
City of Grand Island



Tuesday, June 12, 2012
Council Session Packet

City Council:

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

Mayor:

Jay Vavricek

City Administrator:

Mary Lou Brown

City Clerk:

RaNae Edwards

7:00 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 Charles Gregory, First Baptist Church, 811 West 10th 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.



City of Grand Island

Tuesday, June 12, 2012

Council Session

Item C1

Recognition of Heartland Lutheran High School Boys Golf Team for Class “D” State Championship

The Mayor and City Council will recognize the Heartland Lutheran High School Boys Golf Team and their Coach Dan Bremer and Assistant Coach Greg Uhrmacher for the Class "D" State Golf Championship. Congratulations on a job well done.

Staff Contact: Mayor Jay Vavricek



Certificate of Recognition

Awarded to

**“Heartland Lutheran High School Boys
Golf Team and Coaches”**

for Class “D” State Championship. Congratulations on an outstanding season.

Mayor, Jay Vavrick



City Clerk, RaNae Edwards



City of Grand Island

Tuesday, June 12, 2012

Council Session

Item C2

Recognition of 2011-2012 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 2011-12 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: Wendy Meyer-Jerke



City of Grand Island

Tuesday, June 12, 2012

Council Session

Item E1

Public Hearing on Request from The Wine Bar LLC dba The Wine Bar, 313 West 3rd Street for a Class “CK” Liquor License

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: June 12, 2012

Subject: Public Hearing on Request from The Wine Bar LLC dba
The Wine Bar, 313 West 3rd Street for a Class “CK”
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

The Wine Bar LLC dba The Wine Bar, 313 West 3rd Street has submitted an application for a Class “CK” Liquor License. A Class “C” Liquor License allows for the sale of alcohol on and off sale inside the corporate limits of the city. A Class “K” Liquor License allows for catering.

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 request from Robert Aki, 628 East memorial Drive for a Liquor Manager Designation.

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 The Wine Bar LLC dba The Wine Bar, 313 West 3rd Street for a Class "CK" Liquor License contingent upon final inspections and Liquor Manager Designation for Robert Aki, 628 East Memorial Drive contingent upon completion of a state approved alcohol server/seller training program.

05/29/12

Grand Island Police Department

450

14:56

LAW INCIDENT TABLE

Page: 1

City : Grand Island

Occurred after : 12:28:29 05/21/2012

Occurred before : 12:28:29 05/21/2012

When reported : 12:28:29 05/21/2012

Date disposition declared : 05/21/2012

Incident number : L12052821

Primary incident number :

Incident nature : Liquor Lic Inv Liquor License
Investigation

Incident address : 313 3rd St W

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 : 11402

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	91703	05/24/12	Aki, Robert M	Owner/Manager
NM	95803	05/24/12	Aki, Shelley L	Owner
NM	176225	05/24/12	The Wine Bar,	Business
Involved				

LAW INCIDENT CIRCUMSTANCES:

Se Circu	Circumstance code	Miscellaneous
-- -----		
1	LT03	Bar/Night Club

LAW INCIDENT NARRATIVE:

I Received a Copy of a Liquor License Application for The Wine Bar and a Copy of
a Liquor Manager Application from Robert Aki.

LAW INCIDENT OFFENSES DETAIL:

Se Offe	Offense code	Arson Dama
-- -----		
1	AOFF Alcohol Offense	0.00

LAW INCIDENT RESPONDERS DETAIL:

Se Responding	offi Unit n Unit number
-- -----	

1 Vitera D 318 Vitera D

LAW SUPPLEMENTAL NARRATIVE:

Seq	Name	Date
1	Vitera D	14:19:17 05/24/2012

318

Grand Island Police Department

Supplemental Report

Date, Time: Thu May 24 14:19:34 CDT 2012

Reporting Officer: Vitera

Unit- CID

I reviewed the application and learned that Robert Aki and his wife Shelley want

to open up a business at 313 W. 3rd called The Wine Bar. They are applying for

a Class CK (beer, wine, & distilled spirits on and off sale combined with a

catering license) LLC retail liquor license. Along with several varieties of

wine, a couple of imported beers, and some premium liquors; they are going to

have a dessert and appetizer menu. Their business plan calls for a "quiet,

cozy, and relaxed atmosphere."

The Aki's have lived in Kearney and Grand Island for at least the last ten

years. No one else is listed on the application, and Shelley did not sign a

Spousal Affidavit of Non Participation. Where the application asks about

criminal convictions, Shelley listed four traffic infractions. Robert listed two traffic infractions and two DUI's.

I checked the Aki's through Spillman and NCJIS. I did not find any potential

undisclosed convictions in Spillman or NCJIS. I also checked the Aki's through

a law enforcement-only Internet database which contains personal, business, and

other civil information. I didn't find anything detrimental to Robert. Shelley

potentially has a couple of old judgments against her. I found Robert and

Shelley on face book and didn't find anything disturbing. Neither of them have

any warrants for their arrest, and they each have a valid driver's license.

The only potential issue I can find with this application is that there is a

church across the street from the proposed location of The Wine Bar. Robert

correctly filled out the application and checked the "Yes" box when asked if

there is a church within 150 feet of the licensed premise. He also provided the

name and address of the church. Nebraska State Statute 53-177 says:

(1) Except as otherwise provided in subsection (2) of this section, no

license shall be issued for the sale at retail of any alcoholic liquor within

one hundred fifty feet of any church, school, hospital, or home for aged or

indigent persons or for veterans, their wives or children. This prohibition does

not apply (a) to any location within such distance of one hundred fifty feet for

which a license to sell alcoholic liquor at retail has been granted by the

commission for two years continuously prior to making of application for

license, (b) to hotels offering restaurant service, to regularly organized

clubs, or to restaurants, food shops, or other places where sale of alcoholic

liquor is not the principal business carried on, if such place of business so

exempted was established for such purposes prior to May 24, 1935, or (c) to a

college or university in the state which is subject to section 53-177.01.

(2) If a proposed location for the sale at retail of any alcoholic liquor is

within one hundred fifty feet of any church, a license may be issued if the

commission gives notice to the affected church and holds a hearing as prescribed

in section 53-133 which states:

(1) The commission shall set for hearing before it any application for a

retail license, craft brewery license, or microdistillery license relative to which it has received:

(a) Within forty-five days after the date of receipt of such application by the

city, village, or county clerk, a recommendation of denial from the city, village, or county;

(b) Within ten days after the receipt of a recommendation from the city,

village, or county, or, if no recommendation is received, within forty-five days

after the date of receipt of such application by the city, village, or county

clerk, objections in writing by not less than three persons residing within such

city, village, or county, protesting the issuance of the license. Withdrawal of

the protest does not prohibit the commission from conducting a hearing based

upon the protest as originally filed and making an independent finding as to

whether the license should or should not be issued;

(c) Within forty-five days after the date of receipt of such application by the

city, village, or county clerk, objections by the commission or any duly appointed employee of the commission, protesting the issuance of the license; or

(d) An indication on the application that the location of a proposed retail

establishment is within one hundred fifty feet of a church as described in

subsection (2) of section 53-177.

(2) Hearings upon such applications shall be in the following manner: Notice

indicating the time and place of such hearing shall be mailed or electronically

delivered to the applicant, the local governing body, each individual protesting

a license pursuant to subdivision (1)(b) of this section, and any church

affected as described in subdivision (1)(d) of this section, at least fifteen

days prior to such hearing. The notice shall state that the commission will

receive evidence for the purpose of determining whether to approve or deny the

application. Mailing or electronic delivery to the attorney of record of a party

shall be deemed to fulfill the purposes of this section. The commission may

receive evidence, including testimony and documentary evidence, and may hear and

question witnesses concerning the application. The commission shall not use

electronic delivery with respect to an applicant, a protestor, or a church under

this section without the consent of the recipient to electronic delivery.

I called Robert Aki on 5/25/12 and arranged to meet with him on 5/29/12 at 1130

at the proposed location for the license. We met at the designated time and

place. I went over the application with Robert. I told Robert that the only

issue I see with the license is the church being within 150'. Robert said he

hadn't contacted the church. From reading the statutes that I listed previously

in this report, it appears that the NLCC will hold a hearing and make a final

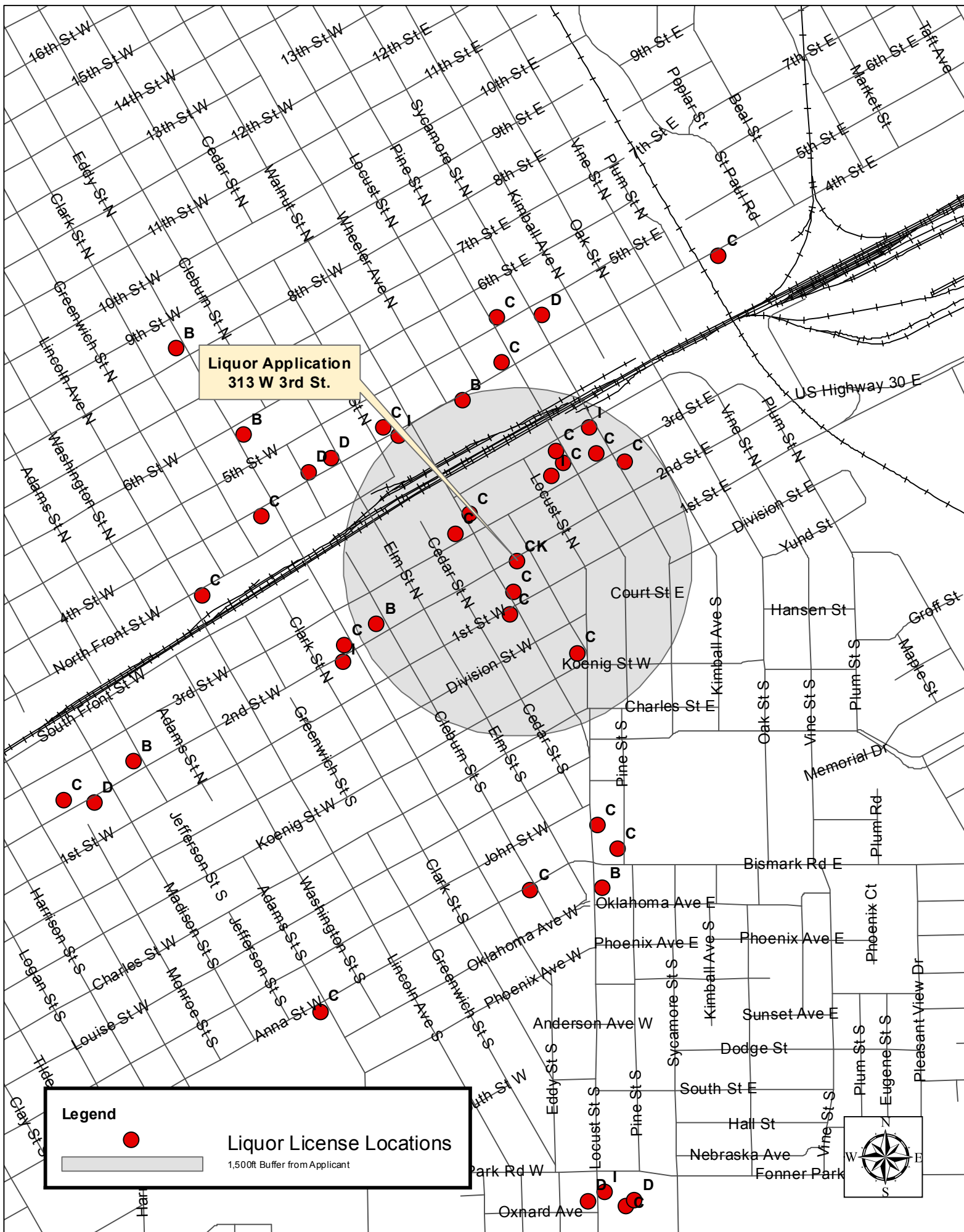
determination as to whether Robert should have a liquor license within 150' from

a church. In the mean time, the City of Grand Island can make a recommendation to the NLCC as usual.

Since the church and any other potential protesters will have an opportunity to

speak against the issuance of a license during a special hearing called by the

NLCC, the Grand Island Police Department has no objection to The Wine Bar receiving a liquor license or to Robert Aki being the liquor manager.





City of Grand Island

Tuesday, June 12, 2012

Council Session

Item E2

**Public Hearing on Request from Sunrise Restaurants LLC dba
Denny's, 3333 Ramada Road for a Class "I" Liquor License**

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: June 12, 2012

Subject: Public Hearing on Request from Sunrise Restaurants LLC dba Denny's, 3333 Ramada Road for a Class "I" Liquor License

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

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

Sunrise Restaurants LLC dba Denny's, 3333 Ramada Road has submitted an application for a Class "I" Liquor License. A Class "I" Liquor License allows for the sale of alcohol on sale only 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 request from Christine Kramer, 603 Highland Drive, Ogallala, NE for a Liquor Manager Designation.

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 Sunrise Restaurants LLC dba Denny's, 3333 Ramada Road for a Class "I" Liquor License contingent upon final inspections and Liquor Manager Designation for Christine Kramer, 603 Highland Drive, Ogallala, NE contingent upon completion of a state approved alcohol server/seller training program.

06/06/12
10:12

Grand Island Police Department
LAW INCIDENT TABLE

450
Page: 1

City : Grand Island
Occurred after : 15:49:32 05/25/2012
Occurred before : 15:49:32 05/25/2012
When reported : 15:49:32 05/25/2012
Date disposition declared : 05/25/2012
Incident number : L12053802
Primary incident number :
Incident nature : Liquor Lic Inv Liquor License
Investigation
Incident address : 3333 Ramada Rd
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 : 14250
Long-term call ID :
Clearance Code : CL Case Closed
Judicial Status : NCI Non-criminal Incident
=====

INVOLVEMENTS:

Px	Record #	Date	Description	Relationship
NM	165895	06/04/12	Kramer, Christine A	Manager
NM	176596	06/04/12	Denny's,	Restaurant
NM	176598	06/04/12	Spongberg, Roland C	Owner
NM	176599	06/04/12	Spongberg, Sandra D	Owner

LAW INCIDENT CIRCUMSTANCES:

Se	Circu	Circumstance code	Miscellaneous
1	LT21	Restaurant	

LAW INCIDENT NARRATIVE:

I Received a Copy of a Liquor License Application from Denny's and a Copy of a Liquor Manager Application from Christine Kramer.

LAW INCIDENT OFFENSES DETAIL:

Se	Offe	Offense code	Arson Dama
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1 AOFF Alcohol Offense 0.00
LAW INCIDENT RESPONDERS DETAIL:

Se Responding offi Unit n Unit number

1 Vitera D 318 Vitera D

LAW SUPPLEMENTAL NARRATIVE:

Seq	Name	Date
1	Vitera D	13:55:12 06/04/2012

318

Grand Island Police Department
Supplemental Report

Date, Time: Mon Jun 04 13:55:22 CDT 2012
Reporting Officer: Vitera
Unit- CID

Denny's is applying for a Class I (beer, wine, distilled spirits, on sale only) LLC retail liquor license. Roland and Sandra Spongberg will be the local Denny's owners. They live in California. Christine Kramer will be the manager. She was born in Ogallala, NE and has recently lived there since at least 2001.

The Spongberg's didn't disclose any convictions on their liquor license application, nor did Christine disclose any convictions on the manager application. I checked all of them in Spillman and NCJIS. Christine was in Spillman and NCJIS. According to Spillman, she was warned for speeding last year. NCJIS shows that she has been convicted of a seat belt and left of center violation in 2005, stop sign violation in 2008, and speeding in 2009.

The Spongberg's weren't in Spillman. Roland had an entry in NCJIS for a speeding conviction in Ogallala in 2010. Sandra was not located in NCJIS. Since I am unable to run out-of-state criminal history checks on liquor

license applications, we will have to rely on the applicants' fingerprint submissions to the NLCC.

I checked all of the applicants through a law enforcement- only Internet database which contains lots of personal, business, and other civil information. It appears that Roland is a big businessman. It looks like he has 32 U.S. business affiliations and 56 corporate affiliations. There wasn't nearly as much information on Sandra as there was on Roland.

Christine may have some liens against her, but nothing else shocking appeared. None of the applicants have any warrants for their arrest.

On the retail application and the liquor manager application, it clearly asks "Has anyone who is a party to this application, or their spouse, ever been convicted of or plead guilty to any charge. Charge means any charge alleging a felony, misdemeanor, violation of a federal or state law, a violation of a local law, ordinance or resolution." It further asks that the applicant, "List the nature of the charge, where the charge occurred and the year and the month of the conviction or plea. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name."

Roland and Christine's failure to disclose their traffic convictions technically makes the applications false according to the Nebraska Liquor Control Act (Part II Chapter 2 Section 010.01) which states:

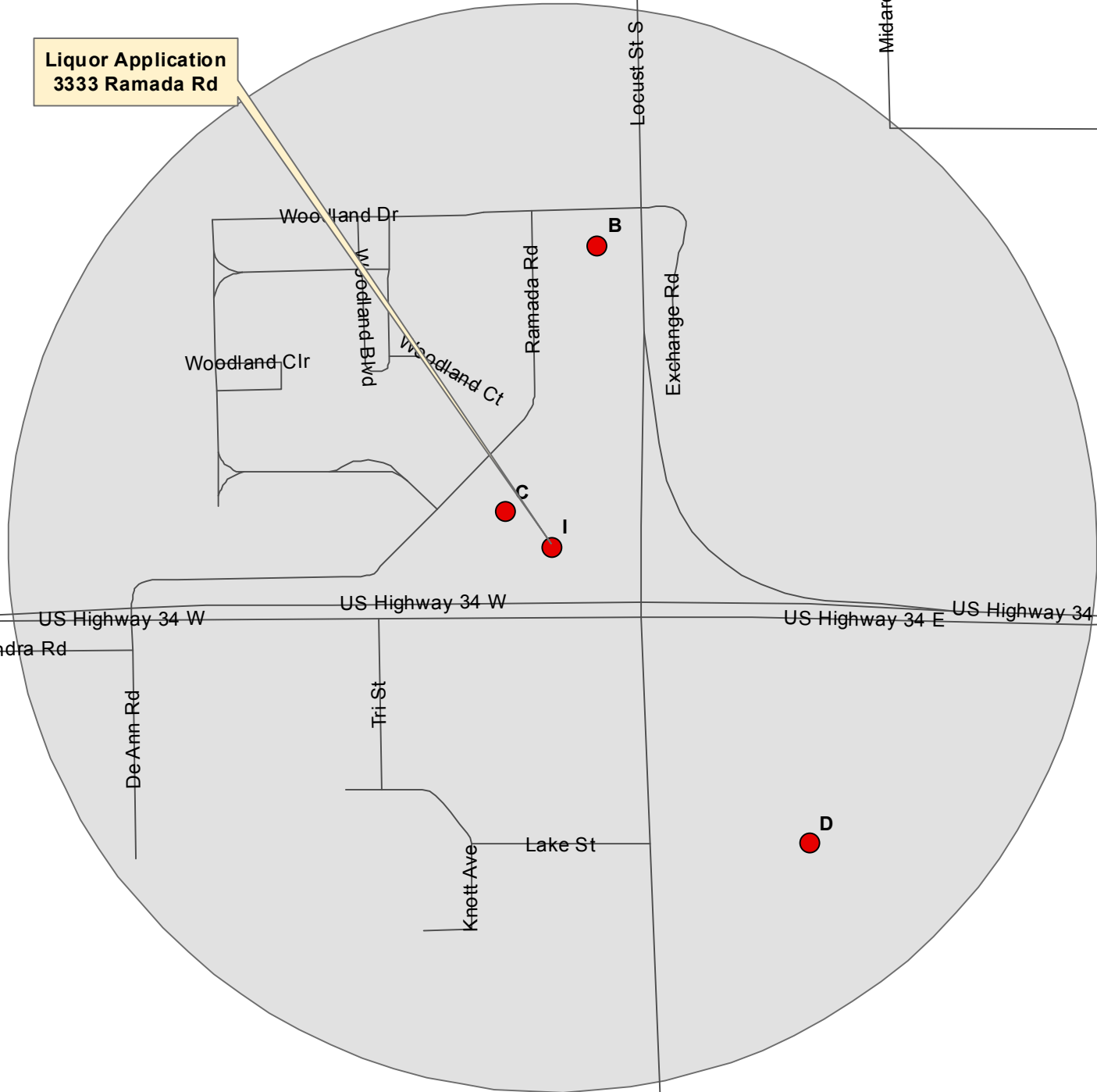
"No applicant for a liquor license, or partner, principal, agent or employee of any applicant for a liquor license shall provide false or misleading information to the Nebraska Liquor Control Commission, its executive director, or employees. Any violation of this provision may result in denial of application for a liquor license or, in the event

that a license has already been issued, suspension, cancellation or revocation of such license."

The undisclosed convictions would fall under state law or local ordinance. Either way, the convictions are either an infraction or a misdemeanor that do not rise to the level of a Class I Misdemeanor in a specified crime under Nebraska State Statute Chapter 28 that would automatically nullify the application.

Based on the limited access to nationwide criminal history information on the owners, the Grand Island Police Department has no objection to Denny's having a liquor license or to Christine Kramer becoming the liquor manager.

Liquor Application
3333 Ramada Rd



Legend



Liquor License Locations



1,500ft Buffer from Applicant





City of Grand Island

Tuesday, June 12, 2012

Council Session

Item E3

**Public Hearing on Generalized Redevelopment Plan for an Area
Known as Redevelopment Area No. 9 Located East of U.S.
Highway 281 and West of Webb Road, North of State Street and
South of Capital Avenue**

Staff Contact: Chad Nabity

Council Agenda Memo

From: Chad Nabity, AICP

Meeting: June 12, 2012

Subject: Redevelopment Plan for CRA Area #9

Item #'s: E-3 & I-3

Presenter(s): Chad Nabity, AICP CRA Director

Background

The Grand Island City Council declared this area blighted and substandard at their meeting on April 24, 2012.

The enclosed plan was prepared by Marvin Planning Consultants as part of the blight study for this area.

This study does not specifically approve any Tax Increment Financing (TIF) projects but does provide a general redevelopment plan for the study area. TIF could be used to implement this generalized plan. The generalized plan also authorized the CRA to implement its commercial façade improvement program in this area.

The CRA has forwarded the plan to the Regional Planning Commission for a hearing and recommendation. The RPC held their hearing and recommended approval on June 6, 2012. The CRA passed a resolution approving the plan and recommending approval to the City Council at their meeting on May 9, 2012.

Discussion

Approval of this generalized plan sets the parameters for TIF projects in the redevelopment area. This study does not specifically approve any TIF projects but does outline the types of activities that could be considered for Tax Increment Financing in this redevelopment area. These activities could include acquisition and demolition, public utilities improvements, road and transportation improvement and others.

Individual projects would need to be presented to the CRA, Planning Commission and City Council prior to approval of TIF. There are significant infrastructure needs in this

area and TIF would provide a means of paying for those infrastructure costs and developing the area appropriately.

Alternatives

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

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

Recommendation

The CRA and Hall County Regional Planning Commission recommend that the Council approve the Resolution declaring the attached document the generalized redevelopment plan for CRA Area #9.

Sample Motion

Move to approve the resolution as submitted.

City of Grand Island, NE
General Redevelopment Plan
Area #9
February 2012



EXECUTIVE SUMMARY

This Redevelopment Plan (the “Redevelopment Plan” or the “Plan”) is intended to provide a guide for the implementation of redevelopment activities within the previously examined Redevelopment Area #9 in Grand Island, Nebraska (the “City”), pursuant to the provisions of the Nebraska Community Development Law and sections 18-2145 to 18-2154 (together, the “Act”).

The Grand Island Community Redevelopment Authority (the “CRA”), acting as a redevelopment authority pursuant to the Act, intends to undertake or provide for the redevelopment within the study area, legally described and shown on Figure 1 (the “Redevelopment Plan Area”) in the Blight and Substandard Study. Redevelopment activities shall be utilized to promote the general welfare, the enhancement of the tax base, the economic and social well-being, the development of any public activities and promotion of public events in the Area, along with any and all other purposes, as outlined in the Act.

A Community Redevelopment Authority Redevelopment Plan must contain the general planning elements set out by section 18-2111 of the Act as items (1) through (6), as follows:

“(1) the boundaries of the redevelopment area with a map showing the existing uses and condition of the real property therein; (2) a land-use plan showing proposed uses of the area; (3) information showing the standards of population densities, land coverage and building intensities in the area after redevelopment; (4) a statement of the proposed changes, if any, in zoning ordinances or maps, street layouts, street levels or grades, or building codes and ordinances; (5) a site plan of the area; and (6) a statement as to the kind and number of additional public facilities or utilities which will be required to support the new land uses in the area after redevelopment.

Section 18-2113 of the Act, provides that a Community Redevelopment Authority must consider certain planning matters prior to recommending a redevelopment plan to the City Council for adoption. These considerations are defined therein, as follows:

"...whether the proposed land uses and building requirements in the redevelopment project area are designed with the general purpose of accomplishing, in conformance with the general plan, a coordinated, adjusted and harmonious development of the City and its environs which will, in accordance with present and future needs, promote health, safety, morals, order, convenience, prosperity, and the general welfare, as well as efficiency and economy in the process of development; including, among other things, adequate provision for traffic, vehicular parking, the promotion of safety from fire, panic, and other dangers, adequate provision for light and air, the promotion of the healthful and convenient distribution of population, the provision of adequate transportation, water, sewage, and other public utilities, schools, parks, recreational and community facilities and other public requirements, the promotion of sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of insanitary or unsafe dwelling accommodations, or conditions of blight."

CONCLUSION

While this Redevelopment Plan establishes overall policies and intentions toward the comprehensive redevelopment of the Area, additional phases may require subsequent project plans and redevelopment agreements consistent with this Redevelopment Plan

REDEVELOPMENT PLAN

The planning process for the Redevelopment Area has resulted in a listing of general planning and implementation recommendations. As previously discussed in the Blight and Substandard Determination Study, there are several structural and substandard conditions which are detrimental to the health, safety and general welfare of the community and generally obsolete in respect to the development and living environment expectations of Nebraska communities, including the City of Grand Island. To eliminate these conditions and enhance private development activities within the Redevelopment Area, the City of Grand Island will need to consider the following planning and redevelopment actions:

- rehabilitation of commercial properties;
- maintain and/or replace, as necessary, the current infrastructure in the Area;
- code enforcement program for the clean-up of areas in violation and detrimental to health, safety and general welfare of the community;
- potential relocation of drainage infrastructure

Both a timeline and budget should be developed for the Redevelopment Plan. Each of these processes should be designed in conformance with the resources and time available to the CRA and the City. A reasonable timeline to complete the redevelopment activities identified in the Redevelopment Plan would be 10 to 15 years.

Various funding sources exist for the preparation and implementation of a capital improvement budget designed to meet the funding needs of proposed redevelopment activities. These include, in addition to city and federal funds commonly utilized Community Development Block Grant funding, special assessments, general obligation bonds, redevelopment bonds, occupation taxes and tax increment financing.

Future Land Use Pattern

The existing land use patterns within Redevelopment Area were described in the Blight and Substandard Determination Study portion of this document. In general, the Redevelopment Area contains two distinct land uses. The primary developed uses include commercial and public use. There is also an under-utilized tract south of the existing commercial area that would be available for commercial or industrial development.

Future land uses recommended for Redevelopment Area are planned to be in general conformance with the current zoning pattern depicted in the Blight and Substandard Determination Study. However, expansion of the commercial uses within the area is recommended within the Redevelopment Area.

Future Land Use Map

The future land use for Redevelopment Area is reflected in the existing Future Land Use map contained in the Blight and Substandard Study. The map illustrates the future land use classifications are in conformance with the City's Comprehensive Plan. However, as stated above, expansion of the commercial uses within the area is recommended within the Redevelopment Area.

Recommended Public Improvements

Streets: Although sufficient infrastructure generally exists in the Redevelopment Area the installation and upgrading of streets and sidewalks is ongoing by the City through its various programs. The Blight and Substandard Study privately owned and maintained

circulation patterns within the study area. Actual streets in the area are along the perimeter of the area.

Storm Water: Although sufficient infrastructure generally exists in the Redevelopment Area the installation and upgrading of storm sewer lines and facilities is ongoing by the City through its various programs. .

Potable Water and Gas: Although sufficient infrastructure generally exists in the Redevelopment Area the installation and upgrading of water and gas lines is ongoing.

Sanitary Sewer: Although sufficient infrastructure generally exists in the Redevelopment Area the installation and upgrading of sanitary sewer lines and facilities is ongoing by the City through its various programs.

Electrical Power: Although sufficient infrastructure generally exists in the Redevelopment Area the installation and upgrading of electrical power lines and facilities is ongoing by the City through its various programs.

Commercial District

Overall upgrade of site conditions and structures are a primary focus. Expansion of such uses as well as a combination of properties is necessary for the redevelopment of the Area. Various public financing tools, as described in this Redevelopment Plan, may be made available for such commercial redevelopment. Public streets, where appropriate, may be vacated to encourage contiguous commercial redevelopment. Traffic patterns for commercial truck traffic should be studied to minimize any impacts.

Financing

Redevelopment Bonds

The Plan proposes that the CRA issue a series of redevelopment bonds (the “Bonds”) to be repaid from several sources as set out in the each particular issuance. These sources include all or a portion of the excess *ad valorem* real estate taxes generated by a series of redevelopment projects pursuant to §18-2147 of the Nebraska Revised Statutes (“Tax Increment Financing” or “TIF”) for a period of 15 years from the respective project effective dates, special assessments, *ad valorem* real estate taxes from the special redevelopment levy, grants and other income from the Redevelopment Area. The proceeds of the Bonds to assist in payment of project costs, as further defined in a subsequent redevelopment contract or contracts. The costs of adequate redevelopment of the Area is too great to be absorbed by either the Developer or public without the assistance of Tax Increment Financing, as further described in the cost benefit analysis to be provided with each project.

The Bonds issued for the commercial redevelopment would generally be purchased by the developer using such funds granted to it by the CRA. In addition to necessary public improvements, the Bond proceeds would be used to provide funding for allowable expenses incurred by the Developer.

Each of these subsequent redevelopment project plans may contain a provision for the division of *ad valorem* taxes for each respective project, thereby allowing the excess *ad valorem* taxes that are collected from each project to be available and pledged to the outstanding Bonds for the full statutory period. The effective date of each pledge, as described above, shall be the date determined either by contract or by modification of the outstanding Bond terms.

Loan/Grant Programs

The CRA and the City of Grand Island should seek funding sources to create a revolving loan and/or grant program for the rehabilitation and improvement of buildings and public uses in Redevelopment Area. The rehabilitation of commercial buildings would prolong the life of the structures, create safe and decent shopping environments and enhance the pride of the community. As discussed above, funding may be available through the CRA levy or from the excess *ad valorem* taxes from each project as it develops.

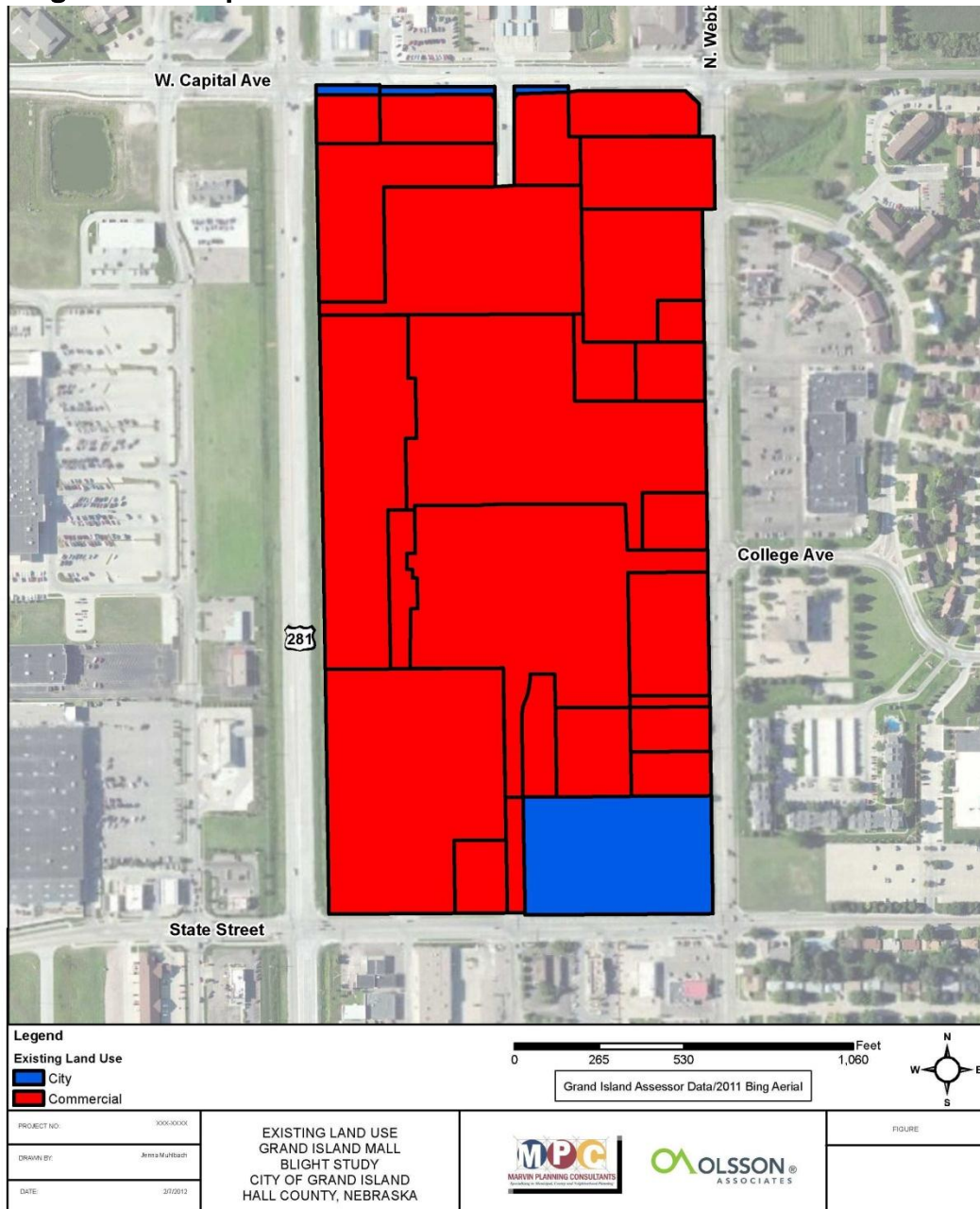
Façade Improvement Program

This citywide program used in blighted and substandard areas is appropriate for this Area. The program provides funding assistance to commercial properties to rehabilitate building frontages.

SUMMARY

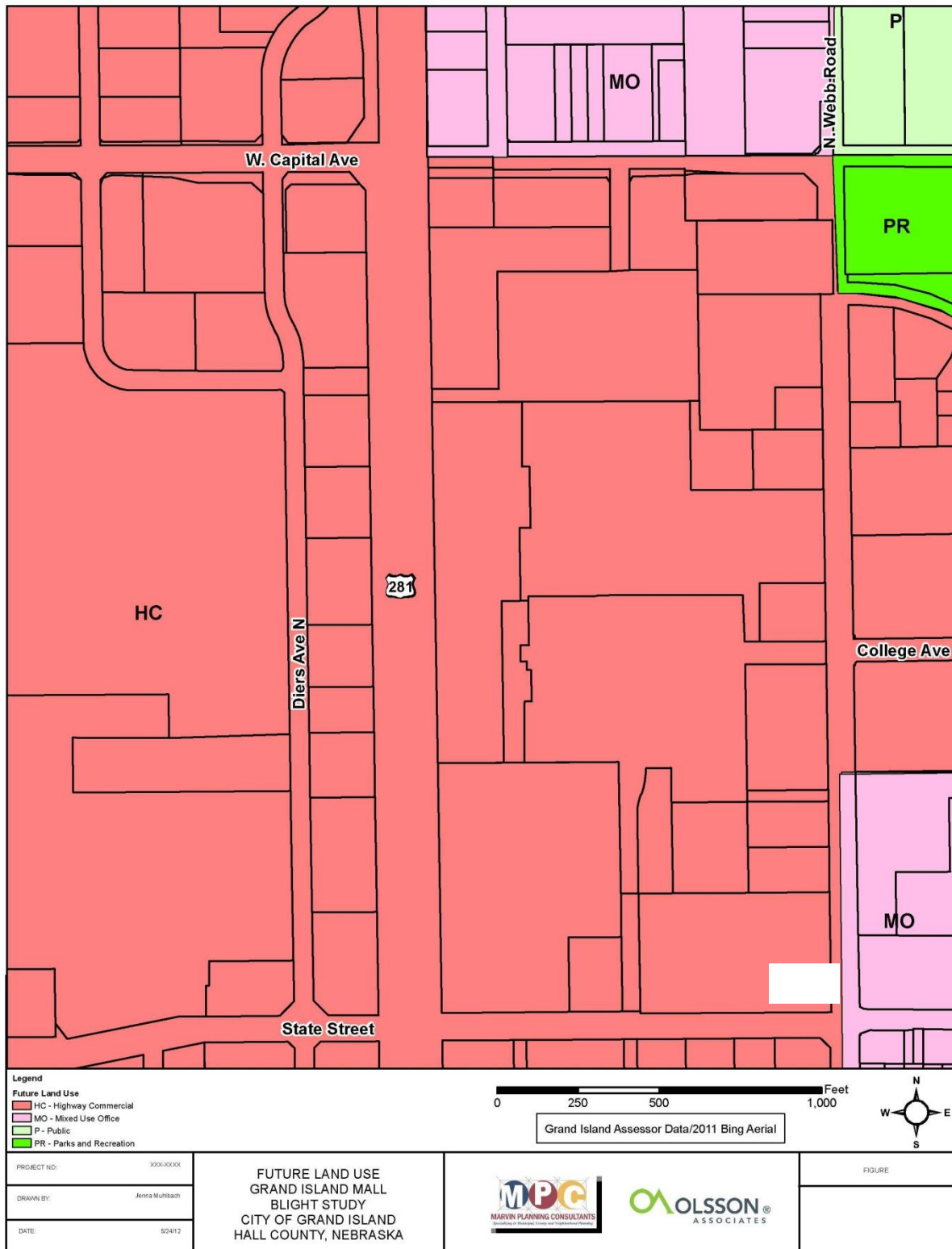
The recommendations listed above are to grant authority to the City of Grand Island and the CRA in creating a viable and sustainable living environment in Grand Island, through the full use of the Community Redevelopment Law.

Figure 1
Existing Land Use Map



Source: Marvin Planning Consultants and Olsson Associates, 2012

Figure 2
Future Land Use Map



COMMUNITY REDEVELOPMENT AUTHORITY
OF THE CITY OF GRAND ISLAND, NEBRASKA

RESOLUTION NO. 131

RESOLUTION OF THE COMMUNITY REDEVELOPMENT AUTHORITY OF THE CITY
OF GRAND ISLAND, NEBRASKA, SUBMITTING A PROPOSED
REDEVELOPMENT PLAN TO THE HALL COUNTY REGIONAL PLANNING
COMMISSION FOR ITS RECOMMENDATION

WHEREAS, this Community Redevelopment Authority of the City of Grand Island, Nebraska ("Authority"), pursuant to the Nebraska Community Development Law (the "Act"), prepared a proposed redevelopment (the "Plan") a copy of which is attached hereto as Exhibit 1, for redevelopment of an area within the city limits of the City of Grand Island, Hall County, Nebraska; and

WHEREAS, the Authority is required by Section 18-2112 of the Act to submit said to the planning board having jurisdiction of the area proposed for redevelopment for review and recommendation as to its conformity with the general plan for the development of the City of Grand Island, Hall County, Nebraska;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

The Authority submits to the Hall County Regional Planning Commission the proposed Plan attached to this Resolution, for review and recommendation as to its conformity with the general plan for the development of the City of Grand Island, Hall County, Nebraska.

Passed and approved this 9th day of May, 2012.

COMMUNITY REDEVELOPMENT
AUTHORITY OF THE CITY OF
GRAND ISLAND, NEBRASKA.

By Glen A. Murray
Chairperson

ATTEST:

Chad A. Murray
Secretary

EXHIBIT 1

REDEVELOPMENT PLAN AMENDMENT

Resolution Number 2012 - 04

HALL COUNTY REGIONAL PLANNING COMMISSION

A RESOLUTION RECOMMENDING APPROVAL OF A REDEVELOPMENT PLAN OF THE CITY OF GRAND ISLAND, NEBRASKA; AND APPROVAL OF RELATED ACTIONS

WHEREAS, the Chairman and Board of the Community Redevelopment Authority of the City of Grand Island, Nebraska (the "**Authority**"), referred that certain Redevelopment Plan to the Hall County Regional Planning Commission, (the "**Commission**") a copy of which is attached hereto as Exhibit "A" for review and recommendation as to its conformity with the general plan for the development of the City of Grand Island, Hall County, Nebraska, pursuant to Section 18-2112 of the Community Development Law, Chapter 18, Article 21, Reissue Revised Statutes of Nebraska, as amended (the "**Act**"); and

WHEREAS, the Commission has reviewed said Redevelopment Plan as to its conformity with the general plan for the development of the City of Grand Island, Hall County;

NOW, THEREFORE, BE IT RESOLVED BY THE HALL COUNTY REGIONAL PLANNING COMMISSION AS FOLLOWS:

Section 1. The Commission hereby recommends approval of the Redevelopment Plan.


Section 2. All prior resolutions of the Commission in conflict with the terms and provisions of this resolution are hereby expressly repealed to the extent of such conflicts.

Section 3. This resolution shall be in full force and effect from and after its passage as provided by law.

DATED: June 6, 2012.

HALL COUNTY REGIONAL PLANNING COMMISSION

ATTEST:

By: 
Chair

By: 
Secretary



City of Grand Island

Tuesday, June 12, 2012

Council Session

Item E4

**Public Hearing on Site Specific Redevelopment Plan for an Area
Located at 3420 West State Street**

Staff Contact: Chad Nabity

Council Agenda Memo

From: Chad Nabity, AICP

Meeting: June 12, 2012

Subject: Amendment to Redevelopment Plan for CRA Area #9

Item #'s: E-4 & I-4

Presenter(s): Chad Nabity, AICP CRA Director

Background

In 2012, the Grand Island City Council declared property referred to as CRA Area #9 as blighted and substandard and approved a generalized redevelopment plan for the property. The generalized redevelopment plan authorized the use of Tax Increment Financing (TIF) for the acquisition of property, redevelopment of property, site preparation including demolition, landscaping and parking. TIF can also be used for improvements to and expansion of existing infrastructure including but not limited to: streets, water, sewer, drainage.

The developer intends to use Tax Increment Financing to aid in renovation of the renovation of the furniture super store/former grocery store site. The developer is trying to attract big name retailers. Improvements will be made to the existing building to convert it from a single tenant big box into multiple tenants. This project would not be possible without the use of TIF. The property is located within Redevelopment Area #9 at 3420 W State St in Grand Island, Nebraska.

The CRA reviewed the proposed development plan on May 9, 2012 and forwarded it to the Hall County Regional Planning Commission for recommendation at their meeting on June 6th, 2012. The CRA also sent notification to the City Clerk of their intent to enter into a redevelopment contract for this project pending Council approval of the plan amendment.

The Hall County Regional Planning Commission held a public hearing on the plan amendment at a meeting on June 6, 2012. The Planning Commission approved Resolution 2012-05 in support of the proposed amendment, declaring the proposed amendment to be consistent with the Comprehensive Development Plan for the City of Grand Island.

Discussion

Tonight, Council will hold a public hearing to take testimony on the proposed plan amendment (including the cost benefit analysis that was performed regarding this proposed project) and to enter into the record a copy of the plan amendment, the draft TIF contract under consideration by the CRA.

Council is being asked to approve a resolution approving the cost benefit analysis as presented in the redevelopment plan along with the amended redevelopment plan for CRA Area #9 and authorizes the CRA to execute a contract for TIF based on the plan amendment. This includes the renovation of the furniture super store/former grocery store at the corner of U.S. Highway 281 and State Street at 3420 W State Street (and other addresses). The cost benefit analysis included in the plan finds that this project meets the statutory requirements for as eligible TIF project and that it will not negatively impact existing services within the community or shift additional costs onto the current residents of Grand Island and the impacted school districts. The total tax increment financing allowed for this project may not exceed \$898,350 during this 15 year period.

Alternatives

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

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

Recommendation

The CRA and Hall County Regional Planning Commission recommend that the Council approve the Resolution necessary for the adoption and implementation of this plan.

Sample Motion

Move to approve the resolution as submitted.

**Site Specific Redevelopment Plan
Grand Island CRA Area #9
May 2012**

The Community Redevelopment Authority (CRA) of the City of Grand Island intends to amend the Redevelopment Plan for Area #9 with in the city, pursuant to the Nebraska Community Development Law (the “Act”) and provide for the financing of a specific infrastructure related project in Area #9.

**Executive Summary:
Project Description**

THE RENOVATION OF THE FURNITURE SUPER STORE/FORMER GROCERY STORE AT THE CORNER OF U.S. HIGHWAY 281 AND STATE STREET AT 3420 STATE STREET (AND OTHER ADDRESSES) ALL LOCATED ON LOT 1 OF GRAND ISLAND MALL TWELFTH SUBDIVISION AND THE SUBSEQUENT SITE WORK, UTILITY, ENGINEERING, LANDSCAPING AND PARKING IMPROVEMENTS NECESSARY FOR THE RENOVATION AT THIS LOCATION.

The developer intends to use Tax Increment Financing to aid in renovation of the existing commercial space and conversion of the space from a single large user to tenant spaces. The developer is trying to attract national retailers as an anchor to the shopping center. This project would not be possible in an affordable manner without the use of TIF.

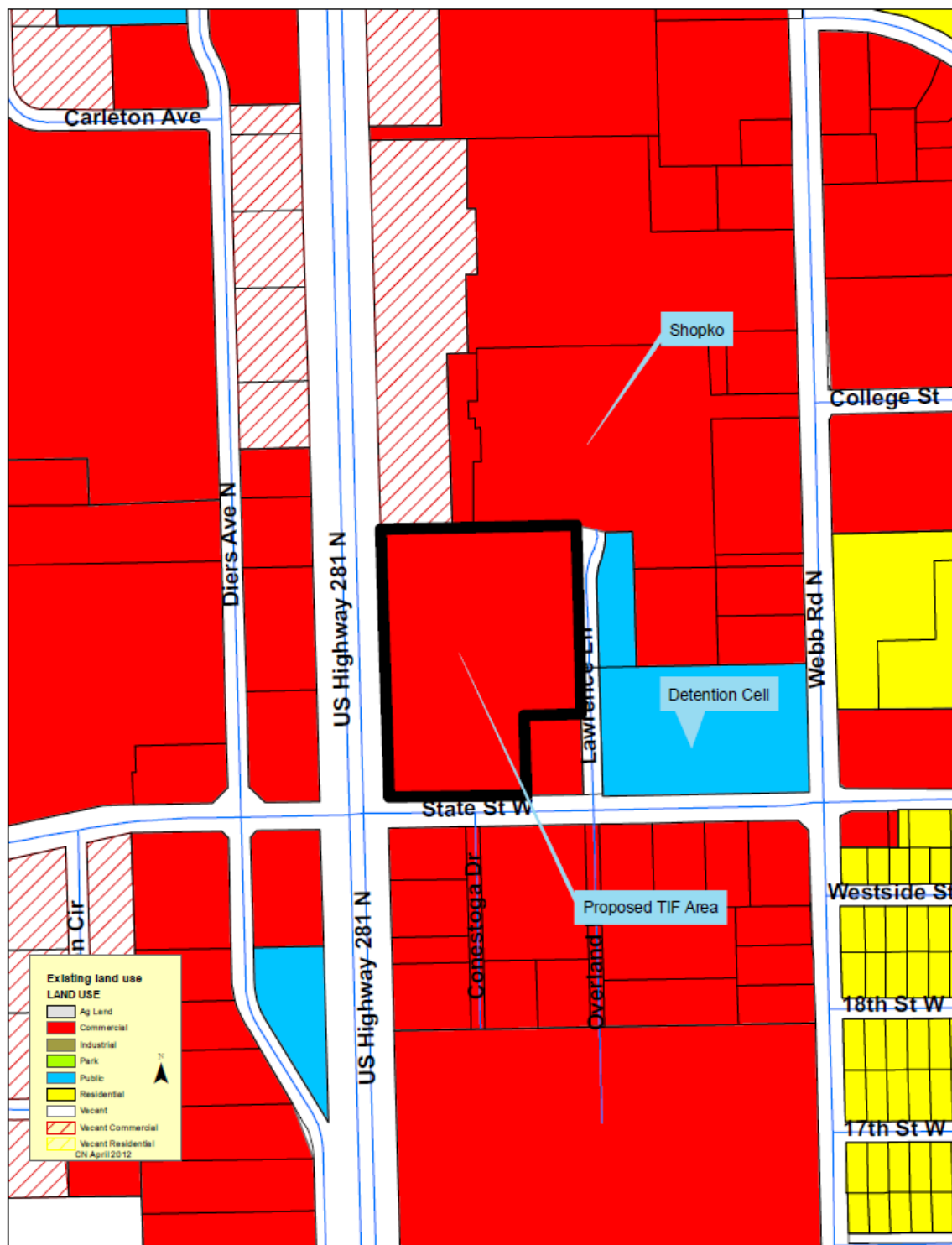
The site is owned by the developer. All site work, demolition and utilities will be paid for by the developer. The developer is responsible for and has provided evidence that they can secure adequate debt financing to cover the costs associated with the acquisition, site work and remodeling. The Grand Island Community Redevelopment Authority (CRA) intends to pledge the ad valorem taxes generated over the 15 year period beginning January 1, 2013 towards the allowable costs and associated financing for the remodeling and site work.

TAX INCREMENT FINANCING TO PAY FOR THE ACQUISITION OF THE PROPERTY AND RELATED SITE WORK WILL COME FROM THE FOLLOWING REAL PROPERTY:

Property Description (the “Redevelopment Project Area”)

This property is located at the northwest corner of U.S. Highway 281 and State Street in northwest Grand Island. The attached map identifies the subject property and the surrounding land uses:

- **Legal Descriptions** Lot 1 of Grand Island Mall Twelfth Subdivision in the City of Grand Island, Hall County, Nebraska.



The tax increment will be captured for the tax years the payments for which become delinquent in years 2014 through 2028 inclusive.

The real property ad valorem taxes on the current valuation will continue to be paid to the normal taxing entities. The increase will come from rehabilitation of the vacant commercial space into smaller tenant spaces.

Statutory Pledge of Taxes.

Pursuant to Section 18-2147 of the Act, any ad valorem tax levied upon real property in the Redevelopment Project Area shall be divided, for the period not to exceed 15 years after the effective date of the provision, which effective date shall be January 1, 2013.

a. That portion of the ad valorem tax which is produced by levy at the rate fixed each year by or for each public body upon the redevelopment project valuation shall be paid into the funds, of each such public body in the same proportion as all other taxes collected by or for the bodies; and

b. That portion of the ad valorem tax on real property in the redevelopment project in excess of such amount, if any, shall be allocated to and, when collected, paid into a special fund of the Authority to pay the principal of; the interest on, and any premiums due in connection with the bonds, loans, notes, or advances on money to, or indebtedness incurred by, whether funded, refunded, assumed, or otherwise, such Authority for financing or refinancing, in whole or in part, a redevelopment project. When such bonds, loans, notes, advances of money, or indebtedness including interest and premium due have been paid, the Authority shall so notify the County Assessor and County Treasurer and all ad valorem taxes upon real property in such redevelopment project shall be paid into the funds of the respective public bodies.

Pursuant to Section 18-2150 of the Act, the ad valorem tax so divided is hereby pledged to the repayment of loans or advances of money, or the incurring of any indebtedness, whether funded, refunded, assumed, or otherwise, by the CRA to finance or refinance, in whole or in part, the redevelopment project, including the payment of the principal of, premium, if any, and interest on such bonds, loans, notes, advances, or indebtedness.

Redevelopment Plan Amendment Complies with the Act:

The Community Development Law requires that a Redevelopment Plan and Project consider and comply with a number of requirements. This Plan Amendment meets the statutory qualifications as set forth below.

1. The Redevelopment Project Area has been declared blighted and substandard by action of the Grand Island City Council on April 24, 2012. [§18-2109] Such declaration was made after a public hearing with full compliance with the public notice requirements of §18-2115 of the Act.

2. Conformation to the General Plan for the Municipality as a whole. [§18-2103 (13) (a) and §18-2110]

Grand Island adopted a Comprehensive Plan on July 13, 2004. This redevelopment plan amendment and project are consistent with the Comprehensive Plan, in that no changes in the Comprehensive Plan elements are intended. This plan merely provides funding for the developer to rehabilitate an existing conforming use on this property.

3. The Redevelopment Plan must be sufficiently complete to address the following items: [§18-2103(13) (b)]

a. Land Acquisition:

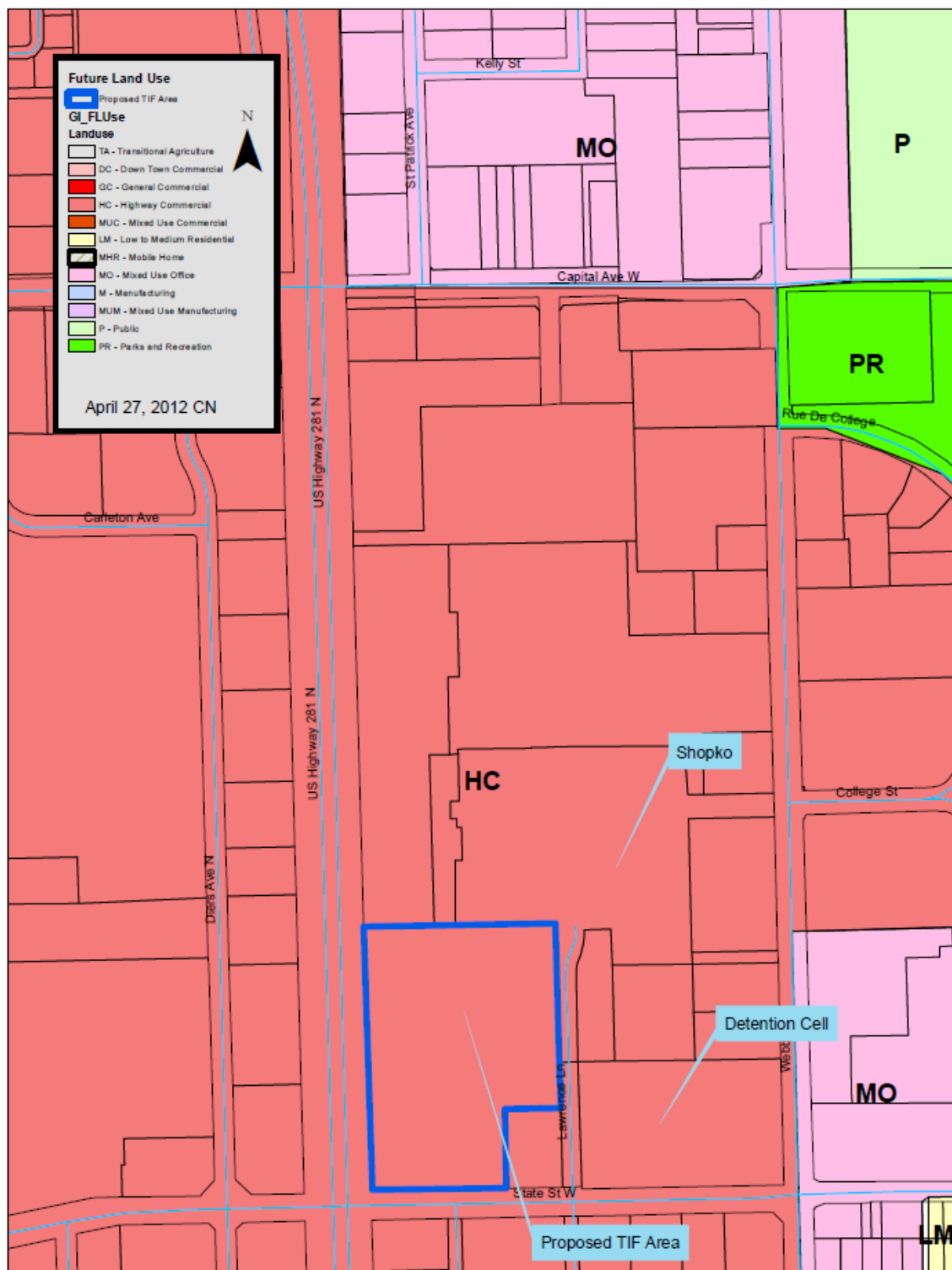
The Generalized Redevelopment Plan for Area #9 provides for real property acquisition and this plan amendment does not prohibit such acquisition. There is no proposed acquisition by the authority or the developer.

b. Demolition and Removal of Structures:

The project to be implemented with this plan amendment does not call for the demolition and removal of any existing structures.

c. Future Land Use Plan

See the attached map from the 2004 Grand Island Comprehensive Plan. The site is planned for highway commercial development. [§18-2103(b) and §18-2111] The attached map also is an accurate site plan of the area after redevelopment. [§18-2111(5)]



City of Grand Island Future Land Use Map

d. Changes to zoning, street layouts and grades or building codes or ordinances or other Planning changes.

The area is zoned B2 General Business zone. No zoning changes are anticipated with this project. No changes are anticipated in street layouts or grades. No changes are anticipated in building codes or ordinances. Nor are any other planning changes contemplated. The proposed use for commercial retail space is permitted in the B2 zoning district. [§18-2103(b) and §18-2111]

e. Site Coverage and Intensity of Use

The developer is proposing rehabilitate the existing structure a conforming structure and use in the B2 zoning district. [§18-2103(b) and §18-2111]

f. Additional Public Facilities or Utilities

This site has full service to municipal utilities. No utilities would be impacted by the development.

The developer will be responsible for replacing any sidewalks damaged during construction of the project.

No other utilities would be impacted by the development. [§18-2103(b) and §18-2111]

4. The Act requires a Redevelopment Plan provide for relocation of individuals and families displaced as a result of plan implementation.

This property, owned by the developer is maintained as retail center. The proposed use of this property would continue as a retail commercial space. No individuals or families will be relocated as a result of this project. [§18-2103.02]

5. No member of the Authority, nor any employee thereof holds any interest in any property in this Redevelopment Project Area. [§18-2106]

6. Section 18-2114 of the Act requires that the Authority consider:

a. Method and cost of acquisition and preparation for redevelopment and estimated proceeds from disposal to redevelopers.

The developer has owned the property for since 2005. The cost of property acquisition is not being included as a TIF eligible expense. Costs for rehabilitation of the existing structure and parking improvements are estimated at \$2,746,593 including all fees. The direct cost to renovate the building is estimated at \$2,290,533. Fees and reimbursement to the City and the CRA of \$6,500 are included as a TIF eligible expense.

No property will be transferred to redevelopers by the Authority. The developer will provide and secure all necessary financing.

b. Statement of proposed method of financing the redevelopment project.

The developer will provide all necessary financing for the project. The Authority will assist the project by granting the sum of \$898,350 from the proceeds of the TIF Indebtedness issued by the Authority. This indebtedness will be repaid from the Tax Increment Revenues generated from the project. TIF revenues shall be made available to repay the original debt and associated interest after January 1, 2014 through December 31, 2027.

c. Statement of feasible method of relocating displaced families.

No families will be displaced as a result of this plan.

7. Section 18-2113 of the Act requires:

Prior to recommending a redevelopment plan to the governing body for approval, an authority shall consider whether the proposed land uses and building requirements in the redevelopment project area are designed with the general purpose of accomplishing, in conformance with the general plan, a coordinated, adjusted, and harmonious development of the city and its environs which will, in accordance with present and future needs, promote health, safety, morals, order, convenience, prosperity, and the general welfare, as well as efficiency and economy in the process of development, including, among other things, adequate provision for traffic, vehicular parking, the promotion of safety from fire, panic, and other dangers, adequate provision for light and air, the promotion of the healthful and convenient distribution of population, the provision of adequate transportation, water, sewerage, and other public utilities, schools, parks, recreational and community facilities, and other public requirements, the promotion of sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of insanitary or unsafe dwelling accommodations or conditions of blight.

The Authority has considered these elements in proposing this Plan Amendment. This amendment, in and of itself will promote consistency with the Comprehensive Plan, in that it will allow for the utilization of and redevelopment of commercial lots. This will not significantly impact traffic on at the intersection of State Street and U.S. Highway 281. Renovated commercial development will raise property values and provide a stimulus to keep surrounding properties properly maintained. This will have the intended result of preventing recurring elements of unsafe buildings and blighting conditions.

8. Time Frame for Development

Development of this project (including demolition, site preparation and new construction) is anticipated to be completed between July 2012 and December of 2012. Excess valuation should be available for this project for 15 years beginning with the 2013 tax year.

9. Justification of Project

The U.S. Highway 281 Corridor is a major entrance for the City of Grand Island from the north and from I-80. The majority of the new commercial development in Grand Island in the past 10 years has occurred along this stretch of highway. The Grand Island Mall area was one of the first pieces in this corridor to develop. The pattern that has been most successful with buildings facing onto U.S. Highway 281 was not as obvious a pattern for success as it is today. The opportunity to partner with owners of key building along this corridor as they redevelop and reinvest in their properties is important to making those favorable first impressions.

10. Cost Benefit Analysis Section 18-2113 of the Act, further requires the Authority conduct a cost benefit analysis of the plan amendment in the event that Tax Increment Financing will be used. This analysis must address specific statutory issues.

(a) Tax shifts resulting from the approval of the use of Tax Increment Financing;

The redevelopment project area currently has an estimated valuation of \$4,126,165. The proposed renovation of this facility will result in an estimated additional \$2,746,593 of taxable valuation based on an analysis by the Hall County Assessor's office. No tax shifts are anticipated from the project. The project creates additional valuation that will support taxing entities long after the project is paid off.

(b) Public infrastructure and community public service needs impacts and local tax impacts arising from the approval of the redevelopment project;

No additional public service needs have been identified. Existing water and waste water facilities will not be impacted by this development. The electric utility has sufficient capacity to support the development. It is not anticipated that this will impact schools. Fire and police protection are available and should not be impacted by this development.

(c) Impacts on employers and employees of firms locating or expanding within the boundaries of the area of the redevelopment project;

The proposed facility will provide jobs for persons employed by the contractors that will be involved with the project. It could result in a new national retailers locating in Grand Island. The new retail facilities will employ managerial and sales staff at these locations.

(d) Impacts on other employers and employees within the city or village and the immediate area that are located outside of the boundaries of the area of the redevelopment project; and

This may create additional demand for retail service employees in the Grand Island area and could impact other retailers. The proposed retailers represent businesses not located in Grand Island but they will potentially create competition for businesses located here.

(e) Any other impacts determined by the authority to be relevant to the consideration of costs and benefits arising from the redevelopment project.

This will improve the northern entrance into the City of Grand Island. The updates and upgrades a portion of one of the oldest commercial areas along U.S. Highway 281. Since these are proposed for retail commercial use and the proposed retailers are not currently located in Grand Island this may give the City a greater opportunity to capture more sales tax dollars.

Time Frame for Development

Development of this project is anticipated to be completed during between July 2012 and December of 2012. The base tax year should be calculated on the value of the property as of January 1, 2012. The tax increment on excess valuation should be available for this project for 15 years beginning in 2014. Excess valuation will be used to pay the TIF Indebtedness issued by the CRA per the contract between the CRA and the developer for a period not to exceed 15 years or an amount not to exceed \$898,350 the projected amount of increment based upon the anticipated value of the project and current tax rate. Based on the estimates of the expenses of the cost of renovation, site preparation, engineering, expenses and fees reimbursed to the City and CRA, and financing fees the developer will spend over \$2,700,000 of TIF eligible activities over \$2,200,000 of which are directly related to remodeling and rehabilitating the existing building.

See Attached Building Plans



BACKGROUND INFORMATION RELATIVE TO TAX INCREMENT FINANCING REQUEST

Project Redeveloper Information

Business Name:

EIG Grand Island, LLC

Address:

111 E. Wayne Street, Ste 500, Fort Wayne, IN 46802

Telephone No.: 260-426-4704 Fax No.: 260-242-3615

Contact:

George Huber or Todd Jacobs

Brief Description of Applicant's

Business: Own and Lease The Shops at Northwest

Crossings, a 87,079 square foot shopping center
located at the corner of US Highway 281 and
West State Street.

Present Ownership Proposed Project Site: EIG Grand Island, LLC

Proposed Project: Building square footage, size of property, description of
buildings – materials, etc. Please attach site plan, if
available.

The renovation and re-tenanting of the
87,079 sq.ft. shopping center using brick, tile
and stucco.

If Property is to be Subdivided, Show Division Planned:

VI. Estimated Project Costs:

Acquisition Costs:

A. Land \$

B. Building \$

Construction Costs:

A. Renovation or Building Costs: \$ 2,290,533

B. On-Site Improvements: \$ 106,060

Soft Costs:

A. Architectural & Engineering Fees: \$ 100,000

B. Financing Fees: \$

C. Legal/Developer/Audit Fees: \$ 250,000

D. Contingency Reserves: \$

E. Other (Please Specify) \$

TOTAL \$2,746,593

Total Estimated Market Value at Completion: \$ 6,872,758

Source of Financing:

A. Developer Equity: \$1,848,243

B. Commercial Bank Loan: \$

Tax Credits:

1. N.I.F.A. \$

2. Historic Tax Credits \$

D. Industrial Revenue Bonds: \$

E. Tax Increment Assistance: \$ 898,350

F. Other \$

Name, Address, Phone & Fax Numbers of Architect, Engineer and General Contractor:

Architect: Patrick Morgan, Slaggie Architects, Inc.

14710 West Dodge Road, Ste 160, Omaha, NE 68154

888-756-1958

General Contractor: Kelly Rafferty, Integrated Construction

Services, Inc., 717 West Anne Street, Grand Island,

NE 68801 p 308-382-1977 / f 308-382-1978

Estimated Real Estate Taxes on Project Site Upon Completion of Project:
(Please Show Calculations)

See Attached

Project Construction Schedule:

Construction Start Date:

July 2012

Construction Completion Date:

September 2012

If Phased Project:

_____ Year _____ %

Complete

_____ Year _____ %

Complete

XII. Please Attach Construction Pro Forma

XIII. Please Attach Annual Income & Expense Pro Forma

(With Appropriate Schedules)

TAX INCREMENT FINANCING REQUEST INFORMATION

Describe Amount and Purpose for Which Tax Increment Financing is Requested:

See Attached

Statement Identifying Financial Gap and Necessity for use of Tax Increment Financing
for Proposed Project: Without Tax Incremental Financing
assistance as outlined herein, it will not be
possible to proceed with the improvements. The age
and condition of the building and the magnitude
of the renovations requires redevelopment assistance
to revitalize the property and contribute to the
ongoing revitalization of the Shopping Center.

Municipal and Corporate References (if applicable). Please identify all other
Municipalities, and other Corporations the Applicant has been involved with, or

has completed developments in, within the last five (5) years, providing contact person, telephone and fax numbers for each:

IV. Please Attach Applicant's Corporate/Business Annual Financial Statements for the Last Three Years.

Post Office Box 1968
Grand Island, Nebraska 68802-1968
Phone: 308 385-5240
Fax: 308 385-5423
Email: cnabity@grand-island.com

Describe Amount and Purpose for Which Tax Increment Financing is Requested:

Currently the Shops at Northwest Crossing has a vacant anchor space totaling 59,956 square feet which is impacting the leasing, appearance and value of the shopping center. The Tax Increment Financing funds are needed and will be used to divide the 59,956 square foot space into four smaller spaces that can be leased to nationally recognized retailers (GAP, Shoe Carnival, Dress Barn and Bed Bath & Beyond). A total of over \$2,700,000 will be spent on the re-development of the center which includes splitting the large space into four smaller spaces and creating completely new high end store fronts for the tenants using brick, glass and stucco. In addition, funds will be used to improve the parking and sidewalk areas. With the use of the TIF funds we will be able to take the center from its current condition and renovate it into a class A shopping center with national retailers. See attached contractor bid for complete list of work being done.

EQUITY INVESTMENT GROUP

PROJECT: Shoppes of Northwest Crossing-Redevelopment
LOCATION: Grand Island, NE
DATE: April 04, 2012

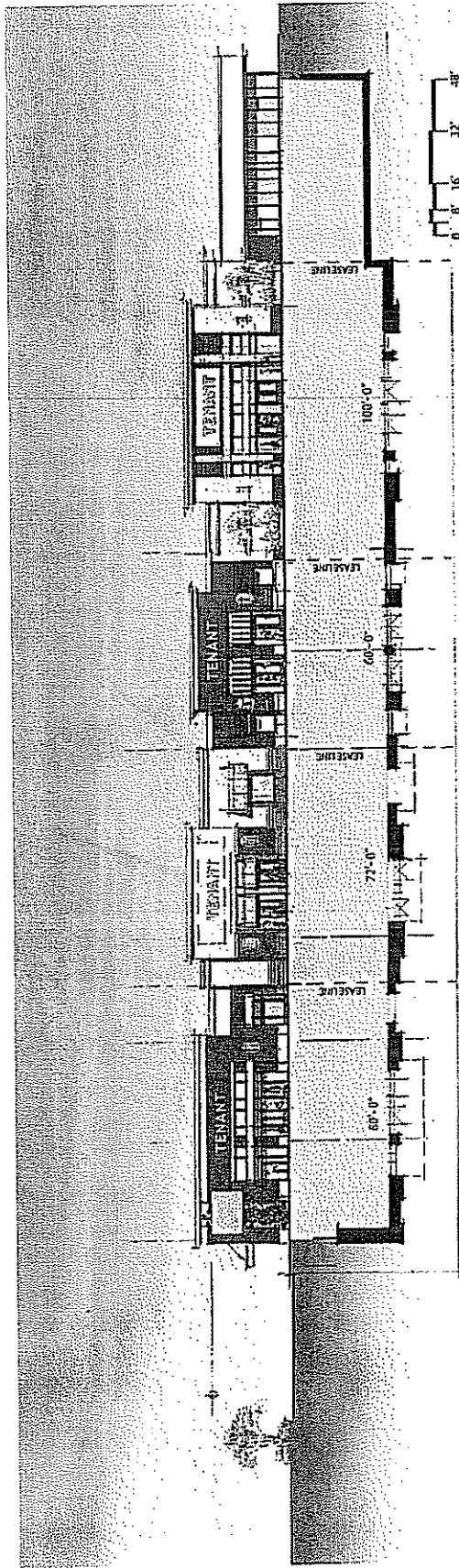
TENANTS	SQUARE FEET LEASED	RENT PER SF	START DATE	END DATE	OPTIONS	% OF GLA	MONTHLY RENT	ANNUAL RENT	CAM	TAX	INS	% RENT	TOTAL INCOME
ANCHORS													
1 Bed Bath&Beyond	20,000	\$8.00	9/1/2012	8/30/2022	3-5 yr	27.03%	\$13,333	\$160,000	\$19,400	\$24,200	\$4,000	\$0	\$207,600
2 Shoe Carnival	12,000	\$12.00	9/1/2012	8/30/2022	3-5 yr	16.22%	\$12,000	\$144,000	\$11,640	\$14,520	\$2,400	\$0	\$172,560
3 Gap	8,500	\$12.00	9/1/2012	8/30/2019	3-5 yr	11.49%	\$8,500	\$102,000	\$8,245	\$10,285	\$1,700	\$0	\$122,230
2 Dress Barn	8,000	\$12.00	9/1/2012	8/30/2017	2-5 yr	10.81%	\$8,000	\$96,000	\$7,760	\$9,680	\$1,600	\$0	\$115,040
SUB TOTALS	48,500	\$44.00				65.55%	\$41,833	\$502,000	\$47,045	\$59,585	\$9,700	\$0	\$617,430
SHOPS													
5 Prospect	1,125	\$12.00				1.52%	\$1,125	\$13,500	\$1,091	\$1,361	\$225	\$0	\$16,176
6 Prospect	2,048	\$12.00				2.77%	\$2,048	\$24,576	\$1,987	\$2,478	\$410	\$0	\$29,450
7 Prospect	1,400	\$12.00				1.89%	\$1,400	\$16,800	\$1,358	\$1,694	\$280	\$0	\$20,132
8 Prospect	1,400	\$12.00				1.89%	\$1,400	\$16,800	\$1,358	\$1,694	\$280	\$0	\$20,132
9 Prospect	2,800	\$8.00				3.78%	\$1,920	\$23,040	\$2,784	\$3,485	\$576	\$0	\$29,064
10 Prospect	2,800	\$8.00				3.78%	\$1,920	\$23,040	\$2,784	\$3,485	\$576	\$0	\$29,064
11 Prospect	3,400	\$8.00				4.60%	\$2,267	\$27,200	\$3,298	\$4,114	\$680	\$0	\$35,292
12 Prospect	1,072	\$8.00				1.45%	\$715	\$8,576	\$1,040	\$1,297	\$214	\$0	\$11,127
13 Prospect	6,252	\$8.00				8.45%	\$3,126	\$37,512	\$6,064	\$7,565	\$1,250	\$0	\$52,392
7 Prospect	1,803	\$8.00				2.44%	\$1,202	\$14,424	\$1,749	\$2,182	\$361	\$0	\$18,715
8 Prospect	1,300	\$8.00				1.76%	\$867	\$10,400	\$1,261	\$1,573	\$260	\$0	\$13,494
TO BE LEASED	0					0.00%	\$0	\$0	\$0	\$0	\$0	\$0	\$0
SUB TOTALS	25,480	\$102.00				34.44%	\$17,936	\$215,228	\$24,716	\$30,831	\$5,096	\$0	\$275,870
TOTALS	73,980	\$146.00				100.00%	\$59,769	\$717,228	\$71,761	\$89,516	\$14,796	\$0	\$893,300

% RECOVERED
100% 100% 100%

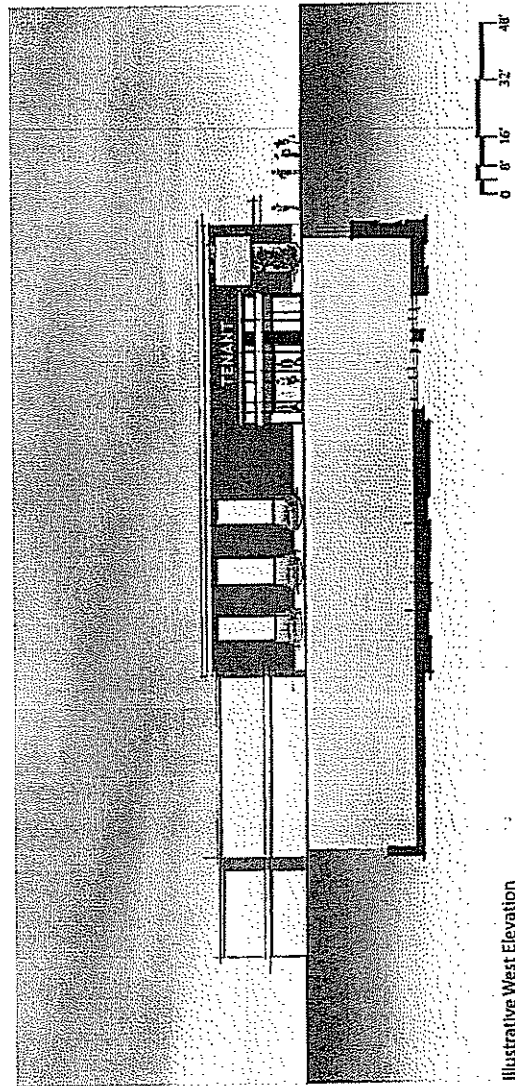
GROSS INCOME: \$893,300
SHOP VACANCY: 10.00%
ADJUSTED INCOME: \$795,713

EXPENSE SUMMARY	SF TOTALS	TOTALS
COMMON AREA MAINT.	\$0.87	\$71,761
TAXES	\$1.21	\$88,516
INSURANCE	\$0.20	\$14,786
RESERVES	\$0.15	\$11,087
MANAGEMENT	4.00%	\$34,629
TOTAL EXPENSES		\$221,789
NET OPERATING INCOME:		\$643,915

NET OPERATING INCOME: \$643,915
ANNUAL DEBT SERVICE: 0
ANNUAL CASH FLOW: \$643,915



Illustrative South Elevation

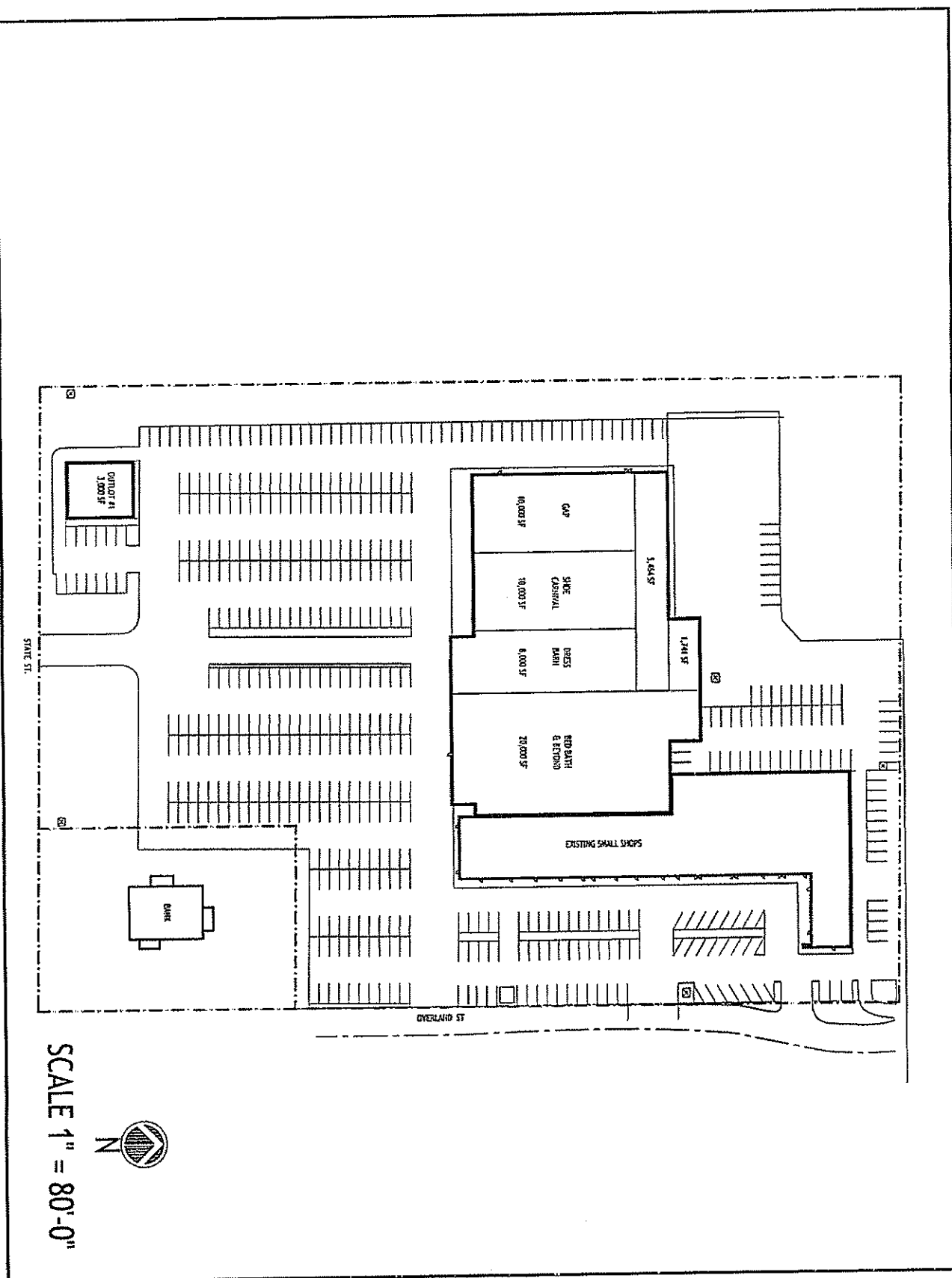


Illustrative West Elevation

The Shoppes at Northwest Crossing

Grand Island, NE

10-28-2011



The Shoppes at Northwest Crossing

Grand Island, Nebraska

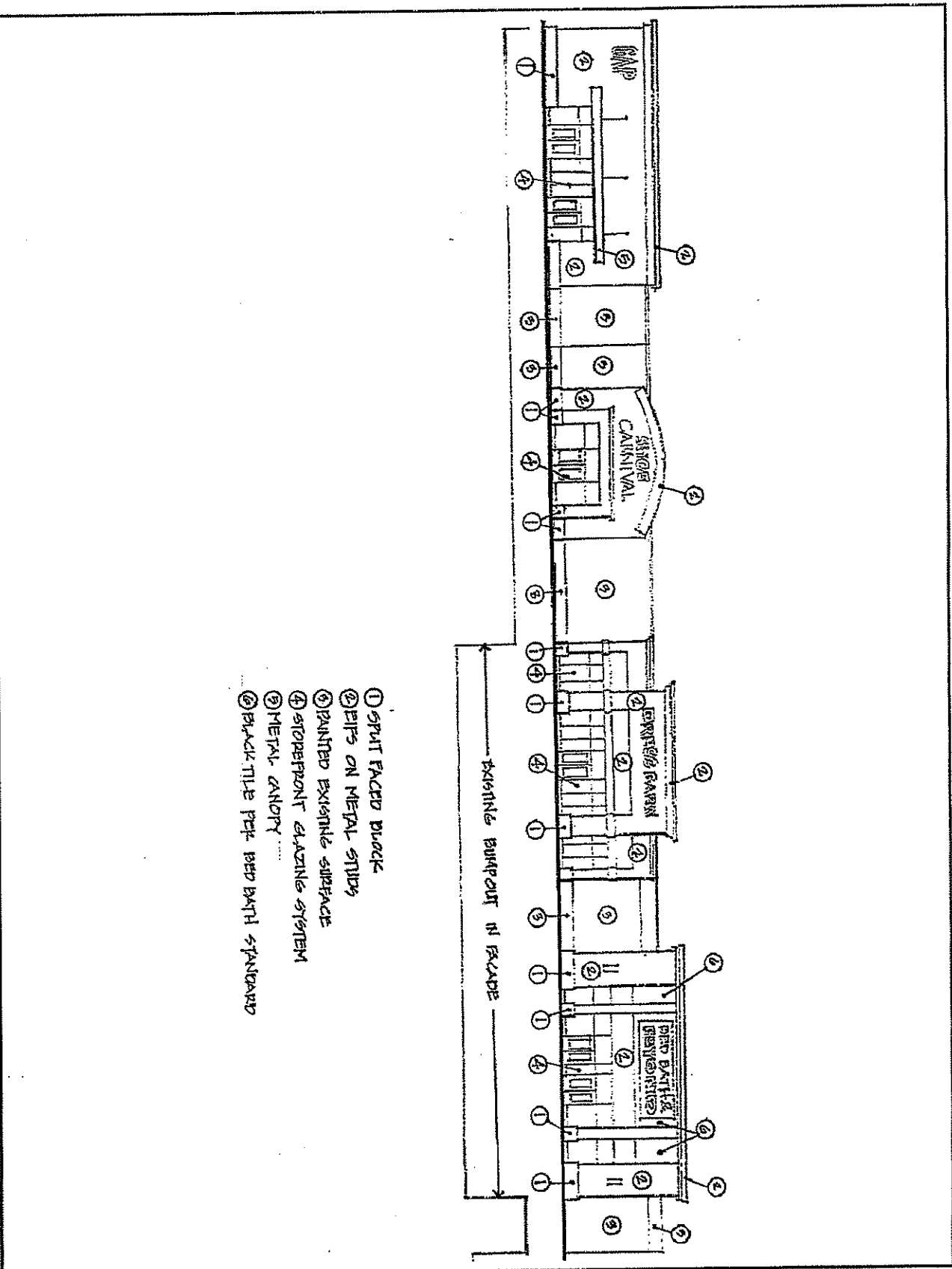
SLAGGIE
ARCHITECTS, INC.

Kansas City, Missouri
Omaha, Nebraska
www.slaggie.com

SLAGGIE ARCHITECTS, INC. © 2012

DATE: 2-2-2012
PROJECT NO: 110807
DRAWING TITLE: PRICING
OPTION 1
SHEET NO:

1

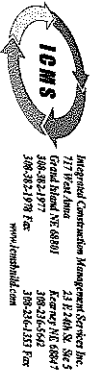


The Shoppes at
Northwest Crossing
 Grand Island, Nebraska

SLAGGIE
 ARCHITECTS, INC.
 Kansas City, Missouri
 Omaha, Nebraska
 www.slaggie.com
 SLAGGIE ARCHITECTS, INC. © 2012

DATE: 2-2-2012
 PROJECT NO: 110907
 DRAWING TITLE: OPTION 1 ELEVATIONS
 SHEET NO:

1 EV



PROJECT BUDGET

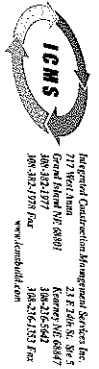
DATE: 2/16/2012

SHEET

EXHIBIT "A"

JOB # Preliminary		JOB NAME:								
COST CODE #	COST CODE DESCRIPTION	BUILDING WHITE BOX	TENANT	TENANT	TENANT	TENANT	TENANT	EXTERIOR	ACTUAL COST	NOTES
01.000	GENERAL CONDITIONS									
01.001	ARCHITECTURAL FEES									
01.005	PERMITS									
01.020	TEMP CONSTRUCTION	\$2,680.00								
01.065	CLEAN UP	\$6,820.00	\$2,980.00	\$1,500.00	\$1,975.00	\$2,000.00				
01.066	TRASH HAUL FEES	\$3,800.00	\$2,290.00	\$800.00	\$1,420.00	\$950.00				
01.630	EQUIPMENT RENTAL	\$5,000.00	\$1,500.00	\$500.00	\$1,000.00	\$500.00				
01.720	PROJECT DOCUMENTS	\$400.00	\$700.00	\$250.00	\$380.00	\$300.00				
01.820	SUPERINTENDENT	\$12,500.00	\$14,750.00	\$3,500.00	\$10,500.00	\$4,000.00				
01.880	GENERAL LABOR	\$4,000.00	\$3,000.00	\$1,000.00	\$2,500.00	\$1,500.00				
01.984	CONTINGENCY	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00				
01.650	TRAVEL/FUEL	\$1,300.00	\$650.00	\$500.00	\$500.00	\$800.00				
	TOTALS	\$36,200.00	\$28,070.00	\$8,050.00	\$18,275.00	\$9,850.00				
02.000	SITEMORK									
02.052	EXTERIOR DEMOLITION	\$30,500.00								
02.062	EXTERIOR DEMO - SITE							\$16,500.00		
02.063	INTERIOR DEMOLITION	\$34,000.00								
02.520	PAVING/CURB/SIDEWALKS							\$78,480.00		
02.720	LANDSCAPING	\$22,000.00								
	TOTALS	\$86,500.00	\$0.00	\$0.00	\$0.00	\$0.00		\$94,980.00		
03.000	CONCRETE									
03.310	PATCHING	\$1,500.00								
03.318	FOUNDATIONS/FOOTINGS/SLAB	\$4,080.00								
	TOTALS	\$5,580.00	\$0.00	\$0.00	\$0.00	\$0.00		\$0.00		
04.000	MASONRY									
04.210	CMU	\$15,200.00								
	TOTALS	\$15,200.00	\$0.00	\$0.00	\$0.00	\$0.00		\$0.00		
05.000	METALS									
05.060	BOLLARD POSTS	\$2,200.00								
05.120	STRUCTURAL STEEL	\$32,980.00								
	TOTALS	\$35,090.00	\$0.00	\$0.00	\$0.00	\$0.00		\$0.00		
06.000	WOOD & PLASTIC									
06.110	FRAMING/METAL STUD	\$94,300.00	\$19,720.00		\$8,920.00					
06.410	CASEWORK		\$25,000.00		\$18,900.00					
06.410	TRIM		\$21,000.00		\$6,500.00					
	TOTALS	\$94,300.00	\$65,720.00	\$0.00	\$34,320.00	\$0.00		\$0.00		

THERMAL & MOISTURE PROTECTION									
07.000	EIFS	\$45,845.00							
07.660	SEALANTS & CAULKING	\$1,432.00	\$800.00						
07.820									
	TOTALS	\$47,077.00	\$800.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
08.000 DOORS/WINDOWS									
08.100	HM DOORS	\$5,400.00	\$3,500.00			\$3,540.00			
08.800	STOREFRONT SYSTEM	\$67,600.00	\$18,900.00			\$0.00			
08.810	AUTO STOREFRONT DOORS	\$42,000.00	\$14,000.00			\$0.00			
	TOTALS	\$104,900.00	\$36,400.00	\$0.00	\$3,540.00	\$0.00	\$0.00	\$0.00	
09.000 FINISHES									
09.260	DRYWALL	\$78,500.00	\$21,980.00			\$9,500.00			
09.310	FLOOR TILE		\$36,000.00			\$16,000.00			
09.320	WALL TILE	\$16,700.00	\$16,200.00			\$0.00			
09.510	ACOUSTICAL CEILINGS					\$16,000.00			
09.685	CARPET		\$22,000.00			\$16,000.00			
09.920	INTERIOR PAINTING		\$16,200.00			\$6,000.00			
09.900	EXTERIOR PAINTING	\$19,620.00							
09.980	AWNINGS	\$15,000.00							
	TOTALS	\$128,820.00	\$183,180.00	\$0.00	\$61,500.00	\$0.00	\$0.00	\$0.00	
16.000 MECHANICAL									
16.360	FIRE SPRINKLER SYSTEM	\$91,000.00	\$11,000.00			\$8,500.00			
16.400	PLUMBING	\$22,000.00	\$66,200.00			\$21,200.00			
16.500	HVAC	\$116,869.00	\$164,000.00			\$63,500.00			
	TOTALS	\$229,869.00	\$56,200.00	\$20,700.00	\$83,200.00	\$26,500.00	\$0.00	\$0.00	
16.000 ELECTRICAL									
16.001	ELECTRICAL	\$202,000.00	\$318,000.00			\$79,200.00			
	TOTALS	\$202,000.00	\$318,000.00	\$79,000.00	\$79,200.00	\$20,000.00	\$6,200.00	\$5,200.00	
TOTALS DIVISIONS		\$986,628.00	\$686,570.00	\$106,760.00	\$290,035.00	\$29,860.00	\$100,180.00		
18.000	PROJECT MGMT FEE	\$68,697.34	\$61,773.30			\$9,607.60			
	TOTALS	\$1,074,223.34	\$748,143.30	\$116,367.60	\$316,138.15	\$32,636.50	\$109,186.20	\$0.00	Grand Total \$2,396,694.99



PROJECT BUDGET

DATE: 2/15/2012

SHEET

JOB #: Preliminary

JOB NAME:

EXHIBIT "A"

COST CODE #	COST CODE DESCRIPTION	BUILDING WHITE BOX	BED BATH & BEYOND	DRESS BARN	SHOE CARNIVAL	GAP	EXTERIOR	ACTUAL COST	NOTES
01.000	GENERAL CONDITIONS								
01.001	ARCHITECTURAL FEES								
01.065	PERMITS								
01.520	TEMP CONSTRUCTION	\$2,580.00							
01.565	CLEAN UP	\$6,820.00	\$2,980.00	\$1,500.00	\$1,975.00	\$2,000.00			
01.565	TRASH HAUL FEES	\$3,600.00	\$2,290.00	\$800.00	\$1,420.00	\$550.00			
01.630	EQUIPMENT RENTAL	\$5,000.00	\$1,500.00	\$500.00	\$1,000.00	\$500.00			
01.720	PROJECT DOCUMENTS	\$400.00	\$700.00	\$250.00	\$380.00	\$900.00			
01.820	SUPERINTENDENT	\$12,500.00	\$14,750.00	\$3,500.00	\$10,500.00	\$4,000.00			
01.880	GENERAL LABOR	\$4,000.00	\$3,000.00	\$1,000.00	\$2,500.00	\$1,500.00			
01.994	CONTINGENCY	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00			
01.950	TRAVEL/FUEL	\$1,300.00	\$850.00	\$500.00	\$500.00	\$500.00			
	TOTALS	\$36,200.00	\$26,070.00	\$9,050.00	\$18,275.00	\$9,850.00			
02.000	SITEWORK								
02.052	EXTERIOR DEMOLITION	\$30,500.00							
02.052	EXTERIOR DEMO - SITE						\$16,500.00		
02.053	INTERIOR DEMOLITION	\$34,000.00							
02.520	PAVING/CURBS/DEWALKS						\$78,480.00		
02.720	LANDSCAPING	\$22,000.00							
	TOTALS	\$86,500.00	\$0.00	\$0.00	\$0.00	\$0.00	\$94,980.00		
03.000	CONCRETE								
03.310	PATCHING	\$1,500.00							
03.318	FOUNDATIONS/FOOTINGS/SLAB	\$4,050.00							
	TOTALS	\$5,550.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		
04.000	MASONRY								
04.210	CMU	\$15,200.00							
	TOTALS	\$15,200.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		
05.000	METALS								
05.050	BOLLARD POSTS	\$2,200.00							
05.120	STRUCTURAL STEEL	\$32,890.00							
	TOTALS	\$35,090.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		
06.000	WOOD & PLASTIC								
06.110	FRAMING/METAL STUD	\$94,200.00							
06.410	CASEWORK		\$19,720.00		\$8,920.00				
06.410	TRIM		\$25,000.00		\$19,800.00				
	TOTALS	\$94,200.00	\$44,720.00	\$0.00	\$28,720.00	\$0.00	\$0.00		
	TOTALS	\$94,300.00	\$65,720.00	\$0.00	\$34,320.00	\$0.00	\$0.00		

Increment
\$ 2,746,593

Tax Entity	Bond	2011 Levy	2011 Taxes	2011 Levy	2011 Taxes
City Levy	City Bond		\$0	0.271749	\$7,464
			\$0	0.052351	\$1,438
CRA			\$0	0.026	\$714
Hall County		0.434182	\$17,915	0.430957	\$11,837
Rural Fire	Fire Bond*	0.046754	\$1,929		\$0
					\$0
GIPS School	2nd Bond	1.073327	\$44,287	1.073327	\$29,480
	4th Bond	0.082099	\$3,388	0.082099	\$2,255
		0.043192	\$1,782	0.043192	\$1,186
NW School					\$0
	6th Bond				\$0
ESU 10		0.015	\$619	0.015	\$412
CCC		0.116248	\$4,797	0.112023	\$3,077
CPNRD		0.052507	\$2,167	0.04733	\$1,300
Ag Society		0.004042	\$167	0.004168	\$114
Airport		0.011467	\$29.67	0.011825	\$325
	Airport Bond	0.010175	\$420	0.010493	\$288
Total Combined		1.888993	\$77,943	2.180514	\$59,890

Base Value
\$ 4,126,165

Finished Value
\$ 6,872,758

Tax Entity	Bond	2011 Levy	2011 Taxes	2011 Levy	2011 Taxes
City Levy	City Bond		\$0	0.271749	\$11,213
			\$0	0.052351	\$2,160
CRA			\$0	0.026	\$1,073
Hall County		0.434182	\$17,915	0.430957	\$17,782
Rural Fire	Fire Bond*	0.046754	\$1,929		\$0
					\$0
GIPS School	2nd Bond	1.073327	\$44,287	1.073327	\$44,287
	4th Bond	0.082099	\$3,388	0.082099	\$3,388
		0.043192	\$1,782	0.043192	\$1,782
NW School					\$0
	6th Bond				\$0
ESU 10		0.015	\$619	0.015	\$619
CCC		0.116248	\$4,797	0.112023	\$4,622
CPNRD		0.052507	\$2,167	0.04733	\$1,953
Ag Society		0.004042	\$167	0.004168	\$172
Airport		0.011467	\$29.67	0.011825	\$488
	Airport Bond	0.010175	\$420	0.010493	\$433
Total Combined		1.888993	\$77,943	2.180514	\$89,972

**COMMUNITY REDEVELOPMENT AUTHORITY
OF THE CITY OF GRAND ISLAND, NEBRASKA**

RESOLUTION NO. 132

**RESOLUTION OF THE COMMUNITY REDEVELOPMENT AUTHORITY OF THE CITY
OF GRAND ISLAND, NEBRASKA, SUBMITTING A PROPOSED
REDEVELOPMENT PLAN TO THE HALL COUNTY REGIONAL PLANNING
COMMISSION FOR ITS RECOMMENDATION**

WHEREAS, this Community Redevelopment Authority of the City of Grand Island, Nebraska ("Authority"), pursuant to the Nebraska Community Development Law (the "Act"), prepared a proposed redevelopment plan (the "Plan") a copy of which is attached hereto as Exhibit 1, for redevelopment of an area within the city limits of the City of Grand Island, Hall County, Nebraska; and

WHEREAS, the Authority is required by Section 18-2112 of the Act to submit said to the planning board having jurisdiction of the area proposed for redevelopment for review and recommendation as to its conformity with the general plan for the development of the City of Grand Island, Hall County, Nebraska;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

The Authority submits to the Hall County Regional Planning Commission the proposed Plan attached to this Resolution, for review and recommendation as to its conformity with the general plan for the development of the City of Grand Island, Hall County, Nebraska.

Passed and approved this 9th day of May, 2012.

COMMUNITY REDEVELOPMENT
AUTHORITY OF THE CITY OF
GRAND ISLAND, NEBRASKA.

By Glen A. Murray
Chairperson

ATTEST:

[Signature]
Secretary

EXHIBIT 1
REDEVELOPMENT PLAN AMENDMENT

**COMMUNITY REDEVELOPMENT AUTHORITY OF THE CITY
OF GRAND ISLAND, NEBRASKA**

RESOLUTION NO. 133

RESOLUTION OF THE COMMUNITY REDEVELOPMENT AUTHORITY OF THE CITY OF GRAND ISLAND, NEBRASKA, PROVIDING NOTICE OF INTENT TO ENTER INTO A REDEVELOPMENT AFTER THE PASSAGE OF 30 DAYS AND OTHER MATTERS

WHEREAS, this Community Redevelopment Authority of the City of Grand Island, Nebraska ("Authority"), has received an Application for Tax Increment Financing under the Nebraska Community Development Law (the "Act") on a project within redevelopment area #9, from EIG Grand Island, LLC, (The "Developer") for redevelopment of an area within the city limits of the City of Grand Island as set forth in Exhibit 1 attached hereto area; and

WHEREAS, this Community Redevelopment Authority of the City of Grand Island, Nebraska ("Authority"), is proposing to use Tax Increment Financing on a project within redevelopment area #9;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. In compliance with section 18-2114 of the Act, the Authority hereby gives the governing body of the City notice that it intends to enter into the Redevelopment Contract, attached as Exhibit 1, with such changes as are deemed appropriate by the Authority, after approval of the redevelopment plan amendment related to the redevelopment project described in the Redevelopment Contract, and after the passage of 30 days from the date hereof.

Section 2. The Secretary of the Authority is directed to file a copy of this resolution with the City Clerk of the City of Grand Island, forthwith.

Passed and approved this 9th day of May, 2012.

COMMUNITY REDEVELOPMENT
AUTHORITY OF THE CITY OF
GRAND ISLAND, NEBRASKA.

By Glen A. Murray
Chairperson

ATTEST:

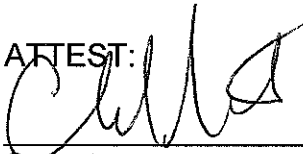

Secretary

Exhibit 1

Attach a copy of the Redevelopment Contract

REDEVELOPMENT CONTRACT

This Redevelopment Contract is made and entered into as of the _____th day of _____, 2012, by and between the Community Redevelopment Authority of the City of Grand Island, Nebraska (“Authority”), and EIG Grand Island, LLC, a Nebraska limited liability company (“Redeveloper”).

WITNESSETH:

WHEREAS, the City of Grand Island, Nebraska (the “City”), in furtherance of the purposes and pursuant to the provisions of Section 12 of Article VIII of the Nebraska Constitution and Sections 18-2101 to 18-2154, Reissue Revised Statutes of Nebraska, 2007, as amended (collectively the “Act”), has designated an area in the City as blighted and substandard; and

WHEREAS, City and Redeveloper desire to enter into this Redevelopment Contract for redevelopment of a parcel in the blighted and substandard area;

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein set forth, Authority and Redeveloper do hereby covenant, agree and bind themselves as follows:

ARTICLE I

DEFINITIONS AND INTERPRETATION

Section 1.01 Terms Defined in this Redevelopment Contract.

Unless the context otherwise requires, the following terms shall have the following meanings for all purposes of this Redevelopment Contract, such definitions to be equally applicable to both the singular and plural forms and masculine, feminine and neuter gender of any of the terms defined:

“Act” means Section 12 of Article VIII of the Nebraska Constitution, Sections 18-2101 through 18-2154, Reissue Revised Statutes of Nebraska, 2007, as amended, and acts amendatory thereof and supplemental thereto

“Authority” means the Community Redevelopment Authority of the City of Grand Island, Nebraska.

“City” means the City of Grand Island, Nebraska.

“Governing Body” means the Mayor and City Council of the City.

“Holder” means the holders of TIF indebtedness issued by the Authority from time to time outstanding.

“Liquidated Damages Amount” means the amounts to be repaid to Authority by Redeveloper pursuant to Section 6.02 of this Redevelopment Contract.

“Project” means the improvements to the Redevelopment Area, as further described in Exhibit B attached hereto and incorporated herein by reference and, as used herein, shall include the Redevelopment Area real estate.

“Project Cost Certification” means a statement prepared and signed by the Redeveloper verifying the Redeveloper has been legally obligated for the payment of Project Costs identified on Exhibit D

“Project Costs” means only costs or expenses incurred by Redeveloper for the purposes set forth in §18-2103 (a) through (f), inclusive, of the Act as identified on Exhibit D.

“Redeveloper” means EIG Grand Island, LLC, a Nebraska limited liability company.

“Redevelopment Area” means that certain real property situated in the City of Grand Island, Hall County, Nebraska, which has been declared blighted and substandard by the City pursuant to the Act, and which is more particularly described on Exhibit A attached hereto and incorporated herein by this reference.

“Redevelopment Contract” means this redevelopment contract between the Authority and Redeveloper with respect to the Project.

“Redevelopment Plan” means the Amended Redevelopment Plan for the Redevelopment Area related to the Project, prepared by the Authority and approved by the City pursuant to the Act.

“Resolution” means the Resolution of the Authority, as supplemented from time to time, approving this Redevelopment Contract and the issuance of the TIF Indebtedness.

“TIF Indebtedness” means any bonds, notes, loans, and advances of money or other indebtedness, including interest and premiums, if any, thereon, incurred by the Authority pursuant to Article III hereof and secured in whole or in part by TIF Revenues.

“TIF Revenues” means incremental ad valorem taxes generated by the Project which are allocated to and paid to the Authority pursuant to the Act.

Section 1.02 Construction and Interpretation.

The provisions of this Redevelopment Contract shall be construed and interpreted in accordance with the following provisions:

(a) Wherever in this Redevelopment Contract it is provided that any person may do or perform any act or thing the word “may” shall be deemed permissive and not mandatory and it shall be construed that such person shall have the right, but shall not be obligated, to do and perform any such act or thing.

(b) The phrase “at any time” shall be construed as meaning “at any time or from time to time.”

(c) The word “including” shall be construed as meaning “including, but not limited to.”

(d) The words “will” and “shall” shall each be construed as mandatory.

(e) The words “herein,” “hereof,” “hereunder,” “hereinafter” and words of similar import shall refer to the Redevelopment Contract as a whole rather than to any particular paragraph, section or subsection, unless the context specifically refers thereto.

(f) Forms of words in the singular, plural, masculine, feminine or neuter shall be construed to include the other forms as the context may require.

(g) The captions to the sections of this Redevelopment Contract are for convenience only and shall not be deemed part of the text of the respective sections and shall not vary by implication or otherwise any of the provisions hereof.

ARTICLE II

REPRESENTATIONS

Section 2.01 Representations by Authority.

The Authority makes the following representations and findings:

(a) The Authority is a duly organized and validly existing Community Redevelopment Authority under the Act.

(b) The Redevelopment Plan has been duly approved and adopted by the City pursuant to Section 18-2109 through 18-2117 of the Act.

(c) The Authority deems it to be in the public interest and in furtherance of the purposes of the Act to accept the proposal submitted by Redeveloper as specified herein.

(d) The Redevelopment Project will achieve the public purposes of the Act by, among other things, increasing employment, improving public infrastructure, increasing the tax base, and lessening conditions of blight and substandard in the Redevelopment Area.

(e) (1) The Redevelopment Plan is feasible and in conformity with the general plan for the development of the City as a whole and the plan is in conformity with the legislative declarations and determinations set forth in the Act, and

(2) Based on Representations made by the Redeveloper:

(i) The Project would not be economically feasible without the use of tax-increment financing,

(ii) The Project would not occur in the Redevelopment Area without the use of tax-increment financing, and

(iii) The costs and benefits of the Project, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for public and private services have been analyzed by the Authority and have been found to be in the long-term best interest of the community impacted by the Project.

(f) The Authority has determined that the proposed land uses and building requirements in the Redevelopment Area are designed with the general purpose of accomplishing, in conformance with the general plan, a coordinated, adjusted, and harmonious development of the City and its environs which will, in accordance with present and future needs, promote health, safety, morals, order, convenience, prosperity, and the general welfare, as well as efficiency and economy in the process of development: including, among other things, adequate provision for traffic, vehicular parking, the promotion of safety from fire, panic, and other dangers, adequate provision for light and air, the promotion of the healthful and convenient distribution of population, the provision of adequate transportation, water, sewerage and other public utilities, schools, parks, recreational and community facilities, and other public requirements, the promotion of sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of insanitary or unsafe dwelling accommodations, or conditions of blight.

Section 2.02 Representations of Redeveloper.

The Redeveloper makes the following representations:

(a) The Redeveloper is a Nebraska limited liability company, having the power to enter into this Redevelopment Contract and perform all obligations contained herein and by proper action has been duly authorized to execute and deliver this Redevelopment Contract.

(b) The execution and delivery of the Redevelopment Contract and the consummation of the transactions therein contemplated will not conflict with or constitute a breach of or default under any bond, debenture, note or other evidence of indebtedness or any contract, loan agreement or lease to which Redeveloper is a party or by which it is bound, or result in the creation or imposition of any lien, charge or encumbrance of any nature upon any of the property or assets of the Redeveloper contrary to the terms of any instrument or agreement.

(c) There is no litigation pending or to the best of its knowledge threatened against Redeveloper affecting its ability to carry out the acquisition, construction, equipping and furnishing of the Project or the carrying into effect of this Redevelopment Contract or, except as disclosed in writing to the Authority, as in any other matter materially affecting the ability of Redeveloper to perform its obligations hereunder.

(d) Any financial statements of the Redeveloper or its Members delivered to the Authority prior to the date hereof are true and correct in all respects and fairly present the financial condition of the Redeveloper and the Project as of the dates thereof; no materially adverse change has occurred in the financial condition reflected therein since the respective dates thereof; and no additional borrowings have been made by the Redeveloper since the date thereof except in the ordinary course of business, other than the borrowing contemplated hereby or borrowings disclosed to or approved by the Authority.

(e) The Project would not be economically feasible without the use of tax increment financing.

(f) The Project would not occur in the Redevelopment Area without the use of tax-increment financing.

(g) The Redeveloper is an accredited investor as that term is defined for purposes Regulation D, issued pursuant to the Securities Act of 1933, as amended.

ARTICLE III

OBLIGATIONS OF THE AUTHORITY

Section 3.01 Division of Taxes.

In accordance with Section 18-2147 of the Act, the Authority hereby provides that any ad valorem tax on the following real property in the Project: to wit: the property shown on attached Exhibit A, for the benefit of any public body be divided for a period of fifteen years after the effective date of this provision as set forth in this section. The effective date of this provision shall be January 1, 2013.

(a) That proportion of the ad valorem tax which is produced by levy at the rate fixed each year by or for each public body upon the Redevelopment Project Valuation (as defined in the Act) shall be paid into the funds of each such public body in the same proportion as all other taxes collected by or for the bodies; and

(b) That proportion of the ad valorem tax on real property in the Redevelopment Area in excess of such amount (the "Incremental Ad Valorem Tax"), if any, shall be allocated to, is pledged to, and, when collected, paid into a special fund of the Authority to pay the principal of, the interest on, and any premiums due in connection

with the bonds, loans, notes or advances of money to, or indebtedness incurred by whether funded, refunded, assumed, or otherwise, such Authority for financing or refinancing, in whole or in part, such Project. When such bonds, loans, notes, advances of money, or indebtedness, including interest and premium due have been paid, the Authority shall so notify the County Assessor and County Treasurer and all ad valorem taxes upon real property in such Project shall be paid into the funds of the respective public bodies.

Section 3.02 Issuance of TIF Indebtedness

Authority shall incur TIF Indebtedness in the form and principal amount and bearing interest and being subject to such terms and conditions as are specified on the attached exhibit C. No TIF Indebtedness will be issued until Redeveloper has (a) acquired fee title to the Redevelopment Area; (b) obtained financing commitments as described in Section 5.01; and (c) entered into a contract for construction of the Project. The Authority shall have no obligation to find a lender or investor to acquire the TIF Indebtedness, but rather shall issue the TIF Indebtedness to the Redeveloper upon payment of the principal amount thereof. The purchase price of the TIF Indebtedness may be offset against the Grant described in Section 3.04 hereof, in the sole discretion of the Authority.

The TIF Indebtedness issued pursuant to the provisions of this contract constitutes a limited obligation of the Authority payable exclusively from that portion of the ad valorem real estate taxes mentioned in subdivision (1)(b) of Section 18-2147, R.R.S. Neb. 2007, as levied, collected and apportioned from year to year with respect to certain real estate located within the "Redevelopment Area". The TIF Indebtedness shall not constitute a general obligation of the Authority and the Authority shall be liable for the payment thereof only out of said portion of taxes as described in this paragraph. The TIF Indebtedness shall not constitute an obligation of the State of Nebraska or of the City or the Authority (except for such receipts as have been pledged pursuant to Section 3.03) and neither the State or Nebraska, the Authority nor the City shall be liable for the payment thereof from any fund or source including but not limited to tax monies belonging to either thereof (except for such receipts as have been pledged pursuant to Section 3.03). Neither the members of the Authority's governing body nor any person executing the TIF Indebtedness shall be liable personally on the TIF Indebtedness by reason of the issuance thereof. The Authority's obligation to the holder of the TIF Indebtedness shall terminate, in all events no later than 15 years from the effective date set forth in Section 3.01 hereof.

Section 3.03 Pledge of TIF Revenues.

The Authority hereby pledges 100% of the annual TIF Revenues as security for the TIF Indebtedness.

Section 3.04 Grant of Proceeds of TIF Indebtedness.

From the proceeds of the TIF indebtedness incurred as described on Exhibit C, the Authority shall grant the following sums to the following entities, to wit: 100% to the Redeveloper for Project Costs.

Notwithstanding the foregoing, the amount of the grant shall not exceed the amount of Project Costs certified pursuant to Section 4.02. The grants shall be paid to the Redeveloper upon certification that the Redeveloper has incurred or is obligated to incur such Project Costs which include supporting documentation requested by Authority and shall, if requested by Redeveloper, be made in one or more advances.

Section 3.05 Creation of Fund.

The Authority will create a special fund to collect and hold the TIF Revenues. Such special fund shall be used for no purpose other than to pay TIF Indebtedness issued pursuant to Sections 3.02 above.

ARTICLE IV

OBLIGATIONS OF REDEVELOPER

Section 4.01 Construction of Project; Insurance.

(a) Redeveloper will complete the Project and install all infrastructure, improvements, buildings, fixtures, equipment and furnishings necessary to operate the Project. Redeveloper shall be solely responsible for obtaining all permits and approvals necessary to acquire, construct and equip the Project. Until construction of the Project has been completed, Redeveloper shall make reports in such detail and at such times as may be reasonably requested by the Authority as to the actual progress of Redeveloper with respect to construction of the Project. Promptly after completion by the Redeveloper of the Project, the Redeveloper shall furnish to the Authority a Certificate of Completion. The certification by the Redeveloper shall be a conclusive determination of satisfaction of the agreements and covenants in this Redevelopment Contract with respect to the obligations of Redeveloper and its successors and assigns to construct the Project. As used herein, the term "completion" shall mean substantial completion of the Project.

(b) Any general contractor chosen by the Redeveloper or the Redeveloper itself shall be required to obtain and keep in force at all times until completion of construction, policies of insurance including coverage for contractors' general liability and completed operations and a penal bond as required by the Act. The City, the Authority and the Redeveloper shall be named as additional insured. Any contractor chosen by the Redeveloper or the Redeveloper itself, as an owner, shall be required to purchase and maintain property insurance upon the Project to the full insurable value thereof. This insurance shall insure against the perils of fire and extended coverage and shall include "All Risk" insurance for physical loss or damage. The contractor or the Redeveloper, as the case may be, shall furnish the Authority with a Certificate of Insurance evidencing policies as required above. Such certificates shall state that the insurance companies shall give the Authority prior written notice in the event of cancellation of or material change in any of any of the policies.

(c) Redeveloper shall pay, on execution hereof the sum of \$1,000.00 to the City of Grand Island for administrative expenses related to payment of the tax increment revenue.

Section 4.02 Cost Certification.

Redeveloper shall submit to Authority a certification of Project Costs, on or before the issuance of the TIF Indebtedness which shall contain detail and documentation showing the payment or obligation for payment of Project Costs specified on the attached Exhibit D in an amount at least equal to the grant to Redeveloper pursuant to Section 3.05.

Section 4.03 Legal Costs.

Redeveloper shall pay the Authority the sum of \$5,000 for the costs incurred by the Authority associated with the issuance of the TIF Indebtedness. Redeveloper understands that the law firm assisting with the issuance of the TIF Indebtedness represents the Authority and not the Redeveloper.

Section 4.04 No Discrimination.

Redeveloper agrees and covenants for itself, its successors and assigns that as long as any TIF Indebtedness is outstanding, it will not discriminate against any person or group of persons on account of race, sex, color, religion, national origin, ancestry, disability, marital status or receipt of public assistance in connection with the Project. Redeveloper, for itself and its successors and assigns, agrees that during the construction of the Project, Redeveloper will not discriminate against any employee or applicant for employment because of race, religion, sex, color, national origin, ancestry, disability, marital status or receipt of public assistance. Redeveloper will comply with all applicable federal, state and local laws related to the Project.

Section 4.05 Pay Real Estate Taxes.

Redeveloper intends to create a taxable real property valuation [over and above the valuation thereof as the same existed on January 1, 2012] of the Redevelopment Project Area of Two Million Seven Hundred Thousand Dollars (\$2,700,000) no later than no later than January 1, 2013. During the period that any TIF Indebtedness is outstanding, neither the Redeveloper, nor its assigns, will (1) file a protest seeking to obtain a real estate property valuation on the Redevelopment Area of less than the sum of: (a) Two Million Seven Hundred Thousand Dollars (\$2,700,000) and (b) the valuation of the Redevelopment Project Area as the same existed on January 1, 2012; (2) convey the Redevelopment Area or structures thereon to any entity which would be exempt from the payment of real estate taxes or cause the nonpayment of such real estate taxes; nor (3) allow real estate taxes and assessments levied on the Redevelopment Area and Project to become delinquent during the term that any TIF Indebtedness is outstanding. Redeveloper shall pay the real property ad valorem taxes for the project for the year 2027 prior to January 1, 2028.

Section 4.07 Assignment or Conveyance.

Any assignment or conveyance of the any portion of the Redevelopment, the Project or any interest therein prior to the termination of the 15 year period commencing on the effective

date specified in Section 3.01 hereof Area by the Redeveloper shall be subject to the terms and conditions of this Redevelopment Contract.

Section 4.08 Purchase of TIF Indebtedness.

The Redeveloper shall purchase the TIF Indebtedness at 100% of the principal amount thereof upon issuance of such debt. The Authority may provide that such purchase be offset against the grant provided in Section 3.04 hereof.

Section 4.09 Penal Bond.

The Developer shall execute a penal bond for the Project with good and sufficient surety to be approved by the Authority meeting the requirements of Section 18-2151, Reissue Revised Statutes of Nebraska, as amended, on or prior to its execution of this Contract.

Section 4.10 Immigration Status.

The Redeveloper agrees that any contractor for the Project shall be required to agree to use a federal immigration verification system (as defined in §4-114, R.S. Supp. 2009) to determine the work eligibility status of new employees physically performing services on the Project and to comply with all applicable requirements of §4-114, R.S. Supp. 2009.

ARTICLE V

FINANCING REDEVELOPMENT PROJECT; ENCUMBRANCES

Section 5.01 Financing.

Redeveloper shall pay all Project Costs and any and all other costs related to the Redevelopment Area and the Project which are in excess of the amounts paid from the proceeds of the TIF Indebtedness granted to Redeveloper. Prior to issuance of the TIF Indebtedness, Redeveloper shall provide Authority with evidence satisfactory to the Authority that private funds have been committed to the Redevelopment Project in amounts sufficient to complete the Redevelopment Project. Redeveloper shall timely pay all costs, expenses, fees, charges and other amounts associated with the Project which shall include such other fees and expenses imposed by the Authority.

ARTICLE VI

DEFAULT, REMEDIES; INDEMNIFICATION

Section 6.01 General Remedies of Authority and Redeveloper.

Subject to the further provisions of this Article VI, in the event of any failure to perform or breach of this Redevelopment Contract or any of its terms or conditions, by any party hereto or

any successor to such party, such party, or successor, shall, upon written notice from the other, proceed immediately to commence such actions as may be reasonably designed to cure or remedy such failure to perform or breach which cure or remedy shall be accomplished within a reasonable time by the diligent pursuit of corrective action. In case such action is not taken, or diligently pursued, or the failure to perform or breach shall not be cured or remedied within a reasonable time, this Redevelopment Contract shall be in default and the aggrieved party may institute such proceedings as may be necessary or desirable to enforce its rights under this Redevelopment Contract, including, but not limited to, proceedings to compel specific performance by the party failing to perform on in breach of its obligations.

Section 6.02 Additional Remedies of Authority

In the event that:

(a) The Redeveloper, on successor in interest, shall fail to complete the construction of the Project on or before January 1, 2013, or shall abandon construction work for any period of 90 days,

(b) The Redeveloper, on successor in interest, shall fail to pay real estate taxes or assessments on the Redevelopment Area on any part thereof or payments in lieu of taxes pursuant to Section 4.07 when due; or

(c) There is, in violation of Section 4.08 of this Redevelopment Contract, and such failure or action by the Redeveloper has not been cured within 30 days following written notice from Authority, then the Redeveloper shall be in default of this Redevelopment Contract.

In the event of such failure to perform, breach or default occurs and is not cured in the period herein provided, the parties agree that the damages caused to the Authority would be difficult to determine with certainty and that a reasonable estimation of the amount of damages that could be incurred is the amount of the grant to Redeveloper pursuant to Section 3.04 of this Redevelopment Contract, less any reductions in the principal amount of the TIF Indebtedness, plus interest on such amounts as provided herein (the "Liquidated Damages Amount"). The Liquidated Damages Amount shall be paid by Redeveloper to Authority within 30 days of demand from Authority.

Interest shall accrue on the Liquidated Damages Amount at the rate of one percent (1%) over the prime rate as published and modified in the Wall Street Journal from time to time and interest shall commence from the date that the Authority gives notice to the Redeveloper demanding payment.

Payment of the Liquidated Damages Amount shall not relieve Redeveloper of its obligation to pay real estate taxes or assessments with respect to the Project.

Section 6.03 Remedies in the Event of Other Redeveloper Defaults.

In the event the Redeveloper fails to perform any other provisions of this Redevelopment Contract (other than those specific provisions contained in Section 6.02), the Redeveloper shall be in default. In such an instance, the Authority may seek to enforce the terms of this Redevelopment Contract or exercise any other remedies that may be provided in this Redevelopment Contract or by applicable law; provided, however, that the default covered by this Section shall not give rise to a right or rescission on termination of this Redevelopment Contract, and shall not be covered by the Liquidated Damages Amount.

Section 6.04 Forced Delay Beyond Party's Control.

For the purposes of any of the provisions of this Redevelopment Contract, neither the Authority nor the Redeveloper, as the case may be, nor any successor in interest, shall be considered in breach of or default in its obligations with respect to the conveyance or preparation of the Redevelopment Area for redevelopment, or the beginning and completion of construction of the Project, or progress in respect thereto, in the event of forced delay in the performance of such obligations due to unforeseeable causes beyond its control and without its fault or negligence, including, but not restricted to, acts of God, or of the public enemy, acts of the Government, acts of the other party, fires, floods, epidemics, quarantine restrictions, strikes, freight embargoes, and unusually severe weather or delays in subcontractors due to such causes; it being the purpose and intent of this provision that in the event of the occurrence of any such forced delay, the time or times for performance of the obligations of the Authority or of the Redeveloper with respect to construction of the Project, as the case may be, shall be extended for the period of the forced delay: Provided, that the party seeking the benefit of the provisions of this section shall, within thirty (30) days after the beginning of any such forced delay, have first notified the other party thereto in writing, and of the cause or causes thereof and requested an extension for the period of the forced delay.

Section 6.05 Limitations of Liability; Indemnification.

Notwithstanding anything in this Article VI or this Redevelopment Contract to the contrary, neither the City, the Authority, nor their officers, directors, employees, agents or their governing bodies shall have any pecuniary obligation or monetary liability under this Redevelopment Contract. The sole obligation of the Authority under this Redevelopment Contract shall be the issuance of the TIF Indebtedness and granting of a portion of the proceeds thereof to Redeveloper, as specifically set forth in Sections 3.02 and 3.04. The obligation of the City and Authority on any TIF Indebtedness shall be limited solely to the payment of the TIF Revenues on the TIF Indebtedness. Specifically, but without limitation, neither the City or Authority shall be liable for any costs, liabilities, actions, demands, or damages for failure of any representations, warranties or obligations hereunder. The Redeveloper releases the City and Authority from, agrees that neither the City or Authority shall be liable for, and agrees to indemnify and hold the City and Authority harmless from any liability for any loss or damage to property or any injury to or death of any person that may be occasioned by any cause whatsoever

pertaining to the Project.

The Redeveloper will indemnify and hold each of the City and Authority and their directors, officers, agents, employees and member of their governing bodies free and harmless from any loss, claim, damage, demand, tax, penalty, liability, disbursement, expense, including litigation expenses, attorneys' fees and expenses, or court costs arising out of any damage or injury, actual or claimed, of whatsoever kind or character, to property (including loss of use thereof) or persons, occurring or allegedly occurring in, on or about the Project during the term of this Redevelopment Contract or arising out of any action or inaction of Redeveloper, whether on not related to the Project, or resulting from or in any way connected with specified events, including the management of the Project, or in any way related to the enforcement of this Redevelopment Contract or any other cause pertaining to the Project.

ARTICLE VII

MISCELLANEOUS

Section 7.01 Notice Recording.

This Redevelopment Contract or a notice memorandum of this Redevelopment Contract shall be recorded with the County Register of Deeds in which the Redevelopment Area is located.

Section 7.02 Governing Law.

This Redevelopment Contract shall be governed by the laws of the State of Nebraska, including but not limited to the Act.

Section 7.03 Binding Effect; Amendment.

This Redevelopment Contract shall be binding on the parties hereto and their respective successors and assigns. This Redevelopment Contract shall run with the Redevelopment Area. The Redevelopment Contract shall not be amended except by a writing signed by the party to be bound.

Section 7.04 Third Party Enforcement,

The provisions of this Redevelopment Contract which obligate the Redeveloper shall inure to the benefit of the holder of the TIF Indebtedness, the Hall County Assessor, the City and the Authority, any of whom may, but are not obligated to enforce the terms of this Redevelopment Contract in a court of law.

IN WITNESS WHEREOF, City and Redeveloper have signed this Redevelopment Contract as of the date and year first above written.

ATTEST:

COMMUNITY REDEVELOPMENT
AUTHORITY OF THE CITY OF
GRAND ISLAND, NEBRASKA

Secretary

By: _____

Chairman

EIG Grand Island, LLC

By: _____
Manager

STATE OF NEBRASKA)
) ss.
COUNTY OF HALL)

The foregoing instrument was acknowledged before me this _____ day of _____,
_____, by _____ and _____, Chair and Secretary, respectively, of the
Community Redevelopment Authority of the City of Grand Island, Nebraska, on behalf of the
Authority.

Notary Public

STATE OF NEBRASKA)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____,
_____, by _____, Manager of EIG Grand Island, LLC, on behalf of the limited
liability company.

Notary Public

EXHIBIT A

Lot 1 of Grand Island Mall Twelfth Subdivision in the City of Grand Island, Hall County, Nebraska.

A-I

EXHIBIT B

DESCRIPTION OF PROJECT

Demolition, rehabilitation and construction of a exterior façade and interior remodeling of 59,956 square feet of vacant anchor tenant space into four national tenant retail stores together with sidewalk space and parking lot rehabilitation.

B- 1

EXHIBIT C
TIF INDEBTEDNESS

1. Principal Amount: \$850,500.00 [annual payment amounts assumed are \$56,700.00]
2. Payments: Semi-annually or more frequent, with payments limited to annual incremental taxes revenues from the project.
3. Interest Rate: Zero percent (0.00%)
4. Maturity Date: On or before December 31, 2027.

C-1

EXHIBIT D

PROJECT COSTS

All Project Costs payable from the proceeds of TIF indebtedness pursuant to the Act including:

1. Redevelopment Area rehabilitation and remodeling cost
2. Site demolition work and site preparation
3. Utility extensions, installation of gas, water, sewer and electrical lines and equipment
4. Façade improvements
5. Interior rehabilitation
6. Parking lot and sidewalk rehabilitation

D-1

Resolution Number 2012 - 05

HALL COUNTY REGIONAL PLANNING COMMISSION

**A RESOLUTION RECOMMENDING APPROVAL OF A SITE SPECIFIC
REDEVELOPMENT PLAN OF THE CITY OF GRAND ISLAND, NEBRASKA;
AND APPROVAL OF RELATED ACTIONS**

WHEREAS, the Chairman and Board of the Community Redevelopment Authority of the City of Grand Island, Nebraska (the "**Authority**"), referred that certain Redevelopment Plan to the Hall County Regional Planning Commission, (the "**Commission**") a copy of which is attached hereto as Exhibit "A" for review and recommendation as to its conformity with the general plan for the development of the City of Grand Island, Hall County, Nebraska, pursuant to Section 18-2112 of the Community Development Law, Chapter 18, Article 21, Reissue Revised Statutes of Nebraska, as amended (the "**Act**"); and

WHEREAS, the Commission has reviewed said Redevelopment Plan as to its conformity with the general plan for the development of the City of Grand Island, Hall County;

NOW, THEREFORE, BE IT RESOLVED BY THE HALL COUNTY REGIONAL PLANNING COMMISSION AS FOLLOWS:

Section 1. The Commission hereby recommends approval of the Redevelopment Plan.

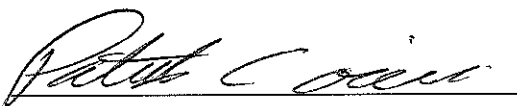
Section 2. All prior resolutions of the Commission in conflict with the terms and provisions of this resolution are hereby expressly repealed to the extent of such conflicts.

Section 3. This resolution shall be in full force and effect from and after its passage as provided by law.

DATED: June 6, 2012.

**HALL COUNTY REGIONAL PLANNING
COMMISSION**

ATTEST:

By: 
Chair

By: 
Secretary



City of Grand Island

Tuesday, June 12, 2012

Council Session

Item E5

**Public Hearing on Acquisition of Utility Easement - South Side of
1221 S. Shady Bend Road - Renz**

Staff Contact: Tim Luchsinger

Council Agenda Memo

From: Robert H. Smith, Asst. Utilities Director

Meeting: June 12, 2012

Subject: Acquisition of Utility Easement – South Side of 1221 S. Shady Bend Road – Scott and Carman Renz

Item #'s: E-5 & G-5

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 Scott and Carman Renz located along the south side of property located at 1221 South Shady Bend Road, Hall County, Nebraska, in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers.

Discussion

The primary electric line serving Schuchman Subdivision, Lot 1, is presently crossing over the top of the garage of 1221 South Shady Bend Road. This easement will be used to re-route the electric line around the garage and also provide a location for a new service to the property to the east owned by Midland Ag Service Inc. A new building is going to be constructed at that location.

Alternatives

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

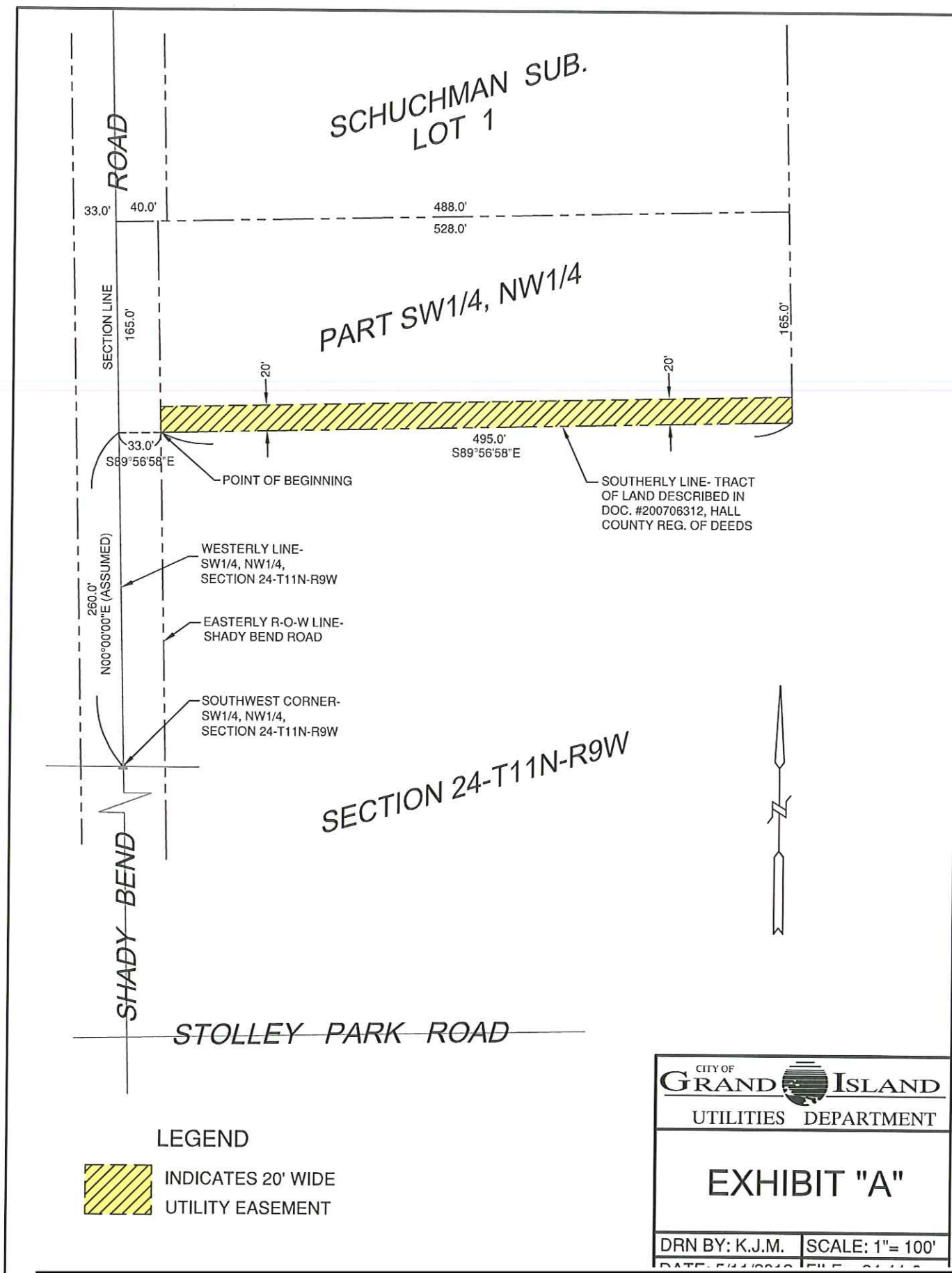
1. Make a motion to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

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, June 12, 2012

Council Session

Item E6

**Public Hearing on Acquisition of Utility Easement - East Side of
1221 S. Shady Bend Road - Midland Ag Service, Inc.**

Staff Contact: Tim Luchsinger

Council Agenda Memo

From: Robert H. Smith, Asst. Utilities Director
Meeting: June 12, 2012
Subject: Acquisition of Utility Easement – East Side of 1221 S. Shady Bend Road – Midland Ag Service, Inc.
Item #'s: E-6 & G-6
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 Midland Ag Service, Inc., located along the east side of property located at 1221 South Shady Bend Road, Hall County, Nebraska, in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers.

Discussion

The primary electric line serving Schuchman Subdivision, Lot 1, is presently crossing over the top of the garage of 1221 South Shady Bend Road. This easement will be used to re-route the electric line around the garage and also provide a location for a new service to the property to the east owned by Midland Ag Service Inc. A new building is going to be constructed at that location.

Alternatives

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

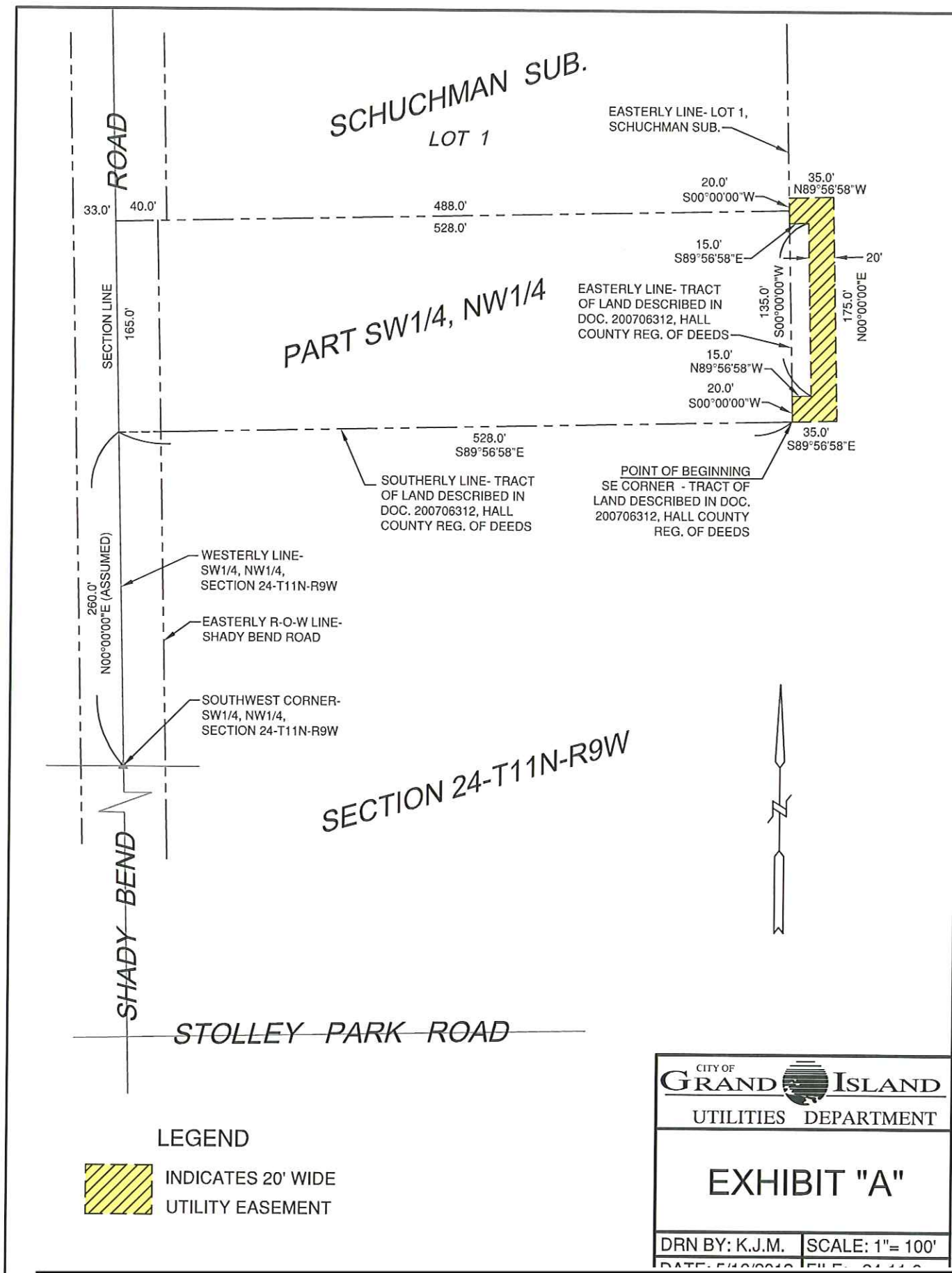
1. Make a motion to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

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, June 12, 2012

Council Session

Item E7

Public Hearing on Contract Amendment to CDBG 10-ED-10

Staff Contact: Marco Floeani

Council Agenda Memo

From: Community Development

Meeting: June 12, 2012

Subject: CDBG 10-ED-10 Contract Amendment

Item #'s: E-7 & G-12

Presenter(s): Marco Floreani

Background

The City of Grand Island along with the assistance of the Grand Island Economic Development Corporation (GIAEDC) is seeking a contract amendment for Community Development Block Grant 10-ED-10. The purpose of 10-ED-10 is to provide sanitary and water extensions to Platte Valley Industrial Park-East. The city received a grant for \$935,000.000 in the form of a community development block grant in 2011. The City is using both sanitary sewer and water funds along LB840 funds to produce a match for a total of \$1,275,000.00.

The accepted bid from Diamond Engineering Co. of Grand Island, NE for wastewater was \$484,384.60 and \$778,524.96 for water. The reasoning for wastewater being so much lower was that originally Grand Island thought a lift station would be needed. After further investigation, a lift station is not needed at this time, leaving a project cost savings of approximately \$500,000.00. There was also a cost saving of approximately \$400,000.00 on water main; a total savings of \$900,000.00.

This brings the City of Grand Island and the GIAEDC asking the State of Nebraska to authorize the reallocation of the savings to be used to pave Blaine Street. City of Grand Island staff and the GIAEDC recently presented the request to use savings on a paving project to the State of Nebraska Department of Economic Development. As the block grant is providing 43% of the project cost, there would be approximately \$380,000.00 available for the paving of Blaine Street. With approval by the City Council, the City of Grand Island and GIAEDC are optimistic their request for a contract amendment will be granted by the State of Nebraska.

Discussion

A contract amendment was prepared by community development and the estimated cost of the paving of Blaine Street is \$937,091.00 with \$380,000.00 of the project cost being funded by CDBG funds. At this time it is requested that the Council approves the Community Development Block Grant contract amendment to reallocate savings towards the paving of Blaine Street.

Alternatives

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

1. Move to approve Community Development Block Grant contract amendment
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 Community Development Block Grant contract amendment.

Sample Motion

Move to approve the Community Development Block Grant-Economic Development Grant contract amendment for the paving of Blaine Street at the Platte Valley Industrial Park and authorize the Mayor to sign all related documents.



City of Grand Island

Tuesday, June 12, 2012

Council Session

Item E8

Public Hearing on Contract Extension and Budget Amendment for CDBG Community Revitalization Phase II

Staff Contact: Marco Floeani

Council Agenda Memo

From: Marco Floreani, Community Development Administrator

Meeting: June 12, 2012

Subject: Approving CDBG Community Revitalization Phase II Contract Extension and Budget Amendment

Item #'s: E-8 & G-13

Presenter(s): Marco Floreani, Community Development Administrator

Background

The City of Grand Island is seeking a contract extension and budget amendment for activities under the CDBG Community Revitalization Phase II Grant. The original contract end date is June 20, 2012 and the requested contract extension is August 30, 2013. The City of Grand Island is requesting an extension because the project has changed in nature and scope. The initial intent of the Phase II grant was to use the funds for rehabilitation of at least 9 owner-occupied homes in block groups 11 and 12 (67.1% LMI residents). City staff changes delayed the use of the funds for that purpose. The City staff recommends that the project be shifted from owner-occupied rehab to public infrastructure and that the funds are used to pay for a portion of a sewer main project along 4th and 5th Street from Eddy to Vine Street. The estimated total project costs are \$1,332,000 with cost to rehab the existing sewer line of \$615,000.

Discussion

At this time the Council is requested to approve the Community Development Block Grant-Community Revitalization Phase II contract extension and budget amendment to fund sewer improvements along 4th and 5th street from Eddy to Vine Street.

Alternatives

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

1. Move to approve the Community Development Block Grant-contract extension and budget amendment
2. Refer the issue to a Committee

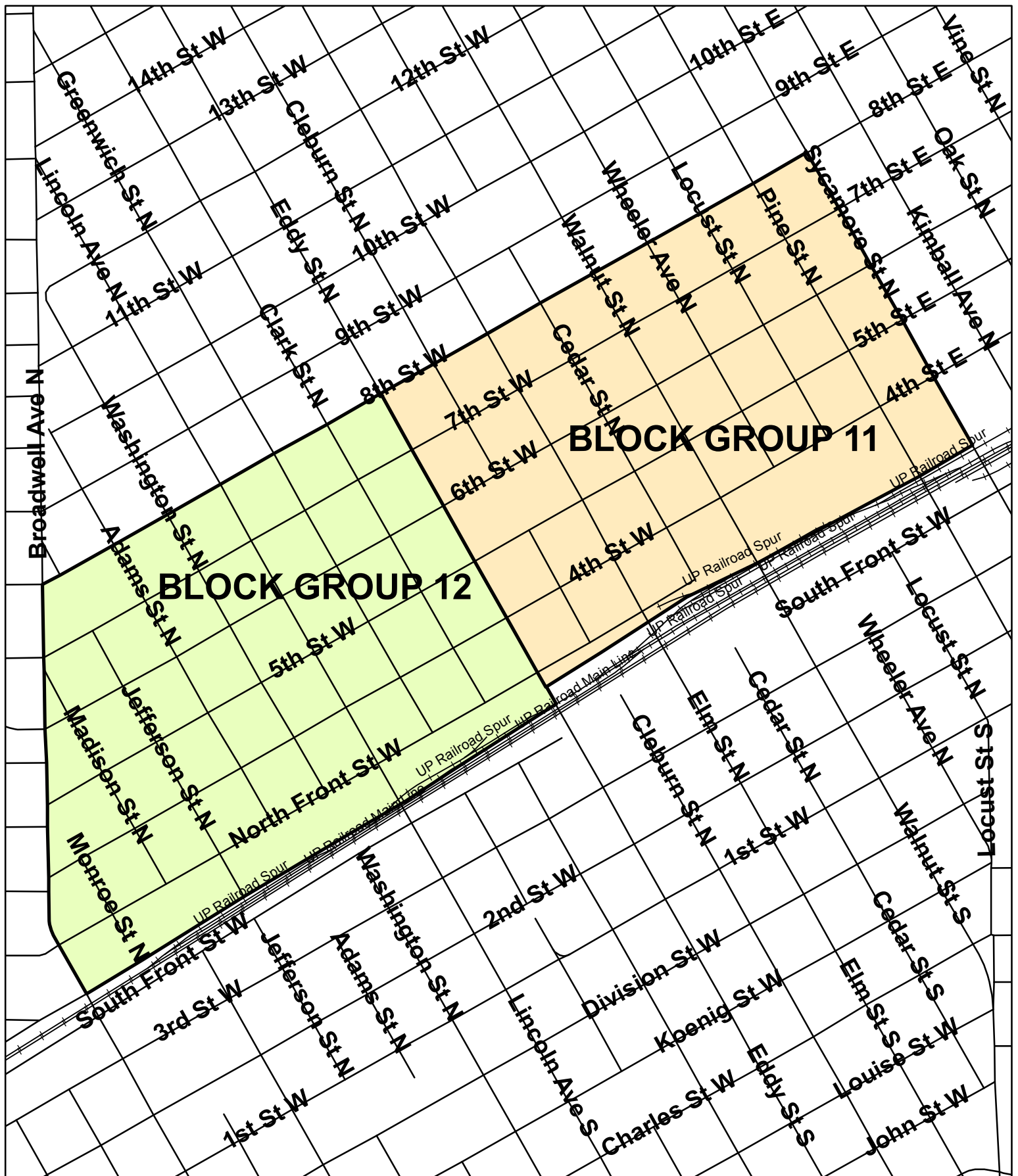
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council approve the Community Development Block Grant contract extension and budget amendment.

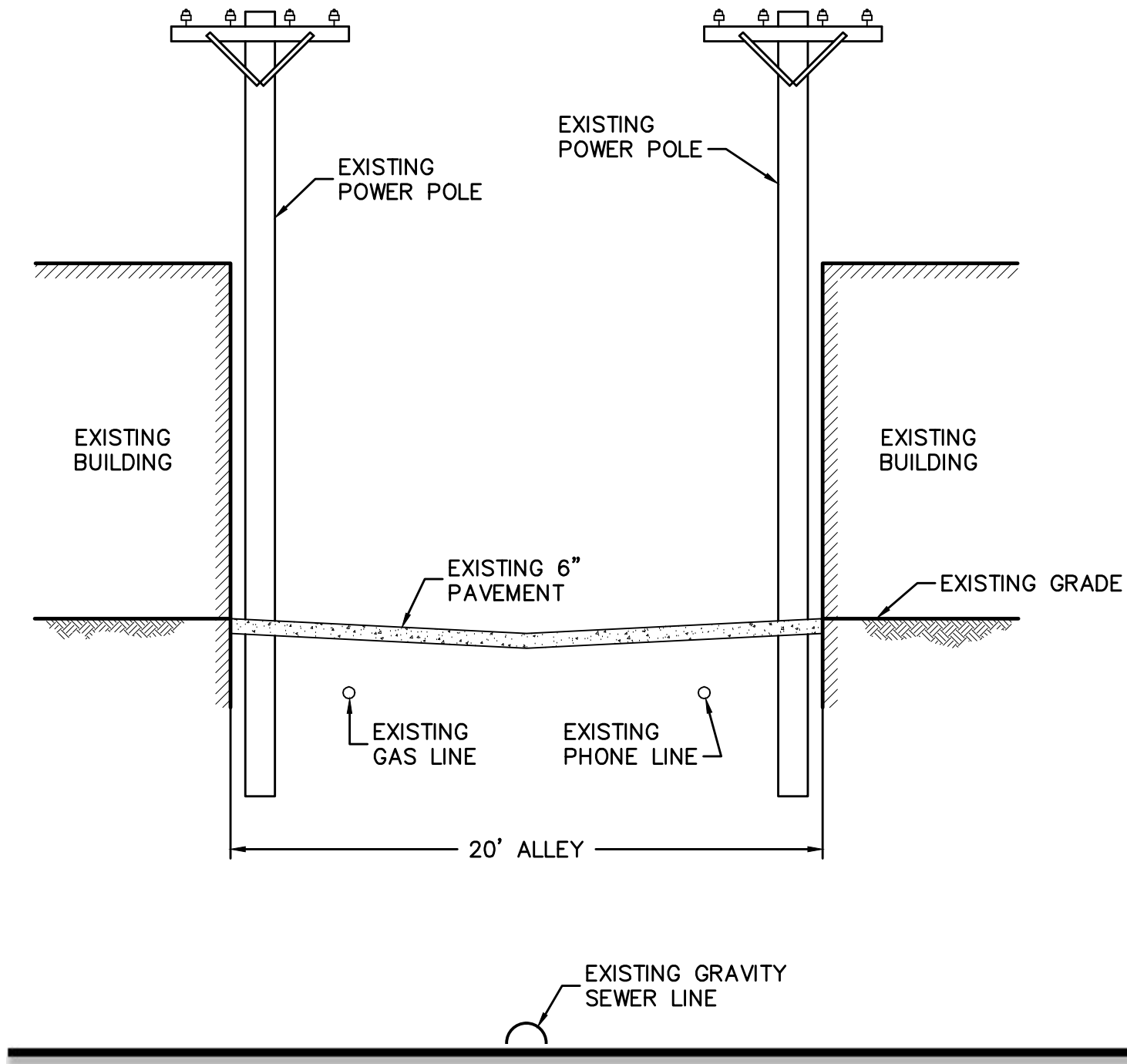
Sample Motion

Move to approve the Community Development Block Grant contract extension and budget amendment.



BLOCK GROUP 11 and 12







City of Grand Island

Tuesday, June 12, 2012

Council Session

Item E9

Public Hearing on CDBG 2011 Community Revitalization Phase III Application

Staff Contact: Marco Floeani

Council Agenda Memo

From: Marco Floreani, Community Development Administrator

Meeting: June 12, 2012

Subject: Approving CDBG 2011 Community Revitalization Phase III Application

Item #'s: E-9 and G-14

Presenter(s): Marco Floreani, Community Development Administrator

Background

For Phase III Community Revitalization, the City is applying for a grant to carry out the third phase of a Comprehensive Revitalization Strategy for a selected low-to-moderate income area of Grand Island. The grant funds would contribute to a public works project to install a new 18-inch sewer line along 5th Street to bypass the main sewer flow around the project area and rehab the existing sewer line with a cured-in-place pipe (CIPP) liner. After rehabilitation, the existing sewer line would serve as a local collector for just the project area. There are also several areas of the existing sewer lines that would need spot repairs completed before the CIPP liner was installed. Details of the project can be found in the Technical Memorandum #7A 4th to 5th Street/Eddy to Vine Street Rehabilitation. The

Discussion

At this time it is requested that Council approve the Community Development Block Grant-Community Revitalization Phase III Application.

Alternatives

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

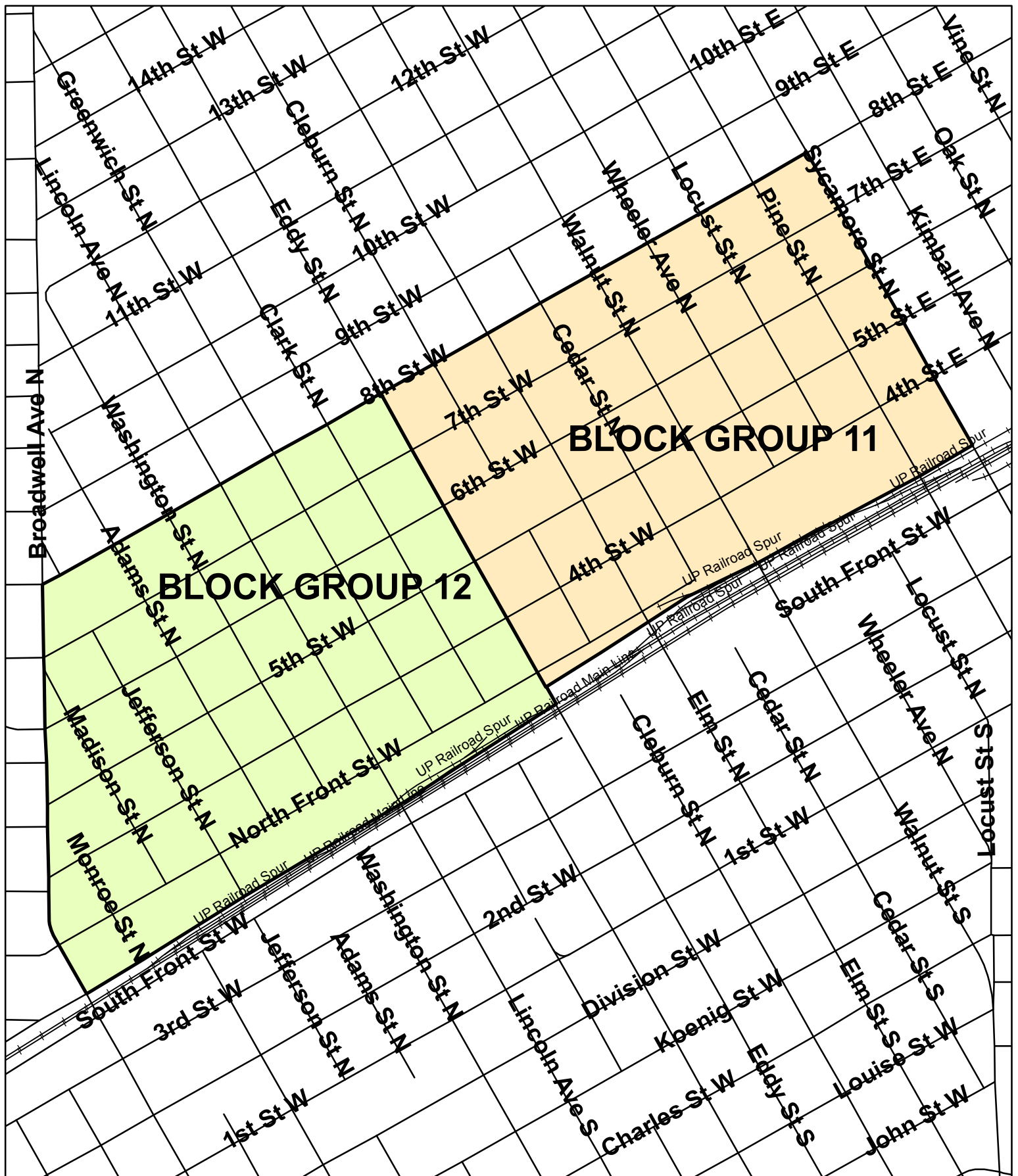
1. Move to approve the Community Development Block Grant-contract extension and budget amendment
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council approve the Community Development Block Grant contract extension and budget amendment.

Sample Motion

Move to approve the Community Development Block Grant contract extension and budget amendment.



BLOCK GROUP 11 and 12







City of Grand Island

Tuesday, June 12, 2012

Council Session

Item G1

Approving Minutes of May 22, 2012 Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING
May 22, 2012

Pursuant to due call and notice thereof, a Regular Meeting of the City Council of the City of Grand Island, Nebraska was conducted in the Council Chambers of City Hall, 100 East First Street, on May 22, 2012. Notice of the meeting was given in *The Grand Island Independent* on May 16, 2012.

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

INVOCATION was given by Pastor Brad Jenkins, Calvary Baptist Church, 3221 West 13th Street followed by the PLEDGE OF ALLEGIANCE.

Mayor Vavricek introduced Community Youth Council member Danny Gamboa.

PUBLIC HEARINGS:

Public Hearing on Request from Casey's Retail Company dba Casey's General Store #2882, 1404 West 2nd Street for an Addition to Class "B-86850" Liquor License. City Clerk RaNae Edwards reported that an application for an addition to Class "B-86850" Liquor License had been received from Casey's Retail Company dba Casey's General Store #2882, 1404 West 2nd Street. Ms. Edwards presented the following exhibits for the record: application submitted to the Liquor Control Commission and received by the City on April 27, 2012; notice to the general public of date, time, and place of hearing published on May 12, 2012; notice to the applicant of date, time, and place of hearing mailed on April 27, 2012; along with Chapter 4 of the City Code. Staff recommended approval. No public testimony was heard.

Public Hearing on Acquisition of Utility Easement Located at 315 Wyandotte Street (School District of Grand Island). Utilities Director Tim Luchsinger reported that acquisition of real estate located at 315 Wyandotte Street was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers for the purpose of serving the electrical feed to Starr school which needed to be replaced, along with a loop feed to the transformer. Staff recommended approval. No public testimony was heard.

Public Hearing on Request to Rezone Property Consisting of 2.86 Acres Located East of Pennsylvania and South of Idaho Avenue and Lots 5-7 of Woodland Park Eleventh Subdivision from R1-Suburban Density Residential to R2-Low Density Residential. Regional Planning Director Chad Nabity reported that a request had been received to rezone properties located east of Pannsylvania and south of Idaho Avenue and Lots 507 of Woodland Park Eleventh Subdivision from R1 – Suburban Density Residential to R2 - Low Density Residential. This change would allow the subdivision of this property, approximately 2.86 acres, to be consistent

with the current market conditions. Staff recommended approval. No public testimony was heard.

Public Hearing on Request to Rezone Property Consisting of 5.789 Acres Located East of New Mexico Avenue and North of Idaho Avenue of Woodland Park Thirteenth Subdivision from R1-Suburban Density Residential to R2-Low Density Residential. Regional Planning Director Chad Nabity reported that a request had been received to rezone properties located east of New Mexico Avenue and North of Idaho Avenue of Woodland Park Thirteenth Subdivision from R1 – Suburban Density Residential to R2 - Low Density Residential. This change would allow the subdivision of this property, approximately 5.789 acres, to be consistent with the current market conditions. Staff recommended approval. No public testimony was heard.

Public Hearing on Proposed Economic Development Program.

The following people spoke in support:

- Ann Martin, 320 Amick Avenue, Doniphan, Chairman Grand Island Economic Development Corporation
- Marlan Ferguson, 2808 Apache Road
- Cindy Johnson, 309 West 2nd Street, Chamber of Commerce President
- Chuck Costello, 3939 Chelsea Place, Part-owner of Rogue Manufacturing

Larry Tourangeau, 311 east 3rd Street commented on checks and balances.

No further public testimony was heard.

RESOLUTION:

#2012-137 – Consideration of Approving Redemption of Series 1999 Water Revenue Bonds. Utilities Director Tim Luchsinger reported that \$1,095,000 remains outstanding of the Series 1999 Water Revenue Bonds. Due to the low interest rates, staff recommended refinancing these bonds and funding an additional \$3,000,000 for the capital cost of the uranium removal equipment, extending the payoff from 2014 to 2027.

Bruce Lefler, Ameritas Investment Corp., Omaha, NE reviewed the refunding bond outlining the interest rates and maturity date. Comments were made by Council that this was a great opportunity for the City to save money.

Motion by Haase, second by Carney to approve Resolution #2012-137. Upon roll call vote, all voted aye. Motion adopted.

ORDINANCES:

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

#9382 – Consideration of Request to Rezone Property Consisting of 2.86 Acres Located East of Pennsylvania and South of Idaho Avenue and Lots 5-7 of Woodland Park Eleventh Subdivision from R1-Suburban Density Residential to R2-Low Density Residential

#9383 – Consideration of Request to Rezone Property Consisting of 5.789 Acres located East of New Mexico Avenue and North of Idaho Avenue of Woodland Park Thirteenth Subdivision from S1-Suburban Density Residential to R2-Low Density Residential

#9384 – Consideration of Vacation of Utility & Sidewalk Easements Located in Westwood Park Eleventh Subdivision (Tim C. Plate)

#9385 – Consideration of Authorization of Series 2012 Water Revenue Bonds

#9386 – Consideration of Amending Chapter 16 of the Grand Island City Code Relative to Fireworks

#9387 – Conveyance of Real Estate and Granting of Easement for the BNSF Section Track Project

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 these ordinances on second reading and then upon final passage and call for a roll call vote on each reading and then upon final passage.” Councilmember Niemann seconded the motion. Upon roll call vote, all voted aye. Motion adopted.

#9382 – Consideration of Request to Rezone Property Consisting of 2.86 Acres Located East of Pennsylvania and South of Idaho Avenue and Lots 5-7 of Woodland Park Eleventh Subdivision from R1-Suburban Density Residential to R2-Low Density Residential

#9383 – Consideration of Request to Rezone Property Consisting of 5.789 Acres located East of New Mexico Avenue and North of Idaho Avenue of Woodland Park Thirteenth Subdivision from S1-Suburban Density Residential to R2-Low Density Residential

Ordinances #9382 and #9383 related to the aforementioned Public Hearing.

Motion by Donaldson, second by Dugan to approve Ordinances #9382 and #9383.

City Clerk: Ordinances #9382 and #9383 on first reading. All those in favor of the passage of these ordinances on first reading, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

City Clerk: Ordinances #9382 and #9383 on final passage. All those in favor of the passage of these ordinances on final passage, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

Mayor Vavricek: By reason of the roll call votes on first reading and then upon final passage, Ordinances #9382 and #9383 are declared to be lawfully adopted upon publication as required by law.

#9384 – Consideration of Vacation of Utility & Sidewalk Easements Located in Westwood Park Eleventh Subdivision (Tim C. Plate)

Public Works Director John Collins reported that the developer of Westwood Park Eleventh Subdivision had requested that two 20’ wide utility easements and one 10’ sidewalk easement be vacated to allow for redesign of the development.

Motion by Haase, second by Niemann to approve Ordinance #9384.

City Clerk: Ordinance #9384 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 #9384 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 #9384 is declared to be lawfully adopted upon publication as required by law.

#9385 – Consideration of Authorization of Series 2012 Water Revenue Bonds

Utilities Director Tim Luchsinger reported that this was issuance of the refunding revenue bonds Council approved earlier which included uranium removal equipment.

Motion by Haase, second by Minton to approve Ordinance #9385.

City Clerk: Ordinance #9385 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 #9385 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 #9385 is declared to be lawfully adopted upon publication as required by law.

#8386 – Consideration of Amending Chapter 16 of the Grand Island City Code Relative to Fireworks

Fire Operations Division Chief Tim Hiemer reported that Ordinance #8386 would amend Chapter 16, Article II of the Grand Island City Code relative to fireworks. Beginning 2013 several changes were mentioned such as fireworks storage locations, liability policy, sales and discharge times.

Guillermo Pena, 311 East 3rd Street, Apt. 18 and Larry Tourangeau, 311 East 3rd Street spoke in opposition. Tom Towne, 1609 Meadow Road spoke in support.

Council thanked Tim Hiemer and the vendors for the collaborative efforts to solve the fireworks issues. Police Chief Steve Lamken answered questions regarding enforcement.

Motion by Ramsey, second by Gilbert to approve Ordinance #9386.

City Clerk: Ordinance #9386 on first reading. All those in favor of the passage of this ordinance on first reading, answer roll call vote. Upon roll call vote, Councilmembers Haase, carney, Ramsey, Gilbert, Nickerson, Donaldson, Dugan, and Gericke voted aye. Councilmembers Niemann and Minton voted no. Motion adopted.

City Clerk: Ordinance #9386 on final passage. All those in favor of the passage of this ordinance on final passage, answer roll call vote. Upon roll call vote, Councilmembers Haase, carney, Ramsey, Gilbert, Nickerson, Donaldson, Dugan, and Gericke voted aye. Councilmembers Niemann and Minton voted no. Motion adopted.

Mayor Vavricek: By reason of the roll call votes on first reading and then upon final passage, Ordinance #9386 is declared to be lawfully adopted upon publication as required by law.

#9387 – Conveyance of Real Estate and Granting of Easement for the BNSF Second Track Project

Utilities Director Tim Luchsinger reported this was a correction to the legal description of previously adopted easements.

Motion by Gilbert, second by Ramsey to approve Ordinance #9387.

City Clerk: Ordinance #9387 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 #9387 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 #9387 is declared to be lawfully adopted upon publication as required by law.

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

Approving Minutes of May 8, 2012 City Council Regular Meeting.

Approving Minutes of May 15, 2012 City Council Study Session.

Approving Appointment of James Phipps to the Civil Service Commission.

Approving Request from James Bryant, 2830 Fort Worth Avenue for Liquor Manager Designation for Whiskey Creek Steakhouse, 1016 Diers Avenue.

Approving Request from Nebraskaland Distributors, LLC dba Nebraskaland Distributors, 4845 Juergen Road for a Class “X” Liquor License and Liquor Manager Designation for Wayne Gappa, 11 East 48th Street, Kearney, NE.

#2012-126 – Approving Final Plat and Subdivision Agreement for Westwood Park 12th Subdivision. It was noted that Tim C. Plate owner, had submitted the Final Plat and Subdivision Agreement for Westwood Park 12th Subdivision for the purpose of creating 26 lots on property located north of Husker Highway and west of Sandalwood Drive containing 8.765 acres.

#2012-127 – Approving Final Plat and Subdivision Agreement for Woodland Park 12th Subdivision. It was noted that Hastings Ventures, LLC owner, had submitted the Final Plat and

Subdivision Agreement for Woodland Park 12th Subdivision for the purpose of creating 32 lots on property located north of Capital Avenue and south of Vermont Avenue containing 8.63 acres.

#2012-128 – Approving Preliminary Plat, Final Plat and Subdivision Agreement for Woodland Park 13th Subdivision. It was noted that Hastings Ventures, LLC owner, had submitted the Preliminary Plat, Final Plat and Subdivision Agreement for Westwood Park 13th Subdivision for the purpose of creating 20 lots on property located north of Texas Avenue and south of Arizona Avenue containing 5.79 acres.

#2012-129 – Approving Acquisition of Utility Easement located at 315 Wyandotte Street (School District of Grand Island).

#2012-130 – Approving Contract for Southwest Power Pool Participation Services with Tenaska of Arlington, Texas.

#2012-131 – Approving Integrated Resource Plan – 2012.

#2012-132 – Approving Supplemental Agreements with Burlington Northern Santa Fe Railroad for the Double Track Project – Mile Post 94.62.

#2012-133 – Approving Change Order #1 for Pipe Painting and Insulation at Platte Generating Station with O'Neill Transportation and Equipment, LLC of Grand Island, Nebraska for an Increase of \$4,419.09 and a Revised Contract Amount of \$55,074.09.

#2012-134 – Approving Statement of Intent for Financial Assurance for Radio Active Material License.

#2012-135 – Approving Renewal of Small Government Enterprise License Agreement with Environmental Systems Research Institute (ESRI) of Redlands, California in an Amount of \$105,000 for three years.

RESOLUTIONS:

#2012-136 – Consideration of Request from Casey's Retail Company dba Casey's General Store #2882, 1404 West 2nd Street for an Addition to Class "B-86850" Liquor License. This item is related to the aforementioned Public Hearing.

Motion by Donaldson, second by Gericke to approve Resolution #2012-136 contingent upon final inspections. Upon roll call vote, all voted aye. Motion adopted.

#2012-138 – Consideration of Approving Election for Consideration of an Economic Development Program. This item is related to the aforementioned Public Hearing. City Administrator Mary Lou Brown reported that almost ten years ago, the citizens of Grand Island voted to approve the LB 840 Grand Island Economic Development Program. In order to continue the program, the citizens of Grand Island would need to vote again. Staff recommended Council approve the Economic Development Program and November 2012 general election ballot language. Explained were the changes to the current plan.

Comments were made by Council supporting Resolution E2012-138.

Motion by Gilbert, second by Niemann to approve Resolution #2012-138. Upon roll call vote, all voted aye. Motion adopted.

PAYMENT OF CLAIMS:

Motion by Dugan, second by Gericke to approve the Claims for the period of May 9, 2012 through May 22, 2012, for a total amount of \$3,880,740.82. Unanimously approved.

ADJOURNMENT: The meeting was adjourned at 8:00 p.m.

RaNae Edwards
City Clerk



City of Grand Island

Tuesday, June 12, 2012

Council Session

Item G2

Approving Minutes of June 5, 2012 City Council Special Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL SPECIAL MEETING
June 12, 2012

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 June 12, 2012. Notice of the meeting was given in *The Grand Island Independent* on June 2, 2012.

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

The PLEDGE OF ALLEGIANCE was said.

ADJOURN TO EXECUTIVE SESSION: Motion by Gilbert, second by Ramsey to adjourn to Executive Session at 7:03 p.m. for the purpose of a strategy session with respect to pending litigation. Upon roll call vote, all voted aye. Motion adopted.

RETURN TO REGULAR SESSION: Motion by Gilbert, second by Dugan to return to Regular Session at 9:20 p.m. Upon roll call vote, all voted aye. Motion adopted.

ADJOURNMENT: The meeting was adjourned at 9:20 p.m.

RaNae Edwards
City Clerk



City of Grand Island

Tuesday, June 12, 2012

Council Session

Item G3

Approving Appointment of Angela Aldana and Re-Appointments of Rob Czaplewski and Kristine McElligott to the Library Board

The Mayor has submitted the appointment of Angela Aldana to replace Lori Hock and the re-appointments of Rob Czaplewski and Kristine McElligott to the Library Board. These appointments would become effective July 1, 2012 upon approval by the City Council and would expire on June 30, 2016.

Staff Contact: RaNae Edwards



City of Grand Island

Tuesday, June 12, 2012

Council Session

Item G4

**Approving Request from Charles Encinger, 4713 Calvin Drive for
Liquor Manager Designation for the Platt Duetsche, 1315 West
Anna Street**

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: June 12, 2012

Subject: Request from Charles Encinger, 4713 Calvin Drive for Liquor Manager Designation for the Platt Duetsche, 1315 West Anna Street

Item #'s: G-4

Presenter(s): RaNae Edwards, City Clerk

Background

Charles Encinger, 4713 Calvin Drive has submitted an application with the City Clerk's Office for a Liquor Manager Designation in conjunction with the Class "C-01472" Liquor License for the Platt Duetsche, 1315 West Anna Street.

This application has been reviewed by the Police Department and City Clerk's Office.

Discussion

City Council action is required and forwarded to the Nebraska Liquor Control Commission for issuance of all liquor manager designations. All departmental reports have been received. See attached Police Department report.

Alternatives

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

1. Approve the request.
2. Forward the request with no recommendation.
3. Take no action on the request.

Recommendation

City Administration recommends that the Council approve the request for Liquor Manager Designation.

Sample Motion

Move to approve the request from Charles Encinger, 4713 Calvin Drive for Liquor Manager Designation in conjunction with the Class "C-01472" Liquor License for the Platt Duetsche, 1315 West Anna Street with the stipulation that Mr. Encinger complete a state approved alcohol server/seller training program.

05/29/12

Grand Island Police Department

450

15:44

LAW INCIDENT TABLE

Page: 1

City : Grand Island

Occurred after : 15:24:26 05/24/2012

Occurred before : 15:24:26 05/24/2012

When reported : 15:24:26 05/24/2012

Date disposition declared : 05/25/2012

Incident number : L12053793

Primary incident number :

Incident nature : Liquor Lic Inv Liquor License
Investigation

Incident address : 1315 Anna St W

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 : 13680

Long-term call ID :
Clearance Code : CL Case Closed
Judicial Status : NCI Non-criminal Incident

= = = = =

INVOLVEMENTS:

Px	Record #	Date	Description	Relationship

NM	8680	05/29/12	Encinger, Charles R	Liquor Manager
NM	60755	05/29/12	Encinger, Mary E	Charles' Wife
NM	78828	05/29/12	Platt Duetsche Society,	Business

Involved

LAW INCIDENT CIRCUMSTANCES:

Se Circu	Circumstance code	Miscellaneous
-- -----		
1	LT03	Bar/Night Club

LAW INCIDENT NARRATIVE:

I Received a Copy of a Liquor Manager Application from Charles Encinger for the
Platt Duetsche.

LAW INCIDENT OFFENSES DETAIL:

Se Offe	Offense code	Arson Dama
-- -----		
1	AOFF Alcohol Offense	0.00

LAW INCIDENT RESPONDERS DETAIL:

Se Responding offi	Unit n	Unit number
-- -----		

1 Vitera D 318 Vitera D

LAW SUPPLEMENTAL NARRATIVE:

Seq	Name	Date
1	Vitera D	15:10:54 05/29/2012

318

Grand Island Police Department

Supplemental Report

Date, Time: Tue May 29 15:11:06 CDT 2012

Reporting Officer: Vitera

Unit- CID

Charles Encinger is applying to be the liquor manager at the Platt Duetsche.

According to the application, Charles and his wife Mary have lived in Grand

Island since at least 1990. No convictions were disclosed.

I checked Spillman and NCJIS looking for undisclosed convictions. No potential

convictions were located in Spillman or NCJIS for either party. I also checked

an online law enforcement-only database which contains personal, business, and

other civil information on people. Nothing of interest was found.

Based solely on their lack of criminal history and nothing negative in the

online database, the Grand Island Police Department has no objection to Charles

Encinger becoming the liquor manager at the Platt Duetsche.



City of Grand Island

Tuesday, June 12, 2012

Council Session

Item G5

#2012-139 - Approving Acquisition of Utility Easement - South Side of 1221 S. Shady Bend Road - Renz

This item relates to the aforementioned Public Hearing item E-5.

Staff Contact: Tim Luchsinger, Utilities Director

RESOLUTION 2012-139

WHEREAS, a public utility easement is required by the City of Grand Island, from Scott C. and Carman K. Renz, 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 June 12, 2012, for the purpose of discussing the proposed acquisition of an easement twenty feet in width, the centerline of which is located in the City of Grand Island, Hall County, Nebraska; and more particularly described as follows:

Commencing at the southwest corner of the Southwest Quarter of the Northwest Quarter (SW 1/4, NW 1/4), Section Twenty Four (24), Township Eleven (11) North, Range Nine (9) West; thence on an assumed bearing of N00°00'00"E along the westerly line of said Southwest Quarter of the Northwest Quarter (SW1/4, NW1/4), a distance of two hundred sixty (260.0) feet; thence S89°56'58"E along the southerly line of a tract of land described in Document 200706312 recorded in the Register of Deeds Office, Hall County, Nebraska, a distance of thirty three (33.0) feet to a point on the easterly right-of-way line of Shady Bend Road, being the ACTUAL Point of Beginning; thence continuing S89°56'58"E along the southerly line of the said tract of land, a distance of four hundred ninety five (495.0) feet; thence N00°00'00"E along the easterly line of said tract of land, a distance of twenty (20.0) feet; thence N89°56'58"W, a distance of seventy three (73.0) feet; thence N00°00'00"E, a distance of five (5.0) feet; thence N89°56'58"W, a distance of five (5.0) feet; thence S00°00'00"W, a distance of five (5.0) feet; thence N89°56'58"W, a distance of four hundred seventeen (417.0) feet to a point on the easterly right-of-way line of said Shady Bend Road; thence S00°00'00"W, along the easterly right-of-way line of said Shady Bend Road, a distance of twenty (20.0) feet to the said Point of Beginning.

The above-described easement and right-of-way containing 0.23 acres, more or less, as shown on the plat dated 5/16/12, 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 Scott C. and Carman K. Renz, on the above-described tract of land.

- - -

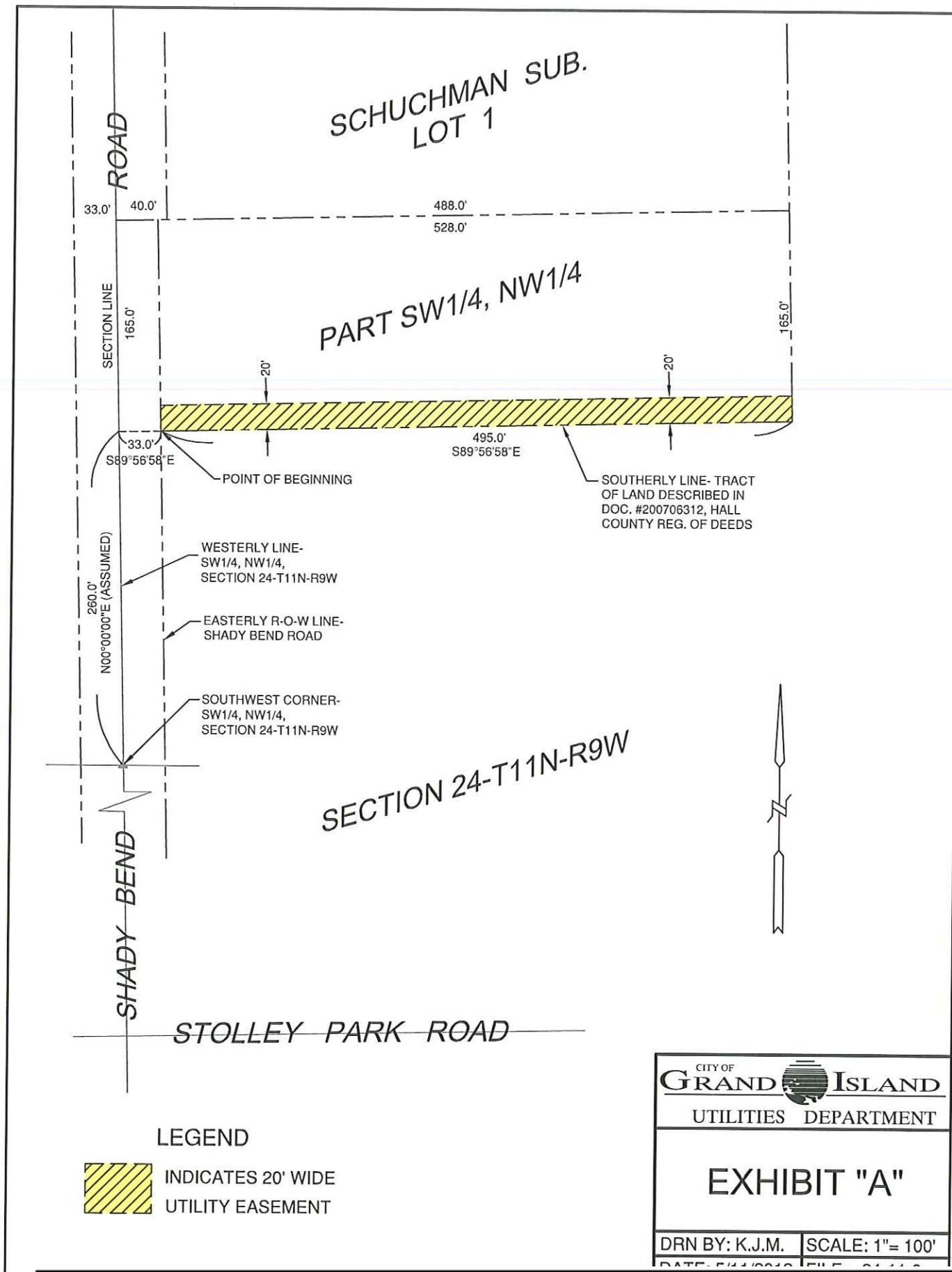
Approved as to Form	by _____
June 8, 2012	City Attorney

Adopted by the City Council of the City of Grand Island, Nebraska, June 12, 2012.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk





City of Grand Island

Tuesday, June 12, 2012

Council Session

Item G6

#2012-140 - Approving Acquisition of Utility Easement - East Side of 1221 S. Shady Bend Road - Midland Ag Service, Inc.

This item relates to the aforementioned Public Hearing item E-6.

Staff Contact: Tim Luchsinger, Utilities Director

RESOLUTION 2012-140

WHEREAS, a public utility easement is required by the City of Grand Island, from Midland Ag Service, Inc., 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 June 12, 2012, for the purpose of discussing the proposed acquisition of an easement twenty feet in width, the centerline of which is located in the City of Grand Island, Hall County, Nebraska; and more particularly described as follows:

Commencing at the southwest corner of the Southwest Quarter of the Northwest Quarter (SW 1/4, NW 1/4), Section Twenty Four (24), Township Eleven (11) North, Range Nine (9) West; thence on an assumed bearing of N00°00'00"E along the westerly line of said Southwest Quarter of the Northwest Quarter (SW 1/4, NW 1/4), a distance of two hundred sixty (260.0) feet; thence S89°56'58"E along the southerly line of a tract of land described in Document 200706312 record in the Register of Deeds Office, Hall County, Nebraska, a distance five hundred twenty eight (528.0) feet to the ACTUAL Point of Beginning; thence continuing S89°56'58"E, a distance of thirty five (35.0); thence N00°00'00"E, a distance of one hundred seventy five (175.0) feet; thence N89°56'58"W, a distance of thirty five (35) feet to the point on the easterly line of Lot One (1) Schuchman Subdivision; thence S00°00'00"W along the easterly line of said Lot One (1) Schuchman Subdivision and the easterly line of said tract of land described in Document 200706312, a distance of twenty (20.0) feet; thence S89°56'58"E, a distance of fifteen (15.0) feet; thence S00°00'00"W, a distance of one hundred thirty five (135.0) feet; thence, N89°56'58"W, a distance of fifteen (15.0) feet to a point of the easterly line of said tract of land described in Document 200706312; thence S00°00'00"W along the easterly line of said tract of land, a distance of twenty (20.0) feet to the said Point of Beginning.

The above-described easement and right-of-way containing 0.094 acres, more or less, as shown on the plat dated 5/16/2012, 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 Midland Ag Service, Inc., on the above-described tract of land.

- - -

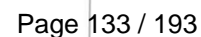
Approved as to Form	☐ _____
June 8, 2012	☐ City Attorney

Adopted by the City Council of the City of Grand Island, Nebraska, June 12, 2012.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk





City of Grand Island

Tuesday, June 12, 2012

Council Session

Item G7

**#2012-141 - Approving Bid Award - Turbine Generator Parts -
Platte Generating Station**

Staff Contact: Tim Luchsinger, Jason Eley

Council Agenda Memo

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

Meeting: June 12, 2012

Subject: Turbine Generator Parts

Item #'s: G-7

Presenter(s): Timothy G. Luchsinger, Utilities Director

Background

A major inspection and overhaul of the turbine generator at the Platte Generating Station is performed every five years. The next overhaul is scheduled for the fall of this year. During this inspection, the turbine generator is completely disassembled and all components are cleaned, inspected, repaired or replaced as necessary. During the 2007 inspection it was recommended that the Stage 10 turbine blades and the slip ring assembly be replaced.

Specifications were developed by the plant staff for the replacement parts. These parts are to be installed by the turbine overhaul contractor

Discussion

The specifications for the Turbine Generator Parts were issued for bid to three potential bidders and only one response was received. The engineer's estimate for these parts is \$242,000.00.

<u>Bidder</u>	<u>Bid Price</u>
Argo Turboserve Corporation	\$224,171.00

Engineering Staff reviewed the bid for compliance with the City's detailed specifications. The bid from Argo Turboserve Corporation is compliant with the specifications and has no exceptions. Argo Turboserve Corporation is the original equipment manufacturer for General Electric.

Alternatives

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

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

Recommendation

City Administration recommends that the Council award the Turbine Generator Parts bid to Argo Turboserve Corporation of Lyndhurst, New Jersey, as the low responsive bidder, with the bid in the amount of \$224,171.00.

Sample Motion

Move to approve the bid from Argo Turboserve Corporation in the amount of \$224,171.00 for Turbine Generator Parts for the Platte Generation Station.



Jason Eley, Purchasing Agent

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Better Tomorrow, Today*

BID OPENING

BID OPENING DATE: May 29, 2012 at 2:00 p.m.
FOR: Turbine Generator Parts
DEPARTMENT: Utilities
ESTIMATE: \$242,000.00
FUND/ACCOUNT: 520
PUBLICATION DATE: May 9, 2012
NO. POTENTIAL BIDDERS: 3

SUMMARY

Bidder: Argo Turboserve Corp.
Lyndhurst, NJ
Bid Security: \$11,200
Exceptions: None

Bid Price:
Material: \$209,508
Labor: \$
Sales Tax: \$14,863
Total Bid: \$224,171

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

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

P1556

RESOLUTION 2012-141

WHEREAS, the City of Grand Island invited sealed bids for Turbine Generator Parts according to plans and specifications on file with the Utilities Department; and

WHEREAS, on May 29, 2012, bids were received, opened and reviewed; and

WHEREAS, Argo Tubroserve Corporation of Lyndhurst, New Jersey, 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 \$224,171.00; and

WHEREAS, the bid of Argo Turboserve Corporation's bid is less than the estimate for the Turbine Generator Parts.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of Argo Turboserve Corporation in the amount of \$224,171.00, for Turbine Generator Parts, is hereby approved as the lowest responsible bid.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, June 12, 2012.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
June 8, 2012	☐ City Attorney



City of Grand Island

Tuesday, June 12, 2012

Council Session

Item G8

**#2012-142 - Approving Bid Award - Turbine Generator Inspection
& Repair - Technical Representative**

Staff Contact: Tim Luchsinger, Jason Eley

Council Agenda Memo

From: Timothy G. Luchsinger, Utilities Director
Jason Eley, Assistant City Attorney

Meeting: June 12, 2012

Subject: Turbine Generator Inspection and Repair – Technical Representative

Item #'s: G-8

Presenter(s): Timothy G. Luchsinger, Utilities Director

Background

A major inspection and overhaul of the turbine generator at the Platte Generating Station is performed every five years. The next overhaul is scheduled for the fall of this year. During this inspection, the turbine generator is completely disassembled and all components are cleaned, inspected, repaired or replaced as necessary.

In addition to obtaining the services of a specialized contractor to perform the overhaul, a contractor specializing in providing technical oversight and monitoring the work of the overhaul contractor is required. The contractor must have access to the technical specifications and have personnel who have hands-on experience with the specific equipment. This allows plant management staff constant monitoring of the overhaul contractors work, and someone to interpret technical information and provide recommendations for issues that may come up during the inspection.

Specifications were developed by the plant staff to hire a Technical Representative to monitor the work of the overhaul contractor and technical assistance to plant management staff.

Discussion

The specification for the Turbine Generator Inspection and Repair Technical Advisor was issued for bid to six potential bidders and five bids were received. The engineer's estimate for this service is \$110,000.

Bidders	Bid Price
S.T. Cotter Turbine Services, Inc.	\$60,651.31
Power Generation Service, Inc.	\$69,300.00
Elliott OnSite Services	\$74,825.00
Mechanical Dynamics & Analysis	\$84,509.00
HPI, LLC	\$99,887.00

Engineering staff reviewed the bids for compliance with the City's detailed specifications. The bid from S.T. Cotter Turbine Services, Inc., is compliant with the specifications and has no 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 award the bid for Turbine Generator Inspection and Repair – Technical Advisor, to S.T. Cotter Turbine Services, Inc., of Clearwater, Minnesota, as the low bidder, in the amount of \$60,651.31.

Sample Motion

Move to approve the bid from S.T. Cotter Turbine Services, Inc., for Turbine Generator Inspection and Repair – Technical Advisor in the amount of \$60,651.31.



Jason Eley, Purchasing Agent

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Better Tomorrow, Today*

BID OPENING

BID OPENING DATE: May 29, 2012 at 2:15 p.m.
FOR: Turbine Generator Inspection & Repair
DEPARTMENT: Utilities
ESTIMATE: \$110,000.00
FUND/ACCOUNT: 520
PUBLICATION DATE: May 9, 2012
NO. POTENTIAL BIDDERS: 6

SUMMARY

Bidder:	<u>S.T. Cotter Turbine Services, Inc.</u> Clearwater, MN	<u>Power Generation Service, Inc.</u> Anoka, MN
Bid Security:	International Fidelity Insurance Co.	RLI Insurance Co.
Exceptions:	None	Exception Noted
Bid Price:		
Material:	\$	
Labor:	\$56,683.47	\$69,300.00
Sales Tax:	<u>\$3,967.84</u>	
Total Bid:	\$60,651.31	\$69,300.00
Bidder:	<u>Elliott On Site Services</u> Jeannette, PA	<u>Mechanical Dynamics & Analysis</u> Latham, NY
Bid Security:	Great American Insurance	RLI Insurance Co.
Exceptions:	None	
Bid Price:		
Material:	\$	
Labor:	\$74,825.00	\$84,509.00
Sales Tax:	<u>\$</u>	
Total Bid:	\$74,825.00	\$84,509.00
Bidder:	<u>HPI, LLC</u>	

Bid Security: Houston, TX
Exceptions: Cahier's Check
None

Bid Price:
Material: \$
Labor: \$93,352.00
Sales Tax: \$ 6,535.00
Total Bid: \$99,887.00

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, Assistant Utilities Director

P1556

RESOLUTION 2012-142

WHEREAS, the City of Grand Island invited sealed bids for Turbine Generator Inspection and Repair – Technical Representative, according to plans and specifications on file with the Utilities Department; and

WHEREAS, on May 29, 2012, bids were received, opened and reviewed; and

WHEREAS, S.T. Cotter Turbine Services, Inc., of Clearwater, Minnesota, 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 \$60,651.31; and

WHEREAS, the bid of S.T. Cotter Turbine Services, Inc., is less than the estimate for the Turbine Generator Inspection and Repair – Technical Representative.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the bid of S.T. Cotter Turbine Services, Inc., in the amount of \$60,651.31, for Turbine Generator Inspection and Repair – Technical Representative, is hereby approved as the lowest responsible bid.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, June 12, 2012.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	▣ _____
June 8, 2012	▣ City Attorney



City of Grand Island

Tuesday, June 12, 2012

Council Session

Item G9

#2012-143 - Approving Coal Marketing Services with Western Fuels Association

Staff Contact: Tim Luchsinger, Robert Sivick

Council Agenda Memo

From: Timothy Luchsinger, Utilities Director
Robert Sivick, City Attorney

Meeting: June 12, 2012

Subject: Approving Coal Marketing Services with Western Fuels Association

Item #'s: G-9

Presenter(s): Timothy Luchsinger, Utilities Director

Background

Since 1987, coal and freight contracts for fuel at the Platte Generating Station have been solicited and negotiated by the team of Gary Mader (Utilities Director), Tim Luchsinger (Assistant Utilities Director), Keith Sinor (City Attorney and later outside consultant), and the City Attorney's office. These contracts were typically done on a bi-annual basis and involved monitoring market conditions, preliminary contact with suppliers, solicitation of requests for bids, and negotiation with bidders.

The current coal contract expires at the end of this year, with the railroad freight contract expiring at the end of 2013. As a result of retirements, the only remaining member of this team is Tim Luchsinger, Utilities Director, and he is the only City staff member with experience in these types of contracts. To obtain qualified assistance and allow new City staff time to gain experience in these transactions, Utilities management requested a proposal from Western Fuels Association, a not-for-profit cooperative formed by public power utilities to provide coal and freight management services. Nebraska members include Nebraska Public Power District, Lincoln Electric System, and Fremont Utilities.

To provide fuel management services, WFA requires Grand Island to become a Class "C", or non-voting member, and pay an annual fee as provided for in the separately attached confidential agreement. This fee is approximately 0.3% of the delivered coal cost to PGS. The fuel management services would include soliciting coal that meets PGS requirements as part of their bulk solicitation for their other members, and providing a recommended purchase agreement meeting the procurement policies of the City. The final agreement would be a contract negotiated between the City and the coal supplier and presented for consideration by Council. Upon approval of the coal supply contract,

WFA would also manage scheduling of coal deliveries with plant staff, the coal supplier, and the railroad.

Discussion

Western Fuels Association has a full-time professional staff that monitors coal market conditions and tests the market several times a year with multi-million ton solicitations. The Utilities Department requires around 350,000 tons of coal per year and would be in a position to obtain more favorable coal pricing by being included in these large transactions, which would allow our electric rates to remain competitive with regional power producers.

Utilities and Legal staff have reviewed the proposed agreement and the membership bylaws from WFA, and recommend that the Mayor be authorized to execute the Services Agreement with Western Fuels Association of Denver, Colorado for fuel management services, which includes becoming a Class “C” member.

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 authorize the Mayor to execute the Services Agreement with Western Fuels Association of Denver, Colorado, for fuel management services, which includes Grand Island becoming a Class “C” member WFA.

Sample Motion

Move to authorize the Mayor to execute the Services Agreement with Western Fuels Association of Denver, Colorado, for fuel management services, which includes Grand Island becoming a Class “C” member of WFA.

RESOLUTION 2012-143

WHEREAS, the current coal supplier contract expires at the end of this year; and

WHEREAS, to obtain qualified assistance in freight negotiations and the purchase of coal for the Platte Generating Station; and

WHEREAS, Utilities management requested a proposal from Western Fuels Association to provide coal and freight management services; and

WHEREAS, Grand Island will become a Class "C", or non-voting member, and pay an annual fee of approximately 0.3% of the delivered coal cost to Platte Generating Station as provided for in the agreement; and

WHEREAS, Utilities Department and Legal staff have reviewed the agreement and recommend that it be executed by the City.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, the Services Agreement with Western Fuels Association, is hereby approved, and the Mayor is authorized to sign the agreement on behalf of the City of Grand Island.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, June 12, 2012.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
June 8, 2012	☐ City Attorney



City of Grand Island

Tuesday, June 12, 2012

Council Session

Item G10

#2012-144 - Approving Change Order No. 2 for Moores Creek Drain Extension - Old Potash Crossing; Drainage Project No. 2008-D-2

Staff Contact: John Collins, Public Works Director

Council Agenda Memo

From: Terry Brown, Manager of Engineering Services

Meeting: June 12, 2012

Subject: Approving Change Order No. 2 for Moores Creek Drain Extension – Old Potash Crossing; Drainage Project No. 2008-D-2

Item #'s: G-10

Presenter(s): John Collins, Public Works Director

Background

Midlands Contracting, Inc., of Kearney, Nebraska was awarded a \$166,805.00 contract by the City Council on September 13, 2011 to extend the last constructed segment of the Moores Creek Drainway to the south under Old Potash Highway.

On January 10, 2012, by Resolution No. 2012-10, City Council approved Change Order No. 1, which addressed utility conflicts. The main conflict involved the lowering of a 16" water main. These items were not included in the original bid documents, but are necessary to complete the project. Change Order No. 1 increased this project cost by \$43,560.00, for a total contract amount of \$210,365.00.

The Moores Creek Drainway is one portion of a series of open ditches, detention cells and storm sewer that were proposed in a 1975 study to provide flood relief to urbanized areas in western Grand Island. Future extensions of this drainway will be constructed west and south beyond Engleman Road and Stolley Park Road. The Moores Creek Drain Extension project begins south of Old Potash Highway on the east side of North Road, and ends approximately 500' north.

Discussion

Change Order No. 2 provides for a driveway to the water storage tanks at Roger's Reservoir. Change Order No. 2 will increase this project cost by \$2,250.00, for a total contract amount of \$212,615.00.

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 Change Order No. 2 for the Moores Creek Drain Extension – Old Potash Crossing; Drainage Project No. 2008-D-2.

Sample Motion

Move to approve the resolution.

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

CHANGE ORDER NUMBER 2

Date of Issuance: June 12, 2012

PROJECT: Moores Creek Drain Extension – Old Potash Crossing; Drainage Project No. 2008-D-2

CONTRACTOR: Midlands Contracting, Inc.

CONTRACT DATE: September 13, 2011

This change order allows for placement of limestone on the driveway to the water tanks at Roger's Reservoir.

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

Contract Price Prior to This Change Order\$210,365.00

Net Increase/Decrease Resulting from this Change Order.....\$ 2,250.00

Revised Contract Price Including this Change Order.....\$212,615.00

Approval Recommended:

By _____
John Collins, Public Works Director

Date _____

The Above Change Order Accepted:

Midlands Contracting, Inc. _____
Contractor

By _____

Date _____

Approved for the City of Grand Island:

By _____
Jay Vavricek, Mayor

Attest: _____
RaNae Edwards, City Clerk

Date _____

RESOLUTION 2012-144

WHEREAS, on September 13, 2011, by Resolution 2011-244, the City of Grand Island awarded Midlands Contracting, Inc. of Kearney, Nebraska the contract in the amount of \$166,805.00 for the Moores Creek Drain Extension – Old Potash Crossing; Drainage Project No. 2008-D-2; and

WHEREAS, on January 10, 2012, by Resolution 2012-10, the City of Grand Island approved Change Order No. 1 for such project, in the amount of \$43,560.00 to address utility conflicts; and

WHEREAS, it has been determined that modifications to the work to be performed by Midlands Contracting, Inc. are necessary; and

WHEREAS, such modifications have been incorporated into Change Order No. 2; and

WHEREAS, the result of such modifications will increase the contract by the amount of \$2,250.00, for a total contract price of \$212,615.00.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Mayor be, and hereby is, authorized and directed to execute Change Order No. 2 between the City of Grand Island and Midlands Contracting, Inc. of Kearney, Nebraska to provide the modifications.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, June 12, 2012.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
June 8, 2012	☐ City Attorney



City of Grand Island

Tuesday, June 12, 2012

Council Session

Item G11

#2012-145 - Approving Certificate of Final Completion for Moores Creek Drain Extension - Old Potash Crossing; Drainage Project No. 2008-D-2

Staff Contact: John Collins, Public Works Director

Council Agenda Memo

From: Terry Brown, Manager of Engineering Services

Meeting: June 12, 2012

Subject: Approving Certificate of Final Completion for Moores Creek Drain Extension - Old Potash Crossing; Drainage Project No. 2008-D-2

Item #'s: G-11

Presenter(s): John Collins, Public Works Director

Background

Midlands Contracting, Inc., of Kearney, Nebraska was awarded a \$166,805.00 contract by the City Council on September 13, 2011 to extend the last constructed segment of the Moores Creek Drainway to the south under Old Potash Highway. Work on the project commenced on October 1, 2011 and was completed on May 4, 2012.

On January 10, 2012, by Resolution No. 2012-10, City Council approved Change Order No. 1, which addressed utility conflicts. The main conflict involved the lowering of a 16" water main. These items were not included in the original bid documents, but are necessary to complete the project. Change Order No. 1 increased this project cost by \$43,560.00, for a total contract amount of \$210,365.00.

Change Order No. 2 is being presented to City Council at tonight's meeting to allow for placement of a driveway to the water storage tanks at Roger's Reservoir. Change Order No. 2 will increase this project cost by \$2,250.00, for a total contract amount of \$212,615.00.

Discussion

The project was completed in accordance with the terms, conditions and stipulations of the bidding process. The project cost was under run by \$5,811.00, with work being completed at a total cost of \$206,804.00.

Alternatives

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

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

Recommendation

City Administration recommends that the Council approve the Certificate of Final Completion for the Moores Creek Drain Extension – Old Potash Crossing; Drainage Project No. 2008-D-2.

Sample Motion

Move to approve the Certificate of Final Completion.

ENGINEER'S CERTIFICATE OF FINAL COMPLETION

Moores Creek Drain Extension – Old Potash Crossing; Project No. 2008-D-2
CITY OF GRAND ISLAND, NEBRASKA
June 12, 2012

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

This is to certify that the Moores Creek Drain Extension – Old Potash Crossing; Project No. 2008-D-2 has been fully completed by Midlands Contracting, Inc. of Kearney, Nebraska under the contract dated September 13, 2011. The work has been completed in accordance with the terms, conditions, and stipulations of said contract and complies with the contract, the plans and specifications. The work is hereby accepted for the City of Grand Island, Nebraska, by me as Public Works Director in accordance with the provisions of Section 16-650 R.R.S., 1943.

Moores Creek Drain Extension – Old Potash Crossing; Project No. 2008-D-2

Item No.	Description	Total Quantity	Unit	Unit Price	Total Cost
Base Bid					
1	48" Reinforced Concrete Pipe Storm Sewer	1,072.00	l.f.	\$112.00	\$120,064.00
2	48" Reinforced Concrete Pipe 45° Precast Elbows	8.00	ea.	\$1,230.00	\$9,840.00
3	48" Reinforced Concrete Pipe Flared End Section	4.00	ea.	\$2,325.00	\$9,300.00
4	Remove Asphalt Pavement	90.00	s.y.	\$9.00	\$810.00
5	Construct 7" ACC or PC Asphalt Pavement	90.00	s.y.	\$47.00	\$4,230.00
6	Pavement Saw Cut	48.00	l.f.	\$2.00	\$96.00
7	Clear & Grub 6"-12" Trees	3.00	ea.	\$200.00	\$600.00
8	Gravel	0.00	ton	\$23.00	\$0.00
9	24" Reinforced Concrete Pipe Class III	60.00	l.f.	\$56.00	\$3,360.00
10	18" Reinforced Concrete Pipe Class III	112.00	l.f.	\$47.00	\$5,264.00
11	18" Flared End Section	2.00	ea.	\$815.00	\$1,630.00
12	Special Junction Box	1.00	ea.	\$3,100.00	\$3,100.00
13	Seeding	.82	ac.	\$3,000.00	\$2,460.00
14	Silt Fence	80.00	l.f.	\$3.00	\$240.00
Total Base Bid =					\$160,994.00

Change Order No. 1

CO-1A	Utility Conflicts (duct bank, gas line & water main)	1.00	l.s.	\$2,200.00	\$2,200.00
CO-1B	Extra labor laying 48" RCP underneath duct bank & gas line	1.00	l.s.	\$920.00	\$920.00
CO-1C	Additional Traffic Control Costs	1.00	l.s.	\$883.00	\$883.00
CO-1D	Reopen Old Potash Highway by 12-25-2011	1.00	l.s.	\$257.00	\$257.00

CO-1E	Lowering of 16" water main	1.00	I.s.	\$39,300.00	\$39,300.00
Total Change Order No. 1 =					\$43,560.00

Change Order No. 2

CO-2A	Limestone Rock – Driveway to water tanks	1.00	I.s.	\$2,250.00	\$2,250.00
Total Change Order No. 2 =					\$2,250.00

Grand Total – Base Bid, Change Order No. 1 & 2 =					\$206,804.00
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I hereby recommend that the Engineer's Certificate of Final Completion for the Moores Creek Drain Extension – Old Potash Crossing; Project No. 2008-D-2 be approved.

John Collins – City Engineer/Public Works Director

Jay Vavricek – Mayor

RESOLUTION 2012-145

WHEREAS, the City Engineer/Public Works Director for the City Of Grand Island has issued a Certificate of Completion for the Moores Creek Drain Extension - Old Potash Crossing; Drainage Project No. 2008-D-2, certifying that Midlands Contracting, Inc. of Kearney, Nebraska, under contract, has completed the project; and

WHEREAS, the City Engineer/Public Works Director recommends the acceptance of the project; and

WHEREAS, the Mayor concurs with the recommendation of the City Engineer/Public Works Director; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Certificate of Final Completion for the Moores Creek Drain Extension – Old Potash Crossing; Drainage Project No. 2008-D-2, is hereby confirmed.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, June 12, 2012.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	▣ _____
June 8, 2012	▣ City Attorney



City of Grand Island

Tuesday, June 12, 2012

Council Session

Item G12

#2012-146 - Approving Contract Amendment to CDBG 10-ED-10

This item relates to the aforementioned Public Hearing item E-7.

Staff Contact: Marco Floeani

RESOLUTION 2012-146

WHEREAS, the City of Grand Island, Nebraska, is an eligible unit of a general local government authorized to receive Community Development Block Grant (CDBG) contract amendment through the Nebraska Department of Economic Development; and

WHEREAS, the Nebraska Department of Economic Development is offering a CDBG Economic Development Grant for activities that meet the CDBG national objective of benefiting low-to-moderate income persons; and

WHEREAS, the City will apply for the contract amendment for the paving of Blaine Street at Platte Valley Industrial Park East; and

WHEREAS, the Grand Island Area Economic Development Corporation and the City of Grand Island have committed matching funds of \$1,275,000 for a projected project cost of \$2,200,000; and

WHEREAS, the Nebraska Department of Economic Development presently requires a public hearing to accept comments and inform the public on the status of the proposed project and grant application; and

WHEREAS, the public hearing on June 12, 2012, offers the public opportunity to make such comments to the City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island, Nebraska is hereby authorized to apply for an Economic Development grant from the Nebraska Department of Economic Development for infrastructure development at the Platte Valley Industrial Park and the Mayor is hereby authorized and directed to execute such proceedings on behalf of the City of Grand Island for such grant programs.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, June 12, 2012.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	▣ _____
June 8, 2012	▣ City Attorney



City of Grand Island

Tuesday, June 12, 2012

Council Session

Item G13

#2012-147 - Approving Contract Extension and Budget Amendment for CDBG Community Revitalization Phase II

This item relates to the aforementioned Public Hearing item E-8.

Staff Contact: Marco Floeani

RESOLUTION 2012-147

WHEREAS, the City of Grand Island, Nebraska, is an eligible unit of a general local government authorized to receive Community Development Block Grant (CDBG) contract amendment through the Nebraska Department of Economic Development; and

WHEREAS, the Nebraska Department of Economic Development is offering a CDBG Economic Development Grant for activities that meet the CDBG national objective of benefiting low-to-moderate income persons; and

WHEREAS, a grant was awarded for improvements in Block Groups 11 and 12 for the amount of \$271,000.00; and

WHEREAS, the City is requesting an extension and budget amendment of Phase II funds for sewer improvements; and

WHEREAS, the Nebraska Department of Economic Development presently requires a public hearing to accept comments and inform the public on the status of the proposed project and grant application; and

WHEREAS, the public hearing on June 12, 2012, offers the public opportunity to make such comments to the City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island, Nebraska is hereby authorized to apply for a contract extension and budget amendment with the Nebraska Department of Economic Development for the Community Revitalization Phase II Grant and the Mayor is hereby authorized and directed to execute such proceedings on behalf of the City of Grand Island for such grant programs.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, June 12, 2012.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	▣ _____
June 8, 2012	▣ City Attorney



City of Grand Island

Tuesday, June 12, 2012

Council Session

Item G14

#2012-148 - Approving CDBG 2011 Community Revitalization Phase III Application

This item relates to the aforementioned Public Hearing item E-9.

Staff Contact: Marco Floeani

RESOLUTION 2012-148

WHEREAS, the City of Grand Island, Nebraska, is an eligible unit of a general local government authorized to file an application through the Nebraska Department of Economic Development for a Community development Block Grant; and

WHEREAS, the Nebraska Department of Economic Development is accepting grant application for community revitalization; and

WHEREAS, a grant application has been prepared to request funding for sewer improvements in combined project area of Block Groups 11 and 12; and

WHEREAS, the City is requesting a grant which includes grant funds of approximately \$270,000.00 for sewer improvements; and

WHEREAS, the Nebraska Department of Economic Development presently requires a public hearing to accept comments and inform the public on the status of the proposed project and grant application; and

WHEREAS, the public hearing on June 12, 2012, offers the public opportunity to make such comments to the City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City of Grand Island, Nebraska is hereby authorized to apply for a Community Revitalization Phase III Grant from the Nebraska Department of Economic Development for sewer line improvements 4th to 5th Street/Eddy to Vine, and the Mayor is hereby authorized and directed to execute such proceedings on behalf of the City of Grand Island for such grant programs.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, June 12, 2012.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
June 8, 2012	☐ City Attorney



City of Grand Island

Tuesday, June 12, 2012

Council Session

Item G15

**#2012-149 - Approving Change Order #1 - Uranium Removal
Water Treatment Plant - Building Construction**

Staff Contact: Tim Luchsinger, Jason Eley

Council Agenda Memo

From: Timothy G. Luchsinger, Utilities Director
Jason Eley, Assistant City Attorney

Meeting Date: June 12, 2012

Subject: Uranium Removal Water Treatment Plant –
Building Construction Change Order

Item #'s: G-15

Presenter(s): Timothy G. Luchsinger, Utilities Director

Background

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

Based on the multiple phase structure of the uranium engineering services RFP, HDR, the City's consultant on this project, was requested to provide a proposal for preparing specifications to issue for bids for an adsorptive media pilot plant. On June 28, 2011, Council awarded the contract for the Uranium Removal System – Equipment Procurement to Water Remediation Technology.

On August 23, 2011, Council approved the proposal of HDR Engineering, Inc., of Lincoln, Nebraska, for Uranium Removal Water Plant – Task Order No. 2. This task order authorized the detailed engineering services which included preparation of specifications for bidding of a new building and foundations, underground piping, well

modifications, and installation of the uranium removal equipment. As part of these engineering services, HDR developed the specifications for the foundations and building to house the uranium removal system equipment.

Discussion

The bid for the Uranium Removal Water Treatment Plant - Building Construction, was awarded by Council on October 11, 2011 to Chief Construction in the amount of \$324,857.30. During construction, it was noticed that the plans had listed a 100 amp main panel when a 200 amp main panel is required. This change amounted to an additional \$511.00. Secondly, the exterior lights were changed to LED. This change was \$423.00. The two changes bring the final contract amount to \$325,791.30.

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 Council approve the changes to the contract for Uranium Removal Water Treatment Plant - Building Construction for a total contract amount of \$325,791.30.

Sample Motion

Move to approve the changes to the contract for Uranium Removal Water Treatment Plant – Building Construction, to Chief Construction, of Grand Island, Nebraska, for a final contract amount of \$325,791.30.

Uranium Removal Water Treat Plant-Building Construction

Comments: Changes proposed to Uranium building contract.

Contract:

\$324,857.30

<u>Change Order Request</u>	<u>Description</u>	<u>Amount</u>
001	200 amp main panel (versus 100 amp in spec)	\$ 511.00
002	Exterior lighting changed to LED.	\$ 423.00
003		
004	After awarding the contract, the contractor proposed a 200 amp main panel, versus the 100 amp main panel that was originally specified.	
005		
006		
007		
008	Recommend the exterior lighting use LED lights.	
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	Total	\$ 934.00



*Working Together for a
Better Tomorrow. Today.*

TO: Chief Construction Company
2107 S. North Road
Grand Island, NE 68803
Attn: Lynn Johnson

PROJECT: Uramium Removal Water Treatment Plant - Building Construction

You are hereby directed to make the following change in your contract:

1 Additional payment per the attached spreadsheet.

ADDITION: \$934.00

The original Contract Sum	<u>\$324,857.30</u>
Previous Change Order Amounts	<u>\$ -</u>
The Contract Sum is increased by this Change Order	<u>\$ 934.00</u>
The Contract Sum is decreased by this Change Order	<u>\$</u>
The total modified Contract Sum to date	<u>\$ 325,791.30</u>

Approval and acceptance of this Change Order acknowledges understanding and agreement that the cost and time adjustments included represent the complete values arising out of and/or incidental to the work described therein.

APPROVED: CITY OF GRAND ISLAND

By: _____

Date _____

Attest: _____

Approved as to Form, City Attorney

ACCEPTED: Chief Construction Company
A subsidiary of Chief Industries, Inc.

By: _____

Date _____

RESOLUTION 2012-149

WHEREAS, Chief Construction of Grand Island, Nebraska, was awarded the contract for Uranium Removal Water Treatment Plant, Building Construction , at the October 11, 2011 City Council meeting; and

WHEREAS, included in the bid submittal for the project was a 100 amp main panel when a 200 amp main panel is required, and the exterior lights were changed to LED; and

WHEAREAS, Change Order #1 was prepared for a contract adjustment of an additional \$934.00, resulting in a final contract amount of \$325,791.30.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that Change Order #1 with Chief Construction of Grand Island, Nebraska resulting in an additional cost of \$934.00, for a final contract price of \$325,791.30, is hereby approved.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, June 12, 2012.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	▣ _____
June 8, 2012	▣ City Attorney



City of Grand Island

Tuesday, June 12, 2012

Council Session

Item I1

#2012-150 - Consideration of Request from The Wine Bar LLC dba The Wine Bar, 313 West 3rd Street for a Class “CK” Liquor License and Liquor Manager Designation for Robert Aki, 628 East Memorial Drive

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

Staff Contact: RaNae Edwards

RESOLUTION 2012-150

WHEREAS, an application was filed by The Wine Bar LLC doing business as The Wine Bar, 313 West 3rd Street for a Class "CK" Liquor License; and

WHEREAS, a public hearing notice was published in the *Grand Island Independent* as required by state law on June 2, 2012; such publication cost being \$15.78; and

WHEREAS, a public hearing was held on June 12, 2012 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 Robert Aki, 628 East Memorial Drive as liquor manager of such business contingent upon completing a state approved alcohol server/seller program.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, June 12, 2012.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
June 8, 2012	☐ City Attorney



City of Grand Island

Tuesday, June 12, 2012

Council Session

Item I2

#2012-151 - Consideration of Request from Sunrise Restaurants LLC dba Denny's, 3333 Ramada Road for a Class "I" Liquor License and Liquor Manager Designation for Christine Kramer, 603 Highland Drive, Ogallala, NE

Staff Contact: RaNae Edwards

RESOLUTION 2012-151

WHEREAS, an application was filed by Sunrise Restaurants LLC doing business as Denny's, 3333 Ramada Road for a Class "I" Liquor License; and

WHEREAS, a public hearing notice was published in the *Grand Island Independent* as required by state law on June 2, 2012; such publication cost being \$16.28; and

WHEREAS, a public hearing was held on June 12, 2012 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 Christine Kramer, 603 Highland Drive, Ogallala, NE as liquor manager of such business contingent upon completing a state approved alcohol server/seller program.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, June 12, 2012.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
June 8, 2012	☐ City Attorney



City of Grand Island

Tuesday, June 12, 2012

Council Session

Item I3

#2012-152 - Consideration of Generalized Redevelopment Plan for an Area Known as Redevelopment Area No. 9 Located East of U.S. Highway 281 and West of Webb Road, North of State Street and South of Capital Avenue

This item is related to the aforementioned Public Hearing item E-3.

Staff Contact: Chad Nabity

RESOLUTION 2012-152

WHEREAS, the City of Grand Island, Nebraska, a municipal corporation and city of the first class, has determined it be desirable to undertake and carry out urban redevelopment projects in areas of the City which are determined to be substandard and blighted and in need of redevelopment; and

WHEREAS, the Nebraska Community Development Law, Chapter 18, Article 21, Nebraska Reissue Revised Statutes of 1997, as amended (the "Act"), prescribes the requirements and procedures for the planning and implementation of redevelopment projects; and

WHEREAS, the City has previously declared Redevelopment Area No. 9 of the City to be substandard and blighted and in need of redevelopment pursuant to the Act; and

WHEREAS, the Community Redevelopment Authority of the City of Grand Island, Nebraska (the "Authority"), has accepted a Redevelopment Plan pursuant to Section 18-2111 of the Act, and recommended the Redevelopment Plan to the Planning Commission of the City; and

WHEREAS, the Planning Commission of the City reviewed the Redevelopment Plan pursuant to the Act and submitted its recommendations, to the City, pursuant to Section 18-2114 of the Act; and

WHEREAS, following consideration of the recommendations of the Authority to the Planning Commission, the recommendations of the Planning Commission to the City, and following the public hearing with respect to the Redevelopment Plan; and

WHEREAS, the plan as presented to the City authorizes projects for public improvements to utility, drainage, transportation infrastructure, and allows for acquisition and demolition of property and the use of Community Redevelopment Authority funds for façade improvements; and

WHEREAS, the City published notices of a public hearing and mailed notices as required pursuant to Section 18-2115 of the Act and has, on the date of the Resolution held a public hearing on the proposal to adopt the Redevelopment Plan.

NOW, THEREFORE, be it resolved by the City Council of the City of Grand Island, Nebraska:

Approved as to Form	☐ _____
June 8, 2012	☐ City Attorney

1. The Redevelopment Plan of the City approved for Redevelopment Area No.9 in the city of Grand Island, Hall County, Nebraska, including the Redevelopment Project described above, is hereby determined to be feasible and in conformity with the general plan for the development of the City of Grand Island as a whole is in conformity with the legislative declarations and determinations set forth in the Act.
2. Approval of the Redevelopment Plan is hereby ratified and reaffirmed, and the Authority is hereby directed to implement the Redevelopment Plan in accordance with the Act.
3. The City hereby finds and determines that the proposed land uses and building requirements in the Redevelopment Area are designed with the general purposes of accomplishing, in accordance with the general plan for development of the City, a coordinated, adjusted and harmonious development of the City and its environs which will, in accordance with present and future needs, promote health, safety, morals, order, convenience, prosperity; and the general welfare, as well as efficiency and economy in the process of development; including, among other things, adequate provision for traffic, vehicular parking, the promotion of safety from fire, panic, and other dangers, adequate provision for light and air, the promotion of a healthful and convenient distribution of population, the provision of adequate transportation, water, sewerage, and other public utilities, schools, parks, recreation and community facilities, and other public requirements, the promotion of sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of unsanitary or unsafe dwelling accommodations, or conditions of blight.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, June 12, 2012.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, June 12, 2012

Council Session

Item I4

#2012-153 - Consideration of Site Specific Redevelopment Plan for an Area Located at 3420 West State Street

This item is related to the aforementioned Public Hearing item E-4.

Staff Contact: Chad Nabity

RESOLUTION 2012-153

WHEREAS, the City of Grand Island, Nebraska, a municipal corporation and city of the first class, has determined it be desirable to undertake and carry out urban redevelopment projects in areas of the City which are determined to be substandard and blighted and in need of redevelopment; and

WHEREAS, the Nebraska Community Development Law, Chapter 18, Article 21, Nebraska Reissue Revised Statutes of 2007, as amended (the "Act"), prescribes the requirements and procedures for the planning and implementation of redevelopment projects; and

WHEREAS, the City has previously declared Redevelopment Area No. 9 of the City to be substandard and blighted and in need of redevelopment pursuant to the Act; and

WHEREAS, the Community Redevelopment Authority of the City of Grand Island, Nebraska (the "Authority"), has prepared a Redevelopment Plan pursuant to Section 18-2111 of the Act, and recommended the Redevelopment Plan to the Planning Commission of the City; and

WHEREAS, the Planning Commission of the City reviewed the Redevelopment Plan pursuant to the Act and submitted its recommendations, to the City, pursuant to Section 18-2114 of the Act; and

WHEREAS, following consideration of the recommendations of the Authority to the Planning Commission, the recommendations of the Planning Commission to the City, and following the public hearing with respect to the Redevelopment Plan, the City approved the Plan; and

WHEREAS, there has been presented to the City by the Authority for approval a specific Redevelopment Project within the Redevelopment Plan and as authorized in the Redevelopment Plan, such project to be as follows: Rehabilitation and interior remodeling of 3420 W State Street to provide renovated tenant space together with additional parking lot rehabilitation. All redevelopment activities will occur in Grand Island, Hall County, Nebraska; and

WHEREAS, the City published notices of a public hearing and mailed notices as required pursuant to Section 18-2115 of the Act and has, on the date of the Resolution held a public hearing on the proposal to amend the Redevelopment Plan to include the Redevelopment Project described above.

NOW, THEREFORE, be it resolved by the City Council of the City of Grand Island, Nebraska:

Approved as to Form	▣ _____
June 8, 2012	▣ City Attorney

1. The Redevelopment Plan of the City approved for Redevelopment Area No. 9 in the city of Grand Island, Hall County, Nebraska, including the Redevelopment Project described above, is hereby determined to be feasible and in conformity with the general plan for the development of the City of Grand Island as a whole and the Redevelopment Plan, including the Redevelopment Project identified above, is in conformity with the legislative declarations and determinations set forth in the Act; and it is hereby found and determined that (a) the redevelopment project in the plan would not be economically feasible without the use of tax-increment financing, (b) the redevelopment project would not occur in the community redevelopment area without the use of tax-increment financing, and (c) the costs and benefits of the redevelopment project, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for public and private services have been analyzed by the City and have been found to be in the long-term best interest of the community impacted by the redevelopment project. The City acknowledges receipt of notice of intent to enter into the Redevelopment Contract in accordance with Section 18-2119 of the Act and of the recommendations of the Authority and the Planning Commission with respect to the Redevelopment Contract.
2. Approval of the Redevelopment Plan is hereby ratified and reaffirmed, as amended by this Resolution, and the Authority is hereby directed to implement the Redevelopment Plan in accordance with the Act.
3. Pursuant to Section 18-2147 of the Act, ad valorem taxes levied upon real property in the Redevelopment Project included or authorized in the Plan which is described above shall be divided, for a period not to exceed 15 years after the effective date of this provision, which effective date shall be January 1, 2013 as follows:
 - a. That proportion of the ad valorem tax which is produced by levy at the rate fixed each year by or for each public body upon the Redevelopment Project Valuation (as defined in the Act) shall be paid into the funds of each such public body in the same proportion as all other taxes collected by or for the bodies; and
 - b. That proportion of the ad valorem tax on real property in the Redevelopment Project in excess of such amount, if any, shall be allocated to, is pledged to, and, when collected, paid into a special fund of the Authority to pay the principal of, the interest on, and any premiums due in connection with the bonds, loans, notes or advances of money to, or indebtedness incurred by, whether funded, refunded, assumed, or otherwise, such Authority for financing or refinancing, in whole or in part, such Redevelopment Project. When such bonds, loans, notes, advances of money, or indebtedness, including interest and premium due have been paid, the Authority shall so notify the County Assessor and County Treasurer and all ad valorem taxes upon real property in such Redevelopment Project shall be paid into the funds of the respective public bodies.
 - c. The Mayor and City Clerk are authorized and directed to execute and file with the Treasurer and Assessor of Hall County, Nebraska, an Allocation Agreement and Notice of Pledge of Taxes with respect to each Redevelopment Project.

4. The City hereby finds and determines that the proposed land uses and building requirements in the Redevelopment Area are designed with the general purposes of accomplishing, in accordance with the general plan for development of the City, a coordinated, adjusted and harmonious development of the City and its environs which will, in accordance with present and future needs, promote health, safety, morals, order, convenience, prosperity; and the general welfare, as well as efficiency and economy in the process of development; including, among other things, adequate provision for traffic, vehicular parking, the promotion of safety from fire, panic, and other dangers, adequate provision for light and air, the promotion of a healthful and convenient distribution of population, the provision of adequate transportation, water, sewerage, and other public utilities, schools, parks, recreation and community facilities, and other public requirements, the promotion of sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of unsanitary or unsafe dwelling accommodations, or conditions of blight.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, June 12, 2012.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk



City of Grand Island

Tuesday, June 12, 2012

Council Session

Item I5

#2012-154 - Consideration of Designating No Parking on the West Side of Pine Street, South of East South Front Street

Staff Contact: John Collins, Public Works Director

Council Agenda Memo

From: Keith Kurz, Public Works Engineer

Meeting: June 12, 2012

Subject: Approving Designating No Parking on the West Side of Pine Street, South of East South Front Street

Item #'s: I-5

Presenter(s): John Collins, Public Works Director

Background

Council action is required to designate No Parking on any public street.

As one step in mitigating the Union Pacific Railroad's concerns relative to the Quiet Zone, the City needs to improve the site distance on Pine Street and East South Front Street by closing the first three parking stalls (see attached sketch).

Discussion

Existing conditions at the intersection of East South Front Street and Pine Street cause poor sight distance for vehicles eastbound on East South Front Street. This can cause potential conflicts between vehicles at this intersection resulting in accidents. An existing building on the southwest corner of East South Front Street and Pine Street blocks viewing capabilities for drivers. Also hampering the viewing distance of drivers is the parking of cars along the west side of Pine Street.

Existing sight distance is approximately 70 feet assuming vehicles are parked in the stalls along Pine Street. This is shown in Exhibit 1 and is controlled by the cars parked along Pine Street not the building on the southwest corner. According to the Policy on Geometric Design Standard of Highways and Streets, generated by the American Association of State Highway and Transportation Officials (AASHTO), the recommended sight distance for this intersection is 280 feet. The minimum distance is 155 feet.

Ideally, the recommend distance would be used all the time, but as with the case of this intersection, immovable objects control the distance that can be provided. As shown in

Exhibit 2, without the parking stalls the building limits the sight distance to 155 feet as shown. To ensure this distance is provided, the first three stalls south of the intersection should be eliminated. It is presented for your consideration to remove the parking stalls.

Alternatives

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

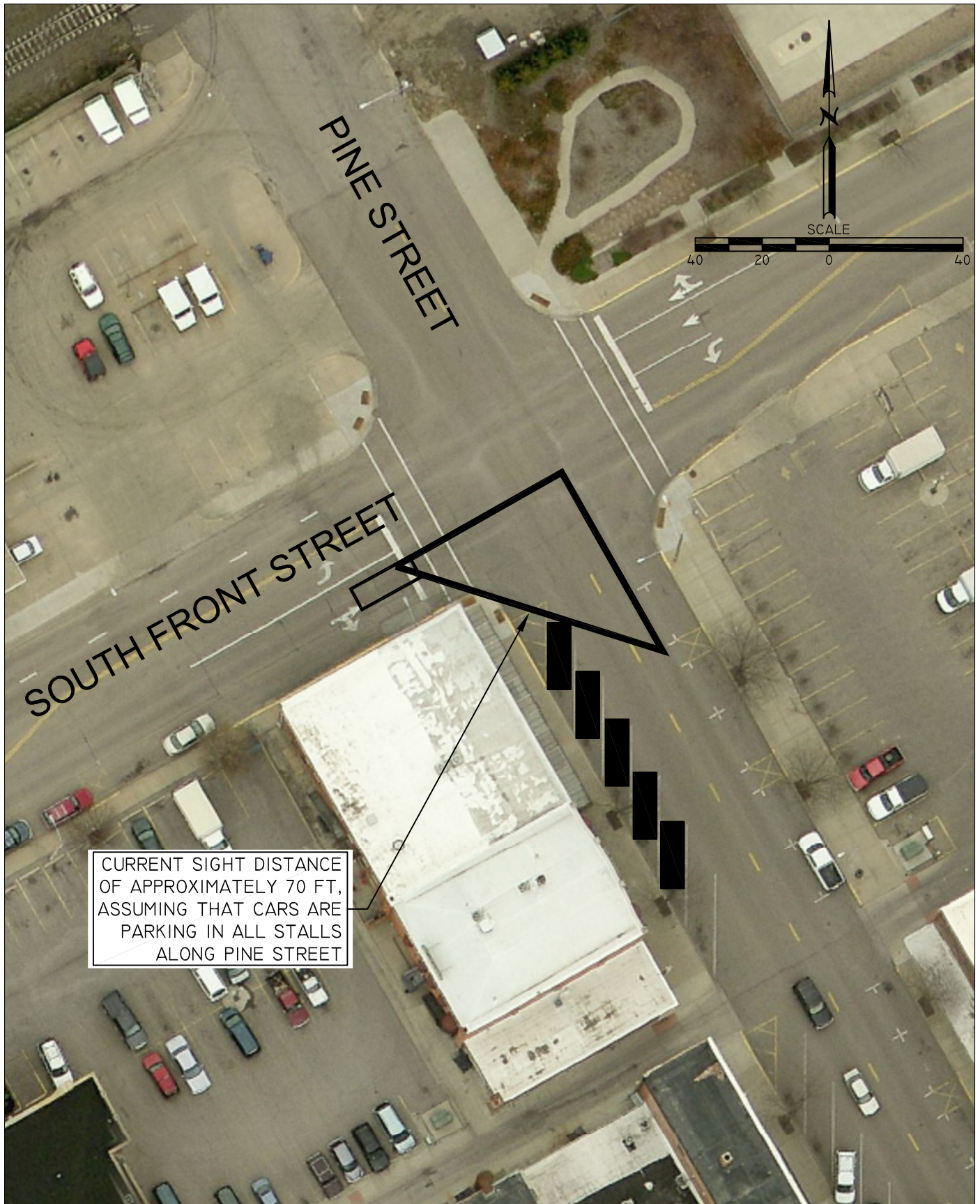
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

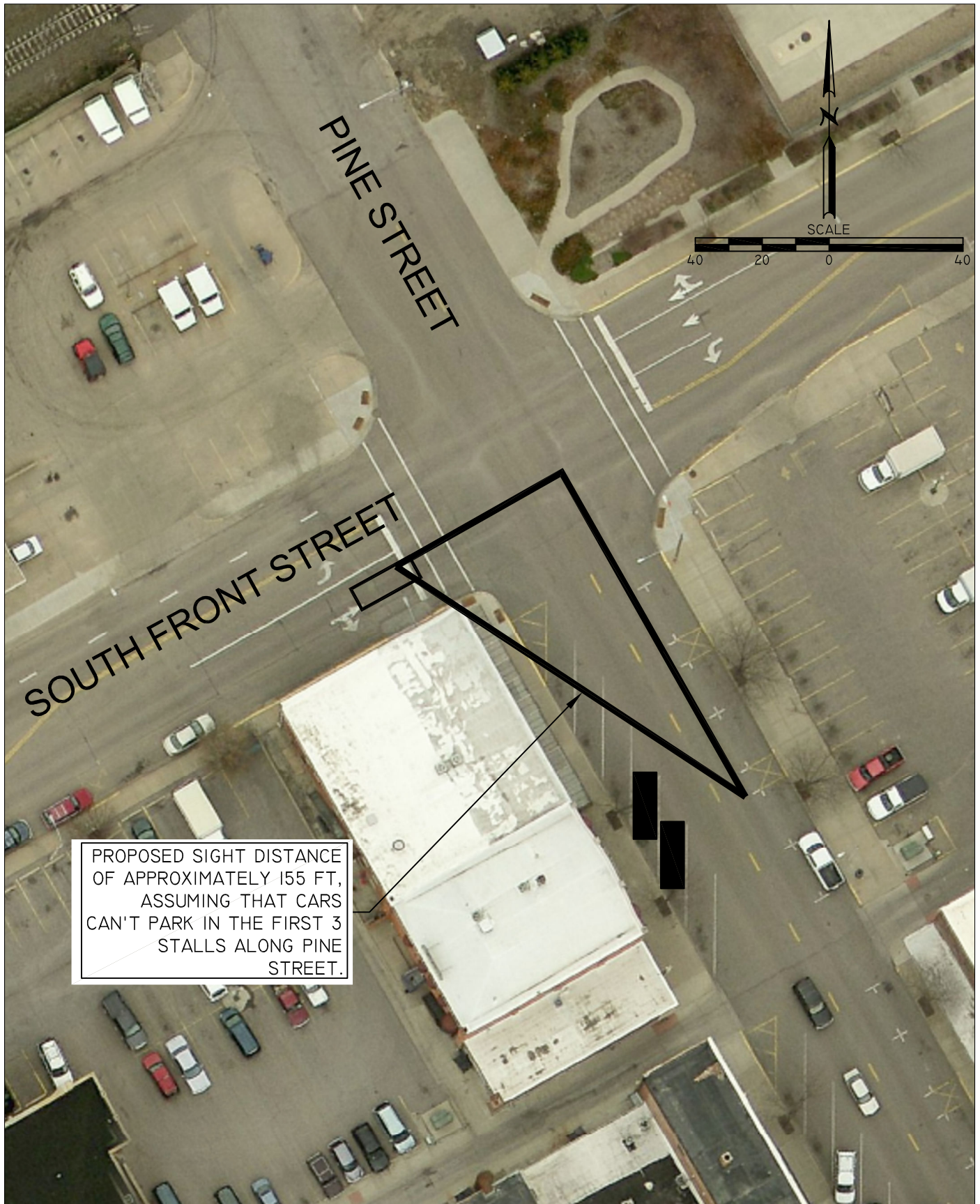
Recommendation

City Administration recommends that the Council approve the resolution designating No Parking on the west side of Pine Street, south of East South Front Street.

Sample Motion

Move to approve the resolution.





RESOLUTION 2012-154

WHEREAS, the City Council, by authority of §22-77 of the Grand Island City Code, may by resolution, entirely prohibit or fix a time limit for the parking and stopping of vehicles in or on any public street, public property, or portion thereof; and

WHEREAS, the Public Works Department is requesting that No Parking be instituted in place of the first 3 parking stalls on the west side of Pine Street, south of East South Front Street; and

WHEREAS, it is recommended that such restricted parking request be approved.

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

1. A No Parking Zone is hereby designated for the first 3 parking stalls on the west side of Pine Street, south of East South Front Street; and
2. The City's Street Division of the Public Works Department shall erect and maintain the signs and striping necessary to effect the above regulation.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, June 12, 2012.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	▣ _____
June 8, 2012	▣ City Attorney



City of Grand Island

Tuesday, June 12, 2012

Council Session

Item J1

**Approving Correction to Amount for Payment of Claims for the
Period of May 9, 2012 through May 22, 2012**

Staff Contact: Jaye Monter

Council Agenda Memo

From: Jaye Monter, Finance Director

Meeting: June 12, 2012

Subject: Approving New Amount for Payment of Claims for the Period May 9, 2012 through May 22, 2012

Item #'s: J-1

Presenter(s): Jaye Monter, Finance Director

Background

On May 22, 2012, Council approved the payment of claims for the period of May 9, 2012 through May 22, 2012 in the total amount of \$3,880,740.82. Included in this total amount was a credit invoice to Nebraska Truck Center for \$1,087.01. There were not enough invoices owed to Nebraska Truck Center at this time to use the credit invoice. Therefore the credit invoice was pulled.

Discussion

The new amount for the payment of claims for the period of May 9, 2012 through May 22, 2012 is \$3,881,827.83.

Alternatives

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

1. Approve the new amount for the payment of claims for the period of May 9, 2012 through May 22, 2012 for the total amount of \$3,881,827.83

Recommendation

City Administration recommends that the Council approve the new amount for the payment of claims for the period of May 9, 2012 through May 22, 2012 for the total amount of \$3,881,827.83.



City of Grand Island

Tuesday, June 12, 2012

Council Session

Item J2

Approving Payment of Claims for the Period of May 23, 2012 through June 12, 2012

*The Claims for the period of May 23, 2012 through June 12, 2012 for a total amount of \$5,083,794.41.
A MOTION is in order.*

Staff Contact: Jaye Monter



City of Grand Island

Tuesday, June 12, 2012

Council Session

Item X1

Strategy Session with Respect to Contract Negotiations (IBEW Local 1597 – Wastewater, Service/Clerical, Finance, Utilities)

The City Council may hold a closed or Executive Session as permitted by Neb. Rev. Stat. Sec. 84-1410. Closed sessions may be held for, but shall not be limited to such reasons as:

- 1. Protection of the public interest.*
- 2. Needless injury to the reputation of an individual.*
- 3. Strategy sessions with respect to*
 - a. collective bargaining,*
 - b. real estate purchases,*
 - c. pending litigation, or*
 - d. imminent or threatened litigation.*
- 4. Discussion regarding deployment of security personnel or devices.*
- 5. For the Community Trust created under Sec. 81-1801.02, discussion regarding the amounts to be paid to individuals who have suffered from a tragedy of violence or natural disaster.*

Staff Contact: Brenda Sutherland