
City of Grand Island



Tuesday, June 09, 2009

Council Session Packet

City Council:

**Larry Carney
Scott Dugan
John Gericke
Peg Gilbert
Chuck Haase
Robert Meyer
Mitchell Nickerson
Bob Niemann
Kirk Ramsey
Jose Zapata**

Mayor:

Margaret Hornady

City Administrator:

Jeff Pederson

City Clerk:

RaNae Edwards

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

Call to Order

This is an open meeting of the Grand Island City Council. The City of Grand Island abides by the Open Meetings Act in conducting business. A copy of the Open Meetings Act is displayed in the back of this room as required by state law.

The City Council may vote to go into Closed Session on any agenda item as allowed by state law.

Invocation

Pledge of Allegiance

Roll Call

A - SUBMITTAL OF REQUESTS FOR FUTURE ITEMS

Individuals who have appropriate items for City Council consideration should complete the Request for Future Agenda Items form located at the Information Booth. If the issue can be handled administratively without Council action, notification will be provided. If the item is scheduled for a meeting or study session, notification of the date will be given.

B - RESERVE TIME TO SPEAK ON AGENDA ITEMS

This is an opportunity for individuals wishing to provide input on any of tonight's agenda items to reserve time to speak. Please come forward, state your name and address, and the Agenda topic on which you will be speaking.

MAYOR COMMUNICATION

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



City of Grand Island

Tuesday, June 09, 2009

Council Session

Item C1

Presentation from Hastings Economic Development Corporation

Jack Schreiner, President of Hastings Economic Development Corporation (HEDC), Vern Powers, Mayor of the City of Hastings and Dee Haussler, Director of the HEDC will present a \$5,000.00 contribution on behalf of the City of Hastings and the County of Adams to assist Grand Island in completing the State Fair relocation project. They stated "Working together as neighbors can only enhance our goal of building a stronger Central Nebraska Region."

Staff Contact: Mayor Hornady



City of Grand Island

Tuesday, June 09, 2009

Council Session

Item E1

Public Hearing on Request from Richard Milton dba Milton Motel LLC for a Conditional Use Permit for Construction of a Recreational Vehicle Camper Site Located at 3201 South Locust Street

Staff Contact: Craig Lewis

Council Agenda Memo

From: Craig A. Lewis, Building Department Director

Meeting: June 9, 2009

Subject: Request of Richard Milton from Milton Motel LLC for Approval of a Conditional Use Permit to Allow for the Construction of a Recreational Vehicle Camper Site at 3201 South Locust Street

Item #'s: E-1 & H-1

Presenter(s): Craig Lewis, Building Department Director

Background

This is a request for approval to allow for the construction of a recreational vehicle camper site at 3201 South Locust Street. The current zoning classification of the site is B-2-A/C, a general business zone with an arterial commercial overlay zone, which requires campground to come before the City Council and receive approval in the form of a conditional use permit.

Discussion

The City code provides for campgrounds with the following conditions specified in the code; 36-69 (B) 2. (a). Developer shall submit a diagram of the proposed camp ground including a plot plan of the pads, landscaping plan, utility plan and interior street plan with the application for a conditional use permit.

(b). A minimum of one toilet and one lavatory for each sex shall be provided for the exclusive use of the park occupants. An additional toilet and lavatory for each sex shall be provided for each fifteen (15) sites or fraction thereof.

(c). All RV pads shall be provided with a landscape buffer yard as identified in the landscaping section of this code.

(d). Pads shall not be accessible from any public way.

Additionally section 36-6 Definitions, require, Recreational Vehicle Pads: a space for parking a recreational vehicle within a campground or other allowed place consisting of no less than 800 square feet with a minimum width of 12 feet. Improvements included within the pad space include 1 hard surfaced improved parking space of not less than 180

square feet (20x9 or 18x10) and 2 hard surfaced improved parallel tire pads of not less than 2.5 feet by 24 feet.

The application has been submitted with drawings attached to show the concepts for the design of a camper site. The drawings are not of sufficient detail for construction but do provide a picture of the proposal and some of the basic requirements.

Additional conditions suggested for this proposal would be:

1). All interior roads and streets shall be improved to the design standards as identified in section 36-96(G), permanent, dust-free like asphalt, concrete or paving brick.

2). Annual inspection shall be conducted by the Building Department to check compliance with City Codes, conditions imposed, and adopted building, plumbing, electrical, and fire codes.

3). A 90 day time limit on the maximum allowable stay shall be imposed on all recreational vehicles and campers in the camp ground. No RV shall be allowed to remain longer than a 90 day consecutive period.

4). The size of any propane tank or other fuel container shall be limited to original equipment supplied by the manufacture, no additional or external tanks shall be permitted.

5). No skirting of any kind shall be allowed to be utilized with any recreational vehicle or camper within the camp grounds.

Alternatives

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

1. Approve the request with the proposed conditions, finding that the proposed application is and will continue to be in conformance with the purpose of the zoning regulations.
2. Disapprove or /Deny the request, finding that the proposed application does not conform to the purpose of the zoning regulations.
3. Approve the request with additional or revised conditions and a finding of fact.
4. Refer the matter to a special committee for a determination of a finding of fact.

Recommendation

Approve the application for a conditional use permit for a camper site with the conditions as listed above and presented at the City council meeting, in concept and allow for the continue development of plans for construction finding that the proposed use and application promotes the health, safety, and general welfare of the community, protect

property against blight and depreciation, and is generally harmonious with the surrounding neighborhood.

Sample Motion

Move to approve the request for a conditional use permit to allow for the construction and operation of a campground as identified in the City code with the conditions identified in the staff memorandum and presented at the City Council meeting and finding that the application conforms to the purpose of the zoning regulations.

Conditional Use Permit Application

pc: Building, Legal, Utilities
Planning, Public Works

1. The specific use/construction requested is: RV Park
2. The owner(s) of the described property is/are: Milton Motel LLC
3. The legal description of the property is: LOT 1 VANOSDALL SUBDIVISION
4. The address of the property is: 3201 S. LOCUST
5. The zoning classification of the property is: R2 - AC OVERLAY
6. Existing improvements on the property is: NONE
7. The duration of the proposed use is: NO TIME FRAME
8. Plans for construction of permanent facility is: RV PARK
9. The character of the immediate neighborhood is: _____
10. There is hereby ON PREVIOUS APP. attached a list of the names and addresses of all property owners within 200' of the property upon which the Conditional Use Permit is requested.
11. Explanation of request: Provide a needed RV PARK FOR GRAND ISLAND WITH ELECTRIC, SEWER AND WATER WORKS

I/We do hereby certify that the above statements are true and correct and this application is signed as an acknowledgement of that fact.

2-18-09
Date

383-7595
Phone Number

[Signature]
Owners(s)

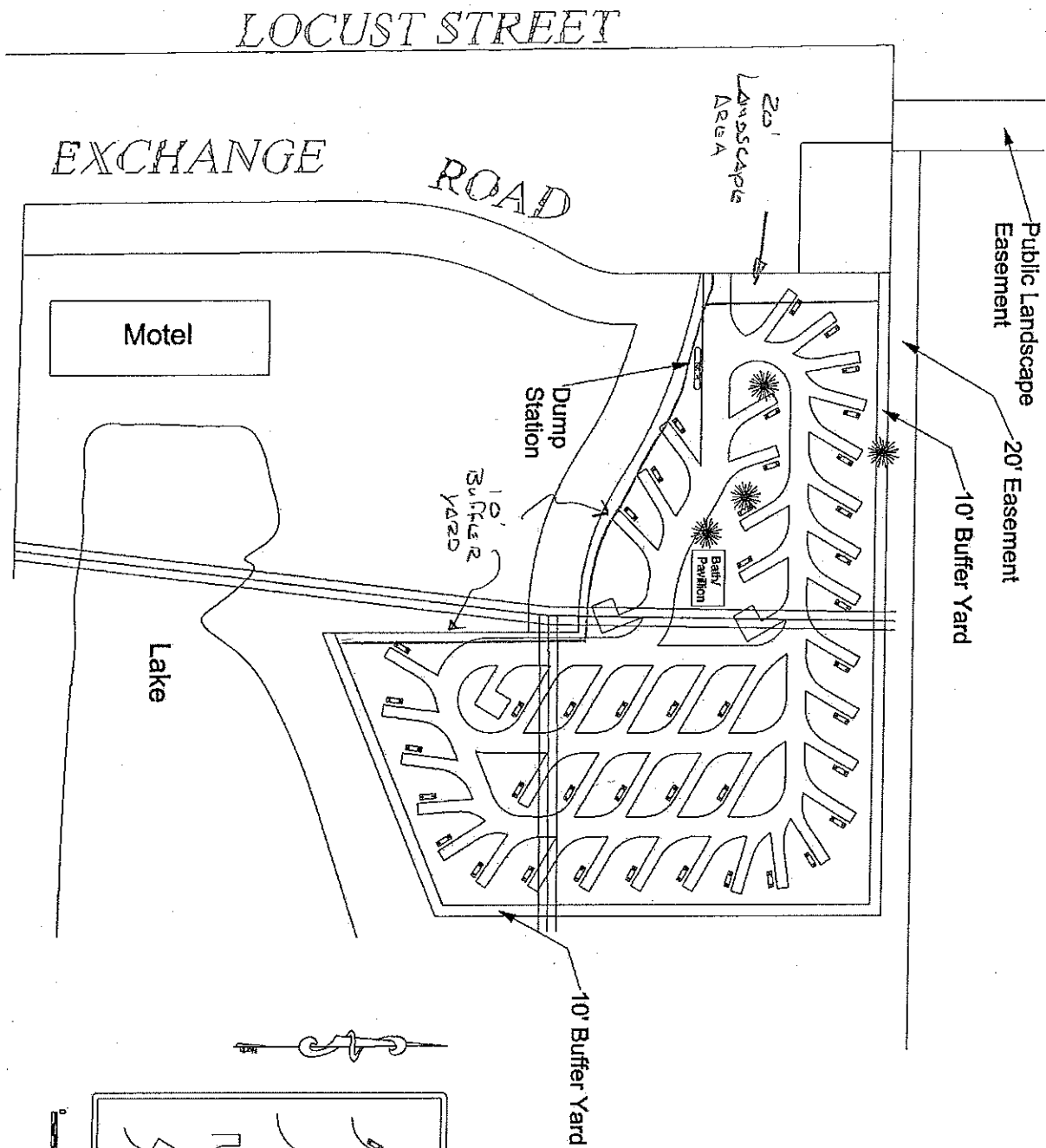
107 E. Ashton
Address

Grand Island NE
City State

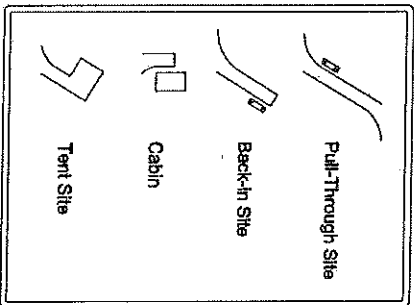
68801
Zip

Please Note: Delays May Occur if Application is Incomplete or Inaccurate.

PLOT PLAN



0 40' 80' 120' 160' 200'
SCALE IN FEET



Site Count
 9 Pull-throughs
 33 Back-ins
 3 Tents
45 Total

Note: Conceptual Drawing Only. Adjust for existing trees, elevation and boundaries.

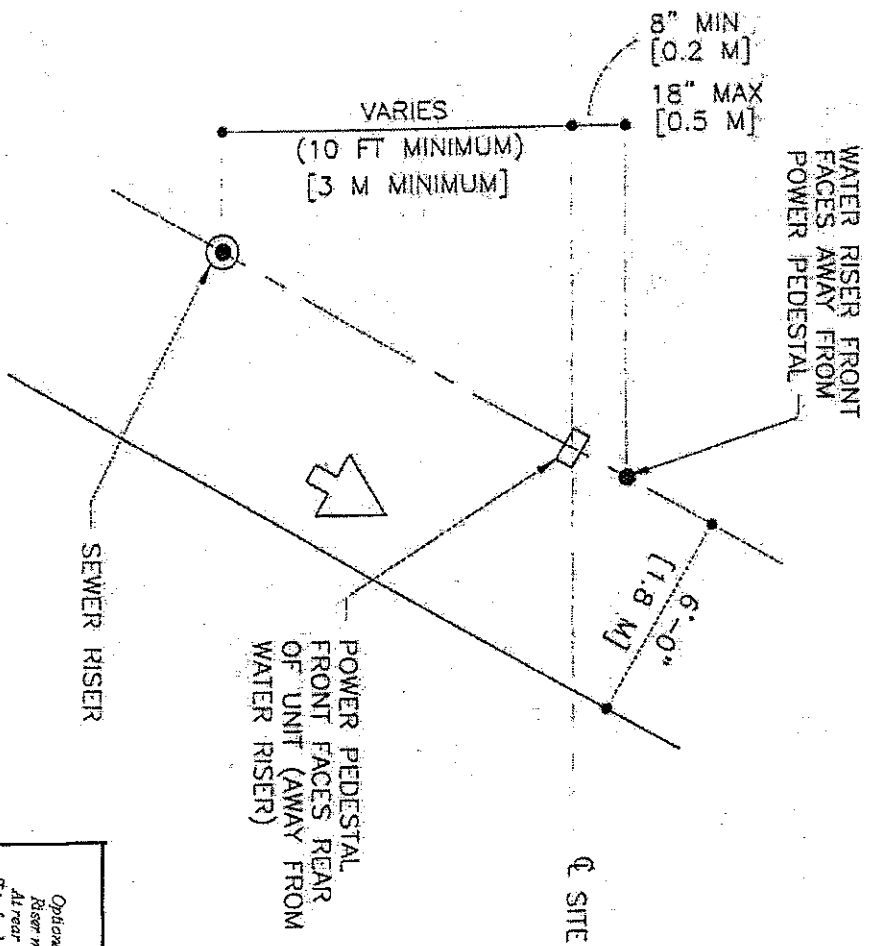
Drawn by: NS

No.	Proposed/Existing	Date

Staves Consulting, Inc.
 (408) 858-7086

Grand Island RV Park
 Grand Island, NE

4.06.09 1 of 1



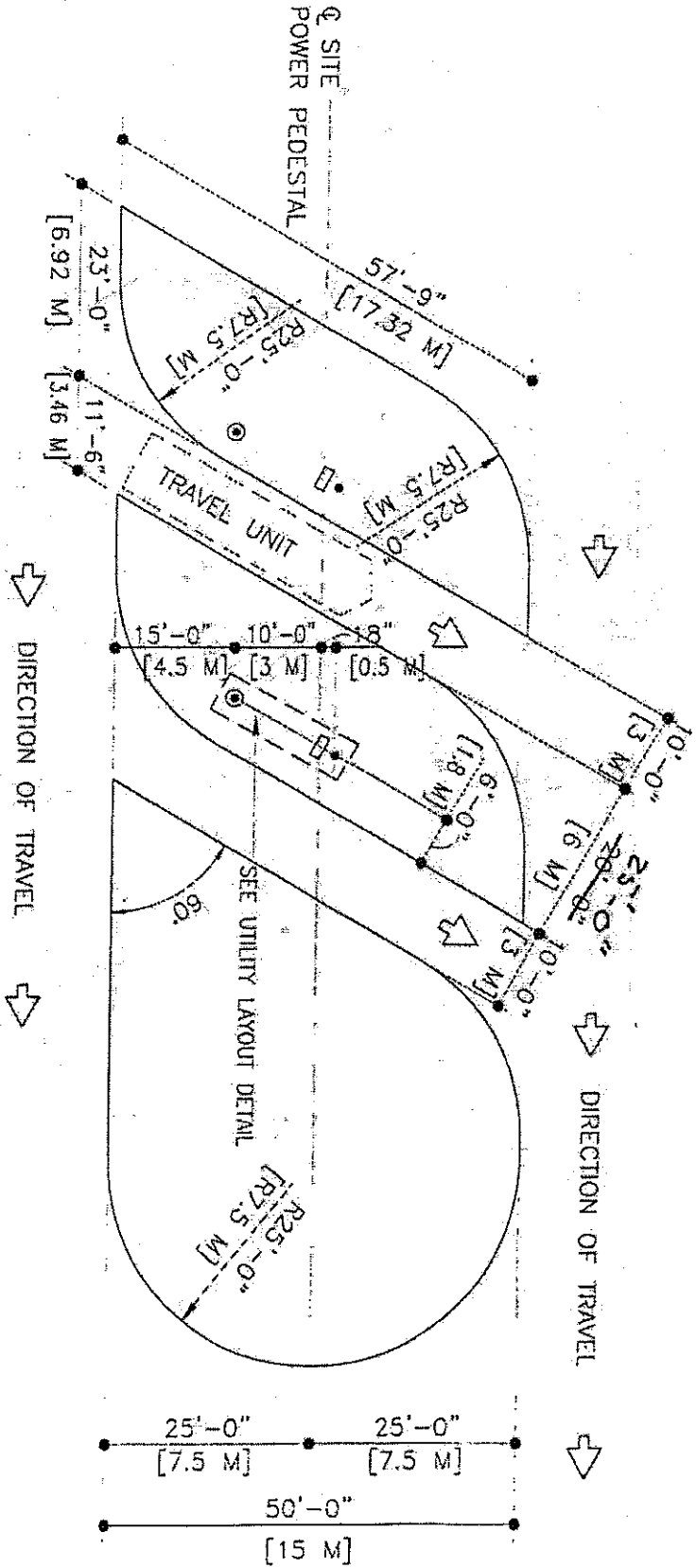
NOTE
Optional second sewer riser may be installed At rear left hand side of site for large 5th wheel RVs

SITE UTILITY LAYOUT DETAIL

SCALE: 1" = 5'-0"

STAVES CONSULTING INC. (406) 656-7086

03/07/00

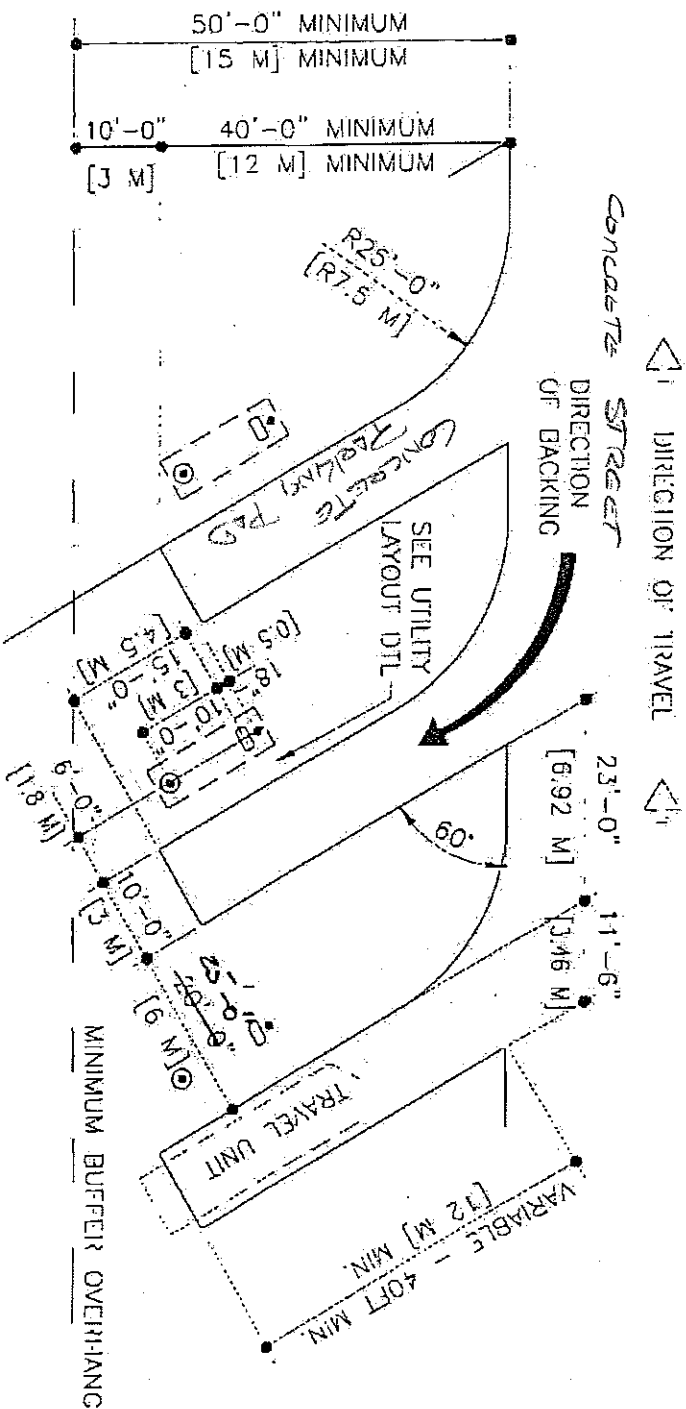


NOTE: USABLE LENGTH OF TRAVEL UNIT SPACE: 51'-10" [15.8 M]

A PULL-THROUGH SITE - 60°
SCALE: 1" = 20'-0"

STAVES CONSULTING (406) 656-7086

RV PAD



(C)

BACK-IN SITE - 60°

SCALE: 1" = 20'-0"

STAVES CONSULTING INC. (406) 656-7086

RV PAD

3201 So. Locust St.

Midaro Dr

Woodland Dr

Ramada Rd

Exchange Rd



US Highway 34 W
US Highway 34 W

US Highway 34 E

US Highway 34 E





City of Grand Island

Tuesday, June 09, 2009

Council Session

Item E2

**Public Hearing on Request from Holland Basham Architects for a
Conditional Use Permit for a Mosaic Group Home Located at 1517
and 1523 Hope Street**

Staff Contact: Craig Lewis

Council Agenda Memo

From: Craig Lewis, Building Department Director

Meeting: June 9, 2009

Subject: Request of Mosaic Group Home for approval of a Conditional Use Permit to Allow Construction of a Group Care Home at 1517 Hope Street

Item #'s: E-2 & H-2

Presenter(s): Craig Lewis, Building Department Director

Background

This request is for the approval of a Conditional Use Permit to allow for the construction of a group home facility at 1517 Hope Street. The property is currently zoned R-3 Medium Density residential and as such group home facilities are listed in the zoning matrix as a permitted conditional use requiring approval of the City Council.

Discussion

The proposal is to construct a six bedroom facility for individuals with disabilities providing health and custodial care on a 24 hour basis from a residential setting. The facility will be constructed in conformance with the International Building Code as an institutional occupancy classification, that classification provides life safety requirements in addition to those required in a residential dwelling.

A conditional use by definition is a use where allowed by the district regulations, that would not be appropriate generally throughout the zoning district without restrictions, but which, if controlled as to number, size, area, location, relationship to the neighborhood or other minimal protective characteristics would not be detrimental to public health, safety, and general welfare.

Alternatives

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

1. Approve the request for the Conditional Use Permit finding that the proposed application is and will continue to be in conformance with the purpose of the zoning regulations.
2. Disapprove or /Deny the Request, finding that the proposed application does not conform to the purpose of the zoning regulations.
3. Approve the request with additional or revised conditions and a finding of fact.
4. Refer the matter to special committee for a determination of a finding of fact..

Recommendation

Approve the request, finding that the proposed use and application promotes the health, safety, and general welfare of the community, protects property against blight and depreciation, and is generally harmonious with the surrounding neighborhood.

Sample Motion

Move to approve the request for a conditional use permit, finding that the application conforms with the purpose of the zoning regulations.



Non-Refundable Fee: \$200.00
Return by: _____
Council Action on: _____

Conditional Use Permit Application

pc: Building, Legal, Utilities
Planning, Public Works

1. The specific use/construction requested is: Mosaic Group Home, www.mosaic.org
2. The owner(s) of the described property is/are: Vacant lot owned by Mosaic.
3. The legal description of the property is: South 1/2 of the West 1/2 of Block 13 in the Pleasant Home Addition
4. The address of the property is: 1517 and 1523 Hope Street, Grand Island
5. The zoning classification of the property is: R3
6. Existing improvements on the property is: Vacant Lot
7. The duration of the proposed use is: Perpetuity
8. Plans for construction of permanent facility is: Group Home for the Disabled
9. The character of the immediate neighborhood is: Residential
10. There is hereby **attached** a list of the names and addresses of all property owners within 200' of the property upon which the Conditional Use Permit is requested.
11. Explanation of request: _____
Mosaic would like to build a 6 bedroom group home for the disabled. The architecture of the proposed structure would be residential style to compliment the surrounding homes. Zoning section 36-64 does not allow Group Homes in the permitted principle use.

I/We do hereby certify that the above statements are true and correct and this application is signed as an acknowledgement of that fact.

5/21/2009
Date

402-896-3584
Phone Number

Mosaic by [Signature]
Owners(s)

4980 S. 118th Street
Address

Omaha NE 68138
City State Zip

Please Note: Delays May Occur if Application is Incomplete or Inaccurate.



PRELIMINARY SITE PLAN

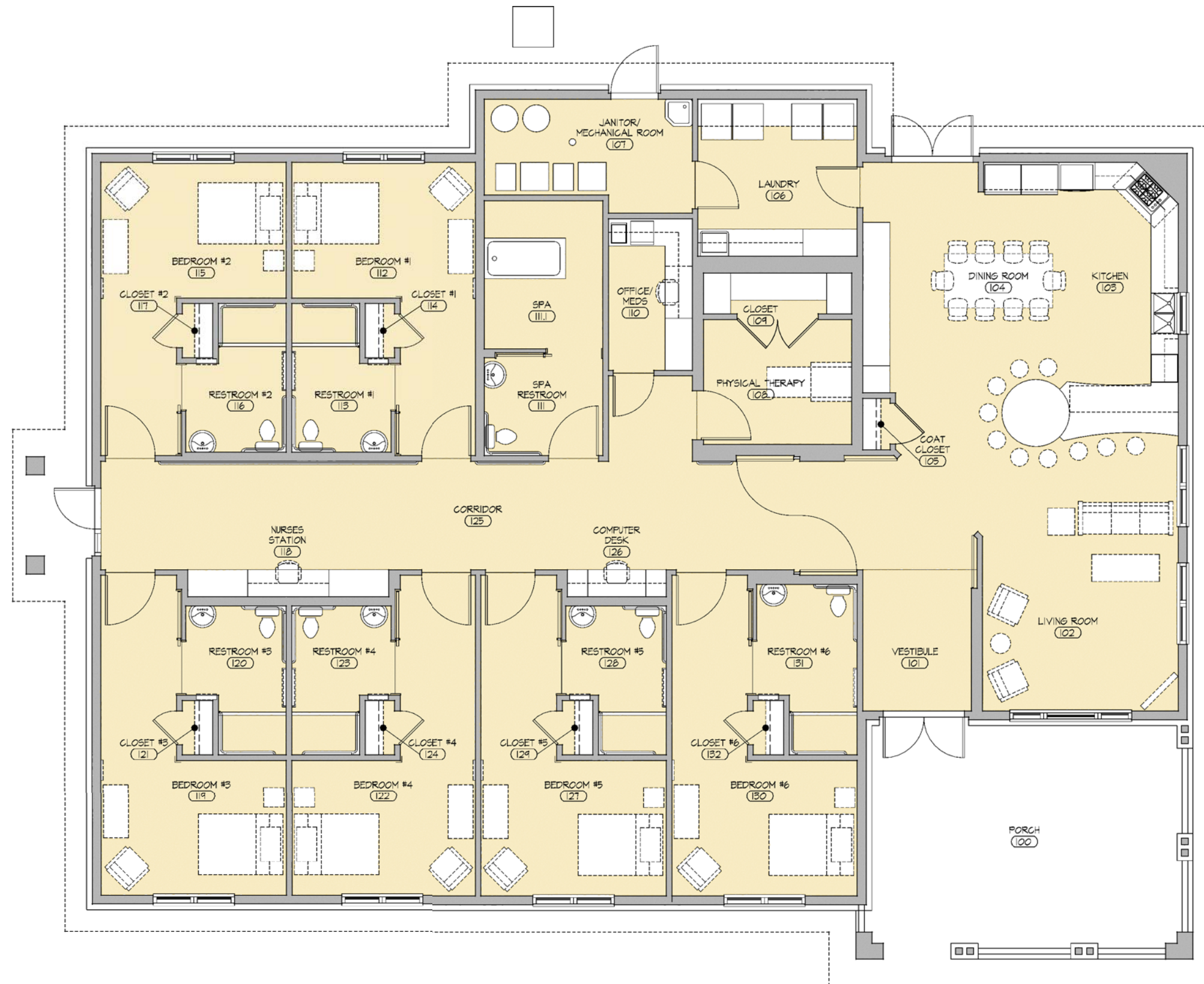
0 10' 20'



MOSAIC
ICF/MR - CDD-MSU

HBA
HOLLAND BASHAM
ARCHITECTS

20 May 2009



PRELIMINARY FLOOR PLAN

0 4' 8'



3D MODEL



WEST ELEVATION



EAST ELEVATION

PRELIMINARY EXTERIOR ELEVATIONS

0' 4' 8'

MOSAIC
ICF/MR - CDD-MSU

 **HBA**
HOLLAND BASHAM
ARCHITECTS

20 May 2009



NORTH ELEVATION



SOUTH ELEVATION

EXTERIOR ELEVATIONS

0 4' 8'

MOSAIC
ICF/MR - CDD-MSU

 **HBA**
HOLLAND BASHAM
ARCHITECTS

20 May 2009



Bonded Abstracter

EILEEN F. HARMS – HAL A. SCHAGER

Member of Nebraska Land Title Association

704 West Third Street – P.O. Box 627 – Grand Island, NE 68802

Telephone (308) 382-4651 – Fax (308) 382-7782

CONDITIONAL USE PERMIT SEARCH

ReZoning Search-200'

1517 and 1523 Hope Street

Name & Address	Description
<ul style="list-style-type: none">G.I. School District 123 S. Webb Rd Grand Island, NE 68803	Lot 1,2,3,4 & 5 Grand Island School Add
<ul style="list-style-type: none">David J. & Amy J. Dever 523 Hedde Grand Island, NE 68801	N1/2W1/2 Blk 13 Pleasant Home Sub
<ul style="list-style-type: none">J & B Rentals, LLC 1611 N. St. Paul Rd Grand Island, NE 68801	W153' S1/2 Blk 12 Pleasant Home Sub
<ul style="list-style-type: none">KC & Deborah Marie Hehnke 8406 N. 110th Rd Dannebrog, NE 68831	Lot 2 Bob Sub
<ul style="list-style-type: none">Francisco A. Penate Jr. 1516 S. Sylvan Grand Island, NE 68801	Lot 1 Bob Sub
<ul style="list-style-type: none">Jerry E. & Beverly A. Thorne 1512 S. Sylvan Grand Island, NE 68801	S 93.32' E1/2N1/2 Blk 13 Pleasant Home Sub
<ul style="list-style-type: none">Donald R. Jelinek 1504 S. Sylvan Grand Island, NE 68801	N 46.68' E1/2 Blk 13 Pleasant Home Sub



Bonded Abstracter

EILEEN F. HARMS – HAL A. SCHAGER

Member of Nebraska Land Title Association

704 West Third Street – P.O. Box 627 – Grand Island, NE 68802

Telephone (308) 382-4651 – Fax (308) 382-7782

- Ken B & Su Z. Moffett
1422 S. Sylvan
Grand Island, NE 68801
S 94' E 132' Blk 12
Pleasant Home Sub
- Abbey G. Wilkinson
1416 S. Sylvan
Grand Island, NE 68801
N 46' E 132' S1/2 Blk 12
Pleasant Home Sub
- Rolland R. & Dorothy Ann Smith
1411 S. Sylvan
Grand Island, NE 68801
S 49' W1/2N1/2 Blk 11
Pleasant Home Sub
- Darrell D. & Janine E. Bayles
1413 S. Sylvan
Grand Island, NE 68801
N1/2W1/2S1/2 Blk 11
Pleasant View Sub
- Jonathan N. & Jennifer K. Stromer
420 W. Hedde
Grand Island, NE 68801
S 70' W1/2 Blk 11
Pleasant Home Sub
- Don J. Schenck
421 Hedde
Grand Island, NE 68801
N 85' W1/2 Blk 14
Pleasant Home Sub
- Dana A. & James A. White
2911 Bearing Point Dr
Grand Island, NE 68803
S 65' N150' W1/2 Blk 14
Pleasant Home Sub
- Regina A. & Darrlyn Juhl
404 East St
Shelton, NE 68876
S 130' W1/2 Blk 14
Pleasant Home Sub
- Niels McDermott
923 Austin Ave
Grand Island, NE 68801
Pt SE1/4 21-11-9
- City of Grand Island
100 1st St
Grand Island, NE 68801
Pt SE1/4 21-11-9
- David L. & Catherine M. Larson Trustee
505 Linden Ave
Grand Island, NE 68801
Lot 4 Sunny Acres 2nd
Sub



Bonded Abstracter

EILEEN F. HARMS – HAL A. SCHAGER

Member of Nebraska Land Title Association

704 West Third Street – P.O. Box 627 – Grand Island, NE 68802

Telephone (308) 382-4651 – Fax (308) 382-7782

- OHHO Partnership
8406 N 110th Rd
Dannebrog, NE 68831
Lot 25 Sunny Acres Sub
- William & Agnes Gomes
4077 David Ave
Grand Island, NE 68803
Lot 23 Sunny Acres Sub
- Ruff Properties LLC
P O Box 5592
Grand Island, NE 68802
Lot 24 Sunny Acres Sub
- Southwood Apartments Inc.
5101 Central Park Dr #100
Lincoln, NE 68504
Lot 16 Sunny Acres Sub
- Tyler S. Williams
702 Church Rd
Grand Island, NE 68801
Lots 14 & 15 Sunny Acres Sub
- William & Agnes Gomes
4077 David Ave
Grand Island, NE 68803
Lots 1, 2, & 3
Birmingham Estate Sub
- Baker Development Co.
P O Box 2161
Grand Island, NE 68802
Lot 1 Nottingham Estates
2nd Sub
- Donald E. & Donna J. Preisendorf
4216 Arizona Ave
Grand Island, NE 68803
Pt Lots 16, 17 & 18
Nottingham Estates Sub
- Grand Island Renovations LLC
4006 Reed Rd
Grand Island, NE 68803
Lot 19 & 20
Nottingham Estates Sub





City of Grand Island

Tuesday, June 09, 2009

Council Session

Item E3

**Public Hearing on Application for Edward Byrne Memorial
Justice Assistance Grant (JAG) 2009**

Staff Contact: Steve Lamken

Council Agenda Memo

From: Chief Steven Lamken, Police Department

Meeting: June 9, 2009

Subject: Edward Byrne Memorial Justice Assistance Grant (JAG)
2009 (Regular)

Item #'s: E-3 & G-6

Presenter(s): Steve Lamken, Chief of Police

Background

The Grand Island Police Department and Hall County Sheriff's Department are eligible to receive Justice Assistance Grant money from the U.S. Department of Justice under the regular JAG offering in 2009. This is separate from the JAG monies awarded under the "Recovery" program. The total award for Grand Island is in the amount of \$26,694 and may be spent over a four year period. The Grand Island Police Department will serve as the fiscal agency on this grant. The Hall County Sheriff's Department will be a disparate agency and will receive twenty five percent of the award totals, \$6,673.50, with the remaining seventy five percent, \$20,020.50 to the City of Grand Island.

Discussion

There is a federal mandate that requires a public hearing regarding the application process and disbursement of the JAG funds.

\$20,020.50 from the grant funds awarded to the Grand Island Police Department is tentatively allocated to purchase police equipment.

\$6,673.50 from the grant funds awarded to the Hall County Sheriff's Department, a named disparate agency, is tentatively allocated to purchase police equipment.

Alternatives

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

1. Approve the application and suggested disbursement of JAG funds.
2. Reject the application and use of JAG funds
3. Send to committee for further discussion.
4. Table for more discussion.
5. Take no action.

Recommendation

City Administration recommends that the Council approve the application and suggested disbursement as presented.

Sample Motion

Move to approve the application and suggested disbursement of Justice Assistance Grant funding.

Edward Byrne Memorial Justice Assistance Grant Program

CFDA NUMBER: 16.738

THE STATE OF NEBRASKA

COUNTY OF HALL

**MEMORANDUM OF UNDERSTANDING
BETWEEN THE CITY OF GRAND ISLAND, NEBRASKA
AND COUNTY OF HALL, NEBRASKA**

2009 BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD

This agreement is made and entered into this _____ day of June, 2009, by and between The County of Hall, acting by and through its governing body, The Hall County Board of Supervisors, hereinafter referred to as COUNTY, and the CITY of Grand Island, acting by and through its governing body, the City Council, hereinafter referred to as CITY, both of Hall County, State of Nebraska, witnesseth:

WHEREAS, the City and County may apply for a direct award from the Justice Assistance Grant Program of \$26,694.00 and the City shall act as fiscal agent for this award and file the joint application on behalf of the City and County: and

WHEREAS, each governing body, in performing governmental functions or in paying for the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that party: and

WHEREAS, each governing body finds that the performance of this agreement is in the best interests of both parties, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions under this agreement: and

WHEREAS, the CITY agrees to provide the COUNTY \$6,673.50 from the \$26,694.00 JAG award: and

WHEREAS, the CITY and COUNTY believe it to be in their best interests to reallocate the JAG funds.

NOW THEREFORE, the COUNTY and City agree as follows:

Section 1.

CITY agrees to pay COUNTY a total of \$6,673.50 of JAG funds.

CFDA NUMBER: 16.738

Section 2.

COUNTY agrees to use the \$6,673.50 JAG funds by 9-30-2013.

Section 3.

Each party to this agreement will be responsible for its own actions in providing services under this agreement and shall not be liable for any civil liability that may arise from the furnishing of the services by the other party.

CITY OF GRAND ISLAND, NEBRASKA

COUNTY OF HALL, NEBRASKA

Mayor

Board Chairperson

ATTEST:

City Clerk

County Clerk



City of Grand Island

Tuesday, June 09, 2009

Council Session

Item G1

Approving Minutes of May 26, 2009 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

May 26, 2009

Pursuant to due call and notice thereof, a Regular Meeting of the City Council of the City of Grand Island, Nebraska was conducted in the Council Chambers of City Hall, 100 East First Street, on May 26, 2009. Notice of the meeting was given in *The Grand Island Independent* on May 20, 2009.

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

INVOCATION was given by Mayor Hornady followed by the PLEDGE OF ALLEGIANCE.

MAYOR COMMUNICATION: Mayor Hornady introduced Community Youth Council members Audie Aguilar and Garratt Coble. Mayor Hornady mentioned the process of disestablishing BID #8 that was brought forward by Councilmember Carney.

PUBLIC HEARINGS:

Public Hearing on Acquisition of Utility Easement Located on the East Side of Broadwell Avenue from 8th Street South to the Alley, West of Jefferson School (Hall County School District No. 2). Gary Mader, Utilities Director reported that a utility easement was needed on the east side of Broadwell Avenue from 8th Street south to the alley, west of Jefferson School in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers. The easement would be used to relocate secondary underground electric lines to facilitate the clearing of Jefferson School property. Staff recommended approval. No public testimony was heard.

Public Hearing Concerning Change of Zoning for Land Located at 3059 St. Paul Road from M2 Heavy Manufacturing to LLR Large Lot Residential. Chad Nabity, Regional Planning Director reported that a request had been made to rezone approximately 5.84 acres of land south of Airport Road and east of St. Paul Road from M2 Heavy Manufacturing to LLR Large Lot Residential. The property had been used for residential purposes and the owners wanted to insure they could rebuild if the house was destroyed. Staff recommended approval. Craig Ackerly, 3059 St. Paul Road spoke in support. No further public testimony was heard.

Public Hearing Concerning Change of Zoning for Land Located at 1403 Adams Street from M2 Heavy Manufacturing to R3 Medium Density Residential. Chad Nabity, Regional Planning Director reported that a request had been made to rezone approximately 3.135 acres of land south of Fonner Park Road and east of Adams Street from M2 Heavy Manufacturing to R3 Medium Density Residential. The property is currently vacant. The applicant has an option to purchase this property contingent on rezoning to build apartments. Staff recommended approval. Gary Eilenstine, 2011 North Road spoke in support. No further public testimony was heard.

Public Hearing Concerning Changes to the Grand Island City Code Section 36-173 Relative to Setback and Separation or Buffer Requirements for Towers. Chad Nabity, Regional Planning Director reported that changes proposed were requested by Patrick Buettner which would give the City flexibility in determining the appropriate setbacks for towers when the property is bounded by public property. Staff recommended approval. Patrick Buettner, 714 South Broadwell spoke in support. No further public testimony was heard.

Public Hearing on Acquisition by Lease-Purchase of Building to Serve as a Recreational Facility and State Fair Activities. Jeff Pederson, City Administrator reported this hearing provided for the purchase and leasing of a building and related improvements to serve as a recreational facility at Fonner Park. No public testimony was heard.

ORDINANCES:

#9214 – Consideration of Annexation of Property Located South of Case New Holland and West of Highway 281 (Final Reading)

Chad Nabity, Regional Planning Director explained this was the final reading to annex property south of Case Holland and west of Highway 281.

Motion by Meyer, second by Carney to approve Ordinance #9214 on second reading. Upon roll call vote, all voted aye. Motion adopted.

#9215 – Consideration of Lease-Purchase Agreement, Ground Lease and Escrow Agreement for Building and Related Improvements to Serve as a Recreational Facility for State Fair Activities (Final Reading)

Dale Shotkoski, City Attorney explained this was the final reading to move the state fair relocation to Grand Island.

Jay Vavricek, 2729 Brentwood Boulevard commented on the lease-purchase agreement, interest, and naming rights of the facility. Discussion was held concerning the approval of payments within the lease-purchase agreement. Bruce Eberly representing Wells Fargo answered questions concerning payments.

Motion by Meyer, second by Zapata to approve Ordinance #9215 on final reading.

Motion by Dugan, second by Meyer to amend the original motion by striking Attachment B to remove the escrow agent fees and Section 7 Subsection B to strike City Administrator and Finance Director. Upon roll call vote, all voted aye. Motion adopted.

A lengthy discussion was held concerning naming rights of the facility. Don Dunn, 72 Ponderosa commented on fund raising and naming rights. Currently private donations had exceeded \$1 million. Hugh Miner, Jr., 3830 Meadoway Trail answered questions regarding naming rights for the Heartland Events Center.

Upon roll call vote of the main motion, Councilmember's Meyer, Niemann, Gilbert, Haase, Carney, Dugan, Ramsey, Zapata, and Gericke voted aye. Councilmember Nickerson voted no. Motion adopted.

#9216 – Consideration of Disestablishment of Business Improvement District No. 8 (Second reading)

Dale Shotkoski, City Attorney explained this was the second reading and was related to the Public Hearing held on May 12, 2009. Also mentioned was the process of disestablishing BID #8.

Bruce Eberly, 3219 Hiawatha Place commented on recent town hall meetings held. The following concerns of those opposed to BID #8 were mentioned:

1. Owner occupied property assessments – move to zero
2. Budget items – how money was spent
3. Membership on board – nomination process

Mr. Eberly spoke against the disestablishment of BID #8.

Carl Mayhew, 507 Plum Road spoke against the disestablishment but wanted changes. Terry Taylor, 222 South Eddy Street supported the disestablishment of the district.

Motion by Carney, second by Meyer to approve Ordinance #9216 on second reading.

Motion by Nickerson, second by Meyer to amend Ordinance #9216 for final reading to July 14, 2009 and during that time the BID members would be solicited by the board for a "yes" or "no" vote to be turned in to the City Clerk by June 30, 2009 and based on those results the Council would take final action on July 14, 2009.

Discussion was held concerning giving more time for both sides to work out their differences. Mentioned was the work plan for BID #8 and residential benefits. Bruce Eberly stated to date most of the items on the list were being worked on.

Wes Nespor, Assistant City Attorney updated the Council on state statutes and the process of establishing and disestablishing BID's. Several Councilmember's stated this issue needed to move forward and bring the process to an end. Mr. Nespor answered questions regarding the roll of the Board of Equalization and process of addressing properties for assessment.

Upon roll call vote for the amendment, Councilmember's Carney and Nickerson voted aye. Councilmember's Meyer, Niemann, Gilbert, Haase, Dugan, Ramsey, Zapata, and Gericke voted no. Motion failed.

Upon roll call vote of the main motion, Councilmember's Niemann, Haase, Carney, Nickerson, and Gericke voted aye. Councilmember's Meyer, Gilbert, Dugan, Ramsey, and Zapata voted no. Mayor Hornady voted no to break the tie. Motion failed.

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

- #9219 – Consideration of Vacation of Easement in Vacated Jefferson Street; Adjacent to Lot One (1), block Eleven (11) Wallich's Addition (1314 West 7th Street)
- #9220 – Consideration Concerning Change of Zoning for Land Located at 3059 St. Paul Road from M2 Heavy Manufacturing to LLR Large Lot Residential
- #9221 – Consideration Concerning Change of Zoning for Land Located at 1403 Adams Street from M2 Heavy Manufacturing to R3 Medium Density Residential
- #9222 – Consideration Concerning Changes to the Grand Island City Code Section 36-173 Relative to Setback and Separation or Buffer Requirements for Towers

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

Steve Riehle, Public Works Director reported Ordinance #9219 was a request from the Grand Island Public Schools for vacation of a public utility easement due to pending construction of a new annex addition to Jefferson Elementary.

Ordinances #9220, #9221, and #9222 related to the aforementioned Public Hearings.

Motion by Meyer, second by Nickerson to approve Ordinances #9219, #9220, #9221, and #9222.

City Clerk: Ordinances #9219, #9220, #9221, and #9222 on first reading. All those in favor of the passage of these ordinances on first reading, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

City Clerk: Ordinances #9219, #9220, #9221, and #9222 on final passage. All those in favor of the passage of these ordinances on final passage, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

Mayor Hornady: By reason of the roll call votes on first reading and then upon final passage, Ordinances #9219, #9220, #9221, and #9222 are declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Consent Agenda Item G-9 was pulled for further discussion. Motion by Zapata, second by Nickerson to approve the Consent Agenda excluding Item G-9. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of May 12, 2009 City Council Regular Meeting.

Approving Minutes of May 19, 2009 City Council Study Session.

#2009-118 – Approving Final Plat and Subdivision Agreement for South Place Subdivision. It was noted that Gary Eilenstine, owner had submitted the Final Plat and Subdivision Agreement for South Place Subdivision for the purpose of creating 4 lots east of Adams Street and north of Stolley Park Road comprising of approximately 3.135 acres.

#2009-119 – Approving Acquisition of Utility Easement Located the East Side of Broadwell Avenue from 8th Street South to the Alley, West of Jefferson School (Hall County School District No. 2).

#2009-120 – Approving Bid Award for Water Main Replacement – 1st Street from Pine Street to Plum Street (Water Main Project 2008-W-8) with General Excavating or Lincoln, Nebraska in an Amount of \$163,184.89.

#2009-121 – Approving Authorization for Emergency Sanitary Sewer Repairs on Koenig Street, Between Oak Street and Vine Street with The Diamond Engineering company of Grand Island, Nebraska in an Amount of \$35,000.00 and Midlands Contracting, Inc. of Kearney, Nebraska in an Amount of \$7,494.50.

#2009-122 – Approving Certificate of Final Completion for Storm Drainage Project No. 2009-D-1; Cottonwood Lake Silt Structures with The Diamond Engineering Company of Grand Island, Nebraska.

#2009-123 – Approving Certificate of Final Completion for Handicap Ramp Project No. 2008-2 with Galvan Construction, Inc. of Grand Island, Nebraska.

#2009-125 – Approving Bid Award for a Used Articulated Loader with Fairbanks Equipment of Nebraska of Grand Island, Nebraska in an Amount of \$25,000.00.

#2009-124 – Approving Payment to Pheasants Forever in an Amount of \$4,421.98. Steve Paustian, Parks and Recreation Director explained the purchasing process of paying claims. It was mentioned this claim would be reimbursed 100%.

Motion by Meyer, second by Dugan to approve Resolution #2009-124. Upon roll call vote, Councilmember's Meyer, Niemann, Gilbert, Carney, Dugan, Ramsey, Zapata, Nickerson, and Gericke voted aye. Councilmember Haase voted no. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Dugan, second by Gericke to approve the Claims for the period of May 13, 2009 through May 26, 2009, for a total amount of \$2,610,784.92. Unanimously approved.

ADJOURNMENT: The meeting was adjourned at 9:00 p.m.

RaNae Edwards
City Clerk



City of Grand Island

Tuesday, June 09, 2009

Council Session

Item G2

**Approving Minutes of June 1 and 2, 2009 City Council Special
Study Session (Goal Retreat)**

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL SPECIAL STUDY SESSION (GOALS RETREAT)

June 1, 2009

Pursuant to due call and notice thereof, a Special Study Session (Goals Retreat) of the City Council of the City of Grand Island, Nebraska was conducted at the Edith Abbott Memorial Library, 211 N. Washington Street, on June 1, 2009. Notice of the meeting was given in the *Grand Island Independent* on May 27, 2009.

Mayor Margaret Hornady called the meeting to order at 6:05 p.m. The following Councilmember's were present: Gericke, Nickerson, Zapata, Ramsey, Carney, Haase, Niemann, and Meyer. Councilmember's Dugan and Gilbert were absent. The following City Officials were present: City Administrator Jeff Pederson, Deputy City Clerk Paul Briseno, City Attorney Dale Shotkoski, Public Works Director Steve Riehle, Finance Director David Springer, Building Department Director Craig Lewis, Emergency Management Director Jon Rosenlund, Fire Chief Troy Hughes, Human Resources Director Brenda Sutherland, Parks & Recreation Director Steve Paustian, Police Chief Steve Lamken, Planning Director Chad Nabity, Public Information Officer Wendy Meyer-Jerke and Utilities Director Gary Mader.

City Council Goals Retreat.

City Administrator Jeff Pederson gave a brief overview of the budget process to date as well as the process of Fiscal Health and Wellness.

Jon Johnson and Chris Fabian of the International City/County Managers Association presented "The Promise of Fiscal Health & Wellness (Prioritization)" program to council. The program consists of two parts, Fiscal Health which is the diagnosis of the budget and Fiscal Wellness which incorporates prioritization and strategic goal setting to align municipal programs with council results through mapping and prioritization.

Chirs and Jon incorporated the goals set by council, from the February 2009 Council retreat, to create result/goal areas within three main sections. The results include:

Community Results

- Quality of Life
- Stewardship of the Environment
- Safe Community
- Strategic, Sustainable and Maintained Development

Quality Management Results

- Effective, Efficient and Sustainable Organization
- Accessible and Transparent

Governance Result

- Stewardship of Resources

Council participated in a result mapping exercise. Mapping the results defines what a Safe Community means to Council and staff. Council created seven areas within the Safe Community result.

Time allowed for the accomplishment of mapping for only one result. Stewardship of the Environment, Safe Community, Strategic, Sustainable and Maintained Development as well as Governance would be covered at the June 2nd meeting.

ADJOURNMENT: The meeting was adjourned at 9:00 p.m.

Paul Briseno
Deputy City Clerk

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL SPECIAL STUDY SESSION (GOALS RETREAT)

June 2, 2009

Pursuant to due call and notice thereof, a Special Study Session (Goals Retreat) of the City Council of the City of Grand Island, Nebraska was conducted at the Edith Abbott Memorial Library, 211 N. Washington Street, on June 2, 2009. Notice of the meeting was given in the *Grand Island Independent* on May 27, 2009.

Mayor Margaret Hornady called the meeting to order at 6:00 p.m. The following Councilmember's were present: Gericke, Zapata, Ramsey, Dugan, Carney, Haase, Gilbert, Niemann, and Meyer. Councilmember Nickerson was absent. The following City Officials were present: City Administrator Jeff Pederson, Deputy City Clerk Paul Briseno, City Attorney Dale Shotkoski, Public Works Director Steve Riehle, Finance Director David Springer, Building Department Director Craig Lewis, Emergency Management Director Jon Rosenlund, Fire Chief Troy Hughes, Human Resources Director Brenda Sutherland, Parks & Recreation Director Steve Paustian, Police Chief Steve Lamken, Planning Director Chad Nabity, Library Director Steve Fosselman, and Utilities Director Gary Mader.

City Council Goals Retreat. Jon Johnson and Chris Fabian, Colorado Consultants with the International City/County Managers Association (ICMA) reviewed the following from last night's meeting:

- Community Results
- Quality Management Results
- Governance Results

Those present were asked to finish the sentence: "When the City _____, then the result of Quality of Life is accomplished." The consultant's then categorized each of the responses. The following categories were identified:

- Environment
- Housing
- Safe Community
- Recreation
- Jobs
- Transportation/Infrastructure
- Community Beautification
- Cultural & Arts
- Educational Opportunities
- Water Issues
- Health
- Overall Image

The next question answered by those present was "When the City _____, then the result of Stewardship of the Environment is accomplished." The following categories were identified:

- Waste Disposal & Recycling
- Air & Water Pollution
- Trash & Clutter
- Alternative Energy
- Environmental Threats
- Regulated Developments
- Conservation Education
- Chemical & Hazardous Material

The next question answered by those present was “When the City _____, then the result of Strategic, Sustainable and Maintained Growth is accomplished.” The following categories were identified:

- Development and Retention of Businesses
- Infrastructure to Support Growth
- City Services to Promote Growth
- Affordable Development
- Regulatory Requirements
- Partnerships
- Financial Sustainable Development
- Tourism

The following Governance functions were presented:

- Enhance and Facilitate Transparency and Accountability in all County Business
- Monitoring to Ensure Regulatory and Policy Compliance
- Provide for the Stewardship and Sustainability of Our Resources
- Provide Analysis and Long-Range/Short-Term Forecasting that Supports Decision Making
- Being Responsive to the Needs of Our Customers
- Communication
- Educating Council and Staff
- Setting a Standard of Excellence/Promoting Standards of Best Practice

Mr. Johnson stated they would take these results back with them and compile a report to submit to the City at a future date. Mr. Johnson and Mr. Fabian thanked the City Council and Department Director’s for the opportunity to present the “Fiscal Health and Wellness” program.

City Administrator Jeff Pederson commented on going forward with this project.

ADJOURNMENT: The meeting was adjourned at 8:40 p.m.

RaNae Edwards
City Clerk



City of Grand Island

Tuesday, June 09, 2009

Council Session

Item G3

#2009-126 - Approving Bid Award - Burdick Cooling Tower Fire Protection

Staff Contact: Gary R. Mader; Wesley Nespor

Council Agenda Memo

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

Meeting: June 9, 2009

Subject: Burdick Cooling Tower Fire Protection 2009

Item #'s: G-3

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

Background

In the fall of last year, a contract was awarded for the replacement of the cooling tower on the #3 electric generating unit at the Burdick Station Power Plant. The construction of the new cooling tower is completed, with performance testing to be completed during the upcoming summer. Specifications for a fire protection sprinkler system for this new tower were prepared and issued for bids. The design of the fire protection system was done by utility engineering staff and reviewed by our insurance carrier, Factory Mutual. The system design is in accordance with FM requirements.

Discussion

The specifications for the Burdick Cooling Tower Fire Protection 2009 were advertised and issued for bid in accordance with the City Purchasing Code. Bids were publicly opened on May 14, 2009. Specifications were sent to six potential bidders and responses were received as listed below. The engineer's estimate for this project was \$60,000.

Bidder	Bid Price	Taxes	Evaluated Price
Continental Fire Sprinkler Company Omaha, NE	\$40,787.00	\$1,439.00	\$42,226.00
Nebraska Fire Sprinkler Alda, NE	\$52,900.00	Included	\$ 52,900.00

The fire protection provisions for a power plant cooling tower are somewhat unique and both bidders included exceptions/clarifications with their bids to ensure that some items they normally see as a part of fire protection systems are, indeed, not required. The as-read low bidder, Continental Fire Sprinkler, confirmed that hose stations and cabinets are

not required and that there is no buried piping required. Nebraska Fire Sprinkler confirmed that they are not responsible for the existing piping to which this project is attached and that backflow protection is not required to be installed by the contractor. The exceptions/clarifications noted by the contractors are in accordance with the specifications. Both bidders are informed that their bids are evaluated as compliant with the specifications. Both bids are less than the engineer's estimate.

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 Contract for Burdick Cooling Tower Fire Protection to Continental Fire Sprinkler Company of Omaha, NE, as the lowest responsive bidder, with the bid price of \$42,226.00.

Sample Motion

Move to approve award of the bid of \$42,226.00 from Continental Fire Sprinkler Company for the Burdick Cooling Tower Fire Protection 2009 as submitted.

Purchasing Division of Legal Department
INTEROFFICE MEMORANDUM



Wes Nespor, Purchasing Agent

*Working Together for a
Better Tomorrow, Today*

BID OPENING

BID OPENING DATE: May 14, 2009 at 11:15 a.m.

FOR: Burdick Cooling Tower Fire Protection 2009

DEPARTMENT: Utilities

ESTIMATE: \$60,000.00

FUND/ACCOUNT: 520

PUBLICATION DATE: April 30, 2009

NO. POTENTIAL BIDDERS: 6

SUMMARY

Bidder:	<u>Continental Fire Sprinkler Company</u> Omaha, NE	<u>Nebraska Fire Sprinkler</u> Alda, NE
Bid Security:	Travelers Casualty & Surety	Universal Surety Company
Exceptions:	Noted	Noted
Bid Price:		
Material:	\$20,556.00	\$20,849.00
Labor:	20,231.00	31,275.00
Sales Tax:	<u>1,439.00</u>	<u>776.00</u>
Total:	<u>\$40,787.00</u>	<u>\$52,900.00</u>

cc: Gary Mader, Utilities Director
Dale Shotkoski, City Attorney
Jeff Pederson, City Administrator
Lynn Mayhew, Utilities Dept.

Bob Smith, Assist. Utilities Director
Wes Nespor, Purchasing Agent
Pat Gericke, Utilities Admin. Assist.
Karen Nagel, Utilities Secretary

P1337

RESOLUTION 2009-126

WHEREAS, the City Electric Department invited sealed bids for Cooling Tower Fire Protection at Burdick Power Plant; and

WHEREAS, on May 14, 2009, bids were received, opened and reviewed; and

WHEREAS, Continental Fire Sprinkler Company, of Omaha, 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 \$42,226.00; and

WHEREAS, the bid of Continental Fire Sprinkler Company of Omaha, Nebraska, is less than the estimate for Cooling Tower Fire Protection at Burdick Power Plant.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Continental Fire Sprinkler Company of Omaha, Nebraska, in the amount of \$42,226.00 for Cooling Tower Fire Protection at Burdick Power Plant is hereby approved as the lowest responsible bid.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, June 9, 2009.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
June 4, 2009	☐ City Attorney



City of Grand Island

Tuesday, June 09, 2009

Council Session

Item G4

#2009-127 - Approving Pilot Study Agreement for Radionuclide Testing between the City of Grand Island and Water Remediation Technology

Staff Contact: Gary R. Mader; Wesley Nespor

Council Agenda Memo

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

Meeting: June 9, 2009

Subject: Water Remediation Technology Pilot Study Agreement

Item #'s: G-4

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

Background

In January of this year, the City awarded a contract to modify the water collector header systems at the City Wellfield to increase the operational flexibility to mix the water from the 21 wells there. The need for this modification was driven by new EPA regulation regarding uranium. For reference, the history of the regulatory action, source information and historical testing is provided below. The collector header modification project is nearing completion.

History:

In 2003, the new regulation placing a Maximum Contaminate Level (MCL) on uranium in drinking water became effective. Uranium is a naturally occurring element in the aquifers of Nebraska and other states across the nation. Implementation of the new MCL began with the sampling of the state's municipal water systems in accordance with the EPA specified testing protocol. Samples of the Grand Island water supply for regulatory compliance were first taken in 2004. The sampling protocol requires testing for four consecutive quarters, with the average of the year long sampling results being the level by which system compliance is established. Sampling is done at the points at which the supply waters enter the water distribution system, referred to as "Points of Entry". Sampling and testing of the Grand Island water system showed full compliance with the new regulation.

Uranium is not an acute concern but rather is a concern over a lifetime of exposure. According the *Neb-Guide from the University of Nebraska*, "...uranium in water supplies produces very little radioactivity, the health effects from exposure to uranium are primarily thought to be associated with the chemical properties of soluble uranium. Studies suggest that ingestion of high levels of uranium may be associated with an

increased risk of kidney damage...Exposure to soluble uranium in drinking water has not been shown to increase the risk of developing cancer.”

The Utilities Department has monitored the presence of uranium in the naturally occurring aquifer in Central Nebraska for many years. In a five year study, conducted from 1978 to 1983, sponsored by the Central Platte Natural Resources District and conducted by Dr. Roy Spalding of the University of Nebraska, the uranium levels in the Central Platte Valley were tested and mapped. From that study, it is known that levels of uranium can vary substantially over relatively short distances. Additionally, Nebraska Health and Human Services (HHS) has worked very closely with several cities in the state where test results showed area water supplies exceeded the newly promulgated MCL. Because of the known variability from the 1983 report and the confirmation of that variability by the more recent HHS work, the Utilities Department established a regular testing regimen of each of the 21 wells at the Wellfield. The testing confirmed that the levels of uranium vary from well to well and generally increase from east to west along the length of the island upon which the wells are located. Several of the individual wells on the westerly end of the island exceeded the newly established MCL. Because the sampling is from a composite of supply waters, the overall contaminate levels at the Points of Entry to the water distribution system meet the new standard. As a result of the Utilities Department's sampling, the staging of operation among the Wellfield wells has been modified to prioritize supply from the easterly, lower uranium wells. That also requires modification of the operation of the pumping station there.

At present, the collector piping at the Wellfield, which brings the water from each well to the central pumping station, is generally configured from two separate directions, east and west. In order to increase the ability to blend water from the wells, cross ties of the collector piping headers at the pumping station were required. This project is nearing completion.

Discussion

The Utilities Department has continued to seek additional options to address the new regulations, including treatment of the water from the Wellfield for uranium removal. Uranium is a metal that can be removed through conventional treatment, but the addition of a conventional water treatment plant is a very expensive option to address a single element. In its investigations, department staff became aware of a treatment process specifically designed for uranium removal. The firm of Water Remediation Technology (WRT) has developed a patented process that utilizes a filter media system which can be sized in increments. The WRT process is National Sanitary Foundation (NSF) certified for use in drinking water treatment applications. No chemicals are added for treatment, there is no backwash liquid waste stream, and the contractor disposes of the spent media in compliance with regulatory requirements. In order to verify performance, the Utilities Department solicited information from WRT regarding a pilot study to be conducted on site at the Wellfield. The contractor provided the attached proposed agreement for review by the City. It includes confidentiality provisions. The total cost of the pilot study is estimated at \$6,780.

In order to gain knowledge of uranium removal, with the potential to increase the margin of safety for compliance with the new regulation at the City's primary water supply source, it is recommended that the Department be authorized to proceed with the pilot study.

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 Agreement for Uranium Pilot Study with Water Remediation Technology of Fort Collins, Colorado, and authorize the Mayor to sign the agreement on behalf of the City.

Sample Motion

Move to approve the Agreement between the City of Grand Island and Water Remediation Technology, and authorize the Mayor to sign the agreement.

PILOT STUDY AGREEMENT

This Agreement (the "Agreement"), effective as of _____, 2009, is made by and between _____, ("Well Site Operator"), and Water Remediation Technology, L.L.C., 9500 W. 49th Avenue, Suite D100, Wheat Ridge, CO 80033 ("WRT").

RECITALS

WHEREAS, WRT owns or controls a radionuclide removal technology, equipment, and media (collectively the "Removal System") and desires to test the Removal System on the Well Site Owner's water supply well and collect data therefrom (the "Pilot Study"); and

WHEREAS, Well Site Operator desires to have WRT conduct the Pilot Study on the Well Site Owner's water supply well.

NOW THEREFORE, in consideration of the mutual premises and promises in this Agreement, the receipt and adequacy of which are hereby acknowledged, the parties agree as follows:

I. Removal System Testing

Well Site Operator shall permit WRT to implement and test the Removal System in Well Site Operator's water supply by installing the Removal System at its well site (the "Premises"). WRT will furnish and install the Pilot Study equipment, provide start-up services and provide operational and safety training for a fee of \$2,500.00 payable by the Well Site Operator. The Well Site Operator will not charge WRT in connection with the Pilot Study, but will itself be responsible to pay for all water sampling and testing during the Pilot Study in addition to the above fee. Well Site Operator shall have no express or implied obligation to purchase the Removal System from WRT.

II. Sampling and Analytical Laboratory Costs

To verify and assess the Radionuclide Removal Pilot System performance, water quality sampling and analysis is required at the start and periodically throughout the testing period. The Well Site Operator agrees to provide on-site sampling and testing in accordance with the sampling schedule throughout pilot test period. The Well Site Operator will not charge WRT in connection with the Pilot Study, but will be responsible to pay for all water sampling and laboratory analytical costs including sample freight costs to approved off-site analytical laboratories. WRT will provide a good faith pilot testing analytical cost estimate for the initial water quality testing and all anticipated subsequent water quality tests. Any additional water quality tests and their associated costs in addition to those listed in the sampling schedule document will be paid by WRT.

III. Post-Testing Obligations

WRT shall retain possession and dispose of any and all radionuclide-loaded media and by-products resulting from its testing activities in compliance with applicable law. Upon completion of the Pilot Study, WRT shall decommission and remove its equipment from the Premises and return the water system to its original condition prior to installation of the Removal System, at no cost to the Well Site Operator.

IV. Confidentiality

4.1 Unless otherwise agreed to in writing, Well Site Operator will not, for any reason, access, sample, test or analyze the media, the equipment, or other parts of the Removal System, which are WRT's trade secrets and confidential information.

4.2 Well Site Operator shall obtain a signed writing from all agents, consultants, or contractors (individually, a "Third Party") likely to have access to the Removal System, agreeing to the provisions of paragraph 4.1, which signed writing shall be obtained prior to or contemporaneous with access by Third Party to the Removal System.

4.3 The provisions of paragraph 4.1 and 4.2 are subject to the obligations of disclosure by the Well Site Operator pursuant to any relevant statute or court order. The Well Site Operator agrees to give WRT notice of any request for disclosure which the Client receives and to permit WRT, at WRT's cost, to oppose any such application.

4.4 WRT would be irreparably damaged by a breach of this Section IV, so in the event of any such breach, in addition to any other remedies that may be available at law or in equity, WRT shall be entitled to obtain injunctive relief against the Well Site Operator, or any individual, to enforce its rights.

V. Limitation of Liability

5.1 Each Party shall indemnify and save harmless the Other Party (and its officers, agents, employees, consultants, affiliates, successors, and assigns) from and against any and all claims for injury, death loss or damage (including expenses and attorney's fees) caused by, arising out of, resulting from, or incident to the indemnifying party's activities on the Premises, except where the sole proximate cause of such injury, death, loss, or damage is the negligence of the Other Party. Any limitation on indemnity by the Well Site Owner will be equally applicable to WRT.

5.2 With respect to Paragraph 5.1, neither party shall be liable to the other for any special, indirect, incidental, consequential, punitive, economic, or exemplary damages, including loss of revenue, data, goodwill, or profits, whether based on breach of contract, tort (including negligence), warranty, or theory of strict liability or otherwise, and whether or not either party has been advised of the possibility of any such damage.

VI. General Provisions

6.1 This Agreement embodies the entire understanding of the parties and supersedes all previous communications, representations or understandings, either oral or written, between the parties relating to the subject matter hereof.

6.2 No amendment or modification hereof shall be valid or binding unless made in writing and signed by each party.

6.3 If any provision of this Agreement is held to be invalid, illegal, or unenforceable to any extent, the remainder of this Agreement shall continue in full force and effect.

6.4 The provisions of this Agreement shall be binding upon each party's successors and assigns.

6.5 This Agreement shall in all respects be governed by, and enforced and interpreted in accordance with the laws of the State of Colorado, except its rules relating to conflicts of law, as if the Premises were located in Colorado. Any litigation between the parties shall be initiated in the courts of Jefferson County, Colorado, to which each party admits jurisdiction and venue.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date first set forth above.

WATER REMEDIATION TECHNOLOGY, LLC

By: _____
Ron Dollar, VP Marketing

Date: _____

WELL SITE OPERATOR

By: _____

Its: _____

Date: _____



Z-92™ Uranium Removal System Pilot Study Description

for

Grand Island, NE

PWS ID# [REDACTED]

Pilot Study Description
Introduction and Process Overview
Installation Instructions
Safety Procedures
Start-up and Operations
Equipment Maintenance
Sampling and Test Procedures
Test Protocol
Pilot Study Conclusion
NSF Certification
Operation Log

February 25th, 2009



Pilot Study Description

Job Grand Island, NE

Name: _____

Job Number: _____

Job

Location: Treatment Site: XXXXStart Date: April 1st, 2009

System Configuration	Trailer Pilot Unit
System Serial #	None
Number of Columns	3
Column Height	5 ft
Column Diameter	6 in
Z-92™ Media per Column (lb)	Approximately 8 lbs
Design Flow Rate	~1.5 GPM
Pump Size and Model	None required

Pilot Site Description

The pilot unit will be located at treatment site XXXXX. Source water for the pilot will be raw water, taken prior to chemical treatment at the location.

Discharge water from the pilot unit will be released on site for irrigation.



Uranium Pilot Cost Estimate

Pilot run time: ~50 days (assuming a 24 hr run day at ~1.5 gpm)

Sample Points: Raw (feed)
C1 (post column 1)
C2 (post column 2)
Discharge (post column 3)

	Estimated Analytical Cost	
Total number of sample dates: 8		
Total No. of samples/tests for U & GA: 32	U (\$35) + GA (\$55) = \$90	\$2,880
Total No. of Water Quality samples/tests*: 3	\$400	\$1,200
Total No. of Ra 226 & 228 samples/tests: 1	226 (\$100) + 228 (\$100) = \$200	\$200
	subtotal for analytical cost	\$4,280
WRT Pilot Study Fee:		\$2,500
	Estimated Total Cost	\$6,780

* Water Quality Test include the following:

<u>Metals</u>	<u>Wet Chemistry</u>
antimony	alkalinity
arsenic	carbon, total organic TOC
barium	chloride
beryllium	fluoride
calcium	hardness
chromium	nitrate/nitrite as N
copper	nitrite as N
iron	phosphate
lead	sulfate
magnesium	residue (TDS)
manganese	
mercury	
nickel	
potassium	
selenium	
silica	
sodium	
strontium	
thallium	
uranium	
vanadium	
zinc	

Notes:

The first set of samples (U & GA) will be taken approximately 1 hour after starting the pilot.

The first water quality sample will be taken shortly after setup as a raw water sample.

The second and third water quality samples will be taken as raw & discharge ~ midway through the pilot.

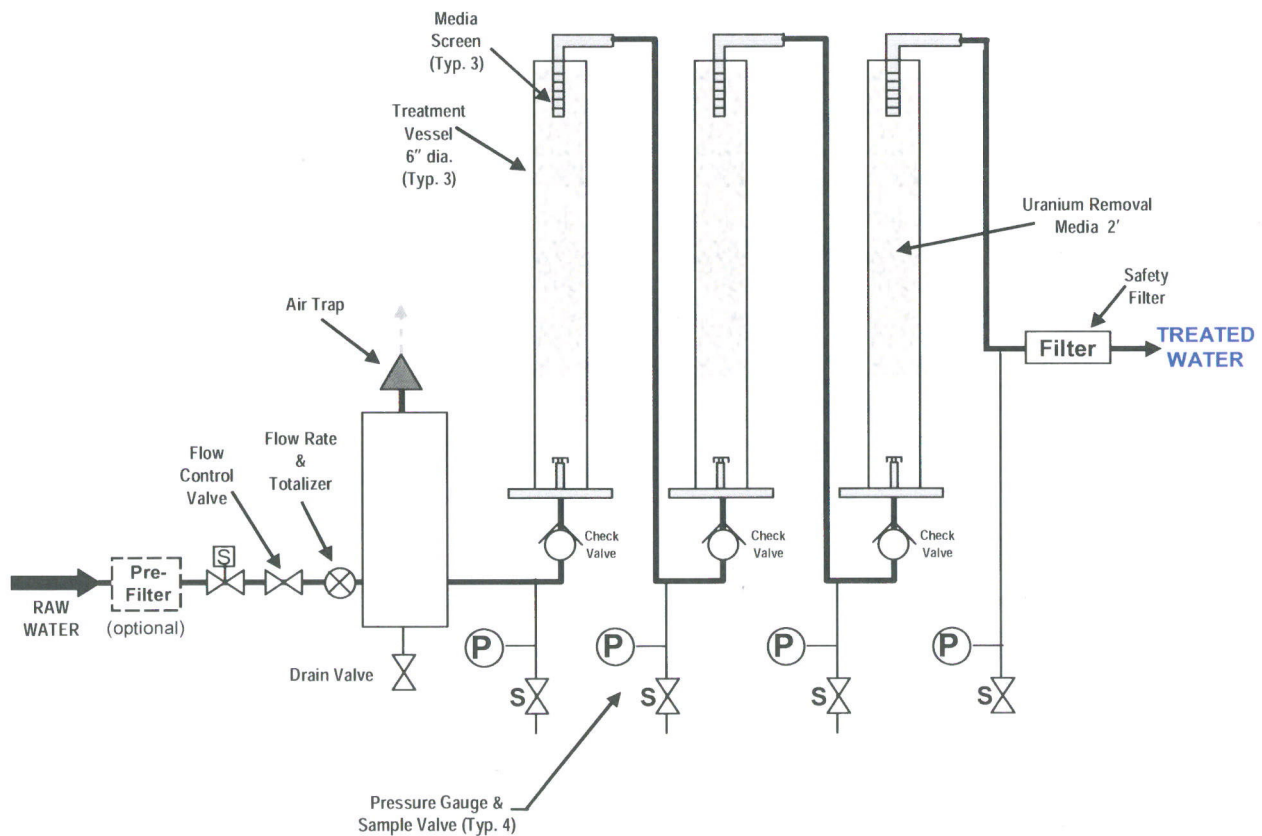
The sample for radium will be taken at the beginning of the pilot to establish compliance or concern.

Introduction and Process Overview

Introduction to the Z-92™ Uranium Removal System

Water Remediation Technology's Z-92™ Uranium Removal System removes uranium from drinking water in a fluidized bed using an adsorptive media process. The process has been designed for simplicity of operation, minimal maintenance, and requires no chemical pretreatment. No liquid waste stream is generated by the processed water and used media (classified as TENORM) is disposed of in a licensed facility by WRT.

The Z-92™ system is designed to meet the water production requirements of a specific treatment facility. The basic Z-92™ system configuration is shown below.





Z-92™ Uranium Removal - Process Overview

WRT's patent pending uranium removal system based upon WRT's uranium removal media, Z-92™. Uranium laden water is passed through columns of Z-92™ media in an up-flow manner at velocities that expand the bed of Z-92™, insuring that each particle is in intimate contact with the water and that any particulates in the water pass through the bed. Z-92™ is suitable for uranium removal due to its extremely high surface area (30 square meters / gram) and its affinity for capturing anions.

Z-92™ is placed in vertical columns, or stages, with sufficient depth of media to achieve the required EBCT (Empty Bed Contact Time), typically 1 to 2 minutes per stage. Depending on the uranium and other contaminant content of the feed water, multiple stages (typically 2 to 6) can be used for treatment.

Because of the low uranium content in the water, and the large quantity of media in the system, no media exchanges are typically required during the course of a pilot study.

Advantages of the WRT Z-92™ Uranium Removal System include:

- Z-92™ Uranium Removal Media is NSF, Standard 61 certified for use in drinking water applications.
- No chemicals are added in the treatment process, and nothing is imparted into the water during the treatment process.
- No liquid waste stream is generated by this process.
- Pre-treatment for iron removal is not required.
- Safe disposal of material to appropriate licensed waste facility by WRT.
- Minimal maintenance and operation required, only routine sampling and monitoring. No handling of media or chemicals by Utility personnel.
- Guaranteed process performance.



Installation Instructions

Installation of Z-92™ Equipment

Installation of the Z-92™ Uranium Removal Equipment requires a minimum of effort as the system arrives at the site in a self contained trailer, with all equipment fully assembled and tested prior to arrival. The Z-92™ system is to be installed by trained WRT technicians.

The Z-92™ system is self-contained and requires a minimum of plumbing and electrical connections. Setup of the Z-92™ equipment consists of the following steps:

1. Level and secure the trailer at the site.
2. Connecting the water source to the trailer inlet connection.
3. Connecting the discharge line (effluent) on the Z-92™ trailer to the appropriate discharge point.
4. Connecting electrical power to the trailer to operate lighting and heating, if required.

The pilot unit should be located as close to the source well as possible to minimize inlet piping.

WRT personnel or trained representatives will complete all necessary work to put the system into operation. The Utility will need to provide a single 120VAC, 15 amp power source for the pump (if required), an access point for source water and a discharge point for treated water.

A brochure showing the WRT Z-92™ Uranium Removal Mobile Pilot Study Program is attached as Appendix A.

Securing the Z-92™ unit

The self-contained Z-92™ trailer mounted pilot unit should be strategically placed and leveled to ensure maximum operating efficiency and ease of access. The trailer should be properly secured.

Plumbing Connections

Feed

The pilot trailer comes equipped with fittings for connecting to the water supply via bulkhead fittings located on the exterior of the trailer. Care should be exercised in making fitting connections to prevent water leaks. All connections should maintain proper alignment so as to avoid improper loading on all connections.



Discharge

The pilot trailer also comes equipped with discharge fittings via bulkhead fittings located on the exterior of the trailer. A discharge line needs to be installed to route the treated water to a discharge location.

Pump

If the utilities water system does not have approximately 15 PSI available, a supply pump requiring a source of 120VAC electrical power will be used. The pump is located inside the pilot trailer.

Flow Control

A flow control mechanism is provided to regulate the influent flow to the Z-92™ system.

Electrical Connections

The Z-92™ system may require a 120VAC electrical power source for operation of a pump, heating and lighting, if required. Electrical connection to the pilot trailer is via electrical plug connection located on the exterior of the trailer. Typical precautions should be taken when installing electrical power around a source of water. It is recommended that electrical connections be made only after equipment is fully installed. Electrical connections should be performed by a certified electrician.

Z-92™ Treatment Media

The media will be installed into the treatment columns prior to arrival at the test site. The media will remain in the columns during the course of the test. Upon completion of the pilot study, the media will be removed from the site by WRT.



Safety Procedures

Safety Procedures

The Z-92™ system is simple to use and requires a minimum of operator interface. Setup and replacement of media, if required, will be performed by trained WRT representatives so that a minimum of system interface is required by utility personnel. However, when working with the Z-92™ equipment the following precautions should be adhered to:

- To reduce risk of electrical shock, this equipment must be properly grounded.
- Inspect equipment thoroughly before connecting electrical power.
- Qualified personnel or a certified electrician should perform power connections.
- Always disconnect power before servicing equipment.
- This equipment should be used only for the purpose and function for which it was designed.
- Safety equipment should be used when performing any checks or service maintenance on or near the top of the process columns.

Media Safety

Each treatment column has an 80-mesh well screen at the discharge point to keep media from exiting the column. In addition, a 100-micron safety filter, as shown on the Pilot Unit Equipment Diagram, is installed at the discharge of the pilot unit to trap any media particles that may escape from the treatment columns. This safety filter is equivalent to the 100-micron safety filter installed in a full scale system.

Contaminant stability within the media

The uranium ions attach to the treatment media by the mechanism of ion exchange. There are no changes in water chemistry that would cause the uranium to be released from the treatment media.

Radiation Safety

WRT is licensed by the NRC for operation of its uranium systems in the 16 non-agreement states. WRT is also licensed by the Wisconsin Department of Health and Family Services, Radiation Protection Section, the Illinois Emergency Management Agency, Division of Environmental Safety and has been issued a Radioactive Materials License by the New Jersey State Department of Environmental Protection, Bureau of Environmental Radiation and the State of California Department of Health Services.



Start-up and Operations

Start-up and Operation of Z-92™ Equipment

Z-92™ System configurations are designed to meet the needs of the specific installation. This equipment is designed to collect data that will allow WRT to design and predict long term performance. Typical systems utilize a series of two to six process columns sized to meet the flow rates of the treatment facility.

Pilot Unit Start-Up Procedure

- Check to make sure all sample valves are open and any pilot unit discharge valves are open.
 - As the column fills with water, close the sample valve and proceed to the next column.
- After all of the columns are filled with water, slowly ramp up the flow to the predetermined flow rate.
 - Tap the sides of the column with a rubber mallet to remove any large air bubbles.
- Monitor column flow, pressures, and pressure differentials. A large overall pressure or a large pressure differential between columns is indicative of a plugged discharge screen or an air lock somewhere in the system.
 - Depending on the size and height of the columns, the pressure drop per column ranges from one to three psi per column.
- If pressures are not normal, shut down the flow and bleed the pressure off through one of the sample ports.
 - Usually, restarting the flow will eliminate the plugging problem.

Ongoing Operation

The trailer mounted pilot system is designed to collect data which will allow WRT to predict the media life on a particular water source. The operation of this pilot may vary from the typical operational sequence of a normal full scale system. Once the test unit has operated for a sufficient period of time, the loaded media will remain in the pilot trailer for transportation and proper disposal by WRT at an approved disposal site.



Equipment Maintenance

The Z-92™ system requires minimal maintenance to perform properly. Upon installation, it is recommended that the system be monitored closely to ensure that any pumps, flow meters, and valves are operating properly. The flow meter is located in the source water line should be checked once per day to ensure that the system is achieving the designed flow rate. *Please refer to pump and motor manufacturer's operation and maintenance instructions for proper maintenance on peripheral equipment.*

Weekly Maintenance

1. CHECK FEED WATER FLOW RATE

The feed water volume through the flow meter should maintain the designed flow rate.

2. CHECK FOR LEAKS

- Ensure that all lines and fittings are free of any leaks. Tighten any connections that are leaking. Teflon tape or paste may be required.
- Check the pump fittings regularly to ensure that there are no leaks.

Monthly Maintenance

1. CHECK POWER

Verify that AC voltage is correct.

2. CHECK FILTERS

Check filters located on the bulkhead (top) of each process column. Check filters to ensure that there is not a buildup of media particulates that would reduce flow to the next column in sequence.



Sampling and Testing Procedures

Each process column is equipped with a valve for sampling the effluent water for uranium content levels. When a sample is required, the sampling valve should be opened and water should be allowed to flow for approximately five (5) seconds before filling the sample container. Typical test sample volume is about 1 gallon for radionuclides analysis and 250 mL for metals analysis. Both containers must be preserved with 1:1 Nitric acid. Close the valve when an adequate amount of sample water has been taken. All sampling will be performed by Utility personnel.

Analytical testing will be performed by a qualified, independent lab, approved and agreed upon by the Utility and WRT prior to beginning the pilot study.

Methods of analysis to be used are:

Uranium	EPA Method M200.8 ICP-MS
Gross alpha	EPA Method M900.0
Gross beta	EPA Method M900.0
Radium 226	EPA Method 903.1
Radium 228	EPA Method 904.0

The proposed test protocol is shown below in Table 1.

An Operation Log will be completed during the course of the pilot study. This will include all field observations, adjustments, flow and totalizer data, date, operator and location and other relevant information. A copy of the Operation Log sheet is attached for reference as Appendix B.

The proposed length of this pilot study is approximately 49 days. Based on the test protocol, this will provide a total of 8 sets comparative radiological data comparing feed and treated water.



Table 1. TEST PROTOCOL – Water Samples

Uranium, Gross Alpha								
Day Sampled								
Sample Point	Day 1	Day 7	Day 14	Day 21	Day 28	Day 35	Day 42	Day 49
Feed	X	X	X	X	X	X	X	X
C-1	X	X	X	X	X	X	X	X
C-2	X	X	X	X	X	X	X	X
Discharge	X	X	X	X	X	X	X	X

Sampling of inorganic water quality parameters in both the feed and discharge water will be conducted twice, once after installation of the pilot unit and a second time about halfway through the pilot study. These will include: METALS - antimony, arsenic, barium, beryllium, calcium, chromium, copper, iron, lead magnesium, manganese, mercury, nickel, potassium, selenium, silica, sodium, thallium, uranium, zinc WET CHEMISTRY – alkalinity, carbon, total organic TOC, chloride, fluoride, hardness, nitrate/nitrite as N, phosphate, sulfate, residue (TDS).

Sample frequency will be adjusted, if necessary, as the piloting proceeds, based upon results from previous tests.

Solids analysis of the media and other tests may be conducted by WRT during and upon completion of the pilot study. Methods of analysis may include total-digestion methods, gamma spectroscopy, XRD, XRF and others for these and other elements.

Media analysis will be performed to measure the uranium loading of the media during the pilot study. A composite media sample from each individual column will be analyzed.

WRT Radionuclide Experience

WRT has completed over 60 radionuclide removal pilot studies in 17 states, with additional pilot studies underway. WRT has licensed and permitted full scale uranium installations in operation in California, New Jersey, North Carolina, and Virginia and over 40 licensed and permitted full scale radium installations in Illinois, Wisconsin, New Jersey, New York, North Carolina with additional systems under construction.

Pilot Study Conclusion

Upon completion of the pilot study, a Pilot Study Report will be written by WRT. This report will include the analytical data, operation log and other information collected during the pilot study. This data will be analyzed and presented in graph form where applicable, and observations and conclusions will be presented. This completed Pilot Study Report will be delivered to the Utility.



Appendix A

WRT Z-92™ Uranium Removal Mobile Pilot Study Program

Pages 13 - 14



WRT Mobile Pilot Study Unit

Pilot studies are conducted on drinking water sources containing contaminant levels exceeding the MCL. WRT will provide a trailer mounted pilot unit to the site to conduct the pilot study. This unit is a self contained, heated, 7' x 14', fully enclosed trailer. The pilot unit equipment is mounted inside the trailer, along with tools, sampling and monitoring equipment, a work area, and an inventory of supplies and materials necessary for operating the pilot unit. Setup of the pilot plant consists of securing and leveling the trailer on site, connecting the water source, discharge and electrical power. The pilot trailer can be in operation within hours of arrival.



The trailer mounted pilot unit has the capability of treating two independent flow streams of approximately 1 to 2 GPM each.



The purpose of the pilot study is to:

- Demonstrate the removal of the contaminant to below MCL standard
- Demonstrate the simplicity of operation of the WRT process
- Complete piloting requirements for regulatory approval
- Evaluate media performance



WRT personnel will deliver the trailer to the site and complete the necessary work to put the unit into operation. The Utility will need to provide a single 120VAC, 15 amp outlet, an access point for source water and a discharge point for treated water. Electrical power is connected via drop cord. The sample water inlet and treated discharge are connected to the trailer with external garden hose connections

Once the unit is in operation, WRT will instruct the operating staff with regards to the pilot unit operation and monitoring and sampling procedures. The Utility will be responsible for daily monitoring of the system, and collecting water samples and sending them to the laboratory for analysis. The number of samples and frequency of collection will be determined by WRT for each pilot study, and may change during the course of the study.

The typical length of time to complete the pilot study is 30 to 90 days.



Upon completion of the pilot test, the pilot unit and all media used during the test will be removed from the site and properly disposed of by WRT.

When the pilot test is completed and all laboratory results are received, a Pilot Study Report will be delivered to the Utility. A firm proposal will also be provided to the Utility at this time.



Appendix B
Operation Log sheet
Page 16

Uranium Removal System

Location: Grand Island, NE

Daily Operation Log

Week Of: _____

Date	Operator	Time In	Time Out	Flow Rate Actual (gpm)	Flow Rate Adjusted (gpm)	Cumulative Totalizer Flow (gal) / Comments
Mon						
Tue						
Wed						
Thu						
Fri						
Sat						
Sun						

Date	Feed Pressure	Col 1 Pressure	Col 2 Pressure	Col 3 Pressure	Col 4 Pressure	Col 5 Pressure	Col 6 Pressure	Col 7 Pressure	Col 8 Pressure	Dischg Pressure
Mon										
Tue										
Wed										
Thu										
Fri										
Sat										
Sun										



Water Remediation Technology, LLC
9500 West 49th Ave. Suite D100
Wheat Ridge, CO 80033
Ph: (303) 424-5355 • Fx: (303) 425-7497

Radiation Safety Officer:

Ted Adams

Cell: 716-725-5874

Office: 716-592-3431

tadams@wrt.net

PLEASE FAX THIS LOG
SHEET WEEKLY TO WRT

(303) 425-7497

Radiation Exposure Surveys Survey Meter: Ludlum Model 2401-P Serial Number: _____
Pre-Survey Procedures: 1. Integrity Check 2. Battery Check 3. Response Check 4. Calibration Date Check

Survey Meter Readings (mR/hr) - Do Not Subtract Background													
Date	Integrity (Y / N)	Battery (Y / N)	Response Check		Back- ground	Col 1	Col 2	Col 3	Col 4	Col 5	Col 6	Col 7	Col 8
			Before	After									

Notes: _____

RESOLUTION 2009-127

WHEREAS, in 2003, a new regulation placing a Maximum Contaminate Level (MCL) on uranium in drinking water became effective: and

WHEREAS, uranium is a naturally occurring element in the aquifers of Nebraska; and

WHEREAS; the Utilities Department wishes to test a treatment process specifically designed for uranium removal; and

WHEREAS, the City of Grand Island, Utilities Department and Water Remediation Technology of Fort Collins, Colorado, desire to enter into an agreement for a Pilot Study to gain knowledge of uranium removal, with the potential to increase the margin of safety for compliance with the new regulation at the City's primary water supply source.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA that the Mayor is hereby authorized to, on behalf of the City, to execute the Agreement for Uranium Pilot Study with Water Remediation Technology of Fort Collins, Colorado.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, June 9, 2009.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, June 09, 2009

Council Session

Item G5

**#2009-128 - Approving Small Government Enterprise License
Agreement from Environmental Systems Research Institute (ESRI)**

Staff Contact: David Springer

Council Agenda Memo

From: Dave Springer, Finance Director

Meeting: June 9, 2009

Subject: Approving Small Government Enterprise License Agreement from Environmental Systems Research Institute (ESRI)

Item #'s: G-5

Presenter(s): Dave Springer, Finance Director

Background

The City of Grand Island has invested in a comprehensive computerized Geographic Information System (GIS). This system consists of data that reaches to virtually all city departments. The software required to edit, manipulate and present this data is provided by Environmental Systems Research Institute (ESRI). This License Agreement will provide the city with the ability to install unlimited ESRI applications for the three year contract period.

Discussion

The City currently has several single use licenses for GIS software from ESRI. These licenses are dispersed among several different departments. Some departments have been paying maintenance fees for the software and as a result have been kept updated with new releases. Some departments have not. The consequence of mismatched versions is data incompatibility.

The licenses are further complicated by different levels of the core application. As the need for more functionality increases, some departments are finding the need to upgrade to the more advanced levels. This will require other users to also upgrade at additional costs or suffer added data incompatibility.

The new agreement for the City of Grand Island from ESRI, Inc., a General Services Administration (GSA) Contract reseller with special pricing available to government agencies, would allow unlimited software installs and upgrades until June, 2012 and can be paid in three annual installments of \$35,000 each for a total of \$105,000. This

purchase is budgeted for at \$25,000 in the Information Technology Department and \$10,000 in the Electric Utilities Fund.

Alternatives

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

1. Approve the three year renewal of ESRI licenses.
2. Disapprove or deny the agreement.
3. Modify the Resolution to meet the wishes of the Council
4. Table the issue

Recommendation

City Administration recommends that the Council approve the new three year ESRI license agreement.

Sample Motion

Move to approve the Small Government Enterprise License Agreement with ESRI, for \$105,000, payable in three annual installments.

RESOLUTION 2009-128

WHEREAS, the Information Technology Division of the Finance Department continually works on maintaining the city's computer network, both hardware and software, etc, and

WHEREAS, due to the growing number of Geographic Information System (GIS) users, the variety of GIS software programs utilized and the constant need for software upgrades, it is imperative to consistently maintain the entire city software licenses; and

WHEREAS, the City of Grand Island can utilize the Environmental Systems Research Institute (ESRI) Small Government Enterprise License Agreement to install an unlimited amount of licenses with the City until June, 2012; and

WHEREAS, the cost for such an agreement is \$105,000, which can be paid in three annual installments of \$35,000; and

WHEREAS, this is the most cost effective approach to upgrading GIS software.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Information Technology Department is hereby authorized to utilize the ESRI Small Government Enterprise License Agreement by entering into a three-year agreement to license any City computer for ESRI software at a cost of \$105,000, which can be paid in three annual installments.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, June 9, 2009.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form
June 8, 2006

City Attorney



City of Grand Island

Tuesday, June 09, 2009

Council Session

Item G6

**#2009-129 - Approving Application for Edward Byrne Memorial
Justice Assistance Grant (JAG) 2009**

This item relates to the aforementioned Public Hearing Item E-4.

Staff Contact: Steve Lamken

RESOLUTION 2009-129

WHEREAS, the Grand Island Police Department has received notification that they were eligible for \$26,694.00 in grant funds under the Byrne Justice Assistance (JAG) Program and the Hall County Sheriff's Department has been named as a disparate agency; and

WHEREAS the Grand Island Police Department as the applicant will act as the fiscal agent;
and

WHEREAS, the Grand Island Police Department will be allocated \$20,020.50 of the grant funds; and

WHEREAS the Hall County Sheriff's Department will be allocated \$6,673.50 of the grant funds; and

WHEREAS, a public hearing was held on June 9, 2009, as required to discuss the proposed use of such funds; and

WHEREAS, it is proposed that the grant funds allocated to the Grand Island Police Department be used to purchase equipment for police vehicles to improve service and safety.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that approval is hereby granted to use grant funds received from the Justice Assistance Grant program to purchase police vehicle equipment toward improving police services and safety, and to provide \$6,673.50 to the Hall County Sheriff's Department.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, June 9, 2009.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
June 4, 2009	☐ City Attorney



City of Grand Island

Tuesday, June 09, 2009

Council Session

Item G7

**#2009-130 - Approving Setting Board of Equalization Hearing to
Determine Benefits - 2008 Weed/Nuisance Abatement Program**

Staff Contact: Wes Nespor

Council Agenda Memo

From: Wesley D. Nespor, Attorney

Meeting: June 9, 2009

Subject: Setting Board of Equalization Hearing to Determine Benefits - 2008 Weed/Nuisance Abatement Program

Item #'s: G-7

Presenter(s): Wesley D. Nespor, Attorney

Background

The Grand Island City Code contains a procedure for abating nuisances such as excessive growths of weeds, unsafe buildings, and litter. If the owners do not comply with notices to abate these nuisances, the City follows one or more avenues to do the work and bill the property owner. If the owner fails to pay the bill, the City is authorized to levy an assessment on the property for the amount of the abatement expenses.

Discussion

The City Council, sitting as the Board of Equalization, will be asked to determine the benefits for the nuisance abatement program that took place during 2008. A Board of Equalization hearing date must be set and notice given before the City may determine benefits and levy special assessments by ordinance on the properties. A hearing date of June 23, 2009 at 7:00 p.m. is suggested.

Alternatives

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

1. Set a hearing date and direct that notice be given according to law.
2. Continue the issue to a later date.

Recommendation

City Administration recommends that the Council set a Board of Equalization hearing for June 23, 2009 at 7:00 p.m. and direct that notice be given according to law.

Sample Motion

Move to sit as a Board of Equalization to determine the benefits of nuisance abatement on June 23, 2009 at 7:00 p.m. and give notice according to law.

RESOLUTION 2009-130

WHEREAS, pursuant to the Grand Island City Code, for reason of the failure of the owners, agents, occupants, or persons in possession, charge, or control of lots, tracts, or parcels of land in the City to comply with the notices of the City Council in regard to abating nuisances, the cutting and removing of weeds and other rank growth of vegetation, such weeds, nuisances, and other rank growth of vegetation were caused to be removed by the City, and the actual expenses thereof have been audited and paid by the City; and

WHEREAS, the owners, agents, occupants, or persons in possession, charge or control of lots, tracts or parcels of land whereon such nuisances, weeds and other rank growth of vegetation were caused to be cut or removed by the City and are in default of payment of the expenses and costs incurred by the City therefore; and

WHEREAS, the Finance Department for the City has reported the expenses and costs of such weed cutting to the City Council and recommends that the City Council sit as a Board of Equalization to assess the expenses and costs thereof to the respective lots, tracts, or parcels of land.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that:

1. The report of the Finance Department for the City pertaining to the cutting of weeds and other nuisance abatement is hereby accepted.
2. The City Council shall sit as a Board of Equalization to determine the benefits of such nuisance abatement on June 23, 2009 at 7:00 p.m.
3. The City Clerk shall give notice, as required by Section 16-707, R.R.S. 1943, as amended, by one publication in the Grand Island Independent that the City Council will sit as a Board of Equalization on the date and time set forth above, at least ten (10) days prior thereto; and further, that the City Clerk, within five (5) days after the date of publication of the above notice and 10 days prior to the meeting, shall send by U.S. mail, a copy of the published notice to each and every party appearing to have a direct legal interest in such proceeding whose name and post office addresses are known, in accordance with the provisions of Nebraska law.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, June 9, 2009.

Margaret Hornady, Mayor

Attest:

Approved as to Form	☐ _____
June 4, 2009	☐ City Attorney

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, June 09, 2009

Council Session

Item G8

#2009-131 - Approving Amendment No. 3 to the Agreement with Kirkham Michael for Engineering Consulting Services for Storm Sewer Design Relative to the Wasmer Detention Cell

Staff Contact: Steven P. Riehle, Public Works Director

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: June 9, 2009

Subject: Approving Amendment No. 3 to the Agreement with Kirkham Michael for Engineering Consulting Services for Storm Sewer Design Relative to the Wasmer Detention Cell

Item #'s: G-8

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

Background

Any amendments to an agreement must be approved by the city council. On July 25, 2006 the city council approved a resolution to enter into an agreement with Kirkham Michael for Engineering Consulting Services. The \$66,874.44 agreement provides for design of storm sewer from the Nebraska Department of Roads project to widen US HWY 30 to the Wasmer Detention Cell.

On January 9, 2007 City Council approved Amendment No. 1 for \$18,000.00 to the original agreement. Amendment No. 1 provided for additional survey and design work related to utility and drainage conflicts.

On April 14, 2009 City Council approved Amendment No. 2 for \$7,730.00 to the original agreement. Amendment No. 2 provided for grading permits, utility conflict details, updates to quantities and opinion of costs.

Discussion

After Amendment No. 2 was approved and before work started under the amendment, Public Works Engineering Staff was notified that the Nebraska Department of Roads was going to require the project to go through their bid letting system.

No work was started on Amendment No. 2 so the work under the agreement is rolled into Amendment No. 3.

Amendment No. 3 will provide for completion of the National Environmental Policy Act (NEPA) Determination Form, Categorical Exclusion Documentation Form, draft of City Standard Plans for inclusion into the plans as Special Plan Sheets and other design work for the project to be bid by the Nebraska Department of Roads. The total cost of Amendment No. 3 is \$36,467.21, for a revised contract total of \$121,341.65.

Original Agreement	\$66,874.44
Amendment No. 1	\$18,000.00
Amendment No. 2	\$7,730.00
Work to be Performed Under Amendment No. 2	(\$7,730.00)
Amendment No. 3	\$36,467.21
Total Revised Agreement	\$121,341.65

Alternatives

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

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

Recommendation

Public Works Administration recommends that the Council approve the amendment to the agreement.

Sample Motion

Move to approve the amendment.

**City of Grand Island, Nebraska
Wasmer Drainage Design Storm Sewer Improvements
Amendment No. 3**

Description of Services

The City of Grand Island (City) has requested Kirkham Michael (Consultant) to provide appropriate services for the completion of plans and construction documents suitable for delivery to the City for letting through the Nebraska Department of Roads (NDOR). The tasks identified in this amendment are required to complete the National Environmental Policy Act (NEPA) and Categorical Exclusion (CE) Process, Final Plans and Specifications for the subject project as required to assist the City who as the Local Public Agency (LPA) is responsible for meeting the requirements of applicable Federal and State laws and regulations that apply to the project and are necessary to let the project through the NDOR.

Assumptions and Understandings

The Consultant will provide the following tasks:

1. As per the LPA Guidelines Manual for Federal-Aid Project (Interim); the following documentation will be completed by the Consultant and submitted to the City for further handling:
 - NEPA Determination Form
 - Categorical Exclusion Documentation Form
2. The Consultant will draft City Standard Plates for inclusion into the plans as Special Plan Sheets.
3. City Standard Specifications will be identified by reference only for inclusion in the Special Provisions.
4. Preparation of the Storm Water Pollution Prevention Plan (SWPP), Notice of Intent (NOI), and the Notice of Termination (NOT) will be provided by the City.
5. The City will prepare all necessary applications and permits (i.e. 404, 401, NPDES).

Summary of Tasks

The following tasks are anticipated to complete the work identified in the Description of Services.

1. **NEPA Documentation** – This effort includes completing the necessary environmental forms as identified in the LPA Guidelines Manual for Federal-Aid Project (Interim). Documents include; NEPA Determination Form and Categorical Exclusion Documentation Form. Also included with this task is limited assistance to the LPA/NDOR with Resource Agency coordination. Agencies included in the coordination effort are; Federal Highway Administration (FHWA), United States Fish and Wildlife Service (USFWS), Nebraska Game and Parks Commission (NGPC), Nebraska Department of Environmental Quality (NDEQ), Nebraska State

Historical Preservation Office (SHPO), and the United States Army Corps of Engineers (USACE).

Kirkham Michael Estimated Task Effort

76 hrs

2. Plan Preparation, Quantity Forms, Standard Specifications – Included with effort are the following sub tasks:

- i. Plan set assembly
- ii. Build and Removal Notes (NDOR format and pay items)
- iii. Special Plans – includes applicable City Standard Plates (storm inlet, water main crossing, special junction/manhole, etc.)
- iv. Identify NDOR Standard Plans
- v. Review City Standard Specifications and covert to applicable NDOR Standard Specifications and or Special Provisions.
 1. JEO – Water and Sanitary Sewer Special Provisions
 2. KM – All other Special Provisions
 - a. Phasing
 - b. TV Inspection of newly installed storm sewer trunk
- vi. NDOR “Length Sheet” (DR Form 215, May 04)
- vii. NDOR “Grading Item Summary” (CC Form 59E, Apr 03/)
- viii. NDOR “Summary of Quantities” (DR Form 355, Mar 08)
- ix. NDOR Drainage Quantities “Horse blankets”
- x. Submittals will be made in accordance with LPA Manual Guidelines
- xi. Address City review comments and NDOR PS&E review comments

Kirkham Michael Estimated Task Effort

18 hrs

JEO Estimated Task Effort

(See attached detailed description)

269 hrs

3. Project Management – This task includes activities to initiate and monitor project schedules, manpower assignments and internal cost controls throughout this phase of the project. Also included are efforts to prepare and process invoices and monthly progress reports; monitor subconsultant activities; and prepare project correspondence with the City, and NDOR. This project management task is based on an expected duration for final design of eight months.

Kirkham Michael Estimated Task Effort

26 hrs

4. Quality Control – Included with this task are technical reviews for NEPA documentation, coordination and review of Subconsultant work, specifications and contract documents.

Kirkham Michael Estimated Task Effort

30 hrs

Schedule

A schedule of approximately 8 months is anticipated to complete all required tasks necessary to take the project to a bid letting. This schedule is based upon timely reviews and comments from

the City, NDOR and other resource agencies. The schedule breakdown outlined below is based upon the LPA Guidelines Manual for Federal-Aid Project (Interim):

1. Three Months for NEPA Process, Submittal and Approval. Design updates, Project Plans and NDOR Specification Conversion.
2. Three Months PS&E Submittal and Approval
3. Two Months Project Advertising & Letting

Deliverables

Deliverables include the following items:

1. NEPA Documentation (NEPA Determination Form and Categorical Exclusion Documentation Form)
2. Two sets of 1/2-size (11x17) final plans signed and sealed (includes Special Plan Sheets)
3. Two sets of Special Provisions
4. Final Engineers estimate, including:
 - i. NDOR "Length Sheet" (DR Form 215, May 04)
 - ii. NDOR "Grading Item Summary" (CC Form 59E, Apr 03/)
 - iii. NDOR "Summary of Quantities" (DR Form 355, Mar 08)
 - iv. NDOR Drainage Quantities "Horse blankets"

Fee Breakdown

Original Contract

Kirkham Michael \$38,450.44

Subconsultant - JEO \$28,424.00

Original Contract Total \$66,874.44

Amendment No. 1 Amount

Kirkham Michael \$ 5,882.00

Subconsultant - JEO \$12,118.00Amendment No. 1 Total \$18,000.00Amendment No. 2 Amount

Kirkham Michael \$16,516.21

Subconsultant - JEO \$19,951.00Amendment No. 2 Total \$36,467.21

Amended Contract Total \$ 121,341.65

RESOLUTION 2009-131

WHEREAS, on July 25, 2006, by Resolution 2006-209, the City Council for the City of Grand Island awarded the \$66,874.44 proposal for engineering services for storm sewer design for the Wasmer Detention Cell to Kirkham Michael of Omaha, Nebraska; and

WHEREAS, on January 9, 2007, by Resolution 2007-12, the City Council for the City of Grand Island approved Amendment No. 1, in the amount of \$18,000.00, to the original agreement for consulting services to include additional surveys, utility research and water main design work; and

WHEREAS, on April 14, 2009, by Resolution 2009-88, the City Council for the City of Grand Island approved Amendment No. 2, in the amount of \$7,730.00, to the original agreement to include grading permits, utility conflict details, updates to quantities and opinion of costs; and

WHEREAS, no work was performed under Amendment No. 2 so the work was rolled into Amendment No. 3; and

WHEREAS, it is necessary to amend the agreement for consulting services to include NEPA Determination Form, Categorical Exclusion Documentation Form, drafting City Standard Plans for inclusion into the plans as Special Plan Sheets and other design work for the project to be bid by the Nebraska Department of Roads, for a total cost of \$36,467.21; and

WHEREAS, due to Kirkham Michael's knowledge and experience working on this project, it is recommended that they continue providing engineering work to final completion of the design and bid letting for the project; and

WHEREAS, the Nebraska Department of Roads must concur with the approval of Amendment No. 3 in order to move forward.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that Amendment No. 3, for the total amount of \$36,467.21, to the Agreement with Kirkham Michael for engineering consulting services for storm sewer design relative to the Wasmer Detention Cell is hereby approved, with a revised total agreement price of \$121,341.65.

BE IT FURTHER RESOLVED, that the Mayor be, and hereby is, 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, June 9, 2009.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
June 4, 2009	☐ City Attorney



City of Grand Island

Tuesday, June 09, 2009

Council Session

Item G9

#2009-132 - Approving Addendum Number 2 to the Agreement with Black & Veatch for the Design of an Anaerobic Digestion System to Purchase Software for Waste Water Financial Modeling

Staff Contact: Steven P. Riehle, Public Works Director

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: June 9, 2009

Subject: Approving Addendum Number 2 to the Agreement with Black & Veatch for the Design of an Anaerobic Digestion System to Purchase Software for Waste Water Financial Modeling

Item #'s: G-9

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

Background

On August 26, 2008 by resolution number 2008-228 the City Council approved an agreement with engineering consulting firm Black & Veatch Corporation of Kansas City, Missouri using Olsson Associates of Grand Island, Nebraska as a sub-consultant. The agreement was for professional consulting engineering services associated with an anaerobic digestion system including preliminary engineering, services during construction, public awareness and a cost of services study for the digestion system.

On December 16, 2008 by resolution number 2008-359, the City Council approved amendment number 1 to the agreement. The amendment expanded the cost of services based rate study beyond the digesters to include the entire plant and collection system. The amendment also extended the timeline for the project at a cost of \$16,000 with a council presentation moved from November 2008 to March of 2009.

On May 12, 2009 by resolution number 2009-117 the city council approved addendum number 1 where the calendar days were adjusted and a notice to proceed with option 2A for the digestion system was approved.

Discussion

The purpose of Addendum Number 2 with Black & Veatch is to develop spreadsheet analysis to model financial planning, cost of service, and rate design procedures for the waste water division. The work is to be performed for a total compensation of \$14,500. A copy of Addendum Number 2 is attached.

The analysis will be part of a personal computer based financial planning and rate design model using Microsoft Excel 2003 spreadsheet software. Having the model in-house, to keep and use, will enable city staff to annually and even periodically revise and update the studies and projections of revenue and revenue requirements without the use of an outside consultant.

Alternatives

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

1. Approve a resolution authorizing the Mayor to sign addendum number 2.
2. Refer the issue to a Committee.
3. Postpone the issue to a future date.
4. Take no action on the issue.

Recommendation

Public Works Administration recommends that the Council approve a resolution authorizing the Mayor to sign an addendum number 2 to the agreement with Black & Veatch.

Sample Motion

Move to approve the addendum to the agreement with Black & Veatch.

ADDENDUM NUMBER 2 TO AGREEMENT FOR PROFESSIONAL SERVICES FOR THE DESIGN OF AN ANAEROBIC DIGESTION SYSTEM

General Provisions

A. This Document Controlling. To the extent that there are conflicting provisions between this document and the agreement between The City of Grand Island and Black & Veatch Corporation, this document controls.

B. Modifications and Deletions. The following provisions are deleted or modified from original agreement for Professional Services for the Design of an Anaerobic Digestion System; Dated September 23, 2008, and Amendment Number 1 for Professional Services for the Design of an Anaerobic Digestion System; Dated December 16, 2008, and as Addendum Number 1, dated May 12, 2009 as follows:

- (i) **Attachment A; Scope of Services – Anaerobic Digestion Improvements; Insert Task 7; Financial Planning and Rate Design Computer Model, as stated:**

Task 7 – Financial Planning and Rate Design Computer Model

Compensation: \$14,500

Objective: Develop spreadsheet analyses that model financial planning, cost of service, and rate design procedures.

Subtasks:

1. General: These analyses will be part of a personal computer based financial planning and rate design model that will enable CITY staff to periodically revise and update the studies and projections of revenue and revenue requirements, financial, cost of service analyses, and design of adequate rates on a routine basis. The model will be developed using Microsoft Excel 2003 spreadsheet software.
2. Rate Model Development. ENGINEER will develop a computer model that will include the following features:
 - a. Specifically tailored and designed to recognize the utility's unique needs, characteristics and information base, including compatibility with the utilities' budgetary and accounting systems.
 - b. Automated ability to change study periods and retain relative information so that it can conveniently be used on an annual basis by utility staff.
 - c. Flexible capital improvement program scheduling allowing for changes in costs, sources of funds, timing, and allowances for inflation.
 - d. Ability to develop financial plan cash flow alternatives for changes in customer, volume, and revenue projections; budgetary revisions; variations in timing and amounts of revenue increases; debt service structuring and different capital improvement program scenarios; and changes in other parameters.

- e. Ability to assess impact on cost of service allocations to user classes and utility rates of alternative management decisions.
 - f. Capability to independently design and develop utility rates and charges on an annual basis, thus permitting staff to examine the phase-in needed for rate adjustments over a period of time.
 - g. The model tests revenue generation by class and in total for proposed rates and indicates impacts on customers served through a typical monthly bill analysis.
 - h. Extensive model documentation including pop-up user instructions, text formula calculation references with updateable page number notations, hyperlink references to supporting ranges (similar to Internet web page navigation) and page referenced ranges designed to be incorporated into a calculation manual. Such a manual allows supervisors or other interested parties to review the detailed rate design calculations without having access to the rate model.
 - i. Incorporation of user friendly features, including Windows based “help” facilities, fully automated preprogrammed print and navigation menus, customized icons for specific model functions, and other features. In addition, a separate procedures manual describing all available user-friendly features will also be prepared.
 - j. Capability of producing a wide variety of attractive and informative management reports with the click of a button. New report tables can easily be added to the print menu without any programming knowledge.
 - k. Incorporation of advanced programming features to automate basic procedures such as initializing the rate model for a new budget year, printing, transferring data files into the rate model, setting-up screens for cash flow or other analyses, and navigating throughout the rate model.
3. Conduct Training Session. A full-day training session for CITY staff in the use the model will be conducted by the ENGINEER at the CITY’s offices.
4. Support Services. Up to 16 hours of support services will be provided for the ENGINEER to answer questions and make revisions and updates as needed to the model as requested by the CITY. Support services may be in the form of telephone conversations, e-mail exchanges, or on-site visits.
5. Deliverables.
- a. User Manual. Two copies of a user manual documenting all of the computer model’s features and pop-up user instructions will be prepared and presented to the CITY during the training session.
 - b. Calculation Book. A book of all calculations supporting the proposed rates and report will be delivered as part of the basic computer model training session.
 - c. Computer Model. A compact disk, containing the computer model will be delivered to the CITY and use to install the model on the CITY’s designated computers. This model will be capable of utilizing the proprietary add-in

developed by ENGINEER which provides user-friendly features to all of our models that are designed to be used by utility staff.

(ii) **Attachment B, Compensation – Anaerobic Digestion Improvements; Delete Paragraph 1 with tasks 1 through 6 and replace with:**

For services described in Attachment A, Scope of Services, an amount equal to the ENGINEER'S salary billings plus reimbursable expenses and subcontract billings. The maximum billed for these services shall not exceed ~~Nine Hundred Thousand Dollars and no cents (900,000.00)~~ ~~Nine Hundred Fourteen Thousand Five Hundred Dollars (914,500.00)~~ **Nine Hundred Fifty Thousand Two Hundred Dollars (\$950,200)** without further authorization. The maximum billed for each task shall not exceed the following amounts without further authorization:

Task 1 – Schematic Design Phase ~~\$194,000~~ **\$202,600**

Task 2 – 50% Contract Document Development ~~\$294,000~~ **\$301,400**

Task 3 – 90% Contract Document Development **\$286,000**

Task 4 – Final Contract Documents **\$76,300**

Task 5 – Public Information Program **\$8,100**

Task 6 – Wastewater Rate Study ~~\$41,600~~ **\$61,300**

Task 7 – Financial Planning and Rate Design Computer Model \$14,500

IN WITNESS WHEREOF, owner and engineer have executed this Addendum Number 2.

City of Grand Island, Nebraska
OWNER

Black & Veatch Corporation
ENGINEER

By: _____

By: _____

Name: Margaret Hornady

Name: William S Stoner

Title: Mayor

Title: Vice President

Date: _____

Date: _____

Attest:

RaNae Edwards, City Clerk

Approved as to Form _____
May 12, 2009 City Attorney

RESOLUTION 2009-132

WHEREAS, on August 26, 2008, by Resolution 2008-228, the City of Grand Island approved the proposal of engineering consulting firm Black & Veatch Corporation of Kansas City, Missouri using Olsson Associates of Grand Island, Nebraska as a sub-consultant for the professional services associated with an anaerobic digestion system including preliminary engineering, services during construction, public awareness and a cost of services study related to the digesters only; and

WHEREAS, on December 16, 2008 by resolution number 2008-359, the City Council approved amendment number 1 to the agreement to expand the cost of services study beyond the digesters to include the entire plant and collection system; and

WHEREAS, on May 12, 2009 by Resolution 2009-117, the city council approved addendum number 1 to adjust the completion date for the work and approve the notice to proceed with Option 2A for the Digestion System; and

WHEREAS, city staff has negotiated addendum number 2 with Black & Veatch to purchase financial modeling software to allow city staff to perform in-house spreadsheet analyses, financial planning, cost of service, and rate design procedures for compensation of \$14,500; and

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Mayor is hereby authorized and directed to execute addendum number 2 to the agreement for the professional services associated with an anaerobic digestion system with engineering consulting firm Black & Veatch Corporation of Kansas City, Missouri

Adopted by the City Council of the City of Grand Island, Nebraska, June 9, 2009.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form June 8, 2009	_____ City Attorney
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City of Grand Island

Tuesday, June 09, 2009

Council Session

Item G10

**#2009-133 - Approving Final Waste Water Cost of Service Based
Rate Study Report**

Staff Contact: Steven P. Riehle, Public Works Director

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: June 9, 2009

Subject: Approving Final Waste Water Cost of Service Based Rate Study Report

Item #'s: G-10

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

Background

Bill Stoner, Derek Cambridge and Anna White from engineering consulting firm Black & Veatch presented tables and allocations for a waste water cost of services based rate study at the May 5th City Council study session.

The City Council approved the rate study format and tables for the allocation of the treatment facility cost, collection system cost and capital expenditures to customer classes on May 12th by resolution number 2009-116.

Discussion

The final waste water cost of service based rate study report is now complete and ready for council approval. The final report includes the tables that were presented at the May 5th study session and approved at the May 12th council meeting. Because the final report also includes a significant narrative to make a complete report, staff felt it was appropriate to ask council to approve the final report.

The final report includes the following areas:

- Introduction
 - Purpose
 - Scope
- Summary of Findings and Recommendations
 - Revenue under Existing Rates
 - Revenue Requirements
 - Cost of Service Allocations
 - Proposed Rate Adjustments
- Revenue

- Customer Growth
- Water Revenue under Existing Rates
- Other Revenue
- Revenue Requirements
 - Operation and Maintenance Expense
 - Major Capital Improvements
 - Routine Capital Additions
 - Debt Service Requirements
- Summary of Revenue and Revenue Requirements
 - Major Capital Improvement Financing
 - System Operations
 - Bond Coverage Requirements
- Cost Allocations
 - Cost of Service Allocation
 - Functional Cost Components
 - Allocation to Cost Components
 - Allocation of Net Plant Investment
 - Allocation of Capital Improvements
 - Allocation of Operating Expenses
 - Distribution of Costs to Customer Classes
 - Customer Classification
 - Units of Service
 - Customer Class Costs of Service
- Rate Adjustment
- Existing Rates
- Proposed Rates
- Adequacy of Proposed Rates
- Typical Bills

The final report tables are different for one item. When putting together the final rate study report, Black & Veatch noticed that table 18 of the rate study that was presented on May 5th showed a BOD rate per pound for the current Fiscal Year (FY) 2009 of \$0.2806 and a recommended rate of \$0.2797 for FY 2010. Then the rate study showed a recommended rate of \$0.3042 for FY 2011. Rather than have a FY 2010 rate decrease of 0.3% followed by a FY 2011 increase of 8.76%, Black & Veatch recommends that the rate for BOD remain flat between FY 2009 and FY 2010. The revision of Table 18 is attached.

The final report includes recommended rates for fiscal years 2010, 2011, 2012 and 2013. The first year of rate adjustments will be considered by the council along with other city rates as part of the normal budget process. Copies of the final report with all narratives will be distributed to council with the council packets.

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 a future date.
4. Take no action on the issue.

Recommendation

Public Works Administration recommends that the Council approve the final waste water cost of service based rate study report.

Sample Motion

Move to approve final waste water cost of service based rate study report.

Table 18

City of Grand Island, NE

Wastewater Utility

Proposed Rates

Charges to be Effective October 1,					
	2009	2010	2011	2012	2013
Sewer Service Charge - \$/month					
All Customers	8.24	8.24	8.24	8.24	8.24
Volume Charge - \$/Ccf					
Low Strength Industrial Dischargers	0.42	0.58	0.77	0.93	1.13
JB Swift	1.37	1.29	1.20	1.11	1.02
All Other Customers	1.37	1.45	1.68	1.88	2.13
Excess Strength Surcharge - \$/lb					
BOD over 250 mg/l (see note 1)	0.2806	0.2797 0.2806	0.3042	0.3143	0.3385
Suspended Solids over 250 mg/l	0.2180	0.2180	0.2180	0.2180	0.2180
Oil & Grease over 100 mg/l	0.0115	0.1465	0.1465	0.1944	0.2050
Low Strength Industrial Dischargers BOD over 0 mg/l (see note 1)	0.2806	0.2797 0.2806	0.3042	0.3143	0.3385
Suspended Solids over 0 mg/l	0.2180	0.2180	0.2180	0.2180	0.2180
Oil & Grease over 0 mg/l	0.0115	0.1465	0.1465	0.1944	0.2050
Ammonia over 30 mg/l	0.3729	0.5539	0.5701	0.6914	0.7256
Hydrogen Sulfide over 0 mg/l	0.1252	0.3569	0.3899	0.4558	0.4868
Hydrogen Sulfide Flat Fee - \$/month	8,376.29	9,160.00	9,160.00	9,160.00	9,160.00

Ccf = Hundred Cubic Feet

BOD = Biochemical Oxygen Demand

mg/l = milligram per liter

Note 1: The rate for BOD over 250 mg/l that was presented at the May 5, 2009 City Council Study Session was \$0.2797/lb. Black & Veatch recommends that the 2010 rate for BOD remain the same as the 2009 rate.

RESOLUTION 2009-133

WHEREAS, at the May 5, 2009 City Council Study Session, representatives from the engineering consulting firm Black & Veatch Corporation of Kansas City, Missouri presented tables and allocations for a waste water cost of services based rate study; and

WHEREAS, on May 12, 2009, by resolution number 2009-116 City Council approved the rate study as presented at the May 5, 2009 City Council Study Session; and

WHEREAS, the final waste water cost of service based rate study report has been finalized by Black & Veatch and is now complete; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the final Waste Water Cost Based Rate Study report as prepared by engineering consulting firm Black & Veatch Corporation of Kansas City, Missouri is hereby approved and adopted.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, June 9, 2009.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, June 09, 2009

Council Session

Item G11

**#2009-134 - Approving Amendment No. 1 to the Agreement with
CH2M Hill for Lift Station 19 Improvements**

Staff Contact: Steven P. Riehle, Public Works Director

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: June 9, 2009

Subject: Approving Amendment Number. 1 to the Agreement with CH2M Hill for Lift Station 19 Improvements.

Item #'s: G-11

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

Background

CH2M HILL was selected by the City of Grand Island (CITY) to provide engineering design, services during construction, and startup services for Lift Station 19 and Forcemain Improvements, approved by city council on February 26, 2006.

Continued development in northwest Grand Island, proposed widening of Capital Avenue, deteriorating condition of the existing Lift Station 19 and force main, and current capacity concerns have prompted the need to reevaluate long term capacity and reliability requirements of Lift Station 19. Lift Station 19, is the largest lift station within the existing sanitary sewer collection system and has experienced greater than capacity levels during previous peak flow events. The most recent Sanitary Sewer Comprehensive Plan Update recommended construction of a second lift station and force main to provide capacity to meet existing peak flow requirements and estimated future flows resulting from development.

In April 2005, the CITY contracted with CH2M HILL to develop revised recommendations and an implementation plan for Lift Station 19 improvements. This included an update to projected development and sanitary sewer flow estimates within the Lift Station 19 service area. As recommended in the Implementation Plan, the CITY intends to construct a new lift station and force main improvements to handle all flows originating within the Lift Station 19 service area. The existing lift station will be taken out of service and demolished after all proposed improvements are constructed and operational. The existing force main will be abandoned in-place. Proposed improvements will be constructed in the following three phases:

1. Phase 1 - New 24-inch force main from Diers Avenue to east of Webb Road: This phase will coincide with the Capital Avenue Widening Project. This section of force main will be interconnected to the existing 12-inch force east of Webb Road.

2. Phase 2 - New 24-inch force main from east of Webb Road to west of North Oak Street.
3. Phase 3 - New Lift Station 21 and related yard piping to replace Lift Station #19.

Discussion

The purpose of Amendment Number 1 is to formally request scope modifications and an associated fee adjustment to complete design changes requested by the City following completion of the 90 percent design. The design modifications represent a change in direction from the original basis of design established during the preliminary design of the project. It is anticipated that incorporation of these design modifications may result in \$150,000 to \$200,000 in construction cost savings.

Amendment Number 1 includes a description of the City-requested design changes and the proposed compensation to incorporate the design modifications into the bidding documents. It is assumed that the Final Design will be completed no later than September 30, 2009, without any additional City review or comments after the September 30 submittal. As appropriate, interim submittals will be provided to the City for review during the design process. It is assumed that a notice to proceed for these design modifications will be provided no later than June 15, 2009.

Alternatives

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

1. Approve a resolution authorizing the Mayor to sign an amendment to the agreement with CH2M Hill for the design modifications for Lift Station 19.
2. Refer the issue to a Committee.
3. Postpone the issue to a future date.
4. Take no action on the issue.

Recommendation

Public Works Administration recommends that the Council approve a resolution authorizing the Mayor to sign amendment number 1 to the agreement with CH2M Hill for Lift Station 19 Improvements.

Sample Motion

Move to approve the amendment to the agreement with CH2M Hill.



CH2M HILL
222 South 15th Street
Suite 1402-S
Omaha, NE 68102
Tel 402.342.9765 x37111
Fax 402.342.1313

May 28, 2009

Steve Riehle
Public Works Director
City of Grand Island
100 East First Street
Grand Island, NE 68802

Subject: City of Grand Island, Lift Station 19 Improvements


Dear Steve:

Attached is AMENDMENT NO. 1 to the City of Grand Island (CITY), Lift Station 19 Improvements Agreement dated 1 March 2006. The purpose of AMENDMENT NO. 1 is to formally request scope modifications and an associated fee adjustment to complete design changes requested by the CITY following completion of the 90 percent design. The design modifications represent a change in direction from the original basis of design established during the preliminary design of the project. It is anticipated that incorporation of these design modifications may result in \$150,000 to \$200,000 in construction cost savings.


The attached AMENDMENT NO. 1 includes a description of the City-requested design changes and the proposed compensation to incorporate the design modifications into the bidding documents. It is assumed that the Final Design will be completed no later than September 30, 2009, without any additional City review or comments after the September 30 submittal. As appropriate, interim submittals will be provided to the City for review during the design process. It is assumed that a notice to proceed for these design modifications will be provided no later than June 15, 2009.

Your consideration of AMENDMENT NO. 1 is greatly appreciated. If you have any questions or require additional information, please do not hesitate to contact me by phone at 402.342.9765 x37111 or by email at dsimon@ch2m.com.

Sincerely,
CH2M HILL, INC.



Gerald W. Simpson
Designated Manager



Douglas E. Simon, P.E.
Senior Project Manager

Attachments: AMENDMENT NO. 1

c: File

**AMENDMENT NO. 1 to STANDARD AGREEMENT FOR
PROFESSIONAL SERVICES DATED 1 MARCH 2006**

CH2M HILL Office Address: 9193 S. Jamaica St., Englewood, CO 80112

Project Name: Lift Station 19 Improvements

CH2M HILL Project: 342559
No.: _____

Client: City of Grand Island, NE

Address: 100 East First Street, Box 1968, Grand Island, NE 68802-1968

CLIENT requests and authorizes CH2M HILL to perform the following services:

Scope:

AMENDMENT NO. 1 hereby modifies the original Standard Agreement for Professional Services dated 1 March 2006. AMENDMENT NO. 1 represents scope and budget modifications that are the result of City of Grand Island, Nebraska (CITY) requests to revise the design after it was complete. A summary of the requested budget modifications is provided as Attachment 1 to this AMENDMENT NO. 1 for the additional design work requested by the CITY.

The drawings, specifications, Engineer's Opinion of Probable Construction Cost, and Design Report will be modified to address the following design changes requested by the CITY:

- A. Move the make-up air unit (MAU) from the mechanical room on the ground floor to the roof. Provide a MAU operated by natural gas instead of electricity.
- B. Eliminate the manlift (elevator).
- C. Change the monorail hoist to a bridge crane.
- D. Move the air compressor from the lower level pump room to the ground floor mechanical room.
- E. Extend the pump discharge header for future connection of Pumps 3 and 4.
- F. Add to the drawings the CITY-requested addition of duplicate information on multiple drawings within the construction documents. This duplicate information is not required for constructability and the effort required is above and beyond the standard of practice for construction documents.
- G. Provide additional coordination with the multiple design disciplines required to complete the requested design revisions and provide additional quality control effort as necessary.

Completion and submittal of construction documents after the above revisions are complete shall constitute the final 100% design submittal. A formal review by the CITY of the 100% design drawings produced as a result of AMENDMENT NO. 1 scope of services is not included within AMENDMENT NO. 1.

Compensation by CLIENT to CH2M HILL will be on the basis of:

As shown in Exhibit 1 per conditions of the original contract dated 1 March 2006. The budget shall be increased by an amount of \$40,372 to a new total contract amount of \$416,390.

Other Terms:

The final construction documents will be delivered to the City no later than September 30, 2009, contingent upon receipt of City decisions, when required, in a timely manner and a notice to proceed by June 15, 2009.

Services covered by this AMENDMENT NO. 1 will be performed in accordance with the Provisions of the original Standard Agreement for Professional Services dated 1 March 2006 and any attachments or schedules. This AMENDMENT NO. 1 supplements the original agreement and understandings and may only be changed by written amendment executed by both parties.

CLIENT:

Signature _____

Name (printed) _____

Title _____

Date _____

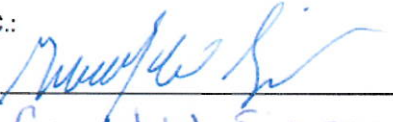
CH2M HILL, INC.:

Signature _____

Name (printed) _____

Title _____

Date _____


Gerald W. Simpson
Designated Manager
5-28-09

Attachment 1

AMENDMENT NO. 1

CITY OF GRAND ISLAND, NEBRASKA

LIFT STATION 21 IMPROVEMENTS

Date: May 28, 2009

TASK/SUBTASK TITLE	Labor & Exp. (\$)
<u>Additional details</u>	
Architectural	\$2,754
Structural	\$5,252
Mechanical/Electrical/HVAC/I&C	\$3,367
Project Management/Coordination/QAQC	\$997
Subtotal additional detail	\$12,370
<u>Post 90-Percent Design Modifications</u>	
Move MAU-1 to the Roof	\$12,358
Eliminate the Man Lift	\$2,019
Change Monorail to Bridge Crane	\$8,979
Move Air Compressor to Exist MAU Area	\$1,121
Add Discharge Header for Pumps 3 & 4	\$1,375
Project Management/Coordination/Cost Est.	\$2,150
Subtotal - post 90 percent design changes	\$28,002
PROJECT TOTALS	\$40,372

RESOLUTION 2009-134

WHEREAS, on February 26, 2006, by Resolution 2006-42, the City of Grand Island (CITY) approved the proposal of CH2M HILL (ENGINEER) of Englewood, Colorado, for consulting engineering services for Lift Station Number 19 for actual costs with a maximum dollar amount of \$376,018; and

WHEREAS, the CITY requests to revise the design, as provided in attached Amendment Number 1 to Standard Agreement for Professional Services; and

WHEREAS, CITY and ENGINEER agree that such changes to scope of services and project schedule shall increase the consultant's fees by \$40,372 making the new total agreement not to exceed \$416,390; and

WHEREAS, CITY and ENGINEER estimate that such changes to scope of services and project schedule shall provide saving in the total construction project of \$150,000 to \$200,000.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the amendment with the consulting firm, CH2M HILL of Englewood, Colorado, is hereby approved; and

BE IT FURTHER RESOLVED, that the \$40,372.00 increase in fees for professional services for Amendment Number 1 is approved.

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

Adopted by the City Council of the City of Grand Island, Nebraska, June 9, 2009.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form June 8, 2009	_____ City Attorney
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City of Grand Island

Tuesday, June 09, 2009

Council Session

Item G12

#2009-135 - Approving Amendment #2 to the Consulting Services Agreement for Major Permit Modification at the Solid Waste Landfill

Staff Contact: Steven P. Riehle, Public Works Director

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: June 9, 2009

Subject: Approving Amendment #2 to the Consulting Services Agreement for Major Permit Modification at the Solid Waste Landfill

Item #'s: G-12

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

Background

On July 22, 2008 City Council approved an agreement for Professional Services with Aquaterra Environmental Solutions, Inc. for consulting services related to major permit modifications at the Solid Waste Landfill. The \$39,736.00 agreement provided for technical work to revise the current permitted 6,5 to 1 final closure contours to a proposed 4:1 contours. On November 18, 2008 City Council approved amendment #1 to the agreement for an additional \$18,200.00. Amendment #1 provided for consulting services to provide for adding approximately 350,000 cubic yards of additional landfill space.

Any amendments to the agreement must be approved by the City Council.

Discussion

During Solid Waste Division staff review of the draft major permit modifications and the proposed design layout provided by Aquaterra, City staff asked questions pertaining to the Southern boundary of future Cell #3. Aquaterra based the proposed designs on the original Southern boundary design. City staff asked what the impacts would be to extend the boundary further south to the current leachate storage lagoon. After some investigation, Aquaterra agreed that it would be permissible and would work per our request. By extending the Southern boundary to the leachate storage lagoon, we will gain an additional 250,000 cubic yards of airspace at an approximate value of \$4,000,000 and extend the site life by 1.5 years.

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

Public Works Administration recommends that the Council approve the amendment to the agreement with Aquaterra Environmental Solutions, Inc. for Professional Services related to Major Permit Modifications at the Solid Waste Landfill with work being performed at actual costs with a maximum amount of \$17,760.

Sample Motion

Move to approve Amendment Number 2 with Aquaterra Environmental Solutions, Inc.

City of Grand Island
100 East 1st Street
Grand Island, Nebraska 68801

AGREEMENT AMENDMENT NUMBER 2

Date of Issuance: June 9, 2009

PROJECT: Professional Services Related to Major Permit Modifications at the Solid Waste Landfill

CONSULTANT: Aquaterra Environmental Solutions, Inc.

AGREEMENT DATE: August 19, 2008

Provide Professional Services for a major permit modification for the extension of the boundary further south to the current leachate storage lagoon. This extension will gain an estimated 250,000 cubic yards (for approximately 1 ½ years of additional airspace) on top of the 1,200,000 cubic yards gained from the side slope modification and addition of the southwest portion of Cell 3 in Phase I, for a total cost not to exceed \$17,760.00.

The changes result in the following adjustment to the Agreement Amount:

Agreement Price Prior to This Amendment	\$57,936.00
Net Increase/Decrease Resulting from this Amendment.....	\$17,760.00
Revised Contract Price Including this Change Order.....	\$75,696.00

Approval Recommended:

By _____
Steven P. Riehle, Public Works Director

Date _____

The Above Amendment Accepted:

Aquaterra Environmental Solutions, Inc.
Consultant

By _____
Douglas L. Doerr, P.E.

Date _____

Approved for the City of Grand Island:

By _____
Margaret Hornady, Mayor

Attest: _____
RaNae Edwards, City Clerk

Date _____

Approved as to Form:

By _____
Wes Nespor, Asst. City Attorney

RESOLUTION 2009-135

WHEREAS, on July 22, 2008, by Resolution 2008-195, the City Council of the City of Grand Island approved the \$39,736.00 proposal of Aquaterra Environmental Solutions, Inc. to provide consulting services for Major Permit Modifications at the Solid Waste Landfill; and

WHEREAS, on November 18, 2008, by Resolution 2008-321, the City Council of the City of Grand Island approved Amendment #1 to add the southwest section of Cell 3 to Phase I in the amount of \$18,200.00; and

WHEREAS, it is now necessary to extend the boundary further south to the current leachate storage lagoon; and

WHEREAS, Aquaterra Environmental Solutions, Inc. has agreed to perform these services to revise the major permit modification at the Landfill at actual costs not to exceed \$17,760.00; and

WHEREAS, Amendment #2 to the Agreement for Engineering Services has been reviewed and approved by the City Attorney's office.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the 2nd Amendment to the Agreement for Consulting Services, related to the Major Permit Modifications at the Solid Waste Landfill, by and between the City and Aquaterra Environmental Solutions, Inc. is hereby approved to extend the boundary further south to the current leachate storage lagoon.

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

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Adopted by the City Council of the City of Grand Island, Nebraska, June 9, 2009.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
June 4, 2009	☐ City Attorney



City of Grand Island

Tuesday, June 09, 2009

Council Session

Item G13

**#2009-136 - Approving Resolution Directing Property Owner to
Install Sidewalk at 2915 Lee Street**

Staff Contact: Steven P. Riehle, Public Works Director

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: June 9, 2009

Subject: Resolution Directing Property Owner to Install Sidewalk at 2915 Lee Street

Item #'s: G-13

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

Background

The property owner at 2915 Lee Street built a circle drive and a public sidewalk was not installed between the circle drive.

On May 14, 2009 a letter was sent to Sean L. and Mikki M. McNelis concerning required sidewalk installation at 2915 Lee Street (Lot 1, Northview Fourth Subdivision, City of Grand Island, Hall County, Nebraska), per both the subdivision agreement and the building permit. The letter stated the sidewalk installation needed to be completed by June 1, 2009.

Letters were also sent to the property owners, by the Building Department, on August 14, 2008, September 18, 2008 and December 17, 2008 requesting completion of the building inspections for full compliance with the building permit.

Discussion

The Public Works Department is requesting that a resolution be passed giving the property owner 15 days to obtain the sidewalk permit and 15 days from issuance of such permit to install the sidewalk at 2915 Lee Street (Lot 1, Northview Fourth Subdivision, City of Grand Island, Hall County, Nebraska), as this is required by the signed subdivision agreement.

If the property owner fails to either obtain the sidewalk permit in the 15 day timeframe or complete the required sidewalk installation 15 days after such permit is issued, the City of Grand Island will take steps to make the required installation with all costs being the responsibility of the property owner.

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 directing the property owner to install sidewalk on the property located at 2915 Lee Street (Lot 1, Northview Fourth Subdivision, City Of Grand Island, Hall County, Nebraska).

Sample Motion

Move to approve a resolution directing the property owner to obtain a sidewalk permit within 15 days and within 15 days of such permit issuance to complete the required sidewalk installation on the property located at 2915 Lee Street (Lot 1, Northview Fourth Subdivision, City of Grand Island, Hall County, Nebraska) and if the property owner fails to do so, the City will have the work done and assess the property.

RESOLUTION 2009-136

WHEREAS, the City has the authority under Neb. Rev. Stat., § 16-662, to direct the repair and replacement of sidewalks by owners of the abutting property; and

WHEREAS, the property owner of 2915 Lee Street, legally described as Lot 1, Northview Fourth Subdivision, City of Grand Island, Hall County, Nebraska, is required per the subdivision agreement to install sidewalk.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that notice be sent to Sean M. and Mikki L. McNelis to obtain a sidewalk permit within 15 days and within 15 days of such permit issuance to make the required sidewalk installation on the property located at 2915 Lee Street (Lot 1, Northview Fourth Subdivision, City of Grand Island, Hall County, Nebraska). If the property owner fails to either obtain the sidewalk permit in the 15 day timeframe or complete the required sidewalk installation within 15 days of such permit issuance, the City will cause the work to be done and assess the cost against the property at a later date.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, June 9, 2009.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
June 4, 2009	☐ City Attorney



City of Grand Island

Tuesday, June 09, 2009

Council Session

Item H1

Consideration of Request from Richard Milton dba Milton Motel LLC for a Conditional Use Permit for Construction of a Recreational Vehicle Camper Site Located at 3201 South Locust Street

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

Staff Contact: Craig Lewis



City of Grand Island

Tuesday, June 09, 2009

Council Session

Item H2

**Consideration of Request from Holland Basham Architects for a
Conditional Use Permit for a Mosaic Group Home Located at 1517
and 1523 Hope Street**

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

Staff Contact: Craig Lewis



City of Grand Island

Tuesday, June 09, 2009

Council Session

Item I1

#2009-137 - Approving Authorizing Placement of \$1.5 Million with the Department of Administrative Services for Athletic Fields Replacement

Staff Contact: Jeff Pederson

Council Agenda Memo

From: Jeff Pederson, City Administrator

Meeting: June 9, 2009

Subject: Authorizing Placement of \$1.5 Million with the Department of Administrative Services for Athletic Fields Replacement

Item #'s: I-1

Presenter(s): Jeff Pederson, City Administrator

Background

The City Council Study Session conducted on May 19, 2009 focused on the prospect of the City committing to a project to replace athletic field facilities that will be displaced from Fonner Park as a result of the relocation of the Nebraska State Fair to Grand Island. A Master Plan for the 78 acres that the City recently acquired through long-term lease was reviewed, that included the possibility for additional facilities being constructed at that site, including those necessary to replace current softball and soccer facilities that are currently located near Webb Road on land that will be converted to cemetery use sometime in the next decade. A Study Session is planned for June 16, during which there will be further analysis and discussion on options for project scope, financing, and timeline for construction.

LB 224 has been passed and signed into law. It contains a provision whereby up to \$1.5 million spent on capital facilities (athletic fields) replacement is an allowable part of the budget for State Fair facilities construction. The State Fair Board has gone on record in support of the use of that amount of money for this purpose. Locally generated money that is spent on the prospective athletic fields replacement project would count towards the \$8.5million requirement for Grand Island to host the State Fair.

Discussion

LB 224 requires that the decision to allocate funds from the required city State Fair match to the replacement of athletic fields be certified to the Department of Administrative Services by July 1, 2009, in the form of cash or a legally binding commitment. The City Attorney has opined that there is not a means available for the City to make a legally

binding commitment, and therefore the means for the City to exercise the option under LB 224 must be cash.

Attached is a Resolution that authorizes the placement of \$1.5million in City funds with the Department of Administrative Services in order that the City exercise the option to proceed with the funding and the placement of replacement athletic fields. This action will not preclude the City from constructing a larger project should that decision be made following the Council Study Session, or at any later time.

This project would become part of the City's Capital Improvement Plan, and a source of funding would need to be identified to replenish the cash that is obligated by this Resolution. An Ordinance to amend the prepared food occupation tax to permit tax proceeds to be used for an athletic fields project at the Veterans Home site is scheduled for the June 23 City Council meeting. It is anticipated that the City Council will make a determination on the amount of funding for the project following the Study Session on June 16.

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 authorizing placement of \$1.5 Million with the Department of Administrative Services for Athletic Fields Replacement.

Sample Motion

Move to approve Resolution #2009-137.

RESOLUTION 2009-137

WHEREAS, the City of Grand Island currently has recreational facilities on land leased from the Hall County Livestock Improvement Association, which fields will be relocated onto land leased from the State of Nebraska due to the relocation of the Nebraska State Fair; and

WHEREAS, the Nebraska State Legislature has adopted Legislative Bill 224 which allows for up to One Million Five Hundred Thousand and No/100 Dollars (\$1,500,000.00) in cash or legally binding commitments provided by or on behalf of the City of Grand Island for the purpose of relocating and reconstructing recreational facilities displaced by the relocation of the Nebraska State Fair to Grand Island; and

WHEREAS, the City of Grand Island intends to relocate and reconstruct its recreational facilities, which cost may exceed One Million Five Hundred Thousand and No/100 Dollars (\$1,500,000.00), and wishes to comply with the law as amended by Legislative Bill 224, which has been signed by the Governor of the State of Nebraska.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the amount of One Million Five Hundred Thousand and No/100 Dollars (\$1,500,000.00) in cash shall be provided by the City of Grand Island for the purpose of relocating and reconstructing recreational facilities displaced by the relocation of the Nebraska State Fair to Grand Island, which amount shall be placed on deposit with the Nebraska Department of Administrative Services to be held in trust for use by the City of Grand Island for the purposes outlined in LB 224 or an approved escrow agent or trustee as agreed to by the Nebraska Department of Administrative Services and the City of Grand Island to hold said funds, which funds shall be restricted in use solely for the relocation and reconstructing of said recreational facilities. Said funds shall be placed with the Nebraska Department of Administrative Services or the agreed upon escrow agent by July 1, 2009.

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Adopted by the City Council of the City of Grand Island, Nebraska, June 9, 2009.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk-

Approved as to Form	☐ _____
June 5, 2009	☐ City Attorney



City of Grand Island

Tuesday, June 09, 2009

Council Session

Item J1

Approving Payment of Claims for the Period of May 27 2009 through June 9, 2009

The Claims for the period of May 27, 2009 through June 9, 2009 for a total amount of \$2,779,701.38. A MOTION is in order.

Staff Contact: David Springer