

**Crete City Council Regular Meeting**  
**Tuesday, July 7, 2020 6:00 PM**  
**Crete City Hall Council Chambers**  
**243 E 13th Street**

**1. Open Meeting**

- In accordance with Nebraska law, a copy of the Open Meetings Act can be found in the back of the Community Room.
- Items listed on the agenda may be considered in any order.
- Please stand for the Pledge of Allegiance.
- [Error! Hyperlink reference not valid.](#)

**2. Roll Call**

- Attendance of members will be recorded to determine the presence of a quorum for official actions.
- [Error! Hyperlink reference not valid.](#)

**3. Consent Agenda**

- All items listed on the consent agenda will be approved by one motion and vote. No separate discussion of these items will occur unless the Mayor, a Councilmember, or a citizen so requests. If such a request is made, the item will be moved out of the consent agenda and considered separately.
- [Error! Hyperlink reference not valid.](#)

**A. Approve Meeting Minutes**

- [Error! Hyperlink reference not valid.](#)

1. Legislative and Economic Development Committee Meeting Minutes of June 16, 2020.

- [Error! Hyperlink reference not valid.](#)

2. Parks and Recreation Committee Meeting Minutes of June 16, 2020.

- [Error! Hyperlink reference not valid.](#)

3. Public Works Meeting Minutes of June 16, 2020.

- [Error! Hyperlink reference not valid.](#)

4. City Council Meeting Minutes of June 16, 2020.

- [Error! Hyperlink reference not valid.](#)

5. City Council Meeting Minutes of June 23, 2020.

- [Error! Hyperlink reference not valid.](#)

B. Accept the City Treasurer's Report

- [Error! Hyperlink reference not valid.](#)

C. Approve the Payment of Claims Against the City

- [Error! Hyperlink reference not valid.](#)

1. Pitney Bowes Purchase Agreement of \$14,349 for Relay 4500.

- [Error! Hyperlink reference not valid.](#)

2. C & C Consultants Invoice of \$2,100 for noise abatement testing and design for the Crete Public Library.

- [Error! Hyperlink reference not valid.](#)

**4. Items of Business**

- Action may be taken to discuss/limit discussion, to hear testimony in favor of or in opposition to, and to approve or disapprove any matter presented under this title.

- [Error! Hyperlink reference not valid.](#)

A. Consider adopting an updated Patron Code of Conduct policy for the Crete Public Library.

- [Error! Hyperlink reference not valid.](#)

B. Consider renewing membership with SENDD for \$4,500 and paying additional optional dues of \$2,091 for housing assistance.

- [Error! Hyperlink reference not valid.](#)

C. Consider authorizing the Mayor to enter into contracts with Municode for agenda management software and online code hosting services in an amount not to exceed \$10,000.

- [Error! Hyperlink reference not valid.](#)

D. Consider enacting Ordinance 2106: An ordinance relating to pools and spas.

- [Error! Hyperlink reference not valid.](#)

E. Consider enacting Ordinance 2107: An ordinance relating to building and zoning code enforcement.

- [Error! Hyperlink reference not valid.](#)

F. Consider approving Eric Stehlik's request to close the front entryway to Tuxedo Park from July 13 to July 19 for 4-H activities.

- [Error! Hyperlink reference not valid.](#)

G. Consider approving an SDL for Kramer Bar to hold a private event in a fenced area adjacent to the 4-H building at Tuxedo Park on July 27-28.

- [Error! Hyperlink reference not valid.](#)

H. Consider approving a new pumper/tanker purchase from the bids received on July 2, 2020.

- [Error! Hyperlink reference not valid.](#)

I. Consider enacting Ordinance 2109: An ordinance relating to civil service.

- [Error! Hyperlink reference not valid.](#)

J. Consider amending the Cather & Sons proposal to include an additional block of asphalt mill and overlay work with an estimated cost of \$18,000 and amending the related JEO engineering contact to include an additional \$2,300 in consulting fees.

- [Error! Hyperlink reference not valid.](#)

K. Consider enacting Ordinance 2108: An ordinance relating to the sale of real estate owned by the city.

- [Error! Hyperlink reference not valid.](#)

L. Consider confirming the Mayor's appointment of Larry Eberspacher and Judy Henning to the Cemetery Board.

- [Error! Hyperlink reference not valid.](#)

M. Consider confirming the Mayor's appointment of Rick Brown and Brad Elder to the Tree Board.

- [Error! Hyperlink reference not valid.](#)

## 5. Petitions - Communications - Citizen Concerns

- Citizen testimony may be limited to 3 minutes per person.
- Please do not repeat testimony that has already be heard.
- No action can be taken on matters presented under this title except to answer any questions or to refer the matter for further action.

- [Error! Hyperlink reference not valid.](#)

## 6. Officers' Reports

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

- [Error! Hyperlink reference not valid.](#)

## 7. Adjournment

- [Error! Hyperlink reference not valid.](#)

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

CITY OF CRETE, NEBRASKA  
CITY COUNCIL LEGISLATIVE DEVELOP COMMITTEE  
MEETING MINUTES OF JUNE 16, 2020

Notice of the meeting was given by posting, the appointed method for giving notice as shown by the attached notice, at the following locations:

City Hall, 243 East 13th  
Street Post Office, 1242  
Linden Avenue  
City Bank and Trust, 1135 Main Avenue

Advance notice of the meeting was also given to committee members. Pursuant to Section 84-1412(8) of the Nebraska Open Meetings Act, the City has posted a current copy of the Open meetings Act, Laws of the State of Nebraska, in the back of the council chambers. All proceedings shown were taken while the meeting was open to the attendance of the public.

1. Open Meeting

Chair Ryan Hinz called the meeting to order at 5:00pm.

2. Roll Call

Kyle Frans: Present

Ryan Hinz: Present

Jack Oelschlager: Present

Present: 3. Absent: 0.

Also present: City Administrator Tom Ourada, City Clerk Judi Meyer, Finance Director Jerry Wilcox, City Attorney Kyle Manley, Building Inspector Brad Bailey, Police Chief Steve Hensel, Mayor Bauer, other City Council members, members of the public.

3. Items of Business

3.A. Discuss and provide a recommendation to the City Council on granting LB840 funds to the Chamber of Commerce for working capital related to upcoming promotional events.

Recommend City Council approve Crete Chamber's request for \$500 for working capital for marketing upcoming outdoor events to be held downtown. Carried with a motion by Jack Oelschlager and a second by Kyle Frans.

Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye

Aye: 3, No: 0

Tom Ourada reported that the Chamber hopes to host a monthly downtown event for each of the next several months. The events will be available to any interested business located within Crete. Ryan Hinz noted that the Economic Development Advisory Board did vote to approve the request.

3.B. Discuss and provide a recommendation to the City Council on approving Artisan Mark's request for a temporary outdoor addition to its liquor license.

Recommend City Council approve Artisan Mark's submission to the Liquor Control Commission requesting temporary outdoor addition. Carried with a motion by Jack Oelschlager and a second by Kyle Frans.

Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye  
Aye: 3, No: 0

Tom Ourada reported that this request is related to the Chamber outdoor downtown events.

4. Officers' Reports

5. Adjournment

The meeting was adjourned at 5:09pm.

Recorded by City Clerk Judi Meyer

CITY OF CRETE, NEBRASKA  
CITY COUNCIL PARKS & RECREATION COMMITTEE  
MEETING MINUTES OF JUNE 16, 2020

Notice of the meeting was given by posting, the appointed method for giving notice as shown by the attached notice, at the following locations:

City Hall, 243 East 13th Street  
Post Office, 1242 Linden Avenue  
City Bank and Trust, 1135 Main Avenue

Advance notice of the meeting was also given to committee members. Pursuant to Section 84-1412(8) of the Nebraska Open Meetings Act, the City has posted a current copy of the Open meetings Act, Laws of the State of Nebraska, in the back of the council chambers. All proceedings shown were taken while the meeting was open to the attendance of the public.

1. Open Meeting

Chair Kyle Frans called the meeting to order at 4:53pm.

2. Roll Call

Kyle Frans: Present  
Jack Oelschlager: Present  
Dale Strehle: Present  
Present: 3. Absent: 0

Also present: City Administrator Tom Ourada, City Clerk Judi Meyer, Finance Director Jerry Wilcox, City Attorney Kyle Manley, Building Inspector Brad Bailey, Police Chief Steve Hensel, Mayor Bauer, other City Council members, members of the public.

3. Items of Business

3.A. Discuss and provide a recommendation to the City Council on approving the Wranglers 4-H Club request for a continuing Livestock Animal Exception for riding practices at the Tuxedo Park Arena.

Recommend City Council approve Wranglers 4-H Club request for continuing Livestock Animal Exception at Tuxedo Park. Carried with a motion by Jack Oelschlager and a second by Dale Strehle.

Kyle Frans: Aye, Jack Oelschlager: Aye, Dale Strehle: Aye  
Aye: 3, No: 0

4. Officers' Reports

5. Adjournment

The meeting was adjourned at 5:00pm.

Recorded by City Clerk Judi Meyer



Public Works Committee Meeting  
June 16, 2020  
4:30 p.m.  
Crete Public Library Community Room

**Roll Call:**

**Committee Members Present:**

Dale Strehle  
Brian Carnes  
Travis Sears

**Others Present:**

Tom Ourada, City Administrator	Judi Meyer, City Clerk
Jack Oelschlager, Council Person	Ryan Hinz, Council Person
Kyle Frans, Council Person	Kyle Manley, City Attorney
Jerry Wilcox, Finance Dir.	Dave Bauer, Mayor
Mike Kalkwarf, IT Director	Brad Baily, Building Inspector
Steve Hensel, Chief of Police	

**Special Order of Business**

**A. Downtown Parking Lots:**

Tom updated the committee on the standing issues concerning the downtown parking layover district and its correlation with downtown apartments. Multiple options were discussed regarding ceasing future downtown apartments along with the pro and cons of reducing fees to increase attraction to the 12<sup>th</sup> street parking lot. After discussion, Brian made a motion to move forward with presenting the planning commission with this issue and to delay setting a new rate for the downtown parking lot. Kyle seconded the motion. All in favor: Brian, yes; Travis, yes; Dale, yes. Motion passed.

**B. Street Improvement Project (Opening bid results):**

Tom advised the committee on the incoming bids received by JEO. After discussion, Kyle made a motion to approve Cather and Sons Construction from Lincoln, with the bid price of \$65,906.00. Brian seconded the motion. All in favor: Brian, yes; Travis, yes; Dale, yes. Motion passed

**Officer's Report**

**Adjournment**

Meeting Adjourned at 4:57 p.m.

**Dale Strehle, Chairman**

**CITY OF CRETE, NEBRASKA  
CITY COUNCIL REGULAR MEETING  
MINUTES OF JUNE 16, 2020**

Notice of the meeting was given by posting and publishing in The Crete News, the appointed method for giving notice as shown by the Proof of Publication attached to the minutes. Advance notice of the meeting was also given to the Mayor and City Council. Pursuant to Section 84-1412(8) of the Nebraska Open Meetings Act, the City has posted a current copy of the Open Meetings Act, Laws of the State of Nebraska in the back of the Council Chambers. Additional copies are available to read. The City may consider items listed on the agenda in random order. All proceedings shown were taken while the meeting was open to the attendance of the public.

Those in attendance pledged allegiance to the flag.

**1. Open Meeting**

Mayor Dave Bauer called the meeting to order at 6:00pm.

**2. Roll Call**

Brian Carnes: Present  
Kyle Frans: Present  
Ryan Hinz: Present  
Jack Oelschlager: Present  
Travis Sears: Present  
Dale Strehle: Present

Present: 6. Absent: 0.

**3. Consent Agenda**

Approve the Consent Agenda items. Carried with a motion by Dale Strehle and a second by Travis Sears. Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Travis Sears: Aye, Dale Strehle: Aye

Aye: 6, No: 0

**3.A. Approve Meeting Minutes**

3.A.1. Public Works Committee Meeting Minutes of May 5, 2020

3.A.2. Public Works Committee Meeting Minutes of May 19, 2020.

3.A.3. Legislative and Economic Development Committee Meeting Minutes of June 2, 2020.

3.A.4. Parks and Recreation Committee Meeting Minutes of June 2, 2020.

3.A.5. Personnel Committee Meeting Minutes of June 2, 2020.

3.A.6. Public Safety Committee Meeting Minutes of June 2, 2020.

3.A.7. Public Works Committee Meeting Minutes of June 2, 2020.

3.A.8. City Council Meeting Minutes of June 2, 2020.

**3.B. Accept the City Treasurer's Reports**

**3.C. Approve the Payment of Claims Against the City**

#### 4.Items of Business

4.A. Consider approving Artisan Mark's request for a temporary outdoor addition to its liquor license.

Approve Artisan Mark request to the Nebraska Liquor Control Commission for temporary outdoor addition to its liquor license. Carried with a motion by Ryan Hinz and a second by Jack Oelschlager.

Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Travis Sears: Aye, Dale Strehle: Aye

Aye: 6, No: 0

4.B. Consider granting LB840 funds to the Chamber of Commerce for working capital related to upcoming promotional events.

Approve Crete Chamber of Commerce request for \$500 LB840 grant funds for upcoming promotional events. Carried with a motion by Ryan Hinz and a second by Travis Sears.

Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Travis Sears: Aye, Dale Strehle: Aye

Aye: 6, No: 0

4.C. Consider approving the Wranglers 4-H Club request for a continuing Livestock Animal Exception for riding practices at the Tuxedo Park Arena.

Approve Wranglers 4-H Club request for continuing Livestock Animal Exception for practices at Tuxedo Park Arena. Carried with a motion by Kyle Frans and a second by Ryan Hinz.

Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Travis Sears: Aye, Dale Strehle: Aye

Aye: 6, No: 0

4.D. Consider awarding the bid for the 12th & Linden asphalt overlay project to Cather and Sons Construction for \$65,906.

Award bid for 12th & Linden asphalt overlay project to Cather and Sons Construction for \$65,906. Carried with a motion by Dale Strehle and a second by Brian Carnes.

Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Travis Sears: Aye, Dale Strehle: Aye

Aye: 6, No: 0

4.E. Consider approving Phillip Oelschlager as a member of the Crete Fire Department and adding him to the insurance rolls.

Approve Phillip Oelschlager as a member of the Crete Fire Dept and adding him to the insurance rolls. Carried with a motion by Jack Oelschlager and a second by Brian Carnes.

Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Travis Sears: Aye, Dale Strehle: Aye

Aye: 6, No: 0

4.F. Consider confirming the Mayor's appointment of Mike Pavelka to the Economic Development Advisory Board.

Confirm Mayor's appointment of Mike Pavelka to the Economic Development Advisory Board. Carried with a motion by Jack Oelschlager and a second by Brian Carnes.

Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Travis Sears: Aye, Dale Strehle: Aye

Aye: 6, No: 0

4.G. Consider confirming the Mayor's appointments of Dave Hansen, Justin Kozisek, and Jennifer Robison to the Planning Commission.

Confirm Mayor's appointments of Dave Hansen, Justin Kozisek, and Jennifer Robison to the Planning Commission. Carried with a motion by Jack Oelschlager and a second by Travis Sears.

Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Travis Sears: Aye, Dale Strehle: Aye

Aye: 6, No: 0

#### 5. Petitions - Communications - Citizen Concerns

#### 6. Officers' Reports

City Administrator Tom Ourada reported that the City Attorney is working on amending the city code regarding the Civil Service. The City is also working on creating a department structure for planning, personnel, and others. He reported the status of sales taxes, the grant application for the 22nd street bridge was not awarded, the floodgates grant application was determined by NEMA to be not cost feasible at this time, and that for the time being clients will be served by appointment only at City Hall.

#### 7. Adjournment

Motion to adjourn. Carried with a motion by Dale Strehle and a second by Jack Oelschlager.

Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Travis Sears: Aye, Dale Strehle: Aye

Aye: 6, No: 0

The meeting was adjourned at 6:36pm.

---

Mayor

(SEAL)

---

City Clerk

I, Judi Meyer, City Clerk for the City of Crete, hereby certify that the foregoing is a true and correct copy of the proceedings had and done by the Mayor and Council. I hereby certify that a copy of the Open Meetings Act was posted in the back of the Council Chambers. I certify that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the City Clerk. I certify that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting and 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. I certify that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of the City Council. I certify that all news media requesting notification concerning meetings of the City Council were provided with advance notification of the time and place of said meeting and the subjects to be discussed.

---

City Clerk

(S E A L)

CITY OF CRETE, NEBRASKA  
CITY COUNCIL SPECIAL MEETING  
MINUTES OF JUNE 23, 2020

Notice of the meeting was given by posting and publishing in The Crete News, the appointed method for giving notice as shown by the Proof of Publication attached to the minutes. Advance notice of the meeting was also given to the Mayor and City Council. Pursuant to Section 84-1412(8) of the Nebraska Open Meetings Act, the City has posted a current copy of the Open Meetings Act, Laws of the State of Nebraska in the back of the Council Chambers. Additional copies are available to read. The City may consider items listed on the agenda in random order. All proceedings shown were taken while the meeting was open to the attendance of the public.

Those in attendance pledged allegiance to the flag.

1. Open Meeting

Mayor Dave Bauer called the meeting to order at 5:00pm.

2. Roll Call

Brian Carnes: Present  
Kyle Frans: Present  
Ryan Hinz: Present  
Jack Oelschlager: Present  
Travis Sears: Present  
Dale Strehle: Present  
Present: 6. Absent: 0

3. Items of Business

3.A. Consider Kosmicki Koch Assoc. application to the Nebraska LCC for temporary addition of outdoor area

Approve The Brew House application to the Nebraska LCC for temporary addition of outdoor area. Carried with a motion by Jack Oelschlager and a second by Kyle Frans. Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Travis Sears: Aye, Dale Strehle: Aye  
Aye: 6, No: 0

3.B. Consider Elles application to the Nebraska LCC for temporary addition of outdoor area.

Approve Elles on Main application to the Nebraska LCC for temporary addition of outdoor area. Carried with a motion by Jack Oelschlager and a second by Ryan Hinz. Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Travis Sears: Aye, Dale Strehle: Aye  
Aye: 6, No: 0

#### 4. Officers' Reports

Mayor Bauer reported that an individual would like to donate a permanent shelter with tables and chairs for installation on the library grounds near the playground. If the City Council is in favor of this, he proposed plans will be brought to the Council when available. There was general consensus in favor of this.

#### 5. Adjournment

Motion to adjourn. Carried with a motion by Dale Strehle and a second by Jack Oelschlager.

Brian Carnes: Aye, Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye, Travis Sears: Aye, Dale Strehle: Aye

Aye: 6, No: 0

The meeting was adjourned at 5:10pm.

---

Mayor

(SEAL)

---

City Clerk

I, Judi Meyer, City Clerk for the City of Crete, hereby certify that the foregoing is a true and correct copy of the proceedings had and done by the Mayor and Council. I hereby certify that a copy of the Open Meetings Act was posted in the back of the Council Chambers. I certify that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the City Clerk. I certify that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting and 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. I certify that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of the City Council. I certify that all news media requesting notification concerning meetings of the City Council were provided with advance notification of the time and place of said meeting and the subjects to be discussed.

---

City Clerk

(S E A L)



**Your Payment Plan**

Quarterly Billing Total**		Annual Billing Total**	
Type	Fees	Type	Fees
N/A	N/A	Equipment Maintenance	\$ 1,974.00

**Tax Exempt**

- Tax Exempt Certificate Attached
- Tax Exempt Certificate Not Required
- Purchase Power® transaction fees included
- Purchase Power® transaction fees extra

Shipping and Handling \$ 315.00

Initial Term : 12 Months

\*\*Plus applicable taxes which will be applied at the time of billing.

**Your Signature Below**

Non-Appropriations. You warrant that you have funds available to make all payments until the end of your current fiscal period, and shall use your best efforts to obtain funds to make all payments in each subsequent fiscal period. If your appropriation request to your legislative body, or funding authority ("Governing Body") for funds to make the payments under any rental or service level agreement is denied, you may terminate the applicable rental or service level agreement on the last day of the fiscal period for which funds have been appropriated, upon (i) submission of documentation reasonably satisfactory to us evidencing the Governing Body's denial of an appropriation sufficient to continue this lease for the next succeeding fiscal period, and (ii) satisfaction of all charges and obligations under your agreement incurred through the end of the fiscal period for which funds have been appropriated, including the return of the equipment at your expense.

By signing below, you agree to be bound by all the terms and conditions of this Agreement, including the Pitney Bowes Terms (Version 2/20) which are available at <http://www.pb.com/terms> and are incorporated by reference. You agree to pay the amounts on the Order. If software is included in the Order, additional terms apply which are available by clicking on the hyperlink for that software located at <http://www.pitneybowes.com/us/license-terms-of-use/software-and-subscription-terms-and-conditions.html>. Those additional terms are incorporated by reference.

Not Applicable  
State/Entity's Contract # \_\_\_\_\_

Client Signature \_\_\_\_\_  
Print Name \_\_\_\_\_  
Title \_\_\_\_\_  
Date \_\_\_\_\_  
Email Address \_\_\_\_\_

**Sales Information**

Michael Gibson michael.gibson@pb.com  
Account Rep Name Email Address



# C & C Consultants

1640 South 23rd Street  
Lincoln, NE 68502-2826  
(800) 348-9315

# PROPOSAL

DATE

7/2/2020

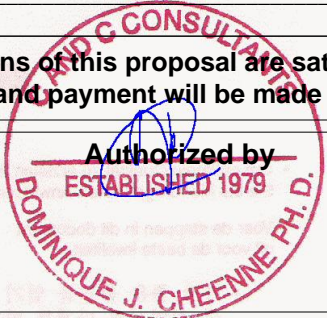
REFERENCE

P202013LNK

## PREPARED FOR

City of Crete, Nebraska  
Tom Ourada, City Administrator  
243 East 13th Street  
Crete, NE 68333  
RE: LIBRARY CHILLER NOISE

P.O. NO.	TERMS	DUE DATE	REP	FOB	PROJECT		
email/BVH	Net 30 days	8/2/2020	DJC	LNK	Library chiller noise		
ITEM	DESCRIPTION				QTY	RATE	TOTAL
DESIGN/NOIS	Noise abatement testing and design services for the Crete PublicLibrary chiller. Includes.  1. On-site testing for acquisition of sound power (PWL) and sound pressure level (SPL). Detailed analysis with 1/3rd octave spectrum and narrow-band analysis for tonality. Evaluation of compliance with manufacturer's data.  2. Property line site Leq testing for assessment of compliance with applicable rules or with established Best Practices.  3. Computer model for evaluation of required attenuation levels (per octave band) and assessment of feasibility.  4. Evaluation of noise abatement options for compressor and/or fan noise. Recommendations for materials and vendors.  5. Evaluation of barrier and/or enclosure options. Recommendations for engineered solutions (type, vendors).				1	2,100.00	2,100.00
NOTE1	This is a "not to exceed" proposal. The total figure was computed using the information available to our company at the time of the quotation. C & C Consultants reserves the right to write a superseding quotation should extra expenses occur.						0.00
NOTE4	On-site inspection visits during construction (if applicable) are not included in this proposal. Visits (including travel time) will be billed on an hourly basis of \$125.00/per hour (1/2 hour fractional) with a minimum of 2 (two) hours billed per visit.					0.00	0.00
NOTE2	This quotation is valid for a period of 30 (thirty) days from the above date.					0.00	0.00
<b>CLIENT'S SIGNATURE</b> _____					<b>TOTAL</b>		<b>\$2,100.00</b>
The prices, specifications, and conditions of this proposal are satisfactory and hereby accepted. You are authorized to do the work as specified, and payment will be made according to the terms of this proposal.							

  
 Authorized by \_\_\_\_\_  
 ESTABLISHED 1979  
 DOMINIQUE J. CHEENNE PH. D.

## Patron Code of Conduct Policies

The Crete Public Library Board of Trustees **Advisors** established these rules to outline appropriate library patron behavior. The Crete Public Library provides a wide range of services for a variety of community members. Inappropriate patron behavior interferes with patron use and enjoyment of the library and library staff effectiveness.

Library patrons shall be respectful of each other and library staff. Patrons shall not engage in behavior that interferes with other patrons' use of the Library, nor shall patron behavior interfere with library staffs' job responsibilities.

Examples of prohibited patron behavior include but are not limited to:

- Destroying property.
- Using any communication devices in a manner that disturbs other patrons. (In particular, extended talking on cell phones is not allowed.)
- Engaging in noisy and boisterous activity, including running, shoving, pushing or fighting.
- Engaging in loud conversation above normal conversational levels.
- Gambling, soliciting or panhandling on Library property.
- Sleeping in the Library.
- Consumption of food or beverages, ~~with the exception of approved meeting room use and the Library's water fountain.~~ **shall be limited to covered beverages and snacks in approved areas only. No food or beverages may be consumed while using a patron computer.**
- Use or possession of alcohol or illegal drugs.
- Use of tobacco **or vaping.**
- Accompaniment by any animal other than a service animal, as defined by federal law.
- Using roller skates, skateboards, scooters, or other such devices on Library property.
- Non-compliance with the Library's Internet Policy.
- Leaving children of any age who require supervision at the Library without an appropriate care provider.
- Attending the library with children of any age without providing supervision.
- Use of obscene or abusive language.
- Use or possession of any type of weapons.
- Staring, following, or indecently exposing oneself to another person.
- The absence of appropriate attire, including shirts and shoes.
- Personal hygiene that poses a health risk or provides an offensive odor that interferes with the Library environment and patron or staff Library use.
- Using restrooms for bathing or washing clothes.

Any person who does not comply with these rules will be asked to leave the Library premises. Such persons may be banned from the Library, temporarily or permanently, **by the Library Director.** Any person wishing to appeal such action must notify the Library Director **within** five business days **of the adverse action.** ~~prior to the upcoming Library Board meeting for inclusion on the meeting agenda. The person filing the appeal must attend the Board meeting when the appeal is listed on the agenda. The~~

Library Director will then forward the appeal to the City Administrator for review. The City Administrator may affirm or reverse the Library Director's decision in whole or in part.

Appeals of the City Administrator's decision will be placed on the agenda for the next regularly scheduled City Council meeting for adjudication. The person filing the appeal must attend the City Council meeting in order for the appeal to be heard. The City Council will review all of the facts and circumstances surrounding the action, may hear testimony from any involved party or witnesses, and may make a decision independent of the decisions made by the Library Director or City Administrator.

*Approved by the Crete City Council, 1 August 2017*

Southeast Nebraska Development District

Lincoln, NE 68521

# Invoice

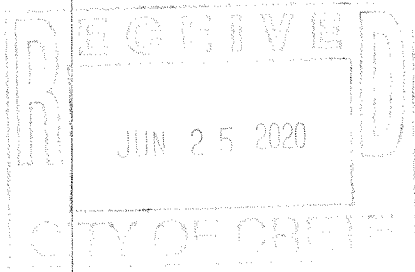
Date	Invoice #
7/1/2020	Dues

Bill To

City of Crete  
 PO Box 86  
 Crete, NE 68333-0086

Terms	Due Date
Net 60	8/30/2020

Item	Description	Project	Qty	Rate	Amount
Membership	07/01/2020-06/30/2021	70-01 Mem...		4,500.00	4,500.00



\*\* Please include Project Number (example 60-07) on check \*\*

Hourly rate established by SENDD Board of Directors.

Total	\$4,500.00
Payments/Credits	\$0.00
Balance Due	\$4,500.00

Phone #
402-475-2560

E-mail
kpham@sendd.org

Web Site
www.sendd.org

Southeast Nebraska Development District

Lincoln, NE 68521

# Invoice

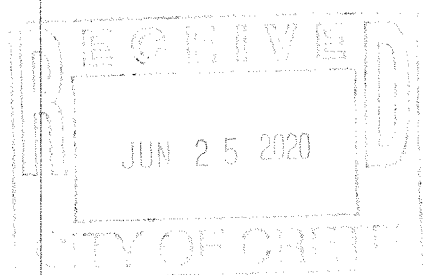
Date	Invoice #
7/1/2020	Dues

Bill To

City of Crete  
 PO Box 86  
 Crete, NE 68333-0086

Terms	Due Date
Net 60	8/30/2020

Item	Description	Project	Qty	Rate	Amount
Housing	07/01/2020-06/30/2021	70-02 Housi...		2,091.00	2,091.00



\*\* Please include Project Number (example 60-07) on check \*\*

Hourly rate established by SENDD Board of Directors.

Total	\$2,091.00
Payments/Credits	\$0.00
Balance Due	\$2,091.00

Phone #
402-475-2560

E-mail	Web Site
kpham@sendd.org	www.sendd.org

# SEND

## Southeast Nebraska Development District

The Southeast Nebraska Development District (SEND) board and staff would like to thank you for your continued support. SEND is your regional community and economic development organization. The last two years have been difficult for Nebraska and our region. With 2019 floods and the 2020 pandemic, many communities are truly struggling. SEND staff is listening to your needs and working diligently to find resources to help.

SEND staff completed a variety of community and regional projects in the past year, as well as launching critical new initiatives to improve the economic vitality and quality of life for residents of southeast Nebraska. This upcoming year we are making a renewed commitment to support the region. Anticipated 2021 projects include transportation improvements, rural housing, public safety, disaster response, small business financing, and incorporating technology into our services.

Last year, SEND staff spent more time on the ground in the region, listening to community leaders and learning how we can better serve you. We attended city council, village board, public, and county meetings across southeast Nebraska. As a result, the agency successfully captured **\$9.8 million in state and federal funds** that resulted in over \$16.4 million invested in local projects. These dollars **improved 140 homes, provided nuisance abatement for five communities, offered low-interest financing for five workforce housing units, assisted 19 businesses and created/retained 26 jobs.**

The only way these activities can continue is through your membership, which has remained steady for the **last 14 years**. Membership dollars provide match for federal and state funded agency services, resulting in a 48:1 dollar return on investment. In 2019-2020, your assessment dollars helped return nearly **\$10 million of your** federal tax dollars back into the region.

Not only our region, but the entire state of Nebraska faces daunting challenges in the upcoming year. SEND will be there to help. We pledge to be by your side in these difficult times, and we look forward to making an impact across the region by growing our regional economy, identifying new opportunities, and building local wealth. Above all, we will continue to listen. For up-to-date information on grant programs, community and legislative updates, and news alerts, please go to our new website at [www.sendd.org](http://www.sendd.org), sign up for our e-newsletter, or "Like" our Facebook page.

Once again, thank you for your support, and know that SEND is here to help. As always, I want to extend an open invitation to all members: please, visit the SEND offices when you are in Humboldt or Lincoln, or call and schedule a time for us to attend your city council or county supervisor meeting. So we can better serve you now and in the future, I encourage you to call our staff with your ideas, suggestions, and thoughts.

We are here to serve you and look forward to your next visit.

Sincerely,

Tom Bliss  
Executive Director

**Lincoln Office**  
2100 Fletcher Ave, Ste 100  
Lincoln, NE 68521-5862  
(402) 475-2560

[www.sendd.org](http://www.sendd.org)

**Humboldt Office**  
PO Box 308  
Humboldt, NE 68376  
(402) 862-2201

# Membership Dues Programs

## FULL MEMBERSHIP DUES PROGRAM

**Full Municipal Membership** includes any municipality paying the membership dues assessment established by the SENDD Board of Directors and located within a dues paying county.

Services available to a Full Member include, but are not necessarily limited to, the following:

- Monthly newsletter
- Special notices regarding programs of interest
- Unlimited visits to discuss requirements of specific programs
- Assistance with grant and loan applications, generally at no cost
- Special studies associated with grant and loan applications
- Census data and special reports maintained by SENDD
- Labor/Workforce data maintained by SENDD
- Staff consultation on specific employment generating projects

## GENERAL MEMBERSHIP DUES PROGRAM

**General Municipal Membership** includes any municipality which is not a dues paying member itself but is located within a county that is paying membership dues.

Services available to a General Member include, but are not necessarily limited to, the following:

- Monthly newsletter
- Special notices regarding programs of interest
- Limited visits to discuss requirements of specific programs

## SENDD MEMBERSHIP SURCHARGES

**To be entitled to Full Membership services, dues need to be paid by October 31 of each Fiscal Year or be assessed a surcharge for services requested of, and provided by, SENDD.**

To be entitled to Full Membership services with no surcharge, a municipality needs to have been a dues paying member for three years prior to the year in which services are requested and must have paid the current year's dues prior to October 31 in the year services were requested.

If there has been an interruption in Full Membership status, the following special assessment schedule will apply:

1. If membership dues were not paid during any of the prior three years, services would be provided only if the requesting municipality agrees to pay the current year's membership dues plus a surcharge equaling 75% of ACTUAL costs incurred in the provision of the requested service(s).
2. If membership dues were paid in one of the prior three years, services will be provided only if the requesting municipality agrees to pay the current year's membership dues plus a surcharge equaling 50% of ACTUAL costs incurred in the provision of the requested service(s).
3. If membership dues were paid two of the prior three years, services will be provided only if the requesting municipality agrees to pay the current year's membership dues plus a surcharge equaling 25% of ACTUAL costs incurred in the provision of the requested service(s).

### Lincoln Office

2100 Fletcher Ave, Ste 100  
Lincoln, NE 68521-5862  
(402) 475-2560

[www.sendd.org](http://www.sendd.org)

### Humboldt Office

PO Box 308  
Humboldt, NE 68376  
(402) 862-2201

# SENDD Services & Programs

SENDD staff have varied professional backgrounds, experience, and education. We're capable of providing assistance in a wide range of areas customized to your community's needs.

## Grant/Loan Application Development & Administration

### USDA & Rural Development

Community facilities grants/loans, industrial development, business loans, multi-family housing, singly family housing loans

### Nebraska Department of Economic Development

Owner Occupied Rehabilitation, Public Works, Planning, Tourism Development, Purchase Rehab Resale Program, Youth Job Training, Emergent Threat, Water/Wastewater, CDAA Tax Credit Program, Civic and Community Center Financing Fund, Downtown Revitalization, Economic Development

### Nebraska Department of Environmental Quality

Recycling/waste disposal grant programs, deconstruction grant program

### Nebraska Department of Transportation

Economic Opportunity Program

### Economic Development Administration

Special planning and public works grants associated with job generation

### Nebraska Game and Parks Commission

Parks and recreation grants

### Environmental Protection Agency

Special planning grants for sustainable growth

### Foundation Proposals

SENDD maintains information on foundations with funding opportunities that may be of interest to member communities.

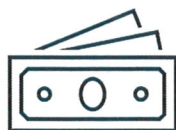
In the last year, SENDD has successfully assisted 71 projects through grant or loan applications representing over \$16,000,000 invested in our communities.

## Return on Investment



Over the last 5 years, SENDD has generated a return on investment of ~\$48 for every \$1 in membership dues

In the past decade, SENDD has assisted members to leverage more than \$226,361,000 in private investment for economic development initiatives that support job creation and retention efforts.



In the past decade, SENDD has been involved in local projects that have retained over 670 jobs and created over 1,031 new jobs

### Lincoln Office

2100 Fletcher Ave, Ste 100  
Lincoln, NE 68521-5862  
(402) 475-2560

[www.sendd.org](http://www.sendd.org)

### Humboldt Office

PO Box 308  
Humboldt, NE 68376  
(402) 862-2201

# Expansion of Employment Opportunities

Examples of some of the sources of employment enhancing programs utilized including, but not limited to:

## CDBG-ED & TD

SEND D has assisted with over 70 different successful applications for projects under the Community Development Block Grant Economic Development and Tourism Development categories. The Economic Development category provides loans to businesses or can be used for infrastructure construction projects directly related to economic development. Tourism Development assists historical assets and sites with restorations, ADA accessibility, and a variety of other needs for sites averaging at least 2500 visitors annually.

## Local Revolving Loan Funds (RLFs)

In many instances where grant awards have been received from the CDBG Economic Development category for small business projects, grantee political subdivisions are allowed to recapture all, or a portion of, principal and interest payments made by the small businesses who are the ultimate loan recipients. The principal and interest payments are then used by the grantee to establish Revolving Loan Funds to finance future business development efforts. Nine political subdivisions have established individual or multi-political subdivision RLFs and have entered into special services contracts with SEND D to administer their RLFs.

## Direct Lending Programs

SEND D operates two direct lending programs from revolving loan funds which have been capitalized with program income and grants and loans from the USDA Rural Business Enterprise Grant Program and USDA Intermediary Relending Program. Loans totaled over \$2.2 million and leveraged over \$3.4 million from other sources. Lending activities have retained or created nearly 100 jobs.

## EDA Financing Programs

SEND D has successfully accessed project funding to support its economic development efforts from the US Department of Commerce, Economic Development Administration. Recently, SEND D secured EDA funds for a \$3,000,000 project in Jefferson County.

“The Seward County Chamber & Development Partnership has appreciated the opportunity to partner with SEND D for multiple development projects across Seward County. We’ve been impressed with their hands-on approach... We’re grateful for their hard work and look forward to future projects together.” Jonathan Jank

## Special Studies and Plans

SEND D has experience in additional areas, including:

- Housing Needs Plans
- Housing Conditions Studies
- Household Income Studies
- Community Needs Assessment Surveys
- Workforce Availability Studies
- Project Specific Environmental Reviews



### Lincoln Office

2100 Fletcher Ave, Ste 100  
Lincoln, NE 68521-5862  
(402) 475-2560

[www.sendd.org](http://www.sendd.org)

### Humboldt Office

PO Box 308  
Humboldt, NE 68376  
(402) 862-2201

# Member Services

SEND D seeks to grow the region's economy.

By participating in regional efforts, widening our network, broadening our services, and exploring innovative ideas we immerse ourselves in southeast Nebraska.



## Community Development

### Community Development Block Grant

- Application, planning, administration
- Downtown Revitalization, Economic Development, Planning, Public Works, Water/Wastewater, Tourism, Emergent Threat, Youth Job Training

### Community & Civic Center Financing

### Economic Development & Leadership Certified Community

### Household Income Studies

### Community Needs Assessment

### Workforce Availability Studies

### Project Specific Environmental Review

### Strategic Planning

## Housing



### Owner Occupied Rehabilitation (OOR)

- Stabilizes existing housing stock

### Purchase Rehab Resale (PRR)

### Nuisance Abatement Program

- Civil/educational code enforcement

### Down Payment Assistance Loans

### General Contracting Services

### Housing Needs Plans

### Housing Conditions Studies

### Lead-based Paint Inspections

- Clearance activities required by HUD



## Emergency/Disaster Relief

### Business Resiliency Workshops

- Knowledge and skills to mitigate and protect businesses from disasters

### Flood and Floodplain Management

- Assist communities to meet National Flood Insurance Program (NFIP) guidelines
- Potential insurance premium discount for Community Rating System communities

### Funding

- Nebraska Emergency Management Agency (NEMA)
- United States Department of Agriculture (USDA)
- Federal Emergency Management Agency (FEMA)



## Economic Development

### Revolving Loan Fund

- Financial tool designed to increase economic activity, community development, and create job opportunities in rural communities.
- Fixed interest rate between 4-6%

### GIS Mapping/Location Intelligence

- Support businesses and communities with analytical decision making
- Custom asset/infrastructure mapping
- Business competition mapping and analysis
- Market reports/analysis

### Lincoln Office

2100 Fletcher Ave, Ste 100  
Lincoln, NE 68521-5862  
(402) 475-2560

### Humboldt Office

PO Box 308  
Humboldt, NE 68376  
(402) 862-2201

# Housing Services

## Voluntary Housing Dues

The Housing Dues assessment was established by SENDD in 2003 and payment of the assessment is voluntary. The voluntary assessment was established in lieu of increasing General Membership dues.

Dues are used to cover costs specifically associated with housing. These include:

- Training for staff members in housing grant application development
- Training on changing regulations related to Federal/State funding for housing programs
- State certifications involving lead-based paint and clearance testing
- Assistance to member communities with applications to partially underwrite the cost of housing needs studies; assistance to communities and private developers with packaging grant and loan applications
- Ongoing expenses related to housing projects after the project is closed and grant funds are depleted

## Types of Housing Programs

- Rehabilitation programs for income-qualified owner-occupied residential units
- Down-payment assistance programs to aide income-qualified homebuyers with acquisition
- Purchase/Rehab/Resale programs which may be coupled with down-payment assistance
- Construction of rent-to-own, single-family residential units
- Financial packaging assistance to developers of single and multi-family residential units for income-qualified occupants

In the past year, the SENDD Housing team has worked on:

- 75 Owner-Occupied Rehab Projects
- 7 Purchase/Rehab/Resale Projects
- 5 Rural Workforce Housing Projects
- 13 Home Projects through SENDD Contracting




Contact SENDD Housing in the Lincoln Office for more information on both housing programs and SENDD Contracting services

**Lincoln Office**  
2100 Fletcher Ave, Ste 100  
Lincoln, NE 68521-5862  
(402) 475-2560

[www.sendd.org](http://www.sendd.org)

**Humboldt Office**  
PO Box 308  
Humboldt, NE 68376  
(402) 862-2201

  
*“If you get the chance to work with SENDD Contracting, take it. People pass my house and it looks like a new house. I am so proud of my house and the way it looks after the improvement made by SENDD Contracting, it adds value and curb appeal to the neighborhood.” –Delila Snodgrass, Fairmont*



## The Team

Jim Warrelmann, Division Manager  
Jake Valentine, Project Manager  
Jarett Maxson, Project Manager  
Ashley Larsen, Project Manager

Each team member is:

- Certified Lead Inspectors/Risk Assessors by the State of Nebraska
- Certified HQS Inspectors through Nan McKay & Associates
- Certified Residential Roof Inspectors through HAAG Engineering

Contact us today for a FREE estimate

— (402) 475-2560 (phone)

— (402) 475-2794 (fax)

— [senddcontracting@sendd.org](mailto:senddcontracting@sendd.org)

— [Sendd.org](http://Sendd.org)





## SEND D Contracting

Based out of Lincoln, Nebraska, SEND D Contracting is an insured, licensed, and State-registered contractor with a 25-year history in general contracting, project management, and exterior improvement. To date, we have successfully managed over 1,200 residential and commercial construction projects. Our primary specialties are in roofing, gutter, windows, and siding installation.

Outside of general contracting services, our team is certified to provide lead inspections and risk assessments, Housing Quality Standards (HQS) inspections, and residential roof inspections.

We are proud to offer our services to the entire southeastern Nebraska region, including the Omaha metro area. Our team is responsive, reliable, and ready to help bring your projects to life!



## Our Services

### Gutters

Damaged gutters can cause significant flooding and water damage to your home.

We provide gutter inspection and replacement to protect you from costly repairs due to faulty gutters. Our team will work closely with you to ensure you understand the entire process. We use only the best materials from top manufacturers to ensure your satisfaction.

### Roofing

Our installers and inspectors stay up-to-date on the latest roofing techniques and training. Age and damage are the two leading causes of needing a new roof. If you notice missing, curled, or weathered shingles, leaks, or excessive granular loss, you may need a new roof. We pride ourselves on prompt and efficient repairs and installations.

---

Exceeding customers' construction needs through exceptional workmanship, while building and maintaining valued, meaningful, and successful relationships.

---

### Siding

Add curb appeal while increasing property value with new siding services by SEND D Contracting. We offer a low-maintenance siding solution that increases energy efficiency and reduces ongoing expensive maintenance costs. We specialize in both vinyl and wood siding installation and repair. Our experienced installers will provide prompt, courteous, and efficient installation to provide a lifetime of protection against extreme weather conditions.

### Windows

If your windows are more than 15 years old, it is time to consider replacing them. With more energy efficient windows, you can see substantial savings on your energy bills while maintaining a comfortable interior temperature during extreme weather. SEND D Contracting installs and replaces broken or old windows with limited interruptions to your busy schedule. We only install top products from high-profile manufacturers to ensure your new windows are affordable, energy-efficient, beautiful, and practical.

### Soffit & Fascia

Whether it is a new construction or you are looking to upgrade or repair your existing home exterior, we have several soffit and fascia options and colors to meet your needs.





# REPUBLICATION, SUPPLEMENTATION AND ONLINE CODE HOSTING SERVICES

## Crete, Nebraska

March 26, 2020 - Valid for 90 days



### James Bonneville

Legal Sales Director

Office: 800-262-2633 ext. 7009

Direct: 651-262-6262

Email [JBonneville@municode.com](mailto:JBonneville@municode.com)

PO Box 2235 Tallahassee, FL 32316



GovTech Top 100 Innovators  
annually since 2016!



# LETTER OF INTEREST

---

**municode**

★  
P.O. Box 2235 Tallahassee, FL 32316  
municode.com • 800.262.2633

March 26, 2020

Ms. Judi Meyer  
City Clerk  
City of Crete  
243 East 13<sup>th</sup> Street  
Crete, Nebraska 68333-0086

via email: [judi.meyer@crete.ne.gov](mailto:judi.meyer@crete.ne.gov)

Ms. Meyer:

Thank you for speaking with Legal Sales Director James Bonneville regarding publication and updating options for your Code of Ordinances. This proposal will provide you with the scope of services and costs for converting your Code to Municode's database for republication in print and online (via MunicodeNEXT), followed by ongoing supplementation and online Code hosting services.

With over 69 years of experience, Municode is the oldest and most trusted codifier in the nation. We serve over 4,000 municipalities nationwide and host over 3,700 Codes online. Whether it is through the legal codification process, full-service or self-service supplementation options, online legislative search tools, meeting management and agenda software, or custom government website design, we have the experience, resources and expertise to provide our local government clients with innovative products, superior technology and excellent customer service. We invite you to visit our corporate website at <https://www.municode.com/> to explore our full suite of government services.

Our Supplement team includes 14 teams of Legal Editors and Proofreaders who are dedicated to providing the most accurate and efficient supplement process possible for the ongoing maintenance of your new code. Our code hosting platform, MunicodeNEXT, is the nation's most advanced, accessible and intuitive website for government codes – allowing your staff and citizens to have access to your current code and all archived versions of your code, every official copy of your ordinances, the power to compare versions of your code over time, the ability to be notified every time your code is updated and a powerful search engine capable of simultaneously searching your code, ordinances, minutes, resolutions, budgets and more. Customers who trust Municode with both their online codes and their municipal website enjoy the added benefit of a unified search engine. With a simple button click, you can easily filter your website search results to pull up all matches within your online Code of Ordinances.

Transitioning your Code to Municode is a simple and affordable process! Municode will convert the current WORD/Folio version of your Code to our database for publication and will include printed copies of the Code according to your specifications. We can also deliver the Code and future supplements via electronic download in WORD, PDF and/or FOLIO format as shown on the Price Quotation Sheet.

To start the republication process, simply make your selections on pages 2-4 of this in and sign the signature page on page 12. If you have any questions, please let us know. In addition to email James can be reached at 651-262-6262. Thank you for the opportunity to submit this proposal.

Sincerely,



Bob Geiger  
Vice President of Sales  
Phone: 850-692-7132  
[bgeiger@municode.com](mailto:bgeiger@municode.com)



# SUPPLEMENTATION QUOTATION SHEET

---

## Supplement Service Base Page Rate<sup>6</sup>

Page Format	Base Page Rate
Single Column	\$19 per page

### Base page rate above includes:

- ★ Acknowledgement of material
- ★ Data conversion, as necessary
- ★ Editorial work
- ★ Proofreading
- ★ Updating the index (if elected)
- ★ Schedule as selected by you<sup>7</sup>
- ★ Updating electronic versions<sup>8</sup> and online code
- ★ Printing 3 copies

### Base page rate above excludes:

- ★ Freight
- ★ State sales tax
- ★ Images, Graphics<sup>9</sup> & tabular<sup>10</sup> matter, each
- ★ MyMunicode or online code

**Actual  
If applicable  
\$10  
Selections on page 4**

### Electronic media options for Code of Ordinances (sent via download)<sup>11</sup>

<input type="checkbox"/> Folio Bound Views	<b>\$295 initially then \$100 per update</b>
<input type="checkbox"/> WORD (DOCX)	<b>\$150 initially then \$75 per update</b>
<input type="checkbox"/> Adobe PDF of the code	<b>\$150 initially then \$75 per update</b>
<input type="checkbox"/> Adobe PDF of each supplement	<b>\$150 initially then \$75 per update</b>

**Invoices for Supplements and Additional Services will be submitted upon shipment of project(s).**

<sup>6</sup> All prices quoted in this section may be increased annually in accordance with the Consumer Price Index (CPI) for all Urban Consumers.

<sup>7</sup> Schedule for supplements can be weekly, bi-weekly, monthly, bi-monthly, quarterly, tri-annual, semi-annual, annual or upon authorization. Electronic updates can occur more frequently than printed supplements.

<sup>8</sup> We do not charge a per page rate for updating the internet; however, a handling fee is charged for PDF, Word, Folio or additional electronic media items ordered.

<sup>9</sup> Includes printing of all copies.

<sup>10</sup> Tabular matter is defined as tables, algebraic formula, or other materials that require special programs or extra editorial time to modify and prepare for inclusion in an update.

<sup>11</sup> "delivery" is defined as making updated electronic data available to you via download or FTP. Fee applies whenever content is delivered as PDF, Folio or Word, via one of the aforementioned mediums.

# ONLINE CODE HOSTING QUOTATION SHEET (MunicodeNEXT)

Online features can be purchased on an a la carte basis, or through our MyMunicode bundle for the best value. Please visit our online library of over 3,700 codes on MunicodeNEXT [here](#). **Please check the appropriate box (es) to indicate your selection:**

## STANDARD ONLINE CODE HOSTING

- Online Code = MunicodeNEXT**, annually **Fee waived for first 6 months of online service!** **\$450**  
Mobile friendly site. Full functionality and optimal screen resolution on all devices. In-line images & scrolling tables & charts. Narrow, Pinpoint & Advanced (including Boolean) Searching. Previous and Hit buttons, Persistent breadcrumb trail. Print or Save as formatted WORD (DOCX). Google Translate supports over 90 languages. Social Media/Email. Share links to sections via email, Facebook, Twitter, etc.

## OPTIONAL SERVICES

- CodeBank** annually **\$150**  
Permanent online collection of previous versions of the code.
- OrdBank** annually (or per ordinance) **\$340 (\$35)**  
Permanent online collection of ordinances with hyperlinks from history notes, supplement history table, and code comparative table to ordinances. Applies to amendatory (included) ordinances only.
- OrdBank + OrdLink** annually (or per ordinance) **\$440 (\$60)**  
Provides hyperlinks from newly adopted amendatory legislation to sections of the code that will be amended.
- CodeBank Compare + eNotify**<sup>12</sup> annually **\$250**  
Compare any two versions of your online code (starting with the first Municode supplement). Notify provides readers email updates each time the code is updated.
- MuniPRO** Service annually **\$295**  
Search over 3,700 online codes/ordinances. Attach notes to codes and drafts of new legislation.
- Custom Banner** one-time fee **\$250**  
Customize MunicodeNEXT to match the look of your website.
- MuniDocs**<sup>13</sup> annually, upgraded self-loading capabilities – first 3 months of service no charge! **\$350**<sup>14</sup>  
Host any other municipal documents in a fully searchable format, including Minutes, Agendas, Resolutions, Budgets and more for self-loading to the MuniDocs platform!

## My Municode - Value Pricing!

- MyMunicode** annually **Fee waived for the first 6 months of online service!** **\$1,195**<sup>15</sup>  
Includes **MunicodeNEXT** (Online Code), **OrdBank**, **CodeBank**, **CodeBank Compare + eNotify**, **MuniPRO**, and **Custom Banner**

## RECOMMENDED ADDITIONAL SERVICE (See pages 10 & 11 to review all additional services available)

- MunicodeMEETINGS** Agenda Management Software, annually **\$4,000**  
Cloud-based agenda meeting management system. Streamlines and automates agenda process. Increases agenda process visibility, easy agenda updates, approval workflow, live council voting & roll call, email notifications, a unified document search and automated approval routing.

<sup>12</sup> Enrollment in CodeBank is required in order to receive the CodeBank Compare/eNotify technology.

<sup>13</sup> Your MuniDocs files can also serve as storage for archived ordinances within the MuniDocs platform. Unlike our online OrdBank feature, these self-loaded archived ordinances will not be linked to the legislation within the online Code. All ordinances for codification and all ordinances for linking via our OrdBank feature can be emailed to us at [ords@municode.com](mailto:ords@municode.com).

<sup>14</sup> Includes up to 25 GB storage. Quotation for additional storage is available upon request.

<sup>15</sup> Total value if each item were to be purchased a la carte would be approximately \$1,485 per year with participation in our OrdBank service.

# COMPANY PROFILE

## History, Mission, and Team

With over 69 years of experience, Municode's mission is to connect public sector organizations with their communities. Our solutions promote transparency and efficiency - such as custom website design, meeting and agenda management, the legal codification process, and our robust suite of online legislative search tools.

Municode partners with more than 4,000 government agencies across all fifty states. Municode is a privately-owned financially sound corporation. Our leadership focuses on improving Municode through investments in its people and its technology. Our culture is conducive to the longevity of our employees. Our clients can establish a long-term partnership with our experienced and stable workforce.

Municode is home to over 160 employees (most of whom enjoy a 10+ year tenure). Our headquarters in Tallahassee, Florida includes four buildings totaling 56,000 square feet. We have regional offices located in Rancho Mirage, California; Loveland, Colorado; Sarasota, Florida; Boise and Rexburg, Idaho; Carmel and Kewanna, Indiana; Stillwater, Minnesota; Charlottesville, Virginia; Hudson, New Hampshire; Asheville and Raleigh, North Carolina; Kaysville and Providence, Utah; Lake Oswego, Oregon; Fort Worth, Dallas and Edinburg, Texas.

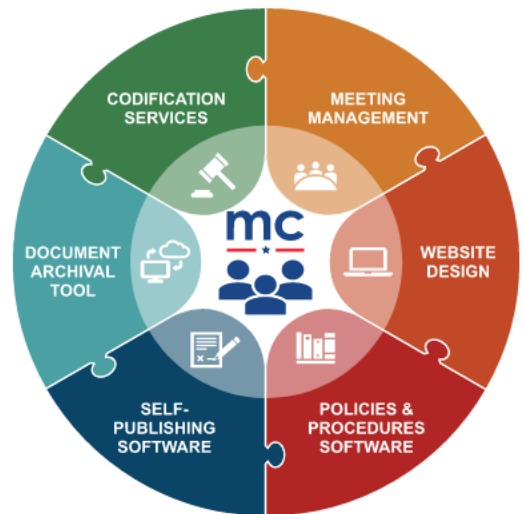


## Our Vision: Simple, Seamless Integration

Our vision is to create seamless integration between our service offerings. The goal is to reduce staff workload, while at the same time, increasing the ability for municipalities to connect with their communities.

The following example integration points are either in place today or envisioned in our future strategic roadmap.

- Unified search across all platforms (website, meetings, online codes)
- Auto-publish agendas and minutes from the Meetings platform to the Website
- Ordinance auto-publishing from the Meetings platform to your online code, queued for supplementation, Code of ordinance cross-references to legislative voting history, minutes, and video/audio



# SCOPE OF SERVICES

---

## Conversion and Republication

We will work with you to confirm the desired formatting and style of the Code. We will update the preliminary pages, create an Index (if elected) and Table of Contents; add any uncodified newly adopted legislation at the per page supplement rate quoted; update history notes; provide a comparative table of ordinances and integrate all applicable photographs, maps, diagrams, charts and tables into the Code. Proofs will then be provided for your review. Following the approval of the proofs, the Code will be shipped and posted online in fully robust HTML format.

We will handle 100% of the publishing of your Code. The republication process includes editing, page composition, proofreading, indexing (if elected), and delivering the information as printed and/or electronic copy. When we republish your Code, pages are recomposed to eliminate short pages, pages with blank backs and oddly numbered (point) pages. Following the recomposition, the Code is reprinted, and supplement number designations start over with Supplement No. 1.

The anticipated time frame for the conversion and republication project is **3 to 4 months**, excepting any delays in our receipt of materials or your return of proofs. Within 2 weeks of shipping the new Code, it will be published online in fully robust HTML format via MunicodeNEXT. The current Code can be posted online in PDF format during the conversion and republication phase, if desired.

### The process includes:

- ★ Conversion to our codification database;
- ★ Inclusion of adopted legislation can be added at the per page supplement rate quoted;
- ★ Removal and replacement of supplement numbers;
- ★ Updating of preliminary pages (title page, officials' page, and preface);
- ★ New page numbers;
- ★ Editing & proofreading;
- ★ 10-point Times New Roman font, single column format, unless otherwise instructed;
- ★ Incorporation of maps, diagrams, charts and tables;
- ★ Preparation of Table of Contents and updating or creation of an Index (if elected);
- ★ Proofs provided for your review;
- ★ Posting your newly republished Code on MunicodeNEXT;
- ★ Providing printed copies and any electronic versions specified in the format of your choice (WORD, PDF, FOLIO), as elected on the quotation sheet.

### The process does not include:

- ★ Renumbering and/or reorganizing the structure of your Code;
- ★ Legal Review by an attorney;
- ★ Substantive editing or changes to the text.

## Supplementation Services

Municode's supplementation process has been designed for timeliness, efficiency, simplicity and most of all, for our customers' convenience. Supplements can be provided on the schedule of your choice, as there is no additional cost for more (or less) frequent supplementation. In addition to printed supplements, we can deliver the updates in Word, PDF and/or Folio formats.

We pride ourselves on a turnaround time of **30 to 35 days for printed supplements** and can provide "always up to date" **electronic update services within 10 to 15 days** at the same per page rate quoted for printed supplements. With printed supplementation, the online Code is updated within **3 days** after shipping the supplement, and there is no additional fee for this service. A recent analysis of our printed supplement services indicated an editorial error rate of less than .1%, which is made possible by our attention to detail, ongoing communication with our clients, and strict quality control checks to ensure we continue to produce the best printed and electronic supplements available in our industry. Any errors attributable to Municode during the preparation, printing and maintenance of the Code will be corrected at no cost. The printed supplement process is outlined as follows:

## Supplementation Process:

1. Receipt of new legislation will be acknowledged within 24 hours. Our production support team will record the adoption date, effective date and ordinance number(s) and ensure that all necessary exhibits, tables and graphics are included. You will be advised promptly if any pertinent information is missing from your submission. Your material will then be immediately forwarded to our Supplement team for codification. If our OrdBank service is elected (advance legislation service), the legislation will be posted online within 48 hours as a PDF under “Adopted Legislation not yet codified” at this time.
2. Editorial Review – Our editorial team will review all ordinances received to determine whether the ordinance should be included in your Code; where the ordinance should be placed; whether the ordinance conflicts with your existing Code format; what material should be removed from your existing Code; whether history notes will be added; what tables will be updated and whether the Table of Contents in the front of the Code and at the Chapter/Title level should be amended. If any significant errors or numbering issues are noted, your editor will contact you for clarification. No substantive changes to your legislation will be made by our editorial team, however minor typographical errors will be corrected as part of the supplement process. Should the editorial, legal and/or proofreading team find discrepancies in your ordinances, we will communicate with you to ensure that the ordinances are correct and consistent with the existing Code.
3. Indexing – If an Index is elected, your supplement will now be sent to our indexing team, where all new legislation is indexed and cross-referenced in all appropriate locations.
4. Proofreading – The proofreader assigned to your editorial team will then examine your supplement line by line to ensure editorial accuracy, Code hierarchy and layout and to confirm that your supplement is grammatically correct and free of errors in spelling and capitalization. Your supplement is examined again line by line to ensure that the improvements made by the editorial team were thorough and accurate. During this process, the original ordinance is compared again with the newly added text to further ensure editorial accuracy.
5. Posting the supplement online (MunicodeNEXT) – After your supplement has been completed, your online Code will be updated within 1 to 2 days and any electronic products requested will be provided. You will receive notification that the website has been updated via email. If CodeBank Compare + eNotify service is elected, citizens will be notified each time the online Code is updated. When your Code is updated on MunicodeNEXT, all internal cross-reference links are updated. With our OrdBank feature, each history note will be linked to the ordinance that amended the respective section.
6. Printing and Shipping – We will print, cut, 3 hole-punch, insert divider tabs (if elected) and ship your supplement to you quarterly unless otherwise instructed. You can change your supplement schedule at any time, and there is no additional charge for more frequent supplementation. *Instruction Sheet:* With each printed supplement, we will furnish a page of instructions for removal of the obsolete pages and insertion of the new pages; as well as a *Checklist* of up-to-date pages with each supplement.



## Online Code Hosting Services (MunicodeNEXT)

Our code hosting platform, MunicodeNEXT, includes both Standard and Premium features, designed to provide a wide variety of additional capabilities for the research and navigation of your code, as well as for preserving its history.

With our MunicodeNEXT advanced features, your staff and citizens need only click the link provided on your municipality's website to access your full Code of Ordinances. They not only have access to your complete and current Code of Ordinances, but to all archived versions of your code, every official copy of your ordinances, the power to compare versions of your code over time, the ability to be notified every time your code is updated, and the ability to translate your code into over 100 languages via **Google Translate**, which is included at no additional charge. We encourage you to visit our online library of over 3,700 Codes hosted on MunicodeNEXT: <https://library.municode.com/>.

ADA compliance is multi-faceted. All HTML content viewed via our MunicodeNEXT web application is WCAG 2.1 Level AA compliant and will scale to the viewport of any modern smartphone or tablet running iOS, Android, or Windows Phone 7 or higher. Web application accessibility techniques continue to evolve and improve as technology advances. Municode is committed to making accessibility an important part of ongoing product updates. Our tech stack includes HTML5 & CSS3, Javascript (AngularJS), and a restful API written in C# running on .Net Core. All content is rendered in standard HTML and is viewable in all modern browsers including PC: Microsoft Internet Explorer 10 or later, Firefox 3.6 or later, macOS®: Safari™ 5.0 or later, and Chrome 18 or later.

We house our public facing website in a secure, SAS70, PCI compliant data center owned and operated by Flexential in Atlanta, Georgia. All systems are backed up and synchronized between our Tallahassee, Florida and Atlanta, Georgia locations for full geographic redundancy. We actively monitor the status of our hosting facility. We utilize Veeam Backup & Recovery to take daily snapshots of all servers in both of our data centers. Snapshots are performed from 8 pm EST to 5 am EST, are replicated between sites and are routinely tested. Biometric authentication is required to enter the data center facility, and anyone entering the premises must be either active customers or authorized vendors with badge and PIN access. Each rack is locked with a combination lock to prevent unauthorized entry or access. The facility is monitored by camera 24/7 to further provide physical security.

We secure our systems using enterprise grade security products. We employ firewalls from Palo Alto networks to secure the perimeter and endpoint security from Carbon Black to provide anti-virus scanning and threat detection on all servers, desktops, laptops, virtual machines and mobile devices. Carbon Black actively scans all file access on all endpoints of our network and quarantines any suspected malware, immediately sending notification to our systems administration staff. We use Nimble and 3Par SANs for all our storage needs. Each SAN member is fully redundant – redundant power supplies, controllers, NICs, etc. The drives on each array are configured as either RAID 5, RAID 50, or RAID 60 arrays.

Our powerful search engine allows users to enter simple or advanced searches and supports Boolean operators, stemming, wildcards, proximity searches, and a global synonym list. Users can easily search the code using keywords or phrases, and can print, download and/or email any portion of your code. Search terms can be applied to the entire code or narrowed to search only within specific chapters or sections. Our recent website upgrade allows users to sort results by relevance or book order! Our collapsible Table of Contents, continuous next-hit feature and internal and external hyperlinking and cross-referencing features simplify and enhance the navigation of your online code, allowing your staff and citizens the capability of simultaneously searching your code, ordinances, minutes, resolutions, budgets and more.

MunicodeNEXT is designed with accessibility in mind. Our application is fully responsive, ensuring all features are available on appropriately sized desktop, tablet, and smartphone viewports. Designed to provide easy access and an intuitive interface, it is extremely well-suited for use on tablets and mobile devices running iOS or Android. Our application also conforms to Level AA of the Web Content Accessibility Guidelines 2.1.

## MunicodeNEXT Premium Feature Summary

- ★ **OrdBank** will create one click access to every ordinance via linked history notes. Ordinances are permanently stored online in the OrdBank repository and filed in annual folders.
- ★ **CodeBank** will enable you to have instant access to past versions of your Code after each supplementation.
- ★ **CodeBank Compare + eNotify** provides you with the ability to select a past version of your online Code and compare it to any other version of the Code each time the Code is updated. The differences will be shown via Highlights (added materials) or Strikethrough (deleted material). **eNotify** allows users to enroll to receive an email notification each time your online Code is updated. A “modified,” “removed” or “added” badge is shown within the online table of contents to alert users of recently amended sections of your Code.
- ★ **OrdLink** will create highlights within your online Code to help users identify what ordinances have been recently adopted and what Code sections have been amended.
- ★ **MuniDocs** will enable you to self-upload your Minutes, Agendas, Policies, Procedures, etc. alongside your Code for quick and easy access.
- ★ **MuniPRO** allows you to search over 3,700 Codes in the Municode library, save frequently used or complex searches, create notes to attach to any publication and draft new ordinance

# ADDITIONAL SERVICES AVAILABLE FOR PURCHASE

Municode offers a wide variety of services, all of which have been designed primarily to serve local governments. Please contact us for information and pricing on any of the services listed below, all of which may be purchased under this contract and all of which are competitively priced.

## Website Design and Hosting Services

Let our team of web analysts and developers create or redesign a website for your municipality that provides your staff and citizens with a stunningly beautiful website that is simple for staff to use, easy for citizens to access, responsive, interactive, dynamic, and extremely efficient! Using the popular Drupal, open-source framework, we will work with you to understand your history, anticipate your future, define your priorities and achieve the long-term goals of your community.

When Municode designs your completely mobile friendly website, our goal is to improve your image and your community profile, increase the self-service capacity of your residents, and empower your staff to create, edit and maintain website content as simply and efficiently as possible. The result will be an unparalleled municipal website solution at a very compelling price.



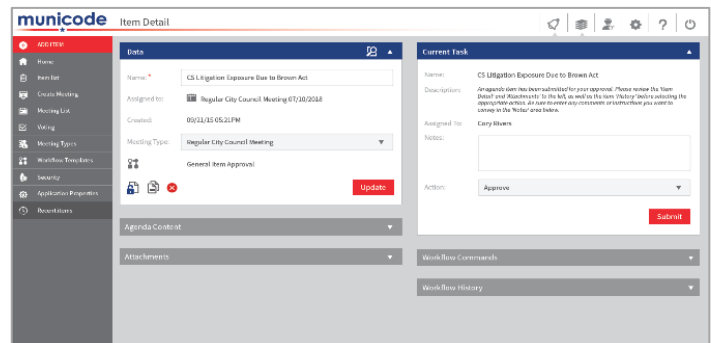
[Request MunicodeWEB Demo/Proposal](#)

## Meeting and Agenda Management

Municode provides a cloud-based agenda meeting management system that enables our clients to save time and money by streamlining and automating the agenda process. With zero set-up requirements, minimal budget impact, built in automatic upgrades and internal and external IT support issues managed directly by Municode's expert team of web analysts and system developers, your staff will spend significantly less time on agenda management, while still maintaining total administrative control of your agenda packets.

Municode provides the highest level of government transparency to your citizens. We will show you how to live stream your meeting videos at no cost and can provide archived video and audio linking capabilities that will allow your constituents to access the exact point in the meeting video where a specific piece of business is discussed. You can take roll call and record votes live in the meeting – and legislators can also vote directly from their Mac, PC, iPad, or Android device!

Other benefits include agenda process visibility, easy agenda updates, approval workflow, live Council voting & roll call, Email notifications, a Unified Document Search and automated approval routing. When you are ready to publish your Agenda, our “single click publishing” will provide you with automatic agenda and packet creations.



[Request MunicodeMEETINGS Demo/Proposal \(see pricing page 4\)](#)

## Payment Solutions - Point and Pay

Our preferred payment solutions partner Point & Pay (<https://www.pointandpay.com/>) makes paying bills easier! Everything they do is backed by their best-in-class user interfaces, insightful features and high-quality service and support. Point and Pay can assist in processing City/County taxes, utility bills, permits & licensing, and more. With a focus on mobile interfaces, they enable your customers to conveniently pay bills whenever and wherever they want!

[Request Point and Pay Demo/Proposal](#)

## MCCi Services:

### **Laserfiche Enterprise Content Management Software and Services**

MCCi understands the challenges organizations face every day with paper-based processes. We provide innovative solutions that transform these challenges into smart practices that improve efficiency, productivity and organizational structure. Recognized as one of the nation's top 20 Most Promising Government Technology Solution Providers, we are also the largest Laserfiche provider in the world. MCCi is passionate about helping organizations run their office more efficiently – saving time, money and resources! With 900 clients nationwide, MCCi is the largest provider of Laserfiche solutions in the world.

### **Digital Imaging Services**

Through MCCi, Municode can help with your digital imaging services needs include scanning, indexing and integration of hard copy documents, electronic documents, and microfilm/microfiche. MCCi provides the most powerful index retrieval search engine available.



### **Open Records Request Software**

JustFOIA is an affordable, easy to use, completely web-based hosted service that was created specifically to help you manage and track public records requests. Since JustFOIA is completely web-based, you are able to login anywhere that has an internet connection. You simply type in your customized web address and enter your credentials, safely and securely. Your service is available 24/7, every single day of the year.



**JustFOIA** helps agencies receive, track and report on open records requests. JustFOIA is a hosted solution that is user-friendly, affordable, and integrated with Laserfiche Enterprise Content Management.

[Request MCCi Demo/Proposal](#)

## **Internet-based Document Editing and Presentation System**

**enCodePlus** is a unique Internet-based document editing and presentation system used for authoring, displaying, and managing all aspects of land development regulations or zoning ordinances. Developed by community planners, **enCodePlus** assists in the creation of land development and zoning ordinances that are fully customizable, easy to navigate and rich with features including GIS interactive mapping, a "Land Use Look Up" tool, hyperlinking to outside resources, historical archiving and in-line graphics.

From its humble beginnings as a stand-alone Windows PC program, **enCodePlus** has matured to meet the needs of an innovative and exacting group of land use code writers and their client communities. To learn more about how **enCodePlus** can be an economic driver for your municipality and positively impact the transparency and navigability of your zoning or land development ordinance, please visit this link: <http://www.encodeplus.com/>



[Request enCodePlus™ Demo/Proposal](#)

# SIGNATURE PAGE

---

This proposal shall be valid for a period of ninety (90) days from the date appearing below unless signed and authorized by Municode and the City of Crete, Nebraska.

**Term of Agreement.** This Agreement shall begin upon execution of this Agreement and continue for a period of three years. Thereafter, the supplement service shall be automatically renewed from year to year provided that either party may cancel or change this agreement with sixty (60) days written notice.

**Submitted by:**

MUNICIPAL CODE CORPORATION

Municode Officer: SW

Title: Steffanie W. Rasmussen, Vice President of Client Services

Date: March 26, 2020

**Accepted by:**

CITY OF CRETE, NEBRASKA

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

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

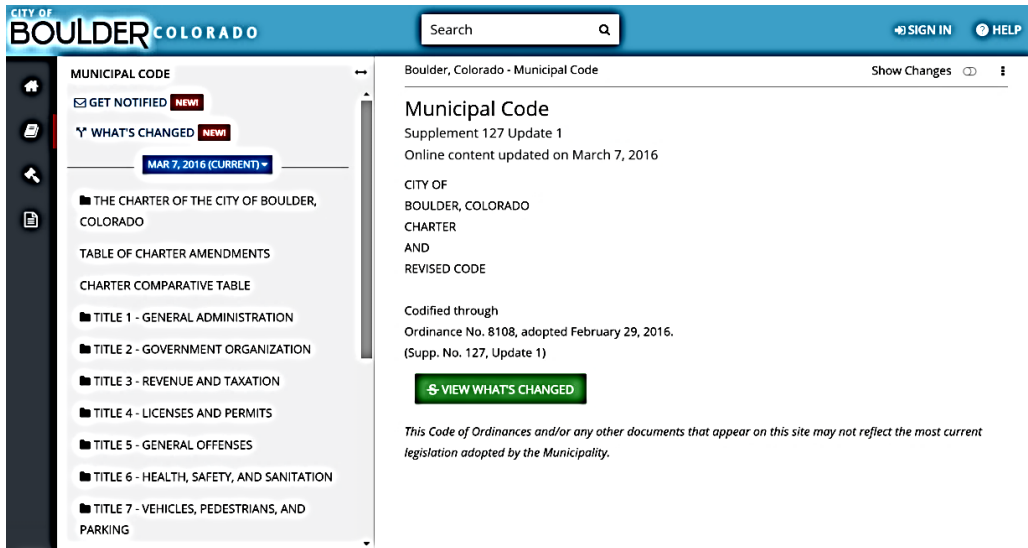


## **ATTACHMENT A**

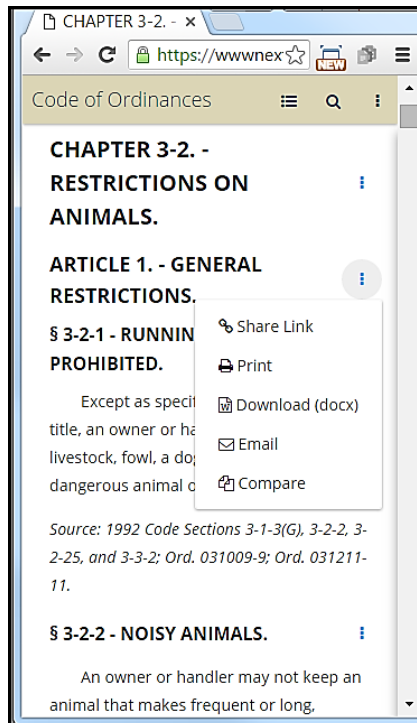
### **MunicodeNEXT Standard & Premium Features**

# STANDARD FEATURES OF MunicodeNEXT

**Responsive Design** – Our team designed MunicodeNEXT to function on any device. Over 20% of our traffic is generated from a smartphone or tablet. Our user interface, based on Google's Material Design guidelines, ensures any device that accesses our application will have access to our full suite of features.

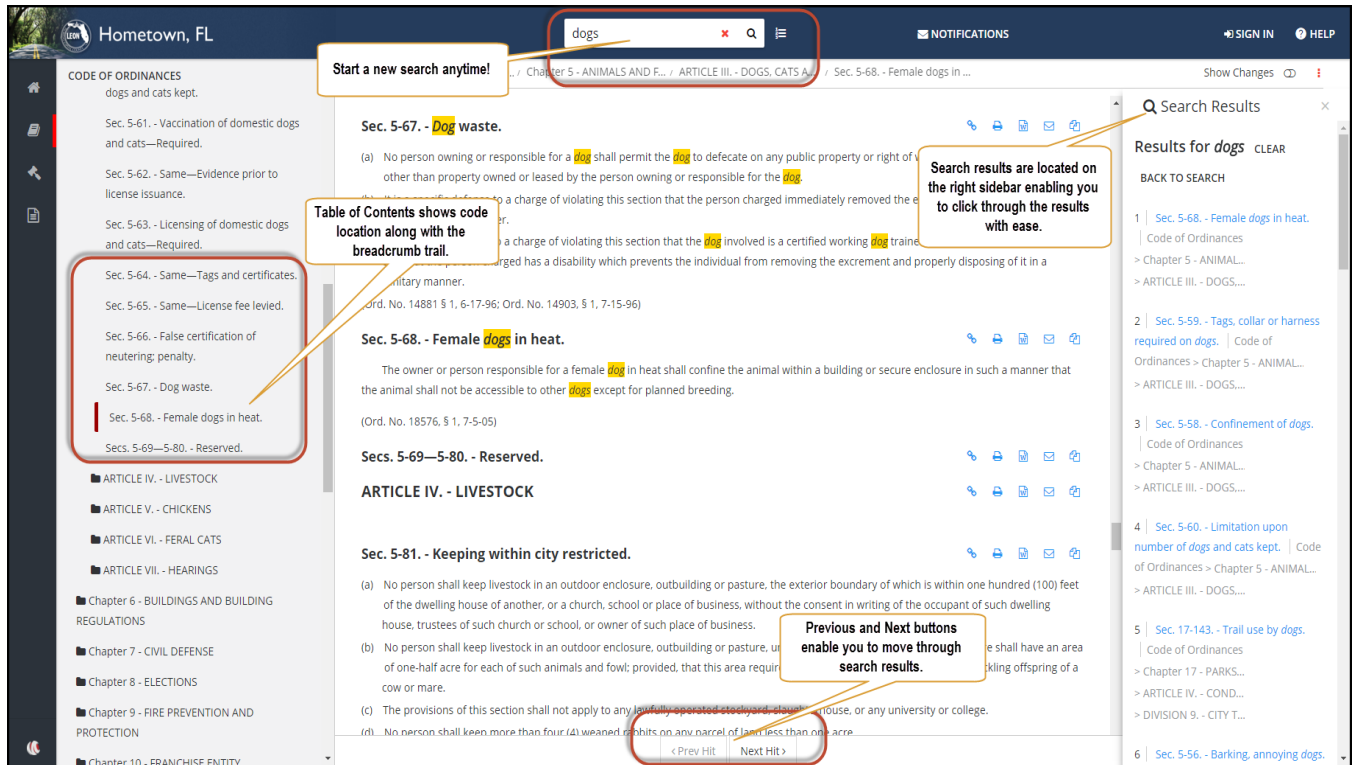


**Mobile and Tablet friendly** – Our application uses touch friendly icons, easy to access menus, and fly overs to expose all functionality while maintaining a clean, intuitive interface.



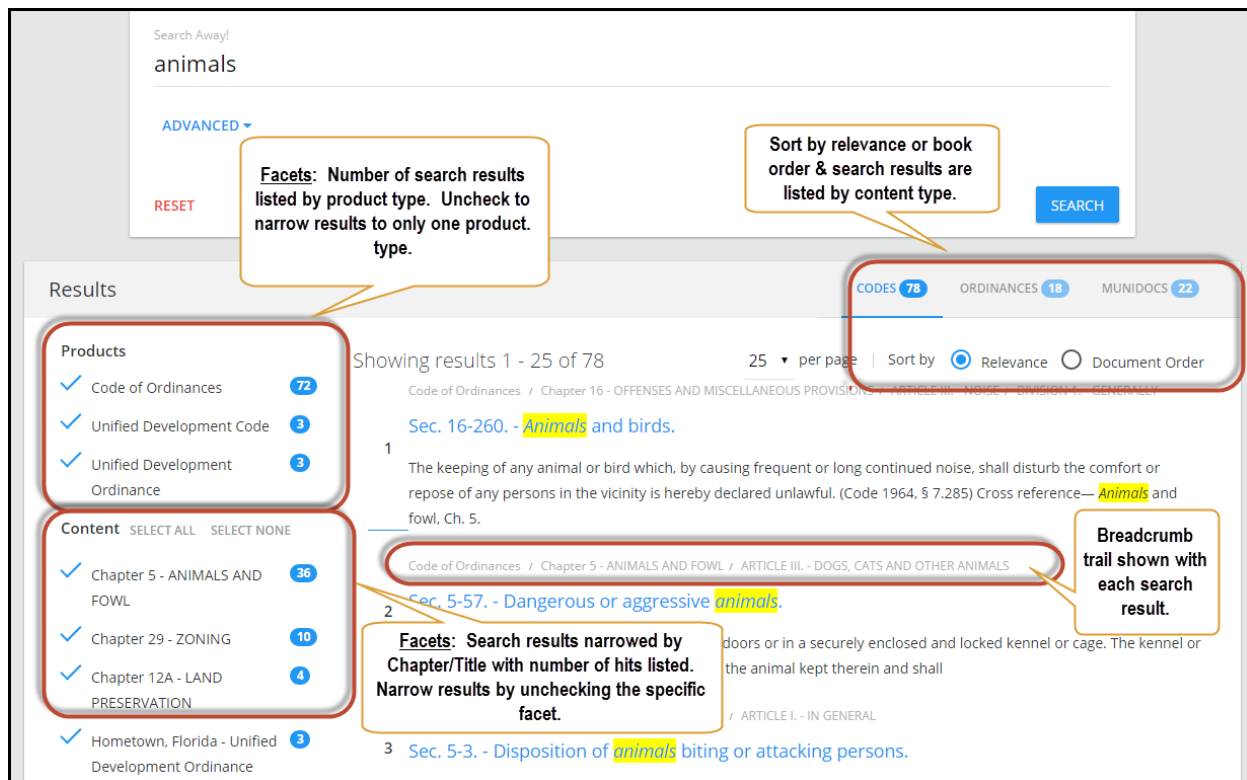
**Print/Save/Email** – Users can print, save (as WORD) or email files at the section level, as well as at the article or chapter level. You can print, save or email non-sequential sections from multiple portions of your Code(s). Not all codification companies enable you to download WORD documents directly from the website. Being able to do so greatly enhances your ability to draft new legislation.

**Searching** – Municode leverages a powerful open source search platform that also powers sites such as Stackexchange, Github, and Wikipedia. Search starts on a dedicated page, then moves to a persistent right-hand sidebar as you cycle through the results. This enables you to quickly move through search results without clicking “back” to a search results page. The Code is also indexed by the section, returning more accurate, granular results. Search results can be sorted by relevance or book order as seen in the screenshot below.



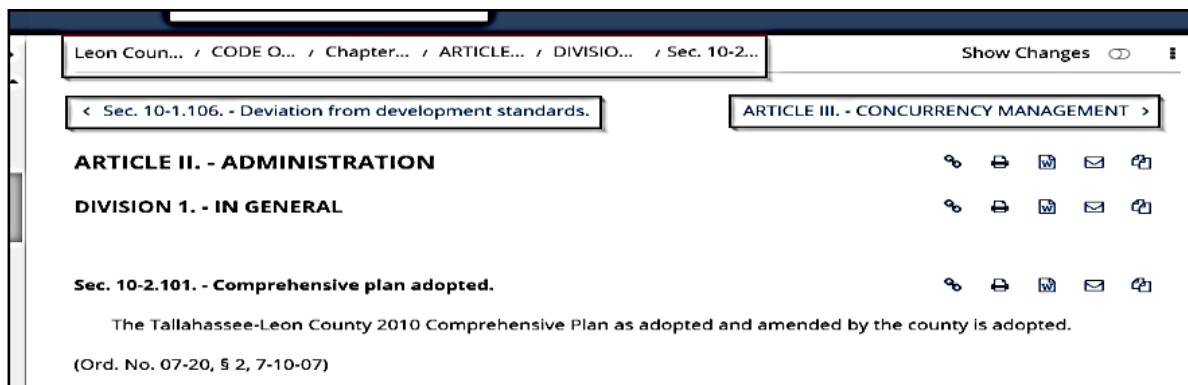
### Municode Search Components:

- ★ **Advanced Searching** – You and your power users can conduct searches using Natural Language (think Google) or Boolean Logic.
- ★ **Multiple Publications** – If you have multiple publications (Code, zoning, etc.), they will all be searchable from one interface.
- ★ **Searchable ordinances** – With our OrdBank service, ordinances posted pre and post-codification are full-text searchable.
- ★ **Searching all content types** – If you use our OrdBank or MuniDocs service, you can search any combination of the Code, ordinances, and MuniDocs simultaneously. Search results are labeled for easy identification.
- ★ **Narrow Searching** – Your users could search selected chapters or titles in order to pinpoint their searches and find what they are looking for as quickly as possible!
- ★ **Stored Searching** – MunicodeNEXT allows all search result listings to be bookmarked under your browser’s bookmark tabs. Users need only conduct a search and press Ctrl+D to add the search result listing to your browser’s tabs.



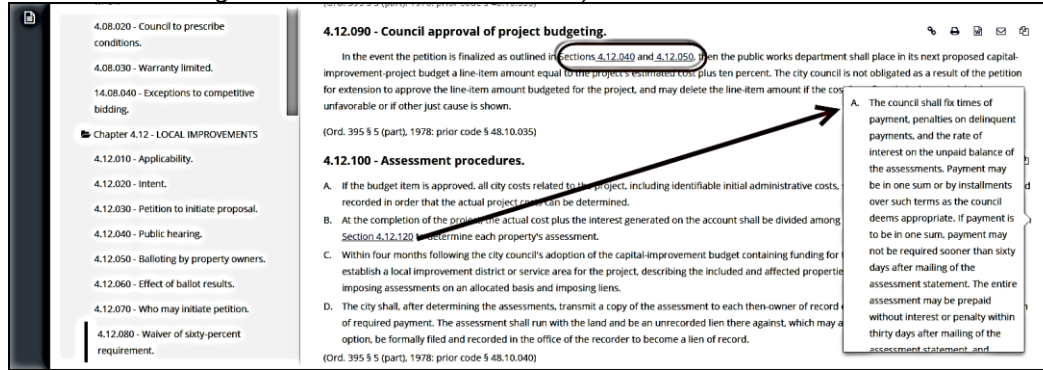
**Search enhancements provided with our latest website upgrade include (see screenshot above):**

**Browsing** – MunicodeNEXT provides a persistent breadcrumb trail when browsing or searching and a Previous/Next button at the top and bottom of any document you’re viewing. The table of contents and content pane also stay in sync as you scroll to deliver the most intuitive reading experience possible.



- ★ **Internal Cross-Reference Linking** – Cross-references within your Code are linked to their respective destination Article, Chapter or Section.
- ★ **Collapsible TOC** – The table of contents collapses, providing additional real estate with which you may view your Code. Easily view your maps, graphs and charts by simply enlarging the item.
- ★ **Mouseover (cluetips)** – Navigate to your Code and any linked cross-reference will quickly display in the pop-up preview window.
- ★ **Google Translate** – includes the Google Translate plugin, allowing users to view and navigate our hosted Codes in over 100+ languages.

(Cross-reference linking and mouseover shown below)



**Translation** – MunicodeNEXT includes the Google Translate plugin, allowing users to view and navigate our hosted Codes in over 100+ languages.

**Social Media Sharing** – You and your users are able to share Code sections via Facebook and Twitter. This will make it easier for you and your team to utilize social media in order to engage your citizenry and enhance your level of transparency.

**Static Linking** – Copy links of any section, chapter or title to share via email or social media.

**Scrolling Tables and Charts** – Headers stay fixed while you scroll through the table/chart.

**GIS** – We can provide a permalink to any Code section and assist staff to create a link from your GIS system to relevant Code sections.

**In-line Images & PDFs** – We take great care to ensure that your images match online and in print and are captured at the highest quality possible. Our online graphics can be enlarged by hiding the table of contents to maximize the image. Municode can also incorporate PDFs of certain portions of the Code that have very specific viewing and layout requirements.

**Website Accessibility** – Our current website complies with level A of the Web Content Accessibility Guidelines (WCAG) 2.1.

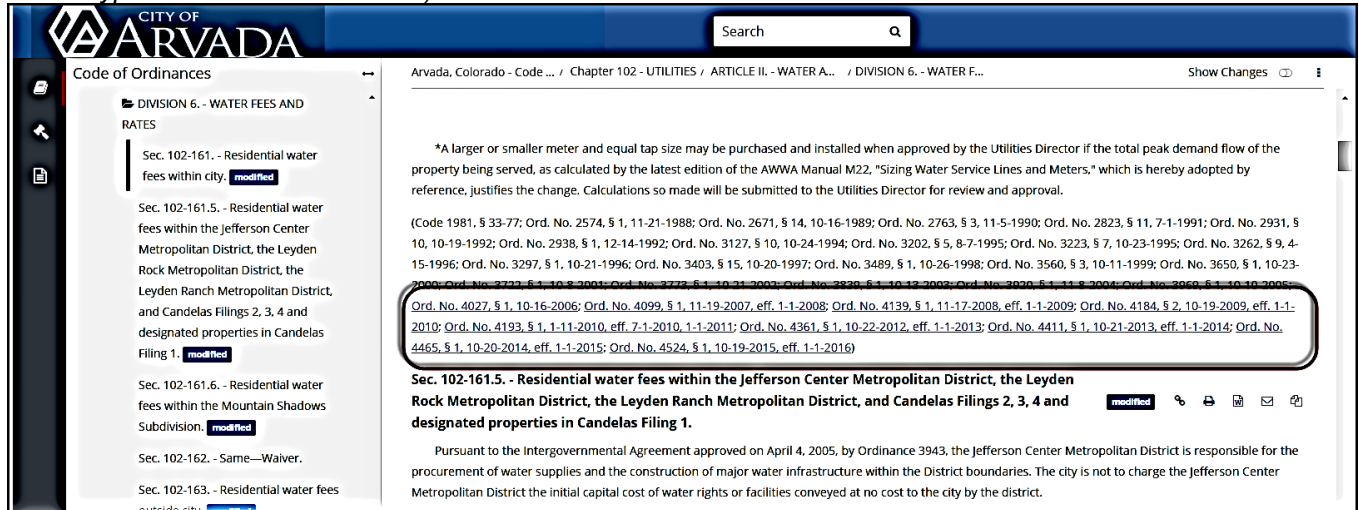
**Support** – Phone, email and web support for citizens and staff: 24-hour email response; phone support from 8:00 a.m. to 8:00 p.m. (Eastern). A variety of video tutorials are offered, and we are always available to host a personalized webinar for you and your staff to demonstrate our online features.

# PREMIUM FEATURES OF MunicodeNEXT

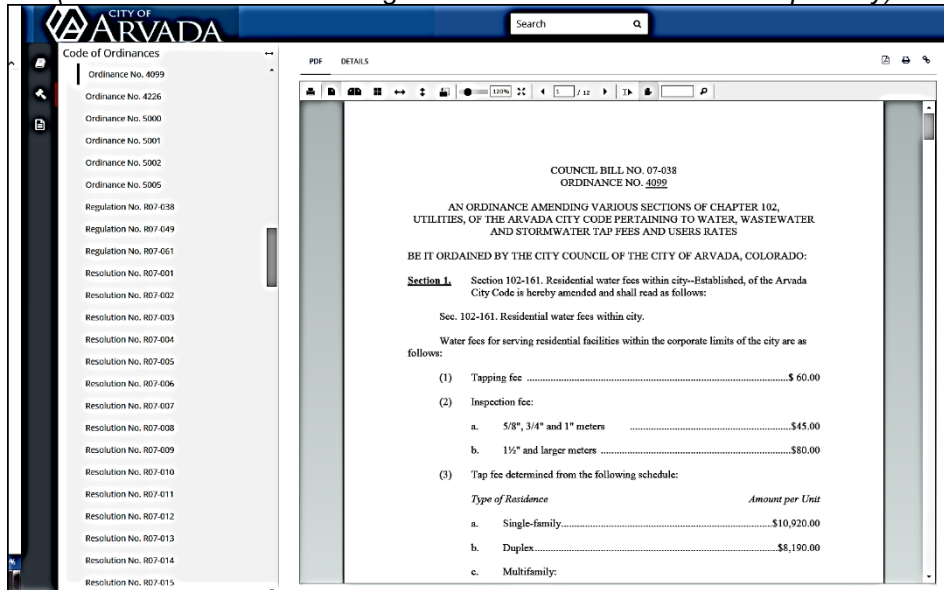
**Custom Banner.** We can customize the look and feel of your Code to more closely match your website. Please note the custom banners in each of the screenshots provided in this sample.

**OrdBank.** With our OrdBank solution, newly adopted legislation will be posted online in between supplements. Upon the completion of your supplement, the ordinances will be linked in your history notes and stored in your OrdBank Repository under the “OrdBank” tab.

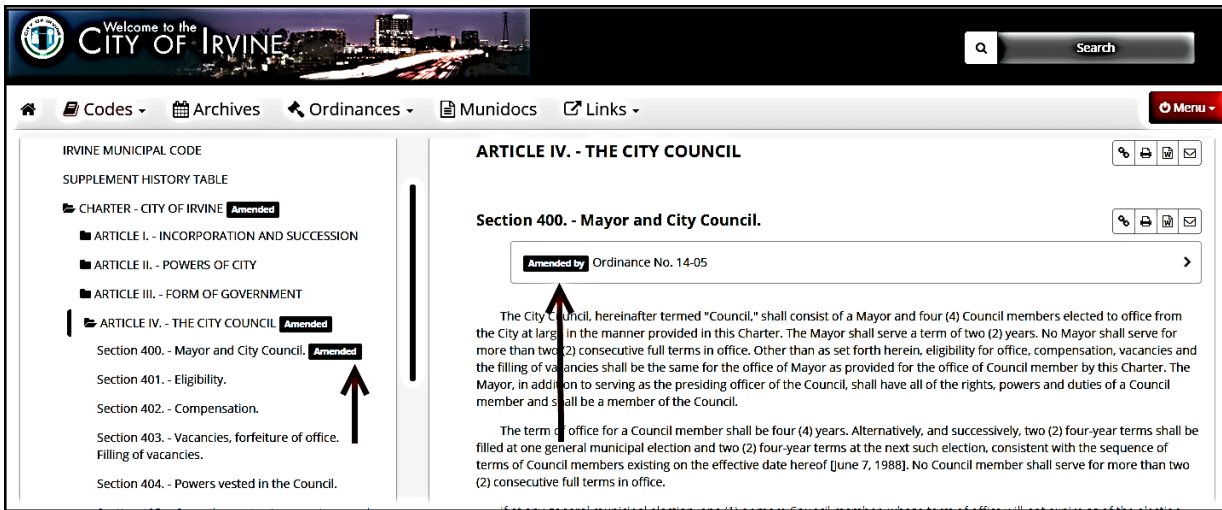
*Hyperlinked ordinance in text)*



*(One-Click access to the original ordinance in the OrdBank Repository)*

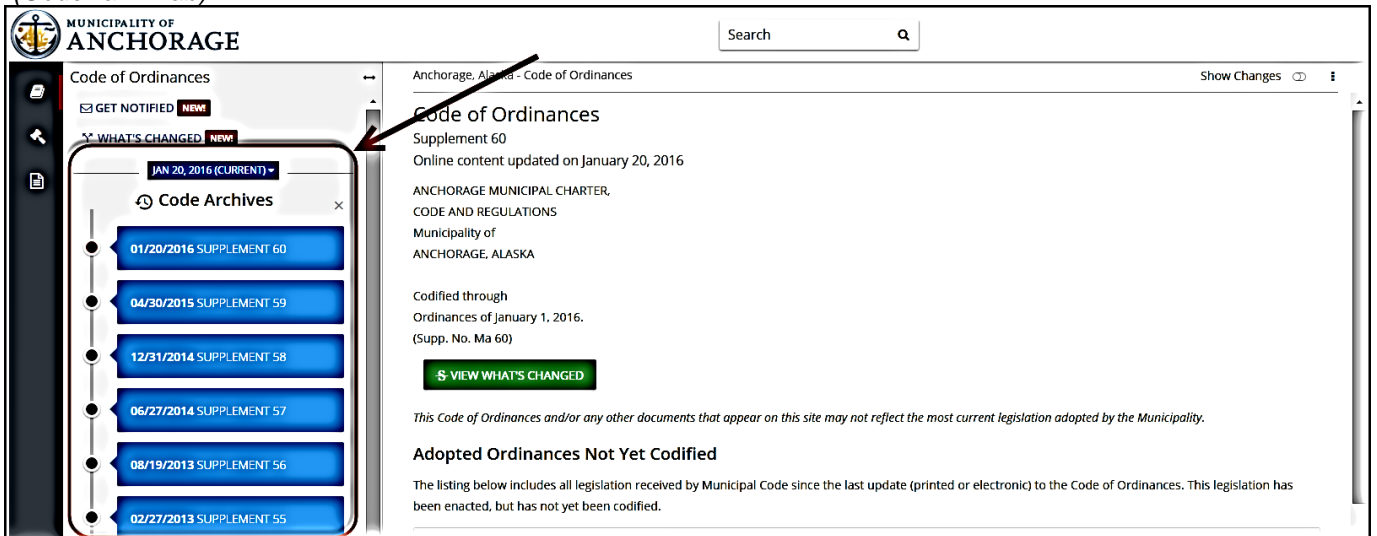


**OrdLink + OrdBank.** Prior to incorporating the ordinances into your Code via supplementation, the OrdLink feature can hyperlink newly adopted ordinances to the section being amended. Linked sections are highlighted in the table of contents and links are created from the amended sections to the new ordinances. Once the linked ordinances are incorporated into your Code, they are added to your OrdBank repository and hyperlinked to your history notes. This service lets everyone know that new ordinances have been adopted.



**CodeBank.** Our CodeBank feature provides an online archival platform for previous supplements of your Code. Empower your staff and citizens to access every previous version of your Code with one click.

*(CodeBank Tab)*



**CodeBank Compare.** Our CodeBank Compare service is a powerful feature that provides users the ability to select a past version of your online Code and compare it to any other version of your online Code. The differences will be shown via highlights (added material) or strikethrough (deleted material). The CodeBank feature is required in order to access CodeBank Compare. Users will be notified of the changes in the table of contents and within the text of the Code via “modified,” “new” or “removed” badges. Users can also select an option to view all of the changes in a single view, complete with strikethrough and highlights showing the specific textual changes that were made. The CodeBank Compare service will show all amendments to your Code that were implemented during the most recent update.

**eNotify.** Our eNotify service allows users to enroll online and receive email notifications each time your online Code is updated. This will empower your staff and citizens to receive instant notifications every time your online Code is updated. The CodeBank Compare feature is required in order to utilize the eNotify service.

**Get Notified**

Filling out this form will allow you to receive an email notification every time select publications are updated.

**Note** If you no longer wish to receive these notifications once signed up, you can unsubscribe via a link in the notification email.

Email  
Enter email

Profession  
Select One

Codes

- Unified Development Code
- Unified Development Ordinance
- Code of Ordinances

Sign up to be notified for all publications or narrow notifications to only one product.

Compare enhancements provided with our latest website upgrade include the ability to show changes in every version of the Code stored in CodeBank.

*(Changes are shown in your Text Changes Tab and in your Table of Contents)*

MUNICIPALITY OF ANCHORAGE

Code of Ordinances

Chapter 2.30 - RULES OF PROCEDURE FOR ASSEMBLY

- 2.30.010 - Organization: election of chair and vice-chair.
- 2.30.020 - Presiding officer.
- 2.30.030 - Meetings **modified**
- 2.30.040 - Appearance requests and audience participation.
- 2.30.050 - Introduction of ordinances: action on ordinances.
- 2.30.055 - Conduct of public hearing.
- 2.30.060 - Public hearings and action on proposed resolutions.
- 2.30.070 - Voting.

ANCHORAGE, Alaska - Code of Ord... / TITLE 2 - LEGISLATIVE BRANCH / Chapter 2.30 - RULES OF PROCE...

Show Changes

1. Executive sessions.

1. The assembly may recess to meet in executive session to discuss the following subjects if the express nature of the subject is stated in the motion calling for the session:

- a. Pending a specific legal matter, including pending litigation;
- b. Labor negotiations with municipal employees;
- c. Matters that the immediate knowledge disclosed of which would clearly affect have adversely an adverse effect upon the finances of the municipality; or
- d. Matters which tend to defame or injure prejudice the reputation and character of persons any person, provided the person may request a public discussion.

Matters which by law, municipal charter, or ordinance are required to be confidential, or

Matters involving consideration of government records that by law are not subject to public disclosure.

2. No official action may be taken in executive sessions except to give direction to an attorney or labor negotiator regarding a specific legal matter or pending labor negotiation. Although the public may be excluded, the session shall be electronically recorded. The tapes shall be available for public access according to the following schedule:

- a. If the session concerns pending litigation, the release date shall be when all causes of action have been resolved by final judgment or when further claims arising from the matter are otherwise barred;

CHANGED SECTIONS

- ANCHORAGE MUNICIPAL CHARTER, CODE AND REGULATIONS **modified**
- SUPPLEMENT HISTORY TABLE **modified**
- TITLE 2 - LEGISLATIVE BRAN... **modified**
- Chapter 2.30 - RULES OF PROCE... **modified**
- 2.30.030 - Meetings **modified**
- TITLE 2 - LEGISLATIVE BRAN... **modified**
- Chapter 2.50 - INITIATIVES, REFEREN... **modified**
- 2.50.090 - Effect of vote.
- TITLE 3 - ADMINISTRATION / **modified**
- Chapter 3.20 - EXECUTIVE ORGANIZA... **modified**
- 3.20.010 - Executive and administrative order.

*(Show changes button and a custom banner are shown below)*

MUNICIPALITY OF Bonita Springs Florida

Code of Ordinances

GET NOTIFIED **NEW**

WHAT'S CHANGED **NEW**

JAN 29, 2016 (CURRENT)

BONITA SPRINGS CITY CODE

- PREFACE
- SUPPLEMENT HISTORY TABLE **modified**
- CHARTER
- ARTICLE I. - [IN GENERAL]
- ARTICLE II. - [EFFECTIVE DATE]

Bonita Springs, Florida - Code of Ordinances

Show Changes

Code of Ordinances  
Supplement 2  
Online content updated on January 29, 2016

BONITA SPRINGS CITY CODE

Codified through  
Ordinance No. 15-27, enacted December 2, 2015.  
(Supp. No. 2)

VIEW WHAT'S CHANGED

This Code of Ordinances and/or any other documents that appear on this site may not reflect the most current legislation adopted by the Municipality.

**MuniDocs.** MuniDocs Upload allows you to upload many types of documents to browse and search alongside your online code and is fully searchable and filterable. After user's login, they are presented with a dashboard that allows them to upload new documents and manage previously uploaded documents. When uploaded, users are able to pick from a list of predefined document types

Name
Minutes
Agendas
Budgets
Resolutions
Applications
Forms
Policies
Manuals
Misc. Documents

Uploading a document is as simple as dragging and dropping the document from your computer into the upload dialog box on the admin dashboard. Uploaded documents are immediately converted to PDF and indexed for search. Users may upload .rtf, .doc, .docx, and .pdf documents and organize these documents by nested folders. The public can then browse and search these documents immediately.

The screenshot shows the MuniDocs interface for the 'Ahoskie > Minutes' folder. A file upload dialog box is open, displaying the following information:

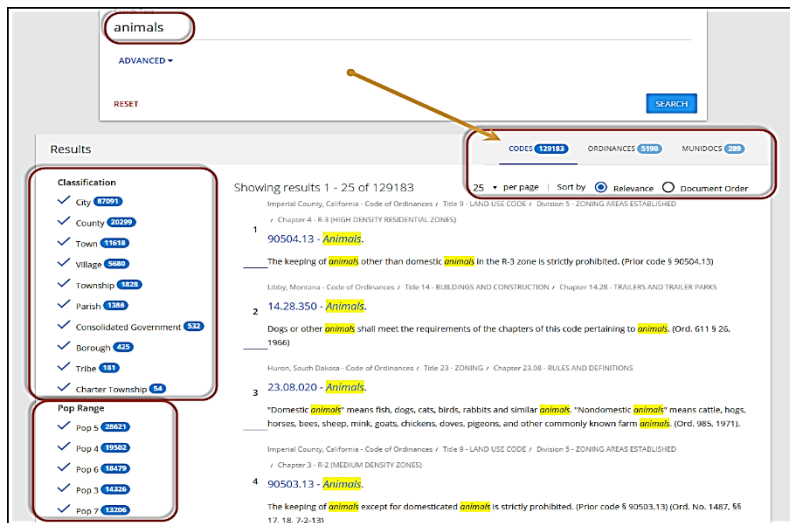
- Supported file types: .doc, .docx, .pdf
- Max file size: 10 MB
- Success message: "Success! All files uploaded." with a "RESET" button.
- File list table:

Name	Size	Status
Ord_2018-105 (4).pdf	144 KB	✓ Success

The background interface includes a table with columns 'Name' and 'Sort Date', an 'UPLOAD FILES' button, and a 'NEW FOLDER' button. A 'BACK TO DASHBOARD' link and '© 2017 Municode' are also visible.

**MuniPRO.** MuniPRO Searching allows you to search the over 3,700 Codes we host (the entire country, a single state or individually selected Codes of your choosing). MuniPRO searches are ideal for researching local regulations of special interest or to find out how other communities are dealing with similar issues. If the IP based model is selected, only Multiple Code Searching is available. MuniPRO provides subscribers with the following tools:

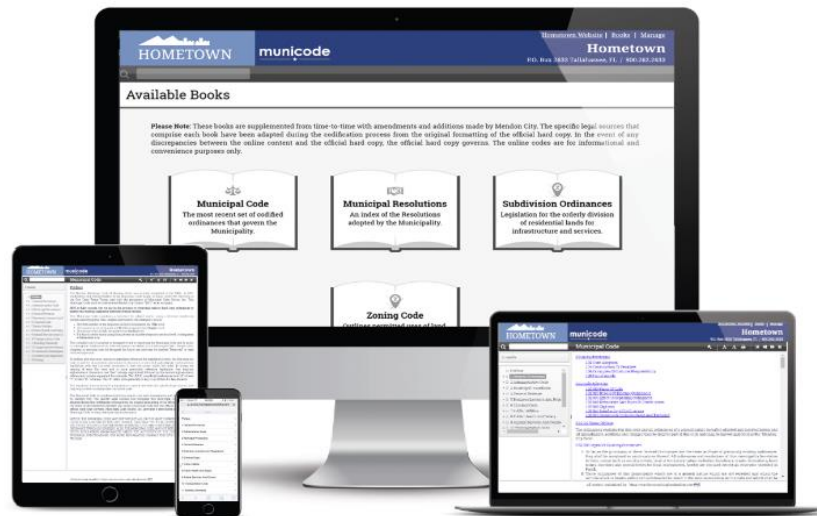
- ★ **Multiple Code Search.** Search all Codes within one state, multiple Codes within one state, or search all Codes in the entire US hosted by Municode. Search results are sorted by relevancy and indicate the source publication, showing excerpts and keyword highlighting.
- ★ **MuniPRO Saved Searches.** Save frequently used or complex searches for easy retrieval from the MuniPRO Dashboard.
- ★ **MuniPRO Notes.** Create a note and attach it to any section in any publication. Note icons are present when viewing the section, alerting the user to a previously written note. A global listing of notes can be accessed and managed from the MuniPRO Dashboard.
- ★ **MuniPRO Drafts.** Begin a new ordinance draft to keep track of pending legislation. Drafts icons are present when viewing the section, alerting the user to a previously created draft. A global listing of drafts can also be accessed and managed from the MuniPRO Dashboard.



# SELF-PUBLISHING SOFTWARE

## City of Crete, Nebraska

March 26, 2020  
(Quote Valid for 180 Days)



# municode

CONNECTING YOU & YOUR COMMUNITY



### James Bonneville

Legal Sales Director

Phone 651-262-6262

Email [JBonneville@municode.com](mailto:JBonneville@municode.com)

PO Box 2235 Tallahassee, FL 32316

*This proposal will serve as **Exhibit A** to the attached Self-Publishing Software Agreement*



GovTech Top 100 Innovators in  
2016, 2017 & 2018

municode  
CONNECTING YOU & YOUR COMMUNITY

# LETTER OF INTEREST

---

March 26, 2020

Ms. Judi Meyer  
City Clerk  
City of Crete  
243 East 13<sup>th</sup> Street  
Crete, Nebraska 68333-0086

via email: [judi.meyer@crete.ne.gov](mailto:judi.meyer@crete.ne.gov)

Ms. Meyer:

Thank you for speaking with Legal Sales Director James Bonneville regarding our Self-Publishing Software service. This service is an ideal solution for clients who prefer to maintain control of the updating of their Code of Ordinances (and additional publications) independently and in-house for a fixed annual cost.

Municode has been connecting our local government clients with their citizens since 1951! Whether it is through the legal codification process, our full-service or self-service code updating options, our robust suite of online legislative search tools, meeting management and agenda software or custom government website design, we have the experience, resources and expertise to provide our clients with innovative products, superior technology and excellent customer service. We encourage you to visit our corporate website to explore our full suite of local government services: <https://www.municode.com/>

After the material is converted to Municode's database, authorized users can log in to the online code, draft proposed changes directly within the contents of the Code, automatically generate ordinances and resolutions, and then publish the amended Code on the web. To view an online Code that is maintained and published by Municode via our Self-Publishing Software option, please visit the Alpine City, Utah Code: <https://alpine.municipalcodeonline.com/>

The following pages describe this software in more detail. You can also visit our website to request a demo, watch an informative Self-Publishing Software video and review the online Codes of many of our satisfied Self-Publishing Software clients.

To purchase this software, please indicate any additional services you are interested in on pages 2, 8 and 9 and return the attached signed Agreement to us for processing. If you have any questions, please let us know. In addition to email, James can be reached at 651-262-6262. Thank you for the opportunity to submit this proposal!

Sincerely,



Bob Geiger  
Vice President of Sales  
Phone: 850-692-7132  
[bgeiger@municode.com](mailto:bgeiger@municode.com)

# PRICE QUOTATION SHEET

---

## SOFTWARE LICENSE, Code of Ordinances, annually \$2,200<sup>1</sup>

The creation of the custom service/instance online enables users access to:

- ★ Automatic Ordinance/Resolution Drafting Tool
- ★ Automatic Code Updates
- ★ Legislative History Tool
- ★ PDF Ordinance/Resolution Storage<sup>2</sup>
- ★ Automatic PDF Generation for backup/printing
- ★ Online Training and Customer Service
- ★ Activation of any additional publication, as quoted below

## DATABASE CONVERSION & SOFTWARE SETUP (Includes 3 hours training) \$1,000<sup>3</sup>

Conversion to Self-Publishing Software empowers you to have a current Code and focus on present/future changes. Includes up to 1,500 pages of Code material, additional pages will be converted at 50¢ per page. If Code material is less than 1,500 pages, the remaining page count balance may be applied toward the conversion of any additional publication *during the first 3 months of the Agreement term*. All converted material will be posted online within 4 to 6 weeks of our receipt of the material in an editable electronic format.

## CODE UPDATE SERVICES, per ordinance/resolution page \$18

*During the initial Code conversion*, additional material such as ordinances, resolutions, or policies can be added into any *coded* publication upon request.

## ADDITIONAL PUBLICATIONS, each, annually (Optional) \$295<sup>4</sup>

Can include Minutes, Policies & Procedures, Handbooks, Manuals, Standards, Plans and more!

## ADDITIONAL SERVICES AVAILABLE

- ★ Conversion, per additional publication (if added after the first 3 months) \$1,000
- ★ Code Update Services, *after* initial Code conversion, per hour \$150<sup>5</sup>
- ★ Consultation Services, per hour \$100<sup>6</sup>
- ★ Additional Training, per hour \$150
- ★ Onsite Training Quote available upon request
- ★ State Law Review, Legal Review, Recodification Quote available upon request
- ★ Renumbering of Code, quote based on Code material Quote available upon request

## RECOMMENDED ADDITIONAL SERVICE

*(The perfect companion to our Self-Publishing Software service! Please see page 8 for details)*

- MunicodeMEETINGS** Agenda Management Software, annually \$4,000  
Cloud-based agenda meeting management system. Streamlines and automates agenda process. Increases agenda process visibility, easy agenda updates, approval workflow, live council voting & roll call, email notifications, a unified document search and automated approval routing.

---

<sup>1</sup> Includes 5 user licenses. Quotes for additional user licenses available upon request. Invoiced annually upon anniversary date of initial online publication. Following the initial Agreement term, costs may increase by a percentage equal to the then applicable annual percentage increase in the Consumer Price Index (CPI) for All Urban Consumers.

<sup>2</sup> Data limitations may apply.

<sup>3</sup> Provided Municode can rely upon the version of the Code furnished and it is in an editable, electronic format. Conversion fee, annual licensing fee and any additional applicable fees are payable upon completion of data conversion to Municode's database. All material for conversion to Municode's database must be received within 30 days of receipt of signed Agreement. Complex or form-based graphics may be subject to an additional fee. We will contact you should this occur.

<sup>4</sup> Invoiced upon date of initial online additional publication, and annually thereafter upon anniversary date of initial additional publication.

<sup>5</sup> Excludes legal services, Should legal services be desired, please contact us for a price quote.

<sup>6</sup> Excludes legal services. Can include amendments to signature setup, graphic design/digital imaging services, meeting attendance or special projects. Should legal services be desired, please contact us for a price quote.

# COMPANY PROFILE

## History, Mission, and Team

With over 69 years of experience, Municode's mission is to connect public sector organizations with their communities. Our solutions promote transparency and efficiency - such as custom website design, meeting and agenda management, the legal codification process, and our robust suite of online legislative search tools.

Municode partners with more than 4,000 government agencies across all fifty states. Municode is a privately-owned financially sound corporation. Our leadership focuses on improving Municode through investments in its people and its technology. Our culture is conducive to the longevity of our employees; our clients can establish a long-term partnership with our experienced and stable workforce.



Municode is home to over 160 employees (most of whom enjoy a 10+ year tenure). Our headquarters in Tallahassee, Florida includes four buildings totaling 56,000 square feet. We have regional offices located in Rancho Mirage, California; Loveland, Colorado; Sarasota, Florida; Boise and Rexburg, Idaho; Carmel and Kewanna, Indiana; Stillwater, Minnesota; Charlottesville, Virginia; Hudson, New Hampshire; Asheville and Raleigh, North Carolina; Kaysville and Providence, Utah; Lake Oswego, Oregon; Fort Worth, Dallas and Edinburg, Texas.

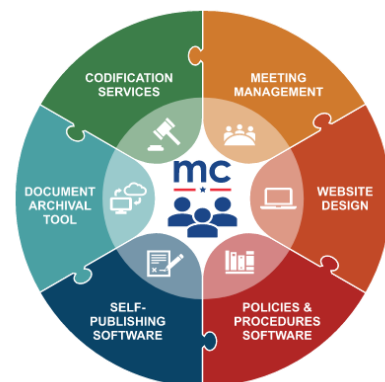


## Our Vision: Simple, Seamless Integration

Our vision is to create seamless integration between our service offerings. The goal is to reduce staff workload, while at the same time, increasing the ability for municipalities to connect with their communities.

The following example integration points are either in place today or envisioned in our future strategic roadmap.

- Unified search across all platforms (website, meetings, online codes)
- Auto-publish agendas and minutes from the Meetings platform to the Website
- Ordinance auto-publishing from the Meetings platform to your online code, queued for supplementation, Code of ordinance cross-references to legislative voting history, minutes, and video/audio



# OUR TEAM

---



## **Eric Grant, President**

Eric Grant is President of Municipal Code Corporation (Municode). Eric joined the Municode team in 2007 after receiving his Juris Doctorate from the University of Virginia School of Law, and becoming a member of the Florida Bar, Eric served as a Tank Platoon Commander in the United States Marine Corps. Eric attended both the United States Naval Academy and Georgetown University's School of Foreign Service. While at the Naval Academy, Eric served as the Brigade Commander, responsible for the development, training and welfare of over 4,000 of America's finest young men and women. As President of Municode, Eric has helped the company achieve increased levels of growth and has guided the team in several acquisitions both in Municode's traditional line of business and into new verticals.



## **Phillip Claiborne, Chief Information Officer/Chief Operating Officer**

Our IT team is led by our Chief Information Officer/Chief Operating Officer, Phillip Claiborne, whose staff of 17 web application developers and system administrators is dedicated to remaining the industry's leader for technological advances in our field. They maintain and routinely enhance our website, MunicodeNEXT to create new ways to make your Code as transparent and informative as possible.



## **Julie Lovelace, Vice President of Code Department**

Our Code Department is led by Julie Lovelace, Vice President of Codes. Julie has over 27 years of experience in local government law and ensures that our final legal products meet Municode's demanding standards. With the combined expertise of Julie and her team of seasoned codification attorneys, our Code Department has successfully completed well over 4,300 intricate codification, recodification and Legal Review projects.



## **Tassy Spinks, Vice President of Supplement Department**

Our full-service Supplement team is led by Vice President of Supplements, Tassy Spinks, whose 14 professional legal editorial teams work diligently to ensure that our clients receive the timeliest and most accurate supplements possible, with the highest quality of printed publications originating directly from the printing facility located in our Tallahassee headquarters.



## **Dale Barstow, Executive Vice President**

Dale Barstow is the Executive Vice President of Municode. Dale started working at Municode in 1971 and has extensive experience working with Municipal and County Government. He is a graduate of Embry-Riddle Aeronautical University. He serves as past President of the Municipal Clerks Education Foundation of the International Institute of Municipal Clerks. Mr. Barstow is an Honorary Municipal Clerk in the States of Florida, Texas, North Carolina, and Missouri.



## **Steffanie Rasmussen, Vice President of Client Services**

Steffanie Rasmussen, Municode's Vice President of Client Services, directly oversees our customer service staff. Steffanie earned her M.S. in Industrial & Organizational Psychology from Kansas State University and a B.S. in Business Psychology and a certificate in Performance Management from Florida State University. Steffanie joined the Municode team in 2010 and she specializes in nurturing new contracts to fruition, from pre-contract negotiations to web publication and ongoing supplementation customer service support.



## **Kimball Clark, Regional Sales Executive**

A graduate of Weber State University, Kimball has over 20 years of experience in graphic design and has played a major role in the creation of SaaS (Software as a Service) cloud-based management tools for various industries. During the last 5 years, Kimball has focused his technical skills primarily on self-publishing services for local government clients, with an emphasis on the publication and in-house maintenance of Codes of Ordinances.

# SCOPE OF SERVICES

---

Our Self-Publishing Software was created specifically for municipalities who prefer to publish and maintain their Code (and other selected publications) online and “in-house”, using your staff in lieu of Municode’s team of Legal Editors and Legal Proofreaders to edit and update the Code.

Self-Publishing Software puts the maintenance of the Code directly into our client’s hands and is equipped with all of the tools and technology needed to ensure the successful self-maintenance of your Code and other publications.

## We Convert Your Code, You Publish

The self-publishing process begins with converting your recently updated and current Code of Ordinances into Municode’s Self-Publishing software platform. If desired, our experienced editorial staff is available to provide assistance to bring the Code current for online publication, or to assist in updating the online Code at any future point in time, as indicated on the **Price Quotation Sheet**. While some municipalities may prefer the complete independence our online framework offers, we are always available to assist upon request. What if you don’t have an official Code, but still wish to utilize this service to record and update your legislation?

During the Code conversion process, you can elect to keep your current Code numbering system or consult with Municode staff to create a logical and inclusive code numbering system that will allow for the continued growth and expansion of the Code. After your material is converted to the Municode software platform, we will provide the necessary training to enable authorized users to update the online Code of Ordinances. This process occurs through our proprietary code-to-document proposal method (which generates automatic digital ordinances/resolutions), or by converting a passed document into the online platform.

## Your Changes = Instant Ordinances

As you propose changes in your online code, your edits are tracked and redlined, allowing you to generate automatic ordinances or resolutions for legislators. All proposals made to the Code are automatically numbered and redlined, enabling your Council to clearly see what material has changed, and how those changes will impact your code. Upon passage, staff digitally applies roll call votes. Signatures and seals are applied via email approval. Once the attester approves, your code is current.

## Sign, Seal & Update by Email Approval

After the automatically-generated document is passed by your Council, an email is generated to request the approval and authorization of your presiding Officer(s) and Attester(s). Upon their authorization, your online code can be instantly updated, and the documents may also be digitally signed and sealed.

In addition to self-publishing your Code of Ordinances, other books or publications can be published and updated within our Self-Publishing platform, such as Minutes, Policies & Procedures, Fee Schedules and more.

# SELF-PUBLISHING SOFTWARE FEATURES

---



## Complete Edit, Legislative History

Transparency is your and our primary objective. All changes made to your code within the system are fully and automatically documented and recoverable. The Self-Publishing Software service automatically records your legislative history for your citizens to see the evolution of your code supported by the actual ordinances which adopted, amended, or repealed your section of the code.



## Ordinance Design & Review

While some cities and towns may prefer the complete independence our online framework offers, other communities may request assistance from our full-service codification staff. Our experienced staff is available to provide your community with codification services which can include ordinance review, design, and support. Whether you need assistance using the software tools, or in reviewing or designing ordinances, we have a dedicated staff available to help with all your codification needs.



## Email Notification of Updates

How often do staff or citizens ask you the last time the code was updated? Give everyone the ability to sign up for email notifications! Users will receive an email containing a link which directs them to what has changed.



## Ordinance/Resolution Drafting Tool

As you propose changes in your online code, your edits are tracked and redlined, allowing you to generate automatic ordinances or resolutions for legislators.



## Ordinance / Resolution Creator with Digital Signature & Seal

Upon passage, staff digitally applies roll call votes. Signatures and seals are applied via email approval. Once the attester approves, your code is current + updated!



## Search & Browse Features

- ★ Cross-reference linking
- ★ Citations in context of legislation
- ★ Shareable link to any title, chapter, article, division, or section
- ★ Search by keyword, and within specific areas of the code



## PDF Ordinance/Resolution Storage

Tired of searching for original ordinances? Our Self-Publishing Software allows you to store, search. Data limitations may apply.



## Desktop, Mobile Friendly

All of our tools use widely accepted web standards and are cross-browser compliant. Your codes are instantly available online as well as on any mobile device the second you choose to make them available. We support all modern mobile browsers and make our best effort to comply with WCAG 2.1 Level AA checkpoints for accessibility.



## Branding, Theming

Each client can choose the colors, logos, and fonts that represent their unique identity. No more one-size-fits-all that other codifiers force you into. We will also support your custom domain for the location of your publication. We also include an array of analytics that will show you how your citizens use your publications, including commonly accessed resources.



## Host Additional Searchable Publications

Some clients use our Self-Publishing Software to provide additional resources to the public. The software platform is designed to publish online any regulation or policy that your community implements. Whether it's your municipal code, personnel policies and procedures, public work standards and technical specification, compilation of resolutions or executive orders, minutes, or other regulations; each of these books can be published through our online framework.



## Online Training and Customer Service

Municode provides support and training to clients to ensure familiarity with all aspects of the software. Municipal staff who receive our custom training and self-publish their own material develop themselves professionally and learn new skills.



## Prudent, Cost Effective

Update as little as or much as you need. With SPS, there are no limitations or additional expenses. Most municipalities can save up to 70% with Self-Publishing Software! Our annual rates are fixed, not variable. This means your codification expense won't exceed the budget.



## Reliable, Cloud Based

Using one of the biggest cloud-based infrastructures in the world, we can pass on our uptime guarantee of 99.9%! Customers can easily upload all supporting documentation and images such the original legislation, ordinances, zoning maps, documents, etc.



## Print-friendly

Download online code as a PDF File, enabling print or backup

# ADDITIONAL SERVICES AVAILABLE FOR PURCHASE

Municode offers a wide variety of services, all of which have been designed primarily to serve local governments. Please contact us for information and pricing on any of the services listed below, all of which may be purchased under this contract and all of which are competitively priced.

## Website Design and Hosting Services

Let our team of web analysts and developers create or redesign a website for your municipality that provides your staff and citizens with a stunningly beautiful website that is simple for staff to use, easy for citizens to access, responsive, interactive, dynamic, and extremely efficient! Using the popular Drupal, open-source framework, we will work with you to understand your history, anticipate your future, define your priorities and achieve the long-term goals of your community.

When Municode designs your completely mobile friendly website, our goal is to improve your image and your community profile, increase the self-service capacity of your residents, and empower your staff to create, edit and maintain website content as simply and efficiently as possible. The result will be an unparalleled municipal website solution at a very compelling price.



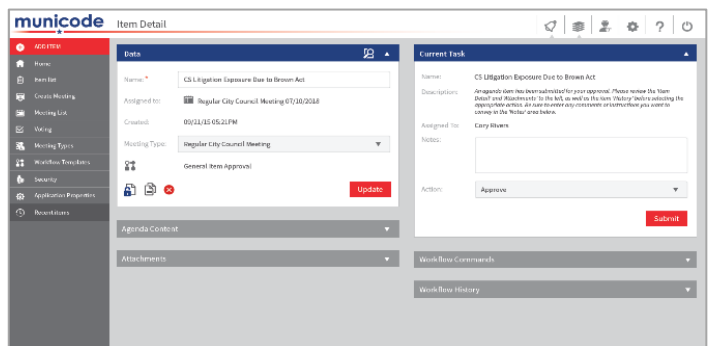
[Request MunicodeWEB Demo/Proposal](#)

## Meeting and Agenda Management

Municode provides a cloud-based agenda meeting management system that enables our clients to save time and money by streamlining and automating the agenda process. With zero set-up requirements, minimal budget impact, built in automatic upgrades and internal and external IT support issues managed directly by Municode's expert team of web analysts and system developers, your staff will spend significantly less time on agenda management, while still maintaining total administrative control of your agenda packets.

Municode provides the highest level of government transparency to your citizens. We will show you how to live stream your meeting videos at no cost and can provide archived video and audio linking capabilities that will allow your constituents to access the exact point in the meeting video where a specific piece of business is discussed. You can take roll call and record votes live in the meeting – and legislators can also vote directly from their Mac, PC, iPad, or Android device!

Other benefits include agenda process visibility, easy agenda updates, approval workflow, live Council voting & roll call, Email notifications, a Unified Document Search and automated approval routing. When you are ready to publish your Agenda, our "single click publishing" will provide you with automatic agenda and packet creations.



[Request MunicodeMEETINGS Demo/Proposal \(see pricing page 2\)](#)

## Payment Solutions - Point and Pay

Our preferred payment solutions partner, Point & Pay (<https://www.pointandpay.com/>) makes paying bills easier! Everything they do is backed by their best-in-class user interfaces, insightful features and high-quality service and support. Point and Pay can assist in processing City/County taxes, utility bills, permits & licensing, and more. With a focus on mobile interfaces, they enable your customers to conveniently pay bills whenever and wherever they want!

[Request Point and Pay Demo/Proposal](#)

## MCCi Services:

### Laserfiche Enterprise Content Management Software and Services

MCCi understands the challenges organizations face every day with paper-based processes. We provide innovative solutions that transform these challenges into smart practices that improve efficiency, productivity and organizational structure. Recognized as one of the nation's top 20 Most Promising Government Technology Solution Providers, we are also the largest Laserfiche provider in the world. MCCi is passionate about helping organizations run their office more efficiently – saving time, money and resources! With 900 clients nationwide, MCCi is the largest provider of Laserfiche solutions in the world.

### Digital Imaging Services

Through MCCi, Municode can help with your digital imaging services needs include scanning, indexing and integration of hard copy documents, electronic documents, and microfilm/microfiche. MCCi provides the most powerful index retrieval search engine available.



### Open Records Request Software

JustFOIA is an affordable, easy to use, completely web-based hosted service that was created specifically to help you manage and track public records requests. Since JustFOIA is completely web-based, you are able to login anywhere that has an internet connection. You simply type in your customized web address and enter your credentials, safely and securely. Your service is available 24/7, every single day of the year.



**JustFOIA** helps agencies receive, track and report on open records requests. JustFOIA is a hosted solution that is user-friendly, affordable, and integrated with Laserfiche Enterprise Content Management.

[Request MCCi Demo/Proposal](#)

## Internet-based Document Editing and Presentation System

**enCodePlus** is a unique Internet-based document editing and presentation system used for authoring, displaying, and managing all aspects of land development regulations or zoning ordinances. Developed by community planners, **enCodePlus** assists in the creation of land development and zoning ordinances that are fully customizable, easy to navigate and rich with features including GIS interactive mapping, a "Land Use Look Up" tool, hyperlinking to outside resources, historical archiving and in-line graphics.

From its humble beginnings as a stand-alone Windows PC program, **enCodePlus** has matured to meet the needs of an innovative and exacting group of land use code writers and their client communities. To learn more about how **enCodePlus** can be an economic driver for your municipality and positively impact the transparency and navigability of your zoning or land development ordinance, please visit this link: <http://www.encodeplus.com/>



[Request enCodePlus Demo/Proposal](#)

# Municode Self-Publishing Software Agreement

---

## City of Crete, Nebraska

**THIS LETTER OF ENGAGEMENT** (“Agreement”) is entered between the City of Crete, Nebraska (“CLIENT”) and Municipal Code Corporation, DBA “Municode” (“CONSULTANT”). For the purpose of this Agreement, “USER” is defined as an employee, consultant, third-party contractor or agent to whom “CLIENT” has granted access to use the services provided under this Agreement. Municode’s proposal of March 26, 2020 will serve as **Exhibit A** to this Agreement.

The parties agree as follows:

**Term.** This Agreement commences on the date it is executed and shall continue until full performance by both parties, or until earlier terminated by one party under the terms of this Agreement. The initial term of this Agreement is for a period of (3) three years. This Agreement shall automatically renew on an annual basis, unless either party gives the other notice of non-renewal within thirty (30) days of the scheduled renewal period.

**Compensation.** It is understood and agreed by and between the parties hereto, that the CLIENT shall pay the CONSULTANT for services based on the payment schedule provided as set forth in **Exhibit A**. Payment will be made to CONSULTANT within thirty (30) days of the receipt of the invoice for services rendered, unless otherwise indicated in **Exhibit A**, with the one-time database conversion fee (if applicable), the first recurring annual Software License fee, and any other applicable fees set forth in Exhibit A due within thirty (30) days of completion of data conversion to Municode’s database. Thereafter CONSULTANT shall invoice the CLIENT annually for the Software License Fee based upon the anniversary date of the initial online publication, and the anniversary date(s) of any additional publications added during the existing Agreement term.

1. **Consumer Price Index.** Following the initial Agreement term, CONSULTANT may increase fees by a percentage equal to the then applicable annual percentage increase in the Consumer Price Index (CPI) for All Urban Consumers.
2. **Scope of Services.** CONSULTANT’s services under this Agreement shall consist of services as detailed in **Exhibit A**. The Scope of Services may be amended or modified upon the mutual written agreement of the parties during the term of the Agreement.
3. **Use of Services.**
  - a. **CONSULTANT Responsibilities.** CONSULTANT shall: (i) provide to CLIENT initial software training and ongoing standard telephone and internet support for the purchased software services at no additional charge and shall (ii) use commercially reasonable efforts to make the purchased software services available 24 hours a day, 7 days a week, except for: (a) planned downtime (of which we shall give notice via the purchased software services or email and which CONSULTANT shall schedule to the extent practicable during the weekend hours from 9:00 p.m. Eastern time Friday to 6:00 a.m. Eastern time Monday), or (b) any unavailability caused by circumstances beyond CONSULTANT’S reasonable control, including without limitation, acts of God, acts of government, flood, fire, earthquakes, civil unrest, acts of terror, strikes or other labor problems (other than those involving CONSULTANT’S employees), failure or downtime in Third-Party or Internet service provider failures or delays, and (iii) provide the purchased services only in accordance with applicable laws and government regulations.
  - b. **CLIENT Responsibilities.** CLIENT shall (i) be responsible for USER’S compliance with this Agreement, (ii) be solely responsible for the accuracy, quality, integrity and legality of CLIENT Data and of the means by which CLIENT acquired said Data, (iii) use commercially reasonable efforts to prevent unauthorized

access to or use of the services and notify CONSULTANT promptly of any such unauthorized access or use, and (iv) use the services only in accordance with all applicable laws and government regulations. CLIENT shall not (a) make the services available to anyone other than USERS, (b) sell, resell, rent or lease the services, or (c) use the services to store or transmit infringing, libelous, or otherwise unlawful or tortious material.

- c. Usage Limitations. Services may be subject to other limitations, such as, for example, limits on disk storage space, on the number of calls CLIENT is permitted to make against CONSULTANT application programming interface, and, for services that enable CLIENT to provide public websites, on the number of page views by visitors to those websites.
4. **Integration.** This Agreement, along with the description of services to be performed attached as **Exhibit A**, and the additional products and services described therein contain the entire Agreement between and among the parties, integrate all the terms and conditions mentioned herein or incidental hereto, and supersede all prior written or oral discussions.
5. **Warranty.** CONSULTANT warrants that (i) any services provided hereunder will be performed in a professional and workmanlike manner and (ii) the functionality of the services will not be materially decreased during the term. CONSULTANT's entire liability and exclusive remedy under this warranty will be, at the sole option of CONSULTANT and subject to applicable law, to provide restored service(s) which conforms to these warranties within 7 days or to terminate the service(s) and provide a pro-rated refund of any prepaid fees (for the period from the date of the breach through to the end of the term).
6. **Liability.** CONSULTANT's total liability arising out of any acts, omissions, errors, events, or default of CONSULTANT and/or any of its employees or contractors shall be limited by the provisions of this Agreement and further limited to a maximum amount equal to the consulting fees received by CONSULTANT from CLIENT under this Agreement. CONSULTANT shall not be responsible for the legality of any material initially or subsequently published.
7. **Termination.** This Agreement shall terminate upon the CLIENT's providing CONSULTANT with thirty (30) days' advance written notice. In the event the Agreement is terminated by the CLIENT's issuance of said written notice of intent to terminate, the CONSULTANT shall pay CLIENT a pro-rated refund of any prepaid hosting and support fees (for the period from the date of the termination through to the end of the term).
8. **Independent Contractor.** CONSULTANT is an independent contractor. Notwithstanding any provision appearing in this Agreement, all personnel assigned by CONSULTANT to perform services under the terms of this Agreement shall be, and remain at all times, employees or agents of CONSULTANT for all purposes. CONSULTANT shall make no representation that it is the employee of the CLIENT for any purposes.
9. **Ownership of Product.**
  - a. Reservation of Rights. Subject to the limited rights expressly granted hereunder, CONSULTANT reserves all rights, title and interest in and to the services, including all related intellectual property rights. No rights are granted to CLIENT hereunder other than as expressly set forth herein.
  - b. Ownership of CLIENT Data. As between CONSULTANT and CLIENT, CLIENT exclusively owns all rights, title and interest in and to all of the CLIENT Data.
  - c. Suggestions. We shall have a royalty-free, worldwide, transferable, sub-licensable, irrevocable, perpetual license to use or incorporate into the services any suggestions, enhancement requests, recommendations or other feedback provided by CLIENT, including USERS, relating to the operation of the services.
10. **Cooperative Purchasing.** CONSULTANT and CLIENT agree that other public agencies may purchase goods and services under this solicitation or contract at their own cost and without CONSULTANT or CLIENT incurring any financial or legal liability for such purchases.

11. **Right to Purchase.** This Agreement enables CLIENT to purchase any additional services found in **Exhibit A** as an addendum hereto.
12. **Assignment.** Neither party may assign or subcontract its rights or obligations under this Agreement without prior written consent of the other party, which shall not be unreasonably withheld. Notwithstanding the foregoing, either party may assign this Agreement in its entirety, without consent of the other party, in connection with a merger, acquisition, corporate reorganization, or sale of all or substantially all of its assets.
13. **Governing Law.** This Agreement shall be governed and construed in accordance with the laws of the State of Nebraska without resort to any jurisdiction's conflicts of law, rules or doctrines.
14. **Service of Notices.** All required notices shall be deemed to have been validly given if delivered in person or by first class mail or email to the following addresses:

To CLIENT:

City of Crete, Nebraska  
 ATTN: Judi Meyer, City Clerk  
 243 East 13<sup>th</sup> Street  
 Crete, Nebraska 68333-0086  
[Judi.meyer@crete.ne.gov](mailto:Judi.meyer@crete.ne.gov)

To CONSULTANT:

Municipal Code Corporation  
 ATTN: Steffanie Rasmussen, Vice President of Client Services  
 PO Box 2235  
 Tallahassee, FL 32316  
[info@municode.com](mailto:info@municode.com)

Either party may change the addresses set forth above for purposes of notices under this Agreement by providing notice to the other party in the manner set forth above.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly appointed officers on this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**CONSULTANT Signature:** \_\_\_\_\_

Name and Title: W. Eric Grant, President

DATED: \_\_\_\_\_

**CLIENT Signature:** \_\_\_\_\_

Name and Title: \_\_\_\_\_ (please print)

DATED: \_\_\_\_\_

## ORDINANCE NO. 2106

**AN ORDINANCE OF THE CITY OF CRETE, NEBRASKA RELATING TO POOLS AND SPAS; TO FORMALLY ADOPT THE 2018 INTERNATIONAL SWIMMING POOL AND SPA CODE; TO CREATE A NEW ARTICLE 12 TO CHAPTER 9 OF THE CRETE CITY CODE; TO CODIFY THE 2018 INTERNATIONAL SWIMMING POOL AND SPA CODE AS PART OF THE NEW CHAPTER 9, ARTICLE 12; AND TO AMEND CHAPTER 11, ARTICLE 5, SECTION 11-502.**

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

**Section 1.** That a new Article 12 entitled “Supplementary Building Codes” shall be created within Chapter 9 of the Crete City Code.

**Section 2.** That Chapter 9, Article 12 of the Crete City Code shall be amended by adding a new section 9-1201 to read as follows:

**9-1201 International Swimming Pool and Spa Code; adoption and incorporation by reference; jurisdiction; amendments and conflicting provisions.**

- (1) The 2018 edition of the International Swimming Pool and Spa Code, including any appendices or attachments thereto, as published by the International Code Council, Inc. is hereby adopted as the Swimming Pool and Spa Code of the City of Crete, Nebraska. Each and all of the regulations, provisions, penalties, conditions, and terms found therein are hereby incorporated by reference and made a part of the Crete City Code as though printed in full therein and insofar as such regulations, provisions, penalties, conditions, and terms do not conflict with any laws of the State of Nebraska or the City of Crete.
- (2) The provisions of the Swimming Pool and Spa Code shall be controlling throughout the City and its extraterritorial zoning jurisdiction, and at least one physical copy of the Swimming Pool and Spa Code shall be on file in City Hall and available for public inspection at any reasonable time.
- (3) The City Council may amend, modify, supplement, or delete any portion of the International Swimming Pool and Spa Code or impose additional restrictions not contained therein in order to increase building safety, durability, or efficiency, establish best building or construction practices, or address special local conditions or concerns. In the event of a direct conflict between any provision of the International Swimming Pool and Spa Code, as incorporated by reference, and any other provision of the Crete City Code, the Crete City Code shall overrule and supersede the International Swimming Pool and Spa Code.
- (4) Any other code or standard listed in the International Swimming Pool and Spa Code and adopted by reference therein shall be considered part of the requirements of the Swimming Pool and Spa Code unless the City has specifically adopted a different uniform or standard code that substantially encompasses the same subject or subjects.

**Section 3.** That Chapter 9, Article 12 of the Crete City Code shall be amended by adding a new section 9-1202 to read as follows:

### **9-1202 Swimming Pool and Spa Code; definitions.**

For purposes of the Swimming Pool and Spa Code, unless the context otherwise requires, the definitions found in the incorporated International Swimming Pool and Spa Code shall apply.

**Section 4.** That Chapter 9, Article 12 of the Crete City Code shall be amended by adding a new section 9-1203 to read as follows:

### **9-1203 Swimming Pool and Spa Code; amendments.**

- (1) Section 101.1 shall be amended to read as follows: These regulations shall be known as the Swimming Pool and Spa Code of the City of Crete, hereinafter referred to as “this code”.
- (2) Section 103 shall be deleted in full.
- (3) Section 104.1 shall be amended to read as follows: The code official is hereby authorized and directed to enforce the provisions of this code.
- (4) Section 104.8 shall be deleted in full.
- (5) Section 105.6.2 shall be amended to read as follows: The fees for work shall be as determined by the City Council.
- (6) Section 105.6.3 shall be amended to read as follows: The code official shall authorize the refunding of fees on a sliding scale based on the amount of City review that has been provided. The code official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.
- (7) Section 107.4 shall be amended to read as follows: Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, or repair a pool or spa in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of an infraction punishable by a fine of not more than five hundred dollars. Each day that a violation continues after due notice has been served shall be deemed a separate offense.
- (8) Section 107.5 shall be amended to read as follows: Upon notice from the code official, work on any system that is being performed contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner’s authorized agent, or to the person performing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be guilty of an infraction punishable by a fine of not more than five hundred dollars. Each day that a violation continues shall be deemed a separate offense.
- (9) Section 108 shall be deleted in full.
- (10) Section 305.1 shall be amended to read as follows: The provisions of this section shall apply to the design of barriers for restricting entry into areas having pools and spas. Where spas or hot tubs are equipped with a lockable safety cover complying with ASTM F1346, the areas where those spas or hot tubs are located shall not be required to comply with Sections 305.2 through 305.7.

- (11) Section 305.6 shall be amended to read as follows: In the case where the pool or spa area abuts the edge of a lake or other natural body of water, public access is not permitted or allowed along the shoreline, and required barriers extend to and beyond the water's edge to a water depth of not less than 6 inches, a barrier is not required between the natural body of water shoreline and the pool or spa area.

**Section 5.** That Chapter 11, Article 5, Section 11-502 of the Crete City Code shall be amended as follows:

**§11-502 FENCES, WALLS, AND HEDGES.**

- (1) Notwithstanding other ~~sections or provisions of the City Code~~ ~~this ordinance~~, fences, walls, and hedges ~~are may be~~ permitted in any required yard, provided that no fence, wall, or hedge along the sides or front edge of any front yard shall ~~not~~ be erected over four (4) feet (1.21 meters) in height and all fences in the front yard must be of an open weave or see-through design. Hedges and walls ~~in the front yard~~ up to four (4) feet (1.21 meters) in height will be allowed in the front yard only upon as special exception use, application for a special permit is made as allowed by ordinance, and approval approved by the City Council.
- (2) The following regulations shall apply to the construction of all fences:-
- (a) ~~F.~~ All fences constructed in the City of Crete shall comply with ~~the provision of this section and obtain~~ a building permit must be obtained.
  - (b) ~~G.~~ All fences shall conform to the construction standards of the Building Code and all other applicable ordinances and resolutions.
  - (c) ~~A.~~ No ~~solid~~ fence shall be constructed closer to the street than the property line, ~~and n~~No fence shall be closer than eighteen (18) inches to the sidewalk. The good side of the fence shall face the outside of the property.
  - (d) ~~B.~~ No fence erected in a required front yard shall materially obstruct public view. Permitted types of fences for use in front yards shall include split rail, chain link, or other similar open-spaced or see-through material. No component of a front yard fence shall exceed four (4) feet in height, nor shall any structural member exceed three feet thirty-six (36) inches in cross-sectional area.
  - (e) ~~C.~~ No fence shall be constructed which will constitute a traffic hazard as identified in the site triangle of a corner lot (~~see above, Section 11-501~~).
  - (f) ~~D.~~ No fence shall be constructed in such a manner or be of such design as to be hazardous or dangerous to persons or animals by intent of its construction or by inadequate maintenance.
  - (g) ~~F.~~ No fence shall be constructed within a designated floodway.
  - (h) ~~E.~~ No component of a fence within Residential Districts, except fences erected upon public or parochial school grounds or in public parks and ~~in public~~ playgrounds, shall be constructed of a height greater than six (6) feet, ~~except for the provisions of item "K", below.~~
  - (i) ~~H.~~ In Commercial and Industrial Districts, the maximum height of fences shall be eight (8) feet; ~~however, w~~When industry standards for certain types of businesses recommend require fences of greater heights, the City zoning administrator at his direction, may allow greater heights upon application for and approval of a special permit.
- ~~J. The good side of fence shall face to the outside of the property.~~
- ~~K. All outdoor swimming pools shall be enclosed by a fence or wall at least six (6) feet, but not more than eight (8) feet in height with a gate or gates which can be securely locked.~~

**Section 6.** That the above sections shall be codified as part of the Crete City Code as stated herein.

**Section 7.** That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

**Section 8.** That this ordinance shall be published in pamphlet or book form and shall take effect and be in full force and effect from and after its passage, approval, and publication, as provided by law.

PASSED AND ENACTED this 7th day of July 2020.

---

Mayor

ATTEST:

---

City Clerk

## ORDINANCE NO. 2107

AN ORDINANCE OF THE CITY OF CRETE, NEBRASKA RELATING TO BUILDING AND ZONING CODE ENFORCEMENT; TO AMEND CHAPTER 9, ARTICLE 1 BY ADDING A NEW SECTION 9-104 THAT PROVIDES FOR INVESTIGATIONS OF VIOLATIONS; AND TO ESTABLISH A PROCESS FOR ENFORCEMENT.

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

**Section 1.** That Chapter 9, Article 1 of the Crete City Code shall be amended by adding a new section 9-104 to read as follows:

**9-104 Building inspector; investigations; order to correct.**

- (1) The Building Inspector shall investigate all reports of violations or potential violations of the building regulations found in Chapter 9 and the zoning regulations found in Chapter 11 and shall create and maintain records and reports on each investigation.
- (2) The Building Inspector shall issue and serve a written order to correct the violations on the property owner or the person responsible for the construction, alteration, repair, or other work to the property on which the violations exist. Such order shall fully describe the violations, provide information on the proper way to correct each violation, and direct the discontinuance and correction of said violations within thirty (30) days.
- (3) Any order issued pursuant to this section shall be deemed properly served if a copy thereof is delivered personally, sent by certified or registered mail addressed to the recipient's last known address with return receipt requested, or delivered in any other manner as prescribed by law for service of process.
- (4) If the person who received the order fails to correct the violations as ordered, the Building Inspector shall issue a citation or forward the records and reports on the investigation to the City Attorney for further action. The City Attorney may institute any appropriate proceeding at law or in equity to prosecute the violations; to restrain, correct, or abate such violations; or to require the removal or termination of the unlawful occupancy of the building or structure that contains the violations.
- (5) It shall be unlawful for any person to refuse to comply with a lawful order issued pursuant to this section. Any person convicted of refusing to comply shall be guilty of a Class III misdemeanor.

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

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

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

PASSED AND ENACTED this 7th day of July 2020.

---

Mayor

ATTEST:

---

City Clerk

BID

6-24, 2020

THIS BID IS BEING SUBMITTED TO:

Honorable Mayor and City Council  
City of Crete  
P.O. Box 86  
243 East 13th Street  
Crete, NE 68333-0086

IDENTIFICATION: Fire Truck  
Crete Fire & Rescue Department  
City of Crete, Nebraska

The undersigned, in compliance with your Advertisement for Bids for furnishing a Fire Truck, having examined the Specifications and being familiar with the equipment to be furnished, hereby propose to furnish such equipment in accordance with the Contract Documents for the sum set forth in the following Bid Schedule.

BID SCHEDULE

BASE BID:

Provide for the furnishing and delivery of a new complete vehicle equipped as specified in the Specifications. (LUMP SUM)

Three hundred Seventy thousand Nine hundred twenty dollars DOLLARS (\$ 317,920.00)

Bidders shall note that wherever a specific manufacturer or model is listed in the bidding documents, an item of another manufacturer or model will be allowed if that item is functionally equal to the named brand and model such that no change in any related equipment is required. Acceptance of all such equal products shall be at the sole discretion of the Owner.

If it is necessary to bid alternate equipment or to take exceptions to the specifications as set forth, this must be so stated in your Bid. For each item, please place an X in the appropriate space (Yes\_\_ No\_\_) to signify whether or not you are in complete compliance with the specification. Failure to follow the format or answer the specification may cause your Bid to be disqualified. If you need extra space to describe your product, please feel free to attach extra sheets. When doing this, be sure your description references the appropriate question number.

NOTE: Bidders shall not add any conditions or qualifying statements to this Bid as otherwise the Bid may be declared irregular as not being responsive to the Advertisement for Bids.

OFFICIAL ADDRESS:

25814 Rudolph Circle  
Sioux Falls, S.D. 57107

Telephone: 605-543-5510

Fax No.: 605-543-5543

Email Address: janlarsen@heimanfire.com

Delivery of Units:

Heiman Fire  
By Jan Larson  
Title G.M.



**DANKO EMERGENCY EQUIPMENT Co.**  
 302 East 4<sup>th</sup> Street • PO Box 218 • Snyder, NE 68664-0218  
 (402) 568-2200 • Fax (877) 568-2443 • trucksales@danko.net

**PROPOSAL FOR FIRE APPARATUS**

07/02/2020

TO: City of Crete Fire & Rescue Department  
Crete, NE

Dear Sirs:

We hereby propose and agree to furnish, after your acceptance of this proposal and the proper execution and approval of the accompanying contact, the following apparatus:

1-Danko 3,000 Gallon Pumper/Tanker, as per Danko specifications	\$228,175.00
1-Freightliner M2 106 Regular Cab Chassis, as per chassis specifications	\$99,690.00
TOTAL	\$327,865.00

All of which are to be built in accordance with the specifications attached, and which are made a part of this agreement and contract to deliver same by 210-275 calendar days after receipt of signed and accepted contract to deliver same at Danko Emergency Equipment, Co. Proposal subject to all causes beyond our control, for the sum of:

Three hundred twenty seven thousand eight hundred sixty five dollars and no/00-----

(\$ 327,865.00 ) F.O.B. Crete, NE.

Terms: Final payment will be made within thirty (30) days after delivery and acceptance of the equipment.

All payments of any nature must be paid directly from the customer to Danko Emergency Equipment Company in Snyder, Nebraska.

The amount named in this proposal shall remain firm for a period of 45 days from the date of same.

Respectfully Submitted  
 DANKO EMERGENCY EQUIPMENT CO.

David Knobbe

David Knobbe

Title: Apparatus Sales Manager

Date: 07/02/2020

We agree to accept the above proposal

(Customer Signature)

Title: \_\_\_\_\_

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

## ORDINANCE NO. 2109

**AN ORDINANCE OF THE CITY OF CRETE, NEBRASKA RELATING TO CIVIL SERVICE; TO REPEAL ALL EXISTING SECTIONS OF CHAPTER 2, ARTICLE 12 OF THE CITY CODE; AND TO ENACT A NEW CIVIL SERVICE CODE THAT CONFORMS WITH STATE LAW.**

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

**Section 1.** That all existing sections of Chapter 2, Article 12 of the Crete City Code shall be repealed in full.

**Section 2.** That Chapter 2, Article 12 of the Crete City Code shall be amended by adding a new section 2-1201 to read as follows:

**2-1201 Code, how cited.**

The provisions of this Article shall be known and may be cited as the Civil Service Code.

**Section 3.** That Chapter 2, Article 12 of the Crete City Code shall be amended by adding a new section 2-1202 to read as follows:

**2-1202 Definitions.**

For purposes of the Civil Service Code, unless the context otherwise requires, the definitions found in the Civil Service Act and those listed below shall apply:

- (1) “Appointing Authority” means the City Administrator of the City of Crete, Nebraska.
- (2) “Civil Service Act” means sections 19-1825 to 19-1848 of the Nebraska Revised Statutes and any updates and amendments thereto.
- (3) “Commission” means the Civil Service Commission of the City of Crete, Nebraska.
- (4) “Examinations” means all open competitive examinations and tests that are practical and consist only of subjects which will fairly and impartially determine the capacity of persons who are to be examined to perform the duties of a specific civil service position and may include, but not be limited to, tests of basic knowledge, physical fitness, manual skill, and psychological testing.
- (5) “Position” means an individual job which is designated by an official title and corresponding job description indicating the nature of work to be performed.
- (6) “Promotion” or “demotion” means changing from one position to another, accompanied by a corresponding change in rate of pay.

**Section 4.** That Chapter 2, Article 12 of the Crete City Code shall be amended by adding a new section 2-1203 to read as follows:

**2-1203 Civil Service Commission, creation.**

There shall be and there is hereby created, in and for the City of Crete, Nebraska, a Civil Service Commission, which shall exercise all of the power and authority granted to and perform all of the duties required by a civil service commission under the Civil Service Act and this Article.

**Section 5.** That Chapter 2, Article 12 of the Crete City Code shall be amended by adding a new section 2-1204 to read as follows:

**2-1204 Commission; appointment of members; removal.**

- (1) The Civil Service Commission shall consist of five (5) members who shall be appointed by the Mayor with the approval of the City Council. No person shall be appointed a member of the Commission who is not a citizen of the United States, a resident of the City of Crete for at least three years immediately preceding such appointment, and a registered elector of Saline County, Nebraska. At the time of appointment, no more than three members, including the one or ones to be appointed, shall be registered electors of the same political party.
- (2) Any member of the Commission may be removed from office by the Mayor for incompetency, dereliction of duty, malfeasance in office, or other good cause. No member of the Commission shall be removed until written charges have been made and provided to the Commission, due notice has been given to such member, and a full hearing has been held before the Mayor and the City Council. Any member so removed shall have the right to appeal the decision to the District Court of Saline County, which shall hear and determine such appeal as provided for in the Civil Service Act.

**Section 6.** That Chapter 2, Article 12 of the Crete City Code shall be amended by adding a new section 2-1205 to read as follows:

**2-1205 Commission; chairperson; secretary and chief examiner.**

- (1) Each December, the Commission shall meet and elect one of its members chairperson to serve for the following year. If the chairperson resigns or is removed from office, a successor shall be elected as the first item of business at the next meeting of the Commission.
- (2) The Commission shall appoint the Director of Human Resources, Human Resources Coordinator, or other agent of the Department of Human Resources as its secretary and chief examiner. The secretary and chief examiner shall keep all records of the Commission, preserve all reports made to it, superintend and keep a record of all examinations held by the Commission, and perform such other duties as the Commission may prescribe in its rules and regulations.

**Section 7.** That Chapter 2, Article 12 of the Crete City Code shall be amended by adding a new section 2-1206 to read as follows:

**2-1206 Civil service employees; qualifications; vacancies; hiring process.**

- (1) The Appointing Authority shall establish the minimum job qualifications, minimum qualifying standards for examinations, essential job functions, and job descriptions of each position subject to the Civil Service Act.
- (2) Whenever a position subject to the Civil Service Act becomes vacant, the Appointing Authority shall request the Commission provide a certified eligibility list of persons eligible for the position and may decline to fill such vacancy for an indefinite period.

- (a) Such certified eligibility list (i) shall include the names of all persons who have satisfactorily passed the required examinations for the vacant position and whose qualifications have been verified by the Commission and (ii) shall be ranked in order from highest to lowest based on composite scores calculated from the sum of each person's scores on the required examinations.
- (b) If the certified eligibility list contains fewer than three different names for each vacant position, the Appointing Authority shall direct the Department of Human Resources to begin an application and hiring process and may hire a temporary employee, pursuant to the Civil Service Act, to temporarily fill any vacant position.
- (3) The Department of Human Resources shall solicit applications for vacant positions and shall invite those applicants who meet the minimum job qualifications to participate in and take the required examinations for such positions.
- (4) The Commission shall determine the examinations required for each position subject to the Civil Service Act and shall proctor, score, and administer all required examinations at such dates and times as determined by the Appointing Authority. The Commission shall adopt and promulgate procedural rules and regulations to govern the manner in which examinations are held.
- (5) The Appointing Authority shall determine and be responsible for all aspects of the hiring and selection process for filling vacant positions, except for the selection and administration of examinations, and shall make all hiring or promotion decisions based solely on merit, efficiency, and fitness as determined by the results of the required examinations and the factors specified in the Civil Service Act.

**Section 8.** That Chapter 2, Article 12 of the Crete City Code shall be amended by adding a new section 2-1207 to read as follows:

**2-1207 Civil service employees; written accusations; disciplinary procedures.**

- (1) No person who has been permanently placed into civil service under the Civil Service Act and this Article shall be suspended, demoted, removed, or discharged except for cause and then only upon the written accusation of the police or fire chief, the Appointing Authority, or any citizen or taxpayer.
- (2) The written accusation shall set forth the alleged misconduct, charges, or grounds in sufficient detail as to allow the police or fire chief and the Appointing Authority to perform an investigation into its veracity and shall be filed with the Department of Human Resources, which shall cause a copy of the written accusation to be delivered to the police or fire chief and the Appointing Authority.
- (3) If, after an investigation, the police or fire chief and the Appointing Authority determine the written accusation has merit, discipline shall be imposed according to the Personnel Rules and Regulations of the City of Crete.

**Section 9.** That Chapter 2, Article 12 of the Crete City Code shall be amended by adding a new section 2-1208 to read as follows:

**2-1208 Civil service employees; appeal and investigation by Commission; public hearing.**

- (1) Any person suspended, demoted, removed, or discharged pursuant to this Article may, within ten days after being notified by the Appointing Authority of such disciplinary action, file a written demand for an appeal and investigation with the Department of Human Resources, which shall cause a copy of the written demand to be delivered to the Commission and the Appointing Authority.

- (2) The Appointing Authority shall provide the Commission and the appellant a certified copy of: the written accusation, any statements or evidence obtained as a result of the investigation performed by the police or fire chief and the Appointing Authority, and the imposed disciplinary action.
- (3) The Commission shall conduct an independent investigation to determine the sole question of whether or not the suspension, demotion, removal, or discharge was made in good faith for cause, which shall mean that the action was not arbitrary or capricious and was not made for political or religious reasons.
- (4) After such investigation, the Commission shall, not less than ten days or more than twenty days after the filing of the written demand for an investigation, hold a public hearing in accordance with the Civil Service Act. The Appointing Authority shall appear at the public hearing to present evidence and testimony in support of the imposed disciplinary action.
- (5) At the close of the public hearing or within a reasonable amount of time after the public hearing, the Commission shall make such findings as are provided for in the Civil Service Act and shall issue an order or judgment explaining its findings and directing the Appointing Authority to take appropriate action. Such order or judgment shall be certified in writing to and enforced by the Appointing Authority.
- (6) The Commission shall adopt and promulgate procedural rules and regulations to govern its investigations and public hearing proceedings.

**Section 10.** That the above sections shall be codified as part of the Crete City Code as stated herein.

**Section 11.** That all ordinances or parts of ordinances in conflict herewith are hereby repealed and that any partial repeal shall not affect the other parts of ordinances that can be given effect without the repealed parts.

**Section 12.** That this ordinance shall be published in pamphlet or book form and shall take effect and be in full force and effect from and after its passage, approval, and publication, as provided by law.

PASSED AND ENACTED this 7th day of July 2020.

---

Mayor

ATTEST:

---

City Clerk

**ARTICLE 1 – BID RECIPIENT**

1.01 This Bid is submitted to:

**City of Crete  
Attn: Tom Ourada, City Administrator  
243 E 13th St  
Crete, NE 68333-2238**

1.02 The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an Agreement with Owner in the form included in the Bidding Documents to perform all Work as specified or indicated in the Bidding Documents for the prices and within the times indicated in this Bid and in accordance with the other terms and conditions of the Bidding Documents.

**ARTICLE 2 – BIDDER’S ACKNOWLEDGEMENTS**

2.01 Bidder accepts all of the terms and conditions of the Instructions to Bidders, including without limitation those dealing with the disposition of Bid security. This Bid will remain subject to acceptance for 60 days after the Bid opening, or for such longer period of time that Bidder may agree to in writing upon request of Owner.

**ARTICLE 3 – BIDDER’S REPRESENTATIONS**

3.01 In submitting this Bid, Bidder represents that:

A. Bidder has examined and carefully studied the Bidding Documents, and any data and reference items identified in the Bidding Documents, and hereby acknowledges receipt of the following Addenda:

<u>Addendum No.</u>	<u>Addendum, Date</u>
_____	_____
_____	_____
_____	_____
_____	_____

B. Bidder ~~has~~ is **highly recommended to have** visited the Site, conducted a thorough, alert visual examination of the Site and adjacent areas, and become familiar with and satisfied itself as to the general, local, and Site conditions that may affect cost, progress, and performance of the Work.

C. Bidder is familiar with and has satisfied itself as to all Laws and Regulations that may affect cost, progress, and performance of the Work.

D. Bidder has carefully studied all: (1) reports of explorations and tests of subsurface conditions at or adjacent to the Site and all drawings of physical conditions relating to existing surface or subsurface structures at the Site that have been identified in the Supplementary Conditions, especially with respect to Technical Data in such reports and drawings, and (2) reports and drawings relating to Hazardous Environmental Conditions, if any, at or adjacent to the Site that have been identified in the Supplementary Conditions, especially with respect to Technical Data in such reports and drawings.

E. Bidder has considered the information known to Bidder itself; information commonly known to contractors doing business in the locality of the Site; information and observations

**BID FORM**

**PROJECT IDENTIFICATION:**

PROJECT NAME: 2020 Street Improvements

JEO PROJECT NO.: 200351.00

Cather and Sons Construction  
NAME OF BIDDER

6-10-2020  
DATE

**THIS BID IS SUBMITTED TO:**

City of Crete  
Attn: Tom Ourada, City Administrator  
243 E 13th St  
Crete, NE 68333-2238

obtained from visits to the Site; the Bidding Documents; and any Site-related reports and drawings identified in the Bidding Documents, with respect to the effect of such information, observations, and documents on (1) the cost, progress, and performance of the Work; (2) the means, methods, techniques, sequences, and procedures of construction to be employed by Bidder; and (3) Bidder's safety precautions and programs.

- F. Bidder agrees, based on the information and observations referred to in the preceding paragraph, that no further examinations, investigations, explorations, tests, studies, or data are necessary for the determination of this Bid for performance of the Work at the price bid and within the times required, and in accordance with the other terms and conditions of the Bidding Documents.
- G. Bidder is aware of the general nature of work to be performed by Owner and others at the Site that relates to the Work as indicated in the Bidding Documents.
- H. Bidder has given Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Bidder has discovered in the Bidding Documents, and confirms that the written resolution thereof by Engineer is acceptable to Bidder.
- I. The Bidding Documents are generally sufficient to indicate and convey understanding of all terms and conditions for the performance and furnishing of the Work.
- J. The submission of this Bid constitutes an incontrovertible representation by Bidder that Bidder has complied with every requirement of this Article, and that without exception the Bid and all prices in the Bid are premised upon performing and furnishing the Work required by the Bidding Documents.

#### **ARTICLE 4 – BIDDER'S CERTIFICATION**

##### **4.01 Bidder certifies that:**

- A. This Bid is genuine and not made in the interest of or on behalf of any undisclosed individual or entity and is not submitted in conformity with any collusive agreement or rules of any group, association, organization, or corporation;
- B. Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid;
- C. Bidder has not solicited or induced any individual or entity to refrain from bidding; and
- D. Bidder has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for the Contract. For the purposes of this Paragraph 4.01.D:
  - 1. "corrupt practice" means the offering, giving, receiving, or soliciting of any thing of value likely to influence the action of a public official in the bidding process;
  - 2. "fraudulent practice" means an intentional misrepresentation of facts made (a) to influence the bidding process to the detriment of Owner, (b) to establish bid prices at artificial non-competitive levels, or (c) to deprive Owner of the benefits of free and open competition;
  - 3. "collusive practice" means a scheme or arrangement between two or more Bidders, with or without the knowledge of Owner, a purpose of which is to establish bid prices at artificial, non-competitive levels; and

4. "coercive practice" means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the bidding process or affect the execution of the Contract.

**ARTICLE 5 – BASIS OF BID**

5.01 Bidder will complete the Work in accordance with the Contract Documents for the following price(s):

Item No.	Description	Quantity	Unit	Unit Price	Total
<b>GROUP A</b>					
1	Mobilization	1	LS		\$ 7500.00
2	Temporary Traffic Control Measures	1	LS		\$ 2500.00
3	Cold Milling	2,630	SY	\$ 3.50	\$ 9205.00
4	Adjust Manhole to Grade	3	EA	\$ 1250.00	\$ 3750.00
5	Adjust Valve Box to Grade	1	EA	\$ 1250.00	\$ 1250.00
6	Asphalt Concrete	325	TONS	\$ 125.00	\$ 40625.00
7	Tack Coat	269	GAL	\$ 4.00	\$ 1076.00
<b>TOTAL GROUP A</b>					<b>\$ 65906.00</b>

Bidder acknowledges that (1) each Bid Unit Price includes an amount considered by Bidder to be adequate to cover Contractor's overhead and profit for each separately identified item, and (2) estimated quantities are not guaranteed, and are solely for the purpose of comparison of Bids, and final payment for all unit price Bid items will be based on actual quantities, determined as provided in the Contract Documents.

**ARTICLE 6 – TIME OF COMPLETION**

6.01 Bidder agrees that the start date for the work will be On or before Oct. 1, 2020 and will be substantially complete and will be completed and ready for final payment in accordance with Paragraph 15.06 of the General Conditions on or before the dates or within the number of calendar days indicated in the Agreement.

6.02 Bidder accepts the provisions of the Agreement as to liquidated damages.

**ARTICLE 7 – ATTACHMENTS TO THIS BID**

7.01 The following documents are submitted with and made a condition of this Bid:

- A. Required Bid security;
- B. Experience Record.

**ARTICLE 8 – DEFINED TERMS**

8.01 The terms used in this Bid with initial capital letters have the meanings stated in the Instructions to Bidders, the General Conditions, and the Supplementary Conditions.

**ARTICLE 9 – BID SUBMITTAL**

BIDDER: [Indicate correct name of bidding entity]

Cather and Sons Construction, Inc

By:

[Signature]



[Printed name]

Justin J. England

Attest:

[Signature]



[Printed name]

TYLER KAULINS

Title:

OFFICE MANAGER

Submittal Date:

6/9/2020

Address for giving notices:

PO Box 29199

Lincoln, NE 68529

Telephone Number:

402 - 464 - 2113

Fax Number:

402 - 464 - 6759

Contact Name and e-mail address:

Justin J. England

jenglan1@yahoo.com

Bidder's License No.:

(where applicable)

BID BOND

Any singular reference to Bidder, Surety, Owner or other party shall be considered plural where applicable.

BIDDER (Name and Address):

Cather & Sons Construction Inc.  
P O Box 29199  
Lincoln, NE 68529

SURETY (Name, and Address of Principal Place of Business):

Inland Insurance Company  
P.O. Box 80468  
Lincoln, NE 68501

OWNER (Name and Address):

City of Crete  
243 E 13th St  
Crete, NE 68333

BID

Bid Due Date: June 11, 2020

Description (Project Name— Include Location):

2020 Street Improvements Crete, NE JEO Project No. 200351.00

BOND

Bond Number:

Date: June 11, 2020

Penal sum Five Percent of the Amount Bid

\$ 5%

(Words)

(Figures)

Surety and Bidder, intending to be legally bound hereby, subject to the terms set forth below, do each cause this Bid Bond to be duly executed by an authorized officer, agent, or representative.

BIDDER

Cather & Sons Construction Inc. (Seal)  
Bidder's Name and Corporate Seal

SURETY

Inland Insurance Company (Seal)  
Surety's Name and Corporate Seal

By:

Signature

ADAM PETSCH  
Print Name

PRESIDENT  
Title

By:

Signature (Attach Power of Attorney)

Robert T. Cirone  
Print Name

Attorney-in-Fact  
Title

Attest:

Signature

OFFICE MANAGER  
Title

Attest:

Signature

Title, Witness

Note: Addresses are to be used for giving any required notice.

Provide execution by any additional parties, such as joint venturers, if necessary.

1. Bidder and Surety, jointly and severally, bind themselves, their heirs, executors, administrators, successors, and assigns to pay to Owner upon default of Bidder the penal sum set forth on the face of this Bond. Payment of the penal sum is the extent of Bidder's and Surety's liability. Recovery of such penal sum under the terms of this Bond shall be Owner's sole and exclusive remedy upon default of Bidder.
2. Default of Bidder shall occur upon the failure of Bidder to deliver within the time required by the Bidding Documents (or any extension thereof agreed to in writing by Owner) the executed Agreement required by the Bidding Documents and any performance and payment bonds required by the Bidding Documents.
3. This obligation shall be null and void if:
  - 3.1 Owner accepts Bidder's Bid and Bidder delivers within the time required by the Bidding Documents (or any extension thereof agreed to in writing by Owner) the executed Agreement required by the Bidding Documents and any performance and payment bonds required by the Bidding Documents, or
  - 3.2 All Bids are rejected by Owner, or
  - 3.3 Owner fails to issue a Notice of Award to Bidder within the time specified in the Bidding Documents (or any extension thereof agreed to in writing by Bidder and, if applicable, consented to by Surety when required by Paragraph 5 hereof).
4. Payment under this Bond will be due and payable upon default of Bidder and within 30 calendar days after receipt by Bidder and Surety of written notice of default from Owner, which notice will be given with reasonable promptness, identifying this Bond and the Project and including a statement of the amount due.
5. Surety waives notice of any and all defenses based on or arising out of any time extension to issue Notice of Award agreed to in writing by Owner and Bidder, provided that the total time for issuing Notice of Award including extensions shall not in the aggregate exceed 120 days from the Bid due date without Surety's written consent.
6. No suit or action shall be commenced under this Bond prior to 30 calendar days after the notice of default required in Paragraph 4 above is received by Bidder and Surety and in no case later than one year after the Bid due date.
7. Any suit or action under this Bond shall be commenced only in a court of competent jurisdiction located in the state in which the Project is located.
8. Notices required hereunder shall be in writing and sent to Bidder and Surety at their respective addresses shown on the face of this Bond. Such notices may be sent by personal delivery, commercial courier, or by United States Registered or Certified Mail, return receipt requested, postage pre-paid, and shall be deemed to be effective upon receipt by the party concerned.
9. Surety shall cause to be attached to this Bond a current and effective Power of Attorney evidencing the authority of the officer, agent, or representative who executed this Bond on behalf of Surety to execute, seal, and deliver such Bond and bind the Surety thereby.
10. This Bond is intended to conform to all applicable statutory requirements. Any applicable requirement of any applicable statute that has been omitted from this Bond shall be deemed to be included herein as if set forth at length. If any provision of this Bond conflicts with any applicable statute, then the provision of said statute shall govern and the remainder of this Bond that is not in conflict therewith shall continue in full force and effect.
11. The term "Bid" as used herein includes a Bid, offer, or proposal as applicable.

# INLAND INSURANCE COMPANY

Lincoln, Nebraska

## POWER OF ATTORNEY

### KNOW ALL MEN BY THESE PRESENTS:

That the **INLAND INSURANCE COMPANY**, a corporation of the State of Nebraska having its principal office in the City of Lincoln, Nebraska, pursuant to the following Bylaw, which was adopted by the Board of Directors of the said Company on July 23, 1981, to wit:

"Article V-Section 6. RESIDENT OFFICERS AND ATTORNEYS-IN-FACT. The President or any Vice President, acting with any Secretary or Assistant Secretary, shall have the authority to appoint Resident Vice Presidents and Attorneys-In-Fact, with the power and authority to sign, execute, acknowledge and deliver on its behalf, as Surety: Any and all undertakings of suretyship and to affix thereto the corporate seal of the corporation. The President or any Vice President, acting with any Secretary or Assistant Secretary, shall also have the authority to remove and revoke the authority of any such appointee at any time." does hereby make, constitute and appoint

Robert T. Cirone or James M. King or Tamala J. Hurlbut  
or Jacob J. Buss or Thomas L. King, Lincoln, Nebraska

its true and lawful Attorney(s)-in-Fact, to make, execute, seal and deliver for and on its behalf, as Surety:  
Any and all undertakings of suretyship

And the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Company, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its offices in Lincoln, Nebraska, in their own persons.

The following Resolution was adopted at the Regular Meeting of the Board of Directors of the **INLAND INSURANCE COMPANY**, held on July 23, 1981:

"RESOLVED, That the signatures of officers of the Company and the seal of the Company may be affixed by facsimile to any Power of Attorney executed in accordance with Article V-Section 6 of the Company Bylaws: and that any such Power of Attorney bearing such facsimile signatures, including the facsimile signature of a certifying Assistant Secretary and facsimile seal shall be valid and binding upon the Company with respect to any bond, undertaking or contract of suretyship to which it is attached."

All authority hereby conferred shall remain in full force and effect until terminated by the Company.

IN WITNESS WHEREOF, **INLAND INSURANCE COMPANY** has caused these presents to be signed by its President and its corporate seal to be hereunto affixed this 16th day of February, 20 18.

*Carol J. Clark*

Secretary/Treasurer

By

INLAND INSURANCE COMPANY

*Curt L. Hartter*

President



State of Nebraska

County

of

ss.  
Lancaster

On this 16th day of February, 20 18, before me personally came Curtis L. Hartter, to me known, who being by me duly sworn, did depose and say that (s)he resides in the County of Lancaster, State of Nebraska; that (s)he is the President of the **INLAND INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that (s)he knows the seal of the said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation; that (s)he signed (his) (her) name by like order; and that Bylaw, Article V-Section 6, adopted by the Board of Directors of said Company, referred to in the preceding instrument, is now in force.

*Tara Martin*

Notary Public



My Commission Expires February 16, 2022.

I, Philip C. Abel, Director of **INLAND INSURANCE COMPANY**, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney executed by said **INLAND INSURANCE COMPANY**, which is still in full force and effect.

Signed and sealed at the City of Lincoln, Nebraska this 11th day of June, 20 20.

*Philip C. Abel*

Director



Crete would like to add in the additional block of Forest Avenue from 14<sup>th</sup> Street to 15<sup>th</sup> Street, including the intersection with 14<sup>th</sup> Street, into the mill and overlay project Cather was recently low-bid on. I put together an approximate total below outlining what we anticipate the change order amount to be. Instead of putting together a change order now and then another later to capture the actual material quantities, we are looking to use this e-mail to ensure everyone is on the same page and minimize the need for more than one change order:

<b>Forest Avenue Addition</b>					
<b>Item</b>	<b>Qty.</b>	<b>Unit</b>	<b>Description</b>	<b>Unit Price</b>	<b>Total</b>
1	1	LS	Mobilization		
2	1	LS	Temporary Traffic Control Measures		
3	870	SY	Cold Milling	\$3.50	\$3,045.00
4	1	EA	Adjust Manhole to Grade	\$1,250.00	\$1,250.00
5	1	EA	Adjust Valve Box to Grade	\$1,250.00	\$1,250.00
6	96	TONS	Asphalt Concrete	\$125.00	\$12,000.00
7	131	GAL	Tack Coat	\$4.00	\$524.00
<b>APPROXIMATE ANTICIPATED CHANGE ORDER TOTAL</b>					<b>\$18,069.00</b>

\*includes intersection of Forest Ave & 14th St

## **ORDINANCE NO. 2108**

**AN ORDINANCE OF THE CITY OF CRETE, NEBRASKA RELATING TO THE SALE OF REAL ESTATE OWNED BY THE CITY; TO DIRECT THE CONVEYANCE OF SUCH REAL ESTATE; AND TO PROVIDE NOTICE AND PUBLICATION OF SUCH SALE.**

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

**Section 1.** That it is in the best interests of the City for the following described real estate to be sold and conveyed:

An irregular tract of land located in the NW 1/4 of Section 26, Township 8N, Range 4E of the 6<sup>th</sup> Principal Meridian, Saline County, Nebraska, more particularly described as follows:

Beginning at the southwest corner of the SE 1/4 NW 1/4 of Section 26, T8N, R4E of the 6<sup>th</sup> P.M., Saline County, Nebraska and assuming the south line of the SE 1/4 NW 1/4 to have a bearing of N 89°47'30" W; thence N 89°39'37" W, on the south line of the SW 1/4 NW 1/4, 177.99 feet; thence N 20°46'51" W, 769.60 feet, to the southeasterly right-of-way line of Highway No. 33; thence northeasterly on a 5819.58-foot radius curve left, 75.13 feet, said curve having a long chord bearing of N 40°35'11" E and a long chord distance of 75.13 feet; thence S 20°45'53" E, 558.95 feet; thence southeasterly on a 60.00-foot radius curve left, 72.34 feet, said curve having a long chord bearing of S 55°08'25" E and a long chord distance of 68.04 feet; thence N 89°53'16" E, 89.05 feet; thence southeasterly on a 126.00-foot radius curve right, 198.11 feet, said curve having a long chord bearing of S 44°47'33" E and a long chord distance of 178.32 feet; thence S 00°19'50" W, 89.98 feet to the south line of the SE 1/4 NW 1/4 of said Section 26; thence N 89°47'30" W on the south line of the SE 1/4 NW 1/4, 66.00 feet, to the point of beginning, said tract containing 2.20 acres, more or less.

**Section 2.** That the sale of said real estate shall be authorized and approved to Nestle Purina Petcare Company for an amount not less than Ninety-Five Thousand Eight Hundred Thirty-Two Dollars (\$95,832) and under such terms and conditions as may be negotiated by the Mayor or his designee.

**Section 3.** That notice of the sale and the terms thereof shall be published for three consecutive weeks in a legal newspaper of general circulation in the City of Crete in order to afford the public such rights of remonstrance as are provided for by law.

**Section 4.** That all ordinances or parts of ordinances in conflict herewith are hereby repealed and that any partial repeal shall not affect the other parts of ordinances that can be given effect without the repealed part.

**Section 5.** That this ordinance shall be published and shall take effect and be in full force and effect from and after its passage, approval, and publication, as provided by law.

PASSED AND ENACTED this 7th day of July 2020.

---

Mayor

ATTEST:

---

City Clerk

**Library Board Meeting Minutes**  
**June 8, 2020 12:00 PM**  
**Public Library Community Room**  
**1515 Forest Ave.**

**1. Open Meeting**

2. **Roll Call**—Jan Sears, Vice president called the meeting to order at 12:05. Other board members present were Jim Crouse, Fabiola Dimas and Tom King. Peter Clarke, president, was absent. Also present were Joy Stevenson (Library Director) and Tom Ourada (City Administrator)

3. **Consent Agenda**—Board will consider approval of the following items. Explanation may occur for each item and the council approve and/or amend and approve the items listed.

- A. **Minutes of Previous Meeting.** Members reviewed and approved the minutes of the May 11th, 2020 meeting; motion by Jim Crouse moved to accept the minutes seconded by Fabiola Dimas, all in favor.

**4. Reports—**

- A. **Friends of the Library**—Tom King reported that the Friends are trying to schedule a meeting and exploring fundraiser activity. Friends will make plans as soon as the library opens.

- B. **City Administrator**—Tom Ourada - At the end of the month city buildings will open and staff will all come back to offices. To avoid confusion, city buildings will open the same day. Some employees will continue to work from home. City will follow guidelines and regulations to ensure everyone's safety. City Council meetings are to be held in person starting in July following health guidelines. Some sports will start on June 1<sup>st</sup> and others June 18<sup>th</sup>. City requires waivers from participants that play sports and city parks will open on June 18<sup>th</sup>

- C. **Director**—Stevenson discussed the following with the board:

1. Library response to COVID-19: Still have team A and B that divided their time working in the library and at home.  
Currently the library opens at 10:00 except Tuesdays and Thursdays they open at noon. Once the teams go back full time working together the library will open at 10:00 every day.  
Summer reading programs will be virtual, including reading challenges and programs. Reader Zone software will be used to monitor reading programs and will help run the program smoothly. It will be promoted once it is all ready to run. Reading challenges will last eight weeks and awards will be given. Once parks open on the 18<sup>th</sup>, the StoryWalk in the library park should be in place.  
Future preparation - Library will have four computer stations available once the city offices are open. The library continues to be in high demand and patrons continue to ask when the library will be open. Director exploring options to keep everyone safe and follow city and state regulations once the library opens to the public. Director continues to participate in CASTL meetings and learn from others.

Proposed changes to the following polices: Patron Code of Conduct previously sent to review by board members. Changes were approved unanimously by members.

D. **President:** —

1. Absent.

5. **Special Order of Business**—

A. **Personnel:** Discussion about staff vacations.

B. **Building and Equipment concerns:** Flooding issues have been resolved. The Grand Opening ceremony is still on plan.

C. **Board Duties:** President Peter Clarke's term is coming to the end next month. If anyone would like to submit suggestions for a new president or any other board member can send the suggestions to Mayor Bauer. Director will email board members their terms dates.

6. **Petitions**-Communication- Citizen concern —none

7. **Adjournment**—Meeting adjourned at 12:40 motion by King second by Crouse and approved by all.

CITY OF CRETE, NEBRASKA  
PLANNING COMMISSION  
MEETING MINUTES OF JUNE 22, 2020

Notice of the meeting was given by posting and publishing in the Crete News, the appointed method for giving notice as shown by the Proof of Publication attached to the minutes. Advance notice of the meeting was also given to the board members. Pursuant to Section 84-1412(8) of the Nebraska Open Meetings Act, the City has posted a current copy of the Open Meetings Act, Laws of the State of Nebraska in the back of the Council Chambers. Additional copies are available to read. The board may consider items listed on the agenda in random order. All proceedings shown were taken while the meeting was open to the attendance of the public.

1. Open Meeting

Chair Dave Hansen called the meeting to order at 7:00pm.

2. Roll Call

Ryan Jindra: Absent  
Ronald Schroeder: Absent  
Bud Clouse: Present  
Dave Hansen: Present  
Justin Kozisek: Present  
Scott Kuncl: Present  
Drew Rische: Present  
Jennifer Robison: Present  
Sharon Scusa: Present  
Present: 7, Absent: 2.

Also present: City Administrator Tom Ourada, City Clerk Judi Meyer, City Attorney Kyle Manley, Building Inspector Brad Bailey, Finance Director Jerry Wilcox, City Council Member Brian Carnes, members of the public.

3. Special Order of Business

3.A. Planning Commission Minutes of May 18, 2020.

Approve the Planning Commission meeting minutes of May 18, 2020. Carried with a motion by Bud Clouse and a second by Sharon Scusa.

Bud Clouse: Aye, Dave Hansen: Aye, Justin Kozisek: Aye, Scott Kuncl: (absent), Drew Rische: Aye, Jennifer Robison: Aye, Sharon Scusa: Aye  
Aye: 6, No: 0, Absent: 1

3.B. Les Ralston request to open a gun store.

Deny Les Ralston request. Carried with a motion by Scott Kuncl and a second by Bud Clouse.

Bud Clouse: Aye, Dave Hansen: Aye, Justin Kozisek: Aye, Scott Kuncl: Aye, Drew Rische: Aye, Jennifer Robison: Aye, Sharon Scusa: Aye  
Aye: 7, No: 0

Tom Ourada summarized the zoning regulations at the property location. Small business operations may be conducted inside the residence with certain restrictions. Small business operations must comply with setbacks, parking, buffer zone, and other regulations. The property is also located within a flood zone. Les Ralston provided information about his request. Planning Commission members asked questions and provided additional information. Recommendations are for Les to either wait until the adjacent property is rezoned from industrial to commercial, or to build or attach a garage structure so that is part of the main residential structure.

3.C. Discuss and consider setting public hearing regarding amendment to commercial properties located within both a C-1 District and the Parking Overlay District, disallowing future upper story residential use.

Set Public Hearing regarding amendment to commercial property allowable uses for July 27, 2020 at 7:00pm. Carried with a motion by Scott Kuncl and a second by Justin Kozisek.

Bud Clouse: Aye, Dave Hansen: Aye, Justin Kozisek: Aye, Scott Kuncl: Aye, Drew Rische: Aye, Jennifer Robison: Aye, Sharon Scusa: Aye

Aye: 7, No: 0

Tom Ourada discussed the different parking space requirements for apartments located outside of and within the downtown commercial district. Mr. Ourada also discussed the need for additional parking lots over time to accommodate increases in number of upper story apartment dwellers, workers, and shoppers. City Staff and Council would prefer that parking would voluntarily be used in public and private parking lots and spaces rather than overcrowding city sidestreets.

3.D. Discussion regarding allowance of cafe/bistro tables and seating on the sidewalk area within the city right-of-way in the downtown area.

Support an amendment to city code allowing tables and seating on the sidewalk area within the city right-of-way in the downtown area. Carried with a motion by Justin Kozisek and a second by Drew Rische.

Bud Clouse: Aye, Dave Hansen: Aye, Justin Kozisek: Aye, Scott Kuncl: Aye, Drew Rische: Aye, Jennifer Robison: Aye, Sharon Scusa: Aye

Aye: 7, No: 0

Tom Ourada discussed interest in modifying city code to allow downtown business owners to erect wrought iron fencing on the city right-of-way for tables and chairs.

3.E. Discussion regarding amendments to city code regarding swimming pool regulations.

Approve adopting swimming pool regulations consistent with IBC pool regulations. Carried with a motion by Scott Kunch and a second by Bud Clouse. Bud Clouse: Aye, Dave Hansen: Aye, Justin Kozisek: Aye, Scott Kunch: Aye, Drew Rische: (absent), Jennifer Robison: Aye, Sharon Scusa: Aye  
Aye: 6, No: 0, Absent: 1

Tom Ourada discussed proposed changes to the Crete zoning regulations regarding private swimming pools. The amendments would make Crete's regulations more consistent with IBC swimming pool regulations with several exceptions including pool cover requirements.

#### 4. Officers' Reports

#### 5. Adjournment

The meeting was adjourned at 8:35pm.

Recorded by City Clerk Judi Meyer

**CITY OF CRETE, NEBRASKA  
CEMETERY BOARD MEETING  
MINUTES OF JUNE 29, 2020**

Notice of the meeting was given by posting, the appointed method for giving notice as shown by the attached notice, at the following locations:

City Hall, 243 East 13th Street  
Post Office, 1242 Linden Avenue  
City Bank and Trust, 1135 Main Avenue

Advance notice of the meeting was also given to committee members. Pursuant to Section 84-1412(8) of the Nebraska Open Meetings Act, the City has posted a current copy of the Open meetings Act, Laws of the State of Nebraska, in the back of the council chambers. Additional copies are available to read. The Committee may consider items listed on the agenda in random order. All proceedings shown were taken while the meeting was open to the attendance of the public.

**1. Open Meeting**

Committee Chair Judy Henning called the meeting to order at 4:00pm.

**2. Roll Call**

Gene Eggebraaten: Present  
Larry Eberspacher: Present  
Judy Henning: Present  
Eleanor Henning: Present  
Present: 4, Absent: 0.

Also present: City Clerk Judi Meyer, Finance Director Jerry Wilcox, City Attorney Kyle Manley

**3. Consent Agenda**

**3.A. Cemetery Board Meeting Minutes of August 26, 2019**

Motion to approve the minutes of August 26, 2019. Carried with a motion by Eleanor Henning and a second by Larry Eberspacher.

Larry Eberspacher: Aye, Gene Eggebraaten: Aye, Eleanor Henning: Aye,  
Judy Henning: Aye

Aye: 4, No: 0

**3.B. Cemetery Payroll and Financial Reports**

Motion to approve the May 31, 2020 payroll and financial reports. Carried with a motion by Larry Eberspacher and a second by Gene Eggebraaten.

Larry Eberspacher: Aye, Gene Eggebraaten: Aye, Eleanor Henning: Aye,  
Judy Henning: Aye

Aye: 4, No: 0

#### 4. Special Order of Business

##### 4.A. Discussion Regarding Vacant Cemetery Board Position.

Board Members suggested Daryl Michl, Russ Sears, and Scott Kuncel be considered.

##### 4.B. Discussion Regarding Electronic Directories.

Board Members would like to wait on discussion of this until new board members are appointed. Tabled by consensus.

##### 4.C. Discussion Regarding 2020-21 Budget.

Overall the streets at Riverside are pretty good, may need work in future. Gene reported that he thought the South cemetery could use additional road rock. Overall, maintenance of the cemeteries is good. Eleanor reported that the back area appeared messy, with old toys and dead flowers.

##### 4.D. Cemetery Board Strategic Planning – 5 and 10 Year Goals.

Judy noted previous goals of the Columbarium and new entryway have been completed. New goals discussed by Board Members:

5-year goal: finish off the entryway posts, as previously discussed, improve shed structure where cemetery information is kept.

10-year goal: electronic directory near gate and similar to look of entryway posts.

#### 5. Officers' Reports

#### 6. Adjournment

The meeting was adjourned at 4:22pm.

Recorded by City Clerk Judi Meyer

# LEGISLATIVE BULLETIN

---

## LEAGUE OF NEBRASKA MUNICIPALITIES

---

106th Legislature, Second Session

June 26, 2020 - Bulletin 28

---



- **COVID-19: UPDATED FAQs from Treasury allow CARES Act funds to offset 25% match for FEMA Public Assistance Grants**
  - **RECOMMENDATION TO RATIFY ACTIONS TAKEN AT MEETINGS held by videoconference, telephone conferencing or other electronic communication based on the Governor’s Executive Orders waiving certain provisions of the Open Meetings Act, which expire June 30.**  
*Please review article in this Bulletin, which has an example of a motion for your consideration.*
  - **Masks still available for water and wastewater utilities**
  - **Revised Guidance – State of Nebraska COVID-19 Funding Reimbursement from CARES Act**
-

## COVID-19: UPDATED FAQs from Treasury allow CARES Act funds to offset 25% match for FEMA Public Assistance Grants

**UPDATED FAQs from the U.S. Department of the Treasury issued on June 24 provide that “Coronavirus Aid, Relief and Economic Security Act” (CARES Act) funds can be used for the required 25 percent match for FEMA Public Assistance Grants.**

It is reported that this is the first-time federal dollars from one federal program have been authorized for use to offset the 25 percent matching requirement for FEMA’s Public Assistance Grants. [Click here](#) for the UPDATED FAQs, which are included with this *Bulletin*. On June 24, the National League of Cities emailed the following information highlighting the changes in the UPDATED FAQs:

The highlight of the day is that Coronavirus Relief Fund (CRF) monies can be used to offset the 25 percent matching requirement for FEMA’s Public Assistance Grants. The White House declared that CRF funds could be used for the match in May, however, FEMA and the Treasury delayed the guidance.

According to the Treasury’s updated guidance, “payments from the Fund may be used to meet the non-federal matching requirements for Stafford Act assistance to the extent such matching requirements entail COVID-19-related costs that otherwise satisfy the Fund’s eligibility criteria and the Stafford Act. Regardless of the use of Fund payments for such purposes, FEMA funding is still dependent on FEMA’s determination of eligibility under the Stafford Act.”

Local governments should contact their State’s Emergency Management Administrators to get state specific guidance on reimbursement. ***Please note that this Bulletin also includes information regarding NEMA’s Invitation to attend a virtual “Applicant Briefing”; the League is waiting for NEMA to confirm participation during the League’s weekly briefing on Wednesday, July 1, at 3 pm CT.*** The 36 municipalities with populations above 500,000 that received direct CRF allocation from the Treasury are able to use the money for the match now. Municipalities with populations less than 500,000 will need to work with their



© iStockphoto.com

state to determine how to use the funds for the match. Only 22 states have authorized or are working on legislation to transfer some of the CRF funding to local governments. Four states are transferring the funds only to counties. Twenty-four states have yet to announce if they plan to authorize the allocation of a portion of the Federal CRF they received to local governments. [Click here](#) to view a list of state allocation of CRF funds to municipalities on NLC’s [CitiesSpeak.org](#).

The other piece of news in the guidance is increased flexibility for the use of funds related to public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency. The Treasury Department said that an employer is not required to track time of the employees responding to COVID-19 public health emergency.

According to Treasury’s updated guidance: “As a matter of administrative convenience, the entire payroll cost of an employee whose time is substantially dedicated to mitigating or responding to the COVID-19 public health emergency is eligible, provided that such payroll costs are incurred by Dec. 30, 2020. An employer may also track time spent by employees related to COVID-19 and apply Fund payments on that basis but would need to do so consistently within the relevant agency or department.”

## Masks still available for water and wastewater utilities

In May, 50,000 washable, cloth face masks were made available by FEMA and Nebraska WARN to water and wastewater utilities/purveyors in Nebraska. Masks are still available at the rate of five (5) masks per full time employee. masks are not limited to certified water and wastewater operators. All full-time employees in the utility (associated with water/wastewater) are eligible for five masks. Masks are currently available at the distribution locations outlined below.

If you are interested in requesting masks through this program, fill out the form attached to the *Bulletin* and take it to the distribution location. Please fill this form out completely and accurately with all pertinent data and contact information. If you have multiple PWSID or NPDES numbers for service areas within your system, please provide only the number for your primary service area. Requests will only be accepted by completing the official request form.

There are eight (8) primary points of distribution (PODs) which should allow for reasonable access to the masks for most utilities. Please go to the POD associated with your field service area as indicated on the map.

Please follow all recommended social distancing and other protective requirements and guidelines that may exist at the time of your pick-up or delivery.

### Field Service Area 1

Beatrice Utilities  
1806 S 16<sup>th</sup> Circle Drive  
Beatrice, NE 68310  
Address for pickup  
M-F 8:00 AM-4:00 PM  
Contact Steve Kelley  
(402) 228-5217  
[skelley@beatrice.ne.gov](mailto:skelley@beatrice.ne.gov)

### Field Service Area 2

Wahoo Utilities  
605 N Broadway  
Address for Pickup  
Wahoo, NE 68066  
Hours available  
M-F 8:00 AM-5:00 PM  
Contact Ryan Hurst  
(402) 443-3222  
[Hurst@wahoo.ne.us](mailto:Hurst@wahoo.ne.us)

### Field Service Area 3

City of Norfolk  
Address for Pickup  
300 South 49th  
Norfolk, NE 68701  
Hours available  
M-F 8:00 AM-4:30 PM  
Contact Dennis Watts  
(402) 844-2210  
[dwatts@norfolkne.gov](mailto:dwatts@norfolkne.gov)

### Field Service Area 4

City of York  
Address for Pickup  
100 E 4<sup>th</sup> Street  
York, NE 68467  
Hours available  
M-F 8:00 AM-5:00 PM  
Contact Aaron Dressel  
(402) 363-2604  
[adressel@cityofyork.net](mailto:adressel@cityofyork.net)

### Field Service Area 5

City of Kearney  
Address for Pickup  
Kearney Utilities  
1220 E 26<sup>th</sup> Street  
Kearney, NE 68847  
Contact Anton E. Jelinek  
(308) 233-3259  
[ajelinek@kearneygov.org](mailto:ajelinek@kearneygov.org)

### Field Service Area 6

City of O'Neill  
Address for Pickup  
O'Neill Utilities  
401 E Fremont St  
O'Neill, NE 68763  
Hours Available  
M-F 8:00 AM-5:00 PM  
Contact Curtis Kizzire  
(402) 336-3640  
[ssidak@cityofoniell.com](mailto:ssidak@cityofoniell.com)

*Continued on page 4*

## Masks still available for water and wastewater utilities

*Continued from page 3*

### Field Service Area 7

City of North Platte

Address for Pickup

North Platte, NE 69103

Hours Available

M-F 7:30 AM- 4:00 PM

Contact Leroy Kramer

(308) 530-7758

[KramereL@ci.north-platte.ne.us](mailto:KramereL@ci.north-platte.ne.us)

### Field Service Area 8

City of Alliance

Address for Pickup

1313 W 1<sup>st</sup> Street

Alliance, NE 69301

Hours Available

M-F 8:00 AM-5:00 PM

Contact Paige Johnson

(308) 762-1907

[pjohnson@cityofalliance.net](mailto:pjohnson@cityofalliance.net)

The Nebraska Rural Water Association has volunteered to pick up and deliver masks to water/wastewater systems that cannot send employees or need help receiving masks. Please Contact Randy Hellbusch at 402-443-8535 or email [randy@nerwa.org](mailto:randy@nerwa.org) to coordinate.

If you have any questions regarding this program or if you have problems in accessing/filling out the mask request form contact Ryan Hurst at the City of Wahoo, [Hurst@wahoo.ne.us](mailto:Hurst@wahoo.ne.us) or 402-443-3222.

## Revised Guidance – State of Nebraska COVID-19 Funding Reimbursement from CARES Act

On June 23, Molly Bargmann, NEMA’s Recovery Section Manager, emailed the revised guidance for the **“State of Nebraska Local Government Reimbursement for COVID-19 Related Expenses,”** which supersedes initial guidance issued on May 29, 2020. NEMA asked the League to distribute this information on behalf of the State of Nebraska. [Click here](#) for the revised guidance, which is also included with this *Bulletin*.

**Dates for FEMA Public Assistance Applicant Briefings:** NEMA would like to invite you to attend a virtual **Applicant Briefing** for DR-4521, the COVID-19 disaster declaration. These briefings will provide an overview of FEMA Public Assistance funding for eligible COVID expenses. The briefings will be hosted on **June 25, 26, 30 and July 1, 6 and 8**. Please [click](#)

[here](#) to view the invitation for more information, which is also included with this *Bulletin*.

**Please note that funding from the CARES Act will NOT be discussed in these briefings.** If you are unable to attend, NEMA will post recordings to its website at <https://nema.nebraska.gov/recovery/nebraska-covid-19-dr-4521>. Feel free to share this invitation with other organizations who may wish to attend. No RSVP is required. Please direct any questions to [nema.publicassistance@nebraska.gov](mailto:nema.publicassistance@nebraska.gov).

***Please note that this Bulletin also includes information regarding NEMA’s Invitation to attend a virtual “Applicant Briefing”; the League is waiting for NEMA to confirm participation during the League’s weekly briefing on Wednesday, July 1, at 3 pm CT.***

## RECOMMENDATION TO RATIFY ACTIONS TAKEN AT MEETINGS held by videoconference, telephone conferencing or other electronic communication based on the Governor's Executive Orders waiving certain provisions of the Open Meetings Act, which expire June 30

Starting July 1, city councils, village boards and other public bodies subject to the Open Meetings Act can no longer hold meetings by videoconference, telephone conferencing or by conferencing by other electronic communication based on the **Governor's Executive Orders No. 20-03 and No. 20-24**, which waive certain provisions of the Open Meetings Act. Executive Order No. 20-03 expired on May 31, 2020, but was extended by Executive Order No. 20-24, which expires June 30, 2020. Please note that social distancing requirements will still be necessary when holding in-person meetings to comply with DHMs and DHHS guidance, including keeping individuals six feet apart, etc.

Those public bodies identified

in Section 84-1411 of the Open Meetings Act, which have had the authority for conducting meetings electronically by videoconference or telephone conferencing for some time, will still be able to do so; these are organizations such as those created under the Interlocal Cooperation Act, the Joint Public Agency Act, the Municipal Cooperative Financing Act and the Intergovernmental Risk Management Act (i.e., LARM).

**Please work with your municipal attorney to draft an agenda item for the next in-person meeting to ratify actions taken by a public body (such as your city council or village board) which conducted meetings by videoconference, telephone conferencing or other electronic communication based on**



### **the Governor's Executive Orders.**

*Example: Agenda Item \_\_. Consider approval of a motion to ratify all actions identified in the attached minutes taken by the (name of public body) during meetings held on (list meeting dates) by (videoconference, telephone conferencing or by conferencing by other electronic communication), before June 30, 2020, pursuant to Gov. Ricketts' Executive Orders No. 20-03 and No. 20-24 (attached to this agenda).*

[Click here](#) for Executive Orders No. 20-03 and No. 20-24.

**Coronavirus Relief Fund  
Frequently Asked Questions  
Updated as of June 24, 2020**

The following answers to frequently asked questions supplement Treasury’s Coronavirus Relief Fund (“Fund”) Guidance for State, Territorial, Local, and Tribal Governments, dated April 22, 2020, (“Guidance”).<sup>1</sup> Amounts paid from the Fund are subject to the restrictions outlined in the Guidance and set forth in section 601(d) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act (“CARES Act”).

**Eligible Expenditures**

***Are governments required to submit proposed expenditures to Treasury for approval?***

No. Governments are responsible for making determinations as to what expenditures are necessary due to the public health emergency with respect to COVID-19 and do not need to submit any proposed expenditures to Treasury.

***The Guidance says that funding can be used to meet payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency. How does a government determine whether payroll expenses for a given employee satisfy the “substantially dedicated” condition?***

The Fund is designed to provide ready funding to address unforeseen financial needs and risks created by the COVID-19 public health emergency. For this reason, and as a matter of administrative convenience in light of the emergency nature of this program, a State, territorial, local, or Tribal government may presume that payroll costs for public health and public safety employees are payments for services substantially dedicated to mitigating or responding to the COVID-19 public health emergency, unless the chief executive (or equivalent) of the relevant government determines that specific circumstances indicate otherwise.

***The Guidance says that a cost was not accounted for in the most recently approved budget if the cost is for a substantially different use from any expected use of funds in such a line item, allotment, or allocation. What would qualify as a “substantially different use” for purposes of the Fund eligibility?***

Costs incurred for a “substantially different use” include, but are not necessarily limited to, costs of personnel and services that were budgeted for in the most recently approved budget but which, due entirely to the COVID-19 public health emergency, have been diverted to substantially different functions. This would include, for example, the costs of redeploying corrections facility staff to enable compliance with COVID-19 public health precautions through work such as enhanced sanitation or enforcing social distancing measures; the costs of redeploying police to support management and enforcement of stay-at-home orders; or the costs of diverting educational support staff or faculty to develop online learning capabilities, such as through providing information technology support that is not part of the staff or faculty’s ordinary responsibilities.

Note that a public function does not become a “substantially different use” merely because it is provided from a different location or through a different manner. For example, although developing online instruction capabilities may be a substantially different use of funds, online instruction itself is not a substantially different use of public funds than classroom instruction.

---

<sup>1</sup> The Guidance is available at <https://home.treasury.gov/system/files/136/Coronavirus-Relief-Fund-Guidance-for-State-Territorial-Local-and-Tribal-Governments.pdf>.

***May a State receiving a payment transfer funds to a local government?***

Yes, provided that the transfer qualifies as a necessary expenditure incurred due to the public health emergency and meets the other criteria of section 601(d) of the Social Security Act. Such funds would be subject to recoupment by the Treasury Department if they have not been used in a manner consistent with section 601(d) of the Social Security Act.

***May a unit of local government receiving a Fund payment transfer funds to another unit of government?***

Yes. For example, a county may transfer funds to a city, town, or school district within the county and a county or city may transfer funds to its State, provided that the transfer qualifies as a necessary expenditure incurred due to the public health emergency and meets the other criteria of section 601(d) of the Social Security Act outlined in the Guidance. For example, a transfer from a county to a constituent city would not be permissible if the funds were intended to be used simply to fill shortfalls in government revenue to cover expenditures that would not otherwise qualify as an eligible expenditure.

***Is a Fund payment recipient required to transfer funds to a smaller, constituent unit of government within its borders?***

No. For example, a county recipient is not required to transfer funds to smaller cities within the county's borders.

***Are recipients required to use other federal funds or seek reimbursement under other federal programs before using Fund payments to satisfy eligible expenses?***

No. Recipients may use Fund payments for any expenses eligible under section 601(d) of the Social Security Act outlined in the Guidance. Fund payments are not required to be used as the source of funding of last resort. However, as noted below, recipients may not use payments from the Fund to cover expenditures for which they will receive reimbursement.

***Are there prohibitions on combining a transaction supported with Fund payments with other CARES Act funding or COVID-19 relief Federal funding?***

Recipients will need to consider the applicable restrictions and limitations of such other sources of funding. In addition, expenses that have been or will be reimbursed under any federal program, such as the reimbursement by the federal government pursuant to the CARES Act of contributions by States to State unemployment funds, are not eligible uses of Fund payments.

***Are States permitted to use Fund payments to support state unemployment insurance funds generally?***

To the extent that the costs incurred by a state unemployment insurance fund are incurred due to the COVID-19 public health emergency, a State may use Fund payments to make payments to its respective state unemployment insurance fund, separate and apart from such State's obligation to the unemployment insurance fund as an employer. This will permit States to use Fund payments to prevent expenses related to the public health emergency from causing their state unemployment insurance funds to become insolvent.

***Are recipients permitted to use Fund payments to pay for unemployment insurance costs incurred by the recipient as an employer?***

Yes, Fund payments may be used for unemployment insurance costs incurred by the recipient as an employer (for example, as a reimbursing employer) related to the COVID-19 public health emergency if such costs will not be reimbursed by the federal government pursuant to the CARES Act or otherwise.

***The Guidance states that the Fund may support a “broad range of uses” including payroll expenses for several classes of employees whose services are “substantially dedicated to mitigating or responding to the COVID-19 public health emergency.” What are some examples of types of covered employees?***

The Guidance provides examples of broad classes of employees whose payroll expenses would be eligible expenses under the Fund. These classes of employees include public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency. Payroll and benefit costs associated with public employees who could have been furloughed or otherwise laid off but who were instead repurposed to perform previously unbudgeted functions substantially dedicated to mitigating or responding to the COVID-19 public health emergency are also covered. Other eligible expenditures include payroll and benefit costs of educational support staff or faculty responsible for developing online learning capabilities necessary to continue educational instruction in response to COVID-19-related school closures. Please see the Guidance for a discussion of what is meant by an expense that was not accounted for in the budget most recently approved as of March 27, 2020.

***In some cases, first responders and critical health care workers that contract COVID-19 are eligible for workers’ compensation coverage. Is the cost of this expanded workers compensation coverage eligible?***

Increased workers compensation cost to the government due to the COVID-19 public health emergency incurred during the period beginning March 1, 2020, and ending December 30, 2020, is an eligible expense.

***If a recipient would have decommissioned equipment or not renewed a lease on particular office space or equipment but decides to continue to use the equipment or to renew the lease in order to respond to the public health emergency, are the costs associated with continuing to operate the equipment or the ongoing lease payments eligible expenses?***

Yes. To the extent the expenses were previously unbudgeted and are otherwise consistent with section 601(d) of the Social Security Act outlined in the Guidance, such expenses would be eligible.

***May recipients provide stipends to employees for eligible expenses (for example, a stipend to employees to improve telework capabilities) rather than require employees to incur the eligible cost and submit for reimbursement?***

Expenditures paid for with payments from the Fund must be limited to those that are necessary due to the public health emergency. As such, unless the government were to determine that providing assistance in the form of a stipend is an administrative necessity, the government should provide such assistance on a reimbursement basis to ensure as much as possible that funds are used to cover only eligible expenses.

***May Fund payments be used for COVID-19 public health emergency recovery planning?***

Yes. Expenses associated with conducting a recovery planning project or operating a recovery coordination office would be eligible, if the expenses otherwise meet the criteria set forth in section 601(d) of the Social Security Act outlined in the Guidance.

***Are expenses associated with contact tracing eligible?***

Yes, expenses associated with contract tracing are eligible.

***To what extent may a government use Fund payments to support the operations of private hospitals?***

Governments may use Fund payments to support public or private hospitals to the extent that the costs are necessary expenditures incurred due to the COVID-19 public health emergency, but the form such assistance would take may differ. In particular, financial assistance to private hospitals could take the form of a grant or a short-term loan.

***May payments from the Fund be used to assist individuals with enrolling in a government benefit program for those who have been laid off due to COVID-19 and thereby lost health insurance?***

Yes. To the extent that the relevant government official determines that these expenses are necessary and they meet the other requirements set forth in section 601(d) of the Social Security Act outlined in the Guidance, these expenses are eligible.

***May recipients use Fund payments to facilitate livestock depopulation incurred by producers due to supply chain disruptions?***

Yes, to the extent these efforts are deemed necessary for public health reasons or as a form of economic support as a result of the COVID-19 health emergency.

***Would providing a consumer grant program to prevent eviction and assist in preventing homelessness be considered an eligible expense?***

Yes, assuming that the recipient considers the grants to be a necessary expense incurred due to the COVID-19 public health emergency and the grants meet the other requirements for the use of Fund payments under section 601(d) of the Social Security Act outlined in the Guidance. As a general matter, providing assistance to recipients to enable them to meet property tax requirements would not be an eligible use of funds, but exceptions may be made in the case of assistance designed to prevent foreclosures.

***May recipients create a “payroll support program” for public employees?***

Use of payments from the Fund to cover payroll or benefits expenses of public employees are limited to those employees whose work duties are substantially dedicated to mitigating or responding to the COVID-19 public health emergency.

***May recipients use Fund payments to cover employment and training programs for employees that have been furloughed due to the public health emergency?***

Yes, this would be an eligible expense if the government determined that the costs of such employment and training programs would be necessary due to the public health emergency.

***May recipients use Fund payments to provide emergency financial assistance to individuals and families directly impacted by a loss of income due to the COVID-19 public health emergency?***

Yes, if a government determines such assistance to be a necessary expenditure. Such assistance could include, for example, a program to assist individuals with payment of overdue rent or mortgage payments to avoid eviction or foreclosure or unforeseen financial costs for funerals and other emergency individual needs. Such assistance should be structured in a manner to ensure as much as possible, within the realm of what is administratively feasible, that such assistance is necessary.

***The Guidance provides that eligible expenditures may include expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures. What is meant by a “small business,” and is the Guidance intended to refer only to expenditures to cover administrative expenses of such a grant program?***

Governments have discretion to determine what payments are necessary. A program that is aimed at assisting small businesses with the costs of business interruption caused by required closures should be tailored to assist those businesses in need of such assistance. The amount of a grant to a small business to reimburse the costs of business interruption caused by required closures would also be an eligible expenditure under section 601(d) of the Social Security Act, as outlined in the Guidance.

***The Guidance provides that expenses associated with the provision of economic support in connection with the public health emergency, such as expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures, would constitute eligible expenditures of Fund payments. Would such expenditures be eligible in the absence of a stay-at-home order?***

Fund payments may be used for economic support in the absence of a stay-at-home order if such expenditures are determined by the government to be necessary. This may include, for example, a grant program to benefit small businesses that close voluntarily to promote social distancing measures or that are affected by decreased customer demand as a result of the COVID-19 public health emergency.

***May Fund payments be used to assist impacted property owners with the payment of their property taxes?***

Fund payments may not be used for government revenue replacement, including the provision of assistance to meet tax obligations.

***May Fund payments be used to replace foregone utility fees? If not, can Fund payments be used as a direct subsidy payment to all utility account holders?***

Fund payments may not be used for government revenue replacement, including the replacement of unpaid utility fees. Fund payments may be used for subsidy payments to electricity account holders to the extent that the subsidy payments are deemed by the recipient to be necessary expenditures incurred due to the COVID-19 public health emergency and meet the other criteria of section 601(d) of the Social Security Act outlined in the Guidance. For example, if determined to be a necessary expenditure, a government could provide grants to individuals facing economic hardship to allow them to pay their utility fees and thereby continue to receive essential services.

***Could Fund payments be used for capital improvement projects that broadly provide potential economic development in a community?***

In general, no. If capital improvement projects are not necessary expenditures incurred due to the COVID-19 public health emergency, then Fund payments may not be used for such projects.

However, Fund payments may be used for the expenses of, for example, establishing temporary public medical facilities and other measures to increase COVID-19 treatment capacity or improve mitigation measures, including related construction costs.

***The Guidance includes workforce bonuses as an example of ineligible expenses but provides that hazard pay would be eligible if otherwise determined to be a necessary expense. Is there a specific definition of “hazard pay”?***

Hazard pay means additional pay for performing hazardous duty or work involving physical hardship, in each case that is related to COVID-19.

***The Guidance provides that ineligible expenditures include “[p]ayroll or benefits expenses for employees whose work duties are not substantially dedicated to mitigating or responding to the COVID-19 public health emergency.” Is this intended to relate only to public employees?***

Yes. This particular nonexclusive example of an ineligible expenditure relates to public employees. A recipient would not be permitted to pay for payroll or benefit expenses of private employees and any financial assistance (such as grants or short-term loans) to private employers are not subject to the restriction that the private employers’ employees must be substantially dedicated to mitigating or responding to the COVID-19 public health emergency.

***May counties pre-pay with CARES Act funds for expenses such as a one or two-year facility lease, such as to house staff hired in response to COVID-19?***

A government should not make prepayments on contracts using payments from the Fund to the extent that doing so would not be consistent with its ordinary course policies and procedures.

***Must a stay-at-home order or other public health mandate be in effect in order for a government to provide assistance to small businesses using payments from the Fund?***

No. The Guidance provides, as an example of an eligible use of payments from the Fund, expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures. Such assistance may be provided using amounts received from the Fund in the absence of a requirement to close businesses if the relevant government determines that such expenditures are necessary in response to the public health emergency.

***Should States receiving a payment transfer funds to local governments that did not receive payments directly from Treasury?***

Yes, provided that the transferred funds are used by the local government for eligible expenditures under the statute. To facilitate prompt distribution of Title V funds, the CARES Act authorized Treasury to make direct payments to local governments with populations in excess of 500,000, in amounts equal to 45% of the local government's per capita share of the statewide allocation. This statutory structure was based on a recognition that it is more administratively feasible to rely on States, rather than the federal government, to manage the transfer of funds to smaller local governments. Consistent with the needs of all local governments for funding to address the public health emergency, States should transfer funds to local governments with populations of 500,000 or less, using as a benchmark the per capita allocation formula that governs payments to larger local governments. This approach will ensure equitable treatment among local governments of all sizes.

For example, a State received the minimum \$1.25 billion allocation and had one county with a population over 500,000 that received \$250 million directly. The State should distribute 45 percent of the \$1 billion it received, or \$450 million, to local governments within the State with a population of 500,000 or less.

***May a State impose restrictions on transfers of funds to local governments?***

Yes, to the extent that the restrictions facilitate the State's compliance with the requirements set forth in section 601(d) of the Social Security Act outlined in the Guidance and other applicable requirements such as the Single Audit Act, discussed below. Other restrictions are not permissible.

***If a recipient must issue tax anticipation notes (TANs) to make up for tax due date deferrals or revenue shortfalls, are the expenses associated with the issuance eligible uses of Fund payments?***

If a government determines that the issuance of TANs is necessary due to the COVID-19 public health emergency, the government may expend payments from the Fund on the interest expense payable on TANs by the borrower and unbudgeted administrative and transactional costs, such as necessary payments to advisors and underwriters, associated with the issuance of the TANs.

***May recipients use Fund payments to expand rural broadband capacity to assist with distance learning and telework?***

Such expenditures would only be permissible if they are necessary for the public health emergency. The cost of projects that would not be expected to increase capacity to a significant extent until the need for distance learning and telework have passed due to this public health emergency would not be necessary due to the public health emergency and thus would not be eligible uses of Fund payments.

***Are costs associated with increased solid waste capacity an eligible use of payments from the Fund?***

Yes, costs to address increase in solid waste as a result of the public health emergency, such as relates to the disposal of used personal protective equipment, would be an eligible expenditure.

***May payments from the Fund be used to cover across-the-board hazard pay for employees working during a state of emergency?***

No. The Guidance says that funding may be used to meet payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency. Hazard pay is a form of payroll expense and is subject to this limitation, so Fund payments may only be used to cover hazard pay for such individuals.

***May Fund payments be used for expenditures related to the administration of Fund payments by a State, territorial, local, or Tribal government?***

Yes, if the administrative expenses represent an increase over previously budgeted amounts and are limited to what is necessary. For example, a State may expend Fund payments on necessary administrative expenses incurred with respect to a new grant program established to disburse amounts received from the Fund.

***May recipients use Fund payments to provide loans?***

Yes, if the loans otherwise qualify as eligible expenditures under section 601(d) of the Social Security Act as implemented by the Guidance. Any amounts repaid by the borrower before December 30, 2020, must be either returned to Treasury upon receipt by the unit of government providing the loan or used for another expense that qualifies as an eligible expenditure under section 601(d) of the Social Security Act. Any amounts not repaid by the borrower until after December 30, 2020, must be returned to Treasury upon receipt by the unit of government lending the funds.

***May Fund payments be used for expenditures necessary to prepare for a future COVID-19 outbreak?***

Fund payments may be used only for expenditures necessary to address the current COVID-19 public health emergency. For example, a State may spend Fund payments to create a reserve of personal protective equipment or develop increased intensive care unit capacity to support regions in its jurisdiction not yet affected, but likely to be impacted by the current COVID-19 pandemic.

***May funds be used to satisfy non-federal matching requirements under the Stafford Act?***

Yes, payments from the Fund may be used to meet the non-federal matching requirements for Stafford Act assistance to the extent such matching requirements entail COVID-19-related costs that otherwise satisfy the Fund's eligibility criteria and the Stafford Act. Regardless of the use of Fund payments for such purposes, FEMA funding is still dependent on FEMA's determination of eligibility under the Stafford Act.

***Must a State, local, or tribal government require applications to be submitted by businesses or individuals before providing assistance using payments from the Fund?***

Governments have discretion to determine how to tailor assistance programs they establish in response to the COVID-19 public health emergency. However, such a program should be structured in such a manner as will ensure that such assistance is determined to be necessary in response to the COVID-19 public health emergency and otherwise satisfies the requirements of the CARES Act and other applicable law. For example, a per capita payment to residents of a particular jurisdiction without an assessment of individual need would not be an appropriate use of payments from the Fund.

***May Fund payments be provided to non-profits for distribution to individuals in need of financial assistance, such as rent relief?***

Yes, non-profits may be used to distribute assistance. Regardless of how the assistance is structured, the financial assistance provided would have to be related to COVID-19.

***May recipients use Fund payments to remarket the recipient's convention facilities and tourism industry?***

Yes, if the costs of such remarketing satisfy the requirements of the CARES Act. Expenses incurred to publicize the resumption of activities and steps taken to ensure a safe experience may be needed due to

the public health emergency. Expenses related to developing a long-term plan to reposition a recipient's convention and tourism industry and infrastructure would not be incurred due to the public health emergency and therefore may not be covered using payments from the Fund.

***May a State provide assistance to farmers and meat processors to expand capacity, such to cover overtime for USDA meat inspectors?***

If a State determines that expanding meat processing capacity, including by paying overtime to USDA meat inspectors, is a necessary expense incurred due to the public health emergency, such as if increased capacity is necessary to allow farmers and processors to donate meat to food banks, then such expenses are eligible expenses, provided that the expenses satisfy the other requirements set forth in section 601(d) of the Social Security Act outlined in the Guidance.

***The guidance provides that funding may be used to meet payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency. May Fund payments be used to cover such an employee's entire payroll cost or just the portion of time spent on mitigating or responding to the COVID-19 public health emergency?***

As a matter of administrative convenience, the entire payroll cost of an employee whose time is substantially dedicated to mitigating or responding to the COVID-19 public health emergency is eligible, provided that such payroll costs are incurred by December 30, 2020. An employer may also track time spent by employees related to COVID-19 and apply Fund payments on that basis but would need to do so consistently within the relevant agency or department.

## **Questions Related to Administration of Fund Payments**

***Do governments have to return unspent funds to Treasury?***

Yes. Section 601(f)(2) of the Social Security Act, as added by section 5001(a) of the CARES Act, provides for recoupment by the Department of the Treasury of amounts received from the Fund that have not been used in a manner consistent with section 601(d) of the Social Security Act. If a government has not used funds it has received to cover costs that were incurred by December 30, 2020, as required by the statute, those funds must be returned to the Department of the Treasury.

***What records must be kept by governments receiving payment?***

A government should keep records sufficient to demonstrate that the amount of Fund payments to the government has been used in accordance with section 601(d) of the Social Security Act.

***May recipients deposit Fund payments into interest bearing accounts?***

Yes, provided that if recipients separately invest amounts received from the Fund, they must use the interest earned or other proceeds of these investments only to cover expenditures incurred in accordance with section 601(d) of the Social Security Act and the Guidance on eligible expenses. If a government deposits Fund payments in a government's general account, it may use those funds to meet immediate cash management needs provided that the full amount of the payment is used to cover necessary expenditures. Fund payments are not subject to the Cash Management Improvement Act of 1990, as amended.

***May governments retain assets purchased with payments from the Fund?***

Yes, if the purchase of the asset was consistent with the limitations on the eligible use of funds provided by section 601(d) of the Social Security Act.

***What rules apply to the proceeds of disposition or sale of assets acquired using payments from the Fund?***

If such assets are disposed of prior to December 30, 2020, the proceeds would be subject to the restrictions on the eligible use of payments from the Fund provided by section 601(d) of the Social Security Act.

***Are Fund payments to State, territorial, local, and tribal governments considered grants?***

No. Fund payments made by Treasury to State, territorial, local, and Tribal governments are not considered to be grants but are “other financial assistance” under 2 C.F.R. § 200.40.

***Are Fund payments considered federal financial assistance for purposes of the Single Audit Act?***

Yes, Fund payments are considered to be federal financial assistance subject to the Single Audit Act (31 U.S.C. §§ 7501-7507) and the related provisions of the Uniform Guidance, 2 C.F.R. § 200.303 regarding internal controls, §§ 200.330 through 200.332 regarding subrecipient monitoring and management, and subpart F regarding audit requirements.

***Are Fund payments subject to other requirements of the Uniform Guidance?***

Fund payments are subject to the following requirements in the Uniform Guidance (2 C.F.R. Part 200): 2 C.F.R. § 200.303 regarding internal controls, 2 C.F.R. §§ 200.330 through 200.332 regarding subrecipient monitoring and management, and subpart F regarding audit requirements.

***Is there a Catalog of Federal Domestic Assistance (CFDA) number assigned to the Fund?***

Yes. The CFDA number assigned to the Fund is 21.019.

***If a State transfers Fund payments to its political subdivisions, would the transferred funds count toward the subrecipients’ total funding received from the federal government for purposes of the Single Audit Act?***

Yes. The Fund payments to subrecipients would count toward the threshold of the Single Audit Act and 2 C.F.R. part 200, subpart F re: audit requirements. Subrecipients are subject to a single audit or program-specific audit pursuant to 2 C.F.R. § 200.501(a) when the subrecipients spend \$750,000 or more in federal awards during their fiscal year.

***Are recipients permitted to use payments from the Fund to cover the expenses of an audit conducted under the Single Audit Act?***

Yes, such expenses would be eligible expenditures, subject to the limitations set forth in 2 C.F.R. § 200.425.

***If a government has transferred funds to another entity, from which entity would the Treasury Department seek to recoup the funds if they have not been used in a manner consistent with section 601(d) of the Social Security Act?***

The Treasury Department would seek to recoup the funds from the government that received the payment directly from the Treasury Department. State, territorial, local, and Tribal governments receiving funds from Treasury should ensure that funds transferred to other entities, whether pursuant to a grant program

or otherwise, are used in accordance with section 601(d) of the Social Security Act as implemented in the Guidance.



**NEWARN Mask Request Form**

Please use this form to request face masks for your utility. Please note that there is NO GUARANTEE of mask availability for all utilities in our State through this program.

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

Number of Masks Requested (Limit 5 per Full time employee): \_\_\_\_\_

Utility Name: \_\_\_\_\_

Utility's Full Address: \_\_\_\_\_

PWS ID or NPDES Number (combined utilities use one or the other): \_\_\_\_\_

Utility Type (mark one)

Water

Wastewater

Both

Estimated Population Served: \_\_\_\_\_

Number of Full time Employees: \_\_\_\_\_

Utility Contact Name (First and Last Name): \_\_\_\_\_

Utility Contact's Cell Phone: \_\_\_\_\_

Utility Contact's Email: \_\_\_\_\_

Mask Pickup Location \_\_\_\_\_

**\*\*\*\*\*Mask Pickup Instructions\*\*\*\*\***

Please follow all social distancing guidelines when picking up masks.

- Please contact the Point of Distribution for your field service area for specific instructions on pickup.
- Have the form completed before you come to pickup the masks. You will not be given the masks if you do not turn in a completed form!
- If you are having Rural Water or another utility pickup your masks they must turn in the form on your behalf.

## **Field Service Area 1**

### **Beatrice Utilities**

#### *Address for pickup*

1806 S 16<sup>th</sup> Circle Drive

Beatrice, NE 68310

**\*\*Residential address\*\***

#### *Hours available*

M-F 8:00 AM-4:00 PM

#### *Contact*

Steve Kelley

(402) 228-5217

[skelley@beatrice.ne.gov](mailto:skelley@beatrice.ne.gov)

## **Field Service Area 2**

### **Wahoo Utilities**

#### *Address for Pickup*

605 N Broadway

Wahoo, NE 68066

#### *Hours available*

M-F 8:00 AM-5:00 PM

#### *Contact*

Ryan Hurst

(402) 443-3222

[Hurst@wahoo.ne.us](mailto:Hurst@wahoo.ne.us)

## **Field Service Area 3**

### **City of Norfolk**

#### *Address for Pickup*

300 South 49th

Norfolk, NE 68701

#### *Hours available*

M-F 8:00 AM-4:30 PM

#### *Contact*

Dennis Watts

(402) 844-2210

[dwatts@norfolkne.gov](mailto:dwatts@norfolkne.gov)

## **Field Service Area 4**

### **City of York**

#### *Address for Pickup*

100 E 4<sup>th</sup> Street

York, NE 68467

#### *Hours available*

M-F 8:00 AM-5:00 PM

#### *Contact*

Aaron Dressel

(402) 363-2604

[adressel@cityofyork.net](mailto:adressel@cityofyork.net)

## **Field Service Area 5**

### **City of Kearney**

#### *Address for Pickup*

Kearney Utilities  
1220 E 26<sup>th</sup> Street  
Kearney, NE 68847

#### *Hours Available*

M-T 7:00 AM-4:00 PM

#### *Contact*

Anton E. Jelinek

(308) 233-3259

[ajelinek@kearneygov.org](mailto:ajelinek@kearneygov.org)

## **Field Service Area 6**

### **City of O'Neill**

#### *Address for Pickup*

O'Neill Utilities  
401 E Fremont St  
O'Neill, NE 68763

#### *Hours Available*

M-F 8:00 AM-5:00 PM

#### *Contact*

Curtis Kizzire

(402) 340-7827

[ssidak@cityofoneill.com](mailto:ssidak@cityofoneill.com)

## **Field Service Area 7**

### **City of North Platte**

#### *Address for Pickup*

401 E 7<sup>th</sup> St  
North Platte, NE 69103

#### *Hours Available*

M-F 7:30 AM- 4:00 PM

#### *Contact*

Leroy Kramer

(308) 530-7758

[Kramerel@ci.north-platte.ne.us](mailto:Kramerel@ci.north-platte.ne.us)

## **Field Service Area 8**

### **City of Alliance**

#### *Address for Pickup*

1313 W 1<sup>st</sup> Street  
Alliance, NE 69301

#### *Hours Available*

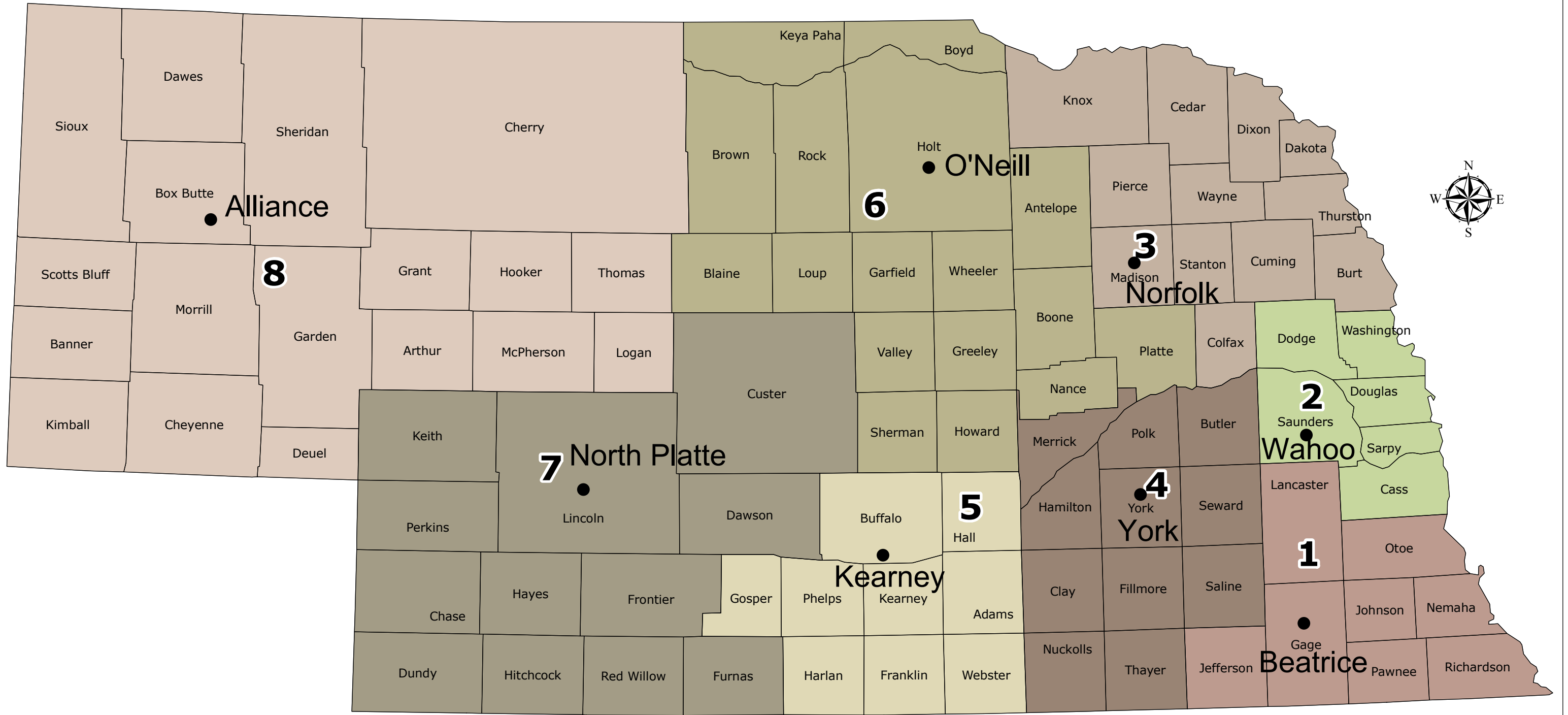
M-F 8:00 AM-5:00 PM

#### *Contact*

Paige Johnson

(308) 762-1907

[pjohnson@cityofalliance.net](mailto:pjohnson@cityofalliance.net)



## Mask Information/Instructions

As a reminder these masks are not PPE. However, you should use the same protocols for putting on and taking off.

### How to put on a face mask

1. Clean your hands with soap and water or hand sanitizer before touching the mask.
2. Remove a mask from the package and make sure there are no obvious tears or holes in either side of the mask.
3. Determine which side of the mask is the front. (similar to a shirt stitching)
4. Instructions for the type of mask you are using. *Face Mask with Ear loops*: Hold the mask by the ear loops. Place a loop around each ear. Mold or pinch the stiff edge to the shape of your nose.
5. Pull the bottom of the mask over your mouth and chin.

### How to remove a face mask

1. Clean your hands with soap and water or hand sanitizer before touching the mask. Avoid touching the front of the mask. The front of the mask is contaminated. Only touch the ear loops/ties/band.
2. *Face Mask with Ear loops*: Hold both ear loops and gently lift and remove the mask.
3. Clean your hands with soap and water or hand sanitizer.
4. After use you can wash the mask up to 15 times. Follow instruction on the packaging for laundering.

### Mask Example:





NEWARN is pleased to announce that FEMA is making a significant quantity of washable, cloth face masks available for potential distribution to all requesting water and wastewater utilities/purveyors in Nebraska. We have received 50,000 cloth masks for Nebraska water and wastewater utilities. Accordingly, masks will be initially allocated to requesting utilities at the rate of five (5) masks per full time employee. The masks are not limited to only operators; all full-time employees in the utility (associated with water/wastewater) are eligible. As supplies may be limited, requests will be filled on a first-come first-served basis. Masks will be available at the distribution locations starting May 13<sup>th</sup>.

If you are interested in requesting FEMA masks through this program, we ask that you please fill out the form attached to this letter and bring it to the distribution location.

Please fill this form out completely and accurately so we have all pertinent data and contact information. If you have multiple PWSID or NPDES numbers for service areas within your system, please provide only the number for your primary service area. (Note: Requests will only be accepted by completing the official request form)

To facilitate distribution of masks throughout the State, we have established eight (8) primary points of distribution (PODs) which should allow for reasonable access to the masks for most utilities.

The location of each POD (along with associated contact information) is provided in this letter. Please go to the POD associated with your field service area as indicated on the map.

Nebraska Rural Water has volunteered to pickup and deliver masks to water/wastewater systems that cannot send employees or need help receiving masks. Please Contact Randy Hellbusch at 402-443-8535 or email [randy@nerwa.org](mailto:randy@nerwa.org) to coordinate.

We ask that you please follow all recommended social distancing and other protective requirements and guidelines that may exist at the time of your pick-up or delivery.

Please note that there is NO GUARANTEE of mask availability for all utilities in our State through this program. At this time, it is recommended that you not cancel or reduce any previous orders or ongoing supply arrangements that you may have made with other sources.

We are pleased to be able to assist with this effort as a means of supporting all water and wastewater utilities in our State as they adapt to the many challenges at hand, while also continuing to provide reliable and essential services for all. If you have any questions regarding this program or if you have problems in accessing/filling out the mask request form contact me or one of the contacts associated with the points of delivery.

Thank You

**Ryan Hurst**

NEWARN Chair

[Hurst@wahoo.ne.us](mailto:Hurst@wahoo.ne.us)

402-443-3222

**STATE OF NEBRASKA UPDATED GUIDANCE**  
**For**  
**Local Government Requests for Reimbursement for COVID-19 Related Expenses**  
**Dated: June 23, 2020**  
***Supersedes Initial Guidance Issued on May 29, 2020***

**I. Nebraska COVID-19 Local Government Response Assistance Program**

Governor Pete Ricketts has unveiled how the State of Nebraska plans to use federal coronavirus funds to get Nebraska growing. Of the relief funds received by the State, \$100 million has been allocated for reimbursements to local governments for direct expenses incurred in response to the COVID-19 emergency. The State of Nebraska has entered in to a contract with Deloitte and Touche (Deloitte) to manage the process to request reimbursement and process payments. The effort to implement the process is nearing completion and this is an update to previous guidance.

**Eligible Units of Local Government:**

- Counties
- Cities, and Villages
- Utility Districts

**Necessary Expenditures Include:**

- Acquisition and Distribution of
  - o Personal Protective Equipment;
  - o Sanitizing Products;
  - o Testing Equipment;
  - o Ventilators;
  - o Other necessary COVID-19 Medical Supplies and Equipment;
- Temporary Isolation or Quarantine Sites;
  - o Other related necessary expenditures;
- Medical Transportation;
- Expenses for Sanitizing Public Areas and other Public Facilities; and
- Temporary Emergency Staffing and over-time costs for staff that is substantially dedicated to the mitigation or response to the COVID-19 Public Health Emergency; and
- Payroll costs for public health and public safety employees for services dedicated to mitigating or responding to the COVID-19 public health emergency. No presumption permitted.
- Equipment used for the conduct of meetings by telephonic or electronic means.

**Limitations and Requirements:**

Any funds provided pursuant to this program **cannot be used as a revenue replacement** for lower than expected tax or other revenue collections.

Douglas County and local political subdivisions, excluding the City of Omaha, within Douglas County are ineligible to receive reimbursement pursuant to this program. Douglas County has received their own direct allocations of Coronavirus Relief Funds.

**STATE OF NEBRASKA UPDATED GUIDANCE**  
**For**  
**Local Government Requests for Reimbursement for COVID-19 Related Expenses**  
**Dated: June 23, 2020**  
***Supersedes Initial Guidance Issued on May 29, 2020***

In accordance with earlier guidance County Governments were required to open the County Courthouse and County Offices for business on a non-appointment basis prior to June 15, 2020 in order to receive funds. Appointments are permitted for services that normally require an appointment or to provide better service times for customers, but appointments may not be the sole means to obtain services. Customers may be encouraged to wear face coverings, but may not be refused service for failure to do so. Counties may otherwise require adherence to minimum social distancing guidelines and follow procedures for disinfecting common areas as established in the Directed Health Measure for that county.

Individual county offices may be closed if any employee within that office has been exposed or tested positive.

County board chairs may control traffic flow by limiting public access to certain proscribed entry and exit points.

**Process for Requesting Reimbursement of Qualified Expenses**

The State continues to work with Deloitte to establish the process to be used to request reimbursement. A web-based process will be used to enter requests, upload supporting documentation and records, and will be unveiled over the next several weeks.

The County Board shall take formal action to qualify to submit a claim through the Nebraska COVID-19 Local Government Response Assistance Program. As part of the process, the County Board designee or the County Board Chair shall complete the Funding Request Certification Form in order to be eligible for a reimbursement claim.

The Mayor or Chief Executive for a city/village or local utility district must complete the Funding Request Certification Form in order to be eligible for a reimbursement claim.

**Initial claims shall be for costs incurred between March 1, 2020 and July 1, 2020. Those claims shall be submitted during the month of July in accordance with a date yet to be identified. The completion of the web-based portal will dictate the deadline date and information will be forthcoming.** Claims would then be submitted on a monthly basis, i.e. expenses incurred July 1 – July 31, 2020 would be submitted by September 1, 2020. Claims for reimbursement must include documentation of the incurred expense, e.g., invoices (see COVID-19 Documentation Guidance).

An initial review by the State will be conducted to determine if the reimbursement claim meets the “necessary expenditures” criteria. Deloitte would then work with the requestor to ensure adequate documentation is received and initiate the reimbursement process through the State of Nebraska Accounting Division.

**STATE OF NEBRASKA UPDATED GUIDANCE**  
**For**  
**Local Government Requests for Reimbursement for COVID-19 Related Expenses**  
**Dated: June 23, 2020**  
***Supersedes Initial Guidance Issued on May 29, 2020***

**I. FEMA Public Assistance Requests**

All eligible Local Public Entities for Public Assistance are encouraged to request reimbursement for eligible costs through FEMA under the Category B – Emergency Protective measures. This will provide flexibility if Coronavirus Relief Funds are permitted to be used for local cost share. Eligible entities should submit a Request for Public Assistance (RPA) on FEMA’s Grant’s Portal if one has not been submitted previously for DR 4521.

President Trump has stated that Coronavirus Relief Funds provided to the States can be used as the 25% match for Public Assistance; however, nothing has been received officially in writing that authorizes this approach. The State is asking local entities to begin the RPA process to keep this a viable option in the event authorization is provided for Coronavirus Relief Funds to be used for the 25% local share. Applicant briefings are being scheduled to allow eligible applicants to submit project requests. The Nebraska Emergency Management Agency will notify entities regarding the dates and times for the virtual applicant briefing sessions.

**Eligible Units of Local Government** – those entities normally eligible for participating in the Public Assistance program.

FEMA guidance indicates the following items would qualify:

- Personal protective equipment
- Sanitizing products
- Necessary medical supplies and equipment
- Temporary emergency staffing and overtime costs for staff that is substantially dedicated to the mitigation or response to the Covid-19 Public Health Emergency

Once a RPA form has been submitted and approved by FEMA, local entities can submit a project worksheet, through the FEMA Grants Portal, for eligible costs associated with the COVID-19 Public Health Emergency along with documentation supporting the claimed costs.

FEMA will review the submitted request for assistance/costs and supporting documentation and determine if any additional information is needed and make eligibility determinations.

Once the project and costs are deemed to be eligible by FEMA, the project will be obligated/awarded by FEMA. Following obligation of the project and receipt of federal funds, NEMA will transfer funds for 75% of the total eligible costs. There is a 75% Federal / 25% local cost share associated with the FEMA Public Assistance Projects.



## Nebraska Emergency Management Agency

### DR-4521 (COVID) Applicant Briefing Schedule

The Nebraska Emergency Management Agency is hosting virtual Applicant Briefings to explain the FEMA Public Assistance program and discuss available funding to reimburse expenses related to DR-4521 (the COVID-19 Disaster Declaration).

FEMA Public Assistance (PA) provides funds to eligible state, local, and tribal governments, as well as select private non-profit (PNP) organizations. These funds will reimburse 75% of eligible Emergency Protective Measures during the COVID-19 incident period (beginning January 20<sup>th</sup>, 2020).

These briefings will provide guidance to potential applicants regarding the Public Assistance program, explain eligibility requirements for applicants participating in a FEMA grant, and give examples of reimbursable activities under DR-4521. All briefings will contain the same general information, but some will be tailored to specific organization types.

The briefings will be hosted on June 25th, 26th, 30th and July 1st, 6th, 8th. Please see below for additional information on each session and attend the briefing most relevant to your organization type.

---

#### **THURSDAY Applicant Briefing: Public School Districts**

06/25  
8:30-9:30AM CDT

Please join the Webex meeting from your computer, tablet or smartphone at:  
<https://nvcn-cio.webex.com/webappng/sites/nvcn-cio/meeting/download/fe45a06de83346d3af615e2c20eebefb?siteurl=nvcn-cio&MTID=m66be891d6af52a2582ebffac439fc10e>

Meeting number (access code): 145 227 0344  
Meeting password: Da8MgB4i2RM

---

#### **THURSDAY Applicant Briefing: Medical Facilities and Private Non-Profits**

06/25  
1:00-2:00PM CDT

Please join the Webex meeting from your computer, tablet or smartphone at:  
<https://nvcn-cio.webex.com/webappng/sites/nvcn-cio/meeting/download/fe45a06de83346d3af615e2c20eebefb?siteurl=nvcn-cio&MTID=m66be891d6af52a2582ebffac439fc10e>

Meeting number (access code): 145 080 2639  
Meeting password: caV24EcJU6

---

#### **FRIDAY Applicant Briefing: General**

06/26  
11:00- 12:00PM CDT

Please join the Webex meeting from your computer, tablet or smartphone at:  
<https://nvcn-cio.webex.com/webappng/sites/nvcn-cio/meeting/download/616cf5b576e24201a257bd088812f9af?siteurl=nvcn-cio&MTID=md92e97e2da4134409efc03d746a95fc1>

Meeting number (access code): 145 128 2739  
Meeting password: JkTMm8rGR73

---

---

**TUESDAY**

**Applicant Briefing: Public School Districts**

Please join the Webex meeting from your computer, tablet or smartphone at:  
<https://nvcn-cio.webex.com/webappng/sites/nvcn-cio/meeting/download/769b2d091792422783b79a3917e52cc6?siteurl=nvcn-cio&MTID=mbc712409db07e5d689149d053a8cc2d0>

06/30

3:00-4:00PM CDT

Meeting number (access code): 145 761 5305  
Meeting password: pCUdfCJ68k5

---

**WEDNESDAY**

**Applicant Briefing: Medical Facilities and Private Non-Profits**

Please join the Webex meeting from your computer, tablet or smartphone at:  
<https://nvcn-cio.webex.com/webappng/sites/nvcn-cio/meeting/download/1f187d790f384f119ed4a2dc82fcf6ee?siteurl=nvcn-cio&MTID=mcca5ba7749e8809b35038c6ca1d9fda0>

07/01

1:00-2:00PM CDT

Meeting number (access code): 145 147 2015  
Meeting password: x8qR8pb7Z9Q

---

**MONDAY**

**Applicant Briefing: General**

Please join the Webex meeting from your computer, tablet or smartphone at:  
<https://nvcn-cio.webex.com/webappng/sites/nvcn-cio/meeting/download/078233aab47c41e0b4ade17f3aca6c03?siteurl=nvcn-cio&MTID=ma001afc7e2bd7e1ae2f128437a8f8ca2>

07/06

1:00-2:00PM  
CDT

Meeting number (access code): 145 859 8444  
Meeting password: N39yyjZ6An2

---

**WEDNESDAY**

**Applicant Briefing: Medical Facilities and Private Non-Profits**

Please join the Webex meeting from your computer, tablet or smartphone at:  
<https://nvcn-cio.webex.com/webappng/sites/nvcn-cio/meeting/download/df3e7a7f639c44d6a19b78faea79fba8?siteurl=nvcn-cio&MTID=mf9a694f42461a52ccec364577b0ca16e>

07/08

11:30-12:30PM  
CDT

Meeting number (access code): 145 538 1938  
Meeting password: pZkrBqjj243

---

# LEGISLATIVE BULLETIN

## LEAGUE OF NEBRASKA MUNICIPALITIES

106th Legislature, Second Session

July 2, 2020 - Bulletin 29



- **COVID-19:** On July 2, Gov. Ricketts announced at his press conference that **Dakota, Hall, Hamilton and Merrick Counties start PHASE III on July 6, 2020.**
- **COVID-19:** New Guidance issued from the U.S. Dept. of the Treasury regarding "Costs incurred during the period that begins on March 1, 2020 and ends on Dec. 30, 2020."
- **COVID-19:** Take time to review the FEMA Public Assistance Program and Policy Guide for COVID-19 reimbursement.
- **RECOMMENDATION TO RATIFY ACTIONS TAKEN AT MEETINGS held by videoconference, telephone conferencing or other electronic communication based on the Governor's Executive Orders waiving certain provisions of the Open Meetings Act, which expired June 30.** *Please review the article in Bulletin #28, which has an example of a motion for your consideration; please consult with your village/city attorney to decide whether to prepare a motion or resolution.*

## COVID-19: New guidance issued from the U.S. Dept. of the Treasury regarding 'Costs incurred during the period that begins on March 1, 2020 and ends on Dec. 30, 2020'

On July 1, it was reported by the National League of Cities (NLC) that the U.S. Department of the Treasury issued NEW GUIDANCE on the Coronavirus Relief Fund (CRF) in the CARES Act. This “new guidance” (included with this *Bulletin*) updates the previous guidance issued on April 22, 2020, regarding “Costs incurred during the period that begins on March 1, 2020 and ends on December 30, 2020.”

“Initial guidance released on April 22, 2020, pro-

vided that the cost of an expenditure is incurred when the recipient has expended funds to cover the cost.” In the NEW GUIDANCE, “Treasury is clarifying that for a cost to be considered to have been incurred, performance or delivery must occur during the covered period but payment of funds need not be made during that time (though it is generally expected that this will take place within 90 days of a cost being incurred).”

[Click here](#) for the “new guidance.”

## COVID-19: Take time to review the FEMA Public Assistance Program and Policy Guide for COVID-19 reimbursement

Thanks to **Major General Bohac** and **Bryan Tuma**, Assistant Director of the Nebraska Emergency Management Agency (NEMA), for participating in the League’s weekly briefing with municipal officials by conference call on **July 1**, regarding **FEMA Public Assistance (PA) Grants**.

UPDATED FAQs from the U.S. Department of the Treasury issued on June 24 provide that “Coronavirus Aid, Relief and Economic Security Act” (CARES Act) funds can be used for the required 25 percent match for FEMA Public Assistance Grants. **In order to leverage Nebraska’s CARES Act funds, Gov. Ricketts requests that municipalities applying for reimbursement for direct COVID-19 expenditures first apply for the “FEMA Public Assistance Grant.”**

Bryan Tuma reported during the briefing that the Deloitte’s electronic portal is scheduled to be available to access by **July 15**. However, he noted that municipalities could still apply now directly through FEMA since Deloitte will have access to that information as well. If certain COVID-19 direct expenditures are not eligible for a FEMA PA grant, then Deloitte will

review the grant application to determine if the expenditures are eligible under the CARES Act.

There are several versions of FEMA’s Public Assistance Program and Policy Guide (PAPPG). [Click here](#) for the applicable version of the PAPPG.

In *League Bulletin #28*, there is an article on page 4 regarding other NEMA briefings for applicants for **FEMA Public Assistance Grants**. Please [click here](#) to view the invitation for more information.

On July 2, NEMA requested that the League forward to municipal officials the following two documents, which are also included with this Bulletin:

[Click here](#) for the “FEMA FACT SHEET/ COVID-19 Public Health Emergency: Coordinating Public Assistance and Other Sources of Federal Funding.”

[Click here](#) for the “STATE OF NEBRASKA UPDATED GUIDANCE for Local Government Requests for Reimbursement for COVID-19 Related Expenses, dated July 2, 2020, which supersedes initial guidance issued on June 23, 2020.”

**Coronavirus Relief Fund**  
**Guidance for State, Territorial, Local, and Tribal Governments**  
**Updated June 30, 2020<sup>1</sup>**

The purpose of this document is to provide guidance to recipients of the funding available under section 601(a) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act (“CARES Act”). The CARES Act established the Coronavirus Relief Fund (the “Fund”) and appropriated \$150 billion to the Fund. Under the CARES Act, the Fund is to be used to make payments for specified uses to States and certain local governments; the District of Columbia and U.S. Territories (consisting of the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands); and Tribal governments.

The CARES Act provides that payments from the Fund may only be used to cover costs that—

1. are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
2. were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act) for the State or government; and
3. were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.<sup>2</sup>

The guidance that follows sets forth the Department of the Treasury’s interpretation of these limitations on the permissible use of Fund payments.

***Necessary expenditures incurred due to the public health emergency***

The requirement that expenditures be incurred “due to” the public health emergency means that expenditures must be used for actions taken to respond to the public health emergency. These may include expenditures incurred to allow the State, territorial, local, or Tribal government to respond directly to the emergency, such as by addressing medical or public health needs, as well as expenditures incurred to respond to second-order effects of the emergency, such as by providing economic support to those suffering from employment or business interruptions due to COVID-19-related business closures.

Funds may not be used to fill shortfalls in government revenue to cover expenditures that would not otherwise qualify under the statute. Although a broad range of uses is allowed, revenue replacement is not a permissible use of Fund payments.

The statute also specifies that expenditures using Fund payments must be “necessary.” The Department of the Treasury understands this term broadly to mean that the expenditure is reasonably necessary for its intended use in the reasonable judgment of the government officials responsible for spending Fund payments.

***Costs not accounted for in the budget most recently approved as of March 27, 2020***

The CARES Act also requires that payments be used only to cover costs that were not accounted for in the budget most recently approved as of March 27, 2020. A cost meets this requirement if either (a) the

---

<sup>1</sup> This version updates the guidance provided under “Costs incurred during the period that begins on March 1, 2020, and ends on December 30, 2020”.

<sup>2</sup> See Section 601(d) of the Social Security Act, as added by section 5001 of the CARES Act.

cost cannot lawfully be funded using a line item, allotment, or allocation within that budget *or* (b) the cost is for a substantially different use from any expected use of funds in such a line item, allotment, or allocation.

The “most recently approved” budget refers to the enacted budget for the relevant fiscal period for the particular government, without taking into account subsequent supplemental appropriations enacted or other budgetary adjustments made by that government in response to the COVID-19 public health emergency. A cost is not considered to have been accounted for in a budget merely because it could be met using a budgetary stabilization fund, rainy day fund, or similar reserve account.

***Costs incurred during the period that begins on March 1, 2020, and ends on December 30, 2020***

Finally, the CARES Act provides that payments from the Fund may only be used to cover costs that were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020 (the “covered period”). Putting this requirement together with the other provisions discussed above, section 601(d) may be summarized as providing that a State, local, or tribal government may use payments from the Fund only to cover previously unbudgeted costs of necessary expenditures incurred due to the COVID-19 public health emergency during the covered period.

Initial guidance released on April 22, 2020, provided that the cost of an expenditure is incurred when the recipient has expended funds to cover the cost. Upon further consideration and informed by an understanding of State, local, and tribal government practices, Treasury is clarifying that for a cost to be considered to have been incurred, performance or delivery must occur during the covered period but payment of funds need not be made during that time (though it is generally expected that this will take place within 90 days of a cost being incurred). For instance, in the case of a lease of equipment or other property, irrespective of when payment occurs, the cost of a lease payment shall be considered to have been incurred for the period of the lease that is within the covered period, but not otherwise. Furthermore, in all cases it must be necessary that performance or delivery take place during the covered period. Thus the cost of a good or service received during the covered period will not be considered eligible under section 601(d) if there is no need for receipt until after the covered period has expired.

Goods delivered in the covered period need not be used during the covered period in all cases. For example, the cost of a good that must be delivered in December in order to be available for use in January could be covered using payments from the Fund. Additionally, the cost of goods purchased in bulk and delivered during the covered period may be covered using payments from the Fund if a portion of the goods is ordered for use in the covered period, the bulk purchase is consistent with the recipient’s usual procurement policies and practices, and it is impractical to track and record when the items were used. A recipient may use payments from the Fund to purchase a durable good that is to be used during the current period and in subsequent periods if the acquisition in the covered period was necessary due to the public health emergency.

Given that it is not always possible to estimate with precision when a good or service will be needed, the touchstone in assessing the determination of need for a good or service during the covered period will be reasonableness at the time delivery or performance was sought, *e.g.*, the time of entry into a procurement contract specifying a time for delivery. Similarly, in recognition of the likelihood of supply chain disruptions and increased demand for certain goods and services during the COVID-19 public health emergency, if a recipient enters into a contract requiring the delivery of goods or performance of services by December 30, 2020, the failure of a vendor to complete delivery or services by December 30, 2020, will not affect the ability of the recipient to use payments from the Fund to cover the cost of such goods or services if the delay is due to circumstances beyond the recipient’s control.

This guidance applies in a like manner to costs of subrecipients. Thus, a grant or loan, for example, provided by a recipient using payments from the Fund must be used by the subrecipient only to purchase (or reimburse a purchase of) goods or services for which receipt both is needed within the covered period and occurs within the covered period. The direct recipient of payments from the Fund is ultimately responsible for compliance with this limitation on use of payments from the Fund.

### *Nonexclusive examples of eligible expenditures*

Eligible expenditures include, but are not limited to, payment for:

1. Medical expenses such as:
  - COVID-19-related expenses of public hospitals, clinics, and similar facilities.
  - Expenses of establishing temporary public medical facilities and other measures to increase COVID-19 treatment capacity, including related construction costs.
  - Costs of providing COVID-19 testing, including serological testing.
  - Emergency medical response expenses, including emergency medical transportation, related to COVID-19.
  - Expenses for establishing and operating public telemedicine capabilities for COVID-19-related treatment.
2. Public health expenses such as:
  - Expenses for communication and enforcement by State, territorial, local, and Tribal governments of public health orders related to COVID-19.
  - Expenses for acquisition and distribution of medical and protective supplies, including sanitizing products and personal protective equipment, for medical personnel, police officers, social workers, child protection services, and child welfare officers, direct service providers for older adults and individuals with disabilities in community settings, and other public health or safety workers in connection with the COVID-19 public health emergency.
  - Expenses for disinfection of public areas and other facilities, *e.g.*, nursing homes, in response to the COVID-19 public health emergency.
  - Expenses for technical assistance to local authorities or other entities on mitigation of COVID-19-related threats to public health and safety.
  - Expenses for public safety measures undertaken in response to COVID-19.
  - Expenses for quarantining individuals.
3. Payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency.
4. Expenses of actions to facilitate compliance with COVID-19-related public health measures, such as:
  - Expenses for food delivery to residents, including, for example, senior citizens and other vulnerable populations, to enable compliance with COVID-19 public health precautions.
  - Expenses to facilitate distance learning, including technological improvements, in connection with school closings to enable compliance with COVID-19 precautions.
  - Expenses to improve telework capabilities for public employees to enable compliance with COVID-19 public health precautions.

- Expenses of providing paid sick and paid family and medical leave to public employees to enable compliance with COVID-19 public health precautions.
  - COVID-19-related expenses of maintaining state prisons and county jails, including as relates to sanitation and improvement of social distancing measures, to enable compliance with COVID-19 public health precautions.
  - Expenses for care for homeless populations provided to mitigate COVID-19 effects and enable compliance with COVID-19 public health precautions.
5. Expenses associated with the provision of economic support in connection with the COVID-19 public health emergency, such as:
    - Expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures.
    - Expenditures related to a State, territorial, local, or Tribal government payroll support program.
    - Unemployment insurance costs related to the COVID-19 public health emergency if such costs will not be reimbursed by the federal government pursuant to the CARES Act or otherwise.
  6. Any other COVID-19-related expenses reasonably necessary to the function of government that satisfy the Fund’s eligibility criteria.

***Nonexclusive examples of ineligible expenditures***<sup>3</sup>

The following is a list of examples of costs that would *not* be eligible expenditures of payments from the Fund.

1. Expenses for the State share of Medicaid.<sup>4</sup>
2. Damages covered by insurance.
3. Payroll or benefits expenses for employees whose work duties are not substantially dedicated to mitigating or responding to the COVID-19 public health emergency.
4. Expenses that have been or will be reimbursed under any federal program, such as the reimbursement by the federal government pursuant to the CARES Act of contributions by States to State unemployment funds.
5. Reimbursement to donors for donated items or services.
6. Workforce bonuses other than hazard pay or overtime.
7. Severance pay.
8. Legal settlements.

---

<sup>3</sup> In addition, pursuant to section 5001(b) of the CARES Act, payments from the Fund may not be expended for an elective abortion or on research in which a human embryo is destroyed, discarded, or knowingly subjected to risk of injury or death. The prohibition on payment for abortions does not apply to an abortion if the pregnancy is the result of an act of rape or incest; or in the case where a woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused by or arising from the pregnancy itself, that would, as certified by a physician, place the woman in danger of death unless an abortion is performed. Furthermore, no government which receives payments from the Fund may discriminate against a health care entity on the basis that the entity does not provide, pay for, provide coverage of, or refer for abortions.

<sup>4</sup> See 42 C.F.R. § 433.51 and 45 C.F.R. § 75.306.

# Coronavirus Disease 2019 (COVID-19) Public Health Emergency: Coordinating Public Assistance and Other Sources of Federal Funding

---

The President's March 13, 2020, COVID-19 nationwide emergency declaration and subsequent major disaster declarations authorize the Federal Emergency Management Agency (FEMA) to provide Public Assistance (PA) Program funding under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act) to state, local, tribal, and territorial (SLTT) government entities and certain private nonprofit (PNP) organizations for emergency protective measures. For COVID-19, Congress authorized over \$3 trillion to multiple federal agencies for them to provide assistance to SLTTs in addressing the effects of this public health emergency pandemic. The extensive COVID-19 authority of other federal agencies in some cases overlaps with FEMA's authority.

**Multiple Sources of Funding** – Given the need of SLTTs to quickly address the public health threats of the COVID-19 pandemic and that Congress has made funding available to several federal agencies for this purpose, potential applicants for PA have the flexibility to determine which source of funding to use for their costs in order to best meet their needs in response to the COVID-19 pandemic, subject to the purpose and eligibility requirements of each of the federal programs and funding sources. Given the multiple overlapping authorities and funding for the federal response to COVID-19, FEMA may provide PA funding to applicants for eligible costs under the COVID-19 declarations that may also be eligible for funding under another federal agency's authorities. FEMA will not deny a PA eligible cost under a COVID-19 declaration solely because that cost may be eligible under another federal agency's authorities, except as described in the next section. (A list of federal funding for COVID-19 is available at: <https://www.usa.gov/coronavirus>.)

**Coordination of Funding** – To avoid confusion and streamline options amongst multiple funding sources, FEMA may decide not to pay for certain types of work and may direct SLTTs to another agency with more subject matter expertise or with a more flexible funding source. For example, contact tracing is potentially an eligible PA emergency protective measure, in coordination with the U.S. Department of Health and Human Services (HHS) and the Department of the Treasury (Treasury); however, FEMA has determined that those agencies are the most appropriate for SLTTs seeking funding for contact tracing. As FEMA continues to coordinate with our federal partners to ensure coordination of funding, we will provide additional guidance to SLTTs for where they can seek funding. If an applicant applies to FEMA for PA funding and then determines it no longer wants the funding for the cost of certain activities from FEMA and will instead seek funding from another federal agency, the applicant should notify FEMA as soon as possible. Applicants should notify FEMA by withdrawing or amending their PA project application if funding has not been awarded yet or request an updated version to amend their PA project if funding has been awarded.

**Duplication of Benefits** – Section 312 of the Stafford Act prohibits all federal agencies from duplicating benefits for disaster relief. Multiple agencies having authority to expend funds for the same purpose is not, by itself, a duplication of



**FEMA**

benefits under Section 312. However, all federal agencies are prohibited by Section 312 from paying SLTTs for the same work twice. FEMA is coordinating closely with other federal agencies to provide information about the eligible use of various COVID-19 funding resources. Recipients and subrecipients are ultimately responsible for ensuring that they do not accept payment for the same item of work twice. FEMA applicants will certify in the PA application process that assistance is not being duplicated.

***Cost Share*** – For COVID-19, PA funding is authorized at 75% federal cost share. Generally, other federal agency funding cannot be used to meet the FEMA non-federal share requirement. For COVID-19, there are two exceptions: Treasury’s CARES Act Coronavirus Relief Fund and the Department of Housing and Urban Development’s Community Disaster Block Grant (CDBG-CV) can be used to meet the PA non-federal share. Cost share requirements vary from agency-to-agency and program-to-program; however, many of the programs funded by the CARES Act and the other supplemental appropriations do not require a non-federal share.

**STATE OF NEBRASKA UPDATED GUIDANCE**  
**For**  
**Local Government Requests for Reimbursement for COVID-19 Related Expenses**  
**Dated: July 2, 2020**  
***Supersedes Initial Guidance Issued on June 23, 2020***

## **I. FEMA Public Assistance Requests**

The Governor has directed the FEMA Public Assistance Program as the primary source for state and local entities to recoup costs associated with the response to the COVID-19 pandemic. The US Treasury issued guidance on June 24, 2020, in the form of a FAQ document verifying the Coronavirus Relief Funds are permitted to be used as a source for the state's cost share. In addition, the Federal Emergency Management Agency issued a Fact Sheet on July 1, 2020, confirming the cost share issue.

**Eligible Units of Local Government** – those entities normally eligible for participating in the Public Assistance program as defined in the FEMA Public Assistance Program and Policy Guide, Version 3.1 (available for review at FEMA.gov).

FEMA guidance indicates the following items would qualify:

- Personal protective equipment
- Sanitizing products
- Necessary medical supplies and equipment
- Temporary emergency staffing and overtime costs for staff that is substantially dedicated to the mitigation or response to the Covid-19 Public Health Emergency

All eligible Local Public Entities for Public Assistance shall submit request reimbursement for eligible costs through FEMA under the Category B – Emergency Protective measures. **Eligible entities who do not submit project worksheets for FEMA Public Assistance will not be eligible for reimbursement of costs from the Cares Act Coronavirus Relief Fund.** Eligible entities should submit a Request for Public Assistance (RPA) on FEMA's Grant's Portal if one has not been submitted previously for DR 4521.

Applicant briefings are being scheduled to allow eligible applicants to submit project requests. The Nebraska Emergency Management Agency will continue to notify entities regarding the dates and times for the virtual applicant briefing sessions.

FEMA will require Public Assistance projects to be submitted through the Grants Portal. The State of Nebraska can allow Deloitte access to the Grants Portal which would then permit them to review the projects prior to submission to the FEMA Consolidated Resource Center (CRC).

Once the project and costs are deemed to be eligible by FEMA, the project will be obligated/awarded by FEMA. Deloitte and State Accounting are working through the requirements that would permit the State of Nebraska to process payment of both the FEMA 75% cost share and the 25% cost share from the CRF simultaneously.

**STATE OF NEBRASKA UPDATED GUIDANCE**  
**For**  
**Local Government Requests for Reimbursement for COVID-19 Related Expenses**  
**Dated: July 2, 2020**  
***Supersedes Initial Guidance Issued on June 23, 2020***

Eligible entities may submit subsequent requests for Public Assistance as they incur additional costs related to COVID19 activities.

For Counties, Cities and Villages, and Public Utilities, Coronavirus Relief Funds will be used to meet the 25% cost share requirement for FEMA Public Assistance projects. For those expenses not deemed eligible for FEMA Public Assistance reimbursement, a process will be established by Deloitte to determine eligibility for CARES Act Coronavirus Relief Fund reimbursement.

NEMA continues to work with Deloitte to establish a website or portal for all other cost reimbursement issues to be addressed. The goal is to have the website ([coronavirus.nebraska.gov](http://coronavirus.nebraska.gov)) operational on July 15, 2020. Deloitte is working to develop forms or templates which can be used to submit project costs not eligible under the FEMA Public Assistance Program for consideration under the Coronavirus Relief Fund. Additional guidance specific to the Coronavirus Relief Fund will be forthcoming.

**II. Nebraska COVID-19 Local Government Response Assistance Program**

In accordance with earlier directives issued by the Governor \$100 million has been allocated for reimbursements to local governments for direct expenses incurred in response to the COVID-19 emergency. The State of Nebraska has entered in to a contract with Deloitte and Touche (Deloitte) to manage the process to request reimbursement and process payments.

**Eligible Units of Local Government:**

- Counties
- Cities, and Villages
- Utility Districts

**Necessary Expenditures Include:**

- Acquisition and Distribution of
  - o Personal Protective Equipment;
  - o Sanitizing Products;
  - o Testing Equipment;
  - o Ventilators;
  - o Other necessary COVID-19 Medical Supplies and Equipment;
- Temporary Isolation or Quarantine Sites;
  - o Other related necessary expenditures;
- Medical Transportation;
- Expenses for Sanitizing Public Areas and other Public Facilities; and
- Temporary Emergency Staffing and over-time costs for staff that is substantially dedicated to the mitigation or response to the COVID-19 Public Health Emergency; and
- Payroll costs for public health and public safety employees for services

**STATE OF NEBRASKA UPDATED GUIDANCE**  
**For**  
**Local Government Requests for Reimbursement for COVID-19 Related Expenses**  
**Dated: July 2, 2020**  
***Supersedes Initial Guidance Issued on June 23, 2020***

dedicated to mitigating or responding to the COVID-19 public health emergency. No presumption permitted.

- Equipment used for the conduct of meetings by telephonic or electronic means.

**Limitations and Requirements:**

Any funds provided pursuant to this program **cannot be used as a revenue replacement** for lower than expected tax or other revenue collections.

Douglas County and local political subdivisions, excluding the City of Omaha, within Douglas County are ineligible to receive reimbursement pursuant to this program. Since Douglas County has received their own direct allocation of Coronavirus Relief Funds, those entities should contact Douglas County.

In accordance with earlier guidance County Governments were required to open the County Courthouse and County Offices for business on a non-appointment basis prior to June 15, 2020 in order to receive funds. Appointments are permitted for services that normally require an appointment or to provide better service times for customers, but appointments may not be the sole means to obtain services. Customers may be encouraged to wear face coverings, but may not be refused service for failure to do so. Counties may otherwise require adherence to minimum social distancing guidelines and follow procedures for disinfecting common areas as established in the Directed Health Measure for that county.

Individual county offices may be closed if any employee within that office has been exposed or tested positive.

County board chairs may control traffic flow by limiting public access to certain proscribed entry and exit points.

**CITY OF CRETE, NEBRASKA  
ECONOMIC DEVELOPMENT ADVISORY BOARD  
MINUTES OF JUNE 11, 2020**

Notice of the meeting was given by posting, the appointed method for giving notice as shown by the attached notice, at the following locations:

City Hall, 243 East 13th  
Street Post Office, 1242  
Linden Avenue

City Bank and Trust, 1135 Main Avenue

Advance notice of the meeting was also given to committee members. Pursuant to Section 84-1412(8) of the Nebraska Open Meetings Act, the City has posted a current copy of the Open meetings Act, Laws of the State of Nebraska, in the back of the council chambers. All proceedings shown were taken while the meeting was open to the attendance of the public.

**1. Open Meeting**

Chair Cody Vance called the meeting to order at 12:15pm.

**2. Roll Call**

Manny Dimas: Absent

Lizeth Umana: Absent

Paul Heath: Present

Scott Kuncel: Present

Ken Marvin: Present

Cody Vance: Present

Present: 4, Absent: 2.

**3. Consent Agenda**

**3.A. Meeting Minutes**

Approve the meeting minutes of March 12, 2020. Carried with a motion by Scott Kuncel and a second by Ken Marvin.

Paul Heath: Aye, Scott Kuncel: Aye, Ken Marvin: Aye, Cody Vance: Aye

Aye: 4, No: 0

**3.A.1. Economic Development Advisory Board meeting minutes of March 12, 2020**

**3.B. Financial Report**

Accept the financial reports. Carried with a motion by Ken Marvin and a second by Scott Kuncel.

Paul Heath: Aye, Scott Kuncel: Aye, Ken Marvin: Aye, Cody Vance: Aye

Aye: 4, No: 0

**4. Special Order of Business**

**4.A. Consider Lincoln Partnership for Economic Development annual membership dues of \$2,500.**

Approve renewal of Lincoln Partnership for Economic Development annual membership.  
Carried with a motion by Paul Heath and a second by Ken Marvin.  
Paul Heath: Aye, Scott Kuncl: Aye, Ken Marvin: Aye, Cody Vance: Aye  
Aye: 4, No: 0

#### 4.B. City of Crete Economic Development Plan

##### 4.B.1. Status of Investments with Performance Requirements

##### 4.B.2. Housing

#### 4.C. Applications for Consideration

#### 4.D. Application Introductions

4.D.1. Chamber of Commerce request for tourism/marketing funds for downtown street event to be held June 26, 2020.

Waive 30-day review policy for the Crete Chamber LB840 application. Carried with a motion by Ken Marvin and a second by Scott Kuncl.

Paul Heath: Aye, Scott Kuncl: Aye, Ken Marvin: Aye, Cody Vance: Aye  
Aye: 4, No: 0

Approve an LB840 award of \$500 to the Crete Chamber for working capital to host a downtown business event on June 26, 2020. Carried with a motion by Ken Marvin and a second by Scott Kuncl.

Paul Heath: Aye, Scott Kuncl: Aye, Ken Marvin: Aye, Cody Vance: Aye  
Aye: 4, No: 0

4.D.2. Elles on Main request for funds to assist with purchasing their building.  
This item will be placed on the July 9, 2020 agenda for consideration.

4.D.3. Nick Dice Promotions request for funds for the Cornhusker State Games event.  
This item will be placed on the July 9, 2020 agenda for consideration.

#### 5. Officers' Reports

#### 6. Adjournment

Motion to adjourn. Carried with a motion by Paul Heath and a second by Scott Kuncl.

Paul Heath: Aye, Scott Kuncl: Aye, Ken Marvin: Aye, Cody Vance: Aye  
Aye: 4, No: 0

The meeting was adjourned at 12:53pm.

Recorded by City Clerk Judi Meyer

## Airport Authority Minutes of Thursday, June 11, 2020

Notice of the meeting was given by posting, the appointed method for giving notice as shown by the attached notice, at the following locations:

City Hall, 243 East 13th  
Street Post Office, 1242  
Linden Avenue  
City Bank and Trust, 1135 Main Avenue

Advance notice of the meeting was also given to committee members. Pursuant to Section 84-1412(8) of the Nebraska Open Meetings Act, the City has posted a current copy of the Open meetings Act, Laws of the State of Nebraska, in the back of the council chambers. All proceedings shown were taken while the meeting was open to the attendance of the public.

### 1. Open Meeting

Committee Chair Blaine Spanjer called the meeting to order at 8:15am.

### 2. Roll Call

Dan Papik: Absent  
Kirk Keller: Present  
Howard Nitzel: Present  
Zoraida Ramos: Present  
Blaine Spanjer: Present  
Present: 4, Absent: 1.

### 3. Petitions - Communications - Citizen Concerns

### 4. Items of Business

#### 4.A. Accept Blaine Spanjer resignation as Chairman.

Re-organize the Board to include committees with Blaine Spanjer continuing as Chair. Carried with a motion by Howard Nitzel and a second by Kirk Keller.

Kirk Keller: Aye, Howard Nitzel: Aye, Zoraida Ramos: Aye,

Blaine Spanjer: Aye

Aye: 4, No: 0

The Committees shall include:

Facilities Committee - Howard and Kirk - will follow up with culvert and fuel system, and other items they identify.

Lease Committee - Kirk and Zoraida - will follow up with skydiver leases and rates and the airplane for sale, and other items they identify.

CIP Committee - discussion that perhaps Dan might be willing to head this committee - will create a 5-year plan and identify annual summer and winter projects.

Airport Manager - Shaun - will do a verbal or written monthly report for the Board.

4.B. Elect new Airport Authority Chair.

This item was not acted upon as a result of item 4.A.

4.C. Consider a resolution approving the Agency Agreement with the Nebraska Department of Transportation Aeronautics Division to submit the Cares Act grant to the Federal Aviation Administration on behalf of the Crete Airport Authority.

Approve NDOT Resolution regarding NDA Agreement. Carried with a motion by Howard Nitzel and a second by Kirk Keller.

Kirk Keller: Aye, Howard Nitzel: Aye, Zoraida Ramos: Aye,

Blaine Spanjer: Aye

Aye: 4, No: 0

#### 5. Officers' Reports

#### 6. Consent Agenda

Approve the Consent Agenda items. Carried with a motion by Zoraida Ramos and a second by Kirk Keller. Kirk Keller: Aye, Howard Nitzel: Aye, Zoraida Ramos:

Aye, Blaine Spanjer: Aye

Aye: 4, No: 0

6.A. Approve Meeting Minutes of May 14, 2020.

6.B. Accept the City Treasurer's Report

6.C. Approve the Payment of Claims Against the Airport Authority

#### 7. Adjournment

The meeting was adjourned at 8:54am

Recorded by City Clerk Judi Meyer

# LEGISLATIVE BULLETIN

## LEAGUE OF NEBRASKA MUNICIPALITIES

106th Legislature, Second Session

June 19, 2020 - Bulletin 26



- **RECOMMENDATION TO RATIFY ACTIONS TAKEN AT MEETINGS held by videoconference, telephone conferencing or other electronic communication based on the Governor's Executive Orders waiving certain provisions of the Open Meetings Act, which expire June 30.**  
*Please review article in this Bulletin, which has an example of a motion for your consideration.*
- **COVID-19: NDEE's 'Updated Indoor/Outdoor Pool Guidelines and Recommendations'**
- **Counties, not municipalities, required to reopen June 15**
- **JULY 1 DEADLINE EXTENDED for municipalities to apply for reimbursements for COVID-19 expenditures; Governor's Office corrects handout regarding Federal COVID-19 Supplemental Appropriations**
- **NLC Federal Advocacy Update: Law Enforcement Reform**

## **RECOMMENDATION TO RATIFY ACTIONS TAKEN AT MEETINGS held by videoconference, telephone conferencing or other electronic communication based on the Governor's Executive Orders waiving certain provisions of the Open Meetings Act, which expire June 30**

Starting July 1, city councils, village boards and other public bodies subject to the Open Meetings Act can no longer hold meetings by videoconference, telephone conferencing or by conferencing by other electronic communication based on the **Governor's Executive Orders No. 20-03 and No. 20-24**, which waive certain provisions of the Open Meetings Act. Executive Order No. 20-03 expired on May 31, 2020, but was extended by Executive Order No. 20-24, which **expires June 30, 2020**. Please note that social distancing requirements will still be necessary when holding in-person meetings to comply with DHMs and DHHS guidance, including keeping individuals six feet apart, etc.

Those public bodies identified in Section 84-1411 of the Open Meetings Act, which have had the authority for conducting meetings electronically by videoconference or telephone conferencing for some time, will still be able to do so; these are organizations such as those created under the Interlocal Cooperation Act, the Joint Public Agency Act, the Municipal Cooperative Financing Act and the Intergovernmental Risk Management Act (i.e., LARM).

**Please work with your municipal attorney to draft an agenda item for the next in-person meeting to ratify actions taken by a public body (such as your city council or village board) which conducted meetings by videoconference, tele-**

**phone conferencing or other electronic communication based on the Governor's Executive Orders.**

*Example: Agenda Item \_\_. Consider approval of a motion to ratify all actions identified in the attached minutes taken by the (name of public body) during meetings held on (list meeting dates) by (videoconference, telephone conferencing or by conferencing by other electronic communication), before June 30, 2020, pursuant to Gov. Ricketts' Executive Orders No. 20-03 and No. 20-24 (attached to this agenda).*

[Click here](#) for Executive Orders No. 20-03 and No. 20-24. Please note that these Executive Orders also are included with this *Bulletin*.

## **COVID-19: NDEE's 'Updated Indoor/Outdoor Pool Guidelines and Recommendations'**

Thanks to Tom Buell of the Nebraska Department of Environment and Energy (NDEE) for providing the updated pool guidelines and recommendations. This memo, dated June 17, is included with this *Bulletin* since time is of the essence for those municipalities that have decided to open their swimming pool(s).

In addition to NDEE's updated

guidelines and recommendations, we have included a link to [League Bulletin #23](#) which has examples of "pool rules" that the City of Lincoln and other municipalities are using to protect the public.

*Bulletin #23* also has a link for the **CDC recommendations on playgrounds and park equipment**. **Please note that many municipalities are NOT allowing the use of**

 **RONAVIRUS**  
STAY ALERT, STAY SAFE

**playground equipment since COVID-19 remains "stable" for up to three days on plastic and metal.**

[Click here](#) for NDEE's Updated Indoor/Outdoor Pool Guidelines and Recommendations.

## Counties, not municipalities, required to reopen June 15

When Gov. Pete Ricketts announced how the State of Nebraska will spend COVID-19 funds provided by the federal government, he stated that **“in order for County Governments to receive funds, the County Courthouse and County Offices must be open for business to the public on a non-appointment basis by June 15, 2020.”** Additionally, the Governor has informed county governments that they cannot require residents to wear masks to receive services in courthouses and other county

government facilities if they want to receive federal assistance. **Municipalities are NOT included in this mandate.**

Since that announcement, there have been confusing news articles that seem to imply that other local governments also need to have their offices open by June 15 to be eligible for federal funds. These articles have led to several calls to League staff asking if the mandate applies to municipalities as well as counties. Today, June 19, a *Lincoln Journal Star* article clarified that the June 15

opening requirement does not apply to municipalities. Taylor Gage, Director of Strategic Communications for the Governor, stated: “The Governor encourages folks to wear masks in public, and the City of Lincoln may require people to wear masks at their meetings.” Gage went on to state that non-county offices may require people to wear masks without risking the county losing federal reimbursement.

If your municipality has further questions, please do not hesitate to contact League staff.

## JULY 1 DEADLINE EXTENDED for municipalities to apply for reimbursements for COVID-19 expenditures; Governor’s Office corrects handout regarding *Federal COVID-19 Supplemental Appropriations*

**IMPORTANT: The July 1 deadline has been extended for municipalities to apply for reimbursements for COVID-19 expenditures.** The State of Nebraska has contracted with Deloitte and Touche which will be opening up an electronic portal for filing for reimbursements. The Governor’s Office and NEMA will work through the League to update municipalities as soon as more information is available.

*League Legislative Bulletins #23 and #24* included information regarding the funds Nebraska (and Nebraskans) received from the *Federal COVID-19 Supplemental Appropriations*. On June 18, during the League’s Municipal Accounting and Finance Conference Webinar Series session entitled, “*Learn How to Request Reimbursement for Direct COVID-19 Related Expenses*,” Bryan Tuma (Assistant Director of the Nebraska Emergency Management Agency) and the other speakers

noted that the 22 slides have been corrected. At a press conference on June 11, the Governor noted that the total amount of funds is \$7.8 billion, not \$10.8 billion, since the funds Nebraskans received from the “Payment Protection Plan (PPP)” were counted twice.

[Click here](#) for the **Federal COVID-19 Supplemental Appropriations**. Please note that this also is included with this *Bulletin*.

## NLC Federal Advocacy Update: Law Enforcement Reform

The National League of Cities (NLC) prepared the excellent summary below contrasting competing proposals by the Senate Republicans and the House Democrats. The NLC Board of Directors unanimously approved a ***Resolution on the Use of Force by Municipal Law Enforcement Officers***, which can be accessed in the link below. President Trump's ***Executive Order on Safe Policing for Safe Communities*** also is included for your review. During a conference call of state league directors on June 19, the League of Nebraska Municipalities requested NLC to compile information regarding law enforcement reforms proposed or enacted in other states; **Clarence Anthony, CEO and Executive Director of NLC, agreed to do so and continues providing tremendous leadership on this critically important issue.** The Colorado Legislature just passed significant law enforcement reforms. All state Legislatures likely will be addressing law enforcement reform proposals in the near future.

### **NLC Board of Directors Approve Use of Force Resolution**

The NLC Board of Directors unanimously approved a [Resolution on the Use of Force by Municipal Law Enforcement Officers](#). The resolution directs NLC to move towards developing recommendations on how municipal leaders can ensure their law enforcement agencies "use of force policies" are appropriate, including prohibiting the

use of chokeholds, requiring officers to use de-escalation techniques, and enforcing a duty to intervene when use of force is excessive.

Additionally, the resolution calls on the Department of Justice to update the Use of Force Continuum and makes a clear ask to Congress to pass additional legislation including:

- Establish a federal technical assistance and grant program that help local governments to establish violence interrupter programs and initiatives that employ community members with expertise.
- Provide additional funding for the community oriented policing grants program to help local law enforcement agencies to implement and improve racial bias and de-escalation training.
- Establish National Database of Decertified Officers that local governments can use to vet officers who have been dismissed for such issues as unnecessary or excessive use of force, abuse of power, racial discrimination, and violation of individual's civil rights.
- Provide technical and grant assistance to local governments to establish civilian oversight boards to investigate officer use of force violations.

"While we appreciate the speed at which Congress and the Administration are moving to reform our nation's law enforcement, federal actions taken thus far – including the

President's Executive Order signed this week – only scratch the surface of the critical reforms that our communities are desperately calling for," said Clarence E. Anthony, CEO and Executive Director, National League of Cities. "NLC is committed to helping local leaders implement policies, practices and procedures that promote racial equity in our justice system and improve our nation's municipal policing to serve and protect everyone in our communities equally."

### **Law Enforcement Reform Legislation**

On June 16, President Trump signed the [Executive Order on Safe Policing for Safe Communities](#) to address police brutality. The order would direct federal dollars to those police departments that meet certain credentialing standards on the use of force. The executive action also makes it harder for those officers with a troubled history from getting hired by other departments.

Next week, the House Democrats and Senate Republicans are looking to pass competing proposals to reform policing in America. The bills share some common ground: both call for increased data collection among police agencies, encouragement for de-escalation training and encourage the use of body cameras by law enforcement. The bills would also make lynching a federal crime.

Concerns with both bills center

*Continued on page 5*

## NLC Federal Advocacy Update: Law Enforcement Reform

*Continued from page 4*

around their focus to penalize local governments that do not comply with the requirements in the legislation. Specifically, the bills will withhold anywhere from 20% to 100% of the Byrne Justice Assistance Grants (JAG) that are directly awarded to local law enforcement agencies that do not –

- adhere to the use of force reporting requirements,
- comply with no-knock warrant reporting (Republican Bill) or ban no-knock warrant (Democrat Bill),
- ban chokeholds,
- have policies on the use of body worn cameras,
- maintain disciplinary records on law enforcement officers, and

- ban racial profiling.

The Senate Republican bill would increase the funding from \$22 million to \$100 million for the body-worn camera grant program. The Republican bill would also establish a new \$150 million grant program within Byrne JAG that local law enforcement can use for training in de-escalation, duty to intervene, alternatives to use of force, and responses to mental health crises programs. The Republican bill also reauthorizes the Byrne JAG program at \$800 million and the COPS Hiring program at \$400 million.

The House Democrat's bill does not include new or additional funding for de-escalation training, body worn cameras, and duty to intervene training. The Democrats bill also lowers the bar for the prosecution

of police officers for misconduct. While prosecutors currently need to prove that an officer “willfully” violated an individual’s constitutional rights, the Democratic legislation would lower that standard to actions taken “knowingly or with reckless disregard” for a person’s rights.

The Democrats bill would also eliminate qualified immunity for federal, state and local law enforcement officers. The Senate GOP bill does not include language on qualified immunity. NLC opposes legislation to limit or eliminate qualified immunity for municipal law enforcement officers. In nearly all cases where qualified immunity is a factor, it would be the local government that ultimately pays for any awarding of damages, not the officer or the law enforcement agency.



# STATE *of* NEBRASKA

OFFICE OF THE GOVERNOR

LINCOLN

## EXECUTIVE ORDER NO. 20—03 CORONA VIRUS – PUBLIC MEETINGS REQUIREMENT LIMITED WAIVER

**WHEREAS**, In order to provide flexibility to assist in meeting the emergency conditions and subsequent impacts brought on from COVID-19, a state of emergency was declared in Nebraska on March 13, 2020; and

**WHEREAS**, the State of Nebraska is committed to providing seamless government operations to the people of Nebraska throughout the state of emergency; and

**WHEREAS**, state and local governmental boards, commissions and other public bodies must comply with the Open Meetings Act so that citizens may exercise their democratic privilege of participating in meeting of public bodies; and

**WHEREAS**, for public health purposes, meetings and gatherings have now been limited to no more than 50 people and may be further limited if the presence of COVID-19 warrants;

**NOW THEREFORE**, I, Pete Ricketts, Governor of the State of Nebraska, by virtue of the authority vested in me by the Constitution and laws of Nebraska, hereby issue this limited waiver of certain requirements of the Nebraska Open Meetings Act.

Pursuant to this declaration, I hereby order the following:

1. This executive order applies to all governing bodies as defined in Neb. Rev. Stat. §84-1409 (1) and to all public meetings as defined in Neb. Rev. Stat. § 84-1409 (2).
2. All governing bodies may meet by videoconference or by telephone conferencing or by conferencing by other electronic communication so long as there is made available at such meeting access to members of the public and to members of the media.

3. The advanced publicized notice and the agenda requirements for meetings that are set forth in Neb. Rev. Stat. §84-1411 and the remaining provisions of Nebraska's Open Meeting Act shall continue to be complied with by all governing bodies and are not waived by this executive order.
4. This waiver shall apply to all public governing body meetings that occur from today through May 31, 2020.

IN WITNESS THEREOF, I have hereunto set my hand and caused the Great Seal of the State of Nebraska to be affixed on this 17th day of March, 2020.

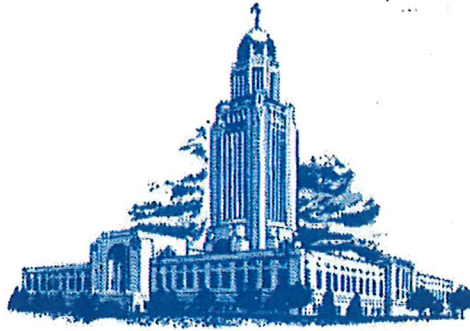
ATTEST:



Pete Ricketts, Governor



Robert B. Evnen, Secretary of State



# STATE *of* NEBRASKA

OFFICE OF THE GOVERNOR

LINCOLN

## EXECUTIVE ORDER NO. 20-24 CORONAVIRUS – CONTINUED LIMITED WAIVER OF PUBLIC MEETINGS REQUIREMENTS

**WHEREAS**, in order to provide flexibility to assist in meeting the emergency conditions and subsequent impacts brought on from COVID-19, a state of emergency was declared in Nebraska on March 13, 2020; and

**WHEREAS**, the State of Nebraska is committed to providing seamless government operations that are open to the people of Nebraska throughout the state of emergency.

**NOW THEREFORE**, I, Pete Ricketts, Governor of the State of Nebraska, by virtue of the authority vested in me by the Constitution and laws of Nebraska, hereby issue this continued limited waiver of certain requirements of the Nebraska Open Meetings Act.

Pursuant to this declaration, I hereby order the following:

1. Executive Order No. 20-03, which is currently scheduled to end on May 31, 2020, shall remain in effect through June 30, 2020; and
2. The identical statutory waivers and conditions contained within Executive Order No. 20-03 shall continue through June 30, 2020.

**IN WITNESS THEREOF**, I have hereunto set my hand and caused the Great Seal of the State of Nebraska to be affixed on this 19th day of May, 2020.



Pete Ricketts, Governor  
State of Nebraska

Attest:

Robert B. Evnen,  
Secretary of State  
State of Nebraska



## MEMORANDUM

**TO:** Nebraska Pool Owners and Operators

**THRU:** Steven M. Goans, Deputy Director *SM Goans*  
Nebraska Department of Environment and Energy

Shelley Schneider, Division Administrator *SS*  
Nebraska Department of Environment and Energy

**FROM:** Tom Buell, Section Supervisor *TB*  
Nebraska Department of Environment and Energy

**Date:** June 17, 2020

**SUBJECT:** Updated Indoor/Outdoor Pool Guidelines and Recommendations during the COVID-19 Pandemic

The purpose of this memo is to provide updated guidance for pools during the COVID-19 pandemic.

### Patron Load/Capacity

Effective June 22, 2020, the Directed Health Measures (DHM) for the 89 counties currently in Phase II will be moving into Phase III, which will allow up to 75% of occupancy for outdoor pools and 50% of occupancy for indoor pools. The remaining four counties, Hall, Hamilton, Merrick, and Dakota, will move into Phase II. Phase II allows for up to 25 patrons or 25% of occupancy for pools, whichever is greater. The Department utilizes the patron load for occupancy. Patron load does not include staff. The patron load should be located on the "Pool Regulations" sign. If the pool doesn't have a patron load number, or if you believe the patron load to be incorrect, you can calculate the patron load using the criteria in Title 178, Chapter 4, 006.04. If a pool would like to use the "additional area allowance", per 006.04D, they must submit it as a project to the Department's engineering section.

As the DHMs are revised, Pool Owners and Operators should pay attention to the allowed occupancy rate and adjust accordingly. The most current information on DHMs in each county may be found at: <http://dhhs.ne.gov/Pages/COVID-19-Directed-Health-Measures.aspx>.

### Lifeguard Certification

As described in the Department's March 23 and April 15, 2020 memos, existing lifeguards were provided an extension for lifeguard certification until August 30, 2020, and CPR was given an

extension to June 30, 2020. The Department is providing an additional extension through December 31, 2020, for existing lifeguards that take an online CPR refresher course.

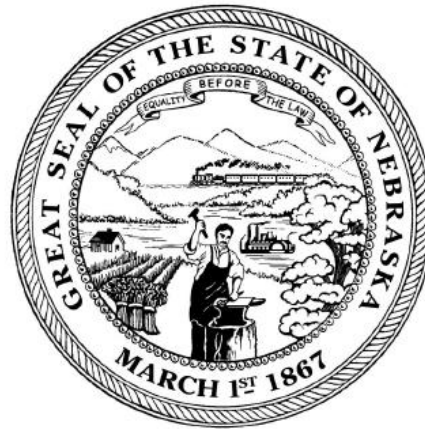
For new lifeguards requiring certification, please contact one of the Department's approved certifying organizations (i.e. American Red Cross, National Pool and Water Park Lifeguard Training Program, YMCA, Boy Scouts of America, American Aquatics and Safety Training, Lifeguard Pro, Lifeguard University, Aquatic Training Institute, and Starfish Aquatics Institute). These are the only organizations that are approved to offer lifeguard certification in Nebraska. The Department considers lifeguard training as a critical function for public safety. All approved lifeguard certification providers must include a water-rescue element as part of the training. The Department is deferring to the provider as to the best way to conduct this training while ensuring public and student safety. Some potential options are: mannequins, full-face snorkel masks, or to use a family member as the rescue victim. If these options aren't available, or the provider doesn't believe they will efficiently train the lifeguard, the provider may use someone else for the rescue. Local Health Departments may also be able to offer creative solutions to the water-rescue portion of the certification.

If you have any questions please contact the Department at 402-471-8283.

# State of Nebraska



## Federal COVID-19 Supplemental Appropriations



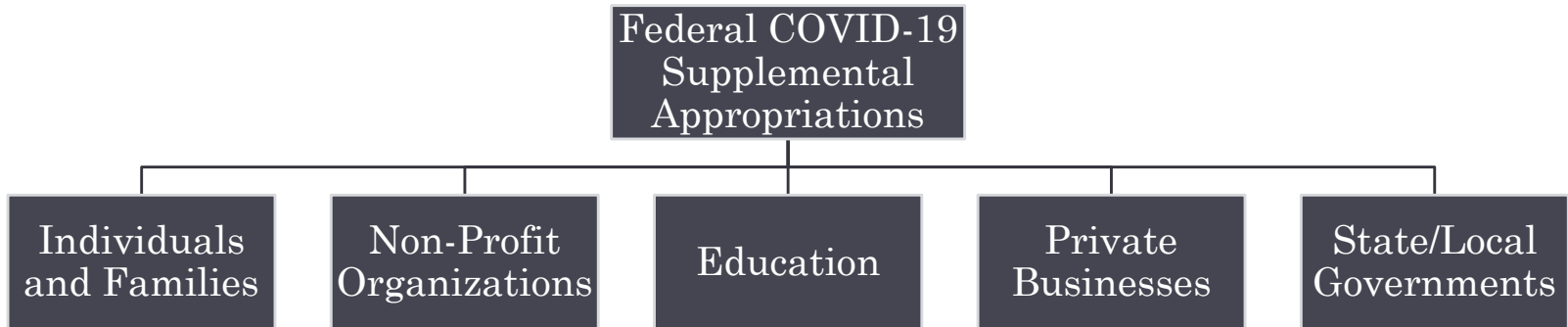
Revised to include  
updated SBA –  
Paycheck Protection  
Program figures  
6/3/2020

# Federal Legislation

(Approximate National Values)

- **H.R. 6074** - Coronavirus Preparedness and Response Supplemental Appropriation Act • **\$8.3 Billion**
- **H.R. 6201** - Families First Coronavirus Response Act (*FFCRA*) • **\$2.4 Billion**
- **H.R. 748** - Coronavirus Aid, Relief and Economic Security (*CARES*) Act • **\$2.2 Trillion**
- **H.R. 266** - Paycheck Protection Program and Health Care Enhancement Act • **\$481 Billion**

# Federal COVID-19 Supplemental Appropriations



## Nebraska - \$7.8 Billion

(Approximate value as of 5/19/20 + Economic Impact Payments (\$1.6 Billion)  
5/22/20)

# Public Health and Assistance

- Assistance for Children and Families **\$39.6 Million**
- Assistance for Aging and Disabled **\$7 Million**
- Public Health Response/Preparedness **\$84 Million**
- Health Centers and Rural Hospitals **\$15.1 Million**
- Emergency Food Assistance **\$7.6 Million**
- Substance Abuse and Mental Health **\$2 Million**
- Homeless and Housing Assistance **\$10.4 Million**

# Direct Local Health Care Provider Appropriations

- Community Health Centers **\$9.4 Million**
  - To respond, detect, diagnose, and treat COVID-19
  - To expand capacity and staffing levels related to response and testing for COVID-19
- Provider Relief Funds **\$497 Million**
  - Mitigate the costs for providing care related to COVID-19 realized by private and public hospitals
  - Lost revenue attributable to COVID-19 related actions
- Hospital Preparedness **\$1.3 Million**
  - To support urgent preparedness for the healthcare system and providers on the front lines of this outbreak in order to help identify, isolate, assess, transport, and treat COVID-19 patients

# Paycheck Protection Program, Economic Injury Disaster Loans, Economic Impact Payments

- Paycheck Protection Program **\$3.4 Billion**
  - Loans to be used for payroll costs, interest on mortgages, rent, and utilities are fully forgivable and deferred for 6 months
- Economic Injury Disaster Loans **\$122 Million**
  - Direct SBA loans with capped interest rates and some flexibility on collateral and personal guarantee requirements
- EIDL Advances **\$53 Million**
  - \$10,000 SBA loan advances with forgiveness eligibility for costs related to supply chain and workforce disruptions
- Economic Impact Payments **\$1.6 Billion**
  - Direct payments to individuals up to \$1,200 per filer and \$500 per dependent

# Unemployment Insurance

## Federal Pandemic Unemployment Compensation

- \$600 per week
- \$225,721,560 Distributed

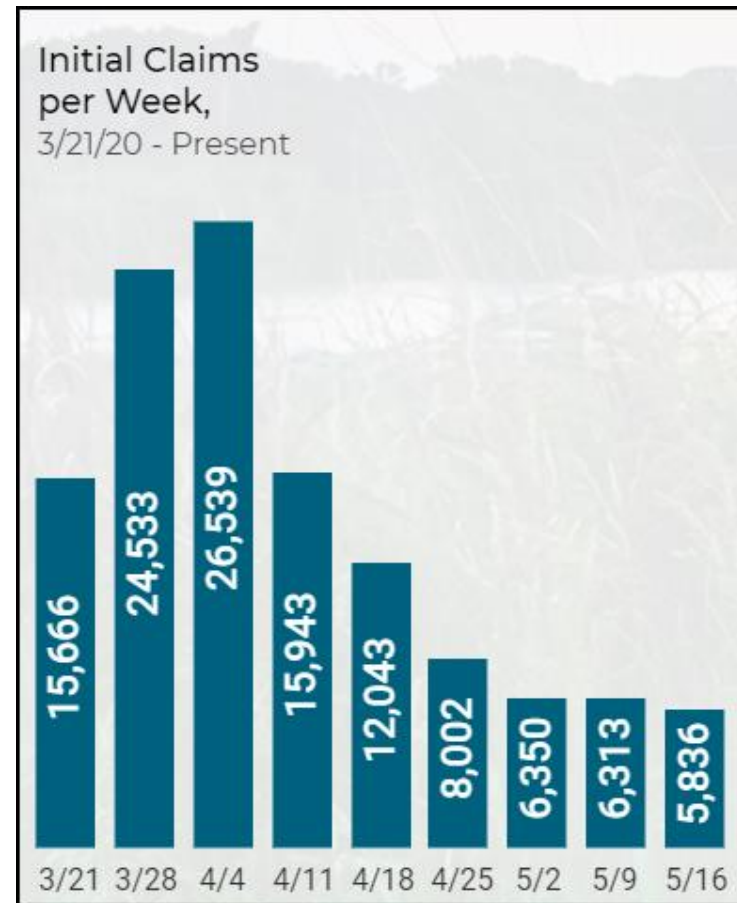
State Unemployment: 8.3%

## Pandemic Emergency Unemployment Compensation

- 13-week Extensions

## UI Admin

- \$6,072,644
- Call Centers
- Implementation Costs



# Miscellaneous Federal Funding

- Transportation - Urban Transit **\$34.7 Million**
- Transportation - Rural Transit **\$27.1 Million**
- Transportation - Airport Grants **\$64.6 Million**
- Secretary of State Election Security **\$3.7 Million**
- National Endowment & Library Services **\$1 Million**
  - \$435,600 National Endowment for the Humanities
  - \$432,000 National Endowment for the Arts
  - \$174,790 Institute of Museums and Library Services
- DOJ Byrne JAG **\$6.5 Million**
  - \$4.34 Million disbursed by Crime Commission
  - \$2.1 Million directly to local correctional facilities

# Miscellaneous Federal Funding cont.

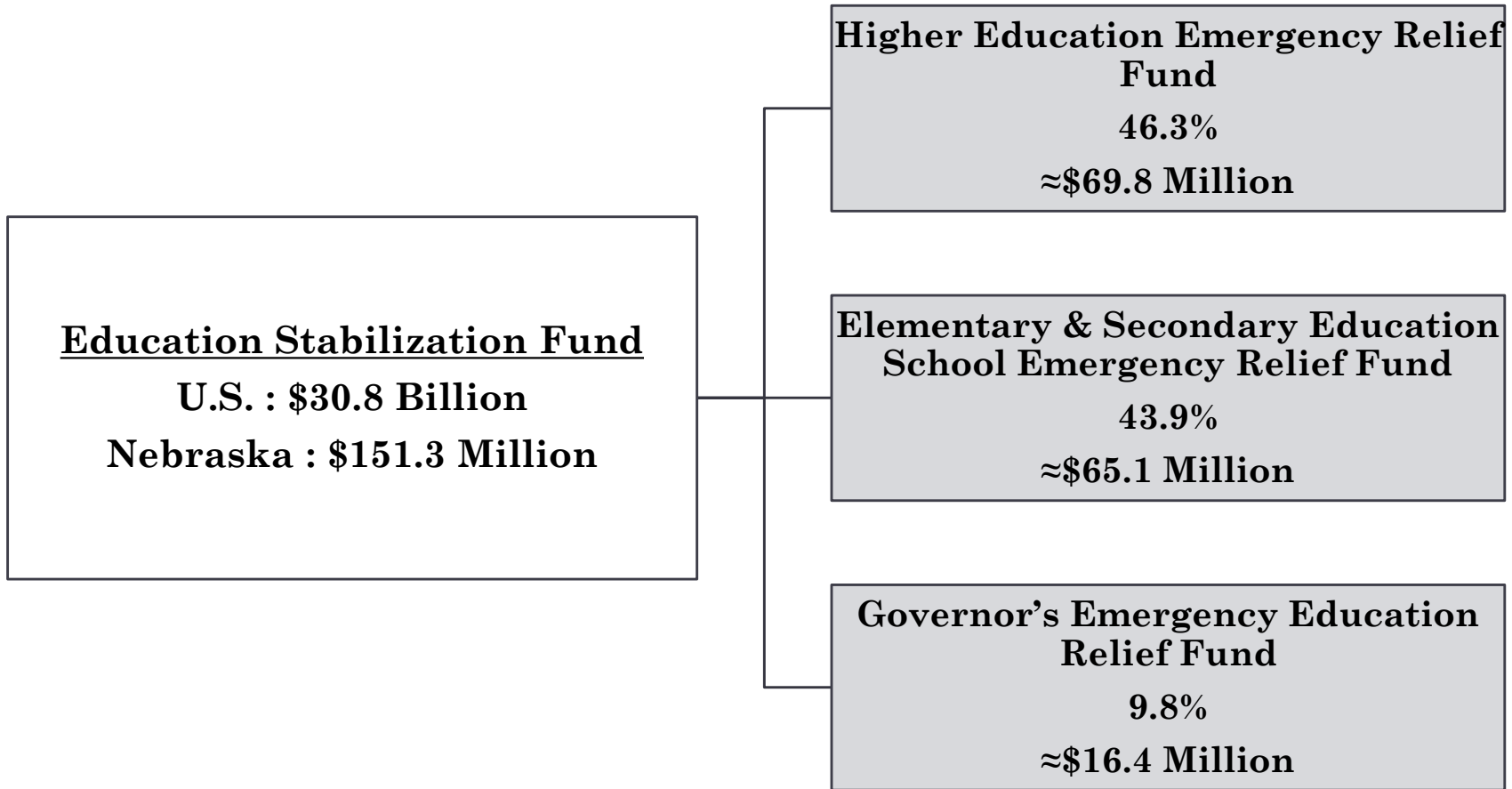
- Community Development Block Grant **\$18.7 Million**
  - \$11.3 Million to State
  - \$7.4 Million to Locals

# Enhanced FMAP Change

- FFRCRA provided a temporary 6.2% increase to the Federal Medical Assistance Percentage (FMAP)
  - Provide assistance with increase Medicaid costs due to the emergency, including the requirement that States cannot terminate coverage
- From January 1, 2020 to June 30, 2020, the State's share of current costs for Medicaid would be reduced by \$70 Million
  - Continuing benefits for otherwise non-eligible recipients will add \$9.6 Million in costs to the State
- DHHS submitted an application to the federal Department of Health and Human Services to meet the costs to serve clients in home and community based services during this emergency
  - \$5.3 Million for the Medicaid Aged and Disabled Waiver
  - \$15.6 Million for the Developmental Disability Waiver

Enhanced FMAP; \$39.5 Million to for Costs to Maintain Services

# Education Stabilization Fund



# Higher Education Emergency Relief Fund

## Institutions of Higher Education

University of Nebraska	\$ 31,609,613
Nebraska State College System	\$ 4,553,696
Nebraska Community College Areas	\$ 15,536,426
Non-Public and Private Institutions	\$ 18,110,203
<hr/>	
Grand Total	\$ 69,809,938

\$33.6 million of the Higher Education Emergency Relief Fund has to be used for  
Financial Aid to Students

# Elementary & Secondary Education School Emergency Relief Fund

## Department of Education

Minimum distribution to school districts	\$ 58,576,577
Department of Education reserve	\$ 6,508,509
<hr/>	
Grand Total	\$65,085,085

# Governor's Emergency Education Relief Fund - \$16.4 Million

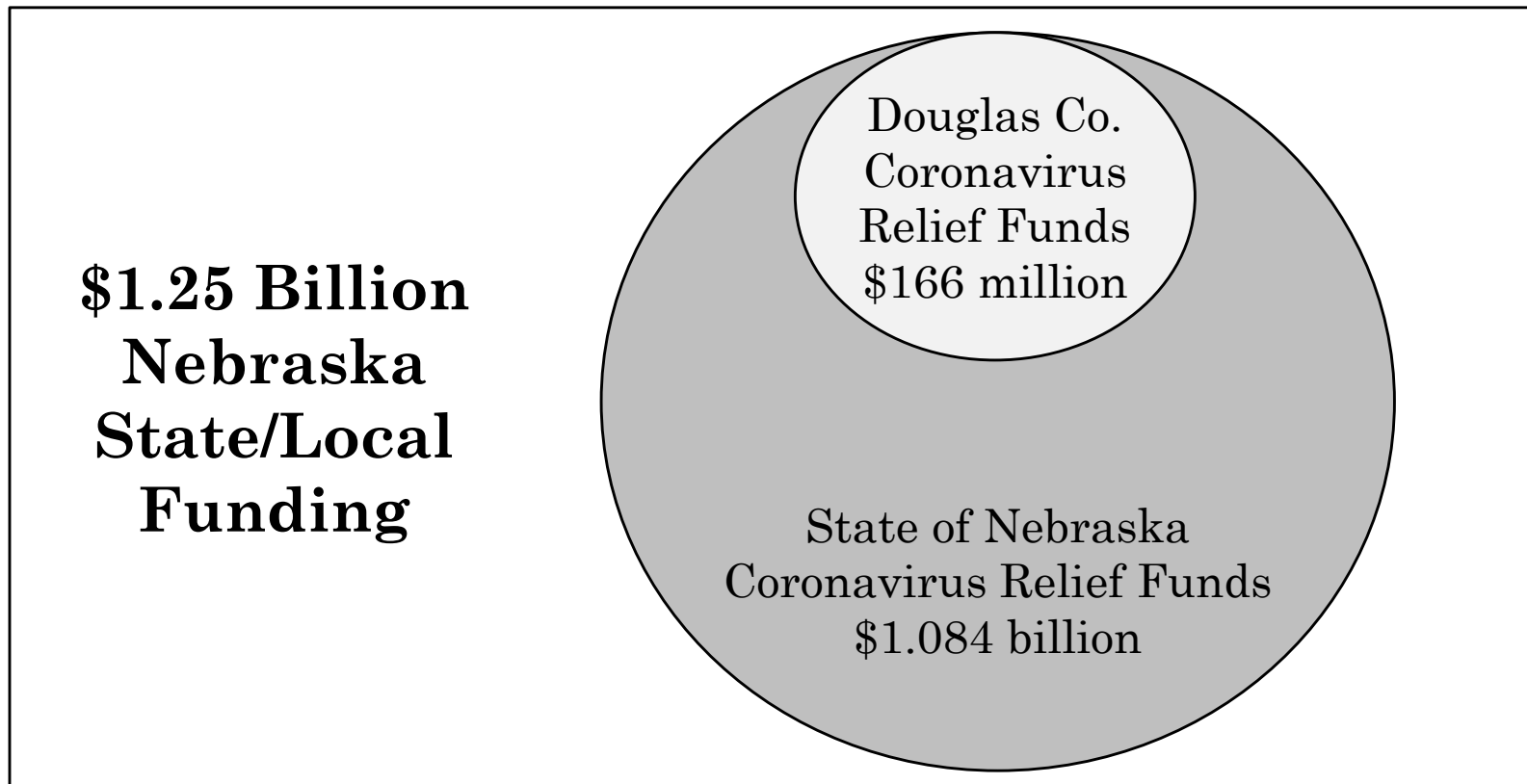
- Addressing the digital divide and related issues to support remote learning for students in K-12 schools
- Focus on providing equitable access to technology for all students and improving parity in access to all schools
- Can include hardware purchases for use of school students and improving access to reliable, high-speed internet for students
- Some flexibility will be reserved to address additional COVID-19 issues

# Coronavirus Relief Fund

Provides \$150 billion in payments from the U.S. Treasury to the States, Tribes, and units of local government.

Three immediate purposes:

- 1) Costs incurred relating to COVID-19
- 2) Were not accounted for in the most recently adopted budget
- 3) Were incurred between March 1<sup>st</sup>, 2020 and December 30<sup>th</sup>, 2020



# Nebraska Coronavirus Relief Fund Program

(Up to Amounts)

- State and Local Government **\$180 Million**
- Community CARES **\$85 Million**
- Businesses **\$392 Million**
  - Small Business Stabilization- **\$230 Million**
  - Livestock Producers Stabilization- **\$100 Million**
  - Remote Access Grant Program - **\$40 Million**
  - Workforce Retraining Initiative - **\$16 Million**
  - Gallup Back to Business - **\$1 Million**
  - Admin Support to all Business Programs - **\$5 Million**
- UI Trust Fund and General Fund Budget Flexibility **\$427 Million**

# State Government - \$80 Million

## Providing reimbursement for necessary COVID-19 related expenditures incurred by State Agencies

### Necessary Expenditures

Acquisition of:

- Personal Protective Equipment

- Sanitizing Products

- Other necessary COVID-19 medical supplies and equipment

COVID-19 Medical Leave

Tele-work Capabilities

Expenses for Sanitizing Public Areas

Temporary Emergency Staffing and over-time costs for staff that is substantially dedicated to the mitigation or response to the COVID-19 Public Health Emergency

Payroll costs for public health and public safety employees for services dedicated to mitigating or responding to the COVID-19 public health emergency. No presumption permitted.

**Any funds provided pursuant to this program cannot be used as a revenue replacement for lower than expected tax or other revenue collections.**

# Local Government - \$100 Million

**Providing reimbursement for necessary COVID-19 related expenditures incurred by Counties, Cities, Municipalities, Villages and Utility Districts**

Necessary Expenditures include:

Acquisition and distribution of:

Personal Protective Equipment

Sanitizing Products

Testing Equipment

Ventilators

Other necessary COVID-19 medical supplies and equipment

Temporary Isolation or Quarantine Sites

Other related necessary expenditures

Medical Transportation

Expenses for Sanitizing Public Areas

Temporary Emergency Staffing and over-time costs for staff that is substantially dedicated to the mitigation or response to the COVID-19 Public Health Emergency

Payroll costs for public health and public safety employees for services dedicated to mitigating or responding to the COVID-19 public health emergency. No presumption permitted.

**Douglas County and local political subdivisions, excluding the City of Omaha, within Douglas County are ineligible to receive reimbursement pursuant to this program.**

**In order for County Governments to receive funds, the County Courthouse and County Offices must be open for business to the public on a non-appointment basis by June 15, 2020.**

# Community CARES - \$85 Million

- Provide qualifying organizations awards or reimbursements of **\$25,000 or more** to support existing services and programs that have been strained during the COVID-19 emergency.
- Preference will be given to those organizations and programs that 1) work in underserved and/or low income communities, 2) provide critical services during health, economic and environmental emergencies, and 3) have difficulty accessing other funding.
- Funding will be targeted towards
  - Community Collaborative **\$20 Million**  
Food, Housing, and Telehealth resources
  - Behavioral Health Regions **\$5 Million**  
Education Campaigns, community outreach, and telehealth resources
  - Providers/Non-Profit Emergency **\$40 Million**  
Demonstrate higher demand and below average donations
  - Shelters/Housing **\$20 Million**  
PPE, cleaning supplies, and relocation assistance

# Small Business & Livestock Producers Stabilization \$330 Million

Small businesses in industries hardest hit by  
COVID-19 between 5-49 employees

Livestock producers between 1-10 employees

Beef, Pork, Poultry, Dairy, and Sheep/Goat  
Producers

\$12,000 grant to qualified applicants

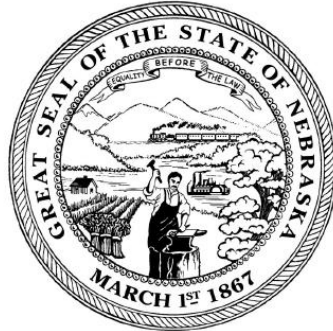
# Remote Access, Workforce Re-training, & Gallup - \$62 Million\*

- Remote Access **\$40 Million**
  - 41 Communities; size 1,000 to 5,000 in population
  - 26,285 households, 63,852 citizens impacted
  - \$1,500 per household (installation), approximately 14 of 31 telecoms in Nebraska are already doing business in these communities
  - All communities targeted have less than 2% fiber to the home
- Workforce Re-Training Initiative **\$16 Million**
  - 12,000 students at \$1,100 per grant
  - **\$2.4 million** for career coaches/navigators, admin., faculty, and distribution system
- Gallup Back to Business Learning **\$1 Million**
  - Business Stabilization and Growth Training
- \* Up to **\$5 Million** for Administration Support to all Business programs

# UI Trust Fund and General Fund Budget Flexibility - \$427 Million

- Pending continued review of UI Trust Fund claims and potential future Federal COVID-19 legislation

# Federal COVID-19 Supplemental Appropriations



[State Budget Division Website](#)

# LEGISLATIVE BULLETIN

## LEAGUE OF NEBRASKA MUNICIPALITIES

106th Legislature, Second Session

June 19, 2020 - Bulletin 27



### **COVID-19: Almost all Nebraska guidelines updated on 6/19/20**

On June 19, 2020, almost all of the COVID-19 guidance documents were updated.

[Click here](#) for the link to the Nebraska Department of Health and Human Services (DHHS) website to access all **COVID-19 Nebraska Guidance Documents**.

Here are some of the most important updated guidelines just released on June 19:

[Statewide Sports Reopening Guidelines](#)

[Youth Camps Guidance](#)

[Outdoor Stadium, Arena, and Racetrack Event Guidance](#)

[Booth, Tabling, and Sales Events Guidance](#)

[Guidelines for the Conduct of Faith-Based Services Including Weddings and](#)

[Funerals Held in Houses of Worship](#)

[Outline of Changes to DHMs](#)

## Directed Health Measures – All Phases

### Bars, Taverns, Gentlemen & Bottle Clubs

<u><b>Phase I</b></u>	<u><b>Phase II</b></u>	<u><b>Phase III</b></u>	<u><b>Phase IV</b></u>
<ul style="list-style-type: none"> <li>● Dine-in closed; Carry-out/delivery allowed per EO.</li> </ul>	<ul style="list-style-type: none"> <li>● 50% of rated occupancy at a time</li> <li>● 6-ft distance between tables</li> <li>● Max. of 6 people in a party</li> <li>● No food consumption at bar</li> <li>● Pool tables, dart boards, shuffle board, arcades, and other gaming areas must be kept closed.</li> <li>● No self-serve buffets/salad bars</li> <li>● Carry-out/delivery allowed per EO.</li> </ul>	<ul style="list-style-type: none"> <li>● Max. of 8 people in a party</li> <li>● Carry-out/delivery allowed per EO.</li> <li>● No self-serve buffets/salad bars</li> <li>● Parties must be seated at individual tables unless ordering, using restrooms, or playing games.</li> <li>● <b>IN GUIDANCE ONLY: 6-ft distance between tables</b></li> </ul> <p style="margin-top: 10px;"><b>Pool tables, dart boards, shuffle board, arcades, and other gaming areas allowed with extra cleaning and disinfection. Individuals playing games must have a seat at a table and congregation of groups around a table is limited to those playing (no more than 8 table my be around a game).</b></p>	<ul style="list-style-type: none"> <li>● <b>Section is removed from Directed Health Measures. Guidance will remain and use is recommended.</b></li> </ul>

### Child Care Centers

<u><b>Phase I</b></u>	<u><b>Phase II</b></u>	<u><b>Phase III</b></u>	<u><b>Phase IV</b></u>
<ul style="list-style-type: none"> <li>● 15 Children per room/ space</li> </ul>	<ul style="list-style-type: none"> <li>● 15 Children per room/ space infant to school-age includes ages 3-5</li> <li>● 20 school-age (K-12) children per room/space</li> </ul>	<ul style="list-style-type: none"> <li>● 15 Children per room/ space infant to 3 year olds</li> <li>● 20 Children per room/ space 3 year olds</li> <li>● 24 Children per room/ space 4-5 years olds</li> <li>● 30 school-age (K-12) children per room/space</li> </ul>	<ul style="list-style-type: none"> <li>● <b>Section is removed from Directed Health Measures. Guidance will remain and use is recommended.</b></li> </ul>

## Gathering Limits

<u><b>Phase I</b></u>	<u><b>Phase II</b></u>	<u><b>Phase III</b></u>	<u><b>Phase IV</b></u>
<ul style="list-style-type: none"> <li>• 10 Persons</li> </ul>	<ul style="list-style-type: none"> <li>• 25 Patrons OR 25% of rated occupancy at a time (Max. 3,000)</li> <li>• No parades, carnivals, midways, dances, street dances, beer gardens</li> <li>• Ticketing in groups no larger than 6</li> <li>• 6-ft distance between patrons groups</li> <li>• Drive-In theatres allowed with no congregation at concessions/bathrooms</li> <li>• Facilities with 500+ capacity (1,000+ capacity in Douglas) must submit plans prior to opening</li> </ul>	<ul style="list-style-type: none"> <li>• INDOOR: 50% of rated occupancy at a time (Max of 10,000)</li> <li>• OUTDOOR: 75% of rated occupancy at a time (Max of 10,000)</li> <li>• No parades, carnivals, midways, dances, street dances, beer gardens. Dancing at events is permissible if individuals remain at their tables/seats keeping social distancing between groups.</li> <li>• Ticketing in groups no larger than 8</li> <li>• Facilities with 500+ capacity (1,000+ capacity in Douglas) must submit plans prior to opening. If the facility's plan was already submitted and they are now increasing capacity, plans should be resubmitted and re-reviewed.</li> <li>• <b>IN GUIDANCE ONLY: 6-ft distance between groups and recommendations of staff and patrons to use facial coverings</b></li> </ul>	<ul style="list-style-type: none"> <li>• INDOOR: 75% of rated occupancy at a time</li> <li>• OUTDOOR: 100% of rated occupancy at a time</li> <li>• Facilities with 500+ capacity (1,000+ capacity in Douglas) must submit plans prior to opening. If the facility's plan was already submitted and they are now increasing capacity, plans should be resubmitted and re-reviewed.</li> <li>• <b>IN GUIDANCE ONLY: 6-ft distance between groups and recommendations of staff and patrons to use facial coverings</b></li> </ul>

## Gyms/Fitness Centers/Health Clubs/Health Spas

<u><b>Phase I</b></u>	<u><b>Phase II</b></u>	<u><b>Phase III</b></u>	<u><b>Phase IV</b></u>
<ul style="list-style-type: none"> <li>• 10 Patrons</li> <li>• 6-ft distance between patrons</li> </ul>	<ul style="list-style-type: none"> <li>• 25 Patrons OR 50% of rated occupancy at a time</li> <li>• 6-ft distance between patrons</li> </ul>	<ul style="list-style-type: none"> <li>• 75% of rated occupancy at a time</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Section is removed from Directed Health Measures. Guidance will remain and use is recommended.</b></li> </ul>

## Restaurants, Bowling Alleys

(All non-restaurant areas fall under Gatherings section)

<u><b>Phase I</b></u>	<u><b>Phase II</b></u>	<u><b>Phase III</b></u>	<u><b>Phase IV</b></u>
<ul style="list-style-type: none"> <li>● Carry-out/drive-up/delivery allowed</li> <li>● 50% of rated occupancy at a time</li> <li>● 6-ft distance between tables</li> <li>● Max. of 6 people in a party</li> <li>● No bar seating</li> <li>● Alcohol only with meal</li> <li>● Games prohibited</li> </ul>	<ul style="list-style-type: none"> <li>● Carry-out/drive-up/delivery allowed</li> <li>● 50% of rated occupancy at a time</li> <li>● 6-ft distance between tables</li> <li>● Max. of 6 people in a party</li> <li>● No food consumption at bar</li> <li>● Pool tables, dart boards, shuffle board, arcades, and other gaming areas must be kept closed.</li> <li>● No self-serve buffets/salad bars</li> </ul>	<ul style="list-style-type: none"> <li>● Max. of 8 people in a party</li> <li>● No self-serve buffets/salad bars</li> <li>● Parties must be seated at individual tables unless ordering, using restrooms, or playing games.</li> <li>● <b>IN GUIDANCE ONLY: 6-ft distance between tables</b></li> <li>● <b>Pool tables, dart boards, shuffle board, arcades, and other gaming areas allowed with extra cleaning and disinfection. Individuals playing games must have a seat at a table and congregation of groups around a table is limited to those playing (no more than 8 table my be around a game).</b></li> </ul>	<ul style="list-style-type: none"> <li>● <b>Section is removed from Directed Health Measures. Guidance will remain and use is recommended.</b></li> </ul>

## Salons/Barbers/Massage Therapy/Body Art

<u><b>Phase I</b></u>	<u><b>Phase II</b></u>	<u><b>Phase III</b></u>	<u><b>Phase IV</b></u>
<ul style="list-style-type: none"> <li>● 10 Patrons</li> <li>● Masks required for both patron and staff</li> </ul>	<ul style="list-style-type: none"> <li>● 25 Patrons OR 50% of rated occupancy at a time</li> <li>● Masks required for both patron and staff</li> <li>● Estheticians allowed to perform services</li> </ul>	<ul style="list-style-type: none"> <li>● 75% of rated occupancy at a time</li> <li>● Masks required for both patron and staff.</li> <li>● All facilities allowed to perform services on faces without a mask on patron. Patron must wear mask prior to and immediately after services are complete.</li> </ul>	<ul style="list-style-type: none"> <li>● <b>Section is removed from Directed Health Measures. Guidance will remain and use is recommended.</b></li> </ul>

## Wedding/Funeral Reception

### Phase I

- 10 Persons with 6-ft distance between household units

### Phase II

- 50% of occupancy with 6-ft distance between household units
- 6-ft distance between household units/ different parties
- No self-serve buffets/salad bars
- No dances or other social events requiring guests to gather outside of their respective tables

### Phase III

- Max. of 8 people in a party
- No self-serve buffets/salad bars
- **IN GUIDANCE:**  
**Limit dances or other social events requiring guests to gather outside of their respective tables**

### Phase IV

- **Section is removed from Directed Health Measures. Guidance will remain and use is recommended.**