

Bellevue City Council Meeting

Monday, February 11, 2019 6:00 PM

Bellevue City Hall

1500 Wall Street

Bellevue, NE 68005

1. PLEDGE OF ALLEGIANCE
2. INVOCATION - Pastor Joseph Gastineau, Revival Tabernacle Church, 2226 Jefferson
3. CALL TO ORDER AND ROLL CALL
4. OPEN MEETINGS ACT - Posted in the Entry to the Council Chambers
5. APPROVAL OF AGENDA, CONSENT AGENDA, CLAIMS, AND ADVISORY COMMITTEE REPORTS:
 - a. Approval of the Agenda
 - b. Approval of the Consent Agenda (*Items marked with a * are approve when this item is, unless otherwise removed*)
 1. * Approval of the Minutes from the January 28, 2019, City Council Meeting
 2. * Acknowledge receipt of the Minutes from the January 24, 2019, Planning Commission Meeting
 3. * Approving the appointment of Barbara Van Wassenhoven to the Bellevue Library Board to fill an unexpired term until June 2021 (Mayor)
6. * Approval of the Claims
7. ORGANIZATIONAL MATTERS:
 - a. Approving the Mayoral Appointments
 1. City Clerk: Susan Kluthe
 2. City Treasurer: Richard Severson
 3. City Engineer: Jeff Roberts
 4. In-house City Attorney: Alicia "Bree" Robbins
8. SPECIAL PRESENTATIONS:
 - a. Sarpy County Economic Development Corporation Update - Andrew Rainbolt
 - b. Beardmore Events Center of Bellevue Status Update - Rebecca Mumm
9. LIQUOR LICENSES: None
10. ORDINANCES FOR ADOPTION (3rd reading):
 - a. Ordinance No. 3925: Rezoning Lots 1 through 121 and Outlots A through G, Belle Lago South, from AG and RG-50--PS to RG-50-PS for the purpose of single-family residential development Applicant: Boyer-Young Development General Location: Southeast of 48th and Capehart Road (Planning Director)
 1. Approve Preliminary Plat of Lots 1 through 121 and Outlots A through G, Belle Lago South
 - b. Ordinance No. 3927: Amending the City Code to move the City Council Meetings to the 1st and 3rd Tuesdays of the Month, commencing May 7, 2019 (Administration)
11. ORDINANCES FOR PUBLIC HEARING (2nd reading):
 - a. Ordinance No. 3928: Amending Section 2-30 of City Code Pertaining to City Council Order of Business (Administration)
 1. Approve Council Policy Resolution 39

b. Ordinance No. 3929: Sale of City Surplus Property - Abandoned Lift Station (City Attorney)

c. Ordinance No. 3930: Compensation Ordinance as Updated (Finance Director)

d. Ordinance No. 3931: Request to vacate a portion of McCorkindale Avenue abutting Lot 2, W of RR ROW, Lots 3A2 & 3C, Pleasant Hill or Martin's Subdivision; Lot 10 & Lot 11, West of ROW, Pleasant Hill or Martin's Subdivision; and Lot W located in Section 16, T14N, R13E of the 6th P.M., Sarpy County, Nebraska (Public Works Director)

e. Ordinance No. 3932: Sale of City Surplus Property, located adjacent and north of 1303 Freeman Drive (Planning Director)

12. ORDINANCES FOR INTRODUCTION (1st reading): 3933

a. Ordinance No. 3933: Rezoning the North 1/2 of the East 35.2' of Lot 2 and the North 1/2 of Lot 3, Tiller's Hillcrest Addition from BG and BGH to RS-84 Applicant: BJ Justice Location: 210 Galvin Road North (Planning Director)

b. Ordinance No. 3934: Annexing Tax Lot A2B, E1, E2, H1, J, K, and parts of Tax Lots I, D1, and D2, lying west of abandoned railroad right-of-way, Section 21, T14N, R13E of the 6th P.M., Sarpy County, Nebraska Applicants: Jose and Monica Ramirez Location 2803 Childs Road West (Planning Director)

c. Ordinance No. 3935: Rezoning Lots 1 and 2, Rancho La Estrella, from RS-72 to AG and RS-72 for the purpose of agricultural and residential uses Applicants: Jose and Monica Ramirez Location: 2803 Childs Road West

d. Ordinance No. 3936: Annexing Sanitary Improvement District #147, Blackhawk, consisting of Lots 1 through 97 and Lots 101 through 152, Blackhawk; Lot 1, Whitfield's Blackhawk; and Lot 2, Oakhurst Replat One Applicant: City of Bellevue (Planning Director)

13. PUBLIC HEARING ON MATTERS OTHER THAN ORDINANCES:

a. Public Hearing on the Event License Application of the MAK Throwers for the "Nebraska Celtic Festival" to be held April 6th and 7th in Haworth Park (alternate site: Hastings Banner Park) from 7:00 a.m. to sunset (City Clerk)

b. Public Hearing on the Event License Application of Aim High Events for a half-marathon and 15k run on Saturday, April 27th in Haworth Park from 7:00 a.m. to 11:00a.m. (City Clerk)

c. Public Hearing on the Event License Application of Freedom Running Company for a Half Marathon, 10k, and 5k to raise funds for the "War on Terror Memorial" on May 18th using American Heroes Park, City streets, and going onto Base from 4:00 a.m. to 12:00 p.m. (City Clerk)

d. Public Hearing on the Event License Application of the Bellevue Economic Enhancement Foundation, in partnership with the Bellevue Chamber of Commerce, for "Riverfest" to be held in American Heroes and Haworth Park on June 28th from 4:00 p.m to 1:00a.m. and June 29th from 6:00 a.m, to 1:00 a.m. (City Clerk)

e. Public Hearing on the One-and-Six Year Street Plan

1. Resolution No. 2019-03: One-and-Six Year Street Plan

14. RESOLUTIONS:

a. Resolution 2019-02: The Bellevue Bicycle Club - Annual Ride of Silence

b. Resolution No. 2019-04: Bond Reimbursement Resolution for 2019 Paving Improvements

15. CURRENT BUSINESS:

a. Approving the Proposal for Ordinance Codification from American Legal Publishing Corporation (City Clerk)

b. Approving the remount of two Medic Units on Ford 550 Chassis for \$146,717 each, for an estimated total of \$293,434 (Fire Chief)

c. * Approval of the Extension Request for 2017 CDBG Council-approved agreement with Habitat for Humanity of Sarpy County through February 27, 2020 (Finance Director/CDBG Program Administrator)

d. * Approval of the Extension Request for 2017 CDBG Council-approved agreement with Heartland Family Services through February 27, 2020 (Finance Director/CDBG Program Administrator)

e. * Approval of the Extension Request for 2017 CDBG Council-approved agreement with Bellevue Junior Sports Association through February 27, 2020 (Finance Director/CDBG Program Administrator)

f. * Approval of the 2018 CDBG Subrecipient Agreement with Backyard Sports for \$26,825 (Finance Director/CDBG Program Administrator)

16. ADMINISTRATION REPORTS: Comments must be limited to items on the current Reports

17. PUBLIC REQUESTS TO BE HEARD:

18. CLOSED SESSION:

19. ADJOURNMENT

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18. CLOSED SESSION: None

19. ADJOURNMENT

MINUTE RECORD

Bellevue City Council Meeting, January 28, 2019, Page 1

A regular meeting of the Mayor and Council of the City of Bellevue was called to order by Mayor Rusty Hike at the Bellevue City Hall on the 28th day of January, 2019, at 6:00 p.m. Present were Council Members Bob Stinson, Paul Cook, Pat Shannon, Thomas Burns, and Kathy Welch. Donald Preister was absent, but participated via phone.

Notice of this meeting was given in advance thereof by publication in the Bellevue Leader and posting in two public places, the designated method for giving notice and was also given to the Mayor and all members of the City Council. A copy of the affidavit of publication, the certificate of posting, and the council's acknowledgment of receipt of notice are hereby attached to these minutes. All proceedings shown hereafter were taken while the convened meeting was open to the public.

Pledge of Allegiance and Invocation

Mayor Hike led in the Pledge of Allegiance. Pastor Thure Martinsen, Golden Hills Seventh Day Adventist Church, 3005 Golden Blvd in Bellevue, gave the invocation.

Open Meetings Act

Mayor Hike announced a copy of the Open Meetings Act is posted in the entry to the City Council Chambers.

Approval of the Agenda

Motion was made by Shannon, seconded by Burns, to approve the agenda. Roll call vote on the motion was as follows: Stinson, Cook, Shannon, Burns, and Welch voted yes; voting no: none; absent: Preister. Motion carried.

Approval of the Consent Agenda

Motion was made by Shannon, seconded by Burns, to approve the consent agenda which included the following: Approval of the Minutes from the January 14, 2019, City Council Meeting; Approve Appointment of Todd Aerni to the Planning Commission to fill an unexpired term ending August 2020; Approval of the Claims; and Approve the Indemnification Agreement with Guardian Tax Partners, Inc., for entry on 2611 Harrison. Roll call vote on the motion was as follows: Stinson, Cook, Shannon, Burns, and Welch voted yes; voting no: none; absent: Preister. Motion carried.

SPECIAL PRESENTATIONS:

Presentation on 36th Street

Mr. Kyle Anderson, a Vice-President at Felsburg, Holt, & Ullevig, advised the Council what the feasibility study has shown them about the stretch of 36th Street from Twin Creek Drive to Cornhusker Road. He reviewed a couple of the options available.

Quarterly Budget Report Update

Finance Director Rich Severson gave a year-to-date and quarter-to-date update on where the budget stands as of December 31, 2018.

LIQUOR LICENSES:

Knights of Columbus Council #11879) – Application for Special Designated Liquor Licenses

The application of the Knights of Columbus Council #11879 (St. Matthew's Parish) for Special Designated Liquor Licenses to Sell Beer and Wine during Lenten Fish Fries at St. Matthew's Parish Center, 11210 South 36th Street, from 5:00 p.m. to 8:00 p.m. on six consecutive Friday nights from March 8 thru April 12, 2019, was presented for Council consideration. Mr. David Boone was present to answer any questions.

Mayor Hike asked for public comment. No one in the audience came forth to speak in support of or in opposition to the application. Mayor Hike declared the public hearing closed.

Motion was made by Cook, seconded by Welch, to recommend to the Nebraska Liquor Control Commission the application of the Knights of Columbus Council #11879 (St. Matthew's Parish) for Special Designated Liquor Licenses to Sell Beer and Wine during Lenten Fish Fries at St. Matthew's Parish Center, 11210 South 36th Street, from 5:00 p.m. to 8:00 p.m. on six consecutive Friday nights from March 8 thru April 12, 2019, be approved. Roll call vote on the motion was as follows: Stinson, Cook, Shannon, Preister, Burns, and Welch voted yes; voting no: none; absent: Preister. Motion carried.

ORDINANCES:

Ordinance No. 3925: Rezoning Lots 1 through 121 and Outlots A through G, Belle Lago South, from AG and RG-50-PS to RG-50-PS for the purpose of single-family residential development Applicant: Boyer-Young Development General Location: Southeast of 48th Street and Capehart Road (Second Reading)

Ordinance No. 3925, an ordinance to amend the official zoning map of the City of Bellevue, Nebraska, as provided for by Article 3 of Ordinance No. 3619 by changing the zone classification of land located at or about 48th Street and Capehart, more particularly described in Section 1 of the Ordinance and to provide an effective date, was read by title only for the second time and presented for public hearing.

Mr. Larry Jobeun appeared on behalf of the applicant to explain the project. Mr. Mark Westergard with E & A Consulting Group talked about the planned trails. Mr. David Vogtman with the builder talked about how and when work would start.

MINUTE RECORD

Bellevue City Council Meeting, January 28, 2019, Page 2

Mayor Hike opened the meeting to a public hearing to give opportunity for individuals to speak in favor of or in opposition to the rezoning request.

Mr. Chuck Fredrick questioned if there were plans for a park or a dog park in the subdivision. Planning Director Chris Shewchuk advised plans are for a regional park in that area.

Mayor Hike asked for any additional public comment. No one in the audience came forth to speak in support of or in opposition to the ordinance. Mayor Hike declared the public hearing closed.

Mayor Hike stated the third reading of the ordinance will be heard at the next Council meeting on February 11th.

Ordinance No. 3926: Issuance of Highway Allocation Fund Pledge Bonds, Series 2019, in an amount not to exceed \$3,715,000 (Second Reading)

Ordinance No. 3926, an ordinance authorizing the issuance of highway allocation fund pledge bonds, Series 2019 of the City of Bellevue, Nebraska, in the principal amount of not to exceed three million seven hundred fifteen thousand dollars (\$3,715,000) for the purpose of paying the costs of certain street improvements and related improvements within the City of Bellevue, Nebraska; prescribing the form of such bonds to be issued and authorizing officers of the City to approve certain final terms of the bonds; pledging funds to be received by the City from the State of Nebraska Highway Allocation Fund for the payment of said bonds; providing for the levy of taxes to pay the interest on and principal of such bonds if necessary; and providing for publication of this Ordinance in pamphlet form; and related matters, was read by title only for the second time and presented for public hearing.

Mr. Severson explained the purpose of these bonds.

Mayor Hike opened the meeting to a public hearing to give opportunity for individuals to speak in favor of or in opposition to the bonds. No one in the audience came forth to speak in support of or in opposition to the ordinance. Mayor Hike declared the public hearing closed.

Motion was made by Cook, seconded by Shannon to waive the third reading and vote on the ordinance at this meeting. Roll call vote on the motion was as follows: Stinson, Cook, Shannon, Preister, Burns, and Welch voted yes; voting no: none; absent: Preister. Motion carried.

Motion was made by Shannon, seconded by Cook, to approve Ordinance 3926. Mayor Hike asked "Shall Ordinance No. 3926 be passed and adopted?" and upon roll call the following voted yes: Stinson, Cook, Shannon, Burns, and Welch; voting no: none; absent: Preister. Mayor Hike proclaimed Ordinance No. 3926 passed and adopted.

Ordinance No. 3927: Amending the City Code to move the City Council Meetings to the 1st and 3rd Tuesdays of the Month (Second Reading)

Ordinance No. 3927, an ordinance to amend Sections 2-26 and 2-29 of the Bellevue Municipal Code pertaining to time and location of regular City Council meetings, and the preparation of the agenda for regular Council meetings; to repeal Sections 2-26 and 2-29 as heretofore existing; to provide for the publication of this Ordinance in pamphlet form; and to provide for an effective date of this Ordinance, was read by title only for the second time and presented for public hearing.

Mayor Hike opened the meeting to a public hearing to give opportunity for individuals to speak in favor of or in opposition to the bonds. No one in the audience came forth to speak in support of or in opposition to the ordinance. Mayor Hike declared the public hearing closed. Mayor Hike stated the third reading of the ordinance will be heard at the next Council meeting on February 11th.

Ordinance No. 3928: Amending Section 2-30 of the City Code pertaining to City Council Order of Business (First Reading)

Ordinance No. 3928, an ordinance to amend Sections 2-30 of the Bellevue Municipal Code pertaining to the City Council's order of business; to repeal such section as heretofore existing; and to provide for the effective date of this Ordinance, was read by title only for the first time and scheduled for public hearing at the Council meeting on February 11th.

Ordinance No. 3929: Sale of City Surplus Property, abandoned lift station (First Reading)

Ordinance No. 3929, an ordinance providing for the sale of certain real estate, same being described in Section 1 of this ordinance; directing the conveyance of such real estate, and the manner and terms thereof, and designating an effective date, was read by title only for the first time and scheduled for public hearing at the Council meeting on February 11th.

Ordinance No. 3930: Compensation Ordinance as Updated (First Reading)

Ordinance No. 3930, an ordinance of the City of Bellevue, Nebraska, classifying the employees of the city; fixing the ranges of compensation of such employees; providing a pay range schedule; providing for publication in pamphlet form; repealing Ordinance No. 3901; and providing for an effective date, was read by title only for the first time and scheduled for public hearing at the Council meeting on February 11th.

MINUTE RECORD

Bellevue City Council Meeting, January 28, 2019, Page 3

Ordinance No. 3931: Request to vacate a portion of McCorkindale Avenue abutting Lot 2, W of RR ROW, Lots 3A2 & 3C, Pleasant Hill or Martin's Subdivision; Lot 10 & Lot 11, West of ROW, Pleasant Hill or Martin's Subdivision; and Lot W located in Section 16, T14N, R13E of the 6th P.M., Sarpy County, Nebraska (First Reading)

Ordinance No. 3931, an ordinance declaring the necessity, expediency and propriety of vacating a portion of McCorkindale Avenue abutting Lot 2, W of RR ROW, & Lots 3A2 and 3C, Pleasant Hill or Martin's Subdivision; Lot 10 & Lot 11, W of ROW, Pleasant Hill or Martin's Subdivision; and Tax Lot W, located in Section 16, T14N, R13E of the 6th P.M., Sarpy County, Nebraska, not heretofore vacated, repealing all ordinances and all parts of ordinances in conflict herewith, and designating an effective date, was read by title only for the first time and scheduled for public hearing at the Council meeting on February 11th.

Ordinance No. 3932: Sale of City Surplus Property, located adjacent and north of 1303 Freeman Drive (First Reading)

Ordinance No. 3932, an ordinance providing for the sale of certain real estate, the same being described in Section 1 of this Ordinance; directing the conveyance of such real estate and the manner and terms thereof, and designating an effective date, was read by title only for the first time and scheduled for public hearing at the Council meeting on February 11th.

PUBLIC HEARINGS ON MATTERS OTHER THAN ORDINANCES: None

RESOLUTIONS: None

CURRENT BUSINESS:

Approval of the Agreement and Authorize the Mayor to sign the Professional Engineering Services Agreement with HDR Engineering, Inc. for the Olde Towne Storm Sewer Study Project, not to exceed \$16,913

Motion was made by Shannon, seconded by Burns, to approve and authorize the agreement with HDR in an amount not exceed \$16,913. Roll call vote on the motion was as follows: Stinson, Cook, Shannon, Preister, Burns, and Welch voted yes; voting no: none; absent: Preister. Motion carried.

ADMINISTRATION REPORTS:

Mayor Hike asked if there were any questions for the City Administrator or any of the Directors on the report presented. There were no questions or comments.

PUBLIC REQUESTS TO BE HEARD:

Mayor Hike read the following statement: "Any member of the public addressing the Council shall abide by Council Policy Resolution No. 35 regarding the Principles of Conduct and Decorum which states 'any statements made during City Council meetings by the Mayor, members of the City Council, City officials and employees, or members of the general public shall not involve personal, impertinent, or slanderous attacks on individuals, regardless of whether the individual so attacked is an elected official, a city official or employee, or a member of the general public' and also Bellevue City Code Section 2-68 regarding the manner of addressing the Council. Copies of the aforementioned rules are posted outside the Council Chambers. Speakers shall limit their presentations to five minutes."

Mr. Chuck Fredrick stated he heard on the radio that some Houston Police Officers had been shot. He said he was concerned about our country and everyone needs to respect our Police Officers. In an article he read, it said Mr. Hike and Mr. Ristow want the City of Bellevue to have more accountability and transparency, which he has been asking for a long time. He said he believes Mr. Hike and Mr. Ristow will do that.

Mr. Brian Hanson spoke against Ordinance No. 3928. He said the City has tried this before and he believes it is a freedom of speech issue if the Public Requests to Be Heard Section of the Council Meeting is cut. He also felt the way we introduce ordinances is flawed and all ordinances should be introduced by a Council member.

Mrs. Molly Ducker also expressed concerns with Ordinance No. 3928 as she feels it will have an impact on people being able to address Council and fears what could happen when there are changes in the administration.

Mayor Hike asked for additional comments from the public. No one came forward to speak. Mayor Hike closed the public requests to be heard section of the meeting.

CLOSED SESSION:

Motion was made by Burns, seconded by Cook, to adjourn into closed session, for the protection of the public interest, at 7:51 p.m. for the purpose of real estate negotiations. Roll call vote on the motion was as follows: Stinson, Cook, Shannon, Burns, and Welch voted yes; voting no: none; absent: Preister. Motion carried.

In addition to the Mayor, City Council and City Administrator, City Attorney Timothy Buckley, Patrick Sullivan – via conference call, John Jungers, Brent Beller, and Robert Ryan were asked to participate.

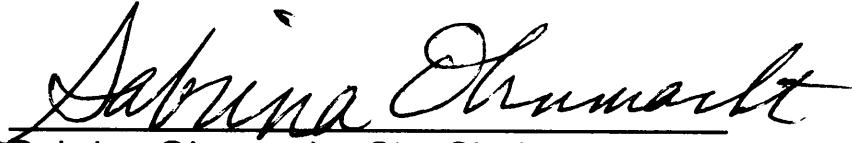
MINUTE RECORD

Bellevue City Council Meeting, January 28, 2019, Page 4

Motion was made by Shannon, seconded by Burns, to adjourn from closed session and reconvene in regular session at 8:42 p.m. Roll call vote on the motion was as follows: Stinson, Cook, Shannon, Burns, and Welch voted yes; voting no: none; absent: Preister. Motion carried

ADJOURNMENT:

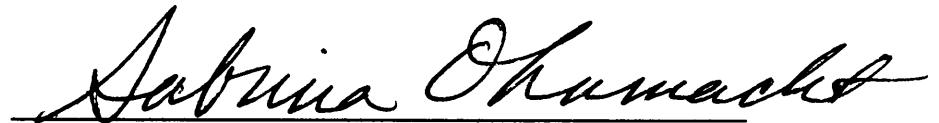
There being no further business to come before the Council at this time, on motion by Shannon, seconded by Burns, at 8:43 p.m. the meeting adjourned.



Sabrina Ohnmacht, City Clerk

Rusty Hike, Mayor

I, the undersigned, City Clerk of the City of Bellevue, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Mayor and Council on January 28, 2019; that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the office of the City Clerk; that such subjects were contained in said agendas for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.


City Clerk

56.2
2-11-19

MINUTE RECORD

Bellevue Planning Commission Meeting, January 24, 2019, Page 1

The Bellevue Planning Commission held a regular meeting on Thursday, January 24, 2019 at 7:00 p.m. in the Bellevue City Council Chambers. Upon roll call, present were Commissioners Casey, Perrin, Jacobson, Ackley, Cutsforth, and Smith. Absent were Commissioners Cain and Ritz. Also present were Chris Shewchuk, Planning Director, and Tammi Palm, Land Use Planner.

Notice of this meeting was given in advance thereof by publication in the Bellevue Leader and posting in two public places, and was also given to the Chairperson and members prior to the meeting. These minutes were written and available for public inspection within ten days of the meeting.

Jacobson announced a copy of the Open Meetings Act was posted in the entry to the City Council Chambers.

Motion was made by Ackley, seconded by Cutsforth, to approve the minutes of the December 20, 2018 regular meeting as presented. Upon roll call, all present voted yes. Motion carried unanimously.

Shewchuk advised an email was received from Mary Bossard and provided to the Planning Commission prior to the meeting. The email is in regards to Item 3c., the annexation of Blackhawk. Ms. Bossard is the property owner of 2918 Courtney Drive. She expressed some concerns with the park and the clearing of snow from the sidewalks.

Motion was made by Casey, seconded by Smith, to accept into the record all staff reports, attachments, memos, and handouts regarding each application. Upon roll call, all present voted yes. Motion carried unanimously.

Jacobson explained the public hearing procedures

PUBLIC HEARING was held on a request to rezone the North ½ of the east 35.2' of Lot 2 and North ½ of Lot 3, Tiller's Hillcrest Addition, from BG and BGH to RS-84 for the purpose of an existing single family residence. Applicant: BJ Justice. Location: 210 Galvin Road North. Case #: Z-1812-10.

BJ Justice, 210 Galvin Road North, stated the house was built in 1956 by his wife's family. He purchased the home four years ago and is currently trying to refinance it. The current zoning does not allow the house to be refinanced, therefore he is requesting the property be rezoned to residential.

There was no one present to speak in favor of, or in opposition to this request. Jacobson closed the public hearing.

Smith commented the staff report indicates the Zoning Ordinance was changed in 2011 to make residential uses non-conforming uses in the BG and BGH Zoning Districts. She questioned what the rational was for that change to the Zoning Ordinance. Shewchuk replied the zoning used to be called pyramid zoning. Permitted uses in the less intense districts were also allowed in the more intense districts. What was allowed in the residential zoning districts would also be allowed in the commercial zoning districts. The Zoning Ordinance update went away from that, making the residential zoning districts residential uses only. The update to the ordinance took all the residential uses out of the commercial districts to have the separation of uses. Since residences were permitted previously in the business districts, this resulted in a legal non-conforming use in this type of situation.

Smith questioned what the rational was for not allowing residential uses, making them non-conforming uses in commercial zones. Shewchuk replied it was just a matter of leaving areas designated for commercial uses for commercial use, rather than having a larger area zoned for general business or designated business uses turning into residential areas. It is a separation of uses. Smith questioned if commercial properties zoned for commercial uses typically have a higher assessed valuation for property tax purposes than properties that are zoned residential uses. Shewchuk replied yes, he believed so.

MOTION was made by Ackley, seconded by Perrin, to recommend APPROVAL of a request to rezone the North ½ of the east 35.2' of Lot 2 and North ½ of Lot 3, Tiller's Hillcrest Addition, from BG and BGH to RS-84 for the purpose of an existing single family residence. Applicant: BJ Justice. Location: 210 Galvin Road North. Case #: Z-1812-10. APPROVAL based upon conformance with the Zoning Ordinance and lack of perceived negative impact to the surrounding areas. Upon roll call, Casey, Perrin, Jacobson, Ackley, and Cutsforth voted yes. Smith voted no. MOTION carried.

This item will proceed to CITY COUNCIL for PUBLIC HEARING on February 26, 2019.

MINUTE RECORD

Bellevue Planning Commission Meeting, January 24, 2019, Page 2

PUBLIC HEARING was held on a request to annex Tax Lots A2B, E1, E2, H1, J, K, and part of Tax Lots I, D1 and D2, lying west of abandoned RR Row, all located in the North ½ of Section 21, T14N, R13E; rezone Lots 1 and 2, Rancho La Estrella, being a platting of Tax Lot B, except the North 22.0 feet, vacated Woods Avenue adjoining Tax Lot B on the East, Tax Lots A2B, C except the North 22.0 feet, D1, D2, K, E1, E2, H1, H2, I, and J, all located in the North ½ of Section 21, T14N, R13E of the 6th P.M., Sarpy County, Nebraska from RS-72 to RS-72 and AG for the purpose of an existing single family residence and agricultural use; and small subdivision plat Lots 1 and 2, Rancho La Estrella. Applicants: Jose and Monica Ramirez. Location: 2803 Childs Road West. Case #'s: Z-1811-09 and S-1811-11.

Jose Ramirez, 2803 Childs Road West, stated his request to rezone to AG is to allow him to have farm animals, such as cows. He would like to be in conformance with the city's rules.

There was no one present to speak in favor of, or in opposition to this request. Jacobson closed the public hearing.

Cutsforth questioned the applicant on how many head of cattle he intends to have on the property. Ramirez replied his intention is to have one or two cows and sheep. Cutsforth questioned if he is aware there is a limitation of how many livestock animals he can have. Ramirez replied no, he was not aware; however, stated he would follow the city's rules regarding livestock.

Casey inquired if the property has a fence surrounding the entire perimeter. Ramirez replied yes. Casey questioned if it is sufficient fencing for livestock. Ramirez responded yes.

Jacobson mentioned there is a power line running through the property with a fairly good easement. He questioned staff if this would provide challenges to the property regarding future development. Shewchuk replied the proposed AG lot is approximately 24 acres. It does not prevent development in the future of this property. It is something a future developer would need to be aware of at the time of development.

Smith questioned approximately how many homes are within half a mile of this site. Shewchuk responded 25 to 30. Smith requested clarification this property is currently designated in the Comprehensive Plan for residential use as the existing zoning. Shewchuk replied yes. Smith commented in looking at the Zoning Ordinance, Section 5.05.01, states the intent of the agricultural district is for the purpose of preserving agricultural resources. She questioned if there is currently any agricultural use on the property. Shewchuk responded no. Smith advised the section also states part of the intent of the AG zoning is that the property is unlikely to be compatible with adjacent urban growth. It would appear to her, given the number of houses in the area, that an agricultural use of livestock would be incompatible with the adjacent residential uses. Certainly, retaining this property's zoning would be compatible with the adjacent urban growth.

Ackley commented on Cedar Island Road there have been prior applications and there have been acreages with horses and sheep. It is not unusual along Cedar Island Road, south of Childs Road, on these acreages for people to have horses and sheep on much smaller properties. Looking at the proposed property, you will see it is surrounded by the Volunteer Fire Department practice facility and the old dump site. Ackley commented in his mind there will not be much development to occur there, as it has been a stranded parcel. Based on the animals in the area already, he doesn't foresee a housing addition being developed in the back. Ackley mentioned this property is 24 acres and the limitation for livestock is 25 head. Therefore, it is basically one animal per acre. Smith commented it is her understanding cattle like to stick together.

Ackley questioned the applicant if he is aware by annexing the property into the city, the property taxes will change from rural to city and be higher in terms of the mill levy. The number of assessments will be higher as well. He explained the rural taxes are about four mill levy cheaper than the city taxes and the county gives a break if the property has a greenbelt status. Once the property is in the city it will lose the greenbelt status. Ramirez questioned if that will increase the taxes. Ackley advised it will. Ramirez responded he understood.

MOTION was made by Ackley, seconded by Cutsforth, to recommend APPROVAL of a request to annex Tax Lots A2B, E1, E2, H1, J, K, and part of Tax Lots I, D1 and D2, lying west of abandoned RR Row, all located in the North ½ of Section 21, T14N, R13E; rezone Lots 1 and 2, Rancho La Estrella, being a platting of Tax Lot B, except the North 22.0 feet, vacated Woods Avenue adjoining Tax Lot B on the East, Tax Lots A2B, C except the North 22.0 feet, D1, D2, K, E1, E2, H1, H2, I, and J, all located in the North ½ of Section 21, T14N, R13E of the 6th P.M., Sarpy County, Nebraska from RS-72 to RS-72 and AG for the purpose of an existing single family residence and agricultural use; and small

MINUTE RECORD

Bellevue Planning Commission Meeting, January 24, 2019, Page 3

subdivision plat Lots 1 and 2, Rancho La Estrella. Applicants: Jose and Monica Ramirez. Location: 2803 Childs Road West. Case #'s: Z-1811-09 and S-1811-11. APPROVAL based upon conformance with the Zoning Ordinance and Subdivision Regulations, as well as lack of perceived negative impact upon the surrounding area. Upon roll call, Casey, Perrin, Jacobson, Ackley, and Cutsforth voted yes. Smith voted no. MOTION carried.

This item will proceed to CITY COUNCIL for PUBLIC HEARING on February 26 2019.

PUBLIC HEARING was held on a request to annex SID 147, Blackhawk. Applicant: City of Bellevue.

Shewchuk explained annexation of a Sanitary Improvement District (SID) is part of the natural growth and development of a city. They are developed with the intention of ultimately being annexed into a city. The city regularly reviews SIDs for annexation which includes a review of the financial status of the SID, with respect to bonds and other outstanding indebtedness, along with the city's ability to pay off the debt with property taxes. Input is received from all city departments who would be responsible for providing services to the SID or to the area once it is annexed into the city. Those reports have been summarized and are included in the report provided to the Planning Commission. All of the departments indicated an ability to service this area. One of the main concerns for the residents is the maintenance of the park. Shewchuk advised he talked to the Parks Superintendent earlier in the day. The city fully intends to maintain the park in the future with the resources the city has. He stated he hopes the residents do not see a difference in the condition of the park. He mentioned he had heard some concerns about the cost the city may have for the maintenance of the park and the extra employees. The employees would not be assigned specifically to this park; however, the Parks Department is requesting additional employees they would need due to their current staffing levels. Those employees would be assigned to other duties in the Parks Department as well. Other services provided by the city will be street maintenance, to include snow removal. Street lighting costs would be paid by the city, in addition to waste water, police, fire, and library services. Shewchuk explained the property taxes are anticipated to be lower for the residents in the future years based on the current levy amounts and valuations. Based on the analysis of the finances, the city's ability to provide services to the residents, as well as the continued logical growth and expansion of the city, the recommendation is for approval of the annexation of SID 147 into the city limits.

Jacobson clarified Shewchuk mentioned the email received for the record.

Stacen Gross, 2920 Blackhawk Circle, advised he is currently the Chairman of the SID board, as well as President of the Homeowner's Association (HOA). He stated he is neither for nor against the annexation request, and remains neutral. He commented he has a couple of questions and comments to go on the record. Gross mentioned he had a discussion with Shewchuk early in the week regarding the biggest concern of the SID, which is the maintenance of the park. Gross mentioned one of the things the SID has is a Supplemental Agreement that was done with the Subdivision Agreement between the city, the developer, and the HOA. The supplemental agreement is sets forth there will be a HOA, and there will be annual dues. The dues are to be used to pay for "out of the ordinary" improvements or facilities. He stated some examples of those "out of the ordinary" items are the lighting throughout the park, trail lighting, and the lighting at the front entrance of the subdivision. He commented the subdivision previously had a fountain at its entrance, however it was removed due to costly maintenance fees. Gross inquired if the Supplemental Agreement will survive the annexation of Blackhawk and questioned if the subdivision will continue to have a HOA. He questioned if the HOA will be responsible for the previous mentioned elements. Gross mentioned the agreement addresses a volleyball/basketball court which was never built, the irrigation system, the park lighting, and fountain. Gross requested clarification on if those things need to be maintained in perpetuity by the HOA, can the HOA remain a group, and will the HOA still be able to collect annual dues. He commented the cost mentioned by the city in terms of park maintenance is higher than what the SID has paid for maintenance on the park in the past.

Shewchuk advised the Supplemental Agreement was dated June 24, 1991. It provided for the HOA to construct the following improvements in the subdivision: volleyball/basketball court, the lighting system along the trails, fountain at the entrance to the subdivision, underground sprinkler system within the right-of-way, an island in one of the cul-de-sacs, and decorative street signs. The HOA at the time of the agreement was to be responsible for the permit and continuing maintenance of the improvements. Shewchuk stated there are only two of the items in the supplemental agreement which are still applicable. It is the Parks Department's intention to maintain the park. The HOA will survive the annexation, as the annexation does not affect it. If the HOA is interested in doing maintenance above and beyond what the city might be able to do, that would be a time to revisit this agreement and setting up something more up-to-date in regards to other maintenance responsibilities. This topic would need

MINUTE RECORD

Bellevue Planning Commission Meeting, January 24, 2019, Page 4

to be brought up to the City Council, as opposed to the Planning Commission. The Public Works Department will also need to be involved in the discussion, as the park is to be maintained by the Parks Department.

Jeanette Augustyn, 2918 Courtney Drive, has concerns with maintenance of the park. She stated at this point in time the city is not maintaining Lookingglass Park. She advised she has photos of the park on her phone. She mentioned there was a snowstorm in December, schools were not canceled, and the park sidewalk was not plowed. The custodian of the school plowed the park later that day. She mentioned her daughter fell on the ice on a Friday, following the Sunday storm. The sidewalks in the park are not ADA compliant. The park is not mowed regularly and the stumps from trees being trimmed over a year ago are still present. Augustyn stated she does not have faith in the city's Parks Department to maintain Blackhawk Park when they do not maintain what they currently have. She commented she knows these issues were addressed in the email her mother sent in. She explained her mother is the homeowner but lives out of state.

Shewchuk advised the email he had mentioned at the beginning of the meeting is from Mary Bossard at 2918 Courtney Drive. He requested clarification if that was Mrs. Augustyn's mother. She replied yes it is. Shewchuk commented Ms. Bossard stated her concerns were about Lookingglass Park and sidewalks by the school. Her email mentioned the janitor from the school cleared the sidewalks from the last storm. He commented he is unsure if she is referring to the park sidewalks. He advised the sidewalks in front of the school and residences are all required to be cleared by the property owner. Augustyn clarified she is referring to the sidewalks in the park. She commented she had pictures from a recent snow. Shewchuk advised he did speak with the Parks Superintendent early this morning and inquired specifically about the snow removal requirements after a snow storm. He was informed there is a prioritized list of when and where the Parks Department staff go to remove snow. The Parks Department follows this list. Shewchuk commented this is something they could possibly look at since it is next to a school, however at this time they follow the priorities they have. Augustyn commented when Blackhawk is annexed it is another park that will have to wait to be taken care of. Shewchuk advised it will be taken care of by the Parks Department as they have the resources to do so. He explained the Parks Department indicated in the report there will be a need for additional personnel to help handle this. Shewchuk commented park sidewalks will probably not be the first thing they clear off. They will get to it when they can and again follow the prioritized list. Augustyn commented she is concerned because there are three sidewalks that lead from neighborhoods and the three entrances to those neighborhoods are not maintained.

Casey questioned if the sidewalks were eventually cleared. Augustyn responded the custodian from Leonard Lawrence Elementary School cleared them after he got off shift once he realized the city had not cleared them. She stated the city does not salt the sidewalks either. She mentioned she has personally shoveled the sidewalks in the park so the kids can get to school safely. She advised it is a very steep hill and it is not ADA compliant. Augustyn stated her main concern is she has seen how the current city parks are maintained, and adding a park with more trails in it does not make sense if the city is not maintaining what it currently has. She stated her husband is disabled and unable to walk his kids to school or walk his service animal around the park because of the conditions of the sidewalks all winter long.

Kathy Radosta, 2920 Courtney Drive, stated she is not sure her concerns should be addressed with the Planning Commission or City Council. She stated she has concerns with the parks and mentioned her house is right next to Lookingglass Park. She stated she tried to work with the former Parks Superintendent. She inquired what her recourse of action is when the city does not take care of the parks. She questioned if the Planning Commission is the group who could address her concerns. Jacobson commented the Planning Commission is not the correct body to address her concerns. He mentioned her question is on the record and it would be appropriate for her to address her concerns with the City Council. He stated she is still currently within the city's jurisdiction and she can call the city's Parks Department to mention her concerns. Shewchuk advised if she does not receive satisfaction after addressing her concerns with the Parks Department, she will have a City Council representative once Blackhawk is annexed. She mentioned the city bulldozed trees and destroyed a green space area. She commented she made multiple phone calls and nothing was ever addressed. Radosta stated Blackhawk is a beautiful park and the thought of the city trimming trees in Blackhawk scares her. She wants to make sure what happened to Lookingglass Park does not happen to Blackhawk Park.

There was no one else present to speak in favor of, or in opposition to this request. Jacobson closed the public hearing.

MINUTE RECORD

Bellevue Planning Commission Meeting, January 24, 2019, Page 5

Casey inquired if the HOA agreement eliminates the mandatory requirement for residents to be members of the HOA and to pay dues. Shewchuk replied no. The annexation does not eliminate the HOA or have anything to do with the HOA. The SID goes away, but the HOA will continue to exist unless the HOA decides to dissolve themselves. Casey inquired if the HOA dues are still required. Ackley replied it is up to the HOA board. He stated any neighborhood can develop a HOA. Most SIDs develop one from day one, so they have a body that can enforce the declaration of covenant restrictions. The agreement made with the city at the time the SID was formed was that the HOA said they would collect dues and take care of certain items in the park. Anyone moving into the neighborhood then knew they were responsible for paying dues which goes directly to the park. With the annexation, the city takes over the park. It will be up to the HOA, if they decide things are not taken care of in the way they would like. If they want extra features, such as the fountain, the HOA could take a vote and approve it in the budget. The HOA is separate from the SID getting annexed. The SID would go away, but the HOA would continue unless they disband it.

Casey commented he does not know if there is any pending litigation against the SID. He mentioned he did look back in minutes and saw an ADA complaint that was filed and he is not sure if it is resolved. He inquired if any litigations are outstanding do they get absorbed by the city once the area is annexed. Shewchuk replied yes. He stated there is a matter regarding ADA compliance of some sidewalks and curb ramps in the area. The city and the SID have been working with the Department of Transportation and Federal Highway Administration to resolve this issue. The city is aware of what is going on with the complaint and is prepared to take the action necessary as a result of what is going on there.


Jacobson questioned if the HOA were to vote on additional infrastructure in the future would they be allowed to put the city on the hook for these improvements. Shewchuk commented those would not be a city obligation. Jacobson mentioned the aerial view along 25th Street encompasses a bridge. He stated the bridge has been adequately maintained and has been moved onto the city's inspection schedule. He questioned if there are any plans in the next couple of years where the bridge would need to be replaced or changed out. Shewchuk replied there is not.

Casey commented if anyone has concerns with snow removal on the streets by the city, they should not be. The city does an amazing job with snow removal.

MOTION was made by Jacobson, seconded by Ackley to recommend APPROVAL of a request to annex SID 147, Blackhawk. Applicant: City of Bellevue. APPROVAL based upon the Planning Department's recommendation. Upon roll call, all present voted yes. MOTION carried unanimously.

This item will proceed to CITY COUNCIL for PUBLIC HEARING on February 26 2019.

Meeting adjourned at 7:50 p.m.



Shirley R. Harbin
Planning Assistant



CITY OF BELLEVUE

OFFICE OF THE MAYOR

1500 Wall St – Bellevue, NE 68005 – (402) 293-3022

#56.3
2-11-19

MEMORANDUM

TO: Council President Paul Cook and City Council

FROM: Mayor Rusty Hike

DATE: February 5th, 2019

SUBJECT: **Appointment to the Bellevue Library Board**

Please consider for appointment to the Library Board:

Barbara Van Wassenhoven
1003 Claudene Court
Bellevue, NE 68005
402-292-1463

She will replace Judy Maass who recently resigned with a term ending June 2021.
Thank you for your consideration in this matter.



City of Bellevue

Bellevue Public Library

1003 Lincoln Road • Bellevue, Nebraska 68005 • (402) 293-3157

Memo

To: Rusty Hike, Mayor
From: Julie Dinville, Library Director
Subject: Library Advisory Board Appointment
Date: Feb. 5, 2019

I respectfully recommend the appointment of Barbara J. Van Wassenhoven as a member of the Bellevue Library Advisory Board. If approved, Ms. Van Wassenhoven would fill the unexpired term of Judy Maass who resigned from the Board due to health reasons in October 2018. If appointed, Ms. Van Wassenhoven would complete that term to June 2021.

A resident of Bellevue, Ms. Van Wassenhoven has 50 years teaching experience, serving in the Logan Fontenelle and Bellevue West High schools. She holds a Master's degree in secondary special education and a Bachelor's degree in history. Currently, she works at the Patrick J. Thomas Juvenile Justice Center, providing educational services to youth at that facility. In responding to why she is interested in serving on the Board, Van Wassenhoven notes, "I believe that libraries are essential as they provide an opportunity for young and old to expand their imagination, knowledge and understanding of the world. I would like to be a part of this."

Ms. Van Wassenhoven met with me and with Board Member Deborah Ady. She had an opportunity to ask questions and to review the responsibilities of being a Board member. We believe that she would be a strong advocate for the library, and ask that you approve her request to be appointed to the Board. Please let me know if you require any further information.

Thank you,

Julie Dinville,
Library Director

Barbara J. Van Wassenhoven
1003 Claudene Court
Bellevue, NE 68005

January 29, 2019

Mayor Rusty Hike
1500 Wall St.
Bellevue, NE 68005

Dear Mayor Hike,

I am very interested in serving on the Bellevue Library Board. I have resided in Bellevue since 1953 and watched the growth of this once very small community grow into a thriving community. During this time, the Bellevue Library has also experienced growth. It has come a long way from the little stucco building in Washington Park, where I spent a lot of time, to the current Library.

The Bellevue Public Library has always been an important part of the city and just as the city has changed, so must the Library. Now that I am retiring, I would very much like to be considered for a position on the Board. Having worked in education all my life, I know that libraries and their treasures are essential for encouraging knowledge, joy, understanding, comfort, and even refuse. I would really like to be a part of this new stage in the history of the Library.

Sincerely

A handwritten signature in black ink, reading "Barbara J. Van Wassenhoven". The signature is fluid and cursive, with the first name "Barbara" being the most prominent part.

Barbara J. Van Wassenhoven



BARBARA J. VAN WASSENHOVEN

1003 Claudene Court, Bellevue, NE 68005 | 402-292-1463 | barbv930@cox.net

Summary

Fifty years teaching Middle School and High School youth. Learned patience, understanding, acceptance of differences, and the need for humor when working with others

Experience

***Logan Fontenelle Junior High 1969 - 1989**

Taught US History, World History, Geography, English to seventh, eighth, and ninth graders

***Bellevue West High School 1989 – 2003**

Provided 9-12 Special Education services and academic evaluations for West students

Occupational Studies and Job Coordinator for seniors

Oversaw the credit recovery program as Project Recovery Supervisor

Taught Government to seniors

***Patrick J. Thomas Juvenile Justice Center 2004 - Present**

Supervise the academic intergration between the home school and the youth

Coordinate the academic transition of the youth back to their home school or new placement

Coordinate and oversee the administration the Nebraska State Tests ACT and NECAS Tests

Provide support for all Education Programs with the facility

Provide the Court with Educational Assessments as needed

Responsible for ensuring compliance with legal requiremnets of government regulations and agencies

Maintain records of attendance and demographic information for funding purposes

Education

Bachelor of Arts, History

College of Saint Mary - Omaha, NE 1965 - 1969

Master Degree, Secondary Special Education

UNO – Omaha, NE 1987 - 1989

Certified in Secondary Education and Social Studies by the State of Nebraska

Highlights

Bellevue Rotary Club Teacher of the Year 1995 - 1996

UNO Distinguished Alumni Award 1997

Sarpy County Sheriff's Office Non-Sworn Employee Award of the Year 2014

MINUTE RECORD

CLAIMS FOR FEBRUARY 11, 2019

PAGE 1

MAYOR

CENTURY LINK	MONTHLY SERVICE-2019-1-22	13.99
MIDLANDS PRINTING	NAME TAGS FOR COUNCIL CHAMBER AND NEWLY ELECTED OFFICIALS	56.90
PETTY CASH - FINANCE	2018 SERVE NEBRASKA LUNCHEON	50.00
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		\$ 120.89

CITY ADMINISTRATOR

CAPITAL BUSINESS SYSTEMS, INC	COPIER EXPENSE	111.07
MIDLANDS PRINTING	NAME TAGS FOR NEWLY ELECTED OFFICIALS	30.00
PETTY CASH - FINANCE	BACK TO THE RIVER MEETING, SUPPLIES FOR DEPT MEETING	17.43
CENTURY LINK	MONTHLY SERVICE-2019-1-22	27.99
PANEBRASKA LLC	CPS-UNITED CITIES MEETING	23.50
WALGREENS	CPS-FORMAL PICTURES FOR OFFICE	675.33
		<hr/>
		\$ 885.32

CITY COUNCIL

LEAGUE OF NEBRASKA MUNICIPALITIES	2019 MIDWINTER CONFERENCE	377.00
MIDLANDS PRINTING	NAME PLATES FOR COUNCIL CHAMBER AND NEWLY ELECTED OFFICIALS	86.90
PETTY CASH - FINANCE	WATER FOR COUNCIL ROOM-COUNCIL	4.58
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		\$ 468.48

CITY COUNCIL

NEEMBRACELIFE	CPS-CELEBRATE LIFE LUNCHEON-SHANNON	65.00
NEEMBRACELIFE	CPS-CELEBRATE LIFE LUNCHEON-WELCH	65.00
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		\$ 130.00

LEGAL

BREZINSKI REPORTING	COURT REPORTER FOR EMPLOYEE MATTER	1,446.00
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		\$ 1,446.00

CABLE ADVISORY

CENTURY LINK	MONTHLY SERVICE-2019-1-22	9.33
PETTY CASH - FINANCE	CABLE ADAPTER	29.99
		<hr/>
		\$ 39.32

CITY CLERK

CAPITAL BUSINESS SYSTEMS, INC	COPIER EXPENSE	44.08
CENTURY LINK	MONTHLY SERVICE-2019-1-22	13.99
DON SHAFER DISPLAY	OCCUPATIONAL TAX DECALS	677.35
ELECTION COMMISSIONER	GENERAL ELECTION FEES	5,092.56
OMAHA WORLD HERALD CO	LEGAL ADS	1,144.22
SARPY CO REGISTER OF DEEDS	RECORDING FEE	106.00
SPARQDATA SOLUTIONS	SUBSCRIPTION	4,000.00
		<hr/>
		\$ 11,078.20

FINANCE/RISK MANAGEMENT/SAFETY

AMAZON.COM, LLC	OFFICE SUPPLIES	72.83
CAPITAL BUSINESS SYSTEMS, INC	COPIER EXPENSE	107.76
CENTURY LINK	MONTHLY SERVICE-2019-1-22	69.75
INDOFF	OFFICE SUPPLIES	116.10
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		\$ 366.44

MINUTE RECORD

CLAIMS FOR FEBRUARY 11, 2019

PAGE 2

LIBRARY		
AMAZON.COM, LLC	BOOKS, PROGRAM SUPPLIES, VIDEOS	1,058.13
CENTURY LINK	MONTHLY SERVICE-2019-1-22	46.65
COX BUSINESS SERVICES	MONTHLY SERVICE-2019-01-23	107.39
DILLONS CUSTOMER CHARGES	SUPPLIES	19.96
FRANKIE HANNAN	REIMB FOR STORAGE BOXES	28.92
OGALLALA GOODALL CITY LIBRARY	REIMBURSE FOR LOST BOOK	15.00
INGRAM LIBRARY SERVICES	BOOKS	2,169.58
MARCO TECHNOLOGIES, LLC	COPIER EXPENSE	281.62
MICHELLE BULLOCK	REIMB FOR SUPPLIES PURCHASED	107.45
OMAHA PUBLIC POWER DISTRICT	MONTHLY SERVICE-2019-1-28	1,731.33
SIRSI DYNIX	ENRICHED CONTENT VIDEO SOFTWARE	240.70
THE CLARK ENERSEN PARTNERS, INC	LIBRARY FEASIBILITY STUDY	5,829.00
ULINE	NITRILE MATS	207.06
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		\$ 11,842.79
ADMINISTRATIVE SERVICES/PERSONNEL		
CENTURY LINK	MONTHLY SERVICE-2019-1-22	69.97
HR CERTIFICATION INSTITUTE	CPS-RENEW MEMBERSHIP-A DECKER	150.00
HUMAN RESOURCE ASSOCIATION OF THE MIDLANDS	CPS-RENEW MEMBERSHIP-C RABBASS	90.00
PETTY CASH - FINANCE	POSTAGE-PERSONNEL	4.69
UPS	MAILING CHARGES FOR YEAR END FOR	91.67
		<hr/>
		\$ 406.33
PUBLIC WORKS		
AMAZON.COM, LLC	CALENDAR	10.09
CENTURY LINK	MONTHLY SERVICE-2019-1-22	55.98
J P COOKE COMPANY	DATE STAMP	74.85
NEBRASKA IOWA SUPPLY CO	FUEL	12,860.07
OMAHA PUBLIC POWER DISTRICT	MONTHLY SERVICE-2019-1-16	165.99
OMAHA WORLD HERALD CO	LEGAL AD	13.94
SARPY CO REGISTER OF DEEDS	RECORDING FEE	10.00
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		\$ 13,190.92
PARKS		
AMAZON.COM, LLC	ENTRANCE MATS, HEARING PROTECTION	383.22
CENTURY LINK	MONTHLY SERVICE-2019-1-22	41.98
COX BUSINESS SERVICES	MONTHLY SERVICE-2019-01-23	363.42
DULTMEIER SALES LLC	PLATED STEEL, HOSES, SOAP, CLEANING SUPPLIES, BRASS SWIVEL	343.90
MENARDS	CLEANING SUPPLIES, CUTLERY, ICE MELT, PLUMBING SUPPLIES	93.68
OMAHA PUBLIC POWER DISTRICT	MONTHLY SERVICE-2019-1-28	3,629.62
UNL COOPERATIVE EXTENSION	CPS-PESTICIDE TRAINING	160.00
WALKERS UNIFORM RENTAL	UNIFORM SERVICE	13.42
WESTLAKE ACE HARDWARE	TAPE, GLOVES, BUSHINGS, BROOM HANDLES, TIRE INFLATOR, VALVES	95.90
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		\$ 5,125.14
RECREATION		
CENTURY LINK	MONTHLY SERVICE-2019-1-22	60.64
COX BUSINESS SERVICES	MONTHLY SERVICE-2019-01-23	88.39
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		\$ 149.03

MINUTE RECORD

CLAIMS FOR FEBRUARY 11, 2019

PAGE 3

BUILDING MAINTENANCE

AMAZON.COM, LLC	APPLIANCE DOLLY STRAP	64.78
ASSOCIATED FIRE PROTECTION	RESET PANEL ALARM	135.00
CENTURY LINK	MONTHLY SERVICE-2019-1-22	4.66
CODY PEST MANAGEMENT	PEST CONTROL-SENIOR CENTER	32.00
JACKSON SERVICES, INC	DOOR MAT SERVICE-CITY BUILDINGS	163.88
MECHANICAL INC	AC REPAIR-FIRE TRAINING SITE	904.75
MENARDS	OIL, LUMBER, STAPLES, LADDER, ELECTRICAL SUPPLIES, SINK STRAINER	692.95
NEBRASKA DEPARTMENT OF LABOR	ELEVATOR INSPECTION-1500 WALL ST	120.00
OMAHA PUBLIC POWER DISTRICT	MONTHLY SERVICE-2019-1-28	1,522.73
TRICO MECHANICAL SERVICES	AC MAINTENANCE, REPLACE FUSE, BLOWER	1,216.45
WESTLAKE ACE HARDWARE	YARDSTICK, GLASS SCRAPERS, TAPE, BATTERIES	12.95
	\$	4,870.15

CEMETERY

CENTURY LINK	MONTHLY SERVICE-2019-1-22	4.66
COX BUSINESS SERVICES	MONTHLY SERVICE-2019-01-23	83.39
J.F. BLOOM, LLC	REPLACE DAMAGED GRANITE BENCH	2,400.00
OMAHA PUBLIC POWER DISTRICT	MONTHLY SERVICE-2019-1-28	884.76
	\$	3,372.81

STREETS

CENTRAL SALT	DEICING SALT	12,565.59
CENTURY LINK	MONTHLY SERVICE-2019-1-22	41.98
CITY OF OMAHA	STREET SIGNAL MAINTENANCE	1,029.60
COX BUSINESS SERVICES	MONTHLY SERVICE-2019-01-23	274.17
CREATIVE RISK SOLUTIONS	TPA FUNDING-DEC 2018	1,029.02
GBA SYSTEMS INTEGRATORS, LLC	TRAINING-R HERTZIG	1,375.00
INDOFF	OFFICE SUPPLIES	40.70
LYMAN RICHEY SAND & GRAVEL	SAND	1,206.65
MARCO TECHNOLOGIES, LLC	COPIER EXPENSE	113.40
MAX I WALKER	UNIFORM PURCHASES	650.80
MENARDS	ORANGE FLAGS, POST MOUNT, LUMBER	69.86
OMAHA PUBLIC POWER DISTRICT	MONTHLY SERVICE-2019-1-28	14,437.08
PETTY CASH - FINANCE	REPLACEMENT TAGS FOR STREET TRUCK	7.50
READY MIXED CONCRETE COMPANY	CONCRETE	610.46
UNL COOPERATIVE EXTENSION	CPS-PESTICIDE TRAINING	400.00
WALKERS UNIFORM RENTAL	UNIFORM SERVICE	13.42
	\$	33,865.23

FLEET MAINTENANCE

ALLIED OIL & TIRE COMPANY	OIL	785.00
AMAZON.COM, LLC	MILWAUKEE COMBO KIT SAW	299.90
AUTO VALUE PARTS - SOUTH OMAHA	250FT ROLLED HYD HOSE, TURN SIGNALS, PLOW LIGHTING, PARTS	1,795.61
AUTOMOTIVE WAREHOUSE DIST, INC	PCV VALVE, PARTS	110.37
BAXTER CHRYSLER DODGE JEEP	PURGE VALVE, MODULE	287.29
BAXTER FORD	CLIPS, SENSORS, RESERVOIR, REMANUFACTURED GEAR BOX, LAMP ASSEMBLY	1,246.03
CAPITAL BUSINESS SYSTEMS, INC	COPIER EXPENSE	32.40
CENTURY LINK	MONTHLY SERVICE-2019-1-22	32.65
CERTIFIED LABORATORIES	AEROSOL	181.80
CORNHUSKER INTERNATIONAL TRUCKS	TUBE ASSEMBLY, BOLTS, MIRROR, SENSORS, DEFROSTER, VALVE	747.96
COX BUSINESS SERVICES	MONTHLY SERVICE-2019-01-23	107.39
CREATIVE RISK SOLUTIONS	TPA FUNDING-DEC 2018	26,901.26
FACTORY MOTOR PARTS CO	REMANUFACTURED STARTER	181.65
INLAND TRUCK PARTS CO	TAILGATE LIFT CYLINDERS	987.02
INTERSTATE BATTERIES	BATTERIES	304.81
INTERSTATE POWER SYSTEMS, INC	EXHAUST GAS RECIRCULATING REPLACED	1,009.85
JIM HAWK TRUCK TRAILERS	BRAKLEEN, SHUTOFF VALVES, CONNECTOR TUBES, BUNGEE CORDS	472.80

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CLAIMS FOR FEBRUARY 11, 2019

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FLEET MAINTENANCE (cont'd)

JONES AUTOMOTIVE	WARNING LIGHTS	220.78
KRIHA FLUID POWER CO	HYD MOTOR, FITTINGS, NIPPLES, HEX PLUGS,	1,479.85
	MUFFLER PARTS	
MATHESON TRI-GAS INC	WELDING SUPPLIES	118.81
MAX I WALKER	UNIFORM PURCHASE	163.80
MENARDS	KNEE PADS, GLOVES, TAPE	48.11
MICHAEL TODD & COMPANY	V-BAR TIRE CHAINS	709.98
NAPA AUTO PARTS	FILTERS, CLAMPS, ICE SCRAPERS	288.53
NEBRASKA ENVIRONMENTAL PRODUCTS	BRAKE COILS, SENSORS, STRAP DOOR	846.04
NEBRASKA IOWA INDUSTRIAL FASTENERS	RIVETS, TERMINALS, CABLE SEALS, FUSE	222.95
	HOLDERS, DRILL BITS	
NORTHERN TOOL & EQUIPMENT	HOSE REEL	249.99
OMAHA PUBLIC POWER DISTRICT	MONTHLY SERVICE-2019-1-28	1,130.58
O'REILLY AUTOMOTIVE PARTS	CAPSULE	21.97
P&M HARDWARE	GASKET, CARBURATOR, SWITCH PLATE, FILTERS	336.21
ROSE EQUIPMENT	HYD FILTER	53.65
SCHAEFFER MANUFACTURING CO	GREASE, OIL, GEAR LUBE	2,262.00
STATE STEEL	HOT ROLLED SHEET METAL	94.90
STEPHEN KWASNIEWSKI	REIMB FOR ASE MECHANIC LICENSE	152.00
SUPERIOR SIGNALS	CLEAR OUTER DOME LENS, MODULE AMBER	162.85
SUSPENSION SHOP	SPRINGS, U-BOLTS	989.80
TERMINAL SUPPLY CO	TERMINALS	36.16
TOYNE, INC	RED LED LIGHTS	183.53
TY'S OUTDOOR POWER & SERVICE	BREATHER CAP, PIGTAIL CONNECTORS	140.38
WALKERS UNIFORM RENTAL	UNIFORM SERVICE	77.40
WELDON PARTS INC	SEALED STOP TURN TAIL	23.40
		\$ 45,497.46

PLANNING

CENTURY LINK	MONTHLY SERVICE-2019-1-22	13.99
MARCO TECHNOLOGIES, LLC	COPIER EXPENSE	165.01
OMAHA PUBLIC POWER DISTRICT	MONTHLY SERVICE-2019-1-16	150.40
		\$ 329.40

PERMITS & INSPECTIONS

CENTURY LINK	MONTHLY SERVICE-2019-1-22	23.32
COLORADO CHAPTER OF INT'L CODE	CPS-REGISTRATION-CHRISTENSEN	412.00
INDOFF	OFFICE SUPPLIES	40.01
MARCO TECHNOLOGIES, LLC	COPIER EXPENSE	138.65
NATIONAL FIRE PROTECTION	CPS-RENEW MEMBERSHIP	175.00
OMAHA PUBLIC POWER DISTRICT	MONTHLY SERVICE-2019-1-16	200.53
SHELL SUPER STORE	CAR WASH	18.75
		\$ 1,008.26

POLICE/CODE ENFORCEMENT

AMAZON.COM, LLC	EDGE SWITCH, OFFICE SUPPLIES, UPS AND SURGE	1,611.54
	PROTECTOR	
A-RELIEF SERVICES	PORTABLE RESTROOM-RANGE	101.00
BLACK BAG TECHNOLOGIES	BLACKLIGHT & MACQUISITION SOFTWARE	1,380.00
CARMICHAEL BUSINESS SYSTEMS	WINScribe DIGITAL DICTATION SYSTEM	2,390.00
CARMICHAEL BUSINESS SYSTEMS	MAINTENANCE ON DIGITAL RECORDERS	1,890.00
CDWG GOVERNMENT	FLASH DRIVES	375.95
CENTURY LINK	MONTHLY SERVICE-2019-1-22	442.99
CHIEF SUPPLY CORPORATION	BREAKAWAY TRAFFIC VESTS	224.55
CITY OF LAVISTA	BOOKS AND SUPPLIES FOR NEW RECRUITS	136.16
COMPCHOICE OCCUPATIONAL HEALTH	MEDICAL EXAMS FOR NEW RECRUITS	627.61
COMPUTER CABLE CONNECTION	TERMINATE EXISTING CABLES, ADD CABLES AND	3,546.27
	TEST	
COX BUSINESS SERVICES	MONTHLY SERVICE-2019-01-23	83.39
CREATIVE RISK SOLUTIONS	TPA FUNDING-DEC 2018	11,105.73
DON'S PIONEER UNIFORMS	UNIFORM FOR NEW RECRUITS	636.85
DOUGLAS COUNTY SHERIFF OFFICE	FORENSIC FEES	75.00

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POLICE/CODE ENFORCEMENT (cont'd)

FEDERAL EXPRESS CORPORATION	SHIPPING CHARGES	10.18
GLOCK PROFESSIONAL, INC	CPS-TRAINING-TOWEY	250.00
GRAYBAR ELECTRIC	CYBER CRIMES SUPPLIES	294.61
INDOFF	OFFICE SUPPLIES	443.48
INTELLIGENT VIDEO SYSTEMS, LLC	CIB RECORDING SYSTEM	65,000.00
NSCA	CPS-TRAINING-BAILEY	1,200.00
OMAHA PUBLIC POWER DISTRICT	MONTHLY SERVICE-2019-1-16	3,833.64
PETTY CASH - FINANCE	PARKING FOR TRAINING, NOTARY FEES, FBI LUNCHEON	55.00
PINNACLE OPERATIONS CENTER	SUBPEONA FOR INVESTIGATIONS	12.00
SECURITY EQUIPMENT	CYBER CRIMES OFFICE SECURITY	827.25
SOUTHERN CARLSON, INC	CAR WASH SUPPLIES	114.00
SOUTHWEST AIRLINES	CPS-AIR FARE-REED	495.71
STRATTON HATS, INC	HONOR GUARD HAT RENOVATION	56.66
TRI-TECH FORENSICS, INC	EVIDENCE BAGS	26.25
TWIN CREEK ANIMAL HOSPITAL	VET BILL	112.90
U.S. CELLULAR	MONTHLY SERVICE-2019-1-10	237.38
ULINE	WHITE MATTE LABELS	123.19
WATCHGUARD VIDEO	BRACKETS	165.00
WESTLAKE ACE HARDWARE	EXTENSION CORD	16.99
		\$ 97,901.28

FIRE & RESCUE

AMAZON.COM, LLC	CLEANING SUPPLIES, OFFICE SUPPLIES, PRINTER, BOOTS, TIME CLOCK	1,571.36
AARON PETH	REIMBURSE FOR PAD LOCK	18.18
AIRGAS USA, LLC	MEDICAL SUPPLIES	146.12
ARROW INTERNATIONAL	MEDICAL SUPPLIES	3,325.00
BOUND TREE MEDICAL, LLC	MEDICAL SUPPLIES	2,530.27
CENTURY LINK	MONTHLY SERVICE-2019-1-22	121.29
COX BUSINESS SERVICES	MONTHLY SERVICE-2019-01-23	576.95
CREATIVE RISK SOLUTIONS	TPA FUNDING-DEC 2018	579.95
EC DATA SYSTEMS, INC	CPS-SHARE OF FAX SERVICE	7.95
ED M FELD EQUIPMENT CO	COMPRESSOR MAINTENANCE, SCBA REPAIR	778.00
FIREGUARD	FIRE EXTINGUISHER INSPECTIONS	1,731.84
GREAT PLAINS UNIFORMS	UNIFORMS	416.00
JP MORGAN CHASE-ARAMARK UNIFORM	LINEN SERVICE-ALL DIST	2,478.07
MARK SEEBA	REIMB FOR BOOTS	127.87
MAX I WALKER	UNIFORM CLEANING	44.75
MENARDS	HOSE, HOOKS, LUMBER, TOOLS, SUPPLIES, DIE CUT NUMBERS	261.45
MICHELLE FRANKS	REIMBURSE FOR BOOTS AND PANTS	184.19
OMAHA PUBLIC POWER DISTRICT	MONTHLY SERVICE-2019-1-28	7,196.21
PAPILLION FIRE DEPARTMENT	FAX SERVER SHARE	87.50
PETTY CASH - FINANCE	PLATES FOR RESERVE SQUAD, TAGS FOR AERIAL	33.00
PETTY CASH FOR FIRE DEPT	REIMB FOR FUEL, REIMB FOR GLUE TRAPS	56.62
THE NEBRASKA MEDICAL CENTER	MEDICAL DIRECTOR SERVICES-OCT-NOV-DEC	10,040.83
THOMAS AND/OR DIANE ABE	#2991 REIMBURSEMENT	55.97
UNITED STATES POSTAL SERVICE	CPS-MAILING CHARGES	11.19
WESTLAKE ACE HARDWARE	BRACKET SHELVES, BOLTS, KEYS	58.92
ZIRMED, INC	MONTHLY CLAIMS MANAGEMENT FEE	124.00
		\$ 32,563.48

NON-DEPARTMENTAL/CONTRACTS

BENEFIT PLANS	CIV RET PLAN TPA FEES-OCT-NOV-DEC 2018	935.00
BKD & ASSOCIATES, LLP	2018 AUDIT PROGRESS BILLING #3	14,000.00
CENTURY LINK	MONTHLY SERVICE-2019-1-19	428.13
COX BUSINESS SERVICES	MONTHLY SERVICE-2019-01-23	430.81
METRO AREA TRANSIT	MAT SERVICE-DEC 2018, 1987 MILES	3,976.00
SCOTT WELCH	CPS-MONTHLY WEB MAINTENANCE	125.00
SILVERSTONE GROUP, INC	2018 OPEB POLICE PENSION ACTUARY	5,900.00
		\$ 25,794.94

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CLAIMS FOR FEBRUARY 11, 2019

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INFORMATION TECHNOLOGY		
AMAZON.COM, LLC	BATTERY TESTER, OUTLET TIMER, WALL MOUNT	540.91
HOSTGATOR.COM	SERVER CABINETS	
ACCESS	CPS-MONTHLY DOMAIN FEE	59.95
CDWG GOVERNMENT	BACKUP STORAGE TAPES	332.37
DELL MARKETING L.P.	BARRACUDA SOFTWARE RENEWAL	12,763.24
INTERSTATE ALL BATTERY CENTER	MEMORY UPGRADE	314.74
U.S. CELLULAR	BATTERY	27.44
	MONTHLY SERVICE-2019-1-10	76.79
		\$ 14,115.44
WASTEWATER		
CENTURY LINK	MONTHLY SERVICE-2019-1-22	51.78
CITY OF OMAHA	SEWER FEES-OCT 2018	527,810.89
COX BUSINESS SERVICES	MONTHLY SERVICE-2019-01-23	83.39
CREATIVE RISK SOLUTIONS	TPA FUNDING-DEC 2018	4,418.62
GRAINGER	CHECK VALVE, BATTERY, VACUUM PUMP	447.68
HANEY SHOE STORE	SAFETY BOOTS	146.99
INTERSTATE ALL BATTERY CENTER	FASTENERS	9.00
MAX I WALKER	UNIFORM PURCHASES	555.94
MENARDS	HEAT SHRINK TUBE, BATTERIES, MEETING	123.36
	SUPPLIES, QUICK SNAP	
NAPA AUTO PARTS	HOSE CLAMPS	8.91
OMAHA PUBLIC POWER DISTRICT	MONTHLY SERVICE-2019-1-28	3,742.56
WESTLAKE ACE HARDWARE	GALVANIZED NIPPLES	12.98
		\$ 537,412.10
COMMUNITY BETTERMENT		
NE-DEPARTMENT OF REVENUE	LOTTERY TAXES - OCT TO DEC 2018	49,059.00
OMAHA PUBLIC POWER DISTRICT	MONTHLY SERVICE-2019-1-28	98.85
		\$ 49,157.85
FEDERAL FORFEITURES		
INTELLIGENT VIDEO SYSTEMS, LLC	SWAP MOTION SENSOR, CIB RECORDING SYSTEM	10,452.95
VERIZON WIRELESS	MONTHLY SERVICE	479.16
		\$ 10,932.11
G.O. BONDS		
BANK OF OKLAHOMA FINANCIAL	BOND PAYING AGENT FEES	1,250.00
		\$ 1,250.00
TOTAL CLAIMS FOR FEB 11, 2019		\$ 903,319.37
TOTAL PAYROLL FOR JAN 25, 2019		\$ 956,590.48

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

~~110-110.1~~
~~1-28-19~~
10a
2-11-19

COUNCIL MEETING DATE:	January 14, 2019	AGENDA ITEM TYPE:
SUBMITTED BY: Chris Shewchuk, Planning Director <i>CMS</i>	SPECIAL PRESENTATION	<input type="checkbox"/>
	LIQUOR LICENSE	<input type="checkbox"/>
	ORDINANCE	<input checked="" type="checkbox"/>
	PUBLIC HEARING	<input type="checkbox"/>
	RESOLUTION	<input type="checkbox"/>
	CURRENT BUSINESS	<input type="checkbox"/>
	OTHER (SEE CLERK)	<input type="checkbox"/>

SUBJECT:

Request to rezone Lots 1 through 121 and Outlots A through G, Belle Lago South, from AG and RG-50-PS to RG-50-PS for the purpose of single-family residential development. Applicant: Boyer-Young Development. General Location: Southeast of 48th Street and Capehart Road.

SYNOPSIS:

Dave Vogtman, for Boyer-Young Development, is requesting approval of a change of zone from AG and RG-50-PS to RG-50-PS for single-family residential development. The zoning change includes a reduction in setbacks which will match those approved in the Belle Lago subdivision. The development will include both smaller "villa" lots as well as "traditional" single-family lots. The preliminary plat of this area will be on the Council agenda for public hearing along with the second reading of the ordinance.

FISCAL IMPACT:

None

BUDGETED ITEM: ☐ YES ☐ NO

PROJECT # & TRACKING INFORMATION:

N/A

RECOMMENDATION:

The Planning Department and Planning Commission have recommended approval of this request.

BACKGROUND:

Dave Vogtman, for Boyer-Young Development, is requesting approval of a change of zone and preliminary plat for Lots 1-121 and Outlots A-G, Belle Lago South. The current zoning on the property is AG and RG-50-PS; the proposed zoning on this property is RG-50-PS. The RG-50-PS zoning corresponds with the existing zoning in the Belle Lago subdivision adjacent to this development on the north. The western portion of Belle Lago South will be a continuation of the "villa" type residences found in Belle Lago, while the eastern part of Belle Lago South will be more traditional types of homes. The development will include a trail system connecting to Clearwater Falls to the south and to Belle Lago and a proposed neighborhood/community park to the north. The portion of Lookingglass Drive within the development will be a collector street, and will ultimately be part of a collector street which will connect 36th Street to 48th Street. As part of this development, the SID is required to acquire land outside of its boundaries in order to provide a street connection to 45th Street.

ATTACHMENTS:

1	PC recommendation	4	
2	Planning Department staff report	5	
3	Change of Zone Ordinance	6	

SIGNATURES:

ADMINISTRATOR APPROVAL:

[Signature]

FINANCE APPROVAL:

[Signature]

LEGAL APPROVAL:

City of Bellevue

PLANNING COMMISSION RECOMMENDATION

APPLICANT: Boyer Young Development

GENERAL LOCATION: Southeast of 48th Street and Capehart Road

CASE #'s: Z-1809-07 and S-1809-08

CITY COUNCIL HEARING DATE: January 28, 2019

REQUEST: to rezone Lots 1 through 121, and Outlots A through G, Belle Lago South, being a replat of Lots 20 through 22, and Outlots B, G, and H, Belle Lago, and a platting of the Southwest ¼ of the Northwest ¼, all located in Section 8, T13N, R13E of the 6th P.M., Sarpy County, Nebraska from AG to RG-50-PS to RG-50-PS for residential development; and preliminary plat Lots 1 through 121, and Outlots A through G, Belle Lago South. Applicant: Boyer Young Development Company. General Location: Southeast of 48th Street and Capehart Road. Case #'s: Z-1809-07 and S-1809-08.

On December 20, 2018, the City of Bellevue Planning Commission voted eight yes, zero no, zero abstained, and one absent to recommend:

APPROVAL based upon conformance with the Zoning Ordinance, Comprehensive Plan, Subdivision Regulations, and lack of perceived negative impact to the surrounding area.

VOTE:

Yes:	Eight:	No:	Zero:	Abstain:	Zero:	Absent:	One:
	Casey						Perrin
	Cain						
	Baumgartner						
	Jacobson						
	Ackley						
	Cutsforth						
	Ritz						
	Smith						

Planning Commission Hearing (s) was held on: December 20, 2018

CITY OF BELLEVUE PLANNING DEPARTMENT

RECOMMENDATION REPORT # 2

CASE NUMBERS: Z-1809-07
S-1809-08

FOR HEARING OF:
REPORT #1: December 20, 2018
REPORT #2: January 28, 2019

I. GENERAL INFORMATION

A. APPLICANT:

Boyer-Young Development
Attn: Dave Vogtman
9719 Giles Road
LaVista, NE 68128

B. PROPERTY OWNERS:

Boyer-Young Development
Attn: Dave Vogtman
9719 Giles Road
LaVista, NE 68128

Lewis Holdings, LLC
Attn: Kenneth D. Lewis
21320 W. 115th Street
Olathe, KS 66061

C. GENERAL LOCATION:

Southeast of 48th Street and Capehart Road

D. LEGAL DESCRIPTION:

Lots 1 through 121, and Outlots A through G, Belle Lago South, being a replat of Lots 20 through 22, and Outlots B, G, and H, Belle Lago, and a platting of the Southwest ¼ of the Northwest ¼, all located in Section 8, T13N, R13E of the 6th P.M., Sarp County, Nebraska.

E. REQUESTED ACTIONS:

1. Rezone Lots 1 through 121, and Outlots A through G, Belle Lago South, from AG and RG-50-PS to RG-50-PS for the purpose of single family residential development
2. Preliminary plat Lots 1 through 121, and Outlots A through G, Belle Lago.

F. EXISTING ZONING AND LAND USE:

AG, Vacant

G. PURPOSE OF REQUEST:

The purpose of this request is to obtain a change in zone and preliminary plat approval to enable single family residential development.

H. SIZE OF SITE:

The site is approximately 65 acres.

II. BACKGROUND INFORMATION

A. EXISTING CONDITION OF SITE:

The site is presently vacant and most recently used agriculturally.

B. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:

1. **North:** Vacant (Belle Lago), RG-50-PS
2. **East:** Vacant, AG
3. **South:** Single Family Residential, RS-72-PS
4. **West:** Vacant, AG

C. REVELANT CASE HISTORY:

1. On March 23, 2017, the Planning Commission recommended approval of a request to rezone Lots 1 through 75, and Outlots A through F, Belle Lago, being a platting of Tax Lot 15, except the irregular 400; located in the Northwest $\frac{1}{4}$ of Section 8, T13N, R13E of the 6th P.M., Sarpy County, Nebraska from AG to RG-50; and preliminary plat Lots 1 through 75, and Outlots A through F, Belle Lago. On April 24, 2017 the City Council approved the aforementioned request.

2. On August 24, 2017, the Planning Commission recommended approval of a request to rezone Lots 1 through 107, and Outlots A through H, Belle Lago, being a platting of Tax Lot 14 and Tax Lot 15, located in part of the North $\frac{1}{2}$ of the Northwest $\frac{1}{4}$, Section 8, T13N, R13E of the 6th P.M., Sarpy County, Nebraska from AG to RE, RG-50-PS, and RG-28-PS; site plan approval for the purpose of single family residential and multi-family residential development; and preliminary plat Lots 1 through 107, and Outlots A through H, Belle Lago. On October 9, 2017, the City Council approved the aforementioned request.

3. On October 19, 2017, the Planning Commission recommended approval of a request to final plat Lots 1 through 81, and Outlots A through H, Belle Lago, being a

platting of Tax Lots 14 and 15, located in the Northwest ¼ of Section 8, T13N, R13E of the 6th P.M., Sarpy County, Nebraska. On November 13, 2017, the City Council approved the aforementioned request.

4. On December 20, 2018, the Planning Commission recommended approval of a request to rezone Lots 1 through 121, and Outlots A through G, Belle Lago South, being a replat of Lots 20 through 22, and Outlots B, G, and H, Belle Lago, and a platting of the Southwest ¼ of the Northwest ¼, all located in Section 8, T13N, R13E of the 6th P.M., Sarpy County, Nebraska from AG to RG-50-PS to RG-50-PS for residential development; and preliminary plat Lots 1 through 121, and Outlots A through G, Belle Lago South.

D. APPLICABLE REGULATIONS:

1. Section 5.12, Zoning Ordinance, regarding RG-50 uses and requirements.
2. Section 5.17, Zoning Ordinance, regarding -PS uses and requirements.
3. Chapter 3, Subdivision Regulations, regarding Preliminary Plats.
4. Chapter 6, Subdivision Regulations, regarding Minimum Design Standards.
5. Chapter 7, Subdivision Regulations, regarding Capital Improvements.

III. ANALYSIS

A. COMPREHENSIVE PLAN:

The Future Land Use Map of the Comprehensive Plan designates this area as medium density residential.

B. OTHER PLANS:

None

C. TRAFFIC AND ACCESS:

1. There are approximately 1,400 vehicles per day near the intersection of 48th Street and Capehart Road per the 2014 MAPA Traffic Count data. This is the most current traffic information available for this area.
2. Access will be from South 44th Avenue, as well as extensions of South 42nd Avenue and South 44th Street.

D. UTILITIES:

All utilities are available or will be constructed to serve this development.

E. ANALYSIS:

1. Dave Vogtman, on behalf of Boyer Young Development Company, has submitted a request to preliminary plat Lots 1 through 121, and Outlots A through G, Belle Lago South, for the purpose of single family residential development.
2. The applicant is also requesting a change in zone from AG and RG-50-PS to RG-50-PS (General Residence, 5,000 Square Foot Zone, Planned Subdivision) for Lots 1 through 121, and Outlots A through G, Belle Lago.

The setbacks in the RG-50-PS zone would be as follows:

Front Yard	25 feet
Rear Yard	20 feet
Side Yard	5 feet
Street Side Yard	15 feet

The standard front yard setback in the RG-50 zoning district is 35 feet, with a rear yard of 25 feet. The requested setbacks are the same setbacks which were approved for the adjacent Belle Lago subdivision. The applicant's justification letter is attached.

The proposed lots range in size from approximately 6,500 square feet for the smaller lots, to over 10,000 square feet for some of the larger lots. This exceeds the minimum lot size of 5,000 square feet.

3. The applicant has indicated this development will consist of smaller, villa-type housing along the western portion of the subdivision (near South 44th Avenue), with larger single family residences throughout the remainder of the property.
4. This application was sent out to the following departments/individuals for review: Public Works, Permits and Inspections, Chief of Police, Offutt Air Force Base, Fire Inspector, Sarpy County Planning Director, Sarpy County Public Works Department, Sarpy County Planning Director, Sarpy County IS/GIS/Public Safety, Metro Area Planning Agency, Metropolitan Utilities District, CenturyLink, Omaha Public Power District, Black Hills Energy, Cox Communications, Papio-Missouri NRD, Bellevue Public School District, and the Springfield Platteview School District. The cover letter indicated a deadline to send comments back to the Planning Department, and also stated if the requested department did not have comments pertaining to the application, no response was needed.

Sarpy County GIS/911 had comments pertaining to the proposed street names. The applicant's engineer has made all of the suggested revisions. The Public Works Department requested technical revisions to the preliminary plat, paving exhibit and profiles, storm sewer, and sanitary sewer.

No other comments were received on this case.

5. The Public Works Managing Engineer has reviewed the grading and drainage plans for this proposed development and found them to be acceptable. Detailed engineering plans will continue to be reviewed as the project progresses.

6. The access for this development will be from newly created South 44th Avenue through the Belle Lago subdivision, as well as extensions of South 42nd Avenue and South 44th Street. Future access points will be constructed as adjacent development occurs.

Access is also being proposed through the vacant ground to the west and connecting to South 45th Street. This access is being proposed in lieu of staff's original suggestion of making South 44th Avenue a collector street. The Public Works Department does approve of the proposed access. Lookingglass Drive will serve as a collector street, which will eventually connect developments from 36th Street to 48th Street.

As of the date of this report, the applicant's engineer and attorney had begun discussions with the adjacent landowner for the purpose of facilitating the South 45th Street connection.

7. This plat will be developed as a Sanitary and Improvement District. A draft copy of the Subdivision Agreement has been submitted by the applicant and is under review. A final draft will be submitted with the final plat.

8. Due to the size of the development, a park is not proposed for this subdivision. The Parks Department has previously indicated small neighborhood parks are not desirable in every subdivision due to maintenance issues; instead, staff will plan for larger community parks in this area.

The applicant is proposing a 10' wide trail along Lookingglass Drive. This trail will eventually be carried to the east and west as adjacent development occurs. This east/west trail will eventually connect to the proposed 10' wide trail as part of the 36th Street widening project, as well as the existing trail along South 48th Street. An 8' wide trail is also proposed through Outlots A and F. This trail would connect the development to the existing Clearwater Falls trail to the south. It also provides a future connection to the east. The developer is proposing two possible locations for the trail through Outlot A. Please refer to the attached trail exhibit. The developer needs to work around a wetlands area, and will likely not know the best placement for the trail until more fieldwork is completed to verify wetland

boundaries. Language will be built into the Subdivision Agreement regarding the trail plan. The Subdivision Agreement will be reviewed by the City Council as part of the final plat process.

Based upon the number of acres, this development will require a contribution to the Park Fund in the amount of \$55,675; however, as the trail plan is finalized, this amount will most likely decrease to reflect a credit for that infrastructure.

9. This development is compatible with the Comprehensive Plan.

F. TECHNICAL DEFICIENCIES:

None

IV. DEPARTMENT RECOMMENDATION

APPROVAL based upon conformance with the Zoning Ordinance, Comprehensive Plan, Subdivision Regulations, and lack of perceived negative impact to the surrounding area.

V. PLANNING COMMISSION RECOMMENDATION

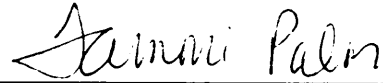
APPROVAL based under conformance with the Zoning Ordinance, Comprehensive Plan, Subdivision Regulations, and lack of perceived negative impact to the surrounding area.

VI. ATTACHMENTS TO REPORT

1. Zoning Map
2. 2018 GIS aerial photo of the property
3. Preliminary plat received December 11, 2018
4. Zoning justification letter from Mark Westergard, E & A Consulting Group Inc., received September 21, 2018
5. Trail plan received January 24, 2019

VII. COPIES OF REPORT TO:

1. Boyer-Young Development Company (Dave Vogtman)
2. E & A Consulting Group, Inc. (Mark Westergard)
3. Fullenkamp, Doyle, and Jobeun (Larry Jobeun)
4. Public Upon Request

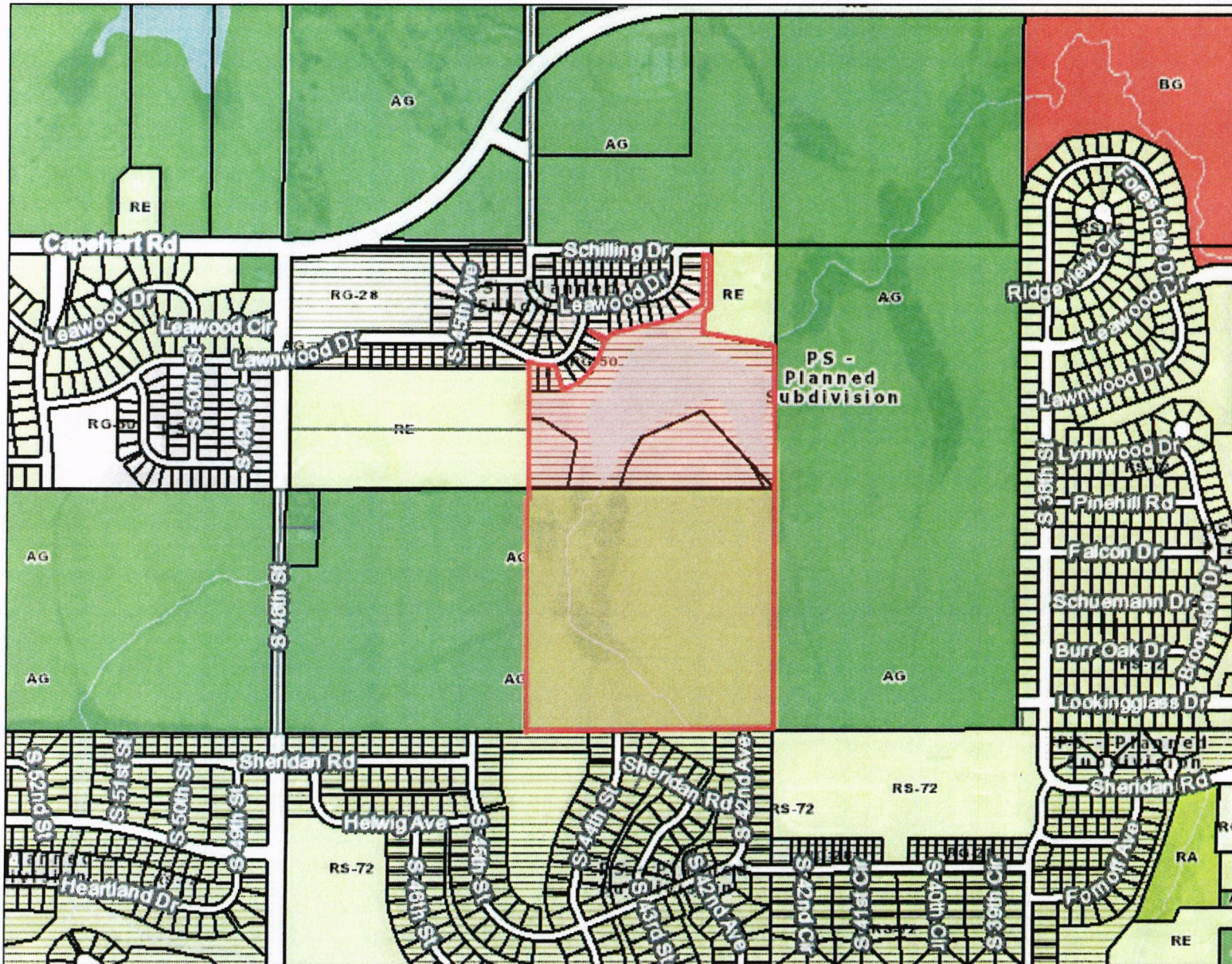


Prepared by:


Planning Director

1/27/19
Date of Report

Belle Lago South Zoning Map



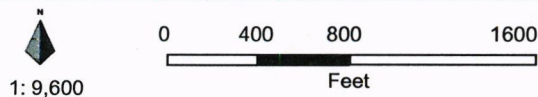
Location



Legend

Road Centerlines
2018 Aerial Photo

- Red: Band_1
- Green: Band_2
- Blue: Band_3



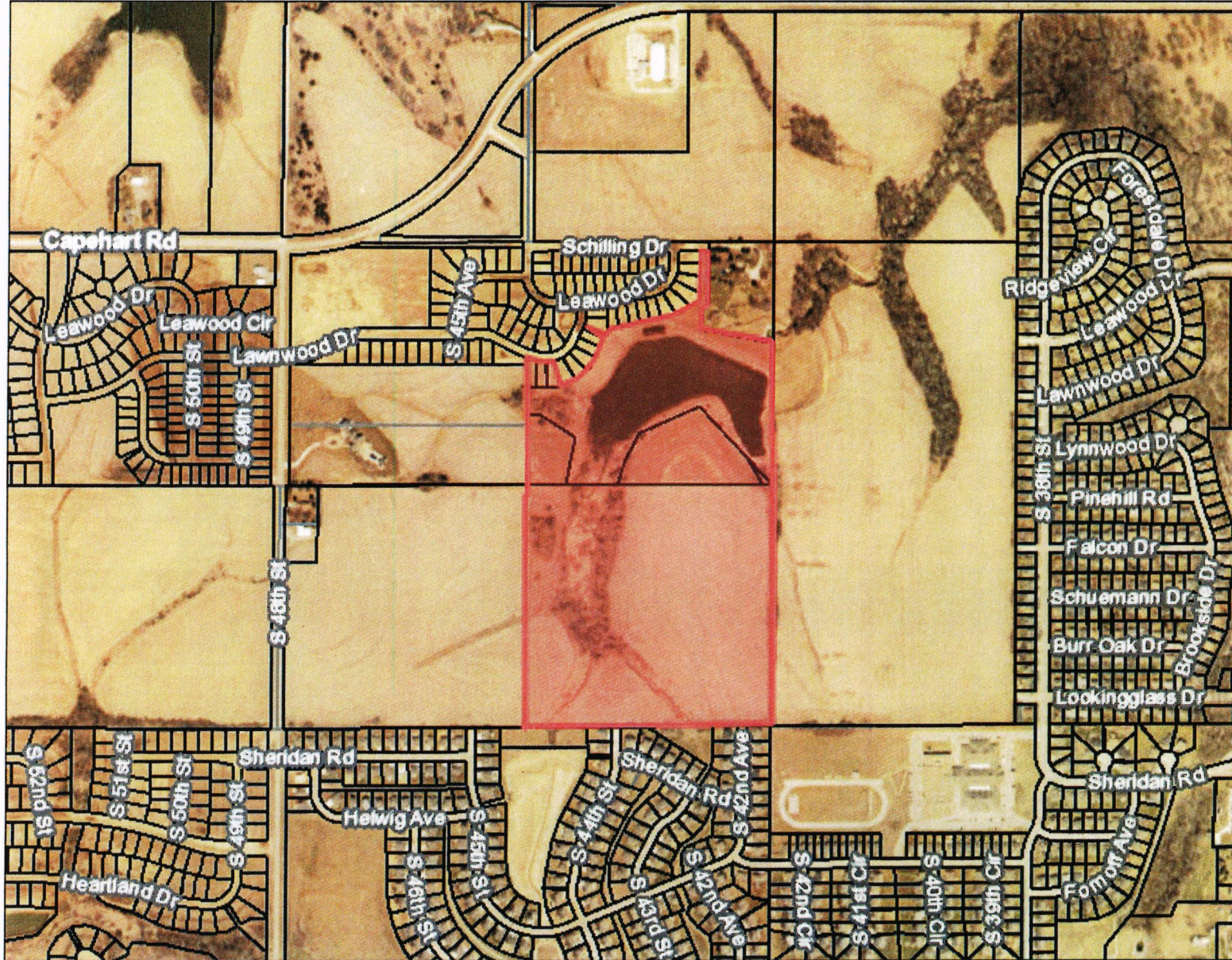
This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the source records and information sources to ascertain the usability of the information.

Sarpy County GIS



1210 Golden Gate Dr.
Suite 1130
Papillion, NE 68046
maps.sarpy.com

Belle Lago South



Location



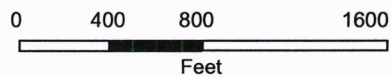
Legend

Road Centerlines
2018 Aerial Photo

- Red: Band_1
- Green: Band_2
- Blue: Band_3



1: 9,600



This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the source records and information sources to ascertain the usability of the information.

Sarpy County GIS

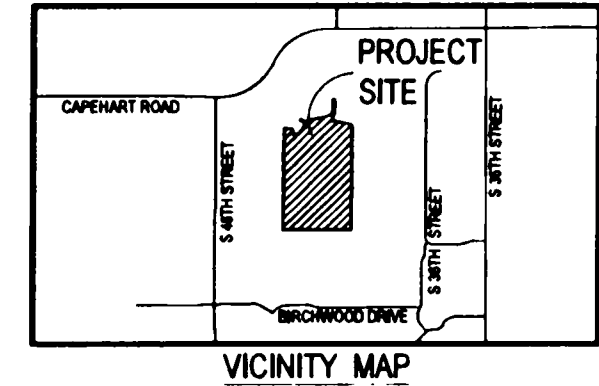


1210 Golden Gate Dr.
Suite 1130
Papillion, NE 68046
maps.sarpy.com

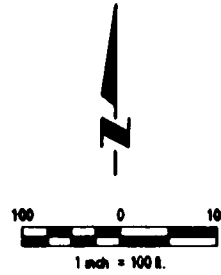
BELLE LAGO SOUTH

LOTS 1 THRU 121 & OUTLOTS "A" THRU "G" INCLUSIVE

A TRACT OF LAND LOCATED IN LOTS 28 THRU 32, OUTLOTS "B", "C" AND "D", BELLE LAGO, A SUBDIVISION LOCATED IN PART OF THE NW 1/4 OF SECTION 08 ALONG WITH THE SE 1/4 OF THE NW 1/4 OF SECTION 08, ALL LOCATED IN TOWNSHIP 13 NORTH, RANGE 13 EAST OF THE 9TH P.M. SAPPY COUNTY, NEBRASKA.



VICINITY MAP



LEGEND

- BOUNDARY LINE
- RIGHT OF WAY LINE
- LOT LINE
- EASEMENTS
- EXIST. MAJOR CONTOURS
- EXIST. MINOR CONTOURS
- EXISTING BUILDING
- EXIST. OVERHEAD POWER LINE
- EXIST. EDGE OF ROAD
- EXIST. SANITARY SEWER LINE

RQ-50-PS ZOMBING SETBACK TABLE		
FRONT YARD	25'	
SIDE YARD	5'	
STREET SIDE YARD	15'	
REAR YARD	25'	

CENTERLINE CURVE TABLE		
CURVE	RADIUS	
1	160.00'	
2	160.00'	
3	300.00'	
4	160.00'	
5	160.00'	
6	300.00'	
7	160.00'	
8	160.00'	
9	160.00'	
10	160.00'	
11	160.00'	
12	160.00'	
13	160.00'	
14	160.00'	
15	160.00'	
16	160.00'	
17	160.00'	
18	160.00'	
19	160.00'	

LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN LOTS 28 THRU 32, OUTLOTS "B", "C" AND "D", BELLE LAGO, A SUBDIVISION LOCATED IN PART OF THE NW 1/4 OF SECTION 08 ALONG WITH THE SE 1/4 OF THE NW 1/4 OF SECTION 08, ALL LOCATED IN TOWNSHIP 13 NORTH, RANGE 13 EAST OF THE 9TH P.M. SAPPY COUNTY, NEBRASKA.

Said tract of land contains 2,864.136 square feet or less, more or less.

OWNER:
LENN HOLCOMB LLC
21330 W 115TH ST
OLATHE, KS 66061

OWNER:
BOYER YOUNG ROUTES INC - BELLE LAGO, LLC
8710 GILES RD
LA VISTA, NE 68128

DEVELOPER:
BOYER YOUNG DEVELOPMENT COMPANY
8710 GILES RD
LA VISTA, NE 68128

ZOMBING

EXISTING: AL, RQ-44-PS
PROPOSED: RQ-44-PS, LOTS 1 THRU 122, OUTLOTS "A" THRU "G"

NOTES

- TEMPORARY TURNAROUNDS WILL BE CONSTRUCTED AT ALL DEAD-END STREETS.
- THE CHAMBERS FOR SIDEWALKS ON CORNER LOTS ARE SET AT (12.5') FROM THE INTERSECTION OF RIGHT-OF-WAY LINES.
- TYPICAL UTILITY EASEMENTS WILL BE DEDICATED WITH THE FINAL PLAN.
- A PERMANENT STORM SEWER AND DRAINAGE EASEMENT IS GRANTED OVER ALL OF OUTLOTS "B", "C", "D", "E", "F", "G", "H", "I", "J", "K", "L", "M", "N", "O", "P", "Q", "R", "S", "T", "U", "V", "W", "X", "Y", "Z", "AA", "AB", "AC", "AD", "AE", "AF", "AG", "AH", "AI", "AJ", "AK", "AL", "AM", "AN", "AO", "AP", "AQ", "AR", "AS", "AT", "AU", "AV", "AW", "AX", "AY", "AZ", "BA", "BB", "BC", "BD", "BE", "BF", "BG", "BH", "BI", "BJ", "BK", "BL", "BM", "BN", "BO", "BP", "BQ", "BR", "BS", "BT", "BU", "BV", "BW", "BX", "BY", "BZ", "CA", "CB", "CC", "CD", "CE", "CF", "CG", "CH", "CI", "CJ", "CK", "CL", "CM", "CN", "CO", "CP", "CQ", "CR", "CS", "CT", "CU", "CV", "CW", "CX", "CY", "CZ", "DA", "DB", "DC", "DD", "DE", "DF", "DG", "DH", "DI", "DJ", "DK", "DL", "DM", "DN", "DO", "DP", "DQ", "DR", "DS", "DT", "DU", "DV", "DW", "DX", "DY", "DZ", "EA", "EB", "EC", "ED", "EE", "EF", "EG", "EH", "EI", "EJ", "EK", "EL", "EM", "EN", "EO", "EP", "EQ", "ER", "ES", "ET", "EU", "EV", "EW", "EX", "EY", "EZ", "FA", "FB", "FC", "FD", "FE", "FF", "FG", "FH", "FI", "FJ", "FK", "FL", "FM", "FN", "FO", "FP", "FQ", "FR", "FS", "FT", "FU", "FV", "FW", "FX", "FY", "FZ", "GA", "GB", "GC", "GD", "GE", "GF", "GG", "GH", "GI", "GJ", "GK", "GL", "GM", "GN", "GO", "GP", "GQ", "GR", "GS", "GT", "GU", "GV", "GW", "GX", "GY", "GZ", "HA", "HB", "HC", "HD", "HE", "HF", "HG", "HH", "HI", "HJ", "HK", "HL", "HM", "HN", "HO", "HP", "HQ", "HR", "HS", "HT", "HU", "HV", "HW", "HX", "HY", "HZ", "IA", "IB", "IC", "ID", "IE", "IF", "IG", "IH", "II", "IJ", "IK", "IL", "IM", "IN", "IO", "IP", "IQ", "IR", "IS", "IT", "IU", "IV", "IW", "IX", "IY", "IZ", "JA", "JB", "JC", "JD", "JE", "JF", "JG", "JH", "JI", "JJ", "JK", "JL", "JM", "JN", "JO", "JP", "JQ", "JR", "JS", "JT", "JU", "JV", "JW", "JX", "JY", "JZ", "KA", "KB", "KC", "KD", "KE", "KF", "KG", "KH", "KI", "KJ", "KK", "KL", "KM", "KN", "KO", "KP", "KQ", "KR", "KS", "KT", "KU", "KV", "KW", "KX", "KY", "KZ", "LA", "LB", "LC", "LD", "LE", "LF", "LG", "LH", "LI", "LJ", "LK", "LL", "LM", "LN", "LO", "LP", "LQ", "LR", "LS", "LT", "LU", "LV", "LW", "LX", "LY", "LZ", "MA", "MB", "MC", "MD", "ME", "MF", "MG", "MH", "MI", "MJ", "MK", "ML", "MM", "MN", "MO", "MP", "MQ", "MR", "MS", "MT", "MU", "MV", "MW", "MX", "MY", "MZ", "NA", "NB", "NC", "ND", "NE", "NF", "NG", "NH", "NI", "NJ", "NK", "NL", "NM", "NN", "NO", "NP", "NQ", "NR", "NS", "NT", "NU", "NV", "NW", "NX", "NY", "NZ", "OA", "OB", "OC", "OD", "OE", "OF", "OG", "OH", "OI", "OJ", "OK", "OL", "OM", "ON", "OO", "OP", "OQ", "OR", "OS", "OT", "OU", "OV", "OW", "OX", "OY", "OZ", "PA", "PB", "PC", "PD", "PE", "PF", "PG", "PH", "PI", "PJ", "PK", "PL", "PM", "PN", "PO", "PP", "PQ", "PR", "PS", "PT", "PU", "PV", "PW", "PX", "PY", "PZ", "QA", "QB", "QC", "QD", "QE", "QF", "QG", "QH", "QI", "QJ", "QK", "QL", "QM", "QN", "QO", "QP", "QQ", "QR", "QS", "QT", "QU", "QV", "QW", "QX", "QY", "QZ", "RA", "RB", "RC", "RD", "RE", "RF", "RG", "RH", "RI", "RJ", "RK", "RL", "RM", "RN", "RO", "RP", "RQ", "RR", "RS", "RT", "RU", "RV", "RW", "RX", "RY", "RZ", "SA", "SB", "SC", "SD", "SE", "SF", "SG", "SH", "SI", "SJ", "SK", "SL", "SM", "SN", "SO", "SP", "SQ", "SR", "SS", "ST", "SU", "SV", "SW", "SX", "SY", "SZ", "TA", "TB", "TC", "TD", "TE", "TF", "TG", "TH", "TI", "TJ", "TK", "TL", "TM", "TN", "TO", "TP", "TQ", "TR", "TS", "TT", "TU", "TV", "TW", "TX", "TY", "TZ", "UA", "UB", "UC", "UD", "UE", "UF", "UG", "UH", "UI", "UJ", "UK", "UL", "UM", "UN", "UO", "UP", "UQ", "UR", "US", "UT", "UU", "UV", "UW", "UX", "UY", "UZ", "VA", "VB", "VC", "VD", "VE", "VF", "VG", "VH", "VI", "VJ", "VK", "VL", "VM", "VN", "VO", "VP", "VQ", "VR", "VS", "VT", "VU", "VV", "VW", "VX", "VY", "VZ", "WA", "WB", "WC", "WD", "WE", "WF", "WG", "WH", "WI", "WJ", "WK", "WL", "WM", "WN", "WO", "WP", "WQ", "WR", "WS", "WT", "WU", "WV", "WW", "WX", "WY", "WZ", "XA", "XB", "XC", "XD", "XE", "XF", "XG", "XH", "XI", "XJ", "XK", "XL", "XM", "XN", "XO", "XP", "XQ", "XR", "XS", "XT", "XU", "XV", "XW", "XX", "XY", "XZ", "YA", "YB", "YC", "YD", "YE", "YF", "YG", "YH", "YI", "YJ", "YK", "YL", "YM", "YN", "YO", "YP", "YQ", "YR", "YS", "YT", "YU", "YV", "YW", "YX", "YY", "YZ", "ZA", "ZB", "ZC", "ZD", "ZE", "ZF", "ZG", "ZH", "ZI", "ZJ", "ZK", "ZL", "ZM", "ZN", "ZO", "ZP", "ZQ", "ZR", "ZS", "ZT", "ZU", "ZV", "ZW", "ZX", "ZY", "ZZ".

LOT AREAS		LOT AREAS		LOT AREAS		LOT AREAS	
LOT NO.	SQ. FOOTAGE	LOT NO.	SQ. FOOTAGE	LOT NO.	SQ. FOOTAGE	LOT NO.	SQ. FOOTAGE
1	13,228	38	10,864	65	8,186	92	6,750
2	6,480	39	11,273	66	8,186	93	6,750
3	6,480	40	11,273	67	8,186	94	10,824
4	6,480	41	9,874	68	8,275	95	11,467
5	6,480	42	9,874	69	11,271	96	6,340
6	6,480	43	9,874	70	12,346	97	6,750
7	6,480	44	9,874	71	8,179	98	6,340
8	6,480	45	9,874	72	8,177	99	11,750
9	6,180	46	9,880	73	8,177	100	15,200
10	7,257	47	9,887	74	8,177	101	12,200
11	7,140	48	9,888	75	13,264	102	10,000
12	7,800	49	9,888	76	6,750	103	10,000
13	6,880	50	9,888	77	6,750	104	10,000
14	6,870	51	9,888	78	6,750	105	10,000
15	6,750	52	9,888	79	6,750	106	10,000
16	6,750	53	11,864	80	10,000	107	6,867
17	6,750	54	14,176	81	11,860	108	10,700
18	6,750	55	6,480	82	6,800	109	10,000
19	6,750	56	6,480	83	6,750	110	10,000
20	7,800	57	6,480	84	6,750	111	10,000
21	7,800	58	10,864	85	6,750	112	10,000
22	7,800	59	14,176	86	6,750	113	12,943
23	7,800	60	14,176	87	6,750	114	10,000
24	7,732	61	21,888	88	12,760	115	10,000
25	6,480	62	14,864	89	6,750	116	10,000
26	6,480	63	10,860	90	6,750	117	10,000
27	6,800	64	11,111	91	6,750	118	12,166
28	7,800	65	12,200	92	6,750	119	12,264
29	7,800	66	6,480	93	6,750	120	14,427
30	11,860	67	6,480	94	11,444	121	10,000
31	13,223	68	10,267	95	6,800		
		69	6,750				

RECEIVED

DEC 11 2018

PLANNING DEPT.

E & A CONSULTING GROUP, INC.
Engineering • Planning • Environmental & Field Services



BELLE LAGO SOUTH
LOTS 1 THRU 121 & OUTLOTS "A" THRU "G" INCLUSIVE
BELLEVUE, NEBRASKA

PRELIMINARY PLAN

Rev.	Date	Description
1	11/16/18	Revised Per City Comments
2	12/11/18	Revised Per City Comments



E & A CONSULTING GROUP, INC.

Engineering Answers

10909 Mill Valley Road, Suite 100 • Omaha, NE 68154-3950
P 402.895.4700 • F 402.895.3599
www.eacg.com

September 21, 2018

Tammi Palm
City of Bellevue, NE
1510 Wall Street
Bellevue, NE 68005

RECEIVED

SEP 21 2018

PLANNING DEPT.

RE: Belle Lago South – Planned Subdivision District Zoning Justification Letter

Dear Tammi,

The proposed Belle Lago South development zoning is proposed to be RG-50-PS. The proposed changes to the RG-50 zoning shall be a reduced front setback from 35 feet to 25 feet and a reduced rear setback from 25 feet to 20 feet. This development meets multiple categories within Section 5.17.03 (1-4) of the City of Bellevue Zoning Ordinance, our Justification is as follows:

5.17.03 (1) – This section of ground has a future land use designation of Medium Density Residential. RG-50 zoning should fit within this designation and thus fits the proposed character of this portion of the City of Bellevue's ETJ and thusly shouldn't adversely affect neighboring properties. The minimum lot size for RG-50 is 5000 sq. ft. The smallest single family lots proposed in the Belle Lago South development are 6480 sq. ft with many of the more standard shaped lots exceeding 8000 sq ft and oddly shaped lots exceeding 10,000 sq. ft as the development moves further west. Furthermore, the narrowest lots abut the lake and not adjacent properties.

The density of the proposed single family lots is roughly 4.4 lots per acre due to the developable acres lost to the lake. This density is well within the range of medium density developments, again meeting the future land use plan for the City of Bellevue.

5.17.03 (2) – The designation of the planned subdivision allows this development to better fit the topography and space limitations on this proposed property. This property is quite narrow due to the lake and drainageway located within the property. This limits the depth that the lots can be built to, making the standard setbacks of the RG-50 zoning district too restrictive for the style homes proposed within this development. The floorplans of the house styles that will be developed in this neighborhood will not fit on many of the lots within this development due to the reduced depth achievable without reducing the front and rear yard setbacks.

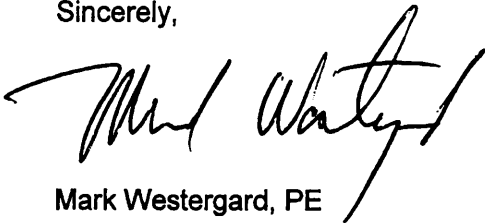
The current rate that the cost of construction is going up is outpacing any increase in the valuation of homes. Valuations needed to make these SIDs work struggle to increase fast enough to keep up with these increased cost. Because of this, finding ways to best utilize the land available on a given development is important. Solving the debt ratio difficulties for SIDs cannot simply be a situation where we try build higher priced, larger homes. This will quickly stymie growth by only making new home construction available to a smaller pool of

wealthier individuals. New developments are needed with diverse home costs to provide opportunities for the widest range of citizen's to achieve their dreams of home ownership.

5.17.03 (3) – This development will not be a typical single-family neighborhood in that the west 31 homes on the west side of the lake are planned to be a small villa community made up of several different ranch style homes that will include mowing, snow removal, etc as a part of living there. This style of development is often more desirable with reduced lot size that often isn't considered a benefit to the target market. This villa community also creates a different market that is not currently available in the area. The access to the lake will also make this a unique development. As mentioned above, the development has been planned out so that the narrowest lots abut the lake area and not adjacent properties.

5.17.030 (4) – We do not feel that the reduced front and rear yard setbacks that are being requested for this development should be considered to be for the purposes of convenience, profit or caprice. The developer is creating a development that fits within the future land use designation and is aimed at a different market than is currently available within the existing and proposed developments along 48th Street. As mentioned in Section 2, the request is not being made to create more lots, but to develop workable lots within the physical restraints of the site.

Sincerely,



Mark Westergard, PE
E & A Consulting Group, INC.






RECEIVED
SEP 21 2018
PLANNING DEPT.

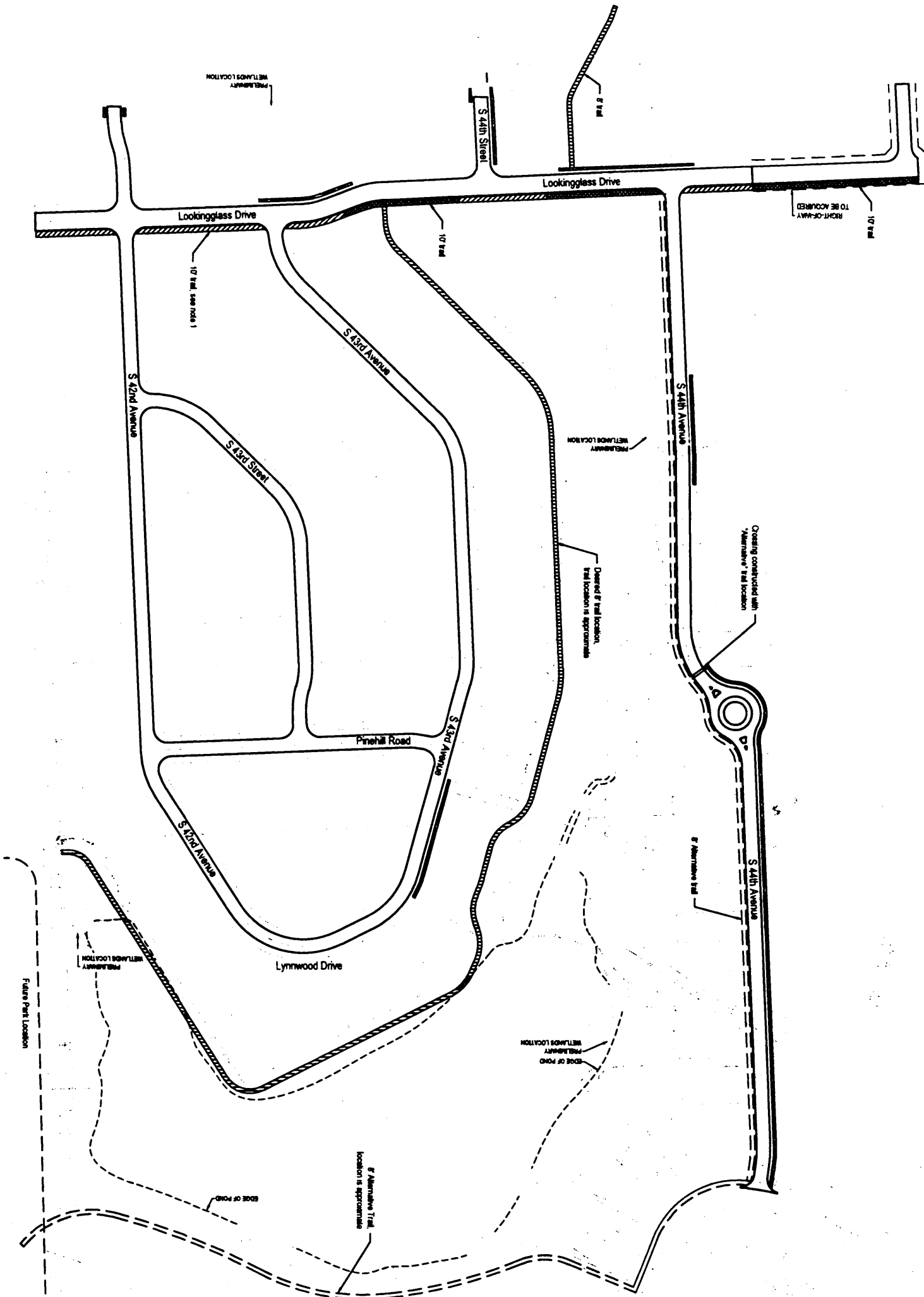
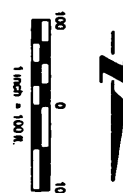
RECEIVED
JAN 24 2019
PLANNING DEPT.

NOTE

1. 10% trail at lot frontage shall be paid 1/2 by lot owner and 1/2 by the S.L.D.

LEGEND

	10' - Trail at lot frontage
	10' - Trail at outlet frontage
	8' - Alternative Trail Location
	8' - Trail, Desired location
	5' - Sidewalk



Pay No	P2019.999.991	Revisions	
Date	12/19/2018	Date	Description
Designed By	MMW	1	5/7/2018 Added alternative alignment
Drawn By	ASR	2	12/4/2019 Removed note related to O.L.C
Scale	AS SHOWN		
Sheet	1 of 1		

TRAIL EXHIBIT

BELLE LAGO SOUTH
BELLEVUE, NEBRASKA



E & A CONSULTING GROUP, INC.
Engineering • Planning • Environmental & Field Services

10909 ME Valley Road, Suite 100 • Omaha, NE 68154
Phone 402.895.4700 • Fax 402.895.3500
www.eacg.com

ORDINANCE NO. 3925

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF BELLEVUE, NEBRASKA, AS PROVIDED FOR BY ARTICLE 3 OF ORDINANCE NO. 3619 BY CHANGING THE ZONE CLASSIFICATION OF LAND LOCATED AT OR ABOUT 48th STREET AND CAPEHART ROAD, MORE PARTICULARLY DESCRIBED IN SECTION 1 OF THE ORDINANCE AND TO PROVIDE AN EFFECTIVE DATE.

WHEREAS, having received a recommendation from the city of Bellevue Planning Commission and proper notice having been given and public hearing held as provided by law:

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

Section 1. That part of the official zoning map of the City of Bellevue, Nebraska, as provided in Article 3, of Ordinance No. 3619 is hereby amended to change the zone classification of the following described parcel of land:

Lots 1 through 121, and Outlots A through G, Belle Lago South, being a replat of Lots 20 through 22, Outlots B, G, and H, Belle Lago, and a platting of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$, all located in Section 8, T13N, R13E of the 6th P.M., Sarpy County, Nebraska

From AG (Agricultural District) and RG-50-PS (General Residence, 5,000 Square Foot Zone) to RG-50-PS (General Residence, 5,000 Square Foot Zone, Planned Subdivision)

(Boyer-Young Development)

Section 2. This ordinance shall not take effect until such time as the final plat of Belle Lago South is filed with the Sarpy County Register of Deeds in accordance with Sections 4-10 and 4-11 of the City of Bellevue Subdivision Regulations.

Section 3. Except as amended herein, the official zoning map and the classification shown therein shall remain as heretofore existing.

Section 4. This ordinance shall take affect and be in force from and after its adoption and publication according to law.

ADOPTED by the Mayor and City Council this _____ day of _____, 2019.

APPROVED AS TO FORM:

City Attorney

ATTEST

City Clerk

Mayor

First Reading: 1-14-19
Second Reading: 1-28-19
Third Reading: _____

106
2-11-19

ORDINANCE NO. 3927

AN ORDINANCE TO AMEND SECTIONS 2-26 AND 2-29 OF THE BELLEVUE MUNICIPAL CODE PERTAINING TO THE TIME AND LOCATION OF REGULAR CITY COUNCIL MEETINGS, AND THE PREPARATION OF THE AGENDA FOR REGULAR COUNCIL MEETINGS; TO REPEAL SECTIONS 2-26 AND 2-29 AS HERETOFORE EXISTING; TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM; AND TO PROVIDE FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

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

Section 1. That Section 2-26 of the Bellevue Municipal Code is hereby amended to read as follows:

Sec. 2-26. Time and location of regular meetings.

The city council shall hold regular meetings on the ~~second and fourth Mondays~~ first and third Tuesdays in each month at the hour of 6:00 p.m. in the council chambers of the city hall in the city or in such other place within the city limits to which such meeting may be adjourned. If by reason of fire, flood or other emergency it shall be unsafe to meet in the city hall, the meetings may be held for the duration of the emergency at such other place as is designated by the mayor or, if he or she should fail to act, by four (4) members of the city council. When the day for any regular meeting falls on a holiday recognized by the city, no meeting shall be held on such holiday. In such case, the regular meeting shall be held at the same time and location on the next business day. The city council may cancel or reschedule a regular city council meeting by a vote of a majority of the members of the council.

Section 2. That Section 2-29 of the Bellevue Municipal Code is hereby amended to read as follows:

Sec. 2-29. Agenda; submission of materials; formulation; public availability, etc.

All new ordinances or new resolutions affecting policy that are to be placed on a city council agenda must be submitted, in their proposed form, to the city administrator by noon on the Monday that is three weeks prior to the city council meeting at which the ordinance or resolution will be introduced. All reports, communications, ordinances, resolutions, contract documents or other matters to be placed on a council agenda must be submitted, in their proposed form, to the city administrator by noon on the Monday that is two weeks prior to the council meeting at which the item will be discussed. If the item is deemed to be "of an emergency nature" by the city administrator, the above timeline may be expedited. The city clerk shall prepare the agenda of all such matters under the direction of the city administrator. Unless prevented by unforeseen circumstances or emergency, the agenda and all supporting documentation referenced herein shall be delivered to the council members on the Wednesday preceding the regularly scheduled ~~Monday-Tuesday~~ council meeting to which it pertains, and shall be made available to the public no later than 4:00 p.m. on the same Wednesday.

Section 3. That Sections 2-26 and 2-29 of the Bellevue Municipal Code as heretofore existing are hereby repealed.

Section 4. This Ordinance shall take effect on May 7, 2019, and be in full force from and after its passage, approval, and publication as provided by law.

Adopted by the Mayor and City Council this ____ day of _____ 2019.

Mayor

ATTEST:

City Clerk

1
2
3
4
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6
7

First Reading 1-14-19
Second Reading 1-28-19
Third Reading _____

APPROVED AS TO FORM:

City Attorney

ORDINANCE RECORD

ORDINANCE NO. 3927

AN ORDINANCE TO AMEND SECTIONS 2-26 AND 2-29 OF THE BELLEVUE MUNICIPAL CODE PERTAINING TO THE TIME AND LOCATION OF REGULAR CITY COUNCIL MEETINGS, AND THE PREPARATION OF THE AGENDA FOR REGULAR COUNCIL MEETINGS; TO REPEAL SECTIONS 2-26 AND 2-29 AS HERETOFORE EXISTING; TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM; AND TO PROVIDE FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

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

Section 1. That Section 2-26 of the Bellevue Municipal Code is hereby amended to read as follows:

Sec. 2-26. Time and location of regular meetings.

The city council shall hold regular meetings on the first and third Tuesdays in each month at the hour of 6:00 p.m. in the council chambers of the city hall in the city or in such other place within the city limits to which such meeting may be adjourned. If by reason of fire, flood or other emergency it shall be unsafe to meet in the city hall, the meetings may be held for the duration of the emergency at such other place as is designated by the mayor or, if he or she should fail to act, by four (4) members of the city council. When the day for any regular meeting falls on a holiday recognized by the city, no meeting shall be held on such holiday. In such case, the regular meeting shall be held at the same time and location on the next business day. The city council may cancel or reschedule a regular city council meeting by a vote of a majority of the members of the council.

Section 2. That Section 2-29 of the Bellevue Municipal Code is hereby amended to read as follows:

Sec. 2-29. Agenda; submission of materials; formulation; public availability, etc.

All new ordinances or new resolutions affecting policy that are to be placed on a city council agenda must be submitted, in their proposed form, to the city administrator by noon on the Monday that is three weeks prior to the city council meeting at which the ordinance or resolution will be introduced. All reports, communications, ordinances, resolutions, contract documents or other matters to be placed on a council agenda must be submitted, in their proposed form, to the city administrator by noon on the Monday that is two weeks prior to the council meeting at which the item will be discussed. If the item is deemed to be "of an emergency nature" by the city administrator, the above timeline may be expedited. The city clerk shall prepare the agenda of all such matters under the direction of the city administrator. Unless prevented by unforeseen circumstances or emergency, the agenda and all supporting documentation referenced herein shall be delivered to the council members on the Wednesday preceding the regularly scheduled Tuesday council meeting to which it pertains, and shall be made available to the public no later than 4:00 p.m. on the same Wednesday.

Section 3. That Sections 2-26 and 2-29 of the Bellevue Municipal Code as heretofore existing are hereby repealed.

Section 4. This Ordinance shall take effect on May 7, 2019, and be in full force from and after its passage, approval, and publication as provided by law.

Adopted by the Mayor and City Council this ____ day of _____ 2019.

Mayor

ATTEST:

City Clerk

ORDINANCE

RECORD

First Reading 1-14-19

Second Reading 1-28-19

Third Reading _____

APPROVED AS TO FORM:

City Attorney

1

1

1

1/a
2-11-19

ORDINANCE NO. 3928

AN ORDINANCE TO AMEND SECTION 2-30 OF THE BELLEVUE MUNICIPAL CODE PERTAINING TO THE CITY COUNCIL'S ORDER OF BUSINESS; TO REPEAL SUCH SECTION AS HERETOFORE EXISTING; AND TO PROVIDE FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF BELLEVUE, NEBRASKA.

Section 1. That Section 2-30 of the Bellevue Municipal Code is hereby amended to read as follows:

Sec. 2-30. Order of business.

(a) The business of the council shall be taken up for consideration and disposition in the following order:

- (1) Pledge of allegiance;
- (1)(a) Invocation;
- (2) Call to order and roll call;
- (2)(a) Open Meetings Act;
- (3) Approval of agenda, consent agenda, minutes and advisory committee reports;
- (4) Approval of claims (statements of account);
- (5) Special presentations (quarterly budget update on agendas for the second City Council meetings in January, April, July, and October);
- (5)(a) Organizational Matters (when necessary to elect a new council president)
- (6) Liquor licenses;
- (7) Ordinances for adoption (third reading);
- (8) Ordinances for public hearing (second reading);
- (9) Ordinances for introduction (first reading) read only;
- (10) Public hearing on matters other than ordinances;
- (11) Resolutions for adoption;
- (12) Current business;
- (13) Administrative reports;
- ~~(14) Public requests to be heard;~~
- ~~(15)~~ Closed or Executive Session; and
- ~~(16)~~ Adjournment.

(b) The order of business shall not be changed except by a majority vote of the city council. The city clerk shall have the authority at his or her discretion, when preparing any agenda for a city council meeting, to group items together that are of a similar nature or are related by subject matter when it appears reasonable to do so for efficient progression of such meeting.

Section 2. That Section 2-30 of the Bellevue Municipal Code as heretofore existing is hereby repealed in its entirety.

Section 3. This Ordinance shall take effect and be in full force from and after its passage, approval and publication as provided by law.

ADOPTED by the Mayor and City Council this _____ day of _____ 2019.

ATTEST:

_____ City Clerk	_____ Mayor
First Reading <u>1-28-19</u>	APPROVED AS TO FORM:
Second Reading _____	_____ City Attorney
Third Reading _____	

ORDINANCE NO. 3928

AN ORDINANCE TO AMEND SECTION 2-30 OF THE BELLEVUE MUNICIPAL CODE PERTAINING TO THE CITY COUNCIL'S ORDER OF BUSINESS; TO REPEAL SUCH SECTION AS HERETOFORE EXISTING; AND TO PROVIDE FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF BELLEVUE, NEBRASKA.

Section 1. That Section 2-30 of the Bellevue Municipal Code is hereby amended to read as follows:

Sec. 2-30. Order of business.

(a) The business of the council shall be taken up for consideration and disposition in the following order:

- (1) Pledge of allegiance;
- (1)(a) Invocation;
- (2) Call to order and roll call;
- (2)(a) Open Meetings Act;
- (3) Approval of agenda, consent agenda, minutes and advisory committee reports;
- (4) Approval of claims (statements of account);
- (5) Special presentations (quarterly budget update on agendas for the second City Council meetings in January, April, July, and October);
- (5)(a) Organizational Matters (when necessary to elect a new council president)
- (6) Liquor licenses;
- (7) Ordinances for adoption (third reading);
- (8) Ordinances for public hearing (second reading);
- (9) Ordinances for introduction (first reading) read only;
- (10) Public hearing on matters other than ordinances;
- (11) Resolutions for adoption;
- (12) Current business;
- (13) Administrative reports;
- (14) Closed or Executive Session; and
- (15) Adjournment.

(b) The order of business shall not be changed except by a majority vote of the city council. The city clerk shall have the authority at his or her discretion, when preparing any agenda for a city council meeting, to group items together that are of a similar nature or are related by subject matter when it appears reasonable to do so for efficient progression of such meeting.

Section 2. That Section 2-30 of the Bellevue Municipal Code as heretofore existing is hereby repealed in its entirety.

Section 3. This Ordinance shall take effect and be in full force from and after its passage, approval and publication as provided by law.

ADOPTED by the Mayor and City Council this _____ day of _____ 2019.

ATTEST:

City Clerk

First Reading 1-28-19

Second Reading _____

Third Reading _____

Mayor

APPROVED AS TO FORM:

City Attorney

~~120-120.1~~
~~1-28-19~~
11a.1
2-11-19

POLICY RESOLUTION 39

PUBLIC PARTICIPATION AT CITY COUNCIL MEETINGS

The City of Bellevue recognizes and upholds the right of citizens, organizations and groups to attend, observe and participate in regularly scheduled public meetings of the Bellevue City Council. The following rules are established for participation by members of the general public, organizations or groups:

MATTERS NOT ON THE CITY COUNCIL AGENDA

Any person, organization or group may request the opportunity to speak regarding any matter not included on the City Council's agenda. The following conditions for participation shall apply:

1. Each person, organization or group who wishes to speak shall submit a written request, on a form provided by the City Clerk, to the City Clerk by the end of the business day that is at least five (5) calendar days prior to a scheduled meeting. The written request shall state the person's name, address, and topic, with a brief description of what is going to be said in regard to such topic. If the City Administrator determines that the topic and/or description are too vague, the person may be asked to clarify the item. The City Clerk shall notify the requestor of the placement of the item on the agenda.
2. Each person, organization or group who has been placed on the agenda shall be recognized by the Mayor or the presiding officer.
3. Presentations shall be limited to five (5) minutes per speaker unless a majority of the Councilmembers present votes to suspend the rule to provide for more or less time. If there are numerous requests to address the City Council on the same topic, the Mayor may recognize representatives to speak.
4. An organization or group wishing to speak before the City Council shall speak through its appointed spokesperson, who shall be the person required to submit the aforementioned form requesting to speak. The Mayor or presiding officer may limit the number of persons

permitted to speak for any organization or group.

MATTERS ON THE CITY COUNCIL AGENDA

Any person, organization or group may request the opportunity to speak regarding any matter on the City Council's agenda. The following conditions for participation shall apply:

1. Each person, organization or group who wishes to speak (except for items requiring a public hearing) shall submit a written request, on a form provided by the City Clerk, to the City Clerk prior to the start of the scheduled meeting. The written request shall state the person's name, address, and agenda item on which the individual, organization or group wishes to speak.
2. The Mayor or the presiding officer, at the appropriate time on the agenda, shall recognize each person, organization or group who has requested to speak.
3. Presentations shall be limited to three (3) minutes per speaker unless a majority of the Councilmembers present votes to suspend the rule to provide for more or less time. If there are numerous requests to address the City Council on the same topic, the Mayor or presiding officer may recognize representatives to speak.
4. An organization or group wishing to speak before the City Council shall speak through its appointed spokesperson, who shall be the person required to submit the aforementioned form requesting to speak. The Mayor or presiding officer may limit the number of persons permitted to speak for any organization or group.

GENERAL PROVISIONS

1. All persons speaking at a City Council meeting shall address the Mayor and Council as a whole, and not the public in general.
2. All persons addressing the City Council shall state his or her name, address, organization or group represented, if any, and shall confine his or her comments to the specific agenda item upon which he or she has requested to speak.
3. All persons speaking at a City Council meeting are expected to conduct themselves in a courteous manner. Comments

shall not involve personal or slanderous attacks on employees, members of the City Council or members of the general public. The use of profane, vulgar, inflammatory, threatening, abusive or disparaging language or racial or ethnic slurs will not be tolerated.

4. The Mayor or presiding officer may instruct the Sergeant at Arms to remove any person from the City Council Chamber who continues to conduct himself or herself in a disorderly manner and causes a disruption to the meeting.

Adopted:
Reviewed:

Revised:

116
2-11-19

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

COUNCIL MEETING DATE:	January 28, 2019	AGENDA ITEM TYPE:
SUBMITTED BY: Patrick J. Sullivan City Attorney		SPECIAL PRESENTATION <input type="checkbox"/>
		LIQUOR LICENSE <input type="checkbox"/>
		ORDINANCE <input checked="" type="checkbox"/>
		PUBLIC HEARING <input type="checkbox"/>
		RESOLUTION <input type="checkbox"/>
		CURRENT BUSINESS <input type="checkbox"/>
		OTHER (SEE CLERK) <input type="checkbox"/>

SUBJECT:

Sale of City surplus property

SYNOPSIS:

Selling City real estate must be done by Ordinance with a right of remonstrance

FISCAL IMPACT:

\$1 of revenue less legal expenses

BUDGETED ITEM: ☐ YES ☒ NO

PROJECT # & TRACKING INFORMATION:

--

RECOMMENDATION:

Approve

BACKGROUND:

Jack J. Jones and Tracey L. Jones live at 8259 S. 32nd Street and desire additional ground. This area is an abandoned lift station that serves only as a liability to the City with upkeep and tree trimming. A strip along the east 15' has been maintained for right of way if ever needed.

ATTACHMENTS:

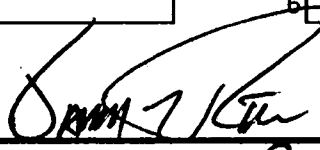
1 Ordinance	4
2 Purchase Agreement	5
3 Aerial	6

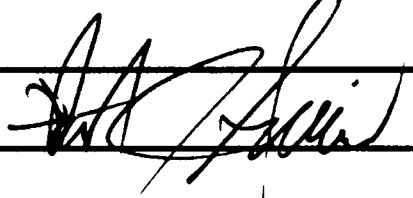
SIGNATURES:

ADMINISTRATOR APPROVAL:

FINANCE APPROVAL:

LEGAL APPROVAL:





PURCHASE AGREEMENT

January 3, 2019

The undersigned, hereinafter referred to as "Buyer", agrees to purchase the property described as follows:

1. Legal Description:

THE SOUTH 32 FEET OF THE EAST 130 FEET OF LOT 23A, AND LOT 24B EXCEPT THE EAST 15 FEET, ALL IN PLEASANT HILL OR MARTINS SUBDIVISIONS, AS SURVEYED, PLATTED AND RECORDED IN SARPY COUNTY, NEBRASKA

2. Conveyance: Seller agrees to convey title to property to Buyer or its nominee by Quitclaim Deed only. Seller further reserves the right to maintain, operate, repair and renew sewers now existing therein and in the future to construct, maintain repair and renew additional or other sewers; and also the right to authorize the public utilities and cable television systems to construct, maintain, repair or renew and operate new or hereafter installed water mains and gas mains, pole lines, conduits, electrical transmission lines, sound and signal transmission lines and other similar services and equipment and appurtenances above, on and below the surface of the ground for the purpose of serving the general public or abutting property; and the right so reserved shall also include such lateral connection or branch lines as may be ordered, desired or permitted by Seller or such other utility and to enter upon the premises to accomplish the above purpose at any and all times. All vegetation upon the premises, including but not limited to, trees, bushes and crops and all structures upon the premises, including but not limited to, buildings, walls, fences, drives and walks, may be damaged or removed as necessary in the exercise of the rights herein reserved without compensation to any person.

3. Assessments: Seller agrees to pay any assessments for public improvements previously constructed, or ordered or required to be constructed by the public authority, but not yet assessed.

4. Purchase Price: Buyer agrees to pay the sum of One (\$1.00) Dollar upon the following terms: Balance of One (\$1.00) Dollar to be paid in cash, or by certified or cashiers check, at the time of delivery of deed.

5. Taxes: All consolidated real estate taxes which become delinquent in the year in which closing takes place shall be treated as though all are current taxes, and those taxes shall be prorated as of the date of closing, and all prior year's taxes, interest and other charges, if any, will be paid by Seller.

6. Title Insurance: Buyer shall obtain a current title insurance commitment as soon as possible after the acceptance of this agreement. If title defects are found, Seller must cure them within a reasonable time. If title defects are not cured within a reasonable time period, the Buyer may rescind this agreement and the deposit shall be refunded. The cost of the title insurance policy shall be paid by Buyer.

7. **Closing:** Closing shall take place upon satisfaction of the conditions of this agreement regarding condition of the title and the passage and publication of the Ordinance authorizing the sale and the failure of remonstrance provided by law. In the event such conditions are not satisfied within 120 days of acceptance of this agreement, unless such time period is extended by the agreement of the parties or unless such conditions are waived in writing by the city, this agreement shall be null and void and the earnest money will be returned to the Buyer. In the event that Seller fails to fulfill its obligations contemplated by this agreement resulting in the failure to close on the purchase of the property, Buyer acknowledges that Buyer's sole and exclusive remedy for such failure of the Seller is the termination of the agreement and responsibilities of the parties herein. Buyer and Seller acknowledge and understand that the closing of the sale may be handled by an Escrow Agent, and Escrow Agent's charge for the escrow closing shall be equally divided between Buyer and Seller.

8. **State Documentary Tax:** This transaction will be exempt from State Documentary tax.

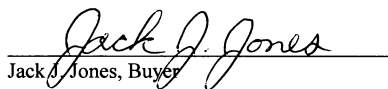
9. **Insurance:** Any risk of loss to the Property shall be borne by the Seller until title has been conveyed to the Buyer. In the event, prior to closing, the structures on the Property are materially damaged by fire, explosion or any other cause, Buyer shall have the right to rescind this agreement. Buyer agrees to provide its own hazard insurance as of the date of closing.

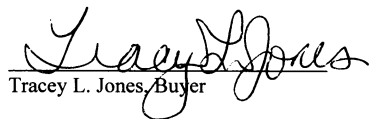
10. **Condition of Property:** Property is being sold "as is", with no representation or warranties, expressed or implied, by the Seller with respect to health, safety or environmental conditions. Buyer represents that he has had the opportunity to examine said property and that his decision to purchase the property is based upon his own examination and not upon any representation of the Seller or any of the Seller's agents.

11. **Broker:** Seller and Buyer agree and acknowledge that Seller has no broker or agent to act on its behalf with regard to this transaction. Seller and Buyer further agree and acknowledge that Buyer has no broker or agent to act on their behalf.

12. **Council Approval:** This agreement is subject to the passage and publication of an ordinance by the City Council of the City of Bellevue and publication of notice of sale and right of remonstrance as provided by §16-202 Nebraska Revised Statutes.

13. **Expiration:** This offer shall be deemed irrevocable upon the execution of same by the Mayor and City Clerk of the City of Bellevue, and accepted upon the passage of the ordinance.


Jack J. Jones, Buyer


Tracey L. Jones, Buyer

Address: 8259 S. 32nd Street
Bellevue, NE 68147

Telephone: (402) 980-4879

ACCEPTANCE

The Seller accepts the foregoing proposition on the terms stated and agrees to convey title to the Property, deliver possession, and perform all the terms and conditions set forth, and acknowledges receipt of an executed copy of this agreement.

CITY OF BELLEVUE, SELLER

Mayor

City Clerk

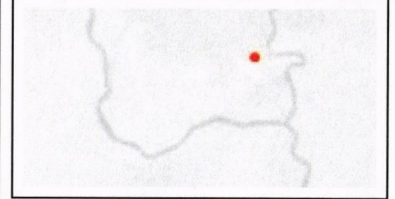
Address: 1500 Wall Street
Bellevue, NE 68005

Telephone: (402) 293-3021

Sarpy County Property Information



Location



Legend

2018 Aerial Photo

- Red: Band_1
- Green: Band_2
- Blue: Band_3



1:1,661

0 69 138 277
Feet

This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the source records and information sources to ascertain the usability of the information.

Sarpy County GIS



1210 Golden Gate Dr.
Suite 1130
Papillion, NE 68046
maps.sarpy.com

ORDINANCE NO. 3929

AN ORDINANCE PROVIDING FOR THE SALE OF CERTAIN REAL ESTATE, SAME BEING DESCRIBED IN SECTION 1 OF THIS ORDINANCE; DIRECTING THE CONVEYANCE OF SUCH REAL ESTATE, AND THE MANNER AND TERMS THEREOF, AND DESIGNATING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF BELLEVUE, NEBRASKA.

Section 1. The City is the owner of certain real property, which is by this ordinance declared surplus. The legal description of the real property is as follows:

THE SOUTH 32 FEET OF THE EAST 130 FEET OF LOT 23A, AND LOT 24B EXCEPT THE EAST 15 FEET, ALL IN PLEASANT HILL OR MARTINS SUBDIVISIONS, AS SURVEYED, PLATTED AND RECORDED IN SARPY COUNTY, NEBRASKA

Section 2. The City has received a Purchase Agreement regarding the property from Jack J. Jones and Tracey L. Jones, proposing to purchase said property for One (\$1.00) Dollar. A copy of the Purchase Agreement is attached hereto and by this reference incorporated herein.

Section 3. That on the ____ day of _____ 2019, the City Council of Bellevue conducted a regularly scheduled public hearing at which it considered the offer.

Section 4. That said property shall be sold to Jack J. Jones and Tracey L. Jones, or their assignee pursuant to the terms and conditions contained in the attached Purchase Agreement.

Section 5. This Ordinance shall become effective upon passage and publication according to law, and upon failure of remonstrance, the transaction shall proceed according to the terms of the purchase agreement.

PASSED AND ADOPTED this ____ day of _____ 2019.

ATTEST: CITY OF BELLEVUE, NEBRASKA

Sabrina Ohnmacht, City Clerk

Rusty Hike, Mayor

APPROVED AS TO FORM:

Patrick J. Sullivan, City Attorney

1st Reading: 1-28-19
2nd Reading: _____
3rd Reading: _____

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

11c
2-11-19

COUNCIL MEETING DATE:	01/28/2019	AGENDA ITEM TYPE:	
SUBMITTED BY: Rich Severson- Finance	SPECIAL PRESENTATION	<input type="checkbox"/>	
	LIQUOR LICENSE	<input type="checkbox"/>	
	ORDINANCE	<input checked="" type="checkbox"/>	
	PUBLIC HEARING	<input type="checkbox"/>	
	RESOLUTION	<input type="checkbox"/>	
	CURRENT BUSINESS	<input type="checkbox"/>	
	OTHER (SEE CLERK)	<input type="checkbox"/>	

SUBJECT:

Compensation Ordinance

SYNOPSIS:

The compensation ordinance is updated as needed to reflect pay ranges for employees of the City that are covered under approved collective bargaining agreements and those positions that are unclassified. The ranges are based upon market rate research.

FISCAL IMPACT:

Dependent on position

BUDGETED ITEM: ☒ YES ☐ NO
IF NO, EXPLAIN:

GRANT/MATCHING FUNDS ☐ YES ☐ NO
IF YES, %, \$, EXPLAIN:

N/A

PROJECT NAME, CALENDAR AND CODING:

Requestor	Project Name:	
	Expected Start Date:	Expected End Date:
	CIP Project Name:	
	MAPA # and Name:	
	Street District # and Name:	
Finance	Distribution Code:	
	GL Account #:	GL Account Name:

RECOMMENDATION:

Approve Compensation Ordinance 3930

BACKGROUND:

The Compensation Ordinance was last updated on 03/12/18. Since that time we have added two new unclassified positions that need wage ranges added to the ordinance as well as updating new contract effective dates. The Administrative Services Director position is also being eliminated completely from the ordinance.

ATTACHMENTS:

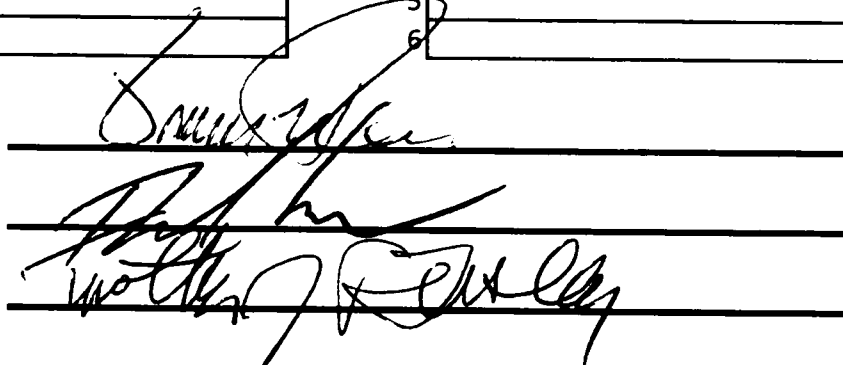
1	Ordinance No. 3930	4	
2		5	
3		6	

SIGNATURES:

ADMINISTRATOR APPROVAL:

FINANCE APPROVAL:

LEGAL APPROVAL:



ORDINANCE NO. ~~3901~~ 3930

AN ORDINANCE OF THE CITY OF BELLEVUE, NEBRASKA, CLASSIFYING THE EMPLOYEES OF THE CITY; FIXING THE RANGES OF COMPENSATION OF SUCH EMPLOYEES; PROVIDING A PAY RANGE SCHEDULE; PROVIDING FOR PUBLICATION IN PAMPHLET FORM; REPEALING ORDINANCE NO. 3828 3901; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF BELLEVUE,
NEBRASKA, AS FOLLOWS:

Section 1. The Mayor and Council do hereby find and adopt as classification of employees of the City of Bellevue and the ranges of compensation to be paid for such classification as follows:

A. Civilian Employees Association of Bellevue (Civilian Non-Management)
Effective December 11, 2017

<u>Grade</u>	<u>Range</u>
2	By Contract
3	By Contract
4	By Contract
5	By Contract
6	By Contract
7	By Contract
8	By Contract
9	By Contract
10	By Contract
11	By Contract
12	By Contract
13	By Contract

B. Bellevue Professional Management Association (Management and Professional)
Effective October 23, 2017

<u>Grade</u>	<u>Range</u>
14	By Contract
15	By Contract
16	By Contract
17	By Contract
18	By Contract
19	By Contract
20	By Contract

Section 2.	<u>Appointed Officials</u>	<u>Range (monthly)</u>
	City Administrator	By Contract
	City Attorney	By Contract
	City Clerk	\$5,347 - \$7,216
	Treasurer	\$270 - \$354

Section 2a.	<u>Unclassified</u>	<u>Range (monthly)</u>
	Accountant	\$ 3,748 - \$ 5,408
	Accounting & Reporting Manager	\$ 5,000 - \$ 7,065
	Administrative Services Director	\$ 8,052 - \$ 10,202
	Ambulance Billing Account Manager	\$ 4,916 - \$ 6,492
	Assistant City Administrator	By Contract
	<u>City Attorney</u>	<u>\$8,204 - \$10,913</u>
	Compliance and Control Manager	\$ 5,288 - \$ 7,445
	Finance Director	\$ 7,004 - \$ 10,338
	Fire Chief	\$ 8,227 - \$ 10,608
	Human Resources Coordinator	\$ 4,554 - \$ 6,066
	Human Resources Manager	\$ 6,363 - \$ 8,515
	<u>Human Services Manager</u>	<u>\$ 4,489 - \$ 6,053</u>
	Manager of Engineering Services	\$ 6,480 - \$ 8,675
	Library Director	\$ 6,412 - \$ 8,177
	Planning Director	\$ 6,550 - \$ 8,945
	Police Chief	\$ 7,906 - \$ 10,734
	Public Works Director	\$ 7,807 - \$ 10,465
	Public Works Engineer II	\$ 5,645 - \$ 7,438
	Risk Manager	\$ 4,719 - \$ 6,533

Section 2b.	<u>Unclassified</u>	<u>Range (hourly)</u>
	CATV Specialist	\$ 18.77 - \$ 27.12
	Executive Secretary	\$ 21.44 - \$ 29.23
	Emergency Medical Services Supervisor	\$ 33.98 - \$ 46.82

Section 2c. If the wages for the City Clerk and the employees listed in Section 2a, Section 2b and Section 5 are above the top step of the wage range for their position, their wage will be red-circled, or frozen, until the wage range catches up to them. Annually, on the employees' full-time date of hire anniversary (or date of promotion anniversary if applicable), employees may be eligible for an increase if the top rate of the wage range for their position increases to a higher rate than their current wage after the top rate is increased by 1.6% each anniversary year.

Section 3. Bellevue Police Officers Association
Effective October 1, 2014 2018

<u>Job Classification</u>	<u>Range (hourly)</u>
Police Officer	By Contract
Sergeant	By Contract

Section 4. Bellevue Police Command Staff Association
Effective January 11, 2016 October 1, 2018

<u>Job Classification</u>	<u>Range (hourly)</u>
Police Captain	By Contract
Police Lieutenant	By Contract

Section 5. Fire Command

<u>Unclassified</u>	<u>Range (monthly)</u>
Assistant Fire Chief	\$ 7,214 - \$ 8,926

Section 5a. International Association of Firefighters Local 4906 (Fire Command Staff)
Effective January 22, 2018

<u>Job Classification</u>	<u>Range</u>
Battalion Fire Chief	By Contract
Fire Captain	By Contract
Firefighters	By Contract

Section 6.	<u>Seasonal:</u>						
	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>		
	\$9.00	\$9.25	\$9.50	\$9.75	\$10.00		
	<u>F</u>	<u>G</u>	<u>H</u>	<u>I</u>	<u>J</u>		
	\$10.25	\$10.50	\$10.75	\$11.00	\$11.25		
	<u>K</u>	<u>L</u>	<u>M</u>	<u>N</u>	<u>O</u>		
	\$11.50	\$11.75	\$12.00	\$12.25	\$12.50		
	<u>P</u>	<u>Q</u>	<u>R</u>	<u>S</u>	<u>T</u>		
	\$12.75	\$13.00	\$13.25	\$13.50	\$13.75		
	<u>U</u>	<u>V</u>	<u>W</u>	<u>X</u>	<u>Y</u>		
	\$14.00	\$14.25	\$14.50	\$14.75	\$15.00		
	<u>Z</u>	<u>A-1</u>	<u>B-1</u>	<u>C-1</u>	<u>D-1</u>	<u>E-1</u>	<u>F-1</u>
	\$15.25	\$15.50	\$15.75	\$16.00	\$16.25	\$16.50	\$16.75

Section 7.	<u>Part-Time Positions:</u>					
	<u>Part-Time Administrative Positions:</u>					
	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>F</u>
	\$18.04	\$18.67	\$19.32	\$20.00	\$20.70	\$21.42

Unclassified Part-Time Positions
Part-Time Administrative Intern Position:

Range (hourly)
\$9.00 to \$12.00

Section 7a.

Bellevue Professional Firefighters Association (Part-Time Firefighters)

Effective January 8, 2018

Job Classification
Firefighters

Range (hourly)
By Contract

- Section 8.

That Ordinance ~~3828~~ 3901 is hereby repealed.
- Section 9.

That payments based upon the above schedules for employees made prior to the effective date of this Ordinance are hereby ratified.
- Section 10.

That this Ordinance shall be published in pamphlet form.
- Section 11.

That upon the effective date of this ordinance, all legislative format shall be removed and the Ordinance placed in proper format with the approved amendments.
- Section 12.

That the ordinance shall be in full force and effect and after its passage, approval and publication according to law.

PASSED AND APPROVED THIS

_____ day of _____,

2018.

2019

ATTEST:

Rita SandersRusty Hike, Mayor

Sabrina Ohnmacht, City Clerk

First Reading: 1-28-19

Second Reading: _____

Third Reading: _____

ORDINANCE NO. ~~3901~~ 3930

AN ORDINANCE OF THE CITY OF BELLEVUE, NEBRASKA, CLASSIFYING THE EMPLOYEES OF THE CITY; FIXING THE RANGES OF COMPENSATION OF SUCH EMPLOYEES; PROVIDING A PAY RANGE SCHEDULE; PROVIDING FOR PUBLICATION IN PAMPHLET FORM; REPEALING ORDINANCE NO. ~~3828~~ 3901; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF BELLEVUE, NEBRASKA, AS FOLLOWS:

Section 1. The Mayor and Council do hereby find and adopt as classification of employees of the City of Bellevue and the ranges of compensation to be paid for such classification as follows:

A. Civilian Employees Association of Bellevue (Civilian Non-Management)
Effective December 11, 2017

<u>Grade</u>	<u>Range</u>
2	By Contract
3	By Contract
4	By Contract
5	By Contract
6	By Contract
7	By Contract
8	By Contract
9	By Contract
10	By Contract
11	By Contract
12	By Contract
13	By Contract

B. Bellevue Professional Management Association (Management and Professional)
Effective October 23, 2017

<u>Grade</u>	<u>Range</u>
14	By Contract
15	By Contract
16	By Contract
17	By Contract
18	By Contract
19	By Contract
20	By Contract

Section 2.	<u>Appointed Officials</u>	<u>Range (monthly)</u>
	City Administrator	By Contract
	City Attorney	By Contract
	City Clerk	\$5,347 - \$7,216
	Treasurer	\$270 - \$354

Section 2a.	<u>Unclassified</u>	<u>Range (monthly)</u>
	Accountant	\$ 3,748 - \$ 5,408
	Accounting & Reporting Manager	\$ 5,000 - \$ 7,065
	Administrative Services Director	\$ 8,052 - \$ 10,202
	Ambulance Billing Account Manager	\$ 4,916 - \$ 6,492
	Assistant City Administrator	By Contract
	<u>City Attorney</u>	<u>\$8,204 - \$10,913</u>
	Compliance and Control Manager	\$ 5,288 - \$ 7,445
	Finance Director	\$ 7,004 - \$ 10,338
	Fire Chief	\$ 8,227 - \$ 10,608
	Human Resources Coordinator	\$ 4,554 - \$ 6,066
	Human Resources Manager	\$ 6,363 - \$ 8,515
	<u>Human Services Manager</u>	<u>\$ 4,489 - \$ 6,053</u>
	Manager of Engineering Services	\$ 6,480 - \$ 8,675
	Library Director	\$ 6,412 - \$ 8,177
	<u>Paralegal</u>	<u>\$ 4,239 - \$5,678</u>
	Planning Director	\$ 6,550 - \$ 8,945
	Police Chief	\$ 7,906 - \$ 10,734
	Public Works Director	\$ 7,807 - \$ 10,465
	Public Works Engineer II	\$ 5,645 - \$ 7,438
	Risk Manager	\$ 4,719 - \$ 6,533

Section 2b.	<u>Unclassified</u>	<u>Range (hourly)</u>
	CATV Specialist	\$ 18.77 - \$ 27.12
	Executive Secretary	\$ 21.44 - \$ 29.23
	Emergency Medical Services Supervisor	\$ 33.98 - \$ 46.82

Section 2c. If the wages for the City Clerk and the employees listed in Section 2a, Section 2b and Section 5 are above the top step of the wage range for their position, their wage will be red-circled, or frozen, until the wage range catches up to them. Annually, on the employees' full-time date of hire anniversary (or date of promotion anniversary if applicable), employees may be eligible for an increase if the top rate of the wage range for their position increases to a higher rate than their current wage after the top rate is increased by 1.6% each anniversary year.

Section 3.	<u>Bellevue Police Officers Association</u>	
	Effective October 1, 2014 <u>2018</u>	
	<u>Job Classification</u>	<u>Range (hourly)</u>
	Police Officer	By Contract
	Sergeant	By Contract

Section 4.	<u>Bellevue Police Command Staff Association</u>	
	Effective January 11, 2016 <u>October 1, 2018</u>	
	<u>Job Classification</u>	<u>Range (hourly)</u>
	Police Captain	By Contract
	Police Lieutenant	By Contract

Section 5.	<u>Fire Command</u>	
	<u>Unclassified</u>	<u>Range (monthly)</u>
	Assistant Fire Chief	\$ 7,214 - \$ 8,926

Section 5a.	<u>International Association of Firefighters Local 4906 (Fire Command Staff)</u>	
	Effective January 22, 2018	
	<u>Job Classification</u>	<u>Range</u>
	Battalion Fire Chief	By Contract
	Fire Captain	By Contract
	Firefighters	By Contract

Section 6. Seasonal:

<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>		
\$9.00	\$9.25	\$9.50	\$9.75	\$10.00		
<u>F</u>	<u>G</u>	<u>H</u>	<u>I</u>	<u>J</u>		
\$10.25	\$10.50	\$10.75	\$11.00	\$11.25		
<u>K</u>	<u>L</u>	<u>M</u>	<u>N</u>	<u>O</u>		
\$11.50	\$11.75	\$12.00	\$12.25	\$12.50		
<u>P</u>	<u>Q</u>	<u>R</u>	<u>S</u>	<u>T</u>		
\$12.75	\$13.00	\$13.25	\$13.50	\$13.75		
<u>U</u>	<u>V</u>	<u>W</u>	<u>X</u>	<u>Y</u>		
\$14.00	\$14.25	\$14.50	\$14.75	\$15.00		
<u>Z</u>	<u>A-1</u>	<u>B-1</u>	<u>C-1</u>	<u>D-1</u>	<u>E-1</u>	<u>F-1</u>
\$15.25	\$15.50	\$15.75	\$16.00	\$16.25	\$16.50	\$16.75

Section 7. Part-Time Positions:

Part-Time Administrative Positions:

<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>F</u>
\$18.04	\$18.67	\$19.32	\$20.00	\$20.70	\$21.42

Unclassified Part-Time Positions Range (hourly)
Part-Time Administrative Intern Position: \$9.00 to \$12.00

Section 7a. Bellevue Professional Firefighters Association (Part-Time Firefighters)
Effective January 8, 2018

<u>Job Classification</u>	<u>Range (hourly)</u>
Firefighters	By Contract

Section 8. That Ordinance ~~3828~~ 3901 is hereby repealed.

Section 9. That payments based upon the above schedules for employees made prior to the effective date of this Ordinance are hereby ratified.

Section 10. That this Ordinance shall be published in pamphlet form.

Section 11. That upon the effective date of this ordinance, all legislative format shall be removed and the Ordinance placed in proper format with the approved amendments.

Section 12. That the ordinance shall be in full force and effect and after its passage, approval and publication according to law.

PASSED AND APPROVED THIS _____ day of _____, 2019~~8~~.

~~Rita Sanders~~Rusty Hike, Mayor

ATTEST:

Sabrina Ohnmacht, City Clerk

First Reading: _____

Second Reading: _____

Third Reading: _____

ORDINANCE NO. 3930

AN ORDINANCE OF THE CITY OF BELLEVUE, NEBRASKA, CLASSIFYING THE EMPLOYEES OF THE CITY; FIXING THE RANGES OF COMPENSATION OF SUCH EMPLOYEES; PROVIDING A PAY RANGE SCHEDULE; PROVIDING FOR PUBLICATION IN PAMPHLET FORM; REPEALING ORDINANCE NO. 3901; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF BELLEVUE, NEBRASKA, AS FOLLOWS:

Section 1. The Mayor and Council do hereby find and adopt as classification of employees of the City of Bellevue and the ranges of compensation to be paid for such classification as follows:

A. Civilian Employees Association of Bellevue (Civilian Non-Management)
Effective December 11, 2017

<u>Grade</u>	<u>Range</u>
2	By Contract
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6	By Contract
7	By Contract
8	By Contract
9	By Contract
10	By Contract
11	By Contract
12	By Contract
13	By Contract

B. Bellevue Professional Management Association (Management and Professional)
Effective October 23, 2017

<u>Grade</u>	<u>Range</u>
14	By Contract
15	By Contract
16	By Contract
17	By Contract
18	By Contract
19	By Contract
20	By Contract

Section 2.	<u>Appointed Officials</u>	<u>Range (monthly)</u>
	City Administrator	By Contract
	City Attorney	By Contract
	City Clerk	\$5,347 - \$7,216
	Treasurer	\$270 - \$354

Section 2a.	<u>Unclassified</u>	<u>Range (monthly)</u>
	Accountant	\$ 3,748 - \$ 5,408
	Accounting & Reporting Manager	\$ 5,000 - \$ 7,065
	Ambulance Billing Account Manager	\$ 4,916 - \$ 6,492
	Assistant City Administrator	By Contract
	City Attorney	\$8,204 - \$10,913
	Compliance and Control Manager	\$ 5,288 - \$ 7,445
	Finance Director	\$ 7,004 - \$ 10,338
	Fire Chief	\$ 8,227 - \$ 10,608
	Human Resources Coordinator	\$ 4,554 - \$ 6,066
	Human Resources Manager	\$ 6,363 - \$ 8,515
	Human Services Manager	\$ 4,489 - \$ 6,053
	Manager of Engineering Services	\$ 6,480 - \$ 8,675
	Library Director	\$ 6,412 - \$ 8,177
	Paralegal	\$ 4,239 - \$5,678
	Planning Director	\$ 6,550 - \$ 8,945
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	Public Works Director	\$ 7,807 - \$ 10,465
	Public Works Engineer II	\$ 5,645 - \$ 7,438
	Risk Manager	\$ 4,719 - \$ 6,533

Section 2b.	<u>Unclassified</u>	<u>Range (hourly)</u>
	CATV Specialist	\$ 18.77 - \$ 27.12
	Executive Secretary	\$ 21.44 - \$ 29.23
	Emergency Medical Services Supervisor	\$ 33.98 - \$ 46.82

Section 2c. If the wages for the City Clerk and the employees listed in Section 2a, Section 2b and Section 5 are above the top step of the wage range for their position, their wage will be red-circled, or frozen, until the wage range catches up to them. Annually, on the employees' full-time date of hire anniversary (or date of promotion anniversary if applicable), employees may be eligible for an increase if the top rate of the wage range for their position increases to a higher rate than their current wage after the top rate is increased by 1.6% each anniversary year.

Section 3. Bellevue Police Officers Association
Effective October 1, 2018

<u>Job Classification</u>	<u>Range (hourly)</u>
Police Officer	By Contract
Sergeant	By Contract

Section 4. Bellevue Police Command Staff Association
Effective October 1, 2018

<u>Job Classification</u>	<u>Range (hourly)</u>
Police Captain	By Contract
Police Lieutenant	By Contract

Section 5. Fire Command

<u>Unclassified</u>	<u>Range (monthly)</u>
Assistant Fire Chief	\$ 7,214 - \$ 8,926

Section 5a. International Association of Firefighters Local 4906 (Fire Command Staff)
Effective January 22, 2018

<u>Job Classification</u>	<u>Range</u>
Battalion Fire Chief	By Contract
Fire Captain	By Contract
Firefighters	By Contract

Section 6.	<u>Seasonal:</u>						
	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>		
	\$9.00	\$9.25	\$9.50	\$9.75	\$10.00		
	<u>F</u>	<u>G</u>	<u>H</u>	<u>I</u>	<u>J</u>		
	\$10.25	\$10.50	\$10.75	\$11.00	\$11.25		
	<u>K</u>	<u>L</u>	<u>M</u>	<u>N</u>	<u>O</u>		
	\$11.50	\$11.75	\$12.00	\$12.25	\$12.50		
	<u>P</u>	<u>Q</u>	<u>R</u>	<u>S</u>	<u>T</u>		
	\$12.75	\$13.00	\$13.25	\$13.50	\$13.75		
	<u>U</u>	<u>V</u>	<u>W</u>	<u>X</u>	<u>Y</u>		
	\$14.00	\$14.25	\$14.50	\$14.75	\$15.00		
	<u>Z</u>	<u>A-1</u>	<u>B-1</u>	<u>C-1</u>	<u>D-1</u>	<u>E-1</u>	<u>F-1</u>
	\$15.25	\$15.50	\$15.75	\$16.00	\$16.25	\$16.50	\$16.75

Section 7.	<u>Part-Time Positions:</u>					
	<u>Part-Time Administrative Positions:</u>					
	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>F</u>
	\$18.04	\$18.67	\$19.32	\$20.00	\$20.70	\$21.42
	<u>Unclassified Part-Time Positions</u>			<u>Range (hourly)</u>		
	Part-Time Administrative Intern Position:			\$9.00 to \$12.00		

Section 7a. Bellevue Professional Firefighters Association (Part-Time Firefighters)
Effective January 8, 2018

<u>Job Classification</u>	<u>Range (hourly)</u>
Firefighters	By Contract

- Section 8.

That Ordinance -3901 is hereby repealed.
- Section 9.

That payments based upon the above schedules for employees made prior to the effective date of this Ordinance are hereby ratified.
- Section 10.

That this Ordinance shall be published in pamphlet form.
- Section 11.

That upon the effective date of this ordinance, all legislative format shall be removed and the Ordinance placed in proper format with the approved amendments.
- Section 12.

That the ordinance shall be in full force and effect and after its passage, approval and publication according to law.

PASSED AND APPROVED THIS _____ day of _____, 2019.

Rusty Hike, Mayor

ATTEST:

Sabrina Ohnmacht, City Clerk

First Reading:

Second Reading:

Third Reading:

11d
2-11-19

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

COUNCIL MEETING DATE:	1/28/2019	AGENDA ITEM TYPE:	
SUBMITTED BY: Jeff Roberts, Public Works Director Dean Dunn, Manager of Engineering Services		SPECIAL PRESENTATION	<input type="checkbox"/>
		LIQUOR LICENSE	<input type="checkbox"/>
		ORDINANCE	<input checked="" type="checkbox"/>
		PUBLIC HEARING	<input type="checkbox"/>
		RESOLUTION	<input type="checkbox"/>
		CURRENT BUSINESS	<input type="checkbox"/>
		OTHER (SEE CLERK)	<input type="checkbox"/>

SUBJECT:

Right-of-Way Vacation

SYNOPSIS:

Request to vacate a portion of McCorkindale Avenue abutting Lot 2, W of RR ROW, Lots 3A2 & 3C, Pleasant Hill or Martin's Subdivision; Lot 10 & Lot 11, W of ROW, Pleasant Hill or Martin's Subdivision; and Tax Lot W located in Section 16, T14N, R13E of the 6th P.M., Sarpy County, Nebraska.

FISCAL IMPACT:

0

BUDGETED ITEM: ☐ YES ☐ NO

PROJECT # & TRACKING INFORMATION:

0

RECOMMENDATION:

Approve the request to vacate a portion of McCorkindale Avenue abutting Lot 2, W of RR ROW, Lots 3A2 & 3C, Pleasant Hill or Martin's Subdivision; Lot 10 & Lot 11, W of ROW, Pleasant Hill or Martin's Subdivision; and Tax Lot W located in Section 16, T14N, R13E of the 6th P.M., Sarpy County, Nebraska.

BACKGROUND:

City Council approved the rezoning, Small Subdivision Plat, and Conditional Use Permit for Lot 1, Mill's Addition for the purpose of a self-storage facility on January 14, 2019.

ATTACHMENTS:

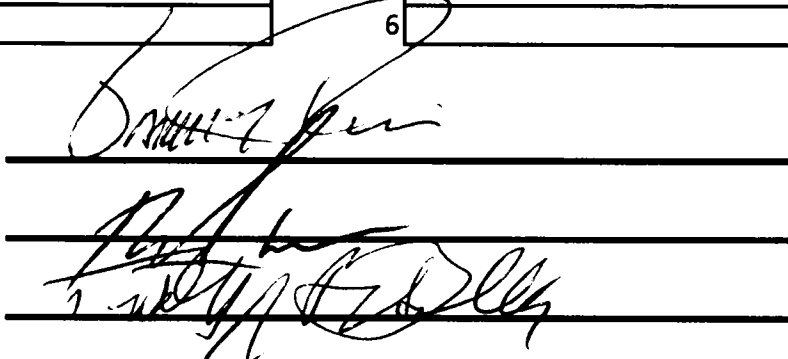
1	Ordinance	4	
2	Application	5	
3		6	

SIGNATURES:

ADMINISTRATOR APPROVAL:

FINANCE APPROVAL:

LEGAL APPROVAL:





Permit Number:

Date of Application: _____

Public Works Department
1510 Wall Street
Bellevue, NE 68005
Ph: 402-293-3025/Fax: 402-293-3173

STREET/ALLEY VACATION APPLICATION

Name: 2715 LLC

Address: 2715 Chandler Rd Bellevue Ne 68147
Street City/State/Zipcode

Phone/Fax Number 402-331-3796 402-331-5295 402-676-8081
Phone fax cellular

email: craig@fauk-entersprizes.com

Briefly state the reason for this request: To make parcel # 010973745, # 011100419
& # 011136243 contiguous by vacating McCorkindale Ave as parcel
011100419 is "fill ground" and therefore ~~is~~ prohibitive to build on,

Legal description of street/alley to be vacated: McCorkindale Ave between Lot 10 & Lot 11,
W of ROW, Pleasant Hill or Markas subdivision" & "Tax Lot W 16-14-13"
& lastly "Lot 2, W of RR ROW, & Lots 3A2 & 3C Pleasant Hill or
Markas Subdivision"

Please attach a copy of the Street / Alley Vacation Petition as required.

[Signature] 7/11/2013

Signature of Applicant

STREET / ALLEY VACATION PETITION

Please read the following carefully:

The following information is required by the Public Works Department and is to assist you in the property preparation of this petition by calling your attention to the following requirements:

1. Only the signature of the legal owner (s) whose property abuts the street or alley to be vacated is valid.
2. The person who signs the petition must be recorded property owners as listed in the Book of Deeds in the Sarpy County Register of Deeds Office. Ownership will be verified by the Public Works Department.

We, the undersigned owners of property, representing more than 75% of the abutting property, hereby ask and petition that the necessary action be taken to vacate: McCor Kendale Ave

and we, hereby respectively waive any and all damages, or claims for damages, by reason of said vacating.

[illegible]

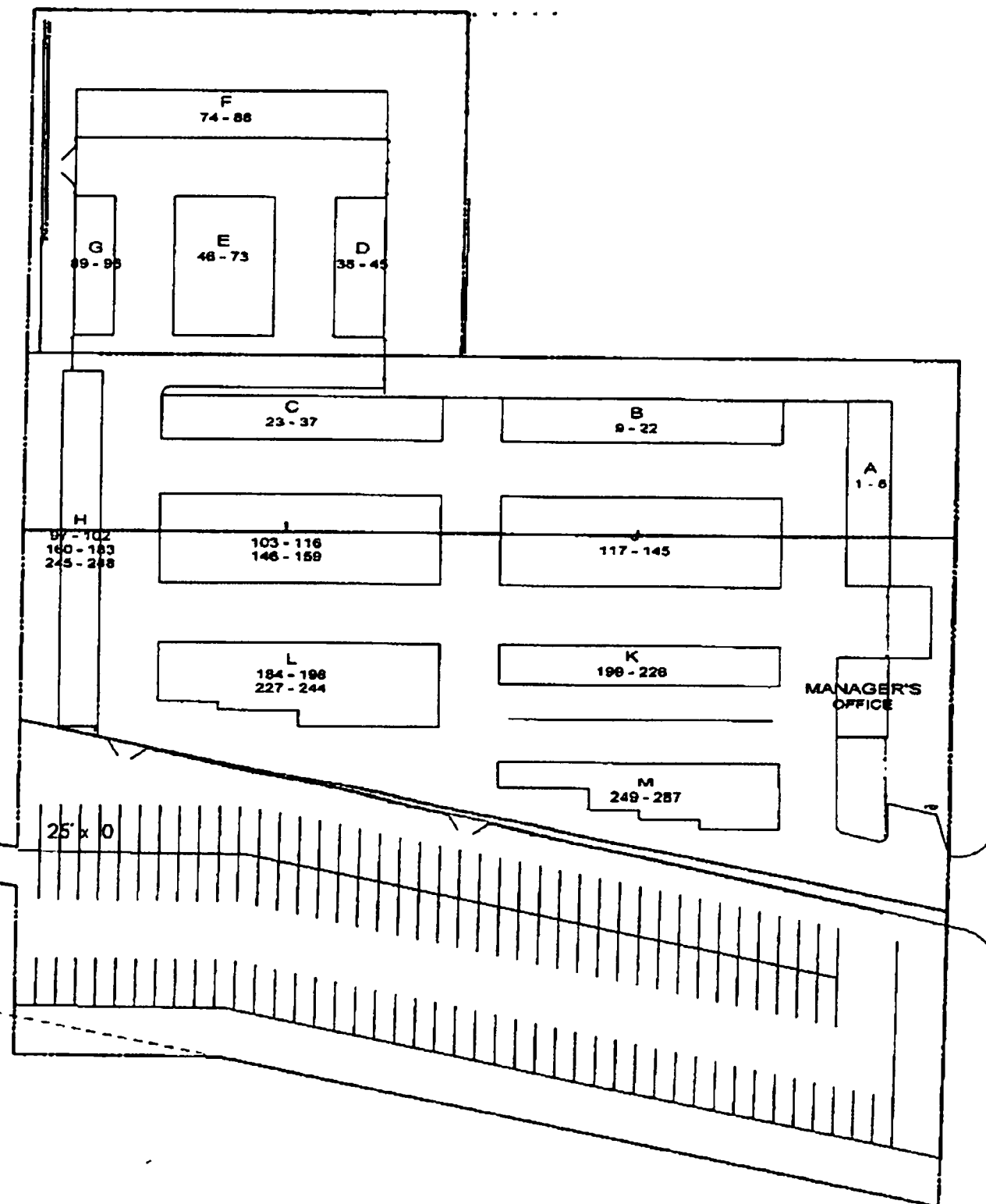
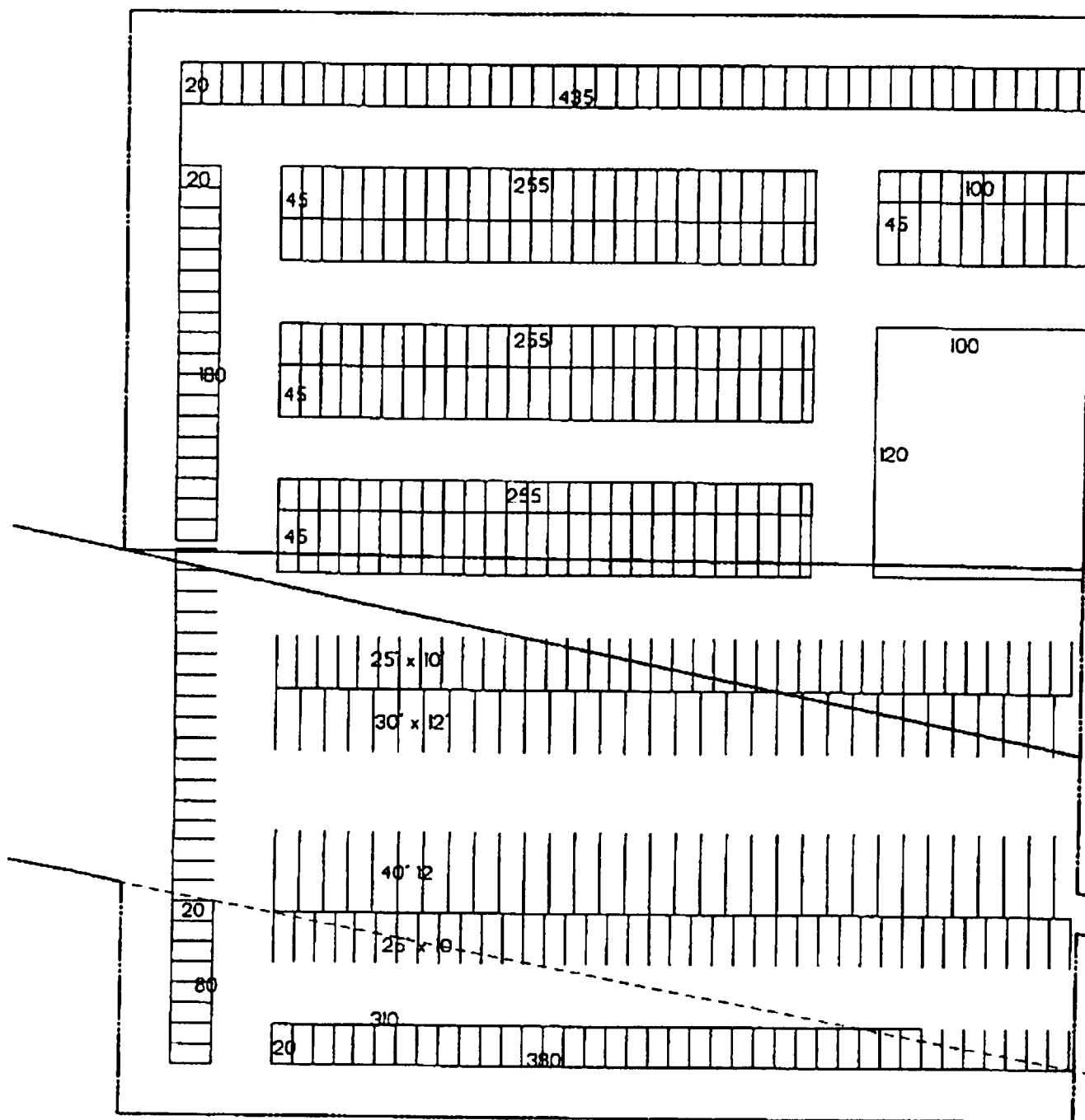
STREET / ALLEY VACATION AGREEMENT

That portion of the street/alley platted in between "Tax Lot No. 16-14-13" &

"Lot 10 & Lot 11, W of RR, Pleasant Hill or Morris Subdivisions" & "Lot 2, W of RR, 1st

located in the 2715 Lincoln Rd, Sarpy County, Nebraska, be, and hereby is, vacated; the vacating of the property herein described, and the reversion thereof, pursuant to applicable law, shall be subject to the conditions and limitation that there is reserved to the City of Bellevue the right to maintain, operate, repair and renew sewers now existing therein and in the future to construct, maintain, repair and renew additional or other sewers; and also the right to authorize the public utilities and cable television systems to construct, maintain, repair, or renew and operate now or hereafter installed water mains, gas mains, pole lines, conduits, electrical transmission lines, sound and signal transmission lines, and other similar services and equipment and appurtenances above, on and below the surface of the ground for the purpose of serving the general public or abutting property; and the right so reserved shall also include such lateral connection or branch lines as may be ordered, desired, or permitted by the City of Bellevue or such other utility, and to enter upon the premises to accomplish the above purposes at any and all times. All vegetation upon the premises, including but not limited to, trees, bushes, and crops, and all structures upon the premises, including but not limited to, buildings, walls, fences, drives, and walks, may be damaged or removed as necessary in the exercise of the rights herein reserved without compensation to any person.

342 & 3C
Pleasant Hill
or Morris
Subdivisions



ORDINANCE RECORD

No. 728—REDFIELD & COMPANY INC., OMAHA

ORDINANCE NO. 3931

AN ORDINANCE DECLARING THE NECESSITY, EXPEDIENCY AND PROPRIETY OF VACATING A PORTION OF MCCORKINDALE AVENUE ABUTTING LOT 2, W OF RR ROW, & LOTS 3A2 AND 3C, PLEASANT HILL OR MARTIN'S SUBDIVISION; LOT 10 & LOT 11, W OF ROW, PLEASANT HILL OR MARTIN'S SUBDIVISION; AND TAX LOT W, LOCATED IN SECTION 16, T14N, R13E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, NOT HERETOFORE VACATED, REPEALING ALL ORDINANCES AND ALL PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND DESIGNATING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Bellevue, Nebraska, has determined that no damages will accrue to any citizen of the City of Bellevue, nor to any owners of property herein by reason of the proposed vacation.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BELLEVUE, NEBRASKA:

Section 1. It is hereby declared necessary, expedient and proper to vacate a portion of McCorkindale Avenue abutting Lot 2, W of RR ROW & Lots 3A2 and 3C, Pleasant Hill or Martin's Subdivision; Lot 10 & Lot 11, W of ROW, Pleasant Hill or Martin's Subdivision; and Tax Lot W, located in Section 16, T14N, R13E, of the 6th P.M., Sarpy County, Nebraska, and, be and hereby is, vacated; the vacating of the property herein described, and the reversion thereof, pursuant to applicable law, shall be subject to the conditions and limitation that there is reserved to the City of Bellevue the right to maintain, operate, repair and renew sewers now existing therein and in the future to construct, maintain, repair and renew additional or other sewers;

and also the right to authorize the public utilities and cable television systems to construct, maintain, repair or renew and operate now or hereafter installed water mains and gas mains, pole lines, conduits, electrical transmission lines, sound and signal transmission lines and other similar services and equipment and appurtenances above, on and below the surface of the ground for the purpose of serving the general public or abutting property;

and the right so reserved shall also include such lateral connection or branch lines as may be ordered, desired or permitted by the City or such other utility and to enter upon the premises to accomplish the above purposes at any and all times. All vegetation upon the premises, including but not limited to, trees, bushes and crops and all structures upon the premises, including, but not limited to, buildings, walls, fences, drives and walks, may be damaged or removed as necessary in the exercise of the rights herein reserved without compensation to any person.

Section 2. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 3. This ordinance shall become effective after its passage, approval and publication according to law.

Section 4. The City retains the rights to all easements.

Passed and approved this _____ day of _____, 20__.

APPROVED AS TO FORM:


City Attorney

ATTEST

City Clerk

Mayor

First Reading: 1 - 28 - 19
Second Reading: _____
Third Reading: _____

ORDINANCE RECORD

No. 728-REDFIELD & COMPANY INC., OHAMA

1

1

1

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

127 file
2-11-19

COUNCIL MEETING DATE:	January 28, 2019	AGENDA ITEM TYPE:
SUBMITTED BY: Chris Shewchuk, Planning Director <i>CMS</i>	SPECIAL PRESENTATION	<input type="checkbox"/>
	LIQUOR LICENSE	<input type="checkbox"/>
	ORDINANCE	<input checked="" type="checkbox"/>
	PUBLIC HEARING	<input type="checkbox"/>
	RESOLUTION	<input type="checkbox"/>
	CURRENT BUSINESS	<input type="checkbox"/>
	OTHER (SEE CLERK)	<input type="checkbox"/>

SUBJECT:

Sale of surplus property located adjacent to and north of 1303 Freeman Drive.

SYNOPSIS:

Kim Hawley, 1303 Freeman Drive, has requested to purchase a 32' x 140' piece of City-owned property adjacent to his current property. The purchase price agreed on with the former administration is \$2,250

FISCAL IMPACT:

The proposed sale price is \$2,250.

BUDGETED ITEM: ☐ YES ☐ NO

PROJECT # & TRACKING INFORMATION:

N/A

RECOMMENDATION:

The Public Works and Planning Departments have reviewed this request and are recommending approval.

BACKGROUND:


Kim Hawley currently owns and resides in the home at 1303 Freeman Drive, legally described as Lot 12 and the south 20 feet of Lot 11, Lawre Addition #4. Mr. Hawley is requesting to purchase the remaining portion of Lot 11, which measures approximately 32' x 140'. The City's selling price is comparable, per square foot, to recent similar sales of remnant City-owned property. There is an existing overhead power line at the northeast corner of the parcel; the ordinance for the sale reserves easements for this and future utility needs.

ATTACHMENTS:

1	Ordinance No. 3932	4	
2	Purchase Agreement	5	
3	Aerial and plat maps	6	

SIGNATURES:

ADMINISTRATOR APPROVAL:



FINANCE APPROVAL:

LEGAL APPROVAL:

PURCHASE AGREEMENT

_____, 2018

The undersigned, hereinafter referred to as "BUYER" agrees to purchase the property described as follows from the City of Bellevue, Nebraska, hereinafter described as "SELLER":

1. **Legal Description:** Lot 11, except the south 20 feet, Lawre Addition #4, as surveyed, platted and recorded in Sarpy County, Nebraska.
2. **Conveyance:** SELLER agrees to convey title to property to BUYER or its nominee by Quitclaim Deed only. SELLER further reserves the right to maintain, operate and renew sewer now existing therein and in the future to construct, maintain, repair and renew additional and other sewers; and, also the right to authorize the public utilities and cable television systems to construct, maintain, repair or renew and operate new or hereafter installed water and gas mains, poles, lines conduits, electrical transmission lines, sound and signal transmission lines and other similar services and equipment and appurtenances above, on or below the surface of the ground for the purpose of serving the general public or abutting property; and the right so reserved shall also include lateral connections or branch lines as may be ordered, desired or permitted by SELLER or such other utility and to enter upon the premises to accomplish the above purpose at any and all times. All vegetation upon the premises, including but not limited to, trees, bushes and crops and all structures upon the premises, including but not limited to, buildings, walls, fences, drives and walks, may be damaged or removed as necessary in the exercise of the rights herein reserved without compensation to any person.
3. **Assessments:** SELLER agrees to pay any assessments for public improvements previously constructed or ordered or required to be constructed by the public authority but not yet assessed.
4. **Purchase Price:** BUYER agrees to pay the sum of Two Thousand Two Hundred Fifty (\$2,250.00) dollars upon the following terms: Two Hundred Fifty (\$250.00) Dollars as an earnest deposit on the purchase at the time of execution of this Purchase Agreement and Two Thousand (\$2,000.00) dollars to be paid in cash, or by certified or cashier's check, at the time of delivery of the deed.
5. **Taxes:** All consolidated real estate taxes which become delinquent in the year in which closing take place shall be treated as though all are current taxes, and those taxes shall be prorated as of closing, and all prior year's taxes, interest and other charges, if any, will be paid by SELLER.
6. **Title Insurance:** BUYER shall obtain a current title insurance commitment as soon as possible after the acceptance of this agreement. If title defects are

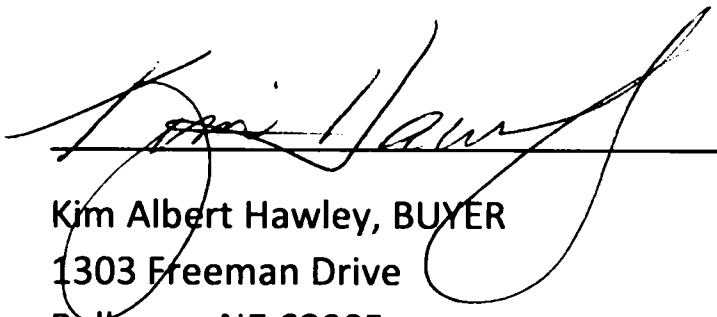
found, SELLER must cure them within a reasonable time. If title defects are not cured within a reasonable time period, BUYER may rescind this agreement and the deposit shall be refunded. The cost of the title insurance policy shall be paid by BUYER.

7. **Closing**: Closing shall take place upon satisfaction of the conditions of this agreement regarding condition of the title and passage and publication of the Ordinance authorizing the sale and the failure of remonstrance provided by law. In the event such conditions are not satisfied within 120 days of acceptance of this agreement, unless such time period is extended by the agreement of the parties or unless such conditions are waived in writing by the City through its City Council, this agreement shall be null and void and the earnest money will be returned to the BUYER. In the event that SELLER fails to fulfill its obligations contemplated by this agreement resulting in the failure to close on the purchase of the property, BUYER acknowledges that BUYER's sole and exclusive remedy for such failure of the SELLER is the termination of the agreement and responsibilities of the parties herein. BUYER and SELLER acknowledge and understand that the closing of the sale may be handled by an Escrow Agent, and Escrow Agent's charge for the escrow closing shall be equally divided and paid by the BUYER and SELLER.
8. **State Documentary Tax**: This transaction will be exempt for State Documentary Tax.
9. **Insurance**: Any risk to the property shall be borne by the SELLER until title has been conveyed to BUYER. In the event, prior to closing, the structures on the property are materially damaged by fire, explosion or any other cause, BUYER shall have the right to rescind this agreement. BUYER agrees to provide its own hazard insurance as of the date of closing.
10. **Condition of Property**: Property is being sold "as is" with no representation or warranties, expressed or implied, by the SELLER with respect to health, safety or environmental conditions. BUYER represents that he has had the opportunity to examine said property and that his decision to purchase the property is based on his own examination and not upon and representation of the SELLER or any agent of SELLER.
11. **Broker**: SELLER and BUYER agree and acknowledge that SELLER has no broker or agent to act on its behalf with regard to this transaction. SELLER and BUYER acknowledge that BUYER has no broker or agent to act on his behalf.
12. **City Council Approval**: This agreement is subject to the passage and publication of an Ordinance by the City Council of the City of Bellevue, Nebraska, and publication of the sale and right of remonstrance as provided by Section 16-202, Nebraska Revised Statutes.

13. Expiration: This offer shall be deemed irrevocable upon the passage of the Ordinance and execution of the same by the Mayor and City Clerk of the City of Bellevue.

14. Acceptance: SELLER accepts the foregoing proposition on the terms stated and agrees to convey title to the property, deliver possession and perform all of the terms and conditions set forth, and acknowledges receipt of an executed copy of this agreement.

Executed this _____ day of _____, 2018, by Kim Albert Hawley,
BUYER:



Kim Albert Hawley, BUYER
1303 Freeman Drive
Bellevue, NE 68005

Executed this _____ day of _____, 2018, by the City of Bellevue,
Nebraska, SELLER:

City of Bellevue, SELLER

Mayor

ATTEST:

City Clerk
1500 Wall Street
Bellevue, NE 68005

ORDINANCE NO. 3932

AN ORDINANCE PROVIDING FOR THE SALE OF CERTAIN REAL ESTATE, THE SAME BEING DESCRIBED IN SECTION 1 OF THIS ORDINANCE; DIRECTING THE CONVEYANCE OF SUCH REAL ESTATE AND THE MANNER AND TERMS THEREOF, AND DESIGNATING AN EFFECTIVE DATE.

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

Section 1. The City is the legal owner of certain real property, which is by this ordinance declared surplus. The legal description of the real property is as follows:

Lot 11, except the south 20 feet, Lawre Addition #4, as surveyed, platted and recorded in Sarpy County, Nebraska.

Section 2. The City has received a purchase agreement regarding the property from Kim Albert Hawley, proposing to purchase said property for Two Thousand Two Hundred Fifty and no/Dollars (\$2,250.00). A copy of the purchase agreement is attached hereto and by this reference incorporated herein.

Section 3. That on the 11th day of February, 2019, the City Council of Bellevue conducted a regularly scheduled public hearing at which time it considered the offer.

Section 4. That said land shall be sold to Kim Albert Hawley, or his assigns pursuant to the terms and conditions contained in the attached purchase agreement, subject to the conditions and limitations that there is reserved to the City of Bellevue the right to maintain, operate, repair, and renew sewer now existing therein and in the future construct, maintain, repair and renew additional and other sewers; and also the right to authorize the public utilities and cable television systems to construct, maintain, repair or renew and operate new or hereafter installed water and gas mains, poles, lines conduits, electrical transmission lines, sound and signal transmission lines and other similar services and equipment and appurtenances above, on or below the surface of the ground for the purpose of serving the general public or abutting property; and the right so reserved shall also include lateral connections or branch lines as may be ordered, desired or permitted by City or such other utility and to enter upon the premises to accomplish the above purpose at any and all times. All vegetation upon the premises, including but not limited to, trees, bushes and crops and all structures upon the premises, including but not limited to, buildings, walls, fences, drives, and walks, may be damaged or removed as necessary in the exercise of the rights herein reserved without compensation to any person.

Section 5. This Ordinance shall become effective upon passage and publication according to law and upon failure to remonstrance, the cash price shall be paid and the City shall execute and deliver a quitclaim deed to Kim Albert Hawley, or his assigns, according to the terms of the purchase agreement.

PASSED AND ADOPTED by the Mayor and City Council this _____ day of _____, 2019.

APPROVED AS TO FORM:

City Attorney

ATTEST

City Clerk

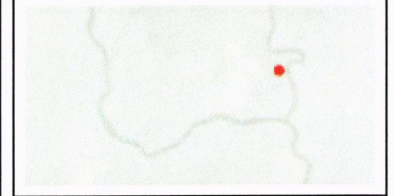
Mayor

First Reading: 1-28-19
Second Reading: _____
Third Reading: _____

Lot 11, except S 20' Lawre Addition #4



Location



Legend

Road Centerlines
2018 Aerial Photo

- Red: Band_1
- Green: Band_2
- Blue: Band_3



1:1,661

0 69 138 277
Feet

This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the source records and information sources to ascertain the usability of the information.

Sarpy County GIS



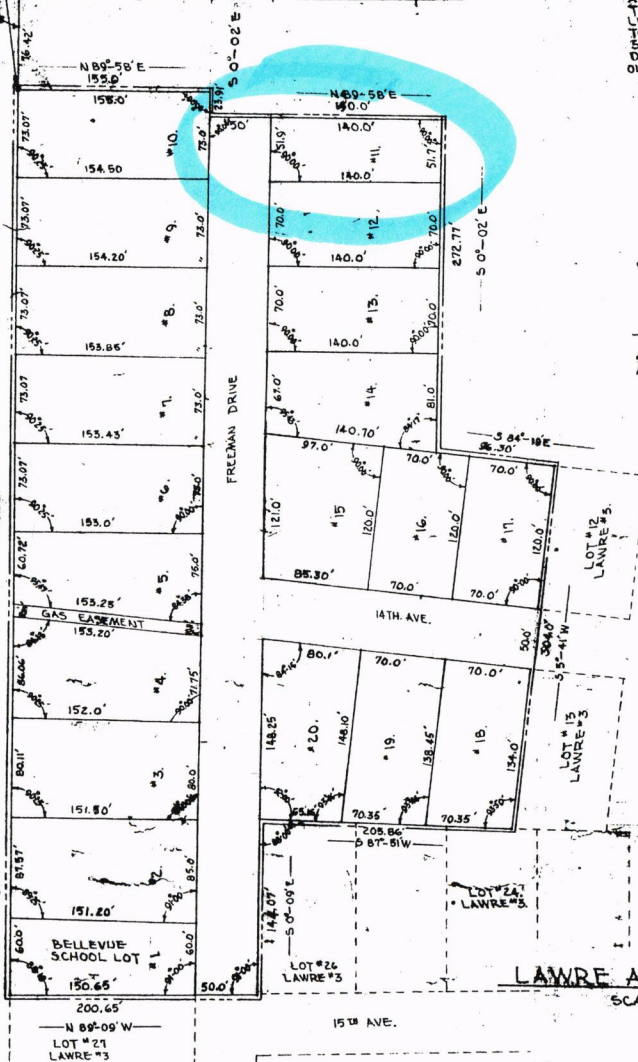
1210 Golden Gate Dr.
Suite 1130
Papillion, NE 68046
maps.sarpy.com

N.W. COR. SEC. 36
T16N R12E
CONG. MON.

POINT OF BEGINNING
NORTH SEC. LINE SEC. 36

BELLEVUE SCHOOL GROUND

N 89°-21' W
284.36'



DEDICATION

KNOW ALL MEN BY THESE PRESENT THAT WE F. HOYTE FREEMAN, PRESIDENT, AND R. JOE DENNIS, SECRETARY & TREASURER, OF BELLEVUE, NEBRASKA, PRESIDENT & SECRETARY - TREASURER OF BELLEVUE SALES, INC. OWNERS & PROPRIETORS OF THE PROPERTY DESCRIBED IN THE SURVEYORS CERTIFICATE EMBRACED IN THIS PLOT, HAVE CAUSED SAID TRACT OF LAND TO BE PLOTTED AS SHOWN & TO BE HEREAFTER KNOWN AS LAWRE ADDITION #4 & DO HERE BY DEDICATE TO THE PUBLIC, FOR PUBLIC USE, THE STREETS AS SHOWN ON SAID PLOT & DO ALSO DEDICATE AN EASEMENT TO CONSTRUCT & MAINTAIN, TELEPHONE & ELECTRIC UTILITIES, ALONG, ACROSS, OVER & UNDER THE REAR & SIDE RAILROAD LINES OF EACH LOT, TOGETHER WITH ANY NECESSARY OVERHANG, I DO ALSO DEDICATE LOT #1 TO BELLEVUE SCHOOL DISTRICT NO. 1 TO BE USED BY THE BELLEVUE SCHOOL DISTRICT FOR SCHOOL AFFAIRS, I DO HERE BY STATE THAT THE ABOVE SUBDIVISION OF THE PROPERTY DESCRIBED IN THE SURVEYOR CERTIFICATE AS APPEARS ON THIS PLOT IS MADE WITH OUR FREE CONSENT & ACCORDANCE WITH OUR DESIRES.

BELLEVUE SALES, INC.

BY F. Hoyte Freeman
F. HOYTE FREEMAN, PRES.
R. Joe Dennis
R. JOE DENNIS, SEC. & TREAS.

TREASURER CERTIFICATE

THIS IS TO CERTIFY THAT THE RECORDS OF MY OFFICE SHOW NO REGULAR TAXES OR SPECIAL ASSESSMENTS DUE OR DELINQUENT AGAINST THE PROPERTY DESCRIBED IN THE SURVEYOR CERTIFICATE & EMBRACED WITHIN THIS PLOT.

DATED AT DAVENPORT, NEBRASKA, THIS 22 DAY OF April AD 1961.

Charles Jones
TREASURER OF SARPY COUNTY, NEBR.

APPROVAL OF BELLEVUE PLANNING COMM.

THIS PLOT OF LAWRE ADDITION #4 WAS APPROVED BY THE CITY PLANNING COMMISSION OF THE CITY OF BELLEVUE, SARPY COUNTY, NEBRASKA, THIS 22 DAY OF April AD 1961.

Charles Jones
CHAIRMAN

BELLEVUE CITY COUNCIL ACCEPTANCE

THIS PLOT OF LAWRE ADDITION #4 WAS APPROVED & ACCEPTED BY THE CITY COUNCIL OF THE CITY OF BELLEVUE, NEBR., ON THIS 22 DAY OF April AD 1961.

ATTEST: May Stankert
CITY CLERK

Nathan A. Lewis
MAYOR

APPROVAL OF CITY ENGINEER

THIS PLOT OF LAWRE ADDITION #4 AN ADDITION TO THE CITY OF BELLEVUE, SARPY COUNTY, NEBRASKA IS HERE BY APPROVED BY ME THIS 22 DAY OF April AD 1961.

B. J. Heller
CITY ENGINEER

ACKNOWLEDGEMENT

STATE OF NEBRASKA)
COUNTY OF SARPY) SS.

ON THIS 22 DAY OF April AD 1961, BEFORE ME A NOTARY PUBLIC, DULY COMMISSIONED & QUALIFIED IN FOR SAID COUNTY, PERSONALLY CAME THE ABOVE NAMED F. HOYTE FREEMAN, PRES., & R. JOE DENNIS, SEC. & TREAS., OF BELLEVUE SALES, INC., WHO ARE PERSONALLY KNOWN TO ME TO BE THE IDENTICAL PERSON WHOSE NAMES ARE AFFIXED TO THE FOREGOING DEDICATION ON THIS SURVEYORS CERTIFICATE ON THIS PLOT & THEY ACKNOWLEDGED THE SIGNING OF SAID DEDICATION TO BE THEIR VOLUNTARY ACT & DEED.

WITNESS MY HAND & OFFICIAL SEAL AT BELLEVUE, NEBR., SARPY COUNTY, THE DATE LAST AFORESAID.

MY COMMISSION EXPIRES November 3, 1962

Ronald L. Shantz
NOTARY PUBLIC

APPROVAL OF COUNTY SURVEYOR

I HEREBY APPROVED OF THIS PLOT OF LAWRE ADDITION NO. 4 (LOTS 1 THRU 20) ON THIS 22 DAY OF April AD 1961.

Francis J. Kelly
COUNTY SURVEYOR

SURVEYORS CERTIFICATE

THIS IS TO CERTIFY THAT I THE UNDER SIGNED REGISTERED LAND SURVEYOR, HAVE ACCURATELY SURVEYED & SAT IRON PIPE ON ALL LOT CORNERS IN LAWRE ADDITION #4, AN ADDITION TO THE CITY OF BELLEVUE NEBRASKA, AS LAID OUT BY ME ON A TRACT OF LAND IN TAX LOT 20, WHICH LIES WHOLLY WITHIN THE N.W. 1/4 OF SEC. 36, T16N R12E OF THE 6TH P.M. SARPY COUNTY, NEBR. MORE PARTICULARLY DESCRIBED AS FOLLOWS: THE POINT OF BEGINNING BEING 1905.38 FEET EAST OF THE N.W. COR. SEC. 36 T16N R12E ALONG THE NORTH LINE OF SEC. 36 & S 0°-27' E A DISTANCE OF 76.42 FEET TO A POINT ON THE WEST LINE OF TAX LOT 20, THENCE TO THE LEFT & BEARING N 89°-58' E A DISTANCE OF 153 FEET, THENCE TO THE RIGHT & BEARING S 0°-02' E A DISTANCE OF 272.77 FEET, THENCE TO THE LEFT & BEARING N 89°-58' E A DISTANCE OF 190 FEET, THENCE TO THE RIGHT & BEARING S 0°-02' E A DISTANCE OF 272.77 FEET, THENCE TO THE LEFT & BEARING S 84°-19' E A DISTANCE OF 96.50 FEET TO THE N.W. COR. OF LOT 12 LAWRE ADDITION #3, THENCE TO THE RIGHT & BEARING S 54°-41' W A DISTANCE OF 304.0 FEET ALONG THE WEST LINE OF LOTS 12 & 13 LAWRE ADDITION #3 TO A POINT ON THE NORTH COR. OF LOT 26 LAWRE ADDITION #3, THENCE TO THE RIGHT & BEARING S 87°-51' W A DISTANCE OF 205.86 FEET TO THE N.W. COR. OF LOT 26 IN LAWRE ADDITION #3, THENCE TO THE LEFT & BEARING S 0°-09' E A DISTANCE OF 144.51 FEET TO THE N.W. COR. OF LOT 27 IN LAWRE ADDITION #3, THENCE TO THE RIGHT & BEARING N 0°-27' W A DISTANCE OF 220.25 FEET TO THE EAST LINE OF BELLEVUE SCHOOL LAND TO THE POINT OF BEGINNING CONTAINING 2.22 ACRES MORE OR LESS.

DATED THIS 22 DAY OF April AD 1961

Willis Foster
WILLIS FOSTER, L.S. 24
REGISTERED LAND SURVEYOR

LAWRE ADDITION #4

SCALE 1"=60'

Filed 5-1-61

P. 155

STATE OF NEBRASKA)
SARPY COUNTY)
Filed for
May 1 1961
at 10:00 a.m.
by
Willis Foster
Notary Public

12a
2-11-19

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

COUNCIL MEETING DATE:	February 11, 2019	AGENDA ITEM TYPE:
SUBMITTED BY: Chris Shewchuk, Planning Director <i>CWS</i>	SPECIAL PRESENTATION	<input type="checkbox"/>
	LIQUOR LICENSE	<input type="checkbox"/>
	ORDINANCE	<input checked="" type="checkbox"/>
	PUBLIC HEARING	<input type="checkbox"/>
	RESOLUTION	<input type="checkbox"/>
	CURRENT BUSINESS	<input type="checkbox"/>
	OTHER (SEE CLERK)	<input type="checkbox"/>

SUBJECT:

Request to rezone the North 1/2 of the East 35.2' of Lot 2 and the North 1/2 of Lot 3, Tiller's Hillcrest Addition from BG and BGH to RS-84. Applicant: BJ Justice. Location: 210 Galvin Road North.

SYNOPSIS:

The single-family residence on this property is a legal non-conforming use and could not be re-built if it were destroyed. The applicant is requesting a change of zone in order to make it a conforming use in order to obtain financing for the home.

FISCAL IMPACT:

None

BUDGETED ITEM: ☐ YES ☐ NO

PROJECT # & TRACKING INFORMATION:

N/A

RECOMMENDATION:

The Planning Department and the Planning Commission have recommended approval of this change of zone request.

BACKGROUND:

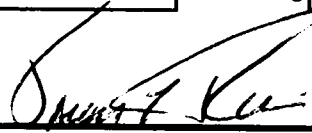
When the Zoning Ordinance was updated in 2011 the City removed residential uses from the list of permitted uses in areas zoned for business. The result of this change to the Zoning Ordinance was that existing residential uses in the business zones became legal non-conforming uses. Legal non-conforming uses are permitted to continue, but in the event a structure sustains damage greater than 60% of its value any future use of the property must conform to the zoning. Additionally, if the use is discontinued for a period greater than 12 months any future use of the land or structure must be conforming. These provisions make it difficult for owners of legal non-conforming residences to obtain financing for their homes as lending institutions could be at risk of losing the structure used as security for a mortgage.

ATTACHMENTS:

1	PC recommendation	4	
2	Planning Department staff report	5	
3	Proposed Ordinance	6	

SIGNATURES:

ADMINISTRATOR APPROVAL:



FINANCE APPROVAL:

LEGAL APPROVAL:

City of Bellevue

PLANNING COMMISSION RECOMMENDATION

APPLICANT: BJ Justice

LOCATION: 210 Galvin Road North

CASE #: Z-1812-10

CITY COUNCIL HEARING DATE: February 26, 2019

REQUEST: to rezone the North ½ of the east 35.2' of Lot 2 and North ½ of Lot 3, Tiller's Hillcrest Addition, located in the Southwest ¼ of Section 23, T14N, R13E of the 6th P.M., Sarpy County, Nebraska from BG and BGH to RS-84 for the purpose of existing single family residence.

On January 24, 2019, the City of Bellevue Planning Commission voted five yes, one no, zero abstained, and two absent to recommend:

APPROVAL based upon conformance with the Zoning Ordinance and lack of perceived negative impact to the surrounding area.

VOTE:

Yes:	Five:	No:	One:	Abstain:	Zero:	Absent:	Two:
	Casey		Smith				Cain
	Perrin						Ritz
	Jacobson						
	Ackley						
	Cutsforth						

Planning Commission Hearing (s) was held on: January 24, 2019

CITY OF BELLEVUE PLANNING DEPARTMENT

RECOMMENDATION REPORT # 2

CASE NUMBERS: Z-1812-10

FOR HEARING OF:

REPORT #1: January 24, 2019

REPORT #2: February 26, 2019

I. GENERAL INFORMATION

A. APPLICANT:

BJ Justice
210 Galvin Road North
Bellevue, NE 68005

B. PROPERTY OWNERS:

BJ and Joan Justice
210 Galvin Road North
Bellevue, NE 68005

C. LOCATION:

210 Galvin Road North

D. LEGAL DESCRIPTION:

North ½ of the east 35.2' of Lot 2 and North ½ of Lot 3, Tiller's Hillcrest Addition, located in the Southwest ¼ of Section 23 T14N, R13E of the 6th P.M., Sarpy County, Nebraska.

E. REQUESTED ACTIONS:

1. Rezone the North ½ of the east 35.2' of Lot 2 and North ½ of Lot 3, Tiller's Hillcrest Addition, from BG and BGH to RS-84.

F. EXISTING ZONING AND LAND USE:

BG and BGH, Single Family Residential

G. PURPOSE OF REQUEST:

The purpose of this request is to obtain a rezoning for the purpose of an existing single family residence.

H. SIZE OF SITE:

The site is approximately .55 acres.

II. BACKGROUND INFORMATION

A. EXISTING CONDITION OF SITE:

The site is presently developed with a single family residence (constructed in 1955) and a storage shed.

B. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:

1. **North:** BG, Commercial
2. **East:** BG, Commercial (across Galvin Rd)
3. **South:** BG/BGH, Single Family Residential
4. **West:** BGH, Commercial

C. REVELANT CASE HISTORY:

On January 24, 2019, the Planning Commission recommended approval of a request to rezone the North ½ of the east 35.2' of Lot 2 and North ½ of Lot 3, Tiller's Hillcrest Addition, located in the Southwest ¼ of Section 23 T14N, R13E of the 6th P.M., Sarpy County, Nebraska from BG and BGH to RS-84 for the purpose of an existing single family residence.

D. APPLICABLE REGULATIONS:

1. Section 5.09, Zoning Ordinance, regarding RS-84 uses and requirements.

III. ANALYSIS

A. COMPREHENSIVE PLAN:

The Future Land Use Map of the Comprehensive Plan designates this property as commercial.

B. OTHER PLANS:

None

C. TRAFFIC AND ACCESS:

1. The 2016 MAPA Traffic Flow Map estimates approximately 12,450 vehicles per day near the intersection of Galvin Road North and Avery Road.
2. The property has access to Galvin Road North via a private drive.

D. UTILITIES:

All utilities are available to this property.

E. ANALYSIS:

1. BJ Justice has submitted a request to rezone the North ½ of the east 35.2' of Lot 2, and North ½ of Lot 3, Tiller's Hillcrest Addition, for the purpose of an existing single family residence.
2. This property is presently zoned BG and BGH. The applicant is requesting a change of zone to the RS-84 zoning district.

Prior to our 2011 Zoning Ordinance update, single family residences were a permitted use in the BG and BGH districts. Under our current regulations, a single family residence is a legal non-conforming use in a commercial zoning district.

3. The applicant has indicated he is asking for a change of zone to facilitate a refinance on the home. Mr. Justice stated he is unable to do so with a legal non-conforming use. Please refer to the applicant's letter attached to this report.
4. This application was sent out for review by the following departments and individuals: Public Works, Permits and Inspections, Chief of Police, Offutt Air Force Base, Fire Inspector, and the Bellevue Public School District. The cover letter indicated a deadline to send comments back to the Planning Department, and also stated if the requested department did not have comments pertaining to the application, no response was needed.

No comments were received on this case.

5. The Future Land Use Map of the Comprehensive Plan shows this property as commercial.

The Comprehensive Plan does not preclude a change of zone in this location. Staff believes commercial use for this property is an appropriate long-term plan; however, the residential zoning will allow for the existing single family residence to remain until such time as commercial development occurs.

6. The City Council has previously approved residential zoning for several legal non-conforming residences in commercial zoning since the 2011 Zoning Ordinance update.

F. TECHNICAL DEFICIENCIES:

None

IV. DEPARTMENT RECOMMENDATION

APPROVAL based upon conformance with the Zoning Ordinance and lack of perceived negative impact upon the surrounding area.

V. PLANNING COMMISSION RECOMMENDATION

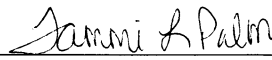
APPROVAL based upon conformance with the Zoning Ordinance and lack of perceived negative impact upon the surrounding area.

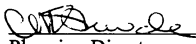

VI. ATTACHMENTS TO REPORT

1. Zoning Map
2. 2018 GIS aerial photo of the property
3. Letter from the applicant received December 21, 2018

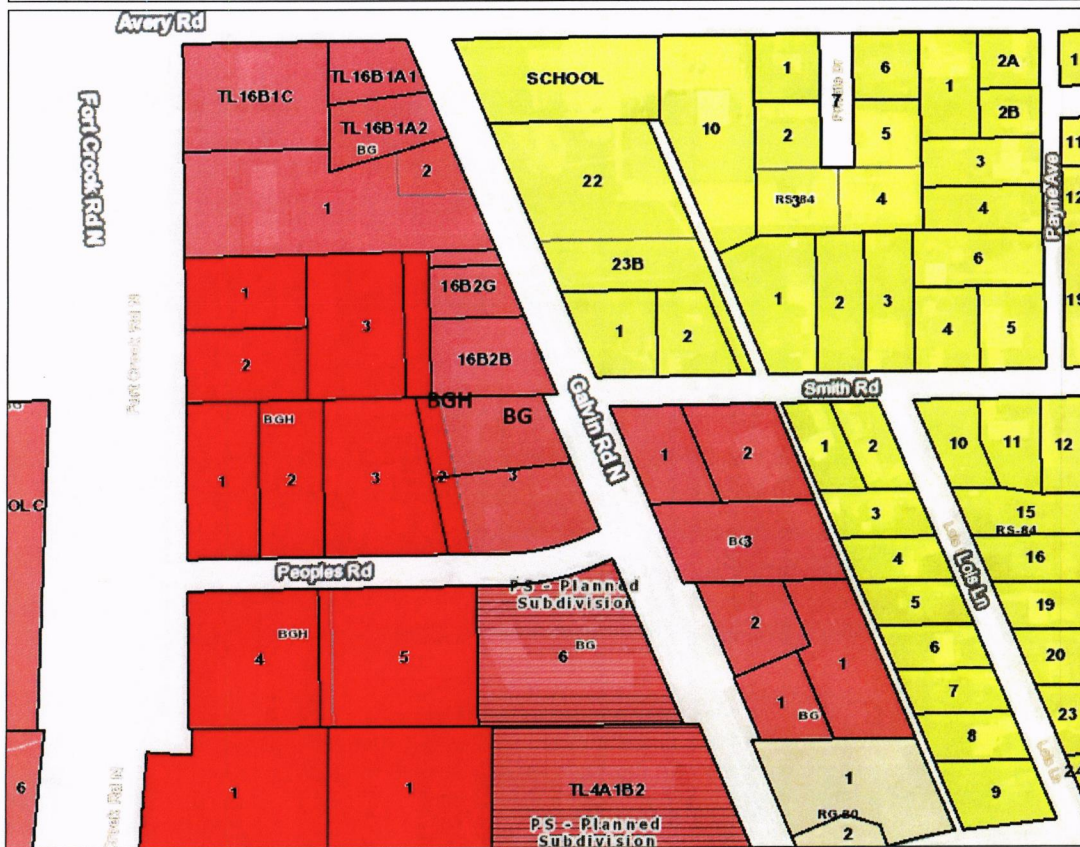
VII. COPIES OF REPORT TO:

1. BJ Justice
3. Public Upon Request


Prepared by:

 
Planning Director Date of Report

Zoning Map



Location



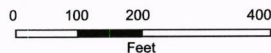
Legend

Road Centerlines
2018 Aerial Photo

- Red: Band_1
- Green: Band_2
- Blue: Band_3



1:2,400



This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the source records and information sources to ascertain the usability of the information.

Sarpy County GIS

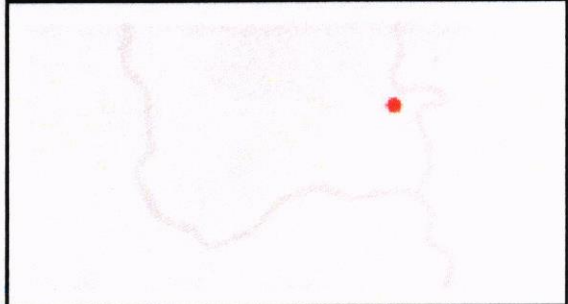
1210 Golden Gate Dr.
Suite 1130
Papillion, NE 68046
maps.sarpy.com



Area of Rezoning Request



Location



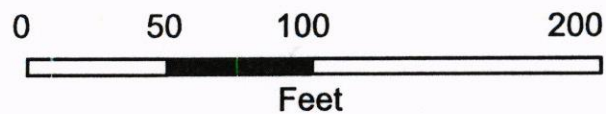
Legend

Road Centerlines
2018 Aerial Photo

- Red: Band_1
- Green: Band_2
- Blue: Band_3



1: 1,200



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Sarpy County GIS



1210 Golden Gate Dr.
Suite 1130
Papillion, NE 68046
maps.sarpy.com

B.J. Justice
210 Galvin Road N
Bellevue, NE 68005
December 19, 2018

City of Bellevue Planning Director
Mr. Chris Shewchuk
1510 Wall Street
Bellevue, NE 68005

Dear Mr. Shewchuk,

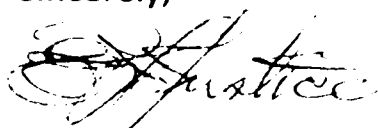
I have submitted an application for re-zoning of our residence to be zoned from Commercial to Residential. The property is legally described as N 1/2 of E 35.2' of Lot 2 & N 1/2 Of Lot 3 Tillers Hillcrest Addition.

It was built in 1956 by my father-in-law as his family home. Of course it was my wife child hood home. After purchasing the property four years ago we have remodeled it and are enjoying living here. But now we have a need to refinance and due to the current zoning we are not able to do so. We now have an "ARM" Loan and hope we can refinance to secure a " Fixed Rate Loan". The current zoning states that if the house should be destroyed by fire or wind or some other cause we are not allowed to rebuild. Therefore lenders will not finance it. This is the reason for our request.

Thanking you for your kind consideration,

I remain,

Sincerely,



B.J. Justice

RECEIVED
DEC 21 2018
PLANNING DEPT

ORDINANCE NO. 3933

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF BELLEVUE, NEBRASKA, AS PROVIDED FOR BY ARTICLE 3 OF ORDINANCE NO. 3619 BY CHANGING THE ZONE CLASSIFICATION OF LAND LOCATED AT OR ABOUT 210 GALVIN ROAD NORTH, MORE PARTICULARLY DESCRIBED IN SECTION 1 OF THE ORDINANCE AND TO PROVIDE AN EFFECTIVE DATE.

WHEREAS, having received a recommendation from the city of Bellevue Planning Commission and proper notice having been given and public hearing held as provided by law:

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

Section 1. That part of the official zoning map of the City of Bellevue, Nebraska, as provided in Article 3, of Ordinance No. 3619 is hereby amended to change the zone classification of the following described parcel of land:

North ½ of the east 35.2’ of Lot 2 and North ½ of Lot 3, Tiller’s Hillcrest Addition, located in the Southwest ¼ of Section 23, T14N, R13E of the 6th P.M., Sarpy County, Nebraska

From BG (General Business District) and (BGH) Heavy General Business District) to RS-84 (Single Family Residence, 8,400 Square Foot Zone).

(BJ Justice)

Section 3. Except as amended herein, the official zoning map and the classification shown therein shall remain as heretofore existing.

Section 4. This ordinance shall take affect and be in force from and after its adoption and publication according to law.

ADOPTED by the Mayor and City Council this _____ day of _____, 2019.

APPROVED AS TO FORM:

City Attorney

ATTEST

City Clerk

Mayor

First Reading: _____
Second Reading: _____
Third Reading: _____

126
2-11-19

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

COUNCIL MEETING DATE:	February 11, 2019	AGENDA ITEM TYPE:
SUBMITTED BY: Chris Shewchuk, Planning Director <i>CMS</i>	SPECIAL PRESENTATION	<input type="checkbox"/>
	LIQUOR LICENSE	<input type="checkbox"/>
	ORDINANCE	<input checked="" type="checkbox"/>
	PUBLIC HEARING	<input type="checkbox"/>
	RESOLUTION	<input type="checkbox"/>
	CURRENT BUSINESS	<input type="checkbox"/>
	OTHER (SEE CLERK)	<input type="checkbox"/>

SUBJECT:

Request to annex Tax Lots A2B, E1, E2, H1, J, K, and parts of Tax Lots I, D1 and D2, lying west of abandoned railroad right-of-way, Section 21, T14N, R13E of th 6th P.M., Sarpy County Nebraska. Applicants: Jose and Monica Ramirez. Location: 2803 Childs Road West.

SYNOPSIS:

The applicants are requesting this annexation in order to facilitate a change of zone and small subdivision plat which are also on the Council agenda.

FISCAL IMPACT:

Minimal property tax revenue.

BUDGETED ITEM: ☐ YES ☐ NO

PROJECT # & TRACKING INFORMATION:

N/A

RECOMMENDATION:

The Planning Department and the Planning Commission have recommended approval of this annexation request.

BACKGROUND:

Jose and Monica Ramirez have submitted an application for approval of a small subdivision plat which proposes to combine into a single lot various tax lots, some of which are currently in the city and some of which are currently outside the city limits. Before approval of the plat, all of the property needs to be within the city limits; therefore the applicants have requested this annexation as well.

ATTACHMENTS:

1	PC recommendation	4	
2	Planning Department staff report	5	
3	Proposed Ordinance	6	

SIGNATURES:

ADMINISTRATOR APPROVAL:

[Signature]

FINANCE APPROVAL:

LEGAL APPROVAL:

ORDINANCE NO. 3934

AN ORDINANCE TO ANNEX TO THE CITY OF BELLEVUE, SARPY COUNTY, NEBRASKA, CERTAIN LANDS, LOTS AND REAL ESTATE LYING WITHIN THE BELOW DESCRIBED BOUNDARIES, TO THE CITY OF BELLEVUE, SARPY COUNTY, NEBRASKA, AND DESIGNATING AN EFFECTIVE DATE

WHEREAS, ALL OF THE LOTS, LANDS, AND REAL ESTATE LYING WITHIN THE BOUNDARIES DESCRIBED AS FOLLOWS TO WIT:

TAX LOTS A2B, E1, E2, H1, J, K, AND PARTS OF TAX LOTS I, D1 AND D2, LYING WEST OF ABANDONED RR ROW, SECTION 21, T14N, R13E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA

ARE CONTIGUOUS AND ADJACENT TO THE CITY OF BELLEVUE, NEBRASKA, AND ARE URBAN OR SUBURBAN IN CHARACTER, AND

WHEREAS, SAID REAL ESTATE WILL RECEIVE MATERIAL BENEFITS AND ADVANTAGES FROM ANNEXATION TO THE SAID CITY.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF BELLEVUE, NEBRASKA:

Section 1. All of the real estate lying within the area heretofore described be and the same hereby is included within the boundaries and territory of the City of Bellevue, Nebraska, and said lands and the persons residing thereon shall hereafter be subject to all of the rules, regulations, ordinances, taxes, and all other burdens and benefits of other persons and territory included with the City of Bellevue, Nebraska

Section 2. This ordinance shall become effective after its passage, approval, and publication according to law.

ADOPTED by the Mayor and City Council this _____ day of _____, 2019.

APPROVED AS TO FORM:

City Attorney

ATTEST

City Clerk

Mayor

First Reading: _____
Second Reading: _____
Third Reading: _____

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

12c
2-11-19

COUNCIL MEETING DATE:	February 11, 2019	AGENDA ITEM TYPE:
SUBMITTED BY: Chris Shewchuk, Planning Director <i>CMS</i>	SPECIAL PRESENTATION	<input type="checkbox"/>
	LIQUOR LICENSE	<input type="checkbox"/>
	ORDINANCE	<input checked="" type="checkbox"/>
	PUBLIC HEARING	<input type="checkbox"/>
	RESOLUTION	<input type="checkbox"/>
	CURRENT BUSINESS	<input type="checkbox"/>
	OTHER (SEE CLERK)	<input type="checkbox"/>

SUBJECT:

Request to rezone Lots 1 and 2, Rancho La Estrella, from RS-72 to AG and RS-72 for the purpose of agricultural and residential uses. Applicants: Jose and Monica Ramirez. Location: 2803 Childs Road West.

SYNOPSIS:

The applicants are requesting this change of zone to allow them to use proposed Lot 2, Rancho La Estrella for agricultural purposes. The proposed lot is approximately 24 acres in size, exceeding the 20 acre minimum lot size in the AG district. There is an existing residence on Lot 1 which will have RS-72 zoning. A small subdivision plat will be on the Council agenda when this ordinance has second reading.

FISCAL IMPACT:

None

BUDGETED ITEM: ☐ YES ☐ NO

PROJECT # & TRACKING INFORMATION:

N/A

RECOMMENDATION:

The Planning Department and the Planning Commission have recommended approval of this change of zone request.

BACKGROUND:

Jose and Monica Ramirez are requesting approval of a change of zone and small subdivision plat for Lots 1 and 2, Rancho La Estrella, located at 2803 Childs Road West. The proposed zoning is AG and RS-72 which will allow the applicants to use the 24 acre Lot 2 for agricultural purposes and Lot 1 to be used for the existing residence on the property. This area is adjacent to other agricultural type uses and does not have access to sanitary sewer.

ATTACHMENTS:

1	PC recommendation	4	
2	Planning Department staff report	5	
3	Proposed Ordinance	6	

SIGNATURES:

ADMINISTRATOR APPROVAL:

[Signature]

FINANCE APPROVAL:

LEGAL APPROVAL:

City of Bellevue

PLANNING COMMISSION RECOMMENDATION

APPLICANTS: Jose and Monica Ramirez

LOCATION: 2803 Childs Road West

CASE #'s: Z-1811-09 and S-1811-11

CITY COUNCIL HEARING DATE: February 26, 2019

REQUEST: Request to annex Tax Lots A2B, E1, E2, H1, J, K, and part of Tax Lots I, D1 and D2, lying west of abandoned RR Row, all located in the North ½ of Section 21, T14N, R13E; rezone Lots 1 and 2, Rancho La Estrella, being a platting of Tax Lot B, except the North 22.0 feet, vacated Woods Avenue adjoining Tax Lot B on the East, Tax Lots A2B, C except the North 22.0 feet, D1, D2, K, E1, E2, H1, H2, I, and J, all located in the North ½ of Section 21, T14N, R13E of the 6th P.M., Sarpy County, Nebraska from RS-72 to RS-72 and AG for the purpose of an existing single family residence and agricultural use; and small subdivision plat Lots 1 and 2, Rancho La Estrella.

On January 24, 2019, the City of Bellevue Planning Commission voted five yes, one no, zero abstained, and two absent to recommend:

APPROVAL based upon conformance with the Zoning Ordinance and Subdivision Regulations, as well as lack of perceived negative impact to the surrounding area.

VOTE:

Yes:	Five:	No:	One:	Abstain:	Zero:	Absent:	Two:
	Casey		Smith				Cain
	Perrin						Ritz
	Jacobson						
	Ackley						
	Cutsforth						

Planning Commission Hearing (s) was held on: January 24, 2019

CITY OF BELLEVUE PLANNING DEPARTMENT

RECOMMENDATION REPORT # 2

CASE NUMBERS: Z-1811-09
S-1811-11

FOR HEARING OF:
REPORT #1: January 24, 2019
REPORT #2: February 26, 2019

I. GENERAL INFORMATION

A. APPLICANTS:

Jose and Monica Ramirez
2803 Childs Road West
Bellevue, NE 68147

B. PROPERTY OWNERS:

Jose and Monica Ramirez
2803 Childs Road West
Bellevue, NE 68147

C. LOCATION:

2803 Childs Road West

D. LEGAL DESCRIPTION:

Lots 1 and 2, Rancho La Estrella, being a platting of Tax Lot B, except the North 22.0 feet, vacated Woods Avenue adjoining Tax Lot B on the East, Tax Lots A2B, C except the North 22.0 feet, D1, D2, K, E1, E2, H1, H2, I, and J, all located in the North ½ of Section 21, T14N, R13E of the 6th P.M., Sarpy County, Nebraska.

E. REQUESTED ACTIONS:

1. Annex Tax Lots A2B, E1, E2, H1, J, K, and part of Tax Lots I, D1 and D2, lying west of abandoned RR Row.
2. Rezone Lots 1 and 2, Rancho La Estrella, from RS-72 to AG and RS-72.
3. Small Subdivision plat Lots 1 and 2, Rancho La Estrella.

F. EXISTING ZONING AND LAND USE:

RS-72, Single Family Residential/Vacant

G. PURPOSE OF REQUEST:

The purpose of this request is to obtain an annexation, rezoning, and small subdivision plat for the purpose of an existing single family residence and agricultural use.

H. SIZE OF SITE:

The site is approximately 27 acres.

II. BACKGROUND INFORMATION

A. EXISTING CONDITION OF SITE:

Approximately three acres of the property is developed with a single family residence (constructed in 1916) and accessory structures. The remainder of the property is presently vacant and covered in vegetation.

B. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:

1. **North:** Single Family Residential, RS-72
2. **East:** Single Family Residential/Vacant, RS-72
3. **South:** Vacant/COB Fire Training Center, RS-72
4. **West:** Single Family Residential/Vacant, RS-72

C. REVELANT CASE HISTORY:

On January 24, 2019, the Planning Commission recommended approval of a request to annex Tax Lots A2B, E1, E2, H1, J, K, and part of Tax Lots I, D1 and D2, lying west of abandoned RR Row, all located in the North ½ of Section 21, T14N, R13E; rezone Lots 1 and 2, Rancho La Estrella, being a platting of Tax Lot B, except the North 22.0 feet, vacated Woods Avenue adjoining Tax Lot B on the East, Tax Lots A2B, C except the North 22.0 feet, D1, D2, K, E1, E2, H1, H2, I, and J, all located in the North ½ of Section 21, T14N, R13E of the 6th P.M., Sarpy County, Nebraska from RS-72 to RS-72 and AG for the purpose of an existing single family residence and agricultural use; and small subdivision plat Lots 1 and 2, Rancho La Estrella.

D. APPLICABLE REGULATIONS:

1. Section 5.05, Zoning Ordinance, regarding AG uses and requirements.
2. Section 5.10, Zoning Ordinance, regarding RS-72 uses and requirements.

3. Chapter 5, Subdivision Regulations, regarding small subdivisions.

III. ANALYSIS

A. COMPREHENSIVE PLAN:

The Future Land Use Map of the Comprehensive Plan designates this property as low density and medium density residential.

B. OTHER PLANS:

None

C. TRAFFIC AND ACCESS:

1. There is no traffic data information available for this area.
2. The property has access via a private drive off of Childs Road West.

D. UTILITIES:

This property is not served by sanitary sewer; however, it is served by public water.

E. ANALYSIS:

1. Jose and Monica Ramirez have submitted a request to annex Tax Lots A2B, E1, E2, H1, J, K, and part of Tax Lots I, D1 and D2, lying west of abandoned railroad right-of-way, all located in the North ½ of Section 21, T14N, R13E of the 6th P.M., Sarpy County, Nebraska. They are making this request in order to facilitate a small subdivision plat and rezoning on their property. Currently, the aforementioned portion of the proposed plat is outside of the city limits, while the remainder of their property is in city limits. In order to complete their request for a small subdivision plat, all of the property needs to be within the city's boundary.

The boundary of these parcels is contiguous to the current city boundary.

Please refer to the attached map. Tax Lots A2B, E1, E2, H1, J, K, and part of Tax Lots I, D1 and D2, lying west of abandoned railroad right-of-way are highlighted in red. The current city limit boundary is identified by the dashed black line.

2. The applicants are also requesting to rezone Lots 1 and 2, Rancho La Estrella, being a platting of Tax Lot B, except the North 22.0 feet, vacated Woods Avenue adjoining Tax Lot B on the East, Tax Lots A2B, C except the North 22.0 feet, D1, D2, K, E1, E2, H1, H2, I, and J, all located in the North ½ of Section 21, T14N, R13E of the 6th P.M., Sarpy County, Nebraska, and small subdivision plat Lots 1 and 2, Rancho La Estrella.

3. The property is presently zoned RS-72. The applicant is requesting the zoning remain RS-72 for proposed Lot 1, while Lot 2 be zoned AG.

The applicants have indicated they intend to maintain the single family residence on proposed Lot 1, while utilizing proposed Lot 2 for agricultural use. Please refer to their attached letter.

4. The proposed lots meet the minimum requirements for their intended zoning districts.

5. This application was sent out for review by the following departments and individuals: Public Works, Permits and Inspections, Chief of Police, Offutt Air Force Base, Fire Inspector, Sarpy County Planning Director, Sarpy County Public Works Department, and the Omaha Public School District. The cover letter indicated a deadline to send comments back to the Planning Department, and also stated if the requested department did not have comments pertaining to the application, no response was needed.

Captain Dave Stukenholtz, Bellevue Police Department, expressed concerns regarding potential herd size, animal waste, and odor.

Section 5.05.02, Zoning Ordinance, does allow for farming, pasturing, and animal husbandry as a permitted use in the AG district subject to the rules and regulations of the Board of Health and NDEQ, provided that no livestock feedlot or yard for more than 25 animals shall be established.

The applicant has approximately 24 acres on proposed Lot 2 which he is requesting for the AG zoning. Based on the amount of land and secluded nature of this particular property, staff does not share these concerns regarding animal waste and odor.

No other comments were received in this case.

6. The Future Land Use Map of the Comprehensive Plan designates this area as low density and medium density residential. The RS-72 zoning of proposed Lot 1 would be considered medium density residential. Rezoning proposed Lot 2 to AG does not preclude it from becoming a residential development in the future.

F. TECHNICAL DEFICIENCIES:

None

IV. DEPARTMENT RECOMMENDATION

APPROVAL based upon conformance with the Zoning Ordinance and Subdivision Regulations, as well as lack of perceived negative impact upon the surrounding area.

V. PLANNING COMMISSION RECOMMENDATION

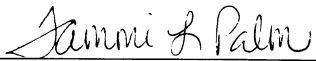
APPROVAL based upon conformance with the Zoning Ordinance and Subdivision Regulations, as well as lack of perceived negative impact upon the surrounding area.

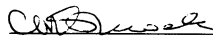
VI. ATTACHMENTS TO REPORT


1. Zoning Map
2. 2018 GIS aerial photo of the property
3. Small Subdivision plat received December 17, 2018
4. City Limits Map
5. Letter from the applicant received November 15, 2018

VII. COPIES OF REPORT TO:

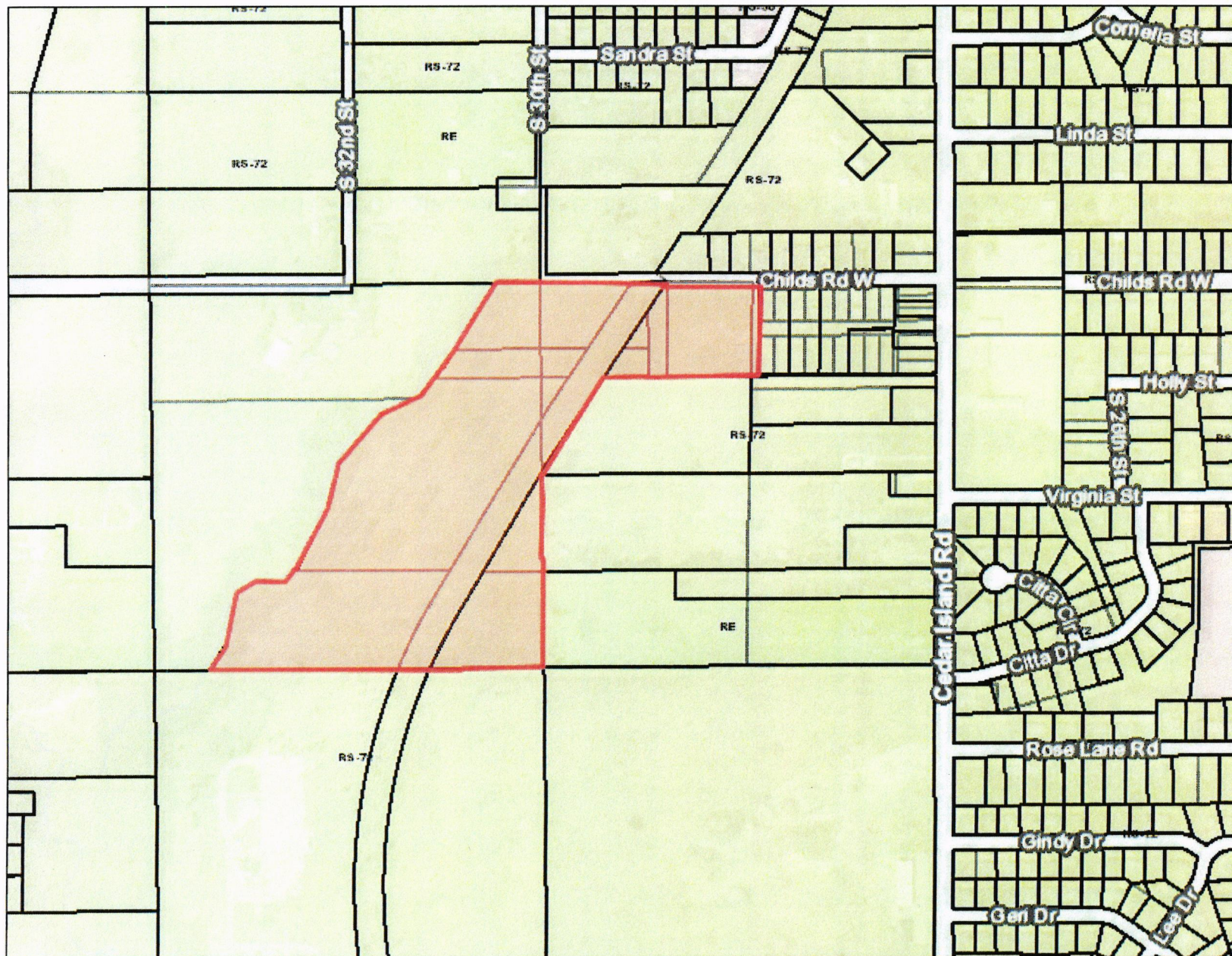
1. Jose and Monica Ramirez
2. DWS (Denny Whitfield)
3. Public Upon Request


Prepared by:

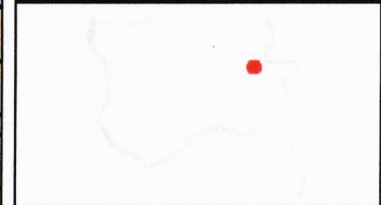

Planning Director


Date of Report

Zoning Map



Location



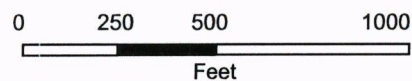
Legend

Road Centerlines
2018 Aerial Photo

- Red: Band_1
- Green: Band_2
- Blue: Band_3



1: 6,000



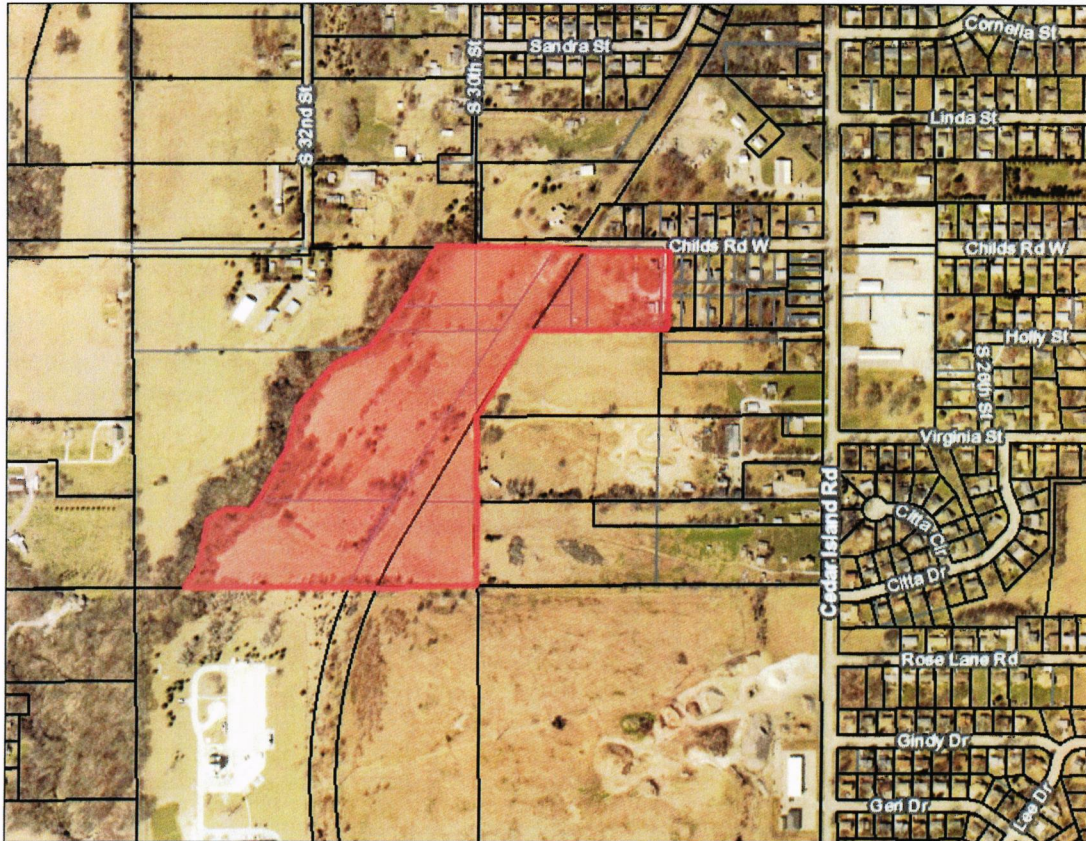
This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the source records and information sources to ascertain the usability of the information.

Sarpy County GIS



1210 Golden Gate Dr.
Suite 1130
Papillion, NE 68046
maps.sarpy.com

Area of Rezoning Request



Location



Legend

Road Centerlines
2018 Aerial Photo

- Red: Band_1
- Green: Band_2
- Blue: Band_3



This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the source records and information sources to ascertain the usability of the information.

Sarpy County GIS

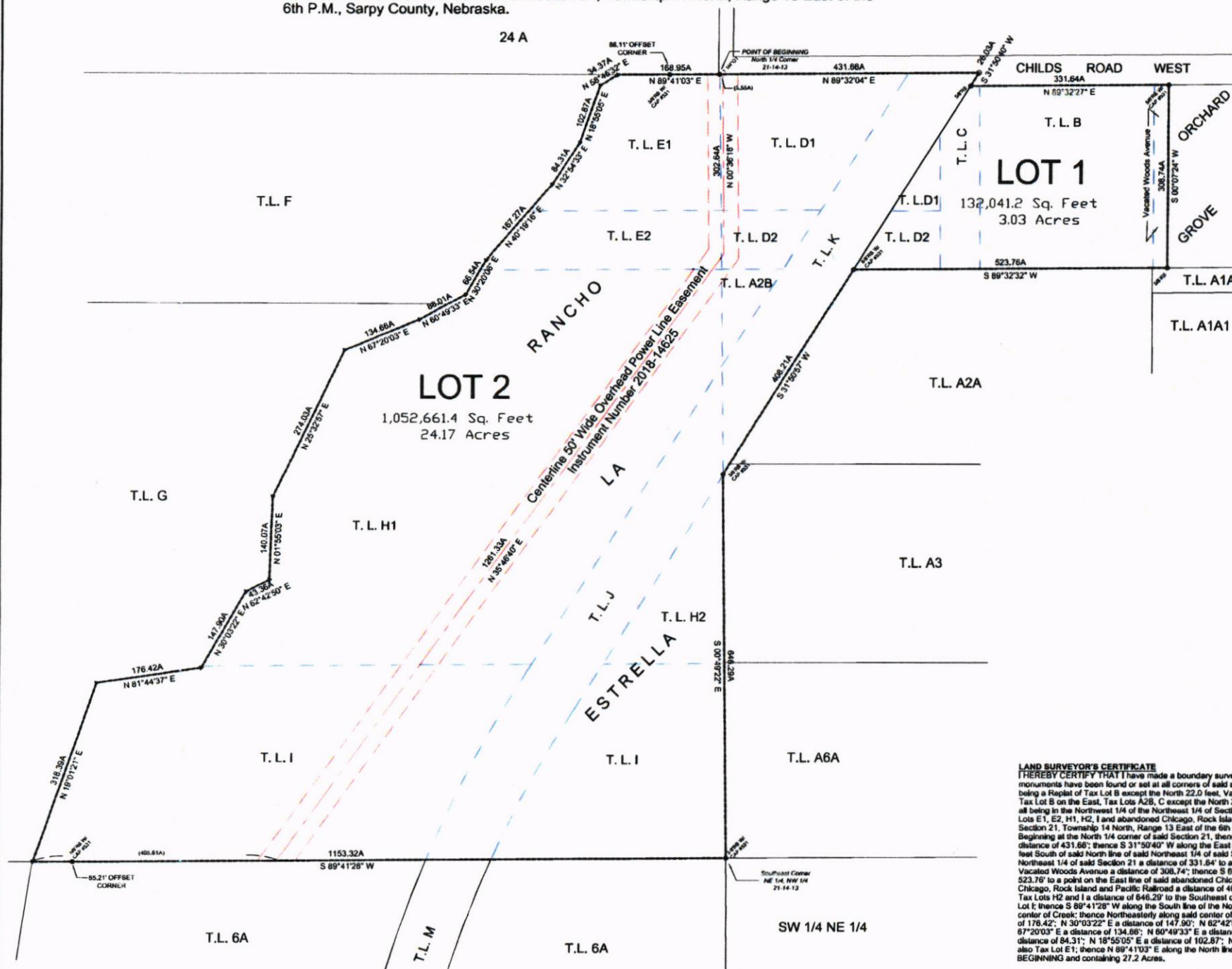


1210 Golden Gate Dr.
Suite 1130
Papillion, NE 68046
maps.sarpy.com

RANCHO LA ESTRELLA

LOTS 1 and 2

Being a replat of Tax Lot B except the North 22.0 feet, Vacated Woods Avenue adjoining Tax Lot B on the East, Tax Lots A2B, C except the North 22.0 feet, D1, D2 and abandoned Chicago, Rock Island and Pacific Railroad (now known as Tax Lot K) all being in the Northwest 1/4 of the Northeast 1/4 of Section 21, Township 14 North, Range 13 East of the 6th P.M., Sarpy County, Nebraska, together with Tax Lots E1, E2, H1, H2, I and Abandoned Chicago, Rock Island and Pacific Railroad (now known as Tax Lot J) all being in the Northeast 1/4 of the Northwest 1/4 of Section 21, Township 14 North, Range 13 East of the 6th P.M., Sarpy County, Nebraska.



NORTH 1/4 CORNER, 21-14-13
Found 1 1/4" Open Top Pipe
NE 15.68' to "X" nails in South face of Power Pole
NE 6.78' to "X" nails in South face of Power Pole
W 59.36' to "X" nails in top of Fence Post

SOUTHEAST CORNER, NORTHEAST 1/4, NORTHWEST 1/4, 21-14-13
Found 5/8" Rebar W/ Cap #631
SSW 20.80' to center storm sewer manhole
ESE 16.30' to blaze in 15" Tree
W 5.75' to blaze in 12" Tree

LAND SURVEYOR'S CERTIFICATE
I HEREBY CERTIFY THAT I have made a boundary survey of the subdivision herein and that permanent monuments have been found or set at all corners of said subdivision to be known as RANCHO LA ESTRELLA, being a Replat of Tax Lot B except the North 22.0 feet, Vacated Woods Avenue adjoining Tax Lot B on the East, Tax Lots A2B, C except the North 22.0 feet, D1, D2 and abandoned Chicago, Rock Island and Pacific Railroad (now known as Tax Lot K) all being in the Northwest 1/4 of the Northeast 1/4 of Section 21, Township 14 North, Range 13 East of the 6th P.M., Sarpy County, Nebraska, together with Tax Lots E1, E2, H1, H2, I and abandoned Chicago, Rock Island and Pacific Railroad (now known as Tax Lot J) all being in the Northeast 1/4 of the Northwest 1/4 of Section 21, Township 14 North, Range 13 East of the 6th P.M., Sarpy County, Nebraska, more particularly described as follows:
Beginning at the North 1/4 corner of said Section 21, thence N 89°32'04" E (assumed bearing) along the North line of said Northeast 1/4 of said Section 21 a distance of 431.66'; thence S 31°50'40" W along the East line of said abandoned Chicago, Rock Island and Pacific Railroad a distance of 26.03' to a point 22.0 feet South of said North line of said Northeast 1/4 of said Section 21; thence N 65°33'77" E on a line 22.0 feet South of and parallel with said North line of said Northeast 1/4 of said Section 21 a distance of 331.84' to a point on the East line of said Vacated Woods Avenue; thence S 00°07'24" W along said East line of Vacated Woods Avenue a distance of 306.74'; thence S 89°32'32" W along the South line of said Vacated Woods Avenue, Tax Lots B, C and D2 a distance of 523.76' to a point on the East line of said abandoned Chicago, Rock Island and Pacific Railroad; thence S 31°50'57" W along said East line of said abandoned Chicago, Rock Island and Pacific Railroad a distance of 408.21' to a point on the East line of said Tax Lot H2; thence S 00°49'22" E along said East line of said Tax Lot H2 and I a distance of 646.25' to the Southeast corner of the Northwest 1/4 of the Northeast 1/4 of said Section 21 and also Tax Lot I a distance of 1,153.32' to the center of Creek; thence Northeastly along said center of Creek the following 13 courses; thence N 19°01'21" E a distance of 318.39'; N 61°44'37" E a distance of 176.42'; N 30°03'22" E a distance of 147.90'; N 62°42'50" E a distance of 43.36'; N 01°55'03" E a distance of 140.07'; N 25°32'59" E a distance of 274.03'; N 67°20'03" E a distance of 134.86'; N 60°49'03" E a distance of 88.01'; N 30°20'08" E a distance of 88.54'; N 40°19'16" E a distance of 167.27'; N 32°54'33" E a distance of 84.31'; N 18°55'05" E a distance of 102.87'; N 58°45'32" E a distance of 34.37' to a point on the North line of Northwest 1/4 of said Section 21 and also Tax Lot E1; thence N 89°41'03" E along the North line of the Northwest 1/4 of Section 21 and also Tax Lot E1 a distance of 168.95' to the POINT OF BEGINNING and containing 27.2 Acres.

Dennis L. Whitfield, L.S. 448
Date: 10-30-18

DEDICATION
Know all men by these presents that we, Jose Ramirez and Monica Ramirez, husband and wife, being the owners of the property described within the Surveyor's Certificate and embraced within this Plat, have caused said land to be replatted as shown, said addition to be hereafter known as "RANCHO LA ESTRELLA", and we do hereby ratify and approve of the deposition of the property as shown on this plat, and further grant perpetual easements to Omaha Public Power District (OPPD), Cox Communications, and Centurylink across a five (5) foot wide strip of land abutting all front and side boundary lot lines; an eight (8) foot wide strip of land abutting the rear boundary lines of all interior lots; and a sixteen (16) foot wide strip of land abutting the rear boundary lines of all exterior lots. The term exterior lots is herein defined as those lots forming the outer perimeter of the above described addition. The sixteen (16) foot wide easement may be reduced to eight (8) feet wide when the adjacent land is surveyed, platted and recorded. The subdivisor shall grant perpetual easements to Metropolitan Utilities District and/or Black Hills Energy, their successors and assigns to erect, install, operate, maintain, repair and renew pipelines, hydrants and other related facilities and to extend thereon pipes for the transmission of gas and water on, through, under and across a five (5) foot wide strip of land abutting all cul-de-sac streets. No permanent buildings or retaining walls shall be placed in said easement ways, but the same may be used for gardens, shrubs, landscaping and other purposes that do not then or later interfere with the aforesaid or rights herein granted.

In witness whereof, we do set our names this _____ day of _____, 2018.

Jose Ramirez _____ Monica Ramirez _____

ACKNOWLEDGEMENT OF NOTARY
State of Nebraska)
County of _____) ss
On this _____ day of _____, 20____, before me, a Notary Public duly commissioned and qualified in and for said County, appeared Jose Ramirez and Monica Ramirez, husband and wife, known by me to be the identical persons whose names are affixed to the Dedication on this Plat, and did acknowledge the execution inherent to be their voluntary act and deed.
My Commission expires _____

Notary Public _____

COUNTY TREASURER'S CERTIFICATION
This is to certify that I find no regular or special taxes due or delinquent against the property as described in the Surveyor's Certificate and as shown by the records of this office.

Sarpy County Treasurer _____ Date _____

REVIEWED BY SARPY COUNTY PUBLIC WORKS
This Plat of "RANCHO LA ESTRELLA" was reviewed by the Sarpy County Surveyor's Office.

Sarpy County Engineer / Surveyor _____ Date _____

APPROVAL OF BELLEVUE PLANNING COMMISSION
This Plat of "RANCHO LA ESTRELLA" was approved by the Bellevue Planning Commission.

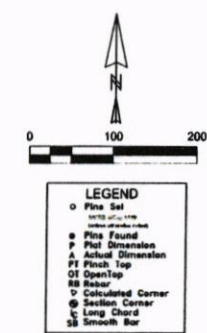
Chairman, Bellevue Planning Commission _____ Date _____

APPROVAL OF BELLEVUE CITY COUNCIL
This Plat of "RANCHO LA ESTRELLA" was approved by the Bellevue City Council.
This Plat becomes null and void if not recorded within 90 days of approval date.

Mayor, City of Bellevue _____ Date _____

Attest: City Clerk _____

Reserved for Sarpy County Deeds Office



- LEGEND**
- o Pin Set
 - Center Line
 - Plat Dimension
 - Actual Dimension
 - Pinch Top
 - OT Open Top
 - 88 Rebar
 - Calculated Corner
 - Section Corner
 - Long Chord
 - Smooth Bar

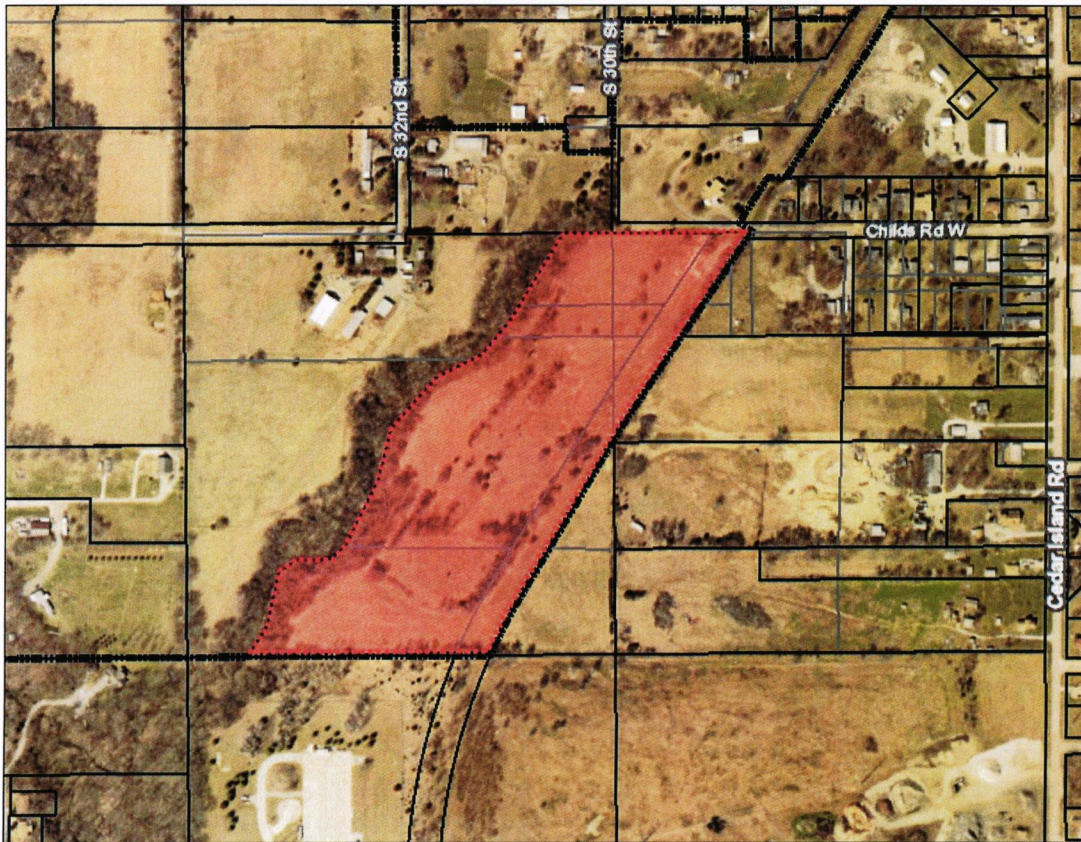
RANCHO LA ESTRELLA
City of Bellevue - Small Subdivision

D_{WS} Land Surveying
2015 Sheridan Road, Bellevue, NE 68123

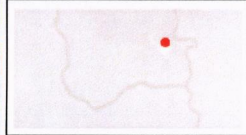
Date: 10-16-18
Project: 115-7
Sheet: 1 of 1

RECEIVED
DEC 17 2018
PLANNING DEPT.

City Limits Boundary



Location



Legend

- Road Centerlines
- Sanitary & Improvement District
- Municipal Boundaries
- 2018 Aerial Photo
- Red: Band_1
- Green: Band_2
- Blue: Band_3



This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the source records and information sources to ascertain the usability of the information.

Sarpy County GIS



1210 Golden Gate Dr.
Suite 1130
Papillion, NE 68046
maps.sarpy.com

Jose & Monica Ramirez
2803 Childs Road W
Bellevue, NE 68147
(402)707-9657

Dear Zoning Board,

Our names are Jose Ramirez and Monica Ramirez. We are an owner of the Parcel #011590762, Parcel #010602771 and Parcel #011590763, mailing address 2803 Childs Road W Bellevue, NE 68147. These are all directly next to each other. We are currently undergoing a process to join all of these parcels to one parcel of over 20 acres. I am requesting to rezone these parcels from RS -72 to AG. The reason behind this is we have a love of ranching and farming. We know there are similarly zoned parcels within the city of Bellevue and we want to make sure we are meeting all the regulations with the city in order to have our ranch. The current zoning of the parcels does not allow the full agricultural regulations for us. We have no plans of disturbing any neighbors; simply we want to raise cattle and livestock to make a living for our family.

Thank you for your attention and making a positive decision in this matter. If you have any questions please feel free to contact us at the information that we have provided above.

Jose Ramirez
Jose Ramirez

Monica Ramirez
Monica Ramirez

RECEIVED

NOV 15 2018

PLANNING DEPT.

ORDINANCE NO. 3935

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF BELLEVUE, NEBRASKA, AS PROVIDED FOR BY ARTICLE 3 OF ORDINANCE NO. 3619 BY CHANGING THE ZONE CLASSIFICATION OF LAND LOCATED AT OR ABOUT 2803 CHILDS ROAD WEST, MORE PARTICULARLY DESCRIBED IN SECTION 1 OF THE ORDINANCE AND TO PROVIDE AN EFFECTIVE DATE.

WHEREAS, having received a recommendation from the city of Bellevue Planning Commission and proper notice having been given and public hearing held as provided by law:

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

Section 1. That part of the official zoning map of the City of Bellevue, Nebraska, as provided in Article 3, of Ordinance No. 3619 is hereby amended to change the zone classification of the following described parcel of land:

Lots 1 and 2, Rancho La Estrella, being a platting of Tax Lot B, except the North 22.0 feet, vacated Wood Avenue adjoining Tax Lot B on the East, Tax Lots A2B, C except the North 22.0 feet, D1, D2, K, E1, E2, H1, H2, I, and J, all located in the North ½ of Section 21, T14N, R13E of the 6th P.M., Sarpy County, Nebraska

From RS-72 (Single Family Residence, 7,200 Square Foot Zone) to RS-72 (Single Family Residence, 7,200 Square Foot Zone) and AG (Agricultural District)

(Jose Ramirez)

Section 2. This ordinance shall not take effect until such time as the final plat of Rancho La Estrella is filed with the Sarpy County Register of Deeds in accordance with Sections 4-10 and 4-11 of the City of Bellevue Subdivision Regulations.

Section 3. Except as amended herein, the official zoning map and the classification shown therein shall remain as heretofore existing.

Section 4. This ordinance shall take affect and be in force from and after its adoption and publication according to law.

ADOPTED by the Mayor and City Council this _____ day of _____, 2019.

APPROVED AS TO FORM:

City Attorney

ATTEST

City Clerk

Mayor

First Reading: _____

Second Reading: _____

Third Reading: _____

12d
2-11-19

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

COUNCIL MEETING DATE:	February 11, 2019	AGENDA ITEM TYPE:
SUBMITTED BY: Chris Shewchuk, Planning Director <i>ems</i>	SPECIAL PRESENTATION	<input type="checkbox"/>
	LIQUOR LICENSE	<input type="checkbox"/>
	ORDINANCE	<input checked="" type="checkbox"/>
	PUBLIC HEARING	<input type="checkbox"/>
	RESOLUTION	<input type="checkbox"/>
	CURRENT BUSINESS	<input type="checkbox"/>
	OTHER (SEE CLERK)	<input type="checkbox"/>

SUBJECT:

Request to annex Sanitary and Improvement District #147, Blackhawk, consisting of Lots 1 through 97 and Lots 101 through 152, Blackhawk; Lot 1, Whitfield's Blackhawk; and Lot 2, Oakhurst Replat One. Applicant: City of Bellevue.

SYNOPSIS:

A review of the SID debt, potential City revenue as a result of annexation, and the ability of various City departments to provide services to the residents of this area indicates it is feasible for the City to annex SID #147 at this time.

FISCAL IMPACT:

This annexation would have a positive fiscal impact on the City based upon current and projected revenues and expenses associated with the annexation.

BUDGETED ITEM: ☐ YES ☐ NO

PROJECT # & TRACKING INFORMATION:

N/A

RECOMMENDATION:

The Planning Department and the Planning Commission have recommended approval of this annexation request.

BACKGROUND:

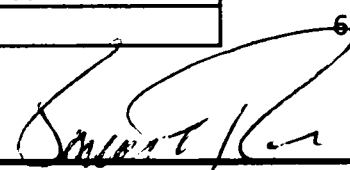
See attached Planning Department memorandum regarding the fiscal analysis and department review of the proposed annexation.

ATTACHMENTS:

1	PC recommendation	4	
2	Planning Department staff memo	5	
3	Proposed Ordinance	6	

SIGNATURES:

ADMINISTRATOR APPROVAL:



FINANCE APPROVAL:

LEGAL APPROVAL:

City of Bellevue

PLANNING COMMISSION RECOMMENDATION

APPLICANT: City of Bellevue

CITY COUNCIL HEARING DATE: February 26, 2019

REQUEST: to annex SID 147, Blackhawk.

On January 24, 2019, the City of Bellevue Planning Commission voted six yes, zero no, zero abstained, and two absent to recommend:

APPROVAL based upon the Planning Department's recommendation.

VOTE:

Yes:	Six:	No:	Zero:	Abstain:	Zero:	Absent:	Two:
	Casey						Cain
	Perrin						Ritz
	Jacobson						
	Ackley						
	Cutsforth						
	Smith						

Planning Commission Hearing (s) was held on: January 24, 2019



City of Bellevue

Office of the Planning Department

To: Mayor Hike
City Council
City Administrator Jim Ristow

From: Chris Shewchuk, Planning Director

Date: February 4, 2019

Subject: Request to annex SID #147, Blackhawk

The City of Bellevue is proposing to annex into the city limits Sanitary and Improvement District #147, Blackhawk. It has been determined that the SID is feasible for the City to annex based upon a review of its June 30, 2018 financial audit and input from City departments regarding operational needs to provide service to the area. The SID consists of 150 single-family residences and one park lot. The estimated population, based on Census data, is 393 people.

The Planning Department annually reviews SID audits and makes recommendations regarding annexations. While the City has typically proposed an annexation package consisting of several areas, at this time only SID 147 is being proposed for annexation as its review has been completed ahead of other SIDs. I expect in the near future a larger annexation package consisting of several SIDs and other properties will be presented for review.

Fiscal Analysis

As of June 30, 2018 Sanitary and Improvement District #147 had outstanding bonded indebtedness of \$935,000 plus an additional \$271,165 of general fund warrants outstanding. Prior to the end of the City's fiscal year, principal and interest payments of approximately \$97,000 will be due (although a portion of that will be paid by the SID prior to annexation approval). Bond payments in future years will be approximately \$95,000. The bonds carry interest rates ranging from 2.45% to 3.6%; the final maturity date for outstanding bonds is August 15, 2030.

Since the audit was completed, the SID has issued additional warrants. As of January 18, 2019, the outstanding warrant balance is \$315,775.98 with \$23,458.62 (plus interest) being due this fiscal year. General fund warrants are due three years after the date of issuance with the remaining warrants becoming due periodically through December 26, 2021. It will be in the City's best interest to pay off warrants prior to their due dates as they carry an interest rate of 7%.

As of December 31, 2018 the SID had cash on deposit with the County Treasurer of \$88,042.50. These funds can be used to pay bond and warrant expenses.

The assessed valuation of SID 147 for 2018 is \$36,201,124; the SID tax levy is 0.63 which will result in approximately \$228,000 of taxes receivable in 2019. The current City levy is 0.61; assuming no change in the levy and valuation, the City's taxes receivable in future years would be approximately \$220,800. (This is a conservative calculation as the SID valuation has increased by about 16.8% in the last five years.)

In addition to property tax revenue, the City would receive state highway allocation funds of approximately \$35,800 (based on current funding and is subject to change based on state revenue). The Wastewater Department would see additional revenue of \$54,594 most of which is paid to Omaha for sewage treatment while the remainder funds the operations of the department. Other tax revenue, such as sales taxes on delivered merchandise and automobiles, would be paid to the City but an estimate of this amount is not available.

Department Review

The proposal to annex SID 147 was sent to other City departments for their review. Department heads were asked to provide comments on how the annexation would affect the operations of the department in terms of workload and need for additional personnel or equipment. The following comments were received:

Streets: Annexation would add 4.25 lane miles to the City with annual maintenance costs of \$16,372. Although the additional lane miles by themselves would not result in a need for additional personnel or equipment, past annexations have not led to more resources for the department resulting in significant increases in the ratio of manpower to lane miles. The City would also acquire a bridge on 25th Street that would need to be added to the inspection schedule and would need to contract for installation of curb ramps in the next three years at an estimated cost of \$50,000. Annual street lighting costs would be \$10,575.

Wastewater: Infrastructure is satisfactory with minimal immediate repairs needed. Wastewater revenue would allow the department to continue to operate within its current operating margin.

Police: Can absorb this area with existing department strength.

Fire: Would not add to current call workload as the Fire Department already serves this area. A larger annexation would result in the need for another inspector and medic unit.

Library: A small budget increase may be necessary for additional materials, depending upon how many new card holders there are. This would have a minimal impact on the overall City budget.

Administrative Services: Minimal impact on transportation services, could be absorbed with existing resources.

Fleet Maintenance: As the City continues to grow, there will be greater need for additional maintenance facilities and staff.

City Clerk: No comments as there are no commercial establishments in the area.

Parks: Maintaining the 7.5 acre park would require the addition of one part-time employee and one seasonal employee, plus the purchase of two zero turn mowers. Personnel costs are estimated to be \$53,000 annually, while the mowers would be a one-time expense of \$2,600.

Impact on Residents

Upon the effective date of the annexation, residents will begin to receive services from the City of Bellevue in place of those currently being provided by Sarpy County or other entities. Such

services include law enforcement, street maintenance and snow removal, maintenance of the sanitary sewer system, park maintenance, and trash removal. The area already is served by the Bellevue Fire Department, but that is through an agreement with the Eastern Sarpy Suburban Fire Protection District. Residents will be able to run for City offices and vote in local elections and be eligible to be appointed to City boards and commissions that require residency. Residents will also pay lower fees for some recreational programs and be able to get a library card free of charge.

Based upon current property tax rates, residents should experience lower property taxes in the future. The current levy for residents is 2.40401, while the levy for city residents is 2.198227. The difference in the levies would result in a decrease in property taxes of \$205.78 for every \$100,000 of assessed valuation. The change would be in effect for 2019 taxes due in 2020.

Planning Department Recommendation

Based upon the review of the review of the financial audit and fiscal analysis and the City's ability to provide services to the residents of Blackhawk without negatively impacting the City budget, the Planning Department recommends approval of the proposal to annex Sanitary and Improvement District #147, Blackhawk, into the city limits.

Planning Commission Recommendation

APPROVAL based upon the Planning Department's recommendation.

Chris Shewchuk

From: Bossard, Mary <MBossard@nektar.com>
Sent: Friday, January 18, 2019 7:13 PM
To: Chris Shewchuk
Subject: Annex proposal for Blackhawk

You don't maintain Looking glass park and sidewalks by the school. Why on earth would you take on another subdivision? The janitor from the school cleared the sidewalks from the last snowstorm. You didn't mow the park properly last summer either.

Please explain how there is any benefit to the property owners or residents to annexation.

My disabled son in law can't walk the kids to school because the sidewalks are not cleared. He can't walk his service dog behind the house because the sidewalks are not cleared. You don't maintain the current city area—why should I want you to now not maintain even more of the neighborhood?

The SID clears their property—you don't maintain yours properly.

Mary Bossard
Property owner
2918 Courtney Drive

Sent from my iPhone

RECEIVED
JAN 24 2019
PLANNING DEPT.

ORDINANCE NO. 3936

AN ORDINANCE TO ANNEX TO THE CITY OF BELLEVUE, SARPY COUNTY, NEBRASKA, CERTAIN LANDS, LOTS AND REAL ESTATE LYING WITHIN THE BELOW DESCRIBED BOUNDARIES, TO THE CITY OF BELLEVUE, SARPY COUNTY, NEBRASKA, AND DESIGNATING AN EFFECTIVE DATE

WHEREAS, ALL OF THE LOTS, LANDS, AND REAL ESTATE LYING WITHIN THE BOUNDARIES DESCRIBED AS FOLLOWS TO WIT:

LOTS 1 THROUGH 97, BLACKHAWK
LOTS 101 THROUGH 152, BLACKHAWK
LOT 1, WHITFIELD'S BLACKWAWK
LOT 2, OAKHURST REPLAT ONE
AND ALL ABUTTING RIGHTS-OF-WAY

ARE CONTIGUOUS AND ADJACENT TO THE CITY OF BELLEVUE, NEBRASKA, AND ARE URBAN OR SUBURBAN IN CHARACTER, AND

WHEREAS, SAID REAL ESTATE WILL RECEIVE MATERIAL BENEFITS AND ADVANTAGES FROM ANNEXATION TO THE SAID CITY.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF BELLEVUE, NEBRASKA:

Section 1. All of the real estate lying within the area heretofore described be and the same hereby is included within the boundaries and territory of the City of Bellevue, Nebraska, and said lands and the persons residing thereon shall hereafter be subject to all of the rules, regulations, ordinances, taxes, and all other burdens and benefits of other persons and territory included with the City of Bellevue, Nebraska

Section 2. This ordinance shall become effective May 2, 2019 and after its passage, approval, and publication according to law.

ADOPTED by the Mayor and City Council this _____ day of _____, 2019.

APPROVED AS TO FORM:

City Attorney

ATTEST

City Clerk

Mayor

First Reading: _____
Second Reading: _____
Third Reading: _____

13a
2-11-19

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

COUNCIL MEETING DATE:	02-11-19	AGENDA ITEM TYPE:
SUBMITTED BY: Sabrina Ohnmacht, City Clerk	SPECIAL PRESENTATION	<input type="checkbox"/>
	LIQUOR LICENSE	<input type="checkbox"/>
	ORDINANCE	<input type="checkbox"/>
	PUBLIC HEARING	<input checked="" type="checkbox"/>
	RESOLUTION	<input type="checkbox"/>
	CURRENT BUSINESS	<input type="checkbox"/>
	OTHER (SEE CLERK)	<input type="checkbox"/>

SUBJECT:

Request for approval of activities associated with the Nebraska Celtic Festival

SYNOPSIS:

The MAK Throwers are applying for an Event License for the "Nebraska Celtic Festival" to be held April 6 and 7, 2019, from 7:00 a.m. to sunset in ~~American Heroes Park~~.

Haworth Park

FISCAL IMPACT:

Employee time and equipment for closing streets, preparing park and providing security.
\$50 Event License Fee, \$10/day Event Participant Fee for Vendors, if there are any

BUDGETED ITEM: ☐ YES ☐ NO

PROJECT # & TRACKING INFORMATION:

--

RECOMMENDATION:

Approval of the Event.

BACKGROUND:

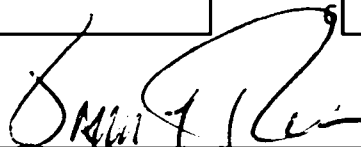
Second Year in Bellevue. Already approved January 14th but are changing location from American Heroes Park to Haworth Park, in case Haworth can't be used Banner Park would be a backup.

ATTACHMENTS:

1	Application	4	
2	Comments from PD, Streets & Parks	5	
3		6	

SIGNATURES:

ADMINISTRATOR APPROVAL:



FINANCE APPROVAL:

n/a

LEGAL APPROVAL:

n/a



CITY OF BELLEVUE

APPLICATION FOR EVENT LICENSE

The undersigned hereby makes application to conduct or operate a carnival, show, temporary amusement park, or music concert in the City of Bellevue, Nebraska, under the provisions of City Code Sections 5-36 thru 5-40, and hereby submits the following facts in support thereof:

Date: 1/31/2019

APPLICANT (Name/Address/Phone #): Josh Haggin
2010 Deer Park Blvd Omaha NE 68108

CORPORATION (Name/Address): Omaha Irish Community Center & Mak Throgers

CORPORATION OFFICERS: Josh Haggin

PROPOSED ACTIVITY: Celtic Festival

DAY/DATE OF PROPOSED ACTIVITY: April 6th 2019

LOCATION OF PROPOSED ACTIVITY: Haworth Park (alternate: Banner Park)

HOURS OF OPERATION: 8am to Sunset

WHAT PROVISIONS, IF APPLICABLE, HAVE BEEN MADE FOR THE FOLLOWING:

1. Sanitary Facilities: Porta Potties have been rented
2. Running Water: _____
3. Power: a 20kw generator will be onsite to provide power
4. Parking: _____
5. Insurance: a copy is already with the City

I guarantee to the City of Bellevue that the premises will be cleaned and inspected following the above listed event on the day(s) indicated and, after inspection by the City, we will meet any additional responsible requests of the City of Bellevue as to the cleaning of the premises. For equal opportunity enjoyment for all individuals, I guarantee that all events will meet the legal requirements outlined in the American with Disabilities Act (ADA) and its amendments to prevent discrimination and enable individuals with disabilities to participate fully in all aspects of the event.

Signature of Applicant: _____

FOR CITY OFFICE USE ONLY:

Notice of Hearing published in a legal newspaper on _____.

City Council hearing date: _____

License Fee of \$50 paid on: _____ Receipt #: _____

Police Department Requests: will meet with sergeant Campman as date
approaches to address any concerns

Parks Department Requests: have the Restrooms opened and prepared

Street Department Requests: NA



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
01/03/2019

PRODUCER East Main Street Insurance Services, Inc. Will Maddux PO Box 1298 Grass Valley, CA 95945 Phone: (530) 477-6521 Email: info@theeventhelper.com	THIS CERTIFICATION IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.												
INSURED MAK throwers Josh Haggin 2010 Deer Park Blvd Omaha, NE 68108	<table border="1"><tr><th>INSURERS AFFORDING COVERAGE</th><th>NAIC #</th></tr><tr><td>INSURER A: Evanston Insurance Company</td><td>35378</td></tr><tr><td>INSURER B:</td><td></td></tr><tr><td>INSURER C:</td><td></td></tr><tr><td>INSURER D:</td><td></td></tr><tr><td>INSURER E:</td><td></td></tr></table>	INSURERS AFFORDING COVERAGE	NAIC #	INSURER A: Evanston Insurance Company	35378	INSURER B:		INSURER C:		INSURER D:		INSURER E:	
INSURERS AFFORDING COVERAGE	NAIC #												
INSURER A: Evanston Insurance Company	35378												
INSURER B:													
INSURER C:													
INSURER D:													
INSURER E:													

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR	ADD'L	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A	Y	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Host Liquor Liability GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/> Retail Liquor Liability	3DS5466-M1552496	04/06/2019 12:01 AM	04/07/2019 12:01 AM	EACH OCCURRENCE INCLUDES BODILY INJURY & PROPERTY DAMAGE \$ 1,000,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 1,000,000 DEDUCTIBLE \$ 1,000 \$
		AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
		GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN EA ACC \$ AUTO ONLY: AGG \$
		EXCESS/UMBRELLA LIABILITY <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE DEDUCTIBLE RETENTION \$				EACH OCCURRENCE \$ AGGREGATE \$ \$ \$ \$
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below OTHER				WC STATU-TORY LIMITS <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

Certificate holder listed below is named as additional insured per attached CG 20 26 07 04.
Attendance: 1000, Event Type: Festival & Cultural Event - Outdoor.
Waiver of Subrogation applies per attached MEGL 0241-01 05 16.
Primary/Non-Contributory wording applies per attached CG 20 01 04 13.

CERTIFICATE HOLDER

City of Bellevue
1500 Wall St
Bellevue, NE 68005

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ~~ENDAVOR TO MAIL~~ 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, ~~BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.~~

AUTHORIZED REPRESENTATIVE

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

**ADDITIONAL INSURED – DESIGNATED
PERSON OR ORGANIZATION**

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name Of Additional Insured Person(s) Or Organization(s)
City of Bellevue 1500 Wall St Bellevue, NE 68005
Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

Section II – Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

- A.** In the performance of your ongoing operations; or
- B.** In connection with your premises owned by or rented to you.



EVANSTON INSURANCE COMPANY

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

**BLANKET WAIVER OF TRANSFER OF RIGHTS OF RECOVERY
AGAINST OTHERS TO US**

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE FORM

SCHEDULE

<p>Name Of Person Or Organization:</p> <p>City of Bellevue 1500 Wall St Bellevue, NE 68005</p> <p>Additional Premium: \$ See Cert</p>
--

The following is added to Condition **8**. Transfer Of Rights Of Recovery Against Others To Us under Section **IV** – Commercial General Liability Conditions:

We waive any right of recovery we may have against any person or organization shown in the Schedule of this endorsement. This waiver applies only to the person or organization shown in the Schedule of this endorsement.

All other terms and conditions remain unchanged.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

PRIMARY AND NONCONTRIBUTORY – OTHER INSURANCE CONDITION

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART
PRODUCTS/COMPLETED OPERATIONS LIABILITY COVERAGE PART

The following is added to the **Other Insurance** Condition and supersedes any provision to the contrary:

Primary And Noncontributory Insurance

This insurance is primary to and will not seek contribution from any other insurance available to an additional insured under your policy provided that:

- (1) The additional insured is a Named Insured under such other insurance; and

- (2) You have agreed in writing in a contract or agreement that this insurance would be primary and would not seek contribution from any other insurance available to the additional insured.

Sabrina Ohnmacht

From: Larry Lampman
Sent: Tuesday, January 08, 2019 11:49 AM
To: Brian Madison
Cc: Sabrina Ohnmacht; Rob Bailey; Mark Elbert; Bobby Riggs
Subject: Re: NE Celtic Festival Review

No issues from my end. This event had police officers for a short time last year but it was determined that we were not needed. 1-2 Officer will be assigned and will evaluate needs the day of operation.

Larry

Sent from my iPhone

On Jan 8, 2019, at 11:33 AM, Brian Madison <brian.madison@bellevue.net> wrote:

Looks good from a parks Department view. The only question I have is the following: They ask to open restrooms but we don't have any restrooms located at AHP. They do say they will be renting port-a-potty's though so is one or the other?

Thanks,
Brian

From: Sabrina Ohnmacht <sabrina.ohnmacht@bellevue.net>
Sent: Tuesday, January 8, 2019 10:11 AM
To: Brian Madison <brian.madison@bellevue.net>; Rob Bailey <Rob.Bailey@bellevue.net>; Larry Lampman <Larry.Lampman@bellevue.net>; Mark Elbert <Mark.Elbert@bellevue.net>; Bobby Riggs <Bobby.Riggs@bellevue.net>
Subject: NE Celtic Festival Review

Pleas give any feedback by 2:00 tomorrow.

Thank you!

Sabrina Ohnmacht, CMC
City Clerk

City of Bellevue
1500 Wall Street
Bellevue, NE 68005
Phone 402.293.3007
Fax 402.293.3068
sabrina.ohnmacht@bellevue.net
please note new street address

Sabrina Ohnmacht

From: Rob Bailey
Sent: Tuesday, January 08, 2019 11:07 AM
To: Sabrina Ohnmacht
Subject: RE: NE Celtic Festival Review

Looks good

From: Sabrina Ohnmacht
Sent: Tuesday, January 8, 2019 10:11 AM
To: Brian Madison <brian.madison@bellevue.net>; Rob Bailey <Rob.Bailey@bellevue.net>; Larry Lampman <Larry.Lampman@bellevue.net>; Mark Elbert <Mark.Elbert@bellevue.net>; Bobby Riggs <Bobby.Riggs@bellevue.net>
Subject: NE Celtic Festival Review

Pleas give any feedback by 2:00 tomorrow.

Thank you!

Sabrina Ohnmacht, CMC
City Clerk

City of Bellevue
1500 Wall Street
Bellevue, NE 68005
Phone 402.293.3007
Fax 402.293.3068
sabrina.ohnmacht@bellevue.net
*****please note new street address*****

Sabrina Ohnmacht

From: Bobby Riggs
Sent: Tuesday, January 08, 2019 10:23 AM
To: Sabrina Ohnmacht
Subject: RE: NE Celtic Festival Review

Thanks
Streets – no conflicts/issues with proposal.

Bobby Riggs
Street Superintendent
City of Bellevue
Office: (402) 293-3126
Fax: (402) 293-3077
E-mail: Bobby.Riggs@bellevue.net

From: Sabrina Ohnmacht
Sent: Tuesday, January 08, 2019 10:11 AM
To: Brian Madison; Rob Bailey; Larry Lampman; Mark Elbert; Bobby Riggs
Subject: NE Celtic Festival Review

Pleas give any feedback by 2:00 tomorrow.

Thank you!

Sabrina Ohnmacht, CMC
City Clerk

City of Bellevue
1500 Wall Street
Bellevue, NE 68005
Phone 402.293.3007
Fax 402.293.3068
sabrina.ohnmacht@bellevue.net
****please note new street address****

Susan Kluthe

From: Brian Madison
Sent: Tuesday, February 05, 2019 7:06 AM
To: Susan Kluthe; Larry Lampman; Bobby Riggs
Subject: RE: MAK - New Application due to change in location

Looks good for Parks!!

Thanks,
Brian

From: Susan Kluthe <Susan.Kluthe@bellevue.net>
Sent: Monday, February 4, 2019 11:03 AM
To: Larry Lampman <Larry.Lampman@bellevue.net>; Bobby Riggs <Bobby.Riggs@bellevue.net>; Brian Madison <brian.madison@bellevue.net>
Subject: MAK - New Application due to change in location

This one we had approved but had to redo since they will not be able to use American Heroes Park for their event.

Thanks!

Susan Kluthe
Deputy City Clerk
City of Bellevue
1500 Wall Street
Bellevue, NE 68005
402.293.3165
susan.kluthe@bellevue.net

From: clerkcolorcopier@bellevue.net <clerkcolorcopier@bellevue.net>
Sent: Monday, February 04, 2019 11:00 AM
To: Susan Kluthe <Susan.Kluthe@bellevue.net>
Subject: Attached Image

Susan Kluthe

From: Larry Lampman
Sent: Wednesday, February 06, 2019 5:56 AM
To: Susan Kluthe; Bobby Riggs; Brian Madison
Cc: Dave Stukenholtz
Subject: Re: MAK - New Application due to change in location

No issues on our end. I will meet Mr. Haggin as the event gets closer to address any issues.

Thanks,
Larry

Sergeant Larry Lampman

Special Services Unit
larry.lampman@bellevue.net
Bellevue Police Department
1510 Wall St
Bellevue, Ne 68005
Office-402-682-6628
Cell-402-637-5856

From: Susan Kluthe
Sent: Monday, February 4, 2019 11:03:12 AM
To: Larry Lampman; Bobby Riggs; Brian Madison
Subject: MAK - New Application due to change in location

This one we had approved but had to redo since they will not be able to use American Heroes Park for their event.

Thanks!

Susan Kluthe
Deputy City Clerk
City of Bellevue
1500 Wall Street
Bellevue, NE 68005

402.293.3165
susan.kluthe@bellevue.net

From: clerkcolorcopier@bellevue.net <clerkcolorcopier@bellevue.net>
Sent: Monday, February 04, 2019 11:00 AM
To: Susan Kluthe <Susan.Kluthe@bellevue.net>
Subject: Attached Image

136
2-11-19

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

COUNCIL MEETING DATE:	02.11.19	AGENDA ITEM TYPE:
		SPECIAL PRESENTATION <input type="checkbox"/>
		LIQUOR LICENSE <input type="checkbox"/>
		ORDINANCE <input type="checkbox"/>
		PUBLIC HEARING <input checked="" type="checkbox"/>
		RESOLUTION <input type="checkbox"/>
		CURRENT BUSINESS <input type="checkbox"/>
		OTHER (SEE CLERK) <input type="checkbox"/>

SUBJECT:

P/H: Event License Application -Aim High Events having a Half Marathon, 15k run on April 27, 2019, in Haworth Park from 7:00 a.m. to 11:00 a.m.

SYNOPSIS:

Aim High Events is hosting a Half-Marthon and 15k run on Saturday, April 27, 2019 in Haworth Park from 7:00 a.m. to 11:00 a.m.

FISCAL IMPACT:

\$50 Event License Fee

BUDGETED ITEM: ☐ YES ☒ NO

PROJECT # & TRACKING INFORMATION:

RECOMMENDATION:

Approval of the Event.

BACKGROUND:

Aim High Events is hosting this event. The organizer of the event has met with Sgt. Larry Lampman on working out all the details for the run.

ATTACHMENTS:

1	Application	4	
2	Comments from PD, Streets & Parks	5	
3		6	

SIGNATURES:

ADMINISTRATOR APPROVAL:

FINANCE APPROVAL:

LEGAL APPROVAL:



CITY OF BELLEVUE

APPLICATION FOR EVENT LICENSE

The undersigned hereby makes application to conduct or operate a carnival, show, temporary amusement park, or music concert in the City of Bellevue, Nebraska, under the provisions of City Code Sections 5-36 thru 5-40, and hereby submits the following facts in support thereof:

Date: 1/15/19

APPLICANT (Name/Address/Phone #): Joe Ramos / 13807 Clearwater dr papillion NE 68133
402-297-6670

CORPORATION (Name/Address): Aim High Events

CORPORATION OFFICERS: Joe Ramos

PROPOSED ACTIVITY: Half Marathon / 5k

DAY/DATE OF PROPOSED ACTIVITY: April 27 2019 7:00am

LOCATION OF PROPOSED ACTIVITY: Haworth Park

HOURS OF OPERATION: 7-11am

WHAT PROVISIONS, IF APPLICABLE, HAVE BEEN MADE FOR THE FOLLOWING:

1. Sanitary Facilities: No, we will provide
2. Running Water: No
3. Power: No
4. Parking: Haworth Park
5. Insurance: Will provide

Please address any specific requests of the Police/Parks/Streets Departments on the 2nd page.

I guarantee to the City of Bellevue that the premises will be cleaned and inspected following the above listed event on the day(s) indicated and, after inspection by the City, we will meet any additional responsible requests of the City of Bellevue as to the cleaning of the premises. For equal opportunity enjoyment for all individuals, I guarantee that all events will meet the legal requirements outlined in the American with Disabilities Act (ADA) and its amendments to prevent discrimination and enable individuals with disabilities to participate fully in all aspects of the event.

Signature of Applicant: [Signature]

FOR CITY OFFICE USE ONLY:

Notice of Hearing published in a legal newspaper on _____.

City Council hearing date: _____

License Fee of \$50 paid on: _____ Receipt #: _____

Police Department Requests: Worked out with Sgt Lampman

Parks Department Requests: Sgt Lampman working out

Street Department Requests: Sgt Lampman working out

Susan Kluthe

From: Bobby Riggs
Sent: Monday, February 04, 2019 9:59 AM
To: Susan Kluthe; Larry Lampman; Brian Madison
Subject: Re: Aim High Events

No issues.

Will continue to work with event applicant and PD to coordinate on route barricade needs

----- Original message -----

From: Susan Kluthe <Susan.Kluthe@bellevue.net>
Date: 2/4/19 9:55 AM (GMT-06:00)
To: Larry Lampman <Larry.Lampman@bellevue.net>, Bobby Riggs <Bobby.Riggs@bellevue.net>, Brian Madison <brian.madison@bellevue.net>
Subject: Aim High Events

Please review and make comment to the event.

Thanks!

Susan Kluthe
Deputy City Clerk
City of Bellevue
1500 Wall Street
Bellevue, NE 68005
402.293.3165
susan.kluthe@bellevue.net

From: clerkcolorcopier@bellevue.net <clerkcolorcopier@bellevue.net>
Sent: Monday, February 04, 2019 9:38 AM
To: Susan Kluthe <Susan.Kluthe@bellevue.net>
Subject: Attached Image

Susan Kluthe

From: Brian Madison
Sent: Tuesday, February 05, 2019 7:09 AM
To: Susan Kluthe; Larry Lampman; Bobby Riggs
Subject: RE: Aim High Events

No issues from Parks.

Brian

From: Susan Kluthe <Susan.Kluthe@bellevue.net>
Sent: Monday, February 4, 2019 9:55 AM
To: Larry Lampman <Larry.Lampman@bellevue.net>; Bobby Riggs <Bobby.Riggs@bellevue.net>; Brian Madison <brian.madison@bellevue.net>
Subject: Aim High Events

Please review and make comment to the event.

Thanks!

Susan Kluthe
Deputy City Clerk
City of Bellevue
1500 Wall Street
Bellevue, NE 68005
402.293.3165
susan.kluthe@bellevue.net

From: clerkcolorcopier@bellevue.net <clerkcolorcopier@bellevue.net>
Sent: Monday, February 04, 2019 9:38 AM
To: Susan Kluthe <Susan.Kluthe@bellevue.net>
Subject: Attached Image

Susan Kluthe

From: Larry Lampman
Sent: Wednesday, February 06, 2019 6:07 AM
To: Susan Kluthe; Bobby Riggs; Brian Madison
Cc: Dave Stukenholtz
Subject: Re: Aim High Events

I've met with the organizers and have no issues with the route. I will be requesting barricades for temporary road closures and detours during the event.

Thanks,
Larry

Sergeant Larry Lampman

Special Services Unit
larry.lampman@bellevue.net
Bellevue Police Department
1510 Wall St
Bellevue, Ne 68005
Office-402-682-6628
Cell-402-637-5856

From: Susan Kluthe
Sent: Monday, February 4, 2019 9:55:12 AM
To: Larry Lampman; Bobby Riggs; Brian Madison
Subject: Aim High Events

Please review and make comment to the event.

Thanks!

Susan Kluthe
Deputy City Clerk
City of Bellevue
1500 Wall Street
Bellevue, NE 68005

402.293.3165
susan.kluthe@bellevue.net

From: clerkcolorcopier@bellevue.net <clerkcolorcopier@bellevue.net>
Sent: Monday, February 04, 2019 9:38 AM
To: Susan Kluthe <Susan.Kluthe@bellevue.net>
Subject: Attached Image

13c
2-11-19

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

COUNCIL MEETING DATE:	02-11-19	AGENDA ITEM TYPE:
		SPECIAL PRESENTATION <input type="checkbox"/>
		LIQUOR LICENSE <input type="checkbox"/>
		ORDINANCE <input type="checkbox"/>
		PUBLIC HEARING <input checked="" type="checkbox"/>
		RESOLUTION <input type="checkbox"/>
		CURRENT BUSINESS <input type="checkbox"/>
		OTHER (SEE CLERK) <input type="checkbox"/>

SUBJECT:

P/H: Event License Application - Freedom Running Company for a Half Marathon, 10k, 5k, and Walk/Run/Ruck

SYNOPSIS:

The Freedom Running Company is hosting a 5k, 10k, and Half Marathon, raising funds for the "War on Terror Memorial" on May 18, 2019, using American Heroes Park and City Streets from 4:00 a.m. to 12:00 p.m.

FISCAL IMPACT:

\$50 Event License Fee

BUDGETED ITEM: ☐ YES ☒ NO

PROJECT # & TRACKING INFORMATION:

RECOMMENDATION:

Approval of the Event.

BACKGROUND:

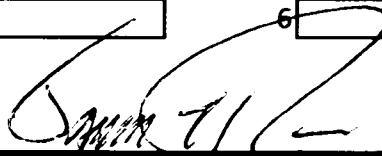
Freedom Running Company is sponsoring this event. Profits being donated to The War on Terror Memorial in American Hero's Park. A small portion of Mission Ave. will be blocked off from approx. 6 a.m. to 11:00 a.m. for runners.

ATTACHMENTS:

1	Application	4	
2	Comments from PD, Streets & Parks	5	
3		6	

SIGNATURES:

ADMINISTRATOR APPROVAL:



FINANCE APPROVAL:

n/a

LEGAL APPROVAL:

n/a



CITY OF BELLEVUE

APPLICATION FOR EVENT LICENSE

The undersigned hereby makes application to conduct or operate a carnival, show, temporary amusement park, or music concert in the City of Bellevue, Nebraska, under the provisions of City Code Sections 5-36 thru 5-40, and hereby submits the following facts in support thereof:

Date: 12/31/18

APPLICANT (Name/Address/Phone #): Jayne Ramos
12217 S 28th St. Bellevue NE 68123

CORPORATION (Name/Address): Freedom Running Co. LLC
402 297 5547

CORPORATION OFFICERS: Jayne Ramos

PROPOSED ACTIVITY: 5K/10K/Half Marathon raising funds for the

DAY/DATE OF PROPOSED ACTIVITY: May 18, 2019 "War on Terror Memorial"

LOCATION OF PROPOSED ACTIVITY: Picture Attached.

HOURS OF OPERATION: 4am - 12:00 noon (or less)

WHAT PROVISIONS, IF APPLICABLE, HAVE BEEN MADE FOR THE FOLLOWING:

1. Sanitary Facilities: Porta-Potty (ies) Porta-John

2. Running Water: X

3. Power: X

4. Parking: X

5. Insurance: American Life 2mil. policy (one approved for event - will provide.)

(Please provide Certificate of Insurance Naming City of Bellevue as Additional Insured)

I guarantee to the City of Bellevue that the premises will be cleaned and inspected following the above listed event on the day(s) indicated and, after inspection by the City, we will meet any additional responsible requests of the City of Bellevue as to the cleaning of the premises. For equal opportunity enjoyment for all individuals, I guarantee that all events will meet the legal requirements outlined in the American with Disabilities Act (ADA) and its amendments to prevent discrimination and enable individuals with disabilities to participate fully in all aspects of the event.

Signature of Applicant: Jayne Ramos

FOR CITY OFFICE USE ONLY:

Notice of Hearing published in a legal newspaper on _____.

City Council hearing date: _____

License Fee of \$50 paid on: _____ Receipt #: _____

Police Department Requests:

close one lane down of Mission Ave.
from approx (6am - 11:00 am)

Parks Department Requests:

Street Department Requests:

can discuss further details.

12/31/2018

Mem

Memorial March 2019

Jerry Ryan Plaza cul de sac to Mission Ave

Mission Ave to Lincoln Rd (5K turn-around at Mission Ave and Crawford St)

Lincoln Rd to Nelson Dr (Bellevue Gate)

Nelson Dr to SAC Blvd (via Legal building parking lot) (10K turn-around at SAC Blvd and Peacekeeper Dr)

SAC Blvd to Custer Dr (west side of parade field foot path)

Custer Dr to Lincoln Hwy (south end of parade field foot path, past the battlefield cross)

Lincoln Hwy to NCO Row (via NW/SE shortcut)

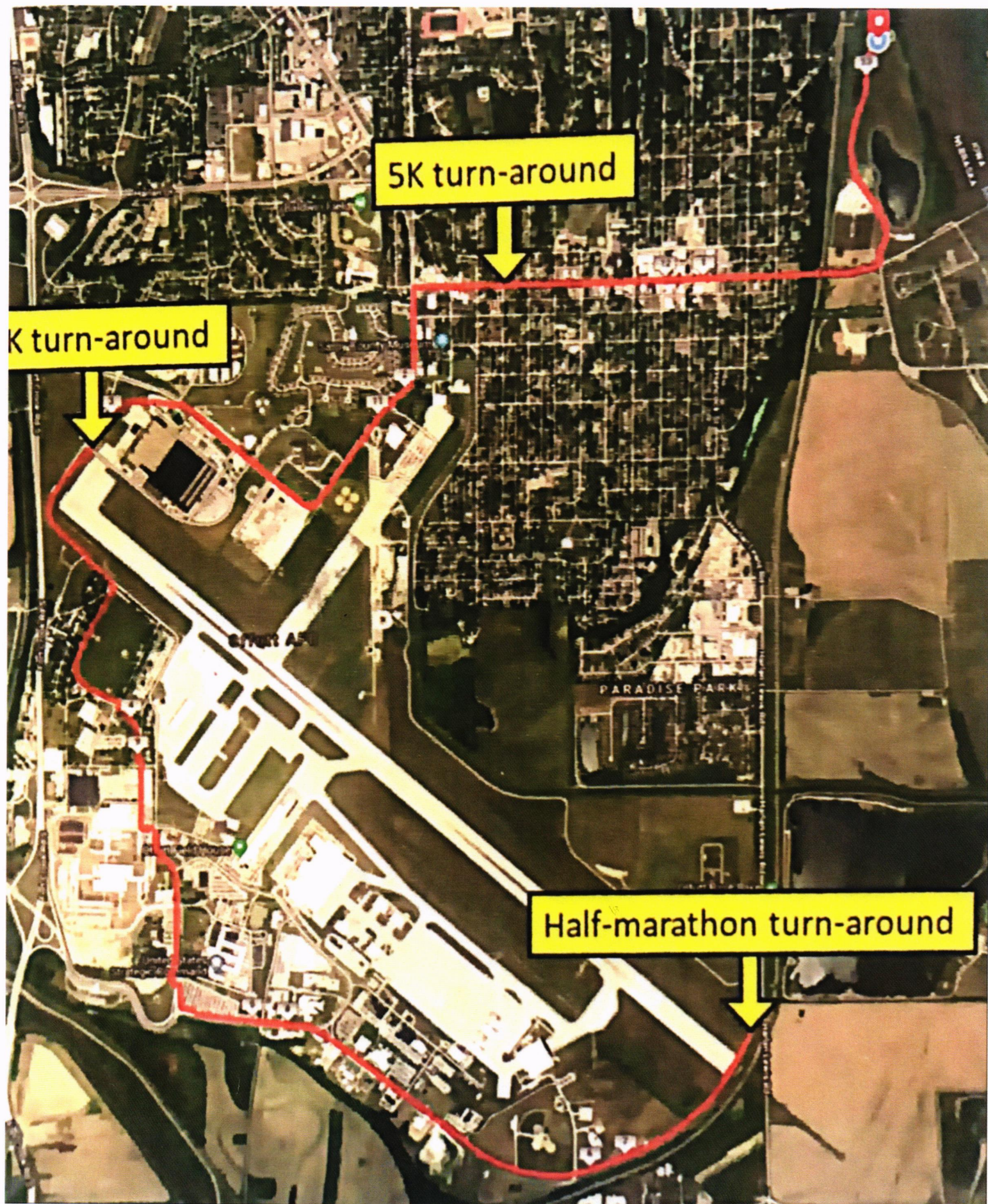
NCO Row to Garland St (cross Grants Pass, along commissary east parking lot)

Garland St to SAC Blvd

SAC Blvd to Butler Blvd (cross SAC Blvd, through STRATCOM south parking lot)

Butler Blvd to East Gate (half-marathon turn-around)





- **What**: Memorial March 2019 – 5K/10K/Half-Marathon – Walk/Run/Ruck.
- **When**: May 18th (May 11th is the Bellevue Chamber of Commerce "Runway Run", and May 25th is Bellevue East/West graduation)
- **Where**: Take a look at the attached picture
- Closing Mission Ave – We need BPD to support, and I think they're planning their 2019 schedule now. Mission Ave is three lanes wide... we should be able to close just one lane.
- Volunteers: AHP Volunteers, Offutt AFB, VFW Posts, Kiwanis Club of Bellevue, Guitars for Vets, Team RWB, For One For All, my GORUCK club.
- Vendors at the event. Guitars for Vets, Team RWB, For One For All, military recruiters, Offutt organizations.
- Base coordination –Security Forces, Safety, Flight Line Operations, Medical, Public Affairs, etc

Stretch

8/11

crunches

burpees

5 min

Susan Kluthe

From: Bobby Riggs
Sent: Monday, February 04, 2019 10:01 AM
To: Susan Kluthe; Larry Lampman; Brian Madison
Subject: Re: Freedom Running Company

No foreseen issues.

Will coordinate with PD and event sponsor for route barricading needs as date nears

----- Original message -----

From: Susan Kluthe <Susan.Kluthe@bellevue.net>
Date: 2/4/19 9:58 AM (GMT-06:00)
To: Larry Lampman <Larry.Lampman@bellevue.net>, Brian Madison <brian.madison@bellevue.net>, Bobby Riggs <Bobby.Riggs@bellevue.net>
Subject: Freedom Running Company

Please review and make comment to event.

Thanks!

Susan Kluthe
Deputy City Clerk
City of Bellevue
1500 Wall Street
Bellevue, NE 68005
402.293.3165
susan.kluthe@bellevue.net

From: clerkcolorcopier@bellevue.net <clerkcolorcopier@bellevue.net>
Sent: Monday, February 04, 2019 9:55 AM
To: Susan Kluthe <Susan.Kluthe@bellevue.net>
Subject: Attached Image

Susan Kluthe

From: Brian Madison
Sent: Tuesday, February 05, 2019 7:08 AM
To: Susan Kluthe; Larry Lampman; Bobby Riggs
Subject: RE: Freedom Running Company

No issues on our side.

Brian

From: Susan Kluthe <Susan.Kluthe@bellevue.net>
Sent: Monday, February 4, 2019 9:58 AM
To: Larry Lampman <Larry.Lampman@bellevue.net>; Brian Madison <brian.madison@bellevue.net>; Bobby Riggs <Bobby.Riggs@bellevue.net>
Subject: Freedom Running Company

Please review and make comment to event.

Thanks!

Susan Kluthe
Deputy City Clerk
City of Bellevue
1500 Wall Street
Bellevue, NE 68005
402.293.3165
susan.kluthe@bellevue.net

From: clerkcolorcopier@bellevue.net <clerkcolorcopier@bellevue.net>
Sent: Monday, February 04, 2019 9:55 AM
To: Susan Kluthe <Susan.Kluthe@bellevue.net>
Subject: Attached Image

Susan Kluthe

From: Larry Lampman
Sent: Wednesday, February 06, 2019 6:11 AM
To: Susan Kluthe; Brian Madison; Bobby Riggs
Cc: Dave Stukenholtz
Subject: Re: Freedom Running Company

I've met with the organizers of this event as well. The map is not completely accurate due to changes made for traffic control purposes. I will be requesting barricades and detour signs as we get closer to the event.

Thanks,
Larry

Sergeant Larry Lampman

Special Services Unit
larry.lampman@bellevue.net
Bellevue Police Department
1510 Wall St
Bellevue, Ne 68005
Office-402-682-6628
Cell-402-637-5856

From: Susan Kluthe
Sent: Monday, February 4, 2019 9:58:29 AM
To: Larry Lampman; Brian Madison; Bobby Riggs
Subject: Freedom Running Company

Please review and make comment to event.

Thanks!

Susan Kluthe
Deputy City Clerk
City of Bellevue
1500 Wall Street
Bellevue, NE 68005
402.293.3165
susan.kluthe@bellevue.net

From: clerkcolorcopier@bellevue.net <clerkcolorcopier@bellevue.net>
Sent: Monday, February 04, 2019 9:55 AM
To: Susan Kluthe <Susan.Kluthe@bellevue.net>
Subject: Attached Image

Susan Kluthe

From: Larry Lampman
Sent: Wednesday, February 06, 2019 9:22 AM
To: Susan Kluthe
Subject: Re: Freedom Running Company

Good morning,

For the record, the runners will run west on Mission Ave. to Calhoun Street. South on Calhoun St. to 24th street. 24th street to Lincoln Ave. Lincoln Ave. south on to base through the Bellevue gate. The return route for the 10K is the same roads as listed.

Thanks,
Larry

Sergeant Larry Lampman

Special Services Unit
larry.lampman@bellevue.net
Bellevue Police Department
1510 Wall St
Bellevue, Ne 68005
Office-402-682-6628
Cell-402-637-5856

From: Susan Kluthe
Sent: Monday, February 4, 2019 9:58:29 AM
To: Larry Lampman; Brian Madison; Bobby Riggs
Subject: Freedom Running Company

Please review and make comment to event.

Thanks!

Susan Kluthe
Deputy City Clerk
City of Bellevue
1500 Wall Street
Bellevue, NE 68005
402.293.3165
susan.kluthe@bellevue.net

From: clerkcolorcopier@bellevue.net <clerkcolorcopier@bellevue.net>
Sent: Monday, February 04, 2019 9:55 AM
To: Susan Kluthe <Susan.Kluthe@bellevue.net>
Subject: Attached Image

13d
2-11-19

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

COUNCIL MEETING DATE:	02-01-19	AGENDA ITEM TYPE:	
SUBMITTED BY: Sabrina Ohnmacht, City Clerk		SPECIAL PRESENTATION	<input type="checkbox"/>
		LIQUOR LICENSE	<input type="checkbox"/>
		ORDINANCE	<input type="checkbox"/>
		PUBLIC HEARING	<input checked="" type="checkbox"/>
		RESOLUTION	<input type="checkbox"/>
		CURRENT BUSINESS	<input type="checkbox"/>
		OTHER (SEE CLERK)	<input type="checkbox"/>

SUBJECT:

Application for an Event License for Riverfest, June 28th & 29th, 2019

SYNOPSIS:

Bellevue Economic Enhancement Foundation, in partnership with the Bellevue Chamber of Commerce -- Application for an Event License for Riverfest on June 28th from 4:00 p.m. to 1:00 a.m. and June 29th from 6:00 a.m. to 1:00 a.m.

FISCAL IMPACT:

\$50 for the Event License

BUDGETED ITEM: ☐ YES ☐ NO

PROJECT # & TRACKING INFORMATION:

--

RECOMMENDATION:

--

BACKGROUND:

This is for the annual Riverfest Event.

ATTACHMENTS:

1	Application for Event License	4	
2		5	
3		6	

SIGNATURES:

ADMINISTRATOR APPROVAL:

FINANCE APPROVAL:

LEGAL APPROVAL:


n/a

n/a



CITY OF BELLEVUE

APPLICATION FOR EVENT LICENSE

The undersigned hereby makes application to conduct or operate a carnival, show, temporary amusement park, or music concert in the City of Bellevue, Nebraska, under the provisions of City Code Sections 5-36 thru 5-40, and hereby submits the following facts in support thereof:

Date: JAN 31, 2019

APPLICANT (Name/Address/Phone #): DUANE SAFARIK, President/CEO, Bellevue Economic Enhancement Foundation in Partnership with Bellevue Chamber of Commerce
1036 BRVIN BLVD, Bellevue, NE 68005

CORPORATION (Name/Address): Bellevue Economic Enhancement Foundation in partnership with Bellevue Chamber of Commerce, 1036 BRVIN BLVD, Bellevue, NE 68005

CORPORATION OFFICERS: AMANDA ANDREWS - Chair; RALPH GLADBACH Chair Elect; TIM PROKSEL PAST Chair; AMANDA GLAZEBROOK; SHELLEY WACHTER TOWN DEPT

PROPOSED ACTIVITY: Community Festival to include BUT not limited to live music, fireworks, CARNIVAL, Vendor Village, (Food/Crafts) BBQ Competition, SKRUB, CAR SHOW, Beer Garden, helicopter rides, and Commercial Sponsor Activities

DAY/DATE OF PROPOSED ACTIVITY: Friday June 28 4:00 pm - 1 pm; Saturday June 29 6:00 am - 1:00 am

LOCATION OF PROPOSED ACTIVITY: AMERICAN HERAS PARK - RIVERFEST, HAWORTH PARK - BBQ Hwy 370 & Payne Dr.

HOURS OF OPERATION: Friday June 28 4pm - 1am / Saturday June 29th 6:00am - 1am

WHAT PROVISIONS, IF APPLICABLE, HAVE BEEN MADE FOR THE FOLLOWING:

1. Sanitary Facilities: A-1 Relief (both handicap & Regular Units) On-Site Restrooms
2. Running Water: _____
3. Power: On SITE and Portable Generators, NMC, BFD, Weitz and Kiewit
4. Parking: on SITE with Assistance of Bellevue Police Dept
5. Insurance: Special Events Policy with City, private Sector INS. per Vendor, Fireworks Vendor Insurance, liquor Liability Insurance, Additional Insurance designation on Rental Contracts
(Please provide Certificate of Insurance Naming City of Bellevue as Additional Insured)

I guarantee to the City of Bellevue that the premises will be cleaned and inspected following the above listed event on the day(s) indicated and, after inspection by the City, we will meet any additional responsible requests of the City of Bellevue as to the cleaning of the premises. For equal opportunity enjoyment for all individuals, I guarantee that all events will meet the legal requirements outlined in the American with Disabilities Act (ADA) and its amendments to prevent discrimination and enable individuals with disabilities to participate fully in all aspects of the event.

Signature of Applicant: _____

1-31-2019

FOR CITY OFFICE USE ONLY:

Notice of Hearing published in a legal newspaper on _____.

City Council hearing date: _____

License Fee of \$50 paid on: _____

Receipt #: _____

Police Department Recommendations: _____

Parks Department Recommendations: Camping Grounds June 26, 2019 → June 30, 2019

Street Department Recommendations: _____

AMERICAN FAMILY MUTUAL INSURANCE COMPANY, S.I.

MADISON, WISCONSIN 53783-0001

COMMERCIAL LIABILITY UMBRELLA POLICY

DECLARATIONS

POLICY NUMBER
26X5274402

CUSTOMER BILLING ACCOUNT
020-062-811 59

NAMED BELLEVUE CHAMBER OF COMMERCE INCORPORATED
INSURED

MAILING 1102 GALVIN RD S
ADDRESS BELLEVUE, NE 68005-3001

POLICY PERIOD FROM 10-17-2018 TO 10-17-2019
12:01 A.M. Standard Time at your mailing address shown above.

FORM OF BUSINESS CORPORATION

LIMITS OF INSURANCE

AGGREGATE LIMIT	\$1,000,000
EACH OCCURRENCE LIMIT	\$1,000,000
PERSONAL AND ADVERTISING INJURY LIMIT	\$1,000,000
SELF INSURED RETENTION	\$10,000

SCHEDULE OF UNDERLYING INSURANCE

UNDERLYING INSURANCE - BUSINESS KEY - (COMMERCIAL GENERAL LIABILITY COVERAGE PART)	LIMIT OF INSURANCE
GENERAL AGGREGATE LIMIT (OTHER THAN PRODUCTS - COMPLETED OPERATIONS)	\$2,000,000
PRODUCTS - COMPLETED OPERATIONS AGGREGATE LIMIT	\$2,000,000
PERSONAL & ADVERTISING INJURY LIMIT	\$1,000,000
EACH OCCURRENCE LIMIT	\$1,000,000

UNDERLYING INSURANCE - AUTOMOBILE LIABILITY	LIMIT OF INSURANCE
HIRED & NON OWNED AUTO LIABILITY	\$1,000,000

TOTAL ADVANCE PREMIUM

Forms and endorsements applying to and made part of this policy at time of issue:

CU 00 00 05 17	CU 00 01 12 07	CU 00 04 05 09	CU 02 08 09 00	CU 21 12 09 00
CU 21 18 09 00	CU 21 23 02 02	CU 21 27 12 04	CU 21 35 01 15	CU 21 42 12 04
CU 21 50 03 05	CU 21 52 12 05	CU 21 56 06 06	CU 21 86 05 14	CU 71 01 10 01
CU 71 02 07 10	CU 71 03 11 05	CU 71 06 10 01	CU 71 08 10 01	CU 73 01 12 04
IL 00 17 11 98	IL 09 85 01 15	IL 75 40 03 16		

AUTHORIZED
REPRESENTATIVE

Jack Selander
President

PEC
Secretary

COUNTERSIGNED
LICENSED RESIDENT AGENT

AGENT 043-276
CASTLE & ASSOCIATES, INC
2348 CORNHUSKER RD
BELLEVUE, NE 68123-2410

PHONE
402-291-8767

PAGE 01
BRANCH CNM002 RENW
ENTRY DATE 08-02-2018

CU AF 01 05 17

INSURED

Stock No. 13284

LOCATION RELEASE

For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Owner (as listed below) hereby grants permission to **Pink Sneakers Productions, LLC** and its parent, subsidiaries, licensees, successors, designees, and assigns (collectively, "Producer") to use in connection with the production of the **Scripps Networks, LLC** program tentatively entitled "**Food Festival Specials**" ("Program"), and as necessary during any extension, reshooting, or preparation of publicity or promotion thereof, the premises situated at and more particularly described below (collectively, the "Premises"):

Haworth Park located at 2502 Payne Drive Bellevue, NE 68005 from July 20, 2017 through July 23, 2017

Owner agrees that Producer shall have the right to enter upon the Premises to create and capture audiovisual, audio-only, visual-only, and literary works, including the production of video and/or audio tapes, photographs, films, and/or recordings of, and on, the Location (the "Content") by any method of recording and to incorporate in the Content exteriors and interiors of any structures, real, intellectual, or personal property, and signs on or in the Premises (collectively, the "Structures"), as well as any names, logos, and verbiage contained on or in such Structures, and the right to refer to the Premises by its legal or commonly recognized name and address. Owner grants Producer the right to enter and exit, and to place and remove all necessary facilities and equipment on, the Premises. Producer shall have the right re-enter the Premises on additional dates as necessary during any preparation of publicity, extension, or reshooting for the Program. Owner agrees that no consideration shall be due to Owner for the use of the Premises or the execution of this Location Release, and Producer shall not be obligated to pay Owner or any third party any consideration whatsoever, regardless of the time or method of any use of the Content.

Owner agrees that Producer, or Producer's agents and assigns, shall forever own all rights, including copyright, in the Content and the results and proceeds of such Content, and shall have the irrevocable right to use, and license others to use and sublicense, the Content in whole or in part, an unlimited number of times, in all languages, in all media whether now known or hereafter devised, anywhere in the Universe in connection with all forms of exploitation, including advertising, sale, promotion, marketing, merchandising, and distribution of the Program, related products, other programs and services. Producer shall have the right to edit the Content in any manner or form, and Owner waives any right to inspect or approve of any use of the Content, including droit moral rights, if any.

Owner hereby releases, discharges, and holds harmless Producer from all claims, demands, or causes of action that Owner may have, including without limitation, claims based upon defamation, commercial disparagement, invasion of privacy, trespass, or any other claims arising from the creation of or use of the Content. Producer agrees to hold harmless and indemnify Owner from all claims, demands, or causes of action based upon personal injuries, death, or physical property damage (other than normal wear and tear) resulting directly from Producer's gross negligence in connection with Producer's use of the Premises. Owner recognizes the obligation to inform Producer of any inherently dangerous conditions on Premises.

Owner represents and warrants that Owner is the sole owner (or Owner's authorized representative) or the sole lessee (or lessee's authorized representative) of the Premises and the consent of no other person or entity is necessary to grant the rights hereunder. Owner recognizes that Producer is relying on Owner's representations and warranties and the rights granted by Owner in this Location Release, and Owner's breach thereof would cause Producer irreparable injury and damage that cannot be reasonably or adequately compensated by damages in an action at law; therefore, Owner hereby expressly agrees that Producer shall be entitled to injunctive and other equitable relief to prevent and/or cure any breach or threatened breach of this Location Release by Owner. Owner waives the right to revoke, and any right to injunctive or other equitable relief, which Owner may have in connection with this Location Release.

All provisions hereof concerning the Content, the Program, and the potential inclusion of the Premises in the Program shall be kept strictly confidential by Owner and Owner's representatives. Neither Owner nor Owner's representatives shall issue any press releases or public statements about this Location Release, the Program and/or Producer without Producer's prior written permission.

Producer is not obligated to actually use the Premises, exploit the Content, or produce the Program. This Location Release shall be governed by the laws of the State of Tennessee (excluding conflicts of law principles), regardless of the place of its physical execution or the location of the Premises, and shall be binding on Owner and Owner's successors, parents, licensees, legal representatives, heirs, and assigns (as applicable). Owner hereby submits to the jurisdiction of the state and federal courts of the State of Tennessee, Knox County, to resolve any dispute arising out of or resulting from this Location Release. Owner shall not raise, and hereby waives, any defenses based upon improper venue, inconvenience of the forum, lack of personal jurisdiction, or the sufficiency of service of process. Termination of this Location Release, for any reason, shall not affect Producer's, or Producers agents', rights in the Content. Producer may assign its rights in the Content and/or the Program, in whole or in part, to any individual or entity, without restriction. This Location Release represents the entire understanding and supersedes all prior understandings between the parties relating to the subject matter herein.

AGREED TO AND ACCEPTED:

Signature: _____

Print Name: _____

Date: _____

Mailing Address: _____

Title: _____

Company: _____

Phone: _____

Joseph A. Mangiamalli
July 11, 17
210 West Mission Avenue, Bellevue, NE, 68005

City Administrator
City of Bellevue, NE
402 293-3023

Susan Kluthe

From: Bobby Riggs
Sent: Monday, February 04, 2019 9:32 AM
To: Susan Kluthe; Larry Lampman; Brian Madison
Subject: Re: Attached Image

Street Department - no foreseen issues.
No additional comments or recommendations with event, as proposed.

----- Original message -----

From: Susan Kluthe <Susan.Kluthe@bellevue.net>
Date: 2/4/19 9:29 AM (GMT-06:00)
To: Larry Lampman <Larry.Lampman@bellevue.net>, Brian Madison <brian.madison@bellevue.net>, Bobby Riggs <Bobby.Riggs@bellevue.net>
Subject: FW: Attached Image

Please review and send response back to me.

Thanks!

Susan Kluthe
Deputy City Clerk
City of Bellevue
1500 Wall Street
Bellevue, NE 68005
402.293.3165
susan.kluthe@bellevue.net

From: clerkcolorcopier@bellevue.net <clerkcolorcopier@bellevue.net>
Sent: Monday, February 04, 2019 9:25 AM
To: Susan Kluthe <Susan.Kluthe@bellevue.net>
Subject: Attached Image

Susan Kluthe

From: Brian Madison
Sent: Tuesday, February 05, 2019 7:12 AM
To: Susan Kluthe; Larry Lampman; Bobby Riggs
Subject: RE: Attached Image



No issues from Parks.

Thanks,
Brian

From: Susan Kluthe <Susan.Kluthe@bellevue.net>
Sent: Monday, February 4, 2019 9:29 AM
To: Larry Lampman <Larry.Lampman@bellevue.net>; Brian Madison <brian.madison@bellevue.net>; Bobby Riggs <Bobby.Riggs@bellevue.net>
Subject: FW: Attached Image

Please review and send response back to me.

Thanks!

Susan Kluthe
Deputy City Clerk
City of Bellevue
1500 Wall Street
Bellevue, NE 68005
402.293.3165
susan.kluthe@bellevue.net

From: clerkcolorcopier@bellevue.net <clerkcolorcopier@bellevue.net>
Sent: Monday, February 04, 2019 9:25 AM
To: Susan Kluthe <Susan.Kluthe@bellevue.net>
Subject: Attached Image

Susan Kluthe

Riverfest

From: Larry Lampman
Sent: Wednesday, February 06, 2019 6:04 AM
To: Susan Kluthe; Brian Madison; Bobby Riggs
Cc: Dave Stukenholtz
Subject: Re: Attached Image

No issues from our end.

Thanks,
Larry

Sergeant Larry Lampman

Special Services Unit
larry.lampman@bellevue.net
Bellevue Police Department
1510 Wall St
Bellevue, Ne 68005
Office-402-682-6628
Cell-402-637-5856

From: Susan Kluthe
Sent: Monday, February 4, 2019 9:29:19 AM
To: Larry Lampman; Brian Madison; Bobby Riggs
Subject: FW: Attached Image

Please review and send response back to me.

Thanks!

Susan Kluthe
Deputy City Clerk
City of Bellevue
1500 Wall Street
Bellevue, NE 68005
402.293.3165
susan.kluthe@bellevue.net

From: clerkcolorcopier@bellevue.net <clerkcolorcopier@bellevue.net>
Sent: Monday, February 04, 2019 9:25 AM
To: Susan Kluthe <Susan.Kluthe@bellevue.net>
Subject: Attached Image

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

1 Red
e.1
2-11-19

COUNCIL MEETING DATE:	2/11/2019	AGENDA ITEM TYPE:	
SUBMITTED BY: Jeff Roberts, Public Works Director Bobby Riggs, Street Superintendent		SPECIAL PRESENTATION	<input type="checkbox"/>
		LIQUOR LICENSE	<input type="checkbox"/>
		ORDINANCE	<input type="checkbox"/>
		PUBLIC HEARING	<input type="checkbox"/>
		RESOLUTION	<input checked="" type="checkbox"/>
		CURRENT BUSINESS	<input type="checkbox"/>
		OTHER (SEE CLERK)	<input type="checkbox"/>

SUBJECT:

One- and Six-Year Plan

SYNOPSIS:

Request approval of the City of Bellevue One- and Six-Year Plan

FISCAL IMPACT:

City forecast = \$45,234,100

BUDGETED ITEM: ☒ YES ☐ NO

PROJECT # & TRACKING INFORMATION:

Package total estimated cost:	\$75,553,000
Projected total City funding level through FY 2024:	\$45,234,100

RECOMMENDATION:

Request approval of the City of Bellevue One- and Six-Year Plan.

BACKGROUND:

This plan consists of projects according to their immediate needs. Approval of this plan is requested for submittal to the Department of Roads. It is important to remember that conditions and priorities change. This document can be amended as need arises. Projects listed mirror the current CIP adopted in 2018.

ATTACHMENTS:

1 Resolution	4
2 One- and Six-Year Plan	5
3	6

SIGNATURES:

ADMINISTRATOR APPROVAL: _____

FINANCE APPROVAL: _____

LEGAL APPROVAL: _____

2019

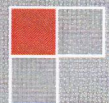
City of Bellevue One- and Six-Year Plan

FY 2019-2024

Summary of Forecasted Road and Street Projects



As presented at Bellevue City Council Meeting
2/11/2019



City of Bellevue

One- Year Plan FY 2019

PROJECT NUMBER	PROJECTS/COMMENTS	OTHER	LOCAL	TOTAL
M146(122B)	So 36th St. b/t Highway 370 and Sheridan Rd. - PH 1 DESIGN/ENG., ROW, YR 2	\$ 736,000	\$ 184,000	\$ 920,000
M146(157A)	Betz Ditch liner repairs south of Lloyd St - ENG/DESIGN		\$ 115,000	\$ 115,000
M146(176)	Area 17th to 21st St, Harriosn St to Chandler Rd - REHAB PAVING	\$ 180,000	\$ 70,000	\$ 250,000
M146(186B)	So 25th St; b/t Capehart & Lynnwood Dr - BRIDGE REPLACEMENT		\$ 1,200,000	\$ 1,200,000
M146(252A)	Galvin Rd & Hansen Ave - PEDESTRIAN BRIDGE REHAB; ENG/DESIGN		\$ 205,000	\$ 205,000
M146(294A)	Willow Springs, S 15th St to 25th St - Access Rd; ENG/DESIGN		\$ 300,000	\$ 300,000
M146(295)	Area from 36th to 42nd St, Harrison St to High Meadows Ln - SIDEWALKS, CURB RAMPS; CDBG	\$ 100,000	\$ -	\$ 100,000
<i>See Appendix A</i>	Resurfacing Program - Majors FY2019		\$ 215,000	\$ 215,000
<i>See Appendix B</i>	Resurfacing Program - Residential FY2019		\$ 1,510,000	\$ 1,510,000

City of Bellevue

Five- Year Plan FY 2020-2024

PROJECT NUMBER	C.I.P. FY	PROJECTS/COMMENTS	OTHER	LOCAL	TOTAL
M146(122C)	2020	So 36th St; Hwy 370 to Sheridan Rd - PHASE 1 CONSTRUCTION, YEAR 1	\$11,840,000	\$ 2,960,000	\$14,800,000
M146(171A)	2020	S 36th St; Sheridan to Platteview - YR 1 DESIGN/ENG., ROW	\$ 520,000	\$ 130,000	\$ 650,000
M146(179B)	2020	Gregg Rd W; 21st to 25th St - RECONSTRUCTION		\$ 725,000	\$ 725,000
M146(228A)	2020	City-wide, various locations - CONCRETE PAVEMENT REHAB YR1		\$ 460,000	\$ 460,000
M146(232)	2020	City-wide, various intersections -TRAFFIC SIGNAL COMMUNICATION UPGRADES, HARVELL/CORN. COORIDOR ANALYSIS		\$ 650,000	\$ 650,000
M146(235)	2020	Bellevue Blvd North; Prairie Ave to 13th St - BRICK PAVER REHAB		\$ 185,000	\$ 185,000
M146(252B)	2020	Galvin Rd & Hansen Ave - PEDESTRIAN BRIDGE REHAB		\$ 215,000	\$ 215,000
M146(275)	2020	Avery Rd, Galvin Rd to Ft Crook Rd - STORM SEWER REPAIR		\$ 185,000	\$ 185,000
M146(294B)	2020	Willow Springs; S 15th St, west to 25th St - ACCESS RD		\$ 3,000,000	\$ 3,000,000
<i>See Appendix A</i>	2020	Resurfacing Program - Majors FY2020		\$ 1,665,000	\$ 1,665,000
<i>See Appendix B</i>	2020	Resurfacing Program - Residential FY2020		\$ 1,095,000	\$ 1,095,000

City of Bellevue

Five- Year Plan FY 2020-2024

PROJECT NUMBER	C.I.P. FY	PROJECTS/COMMENTS	OTHER	LOCAL	TOTAL
M146(74)	2021	Capehart Rd; 27th to 36th St - RECONSTRUCTION; DESIGN/ENG.	\$ 322,400	\$ 80,600	\$ 403,000
M146(122D)	2021	So 36th St; Hwy 370 to Sheridan Rd - PH 1 CONSTRUCTION, YEAR 2	\$ 7,932,000	\$ 1,983,000	\$ 9,915,000
M146(157B)	2021	Betz Ditch, south of Lloyd St - DRAINAGE IMPROVEMENTS PHASE 1		\$ 1,150,000	\$ 1,150,000
M146(171A)	2021	S 36th St; Sheridan to Platteview - YR 2 DESIGN/ENG., ROW	\$ 264,000	\$ 66,000	\$ 330,000
M146(228B)	2021	City-wide, various locations - CONCRETE PAVEMENT REHAB YR2		\$ 460,000	\$ 460,000
M146(230)	2021	Lincoln Rd., Ludwig Dr to Mission Ave - DESIGN.ENG., WALL, SIDEWALK INSTALLATION, STORM INLETS		\$ 540,000	\$ 540,000
M146(231)	2021	Lincoln Rd., Lorraine Ave to Lorraine Dr - DESIGN.ENG., WALL, SIDEWALK INSTALLATION		\$ 575,000	\$ 575,000
M146(243A)	2021	25th & Chandler Rd - SIGNAL REPLACEMENT		\$ 285,000	\$ 285,000
M146(253)	2021	Area 18th to 19th, north of Chandler Rd - DRAINAGE STRUCTURES		\$ 315,000	\$ 315,000
M146(266)	2021	Fontenelle Hills Addition near 502 Edgewood Ct - STORM SEWER REPAIRS AND DRAINAGE IMPROVEMENT		\$ 50,000	\$ 50,000
M146(276A)	2021	College Heights; 407 MMK (lot 177B) - DRAINAGE AREA IMPROVEMENTS, DESIGN, EASEMENTS		\$ 40,000	\$ 40,000

City of Bellevue

Five- Year Plan FY 2020-2024

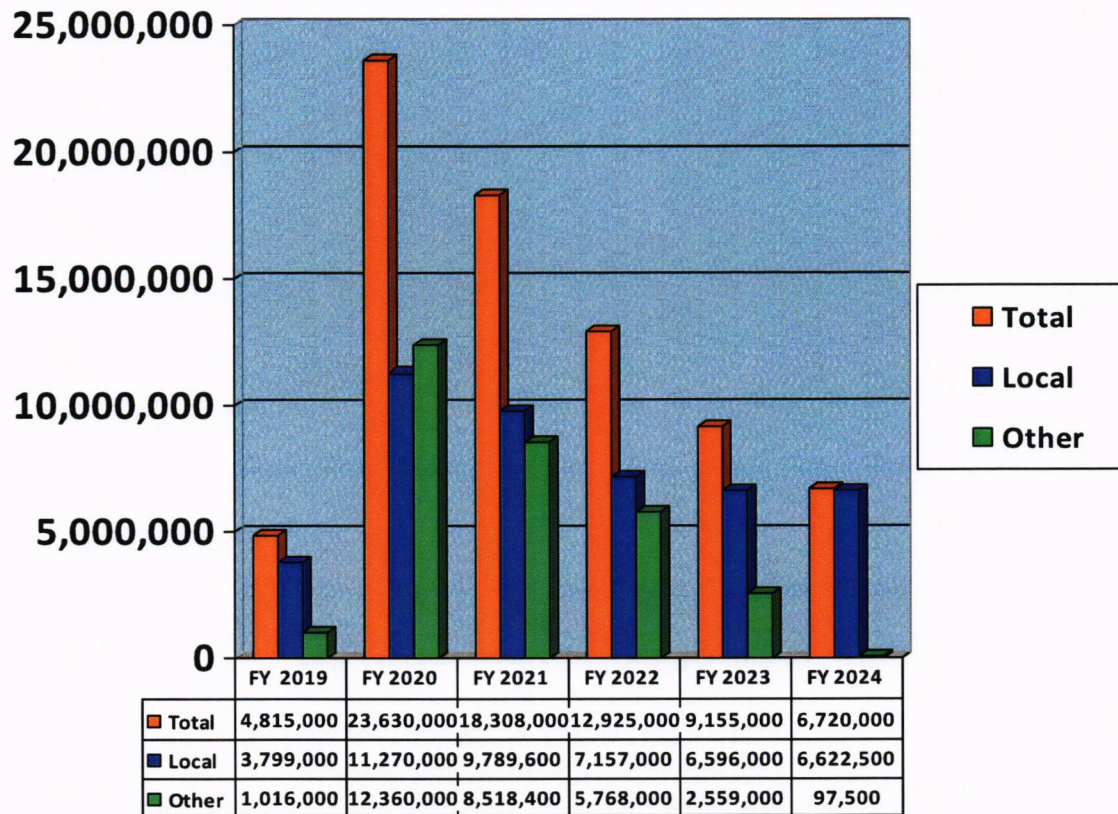
PROJECT NUMBER	C.I.P. FY	PROJECTS/COMMENTS	OTHER	LOCAL	TOTAL
<i>See Appendix A</i>	2021	Resurfacing Program - Majors FY2021		\$ 545,000	\$ 545,000
<i>See Appendix B</i>	2021	Resurfacing Program - Residential FY2021		\$ 3,700,000	\$ 3,700,000
M146(171B)	2022	So 36th St - Sheridan Rd to Platteview Rd - PH 2 CONSTRUCTION, YR 1	\$ 4,768,000	\$ 1,192,000	\$ 5,960,000
M146(215)	2022	Fontenelle Hills Addition; Ridgewood Ct, Bayberry Dr, Laurel Dr, Laurel Cir - RECONSTRUCTION		\$ 2,385,000	\$ 2,385,000
M146(216B)	2022	Forest Hills Addition; Shagbark Ct, Redbud Ln, Forestview Cir - RECONSTRUCT ASPHALT STREETS		\$ 510,000	\$ 510,000
M146(258)	2022	Willow Springs Addition, s/ Hogantown Dr b/t Lots 198, 40 - DRAINAGE IMPROVEMENTS		\$ 95,000	\$ 95,000
M146(268)	2022	Quail Creek; Outlot 2 Twin Creek Plaza, Parcel ID #011317434 - DRAINAGE IMPROVEMENTS	\$ 1,000,000	\$ 250,000	\$ 1,250,000
<i>See Appendix A</i>	2022	Resurfacing Program - Majors FY2022		\$ 930,000	\$ 930,000
<i>See Appendix B</i>	2022	Resurfacing Program - Residential FY2022		\$ 1,795,000	\$ 1,795,000
M146(171C)	2023	So 36th St; Sheridan Rd to Platteview Rd - PH 2 CONSTRUCTION, YR 2	\$ 2,384,000	\$ 596,000	\$ 2,980,000
M146(194)	2023	Gilmore Lake Rd; east of 25th St - RECONSTRUCTION, DRAINAGE IMPROVEMENTS	\$ 175,000	\$ 175,000	\$ 350,000

City of Bellevue

Five- Year Plan FY 2020-2024

PROJECT NUMBER	C.I.P. FY	PROJECTS/COMMENTS	OTHER	LOCAL	TOTAL
M146(205)	2023	Drainage area west of Harlan Lewis Rd, Industrial Dr to Paradise Park - DRAINAGE IMPROVEMENTS, DRAINAGE STRUCTURES		\$ 495,000	\$ 495,000
M146(236)	2023	36th & Chandler Rd intersection - DRAINAGE STRUCTURES, SIDEWALKS, PAVING		\$ 880,000	\$ 880,000
M146(271A)	2023	E/25th St, Lynnwood Dr to Blackhawk Dr - Parcels #011293330, #010921214, #010921222; DITCH REHAB, EROSION MITIGATIGATION- YR 1		\$ 400,000	\$ 400,000
M146(274)	2023	NE Corner of Harvell Dr & Lincoln, NE for 0.16 Mi toward Lila Ave - GROUT, SLIP- LINE CONCRETE DRAINAGE PIPE		\$ 160,000	\$ 160,000
M146(276B)	2023	College Heights; 407 MMK (lot 177B) - DRAINAGE AREA IMPROVEMENTS		\$ 110,000	\$ 110,000
<i>See Appendix A</i>	2023	Resurfacing Program - Majors FY2023		\$ 2,220,000	\$ 2,220,000
<i>See Appendix B</i>	2023	Resurfacing Program - Residential FY2023		\$ 1,560,000	\$ 1,560,000
M146(271B)	2024	E/25th St, Lynnwood Dr to Blackhawk Dr - Parcels #011293330, #010921214, #010921222; DITCH REHAB, EROSION MITIGATIGATION- YR 2		\$ 400,000	\$ 400,000
<i>See Appendix A</i>	2024	Resurfacing Program - Majors FY2024	\$ 97,500	\$ 3,827,500	\$ 3,925,000
<i>See Appendix B</i>	2024	Resurfacing Program - Residential FY2024		\$ 2,395,000	\$ 2,395,000

Forecasted Yearly Funding Levels for Projects



Appendix A

Resurfacing Program - Majors (Functionally Classified)

PROJECT NUMBER	C.I.P. FY	PROJECTS/COMMENTS	OTHER	LOCAL	TOTAL
<u>FY 2019 SUMMARY</u>			<u>\$</u>		<u>215,000</u>
M146(221A)	2019	Giles Rd, 36th to 42nd St - REHAB/ADVANCE CONCRETE REPAIRS		\$ 190,000	\$ 190,000
M146(255A)	2019	S 25th St; HWY 370 to Ponderosa Dr - REHAB ADV CONCRETE REPAIRS		\$ 25,000	\$ 25,000
<u>FY 2020 SUMMARY</u>			<u>\$</u>		<u>1,665,000</u>
M146(202B)	2020	15th St; Cornhusker Rd to Thurston Ave - RESURFACING		\$ 145,000	\$ 145,000
M146(207B)	2020	Betz Rd; Martinview to Lloyd St - RESURFACING		\$ 350,000	\$ 350,000
M146(221B)	2020	Giles Rd, 36th to 42nd St - RESURFACING		\$ 150,000	\$ 150,000
M146(225)	2020	25th St, Cornhusker Rd to Gilmore Rd - RESURFACING		\$ 365,000	\$ 365,000
M146(226)	2020	36th St, Cornhusker Rd to Landings Dr - RESURFACING		\$ 275,000	\$ 275,000
M146(255B)	2020	S 25th St; BMC Dr to Ponderosa Dr - RESURFACING		\$ 380,000	\$ 380,000
<u>FY 2021 SUMMARY</u>			<u>\$</u>		<u>545,000</u>

Appendix A

Resurfacing Program - Majors (Functionally Classified)

PROJECT NUMBER	C.I.P. FY	PROJECTS/COMMENTS	OTHER	LOCAL	TOTAL
M146(237A)	2021	Jewell Rd; Harvell to Bellevue Blvd S - REHAB ADV CONCRETE REPAIRS		\$ 85,000	\$ 85,000
M146(243B)	2021	25th St; Harrison St to Mose Ave - REHAB ADV CONCRETE REPAIRS		\$ 80,000	\$ 80,000
M146(244A)	2021	42nd St; Harrison St to Giles Rd - REHAB ADV CONCRETE REPAIRS		\$ 270,000	\$ 270,000
M146(249A)	2021	Avery Rd.; Bellevue Blvd N to Ft Crook Rd - REHAB ADV CONCRETE REPAIRS		\$ 110,000	\$ 110,000
<u>FY 2022 SUMMARY</u>			<u>\$</u>		<u>930,000</u>
M146(237B)	2022	Jewell Rd; Harvellto Bellevue Blvd S - RESURFACING		\$ 125,000	\$ 125,000
M146(243C)	2022	25th St; Harrison St to Mose Ave - RESURFACING		\$ 280,000	\$ 280,000
M146(244B)	2022	42nd St; Harrison St to Giles Rd - RESURFACING		\$ 300,000	\$ 300,000
M146(249B)	2022	Avery Rd.; Bellevue Blvd N to Ft Crook Rd - RESURFACING		\$ 225,000	\$ 225,000
<u>FY 2023 SUMMARY</u>			<u>\$</u>		<u>2,220,000</u>
M146(269A)	2023	Hancock St.; E Mission Ave to E 29th Ave - REHAB ADV CONCRETE REPAIRS		\$ 600,000	\$ 600,000

Appendix A

Resurfacing Program - Majors (Functionally Classified)

PROJECT NUMBER	C.I.P. FY	PROJECTS/COMMENTS	OTHER	LOCAL	TOTAL
M146(270A)	2023	Giles Rd; 42nd to 48th St - REHAB ADV CONCRETE REPAIRS		\$ 120,000	\$ 120,000
M146(273A)	2023	Capehart Rd; Kennedy Freeway to Dow St - REHAB ADV CONCRETE REPAIRS		\$ 135,000	\$ 135,000
M146(283A)	2023	Chandler Rd; Bell Blvd N to 25th St - REHAB ADVANCE CONCRETE REPAIRS, MEDIAN IMPROVEMENTS		\$ 1,020,000	\$ 1,020,000
M146(284A)	2023	Mission Ave, Main St to Lincoln Rd - REHAB ADVANCE CONCRETE REPAIRS		\$ 345,000	\$ 345,000
<u>FY 2024 SUMMARY</u>			<u>\$</u>		<u>3,925,000</u>
M146(269B)	2024	Hancock St.; E Mission Ave to E 29th Ave - RESURFACING		\$ 250,000	\$ 250,000
M146(270B)	2024	Giles Rd; 42nd to 48th St - RESURFACING		\$ 210,000	\$ 210,000
M146(273B)	2024	Capehart Rd; Kennedy Freeway to Dow St - RESURFACING		\$ 480,000	\$ 480,000
M146(283B)	2024	Chandler Rd; Bell Blvd N to 25th St - RESURFACING		\$ 925,000	\$ 925,000
M146(284B)	2024	Mission Ave, Main St to Lincoln Rd - RESURFACING		\$ 855,000	\$ 855,000
M146(286A)	2024	Ft Crook Rd, Cornhusker Rd to Capehart Rd - REHAB ADVANCE CONCRETE REPAIRS		\$ 315,000	\$ 315,000

Appendix A

Resurfacing Program - Majors (Functionally Classified)

PROJECT NUMBER	C.I.P. FY	PROJECTS/COMMENTS	OTHER	LOCAL	TOTAL
M146(288A)	2024	Harrison St; Sarpy Ave to 48th St - REHAB ADVANCE CONCRETE REPAIRS	\$ 97,500	\$ 97,500	\$ 195,000
M146(290A)	2024	Bellevue Blvd North; Prairie Ave to Gregg Rd - REHAB ADVANCE CONCRETE REPAIRS		\$ 340,000	\$ 340,000
M146(291A)	2024	Bellevue Blvd S/Lord Blvd; Lincoln Rd to Franklin St - REHAB ADVANCE CONCRETE REPAIRS		\$ 265,000	\$ 265,000
M146(293A)	2024	Birchcrest Rd/Lloyd St; Harvell Dr to Betz Rd - REHAB ADVANCE CONCRETE REPAIRS		\$ 90,000	\$ 90,000

Appendix B

Resurfacing Program - Residential (Non-Classified)

PROJECT NUMBER	C.I.P. FY	PROJECTS/COMMENTS	OTHER	LOCAL	TOTAL
<u>FY 2019 SUMMARY</u>			<u>\$</u>		<u>1,510,000</u>
M146(188B)	2019	Chandler Acres Addition; Harrison to Chandler, 32nd Ave to 36th St - RESURFACING		\$ 435,000	\$ 435,000
M146(206)	2019	High School Dr.; Lincoln Rd to Freeman Dr - RESURFACING		\$ 195,000	\$ 195,000
M146(211)	2019	Combs Rd, S Washington St - RESURFACING		\$ 200,000	\$ 200,000
M146(212)	2019	Maass Rd, 370 Plaza to Quail Dr - RESURFACING		\$ 115,000	\$ 115,000
M146(213)	2019	Ft Crook Frontage Rd, Avery Rd to Kasper St - RESURFACING		\$ 155,000	\$ 155,000
M146(216A)	2019	Forest Hills Addition; Jefferson Cir - RESURFACING		\$ 105,000	\$ 105,000
M146(217)	2019	Forest Heights Addition; Robert St, Faulk Ave, 34th St, 35th St - CURB & GUTTER REHAB, RESURFACING		\$ 305,000	\$ 305,000
<u>FY 2020 SUMMARY</u>			<u>\$</u>		<u>1,095,000</u>
M146(134)	2020	Sarpy Ave; Harrison St to Chandler Rd - RESURFACING		\$ 235,000	\$ 235,000
M146(224)	2020	Gregg Rd W, west of 15th St - RESURFACING		\$ 50,000	\$ 50,000

Appendix B

Resurfacing Program - Residential (Non-Classified)

PROJECT NUMBER	C.I.P. FY	PROJECTS/COMMENTS	OTHER	LOCAL	TOTAL
M146(227)	2020	Kirby Addition; Garden Ave, Westridge Ave - RESURFACING		\$ 170,000	\$ 170,000
M146(229)	2020	Faulkland Heights Addition; Schroeder Dr - RESURFACING		\$ 85,000	\$ 85,000
M146(233)	2020	Electri-City, Dietz Meadows, Buller's First Addition; 38th to 42nd, Greene Ave to Giles Rd - RESURFACING		\$ 355,000	\$ 355,000
M146(234)	2020	Harrison St east of 13th St - RESURFACING		\$ 200,000	\$ 200,000

FY 2021 SUMMARY

\$ 3,700,000

M146(219)	2021	Area from W 29th Ave to W 33rd Ave, Calhoun St to Wallace Ave - RESURFACING		\$ 335,000	\$ 335,000
M146(220)	2021	Haworth Park; Payne Dr, River Dr - RESURFACING		\$ 175,000	\$ 175,000
M146(238)	2021	Childs Rd E; Camp Gifford Rd to Bellevue Blvd N - RESURFACING		\$ 320,000	\$ 320,000
M146(239A)	2021	Golden Hills Addition; Golden Blvd, Bline Ave - REHAB ADV CONCRETE REPAIRS		\$ 280,000	\$ 280,000
M146(240)	2021	43rd St; Harrison to Margo St - RESURFACING		\$ 150,000	\$ 150,000
M146(241)	2021	Kasper St; City limits to Ft Crook Frontage Rd - RESURFACING		\$ 155,000	\$ 155,000

Appendix B

Resurfacing Program - Residential (Non-Classified)

PROJECT NUMBER	C.I.P. FY	PROJECTS/COMMENTS	OTHER	LOCAL	TOTAL
M146(242)	2021	Twin Ridge II Addition; Bryan Ave, Victoria Ave - RESURFACING		\$ 635,000	\$ 635,000
M146(245)	2021	Kayleen Dr; Gregg Rd E to Harvell Dr - RESURFACING		\$ 355,000	\$ 355,000
M146(246)	2021	Marian Ave.; Bellevue Blvd S to Lincoln Rd - RESURFACING		\$ 315,000	\$ 315,000
M146(247)	2021	Chandler Rd W; 39th St, High Meadows Lane - RESURFACING		\$ 310,000	\$ 310,000
M146(248)	2021	E 35th Ave, E 34th Ave, Hancock St (west of Harlan Lewis Rd) - RESURFACING		\$ 140,000	\$ 140,000
M146(250)	2021	Area Sarpy Ave to 30th St, Harrison St to Chandler Rd - RESURFACING		\$ 530,000	\$ 530,000
<u>FY 2022 SUMMARY</u>			<u>\$</u>	<u>1,795,000</u>	
M146(239B)	2022	Golden Hills Addition; Golden Blvd, Blaine Ave - RESURFACING		\$ 525,000	\$ 525,000
M146(257)	2022	Southern Valley Addition; 45th-48th St, Suburban Dr to Greene Ave - RESURFACING		\$ 220,000	\$ 220,000
M146(259)	2022	Southern Park Addition; Robin Dr, Giles Rd, 48th Ave, Virginia St - RESURFACING		\$ 430,000	\$ 430,000
M146(263)	2022	Bellaire Heights Addition; Crestridge Dr, Hillside Dr, Valleyview Dr - RESURFACING		\$ 280,000	\$ 280,000

Appendix B

Resurfacing Program - Residential (Non-Classified)

PROJECT NUMBER	C.I.P. FY	PROJECTS/COMMENTS	OTHER	LOCAL	TOTAL
M146(277A)	2022	S 28th Ave; Capehart Rd to Leawood Dr - REHAB ADVANCE CONCRETE REPAIRS		\$ 115,000	\$ 115,000
M146(278A)	2022	S 29th Ave; Capehart Rd to Southdale Plaza - REHAB ADVANCE CONCRETE REPAIRS		\$ 60,000	\$ 60,000
M146(279A)	2022	Bernadette Ave, Margo St; 42nd St ot 48th St - REHAB ADVANCED CONCRETE REPAIRS		\$ 165,000	\$ 165,000
<u>FY 2023 SUMMARY</u>			<u>\$</u>	<u>1,560,000</u>	
M146(272)	2023	S 21st St s/Cornhusker Rd; Pratt Ave, 21st to 23rd St - RESURFACING		\$ 255,000	\$ 255,000
M146(277B)	2023	S 28th Ave; Cpaehart Rd to Leawood Dr - RESURFACING		\$ 100,000	\$ 100,000
M146(278B)	2023	S 29th Ave; Capehart Rd to Southdale Plaza - RESURFACING		\$ 60,000	\$ 60,000
M146(279B)	2023	Bernadette Ave, Margo St; 42nd St ot 48th St - RESURFACING		\$ 220,000	\$ 220,000
M146(280A)	2023	Fontenelle Hills; Martin Dr & Ridgewood Dr - REHAB ADVANCE CONCRETE REPAIRS		\$ 380,000	\$ 380,000
M146(281A)	2023	Freeman Dr, Jackson St; Harvell Dr to Misson Ave - REHAB ADVANCE CONCRETE REPAIRS		\$ 190,000	\$ 190,000
M146(282A)	2023	Cascio Addition; Kings Dr, Cascio Dr - REHAB ADVANCE CONCRETE REPAIRS		\$ 210,000	\$ 210,000

Appendix B

Resurfacing Program - Residential (Non-Classified)

PROJECT NUMBER	C.I.P. FY	PROJECTS/COMMENTS	OTHER	LOCAL	TOTAL
M146(285A)	2023	High Meadows Ln, Valleyview Dr, 39th REHAB ADVANCE CONCRETE REPAIRS		\$ 145,000	\$ 145,000
<u>FY 2024 SUMMARY</u>			<u>\$</u>		<u>2,395,000</u>
M146(280B)	2024	Fontenelle Hills; Martin Dr & Ridgewood Dr - RESURFACING		\$ 710,000	\$ 710,000
M146(281B)	2024	Freeman Dr, Jackson St; Harvell Dr to Misson Ave - RESURFACING		\$ 385,000	\$ 385,000
M146(282B)	2024	Cascio Addition; Kings Dr, Cascio Dr - RESURFACING		\$ 360,000	\$ 360,000
M146(285B)	2024	High Meadows Ln, Valleyview Dr, 39th RESURFACING		\$ 275,000	\$ 275,000
M146(287A)	2024	Willow Springs; Lewis and Clark Rd; 25th St to 17th St - REHAB ADVANCE CONCRETE REPAIRS		\$ 220,000	\$ 220,000
M146(289A)	2024	Blue Ridge Additon; Oak Ridge Dr to 36th St, Sherwood Dr to Cornhusker Rd - REHAB ADVANCE CONCRETE REPAIRS		\$ 315,000	\$ 315,000
M146(292A)	2024	Area from Harrison St to Borman St, 45th to 48th St - REHAB ADVANCE CONCRETE REPAIRS		\$ 130,000	\$ 130,000

RESOLUTION NO. 2019-03

WHEREAS, the Mayor and City Council of the City of Bellevue, Nebraska, conducted a public hearing at 6:00 p.m. on February 11, 2019 in the Council Chambers at City Hall, 1500 Wall Street, Bellevue, Nebraska, on the proposed City of Bellevue One- and Six-Year Street Plan, and

WHEREAS, the proposed One- and Six-Year Street Plan was reviewed by the Mayor and City Council and opportunity for public testimony was given and received,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Bellevue, Nebraska, that the One- and Six-Year Street Plan for the years 2019 thru 2024, be approved and submitted to the State of Nebraska Board of Public Roads Classifications and Standards according to Section 39-2115 of the Nebraska State Statutes.

PASSED AND APPROVED THIS ____ day of _____, 20__.

Rusty Hike, Mayor

ATTEST:

Sabrina Ohnmacht, City Clerk

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

14a
2-11-19

COUNCIL MEETING DATE:	02/11/2019	AGENDA ITEM TYPE:	
SUBMITTED BY: Sabrina Ohnmacht, City Clerk		SPECIAL PRESENTATION	<input type="checkbox"/>
		LIQUOR LISCENSE	<input type="checkbox"/>
		ORDINANCE	<input type="checkbox"/>
		PUBLIC HEARING	<input type="checkbox"/>
		RESOLUTION	<input checked="" type="checkbox"/>
		CURRENT BUSINESS	<input type="checkbox"/>
		OTHER (SEE CLERK)	<input type="checkbox"/>

SUBJECT:

Bellevue Bicycle Club - Annual Ride of Silence

SYNOPSIS:

The Bellevue Bicycle Club will be doing their annual Ride of Silence on May 15, 2019, from approximately 7:00 to 8:00 p.m., using portions of Highway 370 from 42nd Street east to the northbound exit lane of Fort Crook Road. Because of the usage of the State Highway, a Resolution is needed to show the City's NDOT compliance.

FISCAL IMPACT:

n/a

BUDGETED ITEM: ☐ YES ☐ NO

GRANT/MATCHING FUNDS

☐ YES ☐ NO

IF NO, EXPLAIN:

IF YES, %, \$, EXPLAIN:

PROJECT NAME, CALENDAR AND CODING:

Requestor	Project Name:	
	Expected Start Date:	Expected End Date:
	CIP Project Name:	
	MAPA # and Name:	
	Street District # and Name:	
Finance	Distribution Code:	
	[Fund-Dept-Project-Subproject-Funding Source-Cost Center]	
	GL Account #:	GL Account Name:

RECOMMENDATION:

Approval of Resolution.

BACKGROUND:

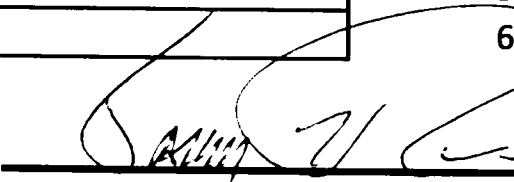
This is an annual event for the Bellevue Bicycle Club and each year, a Resolution has been done showing NDOT compliance.

ATTACHMENTS:

1	Resolution 2019-02	4	
2		5	
3		6	

SIGNATURES:

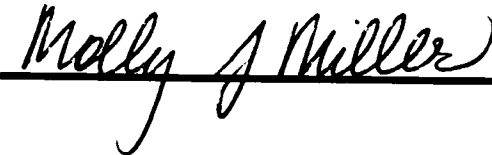
ADMINISTRATOR APPROVAL:



FINANCE APPROVAL:

n/a

LEGAL APPROVAL:



RESOLUTION NO. 2019-02

WHEREAS, the Bellevue Bicycle Club will hold the annual "Ride of Silence" ("special event") in the City on May 15, 2019, and,

WHEREAS, a portion of Nebraska Highway 370 ("highway property") located within the corporate limits of the City of Bellevue ("City") will be used for bicycle riders to proceed on Highway 370 from 36th Street east to the northbound exit lane of Fort Crook Road, on Wednesday, May 15, 2019, from approximately 7:00 p.m. until 8:00 p.m., in conjunction with the special event; and,

WHEREAS, the need for barricades, signage and/or other traffic control devices is not anticipated and damage to, or modification of, road surfaces is not expected; and,

WHEREAS, the procession of bicycle riders will be escorted by local law enforcement; and,

WHEREAS, Nebraska state law allows the use of the state highway system by the City, including full and partial lane closures, for special events as designated by the City, provided the following conditions are met:

- a) The roadway is located within the official corporate limits or zoning jurisdiction of the City;
- b) The City shall have the legal duty to protect the highway property from any damage that may occur arising out of the special event and the state shall not have any such duty during the time the City is in control of the highway property designated for the event;
- c) Any existing statutory or common law duty of the state to protect the public from damage, injury, or death shall become the duty of the City, and the state shall not have such statutory or common law duty during the time the City is in control of the property designated for the special event.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BELLEVUE, NEBRASKA, that:

The City of Bellevue hereby designates the annual "Ride of Silence" as a special event under LB589/Neb. Rev. Stat. § 39-1359, and hereby notifies the State of Nebraska that it acknowledges and accepts the duties imposed by such law and if a claim is made against the state, shall indemnify, defend, and hold harmless the state from all claims, demands, actions, damages, and liability, including reasonable attorney's fees, that may arise as a result of full and partial lane closures of the highway property in conjunction with the annual "Ride of Silence."

PASSED AND APPROVED this _____ day of _____, 2019.

ATTEST:

Rusty Hike, Mayor

Approved as to Form:

Sabrina Ohnmacht, City Clerk

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

146
2-11-19

COUNCIL MEETING DATE:	2/11/2019	AGENDA ITEM TYPE:	
SUBMITTED BY: Public Works Director Finance Director		SPECIAL PRESENTATION	<input type="checkbox"/>
		LIQUOR LISCENSE	<input type="checkbox"/>
		ORDINANCE	<input type="checkbox"/>
		PUBLIC HEARING	<input type="checkbox"/>
		RESOLUTION	<input checked="" type="checkbox"/>
		CURRENT BUSINESS	<input type="checkbox"/>
		OTHER (SEE CLERK)	<input type="checkbox"/>

SUBJECT:

Bond Reimbursement Resolution for 2019 Paving Improvements

SYNOPSIS:

This resolution preserves the flexibility of the City to make preliminary payments from funds on hand and then, if it so chooses, to reimburse itself from bond proceeds if bonds are issued in the future. Adoption of this resolution does not require the City to issue any bonds nor does it create authority for financing any project.

FISCAL IMPACT:

BUDGETED ITEM: ☒ YES ☐ NO GRANT/MATCHING FUNDS ☐ YES ☒ NO
IF NO, EXPLAIN: IF YES, %, \$, EXPLAIN:
CIP ST(19) 5, 6, 7, 8, 9, 10, 11, 13 & 14

PROJECT NAME, CALENDAR AND CODING:

Requestor	Project Name:	Paving Projects		
	Expected Start Date:	03/15/2019	Expected End Date:	08/31/2019
	CIP Project Name:	CIP ST(19) 5, 6, 7, 8, 9, 10, 11, 13 & 14		
	MAPA # and Name:			
	Street District # and Name:	Multiple Districts		
Finance	Distribution Code:	PROJ-231901		
	[Fund-Dept-Project-Subproject-Funding Source-Cost Center]			
	GL Account #:	7010	GL Account Name:	

RECOMMENDATION:

We recommend adoption of this resolution to preserve the City's flexibility in financing improvements to Street Districts

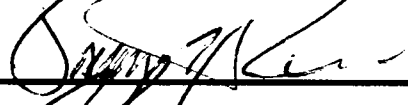
BACKGROUND:


See attached for street descriptions.

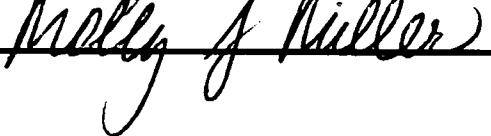
ATTACHMENTS:

1	Resolution No. 2019-04	4	
2	Street Projects from 1 - 6 Plan	5	
3		6	

SIGNATURES:

ADMINISTRATOR APPROVAL: 

FINANCE APPROVAL: 

LEGAL APPROVAL: 

RESOLUTION NO. 2019-04

WHEREAS, the Mayor and City Council of the City of Bellevue, Nebraska, during a regular meeting of the City Council, conducted a public hearing at 6:00 p.m. on February 11, 2019, in the Council Chambers at Bellevue City Hall, 1500 Wall Street, on the proposed City of Bellevue One- and Six-Year Street Plan, and

WHEREAS, the proposed One- and Six-Year Street Plan was reviewed by the Mayor and City Council and opportunity for public testimony was given and received, and

WHEREAS, the districts listed below are included in the 2019 One- and Six-Year Street Plan.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Bellevue, Nebraska, as follows:

Section 1. That the Mayor and City Council of the City of Bellevue, Nebraska, do hereby declare this resolution to the City's official declaration of intent under Internal Revenue Code Regulation Section 1.150-2 to provide for the incurring of indebtedness which may include reimbursements of expenditures made by the City in connection with costs incurred in connection with the construction of paving improvements within Street Improvement District Nos. 2011-8, 2011-10, 2011-25, 2018-1, 2018-7, 2018-8, 2018-9, and 2018-10 of the City. The preliminary estimate of debt contemplated to be issued for such project exceeds \$2,000,000.

Section 2. That up to the expenditure of the full amount of such project described within this Resolution, the City may advance funds as may be necessary for meeting the immediate costs of such project. It is the intent of the Mayor and City Council that the City shall reimburse such expenditures, as may be made from general funds on hand, from the proceeds of the issuance of its debt obligations.

Section 3. That the City Clerk shall make a copy of this Resolution available for public inspection at the main office of the City at all times during normal business hours within ten days after the adoption hereof. Such copies shall remain available for public inspection at all such times until the bonds or such other tax-exempt obligations contemplated herein are issued.

DATED this _____ day of _____, 2019.

Rusty Hike, Mayor

ATTEST:

Sabrina Ohnmacht, City Clerk

City of Bellevue

One- Year Plan FY 2019

PROJECT NUMBER	PROJECTS/COMMENTS	OTHER	LOCAL	TOTAL
M146(122B)	So 36th St. b/t Highway 370 and Sheridan Rd. - PH 1 DESIGN/ENG., ROW, YR 2	\$ 736,000	\$ 184,000	\$ 920,000
M146(157A)	Betz Ditch liner repairs south of Lloyd St - ENG/DESIGN		\$ 115,000	\$ 115,000
M146(176)	Area 17th to 21st St, Harriosn St to Chandler Rd - REHAB PAVING	\$ 180,000	\$ 70,000	\$ 250,000
M146(186B)	So 25th St; b/t Capehart & Lynnwood Dr - BRIDGE REPLACEMENT		\$ 1,200,000	\$ 1,200,000
M146(252A)	Galvin Rd & Hansen Ave - PEDESTRIAN BRIDGE REHAB; ENG/DESIGN		\$ 205,000	\$ 205,000
M146(294A)	Willow Springs, S 15th St to 25th St - Access Rd; ENG/DESIGN		\$ 300,000	\$ 300,000
M146(295)	Area from 36th to 42nd St, Harrison St to High Meadows Ln - SIDEWALKS, CURB RAMPS; CDBG	\$ 100,000	\$ -	\$ 100,000
<i>See Appendix A</i>	Resurfacing Program - Majors FY2019		\$ 215,000	\$ 215,000
<i>See Appendix B</i>	Resurfacing Program - Residential FY2019		\$ 1,510,000	\$ 1,510,000

Appendix A

Resurfacing Program - Majors (Functionally Classified)

PROJECT NUMBER	C.I.P. FY	PROJECTS/COMMENTS	OTHER	LOCAL	TOTAL
<u>FY 2019 SUMMARY</u>			\$		<u>-215,000</u>
M146(221A)	2019	Giles Rd, 36th to 42nd St - REHAB/ADVANCE CONCRETE REPAIRS		\$ 190,000	\$ 190,000
M146(255A)	2019	S 25th St; HWY 370 to Ponderosa Dr - REHAB ADV CONCRETE REPAIRS		\$ 25,000	\$ 25,000
<u>FY 2020 SUMMARY</u>			\$		<u>1,665,000</u>
M146(202B)	2020	15th St; Cornhusker Rd to Thurston Ave - RESURFACING		\$ 145,000	\$ 145,000
M146(207B)	2020	Betz Rd; Martinview to Lloyd St - RESURFACING		\$ 350,000	\$ 350,000
M146(221B)	2020	Giles Rd, 36th to 42nd St - RESURFACING		\$ 150,000	\$ 150,000
M146(225)	2020	25th St, Cornhusker Rd to Gilmore Rd - RESURFACING		\$ 365,000	\$ 365,000
M146(226)	2020	36th St, Cornhusker Rd to Landings Dr - RESURFACING		\$ 275,000	\$ 275,000
M146(255B)	2020	S 25th St; BMC Dr to Ponderosa Dr - RESURFACING		\$ 380,000	\$ 380,000
<u>FY 2021 SUMMARY</u>			\$		<u>545,000</u>

Appendix B

Resurfacing Program - Residential (Non-Classified)

PROJECT NUMBER	C.I.P. FY	PROJECTS/COMMENTS	OTHER	LOCAL	TOTAL
<u>FY 2019 SUMMARY</u>			<u>\$</u>		<u>1,510,000</u>
M146(188B)	2019	Chandler Acres Addition; Harrison to Chandler, 32nd Ave to 36th St - RESURFACING		\$ 435,000	\$ 435,000
M146(206)	2019	High School Dr.; Lincoln Rd to Freeman Dr - RESURFACING		\$ 195,000	\$ 195,000
M146(211)	2019	Combs Rd, S Washington St - RESURFACING		\$ 200,000	\$ 200,000
M146(212)	2019	Maass Rd, 370 Plaza to Quail Dr - RESURFACING		\$ 115,000	\$ 115,000
M146(213)	2019	Ft Crook Frontage Rd, Avery Rd to Kasper St - RESURFACING		\$ 155,000	\$ 155,000
M146(216A)	2019	Forest Hills Addition; Jefferson Cir - RESURFACING		\$ 105,000	\$ 105,000
M146(217)	2019	Forest Heights Addition; Robert St, Faulk Ave, 34th St, 35th St - CURB & GUTTER REHAB, RESURFACING		\$ 305,000	\$ 305,000
<u>FY 2020 SUMMARY</u>			<u>\$</u>		<u>1,095,000</u>
M146(134)	2020	Sarpy Ave; Harrison St to Chandler Rd - RESURFACING		\$ 235,000	\$ 235,000
M146(224)	2020	Gregg Rd W, west of 15th St - RESURFACING		\$ 50,000	\$ 50,000

15a
2-11-19

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

COUNCIL MEETING DATE:	02/11/2019	AGENDA ITEM TYPE:	
SUBMITTED BY: Sabrina Ohnmacht, City Clerk		SPECIAL PRESENTATION	<input type="checkbox"/>
		LIQUOR LISCENSE	<input type="checkbox"/>
		ORDINANCE	<input type="checkbox"/>
		PUBLIC HEARING	<input type="checkbox"/>
		RESOLUTION	<input type="checkbox"/>
		CURRENT BUSINESS	<input checked="" type="checkbox"/>
		OTHER (SEE CLERK)	<input type="checkbox"/>

SUBJECT:
Approval of the Proposal for Ordinance Codification from American Legal Publishing Corporation

SYNOPSIS:
Bellevue has used MuniCode out of Florida for our Code book services for many years. In order to update our books and receive better, responsive service, we would like to recodify with American Legal Publishing Corporation.

FISCAL IMPACT:
Estimated at \$21,265

BUDGETED ITEM: ☒ YES ☐ NO GRANT/MATCHING FUNDS ☐ YES ☐ NO
IF NO, EXPLAIN: IF YES, %, \$, EXPLAIN:

PROJECT NAME, CALENDAR AND CODING:



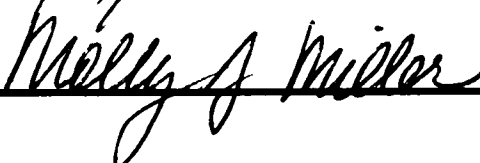
Requestor	Project Name:	Recodification		
	Expected Start Date:		Expected End Date:	
	CIP Project Name:			
	MAPA # and Name:			
	Street District # and Name:			
Finance	Distribution Code:	10-05-6015		
		[Fund-Dept-Project-Subproject-Funding Source-Cost Center]		
	GL Account #:	GL Account Name:		

RECOMMENDATION:
Approval

BACKGROUND:
The City's Code Book is in need of recodification/updating. American Legal Publishing Corporation offers those services along with an online piece like we currently have.

ATTACHMENTS:

1	Proposal	4	
2	Agreement	5	
3		6	

SIGNATURES:
ADMINISTRATOR APPROVAL: 
FINANCE APPROVAL: 
LEGAL APPROVAL: 

Ordinance Codification Proposal Bellevue, Nebraska

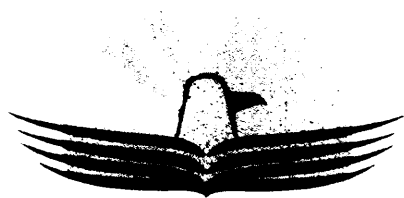


**American Legal Publishing Corporation
One West Fourth St. Cincinnati, Ohio 45202
[www. amlegal.com](http://www.amlegal.com)**

**Colleen T. Engle
Codification Consultant
cengle@amlegal.com
714.348.9529**

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Sample Legal Review Report.....	attachment
What is Codification handout.....	attachment



AMERICAN LEGAL
Publishing Corporation

March 2, 2018

Ms. Sabrina Ohnmacht
City Clerk
210 W. Mission Avenue
Bellevue, NE 68005

Dear Ms. Ohnmacht:

Please accept the following proposal to recodify and host your Code of Ordinances. After conversation with your City Administrator, he felt it necessary to submit a proposal to take a full and comprehensive review of your code.

As a partner of the LEAGUE OF NEBRASKA MUNICIPALITIES (LONM) Ordinance Codification Program we are the most qualified company to handle such a project. Our familiarity with Nebraska cities such as Bellevue, have led us to be one of the top producers of Codes within Nebraska. With over 100 Nebraska cities and villages as our clients, we have a very unique understanding of the needs of cities such as Bellevue.

Our recodification of a code includes incorporating all permanent nature ordinances, creating an index and tables as needed, formatting the pages into a new typestyle, including single column print, and printing complete copies of the entire code book. It also includes a legal review and written report by one of our staff attorneys. The review will uncover inconsistencies between sections in the code and inconsistencies with the code and state statutes.

In future years, new ordinances can be easily added to your code with American Legal's supplement services. And, when you need a model ordinance, simply call us; we don't charge for providing model ordinances. You can also search all codes on our internet site free of charge if you feel like looking for models yourself.

Should you have any questions about the proposal, please do not hesitate to call me.

Best Regards,

Colleen T. Engle
Codification Consultant
cengle@amlegal.com
714.348.9529

2. BUSINESS PROFILE

American Legal Publishing One West Fourth Street Cincinnati, OH 45202 PH: 800-445-5588 Fax: 513-763-3562 www.amlegal.com	Contract Manager: Ray Bollhauer, Esquire Vice-President, Client Relations Email: rbollhauer@amlegal.com
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American Legal Publishing began as the codification division of the Anderson Publishing Company of Cincinnati in 1934. We became a separate corporation in 1979. In 2006, American Legal Publishing became an independent employee owned corporation. We are extremely proud of our employee-owned status, unique in our industry. Our employees are self-motivated, knowing that the quality of each project enhances their future, as well as that of the government client.

- American Legal is the choice of the top cities in the country. We currently serve nearly 2,100 local government clients across the country, including several in Nebraska. Our ability to service large clients (**New York, Los Angeles, Chicago, Philadelphia, Cleveland, Boston, etc.**), and yet provide excellent service and products to the smaller Villages, Cities and Counties across the nation, separates us from many other Codifiers.
- We are the codification consultants to the International Municipal Lawyers Association and numerous state municipal leagues including the League of Nebraska Municipalities.
- American Legal employs a highly skilled and professional staff, including 16 staff members with law degrees - the largest in the industry. The legal reviews that these attorneys are able to execute is what allows us to provide a high-quality product. Our editorial support staff consists of experienced editors skilled in the multiple disciplines required in providing codification services: editing, computer operation, proofreading and indexing. Our typical editor has a college degree in English or Law.
- American Legal offers a full-range of codification services, including:
 - Editing and updating municipal codes
 - Legal research/review and analysis of codes
 - Subscriber sales of codes in print and on CD
 - CD-ROM publishing
 - Hosting of municipal codes on the Internet
 - Roberts Rules of Order 11th Ed. on CD in the Folio search program
 - Meeting Minutes imaging and hosting online in a searchable format

- American Legal works quickly to put new codes online. We have the flexibility to update online and printed codes on any schedule our clients require, including as new ordinances are adopted.
- The hosted municipal codes located on our webserver are fully searchable and are easy for the general public to use, but also has advance features to assist legal professionals and City staff.
- The hosted municipal codes located on our webserver are available for use on **smartphones** and **tablets** such as **iPads**.
- American Legal is exclusively an ordinance codification company. It is our sole focus. We are dedicated to continual improvement of our expertise, procedures, product and staffing to ensure the premium level of service that has earned us the respect and business of America's premier cities and Municipal Associations. We are not distracted by other ventures. We do one thing, and we make every effort to do it as well as it can be done.

Municipal and County Leagues Affiliations

American Legal's commitment to quality has led to affiliations with Municipal and County leagues across the country. Municipal Associations across the nation seek our expertise in municipal law and government, our advanced technology programs, and our unsurpassed customer service. We are extremely proud, that by allowing us to serve their members in their name, they show the greatest confidence in our services, reputation and integrity. We work hard every day to continue to earn that respect.

We serve as the Information Management Consultant to the following Leagues:

League of Wisconsin Municipalities
Ohio Municipal League

We serve as the Codification Consultant for the following:

<i>League of Nebraska Municipalities</i>	North Carolina League of Municipalities
League of Oregon Cities	Association of Arizona Counties
League of Minnesota Cities	League of Arizona Cities & Towns
Indiana Association of Cities & Towns	League of Kansas Municipalities

We work with the following Leagues to publish model or basic codes:

League of Nebraska Municipalities
South Dakota Municipal League
Virginia Municipal League
League of Minnesota Cities

We have produced publications for the following Leagues:

League of California Cities
Virginia Municipal League
League of Wisconsin Municipalities

3. EXPERIENCE/QUALIFICATIONS

- (1) **Years in Business:** American Legal Publishing has been in the ordinance codification business since 1934 as part of the Anderson Publishing Company. We became a separate corporation in 1979. We became an independent employee-owned corporation in 2006.
- (2) **Size and Experience:** American Legal is the choice of the top cities in the country. We currently serve nearly 2,100 local government clients across the country. Our clients include the Cities of New York, Los Angeles, Chicago, Philadelphia, Cleveland, Boston, Albuquerque, Honolulu, San Francisco, Tucson, and many others. We are the codification consultants to the International Municipal Lawyers Association and numerous state municipal leagues including the League of Nebraska Municipalities.
- (3) **Project Attorneys:** American Legal employs 16 attorneys, including the company President, Executive Vice President (Editor in Chief), the Vice President of Client Relations, and the Vice President of Major Client Services.

STEPHEN G. WOLF - PRESIDENT

Qualifications:

- Oversees American Legal's codification services with large accounts (such as Los Angeles, Philadelphia and Chicago) and state municipal leagues
- J.D., University of Cincinnati College of Law
- B.B.A., Management, University of Cincinnati
- Former City Law Director of an Ohio city, former Mayor and council person; with 35 years' experience as an elected city official
- Member, International Municipal Lawyers Association (IMLA)
- 37 years with American Legal

Role: Responsible for general project oversight and strategic direction

CYNTHIA POWELEIT - EXECUTIVE VICE PRESIDENT, EDITING

Qualifications:

- Editor-in-Chief, oversees all aspects of code editing
- J.D., Salmon P. Chase College of Law, Northern Kentucky University
- B.A., English, Denison University.
- Twenty-three years with American Legal Publishing.

Role: Oversees editing of new code and legal review

RAY G. BOLLHAUER - VICE PRESIDENT, CLIENT RELATIONS

- Qualifications:*
- Manages American Legal's Client Relations and Contracts
 - J.D., University of Cincinnati College of Law
 - B.A., Economics, University of Cincinnati
 - Past President and Trustee of local community Council
 - Twenty years with American Legal
 - Federal Bar member
 - Presenter throughout the country regarding codification (Institute for Local Government Drafting Seminar at Tulane Law School; Milwaukee Bar Association, Ohio Municipal Clerks Association; Kent State Clerks Certification Program; League of Wisconsin Municipal Attorneys Association; North Carolina City and County Clerks Association at UNC; Arkansas County Clerks Association; Southwest Ohio Clerks Association; Ohio Municipal League; International Municipal Lawyers Association (New Orleans and Portland, OR); Queen City Chapter of the National Parliamentarians Association; and the International Institute of Municipal Clerks Association conferences)

Role: Responsible for contract management and renewals

AMY OAKS - SUPPLEMENT EDITING DIRECTOR

- Qualifications:*
- Experience in editing and overseeing production of thousands of supplements
 - B.A., English, Northern Kentucky University
 - Fourteen years with American Legal

Role: Oversee supplement editing

SARAH CRABTREE BAUER – DIRECTOR OF ELECTRONIC PUBLISHING

- Qualifications:*
- Manages American Legal's CD-ROM and Internet publishing Department
 - Project manager for high level clients
 - B.A., English, Northern Kentucky University
 - M.A., English, University of Cincinnati
 - Eleven years with American Legal

Role: Responsible for production of Code on CD and online; primary technical contact for the City

Project Support Staff: American Legal employs 36 staff members. Our editorial support staff consists of experienced editors skilled in the multiple disciplines required in providing codification services: editing, computer operation, proofreading and indexing. Our typical editor has a college degree in English or Law.

4. Description of Services:

Web Hosting/Online Posting:

Post the Code online in a searchable database. American Legal Publishing's technical team will convert the electronic version of the code documents into the Folio search and retrieval program. The Folio versions will be made available to the City and subscribers on CD-ROM, and will be posted online via the NXT platform for free internet access to City personnel and the public.

Folio Views allows users to perform fast, full-text searches on the entire code. Users can search for words, phrases, section numbers – anything they want. Folio also offers an electronic table of contents that allows users to navigate and browse the code, as well as a hypertext linking feature that allows users to connect or “jump to” related pieces of information (such as cross-references). Fast, secure, and easy-to-use, Folio is the industry standard in search-and-retrieval software.

To assist City staff and private citizens in reaping the full benefits of the extensive search capabilities of the NXT web platform, American Legal has developed a convenient, online tutorial providing clear, simple instructions on making full use of our online database. This Web Demonstration video is conveniently located on our website at www.amlegal.com under Services, Electronic and Internet Publishing.

Future Supplements:

Online supplements. American Legal's editors can update the online Code as often as the City desires – including weekly or whenever new legislation is adopted and provided to American Legal. The online code will state on the front page what the most recent legislation is that has been included in the Code. Each section amended will include a history with the legislation number and adoption date.

Paper supplements. The printed version of the Code in loose-leaf format can be updated weekly as well, or on any other schedule chosen by the City, such as monthly, quarterly, every six months or annually. Supplements will include Instruction Pages with information on which pages in the Code are to be replaced.

New Legislation Online:

American Legal can post new ordinances on the internet with a link to the full text of the ordinance until they are incorporated into the Code. Ordinances can be linked in an Ordinance List or at the code sections they amend. Once the online code is updated, the list can be updated to remove ordinances from the list that have been incorporated into the code, or the ordinances can remain permanently.

Model Ordinance Service:

You can simultaneously search nearly 900 municipal and county codes on our website for model language **at no cost**. You may search one code at a time, all codes in a state, or all online codes at once. And, it's all for free.

Please note, that many other publishers permit a free search of only one code at a time, requiring a paid subscription to search multiple cities simultaneously. While they may offer to waive the subscription fee for City staff, your citizens (including law firms, developers, realtors, etc.) will be restricted to single code searches or forced to pay a subscription fee.

Software Program:

CD-ROM:

American Legal will provide the City's Code in the award-winning Folio Views full-text search-and-retrieval software, and provide the City with a copy of the Code on CD-ROM. Folio Views allows users to perform fast, full-text searches on the code. Users can search for words, phrases, section numbers – just about anything they want. Folio also offers an electronic table of contents that allows users to navigate and browse the code, as well as a hypertext linking feature that allows users to connect or “jump to” related pieces of information (such as cross-references). Users can create separate files for annotating with popup notes and highlighting. Fast, secure, and easy-to-use, Folio is the industry standard in search-and-retrieval software. (American Legal can also provide the code files in MS Word and PDF.)

The American Legal Folio Advantage:

Our experienced electronic publishing staff provides the highest quality Folio products and services in the codification industry. Unlike our competitors, we don't just “offer” Folio, we specialize in providing comprehensive Folio-related electronic publishing and consulting services. American Legal was the first national codification company to put Folio to work for local governments. We create Folio *infobases* for codes of ordinances, attorney opinions, meeting minutes, policy and procedure manuals, and other government documents. Our *total electronic integration* of local government information is unmatched in the industry. All of our Folio *infobases* contain an electronic table of contents and extensive hypertext linking (for the table of contents, cross-references, chapter analyses and title analyses).

The American Legal Web Hosting Advantage:

American Legal's website allows users to print, save and email material (***such as one section, one chapter, or an entire title***) from the site with just a few clicks of the mouse. Users are also able to set links to a specific chapter or section of the code.

Our Web hosting service offers:

Fast, full-text searching using the acclaimed NXT software.

An on-line **Internet query template** that allows our clients to search ALL the Codes in our Internet collection.

Please Note: Unlike some codification firms, American Legal allows users to search our entire national collection of codes at no cost.

An **ADA** alternative view and a **Mobile View** in addition to the standard online view.

A **Quick Search** feature, as well as an **Advanced Search** feature (with **Boolean** searching, exact phrase searching and other features) so that users can choose the type of search they want to perform.

A **specially-designed interface** that allows you to see the text of your document, the table of contents, the query dialog box, and a ranked hit list at the same time. Our specially-designed interface allows you to quickly and easily access the portion of the document you need to utilize (whether it's the table of contents, the search feature or the document itself). *We can also customize the look and feel of the site in case you want to develop a unique appearance for your document.*

Easy-to-use navigation options that allow you to move from search hit to search hit, and from document to document (both forward and backward) **without having to return to a results list to move to the next search find.** This feature is available in both the desktop and mobile view versions.

The ability to **print individual chapters or sections** of the document and the ability to **download** the document into numerous formats such as RTF (Word), PDF, HTML, EPUB and MOBI.

American Legal can apply **Google Translate** features to the online Code.

Internal **hypertext links** to other sections of the code that are cross-referenced

Please Note: American Legal's Web hosting service is very flexible and allows you to view, download and print the Code a section, chapter or title at one time (depending on your preferences). Users will not need to obtain any additional software to print or download portions of the Code. Folio and NXT, as industry standard search and retrieval software, are used and supported by vendors across the nation. Other publishers use their own proprietary software. Should you become dissatisfied with any other aspect of their services (quality, pricing, timeliness, etc.) and wish to change publishers, you would lose your investment in their online hosted code

5. INTERNET FEATURES

The American Legal Publishing Difference

Online Features:	Many features are included in current annual hosting fee at no additional cost	Price:
PC, Tablet, Smart Phone versions	Frames version for PC; ADA Compliant View and Mobile View available for mobile devices.	Included
Multiple Search formats	1. Quick Search Box 2. Advanced Search Template 3. Boolean Search Field	Included
Automatic Stem Searches (finds plurals of words)	<i>Dog finds dog and dogs Fence finds fence, fences, fencing and fenced</i>	Included
Synonym Searches	<i>Grass finds grass, turf, lawn Garbage finds garbage, litter, trash, rubbish</i>	Included
Continuous Next Hit feature	You can go through all hits without having to go back to the Results List for each chapter	Included
Search Results List	Advance searches lists results in order of relevancy; Quick searches lists results in order as found in the document	Included
Table of Contents expands and links to sections	View and navigate the TOC while also viewing code text and option to view TOC, Document and Search Results at same time	Included
Download text in multiple file choices from the web	Can download into RTF (for MS Word), HTML, TXT, PDF, MOBI and EPUB (can also use copy/paste feature)	Included
Email text in multiple file choices from the web	Can email text RTF (for MS Word), HTML and TXT (actually attaches text, not just a link to the code)	Included
Cross-references hyperlinked	Cross-references to other sections, including Penalty references are hyperlinked	Included
Color Graphics	Yes - if provided in color by the City	Included
Static Links to specific sections can be set	Ability to links to titles, chapter or individual sections in the code	Included

Scrolling tables - static header	The titles of table columns remain visible as you scroll through tables	Included
Limit searches to specific sections	Use TOC feature to limit search to chapters or sections (or expand search to other municipal codes)	Included
Electronic format	Online document flows uninterrupted; no page breaks or page numbers to interrupt the text	Included
Search over 900 municipal codes	Free access to all codes we publish online; no need to subscribe to any service	Included
Searchable CD-ROM version provided	Searchable CD version of the documents in Folio is provided	Included
Online help features	Use online help features or contact our technical service reps via email or toll-free phone number	Included
OPTIONAL ONLINE SERVICES:		
Archive of prior versions of code online	Prior versions of the code may be hosted online for research purposes.	
New Ordinance List Service (Advance Legislation Notice)	Ordinances not yet codified listed with link to full text of ordinances(ordinances removed from list once they are codified)	
New Ordinance Notification	Notice posted at beginning of code section with link to ordinance that will amend that section (ordinances removed from code once they are codified)	
Comprehensive Ordinance List	New ordinances added to list of all ordinances codified and remain even after code is updated	
Ordinances History Links within code section histories	As new ordinances are added to the code section history list, links to the original ordinance can be set	
Definition Links	Defined terms in the code can be hyperlinked directly to their definition (See Cary, NC Land Development Ordinance)	
Translation into other languages	Apply Google Translate to the Code	

6. PRICING

American Legal Publishing proposes to codify the ordinances for the City of Bellevue, NE at the following price:

- I. Base Cost* \$16,270.

**The actual page count may vary from the estimate or you might add new ordinances during the codification process. If the page estimate is high, the cost will be lower than the initial base cost, and vice-versa.*

Includes

1. Number of Copies of Bellevue's Code (includes binders and divider tabs) 20
2. Legal Analysis
 1. Research Internal Consistency
 2. Research State Law Consistency
 3. Legal and Editorial Research and Report
3. Special Features
 1. Tables of Special Ordinances
 2. Parallel References
 3. Comprehensive Index
 4. Tabular Matter (Tables, Charts, Graphs)
 5. Code on CD-ROM (MS Word compatible)
4. Estimated Number Of Pages
8 1/2' x 11" Format
Single column (12 point type) 825 pages
5. Bellevue Code Hosted on American Legal Publishing Website Included
(First year free: Subsequent years will be \$495 per year)
6. Data converted to searchable electronic format (Folio – 1 license) Included
7. Phone and email support with American Legal Publishing Included
8. Zoning Code incorporated by reference only Included

II. Variable Cost

1. Per Page Increase/Decrease Rate
8 1/2" x 11" Format
i. Single Column \$18.00
2. Freight/Shipping
UPS Ground TBD

III. Time to Completion

- Number of Months Until Draft 3-6 months
Number of Months Until Completed Code (after return of draft) 1-3 months

IV. Optional Services that may be ordered:

- a. Additional Copies of Code
 - i. Minimum Number of Copies No minimum
 - ii. Cost per Extra Code with Binder \$80
 - iii. Cost per Extra Code without Binder \$60
- b. Supplement Service
 - i. 8 1/2" x 11" Format
 - ii. Single-column \$18.00/per reprinted page
- c. Subscription Service YES
- d. Folio VIEWS Search and Retrieval Software
 - i. Supplements of Folio* (online hosted pages) \$1.95/page*
(*cost is in addition to editing charge for printed pages)
- e. Zoning Ordinance codified in full (plus shipping and handling) \$7,995.
Estimated number of pages Zoning Code 425 pages
8 1/2" x 11" Format
Single column (12 point type)

V. Terms (can be budgeted over two fiscal years)

- i. Forty Percent (40%) due upon acceptance of this agreement.
- ii. Forty Percent (40%) within 30 days of receiving the draft manuscript.
- iii. Balance 30 days after receiving delivery of the completed code.

American Legal Publishing Corporation
One West Fourth Street
Cincinnati, Ohio 45202

City of Bellevue
1500 Wall Street
Bellevue, NE 68005

CODIFICATION AGREEMENT

March 2, 2018

Whereas the League of Nebraska Municipalities ("League") has contracted with American Legal Publishing Corporation ("Publisher") to provide Codification Services to Nebraska municipalities under the supervision of the League; therefore

The City of Bellevue, a municipal corporation in the State of Nebraska ("Municipality") and American Legal Publishing Corporation ("Publisher"), an Ohio corporation, agree as follows:

I. THE PUBLISHER SHALL:

- (1) Examine the Municipality's Charter (if any), and prior code of ordinances (if any), and all ordinances or resolutions provided by the Municipality and determine which materials are to be codified.
- (2) Utilize its staff of attorneys to review all materials to be codified and prepare a written report for the municipal attorney.
 - (a) The report may include notice of and suggestions for resolving the following:
 - Apparent conflicts with referenced state and federal statutes and administrative regulations;
 - Repealed, renumbered, or obsolete state and federal statutes and administrative regulations;
 - Apparent conflicts with prominent federal case law; and Internal discrepancies such as duplications, ambiguities, and obsolete terminology.
 - (b) Suggest new provisions which the Municipality should consider including in the new code, and delete old provisions which are no longer necessary or which might be improper or unlawful.
 - (c) The review will not involve re-drafting of entire chapters by the Publisher. However, the Publisher will provide model ordinances to the Municipality upon request if available.
 - (d) At the option of the municipality, hold a manuscript conference with municipal representatives to review the report. The Municipality will not be billed for time of the American Legal staff attorney if it chooses this option, but will be billed for travel expenses.

Note: The review performed by the Publisher should not be considered as a substitute for the competent advice of your Municipal Attorney, especially based on his/her in-depth knowledge of the municipal practices and procedures, and American Legal Publishing is in no way assuming the role of attorney for the municipality. Land Use sections of the code are especially specific to the locality and are thus only subject to cursory review and comparison with the rest of the code.

- (3) Classify all ordinances and resolutions which are of a general and permanent nature into titles, chapters, and sections, according to subject matter.
- (4) Make changes to effect uniformity of style and to correct typographical and spelling errors, grammar, and usage. Substantive changes shall not be made in the wording of the ordinances. Suggestions for additions or changes in the ordinances will be submitted to the Municipal Attorney.
- (5) Prepare:
 - (a) Title, chapter, and section headings.
 - (b) A table of contents and sectional analysis for each chapter.
 - (c) A legislative history for each section, citing the ordinance number and date of passage, as indicated on copies of ordinances supplied to the Publisher.
 - (d) Statutory cross-references to sections of the state statutes and to other pertinent parts of the Code where applicable. These references shall appear at the end of the section to which they apply.
 - (e) Tables of Special Ordinances listing chronologically those ordinances in certain subject areas that the Municipality finds to be pertinent.
 - (f) Parallel Reference Tables showing:
 - 1. The disposition of ordinances (in numeric sequence) included in the codification (Ordinance to Code).
 - 2. A listing of code sections based on state statutes (Statute to Code).
 - 3. A listing of prior code sections incorporated into the new code if applicable (Old Code to New Code).
 - (g) An index (which will be created after the first draft of the Code is submitted).
- (6) Provide the Municipality with model or sample ordinances when available and upon request, at no additional charge.

- (7) Deliver to the Municipality, within 3-6 months from receipt of the materials deemed necessary by the Publisher to begin the codification (prior code, ordinances and new code questionnaire), one copy of a draft of the Code for the Municipality's examination.
- (8) If necessary, hold a conference to make final corrections, additions, and deletions to the Code. The Municipality will be billed for the travel expenses of the American Legal staff attorney. The Municipality may present changes to pages of the draft at the conference. After the final conference, no additional changes are to be made. Any further changes, additions, or deletions shall be made in the future supplements to the Code in accordance with III(3) of this Agreement. When the draft, and any changes thereto made by the Municipality, is returned to the Publisher, such return of the draft shall be deemed final authorization by the Municipality to publish the Code as returned. If additional conferences are requested by the Municipality which require the travel of a member of the staff of the Publisher, then the Municipality shall be advised what the additional cost, if any, for such conference will be.
- (9) Deliver to the Municipality, within 3 months of receipt of the corrected draft, 20 printed copies of the Code meeting the following specifications:
 - (a) Type to be single column, at the request of the Municipality
 - (b) Page size to be 8½" x 11"
 - (c) Printed on high quality paper
 - (d) All copies to be in hard-covered, 3-ring, loose leaf binders. All binders shall have the Municipality's name stamped in gold and shall contain divider tabs.
- (10) Provide a sample adopting ordinance to the Municipality.

II. THE MUNICIPALITY SHALL:

- (1) The Municipality will provide clear copies of all materials necessary to perform the codification, including an up to date copy of any previously published code of ordinances, copies of ordinances and pertinent resolutions not previously codified, and a completed New Code Questionnaire (provided by the Publisher). (If the Municipality provides meeting minutes to the Publisher to review for legislation contained therein rather than actual ordinances or resolutions, there will be an additional charge of \$45.00 an hour to extract ordinances or resolutions from the minutes for use in the new code.)
- (2) After receipt of the draft of the code and legal report described in paragraph I (2), the Municipality shall have 60 days to review the draft and report and to return to the Publisher its comments about the draft and its answers to the legal report. In the alternative, if the Municipality opts for the legal conference described in paragraph I (8), it must contact the Publisher within 60 days to set up a meeting date. The meeting, itself, need not occur within the same 60 day period. If the Municipality fails to either return its comments and answers to

the legal report within 60 days or, if applicable, to set up a meeting date, the Municipality may request that the Publisher extend the deadline in writing. The Publisher may adjust the contract price to cover any increased costs due to the Municipality's delay.

- (3) The Publisher agrees to include in the final version of the Code all ordinances adopted by the Municipality up to the time the manuscript is originally due back to the Publisher under the provisions of (2) above. The Municipality agrees that any ordinances adopted after this date shall be included at the Publishers' supplement rates (as set out in paragraph III(3)(b)) at the time of the inclusion of these ordinances into the code.

- (4) (a) Pay to the Publisher for shipping of the final code order as a base price, the sum of \$16,270.00 for its services set out in Section I, payable as follows:

Forty percent (40%) due upon acceptance of this agreement;
Forty percent (40%) within 30 days after submission of the manuscript and invoice;
The balance 30 days after receiving final delivery of the printed Code books plus invoice.

- (b) The price above is based upon a code of the following number of pages according to the format option chosen by the Municipality. Should the final page count of the code be fewer or more pages than this estimate, the base price will decrease or increase accordingly at the time of the final invoice:

FORMAT	NUMBER OF PAGES	DECREASE OR INCREASE
8½" x 11" Single-column page	825	\$18.00 per page

- (5) Pay any invoices within 30 days of the invoice date. Invoices outstanding beyond the 30 day period shall be subject to a late payment equal to 1.5% of the unpaid balance per month, or part thereof.

III. OPTIONAL SERVICES.

The Municipality, by the initials of the person executing the agreement on its behalf, exercises the following options:

INITIAL

- (1) Code Format:

- (a) Single-column format

- (2) Additional Copies of Code: number of copies

The Municipality may purchase additional codes at (*circle one*:)
\$80 per copy with binder or \$60 per copy without a binder

(3) Five year supplemental service plan: _____

For a period of five years after delivery of the code:

(a) The Publisher shall:

1. Incorporate into the code new pertinent ordinances submitted by the Municipality.
2. Revise or make additional entries to the table of contents, parallel reference tables, and index as necessary to reflect the incorporation of additional, changed or deleted material.
3. Deliver to the Municipality 20 printed copies of supplemental pages with an instruction sheet for directing the placement of the new pages in the code.

(b) The Municipality shall:

1. Provide a copy of ordinances or resolutions passed subsequent to publication of the previous code supplement;
2. Pay to the Publisher the sum of \$18.00 per reprinted single column page.

The prices above are for a five-year period and cannot be changed except for adjustments in the second, third, fourth, and fifth years of this agreement to reflect any decrease or increase in the United States Consumer Price Index calculable from the month of delivery of the Code.

If the code page contains an image (diagram, photograph, graph, etc.) or table, there is an additional \$10.00 per page charge.

- (c) Upon completion of the five-year period, this agreement shall automatically renew itself from year to year except that either party may alter or cancel the terms of this agreement at any time upon ninety days written notice.

(4) Code on CD-ROM (word processing program): _____

At no additional charge, the Publisher will provide the code on CD-ROM in one of the following formats (*circle one*): PDF or Microsoft Word

(5) Code Hosted on American Legal Publishing website \$495 per year(1st year free) _____

(6) Zoning Ordinance Options: (*Initial only one Zoning option*)

(a) Zoning Code incorporated by reference only _____

OR

(b) Zoning Code Codified in full - \$4,995. 425 Estimated number of pages
8 ½' x 11" Format Single column (12 point type) _____

IV. TRANSMITTAL AS OFFER.

The transmittal of this Agreement to the Municipality is an offer by the Publisher to perform the stated services at the prices and terms referenced within the Agreement. This offer will expire if not executed by the Municipality by February 28, 2019, unless such date is extended in writing by the Publisher.

IN WITNESS WHEREOF the parties to this contract have hereunto set their hands on the date(s) indicated:

CITY OF BELLEVUE, NEBRASKA

AMERICAN LEGAL PUBLISHING CORPORATION

By _____

By _____

Title _____

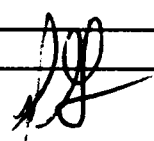
Title _____

Date _____

Date _____

156
2-11-19

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

COUNCIL MEETING DATE:	2/11/2019	AGENDA ITEM TYPE:	
SUBMITTED BY: Chief Perry Guido 		SPECIAL PRESENTATION	<input type="checkbox"/>
		LIQUOR LICENSE	<input type="checkbox"/>
		ORDINANCE	<input type="checkbox"/>
		PUBLIC HEARING	<input type="checkbox"/>
		RESOLUTION	<input type="checkbox"/>
		CURRENT BUSINESS	<input checked="" type="checkbox"/>
		OTHER (SEE CLERK)	<input type="checkbox"/>

SUBJECT:

Remount Medic units

SYNOPSIS:

North Central Emergency Vehicles will remount our two 2010 medic units on Ford F550 chassis for \$146,717.00 each total of \$293,434.00

FISCAL IMPACT:

Budgeted \$240,000

BUDGETED ITEM: ☒ YES ☐ NO

PROJECT # & TRACKING INFORMATION:

Estimated at \$293,434.00

RECOMMENDATION:

Approve purchase.

BACKGROUND:

See attached memo.

ATTACHMENTS:

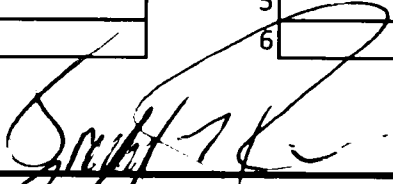

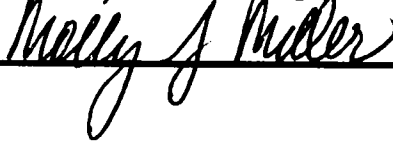
- | | | | |
|---|----------------------------------|---|--|
| 1 | Fleet Maintenance Support Letter | 4 | |
| 2 | Fire Department Memo | 5 | |
| 3 | North Central bid | 6 | |

SIGNATURES:

ADMINISTRATOR APPROVAL:

FINANCE APPROVAL:

LEGAL APPROVAL:



City of Bellevue Fire & Rescue Department
211 West 22nd Avenue * Bellevue, Nebraska, 68005 * (402) 293-3153 * (402) 293-3079 fax
www.bellevue.net

February 5, 2019

We have budgeted \$240,000.00 for a replacement medic unit in this year's budget. We have researched with Braun the feasibility to remount any of our existing medic units that are currently on truck chassis to the new medium duty F550 chassis. Our two newest medic units, 21 and 41, are 2010 Internationals with Braun medic boxes and are the only two that will be able to be remounted. The remaining three medics are a 2002 International, a 2003 International and a 2006 International; all will need to be eventually replaced and cannot be remounted.

To purchase a new medic unit would cost \$226,734.00. Doing the remount will cost \$146,717.00, for a savings of \$80,017.00. We are recommending that we remount both medics 21 and 41 consecutively, and the remount time is 90 days after receiving the chassis and the medic unit. The time frame to receive the chassis is 90-120 days after the order is placed. If we were to order both chassis at the same time, the dealership ordering the chassis would order one, then a month later order the second. The payment for the purchase of the chassis is due at the time of order. The chassis cost is \$50,595.00 each. By doing one remount at a time, we would only have to take one medic unit out of service at a time for the process.

This plan would allow us to receive the first remounted medic unit in August/ September time frame and the second remounted medic unit in December/January timeframe. The total cost for both units would be \$293,434.00 and that would be \$53,434.00 over our 2018/2019 budget of \$240,000.00, however, as the second medic unit will not be delivered until December /January we can add \$ 53,434.00 to the 2019/2020 budget.

Attached is a cost breakdown of the remount by the authorized Braun facility North Central Emergency Vehicles. We believe this will accomplish all our needs for a medic unit, but once the unit is removed from the old chassis prior to being placed on the new chassis, it is possible to find some small defects that were unknown to us and will need to be corrected.

Perry Guido
Fire Chief
Bellevue Fire Department

NCA Remount Pricing – Bellevue, NE

Remount Effective February 4, 2019

2019 Ford F550 ambulance Prep Pkg Diesel chassis..... \$50,595.00

* Chassis total due upon placement of order to North Central Ambulance Sales and Service. Price of chassis include Ford FIN rebate.

Base:

Remount.....	29,900.00
Liquid Spring.....	11,700.00
Fenderettes (two).....	400.00
Wheel covers (stainless).....	450.00
Rub Rails.....	523.00
Running boards with open grate inserts.....	2,000.00
Replace all door latches.....	534.00
Install new door handles (Eberhard).....	3,500.00
Replace all door switches.....	305.00
Replace all door weather stripping.....	477.00
Replace module diamond plate corner guards.....	508.00
Rear door diamond plate.....	367.00
Rear center bumper section.....	586.00
Rear bumper corners – aluminum.....	496.00
Rear bumper corners – stamped stainless steel.....	498.00
Drip rails.....	215.00
Weld up front wall and change to Ford pass through.....	4,762.00
Modify floor from International to Ford mounting.....	2,675.00
Repaint.....	14,800.00
Graphics and lettering.....	1,980.00
Install new wiring harness and driver's switch console.....	2,447.00
Electronic throttle module.....	208.00
New In-Power battery disconnect solenoid w/delay timer.....	298.00
New Peterson LED ICC lights.....	362.00
Install seven (7) Whelen 900 LED lights on front of module..	2,114.00
Install 2 new Whelen 700 Super LED intersection lights red..	332.00
Install 2 new Whelen 500 Super LED grille lights (red).....	332.00
Replace rear back-up lights with 900 LEDs.....	802.00
Install six (6) Whelen 900 LED scene lights.....	2,286.00
Change Opticom from lightbar to condenser.....	150.00
New Cast Products bumper mount siren speakers.....	947.00
Install new Whelen 295HFS siren.....	386.00
Two (2) new shoreline outlets.....	572.00
Inspect and test all antennas.....	Included
Combination 115VAC/12VDC heat/ac system.....	6,457.00
New seat belts (four sets).....	245.00

Upholstery as needed and new attendant seat.....	2,050.00
Replace wall covering as needed.....	675.00
Add oxygen port in ceiling.....	336.00
Miscellaneous fasteners, connectors, etc.....	800.00
Braun warranty renewal fee.....	1,100.00
Less FIN rebate.....	-4,000.00
Trade-in of old chassis.....	-2,500.00
OTE cabinet in walk through with installation of cabinet.....	3,047.00

TOTAL.....	\$146,717.00
-------------------	---------------------

Removed

Install new 400,000 CP spotlight.....	69.00
Make OSS #3 inside/outside access.....	3,500.00
CompX Elock with temperature and access Ethernet monitoring	2,393.28
Add cabinet below pass through	1,042.00



City of Bellevue
Fleet Maintenance Department
2012 Betz Road • Bellevue, Nebraska 68005 • (402) 293-3129

MEMORANDUM

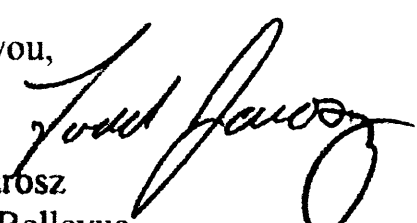
To: Steve Betts
From: Todd Jarosz
Subject: Re-chassis
Date: 2/1/2019

Reviewing the current lineup of Med units at the Fire Department five out of the six Med units meet the replacement criteria. The current Med units fall under the heavy truck chassis replacement of 8-10 years or 100,000 miles. By the time a new Med unit could be put into service all the units will meet both criteria.

Obviously with the current budget restrictions the replacement of all five Med units is improbable at this time. With this said there needs to be a replacement plan formulated.

Going over the memo you sent me on remounting the boxes of two of the Med units onto new chassis would be a great way to start the replacement process. With the addition of two new/remounted Med units that would take the pressure off the older units and buy them more time to be replaced. Comparing the cost of new to remounting, it definitely would save the city money, I would recommend this route to replace the units.

Thank you,


Todd Jarosz
City of Bellevue
Fleet Superintendent

=

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

15C
2-11-19

COUNCIL MEETING DATE:	02/11/2019	AGENDA ITEM TYPE:	
		SPECIAL PRESENTATION	<input type="checkbox"/>
SUBMITTED BY:		LIQUOR LICENSE	<input type="checkbox"/>
Rich Severson, Finance Director; Abby Highland, CDBG Program Administrator		ORDINANCE	<input type="checkbox"/>
		PUBLIC HEARING	<input type="checkbox"/>
		RESOLUTION	<input type="checkbox"/>
		CURRENT BUSINESS	<input checked="" type="checkbox"/>
		OTHER (SEE CLERK)	<input type="checkbox"/>

CONSENT

SUBJECT:

Extension request for 2017 CDBG Council-approved agreement, Habitat for Humanity of Sarpy County through February 27, 2020

SYNOPSIS:

The City of Bellevue executed a one-year CDBG subrecipient agreement with Habitat for Humanity of Sarpy County on February 27, 2018, as outlined in the 2017 Action Plan. Work on the project continues with the full grant balance remaining. Habitat for Humanity of Sarpy County has request an extension of the agreement.

FISCAL IMPACT:

The current grant balance is \$50,000.00. The funds will remain allocated for the program until expiration of the subrecipient agreement.

BUDGETED ITEM: ☒ YES ☐ NO

GRANT/MATCHING FUNDS

☐ YES ☒ NO

IF NO, EXPLAIN:

IF YES, %, \$, EXPLAIN:

1903-191701-450

PROJECT NAME, CALENDAR AND CODING:

Requestor	Project Name:	Habitat 2018 Land Purchase
	Expected Start Date:	02/27/2018
	Expected End Date:	02/27/2020
	CIP Project Name:	NA
	MAPA # and Name:	NA
Finance	Street District # and Name:	NA
	Distribution Code:	60-00-1903-191701-450-60HUD / CDBG -191701
	GL Account #: Various	GL Account Name:

RECOMMENDATION:

Approve the extension of the 2017 CDBG subrecipient agreement amendment with Habitat for Humanity of Sarpy County.

BACKGROUND:

The City of Bellevue awarded grant funds to Habitat for Humanity of Sarpy County for the 2018 Land Purchase project outlined in the 2017 Action Plan to assist with the purchase of two lots for the development of affordable housing. A Subrecipient Agreement was executed February 27, 2018 with the Time of Performance set to expire on February 27, 2019. The project has not completed a land purchase and grant funds are still available. Habitat has requested an extension to continue the project. The subrecipient agreement allows for a one-year extension upon request by the subrecipient. Staff recommends approval of an extension for the use of funds and will assist Habitat to complete the program in accordance with HUD regulations.

ATTACHMENTS:

1	2017 Agreement Amendment	4	
2	Subrecipient Extension Request	5	
3		6	

SIGNATURES:

ADMINISTRATOR APPROVAL:

FINANCE APPROVAL:

LEGAL APPROVAL:

[Signatures]



January 29, 2019

City of Bellevue
Attn: Ms. Abby Highlander
1500 Wall Street
Bellevue, NE 68005

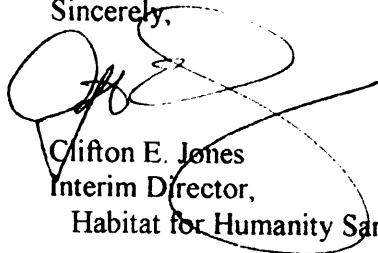
Dear Ms. Highlander,

Please find enclosed a signed and notarized copy of the First Amendment To Agreement for the Community Development Block Grant (CDBG) for Habitat for Humanity Sarpy County. A copy of the agreement was emailed to you today. A copy with original signatures is enclosed.

Thank you for your assistance with this process.

If you have any questions or need anything from me currently, please contact me at (402) 292-6560, ext. 105 or by email at executivedirector@hfhsarpy.org.

Sincerely,

A handwritten signature in black ink, appearing to be "Clifton E. Jones", written over a large, faint circular stamp or watermark.

Clifton E. Jones
Interim Director,
Habitat for Humanity Sarpy County

**FIRST AMENDMENT TO AGREEMENT
BETWEEN THE CITY OF BELLEVUE AND
HABITAT FOR HUMANITY OF SARPY COUNTY
FOR EXPENDITURE OF
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS
B-17-MC-31-0003**

THIS FIRST AMENDMENT TO THE SUBRECIPIENT AGREEMENT FOR CDBG FUNDING entered into this 28th day of January, 2019 by and between the subrecipient HABITAT FOR HUMANITY OF SARPY COUNTY, a non-profit organization, hereinafter referred to as the SUBRECIPIENT, and the CITY OF BELLEVUE, COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, a Grantee of the CDBG entitlement program, hereinafter referred to as the GRANTEE.

BACKGROUND

A. WHEREAS, the SUBRECIPIENT and the GRANTEE entered into that certain Agreement, dated February 27, 2018, (the "Agreement") for the purpose of providing assistance for the acquisition of a minimum of two lots for residential redevelopment in the amount of \$50,000.00;

B. WHEREAS, the parties desire to amend the Agreement to extend the term thereof, update the Timeliness and Time of Performance by the SUBRECIPIENT to the GRANTEE, and to otherwise modify the Agreement as provided for herein; and

C. WHEREAS, the parties therefore intend that the terms of the Agreement shall be so modified.

AGREEMENT

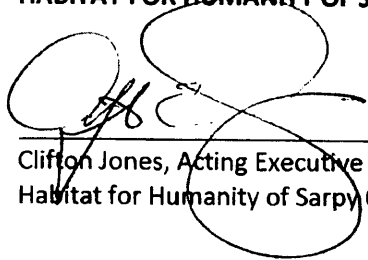
NOW, THEREFORE, in consideration of the premises and obligations as set forth in this Amendment, the receipt and adequacy of which is hereby agreed and acknowledged, the parties agree as follows:

1. Time of Performance. The time of performance of this Agreement is hereby extended and will remain in effect through February 27, 2020.
2. Timeliness. Funds not expended by February 27, 2020, shall be eligible for reallocation by the GRANTEE.


(Remainder of page intentionally left blank.)

IN WITNESS WHEREOF, the parties have executed this First Amendment to Agreement as of the date first written above.

HABITAT FOR HUMANITY OF SARPY COUNTY:



Clifton Jones, Acting Executive Director
Habitat for Humanity of Sarpy County



Sarah Doohen, President
Habitat for Humanity of Sarpy County

CITY OF BELLEVUE:

Rusty Hike, Mayor
City of Bellevue, Nebraska

Richard Severson, Finance Director
City of Bellevue, Nebraska

ATTEST:

Sabrina Ohnmacht, City Clerk
City of Bellevue, NE

STATE OF NEBRASKA)
): SS.
COUNTY OF SARPY)

The undersigned, a notary public qualified in and for said county, does hereby certify that Rusty Hike and Sabrina Ohnmacht, whose names as Mayor and City Clerk respectively, of the City of Bellevue, Nebraska, a municipality of the first class and political subdivision of the State of Nebraska, are signed to the foregoing instrument and who are each known to me and known to be such officers, acknowledged before me on this day and they, in their respective capacities as Mayor and City Clerk, executed and delivered said instrument as their voluntary act and deed and voluntary act and deed of such corporation.

WITNESS my hand and official seal.

Signature: _____

(Affix Notarial Seal)

My Commission Expires: _____

STATE OF NEBRASKA)
): SS.
COUNTY OF SARPY)

The above and foregoing instrument was acknowledged before me this 28 day of February, 2019, by Sarah Doohen, President of Habitat for Humanity of Sarpy County, on behalf of the organization.

My Commission Expires:

Jun 26 2022

Brandon Erives
NOTARY PUBLIC

BRANDON ERIVES
General Notary - State of Nebraska
My Commission Expires Jun 26, 2022



City of Bellevue
Attn: Abby Highland
CDBG Program Administrator
1500 Wall Street
Bellevue, NE 68005

Dear Ms. Highland,

I am writing to request an extension of grant no. B-17-MC-31-0003. The current end date of the grant is February 27, 2019.

The primary reason for the extension is we had two contingent offers that failed to close:

- 1.) Early last year we were in discussion about a large parcel of land located at 32nd and Chandler Rd. This property, if developed would have created up to 50 lots, providing building opportunities for Habitat for the next 10 years. After consulting with the City of Bellevue and completing environmental and other inquiries, the owner decided to withdraw the offer. He then increased the price of the property beyond what Habitat could develop at a reasonable cost.
- 2.) Following the 32nd and Chandler loss, we started negotiations on a property near 25th street, Virginia and Rose Lane. The property had a power line across a portion of the land. We needed to confer with the City of Bellevue to see if this was a problem. We also completed an environmental study. After this process we determined developing the property would be too expensive.
- 3.) Finally, in September 2018, our Executive Director for 10 years resigned to take a position at Bellevue Public Schools Foundation. This loss closed-down several potential opportunities he had in the pipeline to purchase properties.

As Interim Director, I have continued to work on locating properties within the Bellevue area. Through the work study program at Bellevue University, we have added a student, George Millan Fernandez, to our site selection team. Mr. Fernandez will work two days each week, Monday and Tuesday to look for possible lots within the Bellevue area. He will work with our current Site Selection Chair, Mr. John Taylor.

Starting February 4, 2019, Habitat will employ a new full time Executive Director. He was selected because of his knowledge of Bellevue and Sarpy County and his real estate background.



This addition to our staff, along with the improved site selection team, should get things back on track and improve our ability to locate lots, make purchases and fulfill the terms of the grant agreement within early-to-mid 2019.

If you have any questions regarding this grant extension request, please contact me at (402) 292-6560, ext. 105 or by email at: executivedirector@hfh-sarpy.org.

Sincerely,

A handwritten signature in black ink, appearing to be "Clifton E. Jones", written over a large, loopy circular flourish.

Clifton E. Jones
Interim Executive Director
Habitat for Humanity Sarpy County

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

*15d
2-11-19

COUNCIL MEETING DATE:	02/11/2019	AGENDA ITEM TYPE:	
		SPECIAL PRESENTATION	<input type="checkbox"/>
		LIQUOR LICENSE	<input type="checkbox"/>
		ORDINANCE	<input type="checkbox"/>
		PUBLIC HEARING	<input type="checkbox"/>
		RESOLUTION	<input type="checkbox"/>
		CURRENT BUSINESS	<input checked="" type="checkbox"/>
		OTHER (SEE CLERK)	<input type="checkbox"/>

COUNCIL

SUBJECT:

Extension request for 2017 CDBG Council-approved agreement with Heartland Family Service through February 27, 2020

SYNOPSIS:

The City of Bellevue executed a one-year CDBG subrecipient agreement with Heartland Family Service on February 27, 2018, as outlined in the 2017 Action Plan. Work on the program continues with a fund balance remaining. Heartland Family Services has request an extension of the agreement

FISCAL IMPACT:

The current grant balance is \$19,661.70. The funds will remain allocated for the program for the term of the subrecipient agreement.

BUDGETED ITEM: ☒ YES ☐ NO

GRANT/MATCHING FUNDS

☐ YES

☒ NO

IF NO, EXPLAIN:

IF YES, %, \$, EXPLAIN:

PROJECT NAME, CALENDAR AND CODING:

Requestor	Project Name:	Heartland Housing Navigator Program	
	Expected Start Date:	02/27/2018	Expected End Date: 02/27/2020
	CIP Project Name:	NA	
	MAPA # and Name:	NA	
Finance	Street District # and Name:	NA	
	Distribution Code:	60-00-1903-191704-450-60HUD / CDBG -191704	
	GL Account #: Various	GL Account Name:	

RECOMMENDATION:

Approve the extension of the 2017 CDBG subrecipient agreement amendment with Heartland Family Service.

BACKGROUND:

The City of Bellevue awarded grant funds to Heartland Family Service for the Heartland Housing Navigator Program in the 2017 Action Plan to assist those at risk of becoming homeless with finding housing. A Subrecipient Agreement was executed February 27, 2018 with the Time of Performance set to expire on February 27, 2019. Grant funds are still available for the program and Heartland Family Service has requested an extension to continue the program until all funds are expended. The subrecipient agreement allows for a one-year extension upon request by the subrecipient. Staff recommends approval of an extension for the use of funds and will assist Heartland to complete the program in accordance with HUD regulations.

ATTACHMENTS:


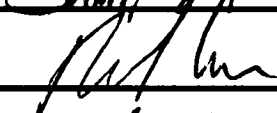
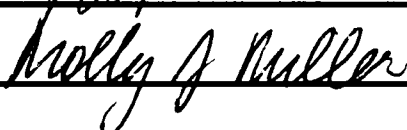
1	2017 Agreement Amendment	4	
2	Subrecipient Extension Request	5	
3		6	

SIGNATURES:

ADMINISTRATOR APPROVAL:

FINANCE APPROVAL:

LEGAL APPROVAL:

City of Bellevue
CDBG Program
ATTN: Abby Highland
1500 Wall Street
Bellevue, NE 68005



HeartlandFamilyService.org

Central Administrative Office
2101 S. 42nd Street
Omaha, Nebraska 68105

Better Together
1875 S. 75th Street, #107
Omaha, Nebraska 68124

Center Mall Offices
Child & Family
1941 S. 42nd Street, Suite 375
Homeless Services
1941 S. 42nd Street, Suite 385
Omaha, Nebraska 68105

**Charles E. Lakin
Human Services Campus**
1515 Avenue J
Council Bluffs, Iowa 51501

Child & Family Center
705 N. 16th Street
Council Bluffs, Iowa 51501

**Generations Center/
Youth Links**
4318 Fort Street
Omaha, Nebraska 68111

Glenwood Office
302½ S. Locust Street
Glenwood, Iowa 51534

H. Lee Gendler Center
515 E. Broadway
Council Bluffs, Iowa 51503

Heartland Bridges
600 9th Avenue
Council Bluffs, Iowa 51501

Iowa Family Works
1722 Avenue C
Council Bluffs, Iowa 51501

Jefferson House
437 Jefferson Road
Fremont, Nebraska 68025

Logan Office
107 N. 4th Avenue, #8/9
Logan, Iowa 51546

Nebraska Family Works
4847 Sahler Street
Omaha, Nebraska 68104

Sarpy Office
302 American Parkway
Papillion, Nebraska 68046

Therapeutic School
2912 9th Avenue
Council Bluffs, Iowa 51501

Transitions
208 S. 25th Street
Council Bluffs, Iowa 51501

RE: CDBG Extension Request

Beginning in March 2018, the Housing Navigator for the City of Bellevue has been assisting individuals who are experiencing a housing crisis & fleeing domestic violence through partnerships with local non-profits & government agencies. Due to this service being newer to the Bellevue community, identifying referrals for this program was slow in the beginning and has gradually increased overtime. Efforts to increase awareness in the community of the services we are providing have proven to be effective, but continued efforts are needed in order to ensure that the program is maximizing the opportunity to assist those in need.

Recently, a meeting was held with PromiseShip, a non-profit assisting families in the child welfare system, to provide information on the Navigation program and to establish a referral process for any families that could possibly benefit from these services. Since meeting with PromiseShip, referrals to the Navigation program have increased, and it is anticipated that this will continue to increase over time as we continue to work and partner with other nonprofits in the area to educate them on the services we provide, and to best assist those in need of our services.

Due to the slow ramp up, funds for the initial year of services will remain at year end. We estimate that the program could continue through November, into December 2019 utilizing the original funding award of \$39,870 at the current rate of expenditure. If client activity continues to increase, the timeline will be shorter.

Thank you for your consideration of this extension request. If you have any questions or concerns, feel free to contact me at: 402-934-8874.

Mindy Paces

Program Director

Navigation & Homeless Diversion



**FIRST AMENDMENT TO AGREEMENT
BETWEEN THE CITY OF BELLEVUE AND
HEARTLAND FAMILY SERVICE
FOR EXPENDITURE OF
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS
B-17-MC-31-0003**

THIS FIRST AMENDMENT TO THE SUBRECIPIENT AGREEMENT FOR CDBG FUNDING entered into this ____ day of ____, 2019 by and between the subrecipient HEARTLAND FAMILY SERVICE a non-profit organization, hereinafter referred to as the SUBRECIPIENT and the CITY OF BELLEVUE, COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, a Grantee of the CDBG entitlement program, hereinafter referred to as the GRANTEE.

BACKGROUND

A. WHEREAS, the SUBRECIPIENT and the GRANTEE entered into that certain Agreement, dated January 27, 2018, (the "Agreement") for the purpose of providing assistance for the Housing Navigator Program in the amount of \$39,780.00;

B. WHEREAS, the parties desire to amend the Agreement to extend the term thereof, update the Timeliness and Time of Performance by the SUBRECIPIENT to the GRANTEE, and to otherwise modify the Agreement as provided for herein; and

C. WHEREAS, the parties therefore intend that the terms of the Agreement shall be so modified.

AGREEMENT

NOW, THEREFORE, in consideration of the premises and obligations as set forth in this Amendment, the receipt and adequacy of which is hereby agreed and acknowledged, the parties agree as follows:

1. Time of Performance. The time of performance of this Agreement is hereby extended and will remain in effect through February 27, 2020.
2. Timeliness. Funds not expended by February 27, 2020, shall be eligible for reallocation by the GRANTEE.

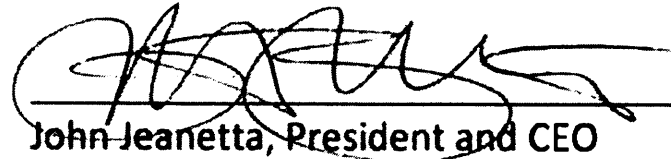
(Remainder of page intentionally left blank.)

IN WITNESS WHEREOF, the parties have executed this First Amendment to Agreement as of the date first written above.

HEARTLAND FAMILY SERVICES:



Melissa Crawford, Chairman of the Board
Heartland Family Service



John Jeanetta, President and CEO
Heartland Family Service

CITY OF BELLEVUE:

Rusty Hike, Mayor
City of Bellevue, Nebraska

Richard Severson, Finance Director
City of Bellevue, Nebraska

ATTEST:

Sabrina Ohnmacht, City Clerk
City of Bellevue, NE

STATE OF NEBRASKA)
): SS.
COUNTY OF SARPY)

The undersigned, a notary public qualified in and for said county, does hereby certify that Rusty Hike and Sabrina Ohnmacht, whose names as Mayor and City Clerk respectively, of the City of Bellevue, Nebraska, a municipality of the first class and political subdivision of the State of Nebraska, are signed to the foregoing instrument and who are each known to me and known to be such officers, acknowledged before me on this day and they, in their respective capacities as Mayor and City Clerk, executed and delivered said instrument as their voluntary act and deed and voluntary act and deed of such corporation.

WITNESS my hand and official seal.

Signature: _____

(Affix Notarial Seal)

My Commission Expires: _____

STATE OF NEBRASKA)

: SS.

COUNTY OF ~~SARPY~~)

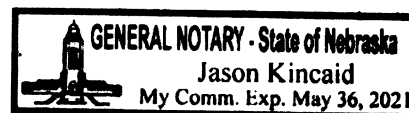
Douglas

The above and foregoing instrument was acknowledged before me this 20th day of December 2018 by Melissa Crawford, Chiarmman of the Board, on behalf of the organization.

My Commission Expires:

May 26th, 2021


NOTARY PUBLIC



CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

* 15 e
2-11-19

COUNCIL MEETING DATE:	02/11/2019	AGENDA ITEM TYPE:	
SUBMITTED BY: Rich Severson, Finance Director; Abby Highland, CDBG Program Administrator		SPECIAL PRESENTATION	<input type="checkbox"/>
		LIQUOR LISCENSE	<input type="checkbox"/>
		ORDINANCE	<input type="checkbox"/>
		PUBLIC HEARING	<input type="checkbox"/>
		RESOLUTION	<input type="checkbox"/>
		CURRENT BUSINESS	<input checked="" type="checkbox"/>
		OTHER (SEE CLERK)	<input type="checkbox"/>

CONSENT

SUBJECT:

Extension request for 2017 CDBG Council-approved agreement with Bellevue Junior Sports Association through February 27, 2020

SYNOPSIS:

The City of Bellevue executed a one-year CDBG subrecipient agreement with Bellevue Junior Sports Association on February 27, 2018, as outlined in the 2017 Action Plan. Work on the program continues with a grant fund balance remaining. BJSA has request an extension of the agreement.

FISCAL IMPACT:

The current grant balance is \$ 3,400.00 The funds will remain allocated for the program until the expiration of the subrecipient agreement.

BUDGETED ITEM: ☒ YES ☐ NO GRANT/MATCHING FUNDS ☐ YES ☒ NO
IF NO, EXPLAIN: IF YES, %, \$, EXPLAIN:

1903-191703-450

PROJECT NAME, CALENDAR AND CODING:

Requestor	Project Name:	BJSA Participation Assistance Program	
	Expected Start Date:	02/27/2018	Expected End Date: 02/27/2020
	CIP Project Name:	NA	
	MAPA # and Name:	NA	
	Street District # and Name:	NA	
Finance	Distribution Code:	60-00-1903-191703-450-60HUD / CDBG -191703 <small>[Fund-Dept-Project-Subproject-Funding Source-Cost Center]</small>	
	GL Account #: Various	GL Account Name:	

RECOMMENDATION:

Approve the extension of the 2017 CDBG subrecipient agreement amendment with BJSA.


BACKGROUND:

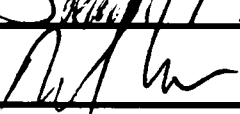
The City of Bellevue awarded grant funds to Bellevue Junior Sports Association for the Participation Assistance Program as outlined in the 2017 Action Plan to provide participation scholarships to income eligible families. A Subrecipient Agreement was executed February 27, 2018 with the Time of Performance set to expire on February 27, 2019. Grant funds still remain for the program, and BJSA has requested an extension to continue the program until all funds are expended. The subrecipient agreement allows for a one-year extension upon request by the subrecipient. Staff recommends approval of an extension for the use of funds and will assist BJSA to complete the program in accordance with HUD regulations.

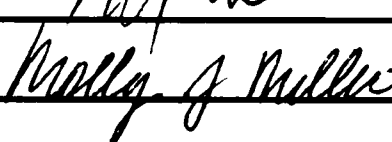
ATTACHMENTS:

1	2017 Agreement Amendment	4	
2	Subrecipient Extension Request	5	
3		6	

SIGNATURES:

ADMINISTRATOR APPROVAL: 

FINANCE APPROVAL: 

LEGAL APPROVAL: 

**FIRST AMENDMENT TO AGREEMENT
BETWEEN THE CITY OF BELLEVUE AND
BELLEVUE JUNIOR SPORTS ASSOCIATION
FOR EXPENDITURE OF
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS
B-17-MC-31-0003**

THIS FIRST AMENDMENT TO THE SUBRECIPIENT AGREEMENT FOR CDBG FUNDING entered into this 30th day of January, 2019 by and between the subrecipient BELLEVUE JUNIOR SPORTS ASSOCIATION, a non-profit organization, hereinafter referred to as the SUBRECIPIENT, and the CITY OF BELLEVUE, COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, a Grantee of the CDBG entitlement program, hereinafter referred to as the GRANTEE.

BACKGROUND

A. WHEREAS, the SUBRECIPIENT and the GRANTEE entered into that certain Agreement, dated February 27, 2018, (the "Agreement") for the purpose of providing an assistance program offering youth scholarships to participate in organized sports programs in the amount of \$8,000.00;

B. WHEREAS, the parties desire to amend the Agreement to extend the term thereof, update the Timeliness and Time of Performance by the SUBRECIPIENT to the GRANTEE, and to otherwise modify the Agreement as provided for herein; and

C. WHEREAS, the parties therefore intend that the terms of the Agreement shall be so modified.

AGREEMENT

NOW, THEREFORE, in consideration of the premises and obligations as set forth in this Amendment, the receipt and adequacy of which is hereby agreed and acknowledged, the parties agree as follows:

1. Time of Performance. The time of performance of this Agreement is hereby extended and will remain in effect through February 27, 2020.
2. Timeliness. Funds not expended by February 27, 2020, shall be eligible for reallocation by the GRANTEE.

(Remainder of page intentionally left blank.)

IN WITNESS WHEREOF, the parties have executed this First Amendment to Agreement as of the date first written above.

BELLEVUE JUNIOR SPORTS ASSOCIATION:



Matt Goetz, Program Director
Bellevue Junior Sports Association



Phyllis Thrower, President
Bellevue Junior Sports Association

CITY OF BELLEVUE:

Rusty Hike, Mayor
City of Bellevue, Nebraska

Richard Severson, Finance Director
City of Bellevue, Nebraska

ATTEST:

Sabrina Ohnmacht, City Clerk
City of Bellevue, NE

STATE OF NEBRASKA)
): SS.
COUNTY OF SARPY)

The undersigned, a notary public qualified in and for said county, does hereby certify that Rusty Hike and Sabrina Ohnmacht, whose names as Mayor and City Clerk respectively, of the City of Bellevue, Nebraska, a municipality of the first class and political subdivision of the State of Nebraska, are signed to the foregoing instrument and who are each known to me and known to be such officers, acknowledged before me on this day and they, in their respective capacities as Mayor and City Clerk, executed and delivered said instrument as their voluntary act and deed and voluntary act and deed of such corporation.

WITNESS my hand and official seal.

Signature: _____

(Affix Notarial Seal)

My Commission Expires: _____

STATE OF NEBRASKA)
): SS.
COUNTY OF _____)

The above and foregoing instrument was acknowledged before me this ____ day of _____, 201__, by Phyllis Thrower, President of the Bellevue Junior Sports Association, on behalf of the organization.

My Commission Expires:

NOTARY PUBLIC

BELLEVUE JUNIOR SPORTS ASSOCIATION

1001 HIGH SCHOOL DRIVE
BELLEVUE, NEBRASKA 68005-3200
(402) 292-BJSA

January 8, 2019

City of Bellevue Nebraska
c/o Abby Highland
CDBG Program Administrator
1400 Wall Street
Bellevue NE 68005

Dear Abby Highland:

Please consider this a formal request for an extension of the 2017 CDBG Block Grant that was awarded to Bellevue Junior Sports Association Scholarship Program (Project Number 14-218).

To date the balance of the CDBG Grant that has not been used is \$3,400.00 of the \$8,000.00. BJSA intends to have the remaining balance used no later than December 1, 2019.

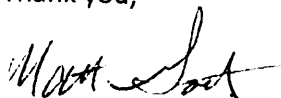
The main reason for the delay is getting the word out to the families that a scholarship program is available to them. We have used emails, posted this on our website, used our tv display at BJSA to help get the word out. I believe we have done an adequate job of getting the word out since more people have inquired about the program.

Another reason that this process has slowed is that some quarters are busier with program registrations than others. An example of this would be; starting January 1, 2018 all winter program registration has been completed (Wrestling/Basketball), so the next set of programs, (volleyball/baseball) begins in April.

BJSA will continue to advertise the scholarship program to the families in the Bellevue Area. We are very confident that the remaining balance will be completely used up no later than December 1, 2019 if not sooner.

Again, BJSA thanks the CDBG staff for allowing us to apply for an extension.

Thank you,



Matt Goetz
BJSA Program Director

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

YISF
2-11-19

COUNCIL MEETING DATE:	2/11/2019	AGENDA ITEM TYPE:	
		SPECIAL PRESENTATION	
SUBMITTED BY:		LIQUOR LICENSE	
Rich Severson, Finance Director; Abby Highland, CDBG Program Administrator		ORDINANCE	
		PUBLIC HEARING	
		RESOLUTION	
		CURRENT BUSINESS	✓
		OTHER (SEE CLERK)	

CONSIST

SUBJECT:

Approve 2018 CDBG Subrecipient Agreement with Backyard Sports for \$26,825.00

SYNOPSIS:

As part of the 2018 Action Plan, Backyard Sports was approved for funding in the amount of \$26,825.00. The grant funds will provide sport program and participation assistance to children from low and moderate income households.

FISCAL IMPACT:

Entitlement grant funds in the amount of \$26,825.00 is included in the CDBG Fund 60 Budget.

BUDGETED ITEM: ✓ YES NO GRANT/MATCHING FUNDS YES ✓ NO
IF NO, EXPLAIN: IF YES, %, \$, EXPLAIN:

The project is included in the CDBG Fund 60 Budget. CDBG Entitlement funds do not require match funding. Backyard Sports will request reimbursement of expenses from the City. The City will then request funds from HUD as expended.

PROJECT NAME, CALENDAR AND CODING:

Requestor	Project Name:	Backyard Sports Clinics & Club Participation Program	
	Expected Start Date:	2/11/18	Expected End Date: 2/10/20
	CIP Project Name:	NA	
	MAPA # and Name:	NA	
	Street District # and Name:	NA	
Finance	Distribution Code:	60-00-1903-191803-450-60HUD / CDBG-191803	
		[Fund-Dept-Project-Subproject-Funding Source-Cost Center]	
	GL Account #:	NA	GL Account Name: NA

RECOMMENDATION:

Approve and authorize Mayor to sign CDBG subrecipient agreement with Backyard Sports.

BACKGROUND:

Backyard Sports applied and was approved for CDBG funding assistance during the funding cycle for the 2018 Action Plan. Backyard Sports Clinics & Club Participation Program will assist participation scholarships for low and moderate income families. The project was included in the 2018 Action Plan which was approved by the City Council on July 23, 2018. Backyard Sports has approved and signed the subrecipient agreement which includes the scope of services and all city and federal requirements for the use of CDBG funding.

ATTACHMENTS:

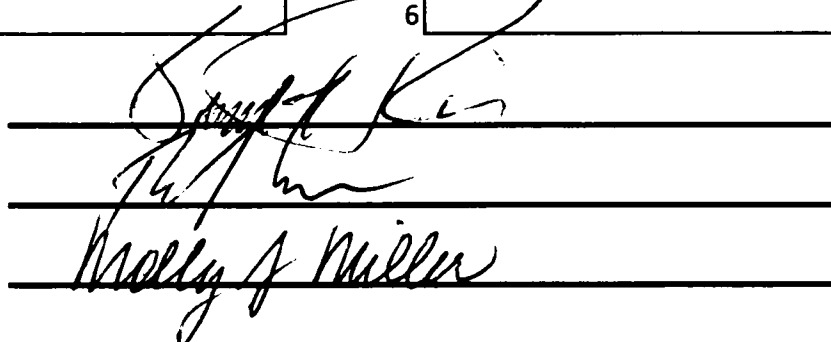
1	2018 Subrecipient Agreement	4	
2		5	
3		6	

SIGNATURES:

ADMINISTRATOR APPROVAL:

FINANCE APPROVAL:

LEGAL APPROVAL:



**AGREEMENT
BETWEEN THE CITY OF BELLEVUE AND
BACKYARD SPORTS LLC
FOR EXPENDITURE OF
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS
B-18-MC-31-0003**

THIS SUBRECIPIENT AGREEMENT FOR CDBG FUNDING entered into this _____ day of _____, 2019 by and between the subrecipient BACKYARD SPORTS LLC hereinafter referred to as the SUBRECIPIENT and the CITY OF BELLEVUE, COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, a Grantee of the CDBG entitlement program, hereinafter referred to as the GRANTEE.

WHEREAS, the GRANTEE has applied for and received funds, Catalog of Federal Domestic Assistance Number 14-218 (CDBG), from the United States Government under Title 1 of the Housing and Community Development Act of 1974, Public Law 93-383; and

WHEREAS, the GRANTEE wishes to engage the SUBRECIPIENT to assist in the utilization of Community Development Block Grant (CDBG) funds from the B-18-MC-31-0003 HUD contract in the amount of \$26,825.00 for a sports clinics and club program participation assistance program; and

NOW, THEREFORE, it is agreed between the parties hereto that:

A. SCOPE OF SERVICE.

1. **Activities.** The GRANTEE will provide funding in the actual amount of expenditure, not to exceed \$26,825.00 from the B-18-MC-31-0003 funding allocation to the SUBRECIPIENT for the purpose of providing sport clinic and club program participation assistance program by offering scholarships to low- and moderate-income youth and children. The SUBRECIPIENT will be responsible for administering a Community Development Block Grant (CDBG) program in a manner satisfactory to the GRANTEE and consistent with any standards required as a condition of providing these funds. Such program will include the following activities eligible under the CDBG program:
 - a. **Program Delivery.** To provide a participation assistance program including, but not limited to, the registration and participation fees required by specific sports clinics and programs. The major tasks the SUBRECIPIENT will perform include, but are not necessarily limited to the following:
 - i. Develop program guidelines, eligibility requirements, application forms, and review procedures for the assistance program.
 - ii. Develop program metrics to document program performance in meeting CDBG National Objective goals and income benefit goals outlined in A.1.b-c.
 - iii. Maintain program records documenting participation eligibility including race and ethnic data, household income and other characteristics, and access to services for household benefiting from service provided to meet National Objective requirements and income benefit goals.
 - b. **Income Benefit Goals.** It is anticipated that the program will provide participation assistance for 100 children and youth from low- and moderate-income households residing within Bellevue city limits.

- c. National Objective. All activities funded with CDBG funds must meet one of the CDBG program's National Objectives as defined in 24 CFR 570.208. The SUBRECIPIENT certifies that the activity carried out under this agreement will meet the National Objective benefit low- and moderate-income limited clientele benefit by benefiting low- and moderate-income persons.
 - i. Income Definition. For the purposes of determining whether a person or household is low- and moderate-income, the SUBRECIPIENT will utilize the income definition under 24 CFR 570.3 Income (1)(iii) Adjusted gross income as defined for purposes of reporting under Internal Revenue Service (IRS) Form 1040 for individual Federal annual income tax purposes.
2. Performance Monitoring. The SUBRECIPIENT at such times and in such forms as the GRANTEE may require, shall furnish performance reports pertaining to the activities undertaken pursuant to this Agreement to meet the CDBG National Objective. Such reports shall include, but not be limited to:
 - a. Statistical information including the number of persons, race, income, and head of household of the persons benefiting; and the number of persons that will be provided with new or improved access to services and/or facilities.
 - b. Update on the expenditure of funding as well as a timeline for expenditure update.
 - c. Any additional funds leveraged with CDBG funding.
 - d. Other reports as required by Section 570.507 of Title 24, OMB Circular A-110, and as otherwise required by HUD and/or the GRANTEE.
3. Site Visit. The GRANTEE's CDBG staff will perform periodic site visits to ascertain that approved program is proceeding properly. Site visits will include, but are not limited to, a semi-annual monitoring visit and close out visit at the conclusion of the project.
4. Environmental Clearance. All activities must have prior review to ensure environmental conformance through a site-specific review, i.e.: floodplain clearance, airport hazards Asbestos, Americans with Disabilities Act, etc. No grant funds may be disbursed for the project until environmental clearance has been received.
5. Time of Performance. The agreement will remain in effect for twelve (12) months from the date of execution.
6. Ineligible Expenses. General maintenance costs are ineligible CDBG expenses, i.e. mowing, replacement of expended light bulbs, and similar expenses which are necessary for the operation of the facility.

B. RECORDS, REPORTING AND PAYMENT SCHEDULES.

1. The amount available to the SUBRECIPIENT for eligible activities under this agreement shall not exceed \$26,825.00. Payments maybe contingent upon certification of the SUBRECIPIENT's financial management system in accordance with acceptable standards specified in OMB Circular A-110.
2. Records and Reporting.
 - a. The SUBRECIPIENT must maintain complete and adequate records to enable the GRANTEE and HUD to determine whether program objectives are being met as described in 24 CFR 570.506 and 570.507.

- b. The SUBRECIPIENT must maintain a Subrecipient Unique Entity Identifier, or DUNS number, through the completion of the agreement. The GRANTEE must be able to verify the SUBRECIPIENT's registered DUNS number with SAM.gov prior to any grant funding being disbursed.
- c. The SUBRECIPIENT shall provide the GRANTEE with quarterly activity reports through the completion of the funded activity. All activity reports are due to the CDBG Office of the GRANTEE on or before the 15th day of the month following the end of a quarter. The CDBG Fiscal Year will be October 1st to September 30th. Quarters will be:
 - i. 1st Quarter: October – December,
 - ii. 2nd Quarter: January – March,
 - iii. 3rd Quarter: April – June, and
 - iv. 4th Quarter: July – September.
- d. The SUBRECIPIENT shall retain all books, documents, papers, records and other materials involving all activities and transactions related to this agreement for at least five (5) years from the date of submission of the final activity report or until all audit findings have been resolved, whichever is later. The SUBRECIPIENT shall, as often as deemed necessary by the GRANTEE, permit authorized representatives of the GRANTEE and HUD to have full access to and the right to fully examine all such material.
- e. The SUBRECIPIENT shall maintain client data demonstrating client eligibility for services provided. Such data shall include, but not be limited to client name, address, income level or other basis for determining eligibility, and description of service provided. Such information shall be made available to GRANTEE monitors or their designee for review upon request.
- f. The SUBRECIPIENT understands that client information collected under this agreement is private and the use or disclosure of such information, when not directly connected with the administration of the activity with respect to services provided under this agreement, is prohibited unless written consent is obtained from such person receiving the service and, in the case of a minor, that of a responsible parent/guardian.

3. Contracting

- a. The SUBRECIPIENT shall not assign or transfer any interest in this agreement without the prior written consent of the GRANTEE; provided, however, that claims for money due or to become due to the SUBRECIPIENT from the GRANTEE under this agreement may be assigned to a bank, trust company, or other financial institution without such approval. Notice of any such assignment or transfer shall be furnished promptly to the GRANTEE. All terms and conditions of this agreement shall apply to any approved subcontract or assignment related to the agreement.
- b. Subcontracts
 - i. Approvals. The SUBRECIPIENT shall not enter into any subcontracts with any agency or individual in the performance of this Agreement without the written consent of the GRANTEE prior to the execution of such agreement.
 - ii. Monitoring. The SUBRECIPIENT will monitor all subcontracted services on a regular basis to assure contract compliance. Results of monitoring efforts shall be summarized

in written quarterly reports and supported with documented evidence of follow-up actions taken to correct areas of noncompliance.

- iii. Content. The SUBRECIPIENT shall cause all of the provisions of this Agreement in its entirety to be included in and made a part of any subcontract executed in the performance of this Agreement.
- iv. Selection Process. The SUBRECIPIENT shall ensure that all subcontracts let in the performance of this Agreement shall be awarded on a fair and open competition basis in accordance with applicable procurement requirements. All subcontracts must have a DUNS number indicating eligibility to work on federal projects and be registered in the System for Award Management (www.sam.gov). Executed copies of all subcontracts shall be forwarded to the GRANTEE along with documentation concerning the selection process.

4. Request for Payment

- a. For the purchase of supplies or contractual services, the SUBRECIPIENT will adhere to the following procedures:

\$0 to \$9,999 – obtain three (3) written/formal quotes

Over \$10,000 – complete competitive sealed bidding procedures in accordance with the Bellevue City Council Purchasing Policy.

The SUBRECIPIENT will submit the bids/quotes to the GRANTEE CDBG Office. Upon approval by the GRANTEE CDBG Office, a Notice to Proceed will be issued.

- b. Request for funds may be made by the SUBRECIPIENT upon satisfactory completion of project requirements as specified in the agreement. The SUBRECIPIENT must submit a cover sheet or invoice requesting reimbursement for allowable expenses signed by the Authorized Representative, a copy of the original invoice, and any additional requested documentation. The GRANTEE will reimburse the SUBRECIPIENT directly. The request will be reviewed for payment by the GRANTEE and submitted for approval by the City Council during meetings on the 2nd and 4th Monday of each month. The GRANTEE will not be responsible for any late fees incurred and will not reimburse the agency for any late fees paid. There is no guarantee that funds will be reimbursed within a month's time. The payments are made only from monies available to the GRANTEE through the CDBG program and are subject to the availability of such funds.
- c. The SUBRECIPIENT's right to incur expenses under this Agreement shall cease upon expiration of Agreement. All requests for reimbursement on expenditures made prior to expiration of Agreement must be requested within thirty (30) days after expiration. Unless expressly authorized by the GRANTEE in writing, expenditures not requested within the thirty (30) day period after expiration of Agreement shall be disallowed and all funds shall be reclaimed by the GRANTEE.

5. Program Income

- a. In accordance with 24 CFR 570.504(c), any program income as defined in 24 CFR 570.500, generated by activities carried out with CDBG funds made available under this agreement shall be reported quarterly to the GRANTEE by the SUBRECIPIENT. The use of program income by the SUBRECIPIENT shall comply with the requirements set forth at 24 CFR 570.504.

6. Timeliness

- a. Funding allocated as part of this agreement must be expended within 12 months from the date of the agreement. The agreement may be eligible for one extension for one additional year.
 - i. Agreement Extension Request. To be eligible for an agreement extension, the SUBRECIPIENT must provide a written request with narrative explaining the reason for the delay in project completion, an updated timeline for project completion, and any additional information as requested by the GRANTEE. The GRANTEE CDBG staff will review the request and prepare the request for City Council consideration. The GRANTEE CDBG staff reserves the right to reallocate any unexpended funds upon expiration of the agreement.

7. Close-outs

- a. The SUBRECIPIENT's obligation to the GRANTEE shall not end until all close-out requirements are completed. Activities during this close-out period shall include, but are not limited to: making final payments, disposing of program assets (including the return of all unused materials, equipment, unspent cash advance, program income balances, an accounts receivable to the GRANTEE), and determining the custodianship of records. Notwithstanding the foregoing, the terms of the Agreement shall remain in effect during any period that the SUBRECIPIENT has control over CDBG funds, including program income.
- b. Upon expiration or termination of the Agreement, the SUBRECIPIENT will provide final versions of all financial performance, and other reports that were a condition of the funding agreement, including, but not limited to:
 - i. A final performance report,
 - ii. A final request for payment, and
 - iii. A final inventory of property in the SUBRECIPIENT's possession that was acquired or improved with CDBG funds.

C. General Compliance.

1. The SUBRECIPIENT agrees to comply with the requirements of Title 24 of the Code of Federal Regulations, Part 570 (the Housing and Urban Development regulations concerning Community Development Block Grants (CDBG)) including subpart K of these regulations, except the (1) the SUBRECIPIENT does not assume the GRANTEE's environmental responsibilities described in 2 CFR 570.604 and (2) the SUBRECIPIENT does not assume the GRANTEE's responsibility for initiating the review process under the provisions of 24 CFR Part 52. . The SUBRECIPIENT also agrees to comply with all other applicable Federal, state and local laws, regulations, and policies governing the funds provided under this agreement. The SUBRECIPIENT further agrees to utilize funds available under this Agreement to supplement rather than replace funds otherwise available.
2. Independent Contractor. Nothing contained in this Agreement is intended to, or shall be construed in any manner, as creating or establishing the relationship of employer/employee between the parties. The SUBRECIPIENT shall at all times remain an "independent contractor" with respect to the services to be performed under this Agreement. The GRANTEE shall be exempt from payment of all Unemployment Compensation, FICA, retirement, life and/or medical insurance and Workers' Compensation Insurance as the SUBRECIPIENT is an independent contractor.

3. Hold Harmless. The SUBRECIPIENT, to the extent permitted by law, shall hold harmless, defend and indemnify, the GRANTEE from any and all claims, actions, suits, charges and judgments whatsoever that arise out of the SUBRECIPIENT's performance or nonperformance of the services or subject matter called for in this Agreement.
4. Workers' Compensation. The SUBRECIPIENT shall provide Workers' Compensation Insurance coverage for all of its employees involved in the performance of this agreement.
5. Insurance. The SUBRECIPIENT shall carry sufficient insurance coverage to protect agreement assets from loss due to theft, fraud and/or undue physical damage. The SUBRECIPIENT shall comply with insurance requirement of OMB Circular A-110, Bonding and Insurance.
6. Grantor Recognition. The SUBRECIPIENT shall insure recognition of the role of the GRANTEE in providing services through this agreement. All activities, facilities and items utilized pursuant to this agreement shall be prominently labeled as funded with CDBG funds from the GRANTEE. In addition, the SUBRECIPIENT will include reference to the support provided herein in all publications made possible with funds available under this agreement.
7. Amendments. The GRANTEE or SUBRECIPIENT may amend this Agreement at any time provided that such amendments make specific reference to this Agreement, and are executed in writing, signed by a duly authorized representative of both organizations. Such amendments shall not invalidate this Agreement, nor relieve the GRANTEE or SUBRECIPIENT from its obligations under this Agreement.

The GRANTEE may, in its discretion, amend this Agreement to conform with federal, state or local governmental guidelines, policies and available funding amounts, or for other reasons. If such amendments result in a change in funding, the scope of services, or schedule of activities to be undertaken as part of this Agreement, such modifications will be incorporated only by written amendments signed by both the GRANTEE and SUBRECIPIENT.

8. Suspension or Termination. Either party may terminate this agreement at any time by giving written notice to the other party of such termination and specifying the effective date thereof at least 30 days before the effective date of such termination. Partial termination of the Scope of Service in Section A above may only be undertaken with the prior approval of the GRANTEE. In the event of any termination for convenience and at any time, at the GRANTEE's option, all finished or unfinished documents, data, studies, surveys, maps, models, photographs, reports or other materials prepared by the SUBRECIPIENT under this Agreement shall, at the option of the GRANTEE, become the property of the GRANTEE, and the SUBRECIPIENT shall be entitled to receive just and equitable compensation for any satisfactory work completed on such documents or materials prior to termination.

The GRANTEE may also suspend or terminate this Agreement, in whole or in part without notice, if the SUBRECIPIENT materially fails to comply with any term of this Agreement, or with any of the rules, regulations or provisions referred to herein and all payments shall cease; and the GRANTEE may declare the SUBRECIPIENT ineligible for any further participation in the GRANTEE's contracts, in addition to other remedies as provided by law. In the event there is probable cause to believe the SUBRECIPIENT is in noncompliance with any applicable rules or regulations, the GRANTEE may withhold up to fifteen (15) percent of said agreement funds due to be paid for past work until such time as the SUBRECIPIENT is found to be in compliance by the Grantee, or is otherwise adjudicated to be in compliance.

9. Eligibility Restrictions for Certain Resident Aliens. The SUBRECIPIENT agrees to abide by the provisions of 24 CFR 570.613 with respect to the eligibility restrictions for certain resident aliens. Certain newly

legalized aliens, as described in 24 CFR Part 49, are not eligible to apply for benefits under covered activities funded by the programs listed in this part of the regulation. The Grantee shall provide the City with any guidelines necessary for compliance with that portion of the regulation.

10. **Architectural Barriers Act and Americans with Disabilities Act.** The SUBRECIPIENT agrees to comply with any federal regulations issued pursuant to compliance with the Architectural Barriers Act of 1968 which requires certain Federal and Federally funded buildings and other facilities to be designed, constructed, or altered in accordance with the standards that insure accessibility to, and use by, physically handicapped people. The SUBRECIPIENT also agrees to comply with federal regulations issued pursuant to compliance with the Americans with Disabilities Act which provide comprehensive civil rights to individuals with disabilities in the areas of employment, public accommodations, state and local government services, and telecommunications.

D. Other Program Requirements.

1. Civil Rights

- a. **Compliance.** The SUBRECIPIENT agrees to comply with Title VI of the Civil Rights Act of 1964 as amended, Title VIII of the Civil Rights Act of 1968 as amended, Section 104(b) and Section 109 of Title I of Housing and Community Development Act of 1974 as amended, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, Executive Order 11063, and with Executive Order 11246 as amended by Executive Order 11375 and 12086.
- b. **Nondiscrimination.** The SUBRECIPIENT will not discriminate against any employee or applicant for employment because of race, color, creed, religion, ancestry, national origin, sex, disability or other handicap, age, marital/familial status, or status with regard to public assistance. The SUBRECIPIENT will take affirmative action to ensure that all employment practices are free from such discrimination. Such employment practices include but are not limited to the following: hiring, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff, termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. The SUBRECIPIENT agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting agency setting forth the provisions of this nondiscrimination clause.
- c. **Land Covenants.** This agreement is subject to the requirements of Title VI of the Civil Rights Act of 1964 and 24 CFR 570.601 and 602. In regard to sale, lease, or other transfer of land acquired, cleared or improved with assistance provided under this agreement, the SUBRECIPIENT shall cause or require a covenant running with the land to be inserted in the deed or lease for such transfer, prohibiting discrimination as herein defined, in the sale, lease or rental, or in the use or occupancy of such land, or in any improvements erected or to be erected thereon, and providing that the GRANTEE and the United States are beneficiaries of the deed or lease entitled to enforce such covenants. The SUBRECIPIENT, in undertaking its obligation to carry out the program assisted hereunder, agrees to take such measures as are necessary to enforce such covenant, and will not itself so discriminate.
- d. **Section 504.** The SUBRECIPIENT agrees to comply with any Federal regulations issued pursuant to compliance with Section 504 of the Rehabilitation Act of 1974, which prohibits discrimination against the handicapped in any federally assisted program. The GRANTEE shall

provide the SUBRECIPIENT with any guidelines necessary for compliance with that portion of the regulations in force during the term of this agreement.

2. Affirmative Action

- a. Plan. The SUBRECIPIENT agrees that it shall be committed to carry out pursuant to the Grantee's specifications an Affirmative Action Program in keeping with the principles as provided in President's Executive Order 11246 of September 24, 1965.
- b. Women and Minority Owned Business Enterprises (W/MBE). The SUBRECIPIENT will use its best efforts to afford minority- and women-owned business enterprises the maximum practicable opportunity to participate in the performance of this agreement. As used in this agreement, the term "minority and female business enterprise" means a business at least fifty-one (51) percent owned and controlled by minority group members or women. For the purpose of this definition, "minority group members" are Afro-Americans, Spanish- speaking, Spanish surnamed or Spanish-heritage Americans, Asian-Americans, and American Indians. The SUBRECIPIENT may rely on written representation by businesses regarding their status as minority and female business enterprises in lieu of an independent investigation.
- c. Access to Records. The SUBRECIPIENT shall furnish and cause each of its own subrecipients or subcontractors to furnish all information and reports required hereunder and will permit access to its books, records and accounts by the GRANTEE, HUD or its agent, or other authorized Federal officials for purposes of investigation to ascertain compliance with the rules, regulations and provisions stated herein.
- d. Notifications. The SUBRECIPIENT will send to each labor union or representative of workers with which it has a collective bargaining agreement or other contract or understandings, a notice, provided by the agency contracting officer, advising the labor union or worker's representative of the SUBRECIPIENT's commitments hereunder, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.
- e. EEO/AA Statement. The SUBRECIPIENT will, in all solicitations or advertisements for employees placed by or on behalf of the Subrecipient, state that it is an Equal Opportunity or Affirmative Action employer.
- f. Subcontracting Provisions. The SUBRECIPIENT will include the provisions of Section D Paragraph 1, Civil Rights, and 2, Affirmative Action, in every subcontract or purchase orders, specifically or by reference, so that such provisions will be binding upon each of its subrecipients or subcontracts.

3. Employment Restrictions

- a. Prohibited Activity. The SUBRECIPIENT is prohibited from using funds provided herein or personnel employed in the administration of the program for: political activities, sectarian or religious activities; lobbying, political patronage, and nepotism activities.
- b. Labor Standards. The SUBRECIPIENT agrees to comply with the requirements of the Secretary of Labor in accordance with Davis-Bacon Act as amended, the provisions of Contract: Work Hours and Safety Standards Act, the Copeland "Anti- Kickback" Act and all other applicable Federal, state and local laws and regulations pertaining to labor standards insofar as those acts

apply to the performance of this agreement. The SUBRECIPIENT shall maintain documentation which demonstrates compliance with hour and wage requirements of this part. Such documentation shall be made available to the GRANTEE for review upon request.

The SUBRECIPIENT agrees that all contracts in excess of \$2,000.00 for construction, renovation or repair work financed in whole or in part with assistance provided under this agreement, shall comply with Federal requirements adopted by the GRANTEE pertaining to such contracts and with the applicable requirements of the regulations of the Department of Labor, under 29 CFR Parts 1, 3, 5 and 7 governing the payment of wages and ratio of apprentices and trainees to journeyworkers; provide, that if wage rates higher than those required under the regulations are imposed by state or local laws, nothing hereunder is intended to relieve the SUBRECIPIENT of its obligation, if any, to require payment of the higher wage. The SUBRECIPIENT will cause or require to be inserted in full, in all contracts subject to such regulations, provisions meeting the requirements of this paragraph.

c. "Section 3" Clause

- i. Compliance. Compliance with the provisions of Section 3, the regulations set forth in 24 CFR 135, and all applicable rules and orders issued hereunder prior to the execution of this agreement, shall be a condition of the Federal financial assistance provided under this agreement and binding upon the Grantee, the SUBRECIPIENT and any of the SUBRECIPIENT's subrecipients and subcontractors. Failure to fulfill these requirements shall subject the Grantee, the SUBRECIPIENT and any of the SUBRECIPIENT's subrecipients and subcontractors, their successors and assigns, to those sanctions specified by the Agreement through which Federal assistance is provided. The SUBRECIPIENT certifies and agrees that no contractual or other disability exist which would prevent compliance with these requirements.

The SUBRECIPIENT further agrees to comply with these "Section 3" requirements and to include the following language in all subcontracts executed under this Agreement:

"The work to be performed under this agreement is a project assisted under a program providing direct Federal financial assistance from HUD and is subject to the requirements of Section 3 of the Housing and Community Development Act of 1968, as amended, 12 U.S.C. 1701. Section 3 requires that to the greatest extent feasible opportunities for training and employment be given to low- and very low-income residents of the project area and contracts for work in connection with the project be awarded to business concerns that provide economic opportunities for low- and very low-income persons residing in the metropolitan area in which the project is located."

The SUBRECIPIENT further agrees to ensure that opportunities for training and employment arising in connection with a housing rehabilitation, housing construction, or other public construction project are given to low- and very low-income persons residing within the metropolitan area in which the CDBG funded project is located; where feasible, priority should be given to low- and very low-income persons within the service area of the project or neighborhood in which the project is located, and to low- and very low-income participants in other HUD programs; and award contracts for work undertaken in connection to housing

rehabilitation, housing construction, or other public construction project are given to business concerns that provide economic opportunities for low- and very low-income persons residing within the metropolitan area in which CDBG-funded project is located; where feasible, priority should be given to business concerns which provide economic opportunities to low- and very low -income residents within the service area or neighborhood in which the project is located, and to low- and very low-income participants in other HUD programs.

The SUBRECIPIENT certifies and agrees that no contractual or other legal incapacity exists which would prevent compliance with these requirements.

- ii. **Notifications.** The SUBRECIPIENT agrees to send to each labor organization or representative of worker with which it has a collective bargaining agreement or other contract or understanding, if any, a notice advising said labor organization or worker's representative of its commitments under this Section 3 clause and shall post copies of the notice in conspicuous places available to employees and applicants for employment or training.
- iii. **Subcontracts.** The SUBRECIPIENT will include this Section 3 clause in every subcontract and will take appropriate action pursuant to the subcontract upon a finding that the subcontractor is in violation of regulations issued by the grantor agency. The SUBRECIPIENT will not subcontract with any entity where it has notice or knowledge that the latter has been found in violation of regulations under 24 CFR 135 and will not let any subcontract unless the entity has first provided it with a preliminary statement of ability to comply with the requirements of these regulations.

4. Conduct

- a. **Assignability.** The SUBRECIPIENT shall not assign or transfer any interest in this contract without the prior written consent of the GRANTEE. Notice of any such assignments or transfer shall be furnished promptly to the GRANTEE.
- b. **Subcontracts.** The SUBRECIPIENT shall not enter into any subcontracts with any agency or individual in the performance of this agreement without the written consent of the GRANTEE prior to the execution of such agreement.
 - i. **Monitoring.** The SUBRECIPIENT will monitor all subcontracted services on a regular basis to assure contract compliance. Results of monitoring efforts shall be summarized in written reports and supported with documented evidence of follow-up actions to correct areas of noncompliance.
 - ii. **Content.** The SUBRECIPIENT shall cause all the provisions of this agreement in its entirety to be included in and made a part of any subcontract executed in the performance of this Agreement.
 - iii. **Selection Process.** The SUBRECIPIENT shall undertake to ensure that all subcontracts let in the performance of this Agreement shall be awarded on a fair and open competition basis. Executed copies of all subcontracts shall be forwarded to the Grantee along with documentation concerning the selection process.

- c. Hatch Act. The SUBRECIPIENT agrees that no funds provided, nor personnel employed under this agreement, shall be in any way or to any extent engaged in the conduct of political activities in violation of Chapter 15 of the Title V United States Code.
- d. Conflict of Interest. The SUBRECIPIENT agrees to abide by the provisions of 24 CFR 570.611 with respect to conflicts of interest, and covenants that it presently has no financial interest and shall not acquire any financial interest, direct or indirect, which would conflict in any manner or degree with the performance of services required under this Agreement. The SUBRECIPIENT further covenants that in the performance of this Agreement no person having such a financial interest shall be employed or retained by the SUBRECIPIENT hereunder. These conflict of interest provisions apply to any person who is an employee, agent, consultant, officer, or elected official or appointed official of the Grantee, or any designated public agencies or Subrecipients which are receiving funds under the CDBG Entitlement program.
- e. Lobbying. The SUBRECIPIENT hereby certifies that:
- i. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;
 - ii. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form -LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions;
 - iii. It will require that the language of paragraph (d) of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all Subrecipients shall certify and disclose accordingly; and
 - iv. Lobby Certification.
This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.
- f. Copyright. If this agreement results in any copyrightable materials or inventions, the Grantee and/or grantor agency reserves the right to royalty-free, non-exclusive and irrevocable license to reproduce, publish or otherwise use and to authorize others to use, the work or materials for government purposes.
- g. Religious Organization. The SUBRECIPIENT agrees that funds provided under this agreement will not be utilized for religious activities, to promote religious interest, or for the benefit of a religious organization in accordance with the Federal regulations specified in 24 CFR 570.200(j).

5. **Relocation and One-For-One Housing Replacement.** The displacement of any person as a direct result of rehabilitation for a CDBG-assisted project must comply with 24 CFR 570.606 and 49 CFR Part 24. The SUBRECIPIENT will conduct the CDBG activities so as to minimize displacement, and if displacement occurs, the displaced persons or entities must be provided assistance consistent with the Uniform Relocation Act.

E. Uniform Administrative Requirements.

1. The SUBRECIPIENT shall comply with the requirements and standards of OMB Circular No. A-122, "Cost Principles for Non-Profit Organizations," or OMB Circular No. A-21, "Cost Principles for Educational Institutions," as applicable; and OMB Circular A-133, "Audits of Institutions of Higher Education and Other Non-Profit Institutions" (as set forth in 24 CFR part 45). Audits shall be conducted annually. OMB Circulars referenced in this section can be found at http://www.whitehouse.gov/omb/circulars_default/.
2. The SUBRECIPIENT shall also comply with the provisions of the Uniform Administrative requirements of OMB Circular A-110 (implemented at 24 CFR part 84, "Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations") or the related CDBG provision, as specified in 24 CFR 570.502(b).

F. Insurance Requirements.

1. **Insurance and Bonding.** The SUBRECIPIENT shall carry sufficient insurance coverage to protect agreement assets from loss due to theft, fraud and/or undue physical damage, and at a minimum shall purchase a blanket fidelity bond covering all clients benefiting from the CDBG funded activity in an amount equal to cash advances from the GRANTEE.

G. Agreement Modifications.

1. In the event the parties fail to agree on changes or interpretations of this agreement, the decision of the GRANTEE shall prevail. In the event of any disagreement between the SUBRECIPIENT and the GRANTEE relating to the funded activity and materials purchased and its conformity to the requirements of this agreement, the decision of the GRANTEE shall prevail.
2. This agreement is subject to such modification as may be required by federal law or regulations. Any such modification may be done unilaterally by the GRANTEE.
3. Except as otherwise provided in this agreement, the rehabilitation activities to be completed and the total grant award may be modified only by written agreement of the authorized representatives of the parties to this agreement.

H. Reversion of Assets.

1. Any CDBG funds on hand at the time the agreement expires, including accounts receivable, shall be returned. The SUBRECIPIENT assures that any real property acquired or improved with CDBG funds in

excess of \$25,000 meets the requirements specified in 24 CFR 570.503(b)(7). The SUBRECIPIENT will not have control of CDBG funds, nor will any property be purchased in excess of \$25,000.

I. Suspension or Termination of Agreement.

1. In accordance with 24 CFR 85.43, the GRANTEE may suspend or terminate this agreement should the SUBRECIPIENT violate any terms or conditions thereof.
2. This agreement may be terminated or suspended in whole or in part at any time by the GRANTEE for cause. The GRANTEE may refuse to disburse additional funds or require return of all or part of funds already disbursed. The decision of the GRANTEE shall prevail. Grounds constituting cause include but are not limited to:
 - (a) Failure by the SUBRECIPIENT to comply with the provisions of this agreement or with any applicable laws, regulations, guidelines or procedures, or is unduly dilatory in executing its commitments under this agreement.
 - (b) Purposes for the funds have not been or will not be fulfilled, or would be illegal to carry out.
 - (c) The SUBRECIPIENT has submitted incorrect or incomplete documentation pertaining to this agreement.
3. In accordance with 24 CFR 85.44, this Agreement may also be terminated for convenience by either the Grantee or the Subrecipient, in whole or in part, by setting forth the reasons for such termination, the effective date, and, in the case of partial termination, the portion to be terminated. However, if in the case of partial termination, the Grantee determines that the remaining portion of the award will not accomplish the purpose for which the award was made, the Grantee may terminate the award in its entirety.
4. In the event of termination or suspension, all materials/equipment purchased through the agreement shall, at the option of the GRANTEE, become the property of the GRANTEE, and the SUBRECIPIENT shall be entitled to payment for otherwise valid and allowable obligations incurred in good faith prior to notice of such action. The option of the GRANTEE constitutes a security interest in any materials/equipment purchased or property improved by expenditure of the funds for as long as such materials/equipment or improvements have any value unless the GRANTEE declines its option or releases its security interest. Recording of this agreement shall be effective as a financing statement noticing the security interest of the GRANTEE as created herein. In addition, the GRANTEE shall have a lien against the improved real estate to the extent of expenditures of these funds and to secure repayment of such funds in the event of cessation of operations, sale, transfer of the property in any manner whatsoever, voluntary or involuntary receivership, or application for bankruptcy by the SUBRECIPIENT.

J. Notices.

1. All notices required or permitted to be given under this agreement may be personally delivered or mailed to the following addresses.
 - a. To GRANTEE: City Administrator
City of Bellevue

1500 Wall Street
Bellevue, NE 68005

b. To SUBRECIPIENT: Owner
Backyard Sports LLC
14212 Tregaron Drive
Bellevue, NE 68123

c. Copy to: Finance Director
City of Bellevue
1500 Wall Street
Bellevue, NE 68005

Rusty Hike, Mayor
City of Bellevue, Nebraska



Ira Watson, Owner
Backyard Sports LLC

Rich Severson, Finance Director
City of Bellevue, Nebraska

ATTEST:

Sabrina Ohnmacht, City Clerk
City of Bellevue, NE

STATE OF NEBRASKA)
): SS.
COUNTY OF SARPY)

The undersigned, a notary public qualified in and for said county, does hereby certify that Rusty Hike and Sabrina Ohnmacht, whose names as Mayor and City Clerk respectively, of the City of Bellevue, Nebraska, a municipality of the first class and political subdivision of the State of Nebraska, are signed to the foregoing instrument and who are each known to me and known to be such officers, acknowledged before me on this day and they, in their respective capacities as Mayor and City Clerk, executed and delivered said instrument as their voluntary act and deed and voluntary act and deed of such corporation.

WITNESS my hand and official seal.

Signature: _____

(Affix Notarial Seal)

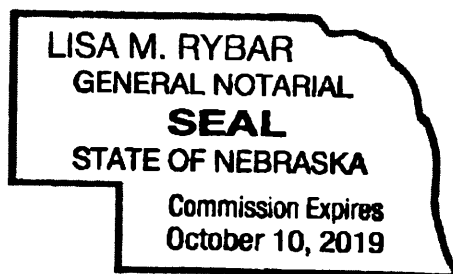
My Commission Expires: _____

STATE OF NEBRASKA)
): SS.
COUNTY OF SARPY)

The above and foregoing instrument was acknowledged before me this 17th day of January, 2019,
by Ira Watson, Owner of the Backyard Sports LLC, on behalf of the organization.

My Commission Expires:

10/10/19



Lisa M Rybar
NOTARY PUBLIC



CITY OF BELLEVUE

OFFICE OF CITY ADMINISTRATOR

1500 Wall Street - Bellevue, NE 68005 - (402) 293-3022

To: Mayor Hike, City Council President Cook and
Members of the Bellevue City Council
From: James L. Ristow, City Administrator
Subject: Overview - Activities report
Date: February 6, 2019

- Attended City Council Meeting on January 28th.
- Meeting with Lt. Kirwan regarding SWAT merger.
- Attended Bellevue Chamber Ribbon Cutting ceremony for Raising Cane.
- Meeting with Chief Elbert to discuss SWAT.
- Conducted three interviews for facilitator to manage strategic planning session in February.
- Attended Bellevue Chambers Ribbon Cutting Ceremony for Fontenelle Forest and Camp Wa-Kon-DA.
- Meeting with Paul Hartnett and Doug Hill to discuss Property next to BB Village.
- Attended United Cities of Sarpy meeting to review and discuss upcoming Legislative issues and impact on our city.
- Met with Bellevue Housing Authority to review current structure and future initiatives.
- Meeting BP Officer regarding complaint.
- Meeting with Tregaron Golf Course regarding community event.
- Agenda meeting for February 11th Council meeting.
- Conducting interviews for Para-legal.
- Meeting to discuss Flex Time policy.
- Review of Olde Towne Development Plan and LOI..
- Meeting to discuss future plans for Ft. Crook Rd.
- Strategic Planning review of agenda, mission statement, vision statement and core values.
- Developing strategy for LB 840 plan of work in 2019 along with development of new committee members.
- Working on preliminary project proposal for HWY 34 prospect.



City of Bellevue

Personnel Department

1500 Wall Street • Bellevue, Nebraska 68005 • (402) 293-3019

Administrative Services Department Activity Report February 4, 2019

As per your request the following is a synopsis of the day to day activity performed by the HR Coordinator and Personnel Technician:

Record Management:

Prep, Input and Record Payroll Changes for processing for February 8th payroll

Processed Address Changes – 2

Name Change - 0

Travel & Training Requests Processed 21

Narratives Received - 2

Recorded Performance Evaluations 3

Verifications of Employment – 6

Applicants/Recruitment: Paralegal, Sign/Signal Technician

Benefit Orientation/Employee Exits/Resignations:

3 - Full Time Exit

0 – Full Time Benefit Orientation

0 - Promotion

1 – Return from Leave

0 – Transfer

1 –Leave of Absence

5 – Resignations/Terminations

Benefit Administration:

COBRA Notices – 1

Retirement Enrollment/Rollovers -

Retirement Payout/Withdrawal - 1

Processed 457 Transfers/Enrollments/Changes - 1

Beneficiary Changes - 0

QDRO - 0

Processed New or changes to Principal Loan – 0

Reconcile Retiree Payments and notified the retirees of payment amounts due.

Review Variances on Benefits for Finance

Updating all files and data base with new amounts for voluntary life insurance and corrected new census for Met Life

Updating all files and data base with new Life and AD&D amounts due to increases last year and creating census for new billing.

Audited and sent to finance for payment the EBS bill

Audited and sent to finance for payment the AFLAC bill

Updating all files and data base with new LTD amounts and creating census for new billing 2019

Auditing all beneficiaries for retirement and life ongoing

Performed Quarterly Random Drug and Alcohol Testing for all CDL required drivers



City of Bellevue

Personnel Department

1500 Wall Street • Bellevue, Nebraska 68005 • (402) 293-3019

Payroll Administration:

Prep, E-Verify and Process New Hires - 1

Background Checks - 1

Medical Testing for New Employees - 1

Salary authorizations sheets sent to supervisors, directors and City Administrator in preparation for payroll increases.

Audited TASC payroll verification and sent PVR and finalization to finance

Input into new system (ulti) new employees – 1

Audited wellness incentives and corrected discrepancies

Reports:

Prepared Activity Report for HR Manager

On-Going Projects:

Prep new contract year sheets for Grade/Step/Anniversary Date/Changes

Auditing of Personnel Files to include updating database with new information

Auditing of I-9 forms

Prepare orientation packets & manuals for new employees.

Continuous auditing benefit deductions for new payroll software

Training:

Civilian Retirement Committee: Coordinating with DC Retirement Strategies schedules for training, 1 on 1 meetings and Civilian Committee Review Meetings.

Human Resources Manager

- Personnel issues – (3) matters
- 1095-C final forms review
- Job description creation, comparable wage review
- Payroll processing SOP creation/training
- Employee HRIS maintenance
- YE and quarter end payroll review and filing
- Civil Service: meeting management and notices, promotional testing planning, minutes, meeting 01/30
- Payroll processing 1/25 payroll



City of Bellevue

Personnel Department

1500 Wall Street • Bellevue, Nebraska 68005 • (402) 293-3019

Payroll Specialist

Payroll processing

Calculating all Admin times for all Classified and Unclassified

Calculating all comp times for all CEA members

Firefighters FLSA pay calculation

After all balancing is done to Payroll Register, the usual payments or checks being printed to all misc. banks for all the following union dues: BPMA, CSBPOA, BPOA, CEA, IAFF and BPFA

Usual upload for all retirements which includes: Principal, John Hancock and Voya,

These are for the following: Civilians, Police and Fire Depts.

Human Services

No report submitted



City of Bellevue
Office of the City Clerk

1500 Wall Street • Bellevue, Nebraska 68005 • (402) 293-3007

February 6, 2019

From: Sabrina Ohnmacht, City Clerk

RE: Information for Administration Report

The annual renewals of Occupational Tax stickers/vending machines, and Waste Hauler permits continue to come in.

Sent the Tree Board an appeal received regarding a citation received about dangerous limbs at 2814 Ponderosa Drive.

Day to day tasks, as usual.

On a personal note, as you have seen by Item 7a.1 of the Agenda, Mayor Hike has decided not to reappoint me as the City Clerk. I can truly say I love my job and am very sad to leave, but I knew this was always going to be a possibility. I have the utmost faith in Susan and know she will do a fabulous job. Just go easy on her! I thank each of you for making my last eight years with the City great! Best of luck always! See you around! ☺

Sabrina



CITY OF BELLEVUE FINANCE DEPARTMENT

1500 Wall Street - Bellevue, NE 68005 - (402) 293-3000

Bellevue Finance Department Status Report February 11, 2019

ACCOUNTING AND FINANCE

- Treasury management; Deposit confirmations, Researched undocumented cash receipts
- Prepared bond documents for 2018 street resurfacing
- Issued payments for approved expenses
- Payroll downloads / imported into Abila
- Data Entry of Journal Entries for departments
- Authorized CDBG reimbursement
- Review Accounts Payable and research bills on minute record
- Booked various cash receipts
- Continued Audit progress
- Processed credit card transactions and reconciled statements
- Prepared Rescue Fee Report
- Reviewed legislative bulletins (for issues that might have an effect on Bellevue)
- Lease entries
- Monthly tax reports
- Retrieved document for and answered October financial questions for departments

RISK MANAGEMENT:

- Continued processing existing claims and worked to bring open claims towards resolution and closure
- Continued to investigate/accept/deny new claims
- Conferred with nurses, employees, and claims administrator on complex injury claims
- Processed appropriate invoices for payment
- Continued to manage modified duties for restricted employees
- New Hire Orientation: 4
- Conferred with legal, employees, and insurance carrier on liability claims/lawsuits
- Conducted spot safety checks on Parks and Fabrication shops
- Delivered required PPE to various shops as needed (vests, gloves, ice grips)
- Worked on ADA updates/transition plan for ADA committee
- Conducted all duties associated with surplus equipment auction
- Total surplus sales as of December 3, 2018: **\$333,800**

CDBG:

- Continued work on the draft 2019-2023 Consolidated Plan including gathering community input and planning community meeting to review the development of the plan and gather additional input to identify community needs.
- Completed draft Substantial Amendment for the 2018 Action Plan to move the available balance of funds in the CDBG line of credit from closed activities to the Chandler Hills Paving Improvement Project to meet timeliness requirements and prepare for public hearing.
- Followed up with all CDBG subrecipients regarding new agreements and amendments for existing agreements to receive all required documents and complete agenda items for next council meeting
- Completed and submitted the quarterly HUD Federal Financial Report.

Respectfully submitted,

Rich Severson
Finance Director, City of Bellevue



City of Bellevue

Fire Department

211 West 22nd • Bellevue, Nebraska 68005 • (402) 293-3153

Bellevue Fire Department Council Report

Report Date 2/3/2019

A. General Items:

- QA/QI
- Starting shift bid for part time firefighters.
- Working on hiring, orientation and academy for part-time firefighters.
- Working on end of month reports.
- Kickoff meeting February 13th with Omaha and Papillion on station alerting installs.
- Replacing propane valves on car burn prop.
- Working on reading all City radios to add them into radio management system in preparation for 911 radio upgrade.

B. Training:

- Chlorine B kit training
- Hurst tool (Jaws of Life) training.
- IV and IO training and setup.

C. Inspections:

- Little Gems Daycare inspection.
- Below ground fire sprinkler water main pressure test at 848 Cornhusker Rd.
- Fire Alarm test Ross Dress for Less.

D. Calls:

Fire – 57
Rescue - 131





City of Bellevue

Fire Department

211 West 22nd • Bellevue, Nebraska 68005 • (402) 293-3153

E. Ambulance Billing

January 1-31, 2019

\$ 157,709.00 has been billed out to insurance companies (196 insurance claims)
<\$ 70,969.05 >approximate amount we will have to write off due to mandatory adjustments/write-offs
(45% of \$157,709.00)

\$ 86,739.95 is the anticipated, approximate net revenue from these insurance billings

Deposited into Bank:

\$ 77,732.56 deposited into the bank January 1-31, 2019.

807.01 in Credit/Debit card payments for January 1-31, 2019.

\$ 78,539.57 TOTAL January 1-31, 2019 rescue fee revenue

Statement Billing:

310 statements were mailed to patients for unpaid account balances.

These statements totaled \$167,019.58.

This is money owed the City from patients who have balances on their accounts after their insurance has paid **OR** patients who are self-pay.

F. Manpower Report Staffing

Staffing Report from 1/21/2019 through 1/27/2019

Monday	AM	Full	
Monday	PM	Full	
Tuesday	AM	Full	
Tuesday	PM	E-41	3-Person
Wednesday	AM	Full	
Wednesday	PM	Full	
Thursday	AM	Full	
Thursday	PM	Full	
Friday	AM	Full	
Friday	PM	E-1,31	3-Person
Saturday	AM	E-1,21,31,41	3-Person
Saturday	PM	E-1,21,31	3-Person
Sunday	AM	E-1,21,41	3-Person EMS O.O.S.
Sunday	PM	E-1,21,31	3-Person





City of Bellevue

Fire Department

211 West 22nd • Bellevue, Nebraska 68005 • (402) 293-3153

Staffing Report from 1/28/2019 through 2/3/2019

Monday	AM	E-1,21,31,41	3-Person	
Monday	PM	Full		
Tuesday	AM	Full		
Tuesday	PM	Full		
Wednesday	AM	E-41	3-Person	
Wednesday	PM	Full		
Thursday	AM	E-1,21	3-Person	
Thursday	PM	Full		
Friday	AM	E-41	3-Person	
Friday	PM	E-31,41	3-Person	
Saturday	AM	E-1,31	3-Person	E-41 O.O.S.
Saturday	PM	E-41	3-Person	
Sunday	AM	E-31,41	3-Person	
Sunday	PM	Full		



City of Bellevue

Bellevue Public Library

1003 Lincoln Road • Bellevue, Nebraska 68005 • (402) 293-3157

Memo

To: Jim Ristow, City Administrator

From: Julie Dinville, Library Director

Date: 1/29/2019

- The "Company of Me" financial literacy four-part series concluded in on Jan. 27th. Nearly 40 persons signed up and attended the sessions led by financial advisor Barry Wilkinson. This course focused on a person's personality characteristics and how this influences their financial decisions. Consideration will be given to possibly repeating the program in the fall.
- The library offered patrons opportunities to start the new year right with some new direction. On Jan. 26, Sarah Lively led a class in creating vision boards to help focus on goals; Frankie Hannan, Head of Adult Services, led the "Better You Book Club" discussing "The Gifts of Imperfection" on Jan. 27; and a healthy eating class with staff from One World Health was held on Jan. 28.
- The Anime and Manga club sponsored by the Young Adult Department celebrated the new year on Jan. 28th with a ramen noodle party (using chopsticks) and then made DIY party eyeglasses.
- The Junior Friends of the Bellevue Public Library will be participating in a Community Impact Fundraising Night event at the Pizza Ranch in Papillion on Thursday, Feb. 14. The young volunteers will bus tables and also earn 10 percentage of the proceeds for the night. Monies raised through the event go to support programs and services in the Children's area.
- The Friends of the Bellevue Public Library are purchasing a book club kit to donate to the library. Book kits (including 10 copies and discussion materials) are loaned out to registered book clubs in the area and to other Nebraska libraries. The Friends' selection is "Hero of the Empire" by Candace Millard and tells the story of Winston Churchill's involvement with the Boer War, his capture, and daring escape. The Friends are celebrating their 10th anniversary in 2019.



City of Bellevue

Bellevue Public Library

1003 Lincoln Road • Bellevue, Nebraska 68005 • (402) 293-3157

Memo

To: Jim Ristow, City Administrator

From: Julie Dinville, Library Director

Date: 2/05/2019

- Over 450 persons attended the Zoo 2 You program at the library on Saturday, Feb. 2. Staffers from the Omaha Henry Doorly Zoo brought animals to the library for a meet-and-greet and gave a presentation explaining how animals have adapted to survive – and thrive – throughout the winter. The all ages program was standing room only out on the floor of the library. The program was jointly sponsored by the Adult and Children's departments at the library.
- Just in time for Valentine's Day, the library has invited its patrons to make "Conversation Hearts" telling us why they love the library. Persons of all ages can write on hearts and drop them in collection jars/baskets in the adult, children's and young adult areas. They will be collected and proudly displayed. The library says "I Love My Library because we have the best patrons and volunteers!"
- The Adult Services Department is offering basic computer classes on Monday mornings on Feb. 4, 11, 25 and March 4. These free classes will focus on basic computer operation, email, safe Internet surfing/searching, and an introduction to Microsoft Word. The classes are being held with 10 laptop computers purchased through grants from the Bellevue Community Foundation and the Midlands Community Foundation.
- Twenty-four persons participated in the Book Page Heart Wreaths craft program at the library on Sunday afternoon, Feb. 3, for teens and adults. During the event, crafters used old books to turn them into decorative heart-shaped wreaths accented with buttons and ribbons.
- The Bellevue Public Library will be celebrating the Chinese New Year with an all-ages program scheduled at 2 p.m. on Friday, Feb. 15. Chinese students from Bellevue University will share New Year's customs, give a demonstration on Chinese calligraphy, and have a chopstick challenge. Then on Saturday, Feb. 26, Sandra Kreber will give an overview of traditional Chinese medicine and acupuncture in a program at 2 p.m.
- On Saturday, Feb. 10, the public is invited to participate in a Seed Sharing event starting at 2 p.m. The event will feature staff from the Nebraska Extension service, Master Gardeners, and free seeds!





City of Bellevue

Office of the Planning Department

To: Mayor Hike
City Council
City Administrator Jim Ristow
From: Chris Shewchuk, Planning Director *CWS*
Date: February 6, 2019
Subject: Department comments for Administration Report

I am continuing to work on an annexation proposal for a number of Sanitary and Improvement Districts as well as numerous unincorporated lots that have been developed at the City's edge. I hope to have proposals ready for initial Planning Commission review in April.

The next meeting of the Planning Commission will be on February 28. The Commission will hold public hearings on a Conditional Use Permit for a self-storage facility on 48th Street, just south of the West Papio Creek, and the Olde Towne Redevelopment Project Plan.

We are in the process of preparing the Complete Streets Annual Report to be submitted to the City Council at the first meeting in March.

The revised sign ordinance amendment will be on the February 26 City Council meeting; I met with Council members Cook and Shannon and the City Administrator regarding this matter.

I attended the Papio Creek Watershed Partnership meeting at the NRD. The Partnership Agreement expires in June, we are working on an Inter-local Agreement to extend the agreement.

Tammi attended meetings of the Bellevue Chamber Economic Development Subcommittee and Housing Solutions for Sarpy County, and presented to the "Builders of the Future" at Bellevue West.

I will be out of the office beginning on February 14 and returning February 25. Please contact Tammi with any questions you may have during this time.

INTEROFFICE MEMORANDUM

TO: JIM RISTOW
FROM: CHIEF ELBERT
SUBJECT: DIRECTORS BRIEF
DATE: 2/6/2019

Chief Elbert
2-6-19
1,001

The 3 recent recruit graduates of SDLEA have moved into FTO. The 2 new hires are finishing orientation and begin their basic training at SDLEA Monday February 11th.

Received an Open Records Request from the ACLU for training records and SOPs concerning fair and impartial (anti-bias) policing and dealing with persons with physical and mental disabilities.

Officer Troy Boyle received the annual "Blue Coat" award from the Knights of Columbus.

Working on numerous personnel related issues.

Continue to work on MOU language for interlocal SWAT team with SCSO, Papillion PD, and LaVista PD. LaVista PD has already officially broke off it's support of our current team.

Sarpy County Communications quarterly meeting addressed – CAD alerts, Active Shooter, channel encryption, DUI history, vehicle tows, and the potential for SCSO to have its own channel in the future due to increased volume of radio traffic.

Department data master and DRE room is officially up and running allowing these tests to take place in our building and not the jail.

Training Unit is hosting a local "Verbal De-Escalation" course set for March 11-12.

Reviewing various LB's being considered at the State some to include School Resource officers and Immigration.

Staff being trained on new Interview Room system as its fully operational now.

Awarded a grant from the Public Safety Foundation to purchase a "drying cabinet" for property and evidence.

We are applying for federal grant money to purchase additional equipment in our Cyber Lab specific to unlocking phones that have an unknown password.

Code Enforcement Stats:**January 23, 2019****January 28, 2019****Calls – 203****290****Notices:****Zoning – 0****0****Nuisance – 14****28****Clean Ups – 0****0****Tree Removal – 0****0****Certified Notices – 11****8****Officer Initiated – 44****30****Towed Vehicles – 1****3****Red Tags – 6****5**



City of Bellevue

Public Works Department

1510 Wall Street • Bellevue, Nebraska 68005 • (402) 293-3025

Public Works Director's Report

February 11, 2019

Disclaimer: The following is a synopsis of the department reports submitted weekly to the Public Works Director. This is not an all inclusive list of work details or responsibilities submitted by each department. This list may be altered as unforeseen situations dictate.

Administration: Jeff Roberts

- Comprehensive review of all budgeting, invoicing and revenue reporting and processes (all departments)
- Meetings
 - Director meetings 02.09.19, 02.22.19
 - Superintendent meetings 02.03.19, 02.15.19
 - MAPA TTAC 02.20.19

Engineering: Dean Dunn

- American Heroes Park Phase 6
- Various design projects
- Planning and P&I plan review as needed
- SWPPP monitoring for NDEQ compliance as needed
- Meetings
 - FHWA monthly meeting TBD
 - UCC monthly meeting 02.12.19

Parks: Brian Madison

- Working on Work Orders that are submitted
- Tree maintenance in various parks
- Winter Duties

Recreation: Jim Shada

Listed below the total number of Registrations we have taken to date, runs through September 29th.

- Youth Flag Football
- Youth Soccer
- Total Registration to Date - 70

Street Maintenance: Bobby Riggs





City of Bellevue

Public Works Department

1510 Wall Street • Bellevue, Nebraska 68005 • (402) 293-3025

- Various ditch repairs and cleanout
- Grade, rock roads and alleys
- Winter Duties

Waste Water: Epiphany Ramos

- Jetting as weather allows
- Repairing lines found during jetting and TV scheduled inspections as needed
- Lift station inspections on Monday and Thursday
- Update GIS mapping
- Walk all inaccessible lines and inspect all manholes, ongoing
- Working on administrative procedures and expectations.

Fleet Maintenance: Todd Jarosz

BIWEEKLY REPAIRS BY DEPARTMENT		
Report Date: February 11, 2019		
Department	No. of Repairs	No. of Hours
Administration		
Finance		
Human Services	3	18
Public Works		
Parks	8	8
Recreation		
Cemetery		
Streets	10	16
Fleet Maintenance		
Permits & Inspections		
Police	6	10
Fire	8	43
Wastewater		

Reported hours are taken from work orders submitted for the week. Some work orders may reflect a large amount of hours performed which would mean the unit was in the shop for an extended period of time. Work may be carried over from one week into another.

The number of hours documented on repair tickets does not include the hours it takes for Fleet Maintenance personnel to shuttle cars to and from the shop, to deliver cars to designated locations for out sourced work (i.e. window/windshield replacement, body work, warranty work) and running for parts, etc.

