

**Legislative/Development Committee Meeting**  
**Tuesday, January 7, 2025 5:00 PM**  
**Crete City Hall**  
**243 E 13th Street**  
**Crete, NE 68333**

**1. Open Meeting**

- In accordance with Nebraska law, a copy of the Open Meetings Act can be found in the back of the Council Chambers.
- Items listed on the agenda may be considered in any order.

**2. Roll Call**

- Attendance of members will be recorded to determine the presence of a quorum for official actions.

**3. Items of Business**

- The Committee may discuss or limit discussion on, hear testimony in favor of or in opposition to, or take action to provide a recommendation to the City Council on any matter presented under this title.

3.A. Consider Ordinance 2232 amending telecommunications occupation tax

3.B. Consider the Special Conditions documents for Crete 24DTR001

**4. Officers' Reports**

- Reports may be given by the Mayor, Officers, Departments, or Councilmembers concerning the current operations of the City.
- No action can be taken on matters presented under this title except to answer any questions or to refer the matter for further action.

**5. Adjournment**

**Disclaimers & Notices**

- The Council may enter into closed session to discuss any matter on this agenda when it is determined that a closed session is clearly necessary for the protection of the public interest or the prevention of needless injury to the reputation of an individual (if such individual has not requested a public meeting) or as otherwise allowed by law. Any closed session shall be limited to the subject matter for which the closed session was called. If the motion to close passes, then immediately prior to the closed session the Mayor shall restate on the record the limitation of the subject matter of the closed session.
- The City of Crete assures that no person shall on the grounds of race, color, national origin, age, disability, handicap or sex, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity of the City receiving Federal financial assistance. To report discrimination, contact the City Clerk's office.
- The complete agenda with attachments is available at [www.crete.ne.gov](http://www.crete.ne.gov).

## ORDINANCE NO. 2232

**AN ORDINANCE OF THE CITY OF CRETE, NEBRASKA RELATING TO BUSINESS REGULATIONS; TO AMEND SECTIONS 10-910 OF THE CRETE MUNICIPAL CODE; TO AMEND THE TAX RATE FROM FIVE PERCENT TO FOUR PERCENT IN COMPLIANCE WITH NEBRASKA LAW**

**BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRETE, NEBRASKA:**

**Section 1.** That Chapter 10, Article 9, Section 10-910 of the Crete Municipal Code be amended as follows:

**10-910 Occupation Tax; Telephone and Telecommunications**

- (1) Any person, partnership, limited liability company, corporation, association, or other business entity that provides telephone, telecommunications, wireless, or advanced telecommunications capability services shall pay an occupation tax in the amount of ~~five~~ four percent (~~54~~%) of all gross receipts derived from business to, from, and within the City, except as otherwise provided for by law.
  - a. Advanced telecommunications capability service means high-speed, broadband telecommunications capability that enables users to originate and receive high-quality voice, data, graphics, and video communications using any technology.
  - b. Telecommunications service means the transmission, between or among points specified by the user, of information of the user's choosing without a change in the form or content of the information as sent or received.
  - c. Wireless service means any mobile service as defined in 47 U.S.C. 153 and 47 C.F.R. 27.4, any commercial mobile service as defined in 47 U.S.C. 332, or any commercial mobile radio service as defined in 47 C.F.R. 20.
- (2) The tax imposed by this section shall be due and payable semiannually, on or before March 31 of each year for the preceding six month period and on or before September 30 of each year for the preceding six month period.

**Section 2.** That the above section shall be codified as part of the Crete City Code as stated herein.

**Section 3.** All ordinances and parts of ordinances in conflict herewith are hereby repealed.

**Section 4.** This ordinance shall be published in pamphlet, book, or electronic form and shall take effect and be in full force and effect from and after its passage, approval and publication, as provided by law.

PASSED AND ENACTED the 7th day of January 2025.

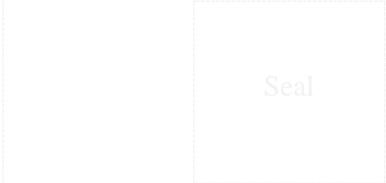
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Mayor

ATTEST:

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City Clerk





**Dave Heineman**  
Governor

# STATE OF NEBRASKA

## DEPARTMENT OF ECONOMIC DEVELOPMENT

301 Centennial Mall South  
P.O. Box 94666  
Lincoln, Nebraska 68509-4666 USA

Phone (402) 471-3111  
Toll Free (800) 426-6505  
Fax (402) 471-3778  
Statewide Relay (800) 833-0920 (voice)  
[www.neded.org](http://www.neded.org)

### MEMORANDUM

**DATE:** September 28, 2010  
**TO:** All CDBG, HOME and NAHTF Grantees and Administrators  
**FROM:** Lara Huskey, Director, Community and Rural Development Division  
**RE:** **Contract Special Condition: Affirmatively Further Fair Housing Action**

As recipient of funds in the Nebraska Department of Economic Development (DED) Community Development Block Grant, Nebraska Affordable Housing Trust Fund or HOME Program, grantees must fulfill affirmative action requirements of federal fair housing laws. (P.L 90-284, as amended by L. 1988 P.L 100-430; and E.O. 11063). The contract between the grantee and DED, as well as the Administrative Requirements provides for compliance with these laws. The response to this memo is also a Special Condition for Release of Funds in the contract.

Although DED imposes a specific Fair Housing action requirement, it is important for grantees to be aware that the certification to affirmatively further fair housing formalizes a commitment to understand every individual's fair housing rights and ensure all of the grantee's policies and practices do not hinder fair housing and when appropriate actively further fair housing.

The intent of this memorandum is to request **a written response including**

- (1) the name and contact information for the local Fair Housing representative and**
- (2) the specific action the grantee will undertake during the grant period to meet the Special Conditions requirement.** Documentation of the Fair Housing Action can include newspaper articles, meeting and board minutes, contracts and agreements with workshop presenters, sign-in sheets, web-sites, and video files.

Standard, minimal actions that may be undertaken without additional actions only by a grantee village that it is a first-time recipient of CDBG funds and with permission from the DED program representative:

- Add the Equal Opportunity Fair Housing logo to official letterhead .
- Prominently display posters, logo, and informational material on fair housing in the village office and community meeting places.
- Pass a Fair Housing Resolution with a commitment to fair housing and measurable action steps to promote fair housing.

## **Acceptable Fair Housing Actions for purposes of meeting the Special Conditions requirement that Affirmatively Further Fair Housing:**

- Undertake a review of existing ordinances, zoning, and land use practices for discriminatory policies and practices. Document the review and make it available to the public. Develop a Fair Housing Plan with corresponding action steps to address discriminatory policies and practices.
- Take an action step identified in your Fair Housing Plan that has not been previously taken.
- Develop a community Fair Housing web-page which prominently displays the community's commitment to Further Fair Housing on the community web-site including links to fair housing enforcement and education agencies such as the Nebraska Equal Opportunity Commission, the Fair Housing Center of Nebraska-Iowa, and HUD.
- Enhance the community's Fair Housing Web-page with additional resource and education materials.
- Print a notice or advertisement that appears in a prominent location of the local newspaper that states that the grantee is an active supporter of fair housing laws. The notice or advertisement must include the contact information for the community Fair Housing representative.
- Support and participate in an educational program coordinated with local realtors, home builders, and/or mortgage lenders designed to provide information on fair housing rights.
- Provide a housing referral and counseling services session with fair housing advocates to assist minorities, women, and persons with disabilities seeking housing within the grantee's jurisdiction.
- Host an informational fair housing session for local employers to encourage cooperation in efforts to find housing for their employees and to promote equal housing choices within the community.
- Speak to an elementary school class about the Fair Housing rights of the children and their families.
- Request assistance from the Nebraska Equal Opportunity Commission or other advocacy groups to host a fair housing informational or technical assistance seminar in your community or region.
- Sponsor a billboard that informs citizens of their basic fair housing rights and contacts if they feel they have experienced discrimination.
- Invite the Nebraska Equal Opportunity Commission (NEOC) or other Fair Housing advocacy organization to have a discussion with a group of lenders or rental property owners and managers about their fair housing responsibilities.
- Host a Fair Housing Month (April) event such as a Fair Housing poster contest or Housing information event that includes Fair Housing advocates.
- Other actions approved in advance by DED on a per grant basis.

When promoting fair housing it is sometimes more effective to refer to the injustice of "housing discrimination" in materials for the public as most people are familiar with the concept of discrimination.

November 4, 2014

Bob Jones, SE Housing Representative  
NDED  
P.O. Box 94666  
Lincoln, Nebraska 68509 4666

Re: City of Crete - CDBG #14-HO-3S067  
City-wide Owner Occupied Housing Rehabilitation Program  
Fair Housing Response

Dear Mr. Jones:

This letter is our written response to the Fair Housing Memorandum from NDED, as part of the CDBG Program. The following are actions that the City will undertake to affirmatively further fair housing actions:

1. The City will use the Equal Housing Opportunity Logo on all project correspondence and the City will also display posters and informational material concerning fair housing opportunities.
2. The City has adopted a Resolution opposing discrimination in housing activities in the City of Crete. Attached is a copy of that Resolution.
3. The City will print a notice or advertisement that appears in a prominent location of the local newspaper that states that the City is an active supporter of fair housing laws. The notice or advertisement will include the contact information for the community Fair Housing representative.

If you need further information, please contact our CDBG Project Administrator, Jen Olds, Southeast Nebraska Development District (SEND D), 2631 "O" St., Lincoln, Ne, 68510, (402) 475 2560, [jolds@sendd.org](mailto:jolds@sendd.org).

Respectfully,

Shane Day, Mayor

Cc: Jerry Wilcox, Clerk  
Jen Olds, Grant Administrator

July 10, 2017

Abigail Anderson, Program Representative  
NDED  
PO Box 94666  
Lincoln, Nebraska 68509-4666

**Re: Crete, NE  
CDBG #16-PP-006 / Planning Project  
Fair Housing**

Dear Ms. Anderson:

This letter is our written response concerning actions to affirmatively further fair housing, as part of the CDBG Program in Crete, Nebraska. The following are actions that the City has undertaken, or will undertake, to meet requirements of the federal fair housing laws:

1. The City will contact realty agencies and distribute information on **Equal Housing Opportunity** for realtors to have access to as well as inform community members. The City and a SENDD staff member will retrieve business cards of realtors in offices and scan for filing.

If you have any questions, or need further information, please feel free to contact our City Clerk, or Mr. Tom Bliss, our CDBG Project Administrator at SENDD, 2100 Fletcher Ave, Suite 100, Lincoln, NE, 68510, 402.475.2560, [tbliss@sendd.org](mailto:tbliss@sendd.org).

Respectfully,

Roger Foster  
Mayor

Enc.

Brian Gaskill, CDBG Program Manager  
Department of Economic Development  
P.O. Box 94666  
Lincoln, Nebraska 685094666

**Re: Crete, Ne  
CDBG #15-DTR-102**

Dear Mr. Gaskill:

The City's Fair Housing Representative will be Tom Ourada, [tourada@crete-ne.gov](mailto:tourada@crete-ne.gov), (402) 826-4312.

The following are actions that the City will undertake to affirmatively further fair housing actions:

1. The City will host a Fair Housing event in partnership with Blue Valley Community Action (Blue River) for low-to-moderate income clients and residents of Crete. Handouts and brochures about Fair Housing will be available at a booth/table, and a SENDD staff person will be available to respond to questions. The City will document this action through use and retention of a sign-in sheet and retaining copies of publications/posters/etc. marketing the event and packet/materials distributed during the event.

If you need further information, please contact our CDBG Project Administrator, Judi Meyer, Southeast Nebraska Development District (SENDSD), 2100 Fletcher Ave., Lincoln, Ne, 68521, (402) 4752560, [jmeyer@sensdd.org](mailto:jmeyer@sensdd.org).

Respectfully,

Roger Foster  
Mayor



Dave Honz, DTR Program Manager  
Department of Economic Development  
P.O. Box 94666  
Lincoln, Nebraska 68509-4666

**Re: Crete, Ne CDBG #20-DTR-002**

Dear Mr. Honz:

The City's Fair Housing Representative will be Tom Ourada, email [tom.ourada@crete.ne.gov](mailto:tom.ourada@crete.ne.gov), phone (402) 826-4312.

The following are actions that the City will undertake to affirmatively further fair housing actions:

1. The City will host a Fair Housing event in partnership with Blue Valley Community Action (Blue River) for low-to-moderate income clients and residents of Crete. Handouts and brochures about Fair Housing will be available at a booth/table, and a SENDD staff person will be available to respond to questions. The City will document this action through use and retention of a sign-in sheet and retaining copies of publications/posters/etc. marketing the event and packet/materials distributed during the event.

If you need further information, please contact our CDBG Project Administrator, Liz Cody, Southeast Nebraska Development District (SENDSD), 2100 Fletcher Ave., Lincoln, Ne, 68521, (402) 475-2560, [lcody@sendd.org](mailto:lcody@sendd.org).

Respectfully,

David Bauer  
Mayor

# STATE OF NEBRASKA W-9 & ACH ENROLLMENT FORM

**PLEASE SUBMIT FORM TO INVOICED AGENCY**

**1** Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.

**2** Business name/disregarded entity name, if different from above

**3** Check appropriate box for federal tax classification; check only **one** of the following boxes:

- Individual  
  Sole proprietor  
  C Corporation  
  S Corporation  
  Partnership  
  Trust/Estate  
 Non-Profit Entity  
  Government (Local, State or Federal)  
 Limited Liability Company. Enter the tax classification (C = C Corporation, S = S Corporation, P = Partnership) \_\_\_\_  
 Other (see instructions) \_\_\_\_\_

**Note:** Enter the owner's name on line 1 and mark the appropriate federal tax classification box for disregarded entities.

**4** Exemptions (see instructions): Exempt payee code (if any) \_\_\_\_\_ Exemption from FATCA reporting code (if any) \_\_\_\_\_

**5** Address:  Remit Address (if different):

**6** City, state, and ZIP code  City, state, and ZIP code

**Taxpayer Identification Number (TIN):**

Social Security Number (SSN): \_\_\_\_\_ **OR** Employer Identification Number (EIN): \_\_\_\_\_

**Certification:**

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
2. I am not subject to backup withholding due to failure to report interest and dividend income, and
3. I am a U.S. citizen or other U.S. person (defined in the instructions), and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**For additional instructions please refer to <http://www.irs.gov/pub/irs-pdf/fw9.pdf> to obtain a copy of the IRS Form W-9 General Instructions.**

Signature of US Person: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_ Contact Phone: \_\_\_\_\_

Comments or Business/Entity Notes:

**ACH Enrollment:** (Rev. December 2014)     Initial Setup     Change     Close Account

**This information is REQUIRED to process ACH payments. Without this information, your payment may be delayed.**

Financial Institution Name:	Nine Digit Routing Number:	Prior Routing Number: *	<input type="checkbox"/> Check here if the bank is outside of the United States.
Address:	Depositor Account Number:	Prior Account Number: *	<input type="checkbox"/> Check here if our payments to you are being forwarded from a U.S. financial institution to a financial institution in another country
City, state and ZIP code:	Type of Account: <input type="checkbox"/> Checking <input type="checkbox"/> Savings	* Prior ACH instructions are required to be completed if changing/updating your ACH instructions with the State of Nebraska.	

This account will be used for all payments by the State of Nebraska unless specified here: \_\_\_\_\_

**E-mail:** \_\_\_\_\_  
(Used for ACH payment notifications.)

Authorized Individual or Entity Signature:	<b>Attachment Required!</b> (Select and attach <b>one</b> of the following items for verification):
Printed Name:	<input type="checkbox"/> Blank check (voided) or <input type="checkbox"/> Photocopy of a cleared check
Title:	<input type="checkbox"/> Letter or statement from your financial institution
Date	<input type="checkbox"/> Vendor invoice or letter which contains printed ACH instructions

**Internal Use Only:**



## AUTHORIZATION TO REQUEST FUNDS

This document certifies that the individuals listed below are authorized to request program funds from the Nebraska Department of Economic Development and that the signatures appearing below are the true signatures of the aforementioned individuals.

<b>PROGRAM</b> <small>SELECT EACH PROGRAM FOR WHICH ENTITY HAS FUNDING.</small>	<b>PROJECT/GRANT NUMBER(S)</b> <small>LIST ALL PROJECT/GRANT NUMBER(S) BELOW.</small>
<input checked="" type="checkbox"/> Community Development Block Grant	24DTR001, 24PW1004
<input type="checkbox"/> HOME Investment Partnerships Program	.....
<input type="checkbox"/> HOME-ARP	.....
<input type="checkbox"/> Middle Income Workforce Housing Fund	.....
<input type="checkbox"/> National Housing Trust Fund	.....
<input type="checkbox"/> Nebraska Affordable Housing Trust Fund	.....
<input type="checkbox"/> Pandemic Relief Housing	.....
<input type="checkbox"/> Rural Workforce Housing Fund	.....
<input type="checkbox"/> Rural Workforce Housing Land Development	.....

THIS FORM MUST APPEAR ON OFFICIAL LETTERHEAD OR BE NOTARIZED ON THE NEXT PAGE. ALL SIGNATURES MUST BE WRITTEN IN **BLUE** INK.

<i>SIGNATURE OF AUTHORIZED INDIVIDUAL 1</i>	<i>SIGNATURE OF AUTHORIZED INDIVIDUAL 2</i>
<i>PRINTED NAME</i>	<i>PRINTED NAME</i>
<i>TITLE</i>	<i>TITLE</i>
<i>EMAIL</i>	<i>EMAIL</i>
<i>DATE</i>	<i>DATE</i>



January 7, 2025

Gina Doose, CDBG Program Manager  
Department of Economic Development  
245 Fallbrook Blvd, Suite 002  
Lincoln, Nebraska 68521

**Re: City of Crete, NE  
CDBG Grant #24DTR001**

Dear Ms. Doose:

I certify that the City of Crete is a member of the Southeast Nebraska Development District (SEND) and has contracted with them to be the grant administrator for the CDBG Grant #24DTR001 project. Initially, James Owens, Community Development Specialist, will be the SEND CDBG Certified Administrator assigned to this project, and will also serve as the recipient grant manager. Mr. Owens's certification is valid until December 31, 2026.

Any changes that are made in grant administrators will be reflected in the Subrecipient Information form within AmpliFund. Please contact myself, or Mr. Owens, should you have any questions regarding this matter.

Sincerely,

David Bauer  
Mayor



## **EXCESSIVE FORCE CERTIFICATION**

On this 7<sup>th</sup> day of January, 2025, the Mayor, David Bauer, of the City of Crete does hereby certify to the Nebraska Department of Economic Development that the City of Crete has adopted a policy of enforcing applicable State and local laws against the use of excessive force by law enforcement agencies within its jurisdiction against any individual engaged in nonviolent civil rights demonstrations.

---

(Chief Elected Official Signature)

NEBRASKA DEPARTMENT OF ECONOMIC DEVELOPMENT

City of Crete

24DTR001

CDBG Subrecipient

CDBG Number

243 East 13<sup>th</sup> Street

Address

Crete

NE 68333

City

State Zip Code

Nancy Tellez

402-826-4312

Contact Person

Telephone

FINANCIAL MANAGEMENT CERTIFICATION

Check "Yes" or "No" in the column to the left to indicate if your financial management system complies with these statements:

1. Does the financial management system provide for:

YES NO

- (a) proper recording and accounting for all CDBG receipts?
(b) control over and accountability for all funds, property, and other assets?
(c) records that identify the source and use of funds?
(d) the expenditure of CDBG funds within five days of the receipt of funds?
(e) the application of program income to the CDBG fund?
(f) the disbursing of program income prior to making additional drawdowns?
(g) accounting records that are supported by source documents?
(h) a comparison of actual expenditures with amounts budgeted for activities within the grant?
(i) audits to be conducted in accordance with 2 CFR Part 200, Subpart F?
(j) audits of non-profit subrecipients to be conducted in accordance with 2 CFR Part 200, Subpart F?

2. Are the individuals who are responsible for the financial management of the CDBG:

YES NO

- a) familiar with 2 CFR Part 200, Subpart E Treasury Circular 1075 (31 CFR Part 205)?
(b) aware that failure to comply these regulations will result in audit findings and the repayment of ineligible costs to the Department of Economic Development?

I certify that the above responses are an accurate indication of the status of the financial management system which will be used for the Community Development Block Grant Funds.

SIGNATURE OF MAYOR/CHAIRPERSON

David Bauer

TYPED NAME

January 7, 2025

DATE