City of Grand Island

Tuesday, February 22, 2011

Council Session Packet

City Council:

Larry Carney
Linna Dee Donaldson
Scott Dugan
Randy Gard
John Gericke
Peg Gilbert
Chuck Haase
Mitchell Nickerson
Bob Niemann
Kirk Ramsey

Mayor:

Jay Vavricek

Interim City Administrator:

Mary Lou Brown

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 - Pastor Nick Schonlau, Third City Christian Church, 4100 West 13th Street

Pledge of Allegiance

Roll Call

A - SUBMITTAL OF REQUESTS FOR FUTURE ITEMS

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

B - RESERVE TIME TO SPEAK ON AGENDA ITEMS

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

MAYOR COMMUNICATION

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

City of Grand Island

Tuesday, February 22, 2011
Council Session

Item C1

Proclamation "Nebraska Danger Week" March 7th, 2011

Staff Contact: Mayor Vavricek

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

PROCLAMATION

WHEREAS, in October 2010 the first Indoor Football League (IFL) for the State of Nebraska was established; and

WHEREAS, the Nebraska Danger Indoor Pro Football Team owned by Charlie and Brandi Bosselman, with Head Coach Mike Davis, and General Manager Mike McCoy will start their season on March 7, 2011 at the Heartland Events Center; and

WHEREAS, the 8 man Indoor Professional Football game is played on a 50 yard field with 22 teams in the league from Coast to Coast and NFL and CFL players from across the country; and

WHEREAS, Nebraska Danger will play 14 games – 7 at home and 7 away with the first game to be held at the Heartland Events Center on March 7, 2011 beginning at 7:05 against Wichita, Kansas; and

WHEREAS, The success of events and attractions is in the best interest of economic development, jobs and family entertainment to promote quality of life in the City of Grand Island; and

WHEREAS, The City of Grand Island urges the people of Central Nebraska to attend and enjoy the action of family entertainment of Danger Football games in the Heartland Events Center.

NOW, THEREFORE, I, Jay Vavricek, Mayor of the City of Grand Island, Nebraska, do hereby proclaim the week of March 7th, 2011 as

"NEBRASKA DANGER WEEK"

in the City of Grand Island, and encourage all citizens to support the Nebraska Danger team

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

Jay Vavricek, Mayor

Attest: RaNae Edwards

RaNae Edwards, City Clerk

City of Grand Island

Tuesday, February 22, 2011
Council Session

Item C2

Proclamation "National Athletic Training Month" March, 2011

Certified athletic trainers provide health care for athletes. They provide services such as prevention of injuries, recognition, evaluation and aggressive treatment, rehabilitation, and education. The National Athletic Trainers' Association represents more than 30,000 members of the athletic training profession of professional sports, colleges and universities, high schools, clinics and hospitals, corporate and industrial settings and military branches. The Mayor has proclaimed the month of March, 2011 as "National Athletic Training Month". See attached PROCLAMATION.

Staff Contact: Mayor Vavricek

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

PROCLAMATION

WHEREAS, certified athletic trainers have a long history of providing quality health care for athletes and those engaged in physical activity based on specific tasks, knowledge and skills acquired through their nationally regulated educational processes; and

WHEREAS, certified athletic trainers provide services such as prevention of injuries; recognition, evaluation and aggressive treatment; rehabilitation; health care administration; and education and guidance; and

WHEREAS, the National Athletic Trainers' Association represents more than 30,000 members of the athletic training profession employed in the settings of professional sports, colleges and universities, high schools, clinics and hospitals, corporate and industrial settings and military branches; and

WHEREAS, leading organizations concerned with athletic training and health care have joined together in a common desire to raise public awareness of the importance of the athletic training profession and to emphasize the importance of quality health care within the aforementioned settings; and

WHEREAS, such an effort will improve health care for athletes and those engaged in physical activity and will promote certified athletic trainers as allied health care professionals.

NOW, THEREFORE, I, Jay Vavricek, Mayor of the City of Grand Island, Nebraska, do hereby proclaim the month of March, 2011 as

"NATIONAL ATHLETIC TRAINING MONTH"

in the City of Grand Island.

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

Jay Vavricek, Mayor

Attest: RaNae Edwards

RaNae Edwards, City Clerk

City of Grand Island

Tuesday, February 22, 2011
Council Session

Item C3

Presentation by Almquist, Maltzahn, Galloway, & Luth for Fiscal Year 2010 City Single Audit and General Purpose Financial Statements and Electric and Water Audit Reports

Terry Galloway from Almquist, Maltzahn, Galloway & Luth will present the Fiscal Year 2010 City Single Audit and General Purpose Financial Statements and Electric and Water Audit Reports.

Staff Contact: Mary Lou Brown

City of Grand Island

Tuesday, February 22, 2011
Council Session

Item F1

#9286 - Consideration of Annexation Right-of-Way along a Portion of South Locust Street between the Grand Island City Limits and the Northernmost Terminus of the Exit Ramps to the Interstate 80 Interchange. (Final Reading)

Staff Contact: Chad Nabity

Council Agenda Memo

From: Chad Nabity, Regional Planning Director

Meeting: February 22, 2011

Subject: An Ordinance to Annex Right-of-Way along a Portion of South Locust Street between the Grand Island City Limits and the Northernmost Terminus of the Exit Ramps to the Interstate 80 Interchange (County of Hall, Nebraska)

Item #'s: F-1

Presenter(s): Chad Nabity, Regional Planning Director

Background

An April 6, 1992 inter-local agreement between the City of Grand Island, Hall County, the Nebraska Department of Roads and the Federal Highway Administration detailed obligations of the State, County and City regarding the construction of a new Locust Street I-80 Interchange and upgrading Locust Street to a 4-lane roadway. The agreement provided that upon completion of Hall County's improvements and construction obligations, the County shall transfer to the City of Grand Island that portion of South Locust Street between the Grand Island City limits and the northernmost terminus of the exit ramps at the Interstate 80 interchange. The agreement provides that the City will accept the rights and obligations to the road including operation and maintenance.

The City of Grand Island, as the owner of the property, passed resolution #2011-13 on January 11, 2011 requesting annexation of the property and directing staff to prepare an ordinance for annexation. This ordinance was passed on first reading on January 25, 2011 and on second reading on February 8, 2011.

Discussion

Staff has prepared an ordinance in accordance with the requirements of Nebraska Revised Statute §16-117. Annexation ordinances must be read on three separate occasions. This is the third reading of the ordinance. This ordinance includes exhibits showing the property to be considered for annexation and the legal descriptions of those properties.

City staff is not suggesting extension of the zoning jurisdiction as a result of this annexation. Council could request that planning commission consider extension of the zoning jurisdiction. Changes to the zoning jurisdiction cannot be made without a recommendation from the Regional Planning Commission.

No utilities are necessary to support the property included in this annexation.

The City is already responsible for the maintenance of the roads contained in this annexation whether they are in the municipal limits or not.

No new residences or businesses would be added to the City as a result of this annexation.

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 pass the annexation ordinance.

Sample Motion

Motion to approve the annexation ordinance on third reading.

* This Space Reserved For Register of Deeds *

ORDINANCE NO. 9286

An ordinance to extend the boundaries and include within the corporate limits of, and to annex into the City of Grand Island, Nebraska, a tract of land comprised of the Right-Of-Way for South Locust Street from the Wood River Diversion Channel south to a point north of the Interstate 80 interchange at South Locust in Hall County, Nebraska as more particularly described hereinafter and as shown on Exhibit "A and B" attached hereto; to provide service benefits thereto; to repeal any ordinance or resolutions or parts of thereof in conflict herewith; to provide for publication in pamphlet form; and to provide the effective date of this ordinance.

WHEREAS, after the Grand Island City Council as owners of the property passed Resolution 2011-13 January 11, 2011 petitioning for the annexation of said property; and

WHEREAS, the City of Grand Island accepted ownership and maintenance of said property in accordance with prior agreements with the County of Hall and State of Nebraska on October 26, 2010; and

WHEREAS, according to NRSS §16-177 the City of Grand Island can upon petition of the property owner(s) of property contiguous and adjacent to the City Limits annex said property by ordinance; and

WHEREAS, on January 25, 2011, the City Council of the City of Grand Island approved such annexation on first reading.

Approved as to Form ¤ _____
February 18, 2011 ¤ City Attorney

WHEREAS, on February 8, 2011, the City Council of the City of Grand Island approved such annexation on second reading.

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

SECTION 1. It is hereby found and determined that:

(A) The above-described tracts of land are urban or suburban in character, and that the subject properties are contiguous or adjacent to the corporate limits of said City.

(B) The subject lands will receive the material benefits and advantages currently provided to land within the City's corporate limits including, but not limited to police, fire, emergency services, street maintenance, and utilities services upon annexation to the City of Grand Island, Nebraska, and that City electric, water and sanitary sewer service is available, or will be made available, as provided by law.

(C) The various zoning classifications of the land shown on the Official Zoning Map of the City of Grand Island, Nebraska, are hereby confirmed and that this annexation does not extend the extraterritorial zoning jurisdiction.

(D) There is unity of interest in the use of the said tract of land, lots, tracts, highways and streets (lands) with the use of land in the City, and the community convenience and welfare and in the interests of the said City will be enhanced through incorporating the subject land within the corporate limits of the City of Grand Island.

SECTION 2. The boundaries of the City of Grand Island, Nebraska, be and are hereby extended to include within the corporate limits of the said City the contiguous and adjacent tract of land located within the boundaries described above.

SECTION 3. The subject tract of land is hereby annexed to the City of Grand Island, Hall County, Nebraska, and said land and the persons thereon shall thereafter be subject to all rules, regulations, ordinances, taxes and all other burdens and benefits of other persons and territory included within the City of Grand Island, Nebraska.

SECTION 4. The owners of the land so brought within the corporate limits of the City of Grand Island, Nebraska, are hereby compelled to continue with the streets, alleys, easements, and public rights-of-way that are presently platted and laid out in and through said real estate in conformity with and continuous with the streets, alleys, easements and public rights-of-way of the City.

SECTION 5. That a certified copy of this Ordinance shall be recorded in the office of the Register of Deeds of Hall County, Nebraska and indexed against the tracts of land.

SECTION 6. Upon taking effect of this Ordinance, the services of said City shall be furnished to the lands and persons thereon as provided by law, in accordance with the Plan for Extension of City Services adopted herein.

SECTION 7. That all ordinances and resolutions or parts thereof in conflict herewith are hereby repealed.

SECTION 8. This ordinance shall be in full force and effect from and after its passage, approval and publication, in pamphlet form, as provided by law.

Enacted: February 22, 2011.

_____

Jay Vavricek, Mayor

Attest:

_____

RaNae Edwards, City Clerk

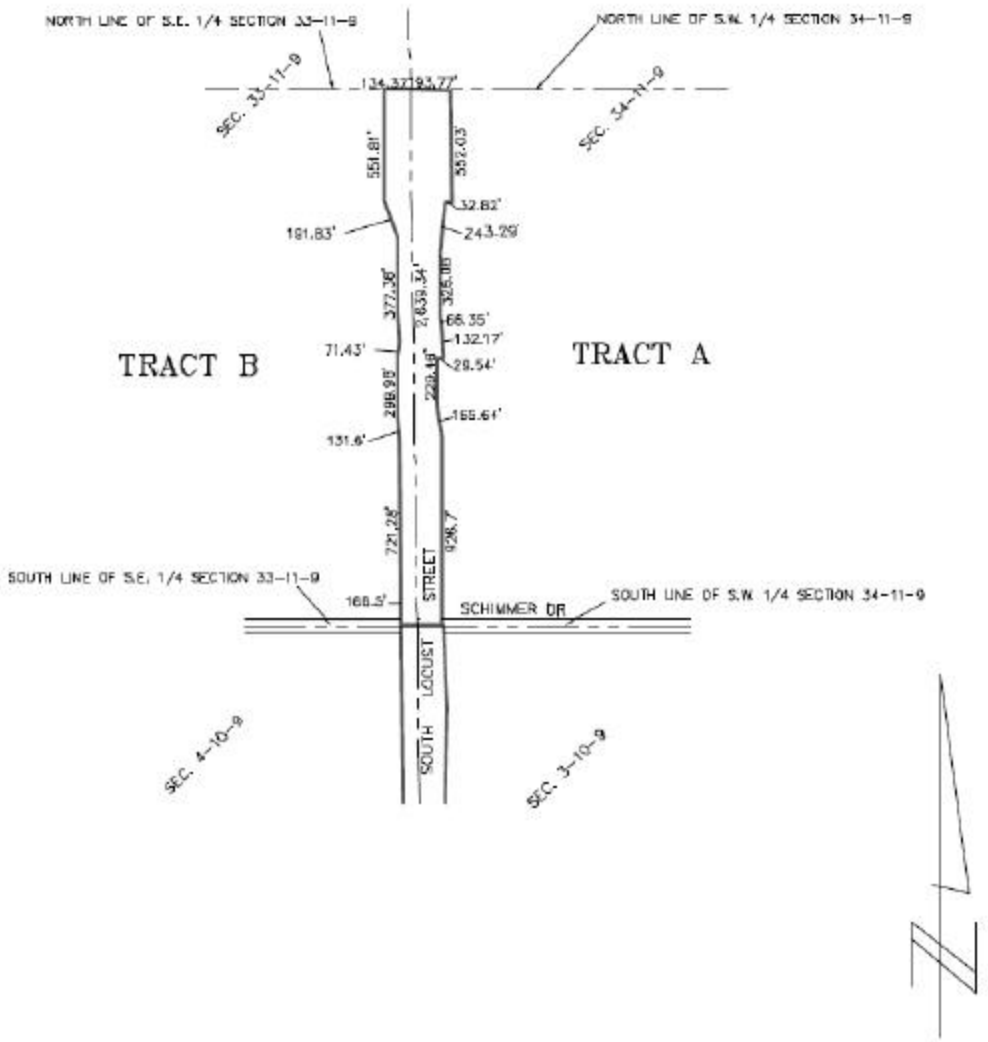


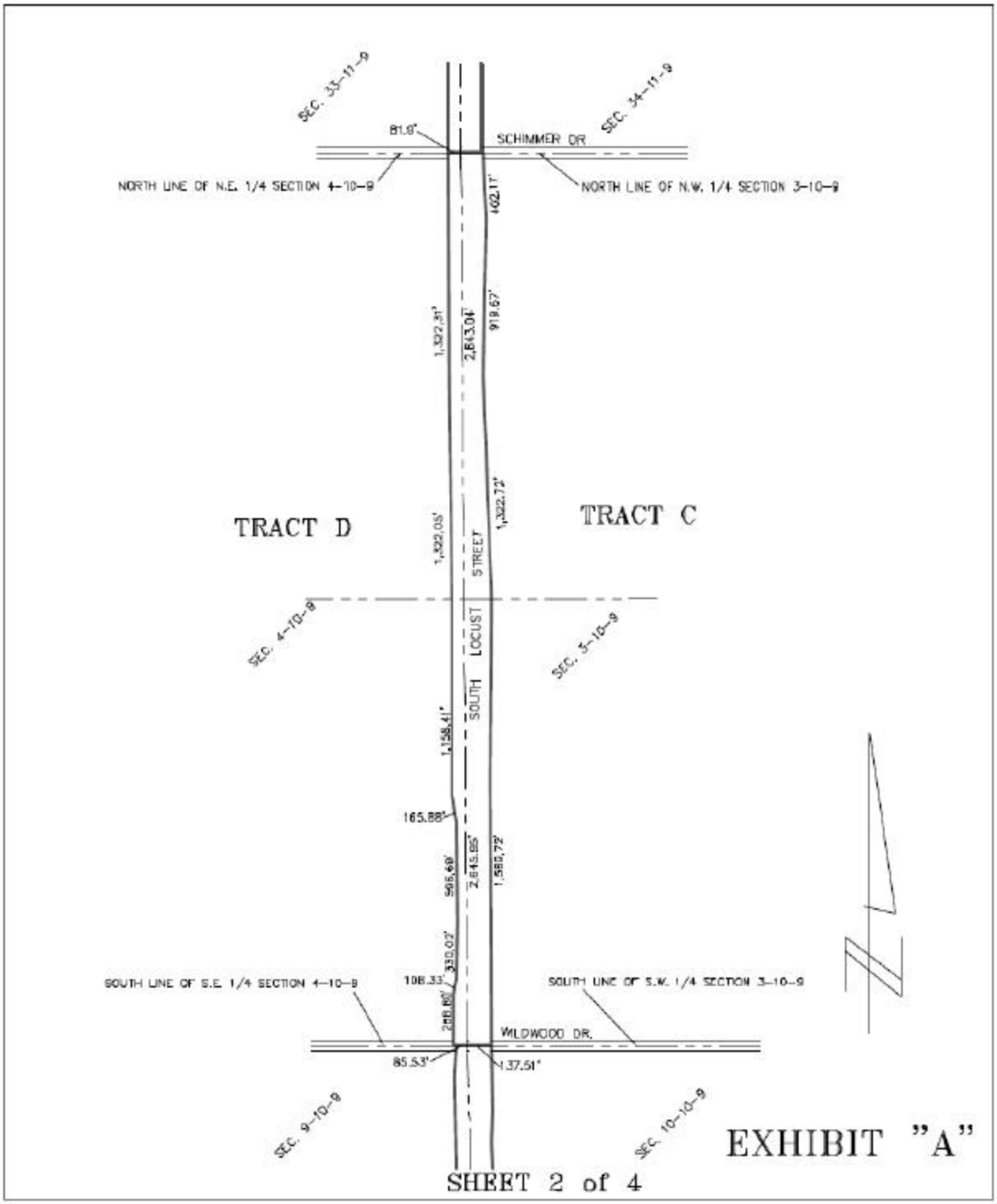
EXHIBIT "A"

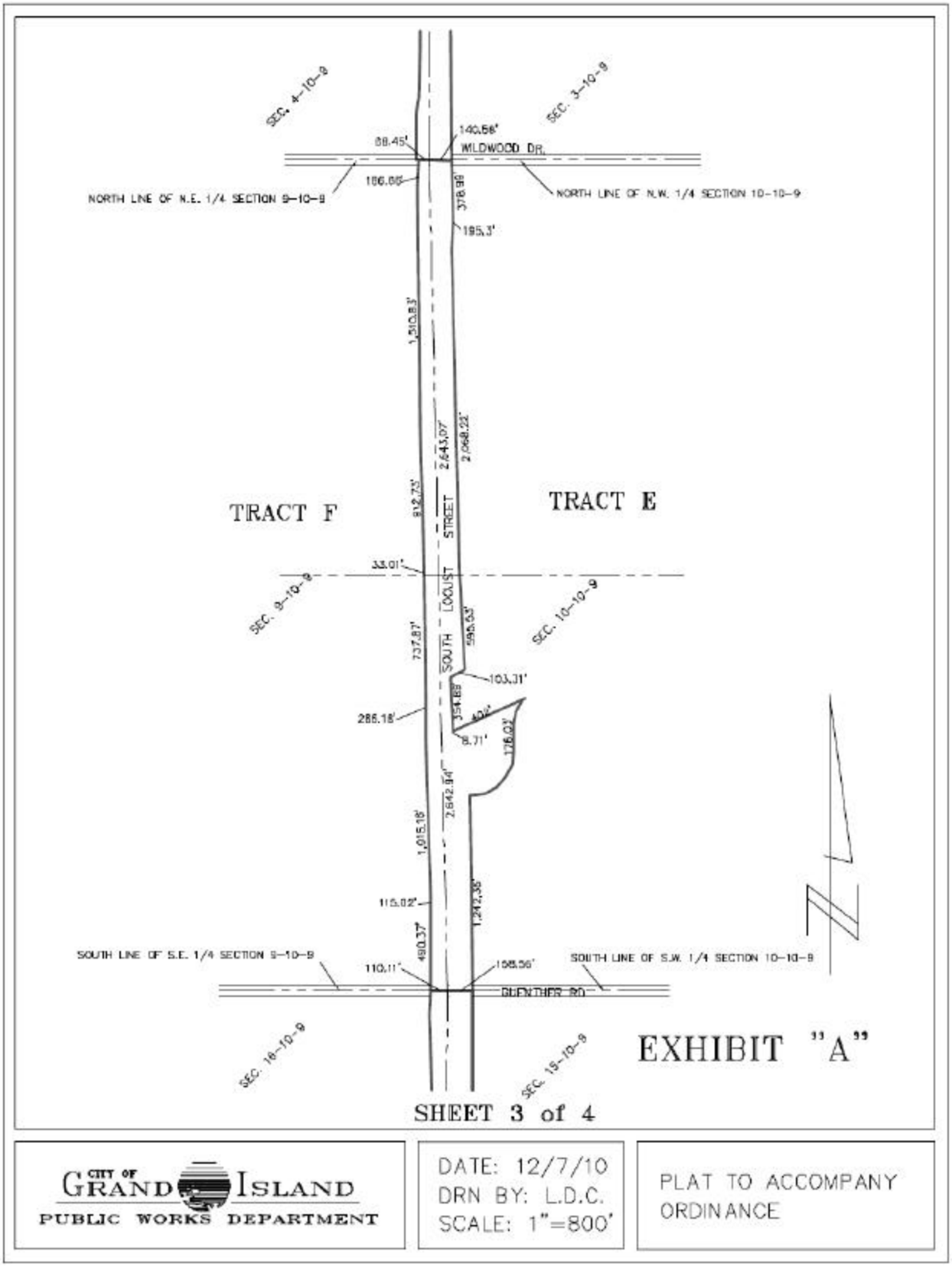
SHEET 1 of 4

CITY OF GRAND ISLAND
PUBLIC WORKS DEPARTMENT

DATE: 12/7/10
DRN BY: L.D.C.
SCALE: 1"=800'

PLAT TO ACCOMPANY ORDINANCE


SEC. 33-11-9
SEC. 34-11-9
81.9'
SCHIMMER DR.
NORTH LINE OF N.E. 1/4 SECTION 4-10-9
NORTH LINE OF N.W. 1/4 SECTION 3-10-9
402.17'
1,322.31'
2,643.04'
919.67'
TRACT D
TRACT C
1,322.05'
1,322.72'
SOUTH LOCUST STREET
SEC. 4-10-9
SEC. 3-10-9
1,158.41'
165.88'
595.69'
2,645.85'
1,588.72'
330.07'
108.33'
SOUTH LINE OF S.E. 1/4 SECTION 4-10-9
SOUTH LINE OF S.W. 1/4 SECTION 3-10-9
WILDWOOD DR.
85.53'
137.51'
SEC. 9-10-9
SEC. 10-10-9
EXHIBIT "A"
SHEET 2 of 4
CITY OF GRAND ISLAND
PUBLIC WORKS DEPARTMENT
DATE: 12/7/10
DRN BY: L.D.C.
SCALE: 1"=800'
PLAT TO ACCOMPANY ORDINANCE



CITY OF GRAND ISLAND
PUBLIC WORKS DEPARTMENT

DATE: 12/7/10
DRN BY: L.D.C.
SCALE: 1"=800'

PLAT TO ACCOMPANY ORDINANCE

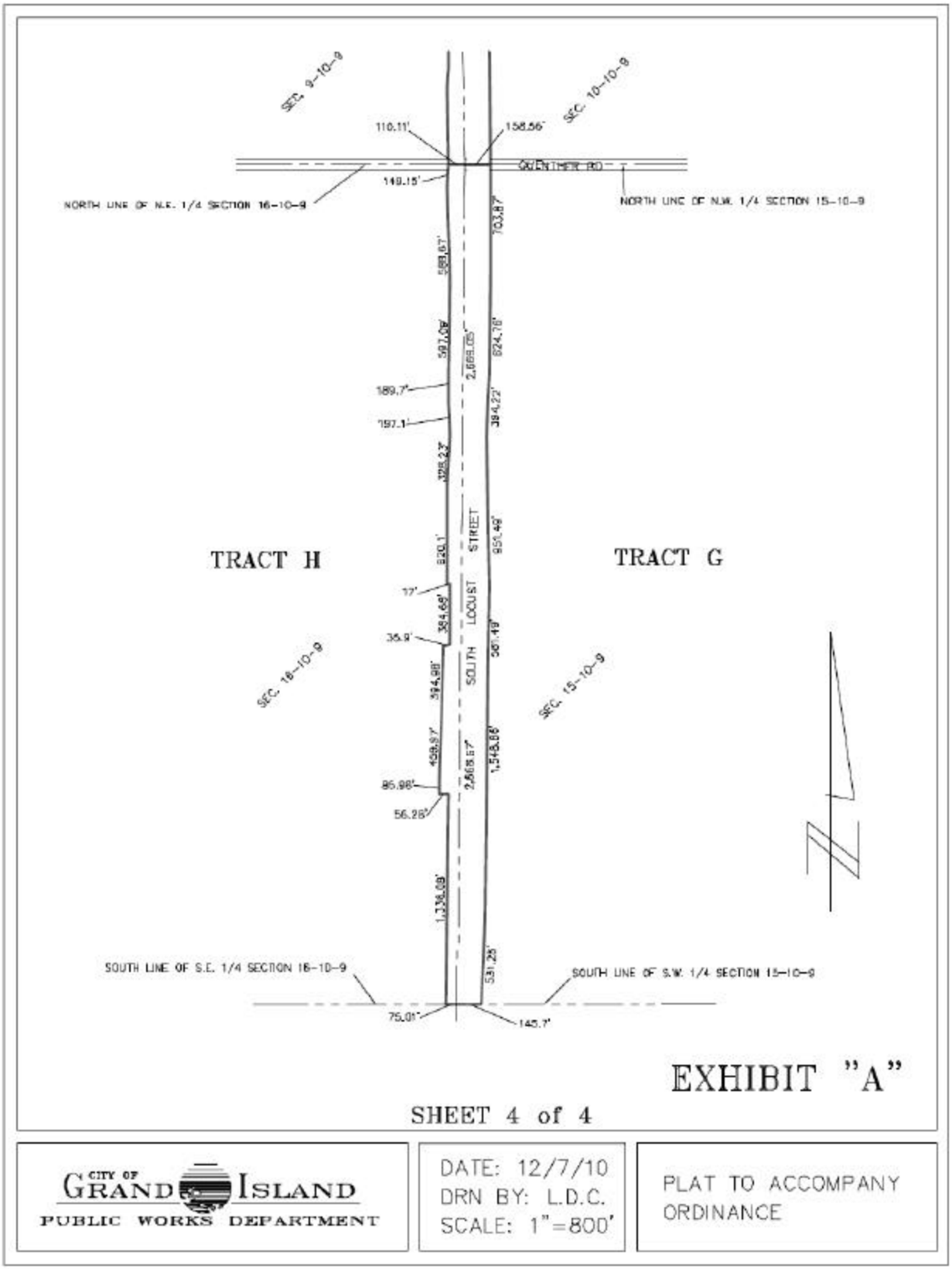

SEC. 9-10-9
SEC. 10-10-9
110.11'
158.56'
GWENTHER RD
149.15'
NORTH LINE OF N.E. 1/4 SECTION 16-10-9
NORTH LINE OF N.W. 1/4 SECTION 15-10-9
703.87'
599.67'
597.09'
624.76'
2,669.05'
189.7'
197.1'
394.22'
328.23'
955.49'
TRACT H
TRACT G
SOUTH LOCUST STREET
220.1'
17'
384.68'
35.9'
561.49'
SEC. 16-10-9
SEC. 15-10-9
394.98'
439.97'
2,568.67'
1,548.88'
85.98'
56.28'
1,338.09'
531.25'
SOUTH LINE OF S.E. 1/4 SECTION 16-10-9
SOUTH LINE OF S.W. 1/4 SECTION 15-10-9
75.01'
145.7'
EXHIBIT "A"
SHEET 4 of 4
CITY OF GRAND ISLAND
PUBLIC WORKS DEPARTMENT
DATE: 12/7/10
DRN BY: L.D.C.
SCALE: 1"=800'
PLAT TO ACCOMPANY ORDINANCE

Exhibit B

Real property known as South Locust Street situated in Hall County, Nebraska:

TRACT A

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 11 NORTH, RANGE 9 WEST OF THE SIXTH PRINCIPAL MERIDIAN, HALL COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 34, THENCE EASTERLY ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER A DISTANCE OF 193.77 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF SOUTH LOCUST STREET; THENCE ON AND ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SOUTH LOCUST STREET, SOUTHERLY DEFLECTING 88°36’52” RIGHT A DISTANCE OF 552.03 FEET; THENCE WESTERLY DEFLECTING 91°17’24” RIGHT A DISTANCE OF 32.82 FEET; THENCE SOUTHWESTERLY DEFLECTING 84°19’09” LEFT A DISTANCE OF 243.29 FEET; THENCE SOUTHERLY DEFLECTING 6°58’15” LEFT A DISTANCE OF 328.08 FEET; THENCE SOUTHEASTERLY DEFLECTING 8°31’52” LEFT A DISTANCE OF 66.35 FEET; THENCE SOUTHERLY DEFLECTING 8°31’52” RIGHT A DISTANCE OF 132.17 FEET; THENCE WESTERLY DEFLECTING 91°26’01” RIGHT A DISTANCE OF 29.54 FEET; THENCE SOUTHERLY DEFLECTING 91°26’01” LEFT A DISTANCE OF 229.46 FEET; THENCE SOUTHEASTERLY DEFLECTING 7°58’07” LEFT A DISTANCE OF 165.64 FEET; THENCE SOUTHERLY DEFLECTING 9°01’13” RIGHT A DISTANCE OF 926.70 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 34; THENCE LEAVING THE EASTERLY RIGHT-OF-WAY LINE OF SOUTH LOCUST STREET, WESTERLY DEFLECTING 90°25’45” RIGHT ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 34 A DISTANCE OF 117.70 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 34; THENCE NORTHERLY DEFLECTING 88°31’11” RIGHT ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 34 A DISTANCE OF 2,639.34 FEET TO THE POINT OF BEGINNING. CONTAINING AN AREA OF 8.61 ACRES MORE OR LESS.

TOGETHER WITH TRACT B:

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 9 NORTH, RANGE 9 WEST OF THE SIXTH PRINCIPAL MERIDIAN, HALL COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 33 THENCE SOUTHERLY ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 33 A DISTANCE OF 2,639.34 FEET TO THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 33; THENCE WESTERLY DEFLECTING 91°47’14” RIGHT A DISTANCE OF 79.43 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SOUTH LOCUST STREET; THENCE ON AND ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SOUTH LOCUST STREET, NORTHERLY DEFLECTING 89°37’17” RIGHT A DISTANCE OF 166.50 FEET; THENCE

NORTHERLY DEFLECTING 1°24’30” LEFT A DISTANCE OF 721.78 FEET; THENCE NORTHWESTERLY DEFLECTING 4°17’21” LEFT A DISTANCE OF 131.60 FEET; THENCE NORTHERLY DEFLECTING 4°17’21” RIGHT A DISTANCE OF 299.98 FEET; THENCE NORTHEASTERLY DEFLECTING 7°55’15” RIGHT A DISTANCE OF 71.43 FEET; THENCE NORTHERLY DEFLECTING 7°55’15” LEFT A DISTANCE OF 137.71 FEET; THENCE CONTINUING NORTHERLY DEFLECTING 0°00’00” RIGHT A DISTANCE OF 377.38 FEET; THENCE NORTHWESTERLY DEFLECTING 17°55’46” LEFT A DISTANCE OF 191.83 FEET; THENCE NORTHERLY DEFLECTING 17°55’46” RIGHT A DISTANCE OF 551.81 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 33; THENCE LEAVING THE WESTERLY RIGHT-OF-WAY LINE OF SOUTH LOCUST STREET, EASTERLY DEFLECTING 91°03’18” RIGHT ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 33 A DISTANCE OF 134.37 FEET TO THE PLACE OF BEGINNING. CONTAINING AN AREA OF 5.53 ACRES MORE OR LESS.

TOGETHER WITH TRACT C:

A TRACT OF LAND LOCATED IN THE WEST HALF OF SECTION 3, TOWNSHIP 10 NORTH, RANGE 9 WEST OF THE SIXTH PRINCIPAL MERIDIAN, HALL COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 3; THENCE EASTERLY ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 3 A DISTANCE OF 130.71 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF SOUTH LOCUST STREET; THENCE ON AND ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SOUTH LOCUST STREET, SOUTHERLY DEFLECTING 87°03’39” RIGHT A DISTANCE OF 402.17 FEET; THENCE SOUTHERLY DEFLECTING 2°57’32” RIGHT A DISTANCE OF 919.67 FEET; THENCE SOUTHERLY DEFLECTING 2°51’05” LEFT A DISTANCE OF 1,322.72 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 3, SAID POINT ALSO BEING ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 3; THENCE SOUTHERLY DEFLECTING 2°32’33” RIGHT A DISTANCE OF 1,056.50 FEET; THENCE SOUTHERLY DEFLECTING 0°42’42” LEFT A DISTANCE OF 1589.72 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 3; THENCE LEAVING THE EASTERLY RIGHT-OF-WAY LINE OF SOUTH LOCUST STREET, WESTERLY DEFLECTING 91°15’19” RIGHT ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 3 A DISTANCE OF 137.51 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 3; THENCE NORTHERLY DEFLECTING 88°44’10” RIGHT ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 3 A DISTANCE OF 2,645.95 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 3, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 3; THENCE NORTHERLY DEFLECTING 0°24’13” LEFT ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 3 A DISTANCE OF 2,643.04 FEET TO THE PLACE OF BEGINNING. CONTAINING AN AREA OF 16.61 ACRES MORE OR LESS.

TOGETHER WITH TRACT D:

A TRACT OF LAND LOCATED IN THE EAST HALF OF SECTION 4, TOWNSHIP 10 NORTH, RANGE 9 WEST OF THE SIXTH PRINCIPAL MERIDIAN, HALL COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 4; THENCE SOUTHERLY ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 4 A DISTANCE OF 2,643.04 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 4, SAID POINT ALSO BEING THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 4; THENCE SOUTHERLY DEFLECTING 0°24’13” RIGHT ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 4 A DISTANCE OF 2,645.95 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 4; THENCE WESTERLY DEFLECTING 91°12’27” RIGHT ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 4 A DISTANCE OF 85.53 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SOUTH LOCUST STREET; THENCE ON AND ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SOUTH LOCUST STREET, NORTHERLY DEFLECTING 88°48’07” RIGHT A DISTANCE OF 288.80 FEET; THENCE NORTHEASTERLY DEFLECTING 10°28’12” RIGHT A DISTANCE OF 108.33 FEET; THENCE NORTHERLY DEFLECTING 9°54’52” LEFT A DISTANCE OF 330.02 FEET; THENCE NORTHERLY DEFLECTING 0°33’40” LEFT A DISTANCE OF 596.69 FEET; THENCE NORTHWESTERLY DEFLECTING 7°56’35” LEFT A DISTANCE OF 165.88 FEET; THENCE NORTHERLY DEFLECTING 8°06’19” RIGHT A DISTANCE OF 1,158.41 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 4, SAID POINT ALSO BEING ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 4; THENCE NORTHERLY DEFLECTING 0°34’19” LEFT A DISTANCE OF 1,322.05 FEET; THENCE CONTINUING NORTHERLY DEFLECTING 0°0’00” RIGHT A DISTANCE OF 1,322.31 FEET TO A POINT ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 4; THENCE LEAVING THE WESTERLY RIGHT-OF-WAY LINE OF SOUTH LOCUST STREET, EASTERLY DEFLECTING 91°42’40” RIGHT ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 4 A DISTANCE OF 81.90 FEET TO THE PLACE OF BEGINNING. CONTAINING AN AREA OF 9.56 ACRES MORE OR LESS.

TOGETHER WITH TRACT E:

A TRACT OF LAND LOCATED IN THE WEST HALF OF SECTION 10, TOWNSHIP 10 NORTH, RANGE 9 WEST OF THE SIXTH PRINCIPAL MERIDIAN, HALL COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 10; THENCE EASTERLY ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 10 A DISTANCE OF 140.58 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF SOUTH LOCUST STREET; THENCE ON AND ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SOUTH LOCUST STREET, SOUTHERLY DEFLECTING 88°14’10” RIGHT A DISTANCE OF 378.99 FEET; THENCE SOUTHERLY DEFLECTING 2°24’38” RIGHT A DISTANCE OF 195.30 FEET; THENCE SOUTHERLY DEFLECTING 2°59’57” LEFT A DISTANCE OF 2,068.22 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 10, SAID POINT ALSO BEING ON THE NORTH LINE OF THE SOUTHWEST QUARTER

OF SAID SECTION 10; THENCE SOUTHERLY DEFLECTING 2°02’55” LEFT A DISTANCE OF 595.53 FEET; THENCE SOUTHWESTERLY DEFLECTING 64°15’00” RIGHT A DISTANCE OF 103.31 FEET; THENCE SOUTHERLY DEFLECTING 62°24’44” LEFT A DISTANCE OF 354.89 FEET; THENCE NORTHEASTERLY DEFLECTING 140°40’08” LEFT A DISTANCE OF 8.71 FEET; THENCE NORTHEASTERLY DEFLECTING 27°45’06” RIGHT A DISTANCE OF 402.00 FEET; THENCE NORTHEASTERLY DEFLECTING 2°45’00” LEFT A DISTANCE OF 99.44 FEET; THENCE SOUTHWESTERLY DEFLECTING 161°22’06” RIGHT A DISTANCE OF 15.01 FEET TO A POINT OF CURVATURE; THENCE ON A 213.06 FOOT RADIUS CURVE TO THE LEFT AN ARC DISTANCE OF 166.49 FEET SUBTENDING A CENTRAL ANGLE OF 44°46’21” TO A POINT OF TANGENCY; THENCE TANGENT SOUTHERLY DEFLECTING 0°00’00” RIGHT A DISTANCE OF 176.03 FEET TO A POINT OF CURVATURE; THENCE ON A 279.06 FOOT RADIUS CURVE TO THE RIGHT AN ARC DISTANCE OF 438.35 FEET SUBTENDING A CENTRAL ANGLE OF 90°00’00”; THENCE SOUTHERLY DEFLECTION TO THE INITIAL TANGENT OF 90°00’00” LEFT A DISTANCE OF 1,242.35 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 10; THENCE LEAVING THE EASTERLY RIGHT-OF-WAY LINE OF SOUTH LOCUST STREET, WESTERLY DEFLECTING 91°21’39” RIGHT ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 10 A DISTANCE OF 158.56 FEET TO THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 10; THENCE NORTHERLY DEFLECTING 88°01’56” RIGHT ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 10 A DISTANCE OF 2,642.94 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 10, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 10; THENCE NORTHERLY DEFLECTING 00°00’50” RIGHT ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 10 A DISTANCE OF 2,643.07 FEET TO THE PLACE OF BEGINNING. CONTAINING AN AREA OF 19.94 ACRES MORE OR LESS.

TOGETHER WITH TRACT F:

A TRACT OF LAND LOCATED IN THE EAST HALF OF SECTION 9, TOWNSHIP 10 NORTH, RANGE 9 WEST OF THE SIXTH PRINCIPAL MERIDIAN, HALL COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 9; THENCE SOUTHERLY ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 9 A DISTANCE OF 2,643.07 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 9, SAID POINT ALSO BEING THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 9; THENCE SOUTHERLY DEFLECTING 0°00’50” LEFT ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 9 A DISTANCE OF 2,642.94 FEET TO THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 9; THENCE WESTERLY DEFLECTING 91°00’03” RIGHT ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 9 A DISTANCE OF 110.11 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SOUTH LOCUST STREET; THENCE ON AND ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SOUTH LOCUST STREET, NORTHERLY DEFLECTING 90°04’21” RIGHT A DISTANCE

OF 490.37 FEET; THENCE NORTHERLY DEFLECTING 2°10’03” RIGHT A DISTANCE OF 115.02 FEET; THENCE NORTHERLY DEFLECTING 3°54’27” LEFT A DISTANCE OF 1,015.16 FEET; THENCE NORTHERLY DEFLECTING 1°14’11” RIGHT A DISTANCE OF 286.18 FEET; THENCE CONTINUING NORTHERLY DEFLECTING 0°00’00” RIGHT A DISTANCE OF 737.87 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 9, SAID POINT ALSO BEING ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 9; THENCE NORTHERLY DEFLECTING 2°07’45” RIGHT A DISTANCE OF 33.01 FEET; THENCE NORTHERLY DEFLECTING 2°54’38” LEFT A DISTANCE OF 912.73 FEET; THENCE NORTHERLY DEFLECTING 0°57’04” RIGHT A DISTANCE OF 1,510.83 FEET; THENCE NORTHERLY DEFLECTING 2°43’47” RIGHT A DISTANCE OF 186.66 FEET TO A POINT ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 9; THENCE LEAVING THE EASTERLY RIGHT-OF-WAY LINE OF SOUTH LOCUST STREET, EASTERLY DEFLECTING 88°42’54” RIGHT ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 9 A DISTANCE OF 68.45 FEET TO THE PLACE OF BEGINNING. CONTAINING AN AREA OF 11.64 ACRES MORE OR LESS.

TOGETHER WITH TRACT G:

A TRACT OF LAND LOCATED IN THE WEST HALF OF SECTION 15, TOWNSHIP 10 NORTH, RANGE 9 WEST OF THE SIXTH PRINCIPAL MERIDIAN, HALL COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 15; THENCE EASTERLY ALONG THE NORTH LINE OF SAID SECTION 15 A DISTANCE OF 158.56 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF SOUTH LOCUST STREET; THENCE ON AND ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SOUTH LOCUST STREET, SOUTHERLY DEFLECTING 88°47’55” RIGHT A DISTANCE OF 703.87 FEET; THENCE SOUTHERLY DEFLECTING 1°33’03” RIGHT A DISTANCE OF 624.76 FEET; THENCE SOUTHERLY DEFLECTING 1°00’46” RIGHT A DISTANCE OF 394.22 FEET; THENCE SOUTHERLY DEFLECTING 2°48’45” LEFT A DISTANCE OF 951.49 FEET; THENCE SOUTHERLY DEFLECTING 1°37’30” RIGHT A DISTANCE OF 581.49 FEET; THENCE SOUTHERLY DEFLECTING 0°33’08” LEFT A DISTANCE OF 1,548.66 FEET; THENCE SOUTHERLY DEFLECTING 3°06’10” RIGHT A DISTANCE OF 531.25 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 15; THENCE LEAVING THE EASTERLY RIGHT-OF-WAY LINE OF SOUTH LOCUST STREET, WESTERLY DEFLECTING 86°04’29” RIGHT ALONG THE SOUTH LINE OF SAID SECTION 15 A DISTANCE OF 145.70 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 15; THENCE NORTHERLY DEFLECTING 90°57’55” RIGHT ALONG THE WEST LINE OF SAID SECTION 15 A DISTANCE OF 2,668.57 FEET TO THE WEST QUARTER CORNER OF SAID SECTION 15; THENCE CONTINUING NORTHERLY DEFLECTING 0°00’11” RIGHT ALONG THE WEST LINE OF SAID SECTION 15 A DISTANCE OF 2,669.05 FEET TO THE PLACE OF BEGINNING. CONTAINING AN AREA OF 20.38 ACRES MORE OR LESS.

TOGETHER WITH TRACT H:

A TRACT OF LAND LOCATED IN THE EAST HALF OF SECTION 16, TOWNSHIP 10 NORTH, RANGE 9 WEST OF THE SIXTH PRINCIPAL MERIDIAN, HALL COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 16; THENCE SOUTHERLY ALONG THE EAST LINE OF SAID SECTION 16 A DISTANCE OF 2,669.05 FEET TO THE EAST QUARTER CORNER OF SAID SECTION 16; THENCE CONTINUING SOUTHERLY DEFLECTING 0°00’11” RIGHT ALONG THE EAST LINE OF SAID SECTION 16 A DISTANCE OF 2,668.57 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 16; THENCE WESTERLY DEFLECTING 89°01’42” RIGHT ALONG THE SOUTH LINE OF SAID SECTION 16 A DISTANCE OF 75.01 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SOUTH LOCUST STREET; THENCE NORTHERLY DEFLECTING 90°58’18” RIGHT AND PARALLEL WITH AND 75.00 FEET DISTANT FROM THE EAST LINE OF SAID SECTION 16 A DISTANCE OF 1,336.08 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 16; THENCE WESTERLY DEFLECTING 91°06’15” LEFT ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 16 A DISTANCE OF 56.28 FEET; THENCE NORTHERLY DEFLECTING 91°37’29” RIGHT A DISTANCE OF 85.96 FEET; THENCE NORTHERLY DEFLECTING 0°52’03” RIGHT A DISTANCE OF 459.97 FEET; THENCE CONTINUING NORTHERLY DEFLECTING 0°00’00” RIGHT A DISTANCE OF 394.98 FEET; THENCE NORTHEASTERLY DEFLECTING 73°36’05” RIGHT A DISTANCE OF 35.90 FEET; THENCE NORTHERLY DEFLECTING 74°59’35” LEFT A DISTANCE OF 384.68 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 16, SAID POINT ALSO BEING ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 16; THENCE WESTERLY DEFLECTING 91°13’30” LEFT ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 16 A DISTANCE OF 17.00 FEET; THENCE NORTHERLY DEFLECTING 91°04’54” RIGHT A DISTANCE OF 620.10 FEET; THENCE NORTHERLY DEFLECTING 2°01’18” RIGHT A DISTANCE OF 328.23 FEET; THENCE NORTHERLY DEFLECTING 4°34’51” LEFT A DISTANCE OF 197.10 FEET; THENCE NORTHERLY DEFLECTING 1°52’18” RIGHT A DISTANCE OF 189.70 FEET; THENCE NORTHERLY DEFLECTING 1°07’58” RIGHT A DISTANCE OF 597.09 FEET; THENCE NORTHERLY DEFLECTING 2°09’07” LEFT A DISTANCE OF 588.67 FEET; THENCE NORTHERLY DEFLECTING 2°08’05” RIGHT A DISTANCE OF 149.15 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION 16; THENCE LEAVING THE WESTERLY RIGHT-OF-WAY LINE OF SOUTH LOCUST STREET, EASTERLY DEFLECTING 88°59’27” RIGHT ALONG THE NORTH LINE OF SAID SECTION 16 A DISTANCE OF 110.11 FEET TO THE PLACE OF BEGINNING. CONTAINING AN AREA OF 11.41 ACRES MORE OR LESS.

City of Grand Island

Tuesday, February 22, 2011
Council Session

Item G1

Approving Minutes of February 8, 2011 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING
February 8, 2011

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 February 8, 2011. Notice of the meeting was given in *The Grand Island Independent* on February 2, 2011.

Mayor Jay Vavricek called the meeting to order at 7:00 p.m. The following City Council members were present: Chuck Haase, Larry Carney, Kirk Ramsey, Peg Gilbert, Mitch Nickerson, Linna Dee Donaldson, Scott Dugan, and John Gericke. Councilmember Randy Gard and Bob Niemann were absent. The following City Officials were present: Interim City Administrator/Finance Director Mary Lou Brown, City Clerk RaNae Edwards, Interim City Attorney Jason Eley, Interim Public Works Engineer Terry Brown, and Interim Public Works/Utilities Director Gary Mader.

INVOCATION was given by Councilmember Dugan followed by the PLEDGE OF ALLEGIANCE.

MAYOR COMMUNICATION: Mayor Vavricek introduced Community Youth Council members Miguel Baeza, Evan Dexter, and Board Member Celine Swan. Mentioned was March 26, 2011 for the next City Council Retreat and the Mayor's trip to Indiana for the departure of Troop 376 service men and women headed to Kosovo.

PUBLIC HEARINGS:

Public Hearing on Acquisition of Utility Easement Located at 2820 Riverside Drive (Country Club Holding Association). Gary Mader, Utilities Director reported that acquisition of a utility easement located at 2820 Riverside Drive was needed in order to have access to install, upgrade, maintain, and repair appurtenances, including lines and transformers for the purpose of documenting utility easements for the entire Riverside Country Club, including those required for the expanded clubhouse. Staff recommended approval. No public testimony was heard.

Public Hearing on the One & Six Year Street Improvement Plan. Gary Mader, Interim Public Works Director reported that adoption of a One and Six Year Street Improvement Program was required by State law as part of the requirements to receive approximately three million dollars of state gas tax funds each year. This item was referred to the Regional Planning Commission by Council at their January 25, 2011 Regular Meeting. The Regional Planning Commission conducted a Public Hearing at their February 2, 2011 meeting. Public Works Engineer Terry Brown presented a PowerPoint explaining the recommendations. Staff recommended approval. No public testimony was heard.

Public Hearing #2 Concerning Status of Community Revitalization Grants, 08-CR-002, 09-CR-102 and 09-CR-002. Community Development Administrator Barbara Quandt reported that Grand Island received three Community Revitalization grants from the Nebraska Department of Economic Development for housing and infrastructure projects in qualifying low-to-moderate income block groups in the City. Ms. Quandt stated this was the second public hearing required

by the Nebraska Department of Economic Development to fulfill the requirement for these grants. Comment was made by Council Gilbert concerning the importance of these grants. No action was required by Council.

ORDINANCES:

> #9286 – Consideration of Annexation Right-of-Way along a Portion of South Locust Street between the Grand Island City Limits and the Northernmost Terminus of the Exit Ramps to the Interstate 80 Interchange (Second Reading)

Regional Planning Director Chad Nabity reported this was the second of three readings and was not suggesting extension of the zoning jurisdiction as a result of this annexation. Staff recommended approval.

Motion by Dugan, second by Gericke to approve Ordinance #9286 on second reading. Upon roll call vote, all voted aye. Motion adopted.

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

> #9289 – Consideration of Amendments to Chapter 32 of the Grand Island City Code Relative to Streets and Sidewalks

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 second 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.

Interim Public Works Director Gary Mader reported that this amendment to Chapter 32 of the Grand Island City Code would include the Manual on Uniform Traffic Control Devices providing guidance for the proper installation and maintenance of Temporary Traffic Control.

Motion by Gilbert, second by Ramsey to approve Ordinance #9289.

City Clerk: Ordinance #9289 on first reading. All those in favor of the passage of this ordinance on first reading, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

City Clerk: Ordinance #9289 on final passage. All those in favor of the passage of this ordinance on final passage, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

Mayor Vavricek: By reason of the roll call votes on first reading and then upon final passage, Ordinance #9289 is declared to be lawfully adopted upon publication as required by law.

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

Approving Minutes of January 22, 2011 City Council Special Study Session (Retreat).

Approving Minutes of January 25, 2011 City Council Regular Meeting.

Approving the Following Councilmember Appointments to Boards and Commissions for 2011:

Building Code Advisory Board:	Larry Carney
Business Improvement District #4:	Kirk Ramsey
Business Improvement District #6:	Bob Niemann
Business Improvement District #7:	Scott Dugan
Business Improvement District #8:	Randy Gard
Central District Health board (Term of 3 years)	Chuck Haase
City/County Emergency Mgt/Communications:	John Gericke & Mitch Nickerson
Community Development Advisory Board:	Linna Dee Donaldson
Community Redevelopment Authority:	Randy Gard
GI Area Economic Development Corp.	Peg Gilbert
Humane Society:	Scott Dugan & Chuck Haase
Law Enforcement Co-Location:	Bob Niemann
Library Board:	Peg Gilbert
Odor Committee:	Larry Carney, John Gericke, Bob Niemann & Kirk Ramsey
Problem Resolution Team:	Larry Carney & John Gericke
Regional Planning Commission:	Mitch Nickerson
Systems Information Advisory Committee (Spillman) (City/County)	Scott Dugan
Transportation Committee:	Randy Gard, Peg Gilbert & Kirk Ramsey

#2011-28 – Approving Acquisition of Utility Easement Located at 2820 Riverside Drive (Country Club Holding Association).

#2011-29 – Approving Change Order #1 for Water Main Project 2009-W-6 (6th Street from Pine Street to Elm Street) with K2 Construction of Lincoln, Nebraska for an Increase of $11,065.33 and a Revised Contract Amount of $304,976.80.

#2011-30 – Approving One-Call Member Services Agreement (Digger's Hotline).

#2011-31 – Approving Agreements for Temporary Construction Easements in the Life Station #7 Disaster Recovery Project Area (Grant Street to Arthur Street, between Oklahoma Avenue and Phoenix Avenue).

#2011-32 – Approving Certificate of Final Completion for the Addition to the Transfer station Storage Building with Rathman & Manning corporation of Chapman, Nebraska.

#2011-33 – Approving Bid Award for Handicap Ramp Project No. 2010-1 with The Diamond Engineering Company of Grand Island, Nebraska in an Amount of !69,331.42.

#2011-34 – Approving Contract for City/County Emergency Dispatch CAD System for the Fire Department with Image Trend, Inc. in an Amount of $3,280 for the first 4 years and $1,280 for the 5th year.

RESOLUTIONS:

#2011-35 – Consideration of Requesting the Nebraska Liquor Control Commission to Require El Diamante Night Club, 1600 South Eddy Street to Complete a Long Renewal Form. This item was pulled from the agenda at the request of Attorney Bill Francis and rescheduled for February 22, 2011.

#2011-36 – Consideration of Approving One & Six Year Street Improvement Plan. This item related to the aforementioned Public Hearing.

Discussion was held regarding Wasmer Detention Cell for a total amount of $462,000. Mr. Brown stated they were in negotiations and anticipated an 80% - 20% split but didn't have a final number. 80% would be paid by the State and 20% by the City. Interim City Administrator Mary Lou Brown stated this was a plan and would be decided in the budget process. Mr. Brown stated the Gas Tax would be applied to any street project. Street Transportation Project funds would be used for other projects.

Motion by Ramsey, second by Haase to approve Resolution #2011-36. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Dugan, second by Nickerson to approve the Claims for the period of January 26, 2011 through February 8, 2011, for a total amount of $1,511,408.03. Unanimously approved.

Motion by Dugan, second by Nickerson to approve the Claims for the Period of January 26, 2011 through February 8, 2011 for the Veterans Athletic Field Complex for a total amount of $2,381.15. Unanimously approved.

ADJOURNMENT: The meeting was adjourned at 7:35 p.m.

RaNae Edwards
City Clerk

City of Grand Island

Tuesday, February 22, 2011
Council Session

Item G2

#2011-37 - Approving Bid Award for One (1) 30,000 Pound Four-Wheel Drive Front End Loader - Streets Division

Staff Contact: Gary R. Mader, Interim Public Works Director

Council Agenda Memo

From: Scott Johnson, Street Superintendent

Meeting: February 22, 2011

Subject: Approving Bid Award for One (1) 30,000 Pound Four-Wheel Drive Front End Loader – Streets Division

Item #'s: G-2

Presenter(s): Gary R. Mader, Interim Public Works Director

Background

On January 4, 2011 the Streets Division of the Public Works Department advertised for bids for one (1) Front End Loader. Bids were to be opened on January 18, 2011, however the sole bid that was submitted was pulled by the vendor prior to bid opening time.

On February 3, 2011 the Streets Division, after changing the size of the loader from a minimum 28,000 pounds to a minimum 30,000 pounds, readvertised for bids for one (1) Front End Loader.

Discussion

Five (5) bids were received and opened on February 16, 2011. The bids were submitted in compliance with the contract and specifications. A summary of the bids is shown below.

Bidder	Exceptions	Total Bid
Fairbanks of Grand Island, NE	None	$99,750
Titan Machinery of Lincoln, NE	None	$119,000
Road Builders Machinery & Supply of Grand Island, NE	Noted	$126,791
Murphy Tractor and Equipment Co. of Grand Island, NE	Noted	$130,400
NMC of Doniphan, NE	None	$131,056

Funds were budgeted in the 2010/2011 Fiscal Year in account no. 10033501.85615.

Alternatives

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

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

Recommendation

City Administration recommends that the Council approve the bid award to Fairbanks of Grand Island, Nebraska in the amount of $99,750.00.0

Sample Motion

Move to approve the bid award for one (1) Four-Wheel Drive Front End Loader to Fairbanks of Grand Island, Nebraska in the amount of $99,750.00.

Purchasing Division of Legal Department
INTEROFFICE MEMORANDUM

CITY OF GRAND ISLAND

Jason Eley, Purchasing Agent

Working Together for a Better Tomorrow, Today

BID OPENING

BID OPENING DATE:	**February 16, 2011 at 2:00 p.m.**
FOR:	**(1) 30,000 Pound Four-Wheel Drive Front End Loader**
DEPARTMENT:	**Public Works**
ESTIMATE:	**$175,300.00**
FUND/ACCOUNT:	**10033501-85615**
PUBLICATION DATE:	**February 3, 2011**
NO. POTENTIAL BIDDERS:	**5**

SUMMARY

Bidder:	**Murphy Tractor and Equipment Co**	**NMC**
	Grand Island, NE	**Doniphan, NE**
Bid Security:	**Sentry Select Insurance Co**	**Travelers Casualty and Surety**
Exceptions:	**Noted**	**None**
Base Bid Price:	**$169,150**	**$161,056**
Less Trade-in:	**$38,750**	**$30,000**
Total Adjusted Bid:	**$130,400**	**$131,056**

Bidder:	**Road Builders Machinery & Supply**	**Titan Machinery**
	Grand Island, NE	**Lincoln, NE**
Bid Security:	**Fidelity and Deposit Co**	**Cashiers Check**
Exceptions:	**Noted**	**None**
Base Bid Price:	**$167,291**	**$160,000**
Less Trade-in:	**$40,500**	**$41,000**
Total Adjusted Bid:	**$126,791**	**$119,000**

Bidder:	**<u>Fairbanks</u>**
	Grand Island, NE
Bid Security:	**Nationwide Mutual Insurance Co**
Exceptions:	**None**
Base Bid Price:	**$144,900**
Less Trade-in:	**$45,150**
Total Adjusted Bid:	**$99,750**

cc: Gary Mader, Interim Public Works Director
Jason Eley, Purchasing Agent
Mary Lou Brown, Interim City Administrator
Scott Johnson, Street Supt.
Catrina DeLosh, PW Admin. Assist.

P1459

R E S O L U T I O N 2011-37

WHEREAS, the City of Grand Island invited sealed bids for one (1) 30,000 pound four-wheel drive front end loader, according to specifications on file with the Public Works Department; and

WHEREAS, on February 16, 2011, bids were received, opened and reviewed; and

WHEREAS, Fairbanks of Grand Island, Nebraska, submitted a bid in accordance with the terms of the advertisement of bids and specifications and all other statutory requirements contained therein, such bid being in the amount of $99,750.00; and

WHEREAS, the bid of Fairbanks of Grand Island, Nebraska is less than the estimate for the 30,000 pound four-wheel drive front end loader.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Fairbanks of Grand Island, Nebraska in the amount of $99,750.00 for one (1) 30,000 pound four-wheel drive front end loader is hereby approved as the lowest responsible bid.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, February 22, 2011.

_____

Jay Vavricek, Mayor

Attest:

_____

RaNae Edwards, City Clerk

Approved as to Form ¤ _____
February 18, 2011 ¤ City Attorney

City of Grand Island

Tuesday, February 22, 2011
Council Session

Item G3

#2011-38 - Approving the Adoption of a Resolution to Revise the National Functional Classification

Staff Contact: Gary R. Mader, Interim Public Works Director

Council Agenda Memo

From: Scott Griepenstroh, Public Works Project Manager

Meeting: February 22, 2011

Subject: Approving the Adoption of a Resolution to Revise the National Functional Classification

Item #'s: G-3

Presenter(s): Gary R. Mader, Interim Public Works Director

Background

The Surface Transportation Program – Urban (STP-Urban) provides funding that may be used by Local Public Agencies for transportation projects on any Federal-aid roadway route. These Federal funds are available to finance up to 80% of eligible project costs with a minimum 20% match from the Local Public Agency.

To be on the Federal Aid roadway route and eligible for STP-Urban funds, the roadway must be classified as an arterial or collector and within the Municipality's urban area boundary on the National Functional Classification System. Classification of roads is determined by the Nebraska Department of Roads Planning Division.

The urban area boundary for a Municipality's National Functional Classification System does not necessarily coincide with the corporate limits; therefore concurrence from the Hall County Board is necessary. If the City Council approves this change, the matter would be presented to the Hall County Board at their March 1, 2011 board meeting.

A City Council may request the Department of Roads to revise the urban area boundary or reclassify any segment of highway, road or street for which they are responsible. The request must be submitted by the Municipality and not by an individual, Reference 39-2112 Neb. Rev. Stat. The Department of Roads will review the request and either grant or deny the request in whole or in part.

Classification change requests can be based on changes of traffic pattern, commercial and industrial development, and service to through traffic. Changes to the urban area boundary can be requested if there are different traffic patterns occurring in the urban area, planned development, or consideration of annexation.

Requests must come formally through City Council Resolution. Adjustments of the urban boundary require consent of the formal request from the County Board.

Discussion

In order to anticipate planned development for the Platte Valley Industrial Park, and to incorporate the planned annexation of South Locust Street, the City is requesting NDOR to adjust the urban area boundary to include Schimmer Road and Wildwood Drive from the Platte Valley Industrial Park to Locust Street, and Locust Street south to the Interstate 80 Interchange. Adjustment of the urban area boundary will permit adding these roads to the Federal-Aid roadway route.

The following streets are being requested to be added to the Federal-Aid roadway route.

- Locust Street from the north limits of the right of way at the Locust Street Interchange to US Highway 34 (Urban Principal Arterial)
- Wildwood Drive from the west Urban Area Boundary to US Highway 281, and from the east Urban Area Boundary to Locust Street (Urban Minor Arterial)
- Schimmer Drive from the west Urban Area Boundary to Locust Street (Urban Minor Arterial)
- Blaine Street from US Highway 34 to Wildwood Drive (Urban Minor Arterial)
- Stolley Park Road from Locust Street to Stuhr Road (Urban Minor Arterial)
- State Street from US Highway 281 to North Road (Urban Minor Arterial)
- Faidley Avenue from US Highway 281 to Redwood Road, including segment planned to be constructed in 2014 (Urban Collector)
- Swift Road from Stuhr Road to Shady Bend Road, including segment planned to be constructed in 2016 (Urban Minor Arterial)

The following street is being requested to be removed from the Federal-Aid roadway route, because it is evaluated by staff as no longer meeting the criteria for Federal-Aid roadway designation.

- Koenig Street from Locust Street to Vine Street (Local Street)

Alternatives

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

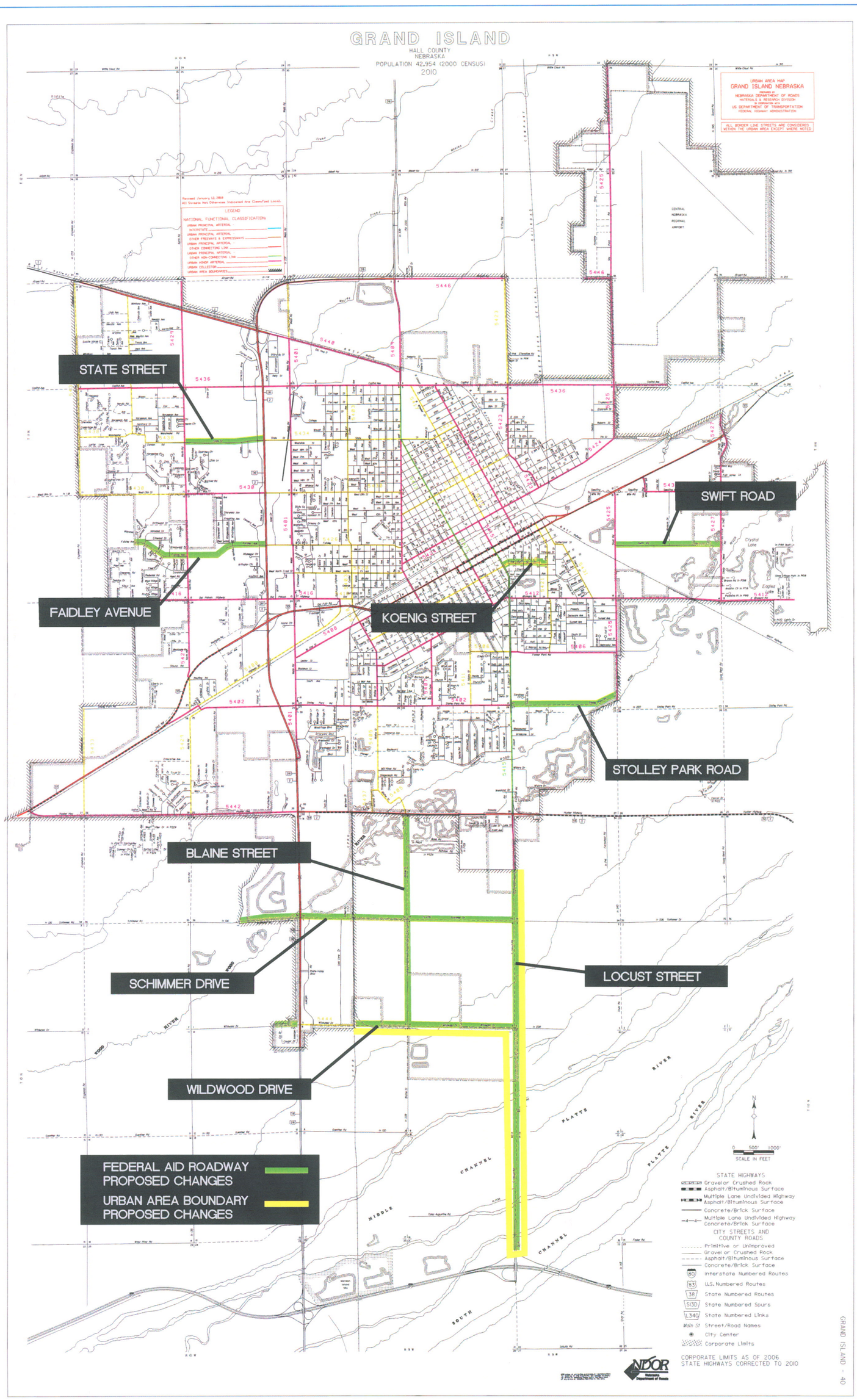
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council approve the resolution to revise the National Functional Classification.

Sample Motion

Move to approve the resolution to revise the National Functional Classification.


GRAND ISLAND
HALL COUNTY
NEBRASKA
POPULATION 42,954 (2000 CENSUS)
2010
URBAN AREA MAP
GRAND ISLAND NEBRASKA
PREPARED BY
NEBRASKA DEPARTMENT OF ROADS
MATERIALS & RESEARCH DIVISION
IN COOPERATION WITH
US DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
ALL BORDER LINE STREETS ARE CONSIDERED WITHIN THE URBAN AREA EXCEPT WHERE NOTED
LEGEND
NATIONAL FUNCTIONAL CLASSIFICATION
URBAN PRINCIPAL ARTERIAL INTERSTATE
URBAN PRINCIPAL ARTERIAL OTHER FREEWAYS & EXPRESSWAYS
URBAN PRINCIPAL ARTERIAL OTHER CONNECTING LINK
URBAN PRINCIPAL ARTERIAL OTHER NON-CONNECTING LINK
URBAN MINOR ARTERIAL
URBAN COLLECTOR
URBAN AREA BOUNDARIES
CENTRAL NEBRASKA REGIONAL AIRPORT
STATE STREET
FAIDLEY AVENUE
KOENIG STREET
SWIFT ROAD
STOLLEY PARK ROAD
BLAINE STREET
SCHIMMER DRIVE
LOCUST STREET
WILDWOOD DRIVE
FEDERAL AID ROADWAY PROPOSED CHANGES
URBAN AREA BOUNDARY PROPOSED CHANGES
SCALE IN FEET
STATE HIGHWAYS
Gravel or Crushed Rock
Asphalt/Bituminous Surface
Multiple Lane Undivided Highway Asphalt/Bituminous Surface
Concrete/Brick Surface
Multiple Lane Undivided Highway Concrete/Brick Surface
CITY STREETS AND COUNTY ROADS
Primitive or Unimproved
Gravel or Crushed Rock
Asphalt/Bituminous Surface
Concrete/Brick Surface
Interstate Numbered Routes
U.S. Numbered Routes
State Numbered Routes
State Numbered Spurs
State Numbered Links
Main St Street/Road Names
City Center
Corporate Limits
CORPORATE LIMITS AS OF 2006
STATE HIGHWAYS CORRECTED TO 2010
NDOR
Nebraska Department of Roads
GRAND ISLAND - 40

RESOLUTION
FOR
NATIONAL FUNCTIONAL CLASSIFICATION REVISION

WHEREAS, a system of functionally classified streets has been established in the **Grand Island** Urban Area, and

Whereas, it is the desire of the **Grand Island City Council** and **Hall County Board** to revise the existing system of functionally classified streets in order to meet the following changing conditions.

In order to anticipate future development, incorporate future annexation of these areas, and to serve through traffic it is being requested that the following areas be added to the Grand Island Urban Area and the following street classification changes be made.

Whereas, it is the desire of the **Grand Island City Council** and **Hall County Board** that the following revisions to the National Functional Classification System be submitted to the Federal Highway Administration for approval.

Proposed Urban Boundary Changes

Revise the urban boundary in south Grand Island by extending the limits from the urban boundary near the northeast corner of the northeast 1/4, Section 8, Township 10 North, Range 9 West, east along the southern right-of-way of Wildwood Drive to the west right of way limits of Locust Street (near the northeast corner of Section 9, Township 10 North, Range 9 West), then south along the west right of way limits of Locust Street to the north State right-of-way limits for the Locust Street Interstate 80 Interchange, then east to the east right of way limits of Locust Street, then north to the existing urban boundary near the northeast corner of the southeast 1/4, Section 33, Township 11 North, Range 9 West. The urban boundary changes are to allow for the following:

- South Locust Street development in stages for annexation
- Recent and planned development at Platte Valley Industrial Park, Section 5 T10N R9W
- Future annexation of Rainbow Lakes subdivision in north half of Section 33
- Increasing traffic volumes due to current and planned growth at the Platte Valley Industrial Park development and the Platte Generating Station

Proposed Street Classification Changes

Locust Street: Designate as Urban Principal Arterial from the north limits of the right of way at the Locust Street Interchange to US Highway 34.

- Serves major commercialized area of city (South Locust Street)
- Recently improved by adding two lanes to upgrade to a rural four lane divided roadway
- Carries significant volume of traffic entering and leaving the urban area
- Connects to section of city street that is within top five greatest traffic volume
- The Average Daily Traffic (ADT) from a 2009 study was 5410 ADT, which is prior to completion of the two additional lanes
- This section is currently designated a Rural Major Collector in Hall County

Wildwood Drive: Designate as Urban Minor Arterial Classification from the west Urban Limits (approximately ¼ mile west of US Highway 281) to US Highway 281, and from the current east Urban Limits to Locust Street.

- Increasing traffic volumes due to current and planned growth at the Platte Valley Industrial Park development and the Platte Generating Station
- Wildwood Drive distributes traffic from proposed and current arterials to residential and industrial destinations
- The section from the current east Urban Limits (approximately ½ mile east of US Highway 281) to Locust Street is currently designated a Rural Minor Collector in Hall County

Schimmer Drive: Designate Urban Minor Arterial Classification from the new west Urban Limits (approximately ½ mile west of US Highway 281) to Locust Street.

- Increasing traffic volumes due to current and planned growth at the Platte Valley Industrial Park development
- Schimmer Drive distributes traffic from proposed and current principal arterials to residential and industrial destinations

Blaine Street: Designate Urban Minor Arterial Classification from US Highway 34 to Wildwood Drive.

- Increasing traffic volumes due to current planned growth at the Platte Valley Industrial Park development and the Platte Generating Station
- Distributes traffic from current arterial to residential and industrial destinations

Stolley Park Road: Designate Urban Minor Arterial from Locust Street to Stuhr Road.

- Similar traffic volumes and usage as Bismark Road from Locust Street to Stuhr Road
- This street serves travel to a major activity center due to the completion of the Heartland Event Center and significant developments to accommodate the Nebraska State Fair

State Street: Designate Urban Minor Arterial from US Highway 281 to North Road.

- Similar traffic volumes and usage as 13th Street from US Highway 281 to North Road
- Similar traffic volumes and usage as Capital Avenue from US Highway 281 to North Road
- This street services significant intra-area travel from business districts and residential areas

Koenig Street: Designate on the local street system from Locust Street to Vine Street

- This street does not meet the requirements of the higher order systems
- Service to through traffic movement is discouraged

Faidley Avenue: Designate Urban Collector Classification from US Highway 281 to Redwood Road

- This proposed change includes designating a section that is scheduled for construction in 2014 from North Road to Irongate Avenue
- It is anticipated that after extending Faidley Avenue from Irongate Avenue to North Road, this section will function as an Urban Collector and distribute trips from arterials to residential neighborhoods

Swift Road: Designate Minor Arterial Classification from Stuhr Road to Shady Bend Road

- This proposed change includes designating a section that is scheduled for construction in 2016 from the east end of Swift Road to Shady Bend Road
- It is anticipated that after Swift Road is extended to Shady Bend Road, this section will function as an arterial and distribute trips from other arterials to industrial locations
- Traffic volumes will increase significantly after Swift Road is extended to Shady Bend Road as this road will serve traffic for the JBS Swift & Co. Meatpacking Plant

NOW THEREFORE, in consideration of these facts, the City Council and County Board takes the following official action:

BE IT RESOLVED THAT:

The Nebraska Department of Roads is hereby requested to prepare the necessary documents and take all necessary steps required in order to obtain approval of the above described revision to the National Functional Classification System in the **Grand Island** Urban Area.

DATED THIS **22nd** day of **February** A.D. **2011**

Adopted **February 22**, **2011** Larry Carney

_____
City Clerk

_____
Mayor

Moved the adoption of said resolution

Roll call: _____ Yea, _____Nay

Resolution adopted, signed and billed
as adopted

Mitch Nickerson _____

Kirk Ramsey _____

Scott Dugan _____

Linna Dee Donaldson _____

John Gericke _____

Chuck Haase _____

Peg Gilbert _____

Robert Niemann _____

Randy Gard _____
City Council

Dated this **1st** day of **March** A.D. **2011**

Adopted **March 1, 2011**

_____
Hall County Clerk

_____
Chairman of the Board of Supervisors

Moved the adoption of said resolution

Roll Call: _____Yea; _____Nay

Resolution adopted, signed and billed
as adopted

Supervisor Arnold _____

Supervisor Jeffries _____

Supervisor Lancaster _____

Supervisor Schuppan _____

Supervisor Quandt _____

Supervisor Purdy _____

Supervisor Ziola _____

City of Grand Island

Tuesday, February 22, 2011
Council Session

Item G4

#2011-39 - Approving the Purchase of Recycle Pump Parts from Bert Gurney & Associates for the Wastewater Division

Staff Contact: Gary R. Mader, Interim Public Works Director

Council Agenda Memo

From: John Rundle, Wastewater Maintenance Supervisor

Meeting: February 22, 2011

Subject: Approving the Purchase of Recycle Pump Parts from Bert Gurney & Associates for the Wastewater Division

Item #'s: G-4

Presenter(s): Gary R. Mader, Interim Public Works Director

Background

A quote was received from Bert Gurney & Associates on January 31, 2011 for repair parts for two (2) of the plant's sludge recycle pumps. The needed parts were quoted at $29,996. Since the pump parts cost exceeds $20,000 the purchase requires City Council approval.

Discussion

Bert Gurney & Associates has quoted all parts needed to repair two (2) of the sludge recycle pumps at the Wastewater Treatment Plant.

As Bert Gurney and Associates have been designated sole source providers for these parts in Council Resolution 2006-2007, the Wastewater Treatment Plant is asking for approval to proceed with this purchase.

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 parts purchase from Bert Gurney & Associates of Omaha, Nebraska for $29,996.00.

Sample Motion

Move to approve the parts purchase from Bert Gurney & Associates of Omaha, Nebraska for $29,996.00.

R E S O L U T I O N 2011-39

WHEREAS, the Wastewater Treatment Plant has two (2) recycle pumps in need of repair; and

WHEREAS, by Resolution 2006-207 Bert Gurney & Associates, of Omaha, Nebraska, were deemed sole source provider for pump replacement and repair parts; and

WHEREAS, Bert Gurney & Associates quoted a cost of $29,996.00 to provide repair parts for said two (2) recycle pumps.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the purchase in the amount of $29,996.00 from Bert Gurney & Associates of Omaha, Nebraska for such repair parts is hereby approved.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, February 22, 2011.

_____
Jay Vavricek, Mayor

Attest:

_____
RaNae Edwards, City Clerk

Approved as to Form ¤ _____
February 18, 2011 ¤ City Attorney

City of Grand Island

Tuesday, February 22, 2011
Council Session

Item G5

#2011-40 - Approving Bid Award - Burdick Station Boiler Roof Replacement

Staff Contact: Gary R. Mader

Council Agenda Memo

From: Gary R. Mader, Utilities Director
Jason Eley, Interim City Attorney

Meeting: February 22, 2011

Subject: Burdick Station Boiler Roof Replacement

Item #'s: G-5

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

Background

The roofing surfaces at the Burdick Generating Station are routinely inspected by staff and outside roofing consultants. If problems such as leakage are found, the consultant will recommend either repair or replacement of the roof, depending on its condition. Recent inspections have indicated water infiltrating and degradation of the roof over the Unit 3 boiler. This is the original roof system from the plant construction dating to 1970 and has been previously patched and repaired on multiple occasions. Because of the age and current condition of the roof, replacement was included in the 2010 – 2011 Electric Budget. Plant Engineering Staff developed specifications for removal of the existing materials and installation of a new membrane roofing system.

Discussion

The specifications for the Burdick Station Boiler Roof Replacement were advertised and issued for bid in accordance with the City Purchasing Code. Bids were publicly opened on February 8, 2011. Specifications were sent to five potential bidders and responses were received as listed below. The engineer's estimate for this project was $70,000.00.

Bidder	Bid Price
Tri-Cities Group, Grand Island, NE	$ 40,755.00
Ziemba Roofing Company, Hastings, NE	$ 42,892.00
Duff Roofing, Grand Island, NE	$ 46,500.00
Weathercraft Co., Grand Island, NE	$ 55,216.00

The bids were reviewed by utility staff for compliance with the City's specifications. The low bid provided by Tri-Cities Group is compliant with the specifications and 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 the Burdick Station Boiler Roof Replacement to Tri-Cities Group of Grand Island, Nebraska, as the low responsive bidder, with the bid price of $40,755.00.

Sample Motion

Motion to approve the bid award of $40,755.00 from Tri-Cities Group for the Burdick Station Boiler Roof Replacement as submitted.

Purchasing Division of Legal Department
INTEROFFICE MEMORANDUM

CITY OF GRAND ISLAND

Jason Eley, Purchasing Agent

Working Together for a Better Tomorrow, Today

BID OPENING

BID OPENING DATE:	**February 8, 2011 at 2:15 p.m.**
FOR:	**Burdick Station Boiler Roof Replacement**
DEPARTMENT:	**Utilities**
ESTIMATE:	**$70,000.00**
FUND/ACCOUNT:	**520**
PUBLICATION DATE:	**January 29, 2011**
NO. POTENTIAL BIDDERS:	**5**

SUMMARY

Bidder:	**Weathercraft Co.**	**Ziemba Roofing Company**
	Grand Island, NE	**Hastings, NE**
Bid Security:	**Universal Surety Company**	**Universal Surety Company**
Exceptions:	**None**	**None**
Bid Price:		
Material:	**$24,897.40**	**$19,286.00**
Labor:	**$25,234.00**	**$22,256.00**
Sales Tax:	**$ 1,377.74**	**$ 1,350.00**
Total Bid:	**$55,216.00**	**$42,892.00**

Bidder:	**Tri-Cities Group**	**Duff Roofing**
	Grand Island, NE	**Grand Island, NE**
Bid Security:	**Inland Insurance Company**	**$2,325.00**
Exceptions:	**Noted**	**Noted**
Bid Price:		
Material:	**$18,963.00**	**$27,514.00**
Labor:	**$20,464.59**	**$17,467.00**
Sales Tax:	**$ 1,327.41**	**$ 1,519.00**
Total Bid:	**$40,755.00**	**$46,500.00**

cc: Gary Mader, Utilities Director
Dale Shotkoski, City Attorney
Mary Lou Brown, Interim City Administrator
Larry Keown, Power Plant Supt.
Bob Smith, Assist. Utilities Director
Jason Eley, Purchasing Agent
Pat Gericke, Utilities Admin. Assist.
Karen Nagel, Utilities Secretary

P1457

R E S O L U T I O N 2011-40

WHEREAS, the City of Grand Island invited sealed bids for Burdick Station Boiler Roof Replacement according to plans and specifications on file with the Utilities Department; and

WHEREAS, on February 8, 2011, bids were received, opened and reviewed; and

WHEREAS, Tri-Cities Group of Grand Island, Nebraska, submitted a bid in accordance with the terms of the advertisement of bids and plans and specifications and all other statutory requirements contained therein, such bid being in the amount of $40,755.00; and

WHEREAS, the bid of Tri-Cities Group of Grand Island is less than the estimate for Burdick Station Boiler Roof Replacement.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Tri-Cities Group of Grand Island Nebraska in the amount of $40,755.00 for Burdick Station Boiler Roof Replacement is hereby approved as the lowest responsible bid.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, February 22, 2011.

_____

Jay Vavricek, Mayor

Attest:

_____

RaNae Edwards, City Clerk

Approved as to Form ¤ _____
February 18, 2011 ¤ City Attorney

City of Grand Island

Tuesday, February 22, 2011
Council Session

Item G6

#2011-41 - Approving Bid Award - Precipitator and Duct Cleaning at Platte Generating Station

Staff Contact: Gary R. Mader

Council Agenda Memo

From: Gary R. Mader, Utilities Director
Jason Eley, Interim City Attorney

Meeting: February 22, 2011

Subject: Precipitator and Duct Cleaning

Item #'s: G-6

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

Background

The electrostatic precipitator at the Platte Generating Station is the air quality control equipment used to remove coal ash particulates from the plant's boiler flue gas stream. Proper performance of this equipment is required as part of the plant's operating permit. Due to volume and characteristics of the coal ash, the precipitator must be grit blasted twice a year to remove ash build-up to maintain ash removal performance allowing the plant to remain below permitted emission levels. In addition to maintaining performance, removal of the ash deposits also allows an inspection of the precipitator internal surfaces and components. The next scheduled outage for the plant is set for March of this year. Specifications were developed by the plant maintenance staff to include grit blasting of the electrostatic precipitator and bulk vacuuming of the associated ductwork.

Discussion

The specifications for the Precipitator and Duct Cleaning were issued for bid in accordance with the City Purchasing Code. Bids were publicly opened on February 8, 2011. Specifications were sent to four bidders and responses were received from the following bidders. The engineer's estimate for this project was $80,000.00.

Bidder	Bid Price
W-S Industrial Services, Inc., Council Bluffs, IA	$ 52,087.00
W.S. Bunch Company, Omaha, NE	$ 54,194.00
F & H Coatings, LLC, Kechi, KS	$ 65,367.38
Graycor, Homewood, IL	$ 105,931.00

The bids were reviewed by plant staff for compliance with the City's detailed specifications. The low bid provided by W-S Industrial Services is compliant with the specifications and less than the engineer's estimate. W-S Industrial Services has successfully performed the specified work at the plant in the past.

Alternatives

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

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

Recommendation

City Administration recommends that the Council award the bid to W-S Industrial Services of Council Bluffs, Iowa, as the low responsive bidder, with the bid price of $52,087.00.

Sample Motion

Motion to approve the bid of W-S Industrial Services, Inc., in the amount of $52,087.00 for Precipitator and Duct Cleaning at Platte Generating Station.

Purchasing Division of Legal Department
INTEROFFICE MEMORANDUM

CITY OF GRAND ISLAND

Jason Eley, Purchasing Agent

Working Together for a Better Tomorrow, Today

BID OPENING

BID OPENING DATE:	**February 8, 2011 at 2:00 p.m.**
FOR:	**Precipitator and Duct Cleaning**
DEPARTMENT:	**Utilities**
ESTIMATE:	**$80,000.00**
FUND/ACCOUNT:	**520**
PUBLICATION DATE:	**January 14, 2011**
NO. POTENTIAL BIDDERS:	**4**

SUMMARY

Bidder:	**W-S Industrial Services, Inc.** **Council Bluffs, IA**	**Graycor** **Homewood, IL**
Bid Security:	**Merchants Bonding Company**	**Federal Insurance Company**
Exceptions:	**None**	**Noted**
Bid Price:		
Material:	**$12,170.00**	**$66,221.00**
Labor:	**$36,510.00**	**$39,710.00**
Sales Tax:	**$ 3,407.00**	**---.**
Total Base Bid:	**$52,087.00**	**$105,931.00**

Bidder:	**W.S. Bunch Company** **Omaha, NE**	**F & H Coatings, LLC** **Kechi, KS**
Bid Security:	**United Fire & Casualty Co.**	**$3,270.00**
Exceptions:	**None**	**Noted**
Bid Price:		
Material:	**$ 2,500.00**	**$24,161.00**
Labor:	**$51,514.00**	**$41,206.38**
Sales Tax:	**$ 180.00**	**---.**
Total Base Bid:	**$54,194.00**	**$65,367.38**

cc: Gary Mader, Utilities Director
Mary Lou Brown, Interim City Administrator
Karen Nagel, Utilities Secretary
Tim Luchsinger, Assist. Utilities Director
Bob Smith, Assist. Utilities Director
Jason Eley, Purchasing Agent
Pat Gericke, Utilities Admin. Assist.

P1455

R E S O L U T I O N 2011-41

WHEREAS, the City of Grand Island invited sealed bids for Precipitator and Duct Cleaning, according to plans and specifications on file with the Utilities Department; and

WHEREAS, on February 8, 2011, bids were received, opened and reviewed; and

WHEREAS, W-S Industrial Services of Council Bluffs, Iowa, submitted a bid in accordance with the terms of the advertisement of bids and plans and specifications and all other statutory requirements contained therein, such bid being in the amount of $52,087.00; and

WHEREAS, the bid of W-S Industrial Services, Inc., is less than the estimate for the Precipitator and Duct Cleaning.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of W-S Industrial Services in the amount of $52,087.00 for Precipitator and Duct Cleaning is hereby approved as the lowest responsible bid.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, February 22, 2011.

_____

Jay Vavricek, Mayor

Attest:

_____

RaNae Edwards, City Clerk

Approved as to Form ¤ _____
February 18, 2011 ¤ City Attorney

City of Grand Island

Tuesday, February 22, 2011
Council Session

Item G7

#2011-42 - Approving Certificate of Final Completion - Water Main Project 2009-W-6 - Sixth Street, Elm to Pine Street

Staff Contact: Gary R. Mader

Council Agenda Memo

From: Gary R. Mader, Utilities Director

Meeting: February 22, 2011

Subject: Water Main Project 2009-W-6
Sixth Street, Elm Street to Pine Street
Certificate of Final Completion

Item #'s: G-7

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

Background

The project area is located in part of the Original Town of Grand Island. The work involved replacement of the 100 year old 4" water main with a new 8" water main and service lines. The project was jointly funded between the Utilities Department and a Community Development Block Grant.

K2 Construction of Lincoln, Nebraska was awarded the construction contract for the project. Piping, infrastructure, and restoration has been completed, tested, and placed in service.

Discussion

The project was completed in accordance with the terms, conditions, and stipulations of the contract, plans and specifications for a total cost of $304,976.80. Attached is the Certificate of Final Completion. Grant funding totaled $238,634.

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 accept the Certificate of Final Completion for Water Main Project 2009-W-6; Sixth Street, Elm Street to Pine Street.

Sample Motion

Move to approve the Certificate of Final Completion for Water Main Project 2009-W-6; Sixth Street, Elm Street to Pine Street.

City of Grand Island
Utilities Department

GRAND ISLAND
UTILITIES DEPARTMENT

Water Distribution Network

Water Distribution System
Early Mains 1886-1935

GRA Project Area

Existing Lucknow Hydrants

Water Main - Exist.

WMP Area 2009-W-6

INTEROFFICE MEMORANDUM

CITY OF GRAND ISLAND

Working Together for a Better Tomorrow. Today.

DATE: February 8, 2011

TO: Mayor and Council Members

FROM: Gary R. Mader, Utilities Director

SUBJECT: Water Main Project 2009-W-6

This memo is to certify that Water Main Project 2009-W-6, located in 6th Street, from Elm Street to Pine Street, has been fully completed. All work was done in accordance with the terms and conditions of the contract, and complies with the plans and specifications. The water main project has been placed into service.

Gary R. Mader, Utilities Director

GRM/pag

pc: Marylou Brown
Bob Smith
Tom Barnes
Ruben Sanchez
Darren Buettner

ENGINEER'S CERTIFICATE OF FINAL COMPLETION

WATER MAIN PROJECT 2009-W-6

February 22, 2011

Water Main Project 2009-W-6 is located in the central area of the City of Grand Island along Sixth Street between Elm Street and Pine Street. The work on this project, as certified to be fully completed by Gary R. Mader, Utilities Director, is hereby accepted for the City of Grand Island, by me as Interim Public Works Director in accordance with the provision on Section 6-650, R.R.S., 1943.

Respectfully submitted,

Gary R. Mader,
Interim Public Works Director

WATER MAIN PROJECT 2009-W-6

February 22, 2011

TO THE MEMBERS OF COUNCIL
CITY OF GRAND ISLAND
GRAND ISLAND, NEBRASKA

I hereby recommend that the Engineer's Certificate of Final Completion for Water Main Project 2009-W-6 be approved.

Respectfully submitted,

Jay Vavricek
Mayor

R E S O L U T I O N 2011-42

WHEREAS, the Interim Public Works Director/Utilities Director for the City of Grand Island has issued a Certificate of Final Completion for Water Main Project 2009-W-6 (Sixth Street between Elm Street and Pine Street) certifying that K2 Construction of Lincoln, Nebraska, under contract, has completed the water main installation portion of such project according to the terms, conditions, and stipulations for such improvements; and

WHEREAS, the Interim Public Works Director/Utilities Director recommends the acceptance of the project; and

WHEREAS, the Mayor concurs with the recommendations of the Interim Public Works Director/Utilities Director.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Certificate of Final Completion for Water Main Project 2009-W-6 is hereby accepted.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, February 22, 2011.

_____

Jay Vavricek, Mayor

Attest:

_____

RaNae Edwards, City Clerk

Approved as to Form ¤ _____
February 18, 2011 ¤ City Attorney

City of Grand Island

Tuesday, February 22, 2011
Council Session

Item G8

#2011-43 - Approving Consideration to Proceed with Uranium Removal Installation System

Staff Contact: Gary R. Mader

Council Agenda Memo

From: Gary R. Mader, Utilities Director

Meeting: February 22, 2011

Subject: Municipal Water System Uranium Removal

Item #'s: G-8

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

Background

In 2003, a new EPA regulation established a Maximum Contaminate Level (MCL) for uranium in drinking water. 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 on a rolling average, quarterly basis with the average of the most recent four tests being the number by which compliance is determined.

Sampling and testing of the Grand Island water system thus far show full compliance with the EPA regulation. Uranium is naturally occurring in the aquifer in central Nebraska. Uranium is not an acute concern but rather is a concern over a lifetime of exposure. According to 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 City's municipal water system is supplied primarily from its Platte River Well Field. This well field is comprised of 21 wells and a pumping station. Recent testing for State regulatory requirements has indicated composite uranium levels to be approaching the Maximum Containment Level (MCL) established by the EPA. Testing of individual wells for uranium has indicated most wells exceed this MCL. To allow use of these wells during high water system demand periods, additional piping was installed in the past year for blending with lower uranium concentration wells.

As a proactive measure, in case uranium levels cannot be controlled below the new MCL by well blending, the Department, with our consultant for this project, HDR Engineering of Lincoln, has undertaken a more detailed investigation to determine uranium removal methods and evaluate those best suited for the Grand Island system. Factors in the evaluation included; the review of available technologies; amount of uranium removal; capital costs; operational costs; and waste disposal.

HDR recently completed this evaluation of treatment options. The evaluation screened known water treatment methods and focused on coagulation/filtration, ion exchange, and adsorptive media as the most viable options for radionuclide removal. The recommendation of the evaluation was an adsorptive media system, and was presented at a meeting with Nebraska Health and Human Services, Nebraska Department of Environmental Quality, HDR, and City Utilities Staff in attendance. The use of this type of technology has been shown to be very effective in radionuclide removal, but its use has not been used in an application as large as would be required to treat Grand Island's water demand. The consensus at the meeting was that it may be useful to perform a large scale pilot program on selected wells at the Platte River Well Field. It is anticipated that a full capacity treatment system would be comprised of several modules the size of a pilot plant, therefore, utilization of the pilot plant could be incorporated into the final design solution. Based on the multiple phase structure of the uranium engineering services RFP, HDR was requested to provide a proposal for preparing specifications to issue for bids for an adsorptive media pilot plant. These specifications are for the components and accessories of an integrated treatment system. The suppliers for these systems are very specialized and details for the systems are not standard, therefore, the bidders may be required as part of the bidding process to perform small pilot demonstrations of their system's effectiveness in radionuclide removal from Grand Island's water. It is anticipated that the next phase would be to design facilities and infrastructure modifications for installing the removal system and prepare specifications to issue for bids for installation contractors.

Discussion

The presentation of the results of the evaluation of the uranium options was made at the Council Study Session of January 18, 2011. A copy of the Executive Summary from the Engineer's report is attached for reference. At the Study Session the Council had a number of questions regarding the issue and the Utilities Staff provided additional information after the initial presentation. Copies of the supplementary information are attached for reference. The matter is brought to the Council at this meeting for additional discussion and proposed action. The recommendation resulting from the HDR analysis is to install an absorptive media uranium removal system to treat the discharge from three of the 21 wells located at the City's Platte River Wellfield. The reduction of uranium in those wells will provide a margin of safety in meeting the revised uranium MCL utilizing the current process of blending the waters prior to discharge to the municipal water distribution system.

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

It is the recommendation of City Administration that the Utilities Department be directed to proceed with final design, development of specifications and solicitation of bids for an absorptive media uranium removal system and the installation of said system, in accordance with the City Purchasing Codes.

Sample Motion

Make a motion to direct the Utilities Department to proceed with the final design, development of specifications and solicitation of bids for an absorptive media uranium removal system and the installation of said system.

0.0 EXECUTIVE SUMMARY

0.1 Introduction

The City of Grand Island (City) Water Supply System includes twenty-one wells, located in 1200-acre well field. The twenty-one wells have been tested for high uranium concentrations. The scope of this study is to examine uranium removal for these twenty one wells. The wells supply raw water to an onsite collection and pumping station for delivery to three reservoir/pumping stations in the City. The onsite collection system consists of North collection Basin (165,000 gallons) and the South collection basin (85,000 gallons). Wells 1 and 13-21 pump to the South Collection Basin and Wells 2-12 pump to the North Collection Basin. Three high pressure pumping stations provide water as required for residential, commercial and industrial use and fire protection through out the distribution grid.

Raw water from the well field is drawn from a 1200 acre island in the Platte River. The wells are classified as a groundwater supply, approximately 130-ft to 140-ft deep, yielding up to 2 mgd each of generally good quality water. Uranium is the parameter of concern (Maximum Contaminant Level (MCL) of 30 ug/L), for the wells under Permit A-10266, with composite levels ranging from 20 ug/L to a maximum of 50 ug/L dependent upon the wells in operation.

0.2 Study Objective

The study objective is to define the nature and extent of the regulatory issue, analyze the alternatives, to address the problems and define the recommended improvements and implementation plan.

This study report is comprised of the following two technical memorandums:

- Water Demand, Water Quality, and Technology Screening
- Uranium Removal Evaluation

0.3 Study Results

Current (Year 2010) average daily, maximum daily and maximum hour water demands are 12 mgd, 25.9 mgd and 43 mgd. Future (Year 2030) average daily, maximum daily and maximum hour water demands are expected to be 14.4 mgd, 31.1 mgd and 52.5 mgd respectively. Water quality data suggests that Uranium and gross alpha are the only contaminants of concern in raw water. Total Dissolved Solids (TDS), sulfate and manganese levels have approached secondary MCL levels on few occasions but are not a major cause of concern when evaluating for treatment technologies.

The treatment technologies of coagulation/filtration, ion exchange and adsorptive media (Water Remediation Technologies (WRT)) were screened as viable technologies to be investigated and evaluated further for recommended improvements and implementation plan. The technology of reverse osmosis was screened and eliminated because of high capital costs and high waste stream. Lime Softening was eliminated for the reasons of high chemical usage, high solids production and a labor intensive process.

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Screened technologies were evaluated on several issues such as process viability, system configuration, finished water quality, residuals management and capital and O&M costs.

Bench scale and pilot scale testing results show that all the three processes are capable and viable alternatives for uranium and gross alpha removal. A central water treatment facility located at the well field is recommended for this application for operational ease and lowest expected capital costs. The finished water quality goal for uranium is recommended to be set at 22 ug/l, which is approximately 75% of the MCL. Based on removal efficiencies of the treatment technologies and finished water quality goals, only a portion of the maximum day demand needs to treated and then blended with raw water. To meet the future maximum day demand of 31.1 mgd, the required size of the WTP is 14 mgd – coagulation/filtration, 11 mgd – ion exchange and 12 mgd – adsorptive media.

For the coagulation filtration process, discharging the waste stream (backwash decant) directly to surface water is the preferred option. Disposal of the 1-percent residual solid stream to the WWTF is the preferred option. Due to high concentrations of uranium, arsenic, chloride, and conductivity, deep well injection is the only acceptable method for discharging residuals from the ion exchange process. The residuals from the adsorptive media process (WRT) would be the responsibility of the manufacturer.

Capital Costs for coagulation filtration are expected to be $18.2 million, adsorptive media - $17.9 million and ion exchange - $27.2 million.

Coagulation/Filtration and adsorptive media are suitable alternatives that can be implemented for the City's application. Implementation of a coagulation/filtration process will involve several confirmation steps such as a pilot scale testing to fine tune the design criteria and a study at the WWTF to determine the effect on the sludge by discharging of the treatment residuals. The coagulation/filtration process will also most likely have greater monitoring requirements for residual management. Adsorptive media (WRT) is more of a plug and play type of system and additional conformation steps aren't required.

It is recommended that a adsorptive media (WRT) treatment plant be implemented for this application in phased construction approach. A five (5) MGD plant is recommended to be implemented at this time. The plant would treat flows from a few selected wells. Future phases will be constructed when required to meet the regulatory requirements.

The City, however, should be aware that there are some risks associated with the implementation of an adsorptive media (WRT) system. These include supplier stability over the lifespan of the system; minimal competition among the various manufacturers; long term reliability of the disposal scenario; and large quantity of uranium stored on site prior to disposal. To mitigate these risks, it is recommended that the City employ a thorough procurement process where these risks are addressed/mitigated by the manufacturer of the system.

Pat Gericke

From: Gary Mader
Sent: Monday, January 31, 2011 8:25 AM
To: Pat Gericke
Subject: FW: Background Information for Uranium
Attachments: Nebraska Treatment Systems - Uranium.docx; MAP - Uranium Concentrations 1978-1983.pdf; WATER RATE COMPARISON 2011.doc

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From: Gary Mader
Sent: Friday, January 28, 2011 5:11 PM
To: Mayor Vavricek; Council C Haase; Council Carney; Council Donaldson; Council Dugan; Council Gard; Council Gericke; Council Gilbert; Council Niemann; Council Ramsey; CouncilNickerson
Cc: Mary Lou Brown; 'Tim Luchsinger'; 'Emily Muth'
Subject: Background Information for Uranium

Mayor and Council Members,

Upon completion of the review of uranium treatment options at the Study Session of January 18th, the Council requested additional background information regarding uranium in the waters of the state. Attached is background information as follows;

1. A report of treatment systems currently being used in the state as the impacts of the new uranium rule require water systems to implement removal/reduction systems. Most of the systems currently in service are for communities much smaller that Grand Island.

2. A map of the uranium concentrations found in the central Platte region. This map is dated but is the latest available at this time. You will note that uranium concentrations in ground water generally decrease as distance is increased from the Platte River. However, much of the area away from the river has been under heavy agricultural use for decades, and nitrate levels above drinking water standards are common in many areas. We have made initial contact with the Central Platte NRD and are informed that there are areas of the aquifer to the north that may have sufficient water supply and quality to be suitable for potable water. Developing that supply would require construction of a new well field and water transmission system similar to the Platte River Well Field, but at a greater distance from the City Of Grand Island.

3. A water rate comparison of Nebraska cities. Also, in response the Council's comments regarding rates for large customers, the costs of water for the JBS plant in Greeley Colorado are also included in the comparison.

It is currently planned that this item would be brought before the City Council for additional discussion and possible action at the regularly scheduled meting of Feb. 8th.

Gary R. Mader
Utilities Director, City of Grand Island, Nebraska
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PO Box 1968
Grand Island, NE 68801
(308)385-5444, ext. 280
gmader@grand-island.com

Recent Nebraska Treatment Systems

General Note: The MCL for Nitrate is 10 ppm. It is considered an acute (immediate) health hazard, primarily for infants and nursing mothers. The Administrative Order for nitrates usually includes the requirement for the water system to provide bottled water to customers.

Location: Bridgeport
River Basin: North Platte
Treatment: MCL violations for nitrates, arsenic, and uranium. The city's consultant recommended an ion exchange system for treatment system. They were allowed to discharge the waste to the North Platte River instead of the sewer system. The City has a 5-year permit to discharge to the river and is currently discharging over 30 ug/L. System serves approximately 1,500 people. Ion exchange was evaluated to be a higher cost option for GI in the HDR study. Utility sampling of the Platte River at Grand Island shows uranium levels near 30 ug/L.

Location: Clarks
River Basin: Platte
Treatment: MCL violation for uranium. Opted to drill new wells as an alternative source. Test wells were low or non-detect for uranium. However, after pumping for production the system began to pull in uranium. The city will install an Adedge absorptive treatment system, which can be used as either an adsorptive media with disposal or regenerated as an ion exchange system. The system will be used as ion exchange and the NDEQ has approved construction of a retention lagoon to hold 100% of the liquid waste. System serves 350. Ion exchange was evaluated to be a higher cost option for GI in the HDR study.

Location: Benkelman
River Basin: Republican
Treatment: MCL violation for arsenic and uranium. Arsenic will first be removed by Oxidation/Filtration followed by Ion exchange to treat for uranium. Proposed waste is to be sent to the city lagoon. All plans and specifications are currently under review by NDEQ and DHHS. System serves 1,000. Ion exchange was evaluated to be a higher cost option for GI in the HDR study.

Location: Gering
River Basin: North Platte
Treatment: MCL violation for arsenic, gross alpha, and uranium. Developed a new well field five miles from town along North Platte River to be blended with in-town wells. Current blending has uranium levels around 27-28 ppb. Should uranium levels rise in the future, the city has planned a lime softening plant with disposal of solids going to the landfill. The HDR study eliminated lime softening after the preliminary screening because of high chemical costs and labor requirements for a system of GI's size ($0.52 to $0.64/100cf).

Location: Schuyler
River Basin: Platte
Treatment: MCL violation for nitrates and uranium. Constructed three new wells primarily to remedy the nitrate issue. New wells currently have uranium concentrations in the low 20's. System serves approximately 5,000.

Location: Village of Sutherland
River Basin: North Platte
Treatment: Construction of new well field located south of I-80 and the Platte River to remedy nitrate and uranium issues to replace in-town wells. System serves 1,200.

Location: City of Laurel
River Basin: Platte, via Logan Creek to the Elkhorn River
Treatment: Construction of a new well outside of town to remedy selenium and uranium issues. System serves 870.

Location: McCook
River Basin: Republican
Treatment: The water system had historical violations for nitrates, arsenic, and uranium. Ion exchange selected instead of reverse osmosis system or new well field. The city purchased property next to a former air force base for the well field, but the public had concerns regarding future groundwater contaminants. The liquid waste stream from the ion exchange system was not allowed to be discharged to the Republican River because of high salinity. The selected disposal option was a deep earth injection well constructed at a cost of $1,000,000 with annual operating costs of $50,000. The cost of the injection well added $0.14/1000 gal ($0.10/100 cf) to the water rates. System serves 7410. Ion exchange was evaluated to be a higher cost option for GI in the HDR study.

Location: Alda
River Basin: Platte
Treatment: Multiple violations of uranium MCL led to construction of a pumping station and pipeline for connection to the City of GI water system. Considered construction of new wells. System serves 650.

WATER RATE COMPARISON January 20, 2011							
	Residential 1" Meter Per 100 cubic feet (ccf)		Commercial 2" Meter Per 100 cubic feet (ccf)	Industrial 6" Meter Per 100 cubic feet (ccf)		Industrial 10" Meter Per 100 cubic feet (ccf)	
	5	**50**	**100**	**500**	**8,000**	**68,422**	**76,484**
Lincoln	$9.66	$116.94	$151.81	$983.83	$14,568.31	$83,275.80	$93,071.13
MUD - *Winter	$19.62	$64.57	$134.66	$721.58	$7,866.33	$60,051.90	$66,977.16
*Summer	$19.62	$88.90	$164.43	$870.43	$7,866.33	$60,051.90	$66,977.16
North Platte	$16.60	$76.52	$192.60	$814.39	$7,837.85	$63,614.24	$71,043.52
Norfolk	$14.50	$69.97	$152.39	$733.83	$7,558.83	$62,542.85	$69,879.27
Fremont	$15.32	$43.28	$163.78	$518.25	$6,168.25	$51,484.75	$57,531.25
Hastings	$16.35	$62.25	$110.07	$626.74	$6,176.74	$50,889.02	$56,854.90
Columbus	$10.60	$58.30	$121.45	$624.00	$7,599.00	$64,027.46	$71,525.12
Kearney	$13.25	$69.50	$135.00	$674.91	$10,049.91	$85,619.31	$95,696.81
Grand Island – *Current rates	$7.83	$41.10	$76.75	$338.35	$4,449.35	$36,775.12	$41,088.29
*Increase$0.23 per ccf	$8.98	$52.60	$99.75	$453.35	$6,289.35	$52,512.18	$58,679.61
*Flat Increase (29%)	$10.00	$53.03	$99.02	$436.55	$5,740.66	$47,448.15	$53,013.10
Greeley CO	$23.71	$133.94	$245.74	$945.01	$13,960.21	$118,836.93	$132,803.33

R E S O L U T I O N 2011-43

WHEREAS, in 2003, EPA implemented a new regulation establishing a maximum contaminate level (MCL) for uranium in drinking water; and

WHEREAS, the City of Grand Island's water system thus far is in full compliance with the EPA regulation, but uranium levels are close to the new standard; and

WHEREAS, the consulting firm of HDR was hired to evaluate uranium reduction methods to ensure the City of Grand Island's water system remains in full compliance with the EPA regulation; and

WHEREAS, the proposed uranium reduction system engineering report was presented to Council at the Study Session of January 18, 2011; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Utilities Department is hereby directed to proceed with procurement and installation of an absorptive media uranium removal system to treat three wells at the Platte River Wellfield.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, February 22, 2011.

_____

Jay Vavricek, Mayor

Attest:

_____

RaNae Edwards, City Clerk

Approved as to Form ¤ _____
February 18, 2011 ¤ City Attorney

City of Grand Island

Tuesday, February 22, 2011
Council Session

Item G9

#2011-44 - Approving Certificate of Final Completion for Irrigation Installation at Veterans Athletic Field Complex

Staff Contact: Steve Paustian

Council Agenda Memo

From: Steve Paustian, Parks & Recreation Director

Meeting: February 22, 2011

Subject: Certificate of Final Completion Irrigation Installation for the New Veterans Athletic Field Complex

Item #'s: G-9

Presenter(s): Steve Paustian, Parks & Recreation Director

Background

A contract was entered into with Nature's Helper Sprinkler Systems from Omaha, Nebraska on September 21, 2009 for the irrigation installation at the new Veterans Athletic Field Complex. The original contract was for $169,165.00. Final project cost was $168,266.77, a decrease of $898.23.

Discussion

All work associated with this contract has been completed and it is appropriate at this time to close out the contract.

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 certificate of final completion and make final payment to Nature's Helper Sprinkler Systems in the amount of $6,500.00.

Sample Motion

Move to close out the contract with Nature's Helper Sprinkler Systems and make final payment in the amount of $6,500.00 to Nature's Helper Sprinkler Systems.

CERTIFICATE OF FINAL COMPLETION AND ACCEPTANCE

IRRIGATION INSTALLATION
VETERANS ATHLETIC FIELD COMPLEX

CITY OF GRAND ISLAND, NEBRASKA
FEBRUARY 22, 2011

TO THE MEMBERS OF THE COUNCIL
CITY OF GRAND ISLAND
GRAND ISLAND, NEBRASKA

This is to certify that the Irrigation Installation for the new Veterans Athletic Field Complex has been fully completed by **Nature's Helper Sprinkler Systems** from Omaha, Nebraska under contract dated **September 21, 2009.** The scope of the project was decreased by $898.23. All other work has been completed in accordance with the terms, conditions, and stipulations of said contract and complies with the contract, the plans, and the specifications. The work is hereby accepted for the City of Grand Island, Nebraska, by the Parks and Recreation Director in accordance with the provisions of the terms of the above said contract.

Respectfully submitted,

Steve Paustian
Parks & Recreation Director

TO THE MEMBERS OF THE COUNCIL
CITY OF GRAND ISLAND
GRAND ISLAND, NEBRASKA

I hereby recommend that the Certificate of Final Completion and Acceptance be approved and warrants issued from Account No. 40044450-90122 to **Nature's Helper Sprinkler Systems** in the final payment amount of **$6,500.00.**

Respectfully submitted,

Jay Vavricek
Mayor

R E S O L U T I O N 2011 - 44

WHEREAS, the Parks and Recreation Director of the City of Grand Island has issued his Certificate of Final Completion for Irrigation Installation at the new Veterans Athletic Field Complex, certifying that Nature's Helper Sprinkler Systems from Omaha, Nebraska, under contract dated September 21, 2009, has completed such project according to the terms, conditions, and stipulations for such improvements; and

WHEREAS, the Parks and Recreation Director recommends the acceptance of the final completion; and

WHEREAS, the Mayor concurs in the Parks and Recreation Director's recommendation.

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

1. The Parks and Recreation Director's Certificate of Final Completion for Irrigation Installation at the new Veterans Athletic Field Complex is hereby confirmed.

2. That a warrant be issued from account no. 40044450-90122 in the total amount of $6,500.00 payable to Nature's Helper Sprinkler Systems for the final amount due the contractor.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, February 22, 2011.

_____
Jay Vavricek, Mayor

Attest:

_____
RaNae Edwards, City Clerk

Approved as to Form ¤ _____
February 18, 2011 ¤ City Attorney

City of Grand Island

Tuesday, February 22, 2011
Council Session

Item G10

#2011-45 - Approving Interlocal Agreement with Hall County for Aerial Photography

Staff Contact: Chad Nabity

Council Agenda Memo

From: Chad Nabity, Regional Planning Director

Meeting: February 22, 2011

Subject: Approving Interlocal Agreement with Hall County for Oblique Aerial Photography

Item #'s: G-10

Presenter(s): Chad Nabity, Regional Planning Director

Background

The Geographic Information System (GIS) is used extensively by city staff and the public for information gathering and analysis. The GIS is a working tool for architects, banks, consultants, contractors, developers, general public, realtors, and many others. The aerial photos are one of the more popular and useful aspects of the GIS. The City has a collection of aerial photo sets dating back to 1938. However, unlike satellite or aerial images which provides orthogonal (straight down) views, Pictometry International Corp. specializes in oblique (an approximate 40 degree angle) image capture. As a result, buildings, properties and areas are identifiable and recognizable in a 3-D life-like appearance.

Pictometry's technology, products and images provide detailed visual images and measurement tools enabling users to see, measure and plan from the convenience of their computer desktop or by mobile remote access using a wireless internet connection.

Discussion

Hall County and the City of Grand Island have the opportunity to partner in providing high resolution aerial oblique photography across the entire County. Through this partnership the City will be able to collect aerial photography that is of higher quality and more useful to staff and the general public. Under the proposed contract with the County, Pictometry will deliver 4 inch resolution photography for the urbanized areas of Hall County including all of the urbanized area around Grand Island. The balance of Hall County will be flown with 12 inch photography. Four inch and twelve inch resolution refer to the diameter of the area represented by each pixel in the picture; pictures with four inch pixels are about 9 times more detailed than pictures with 12 inch pixels.

Pictometry will take the photos in the spring of 2011 most likely between mid-March and mid-April when there is minimal snow cover but before the trees begin to leaf out. Departments and divisions of both Grand Island and Hall County will have access and license to use the photography and provide it to businesses and the general public.

The proposed agreement between Hall County and Pictometry is for a period of 6 years with a flight in year 1 and year 4 of the contract. There is no penalty for cancelling the contract after the initial 3 year period before the second flight. With this agreement the City is committing to fund a portion of the project for the first 3 years. This can be reevaluated after the initial 3 year period. The City and County could choose to extend this agreement and continue with Pictometry or choose to discontinue the project. The City will be committing up to $53,000 to be paid to Hall County over the next 3 years in installments for pictures to be taken during the spring of 2011. Grand Island Public Works, Grand Island Utilities, Grand Island Fire and E911 are all committing towards the $53,000. The total cost of the project as proposed is $86,590 to be paid over three years and shared between the City and County. The City share of the proposed contract is $43,285, less than the $53,000 proposed by City departments. The proposed flight covers only areas in Hall County. Grand Island Utilities will have the option of requesting additional areas for photography to include those portions of the Grand Island Utilities district that are in Merrick County. This remaining $9,705 that City departments would set aside for this project would be used to pay for the additional photography. The additional photography would be done by Pictometry at the unit costs in the contract with Hall County but paid for by the City of Grand Island.

The City of Grand Island spent over $110,000 for aerial photography in 2002. In 2004 the City entered into an agreement with the State of Nebraska and paid about $40,000 for updated photography. In 2007, the same area was flown again through a partnership with the State of Nebraska and Omaha's Metropolitan Planning Agency at a cost of about $45,000. In 2010 the City entered into an agreement with the Central Platte NRD and several communities in or near the CPNRD and spent about $40,000 for aerial photography. The proposed plan will cost less than the 2002 photos but slightly more on an annual basis than the more recent photography from 2007 and 2010. One advantage of this photography over the old pictures is that new photography will show more than a straight down view, looking at the top of buildings. The perspective of these photos will provide additional information that will be useful for utilities, public works, planning, emergency management and first responders.

This project represents another step in the creation of a vibrant and vital geographic information system that is used by the City and the County as well as businesses and individuals within the City and the County and around the world. We have received complements and accolades on our GIS system from people all over the country that have worked in Grand Island and Hall County.

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 Interlocal Agreement as presented.

Sample Motion

Move to approve the Interlocal Agreement as presented.

COUNTY OF HALL, NEBRASKA AND CITY OF GRAND ISLAND, NEBRASKA INTERLOCAL COOPERATION AGREEMENT FOR A JOINT AERIAL PHOTO PROJECT

WHEREAS, it is in the best interests of the County of Hall, Nebraska (hereafter called the County) to participate in a joint aerial photo project (hereafter called the Project) with the City of Grand Island, Nebraska (hereafter called the City); and

WHEREAS, it is in the best interests of the City to participate in the Project with the County; and

WHEREAS, the County and the City wish to enter into an agreement for the Project pursuant to the Interlocal Cooperation Act, NEB. REV. STAT. § 13-801 *et seq.;* and

WHEREAS, the Board of Supervisors of the County has reviewed this agreement and has authorized the Chairman of the Board of the County to sign this agreement; and

WHEREAS, the City Council of the City has reviewed this agreement and has authorized the Mayor of the City to sign this agreement.

NOW, THEREFORE, it is hereby mutually agreed by and between the County and the City as follows:

1. DURATION. The term of the agreement shall commence upon signing by both parties, and shall remain in force through June 30, 2013. This agreement may be extended past June 30, 2013 for an additional three (3) year term upon the written mutual agreement of the parties that a second flight is desirable and necessary, and funds for the second flight are appropriated accordingly.

2. SEPARATE LEGAL OR ADMINISTRATIVE ENTITY. There shall be no separate legal or administrative entity created by this agreement.

A joint planning committee shall be formed consisting of the County Assessor, the County Surveyor and two (2) City representatives to be selected from the City Utilities, Public Works, Fire and Emergency Management Departments. The joint planning committee shall be responsible for guiding the Project and deciding whether to accept the finished products of the project contractor, Pictometry International Corp. The project manager will be the County Assessor who will be the point of contact for the County, the City and Pictometry International Corp. regarding the Project. The joint planning committee shall provide general direction relating to the administration of the Project contract; such direction shall be carried out by the project manager. The joint planning committee will provide staff resources necessary to review, distribute and install the aerial photo products.

3. PURPOSE. The purpose of this agreement is to provide aerial photo products to the County and the City at a cost less than that which would be the case if the parties separately contracted for the same products. These aerial photo products will be procured pursuant to a contract entered into between the County and Pictometry International Corp. Pictometry International Corp. shall provide digital orthophotos and other digital photographic products as specified in its contract with the County for the mapping areas within the geographic boundaries of both the County and the City.

4. MANNER OF FINANCING AND MAINTAINING A BUDGET. The County and the City shall each adopt and maintain appropriations as required by law to fund its obligations under this agreement, and a separate budget shall not be required of either party.

The joint planning committee shall review payment decisions before any payment is made to the Pictometry International Corp. Payment may be withheld if, in the opinion of the joint planning committees, Pictometry International Corp. has not properly performed or documented the services for which the billing has been made, or if said services are not within the contracted scope of services.

The County shall make payment in response to the billings of Pictometry International Corp. An account of Project billings and payments shall be made available to the City upon request. The County agrees to bill the City in the second quarter of each calendar year of this agreement, and the City agrees to pay the same within 60 days of the date of billing.

The County and the City each agree to commit funding for the Project in amounts up to and no more than the amounts shown for each calendar year as follows:

	2011	2012	2013
County Assessor	$12, 300.00	$5,000.00	$5,000.00
County Roads Dept.	$5,000.00	$5,000.00	$5,000.00
County G.I.S.	$5,000.00		
City Public Works Dept.	$6,667.00	$6,667.00	$6,667.00
City Utilities Dept.		$11,667.00	$10,000.00
City Fire Dept.	$1,000.00	$1,000.00	$1,000.00
E911	$2,000.00	$4,000.00	$4,000.00

Over the three year term of this agreement, the County and the City shall each pay 50% of the initial contract price of $86,590.00. In the event that funding is committed to the Project from entities not party to this agreement, the shares of the County and the City shall each be reduced by 50% of the amount of funding received from the non-party entity.

In addition to its 50% of the initial contract price, the City agrees to pay the whole cost, based on unit pricing, for any additional photography needed in the Merrick County portion of the Grand Island Utility District.

5. TERMINATION This agreement shall remain in effect and be in force as provided in Paragraph 1 above. Termination prior to that time shall require the written mutual consent of both the County and the City.

6. MANNER OF DISPOSING OF PROPERTY. After completion of the Project by Pictometry International Corp., the County and the City shall each receive a copy of the digital mapping products which may be used for whatever lawful purpose they desire.

7. NON-DISCRIMINATION. The County and the City shall not, in the performance of this agreement, discriminate or permit discrimination in violation of federal or state laws or local ordinances because of race, color, sex, age, disability, political or religious opinions, affiliations or national origin.

8. APPLICABLE LAW The County and the City shall conform with all existing and applicable local ordinances, resolutions, state and local laws, federal laws and existing and applicable rules and regulations. Nebraska law will govern the terms and performance of this agreement.

9. STRICT COMPLIANCE. All provisions of this agreement shall be strictly complied with as written, and no substitution or change shall be made except upon further written agreement of the County and the City.

10. MERGER. This agreement shall not be merged into any other oral or written contract, lease or deed of any type.

11. MODIFICATION. This agreement contains the entire agreement of the parties. No representations, oral or written were made or relied upon by either party other than those that are expressly set forth herein. No agent, employee or other representative of either party is empowered to alter any terms hereof unless done in writing and signed by authorized officers of both parties.

Dated: February 15, 2011

County of Hall, Nebraska

By: _____

W.P. "Bud" Jeffries
Chairman of the Board of Supervisors

ATTEST:

_____

Marla J. Conley
Hall County Clerk

Dated:_____, 2011

City of Grand Island, Nebraska

By: _____

Jay Vavricek
Mayor

ATTEST:

_____

RaNae Edwards
City Clerk

R E S O L U T I O N 2011 - 45

WHEREAS, the City of Grand Island, has a history of working with multiple local governments and State Agencies to provide quality aerial photography of Grand Island and the Grand Island Utilities District; and

WHEREAS, this project involves cooperation between the City and the County and will result in a significant cost savings to both entities involved in this project, and

WHEREAS, the City's cost share of the project will be approximately $53,000; and

WHEREAS, the City of Grand Island and the County of Hall, have indicated an interest in working together to provide high resolution oblique aerial photography for their respective jurisdictions, and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Interlocal Cooperative Agreement by and between the City of Grand Island, and the County of Hall is hereby approved according to the terms set out in the agreement.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, February 22, 2011.

_____

Jay Vavricek, Mayor

Attest:

_____

RaNae Edwards, City Clerk

Approved as to Form ¤ _____
February 18, 2011 ¤ City Attorney

City of Grand Island

Tuesday, February 22, 2011
Council Session

Item I1

#2011-35 - Consideration of Requesting the Nebraska Liquor Control Commission to Require El Diamante Night Club, 1600 South Eddy Street to Complete a Long Renewal Form

Staff Contact: Captain Pete Kortum

Council Agenda Memo

From: Captain Pete Kortum

Meeting: February 22, 2011

Subject: El Diamante Liquor License Renewal

Item #'s: I-1

Presenter(s): Captain Pete Kortum

Background

Liquor licenses are generally automatically renewed each year for licensees within the State of Nebraska. However, local governing bodies may request the Nebraska Liquor Commission to have a licensee submit a full application (commonly referred to as a long form). The police department is asking Council to make this request to the Nebraska Liquor Commission.

El Diamante's owner, Rafael Orozco, has been licensed as a Class I since March 22, 2005. Since that time the police department has found several violations of our local ordinances and state regulations. Many of these incidents involve minors who have consumed alcohol. According to the Nebraska Liquor Commission's public web site, the El Diamante has had their license suspended for a total of 32 days in 2008 (fine paid).

According to the Nebraska Liquor Control Commission public web site, Rafael Orozco is the registered agent for a liquor license issued to Rafa's Tacos, 811 West 2nd, Grand Island. This business has been suspended for 56 days in 2005.

Certain portions of City Code do NOT apply if the business "derives its principal business from the sale of services or commodities other than alcoholic liquor." This has not been the case, however. On many occasions Mr. Orozco has told officers that he is not in violation since he serves food. While discussing the upcoming renewal process, Mr. Orozco informed Sergeant Dave Vitera that the El Diamante is contemplating a change to become primarily a restaurant. Also, an attorney representing Mr. Orozco informed the City's legal department that the El Diamante plans to become primarily a restaurant. In our view, this information supports the police department's past enforcement of City Code regarding unattended minors in the bar and non employees in the bar after closing.

The Grand Island Police Department's liquor license investigation is provided. The discussion will detail past violations.

Discussion

The El Diamante is usually open only on weekend dates. The number of violations is high when considered against a seven day a week business. Within the past 12 months, our department has issued (7) seven citations or made referrals for various violations. Past instances include:

January 15, 2006 at 12:00 A.M. Officers responded to El Diamante regarding a possible assault. Club security pointed out an individual who had been caught drinking twice. The individual was cited for Minor in Consumption of Alcohol. The minor said he had been in the bar drinking for a couple of hours.

February 26, 2006 at 12:59 A.M. The emergency center received a call about a physical fight at the El Diamante. An intoxicated 19 year old reported she was assaulted inside the club. The minor reported that various persons inside provided her with alcohol. The minor was cited for Minor in Consumption of Alcohol. Mr. Orozco was cited under City Code 4-20 for allowing an unattended minor in the bar after 9:00 P.M. Mr. Orozco claimed the minors could be in his club since he served food.

March 11, 2006 at 11:37 P.M. officer performed a routine bar check. Officers contacted a 17 year old who was not with his parent or legal guardian. Mr. Orozco was cited for City Code 4-20. Orozco said he was under the impression the juvenile was there with his parents.

April 9, 2006 at 12:44 A.M. Officers responded to a noise complaint. Officers found three individuals standing in club entrance. As the persons left, officers contacted them outside. One subject was jailed for Minor in Consumption of Alcohol. A second minor was referred for a probation violation for consuming alcohol. The parties denied drinking inside the El Diamante.

September 17, 2006 at 12:51 A.M. Officers responded to El Diamante on a report of an assault. Officers found the victim bleeding after being struck with a beer bottle. Two individuals were arrested for felony assault. Two minors were arrested for misdemeanor assault and Minor in Consumption of Alcohol.

September 23, 2006 at 11:19 P.M. Officers from Grand Island Police and the Hall County Sheriff's Department performed a compliance check at El Diamante. Three minors were cited for Minor in Possession. Two of the three did not have any identification. One individual was removed after officers documented evidence of service to an intoxicated person. Also, three minors ages 17, 16, and 12 were removed who were not accompanied by parents or guardians.

June 10, 2007 at 1:20 A.M. Officers responded to the El Diamante on a report of a loud vehicle. Two subjects were in the lot yelling and were in possession of alcohol. One was a minor and was arrested for Minor in Possession of Alcohol.

December 2, 2007 at 12:11 A.M. Officers arrived at El Diamante on a report of loud music. Upon arrival the officer found security personnel breaking up a fight in a restroom. The officers jailed one of the participants for Minor in Consumption and Prohibited Acts for a false I.D. card.

April 6, 2008 at 1:56 A.M. Officers responded to an anonymous tip that persons were still drinking inside the bar after hours. Officers arrived to find 10-15 parked vehicles and other vehicles entering and leaving the lot. In addition, a person tried to enter the club but the doors were locked.

Officer contacted an employee identifying themselves as officer requesting admittance. After five minutes, the officers were allowed entry. When asked why he didn't let the officers in, the employee said he was new and wanted to get permission from Mr. Orozco.

Officers discovered about 28 customers and two employees. Mr. Orozco said he was only serving food. The incident was referred to the Nebraska Liquor Commission.

June 6, 2008 at 9:15 P.M. A compliance check was made at the El Diamante. Deputies reported two C.I.'s were sent in to attempt a purchase of alcohol. It was reported that Mr. Orozco sold to the minors. He was cited for two counts of selling to minors. Orozco denied selling to the minors.

November 6, 2009 at 10:50 P.M. Officers conducted a bar check and discovered approximately 22 unattended minors. Officers found that alcohol was still being served. Employees claimed the minors were there for a fundraiser and were brought by parents, although officers determined they were unaccompanied at this time. The juveniles were removed.

March 13, 2010 at 12:00 A.M. officer conducted a bar check. Officers observed an individual running from the El Diamante parking lot. The individual was jailed for Minor in Consumption of Alcohol. The individual denied being in the bar but was wearing a wrist band given by the El Diamante to those 21 years and older. He later admitted he was given the wrist band by security and he may have been drinking in the bar, but other people bought for him.

September 12, 2010 at 1:25 A.M. Officers performed an afterhour's bar check. The front door was locked and officers entered through the back door. Officers observed an individual drinking one beer and having a bucket of additional unopened beer in front of him. Orozco was cited for the sale and dispensing of alcohol after hours. Orozco said the person must have been hiding the beer from him.

October 24, 2010 at 1:35 A.M. officers entered the El Diamante and discovered alcoholic beverages in front of several patrons. Mr. Orozco was cited for the offense.

December 5, 2010 at 12:04 A.M. Officers conducted a bar check. Two individuals were found under age and unaccompanied by parent or guardian. There was no evidence of alcohol, and they left. While officers were there, four individuals that officers described as obviously underage entered without being checked. Officers referred Orozco for violation of City Code 4-20.

December 5, 2010 at 1:37 A.M. Officers observed persons leaving the bar. Officers made entry and found patrons inside the bar eating. Mr. Orozco was referred for City Code 4-23. Unlawful Presence.

December 19, 2010 at 1:26 A.M. Officers discovered numerous people who were not employees inside the bar. Mr. Orozco was referred for violation of City Code 4-23 Unlawful Presence.

January 15, 2011 at 1:25 A.M. Officers observed approximately 20 people inside the bar after 1:25 A.M. Officers contacted several persons who identified themselves as minors and admitted they were not accompanied by parent or guardian. A situation arose where an officer had to tend to a potentially dangerous person, and the minors left without officers able to complete the documentation. Mr. Orozco was referred for violation of
Section 4-23.

On December 12, 2010, a shooting took place on the El Diamante premises. The El Diamante rented a room within the building but not connected to the main bar area.
Officers found evidence of alcohol inside and outside of the rented room. Most attendees were minors. Officers did not find any employees of the El Diamante supervising the room or other grounds covered by the liquor license. The shooting remains under investigation.

The pattern of violations demonstrates non-compliance to City Code and rules of the Nebraska Liquor Commission. The El Diamante presents potential danger for minors within the community and disruption to the neighborhood.

The police department supports a request to the Nebraska Liquor Commission requiring a new application from El Diamante.

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 pass a resolution that a written request be sent to the Nebraska Liquor Control Commission that the owner of El Diamante make application for a new license.

Sample Motion

Move to approve a resolution whereby the City of Grand Island makes a written request to the Nebraska Liquor Control Commission that requires the owner of El Diamante to make application for a new license.

City	: Grand Island
Occurred after	: 13:08:31 12/31/2010
Occurred before	: 13:08:31 12/31/2010
When reported	: 13:08:31 12/31/2010
Date disposition declared	: 12/31/2010
Incident number	: L10123811
Primary incident number	:
Incident nature	: Liquor Lic Inv Liquor License Investigation
Incident address	: 1600 Eddy St S
State abbreviation	: NE
ZIP Code	: 68801
Contact or caller	:
Complainant name number	:
Area location code	: PCID Police - CID
Received by	: Vitera D
How received	: T Telephone
Agency code	: GIPD Grand Island Police Department
Responsible officer	: Vitera D
Offense as Taken	:
Offense as Observed	:
Disposition	: ACT Active
Misc. number	: RaNae
Geobase address ID	: 18419
Long-term call ID	:
Clearance Code	: CL Case Closed
Judicial Status	: NCI Non-criminal Incident

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INVOLVEMENTS:

Px	Record #	Date	Description	Relationship
NM	76296	12/31/10	Orozco, Rafael Barraza	Owner-El Diamante
NM	100491	12/31/10	El Diamante Night Club,	Seeking Renewal

LAW INCIDENT CIRCUMSTANCES:

Se	Circu	Circumstance code	Miscellaneous
1	LT03	Bar/Night Club	

LAW INCIDENT RESPONDERS DETAIL:

Se	Responding offi	Unit n	Unit number
1	Vitera D	318	Vitera D

LAW SUPPLEMENTAL NARRATIVE:

Seq	Name	Date
1	Vitera D	13:25:19 12/31/2010

318- Renewal Investigation

Grand Island Police Department
Supplemental Report

Date, Time: Fri Dec 31 13:25:47 CST 2010
Reporting Officer: Vitera
Unit- CID

El Diamante Night Club is having its fair share of problems in adhering to the Nebraska Liquor Control Act. Consequently, the Grand Island Police Department is spending an inordinate amount of time at the club even though it's only open on weekends. The GIPD is asking the council to send a letter to the Nebraska Liquor Control Commission (NLCC) requesting that they require El Diamante to fill out a new application.

According to the NLCC's web site, El Diamante received their liquor license on 03/22/05. Since then, their license has been suspended for a total of 32 days. The following is a list of calls to the club accompanied by a brief description of the complaint, investigation, and outcome.

3/27/05 at 1729 hours-noise complaint-unfounded
3/27/05 at 1744 hours-noise complaint-unfounded
3/27/05 at 2248 hours-noise complaint-unfounded
4/3/05 at 0113 hours-noise complaint-nothing typed
4/3/05 at 2202 hours-Loud music complaint-unfounded
11/26/05-trespassing-male arrested after refusing to leave and fighting with employees
12/4/05-criminal mischief and theft from car in club lot
12/17/05-trespassing-male arrested after not providing ID to employee and refusing to leave
1/15/06-minor- club called about a minor drinking in bar who refused to leave-minor was cited for MIC
1/29/06-two men were cited for assault at a different location after arguing at El Diamante
2/4/06-bar check-no problems
2/11/06-minors in bar & over capacity-staff told officer they had 230 patrons & capacity is 275-officer didn't see anyone obviously under 21
2/26/06-fight outside bar-19 year old female had been in bar drinking-cited for MIC-owner was cited for allowing an unaccompanied minor in bar after 2100 hours- owner argued that he served food so the city code didn't apply- officer said the establishment was a club first and commented that he observed a sign that read "Now serving food."-owner cited
3/11/06-bar check-found several minors inside the bar after 2100 hours without parents-one was 17 & another was 19 with no ID-he said the guy at the door just let him in-Officers observed sign on door that said no one under 19 in the bar after 2100 hours-owner cited
4/9/06-noise complaint-male arrested in the bar for MIC
6/18/06-alcohol offense-nothing typed
7/3/06-DUI arrest of a 20 year old who advised he'd been drinking at El Diamante and was never carded
8/19/06-criminal mischief to vehicle at El Diamante
9/2/06-hit & run accident at El Diamante
9/17/06-assault complaint-two males arrested for felony assault-2 males referred for misdemeanor assault and MIC

9/23/06-compliance check-several people cited for MIP or MIC, a 12 & 16 year old female were inside the bar with no parents after 2100, one male served after he tested .200, another male was cited for having fake ID, others had improper ID
10/14/06-hit & run accident to car in El Diamante parking lot
11/11/06-criminal mischief to car in parking lot
02/9/07-warrant arrest after assault at club
2/11/07-large fight at bar-one arrested for obstruction after pushing an officer in the chest and being shot with a Taser
2/14/07-general complaint originating from above complaint of out of control fights at bar-it was determined that the establishment had fights, but they tried to control them and/or called police-unfounded
2/17/07-noise complaint- nothing typed
3/4/07-disturbance-not found
3/18/07-assault complaint-exceptionally cleared
4/7/07-minor arrested for trespassing after employee asked him to leave because he was a minor-subject returned
4/8/07-disturbance in bar-broken up prior to police arrival
5/13/07-noise complaint-not loud when officer arrived
6/3/07-juveniles entering south side of bar were for food orders
6/10/07-theft from vehicle in the parking lot
6/10/07-male arrested in club parking lot for MIP after a noise complaint
6/17/10-noise complaint-not happening when officer arrived
6/24/07-domestic inside the club-female was given ride
7/1/07-noise complaint-not when officers got there
7/8/07-request officer-nothing typed
7/15/07-theft from patron's purse while inside the bar
7/15/07-noise complaint-everyone leaving at bar closing time-no action taken
7/20/07-juvenile assaulted in club lot with attempted robbery-subject referred
7/28/07-report of accident in club lot-parties left prior to officer arrival
7/29/07-assault-neither party made report
9/2/07-while investigating an assault-another fight broke out-one of those subjects had a warrant-he was arrested
9/2/07-accident-nothing typed
10/28/07-noise-not observed by officer
12/1/07-noise-warning issued
12/2/07-fight-minor arrested for MIC-later found she had fake ID
1/12/08- club customer was victim of hit and run accident
2/24/08-criminal mischief-two car windows broken out in club lot
3/2/08-purses stolen out of car in parking lot
4/6/08-26 customers in the bar at 0200 hours
5/11/08- criminal mischief and theft from car in club lot
6/6/08-owner cited for selling to minor during compliance check
6/22/08-criminal mischief to car in club lot-unable to locate owner
6/23/08-criminal mischief to car in club lot
8/31/08-criminal mischief to vehicle in club lot
8/31/08-people from El Diamante were involved in a disturbance/threats a couple of blocks away
9/13/08-loud music complaint-nothing typed
9/28/08-stolen cell phone
11/28/08-male was cited for assaulting another inside the club
1/11/09-Club security called after observing a drug deal and detaining a male
2/14/09-DUI in club parking lot
4/12/09-disturbance-not found
8/22/09-noise complaint-nothing typed
10/27/09-suspicious vehicle-nothing typed
11/6/09-bar check-22 minors under age 17 in bar without parent while alcohol

was served-also escorted 2 males out of club who didn't have proper I.D.
2/26/10-male jailed for domestic assault and protection order violation that occurred at the club
3/13/10-a minor was cited outside the club for MIC-he had on wrist band on from El Diamante
3/21/10-disturbance-no fight-bar was closed down prior to officer arrival
3/21/10-assault-victim didn't wish to file charges
5/2/10-gunshots-undetermined
5/29/10-hit and run accident in the club lot
8/8/10-suspicious-nothing typed
8/15/10-disturbance-one male arrested on a warrant
9/12/10-owner cited for having alcohol on tables at 0125
10/16/10-theft-nothing typed
10/24/10-report from customer of lost or stolen keys
10/24/10-owner cited for having alcohol on tables at 0135
10/24/10-customer had window broken out of his car
10/30/10-nothing typed
10/30/10-bar check-nothing noted
12/4/10-suspicious vehicle-nothing typed
12/5/10-owner cited for having people in the bar other than employees after 0115
12/5/10-owner referred for allowing unaccompanied minors in bar after 2100
12/11/10-vehicle window broken out in club lot
12/12/10-one person shot at 0400 during large party where evidence of alcohol was located with no supervision from El Diamante
12/18/10-attention units-vehicle northbound from club
12/19/10-owner cited for having non-employees in club after 0115
12/31/10-bar check-nothing noted
1/15/11-bar check at 0125-several customers inside including unaccompanied minors- owner referred for "Unlawful Presence in Establishment 4-23"

From reviewing all of the calls, it appears that the El Diamante is failing to adhere to the rules and regulations of the Nebraska Liquor Control Act. Their liquor license will soon be up for automatic renewal (expires on 4/30/11). Nebraska State Statute 53-135 states in part that, "The commission may at any time require a licensee to submit an application, and the commission shall at any time require a licensee to submit an application if requested in writing to do so by the local governing body." The Grand Island Police Department is requesting that the city council vote to draft a letter to the NLCC requesting them to have El Diamante fill out a new application.

Nebraska State Statute 53-132 states that a "retail license...may be issued to any qualified applicant if the commission finds that (a) the applicant is fit, willing, and able to properly provide the service proposed within the city... where the premises described in the application are located, (b) the applicant can conform to all provisions and requirements of and rules and regulations adopted pursuant to the Nebraska Liquor Control Act, (c) the applicant has demonstrated that the type of management and control to be exercised over the premises described in the application will be sufficient to insure that the licensed business can conform to all provisions and requirements of and rules and regulations adopted pursuant to the act, and (d) the issuance of the license is or will be required by the present or future public convenience and necessity.

The Grand Island Police Department feels that El Diamante has failed to uphold the requirements of 53-132 sections a-d as supported by the list of calls for service. Numerous violations of the Nebraska Liquor Control Act have been documented and repeated over and over again. For example, they are continually

staying open for business after 0115 hours under the guise of being a restaurant. They frequently have unaccompanied minors inside the bar after 9:00 PM, and instances have been documented where the owner or his employees will not let law enforcement into the establishment in a timely manner.

The following information was taken directly from the NLCC Rules and Regulations Chapter 6 (Licensee Operations) "Illegal Conduct: All Licensees-
019.01Q Other Illegal Activities: The Commission finds that certain illegal activities may induce individuals to enter licensed premises and that the Commission has an interest in insuring that licensees do not use illegal means to promote the sale and consumption of alcohol. The Commission also believes the consumption of alcohol could impair judgement and could lessen inhibitions, causing some consumers to engage in illegal activities or to be victims of illegal activities on or about licensed premises, endangering the health, safety and welfare of individuals. The Commission, therefore, finds there is a nexus between the consumption of alcohol and certain illegal activities that occur within licensed premises or in adjacent related outdoor areas.

Such activities are: drug-related offenses, prostitution or pandering, assaults, sexual assaults, homicide, gambling, vandalism, weapons-related offenses, theft, disturbing the peace, violations of statutes or local ordinances relating to entertainment, acceptance of food stamps for the sale of alcohol or otherwise in violation of federal laws or regulations, and any offense referred to in Section 53-125 (4) or (5), whether or not there has been a plea of guilty or a conviction in criminal court.

Once again, the GIPD feels that the documented list of calls to El Diamante illustrates the disregard by the owner for the nexus of alcohol consumption and illegal activities in and around a licensed premises that is spelled out above in 019.01Q. El Diamante should not be allowed to go through the automatic renewal process. The GIPD urges the council to vote to draft a letter to the NLCC requesting them to require El Diamante to fill out a new application.

Official Nebraska Government Website

NEBRASKA LIQUOR CONTROL COMMISSION

Home

Result: Corporation License

License Information

Number: 65760
Category: Retail
Ownership: Corporation
Class: I

Suspended Date: 01/19/2008
Suspended Days: 32
Expiration Date: 04/30/2011

Trade Information

Trade Name EL DIAMANTE NIGHT CLUB
Trade Address 1 1600 S EDDY STREET
City, State, Zip Code GRAND ISLAND, NE 68801
Phone Number (308)382-7098
County 08

Manager Information

Name: OROZCO, RAFAEL

Corporate Applicant Information

Corporation: OROZCO'S CORPORATION
Address 1: 2105 N NASHVILLE ST
City, State, Zip Code GRAND ISLAND, NE 68803
Troop ID Troop C
Registered Agent BOEHM, JOHN M

Office/Stockholder/Member

Member 1

Name: OROZCO, RAFAEL

Title: PRESIDENT

Shares: 0000000500

Member 2

Name: OROZCO, RITA C

Title: VP

Shares: 0000000500

Description

ONE STORY BUILDING APPROX 99 X 166

History

Description:	NEW APPLICATION	Date Effective:	09/10/2004
Description:	STATUTORY TIME	Date Effective:	09/20/2004
Description:	NO LOC DECISION	Date Effective:	10/14/2004
Description:	AG. APPROVE	Date Effective:	10/18/2004
Description:	INV. REV. FINAL	Date Effective:	10/19/2004
Description:	TO COMM. AGENDA	Date Effective:	12/13/2004
Description:	SHOW CAUSE	Date Effective:	12/13/2004
Description:	MISC. DOCUMENT	Date Effective:	12/01/2004
Description:	COMM. APPROVE	Date Effective:	12/16/2004
Description:	MISC. DOCUMENT	Date Effective:	12/17/2004
Description:	FIRE APPROVE	Date Effective:	03/21/2005 *
Description:	ISSUE LICENSE	Date Effective:	03/22/2005
Description:	RENEW APP.	Date Effective:	04/22/2005
Description:	APP. TO REPL.	Date Effective:	04/26/2005
Description:	RENEW APP.	Date Effective:	04/03/2006
Description:	DUP. LICENSE	Date Effective:	05/01/2006
Description:	CITE	Date Effective:	05/12/2006 ✓
Description:	MINOR CONS/POSS	Date Effective:	02/26/2006
Description:	SERVE SALE INTX	Date Effective:	02/26/2006
Description:	MISC. DOCUMENT	Date Effective:	05/12/2006

Description:	MISC. DOCUMENT	Date Effective: 05/12/2006
Description:	MISC. DOCUMENT	Date Effective: 05/08/2006
Description:	SUSPEND LICENSE	Date Effective: 05/22/2006
Description:	PAY FINE	Date Effective: 06/14/2006
Description:	LEGAL MISC DOC	Date Effective: 05/22/2006
Description:	ENF. INSPEC.	Date Effective: 09/29/2006
Description:	ENF. WARNING	Date Effective: 09/29/2006
* Description:	MINOR CONS/POSS	Date Effective: 09/23/2006 ✓
Description:	SERVE SALE INTX	Date Effective: 09/23/2006
* Description:	MINOR CONS/POSS	Date Effective: 09/17/2006 ✓
Description:	RENEW APP.	Date Effective: 04/30/2007
Description:	CLK LTR LIC PKP	Date Effective: 05/02/2007
Description:	MEETING	Date Effective: 02/19/2008
* Description:	MINOR CONS/POSS	Date Effective: 12/02/2007 ✓
Description:	LEGAL MISC DOC	Date Effective: 02/25/2008
Description:	LETTER	Date Effective: 04/01/2008
Description:	RENEW APP.	Date Effective: 04/24/2008
* Description:	SELL ALC/MINORS	Date Effective: 06/06/2008 ✓
Description:	MEETING	Date Effective: 09/17/2008
Description:	CITE	Date Effective: 10/24/2008
Description:	SUBPOENA	Date Effective: 10/10/2008
Description:	RETURNED MAIL	Date Effective: 10/14/2008
Description:	PLEA OF GUILTY	Date Effective: 10/22/2008
Description:	SUBPOENA RELEAS	Date Effective: 10/22/2008
Description:	HEARING COSTS	Date Effective: 10/24/2008
Description:	SUSPEND LICENSE	Date Effective: 12/08/2008

Description:	RETURNED MAIL	Date Effective: 01/08/2009
Description:	PAY FINE	Date Effective: 01/13/2009
Description:	LEGAL MISC DOC	Date Effective: 04/07/2009
Description:	LEASE	Date Effective: 04/29/2009
Description:	RENEW APP.	Date Effective: 04/27/2009
Description:	DUP. LICENSE	Date Effective: 05/01/2009
Description:	CLK LTR LIC PKP	Date Effective: 05/01/2009
Description:	SHOW CAUSE	Date Effective: 07/02/2009
Description:	CERTIFIED TRAIN	Date Effective: 06/26/2009
Description:	DISMISS	Date Effective: 06/30/2009
Description:	RETURNED MAIL	Date Effective: 07/06/2009
Description:	ILLEGAL ACT	Date Effective: 11/06/2009
* Description:	MINOR CONS/POSS	Date Effective: 03/13/2010
Description:	RENEW APP.	Date Effective: 04/23/2010
Description:	CITE	Date Effective: 07/28/2010
Description:	SUBPOENA	Date Effective: 07/16/2010
Description:	HEARING COSTS	Date Effective: 07/28/2010
Description:	MEETING	Date Effective: 07/28/2010
* Description:	OPN CTN AFTR HR	Date Effective: 09/12/2010
* Description:	OPN CTN AFTR HR	Date Effective: 10/24/2010

Change Criteria

Nebraska Liquor Control Commission
301 Centennial Mall South
PO Box 95046
Lincoln, NE 68509-5046
Phone: (402) 471-2571
Fax: (402) 471-2814
General E-mail: mary.messman@nebraska.gov
Online Comment Form

(019) - Illegal Conduct

019.01F2 Unless there is reason to believe that a licensee or partner, principal, agent or employee of any licensee would endanger himself/herself or others, such person shall take such action as is reasonably necessary to terminate the disturbance. Physical force should be exercised only in extreme circumstances and should be limited to the force reasonably required to terminate the disturbance and remove the individual from the licensed premise, without endangering any patron or other person.

019.01F3 In the event efforts taken in accordance with the preceding subparagraph are not successful or if there is reason to believe that the licensee, partner, principal, agent or employee of any licensee may create a danger to himself/herself or others, than in such event, such person should immediately contact law enforcement personnel to assist in properly handling the disturbance. In the event law enforcement and/or medical personnel are summoned, the directions and/or orders given by such law enforcement or medical personnel shall be followed.

019.01F4A licensee who has conformed with the procedure as set forth in this section shall be deemed to have not permitted a disturbance to occur and continue.

019.01G Entry Into Premise by Law Enforcement Officer: No licensee or partner, principal, agent or employee of any licensee shall refuse to permit or unreasonably delay in permitting any law enforcement officers, duly appointed investigator, inspector, agent or auditor of the Nebraska Liquor Control Commission entry onto the licensed premises at any time demand for such entry is made by such law enforcement officer, investigator, inspector, agent or auditor of the Nebraska Liquor Control Commission.

019.01H Removal of Alcoholic Liquors From Premise: No licensee or partner, principal, agent or employee of any licensee shall allow any alcoholic liquor to be removed from a licensed premises except where a license is held permitting off-premises sales and then only in original unopened containers.

019.01I Sale For Resale: No licensee or partner, principal, agent or employee other than provided for in 53-175, shall engage,

licensed premises. (53-148) The warning to minors and adults sign and the pregnancy poster must also be on display in a prominent place. (53-180.04 and 53-103.04)

019.01P No retail licensee may deliver alcoholic liquor to a consumer, except:

019.01P1 A holder of a special designated license or a caterer's license used in conjunction with a special designated license may deliver to the licensed location or to a location expressly authorized by the Commission in writing pursuant to Chapter 4 of the Rules and Regulations of the Commission.

019.01P2 A retail licensee may deliver or cause to be delivered by it's agent to a consumer alcoholic beverages provided that the consumer has paid the licensee for the alcoholic liquors prior to delivery by cash, credit or debit card, and that the licensee has verified that the sale has not been made to a minor, nor that delivery will be made to a minor.

019.01P3 The retail licensee is responsible for any violations of the Nebraska Liquor Control Act and/or the Rules and Regulations of the Nebraska Liquor Control Commission which occur as a result of the delivery of alcoholic liquors, including, but not limited to, sales to minors.

019.01P4 The driver for the agent must be 21 years of age.

019.01Q Illegal Activities: The Commission finds that certain illegal activities may induce individuals to enter licensed premises and that the Commission has an interest in insuring that licensees do not use illegal means to promote the sale and consumption of alcohol. The Commission also believes the consumption of alcohol could impair judgment and could lessen inhibitions, causing some consumers to engage in illegal activities or to be victims of illegal activities on or about licensed premises, endangering the health, safety and welfare of individuals. The Commission, therefore, finds there is a nexus between the consumption of alcohol and certain illegal activities that occur within licensed premises or in adjacent related outdoor areas.

Such activities are: drug-related offenses, prostitution or pandering, assaults, sexual assaults, homicide, gambling, vandalism, weapons-related offenses, theft, disturbing the peace, violations of statutes or local ordinances relating to entertainment, acceptance of food stamps for the sale of alcohol or otherwise in violation of federal laws or regulations, and any offense referred to in Section 53-125 (4) or (5), whether or not there has been a plea of guilty or a conviction in criminal court.

If the Commission finds by a preponderance of the evidence that a licensee or employee or agent of a licensee has committed any of the foregoing illegal activities or has knowingly allowed such offense to be committed by others on the licensed premises or adjacent related outdoor areas, the Commission may suspend, cancel or revoke such license.

019.01R Penalties: Upon a determination by the Nebraska Liquor Control Commission that any licensee licensed by it has violated any of the provisions of the Nebraska Liquor Control Act (53-101 through 53-1,200) or the rules and regulations of the Nebraska Liquor Control Commission that license may be subjected to revocation or suspension or other administrative sanction such as the Commission may order.

019.01S SANITATION

019.01S1 Sanitary conditions, conducive to public health and welfare, must be maintained at all times, in, on or about licensed premises, by meeting minimum sanitary standards as set forth in the Nebraska Food Service Code. The minimum standards shall require at least two restrooms for establishments that provide on-premise consumption of alcoholic beverages.

019.01T QUANTITATIVE SALES

019.01T1 All licensees shall maintain on their licensed premises records presently required by federal regulation concerning sales of alcoholic liquor, in an amount of twenty wine gallons or more (27 CFR 194) Such records shall include a record of the name and driver's license number or other identification of the person making the purchase. All licensees shall make such records available to any Nebraska Liquor Control per-

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Holidays and Observances:

Jan 1	New Year's Day	May 30	Memorial Day	Nov 11	Veterans Day
Jan 17	Martin Luther King Day	Jun 19	Father's Day	Nov 24	Thanksgiving Day
Feb 14	Valentine's Day	Jul 4	Independence Day	Dec 24	Christmas Eve
Feb 21	Presidents' Day	Sep 5	Labor Day	Dec 25	Christmas Day
Mar 27	Easter Sunday	Oct 10	Columbus Day (Most regions)	Dec 26	'Christmas Day' observed
May 8	Mother's Day	Oct 31	Halloween		

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Holidays and Observances:

Jan 1	New Year's Day	May 29	Memorial Day	Nov 10	'Veterans Day' observed
Jan 2	'New Year's Day' observed	Jun 18	Father's Day	Nov 11	Veterans Day
Jan 16	Martin Luther King Day	Jul 4	Independence Day	Nov 23	Thanksgiving Day
Feb 14	Valentine's Day	Sep 4	Labor Day	Dec 24	Christmas Eve
Feb 20	Presidents' Day	Oct 9	Columbus Day (Most regions)	Dec 25	Christmas Day
Apr 16	Easter Sunday	Oct 31	Halloween		
May 14	Mother's Day	Nov 7	Election Day		

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Holidays and Observances:

Jan 1	New Year's Day	May 28	Memorial Day	Nov 11	Veterans Day
Jan 15	Martin Luther King Day	Jun 17	Father's Day	Nov 12	'Veterans Day' observed
Feb 14	Valentine's Day	Jul 4	Independence Day	Nov 22	Thanksgiving Day
Feb 19	Presidents' Day	Sep 3	Labor Day	Dec 24	Christmas Eve
Apr 8	Easter Sunday	Oct 8	Columbus Day (Most regions)	Dec 25	Christmas Day
May 13	Mother's Day	Oct 31	Halloween		

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Holidays and Observances:

Jan 1	New Year's Day	May 26	Memorial Day	Nov 4	Election Day
Jan 21	Martin Luther King Day	Jun 15	Father's Day	Nov 11	Veterans Day
Feb 14	Valentine's Day	Jul 4	Independence Day	Nov 27	Thanksgiving Day
Feb 18	Presidents' Day	Sep 1	Labor Day	Dec 24	Christmas Eve
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May 11	Mother's Day	Oct 31	Halloween		

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September

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November

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December

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Holidays and Observances:

Jan 1	New Year's Day	May 25	Memorial Day	Oct 31	Halloween
Jan 19	Martin Luther King Day	Jun 21	Father's Day	Nov 11	Veterans Day
Feb 14	Valentine's Day	Jul 3	'Independence Day' observed	Nov 26	Thanksgiving Day
Feb 16	Presidents' Day	Jul 4	Independence Day	Dec 24	Christmas Eve
Apr 12	Easter Sunday	Sep 7	Labor Day	Dec 25	Christmas Day
May 10	Mother's Day	Oct 12	Columbus Day (Most regions)		

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Calendar for year 2010 (United States)

January

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Holidays and Observances:

Jan 1	New Year's Day	Jun 20	Father's Day	Nov 11	Veterans Day
Jan 18	Martin Luther King Day	Jul 4	Independence Day	Nov 25	Thanksgiving Day
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Apr 4	Easter Sunday	Oct 11	Columbus Day (Most regions)	Dec 25	Christmas Day
May 9	Mother's Day	Oct 31	Halloween	Dec 31	'New Year's Day' observed
May 31	Memorial Day	Nov 2	Election Day		

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Calendar for year 2011 (United States)

January

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March

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June

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July

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August

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September

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Holidays and Observances:

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May 8	Mother's Day	Oct 31	Halloween		

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Court Case Details

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Case Summary

In the County Court of Hall County
The Case ID is CR 06 0000971
Citation No.: A 1656561
State v.*Rafael B Orozco
Classification: Misdemeanor
Filed on 03/06/2006 by City Prosecutor of Grand Island
This case is Closed as of 03/15/2006
It was disposed as Guilty Plea by Waiver
Original appearance date 03/15/2006 at 11:00

Parties/Attorneys to the Case

Party	Attorney
Plaintiff State of Nebraska	Dale M Shotkoski 100 East First P O Box 1968 Grand Island NE 68802 308-385-5444

Defendant Rafael B Orozco
2105 Nashville
Grand Island NE 68801
Date of Birth is 09/07/1953 Drivers License is E0753679

Offense Information

Count	Charge	Offense Class
01	Minor in Bar After 9:00 P.M. Offense Date is 02/26/2006 Plea is Guilty/Admit Finding is Guilty Sentence includes: City Fine of $25.00	; Infraction

Arresting Officers

Agency	Officer
Grand Island	Phoukhong Manivong

Court Costs Information

Incurred By	Account	Date	Amount
Defendant	Filing Fees	03/06/2006	$18.00
Defendant	NSC Education Fee	03/06/2006	$1.00
Defendant	Dispute Resolution Fee	03/06/2006	$0.75
Defendant	Indigent Defense Fee	03/06/2006	$3.00
Defendant	Uniform Data Analysis Fee	03/06/2006	$1.00
Defendant	J.R.F.	03/06/2006	$5.00
Defendant	Filing Fee/JRF	03/06/2006	$2.00
Defendant	L.E.I.F.	03/06/2006	$2.00
Defendant	LASF/Non-waivable	03/06/2006	$2.00
Defendant	Legal Aid/Services Fund	03/06/2006	$3.25
Defendant	Automation Fee	03/06/2006	$6.00

Financial Activity

No trust money is held by the court
No fee money is held by the court

Payments Made to the Court

Receipt	Type	Date	For	Amount
217014	Cash	03/15/2006	Orozco,Rafael,B	$69.00
			Filing Fees	$18.00
			NSC Education Fee	$1.00
			Dispute Resolution Fee	$.75
			Indigent Defense Fee	$3.00
			Uniform Data Analysis	$1.00
			J.R.F.	$5.00
			Filing Fee/JRF	$2.00
			L.E.I.F.	$2.00
			LASF/Non-waivable	$2.00

			Legal Aid/Services Fun	$3.25
			Automation Fee	$6.00
			City Fines	$25.00

Register of Actions

03/15/2006 Appearance Date

03/06/2006 Complaint
This action initiated by party State of Nebraska

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Court Case Details

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Case Summary

In the County Court of Hall County
The Case ID is CR 06 0001183
Citation No.: 0000000
State v.*Rafael Orozco
Classification: Misdemeanor
Filed on 03/17/2006 by City Prosecutor of Grand Island
This case is Closed as of 10/30/2006
It was disposed as Dismissed by Court
Original appearance date 03/29/2006 at 09:30

Parties/Attorneys to the Case

Party	Attorney
Plaintiff State of Nebraska	Dale M Shotkoski 100 East First P O Box 1968 Grand Island NE 68802 308-385-5444

Defendant Rafael B Orozco
2108 Nashville
Grand Island NE 68803
Date of Birth is 09/07/1953 Drivers License is E0753679

Offense Information

Count	Charge	Offense Class
01	Minor In Bar After 9:00 P.M. Offense Date is 03/08/2006	; Infraction

Arresting Officers

Agency	Officer
Grand Island	Scott Arnold
Grand Island	Wesley Tjaden

Court Costs Information

Incurred By	Account	Date	Amount
Plaintiff	Filing Fees	03/17/2006	$18.00
Plaintiff	NSC Education Fee	03/17/2006	$1.00
Plaintiff	Dispute Resolution Fee	03/17/2006	$0.75
Plaintiff	Indigent Defense Fee	03/17/2006	$3.00
Plaintiff	Uniform Data Analysis Fee	03/17/2006	$1.00
Plaintiff	J.R.F.	03/17/2006	$5.00
Plaintiff	Filing Fee/JRF	03/17/2006	$2.00
Plaintiff	L.E.I.F.	03/17/2006	$2.00
Plaintiff	LASF/Non-waivable	03/17/2006	$2.00
Plaintiff	Legal Aid/Services Fund	03/17/2006	$3.25
Plaintiff	Automation Fee	03/17/2006	$6.00

Financial Activity

No trust money is held by the court
No fee money is held by the court

Payments Made to the Court

Receipt	Type	Date	For	Amount
244843	Check	12/21/2006	State of Nebraska	$14.00
			Uniform Data Analysis	$1.00
			J.R.F.	$5.00
			LASF/Non-waivable	$2.00
			Automation Fee	$6.00
9119282	Waived Fee	10/30/2006	State of Nebraska	$30.00
			Filing Fees	$18.00
			NSC Education Fee	$1.00
			Dispute Resolution Fee	$.75
			Indigent Defense Fee	$3.00
			Filing Fee/JRF	$2.00
			L.E.I.F.	$2.00

			Legal Aid/Services Fun	$3.25

Register of Actions

10/30/2006 Dismissal

This action initiated by Clerk Magistrate

10/13/2006 Motion-Dismissal
This action initiated by Clerk Magistrate

03/17/2006 Complaint
This action initiated by party State of Nebraska

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Court Case Details

WARNING:

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Case Summary

In the County Court of Hall County
The Case ID is CR 08 0002420
Citation No.: 0000000
State v. Rafael B Orozco
The Honorable Philip M Martin Jr., presiding.
Classification: Misdemeanor
Filed on 06/30/2008 by the County Prosecutor
This case is Closed as of 12/11/2008
It was disposed as Tried to Court
Original appearance date 07/09/2008 at 14:00

Parties/Attorneys to the Case

Party	Attorney
Plaintiff State of Nebraska	Gail VerMaas 231 South Locust PO Box 367 Grand Island NE 68802 308-385-5150
Defendant Rafael B Orozco 2105 Nashville Rd Grand Island NE 68803	William A Francis 222 North Cedar P O Box 2280 Grand Island NE 68802 308-384-2636

Date of Birth is 09/07/1953 Drivers License is CA E0753679

Offense Information

Count	Charge	Offense Class
01	Procure/sell alcohol to minor	; Class 1 Misdemeanor

Offense Date is 06/06/2008
Plea is Not Guilty
Finding is Guilty
Sentence includes:
State Fine of $100.00

Arresting Officers

Agency	Officer
Hall County Sheriff	David D Waskowiak

Court Costs Information

Incurred By	Account	Date	Amount
Defendant	Filing Fees	06/30/2008	$18.00
Defendant	NSC Education Fee	06/30/2008	$1.00
Defendant	Dispute Resolution Fee	06/30/2008	$0.75
Defendant	Indigent Defense Fee	06/30/2008	$3.00
Defendant	Uniform Data Analysis Fee	06/30/2008	$1.00
Defendant	J.R.F.	06/30/2008	$5.00
Defendant	Filing Fee/JRF	06/30/2008	$2.00
Defendant	Civil Legal Services Fund	06/30/2008	$1.00
Defendant	L.E.I.F.	06/30/2008	$1.00
Defendant	LASF/Non-waivable	06/30/2008	$2.00
Defendant	Legal Aid/Services Fund	06/30/2008	$3.25
Defendant	Automation Fee	06/30/2008	$6.00
Defendant	Sheriff/Service Fees Due	09/09/2008	$21.15
Defendant	Sheriff/Service Fees Due	09/09/2008	$10.54
Defendant	CR/TR/JV Witness Fees	09/22/2008	$20.00

Financial Activity

No trust money is held by the court
No fee money is held by the court

Payments Made to the Court

Receipt	Type	Date	For	Amount
311409	Check	12/11/2008	Orozco,Rafael,B	$195.69
			Filing Fees	$18.00
			NSC Education Fee	$1.00

			Dispute Resolution Fee	$.75
			Indigent Defense Fee	$3.00
			Uniform Data Analysis	$1.00
			J.R.F.	$5.00
			Filing Fee/JRF	$2.00
			Civil Legal Services F	$1.00
			L.E.I.F.	$1.00
			LASF/Non-waivable	$2.00
			Legal Aid/Services Fun	$3.25
			Automation Fee	$6.00
			State Fines	$100.00
			Sheriff/Service Fees D	$21.15
			Sheriff/Service Fees D	$10.54
			CR/TR/JV Witness Fees	$20.00

Register of Actions

12/11/2008 Journal Entry & Order
This action initiated by Judge Philip M Martin Jr.

12/11/2008 Sentencing

10/27/2008 Case/Motion Decided

10/27/2008 Verdict for Plaintiff
This action initiated by Judge Philip M Martin Jr.

09/22/2008 Journal Entry & Order
This action initiated by Judge Philip M Martin Jr.

09/22/2008 Case Under Advisement

09/22/2008 Hearing

09/22/2008 Witness Fees (CR/TR/JV)
Subpoena for Tiffany Waskowiak #242200

09/09/2008 Return-Subpoena/Criminal Type
The document number is 00242201
Served Dt Unknown, Hall County Sheriff
No Service on Marti Gartner

09/09/2008 Return-Subpoena/Criminal Type
The document number is 00242200
Served 09/08/2008, Hall County Sheriff
Personal Service on Tiffany Waskowiak

09/04/2008 Issue Subpoena on Marti Gartner
The document number is 00242201

09/04/2008 Issue Subpoena on Tiffany Waskowiak
The document number is 00242200

09/04/2008 Praecipe-Subpoena
This action initiated by party State of Nebraska

07/30/2008 Miscellaneous Document
This action initiated by party State of Nebraska
Supplemental notice of compliance w/discovery

07/21/2008 Notice Issued on Gail VerMaas
The document number is 00238464
Document Number 238464

07/21/2008 Notice Issued on William A Francis
The document number is 00238463
Document Number 238463

07/03/2008 Notice

This action initiated by party State of Nebraska

of compliance w/discovery

07/03/2008 Miscellaneous Document
This action initiated by attorney William A Francis
Reciprocal Discovery

07/01/2008 Waiver of Appearance
This action initiated by attorney William A Francis
and written not guilty plea

06/30/2008 Complaint
This action initiated by party State of Nebraska

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Court Case Details

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Case Summary

In the County Court of Hall County
The Case ID is CR 10 0004247
Citation No.: 0000000
State v.*Rafael B Orozco
The Honorable Philip M Martin Jr., presiding.
Classification: Misdemeanor
Filed on 12/15/2010 by City Prosecutor of Grand Island
This case is Open as of 12/15/2010
Original appearance date 01/12/2011 at 09:30

Parties/Attorneys to the Case

Party	Attorney
Plaintiff State of Nebraska	Jason Eley 100 East First P O Box 1968 Grand Island NE 68802 308-385-5444

State of Nebraska owes $48.00
Defendant Rafael B Orozco
2105 Nashville St
Grand Island NE 68803
Date of Birth is 09/07/1953 Drivers License is E0753679

Offense Information

Count	Charge	Offense Class
01	Minor in Bar After 9:00 P.M. Offense Date is 12/05/2010 Plea is Not Guilty	; Infraction
02	Unlawful Presence in Establishment Offense Date is 12/05/2010 Plea is Not Guilty	; Infraction

Arresting Officers

Agency	Officer
Grand Island	Brandon Riley

Case Schedule Information

City trial is scheduled
for 03/22/2011 at 15:30 in room Hall County Crt. Crtrm. #2

Court Costs Information

Incurred By	Account	Date	Amount
Plaintiff	Filing Fees	12/15/2010	$18.00
Plaintiff	NSC Education Fee	12/15/2010	$1.00
Plaintiff	Dispute Resolution Fee	12/15/2010	$0.75
Plaintiff	Indigent Defense Fee	12/15/2010	$3.00
Plaintiff	Uniform Data Analysis Fee	12/15/2010	$1.00
Plaintiff	J.R.F.	12/15/2010	$6.00
Plaintiff	Filing Fee/JRF	12/15/2010	$2.00
Plaintiff	Civil Legal Services Fund	12/15/2010	$1.00
Plaintiff	L.E.I.F.	12/15/2010	$2.00
Plaintiff	LASF/Non-waivable	12/15/2010	$2.00
Plaintiff	Legal Aid/Services Fund	12/15/2010	$3.25
Plaintiff	Automation Fee	12/15/2010	$8.00

Financial Activity

No trust money is held by the court
No fee money is held by the court

Register of Actions

02/02/2011 Order-Continuance
This action initiated by Judge Philip M Martin Jr.
TRIAL continued from 02/01/2011

02/01/2011 Motion-Continuance

This action initiated by party State of Nebraska
Image ID A00011456C08

01/12/2011 Notice Issued on Jason Eley
The document number is 00348135
Document Number 348135 E-MAILED
Image ID D00348135C08

01/12/2011 Notice Issued on Rafael B Orozco
The document number is 00348134
Document Number 348134
Image ID D00348134C08

01/12/2011 Appearance Date

12/15/2010 Complaint

This action initiated by party State of Nebraska
Image ID A00008611C08

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Court Case Details

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Case Summary

In the County Court of Hall County
The Case ID is CR 11 0000116
Citation No.: 0000000
State v.'Rafael B Orozco
The Honorable David A Bush, presiding.
Classification: Misdemeanor
Filed on 01/13/2011 by City Prosecutor of Grand Island
This case is Open as of 01/13/2011
Original appearance date 02/02/2011 at 09:30

Parties/Attorneys to the Case

	Party	Attorney
Plaintiff	State of Nebraska	Jason Eley 100 East First P O Box 1968 Grand Island NE 68802 308-385-5444
	State of Nebraska owes $48.00	
Defendant	Rafael B Orozco 2105 Nashville Street Grand Island NE 68803	William A Francis 222 North Cedar P O Box 2280 Grand Island NE 68802 308-384-2636

Date of Birth is 09/07/1953 Drivers License is E0753679

Offense Information

Count	Charge	Offense Class
01	Unlawful Presence in Establishment	; Infraction

Offense Date is 12/19/2010
Plea is Not Guilty

Arresting Officers

Agency	Officer
Grand Island	Brandon Riley

Case Schedule Information

City Trial is scheduled
for 03/22/2011 at 15:30 in room Hall County Crt. Crtrm. #1

Court Costs Information

Incurred By	Account	Date	Amount
Plaintiff	Filing Fees	01/13/2011	$18.00
Plaintiff	NSC Education Fee	01/13/2011	$1.00
Plaintiff	Dispute Resolution Fee	01/13/2011	$0.75
Plaintiff	Indigent Defense Fee	01/13/2011	$3.00
Plaintiff	Uniform Data Analysis Fee	01/13/2011	$1.00
Plaintiff	J.R.F.	01/13/2011	$6.00
Plaintiff	Filing Fee/JRF	01/13/2011	$2.00
Plaintiff	Civil Legal Services Fund	01/13/2011	$1.00
Plaintiff	L.E.I.F.	01/13/2011	$2.00
Plaintiff	LASF/Non-waivable	01/13/2011	$2.00
Plaintiff	Legal Aid/Services Fund	01/13/2011	$3.25
Plaintiff	Automation Fee	01/13/2011	$8.00

Financial Activity

No trust money is held by the court
No fee money is held by the court

Register of Actions

02/02/2011 Order-Continuance
This action initiated by Judge Philip M Martin Jr.
TRIAL continued from 02/28/2011

02/01/2011 Motion-Continuance
This action initiated by party State of Nebraska
Image ID A00011459C08

01/28/2011 Appearance Date

01/28/2011 Notice Issued on Jason Eley
The document number is 00351648
Document Number 351648 E-MAILED
Image ID D00351648C08

01/28/2011 Notice Issued on William A Francis
The document number is 00351647
Document Number 351647 E-MAILED
Image ID D00351647C08

01/28/2011 Appearance of Counsel
This action initiated by attorney William A Francis
and Written Not Guilty Plea

Image ID A00011542C08

01/13/2011 Complaint
This action initiated by party State of Nebraska
Image ID A00010058C08

Data Provided by NE courts as of 02/02/2011

DVITERA - 02/02/2011 1:10:35 PM

318

SNSP MSG 01580065A6 NLETS 28D9FC GIP1 01580D 20110202 13:09:18
NB0400101

KR.CAOLN0000
12:12 02/02/2011 09744
12:12 02/02/2011 29635 NB0400101
*01580065A6
TXT
DATE:02-02-11*TIME:11:12*
MATCHED ON:*L/N*F/N* BD
DMV RECORD FOR LAW ENFORCEMENT USE ONLY
DL/NO:E0753679*B/D:09-07-1953*NAME:OROZCO RAFAEL BARRAZA*
MAIL ADDR AS OF 08-01-02:8162 BELLINGHAM AVE N HOLLYWOOD 91605*
IDENTIFYING INFORMATION:
SEX:MALE*HAIR:BLACK*EYES:BRN*HT:5-10*WT:185*
LIC/ISS:08-20-99*EXPIRES:09-07-09*RBM1*CLASS:C NON-COMMERCIAL*
ENDORSEMENTS:NONE*
LATEST APP:

DL TYPE:HEADQUARTERS RBM/RBI*ISS/DATE: 07-28-04*OFFICE: RBM*BATES:POL*

LICENSE STATUS:
EXPIRED*
SURRENDERED BY SUBJECT TO:NEBR*
DEPARTMENTAL ACTIONS:
NONE
CONVICTIONS:
NONE
FAILURES TO APPEAR:
NONE
ACCIDENTS:
NONE
END

R E S O L U T I O N 2011-35

WHEREAS, El Diamante is located at 1600 South Eddy Street and has obtained a Class I Liquor License No. 65760 on March 22, 2005 which will expire on April 30, 2011; and

WHEREAS, the Nebraska Liquor Control Act **53-135**. **Retail licenses; automatic renewal; conditions; licensed premises within annexed area; effect**. States in part: "The commission may at any time require a licensee to submit an application, and the commission shall at any time require a licensee to submit an application if requested in writing to do so by the local governing body"; and

WHEREAS, the Nebraska Liquor Act **53-117.08. License; suspend, cancel, or revoke; hearing; conviction; court; duty.** States in part: "If any licensee violates the regulations adopted and promulgated by the commission or any lawful ordinance of the local governing body, the commissions may, after a proper hearing, suspend, cancel, or revoke the license" and

WHEREAS, the City of Grand Island Code 4-20 and 4-23 are lawful ordinances governing licensed liquor establishments; and

WHEREAS, evidence was presented through police reports demonstrating El Diamante's violations of the above City Code; and

WHEREAS, police records show the Grand Island Police Department has responded to 92 calls for service at this location since March 27, 2005, where numerous incidents involve other violations of State of Nebraska liquor laws; and

WHEREAS: the owner, Rafael Orozco, has not demonstrated the type of management and control sufficient to insure the licensed business conforms to the provisions of the license.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that a written request be sent to the Nebraska Liquor Control Commission requiring the owner of El Diamante, 1600 South Eddy Street liquor license to make application for a new license.

Adopted by the City Council of the City of Grand Island, Nebraska, February 22, 2011.

_____

Jay Vavricek, Mayor

Attest:

Approved as to Form ¤ _____
February 18, 2011 ¤ City Attorney

_____

RaNae Edwards, City Clerk

City of Grand Island

Tuesday, February 22, 2011
Council Session

Item I2

#2011-46 - Consideration of Requesting the Nebraska Liquor Control Commission to Require Rafa's Tacos, 911 West 2nd Street to Complete a Long Renewal Form

Staff Contact: Mary Lou Brown

Council Agenda Memo

From: Mary Lou Brown, Finance Director

Meeting: February 22, 2011

Subject: Rafa's Tacos Liquor License Renewal

Item #'s: I-2

Presenter(s): Mary Lou Brown, Finance Director

Background

Liquor licenses are generally automatically renewed each year for licensees within the State of Nebraska. However, local governing bodies may request the Nebraska Liquor Commission to have a licensee submit a full application (commonly referred to as a long form). The Police and Finance departments are asking Council to make this request to the Nebraska Liquor Commission.

Rafa's Tacos, 811 West 2nd Street owner, Rafael Orozco, has been licensed as a Class I since September 16, 2004. According to the Nebraska Liquor Control Commission public web site, Rafael Orozco is the registered agent for a liquor license issued to Rafa's Tacos, 811 West 2nd, Grand Island. This business has been suspended for 56 days in 2005 for supplying alcohol to minors. As of February 15th 2011 Rafa's has failed to pay certain City taxes. This business has failed to pay over $6,400.46 to the City of Grand Island for food and beverage occupation taxes.

There are limited exemptions to the occupation tax. Rafa's does not fall within any of the exceptions. Liquor licenses may not be revoked once issued, because of unpaid occupation taxes.

While discussing the upcoming renewal process, Mr. Orozco informed Sergeant Dave Vitera that the El Diamante is contemplating a change to become primarily a restaurant. Also, an attorney representing Mr. Orozco informed the City's Legal Department that Mr. Orozco intends to move the restaurant portion of Rafa's to the El Diamante, which would change the characteristic of Rafa's for purposes of a liquor license.

Discussion

The Finance Department supports a request to the Nebraska Liquor Commission requiring a new application from Rafa's Tacos. The violations of the City Code requiring Rafa's to pay the occupation tax are not sufficient to cause the revocation of any license after a license is issued, but the pattern of violations and characteristics shown by Mr. Orozco are sufficient to request a long form application for renewal

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 pass a resolution that a written request be sent to the Nebraska Liquor Control Commission that the owner of Rafa's Tacos, 811 West 2nd Street make application for a new license.

Sample Motion

Move to approve a resolution whereby the City of Grand Island makes a written request to the Nebraska Liquor Control Commission that requires the owner of Rafa's Tacos, 811 West 2nd Street to make application for a new license.

R E S O L U T I O N 2011-46

WHEREAS, Rafa's Tacos is located at 811 West 2nd Street and has obtained a Class I Liquor License No. 64352 on September 16, 2004 which will expire on April 30, 2011; and

WHEREAS, the Nebraska Liquor Control Act **53-135**. **Retail licenses; automatic renewal; conditions; licensed premises within annexed area; effect**. States in part: "The commission may at any time require a licensee to submit an application, and the commission shall at any time require a licensee to submit an application if requested in writing to do so by the local governing body"; and

WHEREAS, the Nebraska Liquor Act **53-117.08. License; suspend, cancel, or revoke; hearing; conviction; court; duty.** States in part: "If any licensee violates the regulations adopted and promulgated by the commission or any lawful ordinance of the local governing body, the commissions may, after a proper hearing, suspend, cancel, or revoke the license" and

WHEREAS, the City of Grand Island Code 23-64 and 23-79 are lawful ordinances governing eating and drinking establishments; and

WHEREAS, Rafa's Tacos is not in compliance with payment of occupation taxes pursuant to the above City Code; and

WHEREAS: the owner, Rafael Orozco, has not demonstrated the type of management and control sufficient to insure the licensed business conforms to the provisions of the license.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that a written request be sent to the Nebraska Liquor Control Commission requiring the owner of Rafa's Tacos, 811 West 2nd Street liquor license to make application for a new license.

Adopted by the City Council of the City of Grand Island, Nebraska, February 22, 2011.

_____

Jay Vavricek, Mayor

Attest:

_____

RaNae Edwards, City Clerk

Approved as to Form ¤ _____
February 18, 2011 ¤ City Attorney

City of Grand Island

Tuesday, February 22, 2011
Council Session

Item I3

#2011-47 - Consideration of Approving Funding of Economic Development Request for Standard Iron. Inc.

Staff Contact: Mary Lou Brown

Council Agenda Memo

From: Mary Lou Brown, Interim City Administrator

Meeting: February 22, 2011

Subject: Approving Economic Development Incentive Agreement with Standard Iron, Inc.

Item #'s: I-3

Presenter(s): Mary Lou Brown, Interim City Administrator

Background

At the May 2003 special election, the voters of the City of Grand Island approved LB840 funding to enable the City to extend economic development incentives through the Grand Island Economic Development Corporation (GIEDC). The Economic Development Corporation has received an application from Standard Iron, Inc. for building expansion and additional employees. On January 13, 2011, the Executive Board of the GIEDC approved submission of the attached Economic Development Agreement to the Citizens Review Committee for consideration and recommendation. The CRC met on February 8, 2011 and approved the request and Agreement for recommendation to the City Council for final action and approval.

Discussion

Standard Iron, Inc., supplier of metal products to be used in the manufacture and final assembly of original equipment manufactured items has submitted the required application (see attached) for a total amount of $225,000.00. Proposed is the creation of 25 new jobs by December 31, 2012 with an average hourly wage of $13.00. Requested is $3,000.00 per new employee not to exceed 25 employees and $150,000.00 to assist with both a $1.7 million building expansion and $2 million in additional equipment for a total incentive request of $225,000.00.

Standard Iron, Inc. currently has 98 employees and occupies 111,000 sq. ft. of plant space. A total of $225,000.00 of LB840 funds for an additional 53,000 sq. ft. of manufacturing space to be completed by July 2011 and 25 new employees is requested.

Alternatives

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

1. Move to approve the Economic Development Agreement with Standard Iron, Inc.
2. Do not approve the Economic Development Agreement with Standard Iron, Inc.
3. Postpone the issue to future date.
4. Take no action on the issue.

Recommendation

City Administration recommends that the Council consider the resolution authorizing the City to enter into the Economic Development Agreement with Standard Iron, Inc.

Sample Motion

Move to approve the resolution authorizing the City to enter into the Economic Development Agreement with Standard Iron, Inc.

GRAND ISLAND AREA
ECONOMIC
DEVELOPMENT CORPORATION

PROJECT APPLICATION FOR ECONOMIC DEVELOPMENT PROGRAMS

1. Applicant Business Name Standard Iron, Inc.

Address 524 Pine Street, Monticello, MN 55362-8571

Telephone 763-295-8700

Email Address cathi.boerner@std-iron.com

Business Contact Person Cathi Boerner, Controller 763-271-8774

Ray Saunders, V.P. & General Manager 308-395-3904

Telephone ( )

February. We expect construction to be complete by July 2011. The equipment purchases

2. Business Organization:
   - X Corporation
   - ___ Partnership
   - ___ Proprietor
   - ___ Other

3. Business Type:
   - ___ Startup
   - X Existing
   - ___ Business Buyout
   - ___ Spec Building
   - ___ Other ___

4. Project Location:
   - X Within the city limits of Grand Island, Nebraska
   - ___ Outside the city limits, but within the 2 mile zoning jurisdiction
   - ___ Outside the zoning jurisdiction of Grand Island in (county) ___

5. Product or Services Provided:
Standard Iron's pricipal business is metal fabrication. The company is a supplier of metal products to be used in the manufacture and final assembly of original equipment manufactured items.

6. Project Description:
Standard Iron currently manufactures in 2 locations in Minnesota and one location in Grand Island. The Grand Island building is ~111,000 sq feet. Standard Iron continues to be a growing company and has a need to expand. Standard Iron has had a good experience with the assistance that it obtained from the City of Grand Island and the St of NE when the company started doing business in NE in ~2004 and has chosen to add another ~53,000 square feet to the Grand Island building rather than expand in MN or another location.

The project includes adding ~53,000 sq feet of manufacturing space to the current building and adding ~25 new employees. We expect the cost of the expansion to be ~$1.7 million and we plan to invest in ~$2.0 million in equipment to put into the Grand Island building.

7. Project Timetable:
Standard Iron is currently in the process of selecting the builder for this addition project. We expect to sign a letter of intent by January 17th with construction beginning in February. We expect construction to be complete by July 2011. The equipment purchases will take place over 2011 and 2012.

8. Employment Information:

Current number of employees 98 (full-time equivalent)

Proposed number of employees 123 (full-time equivalent)

What is the average hourly wage for all employees? $16.62

Number of new jobs to be created 25 (full-time equivalent)

What would be the average hourly wage for new jobs? $13.00

Number of jobs to be retained, if any 25 (full-time equivalent)

Please describe all benefits which the business provides to employees:

Standard Iron offers a full compensation and benefit package to all full time employees, including: health, dental, life, and short-term disability insurance, 401k plan with employer match, vacation and holiday pay, educational reimbursement, etc.

9. Financing/Incentives Requested:

Standard Iron is requesting a $150,000 Infrastructure Grant that would be 'forgiven' upon completion of the building addition in 2011. In addition, we are requesting $75,000 in a forgivable loan. This is based on $3,000 per new FTE added for 25 new employees. The total employment would increase from the current 98 employees to 123 employees by December 31, 2012.

NOTE: Additional Information may be required and made part of this application by attachment.

To the best of my knowledge, this application and supporting information is accurate, and may be relied upon by representatives of the Grand Island Area Economic Development Corporation (GIAEDC).

equipment purchases _____
Name

CEO
Title

Date: 1-6-11

Grand Island Area Economic Development LB-840 Project Application

Project Name:

Date Referred to Grand Island Area Economic Development Board: January 13, 2011

Approved: X Disapproved: _____ Date: 1-13-2011

Comments: _____

Signature of President: Marlan Ferguson
Marlan Ferguson

Date Referred to Citizen's Review Committee: February 8, 2011

Approved: X Disapproved: _____ Date: 2-8-2011

Comments: _____

Signature of Chairman: Dehn Renter
~~Mark Stelk~~ Dehn Renter

Date Referred to City Council: _____

Approved: _____ Disapproved: _____ Date: _____

Comments: _____

Signature of Mayor: _____
Jay Vavricek

ECONOMIC DEVELOPMENT AGREEMENT
WITH
STANDARD IRON, INC.
524 Pine Street
Monticello, MN 55362-8571
763-295-8700

This Agreement is made by the City of Grand Island, Nebraska (The City), and the Grand Island Area Economic Development Corporation (The Development Corporation) with Standard Iron, Inc. (Standard) as follows:

ARTICLE I

BUSINESS AND INCENTIVE PLANS

Standard operates two (2) plants in Minnesota and one (1) in Grand Island at 4160 Gold Core Drive. Its primary business is metal fabrication producing metal products which are used by original equipment manufacturers in producing and assembling their products.

Standard came to Grand Island in 2004 and built a 111,000 square foot plant which now employs ninety-eight (98) fulltime equivalent employees. In 2004 Standard received an incentive payment of Two Hundred Thousand and No/100 Dollars ($200,000.00) under Grand Island's Economic Development Program and fully satisfied the requirement of that Incentive Agreement.

Due to its success in Grand Island Standard has now outgrown the Grand Island plant and intends to expand it by fifty-three thousand (53,000) square feet. The building expansion has an estimated cost of 1.7 million dollars and the cost of equipping that expansion is estimated to be 2 million dollars.

Standard proposes to expand its Grand Island employment from ninety-eight (98) to one hundred twenty-three (123) fulltime equivalent workers at an average of Thirteen and No/100 Dollars ($13.00) per hour plus a full benefit program which includes health, dental, life and short term disability insurance, a 401(k) program with matching funds as well as vacation and holiday pay and educational reimbursement.

Standard hopes to begin construction of the addition in February 2011 and estimates completion can be accomplished in the summer of 2011. The equipment purchases and the hiring of the new personnel will take place in 2011 and 2012.

Standard has applied for incentive assistance under the Grand Island Economic Development Program and the terms of the incentives are set forth in this Economic Development Agreement.

The City and The Development Corporation agree that Standard is qualified to receive incentives under the Grand Island Economic Development Plan, that Standard's expansion plan qualifies under the Program and that Standard's expansion will be a great benefit to the people of Grand Island and the surrounding area. The City and The Development Corporation also agree that the infrastructure and job creation incentives set forth in this Economic Development Agreement contribute to the fulfillment of the major objectives of the Development Plan.

ARTICLE II

INFRASTRUCTURE INCENTIVE

To assist Standard in its expansion and renovation of its Grand Island manufacturing plant as is described in its Application, The City will advance One Hundred Fifty Thousand and No/100 Dollars ($150,000.00) to Standard. This amount will be paid within thirty (30) days after the payment is formally approved under The City's Economic Development Program.

This advance will be automatically forgiven when The City issues an occupancy permit to Standard after it completes the plant expansion described in its Application and Standard will then have no obligation to repay the grant. However, if that occupancy permit is not issued by November 1, 2011, on that date the grant will be repayable in full by Standard to The City.

ARTICLE III

JOB CREATION INCENTIVES

Part 1

Definitions

As used in this Economic Development Agreement the following words and phrases shall mean the following:

1. Employees means the number of fulltime equivalent persons employed by Standard at its manufacturing plant in Grand Island, Nebraska, as of the end of the Measuring Year and determined as follows: divide (i) the total number of regular time hours that Standard paid Employees to work during the

Measuring Year [including forty (40) hours per week for each week worked by each fulltime salaried Employee] by (ii) 2080.

2. Year means the twelve (12) consecutive month period ending on December 31 each year during the term of this Agreement.

3. Employment Certificate means a written statement reporting the employment for the year at the Grand Island manufacturing plant certified to be true and correct by the Comptroller and attested by the President of the company. For the year ending December 31, 2010, it shall be delivered to The Development Corporation within thirty (30) days after the execution of this Agreement by all three (3) parties and, not later than February 1 in each of the years 2012, 2013, 2014 and 2015, Certificates shall be delivered to The Development Corporation for the preceding year. It shall state (i) the total number of regular time hours for which Standard paid hourly employees for working at the manufacturing plant in Grand Island, (ii) the number of fulltime salaried employees and the number of weeks each were employed by Standard at Grand Island, Nebraska, during the applicable year, (iii) the number of employees as of the last day of the year, and (iv) the total of the gross wages paid that year to those employees who are included in the items (i) and (ii) of this paragraph. The Certificate shall also state that all of the Employee benefit programs referred to in Article I of this Economic Development Agreement continue to be in full force and effect.

Part 2

Employment, Pay and Benefits Requirements

Standard shall meet each of the following employment requirements:

1. For the years ending on December 31, 2010, and December 31, 2011, Standard must have employed not less than ninety-eight (98) Employees.

2. For each of the years ending on December 31, 2012, 2013, 2014 and 2015 Standard must employ at least one hundred twenty-three (123) Employees.

3. For each year ending 2012 through 2015, inclusive, the average hourly rate of pay for the regular time hours worked by the Employees must be not less than Fifteen and 89/100 Dollars ($15.89) per hour. The average rate of pay shall be determined each year by dividing the gross regular time wages paid (not

including overtime or bonuses) during the reporting year by the number of fulltime equivalent persons employed that year.

4. During each of the years 2011 through 2015 Standard shall continue all of employee benefit plans described in Article I of this Economic Development Agreement.

Part 3

Monetary Provisions

1. Not later than thirty days (30) after The Development Corporation receives from Standard the Employment Certificate for the year ending December 31, 2010, required by paragraph 3 of Part 1 of Article III of this Agreement and funds are approved under The City's Economic Development Program, The City will advance Standard Seventy-five Thousand and No/100 Dollars ($75,000.00) to assist in the development of the proposed twenty-five (25) new jobs.

2. If as of December 31 in each of the years ending in 2013 through 2015, inclusive (The Forgiveness Years), Standard has met each of the employment, pay and benefit requirements for that year and every prior year beginning with 2011, then within thirty (30) days after The Development Corporation receives the Employment Certificate required for that Forgiveness Year, The City will give Standard formal notice that Twenty-five Thousand and No/100 Dollars ($25,000.00) of the original advance of Seventy-five Thousand and No/100 Dollars ($75,000.00) is then forgiven and Standard shall have no further obligation with regard to any forgiven amount.

3. If Standard fails to meet all of the employment, pay and benefit requirements set out in Part 2 of this Article III for the year ending December 31, 2011 or any subsequent year then the total amounts, if any, theretofore forgiven under the provisions of this Part 3 of Article III for each prior year's performance shall be deducted from the advance of Seventy-five Thousand and No/100 Dollars ($75,000.00) and Standard shall repay the balance to The City. The balance shall become due on the last day of the first year in which the employment, the pay or benefit requirement was not attained or became unattainable and shall be paid with interest on the unpaid balance at the rate of six percent (6%) per annum from the date of the advance until paid in full.

4. If at any time prior to December 31, 2015, Standard transfers ownership or operation of its Grand Island manufacturing plant to any entity of which Standard does not

have and maintain at least eighty percent (80%) of the corporate stock if it is a corporation or eighty percent (80%) of the voting and management rights if it is not a corporation, then at or before the effective date of the transfer Standard shall repay to The City that portion of the Seventy-five Thousand and No/100 Dollars ($75,000.00) advance which has not theretofore been forgiven. The payment shall be due upon the effective date of the transfer and shall be paid with interest computed at the rate of six percent (6%) per annum from that date until the entire balance of principal and interest is paid in full.

ARTICLE IV

LEGAL EFFECT

1. Upon request Standard shall furnish The Development Corporation and The City such additional documentation and information as either may reasonably request to satisfy the requirements of The City's Economic Development Program and to evidence Standard's performance of the requirements of this Agreement.

2. This Economic Development Agreement contains all of the agreements and understandings between The Development Corporation, The City and Standard relative to the provisions hereof and supersedes any and all prior agreements and understandings whether written or oral concerning economic development grants or incentives. No additions or changes to this Agreement shall be effective until they are reduced to a writing signed by all three (3) parties to this Agreement.

3. The provisions of this Agreement are fully binding upon The Development Corporation, The City and Standard, and their respective successors.

Dated this _____ day of _____, 2011.

GRAND ISLAND AREA ECONOMIC DEVELOPMENT CORPORATION

By Marlan Ferguson
Marlan Ferguson, President

STANDARD IRON, INC.

By Cathi Boerner
Printed Name: Cathi Boerner
Title: Controller

THE CITY OF GRAND ISLAND

By_____
Jay Vavricek, Mayor

R E S O L U T I O N 2011-47

WHEREAS, on July 22, 2003, the City of Grand Island adopted an Economic Development Program and a Citizens Advisory Review Committee to oversee the process of approving applications for economic development incentives; and

WHEREAS, Standard Iron, Inc. has applied for a forgivable loan for job incentive and infrastructure in the amount of $225,000.00 from the Grand Island Area Economic Development Corporation in accordance with the Economic Development Program; and

WHEREAS, such application has been approved by the executive committee of the Economic Development Corporation and was approved on February 8, 2011 by the Citizens Advisory Review Committee; and

WHEREAS, Standard Iron, Inc. will be required to meet or exceed employment numbers and employee salary levels as outlined in the Economic Development Agreement to retain all of the economic incentives granted under the agreement; and

WHEREAS, it is in the best interests of the City to provide economic development funding to Standard Iron, Inc. as provided by the Grand Island Economic Development Program.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Economic Development Agreement by and between the City, the Grand Island Area Economic Development Corporation and Standard Iron, Inc., to provide $225,000.00 in economic assistance to Standard Iron, Inc., to be used for expanding its business in Grand Island is hereby approved.

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

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, February 22, 2011.

_____

Jay Vavricek, Mayor

Attest:

_____

RaNae Edwards, City Clerk

Approved as to Form ¤ _____
February 18, 2011 ¤ City Attorney

City of Grand Island

Tuesday, February 22, 2011
Council Session

Item I4

#2011-48 - Dissolution of the Grand Island Area Solid Waste Agency

Staff Contact: Gary R. Mader, Interim Public Works Director

Council Agenda Memo

From: Gary R. Mader, Interim Public Works Director
Jason Eley, Interim City Attorney

Meeting: February 22, 2011

Subject: Dissolution of the Grand Island Area Solid Waste Agency

Item #'s: I-4

Presenter(s): Gary R. Mader, Interim Public Works Director

Background

The Grand Island Area Solid Waste Agency was formed through an interlocal agreement between the City of Grand Island and Hall County on August 4, 1992. The primary purposes of the agreement were, to issue the revenue bonds necessary for the City to acquire the existing Transfer Station and Landfill properties from Hall County and to finance modifications of the Landfill to bring it into compliance with the then newly promulgated federal requirements for a RCRA Subtitle-D solid waste storage facility.

Since the Agency was formed in 1992, and in accordance with the privisions of the Interlocal Agreement, the budgetary, operational and governance decisions pertaining to the Solid Waste Agency have been made by the Mayor and Council of the City of Grand Island.

As stated in the Interlocal Agreement, *"The Agency shall have a life of twenty-five (25) years, commencing with the date hereof; provided, however, if after bonds have been issued by the Agency and retired prior to such termination date, this Agreement and the existence of the Agency may be terminated at the option of the Mayor and Council*".

Discussion

On December 7, 2010 the City Council approved the redemption of Solid Waste refunding bonds, Series 2004. The bonds were called for payment on January 12, 2011. City Administration recommends the dissolution of the Grand Island Area Solid Waste Agency now that the redemption of the bonds has been accomplished. The purposes of the original agreement have been completed. The Agency may be terminated upon action

by the City Council. In contacting the Hall County Board and Hall County Attorney neither had any concerns with terminating the interlocal agreement.

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 dissolutionment of the Grand Island Area Solid Waste Agency.

Sample Motion

Move to approve the dissolutionment of the Grand Island Area Solid Waste Agency.

INTERLOCAL COOPERATION
ACT AGREEMENT
CREATING THE
GRAND ISLAND AREA
SOLID WASTE AGENCY

THIS AGREEMENT is made this 4th day of August, 1992, by and between the City of Grand Island and Hall County, Nebraska, hereinafter collectively referred to as "Members."

I.

CREATION OF THE SOLID WASTE AGENCY

Pursuant to Sections 13-801 to 13-827 of R.R.S. Neb. 1943, as amended (the "Interlocal Cooperation Act"), the Members hereby create a joint entity which shall be named the Grand Island Area Solid Waste Agency (the "Agency") and shall constitute a separate body corporate and politic under the provisions of the Interlocal Cooperation Act. The Agency shall be subject to control by the Members in accordance with the terms of this Agreement. The governing body of each Member shall have approved this Agreement by resolution. A certified copy of each approving resolution shall be kept on file at the Agency's office. The Agency's existence shall commence upon the execution of this Agreement on behalf of each Member.

II.

PURPOSES

The purposes of the Agency are as follows:

(a) To make efficient use of the powers of the Members by enabling them to cooperate with each other on a basis of mutual advantage and thereby provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population, and other factors influencing the needs and development of the local communities.

(b) To provide or contract for the acquisition, finance, construction and operation of solid waste transfer station, a solid waste disposal facility and associated equipment in compliance with the Integrated Solid Waste Management Act, any amendments thereto, the Federal Resource Conservation and Recovery Act, any amendments thereto, and the rules and regulations promulgated pursuant to such Acts.

III.

ORGANIZATION

(a) Non-Voting Member. Hall County shall be a non-voting member of the Agency. The Hall County Board of Supervisors shall by resolution appoint a non-voting representative to the Agency's governing body. The resolution of appointment shall take effect upon filing of a certified copy of such resolution at the Agency's office.

(b) Governing Body. The governing body of the Agency shall be the Mayor and Council of the City of Grand Island (the "Mayor and Council").

(c) Voting. Each member of the Council shall have one vote. The Mayor shall have the right to vote when his or her

vote will provide the additional vote required to create the number of votes equal to a majority of the number of members elected to the Council. The Mayor shall have the power to veto any action taken by the Council with respect to the Agency, provided that such action may be passed over the Mayor's veto by a vote of two-thirds of all the members elected to the Council.

(d) Quorum. A majority of all members of the Council shall constitute a quorum for the transaction of any Agency business.

(e) Officers. The Mayor, City Clerk and City Treasurer of the City of Grand Island shall be the Agency's Chairman, Secretary and Treasurer, respectively.

(f) Meetings and Notice. Meetings of the Agency's governing body may be called by the Mayor or by any four Council members. A written notice of the meeting and agenda shall be provided to the Hall County Board of Supervisors by delivering the same to the Hall County Clerk at least seven (7) days prior to each such meeting.

(g) Agency Legal Counsel. The Mayor and Council may employ legal counsel for the Agency and may set and approve compensation for such counsel.

IV.

DURATION

The Agency shall have a life of twenty-five (25) years, commencing with the date hereof; provided, however, if after

bonds have been issued by the Agency and retired prior to such termination date, this Agreement and the existence of the Agency may be terminated at the option of the Mayor and Council.

V.

INITIAL MEMBER CONTRIBUTION

The City of Grand Island shall contribute all costs necessary to fund the establishment, organization and initial operating expenses of the Agency.

VI.

POWERS

The Agency shall have such powers as are allowed by the Interlocal Cooperation Act, any amendments thereto, the Integrated Solid Waste Management Act, and any amendments thereto including, but not limited to, the powers:

(a) to sue and be sued;

(b) to have a seal and alter the same at pleasure or to dispense with the necessity thereof;

(c) to make and execute contracts and other instruments necessary or convenient to the exercise of its powers, including service agreements as provided by the Integrated Solid Waste Management Act and any amendments thereto;

(d) from time to time, to make, amend, and repeal bylaws, rules, and regulations, not inconsistent with the Interlocal Cooperation Act and this Agreement, to carry out and effectuate its powers and purposes;

(e) to make all necessary rules and regulations governing the use, operation and control of a solid waste

transfer station, a solid waste disposal facility and the associated equipment;

(f) to establish just and equitable rates or charges to be paid for the services provided by the solid waste transfer station, the solid waste disposal facility and the associated equipment, including charges for late payments, provided that charges for transfer and disposal of solid waste generated within the unincorporated areas of Hall County or within any city or village of Hall County shall be assessed on the same basis and at the same rates that apply to solid waste generated within the City of Grand Island and such City's zoning jurisdiction; if charges so established by the Agency are not paid when due, the Agency shall have the power to recover its charges in the manner provided by the Integrated Solid Waste Management Act or as otherwise provided by law;

(g) to purchase, plan, develop, construct, equip, maintain and improve a solid waste transfer station and a solid waste disposal facility, including the lease or acquisition of land in fee by gift, grant, purchase or condemnation, as necessary for the construction and operation of such a station and facility;

(h) to acquire, hold, use and dispose of the reserves derived from the operation of a solid waste transfer station and a solid waste disposal facility and other moneys of the Agency;

(i) to acquire, hold, use and dispose of other personal property for the purposes of the Agency;

(j) to cause the transfer, diversion or disposal of solid waste material originating within each Member pursuant to a contract between the Agency and the Member pertinent thereto;

(k) to make or cause to be made studies and surveys necessary or useful and convenient to carrying out the functions of the Agency;

(l) to contract with and compensate consultants for professional services including, but not limited to, architects, engineers, planners, lawyers, accountants, rate specialists and others found necessary or useful and convenient to the stated purposes of the Agency;

(m) to provide for a system of budgeting, accounting, auditing and reporting of all Agency funds and transactions, for a depository, and for the bonding of employees;

(n) to consult with representatives of Federal, State and local agencies, departments and their officers and employees and to contract with such agencies and departments;

(o) to exercise such other powers as are available under the then existing law of each Member;

(p) to borrow money, make and issue negotiable bonds, certificates, bond anticipation notes, refunding bonds and notes, all in accordance with Sections 13-808 through 13-824 of the Interlocal Cooperation Act, and any amendments thereto, and to secure the payment of such bonds, certificates, refunding bonds and notes or any part thereof by a pledge of any or all of the Agency's net revenues and any other funds which the Agency has a

right to, or may hereafter have the right to pledge for such purposes;

(q) to provide in the proceeding authorizing such obligations for remedies upon default in the payment of principal and interest on any such obligations, including, but not limited to, the appointment of a trustee to represent the holders of such obligations in default and the appointment of a receiver of the Agency's property, such trustee and such receiver to have the powers and duties provided for in the proceedings authorizing such obligations;

(r) to receive funds from each Member as payment for providing transfer, diversion and disposal of solid waste from premises therein; provided, however, that in lieu of receiving such funds from Members, the Agency shall have the power to charge haulers and other users of the transfer station and disposal facility;

(s) to hire employees, fix their compensation, benefits, personnel rules and regulations, and terminate their employment; and

(t) to employ a manager which may exercise such of the Agency's powers as shall be determined by contract;

(u) to borrow money and accept grants, contributions, property or loans from, and to enter into contracts, leases, or other transactions with Municipal, County, State, or the Federal Government, including any Member.

VII.

TECHNICAL COOPERATION FROM MEMBERS

The Members agree to respond to reasonable requests to make local records available to the Agency or its manager for the purposes of this Agreement, and to assure that engineers, architects and consultants hired by the Members release to the Agency materials, data and other items pertinent to this Agreement.

VIII.

BUDGETING

The Mayor and Council shall prepare a budget based on a fiscal year ending July 31 for the operation of the Agency, the same to be adopted by the Mayor and Council no later than July 15 of each year.

IX.

NOT FOR PROFIT

It is expressly understood that the Agency is a public body and is to be operated not for profit, and no profit or dividend will inure to the benefit of any individual.

X.

DISSOLUTION

Upon dissolution of the Agency, all assets shall be distributed to the City of Grand Island.

XI.

MANNER OF ACQUIRING AND HOLDING PROPERTY

The Mayor and Council may lease, purchase, or acquire by any means, from a Member or from any other source, such real and personal property as is required for the operation of the

Agency and for carrying out of the purposes of this Agreement. The title to all such property, personal or real, shall be held in the name of the Agency.

All conveyances of real property owned or held in the name of the Agency shall be authorized by resolution of the Mayor and City Council and executed by the Mayor on behalf of the Agency as its Chairman.

XII.

AMENDMENT OF AGREEMENT

This Agreement may be amended upon approving resolutions adopted by the governing body of each Member.

CITY OF GRAND ISLAND, NEBRASKA

By: Ernest L. Vokes
Mayor

Dated: Aug 12, 1992

THE COUNTY OF HALL, IN THE STATE OF NEBRASKA

SEAL OF HALL COUNTY, NEBRASKA

By: Margaret Zoucha
Supervisor

By: Gary Quigley
Supervisor

By: Bill Wright
Supervisor

By: [illegible]
Supervisor

By: Richard Frauen
Supervisor

By: Irene Abernethy
Supervisor

By: Robert Leslie - absen
Supervisor

Dated: August 4 1992

R E S O L U T I O N 2011-48

WHEREAS, on August 4, 1992 through an interlocal agreement between the City of Grand Island and Hall County the Grand Island Area Solid Waste Agency was formed; and

WHEREAS, the interlocal agreement stated "*The Agency shall have a life of twenty-five (25) years, commencing with the date hereof; provided, however, if after bonds have been issued by the Agency and retired prior to such termination date, this Agreement and the existence of the Agency may be terminated at the option of the Mayor and Council*"; and

WHEREAS, on January 12, 2011 the bonds were called for payment, and

WHEREAS, City Administration recommends the dissolution of the Grand Island Area Solid Waste Agency.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Dissolution of the Grand Island Area Solid Waste Agency is hereby approved.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, February 22, 2011.

_____

Jay Vavricek, Mayor

Attest:

_____

RaNae Edwards, City Clerk

Approved as to Form ¤ _____
February 18, 2011 ¤ City Attorney

City of Grand Island

Tuesday, February 22, 2011
Council Session

Item J1

Approving Payment of Claims for the Period of February 9, 2011 through February 22, 2011

The Claims for the period of February 9, 2011 through February 22, 2011 for a total amount of $3,141,645.24. A MOTION is in order.

Staff Contact: Mary Lou Brown

City of Grand Island

Tuesday, February 22, 2011
Council Session

Item J2

Approving Payment of Claims for the Period of February 9, 2011 through February 22, 2011 for the Veterans Athletic Field Complex

The Claims for the period of February 9, 2011 through February 22, 2011 for a total amount of $3,919.44 for the Veterans Athletic Field Complex. A MOTION is in order.

Staff Contact: Mary Lou Brown

Veteran's Athletic Complex Appropriations

Amount to be Spent 100,000.00

Council Date	Vendor Name	Description		Amount Submitted	Total by Council Meeting
1/11/2011	Ensley Electric Services Inc	Ball field lighting		5,970.75	
1/11/2011	Middleton Electric Inc	Parking lot light installation		8,000.00	
1/11/2011	Olsson Associates Inc	Staking for light poles		700.00	
				Subtotal	14,670.75
1/25/2011	Heartland Electric	Well repair		359.42	
1/25/2011	The Grand Island Independent	Legal filing		43.12	
1/25/2011	Nature's Helper	Consultation with well company		1,192.50	
1/25/2011	Nature's Helper	Winterization of irrigation system		652.50	
				Subtotal	2,247.54
2/8/2011	American Fence Co	Provide and install gates and posts		880.00	
2/8/2011	Echo Group Inc	Training for well computer		500.00	
2/8/2011	Ensley Electric Services Inc			1,001.15	
				Subtotal	2,381.15
2/22/2011	Nature's Helper	Capped head in soccer field		183.63	
2/22/2011	Nature's Helper	Re-wire decoders		1,053.45	
2/22/2011	Nature's Helper	Repair damages caused by concrete paving company		262.85	
2/22/2011	Nature's Helper	Repair damages caused by graders		2,157.21	
2/22/2011	City of Grand Island	Overage from Requisition No. 33 that was in excess of $1,500,000 in escrow account		262.30	
				Subtotal	3,919.44

Amount Remaining to be Spent 76,781.12

The escrow account with Wells Fargo for the Veteran's Athletic Complex was funded with $1,500,000.00. That money has been depleted. The City Code Chapter 23, Article VII states in paragraph 23-79 that the food and beverage "...occupation tax imposed by this Article shall terminate and collection of the tax shall cease upon the completion of the following: ...(B) Recreational field development in the amount of $1.6 million on the property described as follows:..." The next $100,000.00 of payments related to the Veteran's Athletic Complex will be funded directly by the food and beverage occupation tax. This log will provide the record of the expenses.

Council Meeting
December 2010

Schedule of Bills

Org	Object	Vendor Name/Number	Description	Invoice	PO #	WO#	Check #	Amount
40044450		PARKS & RECREATION						
	90027	MISCELLANEOUS PARK PROJECTS						
1	8553	ALL SPORTS ENTERPRISES INC	ADDITIONAL TURF FOR FIELDHOUSE	567	23850		160813	10,290.00
1	3499	KAPLAN	PLAYGROUND EQUIP	2423491	23561		160967	2,495.00
1	8554	RUBBER CAL	RUBBERIZED SAFETY FLOORING	126810	23851		161069	9,506.35
	90122	ATHLETIC COMPLEX						
1	154	DIAMOND ENGINEERING CO	CHANGE ORDER #2/UTILITY IMPROVEMENT-FINAL	PMT 9-12/8/10	22469		160876	11,412.22
1	154	DIAMOND ENGINEERING CO	EXPANSION JOINT SEALANT	3434	23879		160876	901.25
1	154	DIAMOND ENGINEERING CO	UTILITY IMPROVEMENT VETS FIELD-FINAL	PMT 9-12/08/10	22116		160876	8,500.00
1	214	THE GRAND ISLAND INDEPENDENT	NOV 2010 BILL	10NOV10022600			160918	30.17
1	8080	NATURE'S HELPER	CHANGE ORDER IRRIGATION INSTALL	090235	22242		161021	4,833.00
1	8080	NATURE'S HELPER	INSTALL IRRIGATION SYSTEM	90235	21434		161021	6,050.00
1	896	QUALITY SIGNS & DESIGNS INC	AUGER/INSTALL I BEAMS	232779	23769		161060	2,435.00
1	896	QUALITY SIGNS & DESIGNS INC	WELD EXTENSIONS TO I-BEAMS	232780	23870		161060	375.00
1	100	SEWER ROOTER SERVICE & PLUMB	WELL MODIFICATIONS	70359	23574		161077	5,948.05
1	401	TRI VALLEY BUILDERS INC	ANCHOR DOWN PICNIC SHELTERS	CGI1210	23828		161100	763.00
1	8586	WILLIAMS & SON HOUSE MOVERS I	MOVE THREE PICNIC SHELTERS	DEC 2010	23924		161112	3,000.00

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40044450 Org Total **66,539.04**

11,412.22+
901.25+
8,500.00+
30.17+
4,833.00+
6,050.00+
2,435.00+
375.00+
5,948.05+
763.00+
3,000.00+

011

44,247.69*
(262.30)
43,985.39

In excess of approved amount to be paid out of the Wells Fargo Escrow Fund.

COPY

FORM OF REQUISITION

REQUISITION NO. 33

Wells Fargo Bank, National Association, as Escrow Agent ("Agent") under the Escrow Agreement, dated as of June 29, 2009 (the "Agreement"), between the City of Grand Island, NE as Owner ("Owner"), and Agent is hereby requested to disburse from the Escrow Fund created by the Agreement to the person, firm or corporation designated below as Payee the sum set forth below such designation, in payment of the cost of the Project or portion thereof constructed, equipped or installed

Payee	*Address*	*Amount To Be Paid*	*Cost of Issuance or Project Description*
Diamond Engineering Co	PO Box 1327 Grand Island, NE 68802	$11,412.22	Change order #2
Diamond Engineering Co	PO Box 1327 Grand Island, NE 68802	$901.25	Expansion joint sealant
Diamond Engineering Co	PO Box 1327 Grand Island, NE 68802	$8,500.00	Utility improvement
The Grand Island Independent	PO Box 1208 Grand Island, NE 68802	$30.17	Legal notice for scoreboards
Nature's Helper Sprinkler Systems	2129 S. 156th Circle Omaha, NE 68130	$4,833.00	Change order for irrigation
Nature's Helper Sprinkler Systems	2129 S. 156th Circle Omaha, NE 68130PO	$6,050.00	Install irrigation system
Quality Signs & Designs Inc	1423 S Webb Road Grand Island, NE	$2,435.00	Augur and install I beams for scoreboards
Quality Signs & Designs Inc	1423 S Webb Road Grand Island, NE	$375.00	Weld extensions to I beams
Sewer Rooter Service	816 S Eddy	$5,948.05	Well modifications

& Plumbing	Grand Island, NE 68801		
Tri Valley Builders Inc	PO Box 2341 Grand Island, NE 68802	$763.00	Anchor picnic shelters
Williams & Son House Movers	2883 N Osage Ave Juniata, NE 68955	$3,000.00	Move three picnic shelters
Amount Wells Fargo Escrow Account will not reimburse		($262.30)	Amount in excess of $1,500,000 in escrow account

The undersigned hereby certifies that:

(a) The amount requested for payment is for payment or reimbursement for a cost or costs of said Project, has not formed the basis of a previous request for payment and is now due and owing;

(b) A bill or bills or other evidence of each obligation of Lessee is attached herewith; and

(c) Owner will indemnify and hold Agent harmless from and against all claims, losses and damages, including legal fees and expenses that may be incurred in connection with the disbursement requested hereby.

In the event that the Payee named on this Requisition is a person, firm or corporation to which reimbursement is due for payment previously paid by such person, firm or corporation for the cost of the Project or portion thereof, written evidence of such prior payment and the amount thereof is also attached to this Requisition.

Executed this 22 day of December, 2010.

CITY OF GRAND ISLAND, NEBRASKA, as Owner

By Mary Jon Brown
Owner Representative

Schedule of Bills

Org	Object	Vendor Name/Number	Description	Invoice	PO #	WO#	Check #	Amount
40044450		PARKS & RECREATION						
90027		MISCELLANEOUS PARK PROJECTS						
1	8553	ALL SPORTS ENTERPRISES INC	ADDITIONAL TURF FOR FIELDHOUSE	567	23850		160813	10,290.00
1	3499	KAPLAN	PLAYGROUND EQUIP	2423491	23561		160967	2,495.00
1	8554	RUBBER CAL	RUBBERIZED SAFETY FLOORING	126810	23851		161069	9,506.35
90122		ATHLETIC COMPLEX						
1	154	DIAMOND ENGINEERING CO	CHANGE ORDER #2/UTILITY IMPROVEMENT-FINAL	PMT 9-12/8/10	22469		160876	11,412.22
1	154	DIAMOND ENGINEERING CO	EXPANSION JOINT SEALANT	3434	23879		160876	901.25
1	154	DIAMOND ENGINEERING CO	UTILITY IMPROVEMENT VETS FIELD-FINAL	PMT 9-12/08/10	22116		160876	8,500.00
1	214	THE GRAND ISLAND INDEPENDENT	NOV 2010 BILL	10NOV10022600			160918	30.17
1	8080	NATURE'S HELPER	CHANGE ORDER IRRIGATION INSTALL	090235	22242		161021	4,833.00
1	8080	NATURE'S HELPER	INSTALL IRRIGATION SYSTEM	90235	21434		161021	6,050.00
1	896	QUALITY SIGNS & DESIGNS INC	AUGER/INSTALL I BEAMS	232779	23769		161060	2,435.00
1	896	QUALITY SIGNS & DESIGNS INC	WELD EXTENSIONS TO I-BEAMS	232780	23870		161060	375.00
1	100	SEWER ROOTER SERVICE & PLUMB	WELL MODIFICATIONS	70359	23574		161077	5,948.05
1	401	TRI VALLEY BUILDERS INC	ANCHOR DOWN PICNIC SHELTERS	CGI1210	23828		161100	763.00
1	8586	WILLIAMS & SON HOUSE MOVERS I	MOVE THREE PICNIC SHELTERS	DEC 2010	23924		161112	3,000.00

0.*

40044450 Org Total 66,539.04

11,412.22+
901.25+
8,500.00+
30.17+
4,833.00+
6,050.00+
2,435.00+
375.00+
5,948.05+
763.00+
3,000.00+

44,247.69*

44,247.69+
43,985.39- Requested from Athletic Field Acct.

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262.30* Remaining to be taken from food & drink tax.

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COPY

Schedule of Bills

Org	Object	Vendor Name/Number	Description	Invoice	PO #	WO#	Check #	Amount
40044450		**PARKS & RECREATION**						
90027		**MISCELLANEOUS PARK PROJECTS**						
1	8544	BLUEGRASS PLAYGROUNDS INC	FIRE ENGINE PLAY STRUCTURE	902-792	23800		161801	10,526.00
90122		**ATHLETIC COMPLEX**						
1	8080	NATURE'S HELPER	CAPPED HEAD IN SOCCER FIELD	90242	22242		161950	183.63
1	8080	NATURE'S HELPER	RE-WIRE DECODERS	90239	22242		161950	1,053.45
1	8080	NATURE'S HELPER	REPAIRS - DAMAGE DONE BY DIAMOND	90243	22242		161950	262.85
1	8080	NATURE'S HELPER	REPAIRS - DAMAGE DONE BY GRADERS	90236	22242		161950	2,157.21

40044450 Org Total 14,183.14

0 • *

183 • 63+
1 • 053 • 45+
262 • 85+
2 • 157 • 21+
004
3 • 657 • 14*

COPY

NATURE'S HELPER INC.
SPRINKLER SYSTEMS

BUS: 402-334-2625
FAX: 402-334-2656

Invoice

BILL TO
Grand Island Athletic Complex City of Grand Island PO Box 1968 Grand Island, NE 68802-1968

DATE	INVOICE #
12/1/2010	90242

TERMS	PROJECT
Net 30	

QTY	DESCRIPTION	RATE	AMOUNT
	At Steve and Greg's request, capped head in the soccer field that we already placed because the concrete trucks were driving through the soccer field to bring concrete to the new parking lot. We re-installed the falcon rotor when concrete work was completed.		
3	Labor per man hour	45.00	135.00
1	1" Plug	1.63	1.63
	At Steve and Greg's request, capped two heads on the west side of the ballfield where the new sidewalk was going.		
1	Labor per man hour	45.00	45.00
2	3/4" PVC plugs	1.00	2.00

Voucher # Partial Payment

PO #	22242
Vendor #	8080
Invoice #	90242
Description	Capped head in soccer field
Approved by	GP
Date	1-31-11
Org-obj#	40044450-90122
Amount	183.63

Thank you for your business!	**Total**	$183.63
We accept MasterCard & Visa.	**Payments/Credits**	$0.00
A Service Charge of 1.33% per month, 16% APR, with a minimum of $3.00 will be added to all overdue accounts. A late fee of $20.00 will be added to all accounts unpaid for 90 days. Customers are also liable for all legal and collection fees.	**Balance Due**	$183.63

• Sprinkler Systems • Holiday Lighting •
2129 S. 156TH CIR. • OMAHA, NE 68130
• natureshelperinc.com • info@natureshelperinc.com

NATURE'S HELPER INC.
SPRINKLER SYSTEMS

BUS: 402-334-2625
FAX: 402-334-2656

Invoice

DATE	INVOICE #
12/1/2010	90243

BILL TO
Grand Island Athletic Complex City of Grand Island PO Box 1968 Grand Island, NE 68802-1968

TERMS	PROJECT
Net 30	

QTY	DESCRIPTION	RATE	AMOUNT
	Repairs made due to damage by the concrete paving company.		
	The concrete company broke two 5000 plus rotors when they poured the sidewalk on the west side of the baseball fields.		
2	Labor per man hour	45.00	90.00
2	5000 Plus Rotors	12.00	24.00
2	Funny pipe fittings	0.65	1.30
	The concrete company broke a feed line to the sprinkler system when they poured the sidewalk on the east side of the baseball fields.		
3	Labor per man hour	45.00	135.00
1	2" PVC Coupler	1.25	1.25
1	2" Flow Span	11.30	11.30

Voucher # Partial Payment

PO #	22242
Vendor #	8080
Invoice #	90243
Description	Repairs - damage done by Diamond
Approved by	LD
Date	1-31-11
Org-obj#	40044450-90122
Amount	262.85

Thank you for your business!	**Total**	$262.85
We accept MasterCard & Visa.	**Payments/Credits**	$0.00
A Service Charge of 1.33% per month, 16% APR, with a minimum of $3.00 will be added to all overdue accounts. A late fee of $20.00 will be added to all accounts unpaid for 90 days. Customers are also liable for all legal and collection fees.	**Balance Due**	$262.85

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2129 S. 156TH CIR. • OMAHA, NE 68130
• natureshelperinc.com • info@natureshelperinc.com •

NATURE'S HELPER INC.
SPRINKLER SYSTEMS

BUS: 402-334-2625
FAX: 402-334-2656

Invoice

BILL TO
Grand Island Athletic Complex City of Grand Island PO Box 1968 Grand Island, NE 68802-1968

DATE	INVOICE #
12/1/2010	90236

TERMS	PROJECT
Net 30	

QTY	DESCRIPTION	RATE	AMOUNT
	Repairs on the Soccer Field due to damage by graders.		
12	Falcon Rotors	28.00	336.00
6	Swing Joints	16.00	96.00
25	Labor per man-hour	45.00	1,125.00
	Repairs on the Baseball Diamonds due to damage by graders.		
3	Plus rotors	12.00	36.00
4	Falcon rotors	28.00	112.00
1	Male adapter with 2" PVC	2.21	2.21
10	Labor per man-hour	45.00	450.00

Voucher # Partial Payment

PO #	22242		
Vendor #	8080		
Invoice #	90236		
Description	Repairs-damage done by graders		
Approved by	JP	Date	1-31-11
Org-obj#	40044450-90122	Amount	2,157.21

Thank you for your business!	**Total**	$2,157.21
We accept MasterCard & Visa.	**Payments/Credits**	$0.00
A Service Charge of 1.33% per month, 16% APR, with a minimum of $3.00 will be added to all overdue accounts. A late fee of $20.00 will be added to all accounts unpaid for 90 days. Customers are also liable for all legal and collection fees.	**Balance Due**	$2,157.21

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2129 S. 156TH CIR. • OMAHA, NE 68130
• natureshelperinc.com • info@natureshelperinc.com •

NATURE'S HELPER INC.
SPRINKLER SYSTEMS

BUS: 402-334-2625
FAX: 402-334-2656

Invoice

DATE	INVOICE #
12/1/2010	90239

BILL TO
Grand Island Athletic Complex City of Grand Island PO Box 1968 Grand Island, NE 68802-1968

TERMS	PROJECT
Net 30	

QTY	DESCRIPTION	RATE	AMOUNT
	Re-wired all decoders on the baseball fields - completed on 9/15, 9/20 & 9/21. Howard explained to Steve how all the decoders would turn on and Steve ok. Several weeks later, after the decodes were all installed, Greg required us to take all of the decoders out and re-wire every zone so the zone would turn on in a different order.		
16	Labor per man-hour	45.00	720.00
195	Wirenuts	1.71	333.45

Voucher # Partial Payment

PO #	22242
Vendor #	8080
Invoice #	90236
Description	Re-wire decoders
Approved by GP	Date 1-31-11
Org-obj#	Amount
40044450-90122	1,053.45

Thank you for your business!	**Total**	$1,053.45
We accept MasterCard & Visa.	**Payments/Credits**	$0.00
A Service Charge of 1.33% per month, 16% APR, with a minimum of $3.00 will be added to all overdue accounts. A late fee of $20.00 will be added to all accounts unpaid for 90 days. Customers are also liable for all legal and collection fees.	**Balance Due**	$1,053.45

• Sprinkler Systems • Holiday Lighting •
2129 S. 156TH CIR. • OMAHA, NE 68130
• natureshelperinc.com • info@natureshelperinc.com