

## **Agenda**

1. Mayor Bergman calls meeting to order, with the "Pledge of Allegiance" and the "Open Meeting Statement"
2. Submittal of Requests for Future Agenda Items
3. Reserve Time to Speak on an Agenda Item
4. **FOLK, LLC Telephone Conference at 6:30 p.m. regarding a discussion on the City's (1) Brand Platform Strategy & Tagline revisions and (2) the Website Strategy and Sitemap revisions.**  
**Discuss - Approve / Deny the City's Brand Platform Strategy & Tagline revisions, along with the Website Strategy and Sitemap revisions.**
5. Discuss - Approve / Deny the Treasurer's Report regarding January 2020.
6. Discuss - Approve / Deny the five (5) Special Designated Liquor applications for the St. Peter & Paul Church Life Center at 713 Elm Street regarding the Easter fish fry's on March 6, March 13, March 20, March 27 and April 3, 2020. The event will be from 4:00 p.m. to 8:00 p.m., with identification being checked on all occasions, along with wristbands being utilized for underage drinking. Chief of Police Paczosa approved the applications.
7. Discuss - Approve / Deny Resolution #2020-2; whereas the City of St. Paul, NE is calling the outstanding General Obligation Water Refunding Bond, Series 2015 in the amount of \$365,000.
8. Discuss - Introduce Ordinance #1006 authorizing the issuance of General Obligation Water Refunding Bonds, Series 2020 of the City of St. Paul in the principal amount of not to exceed \$380,000 for the purpose of paying off certain outstanding bonds of the City; prescribing the form of said bonds; authorizing Officers of the City to designate final terms for said bonds within stated parameters; providing for the levy of taxes to pay said bonds; providing for the sale of bonds; authorizing the delivery of the bonds to the purchaser; approving post-issuance tax compliance policies; and providing for publication of this ordinance in pamphlet form. The cost savings in refunding the bond is approximately \$15,000.
  - b. Waive the three (3) readings of ordinance at three (3) different occasions , with second and roll call
  - c. Final passage of ordinance, with second and roll call
9. Discuss - Approve / Deny gWorks change order to "SimpleCity Physical Asset Management" Project No. 0996-001 to add additional data storage of 5 GB to 500 GB, costing \$300 annually.
10. Discuss - Approve / Deny the amendment to the LB 840 Loan Agreement and Promissory Note entered into between Sarah (Call) Townsend dba Escape Tanning and the City of St. Paul, NE. The City will lend Escape Tanning an aggregate amount up to Ten Thousand (\$10,000) as evidenced by the Promissory Note; the additional amount is \$3,052.39. The interest rate of 2.75% will remain the same and the last scheduled

payment will be on February 15, 2024. Any payments ten (10) days late shall be assessed a late charge of \$20. Documents were emailed to City Attorney White for his approval.

11. Discuss - Approve / Deny hiring a City Police Officer (Law Enforcement Academy training begins Monday, May 4, 2020)
12. Discuss - Approve / Deny City Police On-call pay (Chief of Police Paczosa).
13. **REMINDER: An IBEW 1597 Union negotiation special meeting on Thursday, February 27, 2020; 5:30 p.m. meeting for Mayor & City Council members and 6:00 p.m. for the IBEW 1597 Union members to join.**
14. Utility Superintendent Helzer updates
15. Chief of Police Paczosa updates a. Nuisance & Incident Report
16. Council member updates
17. Mayor Bergman updates:
  - a. The City of St. Paul received \$5,033 in proceeds from the Membership & Attendance Distribution from Public Alliance Community Energy (ACE); Mayor Bergman is allocating the funds to the Park's Dept.
  - b. Nebraska Municipal Clerk's Institute & Academy Scholarships: Deputy Clerk Royle received full scholarship of \$443 and City Clerk Beck received \$100 off of the amount of \$273 regarding Clerk School.
  - c. Housing Authority Annual Report from July 1, 2018 to July 1, 2019. If Council members want to review, the Financial Statement can be seen at the City Office.
  - d. Piper Jaffray Anticipation Bond regarding the payment for Howard Avenue, the Kendall West repair and other projects that have a contingency on them.
18. Public Comment Period - restricted to items on the agenda
19. Public Announcements
20. Closed Session: The City of St. Paul reserves the right to go into Closed Session when it is clearly necessary to protect the public interest or for the prevention of needless injury to the reputation of an individual; or pending litigation
21. Mayor Bergman adjourns City Council meeting.
22. Informational Items:
  - a. Certificates of Deposit January 2020
  - b. Receipt sheet January 2020
  - c. Legislative Bulletin #5: Special Articles: (1) LB 1155, LB 794, LB 866 - Urban Affairs Committee holds hearing on bills dealing with housing (2) LB 781 - requiring continuing education for Municipal Treasurer's; (3) Support LB 242 - would return a portion of the state portion of the sales tax on water and wastewater to Municipal Utilities; (4) LB 1046, LB 960 Transportation & Telecommunications reduces budget revenues; and (5) LB 898 Transportation & Telecommunications Committee hears testimony on bill to further restrict Municipal ability to regulate cell phone towers

# City of St. Paul Rebranding

PROPOSED PROJECT TIMELINE\_V2

January 27, 2020

**FOLK**

# JANUARY 2020

SUN 29	MON 30	TUE 31	WED Jan 1	THU 2	FRI 3	SAT 4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
			Jan. 22-24: Folk to interview City Council members, internal stakeholders			
26	27	28	29	30	31	Feb 1
Jan. 27-31: Folk to interview audience, conduct competitive/industry analysis						

KEY:  Meeting/Presentation  Meeting/approval  St. Paul Action Needed

## JANUARY ACTION ITEMS

**22 KICKOFF: DOWNTOWN REVITALIZATION, INTERVIEWS**

Folk to attend revitalization meeting and interview St. Paul stakeholders for branding and web discovery

*Completed* →



# FEBRUARY 2020

SUN 26	MON 27	TUE 28	WED 29	THU 30	FRI 31	SAT Feb 1
2	3	4	5	6	7	8
Feb. 3-7: Folk to build brand strategy & website site map						
9	10	11	12	13	14	15
Feb. 10-11: Folk to build brand strategy & website site map			Spec. Mtg Folk Present.	Feb. 13-17: Folk make any revisions to brand strategy and site map		
16	17	18	19	20	21	22
		Folk Presentation & Approval	Feb. 19-21: Folk to work on logos and visual brand			
23	24	25	26	27	28	29
Mid-winter Conf.		Week of Feb. 24: Folk to work on logos and visual brand				

## FEBRUARY ACTION ITEMS

- 12
**PRESENTATION: BRAND PLATFORM, STRATEGY & WEBSITE SITEMAP**  
 Folk to present at City Council Meeting in St. Paul
- 18
**PRESENTATION & APPROVAL: BRAND PLATFORM, STRATEGY & SITEMAP REVISIONS**  
 Folk to send revisions via email and present over conference call
- 24
**DELIVERABLE: CITY ASSETS Website**  
 St. Paul to send Folk any images/assets by end-of-day Monday

KEY:  Meeting/Presentation  Meeting/approval  St. Paul Action Needed



# MARCH 2020

SUN Mar 1	MON 2	TUE 3	WED 4	THU 5	FRI 6	SAT 7
	Week of Mar. 2: Folk to work on logos and visual brand					
8	9	10	11	12	13	14
	Week of Mar. 9: Folk to work on logos and visual brand					
15	16	17	18	19	20	21
	Mar. 17-20: Folk to make any revisions to logos and visual brand					
22	23	24	25	26	27	28
	Mar. 23-24: Folk to make any revisions to logos and visual brand		Mar. 26-27: Folk website design			
29	30	31	Apr 1	2	3	4
	Mar.30-Apr. 3: Folk website design					

KEY:  Meeting/Presentation  Meeting/approval  St. Paul Action Needed

## MARCH ACTION ITEMS

- 13
**DELIVERABLE: WEBSITE COPY**  
 St. Paul to deliver website copy to Folk by end-of-day Friday
- 16
**PRESENTATION: LOGO DESIGNS AND VISUAL BRANDING** *1 hour*  
 Folk to present at City Council Meeting in St. Paul
- 25
**PRESENTATION & APPROVAL: LOGO DESIGNS AND VISUAL BRANDING REVISIONS**  
 Folk to send revisions via email and present over conference call  
 • *Special mtg - Civic Ctr*

# FOLK

# APRIL 2020

SUN 29	MON 30	TUE 31	WED Apr 1	THU 2	FRI 3	SAT 4
			Apr. 1-3: Folk website design			
5	6 <i>Folk Presentation Website Design Review</i>	7	Mar. 7-10: Folk make any revisions to web design			11
12	13	14	15	16	17	18
	Mar. 13-17: Folk make any revisions to web design					
19	20 <i>Folk Presentation + Approve Website Design Approve</i>	21	22	23	24	25
	Apr. 21-24: Folk/Open Caret to develop Homepage, Contact, Events, Interior page					
26	27	28	29	30	May 1	2
	Apr. 27-May 1: Folk/Open Caret to develop Homepage, Contact, Events, Interior page					

KEY:  Meeting/Presentation  Meeting/approval  St. Paul Action Needed

## APRIL ACTION ITEMS

- PRESENTATION: WEBSITE DESIGN REVIEW**  
 Folk to present at City Council Meeting in St. Paul
  - Homepage
  - Contact
  - Events
  - One Interior Page
- PRESENTATION & APPROVAL: WEBSITE DESIGN REVISIONS**  
 Folk to send revisions via email and present over conference call



# MAY/JUNE 2020

SUN 26	MON 27	TUE 28	WED 29	THU 30	FRI May 1	SAT 2
3	4	5	6	7	8	9
May 4-8: Folk to populate additional interior pages						
10	11	12	13	14	15	16
May 11-12: Folk to populate additional interior pages		Folk to Email "link" website May 13-15: St. Paul to review website				
17	18	19	20	21	22	23
Folk Website Presentation		May 19-22: Folk/Open Caret to make website revisions				
24	25	26	27	28	29	30
May 25-29: Folk/Open Caret to make website revisions						
31	1	2	3	4	5	6
June Folk Approve Website design		June 2-5: Folk/Open Caret to conduct final website testing				

## MAY ACTION ITEMS

- 13-15** **REVIEW: WEBSITE**  
St. Paul to review website in preparation for May 18 meeting (link will be emailed)
- 18** **PRESENTATION: WEBSITE**  
Folk to present at City Council Meeting in St. Paul
- 1** **MEETING & APPROVAL: WEBSITE DESIGN**  
St. Paul to approve website design by end-of-day Wednesday
- 5** **WEBSITE LAUNCH DATE!**  
Website to launch by end-of-day Friday. Folk/Open Caret available for website support and training the following week

KEY:  Meeting/Presentation  Meeting/approval  St. Paul Action Needed

6 | Project Timeline

Very important for Mayor & Council to be **FOLK** prepared for Council meeting on Monday, May 18, 2020 in reviewing the City's Website OR the meeting could last several hours on this topic.

<b>Treasurer's Report:</b>			
<i>Account Number</i>	<i>Prev. Mth Total</i>	<i>Current Mth Total</i>	<i>Total</i>
<b>Homestead Bank</b>	<b>December 31, 2019</b>	<b>January 31, 2020</b>	
Checking 100-027	\$ (511,029.65)	\$ 528,819.71	\$ 17,790.06
Sales Tax 300-277	\$ (22,643.14)	\$ 12,570.36	\$ (10,072.78)
Civic Center 300-749	\$ (8,729.72)	\$ 9,257.66	\$ 527.94
City REDLG 301-465	\$ (35,984.40)	\$ 43,759.30	\$ 7,774.90
Water Trmt 504-189	\$ (17,575.44)	\$ 17,578.43	\$ 2.99
Keno 504-409	\$ (95,953.33)	\$ 88,886.09	\$ (7,067.24)
Sales Tax 504420	\$ (132,749.04)	\$ 143,786.44	\$ 11,037.40
Pool 504-442	\$ (7,863.93)	\$ 7,864.93	\$ 1.00
Premium General 504-684	\$ (101,831.85)	\$ 104,266.26	\$ 2,434.41
General 504-805	\$ (23,286.18)	\$ 23,290.14	\$ 3.96
Sewer 504-849	\$ (22,667.53)	\$ 22,671.38	\$ 3.85
Police 504-860	\$ (12,625.08)	\$ 12,627.23	\$ 2.15
Senior Center 504-882	\$ (6,167.96)	\$ 6,168.74	\$ 0.78
Brick (Street) 504-915	\$ (2,021.23)	\$ 2,021.40	\$ 0.17
Library Maint. 504-970	\$ (15,313.93)	\$ 15,316.53	\$ 2.60
Light Sinking 504-981	\$ (25,510.13)	\$ 25,765.58	\$ 255.45
Fire Sinking 504-992	\$ (19,460.64)	\$ 19,463.95	\$ 3.31
EMT Sinking 505-003	\$ (8,867.96)	\$ 8,869.09	\$ 1.13
Street Sinking 505-014	\$ (9,032.83)	\$ 9,033.98	\$ 1.15
Park Sinking 505-025	\$ (14,219.26)	\$ 14,221.67	\$ 2.41
TIF Projects 505-036	\$ (931.07)	\$ 931.15	\$ 0.08
After School 505-146	\$ (3,172.88)	\$ 3,173.15	\$ 0.27
Elmwood Cemetery Found.	\$ (9,611.17)	\$ 9,612.39	\$ 1.22
Civic Center Sink 505179	\$ (10,524.70)	\$ 10,526.49	\$ 1.79
Housing Grant 4178-0	\$ (895.41)	\$ 895.41	\$ -
Walk/Bike 5482-7	\$ (3,438.96)	\$ 3,438.96	\$ -
Light CD 3212195	\$ (41,328.34)	\$ 41,500.22	\$ 171.88
Water CD 3212196	\$ (31,388.61)	\$ 31,519.15	\$ 130.54
Sewer CD 3212197	\$ (36,620.06)	\$ 36,772.36	\$ 152.30
Sewer CD 3212198	\$ (36,620.06)	\$ 36,772.36	\$ 152.30
General CD 3212199	\$ (39,758.90)	\$ 39,924.25	\$ 165.35
Fire CD 3212200	\$ (24,064.61)	\$ 24,164.69	\$ 100.08
Ambulance CD 3212201	\$ (51,791.21)	\$ 52,006.60	\$ 215.39
Park CD 3212202	\$ (41,851.49)	\$ 42,025.55	\$ 174.06
General CD 3051705	\$ (219,352.98)	\$ 220,292.89	\$ 939.91
Sales Tax CD 3327564	\$ (79,194.51)	\$ 79,527.86	\$ 333.35
Light CD 3640996	\$ (43,786.26)	\$ 43,786.26	\$ -



Deposits and Checks printed for Month (held in statement folder)

**2019-2020**

Month / Year	Deposit Total	Check Total	Grand Total	Comment
October 31, 2019	\$ 545,884.50	\$ (754,232.32)	\$ (208,347.82)	Bonds / LARM
November 30, 2019	\$ 359,578.28	\$ (358,840.38)	\$ 737.90	
December 31, 2019	\$ 589,175.43	\$ (847,524.63)	\$ (258,349.20)	Ameritas, BOK, Diamond Eng.
January 31, 2020	\$ 521,090.38	\$ (503,276.40)	\$ 17,813.98	
February 28, 2020			\$ -	
March 31, 2020			\$ -	
April 30, 2020			\$ -	
May 31, 2020			\$ -	
June 30, 2020			\$ -	
July 31, 2020			\$ -	
August 31, 2020			\$ -	
September 30, 2020			\$ -	
<b>Grand Total</b>	<b>\$ 2,015,728.59</b>	<b>\$ (2,463,873.73)</b>	<b>\$ (448,145.14)</b>	
Deposit & Checks Monthly Total (Shared)				



# The City of St. Paul, Nebraska

704 6th Street • St. Paul, NE 68873

Phone (308) 754-4483

As of January 31, 2020

## Homestead Bank

Checking (NOW) 300-100-027.....	\$	528,819.71
City Sales Tax (Checking) 300-300-277.....		12,570.36
St. Paul Civic Center (MMDA) 300-300-749.....		9,257.66
City REDLG (Secure Plus) 300-301-465.....		43,759.30
Water Treatment Plant (Bond Reserve) (MMDA) 300-504-189.....		17,578.43
Keno (MMDA) 300-504-409.....		88,886.09
Sales Tax (P.I.) 300-504-420.....		143,786.44
Pool Construction (MMDA) 300-504-442.....		7,864.93
Premium Investment (P.I.) 300-504-684.....		104,266.26
General Equipment Sinking (MMDA) 300-504-805.....		23,290.14
Sewer Building & Equipment Fund (MMDA) 300-504-849.....		22,671.38
Police Equipment Fund (MMDA) 300-504-860.....		12,627.23
Senior Center Fund (MMDA) 300-504-882.....		6,168.74
Brick Account (MMDA) 300-504-915.....		2,021.40
Library Maintenance Reserve (MMDA) 300-504-970.....		15,316.53
Light Sinking Fund (MMDA) 300-504-981.....		25,765.58
Fire Sinking Fund (MMDA) 300-504-992.....		19,463.95
EMT Sinking Fund (MMDA) 300-505-003.....		8,869.09
Street Sinking Fund (MMDA) 300-504-014.....		9,033.98
Park Equipment Sinking Fund (MMDA) 300-505-025.....		14,221.67
TIF Projects (MMDA) 300-505-036.....		931.15
After School Program (MMDA) 300-505-146.....		3,173.15
St. Paul Elmwood Cemetery Foundation (MMDA) 300-505-168.....		9,612.39
Civic Center Sinking Fund (MMDA) 300-505-179.....		10,526.49
Housing Grant Repayment (Savings) 300041780.....		895.41
Walk/Bike Trail (Savings) 300054827.....		3,438.96
Light (TCD) 3212195 mat. 2/2/22.....		41,500.22
Water (TCD) 3212196 mat. 2/2/22.....		31,519.15
Sewer (TCD) 3212197 mat. 2/2/22.....		36,772.36
Sewer (TCD) 3212198 mat. 2/2/22.....		36,772.36
General (TCD) 3212199 mat. 2/2/22.....		39,924.25
Fire (TCD) 3212200 mat. 2/2/22.....		24,164.69
Ambulance (TCD) 3212201 mat 2/2/22.....		52,006.60
Park (TCD) 3212202 mat. 2/2/22.....		42,025.55
General (TCD) 3051705 mat. 4/10/22.....		220,292.89
Sales Tax (TCD) 3327564 mat. 4/4/22.....		79,527.86
Light (TCD) 3640996 mat. 5/15/22.....		43,786.26
General (TCD) 3212279 mat. 7/8/24.....		152,670.84

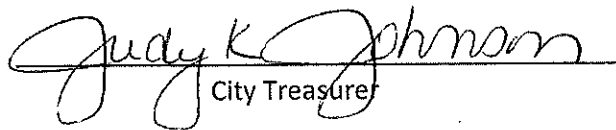
**Citizens Bank & Trust**

Consumer Deposit Fund (Checking) 102415.....	50,077.50
Cafeteria 125 (NOW) 102407.....	17,839.55
Health Deductible Account (NOW) 102482.....	85,775.02
Sales Tax Infrastructure (NOW) 102342.....	113,129.88
Cemetery (Savings) 753122.....	22,412.63
City Park Aluminum Improvement (Savings) 772682.....	1,879.13
General (TCD) 109366.....	57,165.12
General (TCD)109367.....	57,154.81
Lights (ICS MMA) 103217.....	711,878.40
Water (ICS MMA) 103225.....	88,260.58
Sewer (ICS MMA) 103241.....	201,237.74
General (ICS MMA) 103209.....	1,188,471.56
Building (ICS MMA) 103233.....	47,868.82
Fire (ICS MMA) 103268.....	109,083.01
Ambulance (ISC MMA) 103276.....	255,601.24
Park (ICS MMA) 103284.....	100,531.72
Police (ICS MMA) 103292.....	24,051.05
Keno (ICS MMA) 103314.....	65,755.75
Streets (ICS MMA) 103349.....	60,709.32
Library (ICS MMA) 103365.....	46,476.31
Senior Center (ICS MMA) 103373.....	30,354.64
Red Leg (ICS MMA) 103381.....	62,780.90
Pool (ICS MMA) 103348.....	20,236.42
Elmwood Cemetery (ICS MMA) 103446.....	56,424.91

**Heritage Bank**

ACH Account (MMDA) 411025.....	265,582.41
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Total City Funds.....\$ 5,686,517.87

  
City Treasurer

**Special Designated License  
Local Recommendation (Form 200)**

Applications must be entered on the portal after local approval – no exceptions  
Late applications are non-refundable and will be rejected

St. Peter & Paul Catholic Church  
Retail Liquor License Name or \*Non-Profit Organization (\*Must include Form #201 as Page 2)

713 Elm St. Paul NE 68873  
Retail Liquor License Address or Non-Profit Business Address

47-0396134  
Retail License Number or Non-Profit Federal ID #

3-6-20  
Consecutive Dates only  
Event Date(s):

4:00pm  
Event Start Time(s):

8:00pm  
Event End Time(s):

Alternate Date: \_\_\_\_\_

Alternate Location Building & Address: \_\_\_\_\_

St. Peter & Paul Life Center  
Event Building Name:

713 Elm St. Paul NE  
Event Street Address/City:

76' X 76'  
Indoor area to be licensed in length & width:

Outdoor area to be licensed in length & width:  (Diagram Form #109 must be attached)

Easter Fish Fry  
Type of Event: Estimate # of attendees: 350

Beer  Wine  Distilled Spirits   
(If not marked, you will not be able to serve this type of alcohol)

Chad Bauder Event Contact Name: Event Contact Phone Number: 970-571-1996

baudercj@gmail.com  
Event Contact Email:

\*Signature Authorized Representative: [Signature] Printed Name Chad Bauder

*I declare that I am the authorized representative of the above named license applicant and that the statements made on this application are true to the best of my knowledge and belief. I also consent to an investigation of my background including all records of every kind including police records. I agree to waive any rights or causes of action against the Nebraska Liquor Control Commission, the Nebraska State Patrol or any other individual releasing said information to the Liquor Control Commission or the Nebraska State Patrol. I further declare that the license applied for will not be used by any other person, group, organization or corporation for profit or not for profit and that the event will be supervised by persons directly responsible to the holder of this Special Designated License.*

\*Retail licensee – Must be signed by a member listed on permanent license  
\*Non-Profit Organization – Must be signed by a Corporate Officer  
Identification will be checked, along with wristbands being utilized for underage drinking.

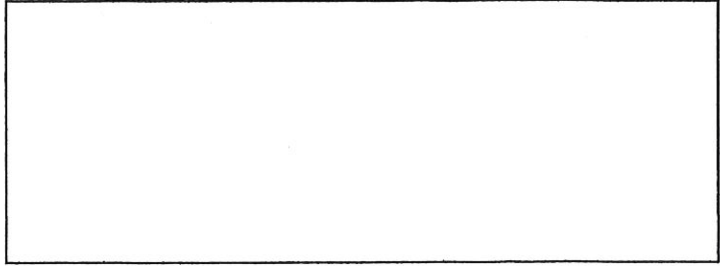
**Local Governing Body completes below:**

The local governing body for the City/Village of St. Paul OR County of \_\_\_\_\_ approves the issuance of a Special Designated License as requested above. (Only one should be written above)

Local Governing Body Authorized Signature \_\_\_\_\_ Date \_\_\_\_\_

**APPLICATION FOR SPECIAL  
DESIGNATED LICENSE  
Non-Profit Applicants ONLY**

NEBRASKA LIQUOR CONTROL COMMISSION  
301 CENTENNIAL MALL SOUTH  
PO BOX 95046  
LINCOLN, NE 68509-5046  
PHONE: (402) 471-2571  
FAX: (402) 471-2814  
Website: [www.lcc.nebraska.gov/](http://www.lcc.nebraska.gov/)  
Email Applications: [michelle.porter@nebraska.gov](mailto:michelle.porter@nebraska.gov)



**This page is required to be completed by Non-Profit applicants only.**

**Application for Special Designated License  
Under Nebraska Liquor Control Act  
Affidavit of Non-Profit Status**

I HEREBY DECLARE THAT THE CORPORATION MAKING APPLICATION FOR A SPECIAL DESIGNATED LICENSE UNDER THE NEBRASKA LIQUOR CONTROL ACT IS EITHER A MUNICIPAL CORPORATION, A FINE ARTS MUSEUM INCORPORATED AS A NONPROFIT CORPORATION, A RELIGIOUS NONPROFIT CORPORATION WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES, A POLITICAL ORGANIZATION WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES, OR ANY OTHER NONPROFIT CORPORATION, THE PURPOSE OF WHICH IS FRATERNAL, CHARITABLE, OR PUBLIC SERVICE AND WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES AS PER §53-124.11(1).

AS SIGNATORY I CONSENT TO THE RELEASE OF ANY DOCUMENTS SUPPORTING THIS DECLARATION AND ANY DOCUMENTS SUPPORTING THIS DECLARATION WILL BE PROVIDED TO THE NEBRASKA LIQUOR CONTROL COMMISSION, THE NEBRASKA STATE PATROL OR ANY AGENT OF THE LIQUOR CONTROL COMMISSION IMMEDIATELY UPON DEMAND. I ALSO CONSENT TO THE INVESTIGATION OF THIS CORPORATE ENTITY TO DETERMINE IT'S NONPROFIT STATUS.

I AGREE TO WAIVE ANY RIGHTS OR CAUSES OF ACTION AGAINST THE NEBRASKA LIQUOR CONTROL COMMISSION, THE NEBRASKA STATE PATROL OR ANY PARTY RELEASING INFORMATION TO THE AFOREMENTIONED PARTIES.

Sts. Peter + Paul Catholic Church  
NAME OF CORPORATION

47-0396134  
FEDERAL ID NUMBER

William A. [Signature] Chairman  
SIGNATURE OF TITLE OF CORPORATE OFFICERS

THE ABOVE INDIVIDUAL STATES THAT THE STATEMENT ABOVE IS TRUE AND CORRECT: IF ANY FALSE STATEMENT IS MADE ON THIS APPLICATION, THE APPLICANT SHALL BE DEEMED GUILTY OF PERJURY AND SUBJECT TO PENALTIES PROVIDED BY LAW. (SEC. §53-131.01) NEBRASKA LIQUOR CONTROL ACT

SUBSCRIBED IN MY PRESENCE AND SWORN TO BEFORE ME THIS 14th DAY OF February, 2020.

GENERAL NOTARY - State of Nebraska  
LORI B. ROYLE  
My Comm. Exp. June 12, 2021

Lori B. Royle  
NOTARY PUBLIC SIGNATURE & SEAL

Caterers must have a valid Nebraska Liquor Control Commission license, including a Special Designated License (SDL). **MINORS ABSOLUTELY WILL NOT BE SERVED ALCOHOLIC BEVERAGES.** All caterers shall be solely and completely responsible for the liquor permit and any resulting violations.

The CITY OF ST. PAUL will assume NO responsibility for problems, legal or otherwise, which could result from consuming alcoholic beverages in the City Limits of the CITY OF ST. PAUL.

**Insurance Requirements:** Anyone serving liquor in the City Limits of the CITY OF ST. PAUL is required to have at least One Million Dollars (\$1,000,000.00) in general liability insurance. The CITY OF ST. PAUL must be listed as an Additional Insured. They must also have liquor liability insurance in an amount of at least \$1,000,000 per occurrence / \$2,000,000 aggregate. Proof of insurance must be provided prior to the City Council meeting for approval of the Special Designated License (SDL).

### AGREEMENT OF ALCOHOL CATERER

EVENT: St. Peter & Paul Fish Fry DATE: 3-6-20

The undersigned acknowledges that it will be the CATERER of alcoholic beverages in the City Limits of the CITY OF ST. PAUL.

1. CATERER shall follow all laws and rules regarding the provision of alcoholic beverages within the City Limits of the CITY OF ST. PAUL.

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4. It is agreed that the terms of this agreement are contractual and not mere recitals and are binding upon the parties hereto, their successors, heirs, personal representatives, and assigns.

5. If any provision or paragraph of this agreement is unenforceable, the remaining provisions or paragraphs shall nevertheless be carried into effect.

CITY OF ST. PAUL, NEBRASKA

DATE: 2-14-20

BY: [Signature]  
City of St. Paul Designated Agent

CATERER NAME: Chad Bauder  
St. Peter + Paul

DATE: 2-14-20

BY: X [Signature]  
Authorized Agent of Caterer

# Certificate of Coverage

Date: 2/14/2020

Certificate Holder  
 Diocese of Grand Island  
 Chancery Office  
 2708 Old Fair Rd  
 Grand Island, NE 68803-5221

**This Certificate is issued as a matter of information only and confers no rights upon the holder of this certificate. This certificate does not amend, extend or alter the coverage afforded below.**

Company Affording Coverage  
 THE CATHOLIC MUTUAL RELIEF  
 SOCIETY OF AMERICA  
 10843 OLD MILL RD  
 OMAHA, NE 68154

Covered Location  
 SS PETER & PAUL CHURCH  
 713 ELM STREET  
 ST PAUL, NE 68873-0000

**Coverages**

**This is to certify that the coverages listed below have been issued to the certificate holder named above for the certificate 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 coverage afforded described herein is subject to all the terms, exclusions and conditions of such coverage. Limits shown may have been reduced by paid claims.**

	Type of Coverage	Certificate Number	Coverage Effective Date	Coverage Expiration Date	Limits	
	Property				Real & Personal Property	
	<b>D. General Liability</b>	8414	1/1/2020	1/1/2021	<b>Each Occurrence</b>	<b>1,000,000</b>
	<input checked="" type="checkbox"/> Occurrence				General Aggregate	
	<input type="checkbox"/> Claims Made				Products-Comp/OP Agg	
					Personal & Adv Injury	
					Fire Damage (Any one fire)	
					Med Exp (Any one person)	
	Excess Liability				Each Occurrence	
					Annual Aggregate	
	Other				Each Occurrence	
					Claims Made	
					Annual Aggregate	
					Limit/Coverage	

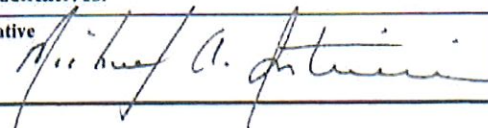
**Description of Operations/Locations/Vehicles/Special Items** (the following language supersedes any other language in this endorsement or the Certificate in conflict with this language)  
 Coverage is verified for claims arising out of St Peter and Paul Parish's fish fry March 6, 13, 20, 27 and April 3, 2020 from 5 pm to 8 pm.  
 This coverage includes Liquor Liability.

Holder of Certificate

Cancellation

Should any of the above described coverages be cancelled before the expiration date thereof, the issuing company will endeavor to mail 30 days written notice to the holder of certificate named to the left, but failure to mail such notice shall impose no obligation or liability of any kind upon the company, its agents or representatives.

Authorized Representative



0086000373

**Special Designated License  
Local Recommendation (Form 200)**

Applications must be entered on the portal after local approval – no exceptions  
Late applications are non-refundable and will be rejected

St. Peter + Paul Catholic Church  
Retail Liquor License Name or \*Non-Profit Organization (\*Must include Form #201 as Page 2)

713 Elm St. Paul NE 68873  
Retail Liquor License Address or Non-Profit Business Address

47-0396134  
Retail License Number or Non-Profit Federal ID #

Consecutive Dates only  
Event Date(s): 3-13-20

Event Start Time(s): 4:00 pm

Event End Time(s): 8:00 pm

Alternate Date: \_\_\_\_\_

Alternate Location Building & Address: \_\_\_\_\_

Event Building Name: St Peter + Paul Life Center

Event Street Address/City: 713 Elm St. Paul NE

Indoor area to be licensed in length & width: 76' X 76'

Outdoor area to be licensed in length & width: \_\_\_\_\_ X \_\_\_\_\_ (Diagram Form #109 must be attached)

Type of Event: Easter Fish Fry Estimate # of attendees: 350

Type of alcohol to be served: Beer  Wine  Distilled Spirits   
(If not marked, you will not be able to serve this type of alcohol)

Event Contact Name: Chad Bauder Event Contact Phone Number: 970-571-1996

Event Contact Email: baudercj@gmail.com

\*Signature Authorized Representative: [Signature] Printed Name Chad Bauder

*I declare that I am the authorized representative of the above named license applicant and that the statements made on this application are true to the best of my knowledge and belief. I also consent to an investigation of my background including all records of every kind including police records. I agree to waive any rights or causes of action against the Nebraska Liquor Control Commission, the Nebraska State Patrol or any other individual releasing said information to the Liquor Control Commission or the Nebraska State Patrol. I further declare that the license applied for will not be used by any other person, group, organization or corporation for profit or not for profit and that the event will be supervised by persons directly responsible to the holder of this Special Designated License.*

\*Retail licensee – Must be signed by a member listed on permanent license  
\*Non-Profit Organization – Must be signed by a Corporate Officer

Identification will be checked, along with wristbands being utilized for underage drinking.

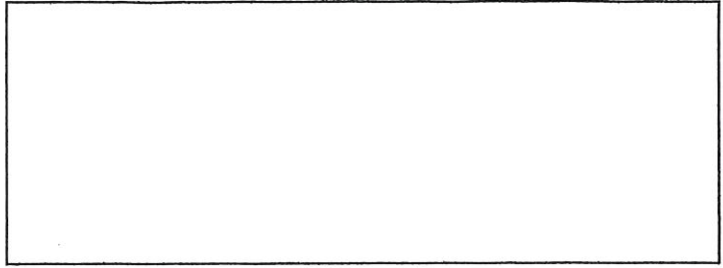
**Local Governing Body completes below:**

The local governing body for the City/Village of St. Paul **OR** County of \_\_\_\_\_ approves the issuance of a Special Designated License as requested above. (Only one should be written above)

\_\_\_\_\_  
Local Governing Body Authorized Signature Date

**APPLICATION FOR SPECIAL  
DESIGNATED LICENSE  
Non-Profit Applicants ONLY**

NEBRASKA LIQUOR CONTROL COMMISSION  
301 CENTENNIAL MALL SOUTH  
PO BOX 95046  
LINCOLN, NE 68509-5046  
PHONE: (402) 471-2571  
FAX: (402) 471-2814  
Website: [www.lcc.nebraska.gov/](http://www.lcc.nebraska.gov/)  
Email Applications: [michelle.porter@nebraska.gov](mailto:michelle.porter@nebraska.gov)



**This page is required to be completed by Non-Profit applicants only.**

**Application for Special Designated License  
Under Nebraska Liquor Control Act  
Affidavit of Non-Profit Status**

I HEREBY DECLARE THAT THE CORPORATION MAKING APPLICATION FOR A SPECIAL DESIGNATED LICENSE UNDER THE NEBRASKA LIQUOR CONTROL ACT IS EITHER A MUNICIPAL CORPORATION, A FINE ARTS MUSEUM INCORPORATED AS A NONPROFIT CORPORATION, A RELIGIOUS NONPROFIT CORPORATION WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES, A POLITICAL ORGANIZATION WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES, OR ANY OTHER NONPROFIT CORPORATION, THE PURPOSE OF WHICH IS FRATERNAL, CHARITABLE, OR PUBLIC SERVICE AND WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES AS PER §53-124.11(1).

AS SIGNATORY I CONSENT TO THE RELEASE OF ANY DOCUMENTS SUPPORTING THIS DECLARATION AND ANY DOCUMENTS SUPPORTING THIS DECLARATION WILL BE PROVIDED TO THE NEBRASKA LIQUOR CONTROL COMMISSION, THE NEBRASKA STATE PATROL OR ANY AGENT OF THE LIQUOR CONTROL COMMISSION IMMEDIATELY UPON DEMAND. I ALSO CONSENT TO THE INVESTIGATION OF THIS CORPORATE ENTITY TO DETERMINE IT'S NONPROFIT STATUS.

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Sts. Peter + Paul Catholic Church

NAME OF CORPORATION

47-0396134

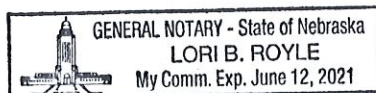
FEDERAL ID NUMBER

William A. Moyal, Chairman

SIGNATURE OF TITLE OF CORPORATE OFFICERS

THE ABOVE INDIVIDUAL STATES THAT THE STATEMENT ABOVE IS TRUE AND CORRECT: IF ANY FALSE STATEMENT IS MADE ON THIS APPLICATION, THE APPLICANT SHALL BE DEEMED GUILTY OF PERJURY AND SUBJECT TO PENALTIES PROVIDED BY LAW. (SEC. §53-131.01) NEBRASKA LIQUOR CONTROL ACT

SUBSCRIBED IN MY PRESENCE AND SWORN TO BEFORE ME THIS 14<sup>th</sup> DAY OF February, 2020.



Lori B. Royle  
NOTARY PUBLIC SIGNATURE & SEAL

Caterers must have a valid Nebraska Liquor Control Commission license, including a Special Designated License (SDL). **MINORS ABSOLUTELY WILL NOT BE SERVED ALCOHOLIC BEVERAGES.** All caterers shall be solely and completely responsible for the liquor permit and any resulting violations.

The CITY OF ST. PAUL will assume NO responsibility for problems, legal or otherwise, which could result from consuming alcoholic beverages in the City Limits of the CITY OF ST. PAUL.

**Insurance Requirements:** Anyone serving liquor in the City Limits of the CITY OF ST. PAUL is required to have at least One Million Dollars (\$1,000,000.00) in general liability insurance. The CITY OF ST. PAUL must be listed as an Additional Insured. They must also have liquor liability insurance in an amount of at least \$1,000,000 per occurrence / \$2,000,000 aggregate. Proof of insurance must be provided prior to the City Council meeting for approval of the Special Designated License (SDL).

### AGREEMENT OF ALCOHOL CATERER

EVENT: St. Peter + Paul Fish Fry DATE: 3-13-20

The undersigned acknowledges that it will be the CATERER of alcoholic beverages in the City Limits of the CITY OF ST. PAUL.

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CITY OF ST. PAUL, NEBRASKA

DATE: 2-14-20

BY: [Signature]  
City of St. Paul Designated Agent

CATERER NAME: Chad Bander - St. Peter + Paul

DATE: 2-14-20

BY: [Signature]  
Authorized Agent of Caterer

**Special Designated License  
Local Recommendation (Form 200)**

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St. Peter + Paul Catholic Church  
Retail Liquor License Name or \*Non-Profit Organization (\*Must include Form #201 as Page 2)

713 Elm St. Paul NE 68873  
Retail Liquor License Address or Non-Profit Business Address

47-0396134  
Retail License Number or Non-Profit Federal ID #

Consecutive Dates only  
Event Date(s): 3-20-20

Event Start Time(s): 4:00 pm

Event End Time(s): 8:00 pm

Alternate Date: \_\_\_\_\_

Alternate Location Building & Address: \_\_\_\_\_

Event Building Name: St Peter + Paul Life Center

Event Street Address/City: 713 Elm St Paul NE

Indoor area to be licensed in length & width: 76' X 76'

Outdoor area to be licensed in length & width: X (Diagram Form #109 must be attached)

Type of Event: Easter Fish Fry Estimate # of attendees: 350

Type of alcohol to be served: Beer X Wine X Distilled Spirits X  
(If not marked, you will not be able to serve this type of alcohol)

Event Contact Name: Chad Bauder Event Contact Phone Number: 970-571-1996

Event Contact Email: baudercj@gmail.com

\*Signature Authorized Representative: [Signature] Printed Name Chad Bauder

*I declare that I am the authorized representative of the above named license applicant and that the statements made on this application are true to the best of my knowledge and belief. I also consent to an investigation of my background including all records of every kind including police records. I agree to waive any rights or causes of action against the Nebraska Liquor Control Commission, the Nebraska State Patrol or any other individual releasing said information to the Liquor Control Commission or the Nebraska State Patrol. I further declare that the license applied for will not be used by any other person, group, organization or corporation for profit or not for profit and that the event will be supervised by persons directly responsible to the holder of this Special Designated License.*

\*Retail licensee – Must be signed by a member listed on permanent license  
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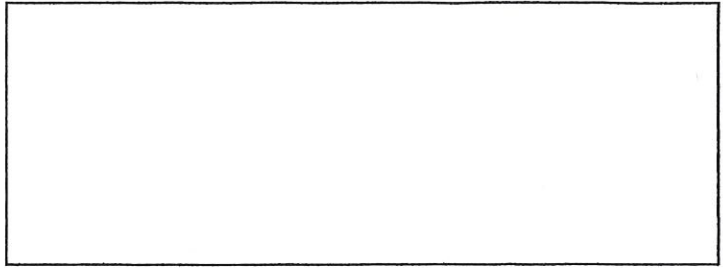
**Local Governing Body completes below:**

The local governing body for the City/Village of St Paul OR County of \_\_\_\_\_ approves the issuance of a Special Designated License as requested above. (Only one should be written above)

\_\_\_\_\_  
Local Governing Body Authorized Signature Date

**APPLICATION FOR SPECIAL  
DESIGNATED LICENSE  
Non-Profit Applicants ONLY**

NEBRASKA LIQUOR CONTROL COMMISSION  
301 CENTENNIAL MALL SOUTH  
PO BOX 95046  
LINCOLN, NE 68509-5046  
PHONE: (402) 471-2571  
FAX: (402) 471-2814  
Website: [www.lcc.nebraska.gov/](http://www.lcc.nebraska.gov/)  
Email Applications: [michelle.porter@nebraska.gov](mailto:michelle.porter@nebraska.gov)



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**Application for Special Designated License  
Under Nebraska Liquor Control Act  
Affidavit of Non-Profit Status**

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Sts. Peter + Paul Catholic Church  
NAME OF CORPORATION

47-0396134  
FEDERAL ID NUMBER

William A. Ayers, Chairman  
SIGNATURE OF TITLE OF CORPORATE OFFICERS

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SUBSCRIBED IN MY PRESENCE AND SWORN TO BEFORE ME THIS 14<sup>th</sup> DAY OF February, 2020.

GENERAL NOTARY - State of Nebraska  
LORI B. ROYLE  
My Comm. Exp. June 12, 2021

Lori B. Royle  
NOTARY PUBLIC SIGNATURE & SEAL

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EVENT: St. Peter & Paul Fish Fry DATE: 3-20-20

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CITY OF ST. PAUL, NEBRASKA

DATE: 2-14-20

BY: [Signature]  
City of St. Paul Designated Agent

CATERER NAME: Chad Bauer St. Peter & Paul

DATE: 2-14-20

BY: [Signature]  
Authorized Agent of Caterer

**Special Designated License  
Local Recommendation (Form 200)**

Applications must be entered on the portal after local approval – no exceptions  
Late applications are non-refundable and will be rejected

St. Peter & Paul Catholic Church  
Retail Liquor License Name or \*Non-Profit Organization (\*Must include Form #201 as Page 2)

713 Elm St Paul NE 68873  
Retail Liquor License Address or Non-Profit Business Address

47-0396134  
Retail License Number or Non-Profit Federal ID #

**Consecutive Dates only**  
Event Date(s): 3-27-20  
Event Start Time(s): 4:00 pm  
Event End Time(s): 8:00 pm

Alternate Date: \_\_\_\_\_  
Alternate Location Building & Address: \_\_\_\_\_

Event Building Name: St. Peter + Paul Life Center  
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Indoor area to be licensed in length & width: 76' X 76'  
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Type of Event: Easter Fish Fry Estimate # of attendees: 350  
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(If not marked, you will not be able to serve this type of alcohol)

Event Contact Name: Chad Bauder Event Contact Phone Number: 970-571-1996  
Event Contact Email: baudercj@gmail.com

\*Signature Authorized Representative: Chad Bauder Printed Name Chad Bauder  
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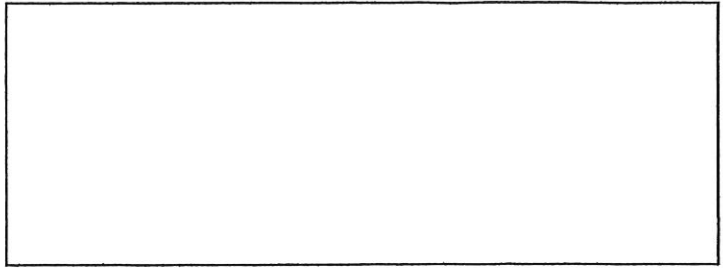
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The local governing body for the City/Village of St. Paul OR County of \_\_\_\_\_ approves the issuance of a Special Designated License as requested above. (Only one should be written above)

Local Governing Body Authorized Signature \_\_\_\_\_ Date \_\_\_\_\_

**APPLICATION FOR SPECIAL  
DESIGNATED LICENSE  
Non-Profit Applicants ONLY**

NEBRASKA LIQUOR CONTROL COMMISSION  
301 CENTENNIAL MALL SOUTH  
PO BOX 95046  
LINCOLN, NE 68509-5046  
PHONE: (402) 471-2571  
FAX: (402) 471-2814  
Website: [www.lcc.nebraska.gov/](http://www.lcc.nebraska.gov/)  
Email Applications: [michelle.porter@nebraska.gov](mailto:michelle.porter@nebraska.gov)



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**Application for Special Designated License  
Under Nebraska Liquor Control Act  
Affidavit of Non-Profit Status**

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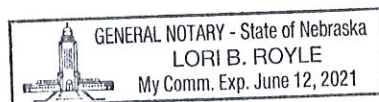
Sts. Peter + Paul Catholic Church  
NAME OF CORPORATION

47-0396134  
FEDERAL ID NUMBER

William A. Goh Chairman  
SIGNATURE OF TITLE OF CORPORATE OFFICERS

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SUBSCRIBED IN MY PRESENCE AND SWORN TO BEFORE ME THIS 14th DAY OF February, 2020.



Lori B. Royle  
NOTARY PUBLIC SIGNATURE & SEAL

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CITY OF ST. PAUL, NEBRASKA

DATE: 2-14-20

BY: [Signature]  
City of St. Paul Designated Agent

CATERER NAME: Chad Bauder St. Peter + Paul

DATE: 2-14-20

BY: [Signature]  
Authorized Agent of Caterer

**Special Designated License  
Local Recommendation (Form 200)**

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St. Peter + Paul Catholic Church  
Retail Liquor License Name or \*Non-Profit Organization (\*Must include Form #201 as Page 2)

713 Elm St. Paul NE 68873  
Retail Liquor License Address or Non-Profit Business Address

47-0396134  
Retail License Number or Non-Profit Federal ID #

**Consecutive Dates only**  
Event Date(s): 4-3-20

Event Start Time(s): 4:00 pm

Event End Time(s): 8:00 pm

Alternate Date: \_\_\_\_\_

Alternate Location Building & Address: \_\_\_\_\_

Event Building Name: St. Peter + Paul Life Center

Event Street Address/City: 713 Elm St. Paul NE

Indoor area to be licensed in length & width: 76' X 76'

Outdoor area to be licensed in length & width: \_\_\_\_\_ X \_\_\_\_\_ (Diagram Form #109 must be attached)

Type of Event: Easter Fish Fry Estimate # of attendees: 350

Type of alcohol to be served: Beer  Wine  Distilled Spirits   
(If not marked, you will not be able to serve this type of alcohol)

Event Contact Name: Chad Bauder Event Contact Phone Number: 970-571-1996

Event Contact Email: bauder.cj@gmail.com

\*Signature Authorized Representative: [Signature] Printed Name Chad Bauder

*I declare that I am the authorized representative of the above named license applicant and that the statements made on this application are true to the best of my knowledge and belief. I also consent to an investigation of my background including all records of every kind including police records. I agree to waive any rights or causes of action against the Nebraska Liquor Control Commission, the Nebraska State Patrol or any other individual releasing said information to the Liquor Control Commission or the Nebraska State Patrol. I further declare that the license applied for will not be used by any other person, group, organization or corporation for profit or not for profit and that the event will be supervised by persons directly responsible to the holder of this Special Designated License.*

\*Retail licensee – Must be signed by a member listed on permanent license  
\*Non-Profit Organization – Must be signed by a Corporate Officer  
Identification will be checked, along with wristbands being utilized for underage drinking.

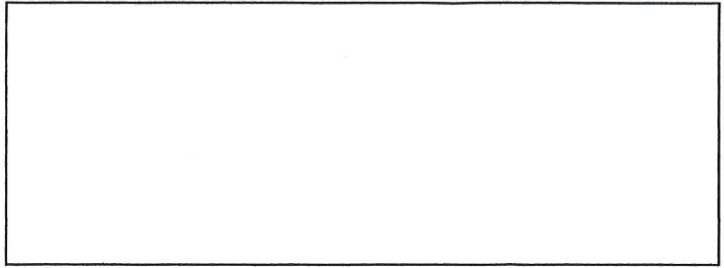
**Local Governing Body completes below:**

The local governing body for the City/Village of St. Paul OR County of \_\_\_\_\_ approves the issuance of a Special Designated License as requested above. (Only one should be written above)

\_\_\_\_\_  
Local Governing Body Authorized Signature Date

**APPLICATION FOR SPECIAL  
DESIGNATED LICENSE  
Non-Profit Applicants ONLY**

NEBRASKA LIQUOR CONTROL COMMISSION  
301 CENTENNIAL MALL SOUTH  
PO BOX 95046  
LINCOLN, NE 68509-5046  
PHONE: (402) 471-2571  
FAX: (402) 471-2814  
Website: [www.lcc.nebraska.gov/](http://www.lcc.nebraska.gov/)  
Email Applications: [michelle.porter@nebraska.gov](mailto:michelle.porter@nebraska.gov)



**This page is required to be completed by Non-Profit applicants only.**

**Application for Special Designated License  
Under Nebraska Liquor Control Act  
Affidavit of Non-Profit Status**

I HEREBY DECLARE THAT THE CORPORATION MAKING APPLICATION FOR A SPECIAL DESIGNATED LICENSE UNDER THE NEBRASKA LIQUOR CONTROL ACT IS EITHER A MUNICIPAL CORPORATION, A FINE ARTS MUSEUM INCORPORATED AS A NONPROFIT CORPORATION, A RELIGIOUS NONPROFIT CORPORATION WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES, A POLITICAL ORGANIZATION WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES, OR ANY OTHER NONPROFIT CORPORATION, THE PURPOSE OF WHICH IS FRATERNAL, CHARITABLE, OR PUBLIC SERVICE AND WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES AS PER §53-124.11(1).

AS SIGNATORY I CONSENT TO THE RELEASE OF ANY DOCUMENTS SUPPORTING THIS DECLARATION AND ANY DOCUMENTS SUPPORTING THIS DECLARATION WILL BE PROVIDED TO THE NEBRASKA LIQUOR CONTROL COMMISSION, THE NEBRASKA STATE PATROL OR ANY AGENT OF THE LIQUOR CONTROL COMMISSION IMMEDIATELY UPON DEMAND. I ALSO CONSENT TO THE INVESTIGATION OF THIS CORPORATE ENTITY TO DETERMINE IT'S NONPROFIT STATUS.

I AGREE TO WAIVE ANY RIGHTS OR CAUSES OF ACTION AGAINST THE NEBRASKA LIQUOR CONTROL COMMISSION, THE NEBRASKA STATE PATROL OR ANY PARTY RELEASING INFORMATION TO THE AFOREMENTIONED PARTIES.

Sts. Peter + Paul Catholic Church  
NAME OF CORPORATION

47-0396134  
FEDERAL ID NUMBER

William A. Myer, Chairman  
SIGNATURE OF TITLE OF CORPORATE OFFICERS

THE ABOVE INDIVIDUAL STATES THAT THE STATEMENT ABOVE IS TRUE AND CORRECT: IF ANY FALSE STATEMENT IS MADE ON THIS APPLICATION, THE APPLICANT SHALL BE DEEMED GUILTY OF PERJURY AND SUBJECT TO PENALTIES PROVIDED BY LAW. (SEC. §53-131.01) NEBRASKA LIQUOR CONTROL ACT

SUBSCRIBED IN MY PRESENCE AND SWORN TO BEFORE ME THIS 14<sup>th</sup> DAY OF February, 2020.

GENERAL NOTARY - State of Nebraska  
LORI B. ROYLE  
My Comm. Exp. June 12, 2021

Lori B. Royle  
NOTARY PUBLIC SIGNATURE & SEAL

Caterers must have a valid Nebraska Liquor Control Commission license, including a Special Designated License (SDL). **MINORS ABSOLUTELY WILL NOT BE SERVED ALCOHOLIC BEVERAGES.** All caterers shall be solely and completely responsible for the liquor permit and any resulting violations.

The CITY OF ST. PAUL will assume NO responsibility for problems, legal or otherwise, which could result from consuming alcoholic beverages in the City Limits of the CITY OF ST. PAUL.

**Insurance Requirements:** Anyone serving liquor in the City Limits of the CITY OF ST. PAUL is required to have at least One Million Dollars (\$1,000,000.00) in general liability insurance. The CITY OF ST. PAUL must be listed as an Additional Insured. They must also have liquor liability insurance in an amount of at least \$1,000,000 per occurrence / \$2,000,000 aggregate. Proof of insurance must be provided prior to the City Council meeting for approval of the Special Designated License (SDL).

### AGREEMENT OF ALCOHOL CATERER

EVENT: St. Peter + Paul Fish Fry DATE: 4-3-20

The undersigned acknowledges that it will be the CATERER of alcoholic beverages in the City Limits of the CITY OF ST. PAUL.

1. CATERER shall follow all laws and rules regarding the provision of alcoholic beverages within the City Limits of the CITY OF ST. PAUL.
2. CATERER has a general liability insurance policy in effect in an amount not less than \$1,000,000.00. CATERER must list the CITY OF ST. PAUL as an Additional Insured on said policy. CATERER also has a liquor liability policy in effect in an amount not less than \$1,000,000 per occurrence / \$2,000,000 aggregate. CATERER must provide CITY proof of said insurance for catering alcohol in the City Limits of the CITY OF ST. PAUL.
3. All responsibilities for damages or problems, legal or otherwise, which might result from providing alcoholic beverages in the City Limits of the CITY OF ST. PAUL, shall be assumed by CATERER and CATERER agrees to hold the CITY harmless from any liability and indemnify the CITY OF ST. PAUL for any costs incurred arising from CATERER's services in the City Limits of the CITY OF ST. PAUL.
4. It is agreed that the terms of this agreement are contractual and not mere recitals and are binding upon the parties hereto, their successors, heirs, personal representatives, and assigns.
5. If any provision or paragraph of this agreement is unenforceable, the remaining provisions or paragraphs shall nevertheless be carried into effect.

CITY OF ST. PAUL, NEBRASKA

DATE: 2-14-20

BY: [Signature]  
City of St. Paul Designated Agent

CATERER NAME: Chad Bauder - St. Peter + Paul

DATE: 2-14-20

BY: [Signature]  
Authorized Agent of Caterer

RESOLUTION NO. 2020-2

BE IT RESOLVED AND ENACTED BY THE MAYOR AND COUNCIL OF THE CITY OF ST. PAUL, NEBRASKA, as follows:

Section 1. That the following bonds of the City of St. Paul, Nebraska (the “City”), which are callable at any time on or after April 7, 2020, are hereby authorized to be called for redemption at par plus accrued interest on such date as set forth in the Direction for Call (as defined below) after which date said bonds shall cease to bear interest:

General Obligation Water Refunding Bonds, Series 2015, of the City of St. Paul, in the State of Nebraska, dated April 7, 2015, numbered as they are shown on the books and records of the Paying Agent and Registrar, in the principal amount of \$365,000, maturing and bearing CUSIP numbers in the amounts as follows:

<u>Maturity Date</u>	<u>Principal Amount</u>	<u>CUSIP No.</u>
December 15, 2020	\$35,000	793078 LQ7
December 15, 2021	35,000	793078 LR5
December 15, 2022	35,000	793078 LS3
December 15, 2023	35,000	793078 LT1
December 15, 2024	35,000	793078 LU8
December 15, 2025	35,000	793078 LV6
December 15, 2026	35,000	793078 LW4
December 15, 2027	40,000	793078 LX2
December 15, 2028	40,000	793078 LY0
December 15, 2029	40,000	793078 LZ7

Said bonds are hereinafter referred to as the “Called Outstanding Bonds.”

Section 2. The Called Outstanding Bonds are to be paid at the office of the City Treasurer in St. Paul, Nebraska, being the office of the Paying Agent and Registrar for said bonds.

Section 3. The Mayor or City Clerk of the City (each, an “Authorized Officer”) each are individually hereby authorized at any time on or after the date of this resolution to direct the irrevocable call of the Called Outstanding Bonds on behalf of the City and such direction, when made in writing (the “Direction for Call”), shall constitute the action of the City without further action of the City. The Direction for Call shall include a description of the Called Outstanding Bonds called for redemption as determined appropriate by the Authorized Officer. The Call Date shall be determined in the Direction for Call, and such direction shall be made by an Authorized Officer not later than December 31, 2020, after which date the Authorized Officers shall have no authority to make any such determination hereunder without further action of the City and this resolution shall be of no further force and effect.

Section 4. The Paying Agent and Registrar, upon receipt of a copy of this Resolution and an executed Direction for Call, is hereby instructed to mail notice to each registered owner of the Called Outstanding Bonds not less than thirty (30) days prior to the date fixed for redemption, all



in accordance with the ordinance authorizing the issuance of the Called Outstanding Bonds.

PASSED AND APPROVED this 18 day of February 2020.

By \_\_\_\_\_  
Mayor Joel M. Bergman

ATTEST:

\_\_\_\_\_  
City Clerk Connie Jo Beck

(S E A L)

Thereupon, Council Member \_\_\_\_\_ then introduced the following Ordinance entitled:

**AN ORDINANCE OF THE CITY OF ST. PAUL, NEBRASKA, AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION WATER REFUNDING BONDS, SERIES 2020, OF THE CITY OF ST. PAUL, IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED THREE HUNDRED EIGHTY THOUSAND DOLLARS (\$380,000) FOR THE PURPOSE OF PAYING OFF CERTAIN OUTSTANDING BONDS OF THE CITY; PRESCRIBING THE FORM OF SAID BONDS; AUTHORIZING OFFICERS OF THE CITY TO DESIGNATE FINAL TERMS FOR SAID BONDS WITHIN STATED PARAMETERS; PROVIDING FOR THE LEVY OF TAXES TO PAY SAID BONDS; PROVIDING FOR THE SALE OF THE BONDS; AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER; APPROVING POST-ISSUANCE TAX COMPLIANCE POLICIES; AND PROVIDING FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.**

Said Ordinance was designated as Ordinance No. 1006 the title thereof was approved.

Council Member \_\_\_\_\_ moved that the statutory rule requiring an ordinance to be fully and distinctly read on three different days be suspended. Council Member \_\_\_\_\_ seconded the motion to suspend the rules and upon roll call vote, the following Council Members voted YEA: \_\_\_\_\_.

The following voted NAY: \_\_\_\_\_. The following was absent and

not voting: \_\_\_\_\_. The motion to suspend the rules was adopted by three-fourths of the members elected to the Council and the statutory rule was declared suspended for consideration of said Ordinance.

Thereupon said Ordinance No. 1006 was then read by title and Council Member \_\_\_\_\_ moved for its final passage, which motion was seconded by Council Member \_\_\_\_\_. The Mayor stated the question "Shall Ordinance No. 1006 be passed and adopted?" Upon roll call, the following voted YEA: \_\_\_\_\_  
\_\_\_\_\_. The following voted NAY: \_\_\_\_\_.  
The following was absent and not voting: \_\_\_\_\_.

The passage and adoption of said Ordinance having been concurred in by a majority of all the members of the Council, the Mayor declared the Ordinance adopted and the Mayor, in the presence of the Council, signed and approved the Ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto.

A true, correct and complete copy of the said Ordinance is as follows:

ORDINANCE NO. 1006

**AN ORDINANCE OF THE CITY OF ST. PAUL, NEBRASKA, AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION WATER REFUNDING BONDS, SERIES 2020, OF THE CITY OF ST. PAUL, IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED THREE HUNDRED EIGHTY THOUSAND DOLLARS (\$380,000) FOR THE PURPOSE OF PAYING OFF CERTAIN OUTSTANDING BONDS OF THE CITY; PRESCRIBING THE FORM OF SAID BONDS; AUTHORIZING OFFICERS OF THE CITY TO DESIGNATE FINAL TERMS FOR SAID BONDS WITHIN STATED PARAMETERS; PROVIDING FOR THE LEVY OF TAXES TO PAY SAID BONDS; PROVIDING FOR THE SALE OF THE BONDS; AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER; APPROVING POST-ISSUANCE TAX COMPLIANCE POLICIES; AND PROVIDING FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.**

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ST. PAUL, NEBRASKA:

Section 1. The Mayor and Council (the "Council") of the City of St. Paul, Nebraska (the "City"), find and determine that:

(a) the City has owned for many years and now owns and operates a waterworks system (together with all additions, extensions and improvements thereto hereafter made, the "System");

(b) for the purpose of providing funds to refinance the costs of construction of improvements to the System, the City has previously issued its General Obligation Water Refunding Bonds, Series 2015 (the "Series 2015 Bonds"), outstanding in the principal amount of \$365,000; given that the proceeds of the Series 2015 Bonds were used solely to refinance indebtedness incurred for the maintenance, extension, improvement, or enlargement of the System and the Series 2015 Bonds were ordered issued by a vote of not less than three-fourths of all the Council, no election was required prior to the issuance of said Series 2015 Bonds;

(c) the Series 2015 Bonds are subject to redemption at any time on or after April 7, 2020 at par plus accrued interest to the date fixed for redemption and all or a portion of the Series 2015 Bonds have been authorized to be called for redemption in accordance with their call provisions on a date to be determined by an authorized officer of the City (the "Redemption Date");

(d) since the Series 2015 Bonds were issued, the rates of interest available in the market have declined such that by taking up and paying off all or a portion of the Series 2015 Bonds through the issuance of refunding bonds as provided herein, a savings in the overall amount of interest cost will be realized by the City;

(e) the taxable valuation of all the taxable property within the City according to the last preceding assessment thereof is not less than \$ \_\_\_\_\_; and

(f) all conditions, acts, and things required by law to exist or to be done precedent to the issuance of general obligation water refunding bonds in the aggregate principal amount of not to exceed \$380,000 pursuant to Sections 17-534 and 10-142, Reissue Revised Statutes of Nebraska, 2012, as amended, to refund all or a portion of the Series 2015 Bonds, do exist and have been done as required by law.

Section 2. For the purposes as set out in Section 1 hereof, there shall be and there hereby are ordered issued General Obligation Water Refunding Bonds, Series 2020 (the "Bonds"), in the aggregate principal amount of not to exceed Three Hundred Eighty Thousand Dollars (\$380,000), with said Bonds to mature in such amounts and become due on such dates and in such years and bear interest at the rates per annum as shall be determined in a written designation (the "Designation") signed by the Mayor or City Clerk (each, an "Authorized Officer") on behalf of the City and which may be agreed to by Piper Sandler & Co. (the "Underwriter"), which Designation may also determine or modify the mandatory redemption provisions (if any), and pricing terms as set forth in Section 8 below, all within the following limitations:

(a) the aggregate principal amount of the Bonds shall not exceed \$380,000, provided, however, in the event the Bonds are sold at a net original issue discount such aggregate principal amount may be increased in such amount as is necessary to compensate for any such net original issue discount;

(b) the aggregate amount of original issue premium and original issue discount (if any) may result in an aggregate net original issue discount (if any) not in excess of two percent (2.00%) of the stated principal amount of the Bonds;

(c) the longest maturity of the Bonds may not be later than December 15, 2029;

(d) the Bonds shall bear interest at such rates per annum so that debt service payable on the Bonds provides at least a net present value savings to the City over the debt service payable on the Series 2015 Bonds in an amount satisfactory to the City (the execution of the Designation by an Authorized Officer shall be conclusive evidence that such net present value savings is satisfactory to the City);

(e) two or more of the principal maturities may be combined and issued as "term bonds" and the Authorized Officer may determine the mandatory sinking fund payments and mandatory redemption amounts. Any Bonds issued as "term bonds" shall be redeemed at a redemption price equal to 100% of the principal amount thereof plus accrued interest thereon to the date of redemption and may be selected for redemption by any random method of selection determined appropriate by the Registrar (as hereinafter designated) or by the Depository (as hereinafter designated).

The Authorized Officers are hereby authorized to make such determinations on behalf of the Mayor and City Council and to evidence the same by execution and delivery of the Designation and such determinations, when made and agreed to by the Underwriter, shall constitute the action of the City Council of the City without further action of the City Council of the City.

The Bonds shall be issued in fully registered form in the denomination of \$5,000 or any integral multiple thereof. The date of original issue for the Bonds shall be date of delivery thereof. Interest on the Bonds, at the respective rates for each maturity, shall be payable semi-annually on June 15 and December 15 of each year, commencing on June 15, 2020 (or such other date or dates as may be determined in the Designation, each an "Interest Payment Date"), and the Bonds shall bear such interest from the date of original issue or the most recent Interest Payment Date to which interest has been paid or provided for, whichever is later. The interest due on each Interest Payment Date shall be payable to the registered owners of record as of the fifteenth day immediately preceding the Interest Payment Date (or such other record date may be determined in the Designation, the "Record Date"), subject to the provisions of Section 4 hereof. The Bonds shall be numbered from 1 upwards in the order of their issuance. No Bond shall be issued originally or upon transfer or partial redemption having more than one principal maturity. The initial bond numbering and principal amounts for each of the Bonds issued shall be as directed by the initial purchaser thereof. Payments of interest due on the Bonds prior to maturity or earlier redemption shall be made by the Paying Agent and Registrar, as designated pursuant to Section 3 hereof, by mailing a check or draft in the amount due for such interest on each Interest Payment Date to the registered owner of each Bond, as of the Record Date for such Interest Payment Date, to such owner's registered address as shown on the books of registration as required to be maintained in Section 3 hereof. Payments of principal due at maturity or at any date fixed for redemption prior to maturity, together with any unpaid accrued interest thereon, shall be made by said Paying Agent and Registrar to the registered owners upon presentation and surrender of the Bonds to said Paying Agent and Registrar. The City and said Paying Agent and Registrar may treat the registered owner of any Bond as the absolute owner of such Bond for the purpose of making payments thereon and for all other purposes and neither the City nor the Paying Agent and Registrar shall be affected by any notice or knowledge to the contrary, whether such Bond or any installment of interest due thereon shall be overdue or not. All payments on account of interest or principal made to the registered owner of any Bond in accordance with the terms of this Ordinance shall be valid and effectual and shall be a discharge of the City and said Paying Agent and Registrar, in respect of the liability upon the Bonds or claims for interest to the extent of the sum or sums so paid.

Section 3. Unless otherwise provided in the Designation, the City Treasurer of the City of St. Paul, Nebraska, is hereby designated to serve as Paying Agent and Registrar for the Bonds. The Paying Agent and Registrar shall keep and maintain for the City books for the registration and transfer of the Bonds at its office in St. Paul, Nebraska. The names and registered addresses of the registered owner or owners of the Bonds shall at all times be recorded in such books. Any Bond may be transferred pursuant to its provisions at the office of said Paying Agent and Registrar by surrender of such Bond for cancellation, accompanied by a written instrument of transfer, in form satisfactory to said Paying Agent and Registrar, duly executed by the registered owner in person or by such owner's duly authorized agent, and thereupon the Paying Agent and Registrar, on behalf of the City, will deliver at such office (or send by registered mail to the transferee owner or owners thereof at such transferee owner's or owners' risk and expense), registered in the name of the

transferee owner or owners, a new Bond or Bonds of the same series, interest rate, aggregate principal amount and maturity. To the extent of the denominations authorized for the Bonds by this Ordinance, one Bond may be transferred for several such Bonds of the same series, interest rate and maturity, and for a like aggregate principal amount, and several such Bonds may be transferred for one or several such Bonds, respectively, of the same series, interest rate and maturity and for a like aggregate principal amount. In every case of transfer of a Bond, the surrendered Bond shall be canceled and destroyed. All Bonds issued upon transfer of the bonds so surrendered shall be valid obligations of the City evidencing the same obligations as the Bonds surrendered and shall be entitled to all the benefits and protection of this Ordinance to the same extent as the Bonds upon transfer of which they were delivered. The City and said Paying Agent and Registrar shall not be required to transfer any Bond during any period from any Record Date until its immediately following Interest Payment Date or to transfer any Bond called for redemption for a period of 30 days next preceding the date fixed for redemption.

Section 4. In the event that payments of interest due on the Bonds on an Interest Payment Date are not timely made, such interest shall cease to be payable to the registered owners as of the Record Date for such Interest Payment Date and shall be payable to the registered owners of the Bonds as of a special date of record for payment of such defaulted interest as shall be designated by the Paying Agent and Registrar whenever monies for the purpose of paying such defaulted interest become available.

Section 5. Unless as otherwise provided in the Designation, the Bonds shall be subject to redemption, in whole or in part, prior to maturity at any time on or after the fifth anniversary of the date of original issue thereof, at par plus accrued interest on the principal amount redeemed to the date fixed for redemption. Any Bonds issued as term bonds (as may be determined in the Designation) shall be redeemed for the years and in the principal amounts as determined in the Designation. Any scheduled mandatory redemptions shall be at a price equal to 100% of the principal amount redeemed plus interest accrued on the principal amount being redeemed to the date fixed for redemption. The Paying Agent and Registrar shall select the Bonds issued as term bonds for mandatory redemption using any random method of selection deemed appropriate by the Paying Agent and Registrar. The City may select the Bonds to be redeemed for optional redemption in its sole discretion. The Bonds shall be redeemed only in amounts of \$5,000 or integral multiples thereof. Bonds redeemed in part only shall be surrendered to said Paying Agent and Registrar in exchange for a new Bond evidencing the unredeemed principal thereof. Notice of redemption of any Bond called for redemption shall be given, at the direction of the City by said Paying Agent and Registrar in the case of optional redemption and without further direction in the case of mandatory redemption, by said Paying Agent and Registrar by mail not less than 30 days prior to the date fixed for redemption, first class, postage prepaid, sent to the registered owner of such Bond at said owner's registered address. Such notice shall designate the Bond or Bonds to be redeemed by maturity or otherwise, the date of original issue, series and the date fixed for redemption and shall state that such Bond or Bonds are to be presented for prepayment at the office of said Paying Agent and Registrar. In case of any Bond partially redeemed, such notice shall specify the portion of the principal amount of such Bond to be redeemed. No defect in the mailing of notice for any Bond shall affect the sufficiency of the proceedings of the City designating the Bonds called for redemption or the effectiveness of such call for Bonds for which notice by mail has been properly given and the City shall have the right to direct further notice of redemption for

any such Bond for which defective notice has been given. In the event term maturities and mandatory redemption amounts are determined in the Designation, the provisions of this Section 5 shall apply generally to mandatory redemptions.

Section 6. If the date for payment of the principal of or interest on the Bonds shall be a Saturday, Sunday, legal holiday or a day on which banking institutions in the city where the office of the Paying Agent and Registrar is located are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day which is not a Saturday, Sunday, legal holiday or a day on which such banking institutions are authorized to close, and payment on such day shall have the same force and effect as if made on the nominal date of payment.

Section 7. The Bonds shall be in substantially the following form:

UNITED STATES OF AMERICA  
STATE OF NEBRASKA

GENERAL OBLIGATION WATER REFUNDING BOND  
OF THE CITY OF ST. PAUL, NEBRASKA  
SERIES 2020

No. R-

<u>Interest Rate</u> %	<u>Maturity Date</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
---------------------------	----------------------	-------------------------------	--------------

Registered Owner: Cede & Co.  
Principal Amount:

KNOW ALL PERSONS BY THESE PRESENTS: That the City of St. Paul, in the State of Nebraska (the "City"), hereby acknowledges itself to owe and for value received promises to pay to the registered owner specified above, or registered assigns, the principal amount specified above in lawful money of the United States of America on the date of maturity specified above with interest thereon to maturity (or earlier redemption) from the date of original issue or the most recent Interest Payment Date to which interest has been paid or provided for, whichever is later, at the rate per annum specified above, payable semiannually on \_\_\_\_\_ and \_\_\_\_\_ of each year, commencing \_\_\_\_\_, 20\_\_ (each an "Interest Payment Date"). Said interest shall be computed on the basis of a 360-day year consisting of twelve 30-day months. The principal of and interest on this bond due at maturity or upon redemption prior to maturity are payable upon presentation and surrender of this bond at the office of the City Treasurer of the City of St. Paul, Nebraska, the Paying Agent and Registrar, in St. Paul, Nebraska. Interest on this bond due prior to maturity or earlier redemption will be paid on each Interest Payment Date by a check or draft mailed on such Interest Payment Date by the Paying Agent and Registrar to the registered owner of this bond, as shown on the books of record maintained by the Paying Agent and Registrar, at the close of business on the fifteenth day immediately preceding the Interest Payment Date, to such owner's address as shown on such books and records ("Record Date"). Any interest not so timely paid shall cease to be payable to the person entitled thereto as of the Record Date such interest was payable and shall be payable to the person who is the registered owner of this bond (or of one or more predecessor bonds hereto) on such special record date for payment of such defaulted interest as shall be fixed by the Paying Agent and Registrar whenever monies for such purpose become available. For the prompt payment of this bond, both principal and interest, as the same become due, the full faith, credit and resources of said City are hereby irrevocably pledged.

This bond is one of an issue of fully registered bonds of the total principal amount of \_\_\_\_\_ Dollars (\$ \_\_\_\_\_), of even date and like tenor herewith, except as to date of maturity and rate of interest and denomination, which were issued by the City for the purpose of refunding the City's General Obligation Water Refunding Bonds, Series 2015, date of original issue April 7, 2015, which were issued to refinance certain improvements to the City's water system as provided by Section 17-534, R.R.S. Neb., as amended, and has been duly authorized by an ordinance (the "Ordinance") legally passed, approved and published and by

proceedings duly had by the Mayor and Council of said City in accordance with and under the provisions of Section 10-142, R.R.S. Neb., as amended.

*[Bonds of this issue maturing as term bonds in the years \_\_\_\_ and \_\_\_\_ are required to be redeemed through application of a mandatory sinking fund payments, said bonds being callable by lot in the amounts and on the dates as set out below at par plus accrued interest to the date of such call:*

*[In addition to such mandatory sinking fund redemption,]* (T)the bonds of said issue are subject to redemption at the option of the City, in whole or in part, at any time on or after the fifth anniversary of the date of original issue thereof, at par plus interest accrued on the principal amount redeemed to the date fixed for redemption.

Notice of redemption shall be given by mail to the registered owner of any bond to be redeemed in the manner specified in the Ordinance authorizing said issue of bonds. Individual bonds may be redeemed in part but only in \$5,000 amounts or integral multiples thereof. If less than all of the principal sum hereof is to be redeemed, in such case upon the surrender hereof, there shall be issued to the registered owner hereof, without charge therefor, a registered bond or registered bonds for the unpaid principal balance of like series, maturity and interest rate in any of the authorized denominations provided for in the Ordinance authorizing the issuance hereof.

This bond is transferable by the registered owner or such owner's attorney duly authorized in writing at the office of the Paying Agent and Registrar in St. Paul, Nebraska, upon surrender and cancellation of this bond, and thereupon a new bond or bonds of the same aggregate principal amount, interest rate and maturity will be issued to the transferee as provided in the Ordinance authorizing said issue of bonds, subject to the limitations therein prescribed. The City, the Paying Agent and Registrar and any other person may treat the person in whose name this bond is registered as the absolute owner hereof for the purpose of receiving payment due hereunder and for all purposes and shall not be affected by any notice to the contrary, whether this bond be overdue or not.

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

AS PROVIDED IN THE ORDINANCE REFERRED TO HEREIN, UNTIL THE TERMINATION OF THE SYSTEM OF BOOK-ENTRY-ONLY TRANSFERS THROUGH THE DEPOSITORY TRUST COMPANY, NEW YORK, NEW YORK (TOGETHER WITH ANY SUCCESSOR SECURITIES DEPOSITORY APPOINTED PURSUANT TO THE ORDINANCE, "DTC"), AND NOTWITHSTANDING ANY OTHER PROVISIONS OF THE ORDINANCE TO THE CONTRARY, A PORTION OF THE PRINCIPAL AMOUNT OF THIS BOND MAY BE PAID OR REDEEMED WITHOUT SURRENDER HEREOF TO THE

REGISTRAR. DTC OR A NOMINEE, TRANSFEREE OR ASSIGNEE OF DTC OF THIS BOND MAY NOT RELY UPON THE PRINCIPAL AMOUNT INDICATED HEREON AS THE PRINCIPAL AMOUNT HEREOF OUTSTANDING AND UNPAID. THE PRINCIPAL AMOUNT HEREOF OUTSTANDING AND UNPAID SHALL FOR ALL PURPOSES BE THE AMOUNT DETERMINED IN THE MANNER PROVIDED IN THE ORDINANCE.

UNLESS THIS BOND IS PRESENTED BY AN AUTHORIZED OFFICER OF DTC (A) TO THE REGISTRAR FOR REGISTRATION OF TRANSFER OR EXCHANGE OR (B) TO THE REGISTRAR FOR PAYMENT OF PRINCIPAL, AND ANY BOND ISSUED IN REPLACEMENT HEREOF OR SUBSTITUTION HEREFOR IS REGISTERED IN THE NAME OF DTC AND ANY PAYMENT IS MADE TO DTC OR ITS NOMINEE, ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL BECAUSE ONLY THE REGISTERED OWNER HEREOF, DTC OR ITS NOMINEE, HAS AN INTEREST HEREIN.

IT IS HEREBY CERTIFIED AND WARRANTED that all conditions, acts and things required by law to exist or to be done precedent to and in the issuance of this bond did exist, did happen and were done and performed in regular and due form and time as required by law, and that the indebtedness of said City, including this bond, does not exceed any limitations imposed by law. The City covenants and agrees that it will cause to be levied and collected annually a tax by valuation on all the taxable property in said City, in addition to all other taxes, sufficient in rate and amount to pay the interest on this bond when and as the same becomes due and to create a sinking fund to pay the principal of this bond when the same becomes due.

This bond shall not be valid and binding on the City until authenticated by the Paying Agent and Registrar.

IN WITNESS WHEREOF, the Mayor and Council of the City of St. Paul, Nebraska, have caused this bond to be executed on behalf of the City with the manual or facsimile signatures of the Mayor and the City Clerk and by causing the official seal of the City to be impressed or imprinted hereon, all as of the date of original issue specified above.

CITY OF ST. PAUL, NEBRASKA

ATTEST:

\_\_\_\_\_  
(Do Not Sign)  
Mayor

\_\_\_\_\_  
(Do Not Sign)  
City Clerk

[SEAL]

CERTIFICATE OF AUTHENTICATION

This bond is one of the bonds authorized by ordinance passed and approved by the Mayor and Council of the City of St. Paul, Nebraska as described in said bond.

CITY TREASURER OF THE CITY OF ST. PAUL  
ST. PAUL, NEBRASKA  
Paying Agent and Registrar

By (Do Not Sign)  
Authorized Signature

(FORM OF ASSIGNMENT)

For value received \_\_\_\_\_ hereby sells,  
assigns and transfers unto \_\_\_\_\_ the within bond  
and hereby irrevocably constitutes and appoints  
\_\_\_\_\_, attorney, to transfer the same on the  
books of registration in the office of the within mentioned Paying Agent and Registrar with full  
power of substitution in the premises.

Date: \_\_\_\_\_

\_\_\_\_\_  
Registered Owner

Witness: \_\_\_\_\_

Note: The signature(s) of this assignment must correspond with the name(s) as written on the face of the within bond in every particular, without alteration, enlargement or any change whatsoever.

Section 8. Each of the Bonds shall be executed on behalf of the City with the manual or facsimile signatures of the Mayor and City Clerk and shall have impressed or imprinted thereon the City's seal. The Bonds shall be issued initially as "book-entry-only" bonds using the services of The Depository Trust Company (the "Depository"), with one typewritten bond per maturity being issued to the Depository. In such connection said officers are authorized to execute and deliver a letter of representations (the "Letter of Representations") in the form required by the Depository (including any blanket letter previously executed and delivered by the City), for and on behalf of the City, which shall thereafter govern matters with respect to registration, transfer, payment and redemption of the Bonds. Upon the issuance of the Bonds as "book-entry-only" bonds, the following provisions shall apply:

(a) The City and the Paying Agent and Registrar shall have no responsibility or obligation to any broker-dealer, bank or other financial institution for which the Depository holds Bonds as securities depository (each, a "Bond Participant") or to any person who is an actual purchaser of a Bond from a Bond Participant while the Bonds are in book-entry form (each, a "Beneficial Owner") with respect to the following:

(i) the accuracy of the records of the Depository, any nominees of the Depository or any Bond Participant with respect to any ownership interest in the Bonds,

(ii) the delivery to any Bond Participant, any Beneficial Owner or any other person, other than the Depository, of any notice with respect to the Bonds, including any notice of redemption, or

(iii) the payment to any Bond Participant, any Beneficial Owner or any other person, other than the Depository, of any amount with respect to the Bonds.

The Paying Agent and Registrar shall make payments with respect to the Bonds only to or upon the order of the Depository or its nominee, and all such payments shall be valid and effective fully to satisfy and discharge the obligations with respect to such Bonds to the extent of the sum or sums so paid. No person other than the Depository shall receive an authenticated Bond, except as provided in (e) below.

(b) Upon receipt by the Paying Agent and Registrar of written notice from the Depository to the effect that the Depository is unable or unwilling to discharge its responsibilities, the Paying Agent and Registrar shall issue, transfer and exchange Bonds requested by the Depository in appropriate amounts. Whenever the Depository requests the Paying Agent and Registrar to do so, the Paying Agent and Registrar will cooperate with the Depository in taking appropriate action after reasonable notice (i) to arrange, with the prior written consent of the City, for a substitute depository willing and able upon reasonable and customary terms to maintain custody of the Bonds or (ii) to make available Bonds registered in whatever name or names the Beneficial Owners transferring or exchanging such Bonds shall designate.

(c) If the City determines that it is desirable that certificates representing the Bonds be delivered to the Bond Participants and/or Beneficial Owners of the Bonds and so notifies the Paying Agent and Registrar in writing, the Paying Agent and Registrar shall so notify the Depository, whereupon the Depository will notify the Bond Participants of the availability through the Depository of bond certificates representing the Bonds. In such event, the Paying Agent and Registrar shall issue, transfer and exchange bond certificates representing the Bonds as requested by the Depository in appropriate amounts and in authorized denominations.

(d) Notwithstanding any other provision of this Ordinance to the contrary, so long as any Bond is registered in the name of the Depository or any nominee thereof, all payments with respect to such Bond and all notices with respect to such Bond shall be made and given, respectively, to the Depository as provided in the Letter of Representations.

(e) Registered ownership of the Bonds may be transferred on the books of registration maintained by the Paying Agent and Registrar, and the Bonds may be delivered in physical form to the following:

(i) any successor securities depository or its nominee, or

(ii) any person, upon (A) the resignation of the Depository from its functions as depository or (B) termination of the use of the Depository pursuant to this Section.

(f) In the event of any partial redemption of a Bond unless and until such partially redeemed Bond has been replaced in accordance with the provisions of this Ordinance, the books and records of the Paying Agent and Registrar shall govern and establish the principal amount of such Bond as is then outstanding and all of the Bonds issued to the Depository or its nominee shall contain a legend to such effect.

If for any reason the Depository resigns and is not replaced, the City shall immediately provide a supply of printed bond certificates for issuance upon the transfers from the Depository and subsequent transfers or in the event of partial redemption. In the event that such supply of certificates shall be insufficient to meet the requirements of the Paying Agent and Registrar for issuance of replacement Bonds upon transfer or partial redemption, the City agrees to order printed an additional supply of certificates and to direct their execution by manual or facsimile signature of its then duly qualified and acting Mayor and City Clerk of said City. In case any officer whose signature or facsimile thereof shall appear on any Bond shall cease to be such officer before the delivery of such Bond (including any bond certificates delivered to the Paying Agent and Registrar for issuance upon transfer or partial redemption), such signature or such facsimile signature shall nevertheless be valid and sufficient for all purposes the same as if such officer or officers had remained in office until the delivery of such Bond. The Bonds shall not be valid and binding on the City until authenticated by the Paying Agent and Registrar. The Bonds shall be delivered to the Paying Agent and Registrar for registration and authentication. Upon execution, registration and authentication of the Bonds, they shall be delivered to the City Treasurer, who is authorized to

deliver them to the Underwriter, as the initial purchaser thereof, upon receipt of not less than 98.70% of the principal amount of the Bonds plus accrued interest thereon to date of payment of the Bonds (which purchase price may be modified by the terms of the Designation, including to provide for original issue discount and original issue premium within the parameters set forth in Section 2 of this Ordinance). Said initial purchaser shall have the right to direct the registration of the Bonds and the denominations thereof within each maturity, subject to the restrictions of this Ordinance. The Authorized Officers (or any one of them) are hereby authorized to execute and deliver a Bond Purchase Agreement for and on behalf of the City. Such purchaser and its agents, representatives and counsel (including its bond counsel) are hereby authorized to take such actions on behalf of the City as are necessary to effectuate the closing of the issuance and sale of the Bonds, including, without limitation, authorizing the release of the Bonds by the Depository at closing.

Section 9. The net sale proceeds of the Bonds along with funds of the City on hand (including transfers from prior issue debt service funds) shall be applied to the payment and satisfaction of all of the principal of and the interest on the Series 2015 Bonds as called for redemption on the Redemption Date. Accrued interest, if any, received from the sale of the Bonds shall be applied to pay interest first falling due on said Bonds. Expenses of issuance of the Bonds may be paid from the proceeds of the Bonds.

Section 10. The City agrees that it shall cause to be levied and collected annually a special levy of taxes on all the taxable property in the City for the purpose of paying and sufficient to pay the interest and principal of the Bonds when and as such principal and interest become due and to create a sinking fund to pay the principal and interest on the Bonds when the same becomes due.

Section 11. The City hereby covenants with the purchasers and holders of the Bonds herein authorized that it will make no use of the proceeds of said issue, including monies held in any sinking fund for the payment of principal and interest on said Bonds, which would cause said Bonds to be arbitrage bonds within the meaning of Sections 103 and 148 and other related sections of the Internal Revenue Code of 1986, as amended (the "Code"), and further covenants to comply with said Sections 103 and 148 and related sections and all applicable regulations thereunder throughout the term of said issue. The City hereby covenants and agrees to take all actions necessary under the Code to maintain the tax exempt status (as to taxpayers generally) of interest payable on the Bonds. To the extent not "deemed designated," the City hereby designates the Bonds as its "qualified tax-exempt obligations" pursuant to Section 265(b)(3)(B)(i)(III) of the Code and covenants and warrants that it does not reasonably expect to issue tax-exempt bonds or other tax-exempt interest bearing obligations aggregating in principal amount more than \$10,000,000 during calendar year 2020 (taking into consideration the exception for current refunding issues). Each Authorized Officer is authorized to make any and all necessary or appropriate allocations, certifications, agreements, statements of reasonable expectations, covenants and warranties relating to such tax status, designation and/or deemed designation, as applicable.

Section 12. The City's obligations under this Ordinance with respect to any or all of the Bonds herein authorized shall be fully discharged and satisfied as to any or all of such Bonds and any such Bond shall no longer be deemed to be outstanding hereunder if such Bond has been

purchased by the City and canceled or when the payment of the principal of and interest thereon to the respective date of maturity or redemption (a) shall have been made in accordance with the terms thereof or (b) shall have been provided for by depositing with a national or state bank having trust powers or trust company, in trust, solely for such payment (i) sufficient money to make such payment and/or (ii) direct general obligations of or obligations the principal and interest of which are unconditionally guaranteed by the United States of America (herein referred to as "U.S. Government Obligations") in such amount and bearing interest and maturing or redeemable at stated fixed prices at the option of the holder as to principal, at such time or times, as will insure the availability of sufficient money to make such payment; provided, however, that with respect to any Bond to be paid prior to maturity, the City shall have duly called such Bond for redemption and given notice thereof or made irrevocable provisions for the giving of such notice. Any money so deposited with such bank or trust company may be invested or reinvested in U.S. Government Obligations at the direction of the City, and all interest and income from U.S. Government Obligations in the hands of such bank or trust company in excess of the amount required to pay principal of and interest on the Bonds for which such monies or U.S. Government Obligations were deposited shall be paid over to the City as and when collected.

Section 13. In order to promote compliance with certain federal tax and securities laws relating to the Bonds herein authorized (as well as other outstanding bonds) the policy and procedures attached hereto as Exhibit "A" (the "Post-Issuance Compliance Policy and Procedures") are hereby adopted and approved in all respects. To the extent that there is any inconsistency between the attached Post-Issuance Compliance Policy and Procedures and any similar policy or procedures previously adopted and approved, the Post-Issuance Compliance Policy and Procedures shall control.

Section 14. The officers of the City are hereby authorized to execute and deliver any and all certificates and documents and to take any and all actions determined appropriate in connection with the issuance and sale of the Bonds and refunding of the Series 2015 Bonds including, without limitation, to review and approve a preliminary official statement or offering circular related to the Bonds and approval of a final official statement or offering circular on behalf of the City, and said final official statement, if and as applicable, shall be delivered in accordance with the requirements of Rule 15c2-12 (the "Rule") promulgated by the Securities and Exchange Commission.

Section 15. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance.

Section 16. This Ordinance shall be published in pamphlet form and take effect as provided by law.

PASSED AND APPROVED this 18 day of February, 2020.

ATTEST:

\_\_\_\_\_  
Mayor Joel M. Bergman

\_\_\_\_\_  
City Clerk Connie Jo Beck

[SEAL]

Motion for adjournment was duly made, seconded and on roll call vote was declared adopted by the Mayor.

I, the undersigned City Clerk for the City of St. Paul, Nebraska, hereby certify that the foregoing is a true and correct copy of the proceedings had and done by the Mayor and Council on 2-18-2020, 2020; 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 agenda 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 said minutes from which the foregoing proceedings have been extracted were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that a current copy of the Nebraska Open Meetings Act was available and accessible to members of the public, posted during the meeting or meetings reflected in the transcript described below in the room in which such meeting or meetings were held and that all in attendance at such meeting or meetings were informed at the beginning of the meeting that such copy of the Nebraska Open Meetings Act was available for review and were informed of the location of such copy in the room in which such meeting was being held; 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.

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City Clerk Connie Jo Beck

[SEAL]

## EXHIBIT "A"

### Policy and Procedures Federal Tax Law and Disclosure Requirements for Tax-exempt Bonds and/or Tax Advantaged Bonds

ISSUER NAME: City of St. Paul, Nebraska

COMPLIANCE OFFICER (BY TITLE): City Treasurer

#### POLICY

It is the policy of the Issuer identified above (the "Issuer") to comply with all Federal tax requirements and securities law continuing disclosure obligations for its obligations issued as tax-exempt bonds (or as tax credit, direct pay subsidy or other tax-advantaged bonds, as applicable) to ensure, as applicable (a) that interest on its tax-exempt bonds remains exempt from Federal income tax, (b) that the direct payments or tax credits associated with its bonds issued as "tax-advantaged bonds" are received in a timely manner and (c) compliance with any continuing disclosure obligations of the Issuer with respect to its outstanding bonds.

#### PROCEDURES

Compliance Officer. Review of compliance with Federal tax requirements and securities law continuing disclosure obligations as generally outlined below shall be conducted by the Compliance Officer identified above (the "Compliance Officer"). To the extent more than one person has been delegated specific responsibilities, the Compliance Officer shall be responsible for ensuring coordination of all compliance review efforts.

Training. The Compliance Officer shall evaluate and review educational resources regarding post-issuance compliance with Federal tax and securities laws, including periodic review of resources published for issuers of tax-exempt obligations by the Internal Revenue Service (either on its website at <http://www.irs.gov/taxexemptbond>, or elsewhere) and the Municipal Securities Rulemaking Board (either on its Electronic Municipal Market Access website ["EMMA"] at <http://www.emma.msrb.org>, or elsewhere).

Compliance Review. A compliance review shall be conducted at least annually by or at the direction of the Compliance Officer. The review shall occur at the time the Issuer's annual audit takes place, unless the Compliance Officer otherwise specifically determines a different time period or frequency of review would be more appropriate.

Scope of Review.

Document Review. At the compliance review, the following documents (the "Bond Documents") shall be reviewed for general compliance with covenants and agreements and applicable regulations with respect to each outstanding bond issue:

- (a) the resolution(s) and/or ordinance(s), as applicable, adopted by the governing body of the Issuer authorizing the issuance of its outstanding bonds, together with any documents setting the final rates and terms of such bonds (the “Authorizing Proceedings”),
- (b) the tax documentation associated with each bond issue, which may include some or all of the following (the “Tax Documents”):
  - (i) covenants, certifications and expectations regarding Federal tax requirements which are described in the Authorizing Proceedings;
  - (ii) Form 8038 series filed with the Internal Revenue Service;
  - (iii) tax certificates, tax compliance agreements, tax regulatory agreement or similar documents;
  - (iv) covenants, agreements, instructions or memoranda with respect to rebate or private use;
  - (v) any reports from rebate analysts received as a result of prior compliance review or evaluation efforts; and
  - (vi) any and all other agreements, certificates and documents contained in the transcript associated with the Authorizing Proceedings relating to federal tax matters.
- (c) the Issuer’s continuing disclosure obligations, if any, contained in the Authorizing Proceedings or in a separate agreement (the “Continuing Disclosure Obligations”), and
- (d) any communications or other materials received by the Issuer or its counsel, from bond counsel, the underwriter or placement agent or its counsel, the IRS, or any other material correspondence relating to the tax-exempt status of the Issuer’s bonds or relating to the Issuer’s Continuing Disclosure Obligations.

*Use and Timely Expenditure of Bond Proceeds.* Expenditure of bond proceeds shall be reviewed by the Compliance Officer to ensure (a) such proceeds are spent for the purpose stated in the Authorizing Proceedings and as described in the Tax Documents and (b) that the proceeds, together with investment earnings on such proceeds, are spent within the timeframes described in the Tax Documents, and (c) that any mandatory redemptions from excess bond proceeds are timely made if required under the Authorizing Proceedings and Tax Documents.

*Arbitrage Yield Restrictions and Rebate Matters.* The Tax Documents shall be reviewed by the Compliance Officer to ensure compliance with any applicable yield restriction requirements under Section 148(a) of the Internal Revenue Code (the “Code”) and timely calculation and payment of any rebate and the filing of any associated returns pursuant to Section 148(f) of the Code. A qualified rebate analyst shall be engaged as appropriate or as may be required under the Tax Documents.

*Use of Bond Financed Property.* Expectations and covenants contained in the Bond Documents regarding private use shall be reviewed by the Compliance Officer to ensure compliance. Bond-financed properties shall be clearly identified (by mapping or other reasonable means). Prior to execution, the Compliance Officer (and bond counsel, if deemed appropriate by the Compliance Officer) shall review (a) all proposed leases, contracts related to operation or management of bond-financed property, sponsored research agreements, take-or-pay contracts or other

agreements or arrangements or proposed uses which have the potential to give any entity any special legal entitlement to the bond-financed property, (b) all proposed agreements which would result in disposal of any bond-financed property, and (c) all proposed uses of bond-financed property which were not anticipated at the time the bonds were issued. Such actions could be prohibited by the Authorizing Proceedings, the Tax Documents or Federal tax law.

*Continuing Disclosure.* Compliance with the Continuing Disclosure Obligations with respect to each bond issue shall be evaluated (a) to ensure timely compliance with any annual disclosure requirement, and (b) to ensure that any material events have been properly disclosed as required by the Continuing Disclosure Obligation.

Record Keeping. If not otherwise specified in the Bond Documents, all records related to each bond issue shall be kept for the life of the indebtedness associated with such bond issue (including all tax-exempt refundings) plus six (6) years.

Incorporation of Tax Documents. The requirements, agreements and procedures set forth in the Tax Documents, now or hereafter in existence, are hereby incorporated into these procedures by this reference and are adopted as procedures of the Issuer with respect to the series of bonds to which such Tax Documents relate.

Consultation Regarding Questions or Concerns. Any questions or concerns which arise as a result of any review by the Compliance Officer shall be raised by the Compliance Officer with the Issuer's counsel or with bond counsel to determine whether non-compliance exists and what measures should be taken with respect to any non-compliance.

VCAP and Remedial Actions. The Issuer is aware of (a) the Voluntary Closing Agreement Program (known as "VCAP") operated by the Internal Revenue Service which allows issuers under certain circumstances to voluntarily enter into a closing agreement in the event of certain non-compliance with Federal tax requirements and (b) the remedial actions available to issuers of certain bonds under Section 1.141-12 of the Income Tax Regulations for private use of bond financed property which was not expected at the time the bonds were issued.

**NOTICE OF PUBLICATION**  
**OF ORDINANCE NO. 1006**

**IN PAMPHLET FORM**

Public Notice is hereby given that at a meeting of the Mayor and City Council of the City of St. Paul, Nebraska, held at 6:30 p.m. on February, 2020, there was passed and adopted Ordinance No. 1006 entitled:

**AN ORDINANCE OF THE CITY OF ST. PAUL, NEBRASKA, AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION WATER REFUNDING BONDS, SERIES 2020, OF THE CITY OF ST. PAUL, IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED THREE HUNDRED EIGHTY THOUSAND DOLLARS (\$380,000) FOR THE PURPOSE OF PAYING OFF CERTAIN OUTSTANDING BONDS OF THE CITY; PRESCRIBING THE FORM OF SAID BONDS; AUTHORIZING OFFICERS OF THE CITY TO DESIGNATE FINAL TERMS FOR SAID BONDS WITHIN STATED PARAMETERS; PROVIDING FOR THE LEVY OF TAXES TO PAY SAID BONDS; PROVIDING FOR THE SALE OF THE BONDS; AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER; APPROVING POST-ISSUANCE TAX COMPLIANCE POLICIES; AND PROVIDING FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.**

Said Ordinance was published in pamphlet form on February 26, 2020. Copies of said Ordinance as published in pamphlet form are available for inspection and distribution at the Office of the City Clerk, in the City of St. Paul, Nebraska.

\_\_\_\_\_  
City Clerk/Treasurer  
Connie Jo Beck, City Clerk/Deputy  
Treasurer

**NOTE—Publish above Notice One Time in the Newspaper.**

**CERTIFICATE AS TO PUBLICATION IN PAMPHLET FORM**

The undersigned City Clerk for the City of St. Paul, Nebraska, hereby certifies that Ordinance No. 1006 as passed and approved by the Mayor and Council of the City of St. Paul, Nebraska, at their meeting held on 2/18/, 2020, was published in pamphlet form on 2/26, 2020, and that a true and correct copy of such Ordinance as so passed and published is attached hereto.

Dated this 18 day of February, 2020.

\_\_\_\_\_  
City Clerk

(SEAL)

RESOLUTION NO. 2020-2

BE IT RESOLVED AND ENACTED BY THE MAYOR AND COUNCIL OF THE CITY OF ST. PAUL, NEBRASKA, as follows:

Section 1. That the following bonds of the City of St. Paul, Nebraska (the "City"), which are callable at any time on or after April 7, 2020, are hereby authorized to be called for redemption at par plus accrued interest on such date as set forth in the Direction for Call (as defined below) after which date said bonds shall cease to bear interest:

General Obligation Water Refunding Bonds, Series 2015, of the City of St. Paul, in the State of Nebraska, dated April 7, 2015, numbered as they are shown on the books and records of the Paying Agent and Registrar, in the principal amount of \$365,000, maturing and bearing CUSIP numbers in the amounts as follows:

<u>Maturity Date</u>	<u>Principal Amount</u>	<u>CUSIP No.</u>
December 15, 2020	\$35,000	793078 LQ7
December 15, 2021	35,000	793078 LR5
December 15, 2022	35,000	793078 LS3
December 15, 2023	35,000	793078 LT1
December 15, 2024	35,000	793078 LU8
December 15, 2025	35,000	793078 LV6
December 15, 2026	35,000	793078 LW4
December 15, 2027	40,000	793078 LX2
December 15, 2028	40,000	793078 LY0
December 15, 2029	40,000	793078 LZ7

Said bonds are hereinafter referred to as the "Called Outstanding Bonds."

Section 2. The Called Outstanding Bonds are to be paid at the office of the City Treasurer in St. Paul, Nebraska, being the office of the Paying Agent and Registrar for said bonds.

Section 3. The Mayor or City Clerk of the City (each, an "Authorized Officer") each are individually hereby authorized at any time on or after the date of this resolution to direct the irrevocable call of the Called Outstanding Bonds on behalf of the City and such direction, when made in writing (the "Direction for Call"), shall constitute the action of the City without further action of the City. The Direction for Call shall include a description of the Called Outstanding Bonds called for redemption as determined appropriate by the Authorized Officer. The Call Date shall be determined in the Direction for Call, and such direction shall be made by an Authorized Officer not later than December 31, 2020, after which date the Authorized Officers shall have no authority to make any such determination hereunder without further action of the City and this resolution shall be of no further force and effect.

Section 4. The Paying Agent and Registrar, upon receipt of a copy of this Resolution and an executed Direction for Call, is hereby instructed to mail notice to each registered owner of the Called Outstanding Bonds not less than thirty (30) days prior to the date fixed for redemption, all



in accordance with the ordinance authorizing the issuance of the Called Outstanding Bonds.

PASSED AND APPROVED this 18 day of February 2020.

By \_\_\_\_\_  
Mayor Joel M. Bergman

ATTEST:

\_\_\_\_\_  
City Clerk Connie Jo Beck

(S E A L)

Thereupon, Council Member \_\_\_\_\_ then introduced the following Ordinance entitled:

**AN ORDINANCE OF THE CITY OF ST. PAUL, NEBRASKA, AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION WATER REFUNDING BONDS, SERIES 2020, OF THE CITY OF ST. PAUL, IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED THREE HUNDRED EIGHTY THOUSAND DOLLARS (\$380,000) FOR THE PURPOSE OF PAYING OFF CERTAIN OUTSTANDING BONDS OF THE CITY; PRESCRIBING THE FORM OF SAID BONDS; AUTHORIZING OFFICERS OF THE CITY TO DESIGNATE FINAL TERMS FOR SAID BONDS WITHIN STATED PARAMETERS; PROVIDING FOR THE LEVY OF TAXES TO PAY SAID BONDS; PROVIDING FOR THE SALE OF THE BONDS; AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER; APPROVING POST-ISSUANCE TAX COMPLIANCE POLICIES; AND PROVIDING FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.**

Said Ordinance was designated as Ordinance No. 1006 the title thereof was approved.

Council Member \_\_\_\_\_ moved that the statutory rule requiring an ordinance to be fully and distinctly read on three different days be suspended. Council Member \_\_\_\_\_ seconded the motion to suspend the rules and upon roll call vote, the following Council Members voted YEA: \_\_\_\_\_.

The following voted NAY: \_\_\_\_\_. The following was absent and

not voting: \_\_\_\_\_. The motion to suspend the rules was adopted by three-fourths of the members elected to the Council and the statutory rule was declared suspended for consideration of said Ordinance.

Thereupon said Ordinance No. 1006 was then read by title and Council Member \_\_\_\_\_ moved for its final passage, which motion was seconded by Council Member \_\_\_\_\_. The Mayor stated the question "Shall Ordinance No. 1006 be passed and adopted?" Upon roll call, the following voted YEA: \_\_\_\_\_  
\_\_\_\_\_. The following voted NAY: \_\_\_\_\_.  
The following was absent and not voting: \_\_\_\_\_.

The passage and adoption of said Ordinance having been concurred in by a majority of all the members of the Council, the Mayor declared the Ordinance adopted and the Mayor, in the presence of the Council, signed and approved the Ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto.

A true, correct and complete copy of the said Ordinance is as follows:

ORDINANCE NO. 1006

**AN ORDINANCE OF THE CITY OF ST. PAUL, NEBRASKA, AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION WATER REFUNDING BONDS, SERIES 2020, OF THE CITY OF ST. PAUL, IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED THREE HUNDRED EIGHTY THOUSAND DOLLARS (\$380,000) FOR THE PURPOSE OF PAYING OFF CERTAIN OUTSTANDING BONDS OF THE CITY; PRESCRIBING THE FORM OF SAID BONDS; AUTHORIZING OFFICERS OF THE CITY TO DESIGNATE FINAL TERMS FOR SAID BONDS WITHIN STATED PARAMETERS; PROVIDING FOR THE LEVY OF TAXES TO PAY SAID BONDS; PROVIDING FOR THE SALE OF THE BONDS; AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER; APPROVING POST-ISSUANCE TAX COMPLIANCE POLICIES; AND PROVIDING FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.**

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ST. PAUL, NEBRASKA:

Section 1. The Mayor and Council (the "Council") of the City of St. Paul, Nebraska (the "City"), find and determine that:

(a) the City has owned for many years and now owns and operates a waterworks system (together with all additions, extensions and improvements thereto hereafter made, the "System");

(b) for the purpose of providing funds to refinance the costs of construction of improvements to the System, the City has previously issued its General Obligation Water Refunding Bonds, Series 2015 (the "Series 2015 Bonds"), outstanding in the principal amount of \$365,000; given that the proceeds of the Series 2015 Bonds were used solely to refinance indebtedness incurred for the maintenance, extension, improvement, or enlargement of the System and the Series 2015 Bonds were ordered issued by a vote of not less than three-fourths of all the Council, no election was required prior to the issuance of said Series 2015 Bonds;

(c) the Series 2015 Bonds are subject to redemption at any time on or after April 7, 2020 at par plus accrued interest to the date fixed for redemption and all or a portion of the Series 2015 Bonds have been authorized to be called for redemption in accordance with their call provisions on a date to be determined by an authorized officer of the City (the "Redemption Date");

(d) since the Series 2015 Bonds were issued, the rates of interest available in the market have declined such that by taking up and paying off all or a portion of the Series 2015 Bonds through the issuance of refunding bonds as provided herein, a savings in the overall amount of interest cost will be realized by the City;

(e) the taxable valuation of all the taxable property within the City according to the last preceding assessment thereof is not less than \$ \_\_\_\_\_; and

(f) all conditions, acts, and things required by law to exist or to be done precedent to the issuance of general obligation water refunding bonds in the aggregate principal amount of not to exceed \$380,000 pursuant to Sections 17-534 and 10-142, Reissue Revised Statutes of Nebraska, 2012, as amended, to refund all or a portion of the Series 2015 Bonds, do exist and have been done as required by law.

Section 2. For the purposes as set out in Section 1 hereof, there shall be and there hereby are ordered issued General Obligation Water Refunding Bonds, Series 2020 (the "Bonds"), in the aggregate principal amount of not to exceed Three Hundred Eighty Thousand Dollars (\$380,000), with said Bonds to mature in such amounts and become due on such dates and in such years and bear interest at the rates per annum as shall be determined in a written designation (the "Designation") signed by the Mayor or City Clerk (each, an "Authorized Officer") on behalf of the City and which may be agreed to by Piper Sandler & Co. (the "Underwriter"), which Designation may also determine or modify the mandatory redemption provisions (if any), and pricing terms as set forth in Section 8 below, all within the following limitations:

(a) the aggregate principal amount of the Bonds shall not exceed \$380,000, provided, however, in the event the Bonds are sold at a net original issue discount such aggregate principal amount may be increased in such amount as is necessary to compensate for any such net original issue discount;

(b) the aggregate amount of original issue premium and original issue discount (if any) may result in an aggregate net original issue discount (if any) not in excess of two percent (2.00%) of the stated principal amount of the Bonds;

(c) the longest maturity of the Bonds may not be later than December 15, 2029;

(d) the Bonds shall bear interest at such rates per annum so that debt service payable on the Bonds provides at least a net present value savings to the City over the debt service payable on the Series 2015 Bonds in an amount satisfactory to the City (the execution of the Designation by an Authorized Officer shall be conclusive evidence that such net present value savings is satisfactory to the City);

(e) two or more of the principal maturities may be combined and issued as "term bonds" and the Authorized Officer may determine the mandatory sinking fund payments and mandatory redemption amounts. Any Bonds issued as "term bonds" shall be redeemed at a redemption price equal to 100% of the principal amount thereof plus accrued interest thereon to the date of redemption and may be selected for redemption by any random method of selection determined appropriate by the Registrar (as hereinafter designated) or by the Depository (as hereinafter designated).

The Authorized Officers are hereby authorized to make such determinations on behalf of the Mayor and City Council and to evidence the same by execution and delivery of the Designation and such determinations, when made and agreed to by the Underwriter, shall constitute the action of the City Council of the City without further action of the City Council of the City.

The Bonds shall be issued in fully registered form in the denomination of \$5,000 or any integral multiple thereof. The date of original issue for the Bonds shall be date of delivery thereof. Interest on the Bonds, at the respective rates for each maturity, shall be payable semi-annually on June 15 and December 15 of each year, commencing on June 15, 2020 (or such other date or dates as may be determined in the Designation, each an "Interest Payment Date"), and the Bonds shall bear such interest from the date of original issue or the most recent Interest Payment Date to which interest has been paid or provided for, whichever is later. The interest due on each Interest Payment Date shall be payable to the registered owners of record as of the fifteenth day immediately preceding the Interest Payment Date (or such other record date may be determined in the Designation, the "Record Date"), subject to the provisions of Section 4 hereof. The Bonds shall be numbered from 1 upwards in the order of their issuance. No Bond shall be issued originally or upon transfer or partial redemption having more than one principal maturity. The initial bond numbering and principal amounts for each of the Bonds issued shall be as directed by the initial purchaser thereof. Payments of interest due on the Bonds prior to maturity or earlier redemption shall be made by the Paying Agent and Registrar, as designated pursuant to Section 3 hereof, by mailing a check or draft in the amount due for such interest on each Interest Payment Date to the registered owner of each Bond, as of the Record Date for such Interest Payment Date, to such owner's registered address as shown on the books of registration as required to be maintained in Section 3 hereof. Payments of principal due at maturity or at any date fixed for redemption prior to maturity, together with any unpaid accrued interest thereon, shall be made by said Paying Agent and Registrar to the registered owners upon presentation and surrender of the Bonds to said Paying Agent and Registrar. The City and said Paying Agent and Registrar may treat the registered owner of any Bond as the absolute owner of such Bond for the purpose of making payments thereon and for all other purposes and neither the City nor the Paying Agent and Registrar shall be affected by any notice or knowledge to the contrary, whether such Bond or any installment of interest due thereon shall be overdue or not. All payments on account of interest or principal made to the registered owner of any Bond in accordance with the terms of this Ordinance shall be valid and effectual and shall be a discharge of the City and said Paying Agent and Registrar, in respect of the liability upon the Bonds or claims for interest to the extent of the sum or sums so paid.

Section 3. Unless otherwise provided in the Designation, the City Treasurer of the City of St. Paul, Nebraska, is hereby designated to serve as Paying Agent and Registrar for the Bonds. The Paying Agent and Registrar shall keep and maintain for the City books for the registration and transfer of the Bonds at its office in St. Paul, Nebraska. The names and registered addresses of the registered owner or owners of the Bonds shall at all times be recorded in such books. Any Bond may be transferred pursuant to its provisions at the office of said Paying Agent and Registrar by surrender of such Bond for cancellation, accompanied by a written instrument of transfer, in form satisfactory to said Paying Agent and Registrar, duly executed by the registered owner in person or by such owner's duly authorized agent, and thereupon the Paying Agent and Registrar, on behalf of the City, will deliver at such office (or send by registered mail to the transferee owner or owners thereof at such transferee owner's or owners' risk and expense), registered in the name of the

transferee owner or owners, a new Bond or Bonds of the same series, interest rate, aggregate principal amount and maturity. To the extent of the denominations authorized for the Bonds by this Ordinance, one Bond may be transferred for several such Bonds of the same series, interest rate and maturity, and for a like aggregate principal amount, and several such Bonds may be transferred for one or several such Bonds, respectively, of the same series, interest rate and maturity and for a like aggregate principal amount. In every case of transfer of a Bond, the surrendered Bond shall be canceled and destroyed. All Bonds issued upon transfer of the bonds so surrendered shall be valid obligations of the City evidencing the same obligations as the Bonds surrendered and shall be entitled to all the benefits and protection of this Ordinance to the same extent as the Bonds upon transfer of which they were delivered. The City and said Paying Agent and Registrar shall not be required to transfer any Bond during any period from any Record Date until its immediately following Interest Payment Date or to transfer any Bond called for redemption for a period of 30 days next preceding the date fixed for redemption.

Section 4. In the event that payments of interest due on the Bonds on an Interest Payment Date are not timely made, such interest shall cease to be payable to the registered owners as of the Record Date for such Interest Payment Date and shall be payable to the registered owners of the Bonds as of a special date of record for payment of such defaulted interest as shall be designated by the Paying Agent and Registrar whenever monies for the purpose of paying such defaulted interest become available.

Section 5. Unless as otherwise provided in the Designation, the Bonds shall be subject to redemption, in whole or in part, prior to maturity at any time on or after the fifth anniversary of the date of original issue thereof, at par plus accrued interest on the principal amount redeemed to the date fixed for redemption. Any Bonds issued as term bonds (as may be determined in the Designation) shall be redeemed for the years and in the principal amounts as determined in the Designation. Any scheduled mandatory redemptions shall be at a price equal to 100% of the principal amount redeemed plus interest accrued on the principal amount being redeemed to the date fixed for redemption. The Paying Agent and Registrar shall select the Bonds issued as term bonds for mandatory redemption using any random method of selection deemed appropriate by the Paying Agent and Registrar. The City may select the Bonds to be redeemed for optional redemption in its sole discretion. The Bonds shall be redeemed only in amounts of \$5,000 or integral multiples thereof. Bonds redeemed in part only shall be surrendered to said Paying Agent and Registrar in exchange for a new Bond evidencing the unredeemed principal thereof. Notice of redemption of any Bond called for redemption shall be given, at the direction of the City by said Paying Agent and Registrar in the case of optional redemption and without further direction in the case of mandatory redemption, by said Paying Agent and Registrar by mail not less than 30 days prior to the date fixed for redemption, first class, postage prepaid, sent to the registered owner of such Bond at said owner's registered address. Such notice shall designate the Bond or Bonds to be redeemed by maturity or otherwise, the date of original issue, series and the date fixed for redemption and shall state that such Bond or Bonds are to be presented for prepayment at the office of said Paying Agent and Registrar. In case of any Bond partially redeemed, such notice shall specify the portion of the principal amount of such Bond to be redeemed. No defect in the mailing of notice for any Bond shall affect the sufficiency of the proceedings of the City designating the Bonds called for redemption or the effectiveness of such call for Bonds for which notice by mail has been properly given and the City shall have the right to direct further notice of redemption for

any such Bond for which defective notice has been given. In the event term maturities and mandatory redemption amounts are determined in the Designation, the provisions of this Section 5 shall apply generally to mandatory redemptions.

Section 6. If the date for payment of the principal of or interest on the Bonds shall be a Saturday, Sunday, legal holiday or a day on which banking institutions in the city where the office of the Paying Agent and Registrar is located are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day which is not a Saturday, Sunday, legal holiday or a day on which such banking institutions are authorized to close, and payment on such day shall have the same force and effect as if made on the nominal date of payment.

Section 7. The Bonds shall be in substantially the following form:

UNITED STATES OF AMERICA  
STATE OF NEBRASKA

GENERAL OBLIGATION WATER REFUNDING BOND  
OF THE CITY OF ST. PAUL, NEBRASKA  
SERIES 2020

No. R-

<u>Interest Rate</u> %	<u>Maturity Date</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
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Registered Owner: Cede & Co.  
Principal Amount:

KNOW ALL PERSONS BY THESE PRESENTS: That the City of St. Paul, in the State of Nebraska (the "City"), hereby acknowledges itself to owe and for value received promises to pay to the registered owner specified above, or registered assigns, the principal amount specified above in lawful money of the United States of America on the date of maturity specified above with interest thereon to maturity (or earlier redemption) from the date of original issue or the most recent Interest Payment Date to which interest has been paid or provided for, whichever is later, at the rate per annum specified above, payable semiannually on \_\_\_\_\_ and \_\_\_\_\_ of each year, commencing \_\_\_\_\_, 20\_\_ (each an "Interest Payment Date"). Said interest shall be computed on the basis of a 360-day year consisting of twelve 30-day months. The principal of and interest on this bond due at maturity or upon redemption prior to maturity are payable upon presentation and surrender of this bond at the office of the City Treasurer of the City of St. Paul, Nebraska, the Paying Agent and Registrar, in St. Paul, Nebraska. Interest on this bond due prior to maturity or earlier redemption will be paid on each Interest Payment Date by a check or draft mailed on such Interest Payment Date by the Paying Agent and Registrar to the registered owner of this bond, as shown on the books of record maintained by the Paying Agent and Registrar, at the close of business on the fifteenth day immediately preceding the Interest Payment Date, to such owner's address as shown on such books and records ("Record Date"). Any interest not so timely paid shall cease to be payable to the person entitled thereto as of the Record Date such interest was payable and shall be payable to the person who is the registered owner of this bond (or of one or more predecessor bonds hereto) on such special record date for payment of such defaulted interest as shall be fixed by the Paying Agent and Registrar whenever monies for such purpose become available. For the prompt payment of this bond, both principal and interest, as the same become due, the full faith, credit and resources of said City are hereby irrevocably pledged.

This bond is one of an issue of fully registered bonds of the total principal amount of \_\_\_\_\_ Dollars (\$ \_\_\_\_\_), of even date and like tenor herewith, except as to date of maturity and rate of interest and denomination, which were issued by the City for the purpose of refunding the City's General Obligation Water Refunding Bonds, Series 2015, date of original issue April 7, 2015, which were issued to refinance certain improvements to the City's water system as provided by Section 17-534, R.R.S. Neb., as amended, and has been duly authorized by an ordinance (the "Ordinance") legally passed, approved and published and by

proceedings duly had by the Mayor and Council of said City in accordance with and under the provisions of Section 10-142, R.R.S. Neb., as amended.

*[Bonds of this issue maturing as term bonds in the years \_\_\_\_ and \_\_\_\_ are required to be redeemed through application of a mandatory sinking fund payments, said bonds being callable by lot in the amounts and on the dates as set out below at par plus accrued interest to the date of such call:*

*[In addition to such mandatory sinking fund redemption,]* (T)the bonds of said issue are subject to redemption at the option of the City, in whole or in part, at any time on or after the fifth anniversary of the date of original issue thereof, at par plus interest accrued on the principal amount redeemed to the date fixed for redemption.

Notice of redemption shall be given by mail to the registered owner of any bond to be redeemed in the manner specified in the Ordinance authorizing said issue of bonds. Individual bonds may be redeemed in part but only in \$5,000 amounts or integral multiples thereof. If less than all of the principal sum hereof is to be redeemed, in such case upon the surrender hereof, there shall be issued to the registered owner hereof, without charge therefor, a registered bond or registered bonds for the unpaid principal balance of like series, maturity and interest rate in any of the authorized denominations provided for in the Ordinance authorizing the issuance hereof.

This bond is transferable by the registered owner or such owner's attorney duly authorized in writing at the office of the Paying Agent and Registrar in St. Paul, Nebraska, upon surrender and cancellation of this bond, and thereupon a new bond or bonds of the same aggregate principal amount, interest rate and maturity will be issued to the transferee as provided in the Ordinance authorizing said issue of bonds, subject to the limitations therein prescribed. The City, the Paying Agent and Registrar and any other person may treat the person in whose name this bond is registered as the absolute owner hereof for the purpose of receiving payment due hereunder and for all purposes and shall not be affected by any notice to the contrary, whether this bond be overdue or not.

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

AS PROVIDED IN THE ORDINANCE REFERRED TO HEREIN, UNTIL THE TERMINATION OF THE SYSTEM OF BOOK-ENTRY-ONLY TRANSFERS THROUGH THE DEPOSITORY TRUST COMPANY, NEW YORK, NEW YORK (TOGETHER WITH ANY SUCCESSOR SECURITIES DEPOSITORY APPOINTED PURSUANT TO THE ORDINANCE, "DTC"), AND NOTWITHSTANDING ANY OTHER PROVISIONS OF THE ORDINANCE TO THE CONTRARY, A PORTION OF THE PRINCIPAL AMOUNT OF THIS BOND MAY BE PAID OR REDEEMED WITHOUT SURRENDER HEREOF TO THE

REGISTRAR. DTC OR A NOMINEE, TRANSFEREE OR ASSIGNEE OF DTC OF THIS BOND MAY NOT RELY UPON THE PRINCIPAL AMOUNT INDICATED HEREON AS THE PRINCIPAL AMOUNT HEREOF OUTSTANDING AND UNPAID. THE PRINCIPAL AMOUNT HEREOF OUTSTANDING AND UNPAID SHALL FOR ALL PURPOSES BE THE AMOUNT DETERMINED IN THE MANNER PROVIDED IN THE ORDINANCE.

UNLESS THIS BOND IS PRESENTED BY AN AUTHORIZED OFFICER OF DTC (A) TO THE REGISTRAR FOR REGISTRATION OF TRANSFER OR EXCHANGE OR (B) TO THE REGISTRAR FOR PAYMENT OF PRINCIPAL, AND ANY BOND ISSUED IN REPLACEMENT HEREOF OR SUBSTITUTION HEREFOR IS REGISTERED IN THE NAME OF DTC AND ANY PAYMENT IS MADE TO DTC OR ITS NOMINEE, ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL BECAUSE ONLY THE REGISTERED OWNER HEREOF, DTC OR ITS NOMINEE, HAS AN INTEREST HEREIN.

IT IS HEREBY CERTIFIED AND WARRANTED that all conditions, acts and things required by law to exist or to be done precedent to and in the issuance of this bond did exist, did happen and were done and performed in regular and due form and time as required by law, and that the indebtedness of said City, including this bond, does not exceed any limitations imposed by law. The City covenants and agrees that it will cause to be levied and collected annually a tax by valuation on all the taxable property in said City, in addition to all other taxes, sufficient in rate and amount to pay the interest on this bond when and as the same becomes due and to create a sinking fund to pay the principal of this bond when the same becomes due.

This bond shall not be valid and binding on the City until authenticated by the Paying Agent and Registrar.

IN WITNESS WHEREOF, the Mayor and Council of the City of St. Paul, Nebraska, have caused this bond to be executed on behalf of the City with the manual or facsimile signatures of the Mayor and the City Clerk and by causing the official seal of the City to be impressed or imprinted hereon, all as of the date of original issue specified above.

CITY OF ST. PAUL, NEBRASKA

ATTEST:

\_\_\_\_\_  
(Do Not Sign)  
Mayor

\_\_\_\_\_  
(Do Not Sign)  
City Clerk

[SEAL]

CERTIFICATE OF AUTHENTICATION

This bond is one of the bonds authorized by ordinance passed and approved by the Mayor and Council of the City of St. Paul, Nebraska as described in said bond.

CITY TREASURER OF THE CITY OF ST. PAUL  
ST. PAUL, NEBRASKA  
Paying Agent and Registrar

By (Do Not Sign)  
Authorized Signature

(FORM OF ASSIGNMENT)

For value received \_\_\_\_\_ hereby sells,  
assigns and transfers unto \_\_\_\_\_ the within bond  
and hereby irrevocably constitutes and appoints  
\_\_\_\_\_, attorney, to transfer the same on the  
books of registration in the office of the within mentioned Paying Agent and Registrar with full  
power of substitution in the premises.

Date: \_\_\_\_\_

\_\_\_\_\_  
Registered Owner

Witness: \_\_\_\_\_

Note: The signature(s) of this assignment must correspond with the name(s) as written on the face of the within bond in every particular, without alteration, enlargement or any change whatsoever.

Section 8. Each of the Bonds shall be executed on behalf of the City with the manual or facsimile signatures of the Mayor and City Clerk and shall have impressed or imprinted thereon the City's seal. The Bonds shall be issued initially as "book-entry-only" bonds using the services of The Depository Trust Company (the "Depository"), with one typewritten bond per maturity being issued to the Depository. In such connection said officers are authorized to execute and deliver a letter of representations (the "Letter of Representations") in the form required by the Depository (including any blanket letter previously executed and delivered by the City), for and on behalf of the City, which shall thereafter govern matters with respect to registration, transfer, payment and redemption of the Bonds. Upon the issuance of the Bonds as "book-entry-only" bonds, the following provisions shall apply:

(a) The City and the Paying Agent and Registrar shall have no responsibility or obligation to any broker-dealer, bank or other financial institution for which the Depository holds Bonds as securities depository (each, a "Bond Participant") or to any person who is an actual purchaser of a Bond from a Bond Participant while the Bonds are in book-entry form (each, a "Beneficial Owner") with respect to the following:

(i) the accuracy of the records of the Depository, any nominees of the Depository or any Bond Participant with respect to any ownership interest in the Bonds,

(ii) the delivery to any Bond Participant, any Beneficial Owner or any other person, other than the Depository, of any notice with respect to the Bonds, including any notice of redemption, or

(iii) the payment to any Bond Participant, any Beneficial Owner or any other person, other than the Depository, of any amount with respect to the Bonds.

The Paying Agent and Registrar shall make payments with respect to the Bonds only to or upon the order of the Depository or its nominee, and all such payments shall be valid and effective fully to satisfy and discharge the obligations with respect to such Bonds to the extent of the sum or sums so paid. No person other than the Depository shall receive an authenticated Bond, except as provided in (e) below.

(b) Upon receipt by the Paying Agent and Registrar of written notice from the Depository to the effect that the Depository is unable or unwilling to discharge its responsibilities, the Paying Agent and Registrar shall issue, transfer and exchange Bonds requested by the Depository in appropriate amounts. Whenever the Depository requests the Paying Agent and Registrar to do so, the Paying Agent and Registrar will cooperate with the Depository in taking appropriate action after reasonable notice (i) to arrange, with the prior written consent of the City, for a substitute depository willing and able upon reasonable and customary terms to maintain custody of the Bonds or (ii) to make available Bonds registered in whatever name or names the Beneficial Owners transferring or exchanging such Bonds shall designate.

(c) If the City determines that it is desirable that certificates representing the Bonds be delivered to the Bond Participants and/or Beneficial Owners of the Bonds and so notifies the Paying Agent and Registrar in writing, the Paying Agent and Registrar shall so notify the Depository, whereupon the Depository will notify the Bond Participants of the availability through the Depository of bond certificates representing the Bonds. In such event, the Paying Agent and Registrar shall issue, transfer and exchange bond certificates representing the Bonds as requested by the Depository in appropriate amounts and in authorized denominations.

(d) Notwithstanding any other provision of this Ordinance to the contrary, so long as any Bond is registered in the name of the Depository or any nominee thereof, all payments with respect to such Bond and all notices with respect to such Bond shall be made and given, respectively, to the Depository as provided in the Letter of Representations.

(e) Registered ownership of the Bonds may be transferred on the books of registration maintained by the Paying Agent and Registrar, and the Bonds may be delivered in physical form to the following:

(i) any successor securities depository or its nominee, or

(ii) any person, upon (A) the resignation of the Depository from its functions as depository or (B) termination of the use of the Depository pursuant to this Section.

(f) In the event of any partial redemption of a Bond unless and until such partially redeemed Bond has been replaced in accordance with the provisions of this Ordinance, the books and records of the Paying Agent and Registrar shall govern and establish the principal amount of such Bond as is then outstanding and all of the Bonds issued to the Depository or its nominee shall contain a legend to such effect.

If for any reason the Depository resigns and is not replaced, the City shall immediately provide a supply of printed bond certificates for issuance upon the transfers from the Depository and subsequent transfers or in the event of partial redemption. In the event that such supply of certificates shall be insufficient to meet the requirements of the Paying Agent and Registrar for issuance of replacement Bonds upon transfer or partial redemption, the City agrees to order printed an additional supply of certificates and to direct their execution by manual or facsimile signature of its then duly qualified and acting Mayor and City Clerk of said City. In case any officer whose signature or facsimile thereof shall appear on any Bond shall cease to be such officer before the delivery of such Bond (including any bond certificates delivered to the Paying Agent and Registrar for issuance upon transfer or partial redemption), such signature or such facsimile signature shall nevertheless be valid and sufficient for all purposes the same as if such officer or officers had remained in office until the delivery of such Bond. The Bonds shall not be valid and binding on the City until authenticated by the Paying Agent and Registrar. The Bonds shall be delivered to the Paying Agent and Registrar for registration and authentication. Upon execution, registration and authentication of the Bonds, they shall be delivered to the City Treasurer, who is authorized to

deliver them to the Underwriter, as the initial purchaser thereof, upon receipt of not less than 98.70% of the principal amount of the Bonds plus accrued interest thereon to date of payment of the Bonds (which purchase price may be modified by the terms of the Designation, including to provide for original issue discount and original issue premium within the parameters set forth in Section 2 of this Ordinance). Said initial purchaser shall have the right to direct the registration of the Bonds and the denominations thereof within each maturity, subject to the restrictions of this Ordinance. The Authorized Officers (or any one of them) are hereby authorized to execute and deliver a Bond Purchase Agreement for and on behalf of the City. Such purchaser and its agents, representatives and counsel (including its bond counsel) are hereby authorized to take such actions on behalf of the City as are necessary to effectuate the closing of the issuance and sale of the Bonds, including, without limitation, authorizing the release of the Bonds by the Depository at closing.

Section 9. The net sale proceeds of the Bonds along with funds of the City on hand (including transfers from prior issue debt service funds) shall be applied to the payment and satisfaction of all of the principal of and the interest on the Series 2015 Bonds as called for redemption on the Redemption Date. Accrued interest, if any, received from the sale of the Bonds shall be applied to pay interest first falling due on said Bonds. Expenses of issuance of the Bonds may be paid from the proceeds of the Bonds.

Section 10. The City agrees that it shall cause to be levied and collected annually a special levy of taxes on all the taxable property in the City for the purpose of paying and sufficient to pay the interest and principal of the Bonds when and as such principal and interest become due and to create a sinking fund to pay the principal and interest on the Bonds when the same becomes due.

Section 11. The City hereby covenants with the purchasers and holders of the Bonds herein authorized that it will make no use of the proceeds of said issue, including monies held in any sinking fund for the payment of principal and interest on said Bonds, which would cause said Bonds to be arbitrage bonds within the meaning of Sections 103 and 148 and other related sections of the Internal Revenue Code of 1986, as amended (the "Code"), and further covenants to comply with said Sections 103 and 148 and related sections and all applicable regulations thereunder throughout the term of said issue. The City hereby covenants and agrees to take all actions necessary under the Code to maintain the tax exempt status (as to taxpayers generally) of interest payable on the Bonds. To the extent not "deemed designated," the City hereby designates the Bonds as its "qualified tax-exempt obligations" pursuant to Section 265(b)(3)(B)(i)(III) of the Code and covenants and warrants that it does not reasonably expect to issue tax-exempt bonds or other tax-exempt interest bearing obligations aggregating in principal amount more than \$10,000,000 during calendar year 2020 (taking into consideration the exception for current refunding issues). Each Authorized Officer is authorized to make any and all necessary or appropriate allocations, certifications, agreements, statements of reasonable expectations, covenants and warranties relating to such tax status, designation and/or deemed designation, as applicable.

Section 12. The City's obligations under this Ordinance with respect to any or all of the Bonds herein authorized shall be fully discharged and satisfied as to any or all of such Bonds and any such Bond shall no longer be deemed to be outstanding hereunder if such Bond has been

purchased by the City and canceled or when the payment of the principal of and interest thereon to the respective date of maturity or redemption (a) shall have been made in accordance with the terms thereof or (b) shall have been provided for by depositing with a national or state bank having trust powers or trust company, in trust, solely for such payment (i) sufficient money to make such payment and/or (ii) direct general obligations of or obligations the principal and interest of which are unconditionally guaranteed by the United States of America (herein referred to as "U.S. Government Obligations") in such amount and bearing interest and maturing or redeemable at stated fixed prices at the option of the holder as to principal, at such time or times, as will insure the availability of sufficient money to make such payment; provided, however, that with respect to any Bond to be paid prior to maturity, the City shall have duly called such Bond for redemption and given notice thereof or made irrevocable provisions for the giving of such notice. Any money so deposited with such bank or trust company may be invested or reinvested in U.S. Government Obligations at the direction of the City, and all interest and income from U.S. Government Obligations in the hands of such bank or trust company in excess of the amount required to pay principal of and interest on the Bonds for which such monies or U.S. Government Obligations were deposited shall be paid over to the City as and when collected.

Section 13. In order to promote compliance with certain federal tax and securities laws relating to the Bonds herein authorized (as well as other outstanding bonds) the policy and procedures attached hereto as Exhibit "A" (the "Post-Issuance Compliance Policy and Procedures") are hereby adopted and approved in all respects. To the extent that there is any inconsistency between the attached Post-Issuance Compliance Policy and Procedures and any similar policy or procedures previously adopted and approved, the Post-Issuance Compliance Policy and Procedures shall control.

Section 14. The officers of the City are hereby authorized to execute and deliver any and all certificates and documents and to take any and all actions determined appropriate in connection with the issuance and sale of the Bonds and refunding of the Series 2015 Bonds including, without limitation, to review and approve a preliminary official statement or offering circular related to the Bonds and approval of a final official statement or offering circular on behalf of the City, and said final official statement, if and as applicable, shall be delivered in accordance with the requirements of Rule 15c2-12 (the "Rule") promulgated by the Securities and Exchange Commission.

Section 15. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance.

Section 16. This Ordinance shall be published in pamphlet form and take effect as provided by law.

PASSED AND APPROVED this 18 day of February, 2020.

ATTEST:

\_\_\_\_\_  
Mayor Joel M. Bergman

\_\_\_\_\_  
City Clerk Connie Jo Beck

[SEAL]

Motion for adjournment was duly made, seconded and on roll call vote was declared adopted by the Mayor.

I, the undersigned City Clerk for the City of St. Paul, Nebraska, hereby certify that the foregoing is a true and correct copy of the proceedings had and done by the Mayor and Council on 2-18-2020, 2020; 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 agenda 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 said minutes from which the foregoing proceedings have been extracted were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that a current copy of the Nebraska Open Meetings Act was available and accessible to members of the public, posted during the meeting or meetings reflected in the transcript described below in the room in which such meeting or meetings were held and that all in attendance at such meeting or meetings were informed at the beginning of the meeting that such copy of the Nebraska Open Meetings Act was available for review and were informed of the location of such copy in the room in which such meeting was being held; 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 Connie Jo Beck

[SEAL]

## EXHIBIT "A"

### Policy and Procedures Federal Tax Law and Disclosure Requirements for Tax-exempt Bonds and/or Tax Advantaged Bonds

ISSUER NAME: City of St. Paul, Nebraska

COMPLIANCE OFFICER (BY TITLE): City Treasurer

#### POLICY

It is the policy of the Issuer identified above (the "Issuer") to comply with all Federal tax requirements and securities law continuing disclosure obligations for its obligations issued as tax-exempt bonds (or as tax credit, direct pay subsidy or other tax-advantaged bonds, as applicable) to ensure, as applicable (a) that interest on its tax-exempt bonds remains exempt from Federal income tax, (b) that the direct payments or tax credits associated with its bonds issued as "tax-advantaged bonds" are received in a timely manner and (c) compliance with any continuing disclosure obligations of the Issuer with respect to its outstanding bonds.

#### PROCEDURES

Compliance Officer. Review of compliance with Federal tax requirements and securities law continuing disclosure obligations as generally outlined below shall be conducted by the Compliance Officer identified above (the "Compliance Officer"). To the extent more than one person has been delegated specific responsibilities, the Compliance Officer shall be responsible for ensuring coordination of all compliance review efforts.

Training. The Compliance Officer shall evaluate and review educational resources regarding post-issuance compliance with Federal tax and securities laws, including periodic review of resources published for issuers of tax-exempt obligations by the Internal Revenue Service (either on its website at <http://www.irs.gov/taxexemptbond>, or elsewhere) and the Municipal Securities Rulemaking Board (either on its Electronic Municipal Market Access website ["EMMA"] at <http://www.emma.msrb.org>, or elsewhere).

Compliance Review. A compliance review shall be conducted at least annually by or at the direction of the Compliance Officer. The review shall occur at the time the Issuer's annual audit takes place, unless the Compliance Officer otherwise specifically determines a different time period or frequency of review would be more appropriate.

Scope of Review.

Document Review. At the compliance review, the following documents (the "Bond Documents") shall be reviewed for general compliance with covenants and agreements and applicable regulations with respect to each outstanding bond issue:

- (a) the resolution(s) and/or ordinance(s), as applicable, adopted by the governing body of the Issuer authorizing the issuance of its outstanding bonds, together with any documents setting the final rates and terms of such bonds (the “Authorizing Proceedings”),
- (b) the tax documentation associated with each bond issue, which may include some or all of the following (the “Tax Documents”):
  - (i) covenants, certifications and expectations regarding Federal tax requirements which are described in the Authorizing Proceedings;
  - (ii) Form 8038 series filed with the Internal Revenue Service;
  - (iii) tax certificates, tax compliance agreements, tax regulatory agreement or similar documents;
  - (iv) covenants, agreements, instructions or memoranda with respect to rebate or private use;
  - (v) any reports from rebate analysts received as a result of prior compliance review or evaluation efforts; and
  - (vi) any and all other agreements, certificates and documents contained in the transcript associated with the Authorizing Proceedings relating to federal tax matters.
- (c) the Issuer’s continuing disclosure obligations, if any, contained in the Authorizing Proceedings or in a separate agreement (the “Continuing Disclosure Obligations”), and
- (d) any communications or other materials received by the Issuer or its counsel, from bond counsel, the underwriter or placement agent or its counsel, the IRS, or any other material correspondence relating to the tax-exempt status of the Issuer’s bonds or relating to the Issuer’s Continuing Disclosure Obligations.

*Use and Timely Expenditure of Bond Proceeds.* Expenditure of bond proceeds shall be reviewed by the Compliance Officer to ensure (a) such proceeds are spent for the purpose stated in the Authorizing Proceedings and as described in the Tax Documents and (b) that the proceeds, together with investment earnings on such proceeds, are spent within the timeframes described in the Tax Documents, and (c) that any mandatory redemptions from excess bond proceeds are timely made if required under the Authorizing Proceedings and Tax Documents.

*Arbitrage Yield Restrictions and Rebate Matters.* The Tax Documents shall be reviewed by the Compliance Officer to ensure compliance with any applicable yield restriction requirements under Section 148(a) of the Internal Revenue Code (the “Code”) and timely calculation and payment of any rebate and the filing of any associated returns pursuant to Section 148(f) of the Code. A qualified rebate analyst shall be engaged as appropriate or as may be required under the Tax Documents.

*Use of Bond Financed Property.* Expectations and covenants contained in the Bond Documents regarding private use shall be reviewed by the Compliance Officer to ensure compliance. Bond-financed properties shall be clearly identified (by mapping or other reasonable means). Prior to execution, the Compliance Officer (and bond counsel, if deemed appropriate by the Compliance Officer) shall review (a) all proposed leases, contracts related to operation or management of bond-financed property, sponsored research agreements, take-or-pay contracts or other

agreements or arrangements or proposed uses which have the potential to give any entity any special legal entitlement to the bond-financed property, (b) all proposed agreements which would result in disposal of any bond-financed property, and (c) all proposed uses of bond-financed property which were not anticipated at the time the bonds were issued. Such actions could be prohibited by the Authorizing Proceedings, the Tax Documents or Federal tax law.

*Continuing Disclosure.* Compliance with the Continuing Disclosure Obligations with respect to each bond issue shall be evaluated (a) to ensure timely compliance with any annual disclosure requirement, and (b) to ensure that any material events have been properly disclosed as required by the Continuing Disclosure Obligation.

Record Keeping. If not otherwise specified in the Bond Documents, all records related to each bond issue shall be kept for the life of the indebtedness associated with such bond issue (including all tax-exempt refundings) plus six (6) years.

Incorporation of Tax Documents. The requirements, agreements and procedures set forth in the Tax Documents, now or hereafter in existence, are hereby incorporated into these procedures by this reference and are adopted as procedures of the Issuer with respect to the series of bonds to which such Tax Documents relate.

Consultation Regarding Questions or Concerns. Any questions or concerns which arise as a result of any review by the Compliance Officer shall be raised by the Compliance Officer with the Issuer's counsel or with bond counsel to determine whether non-compliance exists and what measures should be taken with respect to any non-compliance.

VCAP and Remedial Actions. The Issuer is aware of (a) the Voluntary Closing Agreement Program (known as "VCAP") operated by the Internal Revenue Service which allows issuers under certain circumstances to voluntarily enter into a closing agreement in the event of certain non-compliance with Federal tax requirements and (b) the remedial actions available to issuers of certain bonds under Section 1.141-12 of the Income Tax Regulations for private use of bond financed property which was not expected at the time the bonds were issued.

**NOTICE OF PUBLICATION**  
**OF ORDINANCE NO. 1006**

**IN PAMPHLET FORM**

Public Notice is hereby given that at a meeting of the Mayor and City Council of the City of St. Paul, Nebraska, held at 6:30 p.m. on February, 2020, there was passed and adopted Ordinance No. 1006 entitled:

**AN ORDINANCE OF THE CITY OF ST. PAUL, NEBRASKA, AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION WATER REFUNDING BONDS, SERIES 2020, OF THE CITY OF ST. PAUL, IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED THREE HUNDRED EIGHTY THOUSAND DOLLARS (\$380,000) FOR THE PURPOSE OF PAYING OFF CERTAIN OUTSTANDING BONDS OF THE CITY; PRESCRIBING THE FORM OF SAID BONDS; AUTHORIZING OFFICERS OF THE CITY TO DESIGNATE FINAL TERMS FOR SAID BONDS WITHIN STATED PARAMETERS; PROVIDING FOR THE LEVY OF TAXES TO PAY SAID BONDS; PROVIDING FOR THE SALE OF THE BONDS; AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER; APPROVING POST-ISSUANCE TAX COMPLIANCE POLICIES; AND PROVIDING FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.**

Said Ordinance was published in pamphlet form on February 26, 2020. Copies of said Ordinance as published in pamphlet form are available for inspection and distribution at the Office of the City Clerk, in the City of St. Paul, Nebraska.

\_\_\_\_\_  
City Clerk/Treasurer  
Connie Jo Beck, City Clerk/Deputy  
Treasurer

**NOTE—Publish above Notice One Time in the Newspaper.**

**CERTIFICATE AS TO PUBLICATION IN PAMPHLET FORM**

The undersigned City Clerk for the City of St. Paul, Nebraska, hereby certifies that Ordinance No. 1006 as passed and approved by the Mayor and Council of the City of St. Paul, Nebraska, at their meeting held on 2/18/, 2020, was published in pamphlet form on 2/26, 2020, and that a true and correct copy of such Ordinance as so passed and published is attached hereto.

Dated this 18 day of February, 2020.

\_\_\_\_\_  
City Clerk

(SEAL)



**Change Order  
For  
City of St Paul NE**

**Project Name:**  
Change Order to SimpleCity Physical Asset Management

*Prepared for Matt Helzer, Utility Superintendent*

Project No. 0996-001  
February 7, 2020

## EXECUTIVE SUMMARY

This Change Order outlines the changes to Services to be performed and/or the Deliverables to be developed (the "Project") by GIS Workshop LLC doing business as gWorks ("gWorks") pursuant to and governed by that certain Master Services Agreement dated **May 7, 2018** (the "Services Agreement") and by the Statement of Work ("SOW") dated **May 7, 2018** by and between gWorks and the **City of St Paul, Nebraska** ("Client"). This Change Order will also set forth the changes to the scope of the Services, a description of the Deliverables, responsibilities for all parties, and the estimated fees (if applicable). Any capitalized terms used, but not defined herein, shall have the meaning ascribed to it in the Services Agreement.

## TERMS AND CONDITIONS

The terms of this Change Order are governed by the Master Services Agreement and Statement of Work, Project 0996-001, dated May 7, 2018.

## CHANGE TO SOW PROJECT 0996-001

The Client has reached their Media Data Storage limit included in their SimpleCity Plus subscription. Additional data storage packages are available for purchase as outlined in the SimpleCity Plus contract. The client wishes to add an additional storage package at the second tier, 5 GB – 500 GB. gWorks will enable additional media storage for the Client up to the 500 GB.

Total Data Usage	Cost
0 GB - 5 GB	\$0
5 GB - 500 GB	\$300 annually
500 GB - 1 TB	\$600 annually additional

## COSTS

Annual Maintenance	Cost
Additional Data Storage	\$300
<b>Total Annual Cost*</b>	<b>\$300</b>

\*Total annual costs will be added to the Client's annual support, project 0995-001 and billed annually. Upon contract execution, the Client will be billed for prorated maintenance between time of set-up and October 30<sup>th</sup>, 2020. Regular billing will occur annually with project 0995-001 thereafter.

**ACCEPTANCE**

IN WITNESS WHEREOF, the parties hereto have agreed to and executed this Change Order, Project Number 0996-001, as of the date executed below.

**Agreed to and Accepted by:**

gWorks  
Sign: Janelle Heuton

By: Janelle Heuton

Its: EVP of Client Success

Date: 2/7/20

**City of St Paul, Nebraska**

Sign: \_\_\_\_\_

By: Joel M. Bergman

Its: Mayor

Date: February 18, 2020

## AGENDA ITEM REQUEST FORM

Anyone wishing to offer comments or concerns about city matters, or who wants to have an item placed on the City Council agenda must complete this form. The completed form must be submitted to the City Clerk, City of St. Paul, 704 6<sup>th</sup> Street, St. Paul, NE 68873 no later than Noon on the Wednesday prior to the City Council meeting. If the Wednesday prior to the City Council meeting is a holiday, the deadline is noon on the previous day. The City Council generally meets at 7:00 p.m. on the 1<sup>st</sup> and 3<sup>rd</sup> Monday of each month.

City Council Meeting Date: Feb 18<sup>th</sup>

Requested Agenda Item: Amendment to Escape Tanning Loan

Please state your comment or concern (please be specific, providing documentation if available):

Asking for approval to amend escape tanning's loan. The loan will go back out to \$10,000 with the \$3,052.39 difference being used to pay off an existing loan on business equipment. See attachments for details on term and payments.

What action do you want the City Council to take? Approve the amendment to make the changes to the loan

Will this project/item require City funding? YES  NO  If so, how much? \$ 3,052.39

Name (please print): Michael Coughlan

Name (signature): Mike Coughlan

Address: 1316 Sheridan St

Phone Number: 402-630-0475

.....  
*For City Official Use Only*

Added to City Council Agenda. Date of City Council meeting: \_\_\_\_\_

Referred to City Council Committee for Recommendation

City Council Action Taken: \_\_\_\_\_

City Funds Authorized: \_\_\_\_\_

## Amendment to Loan Agreement

This Amendment to Loan Agreement (the "Amendment") is made and entered into between Sarah Townsend d/b/a Escape Tanning formerly Sarah Marie Call d/b/a Escape Tanning ("Borrower") and City of Saint Paul, Nebraska ("Lender").

### Recitals

1. Borrower and Lender have entered into a Loan Agreement dated March 7<sup>th</sup> 2018 (the "Loan Agreement").
2. Borrower and Lender desire to modify and amend the Loan Agreement as provided herein.

### Amendment

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Lender and Borrower hereby agree and amend and modify the Loan Agreement as follows:

1. Definitions. Except as otherwise provided herein, terms defined in the Loan Agreement shall have the same meaning when used herein. Terms defined in the singular shall have the same meaning when used in the plural and vice versa.

2. Amendments. The Loan Documents are hereby modified and amended as follows:

(a) Section: *Amount and Terms of Loan*

1. Lender agrees, subject to the terms and conditions in this Loan Agreement to lend Townsend up to an aggregate maximum of Ten Thousand (10,000.00) as evidenced by their Promissory Note, to bear interest at the rate of 2.75% from date of issuance to the end of a Four (4) year period, all as shown on the schedule of payments attached hereto. The first monthly payment shall be due March 15<sup>th</sup>, 2020.

3. References. Each reference in the Loan Documents to any of the Loan Documents shall be deemed to be a reference to such documents as modified hereby.

4. Agreement Remains in Full Force and Effect. The Loan Documents are ratified and affirmed by Borrower and shall remain in full force and effect as modified hereby. Any property rights or rights to or interests in property granted as security in the Loan Documents shall remain as security for the Loan and the obligations of Borrower in the Loan Documents.

This Amendment, Promissory Note, and the Loan Agreement shall be read and interpreted together as one agreement.

THIS AGREEMENT is entered by and between City-Lender and SARAH TOWNSEND, d/b/a ESCAPE TANNING formerly SARAH MARIE CALL D/B/A/ on this 18 day of February, 2020.

Witness the signatures hereto:

CITY-LENDER: CITY OF SAINT PAUL,  
NEBRASKA

SARAH TOWNSEND,  
d/b/a ESCAPE TANNING

By: \_\_\_\_\_

Joel Bergman, Mayor

By: \_\_\_\_\_

Sarah Townsend

STATE OF NEBRASKA :

:ss

COUNTY OF Howard :

On this 18 day of February, 2020, before me, the undersigned Notary Public, qualified for said County, personally came Joel Bergman, Mayor of the City of Saint Paul, Nebraska, to me known to be the identical person whose name is affixed to the foregoing instrument and acknowledged the same to be his voluntary act and deed.

Witness my hand and notarial seal the day and year last above written.

\_\_\_\_\_  
Notary Public

STATE OF NEBRASKA :

:ss

COUNTY OF Howard :

On this 18 day of February, 2020, before me, the undersigned Notary Public, qualified for said County, personally came SARAH TOWNSEND, d/b/a ESCAPE TANNING to me known to be the identical person whose name is affixed to the foregoing instrument and acknowledged the same to be his voluntary act and deed.

Witness my hand and notarial seal the day and year last above written.

\_\_\_\_\_  
Notary Public

### Amendment to Promissory Note

This Amendment to Promissory Note (the "Amendment") is made and entered into between Sarah Townsend d/b/a Escape Tanning formerly Sarah Marie Call d/b/a Escape Tanning ("Borrower") and City of Saint Paul, Nebraska ("Lender").

#### Recitals

1. Borrower and Lender have entered into a Promissory Note dated March 7<sup>th</sup> 2018 (the "Loan Agreement").
2. Borrower and Lender desire to modify and amend the Promissory Note as provided herein.

#### Amendment

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Lender and Borrower hereby agree and amend and modify the Promissory Note as follows:

1. Definitions. Except as otherwise provided herein, terms defined in the Promissory Note shall have the same meaning when used herein. Terms defined in the singular shall have the same meaning when used in the plural and vice versa.

2. Amendments. The Promissory Note is hereby modified and amended as follows:

(a) Section: *Payment*

1. Borrower will pay this loan in accordance with an amortization schedule produced in accordance with the Loan Agreement of 18 day of February, 2020. Borrower's first payment is due March 15<sup>th</sup>, 2020, and all subsequent payments will be due as shown on the amortization schedule, a copy of which shall be attached to a signed copy of this note. **Any payment ten days late shall be assessed a late charge of \$20.00 which shall accompany the late payment. Payments after 20 days shall be subject to the default provisions hereinafter described.** Borrower's final payment will be due on March 15<sup>th</sup>, 2024 and will be a final payment in such amount to pay the balance of the note and for all principal and all accrued interest not yet paid.

3. References. Each reference in the Loan Documents to any of the Loan Documents shall be deemed to be a reference to such documents as modified hereby.

4. Agreement Remains in Full Force and Effect. The Loan Documents are ratified and affirmed by Borrower and shall remain in full force and effect as modified hereby. Any property rights or rights to or interests in property granted as security in the Loan Documents shall remain as security for the Loan and the obligations of Borrower in the Loan Documents.

This Amendment, Promissory Note, and the Loan Agreement shall be read and interpreted together as one agreement.



# Sarah Townsend d/b/a Escape Tanning

<b>Loan amount</b>	10,000
<b>Annual interest rate</b>	2.75%
<b>Loan period in years</b>	4
<b>Start date of loan</b>	15-Mar-20
<b>Monthly payment</b>	\$220.24
<b>Number of payments</b>	48
<b>Total interest</b>	\$571.52
<b>Total cost of loan</b>	\$10,571.52

Payment Date	Payment	Principal	Interest	Total Interest	Balance
Start					\$10,000.00
Mar-20	\$220.24	\$197.32	\$22.92	\$22.92	\$9,802.68
Apr-20	\$220.24	\$197.78	\$22.46	\$45.38	\$9,604.90
May-20	\$220.24	\$198.23	\$22.01	\$67.39	\$9,406.67
Jun-20	\$220.24	\$198.68	\$21.56	\$88.95	\$9,207.99
Jul-20	\$220.24	\$199.14	\$21.10	\$110.05	\$9,008.85
Aug-20	\$220.24	\$199.59	\$20.65	\$130.70	\$8,809.26
Sep-20	\$220.24	\$200.05	\$20.19	\$150.88	\$8,609.20
Oct-20	\$220.24	\$200.51	\$19.73	\$170.61	\$8,408.69
Nov-20	\$220.24	\$200.97	\$19.27	\$189.88	\$8,207.72
Dec-20	\$220.24	\$201.43	\$18.81	\$208.69	\$8,006.29
Jan-21	\$220.24	\$201.89	\$18.35	\$227.04	\$7,804.40
Feb-21	\$220.24	\$202.35	\$17.89	\$244.93	\$7,602.04
Mar-21	\$220.24	\$202.82	\$17.42	\$262.35	\$7,399.23
Apr-21	\$220.24	\$203.28	\$16.96	\$279.30	\$7,195.94
May-21	\$220.24	\$203.75	\$16.49	\$295.79	\$6,992.19
Jun-21	\$220.24	\$204.22	\$16.02	\$311.82	\$6,787.98
Jul-21	\$220.24	\$204.68	\$15.56	\$327.37	\$6,583.29
Aug-21	\$220.24	\$205.15	\$15.09	\$342.46	\$6,378.14
Sep-21	\$220.24	\$205.62	\$14.62	\$357.08	\$6,172.52
Oct-21	\$220.24	\$206.09	\$14.15	\$371.22	\$5,966.42
Nov-21	\$220.24	\$206.57	\$13.67	\$384.90	\$5,759.85
Dec-21	\$220.24	\$207.04	\$13.20	\$398.10	\$5,552.81
Jan-22	\$220.24	\$207.51	\$12.73	\$410.82	\$5,345.30
Feb-22	\$220.24	\$207.99	\$12.25	\$423.07	\$5,137.31
Mar-22	\$220.24	\$208.47	\$11.77	\$434.84	\$4,928.84
Apr-22	\$220.24	\$208.94	\$11.30	\$446.14	\$4,719.90
May-22	\$220.24	\$209.42	\$10.82	\$456.95	\$4,510.47
Jun-22	\$220.24	\$209.90	\$10.34	\$467.29	\$4,300.57
Jul-22	\$220.24	\$210.38	\$9.86	\$477.15	\$4,090.18
Aug-22	\$220.24	\$210.87	\$9.37	\$486.52	\$3,879.32
Sep-22	\$220.24	\$211.35	\$8.89	\$495.41	\$3,667.97
Oct-22	\$220.24	\$211.83	\$8.41	\$503.82	\$3,456.13

Nov-22	\$220.24	\$212.32	\$7.92	\$511.74	\$3,243.81
Dec-22	\$220.24	\$212.81	\$7.43	\$519.17	\$3,031.01
Jan-23	\$220.24	\$213.29	\$6.95	\$526.12	\$2,817.71
Feb-23	\$220.24	\$213.78	\$6.46	\$532.57	\$2,603.93
Mar-23	\$220.24	\$214.27	\$5.97	\$538.54	\$2,389.66
Apr-23	\$220.24	\$214.76	\$5.48	\$544.02	\$2,174.89
May-23	\$220.24	\$215.26	\$4.98	\$549.00	\$1,959.64
Jun-23	\$220.24	\$215.75	\$4.49	\$553.49	\$1,743.89
Jul-23	\$220.24	\$216.24	\$4.00	\$557.49	\$1,527.65
Aug-23	\$220.24	\$216.74	\$3.50	\$560.99	\$1,310.91
Sep-23	\$220.24	\$217.24	\$3.00	\$563.99	\$1,093.67
Oct-23	\$220.24	\$217.73	\$2.51	\$566.50	\$875.94
Nov-23	\$220.24	\$218.23	\$2.01	\$568.51	\$657.70
Dec-23	\$220.24	\$218.73	\$1.51	\$570.01	\$438.97
Jan-24	\$220.24	\$219.23	\$1.01	\$571.02	\$219.74
Feb-24	\$220.24	\$219.74	\$0.50	\$571.52	\$0.00

CITY OF SAINT PAUL  
704 6<sup>TH</sup> STREET  
SAINT PAUL, NEBRASKA 68873

NOTICE OF TIME AND PLACE OF  
SPECIAL MEETING

NOTICE IS HEREBY GIVEN THAT A SPECIAL MEETING OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SAINT PAUL, NEBRASKA, WILL BE HELD AT **5:30 P.M. FOR CITY COUNCIL AND 6:00 P.M. FOR IBEW 1597 UNION TO JOIN THE CITY COUNCIL ON THURSDAY, FEBRUARY 27, 2020** IN THE CITY COUNCIL CHAMBERS. THIS MEETING WILL BE OPEN TO THE PUBLIC. AN AGENDA FOR SUCH MEETING IS KEPT CONTINUALLY CURRENT AND IS AVAILABLE FOR PUBLIC INSPECTION AT THE OFFICE OF THE CITY CLERK AT THE CITY UTILITIES OFFICE. **THE PURPOSE OF THIS MEETING IS FOR UNION NEGOTIATIONS REGARDING THE IBEW 1597 UNION CONTRACT BETWEEN THE CITY OF SAINT PAUL AND IBEW 1597 UNION.** POSTED THIS 5TH DAY OF FEBRUARY 2020.



\_\_\_\_\_  
CONNIE JO BECK  
CITY CLERK/DEPUTY TREASURER

# ACE

PUBLIC ALLIANCE  
FOR COMMUNITY ENERGY

Public Alliance for Community Energy  
8377 Glynoaks Dr.  
Lincoln, NE 68516

1001

DATE February 6, 2020

PAY  
TO THE  
ORDER OF

Saint Paul

\$

5,033.00

Five thousand and thirty-three DOLLARS

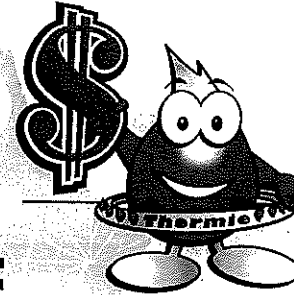
**ACE GIVES BACK!**

ACE has returned more than  
\$2.7 million to Nebraska communities  
through its revenue return program.

Heating your home.  
Powering your community.

FOR

Member Distribution



Thermie

⑆ 1 2 3 4 5 ⑆ 6 7 8 ⑆

⑆ 1 2 3 4 5 ⑆ 6 7 8 ⑆



INVOICE

Nebraska Clerk Institute  
University of Nebraska at Omaha  
Federal Identification: 47-0491233

Reference: Registration Fee  
Invoice Number: Royle, L  
Date: February 4, 2020

SOLD TO: Lori Royle  
704 6<sup>th</sup> St  
St. Paul, NE 68873-2021

Credit 42-0308-0100/Source 452600

Description	Amount
Registration fee for the 2019 Nebraska Municipal Clerk Institute	\$443.00
Early Registration Discount <i>Credit CC</i> →	(\$50.00)
NMCA Scholarship <i>Credit CC</i> →	(\$393.00)
<b>Please Pay This Amount</b>	<b>\$0.00</b>

Please make check payable to: **University of Nebraska at Omaha**

Remit payment to: Nebraska Municipal Clerk Institute - CB 111  
University of Nebraska at Omaha  
6001 Dodge Street  
Omaha, NE 68182  
Phone: 402-554-2636



INVOICE  
Nebraska Clerk Institute  
University of Nebraska at Omaha  
Federal Identification: 47-0491233

Reference: Registration Fee  
Invoice Number: Beck, C  
Date: February 4, 2020

SOLD TO: Connie Jo Beck  
901 13<sup>th</sup> Ave  
St. Paul, NE 68873

Credit 42-0308-0100/Source 452600

Description	Amount
Registration fee for the 2019 Nebraska Municipal Clerk Institute	\$273.00
Early Registration Discount <i>Credit CC</i>	(\$50.00)
NMCA Scholarship <i>Credit CC</i>	(\$50.00)
<b>Please Pay This Amount</b>	<b>\$173.00</b>

Please make check payable to: **University of Nebraska at Omaha**

Remit payment to: Nebraska Municipal Clerk Institute - CB 111  
University of Nebraska at Omaha  
6001 Dodge Street  
Omaha, NE 68182  
Phone: 402-554-2636

**City of St. Paul - Certificates of Deposit**

**Dept. Fund**

**01/31/2020**

**(All CD's are automatically renewable)**

<b>BANK</b>	<b>CD #</b>	<b>MATURITY DATE</b>	<b>AMOUNT</b>	<b>TERM</b>	<b>CURRENT RATE</b>	<b>INTEREST</b>
<b>General (Homestead)</b>	3212279	7/8/24	\$152,670.84	60 Months	2.90%	Compound Qtrly
<b>General (Citizens)</b>	109366	11/15/23	\$57,165.12	60 Months	3.20%	Mthly Compound
<b>General (Citizens)</b>	109367	11/15/23	\$57,154.81	60 Months	3.20%	Mthly Compound
<b>General (Homestead)</b>	3212199	2/2/22	\$39,924.25	60 Months	1.65%	Compound Qtrly
<b>General (Homestead)</b>	3051705	4/10/22	\$220,292.89	60 Months	1.70%	Compound Qtrly
		<b>Total</b>	<b>\$527,207.91</b>			
<b>Light (Homestead)</b>	3640996	5/15/22	\$43,786.26	60 Months	1.70%	Compound Qtrly
<b>Light (Homestead)</b>	3212195	2/22/22	\$41,500.22	60 Months	1.65%	Compound Qtrly
		<b>Total</b>	<b>\$85,286.48</b>			
<b>Water (Homestead)</b>	3212196	2/2/22	\$ 31,519.15	60 Months	1.65%	Compound Qtrly
		<b>Total</b>	<b>\$ 31,519.15</b>			

# City of St. Paul - Certificates of Deposit

Dept. Fund

01/31/2020

(All CD's are automatically renewable)

Sewer (Homestead)	3212197	2/2/22	\$36,772.36	60 Months	1.65%	Compound Qtrly
Sewer (Homestead)	3212198	2/2/22	\$36,772.36	60 Months	1.65%	Cmpound Qtrly
		<b>Total</b>	<b>\$73,544.72</b>			
Fire (Homestead)	3212200	2/2/22	<b>\$24,164.69</b>	60 Months	1.65%	Compound Qtrly
Ambulance (Homestead)	3212201	2/2/22	<b>\$52,006.60</b>	60 Months	1.65%	Compound Qtrly
Park (Homestead)	3212202	2/2/22	<b>\$42,025.55</b>	60 Months	1.65%	Compound Qtrly
Sale Tx (Homestead) <b>11302</b>	3327564	4/24/22	<b>\$79,527.86</b>	60 Months	1.67%	Compound Qtrly
<b>Totals</b>			<b>\$915,282.96</b>			

**City of St. Paul  
Receipts  
January 2020**

Date	From	Account	Description & Breakdown	Amount	
1/3/2020	City Office	V.P. Bond	K. Schroeder - Assessments	1,404.88	
			Water Princ. 507.73, Int. 54.22		
			Sewer Princ. 761.59, Int. 81.34		
1/8/2020	City Office	Recreation	After School Program Fees	400.00	
1/9/2020	City Office	General	LARM - Killinger CIR Case	177.00	
1/10/2020	State of Nebraska	Streets	January 2020 Highway Allocation	32,752.79	
1/10/2020	City Office	Cemetery	Szatko - Niche engraving	150.00	
1/10/2019	City Office	Cemetery	Jacobsen/Greenway	400.00	
			Michalski Service O/C		
1/13/2020	Howard County Treasurer	V.P. Bond	Collections	16,764.89	
1/13/2020	Howard County Treasurer		Collections	56,734.14	
			General 12,170.37		(\$75 fines -
			Fire 2,582.06		school)
			Police 19,623.63		
			Cemetery 1,549.24		
			Pool 4,131.29		
			Park 4,647.70		
			Library 6,196.94		
			Senior Center 516.41		
			Civic Center 516.41		
			Streets - Motor Tax 4,644.14		
			Streets - Pro Rate 155.95		
1/14/2020	Clearfly	General	Telephone ACH setup	0.20	
1/14/2020	Clearfly	General	Telephone ACH setup	0.64	
1/14/2020	City Office	Recreation	After School Program Fees	225.00	
1/14/2020	City Office	General	Black Hills Energy - Franchise Fee	8,722.13	
1/14/2020	City Office	Lights	Diamond Engineer.- Pole Damage	1,377.58	
1/17/2020	TMCRDC5335	Ambulance	St. Paul Rescue Service	87.96	
1/17/2020	City Office	V.P. Bond	Tommy-Rene Printers - Paving	59.38	
			Princ. 56.02, Int. 3.36		
1/21/2020	City Office	V.P. Bond	Goodenberger assessments	65.00	
			Water Princ. 20.59, Int. 5.41		

City of St. Paul

Receipts

January 2020

			Sewer Princ. 30.88, Int. 8.12	
1/23/2020	Wisconsin Physician Services	Ambulance	HCCLAIMPmt	428.17
1/30/2020	BCBSNE	Ambulance	St. Paul Rescue Service - Claims	109.22
1/31/2020	City Office	Recreation	After School Program Fees	225.00
1/31/2020	Homestead Bank	General	Interest on Checking for January	69.74
Other Accounts:				
1/2/2020	City Office - Herv's Transmission payment to Sales Tax 300-504-420 Princ. 1,270.38, Late 20.00			1,290.38
1/2/2020	City Office- Augy's Fitness payment to Sales Tax 300-504-420 Princ. 653.90, Int. 96.10			750.00
1/8/2020	City Office - State of Nebraska - to Light 300-504-981 - North Yards Rent			250.00
1/8/2020	City Office - U-Betcha Auto payment to Sales Tax 300-504-420 Princ. 1,083.83, Int. 66.34			1,150.17
1/8/2020	City Office - L & M Enterprises payment to Sales Tax 300-504-420 Princ. 1,734.31, Int. 198.71			1,933.02
1/8/2020	City Office - C. Hamilton payment to P.I. 300-504-684 Princ. 26.74, Int. 13.26			40.00
1/8/2020	City Office - Northrup's payment to Sales Tax 300-504-420 Princ. 313.06, Int. 17.94, Penalty 20.00			351.00
1/14/2020	City Office - Hastings Keno - Audit Reimbursement to Keno 300-504-409			2,000.00
1/14/2020	City Office - Teresa's Floral - payment to REDLG 300-301-465 Princ. 229.88, Int. 41.60			271.48
1/14/2020	City Office - Howard County Medical Center - Admin. Fee 2,500.00, Principal 5,000.00			7,500.00
1/14/2020	City Office - Creative Hands payment to Sales Tax 300-504-420 Princ. 272.48, Int. 77.52			350.00
1/14/2020	City Office - County Cage payment to Sales Tax 300-504-420 Princ. 420.44, Int. 154.56			575.00
1/14/2020	City Office - Creative Hands payment to Sales Tax 300-504-420 Princ. 272.48, Int. 77.52			350.00
1/15/2020	City Office - Escape Tanning payment to Sales Tax 300-504-420 Princ. 141.22, Int. 13.78			155.00
1/16/2020	City Office - St. Paul Keno to Keno 300-504-409			6,070.55
1/17/2020	City Office - Starkey payment Water - Princ. 44.30, Int. 8.36; Sewer - Princ. 44.30, Int. 8.36			105.32
1/21/2020	City Office - Secure Storage payment to P.I. 300-504-684 Princ. 85.28, Int. 14.72			100.00
1/21/2020	City Office - Osterman payment to P.I. 300-504-684 - Street Assess.- Princ. 58.72, Int. 41.28			100.00
1/21/2020	City Office - Bed Head payment to Sales Tax 300-504-420 Princ. 400.52, Int. 249.48			650.00
1/21/2020	Connie transferred \$69,036.00 from Heritage 4110025 to checking 300-100-027 for disbursements			
1/21/2020	State of Nebraska - November 2019 Sales Tax to 300-504-420			28,788.21
	Connie transferred \$3,835.42 from above Sales Tax deposit to checking 100-027 for streets			
1/24/2020	City Office - Teresa Valasek Martinsen - Paving payment to P.I 300-504-684			2,054.33
	Principal 1,991.85, Int. 62.48			
	City Office - Housing Grant Savings 300041780 for month			
	Homestead Bank - Interest on City Sales Tax Checking 300-300-277			0.84

**City of St. Paul  
Receipts  
January 2020**

	Homestead Bank - Interest on St. Paul Civic Center Checking 300-300-749	0.42
	Homestead Bank - Interest on City REDLG 300-301-465	3.42
	Homestead Bank - Interest on Water MMDA 300-504-189	2.99
	Homestead Bank - Interest on Keno MMDA 300-504-409	25.21
	Homestead Bank - Interest on Sales Tax P.I. 300-504-420	44.62
	Homestead Bank - Interest on Pool Construction MMDA 300-504-442	1.00
	Homestead Bank - Interest on Premium Investment 300-504-684	34.76
	Homestead Bank - Interest on General Equipment Sinking MMDA 300-504-805	3.96
	Homestead Bank - Interest on Sewer & Building Equipment Fund MMDA 300-504-849	3.85
	Homestead Bank - Interest on Police Equipment Fund MMDA 300-504-860	2.15
	Homestead Bank - Interest on Senior Center Fund MMDA 300-504-882	0.78
	Homestead Bank - Interest on Brick Account MMDA 300-504-915	0.17
	Homestead Bank - Interest on Library Maintenance Reserve MMDA 300-504-970	2.60
	Homestead Bank - Interest on Light Sinking Fund MMDA 300-504-981	5.45
	Homestead Bank - Interest on Fire Sinking Fund MMDA 300-504-992	3.31
	Homestead Bank - Interest on EMT Sinking Fund MMDA 300-505-003	1.13
	Homestead Bank - Interest on Street Sinking Fund MMDA 300-505-014	1.15
	Homestead Bank - Interest on Park Equipment Sinking Fund MMDA 300-505-025	2.41
	Homestead Bank - Interest on TIF Projects MMDA 300-505-036	0.08
	Homestead Bank - Interest on After School MMDA 300-505-146	0.27
	Homestead Bank - Interest on St. Paul Elmwood Cemetery Foundation 300-505-168	1.22
	Homestead Bank - Interest on Civic Center Sinking Fund MMDA 300-505-179	1.79
1/31/2020	Homestead Bank - City Light TCD # 3212195	171.88
1/31/2020	Homestead Bank - City Water TCD #3212196	130.54
1/31/2020	Homestead Bank - City Sewer TCD #3212197	152.30
1/31/2020	Homestead Bank - City Sewer TCD #3212198	152.30
1/31/2020	Homestead Bank - City General TCD #3212199	165.35
1/31/2020	Homestead Bank - City Fire TCD #3212200	100.08
1/31/2020	Homestead Bank - City Ambulance TCD #3212201	215.39
1/31/2020	Homestead Bank - City Park TCD #3212202	174.06
1/24/2020	Homestead Bank - Sales Tax TCD #3327564	333.35
1/10/2020	Homestead Bank - General TCD #3051705	939.91
1/15/2020	Homestead Bank - Light TCD #3640996	186.82

**City of St. Paul  
Receipts  
January 2020**

1/8/2020	Homestead Bank - General TCD #3212279		1,107.86
1/31/2020	Citizens Bank & Trust - Interest on Cafeteria 125 102407		2.47
1/31/2020	Citizens Bank & Trust - Interest on Health Deductible 102482		11.16
1/31/2020	Citizens Bank & Trust - Interest on Sales Tax Infrastructure 102342		23.12
1/31/2020	Citizens Bank & Trust - Interest on Light ICS MMA 103217		1,720.78
1/21/2020	Citizens Bank & Trust - Interest on Water ICS MMA 103225		213.36
1/31/2020	Citizens Bank & Trust - Interest on Sewer ICS MMA 103241		443.85
1/31/2020	Citizens Bank & Trust - Interest on General ICS MMA 103209		2,621.30
1/31/2020	Citizens Bank & Trust - Interest on Building Sinking ICS MMA 103233		105.57
1/31/2020	Citizens Bank & Trust - Interest on Firemen ICS MMA 103268		263.69
1/31/2020	Citizens Bank & Trust - Interest on Ambulance ICS MMA 103276		572.87
1/31/2020	Citizens Bank & Trust - Interest on Park ICS MMA 103284		221.74
1/31/2020	Citizens Bank & Trust - Interest on Police ICS MMA 103292		98.46
1/31/2020	Citizens Bank & Trust - Interest on Keno ICS MMA 103314		145.01
1/31/2020	Citizens Bank & Trust - Interest on Streets ICS MMA 103349		133.90
1/31/2020	Citizens Bank & Trust - Interest on Library ICS MMA 103365		72.67
1/31/2020	Citizens Bank & Trust - Interest on Senior Center ICS MMA 103373		66.95
1/31/2020	Citizens Bank & Trust - Interest on Red Leg ICS MMA 103381		138.47
1/31/2020	Citizens Bank & Trust - Interest on Pool ICS MMA 103438		44.63

# LEGISLATIVE BULLETIN

## LEAGUE OF NEBRASKA MUNICIPALITIES

106th Legislature, Second Session

Feb. 7, 2020 - Bulletin 5



### ITEMS OF INTEREST TO MUNICIPALITIES

- **Please contact your Senator(s) to support LB 242 to provide funding for municipal water and wastewater infrastructure.**
- **Contact your Senator(s) to oppose LB 960 and LB 1046, which would affect municipal budgets. Hearings will be held on bills designed to restrict municipal ability to manage budget and limit cable television revenues.**
- **Contact your Senator(s) to oppose LB 898 that would restrict municipal ability to regulate cell towers.**
- **LB 1155, LB 794, LB 866:** Urban Affairs Committee holds hearing on bills dealing with housing.
- **LB 107:** Senators pass bill to update plumbing board statutes.
- **LB 781:** Bill to require continuing education for municipal treasurers.
- **Check the Legislature's web site** for more information about your state Senators and the session. The web site address is <http://nebraskalegislature.gov/web/public/home>.

NOT ALL ITEMS OF INTEREST ARE INCLUDED ON THIS LIST.  
ALSO SEE THE REMAINDER OF THE LEGISLATIVE BULLETIN.

## LB 1155, LB 794, LB 866: Urban Affairs Committee holds hearing on bills dealing with housing

On Feb. 4, the Urban Affairs Committee heard three bills dealing with housing issues in municipalities.

**LB 1155**, introduced by **Sen. Tony Vargas** of Omaha, directs funds to low-income neighborhoods for the construction of new or rehabilitation of existing middle-income, owner-occupied housing. The Department of Economic Development will award grants to nonprofit organizations working in communities that demonstrate a need for additional owner-occupied housing. Several housing and homebuilder organizations and the **League**, testified in favor of this bill.

**Sen. Matt Hansen** of Lincoln introduced **LB 794**, which creates the Missing Middle Housing Act. The act allows the development of middle housing in areas zoned for detached single-family dwellings for cities with populations over

5,000. The bill defines “middle housing” as duplexes, triplexes, quadplexes, cottage clusters and townhouses. To implement, cities are required to amend zoning ordinances or regulations by Jan. 1, 2022. Many organizations, including housing advocates, homebuilders, realtors, AARP and the Sierra Club testified in favor of the bill citing the need for more economical housing in communities. A **League representative** testified against the bill citing concerns about mandates on municipalities. The Cities of Lincoln and Omaha testified in a neutral capacity citing the need for additional affordable housing in their communities, but also raising concerns about the mandate.

Finally, **Sen. Justin Wayne** of Omaha introduced **LB 866** that adopts the Density Bonus and Inclusionary Housing Act. The act is designed to incentivize affordable housing projects in cities of the met-

### 2020 LEGISLATIVE SESSION



ropolitan class, cities of the primary class, and cities of the first class by providing residential density increases and regulatory concessions and incentives for housing developments that include a certain percentage of income-restricted rental units for low-income or very low-income residents. Under the Act, only housing developments located in an area that has been designated as substandard and blighted under the Community Development Law would be eligible for density increases and regulatory concessions and incentives. Similar groups that testified on **LB 794** also testified in favor of **LB 866**. A **League representative** and the **City of Omaha** testified in opposition to the bill stating again their oppositions to municipal mandates. A representative of the **City of Lincoln** testified in the neutral capacity stating Lincoln already allows for a density bonus in certain circumstances.

Since the Urban Affairs Committee seems interested in prioritizing one or all these bills, the League will meet with Sen. Wayne and other stakeholders soon about possible compromises. Further updates on these bills will appear in future *Bulletins*.

### How to find out when a bill is scheduled for a public hearing

The weekly schedule of committee hearings is prepared for publication each Friday during session. The schedule is not available until after the Legislature adjourns for the day. The schedule is available in the Clerk of the Legislature's office

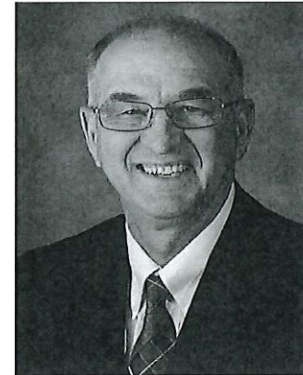
and is published in the *Sunday Lincoln Journal Star*, the *Sunday World Herald* and the *Unicameral Update*, the Legislature's weekly newsletter produced during session. The schedule also is included in the League's *Legislative Bulletin*.

**LB 107: Senators pass bill to update plumbing board statutes**

On Feb. 6, the Legislature passed **LB 107**, introduced by **Sen. Myron Dorn** of Adams. LB 107 cleans-up and modernizes laws regarding plumbing boards. Some changes include lengthening the term of office for plumbers on the board from three to four years; eliminating the requirement that the plumbing board meet every two weeks and adding language requiring the

board to meet at least once a year but as often as needed when called by the chair of the plumbing board; and allowing the plumbing license fee to be set by the city council or village board. Current law sets the fee at \$1 for an annual license. The Urban Affairs Committee added a committee amendment to the bill that requires the chairperson of the plumbing board to call a meeting of the plumbing board upon request of a license applicant, licensee or another member of the plumbing board. The committee amendment also provides that the fee for a plumbing license cannot exceed the cost of administering the licensing program.

During the debate on General File, concerns were raised about allowing municipalities to determine the fees for plumbing license based on the cost to the municipality. As a result, during the second round of debate,



*Sen. Myron Dorn*

an amendment was added that caps the fee at \$25.

The Legislature passed LB 107 on a 37-8 vote. The bill now moves to the Governor's desk for his signature.

Thanks again to the **City of Beatrice** for bringing this important issue to the attention of the League legislative committees. And, thanks to Sen. Dorn and his staff for all their work on LB 107!

### State Capitol Mailing Address

Senator  
District Number  
State Capitol  
PO Box 94604  
Lincoln, NE 68509-4604

**LB 781: Bill to require continuing education for municipal treasurers**

Citing the recent headlines of financial irregularities in local governments, **Sen. John Stinner** of Gering introduced **LB 781** to require municipal and county treasurers to complete annual continuing education programs. Municipal clerks also serving as treasurers are required to complete the training. The cost of attending the training will be at the expense of the municipality but the Auditor of Public Accounts, who will

approve the training and maintain the records of program attendance, assured Senators at the hearing that webinar and distance learning seminars will be available.

At the hearing before the Government, Military and Veterans Affairs Committee, Sen. Stinner introduced an amendment requiring the Auditor of Public Accounts to consult with the League of Nebraska Municipalities and the Nebraska Association of County Officials in

approving the continuing education programs. In conversations with the Auditor, League conferences and training will be approved for these continuing education hours.

The **Auditor of Public Accounts**, the **Nebraska Association of County Officials**, the **Sarpy County Treasurer**, the **Platte Institute** and a **League representative** testified in favor of the bill.

There was no opposition at the hearing.

## Please urge your Senator(s) to support LB 242

On Feb. 10, the full Legislature will discuss **LB 242**, introduced by Omaha **Sen. Brett Lindstrom**. Sen. Lindstrom also has designated LB 242 as his priority bill.

LB 242 would return a portion of the STATE portion of the sales tax on water and wastewater to municipal utilities and MUD. The funds could be used for:

- Infrastructure improvements relating to constructing, upgrading, redeveloping or replacing sewer and water infrastructure facilities;
- Paying for the redevelopment and replacement of obsolete water or sewer facilities; or
- Repaying bonds issued and pledged for such work.

The bill provides that the state shall pay each political subdivision, sewer utility or water utility a percentage of the state sales tax imposed on sewer and potable water fees and collected by such political subdivision or utility. The amount of this “turn back” would be:

- 2 percent for sales taxes from July 1, 2019 through June 30, 2021;
- 3 percent for sales taxes imposed from July 1, 2021 through June 30, 2023; and
- 4 percent for sales taxes imposed on and after July 1, 2023.

Please communicate to your Senator(s) that you have many uses for these types of monies and



Sen. Brett Lindstrom

you would use them wisely. Some Senators seem concerned that municipalities might pocket the money and put it in the General Fund. So, you also might assure your Senator that you would use this money for much needed projects.

## LB 1046, LB 960: Transportation and Telecommunications Committee to hear 2 bills that reduce budget revenues

On Feb. 11, two legislative committees will hear bills that might have the effect of reducing your available revenues for your budget.

The Legislature’s Transportation and Telecommunications Committee will hear testimony on **LB 1046**, introduced by Henderson Sen. Curt Friesen, who also is chair of that committee. LB 1046 caps the franchise fee that a municipality can charge a cable television provider to 3 percent. Federal law caps the amount at 5 percent. Also, your cable television agreement is a privately negotiated contract and this bill would usurp that contract, creating numerous constitutional

issues including impairment of contract. If you want to oppose LB 1046 please provide a written communication by Monday at 5:00 p.m. to the following address:

**Sen. Curt Friesen**

Chairperson – Transportation and Telecommunications Committee  
Room #1110  
PO Box 94604  
Lincoln, NE 68509

The email is cfriesen@leg.ne.gov  
If you would like to oppose LB 1046 in person, please let the League Office know on Monday, (Feb. 10).

Also, on Feb. 11, the Urban Affairs Committee will hear testimony on

**LB 960**, introduced by Henderson Sen. Friesen. LB 960 is an attempt to limit the ability of a municipality to transfer money from a municipal utility to the General Fund. The League has been told by some Senators that municipalities are using this process to “get around the lid” and “that municipalities are transferring too much to the General Fund.” Please communicate to your Senator(s) that these transfers are already under the restricted fund lid and that there are court cases that require that your utility rates are not confiscatory to the rate payer so it would be almost impossible

*Continued on page 5*

## **LB 898: Transportation and Telecommunications Committee hears testimony on bill to further restrict municipal ability to regulate cell phone towers, other wireless support facilities**

On, Feb. 3, the Transportation and Telecommunications Committee heard testimony on **LB 898**, introduced by **Sen. Curt Friesen** of Henderson. LB 898 would further restrict your ability to regulate cell phone towers, wireless facility co-locates and placement of other wireless support facilities. LB 898 would cap municipal fees and costs passed on to the wireless facility applicant to \$500 or \$1,000 depending on a complicated definition of the project scope that would be added to Nebraska law. The new definitions also prompted concerns in some testifiers that the bill would

be the first step to creating a regulatory system for large towers similar to the system adopted last year for small cells.

Included with the *Bulletin* is an outstanding handout distributed at the hearing with a picture of a 2017 collapsed cell tower in Columbus that fell to within inches of a residential dwelling. This tower collapse prompted Columbus to create a more rigorous review process that often costs more than \$1,000.

Opposition testimony to LB 898 was provided by Lincoln Electric System General Counsel **Shelley Sahling-Zart**, representing LES, the City of Lincoln and the Nebraska Power Association; **Tara Vasicek**, representing the City of Colum-

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bus; **Jack Cheloha**, representing the City of Omaha; **Joe Kohout**, representing the Cities of LaVista and Papillion; and, a **League representative**. LB 898 was supported by the Nebraska Viaero Wireless, AT&T, the Nebraska Telecommunications Association, US Cellular and the Nebraska Association of County Officials.

## **LB 1046, LB 960**

*Continued from page 4*

to make unreasonable transfers of utility funds to the General Fund.

If you want to oppose LB 960 please provide a written communication by Monday at 5 p.m. to the following address:

**Sen. Justin Wayne**

Chairperson – Urban Affairs  
Committee

District 13

Room #1115

PO Box 94604

Lincoln, NE 68509

The email is [jwayne@leg.ne.gov](mailto:jwayne@leg.ne.gov).

If you would like to oppose LB 960 in person, please let the League Office know on Monday.

### **LB 1189: League opposes unfunded mandate to adopt the enhanced Firefighter Cancer Benefits Act**

The Revenue Committee held a hearing on **LB 1189** on Feb. 5. LB 1189 was introduced by Omaha **Sen. Mike McDonnell** to adopt the Firefighter Cancer Benefits Act and provide for an income tax exemption for such benefits. Several paid and

volunteer firefighters testified in support of the bill. The **City of Omaha** and a **League representative** testified in opposition to LB 1189.

More information will be provided in next week's *Bulletin*.

## 2020 Committee Hearings

The order of the bills listed may not be the order in which they are heard that day in committee.

**Monday, February 10, 2020**

**Appropriations**  
**Room 1524 - 1:30 p.m.**

**LB 827** (Hilkemann) Appropriate funds to the Department of Health and Human Services

**LB 874** (Howard) Restate intent regarding funding programs from the Nebraska Health Care Cash Fund

**LB 877** (Walz) State intent regarding appropriations for aging and disability resource centers

**LB 1093** (Stinner) State intent regarding appropriations for nursing facility services under the medical assistance program

**LB 1215** (Walz) Appropriate funds to the Department of Health and Human Services Agency 25 Health and Human Services

Note: Operations, Medicaid and Long Term Care, Developmental Disabilities

**Banking, Commerce and Insurance**  
**Room 1507 - 1:30 p.m.**

**LB 808** (La Grone) Provide for ratification of defective corporate actions under the Nebraska Model Business Corporation Act

**LB 954** (Lindstrom) Change insurance provisions relating to fees for dental services

**LB 988** (Hilgers) Provide restrictions on business entity ownership with respect to certain professional services

**Business and Labor**  
**Warner Chamber - 1:30 p.m.**

**LB 813** (Bolz) State intent regarding appropriations for apprenticeships and provide powers for the Department of Labor

**LB 1216** (Vargas) Adopt the H3 Rural Renewal Award Act

**LB 1160** (Hansen, M.) Adopt the Nebraska Workforce and Education Reporting System Act

**LB 1101** (Halloran) Change the schedule of compensation for certain injuries resulting in disability under the Nebraska Workers' Compensation Act

**LB 1103** (Hansen, M.) Change requirements for lump-sum settlement approval or release by the Nebraska Workers' Compensation Court

## 2020 Committee Hearings

### Education

Room 1525 - 1:30 p.m.

**LB 1111** (McDonnell) Create a grant program for the State Treasurer to award private donations and temporary school funds to common schools as prescribed

**LB 1153** (Vargas) Change provisions for diploma of high school equivalency testing

**LB 1151** (Vargas) Redefine eligible student and provide for prioritization of awards under the Nebraska Opportunity Grant Act

**LB 1217** (Wayne) Require individualized response plans following a report of certain types of incidents involving students

### General Affairs

Room 1510 - 1:30 p.m.

**LB 1090** (Blood) Allow local governing bodies to suspend liquor licenses for nonpayment of taxes, fees, and special assessments

**LB 1163** Wayne Provide for transportation and storage of alcohol by retail licensees for customer pickup

**LB 971** Wayne Redefine a lottery to include wagers made on the outcome of an authorized sporting event

**LB 990** Wayne Adopt the Games of Skill Act and use proceeds to reduce school district property tax levies

**LR 295CA** Wayne Constitutional amendment to allow the Legislature to authorize, regulate, and tax any game of chance

### Transportation and Telecommunications

Room 1113 - 1:30 p.m.

**LB 1088** (Friesen) Provide for personalized message specialty license plates

**LB 843** (Cavanaugh) Provide for Donate Life license plates

**LB 903** (Kolowski) Provide for Down Syndrome Awareness license plates

**LB 921** (Hilkemann) Provide for The Good Life Is Outside Plates

**LB 942** (Hunt) Provide for Support the Arts license plates

**LB 1139** (Wishart) Provide for Pets for Vets license plates

# 2020 Committee Hearings

Tuesday, February 11, 2020

## Agriculture

Room 1003 - 1:30 p.m.

Appointment Anderson, Britt D. - Beginning Farmer Board

Appointment Nielsen, Dave W. - Beginning Farmer Board

Appointment Thornburg, Wade E. - Beginning Farmer Board

**LB 1159** (Stinner) Change certain use restrictions and provide for unlimited license examination attempts under the Pesticide Act

**LB 1040** (Vargas) Provide for a state food insecurity nutrition incentive grant program

## Appropriations

Room 1524 - 1:30 p.m.

**LB 779** (Stinner) State intent regarding appropriations to the Department of Health and Human Services

**LB 897** (Cavanaugh) Appropriate funds for behavioral health aid

**LB 1100** (Bolz) State intent regarding appropriations for mental health and behavioral health services

**LB 1146** (Howard) Appropriate funds for the Youth Rehabilitation and Treatment Center Kearney

**LB 1161** (Hansen, M.) Appropriate funds to the Department of Health and Human Services

Agency 25 Health and Human Services

Note: Public Health, Children and Family Services, Behavioral Health, Facilities

## Banking, Commerce and Insurance

Room 1507 - 1:30 p.m.

**LB 997** (Morfeld) Adopt the Out-of-Network Emergency Medical Care Act

**LB 767** (Lindstrom) Change provisions on breach of warranty on improvements to real property and provisions under the Nebraska Condominium Act

**LB 1199** (Lindstrom) Change provisions relating to motor vehicle service contract reimbursement insurance

## 2020 Committee Hearings

### Education

Room 1525 - 1:30 p.m.

**LB 1076** (Bolz) Change provisions relating to eligible programs for the Community College Gap Assistance Program Act

**LB 1080** (Lathrop) Require school policies that prohibit sexual conduct with students and former students

**LB 1134** (Wayne) Change enrollment option limits and provisions for part-time enrollment in schools

**LB 1073** (DeBoer) Create the School Financing Review Commission, add basic funding aid, and change adjusted valuations, the local effort rate, and certification dates

### Transportation and Telecommunications

Room 1113 - 1:30 p.m.

**LB 1046** (Friesen) Change provisions relating to taxes and fees on community antenna television service

### Urban Affairs

Room 1510 - 1:30 p.m.

**LB 743** (Blood) Adopt updated electrical standards

**LB 1116** (Morfeld) Adopt the New School Construction and Water Access Act

**LB 864** (Wayne) Adopt the Bed Bug Detection and Treatment Act for cities of the metropolitan class

**LB 1114** (Hansen, M.) Change election provisions for sanitary and improvement districts

**LB 984** (Hunt) Provide deadlines for filling vacancies on certain city or village boards, authorities, and agencies

**LB 1178** (Wayne) Prohibit land banks from entering into certain agreements to temporarily hold real property

**LB 960** (Friesen) Change accounting of income provisions and provide a requirement for use of funds under the Municipal Proprietary Function Act

**Wednesday, February 12, 2020**

### Appropriations

Room 1003 - 1:30 p.m.

**LB 773** (Williams) Appropriate funds for the Rural Workforce Housing Investment Fund

**LB 1026** (Bolz) Appropriate funds to the University of Nebraska

## 2020 Committee Hearings

**LB 1050** (Vargas) Appropriate funds to the Coordinating Commission for Postsecondary Education

**LB 1069** (Bolz) Appropriate funds to the Board of Regents of the University of Nebraska

**LB 1098** (McDonnell) Appropriate funds to the Department of Economic Development

Agency 72 Economic Development, Department of

Agency 50 Nebraska State College System

Agency 51 University of Nebraska System

### Executive Board

**Room 1507 - 12:00 p.m.**

**LB1157** (Vargas) Provide for counting Nebraska residents in Nebraska prisons for redistricting purposes

**LB 1207** (McCollister) Adopt the Redistricting Act

### Government, Military and Veterans Affairs

**Room 1507 - 1:30 p.m.**

**LB 1193** (Linehan) Change election provisions for certain bond issue, tax levy, and property tax limitation questions

**LB 1110** (La Grone) Change procedures for calling a school bond election

**LB 1119** (La Grone) Restrict special elections under the Election Act as prescribed

**LB1120** (La Grone) Restrict special elections under the Election Act as prescribed

**LB 1086** (Hansen, M.) Provide for poll watchers under the Election Act

### Health and Human Services

**Room 1510 - 1:30 p.m.**

Appointment Bulger, Mark M. - Commission for the Blind and Visually Impaired

**LB 833** (Crawford) Exclude certain elderly care programs from the Health Care Facility Licensure Act

**LB 1053** (Health and Human Services) Require rules and regulations for hospital and nursing facility Medicaid reimbursement rates

**LB 1051** (Wishart) Create the Intergenerational Care Facility Incentive Cash Fund and provide for grants

**LB 1138** (Wishart) Establish a dementia registry

**LB 840** (Quick) Prohibit the use of electronic smoking devices as prescribed under the Nebraska Clean Indoor Air Act

## 2020 Committee Hearings

### Judiciary

Room 1113 - 1:30 p.m.

**LB 786** (Lathrop) Change rules on the use of restrictive housing and require screenings of inmates for serious mental illness, developmental disabilities, and traumatic brain injuries

**LB 978** (Murman) Provide for county, city, and village jail reimbursement

**LB 1082** (Morfeld) Increase the indigent defense court filing fee

**LB 1171** (Cavanaugh) Change provisions under the Healthy Pregnancies for Incarcerated Women Act

**LB1180** (Wayne) Change provisions regarding alternate jurors

**LB 1208** (Vargas) Change provisions relating to restrictive housing, immediate segregation, discipline, and other conditions of confinement in state correctional facilities

### Natural Resources

Room 1525 - 1:30 p.m.

Appointment Kreitman, Dan C. - Game and Parks Commission

**LB1173** (Erdman) Provide for limited transferable permits to hunt either antelope, deer, or elk

**LB 861** (Hughes) Change provisions of the Integrated Solid Waste Management Act with respect to consumer merchandise and containers

### Revenue

Room 1524 - 1:30 p.m.

**LB 892** (Hilgers) Change individual income tax brackets

**LR 300CA** (Erdman) Constitutional amendment to prohibit all forms of taxation other than a consumption tax

**LB 1130** (Groene) Change provisions relating to agreements and application deadlines under the Mutual Finance Assistance Act

**LB 1203** (Linehan) Change provisions relating to an income tax deduction for dividends received from certain corporations

**Thursday, February 13, 2020**

### Appropriations

Room 1003 - 1:30 p.m.

**LB 1154** (Hansen, M.) Appropriate funds to the State Department of Education

**LB 762** (Dorn) Provide for transfers to the Hall of Fame Trust Fund

**LB 780** (Stinner) Change provisions relating to appropriations from the Nebraska Arts and Humanities Cash Fund

## 2020 Committee Hearings

Agency 69 Arts Council, Nebraska  
Agency 13 Education, Department of  
Agency 47 Educational Telecommunications Commission, Nebraska  
Agency 54 Historical Society, Nebraska State  
Agency 31 Military Department  
Nebraska State Historical Society Cash Gift and an Addendum thereto for renovations to the Abbot Visitor Center at Chimney Rock National Park

### Government, Military and Veterans Affairs Room 1507 - 1:30 p.m.

**LB 1218** (Wayne) Adopt the Nebraska Historically Underutilized Business Program Act  
**LB 918** (Wayne) Create the Commission on African American Affairs and require a study  
**LB 1187** (La Grone) Change provisions relating to the Occupational Board Reform Act  
**LB 1068** (Hunt) Adopt the Interior Design Voluntary Registration Act

### Health and Human Services Room 1510 - 1:30 p.m.

Appointment Heyen, Brent - Commission for the Blind and Visually Impaired  
Appointment Scherbarth, Kimberly - Commission for the Blind and Visually Impaired  
**LB 893** (Bostelman) Change provisions relating to emergency care providers and provide for community paramedicine and critical care paramedics  
**LB 1002** (Bostelman) Change provisions relating to wholesale drug distribution for emergency medical reasons  
**LB 1124** (Howard) Adopt the Opioid Prevention and Treatment Act  
**LB 1058** (Howard) Adopt the Population Health Information Act  
**LB 1183** (Arch) Create the Health Information Technology Board and change prescription drug monitoring program provisions

### Judiciary Room 1113 - 1:30 p.m.

**LB 959** (Vargas) Limit habitual criminal enhancement to violent felonies  
**LB 985** (Pansing Brooks) Provide for Class ICA and IDA felony classifications and change penalties  
**LB 1117** (Pansing Brooks) Change sentencing provisions for crimes committed by a person under twenty-one years of age and change provisions relating to jurisdiction over juveniles  
**LB 1181** (Wayne) Adopt the Fair Sentencing Act and change provisions relating to mandatory minimums, the habitual criminal enhancement, and pretrial detention

## 2020 Committee Hearings

**LB 1209** (Vargas) Provide a diversion program for caregivers

**LR 281CA** (McCollister) Constitutional amendment to allow the Legislature to enact legislation authorizing courts to reduce sentences

**Natural Resources**  
**Room 1525 - 1:30 p.m.**

Appointment Barfuss, Karl - Environmental Quality Council

**LB 933** Crawford Change provisions relating to discontinuance of utility service

**LB 1205** McCollister Adopt the Renewable Energy Standards Act

**Revenue**  
**Room 1524 - 1:30 p.m.**

**LB 987** (Pansing Brooks) Impose sales and use tax on dating and escort services and provide for the use of the revenue

**LB 989** (Wayne) Impose sales and use taxes on digital advertisements

**LB 1013** (Linehan) Change the cigarette tax and exempt certain transactions

**LB1109** Chambers Provide a sales tax exemption for the furnishing of water service

### TENTATIVE SCHEDULE OF COMMITTEE HEARINGS

The order of the bills listed may not be the order in which they are heard that day in committee.

#### Tuesday, February 18, 2020

**Agriculture**  
**Warner Chamber - 1:30 p.m.**

Appointment Smith, Beth - Nebraska State Fair Board State Fair Briefing

**LB 1200** (Brewer) Rename the Livestock Brand Act and the Nebraska Brand Committee and change provisions relating to livestock

**LB 1165** (Stinner) Eliminate the Nebraska Brand Committee and provide powers and duties for the Department of Agriculture under the Livestock Brand Act

## 2020 Committee Hearings

### Appropriations Room 1524 - 1:30 p.m.

- LB 778** (Stinner) State intent regarding appropriations for the Rural Health Systems and Professional Incentive Act  
**LB 901** (Cavanaugh) Appropriate funds for the Nebraska Perinatal Quality Improvement Collaborative  
**LB 1018** (Vargas) Appropriate funds to the Department of Health and Human Services  
**LB 1019** (Vargas) Appropriate funds to the Department of Health and Human Services  
**LB 1102** (Walz) Provide an appropriation for volunteer emergency medical care providers

### Banking, Commerce and Insurance Room 1507 - 1:30 p.m.

- LB 949** (Bolz) Limit the amount an insured individual pays for prescription insulin drugs  
**LB 804** (Wayne) Provide for insurance coverage of epinephrine autoinjectors  
**LB 970** (Wayne) Limit the amount an insured individual pays for prescription insulin drugs  
**LB 948** (Crawford) Change provisions relating to insurance coverage for mammography

### Urban Affairs Room 1510 - 1:30 p.m.

- LB 1003** (Walz) Provide annexation powers to cities of the second class and villages for relocation due to catastrophic flooding  
**LB 876** (Walz) Change provisions of the Community Development Law relating to limitations on blighted areas  
**LB 1021** (Groene) Provide for an expedited review of certain redevelopment plans under the Community Development Law  
**LB 801** (Urban Affairs) Change and eliminate provisions of the Community Development Law

**Wednesday, February 19, 2020**

### Judiciary Room 1113 - 1:30 p.m.

- Appointment Boatright, Anne C. - Crime Victims Reparations Committee  
Appointment Langan, Mark T. - Board of Parole  
**LB 907** (DeBoer) Change provisions relating to adoptions

## 2020 Committee Hearings

**LB 1004** (Lathrop) Change provisions relating to parole eligibility

**LB 1062** (Lathrop) Allow the Department of Correctional Services to establish a predischarge reentry pilot program

**LB 1081** (Morfeld) Change provisions on postconviction relief

**LB1133** (Wayne) Increase caps on medical malpractice liability

### Thursday, February 20, 2020

#### Judiciary

#### Room 1113 - 1:30 p.m.

**LB 766** (Lindstrom) Prohibit sexual assault of a minor by an authority figure, change statute of limitations for failure to make a report of child abuse or neglect, and change provisions relating to sexual offenses

**LB 814** (Geist) Prohibit dismemberment abortion

**LB 991** (Halloran) Create the offense of sexual assault of a student and prohibit related enticement conduct by school officials

**LB 1048** (Quick) Create the offense of sexual assault by a school employee and provide notification to the Commissioner of Education

**LB 1210** (Vargas) Create the offense of sexual exploitation of a student

### Friday, February 21, 2020

#### Judiciary

#### Room 1113 - 1:30 p.m.

**LB 816** (McCollister) Provide for information and training on firearm safety and suicide prevention and place restrictions and requirements on certain transfers of firearms

**LB 872** (Hunt) Eliminate requirements for the provision of information and materials regarding finding medical assistance and continuing a viable pregnancy after taking mifepristone

**LB 958** (Cavanaugh) Change provisions relating to possession or purchase of a firearm by a person convicted of misdemeanor domestic violence or subject to any protection order

**LB 1221** (Wayne) Change controlled substance schedules for certain federally approved drugs containing derivatives of cannabis

*If auxiliary aids or reasonable accommodations are needed for attendance at a hearing, please call the Clerk of the Legislature's Office at (402) 471-2271. Advance notice of ten business days is needed when requesting an interpreter.*



# The City of *Columbus*

RESPONSIBLE • RESPONSIVE • REPUTABLE

Administration Office (402) 562-4232

Fax (402) 563-1380

February 3<sup>rd</sup>, 2020

RE: LB898

Transportation and Telecommunications Committee Members:

Columbus does not have staff qualified to process Wireless Telecommunication Facilities applications. Our current ordinance requires an escrow deposit at the time of application. That escrow is used to hire a professional to review the applications. Currently Columbus has six (6) open applications, to date the costs incurred for those applications ranges from \$1,250 to \$4,325 based on the scope of the application. This professional reviews the applications, ensures existing and proposed facilities are structurally sound, and inspects the completed project after the facility is constructed. I give you this brief description of what the Wireless Telecommunications Facilities application process currently is in Columbus to show that the language in LB898 would not provide the City of Columbus with the appropriate limits to ensure these facilities are delivered to the public safely.

LB898 includes a limit of only \$500 or \$1,000.

Columbus is very concerned about safety in particular because in 2016 a cellular monopole failed. This pole was installed only 5 years before failure. At the time this monopole was constructed, City of Columbus staff managed the application and permit process. An independent inspection of the pole was not completed after installation, because it was not required at that time.

LB898 prohibits the applicant from being required to pay for travel expenses, etc. How are cities supposed to ensure the structure is safe after construction?



In 2017, a Verizon cell tower was constructed in a City park. The tower was a permitted use on City property at the time. Residents of Columbus came out in opposition to the tower with concerns about the aesthetic impact, potential health and safety risks and effect on nearby property values. They insisted the review process for such structures be changed to increase transparency. Now, in or near residential areas, notice must be given to properties within 300 feet of the proposed site, and a Planning Commission and City Council public hearing are required. Columbus did update the process, because elected and appointed officials in Columbus believe it is our job to represent and serve the best interests of our citizens.

Senators, LB898 does not serve the best interest of the citizens you represent.

Respectfully submitted,

Tara Vasicek  
City Administrator