

FIRST GRANT CONTRACT ADDENDUM

This First Grant Contract Addendum (Addendum) is made and entered into by and between the **COUNTY OF LANCASTER, NEBRASKA**, a political subdivision of the State of Nebraska, hereinafter referred to as "**Sponsor**," and the **CITY OF LINCOLN**, a municipal corporation, hereinafter referred to as "**Grantee**."

WHEREAS, the Sponsor and Grantee ("Parties") previously entered into a Grant Contract in the amount of \$40,000.00, approved by the Lancaster County Board of Commissioners on August 28, 2018 pursuant to County Contract No. C-18-0513, and approved by City by Executive Order No. 92281, which may be renewed for two additional one-year terms in the amount of \$40,000.00 per year, with the first additional term running from January 1, 2020 through December 31, 2020, and the second additional term running from January 1, 2021 through December 31, 2021, for the purpose of assisting the Grantee with the improvement and development of the recreational trail component of the Prairie Corridor, as described in Attachment "A" to the Grant Contract; and

WHEREAS, the Grantee desires to convert the Grant Contract from a one-year contract with two additional one-year renewal terms into a contract with a single term of three calendar years, running from January 1, 2019 through December 31, 2021, in the amount of \$120,000.00, and payable in the amount of \$40,000.00 per calendar year for each of the three calendar years of the Grant Contract;

NOW THEREFORE, in consideration of the mutual covenants herein contained, it is agreed as follows by the Sponsor and Grantee:

1. Paragraph 3 of the Grant Contract shall be replaced with the following:

3. Grant: In order to assist the Grantee in financing the cost of the Project, the Sponsor shall make a Grant in the amount of \$120,000.00 ("Grant Funds") from the Lancaster County Visitors Improvement Fund during the Term. This Grant is expressly conditioned on the award of a grant from the Nebraska Environmental Trust to the Grantee for the Prairie Corridor on the Haines Branch in an amount of up to \$450,000.00 for the first calendar year of the Term, up to \$350,000.00 for the second calendar year of the Term, and up to \$100,000.00 for the third calendar year of the Term, for a total of up to \$900,000.00 ("Trust Grant"). If the Grantee does not receive the Trust Grant for any calendar year within the Term of this Grant Contract, then this Grant from the County Visitors Improvement Fund shall become null and void. Additional terms must be agreed to in writing by the Parties.

2. Paragraph 4 of the Grant Contract shall be replaced with the following:

4. Term: The Term of this Grant Contract shall be for a period of three calendar years, from January 1, 2019, through December 31, 2021. The Sponsor may extend the Term upon good cause shown by the Grantee. Any extension of the Term must be in writing and signed by both Parties. Any Grant Funds amount that remains unencumbered by a Grantee claim at the end of the Term, or any reasonable extension thereof, shall be retained by Sponsor and placed in the Lancaster County Visitor Improvement Fund.

3. Paragraph 6 of the Grant Contract shall be replaced with the following:

6. Payment of Grant: Payments made hereunder shall be handled as all other claims against the Sponsor. At any time within each calendar year during the Term, Grantee may submit one claim for Grant Funds in the amount of \$40,000.00 for that calendar year. Payment shall not exceed \$40,000.00 in any calendar year during the Term, nor shall payment exceed \$120,000.00 during the Term.

PROVIDED: The Grantee understands and agrees that the Lancaster County Visitors Improvement Fund ("Improvement Fund") is the sole source of payment of Grantee's claim(s) for Grant Funds pursuant to this Grant Contract. Grantee's claim(s) shall not be paid from the Lancaster County General Fund, or from any other Lancaster County Fund. If for any reason the amount of funds in the Improvement Fund shall be insufficient to meet all obligations of the Improvement Fund, then the Sponsor, in its sole and absolute discretion, will determine the amount of Grant Funds, if any, that can be paid to the Grantee based on the amount of the funds available in the Improvement Fund, until sufficient funds in the Improvement Fund become available to pay Grantee's claim(s) for Grant Funds in full, and the Parties agree that no interest on the amount of such claim(s) shall be due or owing from Sponsor to Grantee as a result of any such delay in Sponsor's payment of Grantee's claim(s), whether such claim(s) be considered liquidated or unliquidated. Grantee agrees that Grantee has no reasonable expectation of payment of any kind from any other source except the Improvement Fund.

All other terms and conditions of the Grant Contract, except as amended herein and not inconsistent herewith, shall remain in full force and effect.

EXECUTED by Grantee this 8th day of May, 2019.

THE CITY OF LINCOLN,
A Municipal Corporation, Grantee

Teresa J Meier
Witness



By: [Signature]
Mayor Chris Beutler

EXECUTED by Sponsor this ___ day of _____, 2019.

LANCASTER COUNTY, NEBRASKA,
a political subdivision of the State of Nebraska,
Sponsor

Approved as to form this
___ day of _____, 2019.

By: _____
For Patrick Condon
Lancaster County Attorney

By: _____
Jennifer Brinkman, Chair
Lancaster County Board of Commissioners



LINCOLN PARKS & RECREATION DEPARTMENT
3131 "O" Street, Suite 300, Lincoln, NE 68510-1514
402-441-7847 fax: 402-441-9249 lincoln.ne.gov

July 2, 2018

Lancaster County Commissioners
County-City Building
555 South 10th Street, Room 110
Lincoln, Nebraska 68508

**RE: *Funding Request for Prairie Corridor on Haines Branch
Lancaster County Visitors Improvement Fund***

Dear Commissioners:

This letter is to request that the County Board consider allocating \$120,000 of Visitor Improvement Fund revenues to be used over a 3-year period for the recreational trail associated with the Prairie Corridor on Haines Branch project (see attached map). The request relates to a cooperative effort being led by the Lincoln Parks and Recreation Department to apply for a grant in August from the Nebraska Environmental Trust (NET) for Phase III of the project. Visitor Improvement funds would be used for development of the recreational trail component of the Prairie Corridor, which could include trail and trail corridor development, signage, and planting of native grasses and wildflowers within the trail corridor.

The Prairie Corridor on Haines Branch is a tallgrass prairie passage and trail that will build on our nationally recognized trail and greenway system and will link two of Lincoln and Lancaster County's premier environmental resource centers. The Corridor will support economic development and environmental education, and will promote the enhancement and preservation of one of Nebraska's most valuable resources--tallgrass prairie.

Lancaster County has been a strong partner in this project, having provided \$60,000 to match a 3-year NET grant awarded in 2012 and \$90,000 to match the 3-year grant from NET awarded in 2015. This funding has assisted us in completing two segments of trail in Pioneers Park and preliminary engineering on additional segments in preparation for Recreational Trails Program (RTP) grant applications to fund additional construction. The next segment targeted for construction is at the Spring Creek Prairie Audubon Center at the south end of the Corridor, and



there are two additional priority areas where land and easements acquired for the project will support the construction of additional sections in the near term.

We are excited about the progress made to date on the Prairie Corridor which, in addition to the completion of nearly 2 ½ miles of trail to the western edge of Pioneers Park, includes the conservation of over 800 acres through the purchase of land and easements and the re-establishment of high diversity tallgrass prairie on over 100 acres. Work also continues with the Prairie Corridor Cabinet formed in 2017 to help guide the project, and members of resource groups assisting in implementation of the Prairie Corridor vision. The project partners are continuing landowner outreach, habitat enhancement, development of the trail, and public engagement, and are working to enhance communication through social media.

Trail funding is a significant need for the project. We utilize primarily Visitor Improvement Funds and funds from GPTN to assemble a match for the RTP grants for the Prairie Corridor (RTP grants cover up to 80% of the project cost and require a minimum 20% match). RTP grants are becoming more competitive, requiring a much higher match to be successful, and the trail construction needs for the Prairie Corridor are growing as the project progresses. Thus, we have increased the grant request for Visitor Improvement funds for Phase III of the project.

Identifying Visitor's Improvement funds for the Prairie Corridor represents an opportunity to leverage significant additional funds and to enhance the public-private partnership to build on the early success of this project. Since the inception of the Prairie Corridor project, our partnership has grown to over 25 project and funding partners including cash and in-kind matching contributions totaling over \$5.4 million. One of those partners is the Village of Denton, which is interested in the economic opportunities and has supported the project with matching funds and with education and outreach activities.

We understand that in accordance with past practice, the Commission may forward this funding request to the Visitors Promotion Committee (VPC) for consideration, and we are prepared to present this request to the VPC when they meet in August. We have no doubt that the County's continued partnership and financial participation in the project will significantly strengthen our NET application, which is due on Tuesday, September 4, 2018. Thus, if the Commission is inclined to refer this request to the VPC and the VPC does recommend funding, we would respectfully request that the Commission consider that recommendation by August of 2018.

The Prairie Corridor is an opportunity to celebrate our natural heritage and to build on the unique sense of place we enjoy here in Lincoln and Lancaster County. We would welcome an

opportunity to more fully update you on the project at the Commission's convenience. I can be reached at 441-8265 or ljohnson@lincoln.ne.gov. You can also contact Nicole Fleck-Tooze at 441-8263 or ntooze@lincoln.ne.gov with any questions you may have.

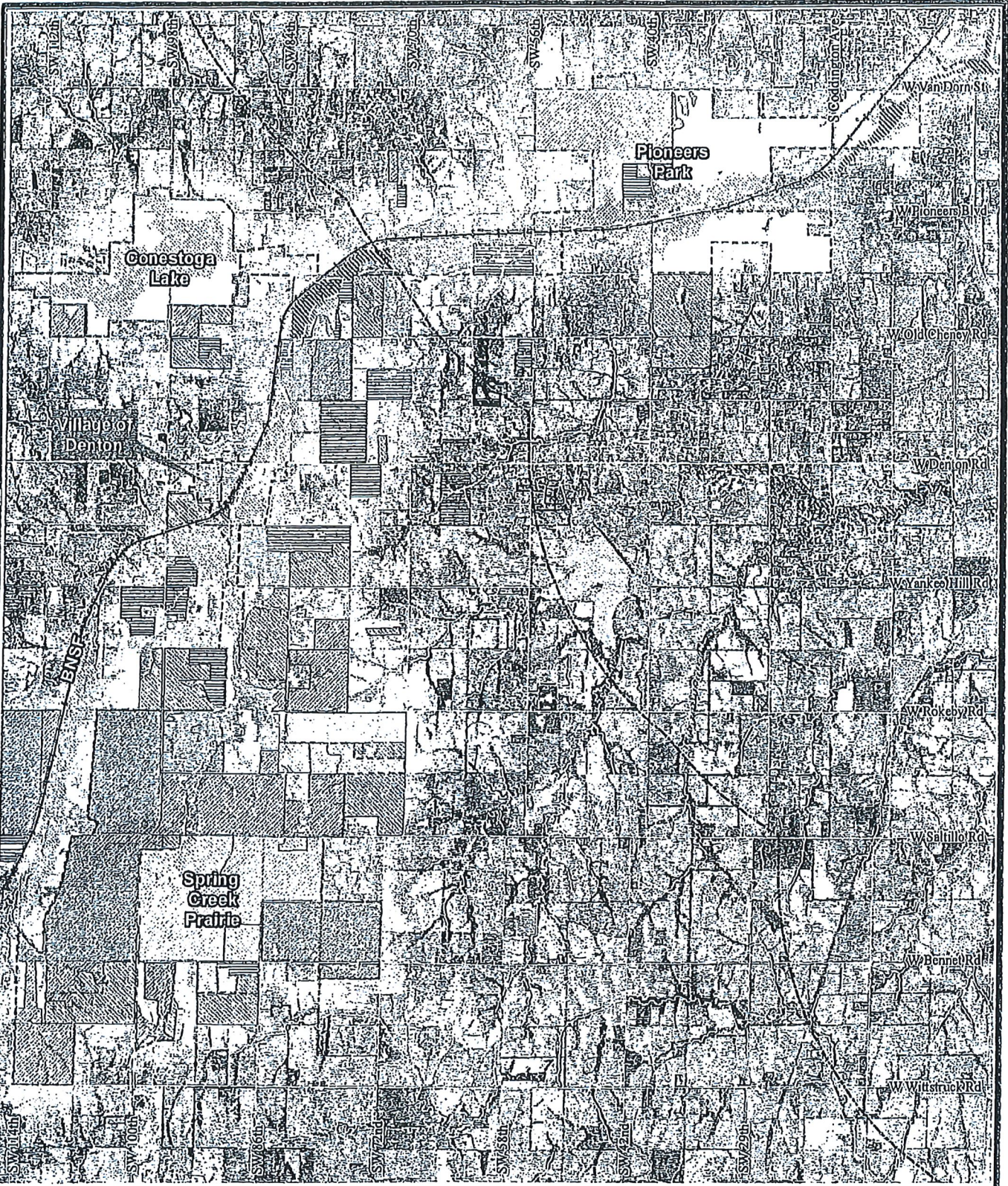
Thank you for your consideration.

Sincerely,

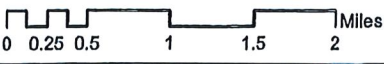


Lynn Johnson
Lincoln Parks and Recreation Director

Cc: Jeff Maul – Executive Director, Lincoln Convention and Visitors Bureau
Denise Pearce – City of Lincoln Mayor's Office
Nicole Fleck-Tooze – Lincoln Parks and Recreation



**Prairie Corridor
on Haines Branch**



- | | | |
|-------------------------------|---------------------|--------------------|
| Priority Area | Native Seeding | Lakes/Streams |
| Destination Areas | Pasture | BNSF RR |
| Under Contract | Virgin Prairie | Existing Trail |
| 3-mile Jurisdiction | Floodway | Existing PC Trail |
| Conservation Easements | 100 Year Floodplain | Potential PC Trail |
| Public/Conservation Ownership | Wetlands | Future Trail |

LANCASTER COUNTY VISITORS IMPROVEMENT FUND
GRANT REQUEST

Name of Organization: Lincoln Parks and Recreation Department

Contact Person: Nicole Fleck-Tooze

Address: 3131 O Street, Ste 300, Lincoln, NE 68510

Telephone 402.441.8263 **Fax** 402.441.8706 **Email** ntooze@lincoln.ne.gov

Organization Status: Non-Profit Association Civic Group Other X
(If other, please attach explanation) City of Lincoln

Applicant Government/organization Federal ID number: 47-6006256

If tax exempt organization, designate IRS classification: 501(c)3 501(c)6.

Provide a detailed description of your exhibit/attraction:

The Prairie Corridor on Haines Branch is a planned trail and tallgrass prairie passage that builds on our nationally recognized trail and greenway system and links two of Lincoln and Lancaster County's premier environmental resources and education centers. It will follow the Haines Branch of Salt Creek from the Pioneers Park Nature Center, to the Conestoga Lake State Recreation Area, extend down through the Village of Denton and on to the Spring Creek Prairie Audubon Center (SCPAC).

The Prairie Corridor has the potential to become a significant attraction for the Lincoln area. It will support economic development efforts by celebrating the natural heritage of the "Prairie Capital" with a unique tallgrass prairie experience easily accessible from I-80 and a 20-mile roundtrip trail ride that will encourage visitors to stay another day in Lincoln. Approximately 400,000 people visit the Pioneers Park Nature Center each year. Over 14,000 people visit the Spring Creek Prairie Audubon Center each year, and this has the potential to grow substantially once the two resources are connected and integrated into the Prairie Corridor. The project is planned to be implemented in phases. This funding request is for matching funds for Phase 3.

Number of attendees estimated: Out of town 29,240 Local 36,640

Check all that apply:

- Expanding and improving any existing visitor attraction.
- Planning or developing such expansion improvements, exhibits or additions.
- Acquiring or expanding exhibits for existing visitor attractions.
- Promotion and advertising costs associated with such exhibits.

Please describe project as indicated above.

Visitor Improvement Funds in the amount of \$40,000 per year over 3 years, for a total of \$120,000 from 2019-2022 are requested as matching funds to pledge in support of an application to the Nebraska Environmental Trust for \$900,000 for the same period, for Phase 3 of the Prairie Corridor on Haines Branch project. The County's contribution is requested in support of the recreational trail component of the project. The trail is comprised of 9 segments, two of which have been completed and a third of which is being planned for 2019 construction. The trail will generally follow the Haines Branch of Salt Creek from Pioneers Park, to the Conestoga Lake State Recreation Area, extend down through the Village of Denton, and on to the Spring Creek Prairie Audubon Center

Project Start Date: 2019 **Completion Date:** 2022

Is this project part of a larger renovation project? Phase 3 of the project is part of the longer-term project to implement the Prairie Corridor on Haines Branch project.

If yes, please describe the entire project:

The larger project is described above.

As it pertains to the grant related project, provide breakdowns of radio and television advertising, showing individual costs, call letters and cities of origin. Also give breakdowns of magazine advertising by individual publications and costs. Similarly, separate the costs for brochures, travel shows by location, billboard advertising, etc. Include target market demographics.

Funding for advertising is not requested as part of this grant application, nor are the majority of these activities anticipated for this development phase of the project. A website and brochure have been developed and is distributed at various events. A social media campaign using Facebook and Instagram is being initiated. Additional advertising for the Prairie Corridor will initially be integrated with advertising for Pioneers Park and Spring Creek Prairie Audubon Center. Additional needs will be assessed as the Corridor is more fully established.

Do you anticipate submitting future applications for projects relating to this project? Yes. We would like to continue to ask Lancaster County to be a partner in this promising and growing project with great potential to attract visitors.

Total projected budget (attach detailed budget)*

Total Revenue \$22.5M from public-private partnership Total Expense \$22.5 M

* Attached budget is for the entire 15-year project and was developed for Phase 1 application. It is currently in the process of being updated.

How will your project impact new visitor recruitment and lodging tax revenues?

Once complete, the Prairie Corridor on Haines Branch will build on Lincoln and Lancaster County's nationally recognized trail system and link two premier centers of environmental resources and education.

According to *The Annual Economic Impact of the Prairie Corridor on Haines Branch Project* completed July 20, 2018 by Dr. Eric Thompson, UNL Bureau of Business research, the total annual economic impact of the Prairie Corridor is \$4.3 million. The annual labor income impact is \$1.37 million over 53 full-year equivalent jobs. The entire report detailing methodology and findings is attached. The estimates below comprise a component of these findings.

Additionally, according to the *2016 National Survey of Fishing, Hunting, and Wildlife-Associated Recreation* from the U.S. Fish & Wildlife Services, 23.7 million Americans, age 16 and over, took trips away from home to watch, photograph or feed wildlife. Of those, 79% took trips within their own state and the remaining 21% in another state. Wildlife watchers had an average trip expenditure of \$573 per person. Multiple studies and reports, including the *Statewide Comprehensive Outdoor Recreation Plan (SCORP): A Guide to An Active Nebraska 2016-2020* indicate a significant trend upward in wildlife and trail visits. The Prairie Corridor project is uniquely positioned for the City of Lincoln and Lancaster County to attract this interest to our community and county. The impact on new visitor recruitment and lodging tax revenues will be significant.

Estimated annual visitors: Local 36,640 Outside of Lincoln 29,240

Estimated Annual economic impact of your facility and/or project based on lodging tax use
(Use multipliers listed below)

Is this based on annual use of the facility or for a specific event/exhibition? Annual use.

of hotel rooms utilized x 5,260 (* Multiplier – see below) \$350/night**

* National/Regional event Multiplier - \$375 per night

* State event - \$350 per night

* Local event - \$245 per night

** It is anticipated that the Prairie Corridor will be a regional attraction, but the state event multiplier was utilized for a conservative estimate.

TOTAL ECONOMIC IMPACT BASED ON FORMULA \$1,841,000

Is this grant request in addition to other project related grant requests? Yes

If yes, then list other grant requests:

Recreational Trails Program - \$166,700 Recreational Trails Program (2018 application)

Nebraska Game and Parks Commission: \$45,000 over 3 years requested

Village of Denton: \$15,000 over 3 years anticipated request

Nebraska Environmental Trust: \$900,000 over 3 years requested

Others to be determined.

Grant amount requested from Visitors Promotion Committee

\$120,000 over 3 years: 2019-2022

Signature of Applicant

Caym Johnson, Parks & Recreation Director

Date 7/30/18

Return Application (s) to:

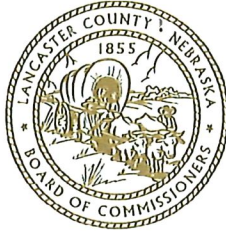
Lincoln Convention and Visitors Bureau
Attn: Jeff Maul, Executive Director
1135 M St. Suite 300
Lincoln, NE 68501

For more information:
(402) 434-5343
jmaul@lincoln.org

Prairie Corridor Estimated Implementation Costs for Priority Area
Updated July 9, 2018

Project Component	Cost	Totals
Conservation (land & easement acquisition, appraisals, surveys, etc.)	\$9,810,500	
Habitat Development (preserving and enhancing virgin prairie, enhancing native seeding, preserving and enhancing wetland areas, enhancing and managing wooded riparian areas along stream corridors)	\$2,662,400	
Research conducted by University of Nebraska-Lincoln School of Natural Resources to expand knowledge of tallgrass prairie preservation and native pollinators	\$766,800	
Trail Development and Economic Development Mostly 8-foot wide crushed limestone trail; bridges for stream crossings; 3.1 miles of trail within Pioneers Park; 4.4 miles to the Village of Denton; 1-mile connection to Conestoga Lake; 1.2-mile loop through Denton; 5.0 miles of trail to Spring Creek Prairie	\$5,390,000	
Public Education and Outreach (website development, interpretive signs, interactive activity areas, printed education materials)	\$439,000	
2015 Costs Sub-Total Without inflation		\$19,068,700
Inflation over 12-year period	\$3,481,000	
2027 Costs With Inflation*		\$22,549,700
Less Committed Cash and In-Kind Matches	<\$5,460,000>	
TOTAL Estimated Costs for Priority Area		\$17,089,700

- Based upon an initial corridor size of approximately 7,600 acres, which may be expanded further in the future. Costs are rough estimates, which will continue to be updated as the project progresses.
- Excludes endowment costs.



LANCASTER COUNTY BOARD OF COMMISSIONERS

Roma Amundson Jennifer Brinkman Deb Schorr Todd Wiltgen Bill Avery
Kerry Eagan, *Chief Administrative Officer* Ann E. Ames, *Deputy Chief Administrative Officer*

August 28, 2018

Mark Brohman, Executive Director
Nebraska Environmental trust
P.O. Box 94913
Lincoln, NE 68509-4913

RE: Prairie Corridor on Haines Branch Phase 3 Project

Dear Mr. Brohman:

The Lancaster County Board of Commissioners strongly supports the City of Lincoln's proposed Prairie Corridor on Haines Branch Phase 3 project. The Prairie Corridor project is a tallgrass prairie passage and trail that will build on our nationally recognized trail and greenway system and will link two of Lincoln and Lancaster County's premier environmental resource and education centers.

The County has been a partner since the first phase of this project. We recognize that the Prairie Corridor Trail will be an opportunity to connect people with nature. The interpretive features will help people understand the natural world and the benefits of the tallgrass prairie ecosystem. In addition, the trail will offer a unique tallgrass prairie experience easily accessible from I-80, and a 20-mile roundtrip trail ride that will encourage visitors to stay another day in Lincoln and Lancaster County. In fact, the Prairie Corridor has the potential to become a significant attraction for the Lincoln area that will result in notable economic benefits.

As evidence of Lancaster County's commitment toward the Prairie Corridor on Haines Branch Phase 3 project, we are dedicating \$40,000 per year, for a total of \$120,000 toward the recreational trail element of the project. The Lancaster County Board is looking forward to being part of the public-private partnership in support of Phase 3 of the Prairie Corridor, and we encourage the Board of the Nebraska Environmental Trust to support this important project.

Sincerely,

A handwritten signature in blue ink that reads "Jennifer J. Brinkman". The signature is fluid and cursive.

Jennifer Brinkman, Vice-Chair
Lancaster County Board of Commissioners

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STATES SELF-INSURERS RISK RETENTION GROUP, INC.
PUBLIC ENTITY EXCESS LIABILITY INSURANCE POLICY
DECLARATIONS

Policy # 3000027-1
Replaces Policy #

THIS DECLARATIONS PAGE AND THE ATTACHED PUBLIC ENTITY EXCESS LIABILITY INSURANCE POLICY AND APPLICATION FOR INSURANCE COMPLETE THIS OCCURRENCE FORM POLICY.

THIS POLICY IS ISSUED BY YOUR RISK RETENTION GROUP. YOUR RISK RETENTION GROUP MAY NOT BE SUBJECT TO ALL OF THE INSURANCE LAWS AND REGULATIONS OF YOUR STATE. STATE INSURANCE INSOLVENCY GUARANTEE FUNDS ARE NOT AVAILABLE FOR YOUR RISK RETENTION GROUP.

Item I. Named Insured and Principal Address:

City of Lincoln
555 South 10th St, Room 302
Lincoln, NE 68508

Item II. Policy Period:

This Policy takes effect at 12:01 A.M., 09/01/2017, and expires at 12:01 A.M., 09/01/2018.

These effective and expiration times are based upon the local times at the principal address of the first named insured stated in Item I. above.

Item III. Self-Insured Retentions and Limits of Liability

Table with 3 columns: Description, Amount, and Limit. Rows include Self-Insured Retention Insuring Agreement A, B, C, D, and E with corresponding liability amounts ranging from \$250,000 to \$12,000,000.

E. Maximum Limit of Liability Insuring Agreements A. and B.

Subject to Paragraphs C. and D. above, item III.E. of the Declarations is the most States will pay for all *damages* resulting from all *claims* and *related claims* seeking *damages* covered by this policy. States has no obligation to make any payment unless and until the applicable self-insured retention has been exhausted by the actual payment of covered *damages* and *legal expenses* by or on behalf of the *insured*. The *named insured* is responsible for ensuring that the self-insured retention has been paid. States has no obligation to pay any *damages* or *legal expenses* after the limit of liability shown in Item III.E. has been paid.

F. Non-Cumulation Of Limits

1. The Limits of Liability apply without regard to the number of *insureds*, claimants or *claims*.
2. If a *claim* or *related claims* seeks *damages* that are potentially covered under both Insuring Agreement A. and Insuring Agreement B. the *named insured* will select one limit of liability to be applied. Only that limit will be applied to the *claim* and *related claims*.

SECTION IV – INSUREDS

A. Individuals And Organizations That Qualify As *Insureds*

1. The *named insured(s)* described under Item I. of the Declarations is an *insured* under this policy.
2. A partnership, *joint venture* or joint powers authority specifically described in the Declarations is an *insured* under this policy.
- * 3. A person or organization is an *insured* for liability resulting from the negligence or fault of a *named insured* if:
 - * a. a *named insured* agreed in a written contract to provide liability insurance coverage like that afforded by this policy to the person or organization as an additional insured;
 - b. the written contract was executed before the *bodily injury* or *property damage* happened or before the *personal injury* or *wrongful act* was committed;
 - c. the person's or organization's liability results from the negligence or fault of the *named insured*, *employee* or *volunteer worker*;
 - d. the person or organization is not obligated to indemnify the *named insured* for the injury or damage; and
 - e. the *named insured* has agreed to defend the person or organization in the *claim*.
4. Any organization acquired or formed by a *named insured* after the inception of the *policy period* if:
 - a. the organization is not a partnership, *joint venture* or joint powers authority in which the *named insured* has a majority interest;
 - b. the newly acquired or formed organization does not have other insurance that would apply to the *claim*;
 - c. the request to provide liability coverage to the organization is received by States within ninety (90) days after the organization was formed or acquired; and
 - d. the *bodily injury* or *property damage* happened or the *personal injury* or *wrongful act* was committed after the organization was formed or acquired.