



# **City of Grand Island**

**Tuesday, February 23, 2010**

**Council Session**

## **Item G5**

**#2010-53 - Approving Storm Drainage Agreement with Little B's Corporation to Serve the Original Summerfield Subdivision**

**Staff Contact: Steven P. Riehle, Public Works Director**

# **Council Agenda Memo**

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

**Meeting:** February 23, 2010

**Subject:** Approving Storm Drainage Agreement with Little B's Corporation to Serve the Original Summerfield Subdivision

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

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

## **Background**

When the Summerfield Estates area was being developed, a swale was designed as a drainage feature in the backyard of several properties. The swale connected to the City drainage system known as the Highland Park Drain. The Highland Park drain is the drain along the south side of State Street that is commonly referred to as the Moores Creek drainway.

The Highland Park drain frequently has 12" to 18" of water flowing through the ditch. Because the drainage swale from the Summerfield Estates subdivision is very close to the same elevation as the Highland Park drain, the water backs up into the Summerfield Estates subdivision.

## **Discussion**

The developer will be constructing storm sewer pipe at the north end of the Summerfield Estates drainage system to the Highland Park Drainway, which is owned by the City. Part of the construction plan is to build a storm sewer box to accept a pump for the purpose of eliminating ponding water from low flows that backs up in the subdivision. The City will provide the pump and electrical service to operate the system.

This structure will allow overtopping during heavy storm events and pumping during periods of smaller rain events, as well as runoff from yard sprinklers. The storm sewer box, valve and pump is a similar arrangement to what is used along Stagecoach Road to keep the Wood River from backing up into the neighborhood storm sewer system. The proposed storm sewer box, valve and pump at the outlet from the Summerfield Estates

subdivision would be a joint venture and cost shared between the City and the developer. The systems that were installed along Stagecoach Road were all at City cost.

An agreement is necessary to clarify responsibilities of the developer and the City for both construction and maintenance of the structure.

### **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 Storm Drainage Agreement as presented.

### **Sample Motion**

Move to approve the Storm Drainage Agreement as presented.

## **STORM DRAINAGE AGREEMENT**

This Storm Drainage Agreement is made by and between the CITY OF GRAND ISLAND, NEBRASKA, a Municipal Corporation, herein referred to as the “City” and LITTLE B’S CORPORATION; hereinafter referred to as “Owner”,

WITNESSETH:

WHEREAS, the Owner desires to amend the design of the drainage in the original Summerfield Subdivision.

NOW, THEREFORE, the parties agree as follows:

1. The Developer, at no cost to the City, will install approximately 330’ of 36” reinforced concrete culvert pipe from the northeast corner of Summerfield Estates Fourth Subdivision north to the City owned drainage channel along State Street, known as the Highland Park Drainway in the 1975 Master Drainage Plan (Moores Creek drainway).
2. The Developer will also construct a concrete structure and a control gate at the north end of the 36” culvert compatible with a pump to be installed by the City.
3. The City, in addition to supplying the pump, will be responsible for installing electrical service to operate the pump.

4. Upon completion the Developer will dedicate a 20' wide public easement to encompass the construction. The Developer will also dedicate the construction features, upon completion and acceptance, to the City.
5. Final Construction plans will be submitted to the City for approval. "As Constructed" plans will be submitted to the Public Works Department upon completion of the work.
6. The City will be responsible for all costs associated with maintenance and operation of the concrete box, manual gate and the pump.
10. This agreement shall be binding upon the parties hereto, their successors and assigns.
11. Wherever the context of the language in this Storm Drainage Agreement is appropriate, the singular shall apply to the plural and the plural shall apply to the singular.

DATED: \_\_\_\_\_, 2010

CITY OF GRAND ISLAND, NEBRASKA,  
A Municipal Corporation,

BY: \_\_\_\_\_  
Margaret Hornady, Mayor

Attest: \_\_\_\_\_  
RaNae Edwards, City Clerk

BY: \_\_\_\_\_  
GREG BAXTER, PRESIDENT

STATE OF NEBRASKA            )  
  ) ss  
COUNTY OF HALL            )

On this \_\_\_\_ day of \_\_\_\_\_, 2010, before me, the undersigned, a Notary Public in and for said County of Hall and State of Nebraska, personally appeared GREG BAXTER, PRESIDENT, to me known to be the identical person who signed the foregoing Public Sewer Connection Agreement and acknowledges the execution thereof to be his voluntary act and deed for the purpose therein expressed.

WITNESS my hand and Notarial Seal the date above written.

---

Notary Public

RESOLUTION 2010-53

WHEREAS, during the development of Summerfield Estates storm drainage system was not put in place; and

WHEREAS, due to runoff from various developments and higher groundwater elevations it is now necessary for the developer to construct storm sewer to drain Summerfield Estates; and

WHEREAS, the City will provide the pump and electrical service to operate the system; and

WHEREAS, an agreement is necessary to clarify the responsibilities of the developer and the City for both construction and maintenance of the structure; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Storm Drainage Agreement by and between Little B's Corporation and the City of Grand Island, Nebraska, is hereby approved according to the terms set out in the agreement.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, February 23, 2010.

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

Attest:

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