



City of Grand Island

Tuesday, January 27, 2015

Council Session

Item G-11

**#2015-24 - Approving Race for GRACE Agreement with Nebraska
Department of Roads**

Staff Contact: Robert Sivick

Council Agenda Memo

From: Stacy R. Nonhof, Assistant City Attorney
Meeting: January 27, 2015
Subject: Race for GRACE Agreement with NDOR
Item #'s: G-11
Presenter(s): Robert Sivick, City Attorney

Background

Council has previously approved allowing the 5th Annual Race for GRACE to be allowed on 2nd Street within the corporate limits of the City.

Discussion

Specific language is needed in the Resolution passed by the Council for the Nebraska Department of Roads to allow the closure of part of Lincoln Highway/2nd Street. Council has previously approved this route and the road closure. The purpose of this resolution is to get specific language needed by the NDOR to allow the road closure.

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 Resolution 2015-24.

Sample Motion

Move to approve Resolution 2015-24.

RESOLUTION 2015-24

WHEREAS, in Resolution 2014-366 this Council approved the use of City streets and State highway for the 5th Annual Race for GRACE on April 11, 2015; and

WHEREAS, specific wording is required by the Nebraska Department of Roads (NDOR) pursuant to Neb. Rev. Stat §39-1359; and

WHEREAS, the City accepts the duties set out in Neb. Rev. Stat. §39-1359, and that if a claim is made against the State, the City shall indemnify, defend, and hold harmless the State from all claims, demands, actions, damages, and liability, including reasonable attorney's fee, that may arise as a result of the special event, more specifically defined as the 5th Annual Race for GRACE to be held on April 11, 2015; and

WHEREAS, the route for the special event necessitates the closure of Lincoln Highway (2nd Street) beginning at Cleburn Street and ending at Oak Street, Grand Island Nebraska; and

WHEREAS, the special event will be held on April 11, 2015, with the control of Lincoln Highway being assumed by the City at 5:00 a.m. on April 11, 2015, and ending at 12:00 p.m. April 11, 2015, at which time control of Lincoln Highway shall revert to the State.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Notice of use of City streets and State highway to accommodate the 5th Annual Race for GRACE on April 11, 2015 is hereby approved.

BE IT FURTHER RESOLVED, that the Nebraska Department of Roads shall be notified of the approved route and this Notice.

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Adopted by the City Council of the City of Grand Island, Nebraska, January 27, 2015.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
January 23, 2015	☐ City Attorney