

City of Scottsbluff, Nebraska
Tuesday, January 3, 2017
Regular Meeting

Item Pub. Hear.4

Council to convene as the Board of Equalization.

Minutes: ** See attached agenda for Board of Equalization **

Staff Contact: Nathan Johnson, City Manager

AGENDA
CITY OF SCOTTSBLUFF
BOARD OF EQUALIZATION
2525 Circle Drive, Scottsbluff, NE
January 3, 2017

1. Roll Call
2. **For public information, a copy of the Nebraska Open Meetings Act is posted in the back of the room on the west wall.**
3. Notice of changes in the agenda by the city clerk (Additions may not be made to this agenda less than 24 hours before the beginning of the meeting unless added under Item 4 of this agenda.)
4. Citizens with business not scheduled on the agenda (as required by state law, no matter may be considered under this item unless council determines that the matter requires emergency action.)
5. Approve Minutes of the August 15, 2016 Meeting.
6. Public Hearing:
 - a. Board of Equalization to conduct a public hearing as advertised for 6:05 p.m. to consider setting special assessments to properties benefited by construction of Paving District No. 312.
 - b. Board of Equalization to conduct a public hearing as advertised for 6:05 p.m. to consider setting special assessments to properties benefited by construction of Water District 105.
7. Adjourn.

Board of Equalization Meeting
August 15, 2016

Moved by Mayor Meininger, seconded by Council Member Colwell, "to convene as the Board of Equalization," "YEAS", Meininger, Colwell, Gonzales, Shaver and McCarthy, "NAYS" None. Absent: None.

The Scottsbluff Board of Equalization met in a special meeting on Monday, August 15, 2016 at 6:05 p.m. in the Council Chambers of City Hall, 2525 Circle Drive, Scottsbluff. Notice was given by publication in the Star Herald on August 12, 2016. An agenda kept continuously current was available for public inspection at the office of the city clerk at all times from publication of the notice to the time of the meeting.

Board Chairman Randy Meininger presided and City Clerk Dickinson recorded the proceedings. Board Chairman Meininger welcomed everyone in attendance and encouraged all citizens to participate in the meeting asking those wishing to speak to come to the microphone and state their name and address for the record. Board Chairman Meininger informed those in attendance that a copy of the Nebraska Open Meetings Act is posted in the back of the room on the west wall for the public's review. The following Board Members were present: Raymond Gonzales, Randy Meininger, Jordan Colwell, Scott Shaver and Mark McCarthy. Absent: None.

Moved by Chairman Meininger, seconded by Board Member Gonzales, "to approve the minutes of the previous meeting of June 1, 2009," "YEAS", Meininger and Gonzales; Abstain: Shaver, Colwell and McCarthy. The members abstaining were not in this position when the meeting took place and did not want to vote to approve the minutes. City Attorney Olsen encouraged at least one of the members to approve the minutes. Mr. Olsen explained that the Board operates by majority vote. The law states that if there is a conflict or if members are unable to vote on some matter, it frustrates the action and the board can disregard the conflict. If there is not a majority vote, they will not ever be able to convene the meeting. Board Member McCarthy changed his vote to approve the minutes, resulting in a majority vote to approve the minutes of the June 1, 2009 meeting.

Chairman Meininger opening the Public Hearing as advertised for this date, at 6:10 p.m. to consider setting special assessments to properties benefitted by construction of Paving District No. 311, Five Oaks Subdivision. City Manager Nathan Johnson, explained that the assessment provides the lowest bank rate plus 2.5% administrative rate for a 15 year term. The interest rate would be 5.76% for the property owners benefitting from the street improvement district. Staff is recommending approval of the Ordinance supporting the Paving District No. 311 assessment. There were no comments from the public. Chairman Meininger closed the public hearing at 6:10 p.m.

Mr. Johnson also reported on the current assessments. There are some outstanding assessments, and staff is working with our legal department to provide a report back to the Council regarding a solution to collecting these assessments.

Moved by Chairman Meininger, seconded by Board Member Shaver, "to adjourn as the Board of Equalization and reconvene as the City Council," "YEAS", Meininger, Colwell, Gonzales, Shaver and McCarthy, "NAYS" None. Absent: None.

Board Chairman

Attest: _____
City Clerk

Agenda Statement

Item No.

For meeting of: **January 3, 2017**

AGENDA TITLE: Paving District #312 and Water District #105, Reganis Subdivision, Ordinance fixing Special Assessments

SUBMITTED BY DEPARTMENT/ORGANIZATION: Finance

PRESENTATION BY: Nathan Johnson

SUMMARY EXPLANATION: Council will convene as the Board of Equalization and approve the special assessments to the properties that have benefited from the construction of the paving and water infrastructure.

Historically with Special Assessments, we have taken an average of the bank rates quoted for the City's tax exempt status and added 2.5% to it for administrative costs, risk of delinquent and non-payment and for the risk of rates increasing. Using this calculation the special assessment interest rate would be 4.91%

Section 17-515 Paving Districts and Curb & Guttering Districts - the assessments on these Districts are not to exceed 20 years. Staff is recommending a 15 year assessment term on PD 312 and WD 105.

The regular interest rate is to be set by City Council. Local bank rates are detailed below for those banks that responded to inquiry. The rates would be approximately what an individual borrower would be able to obtain at the bank (depending on credit history) compared to what the City's borrowing rate would be (if bonding).

City of Scb rate / Individual Borrower rate

	<u>First State Bank</u>	<u>PV Bank</u>
5 year loan	1.95% / 3.63%	2.87% / 4.95%
10 year loan	2.75% / 5.13%	N/A

In all cases, the delinquent interest rate cannot exceed 14% as set by State Statute (Section 45-104.01)

BOARD/COMMISSION RECOMMENDATION:

STAFF RECOMMENDATION: Recommend approval of the special assessments.

Rev 3/1/99CClerk