

Agenda Item: 7.

MEMORANDUM

TO: Finance, Legal and Expenditure Subcommittee

FROM: Martin P. Cleveland, Construction Engineer

SUBJECT: Big Papio Channel Project (84th to I-80) – Right Bank – near 3503 S. 84th Street; Former MasterTune Sign License Agreement with Properties Ventures of Marin, Inc. Time Extension

DATE: November 3, 2016

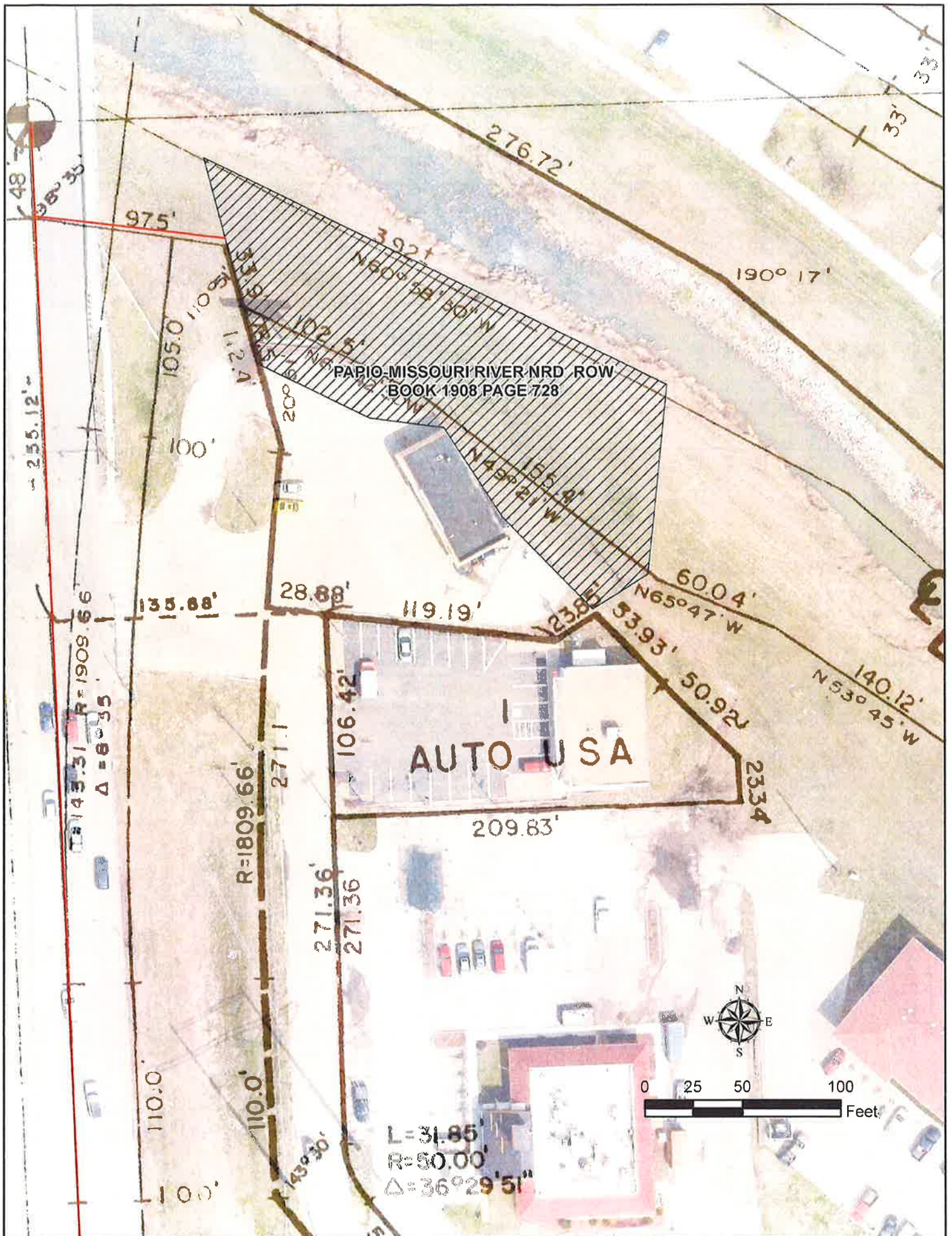
The portion of the Big Papio Channel Project between 84th Street and Interstate 80 located in Omaha is shown on the enclosed location map. The Properties Ventures of Marin, Inc. property (AutoGlassNow business) is located just south of the Big Papio and immediately east of 84th Street (3503 S. 84th Street). The District acquired channel project right-of-way (ROW) as part of a Corps of Engineers channel project at this location in 1991. There is a MasterTune business sign located in the acquired channel project ROW. In June 2016, the Board authorized the General Manager to execute a license agreement with Properties Ventures of Marin, Inc. to allow AutoGlassNow to rehabilitate and maintain the sign on the District property.

In August 2016, the District became aware of concerns about the structural integrity and safety of the sign and sent the attached letter to AutoGlassNow requiring that they hire a structural engineer to evaluate the sign structure before proceeding with any sign improvements and to complete the work to rehabilitate the sign by November 15, 2016. On October 26, 2016, the District received the attached letter from AutoGlassNow requesting a time extension until December 31, 2016 to complete the sign rehabilitation. Their letter outlines the reasons for delay in completing the sign rehabilitation.

Staff believes it is reasonable to provide this time extension. If the sign is not rehabilitated by December 31, 2016, the license agreement with Properties Ventures of Marin Inc. would be revoked and the District would plan to remove the sign on the District property in January 2017.

Management recommends that the Finance, Legal and Expenditure Subcommittee recommend to the Board of Directors that the General Manager be authorized to extend the deadline for sign rehabilitation by Properties Ventures of Marin, Inc. at 3503 S. 84th Street on Big Papio Channel Project Right-of-Way to December 31, 2016 and that the license agreement be revoked and the sign be removed, if the work is not completed by December 31, 2016.







Looking NE from 84th and
Papillion Parkway

Former MasterTune Sign

Grover St.

Big Papio Channel

AutoGlassNow
Bldg.

84th Street

PAPIO-MISSOURI RIVER
NATURAL
RESOURCES
DISTRICT



8901 S. 154TH ST.
OMAHA, NE 68138-3621
(402) 444-6222
FAX (402) 895-6543
www.papionrd.org

August 16, 2016

Mr. Tony Hakimian
Auto Glass Now
1276 West Grand Avenue
Oakland CA 94607

RE: Big Papio Channel Project (84th Street to I-80)
Former Master Tune Sign
Real Property License Agreement

Dear Mr. Hakimian:

The District has been contacted by the City of Omaha regarding the former MasterTune Sign that is located on District property ("Sign") and for which a license agreement was executed with you to rehabilitate and maintain in June 2016 ("License Agreement").

The District understands you are in receipt of a July 6, 2016 email from Pat Schuster, American Lift and Sign Service, that suggests that the Sign may not be structurally sound. He further suggested that a licensed structural engineer should evaluate this project before anyone installs a sign on the structure. Given this development, the District requires you to (1) hire a licensed structural engineer to evaluate the sign structure before proceeding with any sign improvements and (2) complete the work to rehabilitate the Sign, as required under the License Agreement, by November 15, 2016. If these conditions are not met, the District will have no choice but to terminate the License Agreement, out of the interest of public safety.

Feel free to contact me at 402-315-1707 or mcleveland@papionrd.org.

Sincerely,

Martin P. Cleveland, P.E.
Construction Engineer

CC: Marlin J. Petermann and Bill Warren, P-MRNRD



October 26, 2016

Martin P. Cleveland, P.E.
Construction Engineer
Papio-Missouri River Natural Resources District
8901 S. 154th St.
Omaha, NE 68138

RE: Big Papio Channel Project (84th Street to I-80)
Former Master Tune Sign
Real Property License Agreement

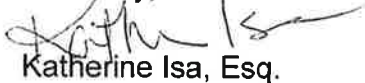
Dear Mr. Cleveland,

I am writing in response to your letter dated August 16, 2016, regarding the above referenced sign. Due to Pat Shuster's, American Lift and Sign Service's, email regarding his opinion on the structural integrity of the sign, AutoGlassNow, LLC was required by your office to hire a licensed structural engineer to evaluate the sign structure. AutoGlassNow, LLC., has complied with your request and obtained an independent evaluation by a structural engineer, Murven Sission, P.E., confirming the structural integrity of the sign. Please see his attached letter.

At this time, AutoGlassNow, LLC. requests and extension to the November 15, 2016, deadline to hire a sign company to complete the maintenance work needed. As you are well aware, Pat Shuster's email to the City has caused immense trepidation among local sign companies. More than one sign company bid the job but then withdrew interest due to Pat Shuster's opinion email. We will not be able to complete the work on the sign by your deadline November 15, 2016, and respectfully request that you give us until the end of this year to complete the work.

Thank you for your assistance with this matter. Please feel free to call me at 510-893-4900 with any additional questions or concerns relating to this request.

Sincerely,



Katherine Isa, Esq.

Legal Counsel
AutoGlassNow, LLC



16014 Sprague Street
Omaha, NE 68116
October 18, 2016

Reference No. E1687

Tony Hakimian
Autoglasnow Co.
1276 West Grand Avenue
Oakland, CA 94607

Re: Pole sign at 3503 South 84th Street
Omaha, Nebraska

Dear Tony:

At your request I have inspected this sign for strength and stability. My findings are as follows:

Enclosed photos show the sign in question. This sign is located at the north edge of the Autoglasnow parking lot and is oriented in an east-west position so that the face of the sign is easily read by traffic traveling north or south along 84th street. It has three supporting columns spaced about 9'-1" apart, center to center. Each column is a built-up section composed of a 7" diameter pipe or tube that extends from foundation to the top, with the following additions: (1) A structural tee has its stem welded onto the north and south faces of the tube, and this extends to about 16' above the ground. The stem of the tee is about 5" at the bottom, reducing to 2" at the top. (2) A 3" channel has its flanges welded to the east and west faces of the tube, and this extends from about 8' above ground to the top.

I estimate that the bottom of the upper sign is about 32' above ground and the sign is 45' long and about 6' deep.

This sign is in good structural condition but has been poorly maintained. The steel shall be wire-brushed and painted. I have made no structural analysis, but I know that this area has seen 90-mile per hour winds during the time the sign has existed, and there is no visible wind damage to the supporting structure. Photos show part of the sign face missing, presumably due to high wind, but the strength and stability of the structure are fine and there are no signs of structural wind damage and no other visible deterioration.

Yours truly,

Murven E. Sisson

Murven E. Sisson, PE
Structural Engineer



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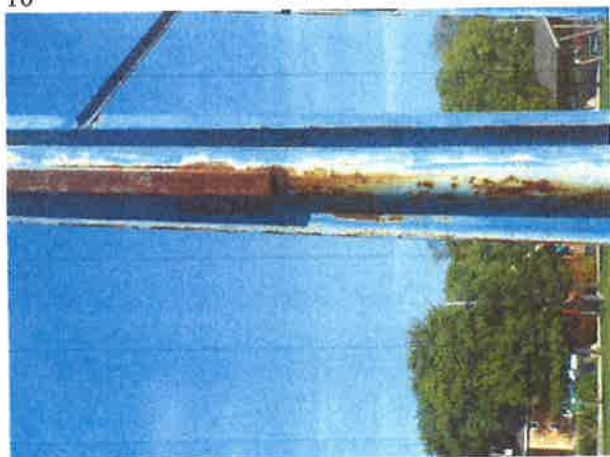
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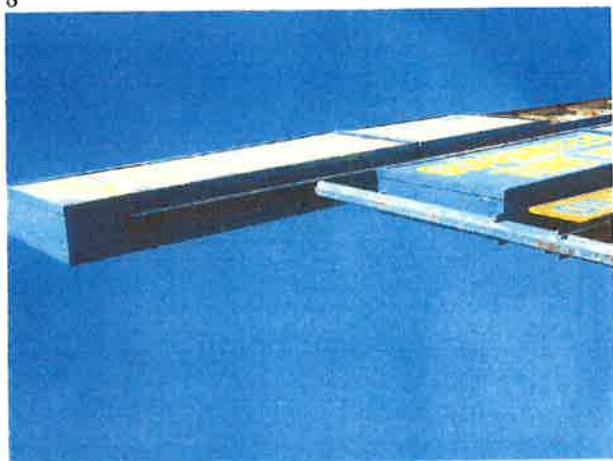
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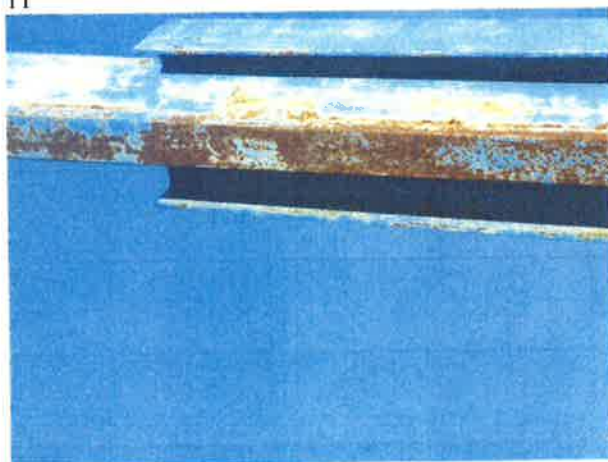
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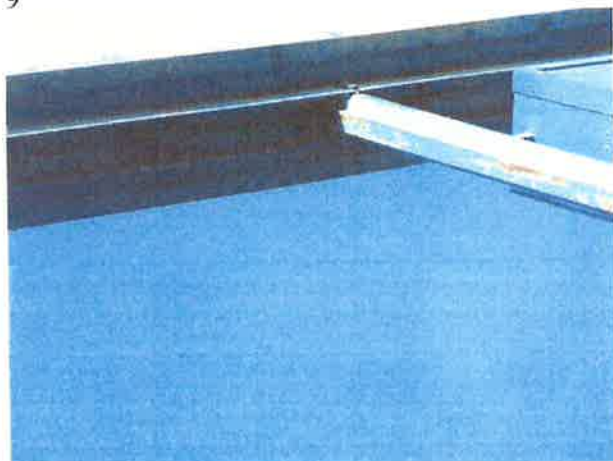
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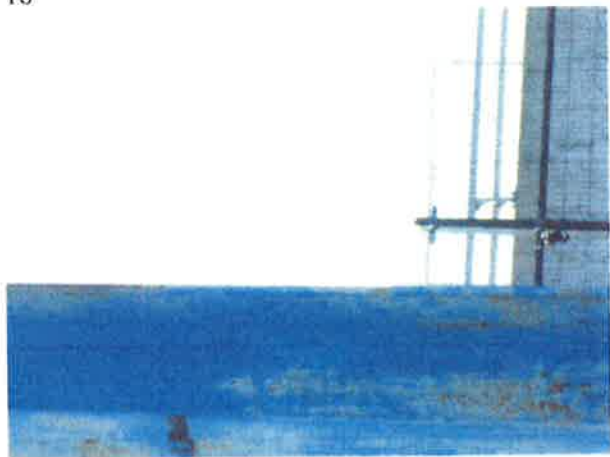
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Omaha, NE 68116
October 18, 2016

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Autoglasnow Co.
1276 West Grand Avenue
Oakland, CA 94607

Re: Pole sign at 3503 South 84th Street
Omaha, Nebraska

Dear Tony:

At your request I have inspected this sign for strength and stability. My billing is as follows:

Travel.....	3/4 hr	
Site review.....	3/4 hr	
Photo access, print and review.....	1/2 hr	
Description of structure.....	1/2 hr	
Report.....	1/2 hr	
Total.....	3 hrs @ \$140/hr.....	\$420.00

Yours truly,



Murven E. Sisson, PE
Structural Engineer