

City of Scottsbluff, Nebraska

Monday, August 4, 2014

Regular Meeting

Item Consent2

Approve the minutes of the July 21, 2014 Regular Meeting.

Staff Contact: Cindy Dickinson, City Clerk

Regular Meeting
July 21, 2014

The Scottsbluff City Council met in a regular meeting on Monday, July 21, 2014 at 6:00 p.m. in the Council Chambers of City Hall, 2525 Circle Drive, Scottsbluff. A notice of the meeting had been published on July 3, 2014, in the Star Herald, a newspaper published and of general circulation in the city. The notice stated the date, hour and place of the meeting, that the meeting would be open to the public. That anyone with a disability desiring reasonable accommodation to attend the council meeting should contact the city clerk's office, and that an agenda of the meeting kept continuously current was available for public inspection at the office of the city clerk in City Hall; provided, the city council could modify the agenda at the meeting if it determined that an emergency so required. A similar notice, together with a copy of the agenda, also had been delivered to each council member, made available to radio stations KNEB, KMOR, KOAQ, and television stations KSTF and KDUH, and the Star Herald. The notice was also available on the City's website on July 18, 2014. 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.

Mayor Randy Meininger presided and City Clerk Dickinson recorded the proceedings. The Pledge of Allegiance was recited. Mayor Meininger welcomed everyone in attendance and encouraged all citizens to participate in the council meeting asking those wishing to speak to come to the microphone and state their name and address for the record. Mayor 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 Council Members were present: Raymond Gonzales, Mark McCarthy, Randy Meininger, Scott Shaver and Liz Hilyard. Absent: None.

Mayor Meininger asked if there were any changes to the agenda. There were none. Mayor Meininger asked if any citizens with business not scheduled on the agenda wished to include an item providing the City Council determines the item requires emergency action. There were none.

Moved by Council Member Gonzales, seconded by Council Member McCarthy, that:

1. "The minutes of the July 7, 2014 Regular Meeting be approved,"
2. "Council Member Shaver be excused from the July 7, 2014 Regular Meeting,"
3. "The plans and specifications for the fencing at the compost facility be approved and authorize the city clerk to advertise for bids to be received by August 12, 2014 at 2:00 p.m.,"
4. "The appointment of Victoria Casillas to the Lied Scottsbluff Public Library Board be approved," "YEAS", Gonzales, McCarthy, Meininger, and Hilyard, "NAYS", Shaver. Absent: None.

Moved by Council Member Shaver, seconded by Council Member McCarthy, "that the following claims be and hereby are approved and should be paid as provided by law out of the respective funds designated in the list of claims dated July 21, 2014, as on file with the City Clerk and submitted to the City Council," "YEAS", Gonzales, McCarthy, Hilyard, Shaver and Meininger "NAYS" None. Absent: None.

CLAIMS

ACTION COMMUNICATION INC.,REPLA. RADIO EQUIP.,3167.32; AIR EVAC EMS, INC,CONTRACT,46; ALAMAR UNIFORMS,UNIFORMS,103.1; ALLO COMMUNICATIONS,LOCAL TELEPHONE CHARGES,4706.55; ANITA'S GREENSCAPING INC,LANDSCAPE MNTNCE,456; AULICK LEASING CORP,GRD MTC,471.96; AUTOZONE, INC,PART,7.5; B & C STEEL CORPORATION,FLAT IRON,107.24; BLUFFS SANITARY SUPPLY

INC.,BLD MTC,665.65; CAPITAL BUSINESS SYSTEMS INC.,CPR MAIN.,154.11; CARR TRUMBULL LBR INC.,BLDG MAINT,97.58; CASH-WA DISTRIBUTING,CON SUP,523.36; CELLEBRITE USA, INC,INVEST SUPPL-HIDTA,4197.99; CEMENTER'S INC,DEPT SUP,232.72; CENTURION TECHNOLOGIES,EQUIP MAIN.,193.58; CENTURY LUMBER CENTER,DEPT SUPPLIES,11.97; CITY OF GERING,DISPOSAL FEES,41336.05; CITY OF SCB,PETTY CASH,33.97; CNA SURETY,DEPT SUP,40; COLONIAL LIFE & ACCIDENT INS CORP, I,SUPP INS,48.7; CONNECTING POINT INC,RENT-MACHINE,59.87; CONSOLIDATED MANAGEMENT,SCHOOLS & CONF,338.25; CONTRACTORS MATERIALS INC.,EQUIP MAINT,89.34; CREDIT INFORMATION SYSTEMS,SERVICES,9.5; CREDIT MANAGEMENT SERVICES INC.,WAGE ATTACHMENT,807.18; CULLIGAN OF SCOTTSBLUFF,DEP. SUPP,32.4; DALE'S TIRE & RETREADING, INC.,EQP MTC,191.79; DANKO EMERGENCY EQUIPMENT CO,PPE GEAR,387.94; ENVIRO SERV INC,CONTRACTUAL SVC,232; FASTENAL CO.,EQP MTC,107.68; FEDERAL EXPRESS CORP.,SHIPPING FEES,74.04; FLOYD'S TRUCK CENTER, INC,VEHICLE REPR.,2604.66; FRANK IMPLEMENT INC.,EQP MTC,198.53; FUN EXPRESS, LLC,DEPT SUPPL,160; GOLD WATCH LLC,DISPOSAL FEES,1669.88; GONZALES, ALEXSUS,LEGAL FEES,23.26; HACH COMPANY,DEPT SUP,159.7; HANSEN, JOSH,SCHOOLS & CONF,179; HARMS, JOHN,LIC/PMT,40; HAROLD CROYTS,CMPGRD,20; HAWKINS, INC.,CHLORINE,3791.9; HD SUPPLY WATERWORKS, LTD,DEPT SUP,318; HEILBRUN FARM IND SUPP.INC.,DEPT SUPPLIES,1440.56; HEILBRUN'S POWERSPORTS & TRAILER SALES,UTILITY TRAILER,1566; HOA SOLUTIONS, INC,EQUIP MAINT,1421.05; HOME DEPOT CREDIT SERVICES,DEP SUP,5.92; ICMA RETIREMENT TRUST-457,DEF COMP,1325.14; IDEAL LINEN SUP INC.,DEPT SUPPLIES,1562; INDEPENDENT PLUMBING & HEATING, INC,GRD MTC,278.97; INGRAM LIBRARY SERVICES INC,BKS,1164.65; INTERNAL REVENUE SERVICE,W/H TAXES,65754.39; INT'L ASSOC OF CHIEFS OF POLICE,CONSULTING,618.75; JAMES H NEUWIRTH,DEPT SUP,79.07; JERRY HIGEL,TRAFFIC SIGNAL MAIN.,864.04; JIRDON AGRI CHEM.INC.,DEPT SUP,123.75; JOHN DEERE FINANCIAL,SUPP,109.99; JOHN DEERE FINANCIAL,DEP SUP,72.74; JOHN DEERE FINANCIAL,SUPP,5.97; LEXISNEXIS RISK DATA MANAGMENT INC,CONSULTING,100; LINCOLN WINWATER WORKS,DEPT SUP,1533.31; M.C. SCHAFF & ASSOC, INC,BELTLINE WATER MAIN PROJECT,12823; MARR, NANCY,TREE REBATE,289.95; MENARDS,DEP SUP,227.09; MONEY WISE OFFICE SUPPLIES,DEPT SUP,67.55; MONUMENT CAR WASH,VEH MAINT,189.1; NE CHILD SUPPORT PAYMENT CENTER,NE CHILD SUPPORT PYBLE,1919.06; NE DEPT OF ENVIRONMENTAL QUALITY,CERTIFICATION,450; NE DEPT OF REVENUE,SALES TAX,51471.54; NE LIBRARY COMMISSION,CONT SVCS,1250; NE STATE HISTORICAL SOC,SBSCR.,29; NEBR ENVIRONMENTAL PRODUCTS,PARTS,186.96; NEBRASKA MACHINERY COMPANY,PARTS,137.23; NEBRASKA SALT AND GRAIN,ICE SLICER,7988.64; NEBRASKALAND TIRE,VEH MAINT,14.5; NEWS BANK INC,SBSCR.,3290; NORTHWEST PIPE FITTINGS, INC. OF SCB,GRD MTC,45.61; NPPD,ELECTRIC,69789.32; OCLC, INC,CONT. SRVC,42.86; ONE CALL CONCEPTS,CONTRACTUAL SVC,200.75; PANHANDLE COOP INC.,GASOLINE,25479.65; PANHANDLE HUMANE SOC,CONTRACTUAL SVC,4881.32; PAUL REED CONSTRUCTION & SUPPLY,INC,GRD MTC,873.42; PEPSI COLA OF WESTERN NE LLC,CON SUP,312.45; PERMA-BOUND,BKS,25.78; PLATTE VALLEY BANK,HSA,14143.46; POSTMASTER,POSTAGE,875.84; POWERPLAN,EQUIPMENT MTNC,3059.31; PRINT BROKER,DEPT SUPP,415.61; QUICK CARE MEDICAL CENTER, INC,NEW HIRE PHYS.,50;

QUILL CORP,DEPT SUPPL,211.36; RCI,MEDICAL CLAIMS,62920.76; REAMS SPRINKLER SUPPLY CO., INC,GRD MTC,1029.75; REGION I OFFICE OF HUMAN DEVEL,CONTRACTUAL SERVICES,825; REGISTER OF DEEDS,LEG FEE,60; RESPOND FIRST AID SYSTEMS,DEP SUP,41.63; ROJAS, LASTOSHA,LEGAL FEES,23.26; RUSHMORE MEDIA COMPANY,STRMWTR ADS,487.5; S M E C,EMP DEDUCTIONS,238; SALAZAR, CHERYL,LEGAL FEES,20; SANDBERG IMPLEMENT, INC,EQP MTC,245.88; SCB FIREFIGHTERS UNION LOCAL 1454,FIRE EE DUES,210; SCB POLICE OFFICERS ASS'N,POLICE EE DUES,378; SCOTTS BLUFF COUNTY COURT,LEGAL FEES,193; SCOTTSBLUFF LANDSCAPING INC,GRD MTC,425; SCOTTSBLUFF PUBLIC SCHOOLS,GAS,16721.57; SCOTTSBLUFF SCREENPRINTING & EMBROIDERY,LLC,UNF CTH,288; SHERIFF'S OFFICE,LEGAL FEES,263.28; SIMMONS OLSEN LAW FIRM, P.C.,CONTRACTUAL SERVICES,10204.62; SIMON CONTRACTORS,CONCRETE,5446.5; SNELL SERVICES INC.,ELC MTC,837; STAPLES,DEPT SUP,184.09; STAR HERALD,LEGAL PUBLISHING,2383.56; THE SHERWIN-WILLIAMS CO,PARTS FOR GRINDER/LAZER,408.88; TOMMY'S JOHNNY'S INC,CON SRV,1305; TWIN CITIES DEV ASSN INC,CONTRACT,25000; TYLER TECHNOLOGIES, INC,FEES,747.5; UNIQUE MANAGEMENT SERVICES, INC,CONT. SRVS,179; UPSTART ENTERPRISES, LLC,DEPT SUPPL,30.25; US BANK,EQP MTC,1216.8; VERIZON WIRELESS,CELL SERVICE,152.13; WAKELEY, LISA,LEGAL FEES,20; WALMART COMMUNITY/GEMB,DEP SUP,438.11; WARD LABORATORIES, INC,STRMWTR SRVCS,38; WELLS FARGO BANK N.A.,RETIREMENT,29560.33; WESTCO,GRD MTC,356.6; WESTERN PATHOLOGY CONSULTANTS, INC,CONTRACT,102; WESTERN TRAIL SPORTS,UNF CTH,198.99; WESTERN TRAVEL TERMINAL,VEHICLE MAINT,52; YELLMAN, ABBIGAIL,CONFERENCE,1573.47.

Moved by Mayor Meininger, seconded by Council Member Shaver, “to adjourn as the City Council and convene as the Community Development Agency,” “YEAS”, Gonzales, McCarthy, Hilyard, Shaver and Meininger “NAYS” None. Absent: None.

Moved by Mayor Meininger, seconded by Council Member Shaver, “to convene as the Community Development Agency,” “YEAS”, Gonzales, McCarthy, Hilyard, Shaver and Meininger “NAYS” None. Absent: None.

Scottsbluff, Nebraska
July 21, 2014

A special meeting of the Community Development Agency (the “**Agency**”) of the City of Scottsbluff, Nebraska (the “**City**”) was held on Monday, July 21, 2014, at 6:00 p.m., at Scottsbluff City Hall, 2525 Circle Drive, Scottsbluff, Nebraska, the same being open to the public and preceded by advance publicized notice duly given in strict compliance with the provisions of the Open Meetings Act, Chapter 84, Article 14, Reissue Revised Statutes of Nebraska, as amended, as set forth on the attached **Exhibit A** stating (a) the time, date and place of the meeting, (b) that the meeting would be open to the attendance of the public and (c) that an agenda for the meeting, kept continuously current, was available for public inspection at the offices of the City Clerk at Scottsbluff City Hall, 2525 Circle Drive, Scottsbluff, Nebraska. Additionally, reasonable efforts were made to provide advance notice of the time, date and place of the meeting to all news media requesting the same.

The Mayor, as chairman of the Agency, Randy Meininger presided, and the Clerk, Cindy Dickinson, recorded the proceedings. The meeting was called to order and on roll call the Mayor and the following Agency members were present: Raymond Gonzales, Mark McCarthy, Randy Meininger, Scott Shaver and Liz Hilyard.

The following Agency Members were absent: None.

Moved by Agency Member McCarthy, seconded by Agency Member Hilyard, "to appoint Randy Meininger as the Chairperson, Raymond Gonzales as the Vice-President, and Cindy Dickinson as the Secretary of the Community Development Agency," "YEAS", Gonzales, McCarthy, Hilyard, Shaver and Meininger "NAYS" None. Absent: None.

A quorum being present and the meeting duly commenced, the following proceedings were had and done while the meeting was open to the attendance of the public. The Mayor publicly announced the location of a current copy of the Open Meetings Act posted in the meeting room for access by the public.

Mr. Mike Bacon, Attorney for the Developers of 2627 Lodging LLC, addressed the Community Development Agency to explain the details of the redevelopment plan for this project. The developers will be building a Fairfield Inn and Suites on Block Two, Reganis Subdivision, Scottsbluff. The 16,000 square foot hotel will have 85 guest rooms, with access on Winters Creek Drive. He explained that the Resolution and Redevelopment Plan meets the requirements of the applicable State Statutes. The plan does not include any public infrastructure. Tax Increment Financing (TIF) will assist with a portion of the site acquisition cost of \$800,000 and site preparation of \$450,000. There is not enough TIF to cover all of these costs, but will cover a large portion. The Cost Benefit Analysis shows that \$980,000 of TIF funding is available. The hotel will employ 13 full time employees and approximately \$30,000 a year in city sales tax revenue is projected. Mr. Dave Schaff, Developer, added that an additional street providing access to the project is being platted and a paving district will be created for the street. The new street will be completed prior to the opening of the hotel.

The Community Development Agency considered a positive recommendation regarding the Resolution and Redevelopment Plan for the Fairfield Inn Project. Agency Member Shaver introduced Resolution No. CDA 14-07-01 and moved its passage and approval by the Agency. Agency Member Hilyard seconded the motion. On roll call vote, the following Agency Members voted in favor of the motion: Raymond Gonzales, Mark McCarthy, Randy Meininger, Scott Shaver and Liz Hilyard.

The following Agency Members voted against the motion: None.

The following Agency Members were absent or did not vote: None.

The passage of Resolution No. CDA 14-07-01 having been agreed upon by a majority of the Agency, the Chair declared Resolution No. CDA 14-07-01 passed and, in the presence of the Agency, signed and approved Resolution No. CDA 14-07-01, and the Clerk attested to its passage by affixing her signature. A true and complete copy of Resolution No. CDA 14-07-01 is attached hereto:

RESOLUTION NO. CDA 14-07-01

BE IT RESOLVED BY THE COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF SCOTTSBLUFF, NEBRASKA:

Recitals:

a. The City Council of the City of Scottsbluff, Nebraska (the "City"), upon the recommendation of the City Planning Commission (the "Planning Commission"), and in compliance with all public notice requirements imposed by the Community Development Law, Chapter 18, Article 21, Reissue Revised Statutes of Nebraska, as amended (the "Act"), passed Resolution 13-08-01 which included a declaration of the area legally described on the attached Exhibit A (the "Redevelopment Area") to be blighted and substandard and in need of redevelopment;

b. Pursuant to and in furtherance of the Act, a Redevelopment Plan (the "Redevelopment Plan"), has been prepared and submitted by the Agency, in the form of the attached Exhibit B, for the purpose of redeveloping the Redevelopment Area (also known as the "Project Area"). The Redevelopment Plan has been reviewed by the Planning Commission and recommended for approval;

c. Pursuant to the Redevelopment Plan, the Agency would agree to incur indebtedness and make a grant for the purposes specified in the Redevelopment Plan (the "Project"), in accordance with and as permitted by the Act;

d. Attached to the Redevelopment Plan as recommended by the Planning Commission is a document labeled Exhibit D which is a statutory cost benefit analysis;

e. The Agency has conducted a cost benefit analysis of the Project (the "Cost Benefit Analysis") pursuant to Section 18-2113 of the Act, a copy of which is attached to the Redevelopment Plan as Exhibit E; and

f. The Agency has made certain findings and has determined that it is in the best interests of the Agency and the City to approve the Redevelopment Plan and approve the Redevelopment Project and to approve the transactions contemplated by the Plan.

Resolved that:

1. The Agency determines that the proposed land uses and building requirements in the Redevelopment Plan for the Project Area are designed with the general purposes of accomplishing, and in conformance with the general plan 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 in 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 provisions 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 unsanitary or unsafe dwelling accommodations, or conditions of blight.

2. The Agency has conducted a Cost Benefit Analysis for the Project, in the form attached to the Redevelopment Plan as Exhibit E, in accordance with the Act, and finds that the Project would not be economically feasible without the use of tax increment financing, the Project would not occur in the Project Area without the use of tax increment financing and 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 and have been found to be in the long term best interests of the community impacted by the Project.

3. In compliance with section 18-2114 of the Act, the Agency finds and determines as follows: (a) the Redevelopment Area constituting the Redevelopment Project will not be acquired by the Agency and the Agency shall receive no proceeds from disposal to the Redeveloper; (b) the Redeveloper will acquire the Redevelopment Area at the cost of \$800,000; (c) the estimated cost of preparing the project site and related costs are \$450,000; (d) the method of acquisition of the real estate shall be by private contract by the Redeveloper (2627 Lodging, LLC) and not by condemnation; (e) the method of financing the Redevelopment Project shall be by issuance of a tax increment revenue bond in the amount of \$980,000.00, the proceeds of which shall be granted to the Redeveloper and from additional funds provided by the Redeveloper and its lender; and (f) no families or businesses will be displaced as a result of the project.

4. The Agency recommends approval of the Redevelopment Plan and the Redevelopment Project described in the Redevelopment Plan.

5. All prior resolutions of the Agency in conflict with the terms and provisions of this

resolution are repealed to the extent of such conflicts.

6. This Resolution shall become effective immediately upon its adoption.

PASSED AND APPROVED on July 21, 2014.

**COMMUNITY DEVELOPMENT AGENCY
OF THE CITY OF SCOTTSBLUFF
NEBRASKA**

ATTEST:

Mayor/Chair

Clerk

Moved by Mayor Meininger, seconded by Council Member Shaver, “that the Community Development Agency recess and convene as the City Council,” “YEAS” Shaver, Gonzales , Meininger, McCarthy and Hilyard, “NAYS” None. Absent: None.

Moved by Council Member Shaver, seconded by Council Member McCarthy, “to reconvene as the City Council,” “YEAS” Shaver, Gonzales , Meininger, McCarthy and Hilyard, “NAYS” None. Absent: None.

The Mayor stated that it was now 6:20 p.m., at which time a public hearing was to be held to obtain public comment prior to the consideration of a resolution approving a redevelopment plan, for an area of the City previously declared blighted and substandard and in need of redevelopment pursuant to the Community Development Law, Chapter 18, Article 21, Reissue Revised Statutes of Nebraska, as amended (the “Act”). The notice of the public hearing had been published in the Star Herald on July 4, 2014 and July 11, 2014. The Mayor opened the public hearing and invited all interested persons to be heard.

Mr. Kendall Vogel, 2513 Addison Ave., spoke on behalf of the residents of the Sheldon Heights subdivision. After his review of the redevelopment plan, he believed there was sufficient TIF funding to provide funds to pave the streets in Sheldon Heights and asked the Council to consider the use of TIF funds for the streets in his neighborhood.

Mr. Larry McCaslin, 2601 Addison Ave., also spoke on behalf of the Sheldon Heights residents, offering support for the project, and reiterating that TIF funding should be made available for the streets in his neighborhood. He would also like to be reassured that the access to the hotel is consistent with the plans.

Mr. Mike Bacon, Attorney for the developer, explained that the Redevelopment Plan and Tax Increment Financing will only affect Lot Two of the Reganis Subdivision. Tax Increment Financing (TIF) will generate a \$980,000 bond to be repaid by the developers, not for public use.

Mr. Zac Karpf, Platte Valley Bank, explained that he has been working with the developers on this project. He explained that the owners are putting a significant amount of funds into the project, however, the success is contingent upon their receipt of the TIF funding. The ratio of investment is 6:1 (personal investment : TIF).

Mr. Hod Kosman, Platte Valley Bank, commented that Scottsbluff has a definite need for another high-end hotel. With the rejuvenation of Monument Mall, we are hopeful that this location will continue to develop and grow.

Mayor Meininger asked if there was anyone else who would like to comment on the project. There were no further comments from the public.

Mayor Meininger closed the public hearing at 6:30 p.m. Council Member McCarthy then introduced Resolution No. 14-07-01 and moved its passage and approval: Council Member Hilyard seconded the motion. On roll call vote, the following Council Members voted in favor of the motion: “YEAS” Shaver, Gonzales, Meininger, McCarthy and Hilyard, “NAYS” None. Absent: None.

The passage of Resolution No. 14-07-01, having been agreed upon by a majority of the Council, the Mayor declared Resolution No. 14-07-01 passed. A true and complete copy of Resolution No. 14-07-01 follows:

RESOLUTION NO.14-07-01

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SCOTTSBLUFF, NEBRASKA:

Recitals:

- a. The City of Scottsbluff, Nebraska, a municipal corporation and city of the first class (the “City”), has determined it to be desirable to undertake and carry out urban redevelopment projects in certain areas of the City that are determined to be blighted and substandard and in need of redevelopment;
- b. The Community Development Law, Chapter 18, Article 21, Reissue Revised Statutes of Nebraska, as amended (the “Act”), prescribes the requirements and procedures for the planning and implementation of redevelopment projects;
- c. The City has previously declared an area which includes an area legally described in Exhibit A (the “Redevelopment Area”) to be blighted and substandard and in need of redevelopment pursuant to the Act;
- d. The Community Development Agency of the City of Scottsbluff, Nebraska (the “Agency”) has received a Redevelopment Plan (the “Redevelopment Plan”) prepared by 2627 Lodging, LLC (the “Redeveloper”), in the form attached as Exhibit B, for the redevelopment of the Redevelopment Area;
- e. The Agency and the Planning Commission of the City (the “Planning Commission”) have both reviewed the Redevelopment Plan and recommended its approval by the Mayor and Council of the City;
- f. The City published and mailed notices of a public hearing regarding the consideration of the approval of the Redevelopment Plan pursuant to Section 18-2115 of the Act, and has on the date of this Resolution held a public hearing on the proposal to approve the Redevelopment Plan; and
- g. The City has reviewed the Redevelopment Plan and determined that the proposed land uses and building requirements described in it are designed with the general purpose of accomplishing 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 in 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 provisions 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 unsanitary or unsafe dwelling accommodations, or conditions of blight.

Resolved that:

1. The Redevelopment Plan is determined to be feasible and in conformity with the general plan for the development of the City as a whole, and the Redevelopment Plan is in conformity with the legislative declarations and determinations set forth in the Act. It is found and determined, based on the analysis conducted by the Agency, that (a) the redevelopment project described in the Redevelopment Plan would not be economically feasible within the Project 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 City, 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 the recommendations of the Agency and the Planning Commission with respect to the Redevelopment Plan.

2. The Redevelopment Plan is approved in substantially the form attached as Exhibit B.

3. In accordance with Section 18-2147 of the Act, the City provides that any ad valorem tax on Block 2 Reganis Subdivision to the City of Scottsbluff, Scotts Bluff County, Nebraska, for the benefit of any public body be divided for a period of 15 years after the effective date as provided in Section 18-2147 of the Act, which effective date shall be determined in a Redevelopment Contract entered into between the Redeveloper and the Agency. Said tax shall be divided 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 Project Area in excess of such amount (the Redevelopment Project Valuation), if any, shall be allocated to, is pledged to, and, when collected, paid into a special fund of the Agency 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 Agency for financing or refinancing, in whole or in part, the Project. When such bonds, loans, notes, advances of money, or indebtedness, including interest and premium due have been paid, the Agency shall so notify the County Assessor and County Treasurer and all ad valorem taxes upon real property in the Project Area shall be paid into the funds of the respective public bodies.

4. The Mayor and Clerk are authorized and directed to execute such documents and take such further actions as are necessary to carry out the purposes and intent of this Resolution and the Redevelopment Plan.

5. This Resolution shall become effective immediately upon its adoption.

PASSED and APPROVED on July 21, 2014.

Mayor

ATTEST:

City Clerk (Seal)

Moved by Mayor Meininger, seconded by Council Member Shaver, “that the City Council recess and convene as the Community Development Agency,” “YEAS” Shaver, Gonzales , Meininger, McCarthy and Hilyard, “NAYS” None. Absent: None.

Agency Member Hilyard introduced Resolution No. CDA 14-07-02 and moved its passage and approval by the Agency. Agency Member McCarthy seconded the motion. On roll call vote, the following Agency Members voted in favor of the motion: Raymond Gonzales, Mark McCarthy, Randy Meininger, Scott Shaver and Liz Hilyard.

The following Agency Members voted against the motion: None.

The following Agency Members were absent or did not vote: None.

The passage of Resolution No. CDA 14-07-02 having been agreed upon by a majority of the Agency, the Chair declared Resolution No. CDA 14-07-02 passed and, in the presence of the Agency, signed and approved Resolution No. CDA 14-07-02, and the Clerk attested to its passage by affixing her signature. A true and complete copy of Resolution No. CDA 14-07-02 follows:

RESOLUTION NO. CDA 14-07-02

BE IT RESOLVED BY THE COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF SCOTTSBLUFF, NEBRASKA:

1. The Mayor and Council of the City of Scottsbluff, Nebraska (the “City”) find and determine (a) that the Community Development Agency of the City of Scottsbluff, Nebraska (the “Agency”) has been duly created by ordinance for purposes of assisting with redevelopment of blighted and substandard real estate located within the City; that the Agency has and may exercise all of the powers of a redevelopment authority provided for under the Community Development Law of the State of Nebraska; that there has been prepared a redevelopment plan, entitled “CITY OF SCOTTSBLUFF REDEVELOPMENT PLAN FOR FAIRFIELD INN at WINTER CREEK DRIVE” (the “Plan”) for the redevelopment of the real estate described in the Plan as the “Project Area” (referred to in this Resolution as the “Redevelopment Project Area”); (b) that prior to the recommendation for approval of the Plan the Redevelopment Project Area was declared blighted and substandard by action of the Mayor and Council of the City; (c) that the City has had in effect its general plan for the development of the City from the time prior to the preparation of the Plan; (d) that the Plan was prepared by the Redeveloper (as defined below) and submitted to the City Planning Commission of the City and approved and thereafter recommended by the Agency to the Mayor and Council of the City; (e) that on the 21st day of July, 2014, the Mayor and Council of the City held a public hearing on the Plan for which notice was given by publication prior to such hearing in the Star-Herald on July 4, 2014, and July 11, 2014, and, after such hearing, the Mayor and Council gave their approval to the Plan; (f) that the Plan, among other things, calls for the redevelopment of the Redevelopment Project Area by the acquisition of undeveloped and vacant land and related construction of an 85 room hotel all as described in the Plan (the “Project”); (g) that 2627 Lodging, LLC, a limited liability company (the “Redeveloper”) is interested in the redevelopment of the Redevelopment Project Area and the Redeveloper has undertaken and is currently incurring costs and is undertaking certain of the construction and rehabilitation as provided for in the Plan and

the City and the Agency have previously communicated willingness to assist such redevelopment in order to encourage the providing of employment and the economic development of the City as well as for the redevelopment of a blighted and substandard area of the City; (h) that the Agency and the Redeveloper are about to enter into an agreement entitled "Redevelopment Contract" (as approved in Section 13 of this Resolution and incorporated in this Resolution by reference) and under the terms of the Redevelopment Contract, the Agency agrees to assist 2627 Operating, Inc., with grant assistance, which will be contributed to the Redeveloper to pay part of the cost of the Project and for such purpose it is necessary for the Agency to authorize the issuance and sale of its tax increment revenue bond, with principal purchase price to be paid by the 2627 Operating, Inc., in accordance with the terms of the Redevelopment Contract; (i) that all conditions, acts and things required by law to exist or to be done precedent to the authorizing of the Agency's tax increment revenue bond as provided for in this Resolution do exist and have been done as provided by law.

2. A tax increment revenue bond in the aggregate principal amount of \$980,000.00 is ordered issued in accordance with Section 18-2125, R.R.S. Neb. 2012, by the Agency and shall be designated as its "Tax Increment Development Revenue Bond (Fairfield Inn Redevelopment), Series 2014" (the "Bond"). The Bond shall be issued in the single denomination of \$980,000.00 (as the aggregate principal amount and purchase price payable by the Redeveloper under the terms of the Redevelopment Contract). The Bond shall be dated as of the date of its delivery. The Bond shall bear interest on the amount outstanding from time to time from the date of its issuance and delivery until maturity (or earlier redemption) at the rate of five percent (5.0%) per annum. The principal of the Bond shall become due on December 31, 2029, provided that such principal amount shall be subject to partial mandatory redemption from "Available Funds" as described in Section 5 below on May 1 and November 1 of each year, with the first principal payment due on November 1, 2016. Accrued interest upon the Bond shall be payable semiannually on May 1 and November 1 of each year, commencing May 1, 2016.

The Bond shall be issued in fully registered form. The Agency's Treasurer (the City Finance Director / Treasurer of the City of Scottsbluff) is designated as paying agent and registrar for the Bond (the "Agent"). The Agent shall serve in such capacities pursuant to the terms of this Resolution. The interest due on each interest payment date prior to maturity shall be payable to the registered owner of record as of the fifteenth day of the calendar month immediately preceding the calendar month in which such interest payment date occurs (the "Record Date"), subject to the provisions of Section 4 below. Payments of interest due on the Bond, except for payments due on final maturity date, or other final payment, shall be made by the Agent by mailing or delivering a check or draft in the amount then due for interest on the Bond to the registered owner of the Bond, as of the Record Date for such interest payment date, to such owner's registered addresses as shown on the books of registration as required to be maintained in Section 3 hereof. Payments of principal and interest due at final maturity or other final payment shall be made by the Agent to the registered owner upon presentation and surrender of the Bond to the Agent at the Agency's offices at City Hall in the City of Scottsbluff, Nebraska. The Agency and the Agent may treat the registered owner of the Bond as the absolute owner of the Bond for the purpose of making payments thereon and for all other purposes and neither the Agency nor the Agent shall be affected by any notice or knowledge to the contrary, whether the Bond or any installment of interest due thereon shall be overdue or not. All payments on account of interest or principal made to the registered owner of the Bond in accordance with the terms of this Resolution shall be valid and effectual and shall be a discharge of the Agency and the Agent, in respect of the liability upon the Bond or claims for interest to the extent of the sum or sums so paid.

3. The Agent shall keep and maintain for the Agency books for the registration and transfer of the Bond at the Agency's offices at City Hall in Scottsbluff, Nebraska. The name and registered address of the registered owner of the Bond (including notation of any pledgee as may be requested by the Redeveloper) shall at all times be recorded in such books. The Bond may be transferred pursuant to its provisions at the Agency's offices by surrender of such Bond for notation of transfer, accompanied by a written instrument of transfer, in form satisfactory to the Agent, duly executed by the registered owner in person or by such

owner's duly authorized agent, and thereupon the Agent on behalf of the Agency will register such transfer upon its books and make notation on the Bond and deliver the Bond at its office to the transferee owner (or send it by registered mail to the transferee owner thereof at such transferee owner's expense). All transfers of the Bond shall be upon the basis of a private placement and each proposed transferee registered owner shall furnish the Agent with assurances in form satisfactory to the Agent that such Bond is being purchased for investment purposes only, without view to redistribution and upon the independent credit judgment and investigation of the proposed transferee. The Agency and the Agent shall not be required to transfer the Bond during any period from any Record Date until its immediately following interest payment date or to transfer the Bond when called for redemption, in whole or in part, for a period of 15 days next preceding any date fixed for redemption or partial redemption.

4. In the event that payments of interest or for mandatory partial redemption due on the Bond on any interest payment date are not timely made, such interest or redemption price shall cease to be payable to the registered owner as of the Record Date for such interest payment date and shall be payable to the registered owner of the Bond as of a special date of record for payment of such defaulted interest or redemption price as shall be designated by the Agent whenever monies for the purpose of paying such defaulted interest or redemption price become available.

5. At any time, the Agency shall have the option of prepaying in whole or in part the principal of the Bond. Any such optional prepayment of principal shall be accompanied by an amount equal to all accrued but unpaid interest on the principal amount being prepaid. Notice of any optional redemption for the Bond shall be given at the direction of the Agency by the Agent by mail not less than 15 days prior to the date fixed for redemption, first class, postage prepaid, sent to the registered owner of the Bond at said owner's registered address. Notice of call for redemption may be waived in writing by any registered owner. In the event of prepayment in whole the Bond shall be cancelled. The determination of the amount and timing of any optional redemption of the Bond shall be in the absolute discretion of the Agency. Beginning May 1, 2016, the Bond shall also be subject to mandatory partial redemption, without notice, on each interest payment date from all funds to be available in the Bond Fund (as hereinafter established and defined), including all amounts, if any, from investment earnings for such fund, rounded down to the nearest one hundred dollars, after payment of all accrued but unpaid interest on each interest payment date (which funds are referred to in this Resolution as "Available Funds"). Available Funds shall be applied to the prepayment of principal on each interest payment date and shall be remitted to the registered owner of the Bond with interest payments. The Agent shall mark the Agent's records with respect to each mandatory partial principal prepayment made from Available Funds and it shall not be necessary for the registered owner to present the Bond for notation of such prepayment. The records of the Agent shall govern as to any determination of the principal amount of the Bond outstanding at any time and the registered owner shall have the right to request information in writing from the Agent at any time as to the principal amount outstanding upon the Bond.

6. The Bond shall be in substantially the form of the attached "Exhibit A".

7. Pursuant to the provisions of Section 18-2147, R.R.S. Neb. 2012, and the terms of the Redevelopment Contract, the effective date after which ad valorem taxes on real property Project Area, described in the Redevelopment Contract, may be apportioned pursuant to said Section 18-2147 shall be January 1, 2015. From and after said effective date that portion of the ad valorem taxes on said real estate located within the Project Area which is described in subdivision (1)(b) of Section 18-2147, R.R.S. Neb. 2012, as amended (the "Project Area Tax Receipts"), shall be paid into a special fund of the Agency to be designated as the "Community Development Agency—Fairfield Inn Redevelopment Project Fund" (the "Bond Fund") to be held by the Agent. The Agency pledges for the payment of the Bond both principal and interest as the same fall due, equally and ratably, all Project Area Tax Receipts as so paid into the Bond Fund as a prior and first lien upon said receipts for the security and payment of the Bond. All Project Area Tax Receipts received through and including December 31, 2029, shall be used solely for the payments required

by this Resolution. Monies held in the Bond Fund shall be invested to the extent practicable and investment earnings on such monies shall be applied in the same manner as all other funds held in the Bond Fund. The Agency agrees that so long as any principal of the Bond remains outstanding it will not issue any additional bonds payable from the Project Area Tax Receipts without the written consent of the registered owner (including any pledgee) of the Bond as then outstanding. The Agency further reserves the right to provide for payment of principal and interest on the Bond from the proceeds of a refunding bond or refunding bonds. Monies held in the Bond Fund shall be invested to the extent practicable and investment earnings on such monies shall be applied in the same manner as all other funds held in the Bond Fund. The Agency's Secretary (the City Clerk) is authorized and directed to give notice to the County Assessor and Treasurer of the provision of the Redevelopment Contract for dividing ad valorem taxes in accordance with the requirements of subdivision (3) of Section 18-2147, R.R.S. 2012.

8. The Bond shall be executed on behalf of the Agency by the Mayor and City Clerk. Upon execution the Bond shall be registered by the Agent in the name of the Redeveloper or its designee as the initial registered owner and shall be delivered in consideration of payment of the principal amount thereof to the Agency's Treasurer in current bankable funds. The Redeveloper may request notation of a pledge interest in the Bond on the records of the Agent. The initial purchaser (and any pledgee) shall be required to deliver an investment representation letter to the Agent. Such letter shall be satisfactory in form to the officers of the Agency, or any one or more of them, as advised by the Agency's attorneys. From such purchase price, the Agency is to make a grant to the Redeveloper in accordance with the terms of the Redevelopment Contract.

9. If the date for payment of the interest or principal on the Bond shall be a Saturday, Sunday, legal holiday or a day on which banking institutions in the City of Scottsbluff, Nebraska, are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day which is not a Saturday, Sunday, legal holiday or a day on which such banking institutions are authorized to close, and payment on such day shall have the same force and effect as if made on the nominal date of payment.

10. The City Clerk shall make and certify one or more copies of the transcript of the proceedings of the Agency precedent to the issuance of the Bond one of which copies shall be delivered to the City and held in its records pertaining to the Agency.

11. The Mayor and City Clerk or any one of them are authorized to take any and all actions, and to execute any and all documents deemed by them necessary to effect the transactions authorized by this Resolution.

12. The authorization for the Bond provided for in this Resolution is based upon expectations as to completion of construction, valuation and proposed tax rates suggested by the Redeveloper. The Agency has given and gives no assurances that such expectations will in fact be fulfilled and the Bond is being issued with the understanding that the Redeveloper as the initial purchaser of the Bond and any pledge of the Redeveloper accept and understand the risks related thereto.

13. The Redevelopment Contract between the Agency and the Redeveloper in the form presented is approved. Notice of such contract shall be given immediately by the Agency's Secretary to the Mayor and Council of the City of Scottsbluff and such contract proposal shall be executed and delivered by the Agency. The Mayor (or in his absence, the Vice Chair of the Council), acting as the Agency's chairperson (or Vice-Chairperson), is authorized to execute and deliver the Redevelopment Contract, in substantially the form presented but with any such changes as such executing officer shall determine appropriate, on behalf of the Agency.

14. If any section, paragraph, clause or provision of this Resolution shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Resolution.

15. This Resolution shall be in force and take effect from and after its adoption as provided by law.

PASSED AND APPROVED on July 21, 2014.

**COMMUNITY DEVELOPMENT AGENCY
OF THE CITY OF SCOTTSBLUFF
NEBRASKA**

By: _____

Chair

Secretary

There being no further business to come before the Agency at the meeting, moved by Agency Member Shaver, seconded by Agency Member McCarthy, "to adjourn the meeting of the Community Development Agency of the City of Scottsbluff at 6:35 p.m.," "YEAS" Shaver, Gonzales , Meininger, McCarthy and Hilyard, "NAYS" None. Absent: None.

**COMMUNITY DEVELOPMENT AGENCY
OF THE CITY OF SCOTTSBLUFF,
NEBRASKA**

By: _____

Chair

Clerk

Moved by Mayor Meininger, seconded by Council Member McCarthy, "to reconvene as the City Council," "YEAS" Shaver, Gonzales , Meininger, McCarthy and Hilyard, "NAYS" None. Absent: None.

Kathy Kroepenske, Executive Director for Keep Scottsbluff/Gering Beautiful (KSGB), gave the Council an update of the programs they conduct throughout the year. KSGB originally began the electronic collection, which the City now conducts. She was appreciative of the City taking this program over as it has grown so quickly over the years. Other key programs are the Pharmaceutical Take-Back and the Adopt a Spot. Partnerships with other agencies such as the Natural Resource District and the City governments are key for financial and program support. The three main grants, Public Education, Cleanup and Recycling require a 76% match to operate, so fundraising is also a major focus for the organization.

Mr. Kuckkahn explained that we received bids for repairing city properties located at Transportation, Public Safety and Police facilities. The following bids were received from Weathercraft Roofing and Twin City Roofing: Public Safety Building- Twin City Roofing \$70,568.00, Weathercraft \$77,848.99; Police Storage and Indoor Shooting Facility- Twin City Roofing \$16,640.00, Weathercraft \$23,160.00; Transportation Buildings – Twin City Roofing \$109,510.50, Weathercraft \$130,563.82. Twin City Roofing was the lowest and most responsible bid for all facilities.

Moved by Council Member Gonzales and seconded by Council Member Shaver, “to approve the bid to Twin City Roofing for repairs at the Public Safety Building in the amount of \$70,568.00 as the lowest and most responsible bid,” “YEAS” Shaver, Gonzales, Meininger, McCarthy and Hilyard, “NAYS” None. Absent: None.

Moved by Council Member McCarthy and seconded by Mayor Meininger, “to approve the bid to Twin City Roofing for repairs at the Police Storage and Indoor Shooting Facility in the amount of \$16,640.00 as the lowest and most responsible bid,” “YEAS” Shaver, Gonzales, Meininger, McCarthy and Hilyard, “NAYS” None. Absent: None.

Moved by Council Member Gonzales and seconded by Council Member McCarthy, “to approve the bid to Twin City Roofing for repairs at the Transportation Buildings in the amount of \$109,510.50 as the lowest and most responsible bid,” “YEAS” Shaver, Gonzales, Meininger, McCarthy and Hilyard, “NAYS” None. Absent: None.

City Manager Kuckkahn presented the revised contract with Verizon to lease city owned land on our well site. This is the same contract Council approved at the July 7, 2014 meeting with an added provision to allow subletting on the property. Council Member Shaver commented that they still have not added anything regarding removal of the tower if it’s no longer being used. Moved by Mayor Meininger, seconded by Council Member Gonzales, “to approve the revised agreement with Verizon Wireless to lease city-owned property located at Highway 92 and County Road 19,” “YEAS”, Gonzales, McCarthy, Hilyard and Meininger “NAYS” Shaver. Absent: None.

Mr. Kuckkahn gave the Council an update on the progress of the Economic Development plan. The consultants will return on August 4th and are on target with their completion date of September 1st. They will be meeting again with the agencies and discussing how the city can interact with the agencies. They are working on identifying target industry sites and how we can bring these sites up to meet the “Certified Economic Development Site” status, which will lend to future development.

Mr. Darren Gebhart, Simon Contractors, gave Council an update of the Avenue I construction project. They have hired a subcontractor to complete the concrete work and are progressing with this part of the project. They have also begun the milling, with an anticipated completion date of the 3rd week in August.

City Manager Kuckkahn discussed the reauthorization and extension of the 1.5% City sales tax and Economic Development Program at the November election. Under the Local Option Municipal Economic Development Act, with amendments to date, additional types of “Qualifying Businesses” and “Eligible Activities” are permitted. City Council input is requested before this matter is placed on the ballot.

Currently, there is a \$175,000.00 limit on property taxes to the City’s General Fund and staff is recommending keeping that amount the same. Deputy City Attorney Rick Ediger added that when the additional .5% sales tax was authorized, the City wanted to make sure it provided property tax relief, so the way to do that was to limit the amount of property taxes collected. Another issue to consider is funding sources, which has been amended to allow revenue from other general tax levied by the city or generated from utilities, grants or donations.

Additional types of Qualifying Business can now be included, if the City desires to include them. They include producing films, constructing and rehabbing housing, and retail. Staff is supportive of adding retail, but retail would be subject to the council adopting standards and conditions for retail activities. Regarding Eligible Activities, staff is also recommending adding relocation funds for new businesses.

The LB840 fund balance is currently \$5,333,959.00, and Mr. Kuckkahn indicated that there were plans to spend this down substantially this next year. Among those expenditures would be approximately \$2.5 million for site development infrastructure and \$250,000.00 for Economic Development consultant services. Staff will ask for recommendations from Council at the August 4, 2014 meeting, and information and ballot wording will need to be passed at the August 18, 2014 meeting, following a public hearing on the Economic Development Plan. A resolution must be to the County Clerk's office by September 1, 2014.

Mr. Ediger informed the Council that there is no requirement to have a sunset in the plan, and this is up to the council. He also added that there is no desire on the LB840 Committees to recommend a retail grant at this time due to concerns about competition with existing retail businesses, but unless retail is included in the plan, a desired retail opportunity would require an election. That is why it is suggested that if the Council desires to include retail, that he be subject to further Council action.

Mr. Jim Trumbull, LB840 Application Review Committee Chairman, addressed the Council and commented that from the committee's standpoint, they are definitely in favor if the continued sales tax issue. Regarding retail, he would like the opportunity to discuss this issue with the LB840 committees prior to adding it to the plan.

Mr. Mark Harris, A & L Insulation, Chairman of the Citizen's Advisory Review Committee, commented that this sales tax issue is critical for the city of Scottsbluff. He is concerned about keeping property taxes low and this accomplishes that goal. He would suggest the Council keep the LB840 options open and flexible. He fully supports the sales tax at the current rate.

Mr. Kuckkahn added that visitors to our community enjoy the benefits of our infrastructure, and the sales tax is a fair way to recapture revenue. Council will provide recommendations at the August 4, 2014 meeting prior to a public hearing on August 18, 2014 to consider the ballot issue. Meetings of the Application Review Committee and the Citizen's Advisory Review Committee will be held prior to the August 4 Council meeting, so that their input can be included.

City Manager Kuckkahn discussed with Council the option of placing a question or referendum on the November general election ballot concerning a bond issue for an overpass or underpass rail crossing at 5th Ave. Staff is looking for direction from the public of whether or not to pursue a rail crossing. Mr. Mark Harris, whose business is located on 5th Ave., addressed the Council and commented that it is hard to be in limbo regarding his business, not knowing if at some point, his business location will be affected by a future overpass or underpass.

Council Member Shaver suggested not listing location, only asking if a railroad crossing is a priority with the citizens. If placed on the ballot, the wording would need to be to the County Clerk by September 1, 2014. Moved by Mayor Meininger, seconded by Council Member Hilyard, "to put a referendum question on the ballot asking if a railroad overpass or underpass is a priority, and include approximate cost," "YEAS" Shaver, Gonzales, Meininger, McCarthy and Hilyard, "NAYS" None. Absent: None.

Mr. Kuckkahn presented the Resolution supporting the Ports-to-Plains Alliance. This Resolution extends the need to continue support of the Federal Highway Trust fund for projects which include the Heartland Express. Moved by Mayor Meininger, seconded by Council Member Gonzales, "to approve Resolution No. 14-07-02, supporting the Ports-to-Plains Alliance urging Congress to fix the Federal

Highway Trust Fund,” “YEAS” Shaver, Gonzales , Meininger, McCarthy and Hilyard, “NAYS” None.
Absent: None.

Resolution No. 14-07-02

A RESOLUTION ENCOURAGING CONGRESS TO ADDRESS THE SHORTFALLS IN FEDERAL HIGHWAY TRUST FUND AND THE COMPLETE A LONG-TERM TRANSPORTATION REAUTHORIZATION BILL PRIOR TO its EXPIRATION ON SEPTEMBER 30, 2014.

WHEREAS, transportation is a critical factor in our economy. This is true locally, statewide and nationally. The United States has been nearing a crossroads in surface transportation for many years but this year the crossroads could result in a roadblock; and

WHEREAS, the Ports-to-Plains Alliance has provided Ports-to-Plains’ Congressional delegation with its Federal Priorities of the Ports-to-Plains Alliance for MAP-21 Implementation and Reauthorization and these Federal Priorities describe a short term and a longer term funding issue; and

WHEREAS, the Ports-to-Plains Alliance and the City of Scottsbluff supports a user fee increase and indexing required to meet current funding levels and to expand transportation funding lost due to inflation in the past twenty years since the user fees were last changed; and

WHEREAS, the Ports-to-Plains Alliance and the City of Scottsbluff supports a five or six year reauthorization bill, which is consistent with previous surface transportation bills and necessary for proper long-term planning. Operating under a series of short-term extensions is problematic and difficult on federal and state transportation agencies; and

WHEREAS, the City of Scottsbluff wishes to see two priorities to ensure projects like the Ports-to-Plains Corridor, North America’s Energy Corridor, and other critical transportation projects can continue.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SCOTTSBLUFF, NEBRASKA THAT:

Section 1. We urge you, as the Member of Congress representing Scottsbluff, NE, to work to ensure that Congress--

1. Passes a short-term fix immediately so that the Trust Fund does not run out of money in August, 2014; and

2. Passes a long-term fix by September 31, 2014, or as soon thereafter as possible, that accomplishes the following:

a. Reauthorizes Federal transportation programs (MAP-21) for five or six years in accordance Ports-to-Plains Alliance priorities; and

b. Provides the user-fee-based, sustainable revenues for the Highway Trust Fund necessary to support the higher levels of investment needed to modernize the America’s national transportation network, including rural freight corridors important to energy development and agricultural production like the Ports-to-Plains Corridor, Heartland Expressway, or Theodore Roosevelt Expressway.

Section 2. This resolution to be in full force and effect from and after its passage and approval.

ADOPTED AND APPROVED this 21st day of July, 2014.

Mayor

Attest: _____

City Clerk

Moved by Mayor Meininger, seconded by Council Member Gonzales, “to remove from the table, the Ordinance adopting the 2014 National Electrical Code,” “YEAS” Shaver, Gonzales , Meininger, McCarthy and Hilyard, “NAYS” None. Absent: None.

Council would like to revisit this Ordinance at the January 5, 2015 meeting to consider its adoption. Moved by Mayor Meininger, seconded by Council Member Gonzales, “to table the Ordinance adopting the 2014 National Electrical Code until January 5, 2015,” “YEAS” Shaver, Gonzales , Meininger, McCarthy and Hilyard, “NAYS” None. Absent: None.

Council introduced Ordinance No. 4132 to Vacate Lots One and Two, Block 1, Idlewylde Addition of Scottsbluff, which was read by title on third reading: AN ORDINANCE OF THE CITY OF SCOTTSBLUFF, NEBRASKA, VACATING LOTS 1 AND 2, BLOCK 1, IDLEWYLDE ADDITION TO THE CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA, EXCEPT THAT PART OF LOT 1, DEEDED TO THE STATE OF NEBRASKA DEPARTMENT OF ROADS IN DEED BOOK 208, PAGE 132, ALL IN THE CITY OF SCOTTSBLUFF, SCOTTS BLUFF COUNTY, NEBRASKA.

Moved by Mayor Meininger, seconded by Council Member Shaver, “to approve Ordinance No. 4132,” “YEAS” Shaver, Gonzales , Meininger, McCarthy and Hilyard, “NAYS” None. Absent: None.

Moved by Council Member Shaver, seconded by Mayor Meininger, “to adjourn the meeting at 7:45 p.m.,” “YEAS” Shaver, Gonzales , Meininger, McCarthy and Hilyard, “NAYS” None. Absent: None.

Mayor

ATTEST:

City Clerk