007 meeting; 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 Associates; and

WHEREAS, on July 10, 2007 The Grand Island City Council referred such study to the Hall County Regional Planning Commission for review and recommendation; and

WHEREAS, the Regional Planning Commission held a public hearing and recommended approval of such study at its August 1, 2007 meeting; and

WHEREAS, a public hearing was held on August 28, 2007.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Blight/Substandard Study for Redevelopment Area No. 7 as identified above is hereby approved, and those areas identified in said study are declared to be blighted and substandard and in need of redevelopment as contemplated in the Community Development law.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, August 28, 2007.

\_\_\_\_\_  
Margaret Hornady, Mayor

Attest:

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

Approved as to Form	☐ _____
August 24, 2007	☐ City Attorney



# City of Grand Island

Tuesday, August 28, 2007

Council Session

## Item J1

**Approving Payment of Claims for the Period of August 15, 2007  
through August 28, 2007**

*The Claims for the period of August 15, 2007 through August 28, 2007 for a total amount of \$4,393,425.31. A MOTION is in order.*

Staff Contact: David Springer



# City of Grand Island

Tuesday, August 28, 2007

Council Session

## Item J2

### **Approving Payment of Claims for the Library Expansion for the Period of August 15, 2007 through August 28, 2007**

*The Claims for the Library Expansion for the period of August 15, 2007 through August 28, 2007 for the following requisitions:*

#80    \$4,870.00

#81    \$    323.00

*A MOTION is in order.*

Staff Contact: Steve Fosselman

EXHIBIT B  
Mortgage, Trust Indenture and Security Agreement

Requisition Form

REQUISITION FOR DISBURSEMENT

Requisition No. 80

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.	\$4,870.00	Labor to move and install existing shelving for week ending 8/3/07

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 21st day of August, 200 7.

  
\_\_\_\_\_  
Project Manager

**Jones Library Sales, Inc.**

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

**INVOICE**

DATE INVOICE  
8/16/2007 0807-002

**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
<b>CSD</b>	<b>Net 15</b>	<b>KEN</b>	<b>7/30/2007</b>	<b>OUR TRUCK</b>	<b>DEL/INSTALL</b>
QTY	ITEM	DESCRIPTION	UNIT	TOTAL	
1	CSD	LABOR TO MOVE & INSTALL EXISTING SHELVING FOR WEEK ENDING 8/3/07	1,800.00	1,800.00	
1	CSD	INSURANCE	200.00	200.00	
1	CSD	MOTELS	200.00	200.00	
1	CSD	GASOLINE	200.00	200.00	
1	CSD	LABOR TO MOVE & INSTALL EXISTING SHELVING FOR WEEK ENDING 8/10/07	1,920.00	1,920.00	
1	CSD	INSURANCE	150.00	150.00	
1	CSD	MOTELS	300.00	300.00	
1	CSD	GASOLINE	100.00	100.00	

**THANK YOU !!!**

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

**Total \$4,870.00**

EXHIBIT B  
Mortgage, Trust Indenture and Security Agreement

Requisition Form

REQUISITION FOR DISBURSEMENT

Requisition No. 81

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>
Ryder	\$323.00	Rented Truck


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 21st day of August, 2007.

  
\_\_\_\_\_  
Project Manager



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**Invoice**

August 20, 2007

3036-289446

GRAND ISLAND PUBLIC LIBRARY  
MR STEVE FOSSELMAN  
211 N WASHINGTON ST  
GRAND ISLAND, NE. 68801

Invoice number: 240744  
Customer number: C0987-289446

District number: 3036  
DES MOINES

BENEFIT FROM THE  
EASE OF E-BILLS, GET  
YOUR BILL VIA FAX OR  
EMAIL 888-947-0010

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**Payment due 08/30/07**

Remit to:  
Ryder Transportation Services  
P.O. Box 96723  
Chicago, IL 60693  
Phone: 800-947-9337  
Please indicate the invoice number 240744 on your remittance

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**Total due \$323.00**

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**Summary of charges***Rental Period 8/8/07 - 8/14/07*

	Vehicle/Agreement	Fixed Rental	Variable	Total
Rental	471941/00585040	275.00	48.00	323.00
Agreements				
Agreements total		275.00	48.00	323.00
Total charges		275.00	48.00	323.00

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**News from Ryder**

Ryder reports monthly to Dun & Bradstreet,  
CreditExchange and Experian.  
Thank you for your business.