
City of Grand Island



Tuesday, July 26, 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

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 Sylvia Karlsson, St. Pauls Lutheran Church, 1515 South Harrison 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, July 26, 2011

Council Session

Item C1

Proclamation Nebraska State Fair 1868 Foundation "Blue Ribbon Roll Out Week" August 1-7, 2011

The Nebraska State Fair started in 1868 and has been held at the State Fair Park in Lincoln until 2009 (108 years). Beginning in 2010, the Nebraska State Fair has been held at Fonner Park in Grand Island. The Nebraska State Fair 1868 Foundation, a non-profit organization whose purpose is to raise private funds for the Nebraska State Fair, will be celebrating the seventh annual "Blue Ribbon Roll Out" on Saturday, August 6, 2011 to raise funds for improvements to the grounds and facilities. The Mayor has proclaimed the week of August 1-7, 2011 as "Blue Ribbon Roll Out Week". See attached PROCLAMATION.

Staff Contact: Mayor Vavricek

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

PROCLAMATION

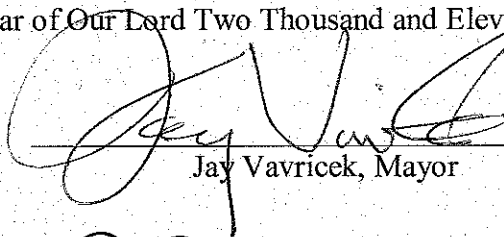
- WHEREAS, in 1868, the Nebraska State Fair became an annual statewide celebration of agriculture, education and a showcase of the talents found in Nebraskans both young and old; and
- WHEREAS, in 2010, the Nebraska State Fair took up permanent residence at Fonner Park in Grand Island, Nebraska; and
- WHEREAS, Nebraskans will celebrate the 142nd annual Nebraska State Fair at its home in Grand Island beginning on August 26, 2011 and continuing through September 5, 2011; and
- WHEREAS, the home of the Nebraska State Fair will continue to be the place where all Nebraskans can come together to honor and celebrate their heritage and their ties to agriculture, 4-H and FFA; and
- WHEREAS, the Nebraska State Fair 1868 Foundation is a charitable 501(c)(3) organization whose purpose is to raise private funds for the Nebraska State Fair; and
- WHEREAS, the Nebraska State Fair 1868 Foundation will be celebrating the seventh annual Blue Ribbon Roll Out on Saturday, August 6, 2011 to highlight the 2011 Nebraska State Fair and raise funds for improvements to the grounds and facilities.

NOW, THEREFORE, I, Jay Vavricek, Mayor of the City of Grand Island, Nebraska, do hereby proclaim the week of August 1, 2011 as

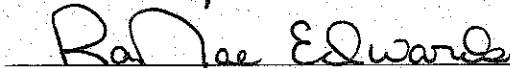
“Blue Ribbon Roll Out Week”

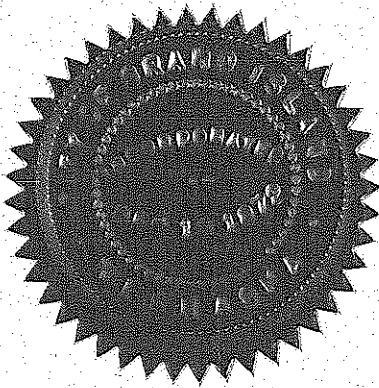
in the City of Grand Island, and encourage all citizens to join in the celebration and encourage everyone to attend the Blue Ribbon Roll Out as you do not need to be a 1868 Foundation member to attend. Get set to enjoy a taste of what the fair is all about while helping to strengthen efforts for the State Fair in its new home.

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-sixth day of the month of July in the year of Our Lord Two Thousand and Eleven.


Jay Vavricek, Mayor

Attest:


RaNae Edwards, City Clerk





City of Grand Island

Tuesday, July 26, 2011

Council Session

Item C2

Recognition of 2010-2011 Community Youth Council

The Mayor and City Council will recognize the hard work and many hours contributed by the Community Youth Council to the community of Grand Island through sponsored and collaborative events. A short presentation will be given regarding the highlights of the 2010-11 Community Youth Council year. All youth and adult members will be recognized with a certificate and a special gift will be given to the seniors that just graduated. Congratulations on a successful year.

Staff Contact: Mayor Vavricek



City of Grand Island

Tuesday, July 26, 2011

Council Session

Item E1

**Public Hearing on Request from Aloha Investments, LLC dba
Afternooners, 3773 Sky Park Road, Suite 5 for a Class “C” Liquor
License**

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: July 26, 2011

Subject: Public Hearing on Request from Aloha Investments, LLC
dba Afternooners, 3773 Sky Park Road, Suite 5 for a
Class “C” Liquor License

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

Presenter(s): RaNae Edwards, City Clerk

Background

Section 4-2 of the Grand Island City Code declares the intent of the City Council regarding liquor licenses and the sale of alcohol.

Declared Legislative Intent

It is hereby declared to be the intent and purpose of the city council in adopting and administering the provisions of this chapter:

- (A) To express the community sentiment that the control of availability of alcoholic liquor to the public in general and to minors in particular promotes the public health, safety, and welfare;
- (B) To encourage temperance in the consumption of alcoholic liquor by sound and careful control and regulation of the sale and distribution thereof; and
- (C) To ensure that the number of retail outlets and the manner in which they are operated is such that they can be adequately policed by local law enforcement agencies so that the abuse of alcohol and the occurrence of alcohol-related crimes and offenses is kept to a minimum.

Discussion

Aloha Investments, LLC dba Afternooners, 3773 Sky Park Road, Suite 5 has submitted an application for a Class “C” Liquor License. A Class “C” Liquor License allows for the sale of alcohol on and off sale inside the corporate limits of the city.

City Council action is required and forwarded to the Nebraska Liquor Control Commission for issuance of all licenses. This application has been reviewed by the Clerk, Building, Fire, Health, and Police Departments.

Also submitted with the application was a Liquor Manager Designation for Terry Brown, 4017 Anna Maria Street.

Alternatives

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

1. Approve the application.
2. Forward to the Nebraska Liquor Control Commission with no recommendation.
3. Forward to the Nebraska Liquor Control Commission with recommendations.
4. Deny the application.

Recommendation

Based on the Nebraska Liquor Control Commission's criteria for the approval of Liquor Licenses, City Administration recommends that the Council approve this application.

Sample Motion

Move to approve the application for Aloha Investments, LLC dba Afternooners, 3773 Sky Park Road, Suite 5 for a Class "C" Liquor License contingent upon final inspections and Liquor Manager Designation for Terry Brown, 4017 Anna Maria Street upon completion of a state approved alcohol server/seller training program.

07/14/11
450
10:21
1

Grand Island Police Department

LAW INCIDENT TABLE

Page:

City : Grand Island
Occurred after : 09:26:56 07/11/2011
Occurred before : 09:26:56 07/11/2011
When reported : 09:26:56 07/08/2011
Date disposition declared : 07/11/2011
Incident number : L11071640
Primary incident number :
Incident nature : Liquor Lic Inv Liquor License
Investigation
Incident address : 3773 Skypark Rd; Suite 5
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 :
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	119937	07/11/11	Brown, Terry	Owner-
Afternooners				
NM	119938	07/11/11	Brown, Douglas	Owner-
Afternooners				
NM	167798	07/11/11	Afternooners,	Business
Involved				

LAW INCIDENT CIRCUMSTANCES:

Se	Circu	Circumstance code	Miscellaneous
1	LT01	Air/Bus/Train Terminal	

LAW INCIDENT NARRATIVE:

I Received a Copy of a Liquor License Application from Afternooners and a Copy of a Liquor Manager Application from Terry Brown.

LAW INCIDENT RESPONDERS DETAIL:

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

07/14/11 Grand Island Police Department
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10:21 LAW INCIDENT TABLE Page:
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LAW SUPPLEMENTAL NARRATIVE:

Seq	Name	Date
1	Vitera D	15:15:14 07/11/2011

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10:21 LAW INCIDENT TABLE Page:
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318

Grand Island Police Department
Supplemental Report

Date, Time: Mon Jul 11 15:15:35 CDT 2011
Reporting Officer: Vitera
Unit- CID

I received a copy of a Class C liquor license application for Afternooners at the Central Nebraska Regional Airport and a copy of a liquor manager application from Terry Brown. Douglas Brown (Terry's husband) is an equal partner in the business. Information on the application indicates that the Brown's have lived in Grand Island since 2005. They moved here from Spring Valley, California where they lived since 1991.

On the spot on the application where it asks about convictions, Douglas disclosed four traffic convictions. Three of them occurred in Grand Island back in 1975. The other one occurred in California in 1997. No convictions were

disclosed by Terry Brown. I checked the Brown's through Spillman and NCJIS and didn't locate any undisclosed convictions. I also checked the Brown's through Entersect (paid police intelligence database) but didn't find anything out of the ordinary. Their names are too common to narrow down on facebook. I also called the San Diego County Sheriff's Department since they serve Spring Valley and inquired about a records check on the Brown's. I faxed a request and was told that I should have results within ten days which may not be in time for this report to go into the council packet. A recording advised that their records are only kept for seven years.

On 7/13/11, I received a faxed response from the San Diego County Sheriff's Department. The information confirmed that their records only go back seven years and don't include traffic convictions, sex registrants, warrants, protection orders, and information sealed by the courts. The response said that Terry and Douglas brown have "No local arrest record."

On 7/12/11, I went to Afternooners and spoke to Terry. Terry said she was encouraged by the airport board to seek a liquor license. She advised that there are plans to expand the terminal which would include the restaurant. She advised that they don't plan to serve hard liquor even though they are applying for a Class C license. She doesn't think distilled spirits and potentially irate passengers are a good combination. I explained a little bit of the application process to Terry. She didn't have any questions. She was busy, and I didn't have a lot of questions; so the interview was short.

I spoke to Douglas over the phone on 7/13/11. He was at the airport in Minneapolis. Terry told Douglas that I had spoken to her. Douglas assured me that he has never had any problems with the law other than the minor traffic incidents he disclosed on the application. He went on to say that he had high level security clearance in the military and also has some security clearance through the TSA. Douglas thinks it would be good for the airport if

Afternooners has a liquor license. He said that a lot of passengers currently check in and then leave to go drink at the closest bar before boarding the plane. The license could cut down on the number of impaired drivers.

All in all, the Grand Island Police Department has no objection to Afternooners receiving a liquor license or to Terry Brown being their liquor manager.

07/14/11

Grand Island Police Department

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10:21

LAW INCIDENT TABLE

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City of Grand Island

Tuesday, July 26, 2011

Council Session

Item E2

**Public Hearing on Request from Charles & Lana Staab for a
Conditional Use Permit for a Commercial R-V Storage Located at
3086 Wildwood Drive**

Staff Contact: Craig Lewis

Council Agenda Memo

From: Craig A. Lewis, Building Department Director

Meeting: July 26, 2011

Subject: Request of Charles and Lana Staab for Approval of a Conditional Use Permit to Allow Construction of a Commercial Recreational Vehicle Storage Lot at 3086 Wildwood Drive

Item #'s: E-2 & H-1

Presenter(s): Craig Lewis – Building Department Director

Background

This request is for approval of a conditional use permit to allow for the construction of a commercial recreational vehicle storage lot at the above referenced address. The property is currently zoned M-E Industrial Estates Zone and as such a commercial recreational vehicle storage lot is a listed conditional use. Conditional uses as listed in the zoning code must be approved by the city council after a finding that the proposed use promotes the health, safety, and general welfare of the community, protects property against blight and depreciation, and is generally harmonious with the surrounding neighborhood.

Discussion

This proposal is to construct a commercial recreational vehicle storage lot on the property recently subdivided in the City industrial tract adjacent to Wildwood Drive. Zoning regulations were amended by the City Council to allow as a conditional use recreational vehicle storage in the M-E zoning classification at the July 5, 2011 meeting. The landscaping regulations provided in the City code are required as well as the setback identified in the City code. The landscape provisions in the City code would require the 50' front yard setback to be landscaped with the planting of three canopy trees, three understory trees, and nine shrubs, which are not currently identified in the proposed plan. The zoning regulations would also require setbacks from the side and rear property lines of 20'. The proposed plan submitted would not meet the requirement of the zoning code and any approvals would need to reflect that a plan must be submitted and approved in conformance with the zoning regulation before any construction or development could begin.

The ME zoning classification does specifically exclude automobile wrecking or salvage yards as well as storage or yards for the collection, salvage or bailing of scrap paper, bottles, iron, rags, junk or any other material. As those types of uses are specifically excluded it would appear appropriate to place as a condition that no inoperable units, junk or salvage could be stored at the site.

Alternatives

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

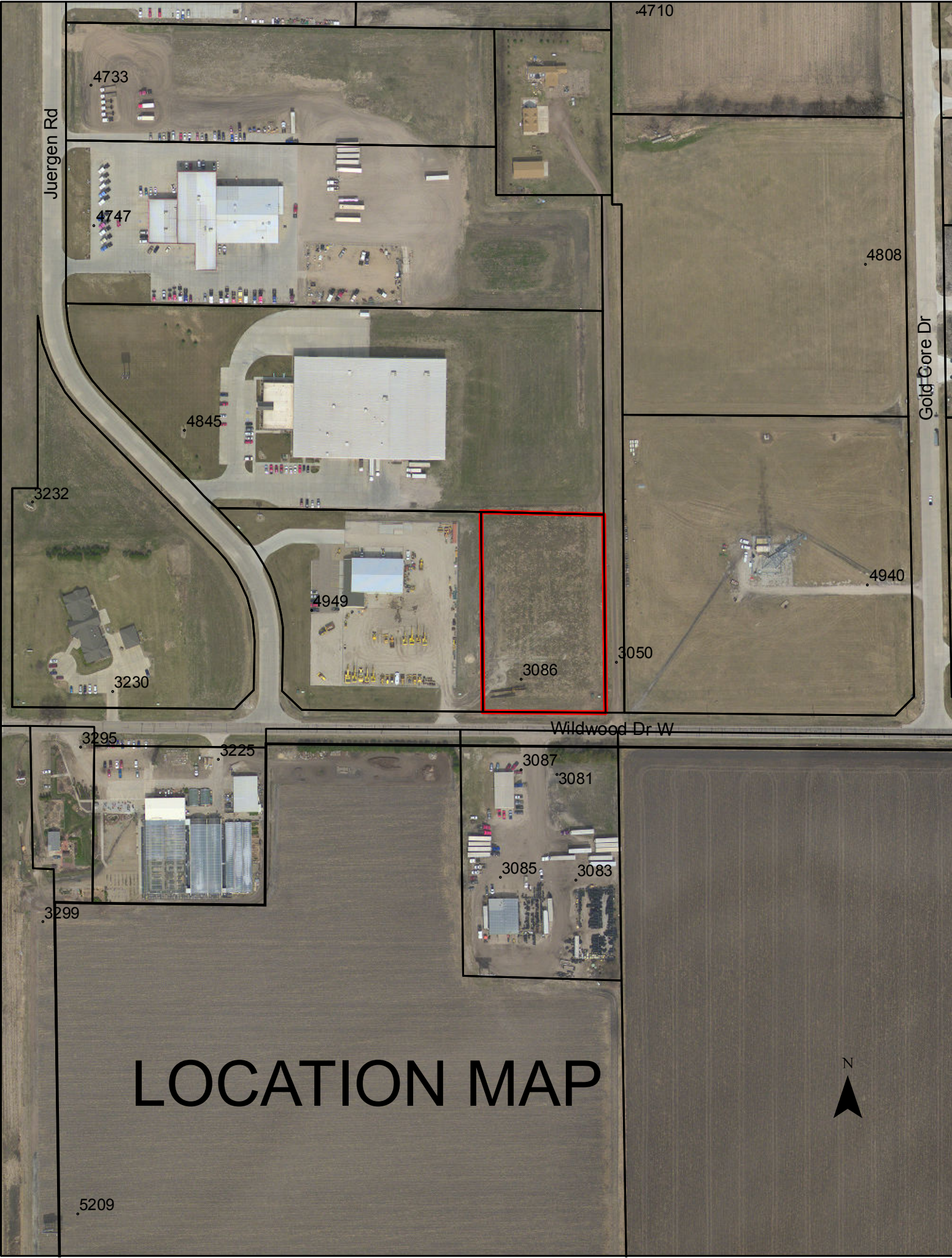
1. Approve the request for a conditional Use Permit finding that the proposed use is a listed conditional use in the zoning code and that it will not be detrimental to public health, safety, and the general welfare of the community.
2. Disapprove or /Deny the request finding that the proposal does not conform to the purpose of the zoning regulations.
3. Modify the request to meet the wishes of the Council.
4. Refer the matter to a special committee for a determination of a finding of fact.
5. Table the issue

Recommendation

City Staff recommends that the Council approve the conditional use permit with the following conditions; 1). that the proposed storage yard comply with required setbacks, 2). landscape provisions as required in the City code be provided, 3). No inoperable units, junk, or salvage be stored at the site, and finding that the request does promote the health, safety, and general welfare of the community, protects property against blight and depreciation, and is generally harmonious with the surrounding neighborhood.

Sample Motion

Move to approve the requested conditional use permit as specified in the staff recommendation published in the Council packet and presented at the City Council meeting and finding that the application will conform with the purpose of the zoning regulations.



LOCATION MAP





City of Grand Island

Tuesday, July 26, 2011

Council Session

Item E3

**Public Hearing on Acquisition of Utility Easement - Northwest
Corner of Skagway North Parking Lot - Wilmar Realty, LLC**

Staff Contact: Tim Luchsinger

Council Agenda Memo

From: Robert H. Smith, Asst. Utilities Director

Meeting: July 26, 2011

Subject: Acquisition of Utility Easement – Northwest Corner of Skagway North Parking Lot – Wilmar Realty, LLC

Item #'s: E-3 & G-8

Presenter(s): Timothy Luchsinger, Utilities Director

Background

Nebraska State Law requires that acquisition of property must be approved by City Council. The Utilities Department needs to acquire an easement relative to the property of Wilmar Realty, LLC, located at the northwest corner of Skagway North's parking lot at Broadwell Avenue and Waugh Street, in the City of Grand Island, Hall County, in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers.

Discussion

Skagway's purchase and removal of buildings along Broadwell, north of State Street, has resulted in overhead serving only the Bellows building north of the new parking lot. To remove the pole line, Skagway will give an easement to locate new underground conduit, cable and a pad-mounted transformer to continue electrical service to the old Bellows building on Lot 3, and across Lot 3 to Five Points Bank.

Alternatives

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

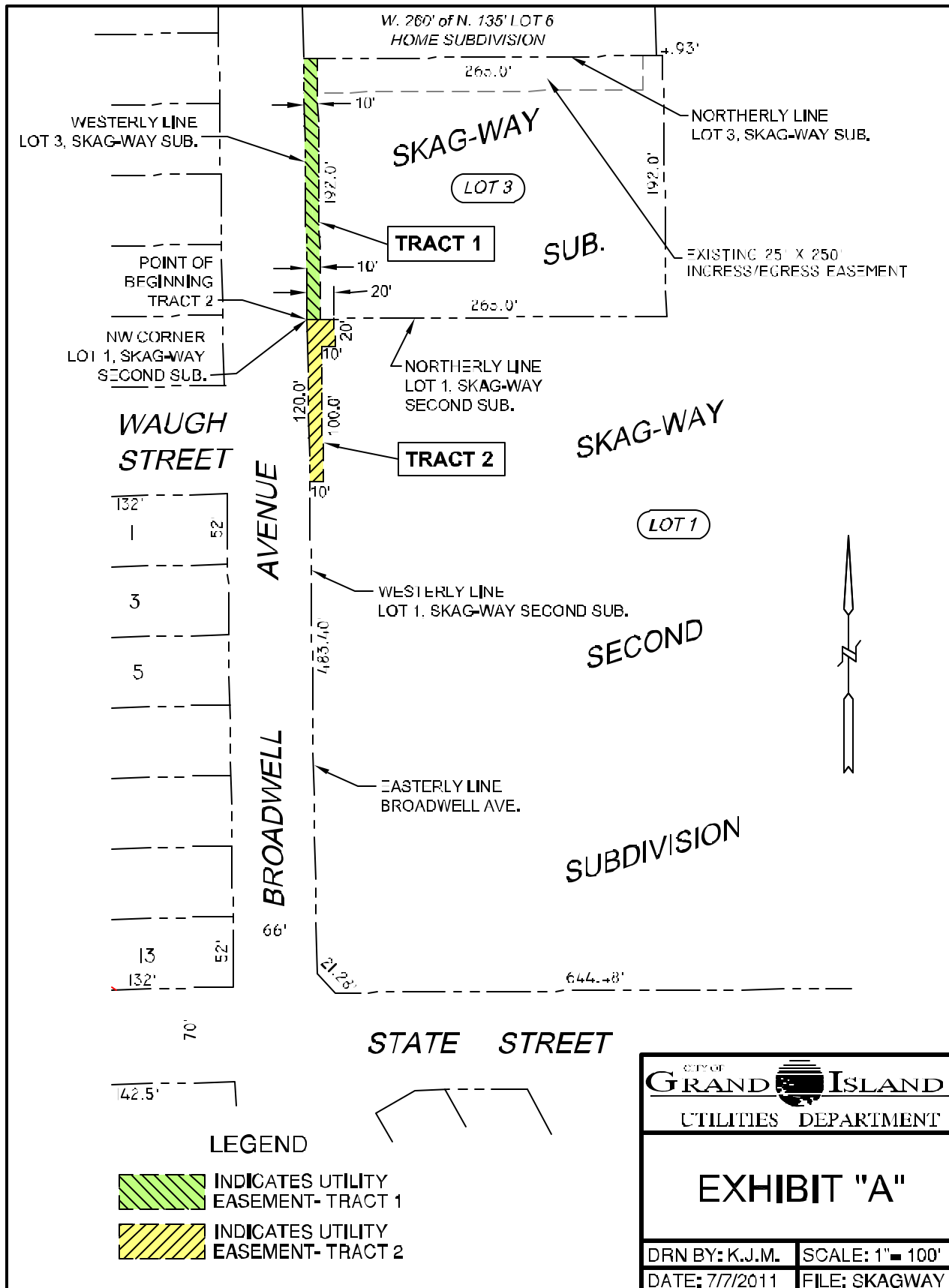
1. Make a motion to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council approve the resolution for the acquisition of the easement for one dollar (\$1.00).

Sample Motion

Move to approve acquisition of the Utility Easement.





City of Grand Island

Tuesday, July 26, 2011

Council Session

Item E4

**Public Hearing on Acquisition of Utility Easement - 2015 North
Broadwell - Five Points Bank**

Staff Contact: Tim Luchsinger

Council Agenda Memo

From: Robert H. Smith, Asst. Utilities Director
Meeting: July 26, 2011
Subject: Acquisition of Utility Easement – 2015 North Broadwell
– Five Points Bank
Item #'s: E-4 & G-9
Presenter(s): Timothy Luchsinger, Utilities Director

Background

Nebraska State Law requires that acquisition of property must be approved by City Council. The Utilities Department needs to acquire an easement relative to the property of Five Points Bank, located along the southerly side of Five Points Bank at 2015 North Broadwell, in the City of Grand Island, Hall County, in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers.

Discussion

The undergrounding of the overhead lines serving the businesses along Broadwell Avenue that have been purchased by Skagway, has provided the opportunity to create a two way feed to the pad-mounted transformer at Five Points Bank. This easement will provide a location for the new underground conduit and cable to the existing transformer.

Alternatives

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

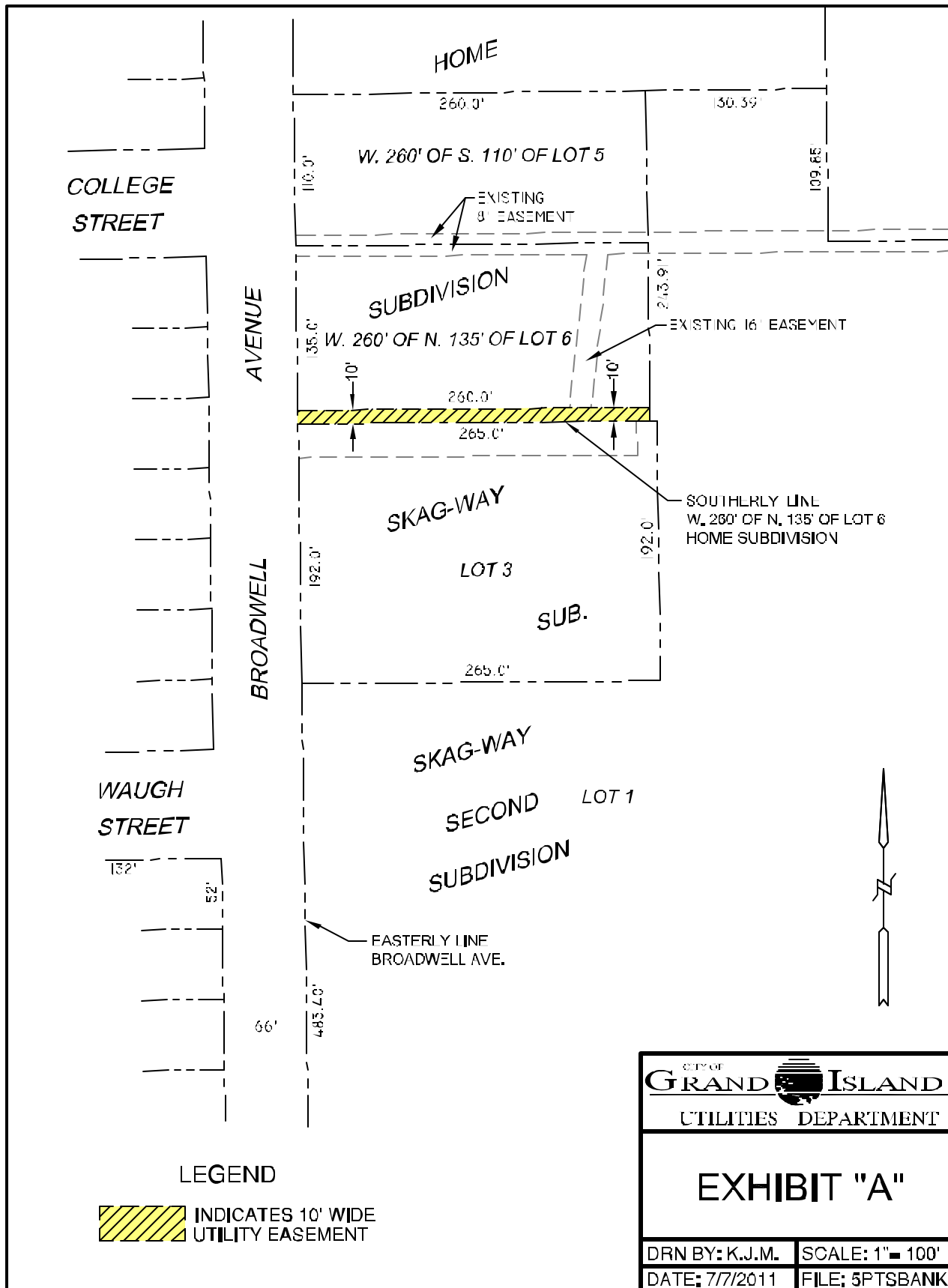
1. Make a motion to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council approve the resolution for the acquisition of the easement for one dollar (\$1.00).

Sample Motion

Move to approve acquisition of the Utility Easement.





City of Grand Island

Tuesday, July 26, 2011

Council Session

Item F1

#9308 - Consideration of Amending Chapter 23 of the Grand Island City Code Relative Telephone Occupation Tax

Staff Contact: Robert Sivick

Council Agenda Memo

From: Robert J. Sivick, City Attorney

Meeting: July 26, 2011

Subject: Telephone Occupation Taxes

Item #'s: F-1

Presenter(s): Robert J. Sivick, City Attorney

Background

This memo concerns the City of Grand Island's telephone occupation tax.

Discussion

1. THE PRESENT STATE OF AFFAIRS

A. Neb. Rev. Stat. §16-205 states,

A city of the first class may raise revenue by levying and collecting a license or occupation tax on any person, partnership, limited liability company, corporation, or business within the limits of the city and to regulate same by ordinance. All such taxes shall be uniform in respect to the class upon which they are imposed.

B. Pursuant to the authority granted it by Neb. Rev. Stat. §16-205, the City of Grand Island imposes an occupation tax of 3% on monthly gross receipts received by telephone providers for cellular and residential telephones. This tax is set forth in Grand Island City Code §23-21. This ordinance does not differentiate between cellular and residential telephone service.

C. LB 165 (codified at Neb. Rev. Stat. §86-704) makes various changes to telecommunications occupation taxes. Beginning on January 1, 2013 said taxes are capped at 6.25% and can only be raised in increments of .25% pursuant to approval of the public at an election.

D. Neb. Rev. Stat. §77-2703.04(7)(r) defines mobile wireless service as a "service that is transmitted, conveyed, or routed regardless of the technology used, whereby the origination and termination points of the transmission, conveyance, or routing are not fixed..."

- E. Neb. Rev. Stat. §77-2703.04(7)(y) defines residential communications service as a "telecommunications service or ancillary services provided to an individual for personal use at a residential address, including an individual dwelling unit such as an apartment."

2. RESIDENTIAL AND CELLULAR TELEPHONE SERVICES ARE SEPARATE BUSINESSES

In 2008 20% of American homes had no landline. By 2010 that percentage increased to 25%. This year it is estimated 30% have no landline and rely solely on cellular telephone service. Undoubtedly that percentage will increase in the future as landlines go the way of VHS tapes and the dinosaur. In Grand Island the prevalence of cell phone only users is, estimated at 41%, greater than the national trend.

Additionally, the number of telephone service providers that offer residential and cellular service continues to shrink. Telephone companies are increasingly divided between those like Century Link (formerly Qwest) which offer landline service (Century Link stopped offering cellular service in 2009) and carriers like US Cellular which offer only cellular service. Not only are landline and cellular service defined separately in law but it is obvious to every citizen they are two entirely separate types of businesses. Being separate businesses, it stands to reason they can be taxed differently pursuant to the authority the City has to impose occupation taxes.

3. ADDITIONAL PUBLIC EXPENSE WROUGHT BY CELLULAR TELEPHONES

When someone calls 911 from a traditional landline the exact location of the telephone and caller is known instantly by emergency management personnel as the location of the telephone is fixed. When someone calls 911 from a cellular telephone the location of the telephone and caller can only be determined by a process called triangulation in which the telephone signal is bounced off towers at known locations and the location of the caller can then be calculated with varying degrees of accuracy. Triangulation requires additional equipment, software, and expense.

Twenty years ago when an accident or disturbance occurred which necessitated summoning public safety personnel, 911 could only be reached by someone using a residential, business, or pay telephone. Usually a 911 center would only receive one or two calls reporting an individual emergency. Today with almost everyone possessing a cellular telephone, it is not unusual for a 911 center to receive dozens of calls reporting the same emergency. Obviously, the public should not be discouraged from reporting emergencies but the ubiquitous nature of cellular telephones means numerous calls are placed, each of which must be answered, recorded, and addressed by emergency management personnel at public expense.

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

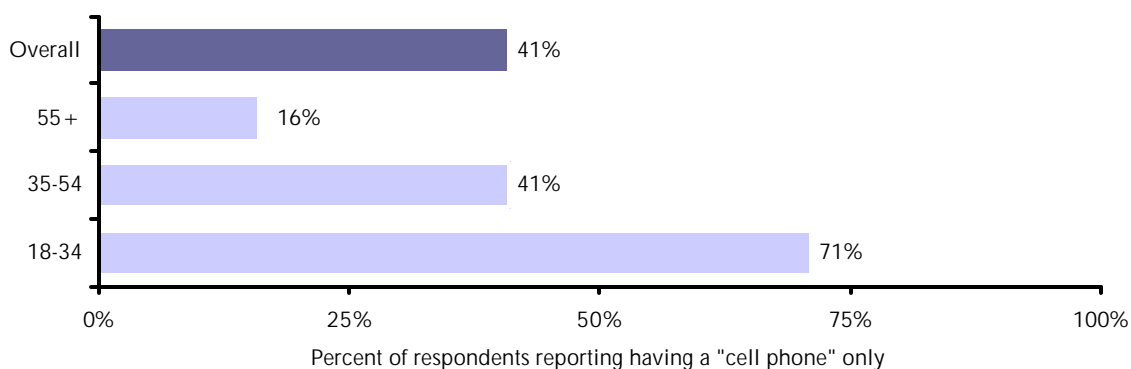
City Administration recommends the Council formally approve the Ordinance before it amending Grand Island City Code §23-21 and enacting Grand Island City Code, Article VIII, §23-80.

Sample Motion

Move to approve Ordinance No. 9308 amending Grand Island City Code §23-21 and enacting Grand Island City Code, Article VIII, §23-80.

In response to the growing number of the cell-phone only households, questions about cell phones and land lines are included in the 2010 Census. As of the end of 2010 (the most recent estimates available), 26.6% of U.S. households had a cell phone but no landline.¹ Among younger adults (age 18-34), 53.7% of households were cell-phone only, compared to 26.6% of the nationwide 2010 estimates.

FIGURE 92: PREVALENCE OF CELL-PHONE ONLY RESPONDENTS IN GRAND ISLAND



¹ <http://www.cdc.gov/nchs/data/nhis/earlyrelease/wireless201012.pdf>

ORDINANCE NO. 9308

WHEREAS, the City of Grand Island finds it necessary to amend Grand Island City Code §23-21, its telephone occupation tax, to reflect modern technological advances and reality, and

WHEREAS, the City of Grand Island finds it necessary to amend Grand Island City Code Chapter 23, Occupation Taxes, to reflect the additional costs of City services necessitated by the increased use of cellular telephones,

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

I. That Grand Island City Code §23-21 be amended to read as follows:

Article III. Telephone Companies

§23-21. Occupation Tax; Exemption

All telephone companies doing business in the City and providing fixed location or landline telephone service are required to pay an occupation tax to the City in an amount equal to three percent of the gross receipts from the legally established basic monthly charges collected for local exchange telephone service and intrastate message toll telephone service to subscribers in the City. There shall be exempted from the provisions of this article all receipts for telephone service to the United States government or any of its departments and all receipts from the State of Nebraska or any of its departments and no part or portion of the tax provided for in this article shall be levied upon or assessed against or taken from the United States government, the government of the State of Nebraska, or any of either of their departments.

II. That Grand Island City Code, Article VIII, §23-80 be enacted to read as follows:

Article VIII. Cellular or Wireless Telephone or Communications Companies

§23-80. Occupation Tax; Exemption

All telephone or communications companies doing business in the City and providing two way cellular, wireless, mobile, and/or radio telephone or communications service are required to pay an occupation tax to the City in an amount equal to six percent of the gross receipts from the legally established basic monthly charges collected for local and intrastate telephone or communications services to subscribers within the City. There shall be excepted from the provisions of this article all receipts for cellular, wireless, mobile, and/or radio telephone or communications service to the United States government or any of its departments and all receipts from the State of Nebraska or any of its departments and no part or portion of the tax provided for in this article shall be levied upon or assessed against or taken from the United States government, the government of the State of Nebraska, or any of either of their departments.

III. Any ordinances or parts of ordinances in conflict are hereby repealed.

IV. This ordinance shall be in full force and will take effect from and after its passage and publication on October 1, 2011.

Enacted: July 26, 2011.

Jay Vavricek, Mayor

ATTEST:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, July 26, 2011

Council Session

Item G1

**Approving Minutes of June 11, 2011 Annual Joint Central District
Health Department Meeting**

Staff Contact: RaNae Edwards

OFFICIAL PROCEEDINGS

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF JOINT HEALTH SPECIAL MEETING

July 11, 2011

Pursuant to due call and notice thereof, a Special Joint Meeting of the City Council of the City of Grand Island, Nebraska, the Hall County Board of Supervisors, the Hamilton County Board of Commissioners, the Merrick County Board of Commissioners, and the Central District Health Department was conducted at the Grand Island Public Library, 211 North Washington Street, Grand Island, Nebraska on July 11, 2011. Notice of the meeting was given in the *Grand Island Independent* on July 5, 2011.

Central District Health Department Board Vice-President Dan Purdy called the meeting to order at 6:00 p.m. The following Health Board members were present: Dan Purdy, Vice-President (Hall Co.), Mike Bowman (Merrick Co.), Steve Kunzman, Chuck Haase, Mike Bowman, Dr. Richard Fruehling, Steve Anderson, Roger Wiegert (Merrick Co.), and Tim Bergen (Hamilton Co.). The following Hall County Supervisors were present: Scott Arnold, Dave Ziola, Daniel Purdy, Pamela Lancaster, Steve Schuppan, Gary Quandt, and Hall County Clerk Marla Conley. The following Hamilton County Board of Commissioner was present: Tim Bergen. The following Merrick County Supervisor's were present: Mike Bowman and Roger Wiegert. The following City Officials were present: Councilmember's Mitch Nickerson Chuck Haase, and City Clerk RaNae Edwards. Health Department employees: Executive Director Teresa Anderson, Assistant Director Ryan King, Jeremy Eschliman, Jeremy Collinson, and Cindy Valdez.

Dan Purdy welcomed the group and asked for comments from the group. Gary Quandt commended the Health Department on the parking lot. Mr. Quandt commented on sludge and requested the City and County work up a conditional use permit process for by-product application to land within the 2 mile jurisdiction.

Theresa Anderson gave a PowerPoint presentation on the fiscal responsibility for the Health Department. Presented were the following four goals the Health Department:

- Goal #1. Financial stability/fiscal responsibility
- Goal #2. Optimal staff, expertise/knowledge/skills
- Goal #3. Cohesive and effective local public health system
- Goal #4. Quality assurance

Ms. Anderson updated those present on programs provided by the Health Department such as: water tests, immunization, WIC, and Mission of Mercy. Dengue Fever was explained and the work being done with the CDC and DHHS.

Ryan King finished the PowerPoint by explaining where we go from here. A survey taken in Hall, Hamilton and Merrick Counties showed obesity as a problem in each county. Other issues mentioned were: poverty, cancer, diabetes, access to Healthcare, educational attainment, and Behavior Health & Substance Abuse.

The Health Department wants to achieve healthier communities and change in lifestyles. Currently 67.5% of our community is overweight or obese and Nebraska ranks 15th in the nation in obesity. Obesity links to our leading cause of death – heart disease, cancer, and diabetes.

Comments were made regarding the direction of the Health Department and wellness for the community.

Jeremy Collinson answered questions concerning the mosquito program and what had been done. There was no West Nile detected in the Central District area at this time. Radon was discussed which was fairly common in the community. Test kits could be picked up at the Health Department.

Councilmember's Chuck Haase, Mitch Nickerson, and City Clerk RaNae Edwards left at 6:50 p.m. to attend a City Council meeting.

Dan Purdy mentioned they had some employment opportunities for a Register Nurse, Analyst position, and a three Health Educators.

ADJOURNMENT: The meeting was adjourned at 6:50 p.m.

Respectfully submitted,

RaNae Edwards
City Clerk



City of Grand Island

Tuesday, July 26, 2011

Council Session

Item G2

Approving Minutes of June 11, 2011 City Council Study Session

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL STUDY SESSION

July 11, 2011

Pursuant to due call and notice thereof, a Study Session 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 July 11, 2011. Notice of the meeting was given in the *Grand Island Independent* on July 5, 2011.

Mayor Jay Vavricek called the meeting to order at 7:00 p.m. The following Councilmember's were present: Chuck Haase, Kirk Ramsey, Peg Gilbert, Mitch Nickerson, Linna Dee Donaldson, Scott Dugan, Randy Gard and John Gericke. Councilmember's Larry Carney and Bob Niemann were absent. The following City Officials were present: City Administrator Mary Lou Brown, City Clerk RaNae Edwards, City Attorney Bob Sivick, and Public Works Director John Collins.

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

MAYOR COMMUNICATION: Mayor Vavricek introduced Community Youth Council members Garrett Coble, Jessica Wiens and Ashley Bykerk.

OTHER ITEMS:

Discussion on Wastewater Treatment Plant Contract Management Request for Qualifications (RFQ). Public Works Director John Collins reported the City's Wastewater employees were hired to operate the treatment plant and perform routine maintenance. Major repairs and upgrades were also being handled by the current staff. Research on the possibility of contract management for the Wastewater Treatment Plant had shown substantial savings and optimal choices.

Based on what had been found Wastewater Management Companies would:

- Optimize plant operations by utilizing expertise gained through years of operating dozens or even hundreds of these facilities
- Reduce our immediate operating costs (i.e. major repairs and such)
- Reduce long term costs by guiding our choices during the \$44 million repair program
- Reduce odor by optimizing operation

Mr. Collins stated the City maintains control of factors such as setting rates and defining outcome and pays for large capital projects. The contractor handles the day to day operations, guaranteeing permit compliance, paying DEQ fines when they fail, all operating costs such as small equipment like trucks.

Public Works was requesting approval from council to advertise for an RFQ to contract management of the treatment plant and pump stations.

Lewis Kent, 624 Meves Avenue questioned if this was because of the sewer extension along Highway 281. Mr. Collins stated this was a separate issue.

Discussion was held concerning an engineering study analyzing the City's Wastewater operations and deficiencies found. Mr. Collins answered questions concerning the amount of money spent on consulting services for the Wastewater Treatment Plant. These services would not be needed if the City had a management contract. Capital improvements were mentioned.

Concerns were brought up concerning keeping the existing staff. Mr. Collins stated these employees were specialized in their field. Any reduction in staffing would be decided by the management company hired.

Mayor stated a RFQ would be moved forward.

Foundation and Initial Overview of the 2011-2012 Budget. City Administrator Mary Lou Brown stated the goal set by Council was for "Financial sustainability of City policies and services to best serve the people of Grand Island."

Presented were the following savings of \$1 million in Fiscal Year 2010, while responding to a decreasing revenue stream:

- | | |
|---|-----------|
| • Management of vacant positions | \$285,300 |
| • Healthcare premium holidays | \$280,000 |
| • Use of cash balance in Gas Tax Fund | \$260,000 |
| • No purchase of aerial truck and lift | \$125,000 |
| • Concrete and storm sewer repair reduced | \$100,000 |

Reviewed were the current year budget reductions which included: eliminating 25 full-time equivalent employee positions, incremental program revenue, program changes, and materially changed programs such as Code enforcement, operation hours of Library, and Parks maintenance.

Revenues remained challenging with a decline in Federal grant income, timing of transfer, and City revenue growth that was slow. \$1.2 million had been cut in the current year expenditures by managing vacant positions, avoiding outside employment services, delayed vehicle purchases, refinancing outstanding bond issues, avoiding additional debt, and obtaining Reynolds Foundation grant and continuing to explore additional private contributions.

Ms. Brown stated the budget was driven by prioritization to lay the groundwork for long-term financial sustainability. The 2012 budget was impacted by Legislature cuts of \$375,000 in State Aid to Cities funding, declining growth in property tax revenue, Municipal Equalization Funding (MEF) which was not available to the City, slow economic growth expected, and future Nebraska Advantage Act payments.

Mentioned were the internal challenges of \$1.5 million from Gas Tax Fund to offset last year's budget which was a one-time transfer, seven union contract negotiations, outside vendor contracts set to increase, maintenance of aging infrastructure which needed to continue, and new revenue sources which had been limited.

The proposed 2011/2012 budget beginning General Fund Cash Balance was \$6,925,817 with a proposed ending balance of \$6,659,122.

The following budget recommendations were presented:

- Funding Sources:
 - ? Credit for excess Food and Beverage Tax revenue (\$500,000)
 - ? Cell phone company occupation tax level increased to that of Lincoln (additional 3% would generate an additional \$500,000)
 - ? User fees to recover costs
- Dedicate a portion of cash reserves to Fire and Police pending outcome of consultant's work
- Service Delivery Modifications:
 - ? Yet to be determined reduction in Library service hours and/or program offerings
 - ? Reduced park maintenance

The proposed budget if approved by Council would achieve the short and long term objectives of a sound financial budget for 2011/2012. This budget would allow for a smaller and leaner organization using existing levels of sustainable revenue, along with efficiently and effectively delivering services.

Reviewed was the Revenue Projections which was forecast for 2010/2011 at \$37,220,588. The 2012 Budget was projected at \$36,225,000.

The following FTE Changes were presented:

- Impacted employees are being notified over the next week
- Within the General Fund, the net change is a reduction of 5.3 employees. The impacts are all in vacancies or part-time and seasonal positions
- Within the remaining funds, three full-time employees will be impacted

The following Additional Budget Assumptions were presented:

- Solid Waste – elimination of residential clean-up card program; replacement with expanded tree limb program and reduction in minimum load charge
- Lincoln Park Pool – funding for redevelopment is recommended with the property tax rate authority of CRA
- Departmental Reorganizations
 - Consolidation of an Administrative Services Department comprising all governance functions for added efficiency in a 500+ employee organization
 - Public Works reorganization to gain efficiencies and continue to strengthen the professional engineering skills of the team

Lewis Kent, 624 Meves Avenue commented on expenses to the Fieldhouse building and Veteran's Athletic Field Complex. Mr. Lewis stated he was not in favor of adding a position for Assistant City Administrator when the City was laying off other positions.

Comments were made regarding the sunset tax on food and beverage and the lottery fund match for the State Fair. Mentioned was paying off the debt of the Fieldhouse as soon as possible and not using the revenue from these for purposes other than what they were originally planned for.

Ms. Brown answered questions concerning the Nebraska Advantage Act, non-departmental fund, long-term contracts, and mentioned the Assistant City Administrator position would be brought back to Council at a future Study Session.

Debt refinancing of the Heartland Events Center would be brought forward to Council in the near future. Debt refinancing of water and electric would be looked at next. Mentioned was there were no funds in the proposed budget for a Legislative Lobbyist position. Lincoln Park Pool was mentioned regarding the CRA budget increase in levy which would be brought back to Council for further study.

Explained was hiring a consultant to review the positions for the Police and Fire Departments. Comments were made concerning a mill levy increase. Discussion was held concerning the impact of the State Fair generating taxes.

Mayor Vavricek commented on the amount of work to create a budget. Explained was the process going forward. Community meetings would be held for additional input. The current proposed budget was \$1 million less than last year. Protecting the current employees was a priority. Current staffing was at a level of 12 years ago.

Ms. Brown commented on the format of the Community meetings.

Mayor Vavricek asked the City Attorney to research the matter of the City lottery match to the State Fair.

ADJOURNMENT: The meeting was adjourned at 9:10 p.m.

RaNae Edwards
City Clerk



City of Grand Island

Tuesday, July 26, 2011

Council Session

Item G3

Approving Minutes of July 12, 2011 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING

July 12, 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 July 12, 2011. Notice of the meeting was given in *The Grand Island Independent* on July 6, 2011.

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

INVOCATION was given by Father Jonathan Sorenson, St. Mary's Cathedral Catholic Church, 204 South Cedar Street followed by the PLEDGE OF ALLEGIANCE.

MAYOR COMMUNICATION: Mayor Vavricek introduced Community Youth Council members Mitch Maginnis and Kellon Johnson. Mentioned were the Community Meetings to be held for budget discussions.

City Attorney Robert Sivick commented on the State Fair lottery proceeds match. LB 426 was passed providing lottery proceeds to the State Fair. The authority for the City to provide funds for the State Fair are in Nebraska State Statutes §2108, 2109, & 2110. MEF funds will be brought before Council the latter part of August.

City Administrator Mary Lou Brown updated the Council on the One-Stop building. The State of Nebraska Dept. of Administrative Services had agreed to a month-to-month lease. Sanitary Sewer extension along 281 is continuing. NDEQ was processing an extension from the motels along I-80.

ORDINANCES:

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

#9299 – Consideration of Creation of Sanitary Sewer District No. 528; Wildwood Subdivision

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 Dugan second the motion. Upon roll call vote, all voted aye. Motion adopted.

Public Works Director John Collins reported that a petition had been received for the creation of a sanitary sewer district for properties annexed into the City limits in August 2002. Properties were located along Highway 281 and 34 and Wildwood Drive in Wildwood Subdivision.

Discussion was held regarding farm ground adjacent to the Sewer District and whether they would have to pay the assessment. Regional Planning Director Chad Nabity stated this district would not affect any farm ground. The district would serve all of Wildwood Subdivision which was commercial

and industrial. Each property owner would have the ability to protest the district. Explained was special assessments and how the Sanitary Sewer District was formed.

Motion by Dugan, second by Nickerson to approve Ordinance #9299.

City Clerk: Ordinance #9299 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 #9299 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 #9299 is declared to be lawfully adopted upon publication as required by law.

CONSENT AGENDA: Consent Agenda items G-3, G-5, and G-6 were removed for further discussion. Motion by Dugan, second by Gard to approve the Consent Agenda excluding items G-3, G-5, and G-6. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of June 28, 2011 City Council Regular Meeting.

#2011-165 – Approving Change Order #1 – Water Main Project 2009-W-1 – Cedar Street from South Front Street to North Front Street with Van Kirk Brothers Contracting of Sutton, Nebraska for a Reduction of \$2,989.24 and a Revised Contract Amount of \$175,183.06.

#2011-167 – Approving Supplemental Agreement No. 3 with Schemmer Associates, Inc. of Lincoln, Nebraska for Engineering Consulting Services for the Walk to Walnut Project for Rockwell & Associates of Grand Island, Nebraska as a sub-consultant in an Amount of \$33,388.05.

#2011-170 – Approving Amendment to the 2010/2011 Fee Schedule Relative to Island Oasis Full Day Rental Rate.

#2011-171 – Approving Final Plat and Subdivision Agreement for R & R Rauert Subdivision. It was noted that Paul & Carroll Rauert, Co-Trustees of the Rauert Family Trust had submitted the Final Plat and Subdivision Agreement for R & R Rauert Subdivision for the purpose of creating 1 lot on property located east of Sky Park Road and south of White Cloud Road in the two mile extraterritorial jurisdiction containing approximately 5.746 acres.

#2011-172 – Approving Extension of Storm Water Management Plan Program Grant.

#2011-166 – Approving Bid Award for Purchase of Liquid Ortho-Polyphosphate for Corrosion Control with Carus Phosphates, Inc. of Belmont, North Carolina in an Amount not to exceed \$20.00 per million gallons of water treated, annual amount estimated at \$90,000.00. Utility Director Tim Luchsinger explained the need to purchase Liquid Ortho-Polyphosphate for Corrosion Control. Discussion was held regarding the engineers estimate and the disparity in the bids.

Motion by Nickerson, second by Donaldson to approve Resolution #2011-166. Upon roll call vote, all voted aye. Motion adopted.

#2011-168 – Approving Bid Award for the 2011 Asphalt Resurfacing Project No. 2011-AC-1 with J.I.L Asphalt Paving Company of Grand Island, Nebraska in an Amount of \$305,464.36. Project

Manager Scott Gripenstroh explained the area that would have asphalt resurfacing. Discussion was held regarding Section #10 of the bid. Public Works Director John Collins stated Section #10 of the bid was for the mobilization cost and traffic control.

Motion by Haase, second by Ramsey to approve Resolution #2011-168. Upon roll call vote, all voted aye. Motion adopted.

#2011-169 – Approving Neighborhood Stabilization Project (09-3N-11) Grant Extension Request. Regional Planning Director Chad Nabity reported that in 2009 the City was awarded a \$993,712 Neighborhood Stabilization Program Grant from the Nebraska Department of Economic Development. An additional \$190,000 was awarded in September 2010 for additional demolition and redevelopment. The City had demolished 11 blighted structures and will fund construction of 8 new houses. Habitat for Humanity had constructed three houses and the Housing Development Corporation had coordinated construction of houses on three of the properties and had agreed to construct two additional houses. The current contract end date was August 23, 2011 and the proposed contract extension end date was August 23, 2012 to complete the project.

Motion by Donaldson, second by Dugan to approve Resolution #2011-169. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Dugan, second by Gard to approve the Claims for the period of June 29, 2011 through July 12, 2011, for a total amount of \$1,820,494.17. Unanimously approved.

ADJOURN TO EXECUTIVE SESSION: Motion by Gilbert, second by Dugan to adjourn to Executive Session at 7:45 p.m. for the purpose of union negotiation updates for the protection of the public interest. Upon roll call vote, all voted aye. Motion adopted.

RETURN TO REGULAR SESSION: Motion by Gilbert, second by Ramsey to return to Regular Session at 8:30 p.m. Upon roll call vote, all voted aye. Motion adopted.

ADJOURNMENT: The meeting was adjourned at 8:30 p.m.

RaNae Edwards
City Clerk



City of Grand Island

Tuesday, July 26, 2011

Council Session

Item G4

Approving Minutes of July 19, 2011 City Council Study Session

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL STUDY SESSION

July 19, 2011

Pursuant to due call and notice thereof, a Study Session 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 July 19, 2011. Notice of the meeting was given in the *Grand Island Independent* on July 13, 2011.

Mayor Jay Vavricek called the meeting to order at 7:00 p.m. The following Councilmember's were present: Chuck Haase, Bob Niemann, Peg Gilbert, Mitch Nickerson, Linna Dee Donaldson, and John Gericke. Councilmember's Larry Carney, Kirk Ramsey, Randy Gard, and Scott Dugan were absent. The following City Officials were present: City Administrator Mary Lou Brown, City Clerk RaNae Edwards, City Attorney Bob Sivick, and Public Works Director John Collins.

PLEDGE OF ALLEGIANCE was said.

MAYOR COMMUNICATION: Mayor Vavricek introduced Community Youth Council members Reyna Raymundo and Andrea Voss and Board member Craig Garrett.

OTHER ITEMS:

2012 Budget - Overview of City's Prioritization Based Budgeting Process.

Paul Wicht, 396 S. Kimball made several suggestions on how to save money in the 2011-2012 budget. Mentioned were: new employees starting at a lower step, not hiring an Assistant to the City Administrator, retirement of Parks and Recreation Director, and using in-house services for designing Lincoln Pool.

City Administrator Mary Lou Brown introduced Jon Johnson and Chris Fabian from the Center for Priority Based Budgeting to review the City's programs and quartiles. A brief overview was presented.

Jon Johnson and Chris Fabian presented the following steps to successful prioritization:

- Determine Results
- Clarify Result Definitions
- Identify Program and Services
- Value Programs Based on Results
- Allocate Resources Based on Priorities

Larry Carney was present at 7:15 p.m.

The following five result maps were identified by the City:

- Stewardship of the Environment
 - Provides for the renewal of the environment through recycling and reuse

- Manages and mitigates factors that impact environmental quality and sustainability
 - Promotes and regulates a clean, orderly and ecologically balanced community
 - Controls and abates threats to the environment caused by nature
 - Encourages energy conservation and efficiency through education, incentives and the provision of alternative solutions
- Quality of Life
 - Provides opportunities and access to services that promote the health, safety, wellbeing and basic needs of its citizens
 - Supports and encourages access to quality employment and educational opportunities to sustain the community
 - Promotes and maintains an attractive place to live
 - Provides opportunities and facilities for safe, inclusive and diverse recreational activities
 - Promotes cultural enrichment and diversity, supports the arts, and encourages event sand activities that stimulate the community
 - Develops and maintains safe, reliable and efficient roadway, storm water and public transit infrastructure
- Safe Community
 - Protects its citizens, proactively prevents crime and enforces the law
 - Encourages a community that feels safe, accepting and connected
 - Proactively prepares, promptly alters and swiftly responds to emergencies
 - Protects the physical and environmental health of the community
 - Facilitates and enhances safe transportation and mobility options
- Strategic, Sustainable and Maintained Development
 - Enhances its identity as regional trade center and encourages tourism opportunities
 - Recruits, retains and revitalizes a business community that provides opportunities for a skilled, quality workforce
 - Encourages sustainable and affordable development supported by sufficient city services and infrastructure
 - Promotes well-regulated, strategically planned and future-focused development
 - Leverages regional and community partnerships
- Governance
 - Provides leadership and supports decision making with timely and accurate data and analysis
 - Enables and facilitates timely and effective two-way communication between all involved stakeholders
 - Protect and effectively manages the City's financial, human, physical and technology resources
 - Attracts, develops and supports an engaged and productive workforce
 - Provides assurance of regulatory and policy compliance to minimize risk and provide accountability
 - Responds to the needs of the departments with timely technical assistance and expertise

Scoring each program was explained with a 4 being high and 0 being low. Mandated programs were also scored with a 4 being high and 0 representing no requirement or mandate existed. Demand for service was also scored with 4 being an increase in demand of 25% or more to a -4 representing a decrease in demand of 25% or more. Scores for cost of recovery of the program and reliance on the City to provide the service was presented. Quartile groupings were defined.

Discussion was held regarding programs in the Governance category with the City deciding where those programs should be scored.

Total reduction in the General fund for the 2011-2012 budget was 3.65% with higher priority programs having a less decrease than the lower priority programs. This avoided an across the board cut in all programs. 21% of the revenues received were from program fees which was a little lower than what they had seen in other communities. Ms. Brown stated the budget book this year showed revenues for programs where fees were collected.

Comments were made concerning the peer review process and citizens survey. An interactive model of the City's 2011-2012 budget was presented and discussed. Mr. Johnson stated their goal in the next six months was to make this interactive model available to the public on-line.

Mr. Johnson mentioned Grand Island was a model community and they used Grand Island's results in their presentations across the country.

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

RaNae Edwards
City Clerk



City of Grand Island

Tuesday, July 26, 2011

Council Session

Item G5

Approving Appointment of Nate Wieland to the Business Improvement District #7 Board

The Mayor has submitted the appointment of Nate Wieland to replace Jeff Reed to the Business Improvement District #7 Board. This appointment would become effective immediately upon approval by the City Council and would expire on September 30, 2013.

Approval is recommended.

Staff Contact: Mayor Vavricek



City of Grand Island

Tuesday, July 26, 2011

Council Session

Item G6

Approving Re-Appointment of Melissa Rae Girard to the Animal Advisory Board

The Mayor has submitted the re-appointment of Melissa Rae Girard to the Animal Advisory Board. This appointment would become effective August 14, 2011 upon approval by the City Council and would expire on August 13, 2014.

Approval is recommended.

Staff Contact: Mayor Vavricek



City of Grand Island

Tuesday, July 26, 2011

Council Session

Item G7

Approving Re-Appointments of Brad Kissler, Marv Webb, Mike Wenzl, and Todd Enck to the Building Code Advisory Board

The Mayor has submitted the re-appointments of Brad Kissler, Marv Webb, Mike Wenzl, and Todd Enck to the Building Code Advisory Board. These appointments would become effective August 2, 2011 upon approval by the City Council and would expire on August 1, 2013.

Approval is recommended.

Staff Contact: Mayor Vavricek



City of Grand Island

Tuesday, July 26, 2011

Council Session

Item G8

**#2011-173 - Approving Acquisition of Utility Easement - Northwest
Corner of Skagway North Parking Lot - Wilmar Realty, LLC**

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

Staff Contact: Tim Luchsinger

RESOLUTION 2011-173

WHEREAS, a public utility easement is required by the City of Grand Island, from Wilmar Realty, LLC, to survey, construct, inspect, maintain, repair, replace, relocate, extend, remove, and operate thereon, public utilities and appurtenances, including lines and transformers; and;

WHEREAS, a public hearing was held on July 26, 2011, for the purpose of discussing the proposed acquisition of an easement located in the City of Grand Island, Hall County, Nebraska; and more particularly described as follows:

Tract 1.

The westerly ten (10.0) feet of Lot Three (3) Skag-Way Subdivision.

Tract 2.

Beginning at a particular northwest corner of Lot One (1) Skag-Way Second Subdivision being on the easterly right-of-way line of Broadwell Avenue; thence easterly along a particular northerly line of said Lot One (1) Skag-Way Second Subdivision, and being the southerly line of Lot Three (3) Skag-Way Subdivision, a distance of twenty (20.0) feet; thence southerly and parallel with the easterly right-of-way line of said Broadwell Avenue, a distance of twenty (20.0) feet; thence westerly and parallel with the said northerly line of Lot One (1), a distance of ten (10.0) feet; thence southerly and parallel with the easterly right-of-way line of said Broadwell Avenue, a distance of one hundred (100.0) feet; thence westerly and parallel with the said northerly line of Lot One (1), a distance of ten (10.0) feet; thence northerly along the easterly right-of-way line of said Broadwell Avenue, a distance of one hundred twenty (120.0) feet to the said Point of Beginning.

The above-described easement and right-of-way containing a combined total of 0.076 acres, more or less, as shown on the plat dated 7/7/2011, marked Exhibit "A", attached hereto and incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island be, and hereby is, authorized to acquire a public utility easement from Wilmar Realty, LLC, on the above-described tract of land.

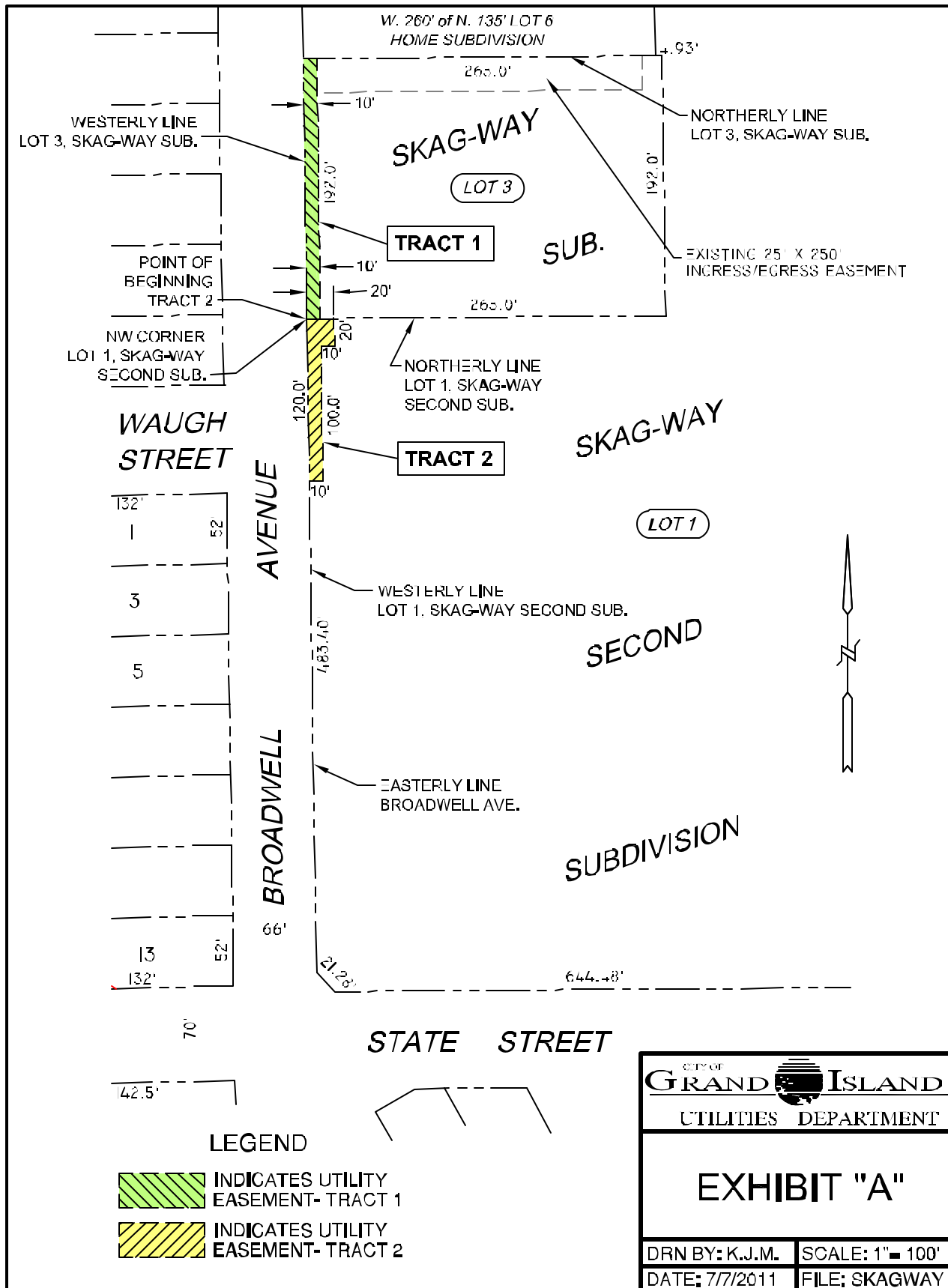
- - -

Adopted by the City Council of the City of Grand Island, Nebraska, July 26, 2011.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk





City of Grand Island

Tuesday, July 26, 2011

Council Session

Item G9

**#2011-174 - Approving Acquisition of Utility Easement - 2015
North Broadwell - Five Points Bank**

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

Staff Contact: Tim Luchsinger

RESOLUTION 2011-174

WHEREAS, a public utility easement is required by the City of Grand Island, from Five Points Bank, to survey, construct, inspect, maintain, repair, replace, relocate, extend, remove, and operate thereon, public utilities and appurtenances, including lines and transformers; and;

WHEREAS, a public hearing was held on July 26, 2011, for the purpose of discussing the proposed acquisition of an easement located in the City of Grand Island, Hall County, Nebraska; and more particularly described as follows:

The southerly ten (10.0) feet of the westerly two hundred sixty (260.0) feet of the northerly one hundred thirty five (135.0) of Lot Six (6) Home Subdivision.

The above-described easement and right-of-way containing 0.06 acres, more or less, as shown on the plat dated 7/7/2011, marked Exhibit "A", attached hereto and incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island be, and hereby is, authorized to acquire a public utility easement from Five Points Bank, on the above-described tract of land.

- - -

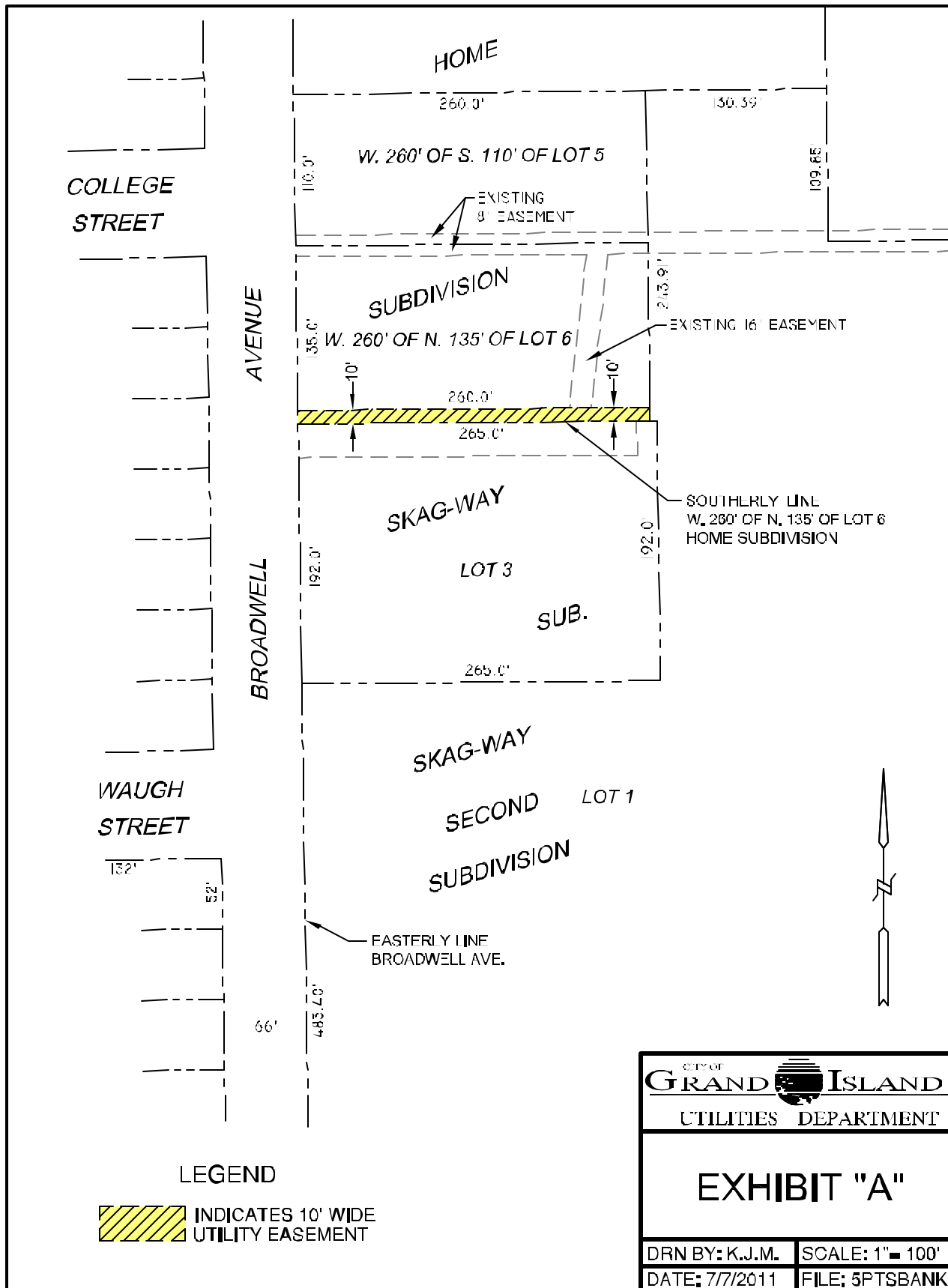
Adopted by the City Council of the City of Grand Island, Nebraska, July 26, 2011.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
July 21, 2011	☐ City Attorney





City of Grand Island

Tuesday, July 26, 2011

Council Session

Item G10

#2011-175 - Approving Certificate of Final Completion - Water Main Project 2009-W-1 - Cedar Street between South Front and North Front Streets

Staff Contact: Tim Luchsinger

Council Agenda Memo

From: Timothy Luchsinger, Utilities Director

Meeting: July 26, 2011

Subject: Water Main Project 2009-W-1
Cedar Street between South Front and North Front
Streets - Certificate of Final Completion

Item #'s: G-10

Presenter(s): Timothy Luchsinger, Utilities Director

Background

The project area is located in Cedar Street between South Front Street and North Front Street and crosses under the Union Pacific Railroad. In 2008, the existing 12" main broke within the railroad's right-of-way. Due to the possibility of another pipeline failure, a contract to replace this section of water main was awarded to Van Kirk Brothers Contracting of Sutton, Nebraska. The work involved the installation of a 24" diameter steel casing under the tracks with a new replacement ductile-iron water main. A location map is attached.

All 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 \$175,183.06. Attached is the Certificate of Final Completion.

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

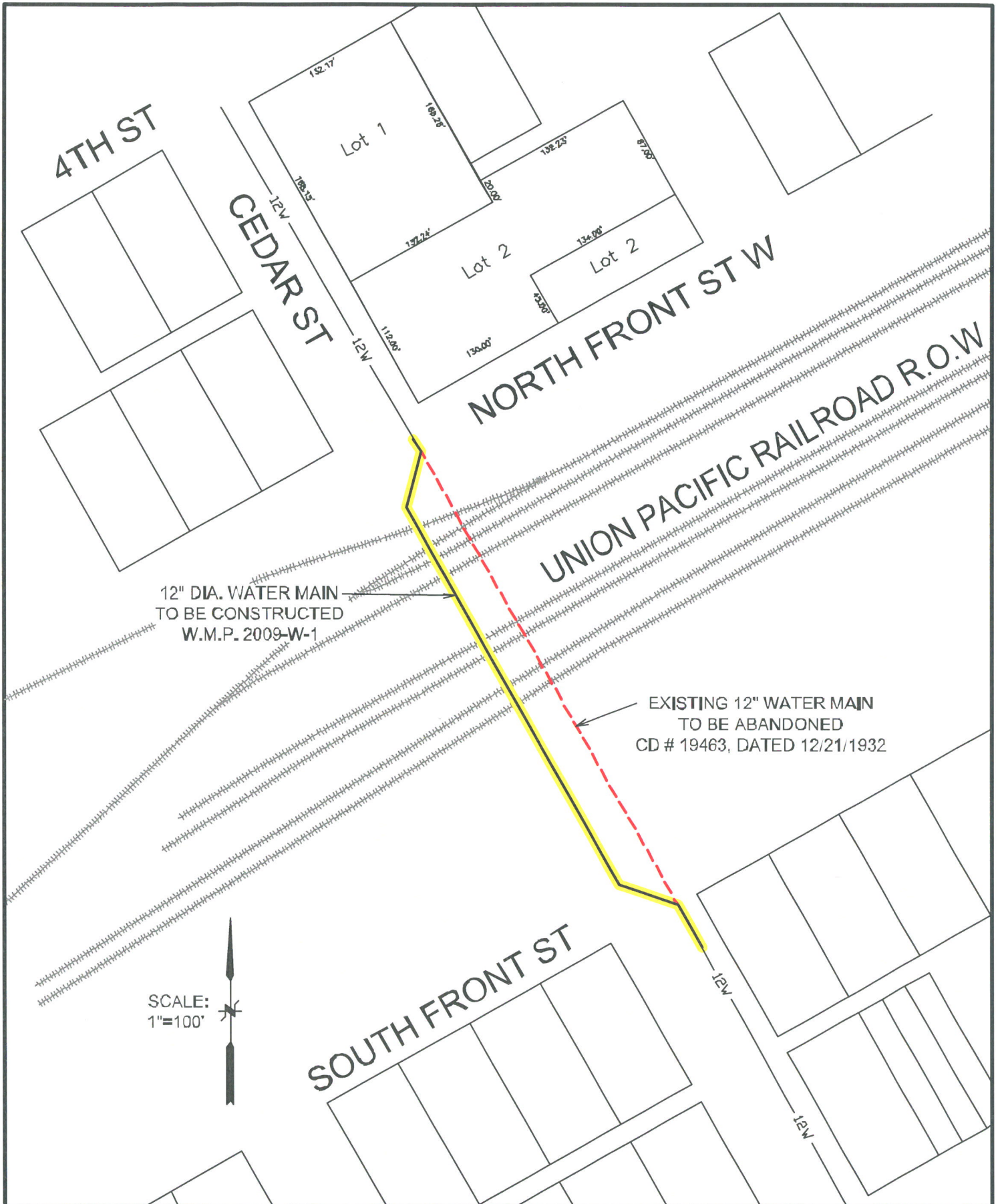
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council accept the Certificate of Final Completion for Water Main Project 2009-W-1; Cedar Street – South Front Street to North Front Street.

Sample Motion

Move to approve the Certificate of Final Completion for Water Main Project 2009-W-1; Cedar Street – South Front Street to North Front Street.



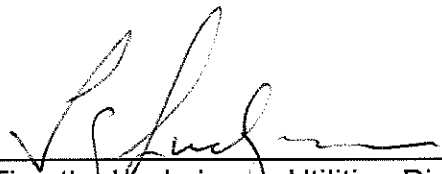
INTEROFFICE
MEMORANDUM



*Working Together for a
Better Tomorrow. Today.*

DATE: July 13, 2011
TO: Mayor and Council Members
FROM: Timothy Luchsinger, Utilities Director
SUBJECT: Water Main Project 2009-W-1

This memo is to certify that Water Main Project 2009-W-1, located in Cedar Street from South Front Street to North Front 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.



Timothy Luchsinger, Utilities Director

GRM/pag

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

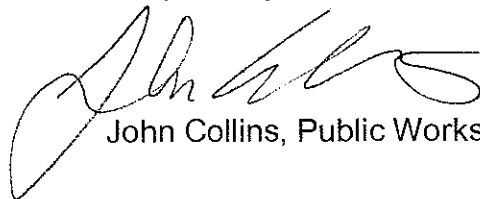
ENGINEER'S CERTIFICATE OF FINAL COMPLETION

WATER MAIN PROJECT 2009-W-1

July 26, 2011

Water Main Project 2009-W-1 is located in the central area of the City of Grand Island in Cedar Street from South Front Street to North Front Street. The work on this project, as certified to be fully completed by Timothy Luchsinger, Utilities Director, is hereby accepted for the City of Grand Island, by me as Public Works Director in accordance with the provision on Section 6-650, R.R.S., 1943.

Respectfully submitted



John Collins, Public Works Director

WATER MAIN PROJECT 2009-W-1

July 26, 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-1 be approved.

Respectfully submitted,

Jay Vavricek, Mayor

RESOLUTION 2011-175

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- 1 (Cedar Street between South Front and North Front Streets) certifying that Van Kirk Brothers Contracting of Sutton, 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 Public Works Director/Utilities Director recommends the acceptance of the project; and

WHEREAS, the Mayor concurs with the recommendations of the 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-1 is hereby accepted.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, July 26, 2011.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, July 26, 2011

Council Session

Item G11

#2011-176 - Approving Bid Award - Water Main Project 2011-W-3 - Broadwell Avenue and Vine Street at the Union Pacific Railroad Crossings

Staff Contact: Tim Luchsinger

Council Agenda Memo

From: Timothy Luchsinger, Utilities Director
Jason Eley, Assistant City Attorney/Purchasing

Meeting: July 26, 2011

Subject: Bid Award – Water Main Project 2011-W-3
Broadwell Avenue at the U.P.R.R. and Vine Street at the
U.P.R.R.

Item #'s: G-11

Presenter(s): Timothy Luchsinger, Utilities Director

Background

In January of this year, the 10' diameter water main in Broadwell Avenue broke under the Union Pacific mainline tracks (mile post 147.82). In February, the 10" water main in Vine Street extended broke within the railroad's right-of-way (mile post 146.52). Both pipelines were taken out of service until permanent repairs could be made.

The water mains are both approximately 80 years old and were installed without protective outer casings. Due to the age of the pipes and potential damage to railroad property, plans and specifications for Water Main Project 2011-W-3 were prepared to replace both sections of pipeline. The project will install 20" diameter steel casings under the tracks and replace the water mains at both locations. Maps of the crossing areas are attached for reference.

Discussion

Bidding documents were advertised in accordance with City Procurement Codes. Ten construction companies received copies of the specifications and plans. Two bids were publicly opened at 2:00 p.m. on July 13, 2011. Below is a tabulation of the bids received:

Bidder	Bid Security	Exceptions	Bid Price
General Excavating Lincoln, NE	Universal Surety Co.	None	\$193,022.32
Diamond Engineering Co. Grand Island, NE	Universal Surety Co.	None	\$178,473.95

The bids have been reviewed and evaluated, and are without errors or exceptions.

Alternatives

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

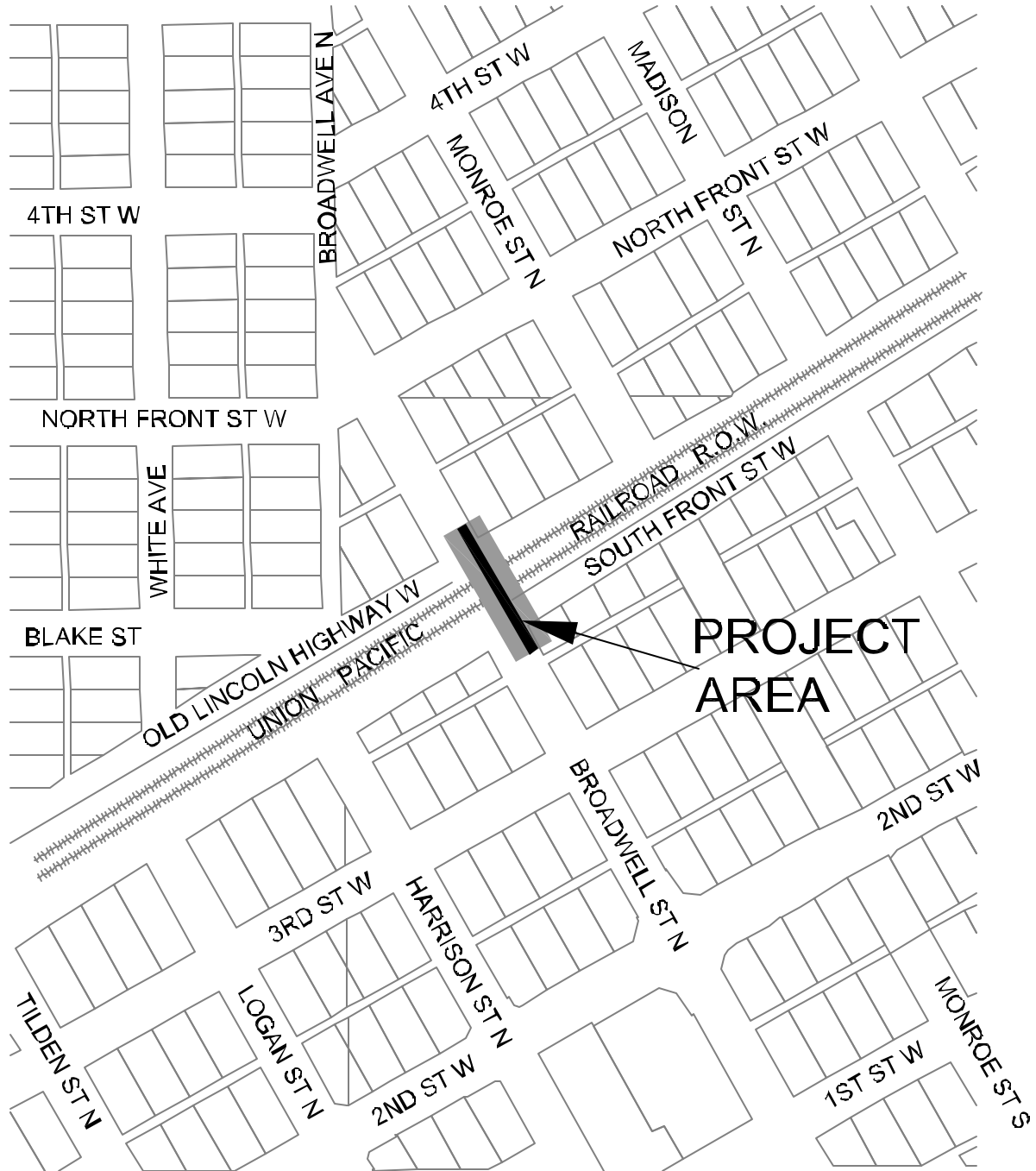
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council approve the bid, and award the contract for Water Main Project 2011-W-3, Broadwell Avenue and Vine Street at the Union Pacific Railroad Crossing, to the low responsive bidder, the Diamond Engineering Company of Grand Island, Nebraska, in the amount of \$178,473.95.

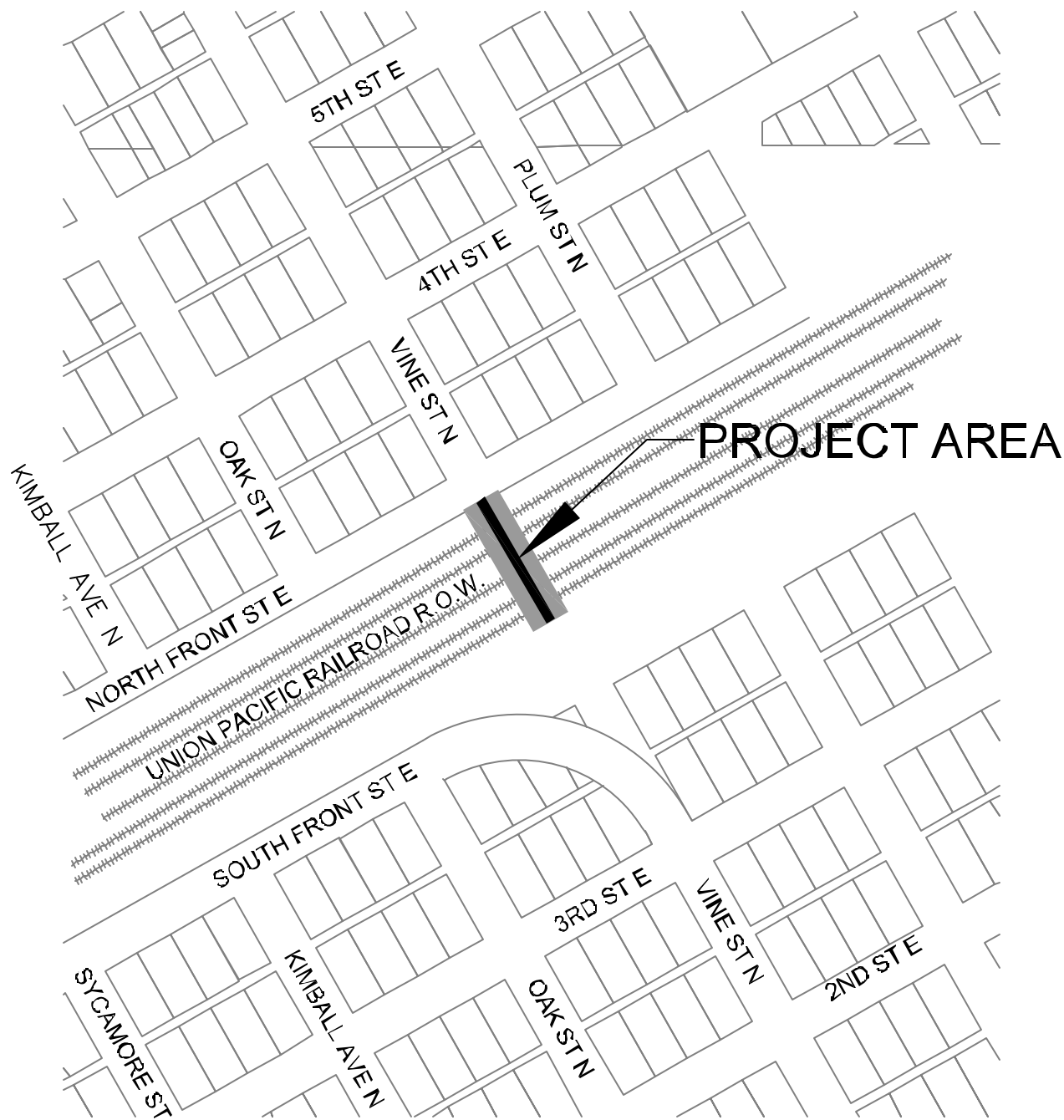
Sample Motion

Move to approve the bid of Diamond Engineering Company for Water Main Project 2011-W-3, Broadwell Avenue and Vine Street at the Union Pacific Railroad Crossing in the amount of \$178,473.95.



CITY OF
GRAND ISLAND
UTILITIES DEPARTMENT

**WATER MAIN PROJECT 2011-W-3
BROADWELL AVE
AT THE U.P.R.R. (MP 147.82)**



CITY OF
GRAND ISLAND
UTILITIES DEPARTMENT

**WATER MAIN PROJECT 2011-W-3
VINE STREET
AT THE U.P.R.R. (MP146.52)**

Water Main Project 2011-W-3
Broadwell Avenue and Vine Street - UPRR Crossings

Bids 7/13/2011

ITEM	DESCRIPTION	QUANTITY	EST.	DIAMOND ENGINEERING CO		GENERAL EXCAVATING	
				Unit \$	Total \$	Unit \$	Total \$
1.01	20" Dia x 0.375" Steel Casing	325.0	l.f.	224.0	72,800.00	300.0	97,500.00
1.02	10" D.I. Pipe (RJ)	447.7	l.f.	75.4	33,756.58	55.0	24,623.50
1.03	6" D.I. Pipe (SJ)	31.0	l.f.	55.0	1,705.00	50.0	1,550.00
1.04	10"x10"x10" Tapping Sleeve (MJ)	1.0	ea.	4,180.0	4,180.00	2,550.0	2,550.00
1.05	10"x10"x10" Tee (MJ)	4.0	ea.	766.0	3,064.00	490.0	1,960.00
1.06	10"x90° Ell (MJ)	3.0	ea.	619.0	1,857.00	380.0	1,140.00
1.07	10"x22.5° Ell (MJ)	2.0	ea.	555.0	1,110.00	350.0	700.00
1.08	10" Cap (MJ)	7.0	ea.	350.0	2,450.00	225.0	1,575.00
1.09	10" Plug (MJ)	3.0	ea.	360.0	1,080.00	225.0	675.00
1.10	10" Retainer Gland	25.0	ea.	190.0	4,750.00	100.0	2,500.00
1.11	10"x6" Reducer (MJ)	1.0	ea.	390.0	390.00	300.0	300.00
1.12	6"x45° Ell (MJ)	1.0	ea.	285.0	285.00	390.0	390.00
1.13	6"x18" Offset Fitting (MJ)	1.0	ea.	487.0	487.00	530.0	530.00
1.14	6" Retainer Gland	5.0	ea.	132.0	660.00	180.0	900.00
1.15	10" RS Gate Tapping Valve	1.0	ea.	2,936.0	2,936.00	2,800.0	2,800.00
1.16	10" RS Gate Valve	1.0	ea.	2,514.0	2,514.00	2,300.0	2,300.00
1.17	6" RS Gate Valve	1.0	ea.	1,130.0	1,130.00	930.0	930.00
1.18	Valve Box	3.0	ea.	312.0	936.00	200.0	600.00
1.19	Fire Hydrant	1.0	ea.	468.0	468.00	1,200.0	1,200.00
1.20	Thrust Block	12.0	ea.	545.0	6,540.00	250.0	3,000.00
1.21	I - Beam Block	5.0	ea.	768.0	3,840.00	1,000.0	5,000.00
1.22	Protective Posts	2.0	ea.	355.0	710.00	280.0	560.00
1.23	Remove & Salvage 10" Gate Valve	1.0	ea.	350.0	350.00	600.0	600.00
1.24	Remove & Salvage Valve Box	1.0	ea.	158.0	158.00	100.0	100.00
1.25	Pavement Saw-Cut	142.9	l.f.	4.6	657.34	5.5	785.95
1.26	Remove Asph/Conc Roadway	74.5	s.y.	9.0	670.50	11.0	819.50
1.27	Replace Asph/Conc Roadway	74.5	s.y.	65.0	4,842.50	95.0	7,077.50
1.28	Regrade & Regravel Roadway	20.0	ton	34.6	692.00	20.0	400.00
1.29	Remove Asph/Conc Driveway	190.5	s.y.	9.8	1,866.90	11.0	2,095.50
1.30	Replace Asph/Conc Driveway	190.5	s.y.	48.6	9,258.30	80.0	15,240.00
1.31	Remove Curb & Gutter	39.2	l.f.	6.8	266.56	7.0	274.40
1.32	Replace Curb & Gutter	39.2	l.f.	22.7	889.84	21.0	823.20
1.33	Remove Conc. Sidewalk	132.3	s.f.	1.2	158.76	1.5	198.45
1.34	Replace Concrete Sidewalk	132.3	s.f.	7.0	926.10	8.0	1,058.40
1.35	8 mil Polywrap	478.7	l.f.	1.1	526.57	1.6	765.92
1.36	10" Saddle and 2" Corp.	1.0	ea.	900.0	900.00	500.0	500.00
1.37	Abandonment of 10" Water Main, Complete	2.0	ea.	2,550.0	5,100.00	1,400.0	2,800.00
1.38	Temporary Erosion Control - Complete	2.0	ea.	516.0	1,032.00	600.0	1,200.00
1.39	Temporary Traffic Control - Complete	2.0	ea.	1,265.0	2,530.00	2,500.0	5,000.00
Construction Estimate					\$178,473.95		\$193,022.32
Schedule					171 days		70 days

Purchasing Division of Legal Department
INTEROFFICE MEMORANDUM



Jason Eley, Purchasing Agent

*Working Together for a
Better Tomorrow, Today*

BID OPENING

BID OPENING DATE: July 13, 2011 at 2:00 p.m.
FOR: Water Main Project 2011-W-3
DEPARTMENT: Utilities
ESTIMATE: \$223,000.00
FUND/ACCOUNT: 525
PUBLICATION DATE: June 24, 2011
NO. POTENTIAL BIDDERS: 10

SUMMARY

Bidder:	<u>Diamond Engineering Co.</u> Grand Island, NE	<u>General Excavating</u> Lincoln, NE
Bid Security:	Universal Surety Company	Universal Surety Company
Exceptions:	None	None
Bid Price:	\$178,473.95	\$193,022.32

cc: Tim Luchsinger, Utilities Director
Jason Eley, Purchasing Agent
Mary Lou Brown, City Administrator

Bob Smith, Assist. Utilities Director
Pat Gericke, Utilities Admin. Assist.
Tom Barnes, Utilities Eng.

P1483

RESOLUTION 2011-176

WHEREAS, the City of Grand Island invited sealed bids for Water Main Project 2011-W-3, Broadwell Avenue at the Union Pacific Railroad, and Vine Street at the Union Pacific Railroad, according to plans and specifications on file with the Utilities Department; and

WHEREAS, on July 13, 2011, bids were received, opened and reviewed; and

WHEREAS, The Diamond Engineering Company of Grand Island, Nebraska, submitted a bid in accordance with the terms of the advertisement of bids and plans and specifications and all other statutory requirements contained therein, such bid being in the amount of \$178,473.95; and

WHEREAS, the bid of the Diamond Engineering Company is less than the estimate for Water Main Project 2011-W-3, Broadwell Avenue at the Union Pacific Railroad, and Vine Street at the Union Pacific Railroad.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of The Diamond Engineering Company, in the amount of \$173,473.95 for Water Main Project 2011-W-3, is hereby approved as the lowest responsible bid.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, July 26, 2011.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
July 21, 2011	☐ City Attorney



City of Grand Island

Tuesday, July 26, 2011

Council Session

Item G12

#2011-177 - Approving FY 2011-2012 Annual Budget for Business Improvement District #4, South Locust Street from Stolley Park Road to Fonner Park Road, and Setting Date for Board of Equalization

Staff Contact: Mary Lou Brown

Council Agenda Memo

From: Mary Lou Brown, City Administrator/Finance Director

Meeting: July 26, 2011

Subject: Approving FY 2011-2012 Annual Budget for Business Improvement District #4, South Locust Street from Stolley Park Road to Fonner Park Road, and Setting Date for Board of Equalization

Item #'s: G-12

Presenter(s): Mary Lou Brown, City Administrator/Finance Director

Background

In July, 2002, the City Council adopted Ordinance #8751 creating Business Improvement District (BID) #4, South Locust Street from Stolley Park Road to Fonner Park Road. The ordinance established the purpose of the District, described the boundaries, and established that real property in the area would be subject to a special assessment to support the purposes of the District. The creating Ordinance requires that a proposed budget for the District be approved by the BID Board and forwarded to the City Council for consideration. The BID #4 Board met and approved the 2011-2012 Budget which provides for special assessments in the amount of \$5.65 per front footage for a total of \$27,962 for the 4,949 front footage.

Discussion

The majority of the appropriations in the proposed budget of \$38,100 are for the upkeep of sprinkler systems, maintenance of green spaces, and snow removal along their portion of the South Locust corridor. The appropriations for 2011-2012 also include a City fee of \$1,500 for accounting services. A copy of the proposed 2011-2012 budget is attached for review.

Alternatives

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

1. Move to approve the 2011-2012 Budget for BID #4 and set the date for the Board of Equalization.
2. Modify the budget and/or reschedule the Board of Equalization.

Recommendation

City Administration recommends that the Council approve the 2011-2012 Budget for BID #4 and set the date of September 13, 2011 for the Board of Equalization. Notice of the Hearing and proposed assessments will be published according to State Statutes.

Sample Motion

Move to approve the 2011-2012 Budget for BID #4 and set the date of September 13, 2011 for the Board of Equalization.

BUSINESS IMPROVEMENT BOARD #4
FY 2011-2012 BUDGET

	2006	2007	2008	2009	2010	2011	2011	2012
	Actual	Actual	Actual	Actual	Actual	Budget	Projected	Budget
ASSESSMENT PER FRONT FOOTAGE	\$3.50	\$3.50	\$4.50	\$5.00	\$5.30	\$5.65	\$5.65	\$5.65
Front Footage	4,949	4,949	4,949	4,949	4,949	4,949	4,949	4,949
REVENUE 94011413								
Account								
74140 Special Assessments	17,390	16,859	22,207	24,767	26,234	27,962	27,966	27,962
74787 Interest Revenue	-	-	12	98	50	-	-	-
74795 Other Revenue	-	-		107	-		-	
TOTAL REVENUE	17,390	16,859	22,219	24,972	26,283	27,962	27,966	27,962
APPROPRIATIONS								
Account								
85213 Contract Services	13,432	12,447	15,320	21,545	22,970	21,500	22,250	23,000
85245 Printing & Binding Services	37	224	52	127	45	100	70	100
85249 Snow & Ice Removal	-	425	1,278	831	1,884	1,500	620	1,500
85305 Utility Services	3,730	2,972	3,038	4,836	2,682	4,500	5,200	5,000
85319 Repair & Maint - Land Improve	978	3,094	585	570	721	2,000	1,365	1,500
85413 Postage	67	56	115	132	116	250	120	250
85416 Advertising	-	-	-	-	-	-	-	-
85419 Legal Notices	260	240	303	323	277	500	290	500
85490 Other Expenditures	-	-	-	-	-	500	-	2,750
85505 Office Supplies	-	-	-	-	-	250	-	250
85560 Trees and Shrubs	-	2,160	-	-	-	-	-	2,250
85590 Other General Supplies	3,883	60	-	23	-	1,000	-	1,000
TOTAL OPERATING EXPENSE	22,387	21,678	20,690	28,387	28,695	32,100	29,915	38,100
ANNUAL EXCESS/(LOSS)	(4,997)	(4,819)	1,530	(3,415)	(2,411)	(4,138)	(1,949)	(10,138)
Beginning Cash Balance	27,921	22,924	18,105	19,635	16,220	13,809	13,809	11,860
Revenues	17,390	16,859	22,219	24,972	26,283	27,962	27,966	27,962
Expenditures	22,387	21,678	20,690	28,387	28,695	32,100	29,915	38,100
Ending Cash Balance	22,924	18,105	19,635	16,220	13,809	9,670	11,860	1,721

RESOLUTION 2011-177

WHEREAS, the City Council has considered the proposed budget of the Business Improvement District No. 4 for the fiscal year 2011-2012; and

WHEREAS, the City has received the assessed values of the individual properties within Business Improvement District No. 4 as shown in the office of the Hall County Assessor in effect on the first day of January, 2011;

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

1. The budget for Business Improvement District No. 4 is hereby considered.
2. A proposed assessment schedule shall be prepared.
3. A hearing before the City Council sitting as a Board of Equalization on the proposed assessments shall be held on September 13, 2011 at 7:00 p.m. in the City Council chambers of City Hall, 100 East First Street, Grand Island, Nebraska.
4. Notice of hearing shall be published once each week for three consecutive weeks in accordance with the Business Improvement District Act.
5. Notice of hearing shall be mailed to all property owners of Business Improvement District No. 4 by U.S. mail, postage prepaid.

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Adopted by the City Council of the City of Grand Island, Nebraska, July 26, 2011.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
July 22, 2011	☐ City Attorney



City of Grand Island

Tuesday, July 26, 2011

Council Session

Item G13

#2011-178 - Approving FY 2011-2012 Annual Budget for Business Improvement District #6, Second Street, and Setting Date for Board of Equalization

Staff Contact: Mary Lou Brown

Council Agenda Memo

From: Mary Lou Brown, City Administrator/Finance Director

Meeting: July 26, 2011

Subject: Approving FY 2011-2012 Annual Budget for Business Improvement District #6, Second Street, and Setting Date for Board of Equalization

Item #'s: G-13

Presenter(s): Mary Lou Brown, City Administrator/Finance Director

Background

On September 9, 2008, the City Council adopted Ordinance #9186 creating Business Improvement District (BID) #6, Second Street. The creating ordinance established the purpose of the District, described the boundaries, and established that real property in the area that would be subject to a special assessment to support the purposes of the District. The creating Ordinance requires that a proposed budget for the District be approved by the BID Board and forwarded to the City Council for consideration. The BID #6 Board met and approved the 2011-2012 Budget which provides for special assessments in the amount of \$4.00 per front footage for a total of \$29,576 for the 7,144 front footage.

Discussion

The majority of the proposed appropriation budget of \$36,361 is to be used for the maintenance of frontage areas along the Second Street portion of their district. The appropriations for 2011-2012 also include a City fee of \$1,500 for accounting services. A copy of the proposed 2011-2012 budget is attached for review.

Alternatives

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

1. Approve the 2011-2012 Budget for BID #6 and set the date for the Board of Equalization.
2. Modify the budget and/or reschedule the Board of Equalization.

Recommendation

City Administration recommends that the Council approve the 2011-2012 Budget for BID #6 and set the date of September 13, 2011 for the Board of Equalization. Notice of the Hearing and proposed assessments will be published according to State Statutes.

Sample Motion

Move to approve the 2011-2012 Budget for BID #6 and set the date of September 13, 2011 for the Board of Equalization.

**BUISNESS IMPROVEMENT DISTRICT #6 - SECOND STREET
FY 2011-2012 BUDGET**

	2009	2010	2011	2011	2012	2013
	Actual	Actual	Budget	Projected	Budget	Budget
Front Footage	7,144	7,144	7,144	7,144	7,144	7,144
Levy (Per Foot)	\$6.00	\$6.00	\$5.00	\$4.50	\$2.00	\$4.00

REVENUE 94011616

Account

74140 Special Asessments	42,447	38,001	35,720	35,720	14,288	28,576
74787 Interest Revenue	84	124				
74795 Other Revenue	-	-	1,000	2,376	1,000	1,000
TOTAL REVENUE	42,531	38,125	36,720	38,096	15,288	29,576

APPROPRIATIONS

Account

85213 Contract Services	5,145	6,892	15,000	18,000	17,000	15,000
85241 Computer Services		-		-	-	
85245 Printing & Binding Services	98	81	300	70	300	300
85249 Snow & Ice Removal	-		-	-	-	-
85290 Other Professional Services	-	1,500	1,500	1,500	1,500	1,500
85305 Utility Services	-	-	2,100	750	2,200	2,300
85390 Other Property Services	-	-	-	-	-	-
85413 Postage	248	229	250	250	250	250
85416 Advertising	-	-	1,500	-	1,500	1,500
85419 Legal Notices	833	589	500	550	500	500
85422 Dues & Subscriptions		-		-	-	
85428 Travel & Training		-		-	-	
85490 Other Expenditures	-	-	3,000		-	2,975
85505 Office Supplies	5	-	250	15	250	250
85560 Trees & Shrubs	2,472	-	2,500	1,305	2,000	1,500
85590 Other General Supplies	-	-	500	-	500	500
85608 Land Improvements	-	3,758	8,000	4,282	-	9,786
TOTAL OPERATING EXPENSE	8,802	13,049	35,400	26,722	26,000	36,361

ANNUAL EXCESS/(LOSS) **33,730** **25,076** **1,320** **11,374** **(10,712)** **(6,785)**

Beginning Cash Balance	-	33,730	58,806	60,126	71,500	60,788
Revenues	42,531	38,125	36,720	38,096	15,288	29,576
Expenditures	8,802	13,049	35,400	26,722	26,000	36,361
Ending Cash Balance	33,730	58,806	60,126	71,500	60,788	54,003

RESOLUTION 2011-178

WHEREAS, the City Council has considered the proposed budget of the Business Improvement District No. 6 for the fiscal year 2011-2012; and

WHEREAS, the City has received the assessed values of the individual properties within Business Improvement District No. 6 as shown in the office of the Hall County Assessor in effect on the first day of January, 2011;

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

1. The budget for Business Improvement District No. 6 is hereby considered.
2. A proposed assessment schedule shall be prepared.
3. A hearing before the City Council sitting as a Board of Equalization on the proposed assessments shall be held on September 13, 2011 at 7:00 p.m. in the City Council chambers of City Hall, 100 East First Street, Grand Island, Nebraska.
4. Notice of hearing shall be published once each week for three consecutive weeks in accordance with the Business Improvement District Act.
5. Notice of hearing shall be mailed to all property owners of Business Improvement District No. 6 by U.S. mail, postage prepaid.

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Adopted by the City Council of the City of Grand Island, Nebraska, July 26, 2011

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Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
July 22, 2011	☐ City Attorney



City of Grand Island

Tuesday, July 26, 2011

Council Session

Item G14

#2011-179 - Approving FY 2011-2012 Annual Budget for Business Improvement District #7, South Locust Street from Highway 34 to Stolley Park Road, and Setting Date for Board of Equalization

Staff Contact: Mary Lou Brown

Council Agenda Memo

From: Mary Lou Brown, City Administrator/Finance Director

Meeting: July 26, 2011

Subject: Approving FY 2011-2012 Annual Budget for Business Improvement District #7, South Locust Street from Stolley Park Road to Highway 34, and Setting Date for Board of Equalization

Item #'s: G-14

Presenter(s): Mary Lou Brown, City Administrator/Finance Director

Background

On September 9, 2008, the City Council adopted Ordinance #9187 creating Business Improvement District (BID) #7, South Locust Street from Stolley Park Road to Highway 34. The creating ordinance establishes the purpose of the District, describes the boundaries, and establishes that real property in the area would be subject to a special assessment to support the purposes of the District. The creating Ordinance requires that a proposed budget for the District be approved by the BID Board and forwarded to the City Council for consideration. The BID #7 Board met and approved the 2011-2012 Budget which provides for special assessments in the amount of \$6.00 per front footage for a total of \$58,882 for the 9,814 front footage.

Discussion

The majority of the proposed appropriations budget of \$56,645 is to be used for the maintenance of frontage areas along the South Locust Street portion of their district. The appropriations for 2011-2012 also include a City fee of \$875 for accounting services. A copy of the proposed 2011-2012 budget is attached for review.

Alternatives

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

1. Approve the 2011-2012 Budget for BID #7 and set the date for the Board of Equalization.
2. Modify the budget and/or reschedule the Board of Equalization.

Recommendation

City Administration recommends that the Council approve the 2011-2012 Budget for BID #7 and set the date of September 13, 2011 for the Board of Equalization. Notice of the Hearing and proposed assessments will be published according to State Statutes.

Sample Motion

Move to approve the 2011-2012 Budget for BID #7 and set the date of September 13, 2011 for the Board of Equalization.

BUSINESS IMPROVEMENT BOARD #7
FY 2011-2012

STOLLEY PARK ROAD TO HWY 34
(Old BID #3)

	2008	2009	2010	2011	2011	2012
	Actual	Actual	Actuals	Budget	Projected	Budget
Front Footage	9,945	9,814	9,386	9,386	9,386	9,814
	\$4.25	\$4.75	\$5.33	\$5.15	\$5.33	\$6.00
REVENUE 94011412						
Account						
74140 Special Assessments	40,453	42,862	44,672	48,325	50,027	58,882
74787 Interest Revenue	0	61	37		0	
74795 Other Revenue	10	1,662	0	0	0	0
TOTAL REVENUE	40,462	44,585	44,709	48,325	50,027	58,882
APPROPRIATIONS						
Account						
85213 Contract Services	26,147	25,956	29,320	30,100	32,650	31,200
85245 Printing & Binding Services	90	105	73	-	-	-
85249 Snow & Ice Removal	988	1,138	2,863	2,000	1,800	2,000
85290 Other Professional & Tech.					-	-
85305 Utility Services	4,153	3,945	6,544	6,615	7,400	6,945
85319 Repair & Maint - Land Improv	916	9,441	1,587	3,150	5,700	7,500
85325 Repair & Maint - M & E	-	-	-	-	-	-
85390 Other Property Services	-	-	-	-	-	-
85413 Postage	182	156	136	250	175	250
85416 Advertising	-	-	-	-	-	-
85419 Legal Notices	457	598	413	750	500	750
85490 Other Expenditures	-	15,823	75	-	-	3,000
85505 Office Supplies	-	-	-	100	-	100
85560 Trees & Shrubs	-	2,100	460	2,000	-	4,000
85590 Other General Supplies	-	-	-	-	-	-
85608 Land Improvements	-	-		3,000	-	900
TOTAL OPERATING EXPENSE	32,933	59,262	41,470	47,965	48,225	56,645
ANNUAL EXCESS/(LOSS)	7,529	(14,677)	3,238	360	1,802	2,237
Beginning Cash Balance	9,772	17,301	2,532	5,771	5,771	7,573
Revenues	40,462	44,585	44,709	48,325	50,027	58,882
Expenditures	32,933	59,262	41,470	47,965	48,225	56,645
Ending Cash Balance	17,301	2,532	5,771	6,131	7,573	9,810

RESOLUTION 2011-179

WHEREAS, the City Council has considered the proposed budget of the Business Improvement District No. 7 for the fiscal year 2011-2012; and

WHEREAS, the City has received the assessed values of the individual properties within Business Improvement District No. 7 as shown in the office of the Hall County Assessor in effect on the first day of January, 2011;

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

1. The budget for Business Improvement District No. 7 is hereby considered.
2. A proposed assessment schedule shall be prepared.
3. A hearing before the City Council sitting as a Board of Equalization on the proposed assessments shall be held on September 13, 2011 at 7:00 p.m. in the City Council chambers of City Hall, 100 East First Street, Grand Island, Nebraska.
4. Notice of hearing shall be published once each week for three consecutive weeks in accordance with the Business Improvement District Act.
5. Notice of hearing shall be mailed to all property owners of Business Improvement District No. 7 by U.S. mail, postage prepaid.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, July 26, 2011.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
July 22, 2011	☐ City Attorney



City of Grand Island

Tuesday, July 26, 2011

Council Session

Item G15

#2011-180 - Approving FY 2011-2012 Annual Budget for Business Improvement District #8, Downtown, and Setting Date for Board of Equalization

Staff Contact: Mary Lou Brown

Council Agenda Memo

From: Mary Lou Brown, City Administrator/Finance Director

Meeting: July 26, 2011

Subject: Approving FY 2011-2012 Annual Budget for Business Improvement District #8, Downtown, and Setting Date for Board of Equalization

Item #'s: G-15

Presenter(s): Mary Lou Brown, City Administrator/Finance Director

Background

On August 26, 2009, the City Council adopted Ordinance #9180 creating Business Improvement District (BID) #8, Downtown. The creating ordinance established the purpose of the District, described the boundaries, and established that real property in the area would be subject to a special assessment to support the purposes of the District. The creating Ordinance requires that a proposed budget for the District be approved by the BID Board and forwarded to the City Council for consideration. The BID #8 Board met and approved the 2011-2012 budget which provides for special assessments in the amount of \$90,000.

Discussion

In this district, assessments are paid by property owners based on the valuation of land and real property in the district as of January 1 of the current year. No personal property is figured into the assessment. Owners are billed for the assessment on October 1 of each fiscal year. The total taxable value for the district as of January 1, 2011 was \$31,679,040 which for budgeted assessments of \$90,000 gives a levy of 284100 per \$100 of real property. Downtown Beautification, Retention and Recruitment, and Maintenance are the areas of proposed work to be performed by the BID. The appropriations for 2011-2012 also include a City fee of \$4,000 for accounting services. A copy of the proposed 2011-2012 budget is attached for review.

Alternatives

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

1. Approve the 2011-2012 Budget for BID #8 and set the date for the Board of Equalization.
2. Modify the budget and/or reschedule the Board of Equalization.

Recommendation

City Administration recommends that the Council approve the 2011-2012 Budget for BID #8 and set the date of September 13, 2011 for the Board of Equalization. Notice of the Hearing and proposed assessments will be published according to State Statutes.

Sample Motion

Move to approve the 2011-2012 Budget for BID #8 and set the date of September 13, 2011 for the Board of Equalization.

BUSINESS IMPROVEMENT DISTRICT #8
FY 2011-2012

		2008	2009	2010	2011	2011	2012
		Actual	Actual	Actual	Budget	Projected	Budget
Valuation		29,326,665	30,099,334	31,679,040	31,790,717	31,679,040	31,679,040
Levy		0.295599	0.29705	0.283101	0.283102	0.283101	0.284100
REVENUE	94011414						
Account							
74140 Special Assessments		81,126	84,112	89,143	90,000	89,684	90,000
74736 Donations & Contribution			1,050	750			
74795 Other Revenue		5,219	2,576	-	49,911	-	-
74787 Interest		13	36	156		140	
TOTAL REVENUE		86,358	87,773	90,049	139,911	89,824	90,000
APPROPRIATIONS							
Account							
85213 Contract Services		49,390	38,883	29,390	45,000	31,034	45,000
85245 Printing & Binding Services		3,759	1,815	1,470	4,000	1,572	4,000
85249 Snow & Ice Removal		-	450	929	500	231	500
85290 Other Professional Services		6,707	7,164	637	4,500	4,035	4,500
85305 Utility Services		1,178	805	1,275	1,900	1,812	1,900
85325 Repairs & Maint.		-	-	2,836	-	5,206	-
85413 Postage		1,060	1,272	625	1,400	530	1,400
85416 Advertising		13,455	8,753	3,822	16,000	9,757	16,000
85419 Legal Notices		1,028	1,587	1,953	2,000	694	2,000
85422 Dues & Subscriptions		10	-	3,000		3,250	
85428 Travel & Training		348	412	182	500	250	500
85490 Other Expenditures		219	5,074	2,122	32,724	300	32,724
85505 Office Supplies		219	106	300	600	284	600
85560 Trees & Shrubs		-	11,023	-	1,000	1,727	1,000
85590 Other General Supplies		223	96	2,915	750	570	750
85608 Land Improvements		-	-	-	25,000	10,000	25,000
TOTAL OPERATING EXPENSES		77,597	77,440	51,456	135,874	71,252	135,874
ANNUAL EXCESS/(LOSS)		8,761	10,333		4,037	18,572	(45,874)
Beginning Cash Balance		8,885	17,646	27,979	27,979	27,979	46,550
Revenues		86,358	87,773	90,049	139,911	89,824	90,000
Expenditures		77,597	77,440	51,456	135,874	71,252	135,874
Ending Cash Balance		17,646	27,979	66,571	32,016	46,550	676

RESOLUTION 2011-180

WHEREAS, the City Council has considered the proposed budget of the Business Improvement District No. 8 for the fiscal year 2011-2012; and

WHEREAS, the City has received the assessed values of the individual properties within Business Improvement District No. 8 as shown in the office of the Hall County Assessor in effect on the first day of January, 2011;

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

1. The budget for Business Improvement District No. 8 is hereby considered.
2. A proposed assessment schedule shall be prepared.
3. A hearing before the City Council sitting as a Board of Equalization on the proposed assessments shall be held on September 13, 2011 at 7:00 p.m. in the City Council chambers of City Hall, 100 East First Street, Grand Island, Nebraska.
4. Notice of hearing shall be published once each week for three consecutive weeks in accordance with the Business Improvement District Act.
5. Notice of hearing shall be mailed to all property owners of Business Improvement District No. 8 by U.S. mail, postage prepaid.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, July 26, 2011.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
July 22, 2011	☐ City Attorney



City of Grand Island

Tuesday, July 26, 2011

Council Session

Item G16

**#2011-181 - Approving Program Agreement with Nebraska
Department of Roads for the Federal Funds Purchase Program**

Staff Contact: John Collins, Public Works Director

Council Agenda Memo

From: Scott Griepestroh, Project Manager

Meeting: July 26, 2011

Subject: Approving Program Agreement with Nebraska
Department of Roads for the Federal Funds Purchase
Program

Item #'s: G-16

Presenter(s): John Collins, Public Works Director

Background

All agreements must be approved by the City Council.

Each year the federal government makes certain federal-aid transportation funds available to Nebraska, including funds from the Surface Transportation Program (STP) and the Highway Bridge Program (HBP) for use on State and local federal-aid transportation projects. These funds have historically been made available to the Local Public Agency (LPA) by the State for its use in funding federal-aid projects on the public streets or roads and bridges within its jurisdiction. The State intends to replace that historical practice with a purchase-sale process.

Discussion

The State is willing to obligate and expend additional federal-aid project funds for State highway and bridge projects, and is willing to assume the risk of meeting all federal-aid requirements for use of any additional federal-aid funds it obtains. The State is interested in purchasing certain federal-aid funds currently allocated to the LPA at a discount, which would cover the costs and risks incurred by the State to meet federal-aid requirements. The cash payment made by the State to the LPA will be equal to eighty percent (80%) of the total dollar amount of federal-aid funds purchased by the State from the LPA beginning in Fiscal Year 2013, except for purchased STP funds for First Class Cities, which will begin in Fiscal Year 2015.

The City of Grand Island's current annual funding portion for HBP Funds is \$7,054. The City will begin receiving its discounted cash payment of approximately \$5,643, or a portion thereof, on or about March 1, 2014.

The City of Grand Island's current annual funding portion for STP Funds is \$1,488,841. The City will begin receiving its discounted cash payment of approximately \$1,191,073 on or about March 1, 2016.

Federal Transportation Aid programs available through the Nebraska Department of Roads that are not part of the Purchase Sale Agreement include the Transportation Enhancement Program, the Highway Safety Improvement Program, Safe Routes to Schools, Rail Safety Program and Emergency Relief Program.

Alternatives

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

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

Recommendation

City Administration recommends that the Council approve a resolution authorizing the Mayor to sign the agreement.

Sample Motion

Move to approve the resolution.

**FEDERAL-AID TRANSPORTATION FUND
PURCHASE-SALE AGREEMENT**

Nebraska Department of Roads

City of Grand Island

THIS AGREEMENT made and entered into by and between the State of Nebraska, Department of Roads, hereinafter referred to as the "State," and the City of Grand Island, Nebraska, hereinafter referred to as Local Public Agency, or "LPA,"

RECITALS

WHEREAS, the State and LPA have authority to enter into this Agreement and to expend funds pursuant to LB 98 of the 2011 Nebraska Legislature, signed by the Governor, which will be codified in Neb. Rev. Stat. §§ 39-1307 and 66-4,100; and,

WHEREAS, each year the federal government makes available to Nebraska certain federal-aid transportation funds, including funds from the Surface Transportation Program (STP) and the Highway Bridge Program (HBP) (formerly known as the Highway Bridge Replacement and Rehabilitation Program), for use on State and local federal-aid transportation projects; and,

WHEREAS, certain federal-aid STP and HBP funds have historically been made available to the LPA by the State for its use in funding federal-aid projects on the public streets or roads within its jurisdiction; and,

WHEREAS, the State presently intends, and LPA wishes to replace that historical practice with a purchase-sale process as further set out herein; and,

WHEREAS, the HBP fund portion of this purchase program will also apply to communities that make up the Transportation Management Areas (TMA) in Nebraska, and,

WHEREAS, for LPA to use federal funds for a federal-aid transportation project, the LPA must provide a local match and meet all federal-aid funding program requirements, some of which would not apply to a project constructed under State laws; and,

WHEREAS, LPA believes that it is not able to expend these federal-aid funds as efficiently or effectively as it would prefer because of the complexity of the processes required of LPAs on federal-aid transportation projects; and,

WHEREAS, the federal-aid funds made available to the LPA are of a type that would also be eligible for use by the State for federal-aid projects on certain State highway and bridge projects; and,

WHEREAS, the State is willing to obligate and expend additional federal-aid project funds, and the State is willing to assume the risk of meeting all federal-aid requirements for use of any additional federal-aid funds it obtains; and,

WHEREAS, the State is interested in purchasing at a discount certain federal-aid funds currently allocated to LPA, such discount to cover the costs and risks incurred by the State to meet federal-aid requirements; and,

WHEREAS, the LPA is interested in selling its available federal-aid funds to the State on the terms and conditions set out in this Agreement, including certain limitations on the use of the cash received by LPA,

NOW, THEREFORE, in consideration of these facts, the State and the LPA agree as follows:

SECTION 1. Effective Date and Term of this Agreement. This Agreement will be effective only upon the execution of this Agreement by the State. The term of this Agreement is four years, beginning on the date that the State makes the first "cash payment" to LPA. At the end of the initial term, this Agreement will automatically renew for successive one year terms, unless the LPA provides the State with notice of termination sixty or more days before the end of any term of this Agreement. The State may terminate this Agreement for any reason at any time by giving LPA advance notice 90 days prior to the date of termination.

SECTION 2. Federal Funds Eligible for Purchase. This Agreement applies to the following categories of federal-aid funds: (a) STP Funds (for both Populations less than 5,000, and Populations 5,000 to 200,000), and (b) HBP Funds. Each year the State will determine the total dollar amount of each of these funds that will be eligible for purchase (hereinafter "the Purchase Pool"), from all funds made available by the federal government for use on local projects within these categories.

SECTION 3. Calculation of LPA's share of the Federal-Aid Funds Purchase

Pools. The following will govern the annual calculation of LPA's share of the Purchase Pool established by NDOR for each category of funds. Only LPAs who enter into a Federal-Aid Transportation Fund Purchase-Sale Agreement with the State (hereinafter referred to as a "Participating" LPA, County or City) will (a) be counted for calculating the proportions described below and (b) will be eligible to receive a share of the Purchase Pools. The historical practice of allocating Federal funds to LPAs in existence prior to the effective date of this Agreement will not be considered in making any calculations under this Agreement.

A. STP Funds Calculation.

1. STP Funding for Populations 5,000 to 200,000 (cities of the first class group). Each year, the State will determine the share of the Purchase Pool attributable to each Participating City of the First Class based on the proportion of that City's total population to the population of all Participating Cities of the First Class in Nebraska. Population will be based upon the latest U.S. Census Bureau census figures.
2. STP Funding for Populations Less Than 5,000. (This category is made up of the 93 Nebraska Counties: each City of the Second Class and Village located within a County draws solely from the County's share of these funds, at the discretion of the County.) Each year, the State will determine the share of the Purchase Pool attributable to each Participating County by calculating each County's proportional share of the totals of all Participating Counties using the following factors and weights:
 - The number of rural residents as reported by the U.S. Census Bureau (25%).
 - The number of rural motor vehicles registered in the County (25%).
 - The number of centerline miles of classified (on- and off-federal system) rural roads in the County (50%).

For this section, rural is defined as the areas outside the corporate limits of any City of the First Class, City of the Primary Class or City of the Metropolitan Class.

B. HBP Funds Calculation.

Each year, the State will determine the share of the Purchase Pool attributable to each Participating County and City of the First Class, including those within the Omaha and Lincoln TMAs and the Cities of Omaha and Lincoln, based on the proportion of that LPA's square feet of bridge deck area of deficient bridges by the total number of square feet of bridge deck area of deficient bridges of all Participating LPAs in this category.

SECTION 4. Cash Payment Calculation and Payment Date. The cash payment to be made by the State to LPA will be equal to eighty percent (80%) of the total dollar amount of federal-aid funds purchased by the State from LPA beginning in Fiscal Year 2013. The cash payment will be made to LPA on or about March 1 of each year beginning on or about March 1, 2014.

Based on the project cost estimates and anticipated funding levels shown in Exhibit A – Transition Plan for First Class City STP Projects, which is hereby incorporated herein by this reference, there will not be any STP funds for purchase by the State until FY 2015. Therefore, the first payment to First Class City LPA's for purchased STP funds is anticipated to be on or about March 1, 2016.

SECTION 5. Limitations on LPA's Use of Cash Payment. The portion of the cash payment received by LPA from the State for the purchase of STP funds shall be used solely for the cost of construction, reconstruction, maintenance, or repair of public highways, streets, roads, or bridges and facilities, appurtenances, and roadway structures deemed necessary in connection therewith. The portion of the cash payment received by LPA from the State for the purchase of HBP funds shall be used solely for the construction, reconstruction, improvement, repair or maintenance of LPA public road bridges. The LPA's use of the cash payment for "maintenance," under the prior two sentences, shall be limited to maintenance projects that preserve, restore or correct

major roadway or bridge conditions and the cash payment will not be used for LPA's routine maintenance activities.

The phrase "facilities, appurtenances, and roadway structures deemed necessary in connection therewith," as used in the first sentence of this section, includes medians; accessory lanes; steps; handrails; sidewalks, adjoining trails, paths and related structures; drainage facilities such as storm sewers, curb or grate inlets, culverts, ditches, and other drainage structures; guardrails; lighting facilities; driveways; retaining walls and other similar facilities that are necessary or desirable and directly related to the proper design of streets, roads and highways.

LPA shall segregate the cash payment and shall separately account for the STP and HBP portions of any cash payment received from the State within its accounting system. The LPA may accumulate and invest the STP or HBP portions of the cash payment it receives so long as the earnings from such investments are used for the applicable purposes provided in this section. The cash payment funds may be used for any phase of an allowable project. The phases of an allowable project include, but are not limited to: 1) preliminary engineering, 2) right-of-way acquisition, 3) utility relocations, 4) construction, and 5) construction engineering.

All roads and bridges shall be designed and constructed to meet the minimum standards of the Nebraska Board of Public Roads Classifications and Standards.

SECTION 6. Annual Certification of Use of Cash Payment and Action Required for Improper Use of Funds. LPA shall file an annual certification with the State, using a copy of the attached Annual Certification Form (Exhibit B), confirming that it has used the cash payment it received solely for the purposes allowed under this Agreement. The annual certification shall be filed with the Local Projects Division of the State and the form shall be submitted by LPA within 90 days after the end of LPA's fiscal year. Further, LPA agrees to immediately report to State any use of the cash payment for a nonconforming use under this Agreement. Within 60 days of discovery of any improperly diverted funds, LPA shall provide the State with a repayment plan for LPA to replace the improperly diverted funds by depositing an equivalent amount of other local funds into the cash payment account. If LPA fails to repay the funds, or fails to provide a repayment plan that is acceptable to the State, the State will withhold LPA's

future annual payments under this Agreement until LPA repays all improperly diverted funds. If LPA fails to meet the requirement of the prior sentence, the State may terminate this Agreement and redistribute any funds it holds on behalf of LPA.

SECTION 7. Additional Terms and Conditions. The parties agree to the following additional terms and conditions:

- A. Federal Legislation. The LPA authorizes the State to take such steps as are deemed by the State to be necessary or advisable for the purpose of securing the benefits of the current Federal-Aid Surface Transportation Act for this Agreement. The terms of this Agreement are subject to changes in federal legislation. The State reserves the right to (1) change the dollar amount of federal-aid funds the State purchases from LPA, or (2) terminate this Agreement, in the event such changes in federal law significantly impacts, nullifies or renders impractical the continuing purchase of LPA's federal-aid funds.
- B. Availability of State Funds. The total federal-aid funds purchased by the State under this Agreement are contingent upon the availability of State funds to make the purchase. If, in the judgment of the State, sufficient State funds are not available to make the payments under this Agreement, the State may (1) reduce the dollar amounts of federal-aid funds the State purchases from LPA, or (2) terminate this Agreement without additional cost, responsibility or obligation to LPA.
- C. Application of Purchased Funds. The LPA understands that the State, at its sole discretion, may use the federal-aid funds purchased from LPA for any federally eligible purpose or project within the State.
- D. Audits. The LPA agrees to make its records and books available at any time to representatives or designees of the State for audit.
- E. Applicable Law. The LPA agrees to follow all applicable laws governing the transaction set out in this Agreement and the use of the State payment for local street, road or bridge projects.

- F. Local Ordinances and Resolutions. The LPA agrees to adopt all necessary ordinances and/or resolutions and to take such legal steps as may be required to give full effect to the terms of this Agreement.
- G. Maintenance of and Commitments for Projects Constructed with Federal Funds. This Agreement does not relieve the LPA of maintaining, at its own expense, all transportation projects under its jurisdiction which have used, or will use federal funds in the future (see, 23 U.S.C. § 116). The LPA agrees to make provisions each year for the maintenance costs involved in properly maintaining all of its federal-aid routes and facilities. The LPA shall also be solely responsible for any required environmental commitments, including monitoring, and any other commitments made after the construction of projects on its federal-aid routes which have used, or will use federal funds in the future. In the event that the federal government withholds funds from the State related to LPA's failure to meet its obligations under this section, LPA agrees that the State, in addition to all other remedies, may withhold its future cash payments under this agreement until all funds are repaid.
- H. Repayment of Federal Funds For Projects Not Completed. If LPA presently has a federal-aid project under development that has not been constructed, but for which federal funds have been received by LPA, LPA has certain time periods under federal law to complete construction of such project, or LPA will be required to repay all federal funds it has been reimbursed for the project. (See 23 C.F.R. § 630.112(c).) In the event that LPA fails to complete construction of such a project, LPA shall repay the federal government, or the State on its behalf, an amount equal to all federal-aid funds previously reimbursed to LPA expended for the project. In the event that LPA fails to repay the federal government or the State, LPA agrees that the State, in addition to all other remedies, may withhold its future cash payments to LPA under this Agreement until all funds are repaid.

- I. Bridges. LPA is responsible for the safety inspection and evaluation of all public street or road bridges under its jurisdiction. These responsibilities include inspections, reports, load ratings, quality control, maintaining bridge files, and all other requirements of the National Bridge Inspection Standards (NBIS). LPA shall provide to the State copies of all bridge plans, hydraulic design reports, load rating reports and inspection reports for all bridges under its jurisdiction. If LPA fails to carry out its duties concerning the NBIS, the State will withhold LPA's future annual payment under this Agreement until LPA complies with all NBIS requirements. If LPA fails to meet the requirements of the prior sentence, the State may terminate this Agreement and redistribute any funds it holds on behalf of LPA.
- J. Right-of-Way. The LPA is advised to use the "Uniform Act" and keep good records when purchasing right of way for a project. The "Uniform Act" is the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended by the Surface Transportation and Uniform Relocation Assistance Act of 1987, and administrative regulations contained in 49 C.F.R. § 24, entitled "Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs."
- K. No Third-Party Benefits. No third-party beneficiaries are intended to be created by this Agreement, nor do the parties herein authorize anyone not a party to this Agreement to maintain a suit for damages pursuant to the terms or provisions of this Agreement.
- L. Fair Employment Practices Act. The LPA agrees to abide by Nebraska Fair Employment Practices Act, as provided by Neb. Rev. Stat. §§ 48-1101 through 48-1126, which is hereby made a part of and included in this Agreement by reference.

IN WITNESS WHEREOF, the LPA and State hereto have caused this Agreement to be executed by their proper officials thereunto duly authorized as of the dates below indicated.

EXECUTED by the LPA this _____ day of _____, 2011.

WITNESS:

CITY OF GRAND ISLAND

LPA Clerk

By _____

Title

EXECUTED by the State this _____ day of _____, 2011.

STATE OF NEBRASKA
DEPARTMENT OF ROADS

By

Title

Federal Fund Purchase Program First Class City Transition Plan

Transition

Based on the general consensus observed by the Nebraska League of Municipalities and NDOR Local Projects Division, the transition into the Federal Fund Purchase Program for the First Class Cities (L200) should be to Federally Fund all projects listed in the Transition Plan for the following reasons:

1. All Projects in Exhibit A have Program Agreements where NDOR and the LPA agreed to build/fund the projects.
2. Nearly all projects within Exhibit A have Federal Funds obligated and most have expended Federal Funds. Failure to Federally fund these projects (through construction) would likely result in the repayment of Federal funds by the LPA's.
3. The projected cash payments to the First Class Cities will not provide adequate funding to advance the major projects within the FHWA allotted timeframes.
4. First Class Cities recently formed an executive committee to represent the collective group be responsible for recommending project selection, etc. At the meeting in March 2011, new projects were selected primarily based on the LPA's STP "point" balance, which is essentially the LPA's turn for the Federal Funds. By funding the selected projects, NDOR is essentially allowing each of the First Class Cities their turn at the Federal Funds.
5. Federally funding all of the projects listed in Exhibit A creates the fairest transition for the most LPA's. Local Projects Division has discussed the transition with each city. The vast majority are generally in favor of the Federal Fund Purchase Program, but only if their programmed project is Federally funded.

Estimated Schedule

The schedule requirements of all projects shown in the Transition Plan are such that they should be completed near the end of FY 2014. However the level of spending authority and projects estimates over the next couple years could vary and may require Federal obligation beyond FY 2014 in order to avoid a repayment situation as described in (2) above. The program of projects will be closely monitored during the transition and adjustments will be made based on project delivery.

Conditions

The following conditions apply to the transition plan described above:

1. LPA's must prosecute the listed projects in a timely fashion. Failure to do so could result in the withdrawal of the project from this transition plan. LPA's with projects withdrawn will be required to complete the project with local funds or repay the federal funds that have been reimbursed. In the case of the former, Federal law with prescribed time limits shall apply.

Federal Fund Purchase Program First Class City Transition Plan

2. Any substantial changes of scope requiring additional funds shall not delay the project substantially and must be approved by NDOR or locally funded by the LPA.
3. Based on current estimates, the transition should be complete by the end of FY 2014, but changes to project estimates (including supplemental engineering agreements and construction change orders) or funding levels may affect the schedule of this transition. For example:
 - a. If project costs go up or funding levels go down, the transition may extend into FY 2015.
 - b. If the opposite occurs, the transition may be completed earlier.
4. NDOR will purchase the balance of unused STP funds in the fiscal year the transition is completed and each subsequent year after according to the Federal Funds Purchase Program agreement. For example:
 - a. If the transition is completed in FY 2014 with \$1m of unused STP funds remaining, NDOR will purchase the \$1m of STP based on the discounted rate of \$0.80 per Federal dollar and distribute the \$800,000 among the First Class Cities with an executed FTFP agreement on or about March 1, 2015.
 - b. If funding levels decrease, project costs increase, or conditions beyond the control of the LPA cause a project to be delayed beyond FY 2014, the purchase pool for FY 2015 will be reduced by NDOR in order to accommodate obligated project expenses.

Summary

In summary the proposal for the First Class City Federal Fund Purchase Program Transition would be to fund the finite list of projects with projected schedule/cost estimates shown in the following pages to be substantially completed near the end of FY 2014.

Close communication with LPA's and NDOR officials will be required during this transition to allow for the timely development of State projects necessary for the Federal Funds Purchase Program.

Transition Projects for First Class Cities

STP Projects

Control Number	Project Number	Project Name
12692	STPAA-604(2)	California Ave., Sioux City
12699A	STPAA-604(2)	1st St., Cede Ave., Hawthorne Ave., Cedar
12938	URB-6217(5)	4th Corso In Nebraska City
13005	URB-6108(1)	Beatrice Citywide Resurfacing
13159	URB-6217(4)	4th Corso Viacross, Nebraska City
13161	LRB-6763(1)	Karel Kay Blvd, Bader - H Street, Seward
21353	STPAA-5675(2)	4th St., Fremont
22113	LRD-5406(1)	4th Ave., 23rd St., Hillcrest, Plattsmouth
22429	LRB-5613(3)	1st Ave., Broad St., Fremont
22507	URB-5462(1)	Jackson St, 3rd - River Rd, Blair
23011	TRC	Blair Bypass - South Segment
31830	STPAA-6708(1)	10th St - Main to Windsor
31875	URB-5001(4)	25th St. Turn US 275 to Benjamin
31890	URB-5059(6)	3rd Ave 8th to 9th
31531	URB-6709(2)	Windsor Street from 4th Ave to 5th St
32074	URB-5314(20)	E 17th Avenue Drive - Fiveview
32081	URB-5305(10)	Dakota Ave. 25th - 37th
32184	URB-5314(2)	Riverside Dr., 27th to 29th, S. Sioux City
32186	URB-5306(6)	17th St, US 77 - Lake Ave., S. Sioux City
32187	URB-6067(2)	E 17th Ave, 24th - 30th St, Columbus
32189	URB-6957(1)	Various Locations in Schuyler
40352A	URB-30-4153(1)	US-70 Drainage Improvement, Grand Island
42396	STPAA-6516(1)	14th St., Elm Ave., 1st Ave., Hastings
4252a	URB-5521(1)	E. 14th Ave., US 28, N 1st Ave., Hastings
42578	URB-5514(2)	9th St., Turner Ave., 2nd Ave., Hastings
42531	URB-5515(8)	Multiple Locations - Rural Hastings
42595	LRD-6312(2)	13th Street, Blackburn - DeSoto, York
42597	LRB-6203(4)	Division Ave., Marquis - US 24, York
42701	LRB-5505(1)	Baltimore Ave. 12th - 14th St., Hastings
42705	LRB-5516(1)	7th St., Burlington - 1st Ave., Hastings
42705	LRD-5409(2)	Various Locations in Eagle Bluff
42707	LRB-5433(5)	Capitol Ave., Webb - Broadwell, Grand Island
51342	LRB-6263(1)	South Potomac Ave., Alliance
51449	URB-5701(8)	Broadway, 1st - 20th St., Scottsbluff
51450	URB-5235(3)	Eisenhower Avenue, 18th - 25th Street
51454	URB-5726(1)	27th St. Ave. - Hwy 26, Scottsbluff
51456	URB-5563(3)	10th St, Hickory - Osage, Sidney
51480	URB-5335(2)	For Sidney Rd, L 3RD - 11th Ave, Sidney
51486	URB-5703(2)	Ave F, Overland - 27th St., Scottsbluff
51489	URB-5723(8)	10th St, Crescent Dr - River Bridge, Gettysburg
51490	URB-6254(7)	10th St, Fox Battle - Black, A. Landon
51499	URB-6351(2)	Jackson St., Sidney
51547	URB-6255(1)	17th St, Madison - Van Dusen, Lexington
51552	URB-6491(1)	West 13th St. East 14th - West 1st, Ogallala
51554	URB-6352(1)	6th St, Grant - Taft, Lexington
71183	URB-6154(1)	1st St, Morris Ave - Airport Rd, McCook
71184	URB-6154(1)	11th Ave, Victoria - Jurgens, Holdrege
71151	URB-6158(1)	E 17th St, H St - Country Club Dr, McCook
71152	URB-6805(1)	18th Ave, Baltimore-West Ave, Holdrege

* The first phase of the Blair Bypass was selected to receive \$2m of CTF funds from the First Class Cities 2. The project selection meeting in March 2011 in addition to the \$844k of CTF monies. The CTF funds will be available for phases obligated through FY 2014. The City of Blair will be required to identify other funding sources for remaining phases beyond FY 2014. The project will be prioritized from the Federal Allocation to be completed.

Transition Projects for First Class Cities

BR Projects

Control Number	Project Number	Project Name
12566	BAO-7676(22)	13th St./Elva River Bridge, Gate

RRZ/TMT/STP Projects

Control Number	Project Number	Project Name
12566	BAO-7676(22)	13th St./Elva River Bridge, Gate
12566	BAO-7676(22)	13th St./Elva River Bridge, Gate
12566	BAO-7676(22)	13th St./Elva River Bridge, Gate
12566	BAO-7676(22)	13th St./Elva River Bridge, Gate
12566	BAO-7676(22)	13th St./Elva River Bridge, Gate

Safety Projects

Control Number	Project Number	Project Name
12566	BAO-7676(22)	13th St./Elva River Bridge, Gate
12566	BAO-7676(22)	13th St./Elva River Bridge, Gate

STP Relinquishment Projects

Control Number	Project Number	Project Name
12566	BAO-7676(22)	13th St./Elva River Bridge, Gate
12566	BAO-7676(22)	13th St./Elva River Bridge, Gate

ANNUAL CERTIFICATION FORM

_____, hereinafter "Local Public Agency" or "LPA"

Period of Time Covered by Certification

First Year—Date of Receipt of First Cash Payment to Date of this Certification

Subsequent Years—Date of Last Certification to Date of this Certification

This certification is given by LPA pursuant to the requirements of the second paragraph of Neb. Rev. Stat. § 39-1307 (as this section was amended by Section 1 of LB98, 2011 Legislative Session), and as required by Section 5 of the Federal-Aid Transportation Fund Purchase Sale Agreement (the Agreement) between the State of Nebraska Department of Roads (State) and LPA.

LPA has received cash payment funds from the State according to the terms of the Agreement. LPA agreed in Section 5 of the Agreement to restrict LPA's use of the cash payment funds to certain specified uses. (See the language of Section 5 set out below). Section 6 of the Agreement requires LPA to make this certification annually.

The undersigned hereby certifies that he or she:

- (1) Has been properly authorized by LPA's governing body to make this certification on behalf of the LPA.
- (2) Has sufficient information to accurately, fully and fairly make this certification.
- (3) Is familiar with the terms of the Agreement between the LPA and the State, including particularly, the limitations on LPA's use of the cash payment funds set out in Section 5 of the Agreement.
- (4) Is familiar with LPA's accounting systems and bank and investment accounts and knows (a) where the cash payment funds have been deposited or invested, and (b) how the cash payment funds have been managed and accounted for within LPA's financial records.
- (5) Is familiar with the details of all projects or activities of LPA for which funds in the cash payment account have been used by LPA.
- (6) Believes, that to the best of his or her knowledge and belief, (1) LPA's use of the cash payment funds fully and fairly complies with the requirements of Section 5 of the Agreement, and (2) LPA has segregated the cash payment it received from the State and has separately accounted for any STP and HSP portions of the cash payment, within its accounting system.

Date _____

Signature _____

Printed name _____

Title _____

Language from Section 5 of the Federal-Aid Transportation Fund Purchase-Sale Agreement

SECTION 5. Limitations on LPA's Use of Cash Payment.

The portion of the cash payment received by LPA from the State for the purchase of **STP funds** shall be used solely for the cost of construction, reconstruction, maintenance, or repair of public highways, streets, roads, or bridges and facilities, appurtenances, and roadway structures deemed necessary in connection therewith. The portion of the cash payment received by LPA from the State for the purchase of **HBP funds** shall be used solely for the construction, reconstruction, improvement, repair or maintenance of LPA public road bridges. The LPA's use of the cash payment for "maintenance," under the prior two sentences, shall be limited to maintenance projects that preserve, restore or correct major roadway or bridge conditions and the cash payment will not be used for LPA's routine maintenance activities.

The phrase "facilities, appurtenances, and roadway structures deemed necessary in connection therewith," as used in the first sentence of this section, includes medians; accessory lanes; steps; handrails; sidewalks, adjoining trails, paths and related structures; drainage facilities such as storm sewers, curb or grate inlets, culverts, ditches, and other drainage structures; guardrails; lighting facilities; driveways; retaining walls and other similar facilities that are necessary or desirable and directly related to the proper design of streets, roads and highways.

LPA shall segregate the cash payment and shall separately account for the STP and HBP portions of any cash payment received from the State within its accounting system. The LPA may accumulate and invest the STP or HBP portions of the cash payment it receives so long as the earnings from such investments are used for the applicable purposes provided in this section. The cash payment funds may be used for any phase of an allowable project. The phases of an allowable project include, but are not limited to: 1) preliminary engineering, 2) right-of-way acquisition, 3) utility relocations, 4) construction, and 5) construction engineering.

All roads and bridges shall be designed and constructed to meet the minimum standards of the Nebraska Board of Public Roads Classifications and Standards.

RESOLUTION 2011-181

WHEREAS, each year federal government makes available to Nebraska certain federal-aid transportation funds, including funds from the Surface Transportation Program (STP) and the Highway Bridge Program (HBP) (formerly known as the Highway Bridge Replacement and Rehabilitation Program), for use on State and local federal-aid transportation projects; and

WHEREAS, certain federal-aid STP and HBP funds have historically been made available to the LPA by the State for its use in funding federal-aid projects on the public streets or roads within its jurisdiction; and

WHEREAS, LPA and the NDOR wish to enter into an agreement to provide for the purchase, at a discount, certain federal-aid dollars currently made available to the LPA, and

WHEREAS, the LPA is interested in selling its available federal-aid funds to the State on the terms and conditions set out in this agreement, including certain limitation on the use of the cash received by the LPA; and

WHEREAS, the Council has reviewed the agreement and has determined that it is in its best interest to enter into the agreement in the attached form.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Mayor is hereby authorized to sign the attached Federal Funds Purchase Program Agreement between the City of Grand Island and the Nebraska Department of Roads.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, July 26, 2011.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
July 21, 2011	☐ City Attorney



City of Grand Island

Tuesday, July 26, 2011

Council Session

Item G17

**#2011-182 - Approving Interlocal Agreement with Central Platte
Natural Resources District for an Update to the Groundwater
Dewatering Plan**

Staff Contact: John Collins, Public Works Director

Council Agenda Memo

From: Terry Brown, Manager of Engineering Services

Meeting: July 26, 2011

Subject: Approving Interlocal Agreement with Central Platte Natural Resources District for an Update to the Groundwater Dewatering Plan

Item #'s: G-17

Presenter(s): John Collins, Public Works Director

Background

On December 21, 1998 the City entered into an agreement with the Central Platte Natural Resources District (CPNRD), which provided for the installation of test and monitoring wells to study lowering groundwater levels.

The study concluded September 2000 with a recommendation to implement a dewatering program.

Discussion

This agreement is to update to the September 2000 Groundwater Study. The cost of the study will be shared equally between the City and the CPNRD, with the City taking the lead on the Request for Qualifications and drafting of an agreement. The updated study will be shared with City Council and the CPNRD.

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 with the Central Platte Natural Resources District and pass a Resolution authorizing the Mayor to sign the agreement for an update to the September 2000 groundwater Study.

Sample Motion

Move to approve the resolution.

JOINT CITY-NRD GROUNDWATER DEWATERING PLAN
INTERLOCAL COOPERATION AGREEMENT
BY AND BETWEEN THE CITY OF GRAND ISLAND
AND CENTRAL PLATTE NATURAL RESOURCES DISTRICT

THIS AGREEMENT is made on _____, 2011 by and between the CITY OF GRAND ISLAND, NEBRASKA, a Municipal Corporation (City) and CENTRAL PLATTE NATURAL RESOURCES DISTRICT, a Political Subdivision (District).

1. **STATEMENT OF PURPOSE.** The purpose of this Interlocal Cooperation Agreement is to update the September 2000 Grand Island Dewatering System Study and to outline the respective responsibilities and duties of the City and District in connection with this project. There is no authority for any property to be obtained.

2. **CITY'S RESPONSIBILITIES AND DUTIES.** The City's responsibilities and duties shall include:

- a. Planning, designing, administering, supervising and implementing the study update;
- b. Acting as the "contracting agency" for the study update;
- c. Informing the District on the study update; and
- d. Equally sharing in the cost of the study update with the District.

3. **DISTRICT'S RESPONSIBILITIES AND DUTIES.** The District's responsibilities and duties shall include:

- a. Keeping the City informed concerning the District's analysis and conclusions concerning the study update; and
- b. Equally sharing in the cost of the study update with the City.

4. **DURATION.** This Interlocal Cooperation Agreement shall remain in full force and effect during the term of the study update. The Interlocal Cooperation Agreement may be terminated earlier by either party notifying the other in writing of its intention to terminate participation in the project not less than thirty (30) days following mailing of said notification.

5. **CHOICE OF LAWS.** This Interlocal Agreement shall be construed in accordance with the laws of the State of Nebraska including, but not limited to, the Interlocal Cooperation Act, Neb. Rev. Stat. § 13-801 et seq., as amended.

6. **ENTIRE AGREEMENT.** This Interlocal Agreement shall constitute the entire agreement between the City and District relating to the proposed study update and may be amended only in writing duly approved and adopted by the respective parties.

7. **EFFECTIVE DATE.** This Interlocal Cooperation Agreement shall be effective upon approval by the Mayor and City Council of the City and the Board of Directors of the District and execution by the parties' respective executive officers.

CITY OF GRAND ISLAND, NEBRASKA

BY _____
Jay Vavricek, Mayor

Date _____

Attest: _____
RaNae Edwards, City Clerk

CENTRAL PLATTE NATURAL RESOURCES DISTRICT

BY _____

Date _____

Attest: _____

The contract is in due from according to law and hereby approved.

Attorney for the City

Date _____

RESOLUTION 2011-182

WHEREAS, the City is proposing an update to the September 2000 Groundwater Study;
and

WHEREAS, the cost of the updated study will be shared equally between the City and the Central Platte Natural Resources District (CPNRD); and

WHEREAS, it is recommended that an Interlocal Agreement be entered into with the Central Platte Natural Resources District (CPNRD), and

WHEREAS, the Public Works Department has prepared an Interlocal Agreement, which has been reviewed by the Legal Department, with the Central Platte Natural Resources District (CPNRD) for such study to be completed.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Interlocal Agreement by and between the City and Central Platte Natural Resources District (CPNRD) for the Groundwater Study update is hereby approved.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, July 26, 2011.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, July 26, 2011

Council Session

Item G18

#2011-183 - Approving Interlocal Agreement with Hall County for Improvements to Engleman Road between US Highway 30 and Airport Road

Staff Contact: John Collins, Public Works Director

Council Agenda Memo

From: Scott Griepestroh, Project Manager

Meeting: July 26, 2011

Subject: Approving Interlocal Agreement with Hall County for Improvements to Engleman Road between US Highway 30 and Airport Road

Item #'s: G-18

Presenter(s): John Collins, Public Works Director

Background

Council approval is required before entering into an agreement. Pursuing interlocal agreements between governmental entities is an efficient means of collaborating efforts to better our community.

Discussion

This agreement is for improvements on Engleman Road between US Highway 30 and Airport Road. This segment of Engleman Road has sections within the Grand Island city limits and sections in Hall County. Performing a joint project is beneficial for both entities.

Through this agreement the City of Grand Island will pay Hall County for the asphalt overlay, testing and other expenses incurred with respect to that portion of Engleman Road located in the municipal city limits.

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 with Hall County and pass a Resolution authorizing the Mayor to sign the agreement.

Sample Motion

Move to approve the resolution.

INTERLOCAL COOPERATIVE AGREEMENT
FOR IMPROVEMENTS TO
ENGLEMAN ROAD BETWEEN US HIGHWAY 30 AND AIRPORT ROAD
BY AND BETWEEN
THE COUNTY OF HALL, NEBRASKA
AND THE CITY OF GRAND ISLAND, NEBRASKA

THIS AGREEMENT is made and entered into this 26th day of July 2011, by and between the County of Hall, Nebraska, a body politic and corporate and a political subdivision of the State of Nebraska, hereinafter referred to as the "County," and the City of Grand Island, Nebraska, a municipal corporation within the State of Nebraska, hereinafter referred to as the "City." WITNESSTH:

WHEREAS, the County and City desire to enter into an agreement for the joint improvement of Engleman Road between US Highway 30 and Airport Road, under Hall County's Annual Asphalt Maintenance Program.

WHEREAS, the Interlocal Cooperation Act, Neb. Rev. Stat. 13-801, et seq. provides that units of local government of the State of Nebraska and Nebraska state agencies may enter into agreement for the joint and cooperative exercise of powers, privileges, or authority capable of being exercised by either agency; and

WHEREAS, Neb. Rev. Stat. 13-801 provides that any one or more public agencies may contract with any one or more public agencies to perform any governmental service, activity, or other undertaking which each public agency entering into the contract is authorized by law to perform; and

WHEREAS, the County and the City desire to enter into this interlocal agreement for improvements to Engleman Road because of the efficiencies of joint planning, a single bidding process, anticipated cost savings, attainable through using a single bidding process and efficiencies of planning and construction.

NOW, THEREFORE, the County and the City mutually covenant and agree as follows:

- 1) **Scope of Project.** This agreement is for asphalt maintenance resurfacing on Engleman Road from US Highway 30 to Airport Road. The roadway will be milled to a uniform cross slope to remove ruts prior to the asphalt overlay. The improvement will consist of an asphalt overlay approximately 2 inches thick by 24 feet wide. If one of the intersecting approach roads needs resurfaced as part of this project, and there is adequate budget to allow for the work, up to ¼ mile of intersecting road may be included with the work.

- 2) **City's Obligations.** The City shall be responsible for the following with respect to the portions of Engleman Road and intersecting approach road(s) located within the municipal boundaries of the City.
 - a) Make progress payments after award of the contract and final payment upon completion and acceptance of the project.
 - b) The City's cost will include the cost of the asphalt overlay paving plus engineering costs, testing and other expenses and labor incurred with respect to that portion of Engleman Road located within the City's municipal responsibilities. The estimated cost for the City's portion of the project is \$245,000.
- 3) **County Obligations.** The County shall be responsible for the following with respect to the project.
 - a) Prepare bid specifications for the project and contract for the same following the required bidding practices and requirements of law.
 - b) Perform construction observation services for the project that include, but are not limited to the following: asphalt lay-down inspection, collecting delivery tickets, obtaining & testing required asphalt samples, and reviewing the contractor's temporary work zone traffic control to ensure compliance with the Manual of Uniform Traffic Control Devices.
 - c) Approving and final accepting the work of the asphalt paving contractor, including the final pay estimate.
 - d) Placing earth shoulders on the roadway following the resurfacing work.
 - e) Tracking costs of the project attributed to the City for submittal for reimbursement to the County.
- 4) **Further Agreements.** Each Party hereto shall be responsible for the maintenance of its portion of the roadway following completion of the resurfacing.
- 5) **Governance.** This agreement shall be co-governed by the Hall County Engineer and the City of Grand Island's Manager of Engineering Services.
- 6) **Modification.** This agreement may be modified by written agreement of the Parties.
- 7) **No Separate Entity.** There shall be no separate legal entity created through this interlocal cooperative agreement.
- 8) **Finances.** This agreement shall be financed by the funds available to the parties hereto.

- 9) **Provision of Assistance.** Pursuant to the Interlocal Cooperation Act, any party to this agreement, in the party's sole discretion, may appropriate funds and may sell, lease, give, or otherwise provide assistance, including personnel and services, as may be within the party's legal power to furnish.

CITY OF GRAND ISLAND

Executed this 26th day of July, 2011.

By: _____
Jay Vavricek
Grand Island Mayor

Attest: _____
RaNae Edwards
Grand Island City Clerk

Approved to Form: _____
Jason Eley
Grand Island Assistant City Attorney

COUNTY OF HALL

Executed this 2nd day of August, 2011.

By: _____
Pamela E. Lancaster, Vice-Chair
Hall County Board of Supervisors

Attest: _____
Marla Conley
Hall County Clerk

Approved to Form: _____
Jack Zitterkopf
Hall County Assistant County

RESOLUTION 2011-183

WHEREAS, Hall County is proposing an asphalt overlay project for Engleman Road; and

WHEREAS, a portion of such asphalt work will be within the municipal city limits, from US Highway 30 to Airport Road; and

WHEREAS, it is recommended that an Interlocal Agreement be entered into with Hall County for sharing in the cost of such work, and

WHEREAS, the Hall County Public Works Department has prepared an Interlocal Agreement, which has been reviewed by the City's Legal Department, for such work to be completed.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Interlocal Agreement by and between the City and Hall County, Nebraska for the asphalt overlay work to be performed on Engleman Road from US Highway 30 to Airport Road is hereby approved.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, July 26, 2011.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, July 26, 2011

Council Session

Item G19

**#2011-184 - Approving Revised Uranium Removal System
Equipment Bid - Per HDR Engineering**

Staff Contact: Tim Luchsinger

Council Agenda Memo

From: Tim Luchsinger, Utilities Director
Jason Eley, Asst. City Attorney/Purchasing

Meeting: July 26, 2011

Subject: Uranium Removal System Equipment

Item #'s: G-19

Presenter(s): Tim Luchsinger, Utilities Director

Background

The Utilities Department was authorized by Council on February 22, 2011 to proceed with the procurement and installation of the large-scale pilot uranium removal system at the City's Platte River Well Field. Specifications for the Uranium Removal System - Equipment Procurement were advertised and issued for bid in accordance with the City Purchasing Code. The specifications included two pricing elements. Schedule A is the price for furnishing the uranium removal system equipment in accordance with the specifications. Schedule B is the present value cost of providing ten years of maintenance and support for operation of the system, subject to adjustment annually based on the Consumer Price Index. This includes monitoring operation of the system, furnishing replacement treatment media, disposal of spent media at licensed facilities, maintaining compliance with a radioactive materials license, and decommissioning of the system. The price is based on a specified annual quantity of water to be treated, with a unit price for adjustment of water quantities above the specified amount. Two bidders responded as listed below. The engineer's estimate for this project was \$2,500,000 for Schedule A and \$7,722,000 for Schedule B.

Bidder	Bid Price	
Water Remediation Technology Of Wheat Ridge, Colorado	Schedule A:	\$2,049,050.00
	Schedule B:	\$6,072,966.90
Total A & B:		\$8,122,016.90
Envirogen Technologies Of Kingwood, TX	Schedule A:	\$1,852,000.00
	Schedule B:	-----
Total A & B:		\$1,852,000.00

Envirogen took exception to providing Schedule B pricing and their bid was not further evaluated as being non-compliant. Utilities staff and HDR reviewed the Water Remediation Technology (WRT) for compliance. WRT included additional bonding not required by the specifications. City legal and utilities staff did not consider the additional bonding to benefit the City and adjusted the bid price using the bond pricing included in the bid. WRT also proposed an alternative payment schedule, but otherwise had no exceptions. At the June 28, 2011 Council meeting, the Utilities Department recommended that WRT be awarded the contract for the Uranium Removal System – Equipment Procurement specifications for the Schedule A adjusted bid price of \$1,958,100 and the Schedule B bid price of \$6,072,966.90, for a total bid price of \$8,031,066.90, and Council approved this award.

Discussion

Present value cost evaluation is a method to evaluate different long term options on a level playing field. By taking all costs, immediate and future, and applying a cost of money associated with future costs, one can evaluate options based on the amount of money needed in hand at the time of the decision. Subsequent to preparing the contract for the Uranium Removal System - Equipment Procurement, it was realized that the price for this contract is actually the price of the equipment in Schedule A, and the annual cost in Schedule B which was used as a basis for the present value cost evaluation. This is the price that will be paid to WRT, not the evaluated cost, and it is the contract price that should have been recommended to Council for consideration in approving the bid award. Therefore, to correct the previous resolution of June 28, 2011, the Utilities Department recommends that Water Remediation Technologies of Wheat Ridge, Colorado be awarded the contract for the Uranium Removal System – Equipment Procurement specifications in the amount of \$1,958,100.00, with an annual payment of \$786,450.00 for ten years (subject to adjustment as provided in 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 bid of Water Remediation Technologies of Wheat Ridge, Colorado and award the contract for the Uranium Removal System – Equipment Procurement specifications in the amount of

\$1,958,100.00, with an annual payment of \$786,450.00 for ten years (subject to adjustment as provided in the contract).

Sample Motion

Move to approve the bid of Water Remediation Technologies of Wheat Ridge, Colorado and award the contract for the Uranium Removal System – Equipment Procurement specifications in the amount of \$1,958,100.00, with an annual payment of \$786,450.00 for ten years (subject to adjustment as provided in the contract).

Purchasing Division of Legal Department
INTEROFFICE MEMORANDUM



Jason Eley, Purchasing Agent

*Working Together for a
Better Tomorrow, Today*

BID OPENING

BID OPENING DATE: May 5, 2011 at 2:00 p.m.

FOR: Uranium Removal System – Equipment Procurement

DEPARTMENT: Utilities

ESTIMATE: \$2,500,000.00

FUND/ACCOUNT: 520

PUBLICATION DATE: March 31, 2011

NO. POTENTIAL BIDDERS:

SUMMARY

Bidder:	<u>Water Remediation Technology</u> Wheat Ridge, CO	<u>Envirogen Technologies</u> Kingwood, TX
Bid Security:	\$102,452.50	Argnaut Insurance Co.
Exceptions:	None	Noted
Bid Price:		
Schedule A:	\$2,049,050.00	\$1,852,000.00
Schedule B:	<u>\$6,072,966.90</u>	<u>-----,</u>
Total A & B:	\$8,122,016.90	\$1,852,000.00

cc: Tim Luchsinger, Utilities Director
Jason Eley, Purchasing Agent
Mary Lou Brown, City Administrator
Karen Nagel, Utilities Secretary

Bob Smith, Assist. Utilities Director
Pat Gericke, Utilities Admin. Assist.
Lynn Mayhew, Plant Supt.

P1473

RESOLUTION 2011-184

WHEREAS, the City of Grand Island invited sealed bids for Uranium Removal System Equipment Procurement, according to plans and specifications on file with the Utilities Department; and

WHEREAS, on May 5, 2011, bids were received, opened and reviewed; and

WHEREAS, Water Remediation Technologies of Wheat Ridge, CO, 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 \$1,958,100.00 with an annual payment of \$786,450.00 for ten years (subject to adjustment as provided in the contract); and

WHEREAS, the bid of Water Remediation Technologies is less than the estimate for the Uranium Removal System Equipment Procurement.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Water Remediation Technologies in the amount of \$1,958,100.00 with an annual payment of \$786,450.00 for ten years (subject to adjustment as provided in the contract) for Uranium Removal System Equipment Procurement, is hereby approved as the lowest responsible bid.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, July 26, 2011.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
July 21, 2011	☐ City Attorney



City of Grand Island

Tuesday, July 26, 2011

Council Session

Item G20

**#2011-185 - Approving Renewal of Life Insurance Contract with
Aetna**

Staff Contact: Brenda Sutherland

Council Agenda Memo

From: Brenda Sutherland, Human Resources Director

Meeting: July 26, 2011

Subject: Life Insurance Renewal

Item #'s: G-20

Presenter(s): Brenda Sutherland, Human Resources Director

Background

The City of Grand Island provides a life insurance benefit for its employees and their dependents. Employees are provided with \$50,000 of coverage and their spouse has \$10,000 and their dependent children have \$5,000 of life insurance coverage. Employees also have the option of purchasing supplemental coverage at their own expense. The City's current provider is Aetna.

Discussion

The Human Resources Department recently advertised a Request for Proposals (RFP) for its life insurance benefit. Attached is the list of vendors who submitted proposals. Aetna's proposal was the most competitive and therefore a recommendation is being made to continue with Aetna to provide this benefit. The cost for coverage will remain at the same rate it is today at a cost of .13 cents per thousand for basic coverage for city employees. The cost to provide the family coverage has been reduced by 2.63% and will be .74 cents per family unit for dependent coverage.

Employees will still have the option to purchase supplemental coverage at their own expense. Aetna has agreed to an open enrollment period where supplemental coverage for employees or their dependents can be purchased with a guaranteed issue. This means there will be no medical underwriting for coverage up to a certain level. This is a wonderful benefit for people who may be uninsurable and unable to purchase life insurance on their own.

Through the budget preparation process, we have talked about escalators that the City sees with various contracts that it has in place. That will not be the case with this renewal contract as Aetna has guaranteed its rates for three years. The renewal period will run from August 1, 2011 through July 31, 2014

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 renewal with Aetna to provide the City's life insurance benefit.

Sample Motion

Move to approve the renewal with Aetna to provide the City's life insurance benefit.



The City of Grand Isle Nebraska
Customer Number: 724965

Renewal Provisions

Renewal Effective Date: August 1, 2011
Renewal End Date: July 30, 2013

The renewal is priced as a total package. If Aetna does not retain all coverages then we reserve the right to review our pricing for the remaining coverages.

Renewal rates are guaranteed for the rate guarantee period, provided the renewal rates and any recommended plan changes quoted are accepted within 90 days of the date of this renewal offer. After the 90 day period, Aetna may revise our renewal rating using the latest experience available.

Renewal Rates assume Commissions are being paid to Strong Financial Resources at a rate of:

Standard Commissions

Premium Paid	Life and AD&D	STD and LTD
	% Commissions Paid	% Commissions Paid
\$0 to \$15,000.00	12.00%*	15.00%
\$15,000.01 to \$25,000.00	10.00%	10.00%
\$25,000.01 to \$50,000.00	5.00%	5.00%
\$50,000.01 to \$150,000.00	1.00%	1.00%
\$150,000.01 and up	0.50%	0.50%

* 15% for New York and Wisconsin

Renewal rates are based on 48% optional life participation level.

While the policy remains in force, and in the absence of any revisions in benefits, change in participation lives, volume changes of more than 10%, or other material change in the conditions under which your plan operates, we anticipate that these rates will remain in effect until the next policy anniversary.

Aetna's standard Group Life contract outlines requirements for Evidence of Insurability (EOI) and Premium Waiver (PW). As such, and as part of the renewal process, your Policy's EOI rules will be reviewed with you as well as the PW feature and related requirements including notification rules.

The information in this summary is only a partial, general description of actual terms of your Group Policy and is not intended to replace or supersede the terms of the Group Policy. In the event that any conflict exists between this summary and the Group Policy, the terms of the Group Policy shall prevail.



July 8, 2011

The City of Grand Island Nebraska
Attn: Tami Herald
100 East First Street
Grand Island, NE 68802

RE: Group Insurance Policy – # 724965

Enclosed is the renewal for your prospectively rated Basic Life/AD&D, Supplemental Life/AD&D and Dependent Life plans effective August 1, 2011. The rates are guaranteed through July 31, 2014.

The rates are reflected as follows:

- | | |
|---|-------------------|
| • Employee Basic Term Life Insurance | \$.110/\$1000 |
| • Employee Basic Accidental Death and Dismemberment | \$.020/\$1000 |
| • Basic Dependent Term Life Insurance | \$.74/family unit |
| • Supplemental Term Life | |
| Employee | \$.29/\$1000 |
| Employee & Spouse | \$.29/\$1000 |
| • Supplemental Dependent Term Life | \$.20/\$1000 |
| • Supplemental Accidental Death and Dismemberment | |
| Employee | \$.04/\$1000 |
| Employee and Spouse | \$.05/\$1000 |

Please provide acknowledgement and acceptance of the renewal rates by signing and dating below.

Sincerely,

Rene' Roth

Signature:

Title:

Date:

RESOLUTION 2011-185

Whereas, the City provides life insurance to employees and their dependents as prescribed in labor agreements and as authorized by the City of Grand Island Personnel Rules; and

WHEREAS, the City of Grand Island advertised a request for proposal for its Life Insurance benefit; and

WHEREAS, the Human Resources Department reviewed proposals for vendor selection; and

WHEREAS, Strong Financial Resources, Inc. of Aurora brought in the proposal by Aetna Insurance that best met the criteria used to evaluate the companies as well as the most competitive pricing; and

WHEREAS, The cost for Life Insurance benefit will be .13 cents per thousand for employee coverage and .74 cents per family unit for family coverage; and

WHEREAS, the contract will commence on August 1, 2011 and will renew annually through July 31, 2014 and the proposed rate is guaranteed for a three year contract period; and

WHEREAS, employees may have the ability to purchase supplemental coverage at their own expense;

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Life Insurance contract with Aetna is hereby approved.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, July 26, 2011.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	by _____
July 22, 2011	City Attorney



City of Grand Island

Tuesday, July 26, 2011

Council Session

Item G21

**#2011-186 - Approving Award of Proposal for Construction of
POW Memorial Marker Project in the Dodge Parking Lot
(Northwest Corner of 1st Street & Walnut Street)**

Staff Contact: John Collins, Public Works Director

Council Agenda Memo

From: John Collins, Public Works Director

Meeting: July 26, 2011

Subject: Approving Award of Proposal for Construction of POW Memorial Marker Project in the Dodge Parking Lot (Northwest Corner of 1st Street & Walnut Street)

Item #'s: G-21

Presenter(s): John Collins, Public Works Director

Background

The Downtown Business Improvement District (BID) has solicited proposals for the construction of a Prisoner of War (POW) Memorial Marker Project in the northwest corner of the parking lot at 1st Street and Walnut Street (Dodge Parking Lot).

This project will develop a mini park at the northwest corner of the Dodge Parking Lot that will include a State Historical Marker, park bench, landscaping, and old Grand Island street pavers. A sketch of the completed project is attached for reference. The goal is to have this project completed prior to the 2011 Nebraska State Fair.

The Request for Proposals was advertised in the Grand Island Daily Independent on July 3, 2011 by the Downtown BID.

Discussion

Two (2) proposals were opened on July 18, 2011 and reviewed by then Downtown BID Board. Chief Construction Company of Grand Island, Nebraska submitted the proposal that was chosen using evaluation criteria listed in the RFP. The work is to be performed at actual costs with a maximum of \$17,600.00.

- Firm experience on similar work (25%)
- Team experience (25%)
- Approach (25%)
- Proposed schedule and fees (25%)

Alternatives

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

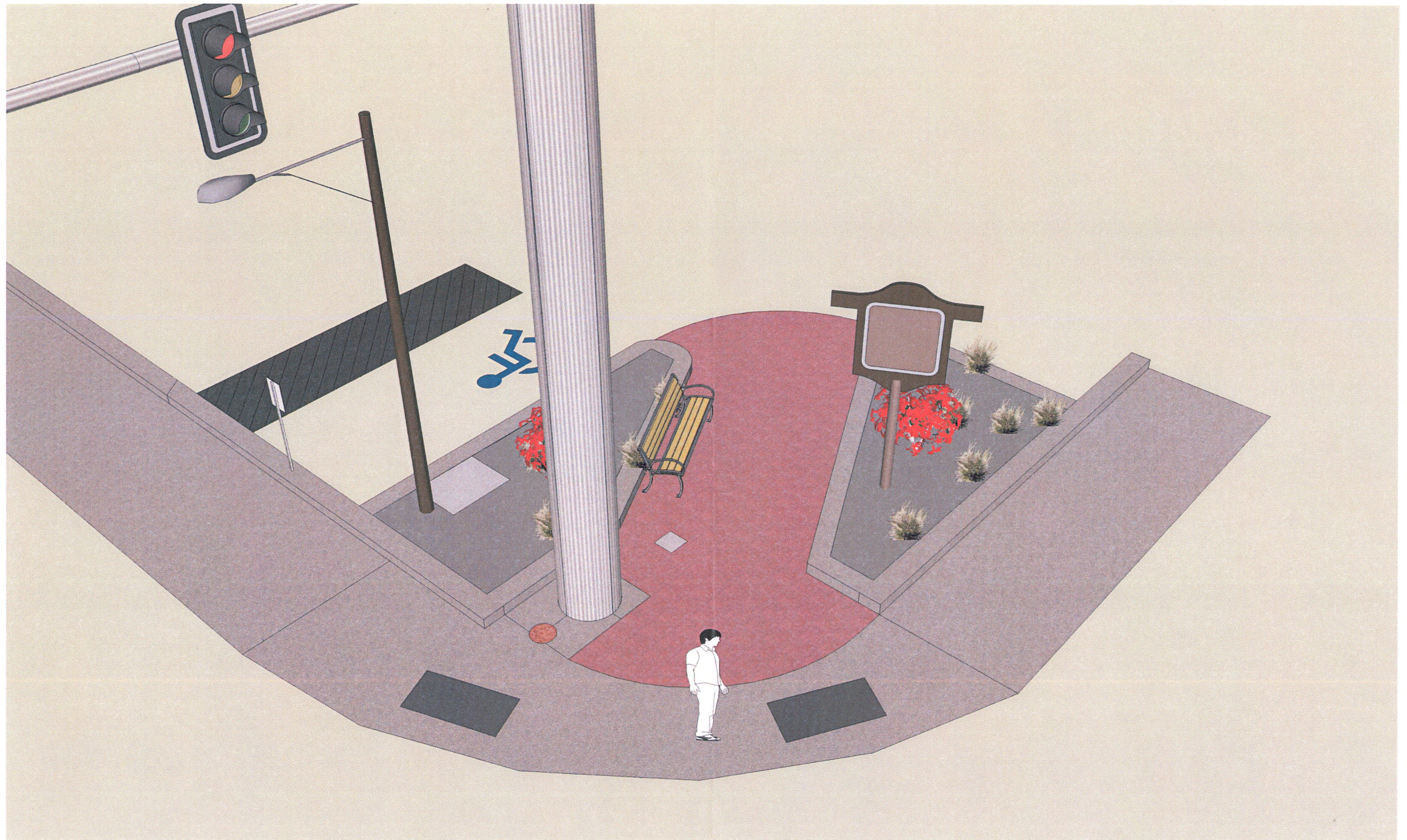
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council approve the award of proposal to Chief Construction Company of Grand Island, Nebraska.

Sample Motion

Move to approve the resolution.



AGREEMENT

THIS AGREEMENT made and entered into this **26th** day of **July, 2011**, by and between **Chief Construction Company**, hereinafter called the Consultant, and the **Downtown BID**.

WITNESSETH:

THAT, WHEREAS, in accordance with law, the Downtown BID has caused agreement documents to be prepared and an advertisement of a **POW Memorial Marker Project in the Dodge Parking Lot**, and

WHEREAS, the Downtown BID, in the manner prescribed by law, has publicly opened, examined, and canvassed the proposals submitted, and has determined that the aforesaid Consultant submitted the best proposal based on the evaluation criteria listed in the Request For Proposals, a copy thereof being attached to and made a part of this agreement, and has duly awarded to the said Consultant an agreement therefore, for the sum or sums named in the **POW Memorial Marker Project Form** with terms & conditions submitted by the Consultant, a copy thereof being attached to and made a part of this agreement;

NOW, THEREFORE, in consideration of the compensation to be paid to the Consultant and of the mutual agreements herein contained, the parties have agreed and hereby agree, the Downtown BID for itself and its successors, and the Consultant for itself, himself, or themselves, and its, his (hers), or their successors, as follows:

ARTICLE I. That the Consultant shall (a) furnish all tools, equipment, superintendence, transportation, and other construction materials, services and facilities; (b) furnish, as agent for the Downtown BID, all materials, supplies and equipment specified and required to be incorporated in and form a permanent part of the completed work; (c) provide and perform all necessary labor; and (d) in a good substantial and workmanlike manner and in accordance with the requirements, stipulations, provisions, and conditions of the agreement documents as listed in the attached **POW Memorial Marker Project in the Dodge Parking Lot** and in the attached **POW Memorial Marker Project Form** as Submitted by the Consultant; said documents forming the agreement and being as fully a part thereof as if repeated verbatim herein, perform, execute, construct and complete all work included in and covered by the Downtown BID's official award of this agreement to the said Consultant, such award being based on the acceptance by the Downtown BID of the Consultant's proposal;

ARTICLE II. That the Downtown BID shall pay to the Consultant for the performance of the work embraced in this agreement and the Consultant will accept as full compensation therefore the sum (subject to adjustment as provided by the agreement) of **Seventeen Thousand Six Hundred and 00/100 Dollars (\$17,600.00)** for all services, materials, and work covered by and included in the agreement award and designated in the foregoing Article I; payments thereof to be made in cash or its equivalent in the manner provided in the agreement.

ARTICLE III. The Consultant hereby agrees to act as agent for the Downtown BID in purchasing materials and supplies for the Downtown BID for this project. The Downtown BID shall be obligated to the vendor of the materials and supplies for the purchase price, but the consultant shall handle all payments hereunder on behalf of the Downtown BID. The vendor shall make demand or claim for payment of the purchase price from the Downtown BID by submitting an invoice to the Consultant. Title to all materials and supplies purchased hereunder shall vest in the Downtown BID directly from the vendor. Regardless of the method of payment, title shall vest immediately in the Downtown BID. The Consultant shall not acquire title to any materials and supplies incorporated into the project. All invoices shall bear the consultant's name as agent for the Downtown BID. This paragraph will apply only to these materials and supplies actually incorporated into and becoming a part of the finished product of attached **POW Memorial Marker Project in the Dodge Parking Lot**.

ARTICLE IV. That the Consultant shall start work as soon as possible after the agreement is signed.

ARTICLE V. The Consultant agrees to comply with all applicable State fair labor standards in the execution of this agreement as required by Section 73-102, R.R.S. 1943. The Consultant further agrees to comply with the provisions of Section 48-657, R.R.S. 1943, pertaining to contributions to the Unemployment Compensation Fund of the State of Nebraska. During the performance of this agreement, the Consultant and all Sub Consultants agree not to discriminate in hiring or any other employment practice on the basis of race, color, religion, gender, national origin, age or disability. The Consultant agrees to comply with all applicable Local, State and Federal rules and regulations.

ARTICLE VIII. FAIR EMPLOYMENT PRACTICES: Each proposer agrees that they will not discriminate against any employee or applicant for employment because of age, race, color, religious creed, ancestry, handicap, sex or political affiliation.

ARTICLE IX. LB 403: Every public consultant and his, her or its subconsultants who are awarded an agreement by the City for the physical performance of services within the State of Nebraska shall register with and use a federal immigration verification system to determine the work eligibility status of new employees physically performing services within the State of Nebraska.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date and year first above written.

CHIEF CONSTRUCTION COMPANY

By _____

Title _____

DOWNTOWN BUSINESS IMPROVEMENT DISTRICT

By _____
Melissa Timmons, Director

The agreement is in due form according to law and is hereby approved.

APPENDIX A – TITLE VI NON-DISCRIMINATION -

During the performance of this agreement, the consultant, for itself, its assignees and successors in interest (hereinafter referred to as the "consultant") agrees as follows:

- (1) **Compliance with Regulations:** The consultant shall comply with the Regulation relative to nondiscrimination in Federally-assisted programs of the Department of Transportation (hereinafter, "DOT") Title 49, Code of Federal Regulations, Part 21, and the Federal Highway Administration (hereinafter "FHWA") Title 23, Code of Federal Regulations, Part 200 as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this agreement.
- (2) **Nondiscrimination:** The Consultant, with regard to the work performed by it during the agreement, shall not discriminate on the grounds of race, color, or national origin, sex, age, and disability/handicap in the selection and retention of subconsultants, including procurements of materials and leases of equipment. The consultant shall not participate either directly or indirectly in the discrimination prohibited by 49 CFR, section 21.5 of the Regulations, including employment practices when the agreement covers a program set forth in Appendix B of the Regulations.
- (3) **Solicitations for Subconsultants, Including Procurements of Materials and Equipment:** In all solicitations either by competitive bidding or negotiation made by the consultant for work to be performed under a subagreement, including procurements of materials or leases of equipment, each potential subconsultant or supplier shall be notified by the consultant of the consultant's obligations under this agreement and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin, sex, age, and disability/handicap.
- (4) **Information and Reports:** The consultant shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the City of Grand Island or the FHWA to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a consultant is in the exclusive possession of another who fails or refuses to furnish this information the consultant shall so certify to the City of Grand Island, or the FHWA as appropriate, and shall set forth what efforts it has made to obtain the information.
- (5) **Sanctions for Noncompliance:** In the event of the consultant's noncompliance with the nondiscrimination provisions of this agreement, the City of Grand Island shall impose such agreement sanctions as it or the FHWA may determine to be appropriate, including, but not limited to:
 - (a.) withholding of payments to the consultant under the agreement until the consultant complies, and/or
 - (b.) cancellation, termination or suspension of the agreement, in whole or in part.
- (6) **Incorporation of Provisions:** The consultant shall include the provisions of paragraphs (1) through (6) in every subagreement, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto.

The consultant shall take such action with respect to any subagreement or procurement as the City of Grand Island or the FHWA may direct as a means of enforcing such provisions including sanctions for non-compliance: Provided, however, that, in the event a consultant becomes involved in, or is threatened with, litigation with a subconsultant or supplier as a result of such direction, the consultant may request the City of Grand Island to enter into such litigation to protect the interests of the City of Grand Island, and, in addition, the consultant may request the United States to enter into such litigation to protect the interests of the United States.

RESOLUTION 2011-186

WHEREAS, the Downtown Business Improvement District (BID) invited proposals for construction of a Prisoner of War (POW) Memorial Marker Project in the northwest corner of the parking lot at 1st Street and Walnut Street (Dodge Parking Lot), according to Request for Proposals on file with the Engineering Division of the Public Works Department; and

WHEREAS, on July 18, 2011 proposals were received, reviewed and evaluated in accordance with established criteria; and

WHEREAS, Chief Construction Company of Grand Island, Nebraska submitted a proposal in accordance with the terms of the Request for Proposals and all statutory requirements contained therein and the City Procurement Code with the work performed at actual costs with a maximum of \$17,600.00.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the proposal of Chief Construction Company of Grand Island for the construction of a Prisoner of War (POW) Memorial Marker Project in the northwest corner of the parking lot at 1st Street and Walnut Street (Dodge Parking Lot) is hereby approved.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, July 26, 2011.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
July 21, 2011	☐ City Attorney



City of Grand Island

Tuesday, July 26, 2011

Council Session

Item H1

**Consideration of Request from Charles & Lana Staab for a
Conditional Use Permit for a Commercial R-V Storage Located at
3086 Wildwood Drive**

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

Staff Contact: Craig Lewis



City of Grand Island

Tuesday, July 26, 2011

Council Session

Item H2

**Consideration of Accepting Petitions for Creation of Water Main
Districts - Parkview Area**

Staff Contact: Tim Luchsinger

Council Agenda Memo

From: Timothy Luchsinger, Utilities Director

Meeting: July 26, 2011

Subject: Receipt of Petitions for Water Main Extension in the Parkview Area

Item #'s: H-2

Presenter(s): Timothy Luchsinger, Utilities Director

Background

On June 27, 2011, a neighborhood meeting was held with residents in the area known generally as Parkview. In attendance were home owners along Pioneer Blvd., Park Drive, Riverview Drive, Grand Avenue, August Street, Hagge Avenue, Cochin Street, Brahma Street and Bantam Street. The discussion covered ground water polluted by industrial solvents which has extended eastward across the City. The leading edge is now west of August Street. The Nebraska Department of Environmental Quality (NDEQ) and the Environmental Protection Agency (EPA) has classified the area as a Superfund Site. Currently, the EPA is conducting cleanup operations of the contamination that is affecting private wells.

City personnel provided information at the meeting on the procedure for extension of City water mains to areas not currently served. Subsequently, the City has received petitions with 24 signatures from area property owners requesting water service. A map of the area is attached for reference.

Discussion

The petitions are presented to City Council for consideration of creating Water Main Districts. It is proposed that the area be divided into six separate assessment districts. Assessment districts are the Utilities Department's standard method for installing water mains to areas requesting City service. All owners of record title within the District's boundary will be notified of this information and have 30 days to submit objection to the project. If the districts pass the protest period, one contract for construction would be issued. There should be a cost savings from the economy of scale for the joint contract. All eligible costs of construction will be charged to the property owners within the

respective districts. These assessments would be collected over a five year period, at 7% simple interest on the unpaid balance.

If directed by Council, the appropriate information will be submitted to the Legal Department for preparation of the appropriate Ordinance for defining and creating the six Water Main Districts. It is recommended the Ordinance be submitted to the City Council at the August 9, 2011 meeting.

Alternatives

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

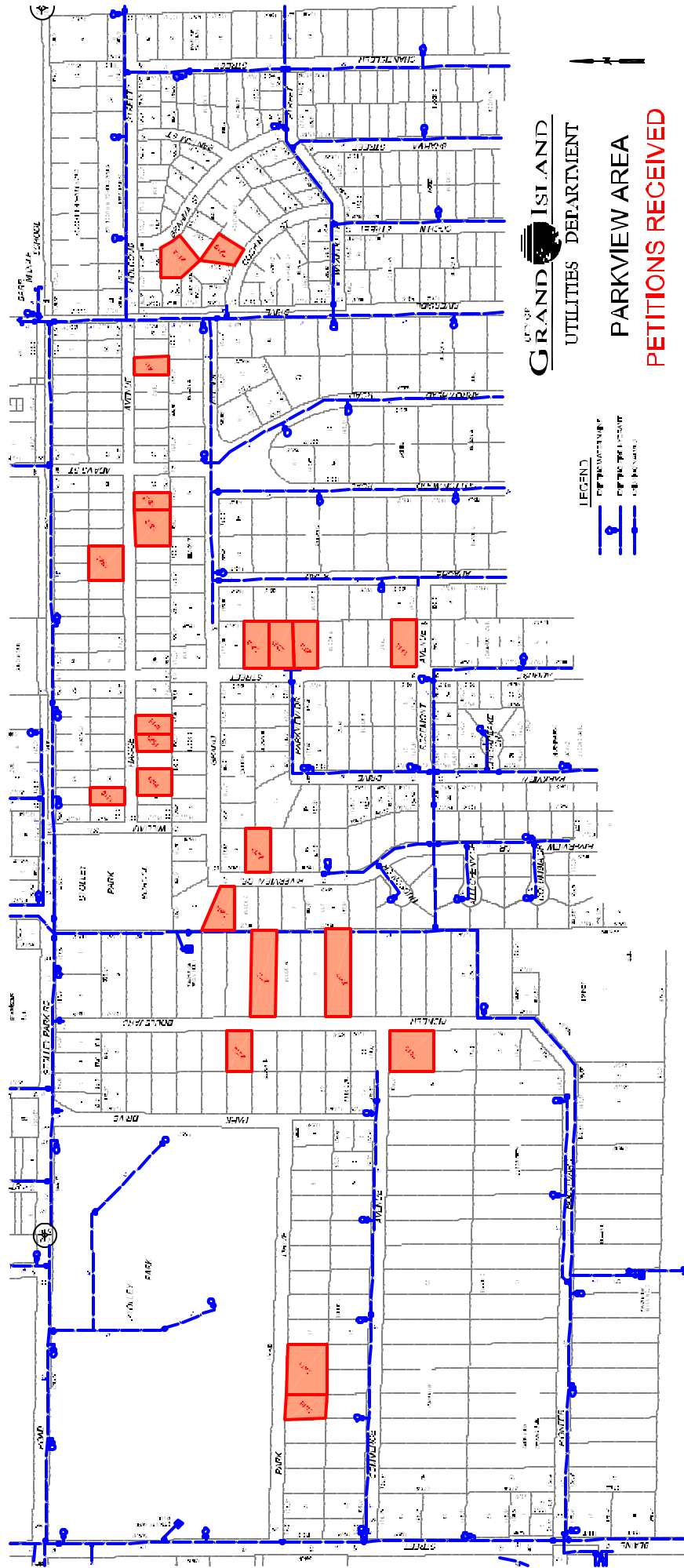
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council accept the Petitions for creation of Water Main Districts in the Parkview area, and that the Utilities Department proceed with the design of the six districts in the Parkview area.

Sample Motion

Move to accept the Petitions for creation of Water Main Districts in the Parkview area, proceed with the design of the six districts in the Parkview area.





Petition for Water Service

We, the below listed property owners in the City of Grand Island, _____
 _____ Subdivision(s), petition the City to create a Water District for the extension
 of the City water distribution system to serve the properties located on _____

Name (Printed)	Signature	Address	Property Owner?
Michael Kelly	<i>Michael Kelly</i>	1605 HAGGE	YES
Bob Eversoll	<i>Bob Eversoll</i>	2315 Pioneer Blvd	YES
Judy Eversoll	<i>Judy Eversoll</i>	2315 Pioneer Blvd	yes
Carlos A. Duran	<i>Carlos A. Duran</i>	1515 W. Hagge Ave	
Misna M. Duran	<i>Misna M. Duran</i>	1515 W. Hagge Ave	YES
James D. Anderson	<i>James D. Anderson</i>	1523 Hagge Ave	yes
Mayum Andersen	<i>Mayum Andersen</i>	1307 Hagge Ave	yes
Gerald Bryant	<i>Gerald Bryant</i>		
Gerald Bryant	<i>Gerald Bryant</i>	1313 Hagge Ave	yes
Steven McHenry	<i>Steven McHenry</i>	2515 Park Drive	yes
Kent Orr	<i>Kent Orr</i>	2114 Brahma St	Yes
Ray Fredrickson	<i>Ray Fredrickson</i>	2219 Cochise	yes
Lisa Degen	<i>Lisa Degen</i>	2511 Park Dr	yes
Larry L. Zimmerman	<i>Larry L. Zimmerman</i>	1322 Hagge	yes
Horacio Meservitz	<i>Horacio Meservitz</i>	2210 Riverview Dr	yes
Pamela Haeussler	<i>Pamela Haeussler</i>	1610 Hagge Ave	yes
Bob Fletcher	<i>Bob Fletcher</i>	1615 HAGGE AV	yes
Paul & Connie Luther	<i>Connie Luther</i>	1418 Rosemont Ave	yes



Petition for Water Service

We, the below listed property owners in the City of Grand Island, _____
_____ Subdivision(s), petition the City to create a Water District for the extension
of the City water distribution system to serve the properties located on _____

Name (Printed)	Signature	Address	Property Owner?
Wm. Urbanek	<i>Wm. Urbanek</i>	2223 S August	Yes
Blake Corman	<i>Blake Corman</i>	2213 Riverview	Yes
Jerome Boltz	<i>Jerome Boltz</i>	2410 Pioneer Blvd	Yes
Becky Whipple	<i>Becky Whipple</i>	2204 Riverview	yes
Daniel Hostler	<i>Daniel Hostler</i>	2202 Pioneer Blvd	Yes
John Cannon	<i>John Cannon</i>	2707 Pioneer Blvd	yes



Petition for Water Service

We, the below listed property owners in the City of Grand Island, _____
_____ Subdivision(s), petition the City to create a Water District for the extension
of the City water distribution system to serve the properties located on _____

Name (Printed)	Signature	Address	Property Owner?
RICHARD NEWHOUSE	<i>Richard Newhouse</i>	2305 50 AUGUST	YES

Date 7/6/11 *pe: Tom B 7-7-11*



City of Grand Island

Tuesday, July 26, 2011

Council Session

Item H3

**Consideration of Accepting Petitions for Creation of Water Main
Districts - Wildwood and Hiser Subdivisions**

Staff Contact: Tim Luchsinger

Council Agenda Memo

From: Tim Luchsinger, Utilities Director

Meeting: July 26, 2011

Subject: Petitions for Creation of Water Main Districts –
Wildwood and Hiser Subdivisions

Item #'s: H-3

Presenter(s): Tim Luchsinger, Utilities Director

Background

A petition has been received from property owners within the Wildwood Subdivision and Hiser Subdivision requesting City water service. The subdivisions are located at the southwest corner of Highway 281 and Wildwood Drive. The commercial/retail area was annexed into the City in 2002. Please refer to the attached drawing for reference.

Discussion

Petitions are brought forward to the City Council for consideration of creating two Water Main Districts which will cover all subdivided properties. Assessment districts are the Utility Department's standard method for installing water mains to areas requesting City service. Property owners within the district's boundary will be notified and have 30 days to submit objection to the project. All eligible cost of construction will be charged to the property owners within the respective districts. These assessments would be collected over a five year period, at 7% simple interest on the unpaid balance.

If directed by the Council, the appropriate information will be submitted to the Legal Department for preparation of the appropriate ordinances for defining and creating the Water Main Districts. The ordinances will be submitted to the City Council at the August 9, 2011 meeting.

Alternatives

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

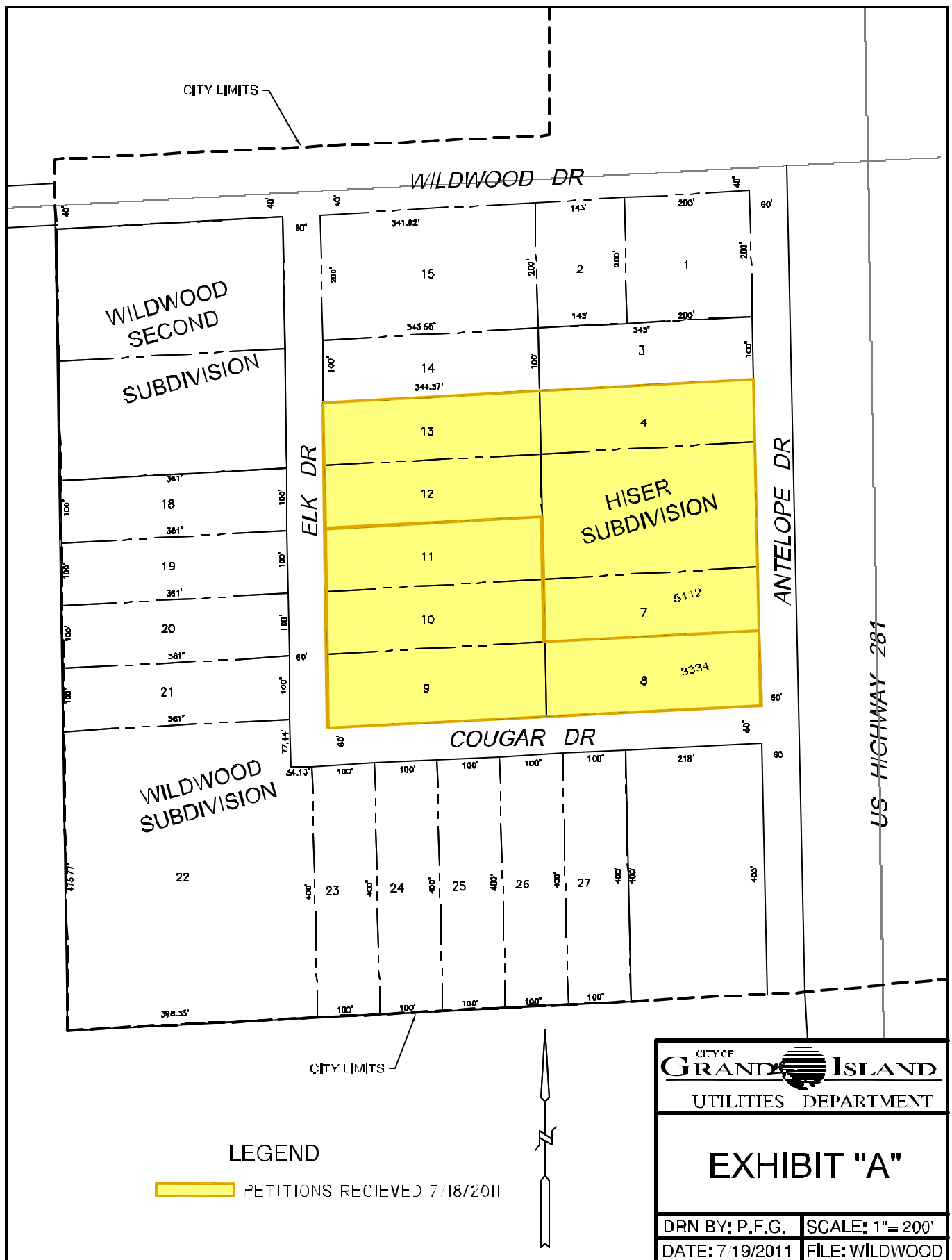
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council accept the Petition for creation of Water Main Districts in Wildwood and Hiser Subdivisions, and that the Utilities Department proceed with the design of two districts in the area.

Sample Motion

Move to accept the Petitions for creation of two Water Main Districts in the Wildwood and Hiser Subdivisions, and proceed with the design of the two districts in the area.





Petition for Water Service

We, the below listed property owners in the City of Grand Island, _____
 _____ Subdivision(s), petition the City to create a Water District for the extension
 of the City water distribution system to serve the properties located on _____

[illegible]

Date July 18, 2011



City of Grand Island

Tuesday, July 26, 2011

Council Session

Item H4

Consideration of CRA Budget as Amended by City Council

Staff Contact: Chad Nabity

Council Agenda Memo

From: Chad Nabity, CRA Director

Meeting: July 26, 2011

Subject: CRA Budget as Amended by City Council

Item #'s: H-4

Presenter(s): Chad Nabity, AICP

Background

The CRA is requesting property tax revenues of \$431,384, slightly more than the \$425,000 requested for the 2010-11 and 2009-2010 budgets and down from \$475,000 in 2008-2009 and down from \$500,000 in 2007-2008. The CRA is requesting the same levy that was approved last year for normal CRA activities. In addition to the amount requested by the CRA, City Administration is suggesting that Council approve funding for Lincoln Park Pool as part of the CRA budget by increasing the levy to \$0.026 per \$100/valuation. Historically, the levies and tax asking have been:

2010-2011	2009-2010	2008-2009	2007-2008	2006-2007	2005-2006	2004-2005
0.017742	\$0.018076	\$0.020790	\$0.0225655	\$0.022824	\$0.023625	\$0.024287
\$425,000	\$425,000	\$475,000	\$500,000	\$477,204	\$456,540	\$457,391

The requested CRA budget was presented to Council at the July 25th Study Session with the additional levy suggested by City Administration for Lincoln Park Pool. The incremental tax authority would provide approximately \$200,000 per year for principle and interest payments associated with TIF bond financing for the pool's rehabilitation. The maximum level of financing under this scenario would be in the range of \$1.5 million. The exact level of debt will be determined by Council at the time estimates are prepared for various levels of rehabilitation. The bond terms (interest rate and time period) will be determined at a later date also.

Discussion

The CRA has not taken final action and approved a resolution requesting approval of the levy necessary for the proposed budget. If Council would like the CRA to move forward with a redevelopment plan and issuing bonds to replace Lincoln Park Pool, it would be appropriate for Council to refer the amended budget, including the increased levy and expenditure for funding the pool, back to CRA for their consideration.

This item is on the CRA agenda for July 27th. The CRA has been sent two resolutions, one for a budget that includes Lincoln Park Pool and one that does not include Lincoln Park Pool. It is anticipated that the CRA will pass a budget resolution at the July 27th meeting.

Alternatives

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

1. Move to refer the budget with Lincoln Pool back the CRA
2. Take no action on the issue

Recommendation

City Administration recommends that the Council refer the amended budget back to the CRA with the increased levy and funding dedicated to the replacement of the Lincoln Park Pool.

Sample Motion

Move to refer the CRA budget and Levy Request with an increase of the levy to \$0.026 per \$100 valuation including \$0.017742 for typical CRA expenditures and \$0.008258 for the replacement of Lincoln Park Pool.

**COMMUNITY REDEVELOPMENT AUTHORITY
FY 2011- 2012 BUDGET**

	2008 Actual	2009 Actual	2010 Actual	2011 Budget	2011 Forecasted	2012 Budget
CONSOLIDATED						
Beginning Cash	952,497	1,236,622	1,547,542	980,091	980,091	772,491
REVENUE:						
Property Taxes	750,800	755,133	648,172	667,783	667,783	935,687
Loan Proceeds		-	-		0	
Interest Income	41,968	15,630	20,137	8,000	8,000	8,000
Loan Income (Poplar Street Water Line)						1,000
Land Sales	15,152	47,335	-	50,000	30,000	70,000
Other Revenue	-	24,473	24,516	-	10,000	10,000
TOTAL REVENUE	807,920	842,571	692,826	725,783	715,783	1,024,687
TOTAL RESOURCES	1,760,417	2,079,193	2,240,368	2,415,663	1,695,874	1,797,178
EXPENSES						
Auditing & Accounting	5,000	7,601	5,392	7,500	3,975	5,000
Legal Services	2,143	4,829	3,060	10,000	4,000	10,000
Consulting Services	-	-	-	10,000	5,000	10,000
Contract Services	34,362	26,122	173,875	40,000	50,000	55,000
Printing & Binding	568	-	-	1,000	-	1,000
Other Professional Services	4,112	-	-	5,000	-	5,000
General Liability Insurance	-	-	-	250	-	250
Postage	142	159	202	200	850	200
Legal Notices	828	750	613	800	-	800
Licenses & Fees	-	-	-	-	-	-
Travel & Training	-	-	-	1,000	-	1,000
Other Expenditures	-	-	-	500	-	500
Office Supplies	105	38	328	500	810	500
Supplies	-	-	-	300	-	300
Land	33,090	129	448,720	100,000	2,002	100,000
Façade Improvement	207,871	241,793	354,015	150,000	150,000	150,000
South Locust	-	-	-	-	-	-
Other Projects	-	2,858	-	800,000	280,000	100,000
Property Taxes BID Fees			-	-	-	11,000
2nd Street BID			-	-	-	-
Outstanding Façade Improvement Grants			-	132,250	132,250	500,000
Railroad Horns			-	240,000	-	240,000
Other Committed Projects			-	17,700	17,700	97,500
Debt Payments Interest Fees (Lincoln Pool)			-	-	-	200,787
Bond Principal	142,543	161,927	199,617	161,611	215,415	252,659
Bond Interest	93,031	85,445	74,453	81,172	61,381	50,747
TOTAL EXPENSES	523,795	531,650	1,260,276	1,759,783	923,383	1,792,243
INCREASE(DECREASE) IN CASH	284,125	310,920	(567,451)	(1,034,000)	(207,600)	(767,556)
ENDING CASH	1,236,622	1,547,542	980,091	655,880	772,491	4,935
LESS COMMITMENTS	-	-	-	-	-	-
AVAILABLE CASH	1,236,622	1,547,542	980,091	655,880	772,491	4,935
CHECKING	786,622	637,868	514,467	355,880	420,420	(347,136)
INVESTMENTS	450,000	909,674	465,625	300,000	352,071	352,071
Total Cash	1,236,622	1,547,542	980,091	655,880	772,491	4,935

COMMUNITY REDEVELOPMENT AUTHORITY
FY 2011- 2012 BUDGET

	2008 Actual	2009 Actual	2010 Actual	2011 Budget	2011 Forecasted	2012 Budget
CRA						
GENERAL OPERATIONS: 01						
Property Taxes	493,602	487,610	442,832	425,000	425,000	431,384
Property Taxes-Lincoln Pool Levy						200,787
Interest Income	41,561	14,889	19,804	8,000	8,000	8,000
Loan Income (Poplar Street Water Line)						1,000
Land Sales	-	47,335	-	50,000	30,000	70,000
Other Revenue & Motor Vehicle Tax	1,300	8,959	12,156		10,000	10,000
TOTAL	536,463	558,792	474,791	483,000	473,000	721,171
GILI TRUST 07						
Property Taxes	66,410	65,817	65,694	65,780	65,780	33,000
Interest Income	-		-			
Other Revenue	1,108	277	8			
TOTAL	67,518	66,094	65,702	65,780	65,780	33,000
CHERRY PARK LTD II						
Property Taxes	62,743	91,836	32,832	59,180	59,180	59,180
Interest Income	251	497	301	-		
Other Revenue		-	-			
TOTAL	62,994	92,334	33,133	59,180	59,180	59,180
GENTLE DENTAL						
Property Taxes	3,497	4,427	4,479	4,202	4,202	4,202
Interest Income	3	1	2	-		
Other Revenue	947	2,610	-			
TOTAL	4,447	7,037	4,481	4,202	4,202	4,202
PROCON TIF						
Property Taxes	18,138	17,925	17,972	19,162	19,162	19,162
Interest Income	53	36	5			
Other Revenue	972	232	1,172			
TOTAL	19,163	18,193	19,148	19,162	19,162	19,162
WALNUT HOUSING PROJECT						
Property Taxes	93,632	62,942	33,089	74,472	74,472	74,472
Interest Income	100	207	26			
Other Revenue	10,825	12,395	11,180			
TOTAL	104,557	75,544	44,296	74,472	74,472	74,472

COMMUNITY REDEVELOPMENT AUTHORITY
FY 2011- 2012 BUDGET

	2008 Actual	2009 Actual	2010 Actual	2011 Budget	2011 Forecasted	2012 Budget
BRUNS PET GROOMING						
Property Taxes	9,536	9,575	10,502	4,986	11,000	11,000
Interest Income			-			
TOTAL	9,536	9,575	10,502	4,986	11,000	11,000
GIRAD VET CLINIC						
Property Taxes	3,242	4,940	13,855	4,940	14,000	14,000
Interest Income	-	-	-	-	-	-
TOTAL	3,242	4,940	13,855	4,940	14,000	14,000
GEDDES ST APTS - PROCON						
Property Taxes		1,195	14,809	1,195	15,000	15,000
Interest Income	-	-	-	-	-	-
TOTAL	-	1,195	14,809	1,195	15,000	15,000
SOUTHEAST CROSSINGS						
Property Taxes	-	8,866	12,109	8,866	14,000	14,000
Interest Income	-	-	-	-	-	-
TOTAL	-	8,866	12,109	8,866	14,000	14,000
POPLAR STREET WATER						
Loan Proceeds (Property Taxes Collected)	-	-	-	-	-	1,000
Interest Income	-	-	-	-	-	-
TOTAL	-	-	-	-	-	1,000
TC ENCK						
Property Taxes	-					5,500
Interest Income	-	-	-	-		
TOTAL TC ENCK	-	-	-	-	-	5,500
CASEY'S FIVE POINTS						
Property Taxes	-					15,000
Interest Income	-	-	-	-		
TOTAL CASEY'S FIVE POINTS	-	-	-	-	-	15,000
SOUTHPOINTE HOTEL						
Property Taxes	-					22,000
Interest Income	-	-	-	-		
TOTAL SOUTHPOINTE HOTEL	-	-	-	-	-	22,000
JOHN SCHULTE CONSTRUCTION						
Property Taxes	-					3,000
Interest Income	-	-	-	-		
TOTAL JOHN SCHULTE CONSTRUCTION	-	-	-	-	-	3,000
PHARMACY PROPERTIES INC						
Property Taxes	-					8,000
Interest Income	-	-	-	-		
TOTAL PHARMACY PROPERTIES INC	-	-	-	-	-	8,000
KEN-RAY LLC						
Property Taxes	-					5,000
Interest Income	-	-	-	-		
TOTAL KEN-RAY LLC	-	-	-	-	-	5,000
TOTAL REVENUE	807,920	842,571	692,826	725,783	749,796	1,024,687

FY 2011- 2012 BUDGET

Bond Principal	10,601	9,064	10,183	9,467	10,829	11,782
Bond Interest	8,561	10,098	8,979	9,695	8,333	7,380
TOTAL PROCON TIF	19,162	19,162	19,162	19,162	19,162	19,162

COMMUNITY REDEVELOPMENT AUTHORITY
FY 2011- 2012 BUDGET

	2008 Actual	2009 Actual	2010 Actual	2011 Budget	2011 Forecasted	2012 Budget
WALNUT HOUSING PROJECT						
Other Expenditures						
Bond Principal	33,055	35,321	37,743	39,151	40,331	43,096
Bond Interest	41,417	39,151	36,729	35,321	34,141	31,376
TOTAL WALNUT HOUSING PROJECT	74,472	74,472	74,472	74,472	74,472	74,472
BRUNS PET GROOMING						
Bond Principal	9,536	9,575	10,502	4,986	11,000	11,000
Bond Interest	-	-	-	-		
TOTAL BRUNS PET GROOMING	9,536	9,575	10,502	4,986	11,000	11,000
GIRARD VET CLINIC						
Bond Principal	6,242	4,940	13,855	4,940	14,000	14,000
Bond Interest	-	-	-	-		
TOTAL GIRARD VET CLINIC	6,242	4,940	13,855	4,940	14,000	14,000
GEDDES ST APTS - PROCON						
Bond Principal	-	1,195	14,809	1,195	15,000	15,000
Bond Interest	-	-	-	-		
TOTAL GEDDES ST APTS - PROCON	-	1,195	14,809	1,195	15,000	15,000
SOUTHEAST CROSSINGS						
Bond Principal	-	8,866	12,109	8,866	14,000	14,000
Bond Interest	-	-	-	-		
TOTAL SOUTHEAST CROSSINGS	-	8,866	12,109	8,866	14,000	14,000
POPLAR STREET WATER						
Auditing & Accounting	-	-	1,000	-		
Contract Services	-	-	89,899		38,129	
Bond Principal	-	-	-	-		1,000
Bond Interest	-	-	-	-		
TOTAL POPLAR STREET WATER	-	-	90,899	-	38,129	1,000
TC ENCK						
Bond Principal	-				1,000	5,500
Bond Interest	-	-	-	-		
TOTAL TC ENCK	-	-	-		1,000	5,500
CASEY'S FIVE POINTS						
Bond Principal	-				4,000	15,000
Bond Interest	-	-	-	-		
TOTAL CASEY'S FIVE POINTS	-	-	-		4,000	15,000
SOUTHPOINTE HOTEL						
Bond Principal	-				21,514	22,000
Bond Interest	-	-	-	-		
TOTAL SOUTHPOINTE HOTEL	-	-	-		21,514	22,000
JOHN SCHULTE CONSTRUCTION						
Bond Principal	-					3,000
Bond Interest	-	-	-	-		
TOTAL JOHN SCHULTE CONSTRUCTION	-	-	-		-	3,000
PHARMACY PROPERTIES INC						
Bond Principal	-					8,000
Bond Interest	-	-	-	-		
TOTAL PHARMACY PROPERTIES INC	-	-	-		-	8,000
KEN-RAY LLC						
Bond Principal	-					5,000
Bond Interest	-	-	-	-		
TOTAL KEN-RAY LLC	-	-	-		-	5,000
TOTAL EXPENSES	526,795	531,658	1,261,276	1,759,783	988,026	1,796,243



City of Grand Island

Tuesday, July 26, 2011

Council Session

Item I1

#2011-187 - Consideration of Request from Aloha Investments, LLC dba Afternooners, 3773 Sky Park Road, Suite 5 for a Class “C” Liquor License and Liquor Manager Designation for Terry Brown, 4017 Anna Maria Street

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

Staff Contact: RaNae Edwards

RESOLUTION 2011-187

WHEREAS, an application was filed by Aloha Investments, LLC doing business as Afternooners, 3773 Sky Park Road, Suite 5 for a Class "C" Liquor License; and

WHEREAS, a public hearing notice was published in the *Grand Island Independent* as required by state law on July 16, 2011; such publication cost being \$15.18; and

WHEREAS, a public hearing was held on July 26, 2011 for the purpose of discussing such liquor license application.

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

_____ The City of Grand Island hereby recommends approval of the above-identified liquor license application contingent upon final inspections.

_____ The City of Grand Island hereby makes no recommendation as to the above-identified liquor license application.

_____ The City of Grand Island hereby makes no recommendation as to the above-identified liquor license application with the following stipulations: _____

_____ The City of Grand Island hereby recommends denial of the above-identified liquor license application for the following reasons: _____

_____ The City of Grand Island hereby recommends approval of Terry Brown, 4017 Anna Maria Street as liquor manager of such business upon the completion of a state approved alcohol server/seller training program.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, July 26, 2011.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
July 21, 2011	☐ City Attorney



City of Grand Island

Tuesday, July 26, 2011

Council Session

Item J1

Approving Payment of Claims for the Period of July 13, 2011 through July 26, 2011

The Claims for the period of July 13, 2011 through July 26, 2011 for a total amount of \$3,178,237.60. A MOTION is in order.

Staff Contact: Mary Lou Brown



City of Grand Island

Tuesday, July 26, 2011

Council Session

Item X1

Update Concerning Union Negotiations

The City Council may vote to go into Executive Session as required by State law to discuss AFSCME, IAFF, IBEW (Utilities) (Finance) (WWTP) and (Service/Clerical) Union Negotiations for the protection of the public interest.

Staff Contact: Brenda Sutherland