

## Bellevue City Council Meeting

Tuesday, July 21, 2020 6:00 PM

Bellevue City Hall

1500 Wall Street

Bellevue, NE 68005

1. PLEDGE OF ALLEGIANCE
2. INVOCATION - Father Tom Jones, Church of the Holy Spirit (Episcopal), 1305 Thomas Drive, Bellevue.
3. CALL TO ORDER AND ROLL CALL
4. OPEN MEETINGS ACT - Posted in the Entry to the Council Chambers
5. APPROVAL OF AGENDA, CONSENT AGENDA, CLAIMS, AND ADVISORY COMMITTEE REPORTS:
  - a. Approval of the Agenda
  - b. Approval of the Consent Agenda **(Items marked with an (\*) are approved where this item is, unless otherwise removed)**
    1. (\*) Acknowledge Receipt of June 25, 2020 Planning Commission Minutes.
    2. (\*) Approval of the July 7, 2020 City Council Minutes.
6. (\*) APPROVAL OF CLAIMS.
7. SPECIAL PRESENTATIONS: None
8. ORGANIZATIONAL MATTERS: None
  - a. (\*) Recommendation to approve the re-appointments of Todd Aerni, Mike Perrin and Eric Ritz to the Planning Commission to serve 3-year terms ending August 2023 (Mayor Hike)
  - b. (\*) Approve the appointment of the Budget Task Force for the 2020-2021 Budget (City Council President)
9. APPROVED CITIZEN COMMUNICATION: None Received
10. LIQUOR LICENSES:
  - a. Recommendation to approve a Special Designated Liquor License for Fairview Golf Company dba "Tregaron Golf Course", to sell beer, wine, and distilled spirits at the Hall of Fame Banquet on August 8, 2020, to be held at the John B. Muller Administrative Services Building, Bellevue University, 812 Bruin Blvd., Bellevue, from 5:00 p.m. to 11:00 p.m. (City Clerk)
  - b. Recommend approval of application of Taco Terraza LLC dba "Taco Terraza" for a Class "I-123771" Liquor License at 513 Fort Crook Road N., Bellevue and for Servando Alvarez as Manager. (City Clerk)
11. ORDINANCES FOR ADOPTION (3rd reading):
  - a. Ordinance No. 4000: Request to rezone Lots 1 and 2, Watson's Replat Three, being a replat of Lot 2, Watson's Replat II, from AG to AG and ML, for the purpose of industrial development. Applicant: DLWC Real Estate, LLC. General Location: Cornhusker Road and 36th Street. (Planning Manager)
    1. Approval of the preliminary plat Lots 1 and 2, Watsons Replat Three.
    2. Approval of the final plat Lots 1 and 2, Watson's Replat Three.
12. ORDINANCES FOR PUBLIC HEARING (2nd reading):
  - a. Ordinance No. 4001: Request to rezone Lots 1 through 3, Hidden Hills 2nd Addition, being a replat of Lots 43B1, 47B, and part of Lot 48B, Marian Park, all located in the N 1/2 of Section 25, T14, R13E of the 6th P.M., Sarpy County, Nebraska; and part of Lot 1, lying West of Canyon Road, the North 40' of Lot 2, and Lot 3B1, Jewell Place, all located in the Southeast 1/4 of Section 25, T14N, R13E of the 6th P.M., Sarpy County, Nebraska from RE to RS-120 for the purpose of single family residential development. Applicant: Sherwood Properties. General Location: Combs Road and Canyon Road. (Planning Manager)

1. Approval of the preliminary plat Lots 1 through 3, Hidden Hills 2<sup>nd</sup> Addition. ***(No action required at this meeting)***

2. Approval of the final plat Lots 1 through 3, Hidden Hills 2<sup>nd</sup> Addition. ***(No action required at this meeting)***

b. Ordinance No. 4002: An Ordinance to amend section 29.5-1 through 29.5-25 of the Bellevue Municipal Code pertaining to the City Trees. (Legal)

13. ORDINANCES FOR INTRODUCTION (1st reading): None

14. PUBLIC HEARING ON MATTERS OTHER THAN ORDINANCES: None

15. RESOLUTIONS:

a. Resolution No. 2020-32 - Approval of the CDBG 2020 Action Plan including the funding recommendation for the FY-20 entitlement allocation and authorize the Mayor to sign. (CDBG Specialist)

1. Approve and authorize the Mayor to sign the SF-424/SF424D forms and Certifications. (CDBG Specialist)

16. CURRENT BUSINESS:

a. \* Recommendation to approve and authorize the Mayor to sign the Interlocal Agreement with Douglas County and Cooperating Agencies (Interim Police Chief)

b. Approve and authorize the Mayor to sign the Agreement with HGM Associates, Inc., to provide Professional Design Services for the American Heroes Park Amphitheater project, in an amount not to exceed \$26,800. (Interim Public Works Director)

17. ADMINISTRATION REPORTS: Comments must be limited to items on the current Report.

***(A Monthly Report will be given at the first Council Meeting of every month - July report will be attached to the August 4th meeting)***

18. CLOSED SESSION:

a. Litigation Updates

19. ADJOURNMENT

## MINUTE RECORD

Bellevue Planning Commission Meeting, June 25, 2020 Page 1

Pursuant to the Governor's Executive Order 20-03, on Thursday June 25, 2020 at 7:00 p.m. the Bellevue Planning Commission meeting was held via video conference. Upon roll call, present were Commissioners Ritz, Casey, Cain, Aerni, Hankins, Cutsforth, Perrin, Ackley, and Jacobson. Also present were Tammi Palm, Planning Manager, and Angela Curry, Assistant Planning Manager.

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

Ritz announced the Open Meetings Act pursuant to the Governor's Executive Order 20-03, and said the meeting may be held via videoconference, telephone conference, or by conferencing by other electronic means. As such, said meeting will be a virtual meeting and the public may join using Facebook live via the City of Bellevue's Facebook page.

Motion was made by Cain, seconded by Jacobson, to approve the minutes of the May 28, 2020 regular meeting as presented. Upon roll call, eight voted yes, Ackley abstained. Motion carried.

Ritz asked if there were any updates or additions to staff reports. Palm advised there was an update on agenda item 3.a., a letter of opposition from the neighboring Home Owners Association which was forwarded to the Commission members and will be considered part of the public record for the hearing.

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

PUBLIC HEARING was held on a request to rezone Lots 1 through 3, Hidden Hills 2nd Addition, being a replat of Lots 43B1, 47B, and part of Lot 48B, Marian Park, all located in the North ½ of Section 25, T14, R13E of the 6th P.M., Sarpy County, Nebraska; and part of Lot 1, lying West of Canyon Road, the North 40' of Lot 2, and Lot 3B1, Jewell Place, all located in the Southeast ¼ of Section 25, T14N, R13E of the 6th P.M., Sarpy County, Nebraska from RE to RS-120 for the purpose of single family residential development; preliminary plat Lots 1 through 3, Hidden Hills 2nd Addition; and final plat Lots 1 through 3, Hidden Hills 2nd Addition. Applicant: Sherwood Properties. General Location: Combs Road and Canyon Road. Case #'s: Z-2005-04, S-2005-08 and S-2005-09.

Mark Westergard, with E & A Consulting Group, Inc., 10909 Mill Valley Rd, Omaha, NE, was present on behalf of the applicant. Also present were Jerry Standerford, Sherwood Properties, LLC, and John Fullenkamp, Fullenkamp, Jobeun, Johnson, and Beller, LLP.

Westergard stated the six existing parcels will be divided into three lots. Lot 1, will have access to Canyon Road, Lot 3 will have access to Bellevue Boulevard and Lot 2 will have access with an easement that goes across Lot 1 to Canyon Road. The proposed site has a slope and quite a few trees. The goal is to do a minimal amount of grading and tree removal. Westergard said the City of Bellevue has requested the intersection at Combs Road and Canyon Road be improved. Westergard stated they were aware of the four concerns of the neighboring Home Owners Association being traffic, impact on wildlife, drainage, and the impact on property values. Westergard addressed the HOA's concerns. He stated the development will only have three homes and will have minimal impact on traffic due to the fact that one lot will access Bellevue Blvd. There will be minimal tree removal, which should not affect the area wildlife. Westergard said the development is at a lower elevation from the neighboring homes, which would not cause a drainage issue on those lots. They will be improving the intersection of Combs Road and Canyon Road, and maintaining the existing storm sewer which will help with some drainage issues. He stated the new homes being built will be in the \$350,000 range which will not negatively impact property values in the area because most of the existing homes are at, or below that value.

Haley and Ben Rizzo, 840 Hidden Hills Dr, Bellevue, NE, stated they walk in the area and always see deer in this area. They have concerns the development will have an impact on wildlife.

Claudia Mosley, 841 Hidden Hills Dr, Bellevue, NE, stated she is concerned about the drainage and wildlife because she heard the developer has a tendency to strip trees and shrubs from properties he builds on.

Bill and Marie Zipse, 503 Dowding Ct, Bellevue, NE, stated although property values in the Hidden Hills area may be comparable, property values in their neighborhood (The Shadows) are in the \$400,000 range. In addition they have concerns regarding the wildlife and drainage. Zipse stated each year he

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Bellevue Planning Commission Meeting, June 25, 2020, Page 2

has to bring in loads of dirt to combat the erosion.

Larry Whiting, 846 Hidden Hills Dr, Bellevue, NE, stated his main concern is traffic flow. Westergard explained Lot 3 will have access to Bellevue Blvd, and Lots 1 and 2 will have access to Canyon Rd. He stated there can be three houses built there right now; the replat simply modifies the dimensions making the lots more buildable.

Palm read comments from Facebook live. Marcus Brown stated he was opposed to the development due to negative impact on wildlife and increased traffic in the area. He also stated the homes would have a negative impact on the current home values. Kim O'Hara-Saunter stated she was in support of the homeowners who oppose this. They will lose the scenic view and privacy they paid for.

Ritz stated he had a message from Joanie Brooks who asked the price range of the homes and how the developer knows the value of the homes in the area. She was opposed to the development. Ritz responded the homes would be \$350,000 and Sarpy County public property records show the value of homes in the area.

Victor Putz, 701 Bellevue Blvd S, Bellevue, NE, stated the volume of water that runs through that area is fairly significant and the developer is unaware of just how much that is. Putz asked how will that be mitigated and who will pay for it. He also stated his septic system is on the property that is being rezoned and he has been granted an unofficial easement to that property. Putz stated he would need it defined as to where the drainage field is and he will need access to be able to service that septic system.

Ritz asked Putz if he was saying that the drainage field is on one of the lots being developed. Putz stated yes it was part of the property that is being rezoned.

Ritz asked the applicant if they were aware of a septic system on one of these lots. Westergard stated the title report did not indicate any easements on those lots and all of the new lots would be serviced by public sewers, not septic systems. Westergard stated if there is a septic system there they are not aware of it. Ritz advised Putz to reach out to the City to locate the septic system. Putz stated he would take Ritz's suggestion but correspondence between his attorney and Sherwood homes has established it is well known that the system exists and where it is.

Rizzo asked how long the construction project would take and how is it not going to affect the wildlife in the area.

Jerry Standerford, 14711 Industrial Rd, Omaha, NE, stated an estimate of four months to develop these lots, and six months to build the homes, making the construction period approximately a year. He did not feel the minimal development of these lots would have an affect on the wildlife.

Mosley asked how many trees would be removed. Westergard stated the only trees being removed would be in the building envelope; just enough to get the houses and the driveways built.

Zipse asked why the rezoning is necessary. Westergard stated Lots 2 and 3 are over one acre and most of the zoning in the area is currently RS-120.

Janet Kawecki, 831 Hidden Hills Dr, Bellevue, NE, is opposed to the development due to the drainage issue. She stated taking out the natural environment will exasperate the problem and once the developer has completed the project the current residents will be left with the drainage problem.

Palm said there was a Facebook live comment. Marcus Brown stated he agreed with Mrs. Mosley that the removal of the trees will cause a problem of erosion, and who will cover the cost of the damages.

Ritz read comments from the messaging app. Joanie Brooks, 829 Hidden Hills Dr., Bellevue, NE, commented the portion of the wooded area from Bellevue Blvd S down to Combs Road is a paved street. This development was attempted many years ago and failed because of run off and wash outs. She feels the lots are too small for a \$350,000 home to be built on. Mary Leahy, 843 Hidden Hills Dr, Bellevue, NE, is opposed to the development because of drainage issues and negative impact on wildlife.

Rizzo asked if the builder would build concurrently, or one house at a time. Standerford stated most likely they would build the two lower homes first, but could not give an exact timeframe for completion of all three homes.

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Discussion ensued regarding lot size, drainage, wildlife and timeframe of construction.

Grant Everett, 711 Bellevue Blvd S, Bellevue, NE, asked, in addition to the wildlife and potential traffic issues, what has changed since the last time this was brought forward and all those drainage issues kept them from developing it.

Palm stated there was a Facebook live question regarding construction equipment access and where the construction crews would park. Standerford stated the heaviest equipment brought in would be the cement trucks, and they would access via Combs Road. He stated typically there will not be more than five vehicles on the job site at one time, and they would park on the street or on the site.

Palm addressed the drainage questions and what has changed with this application. She stated previously the applications have had more density and more lots for home building, which is not the case with this application. There are currently three platted lots in this location they could build on now without this application or rezoning request. Palm said the City engineering team has looked at their preliminary grading and drainage plans and found them to be acceptable. With grading and drainage the builder and developer will have to meet several requirements that have been agreed upon through Papillion Watershed agreement that everyone in the metropolitan area follows. They cannot negatively impact what is already occurring in the area, and may even improve it.

No one else spoke in favor of, or opposition to this request. Subsequently, Ritz closed the public hearing.

Hankins stated he is a real estate appraiser and realtor in Bellevue and is concerned the property owners are thinking this property will decrease their property values. He stated the opposite is the case; this will increase property values. Hankins suggested the homeowners contact the Sarpy County Assessor's office if they have questions regarding property values.

Aerni asked staff if someone could remove trees and build homes on these lots without going before the Planning Commission or City Council. Palm stated under the current zoning that is correct. Aerni stated there has been a lot of conversation regarding wildlife, but there is no zoning ordinance regarding wildlife; therefore it is not acceptable for the Commission to deny an application based on wildlife impact. Palm stated there were no regulations regarding wildlife in the Zoning Ordinance.

Aerni asked why the city was not requiring street improvement on Combs Road with this application. Palm stated the engineering department thought Combs Road would be difficult to improve due to the drainage and slope. This is why the access for one lot will be Bellevue Blvd, and the other two lots will access Canyon Road. The intersection of Combs Road and Canyon Road was the only improvement requested. Aerni stated he was in support of the application.

Casey asked staff if there were previous attempts to develop this property. Palm stated there was an application for preliminary plat and rezoning approximately four years ago but this is the least dense option that has been applied for. Casey asked Standerford to expand on the question. Standerford stated approximately four years ago they attempted to put eight houses in this area, but withdrew the application due to complications with that many lots.

Ritz asked staff if this application is approved at this meeting and then it's discovered there is a septic system on this property will that affect this project. Palm stated if that was to happen it would need to be worked out with the developer depending on the location of the septic system.

Ritz asked staff if a Storm Water Pollution Prevention Plan (SWPPP) would need to be filed. Palm stated the amount of acres disturbed will determine if they will have to file a SWPPP plan.

A discussion ensued regarding drainage and the neighboring HOA.

Jacobson asked the developer to address the Migratory Bird Treaty Act since the construction period will span over two nesting seasons. Westergard stated they would comply with the tree removal within the guidelines of the law.

Ritz asked staff if there was a minimum square footage requirement in the RS-120 zoning. Palm stated the lots have a minimum of 12,000 square feet but the homes built on the lots do not have a minimum square footage requirement.

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Bellevue Planning Commission Meeting, June 25, 2020, Page 4

MOTION was made by Aerni, seconded by Jacobson, to recommend APPROVAL of a request to rezone Lots 1 through 3, Hidden Hills 2nd Addition, being a replat of Lots 43B1, 47B, and part of Lot 48B, Marian Park, all located in the North ½ of Section 25, T14, R13E of the 6th P.M., Sarpy County, Nebraska; and part of Lot 1, lying West of Canyon Road, the North 40' of Lot 2, and Lot 3B1, Jewell Place, all located in the Southeast ¼ of Section 25, T14N, R13E of the 6th P.M., Sarpy County, Nebraska from RE to RS-120 for the purpose of single family residential development; preliminary plat Lots 1 through 3, Hidden Hills 2nd Addition; and final plat Lots 1 through 3, Hidden Hills 2nd Addition, as well as an amendment to the Future Land Use Map of the Comprehensive Plan for this property to be designed as low density residential APPROVAL based upon conformance with the zoning ordinance, subdivision regulations, and lack of perceived negative impact to the surrounding area. Upon roll call, all present voted yes. MOTION carried unanimously.

**This item will proceed to CITY COUNCIL for PUBLIC HEARING ON July 21, 2020.**

PUBLIC HEARING was held on request to small subdivision plat Lots 1 through 8, Hillcrest Replat V, being a replat of Lot 46 Hillcrest Addition, located in the Northwest ¼ of Section 26, T14N, R13E of the 6th P.M., Sarpy County, NE. Applicant: Michelle Williams. General Location: 1908 E Gregg Road. Case #: S-2005-07.

No one spoke in favor of, or opposition to this request. Ritz closed the public hearing.

Motion was made by Casey, seconded by Cutsforth, to recommend APPROVAL based upon conformance with the zoning ordinance, subdivision regulations, and lack of perceived negative impact to the surrounding area. Upon roll call all present voted yes. MOTION carried unanimously.

**This item will proceed to CITY COUNCIL for PUBLIC HEARING ON July 7, 2020.**

Meeting adjourned at 8:21 p.m.



Dianna Van Horn  
Planning Secretary

# MINUTE RECORD

\*5b2.  
7/21/2020

Bellevue City Council Meeting, July 7, 2020, Page 1

A regular meeting of the Mayor and Council of the City of Bellevue was called to order by Mayor Rusty Hike at the Bellevue City Hall on the 7<sup>th</sup> day of July, 2020, at 6:00 p.m. Present were Council Members Bob Stinson, Paul Cook, Pat Shannon, Thomas Burns, Don Preister, and Kathy Welch.

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

## **PLEDGE OF ALLEGIANCE AND INVOCATION**

Mayor Hike led in the Pledge of Allegiance. Pastor Andrew Diorio, Midlands Bible Baptist Church, 2407 Chandler Road East, gave the invocation.

## **OPEN MEETINGS ACT**

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

## **APPROVAL OF THE AGENDA**

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

## **APPROVAL OF THE CONSENT AGENDA:**

**Motion** made by Cook, seconded by Preister, to approve the consent agenda which included the following: Approval of June 16, 2020 City Council Minutes; and Approval of Claims.

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

## **SPECIAL PRESENTATIONS:**

Presentation by Mr. Kevin Hensel and Mr. John Costello regarding "Believe in Bellevue" which will take place August 4, 2020 from 8:00 a.m. to 8:00 p.m. "Believe in Bellevue" is a virtual fundraiser conceived by the Bellevue Chamber of Commerce, Bellevue Community Foundation, and Bellevue Public Schools Foundation to help support Bellevue nonprofit businesses. To make a tax-deductible donation on August 4, 2020 you may go to the website [www.believeinbellevue.org](http://www.believeinbellevue.org).

**ORGANIZATIONAL MATTERS:** None

**APPROVED CITIZEN COMMUNICATION:** None

**LIQUOR LICENSES:** None

## **ORDINANCES FOR ADOPTION (Third Reading)**

**Ordinance No. 3999: Authorizing the Mayor and Chief of Police, after the declaration of any emergency, to enact certain orders to protect the community.** (City Administrator)

An ordinance to amend Article II, Chapter 1, of the Bellevue Municipal Code by adding a new Section 2.96 regarding declarations of emergency and restrictions of activities.

**Motion** made by Preister, seconded by Cook, to approve Ordinance No. 3999: Authorizing the Mayor and Chief of Police, after the declaration of any emergency, to enact certain orders to protect the community

**Motion** made by Shannon, seconded by Preister, to amend Ordinance No. 3999, based on revisions to the ordinance and handed out to the City Council Members prior to the meeting. The corrections are in green and the ordinance removes paragraph 4e.

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

Councilman Shannon requested clarification on how the ordinance will be publicized. Ms. Bree Robbins, City Attorney advised notice will be given on social media, the City's website, the Clerk will post the information, and a press release will be sent to the media. The ordinance can only be for 72 hours and should the City Council extend it, it will also be publicized.

Roll call vote on the motion to approve Ordinance No. 3999 as amended was as follows: Stinson, Cook, Shannon, Preister, Burns, and Welch voted yes; voting no: none; absent: none. Motion carried.

# MINUTE RECORD

Bellevue City Council Meeting, July 7, 2020, Page 2

## **ORDINANCES FOR PUBLIC HEARING: (Second Reading):**

**Ordinance No. 4000: Request to rezone Lots 1 and 2, Watson's Replat Three, being a replat of Lot 2, Watson's Replat II, from AG to AG and ML, for the purpose of industrial development; Approval of the preliminary plat Lots 1 and 2, Watson's Replat Three; and Approval of the final plat Lots 1 and 2, Watson's Replat Three Applicant: DLWC Real Estate, LLC. General Location: Cornhusker Road and 36th Street.**  
(Planning Manager)

An ordinance to amend the Official Zoning Map of the City of Bellevue, Nebraska, as provided for by Article 3 of Ordinance No. 3619 by changing the zone classification of land located at Cornhusker Road and 36<sup>th</sup> Street, more particularly in Section 1 of the Ordinance and to provide an effective date, was read for the second time and a public hearing was held.

Mayor Hike opened the meeting to a public hearing on Items 12a., 12a1., and 12a2. to give opportunity for individuals to speak in favor of or in opposition to the application.

Mr. Joe Dethlefs, with Thompson, Dreeser, and Dorner, Inc., was present to answer questions.

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

Councilman Preister clarified the area is elevated and out of the floodplain making it buildable. Discussion followed.

Councilman Shannon questioned if there was a specific project in mind for the lots. Mr. Dethlefs replied no. The requests are being made in order to sell the property.

Mayor Hike stated the third reading of the ordinance will be heard at the Council meeting on July 21<sup>st</sup>.

## **ORDINANCES FOR INTRODUCTION: (First Reading):**

**Ordinance No. 4001: Request to rezone Lots 1 through 3, Hidden Hills 2nd Addition, being a replat of Lots 43B1, 47B, and part of Lot 48B, Marian Park, all located in the N 1/2 of Section 25, T14, R13E of the 6th P.M., Sarpy County, Nebraska; and part of Lot 1, lying West of Canyon Road, the North 40' of Lot 2, and Lot 3B1, Jewell Place, all located in the Southeast 1/4 of Section 25, T14N, R13E of the 6th P.M., Sarpy County, Nebraska from RE to RS-120 for the purpose of single family residential development. Applicant: Sherwood Properties. General Location: Combs Road and Canyon Road.** (Planning Manager)

Ordinance No. 4001: an Ordinance to amend the official zoning map of the City of Bellevue, Nebraska, as provided for by Article 3 of Ordinance No. 3619 by changing the zone classification of land located at or about Combs Road and Canyon Road, more particularly described in Section 1 of the Ordinance and to provide an effective date was read by title only for the first time and scheduled for public hearing at the Council meeting on July 21<sup>st</sup>.

**Ordinance No. 4002: An Ordinance to amend section 29.5-1 through 29.5-25 of the Bellevue Municipal Code pertaining to the City Trees.** (Legal)

An Ordinance to amend Section 29.5-1 through 29.5-25 of the Bellevue Municipal Code pertaining to the city trees; and to provide an effective date was read by title only for the first time and scheduled for public hearing at the Council meeting on July 21<sup>st</sup>.

## **PUBLIC HEARINGS ON MATTERS OTHER THAN ORDINANCES:**

**Public hearing to obtain citizen input on the CDBG 2020 Action Plan with proposed funding.** (CDBG Specialist)

Mayor Hike opened the meeting to the public to give opportunity for individuals to speak in favor of or in opposition to the proposed ordinance.

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

**Public hearing to obtain citizen input on the CDBG-CV funding recommendation.** (CDBG Specialist)

Mayor Hike opened the meeting to the public to give opportunity for individuals to speak in favor of or in opposition to the proposed ordinance.

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

# MINUTE RECORD

Bellevue City Council Meeting, July 7, 2020, Page 3

**Approve Resolution No. 2020-28: Adopting the Substantial Amendment to the 2019-2023 Consolidated Plan, 2019-2020 Annual Action Plan, and Citizen Participation Plan and authorize the Mayor to submit the amendment to the U.S. Department of Housing and Urban Development.** (CDBG Specialist)

**Motion** made by Cook, seconded by Welch to approve Resolution No. 2020-28: Adopting the Substantial Amendment to the 2019-2023 Consolidated Plan, 2019-2020 Annual Action Plan, and Citizen Participation Plan and authorize the Mayor to submit the amendment to the U.S. Department of Housing and Urban Development.

Councilman Shannon requested clarification the requirements were met. Mrs. Abby Highland, CDBG Specialist, established the statutory requirements were followed and met. Discussion followed.

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

**Approve and authorize the Mayor to sign the SF-424 and 424-D Forms and Certifications.** (CDBG Specialist)

**Motion** made by Welch, seconded by Stinson, to Approve and authorize the Mayor to sign the SF-424 and 424-D Forms and Certifications.

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

**Request a small subdivision plat Lots 1 through 8, Hillcrest Replat V, being a replat of Lot 46 Hillcrest Addition, located in the Northwest 1/4 of Section 26, T14N, R13E of the 6th P.M., Sarpy County, NE. Applicant: Michelle Williams. General Location: 1908 E. Gregg Road.** (Planning Manager)

Mayor Hike opened the meeting to the public to give opportunity for individuals to speak in favor of or in opposition to the proposed ordinance.

Mr. Stephen Humphries, Boundaryline Surveys, was present on behalf of the applicant. He explained the subdivision will allow the construction of seven homes.

Councilman Cook questioned how many bedrooms and bathrooms the rooms will have and how the houses will be positioned. Mr. Humphries replied he does not know the number of bedroom or bathrooms, as he is just the surveyor. He stated the lots are narrow and long, with a 35-foot easement, and a private road in the middle of the lot.

Councilwoman Welch inquired if they are single family homes. Mr. Humphries explained there will be seven new single-family homes.

Mrs. Tammi Palm, Planning Manager, explained the intention is to build smaller 2-3-bedroom single family townhomes. Discussion followed on the private road and who will maintain it, along with the size of the townhomes will range from 1,200 square feet to 1,400 square feet. Mrs. Palm advised the Fire Department reviewed the plans in regards to the private road and the road will be constructed to the City's minimum design standards.

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

**Motion** made by Cook, seconded by Stinson, to approve the small subdivision plat Lots 1 through 8, Hillcrest Replat V, being a replat of Lot 46 Hillcrest Addition, located in the Northwest 1/4 of Section 26, T14N, R13E of the 6th P.M., Sarpy County, NE. Applicant: Michelle Williams. General Location: 1908 E. Gregg Road.

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

## **RESOLUTIONS:**

**Resolution No. 2020-29: Approve and authorize the Mayor to sign the Preliminary Engineering Services Agreement - Supplemental Agreement No. 2 - BK1763 and to approve final design with Olsson for amended work regarding So. 36th Street and Hwy 370 to Sheridan Rd, in an amount not to exceed \$11,200.00.** (Public Works Director)

**Motion** made by Cook, seconded by Welch, to approve Resolution No. 2020-29: Approve and authorize the Mayor to sign the Preliminary Engineering Services Agreement - Supplemental Agreement No. 2 - BK1763 and to approve final design with Olsson for amended work regarding So. 36th Street and Hwy 370 to Sheridan Rd, in an amount not to exceed \$11,200.00.

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

# MINUTE RECORD

Bellevue City Council Meeting, July 7, 2020, Page 4

**Resolution No. 2020-30: Outlining the changes to the Federal Functional Classification of 24 roadway segments within the City of Bellevue and authorize the Mayor to sign.** (Public Works Director)

**Motion** made by Preister, seconded by Stinson, to approve Resolution No. 2020-30: Outlining the changes to the Federal Functional Classification of 24 roadway segments within the City of Bellevue and authorize the Mayor to sign.

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

**Resolution No. 2020-31: Ratifying the actions taken during videoconferencing/virtual City Council meetings that were held prior to June 30, 2020 pursuant to the Governor's Executive Orders and authorize the Mayor to sign.** (Legal Department)

**Motion** made by Welch, seconded by Preister, to approve Resolution No. 2020-31: Ratifying the actions taken during videoconferencing/virtual City Council meetings that were held prior to June 30, 2020 pursuant to the Governor's Executive Orders and authorize the Mayor to sign. (Legal Department)

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

**CURRENT BUSINESS:**

**Approval of the purchase of an ATV, in an amount not to exceed \$10,500.00.** (Fire Chief)

**Motion** made by Stinson, seconded by Preister, to approve the purchase of an ATV, in an amount not to exceed \$10,500.00. Roll call vote on the motion was as follows: Stinson, Cook, Shannon, Preister, Burns, and Welch voted yes; voting no: none; absent: none. Motion carried.

**Approval of the purchase of FRED forensic workstation from Digital Intelligence, in an amount not to exceed \$10,916.93.** (Police Chief)

**Motion** made by Stinson, seconded by Welch, to approve the purchase of FRED forensic workstation from Digital Intelligence, in an amount not to exceed \$10,916.93. Roll call vote on the motion was as follows: Stinson, Cook, Shannon, Preister, Burns, and Welch voted yes; voting no: none; absent: none. Motion carried.

**Approve and authorize the Mayor to sign the proposal with Superior Lighting for the new tennis court lights at Stonecroft Park, in an amount not to exceed \$39,400.39.** (Public Works Director)

**Motion** made by Cook, seconded by Burns, to approve and authorize the Mayor to sign the proposal with Superior Lighting for the new tennis court lights at Stonecroft Park, in an amount not to exceed \$39,400.39. Roll call vote on the motion was as follows: Stinson, Cook, Shannon, Preister, Burns, and Welch voted yes; voting no: none; absent: none. Motion carried.

**Approve and authorize the Mayor to sign the Agreement with Alfred Benesch and Company for the 2021 Resurfacing Project, Bellevue (AC funding), not to exceed \$55,791.80.** (Public Works Director)

**Motion** made by Welch, seconded by Preister, to approve and authorize the Mayor to sign the Agreement with Alfred Benesch and Company for the 2021 Resurfacing Project, Bellevue (AC funding), not to exceed \$55,791.80. Roll call vote on the motion was as follows: Stinson, Cook, Shannon, Preister, Burns, and Welch voted yes; voting no: none; absent: none. Motion carried.

**Approve and authorize the Mayor to sign the NE Transportation Assistance Agreement with NDOT to accept monthly reimbursement funds for expenses associated with operating the Specialized Transportation Service, up to \$147,558 for FY 20/21.** (Human Service Manager)

**Motion** made by Cook, seconded by Preister, to approve and authorize the Mayor to sign the NE Transportation Assistance Agreement with NDOT to accept monthly reimbursement funds for expenses associated with operating the Specialized Transportation Service, up to \$147,558 for FY 20/21. Roll call vote on the motion was as follows: Stinson, Cook, Shannon, Preister, Burns, and Welch voted yes; voting no: none; absent: none. Motion carried.

**Approval for the Interim Police Chief to sign the Contract with UNMC Regional Pathology Services Laboratory Service Agreement** (Police Chief)

**Motion** made by Stinson, seconded by Burns, to approve the Interim Police Chief to sign the Contract with UNMC Regional Pathology Services Laboratory Service Agreement. Roll call vote on the motion was as follows: Stinson, Cook, Shannon, Preister, Burns, and Welch voted yes; voting no: none; absent: none. Motion carried.

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

**CLOSED SESSION:** None

# MINUTE RECORD

Bellevue City Council Meeting, July 7, 2020, Page 5

**ADJOURNMENT:**

There being no further business to come before the Council at this time, on motion by Shannon, seconded by Preister, the meeting adjourned at 6:50 p.m. Roll call vote on the motion was as follows: Stinson, Cook, Shannon, Preister, Burns, and Welch voted yes; voting no: none; absent: none. Motion carried.

  
Susan Kluthe, City Clerk

\_\_\_\_\_  
Rusty Hike, Mayor

I, the undersigned, City Clerk of the City of Bellevue, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Mayor and Council on July 7, 2020; that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the office of the City Clerk; that such subjects were contained in said agendas for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.



  
Susan Kluthe, City Clerk

# MINUTE RECORD

\*6.  
7/21/2020

## CLAIMS FOR JULY 21, 2020

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### MAYOR

CENTURY LINK	MONTHLY SERVICE-2020-6-22	13.30
		<u>\$ 13.30</u>

### CITY ADMINISTRATOR

BLACK HILLS NEBRASKA GAS UTILITY	MONTHLY SERVICE-2020-7-1	39.55
CAPITAL BUSINESS SYSTEMS, INC	COPIER EXPENSE	91.21
CENTURY LINK	MONTHLY SERVICE-2020-6-22	25.74
EMPLOYEES BENEFITS SYSTEMS	HEALTH INSURANCE-JUL 2020	4,641.90
METLIFE GROUP BENEFITS	DENTAL INSURANCE-JUL 2020	98.07
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES	132.82
		<u>\$ 5,029.29</u>

### CITY COUNCIL

EMPLOYEES BENEFITS SYSTEMS	HEALTH INSURANCE-JUL 2020	814.39
METLIFE GROUP BENEFITS	DENTAL INSURANCE-JUL 2020	120.27
		<u>\$ 934.66</u>

### LEGAL

CENTURY LINK	MONTHLY SERVICE-2020-6-22	26.17
EMPLOYEES BENEFITS SYSTEMS	HEALTH INSURANCE-JUL 2020	3,109.92
METLIFE GROUP BENEFITS	DENTAL INSURANCE-JUL 2020	65.38
		<u>\$ 3,201.47</u>

### CABLE ADVISORY

BLACK HILLS NEBRASKA GAS UTILITY	MONTHLY SERVICE-2020-7-1	33.62
CENTURY LINK	MONTHLY SERVICE-2020-6-22	8.87
EMPLOYEES BENEFITS SYSTEMS	HEALTH INSURANCE-JUL 2020	3,857.20
METLIFE GROUP BENEFITS	DENTAL INSURANCE-JUL 2020	65.38
		<u>\$ 3,965.07</u>

### CITY CLERK

BELLEVUE CHRISTIAN CENTER	REFUND FIREWORKS DEPOSIT	1,000.00
BELLEVUE EAST BAND BOOSTERS	REFUND FIREWORKS DEPOSIT	1,000.00
BELLEVUE ROD & GUN CLUB	REFUND FIREWORKS DEPOSIT	1,000.00
BELLEVUE SOCCER CLUB	REFUND FIREWORKS DEPOSIT	1,000.00
BELLEVUE UNIVERSITY ATHLETICS	REFUND FIREWORKS DEPOSIT	1,000.00
BELLEVUE UNIVERSITY FOUNDATION	REFUND FIREWORKS DEPOSIT	1,000.00
BELLEVUE WEST BAND BOOSTER	REFUND FIREWORKS DEPOSIT	1,000.00
BELLINO FIREWORKS INC	REFUND FIREWORKS DEPOSIT	3,000.00
BLACK HILLS NEBRASKA GAS UTILITY	MONTHLY SERVICE-2020-7-1	29.66
BRYAN HIGH SCHOOL COACHES ASSOCIATION	REFUND FIREWORKS DEPOSIT	1,000.00
CAPITAL BUSINESS SYSTEMS, INC	COPIER EXPENSE	61.52
CENTURY LINK	MONTHLY SERVICE-2020-6-22	13.30
CHERISH RIDING ASSOCIATION	REFUND FIREWORKS DEPOSIT	1,000.00
DANIEL J. GROSS CATHOLIC HIGH SCHOOL	REFUND FIREWORKS DEPOSIT	1,000.00
EMPLOYEES BENEFITS SYSTEMS	HEALTH INSURANCE-JUL 2020	2,362.64
FRATERNAL ORDER OF EAGLES	REFUND FIREWORKS DEPOSIT	1,000.00
GRETNA GUIDE & NEWS	LEGAL ADS	175.62
HABITAT FOR HUMANITY OF SARPY COUNTY	REFUND FIREWORKS DEPOSIT	1,000.00
METLIFE GROUP BENEFITS	DENTAL INSURANCE-JUL 2020	65.38

# MINUTE RECORD

## CLAIMS FOR JULY 21, 2020

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### CITY CLERK (cont'd)

RAVEN HAVEN RECONNAISSANCE	REFUND FIREWORKS DEPOSIT	1,000.00
SAINT MARY'S CATHOLIC SCHOOL	REFUND FIREWORKS DEPOSIT	1,000.00
SPIRIT LIFE ASSEMBLY OF GOD CHURCH	REFUND FIREWORKS DEPOSIT	1,000.00
VETERANS SUPPORT ASSOCIATION, INC	REFUND FIREWORKS DEPOSIT	1,000.00
		<hr/>
		\$ 21,708.12

### FINANCE/RISK MANAGEMENT

ABILA	RENEW MAINTENANCE SUPPORT	8,464.00
BLACK HILLS NEBRASKA GAS UTILITY	MONTHLY SERVICE-2020-7-1	51.41
CAPITAL BUSINESS SYSTEMS, INC	COPIER EXPENSE	131.06
CENTURY LINK	MONTHLY SERVICE-2020-6-22	64.46
EMPLOYEES BENEFITS SYSTEMS	HEALTH INSURANCE-JUL 2020	5,219.88
INFOSAFE SHREDDING	SHREDDING SERVICE	30.00
METLIFE GROUP BENEFITS	DENTAL INSURANCE-JUL 2020	196.14
PRIMA	RENEW MEMBERSHIP	385.00
QUADIENT FINANCE USA, INC	POSTAGE MACHINE REFILL-7/13/20	1,000.00
THE CURE	SANITIZER, SAFETY GLASSES	1,179.99
		<hr/>
		\$ 16,721.94

### LIBRARY

BLACK HILLS NEBRASKA GAS UTILITY	MONTHLY SERVICE-2020-7-1	20.71
CAPITAL BUSINESS SYSTEMS, INC	COPIER EXPENSE	239.96
CENTURY LINK	MONTHLY SERVICE-2020-6-22	44.35
COX BUSINESS SERVICES	MONTHLY SERVICE-2020-6-24	107.39
EBSO INFORMATION SERVICES	PUBLICATIONS RENEWAL SUBSCRIPTION	7,192.22
EMPLOYEES BENEFITS SYSTEMS	HEALTH INSURANCE-JUL 2020	7,623.75
INDOFF	OFFICE SUPPLIES	200.55
INGRAM LIBRARY SERVICES	BOOKS	2,676.98
METLIFE GROUP BENEFITS	DENTAL INSURANCE-JUL 2020	261.52
MIDWEST PLASTIC INC	SNEEZE GUARDS-COVID	1,300.00
MIDWEST TAPE	VIDEOS	74.96
OCLC INC	ON-LINE CATALOGING SUBSCRIPTION	1,357.52
OMAHA PUBLIC POWER DISTRICT	MONTHLY SERVICE-2020-6-25	1,548.24
PLYMOUTH ROCKET, INC	SOFTWARE	650.00
RECORDED BOOKS	VIDEO	12.60
RUFF WATERS	AQUARIUM MANAGEMENT	94.94
SARAH A MARTIN	CLOTH MASKS FOR LIBRARY	2,040.00
STAPLES ADVANTAGE	OFFICE SUPPLIES	26.99
		<hr/>
		\$ 25,472.68

### ADMINISTRATIVE SERVICES

BLACK HILLS NEBRASKA GAS UTILITY	MONTHLY SERVICE-2020-7-1	43.50
CENTURY LINK	MONTHLY SERVICE-2020-6-22	61.98
EMPLOYEES BENEFITS SYSTEMS	HEALTH INSURANCE-JUL 2020	12,151.40
INFOSAFE SHREDDING	SHREDDING SERVICE	30.00
MATRIX BUSINESS SYSTEMS	COPIER EXPENSE	66.42
METLIFE GROUP BENEFITS	DENTAL INSURANCE-JUL 2020	294.21
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES	1,126.98
		<hr/>
		\$ 13,774.49

# MINUTE RECORD

## CLAIMS FOR JULY 21, 2020

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### PUBLIC WORKS

BLACK HILLS NEBRASKA GAS UTILITY	MONTHLY SERVICE-2020-7-1	3.34
CENTURY LINK	MONTHLY SERVICE-2020-6-22	53.21
CHRISTENSEN EXCAVATING CO, INC	DEMOLITION OF WBV CONCESSION STAND	8,800.00
EMPLOYEES BENEFITS SYSTEMS	HEALTH INSURANCE-JUL 2020	5,395.21
MATRIX BUSINESS SYSTEMS	COPIER EXPENSE, STAPLES	184.74
METLIFE GROUP BENEFITS	DENTAL INSURANCE-JUL 2020	163.45
NEBRASKA IOWA SUPPLY CO	DIESEL FUEL FOR CITY VEHICLES	9,441.02
ONE CALL CONCEPTS	DIGGER'S HOTLINE	993.92
SARPY CO REGISTER OF DEEDS	RECORDING FEES	36.00
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES	91.89
		<u>\$ 25,162.78</u>

### PARKS

ALEXANDER LAWN & LANDSCAPE, INC	ROW MOWING CYCLE #5 AND #6	19,043.80
ANDERSON ELECTRIC SALES & SERVICE	REGULATOR KIT	56.00
AQUA-CHEM	HANDLE	19.80
A-RELIEF SERVICES	PORTABLE RESTROOM-SWANSON PARK	166.00
BEST CUT LAWN CARE	MOW AND TRIM	655.00
BLACK HILLS NEBRASKA GAS UTILITY	MONTHLY SERVICE-2020-7-1	20.71
CENTURY LINK	MONTHLY SERVICE-2020-6-22	39.91
COX BUSINESS SERVICES	MONTHLY SERVICE-2020-6-24	363.42
EMPLOYEES BENEFITS SYSTEMS	HEALTH INSURANCE-JUL 2020	8,089.18
KIMBALL TREE SERVICE	TREE REMOVAL	1,100.00
METLIFE GROUP BENEFITS	DENTAL INSURANCE-JUL 2020	326.90
METROPOLITAN UTILITIES DIST	MONTHLY SERVICE-2020-7-6	306.98
MUSIC PERFORMANCE TRUST FUND	MUSIC IN THE PARKS SUMMER CONCERTS 2020	1,850.00
OMAHA PUBLIC POWER DISTRICT	MONTHLY SERVICE-2020-6-25	2,689.81
PRECISE MRM LLC	POOLED DATA PLAN	225.00
SIGNIT	SIGNS FOR POOLS	1,092.90
TRISTAR RISK ENTERPRISE MANAGEMENT	TPA WORK COMP FUNDING-JUN 2020	15.00
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES	3,868.68
WALKERS UNIFORM RENTAL	UNIFORM SERVICE	13.42
		<u>\$ 39,942.51</u>

### RECREATION

ABBY HOLST	REIMB FOR LIFEGUARD SWIMSUIT, RECERTIFICATION	92.00
ALEX WELCH	REIMB FOR LIFEGUARD RECERTIFICATION	75.00
ANNA SCHRECK	REIMB FOR LIFEGUARD SWIMSUITS	60.00
ASHLEY STENGER	REIMB FOR LIFEGUARD SWIMSUIT	40.00
AUSTIN WOODARD	REIMB FOR LIFEGUARD SWIMSUIT	25.95
BPS/LIED CENTER	LIFEGUARD CLASS REVIEWS	516.00
CENTURY LINK	MONTHLY SERVICE-2020-6-22	56.03
CHRISTIANO MARX	REIMB FOR LIFEGUARD SWIMSUIT	25.00
CIARA STUEVE	REIMB FOR LIFEGUARD SWIMSUIT	30.00
COX BUSINESS SERVICES	MONTHLY SERVICE-2020-6-24	88.39
EMPLOYEES BENEFITS SYSTEMS	HEALTH INSURANCE-JUL 2020	2,109.96
GUADALUPE SALAZAR	REFUND BIRTHDAY PARTY DEPOSIT	375.00
HAYLEY PORTER	REIMB FOR LIFEGUARD RECERTIFICATION	50.00
JOCELYN RANDALL	REIMB FOR LIFEGUARD SWIMSUIT	28.00
LAURA JUREK	REIMB FOR LIFEGUARD SWIMSUIT, RECERTIFICATION	100.00

# MINUTE RECORD

## CLAIMS FOR JULY 21, 2020

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### RECREATION (cont'd)

LILY BLESKE	REIMB FOR LIFEGUARD SWIMSUIT	80.00
MADDIE WHEELER	REIMB FOR LIFEGUARD SWIMSUIT	56.00
MADY BARTLETT	REIMB FOR LIFEGUARD SWIMSUIT	56.00
MARIAH METZ	REIMB FOR LIFEGUARD SWIMSUIT, RECERTIFICATION	84.00
MEGAN COOK	REIMB FOR POOL OPERATOR LICENSE	40.00
METLIFE GROUP BENEFITS	DENTAL INSURANCE-JUL 2020	65.38
MIDWEST IMPRESSIONS	LIFEGUARD/BASEBALL T-SHIRTS	288.50
NICOLE BINDER	REIMB FOR LIFEGUARD SWIMSUIT	40.00
ODEYS FIELD EXPERTS	LINESTRIPE WHITE PAINT	92.00
SAM B LESKE	REIMB FOR LIFEGUARD SWIMSUITS	100.00
SAMANTHA LYDIATT	REIMB FOR LIFEGUARD RECERTIFICATION	75.00
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES	440.91
VALERIE SIMPSON	REFUND CHURCH DEPOSIT	375.00
WESTLAKE ACE HARDWARE	DUSTPAN	8.99
		<hr/>
		\$ 5,473.11

### BUILDING MAINTENANCE

AQUA-CHEM	CHEMICALS FOR POOLS	412.25
BIG RED LOCKSMITHS	REKEY CYLINDER	15.00
BLACK HILLS NEBRASKA GAS UTILITY	MONTHLY SERVICE-2020-7-1	260.76
CENTURY LINK	MONTHLY SERVICE-2020-6-22	4.43
EMPLOYEES BENEFITS SYSTEMS	HEALTH INSURANCE-JUL 2020	6,901.83
FIRE PROTECTION SERVICES, LLC	SERVICE CALLS, FIRE EXTINGUISHER INSPECTIONS	1,649.00
JACKSON SERVICES, INC	DOOR MAT SERVICE-1500 WALL ST	78.57
KB BUILDING SERVICES	JANITORIAL SERVICE-JULY 2020	10,708.50
MENARDS	LUMBER, FANS, MULCH, HOSE CART, ELEC SUPPLIES, SINK	1,237.78
METLIFE GROUP BENEFITS	DENTAL INSURANCE-JUL 2020	196.14
METROPOLITAN UTILITIES DIST	MONTHLY SERVICE-2020-7-6	198.68
O'KEEFE ELEVATOR COMPANY	ELEVATORS MAINTENANCE	455.92
OMAHA PUBLIC POWER DISTRICT	MONTHLY SERVICE-2020-6-25	1,562.47
OVERHEAD DOOR COMPANY	REPLACED SPRINGS-DIST 2	792.00
PLIBRICO REFRACTORY CONSTRUCTION	HEAT PUMP REPLACEMENT, NO HEAT	8,228.59
THE HOME DEPOT PRO-SUPPLY WORKS	CLOROX SPRAYER, JANITORIAL SUPPLIES	4,978.37
TRICO MECHANICAL SERVICES	AC SERVICE-CAPACITOR-TOWER	263.76
WESTLAKE ACE HARDWARE	PEST CONTROL, MULCH, HOSE MENDER	152.33
		<hr/>
		\$ 38,096.38

### CEMETERY

BLACK HILLS NEBRASKA GAS UTILITY	MONTHLY SERVICE-2020-7-1	20.71
CENTURY LINK	MONTHLY SERVICE-2020-6-22	4.43
COX BUSINESS SERVICES	MONTHLY SERVICE-2020-6-24	83.39
EMPLOYEES BENEFITS SYSTEMS	HEALTH INSURANCE-JUL 2020	1,506.62
MENARDS	PLUMBING SUPPLIES	6.75
METLIFE GROUP BENEFITS	DENTAL INSURANCE-JUL 2020	65.38
METROPOLITAN UTILITIES DIST	MONTHLY SERVICE-2020-7-6	102.99
OMAHA PUBLIC POWER DISTRICT	MONTHLY SERVICE-2020-6-25	197.12
SITEONE LANDSCAPE SUPPLY	LIQUID HERBICIDE	649.66
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES	229.80
WESTLAKE ACE HARDWARE	SUPPLIES	13.98
		<hr/>
		\$ 2,880.83

# MINUTE RECORD

## CLAIMS FOR JULY 21, 2020

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### STREETS

ALFRED BENESCH & COMPANY	PROFESSIONAL SVC-S 25TH ST IMP	27,179.05
ALFRED BENESCH & COMPANY	PROFESSIONAL SVC-FT CROOK EVALUATION	2,025.00
ASPHALT & CONCRETE MATERIALS	ASPHALT	725.75
BLACK HILLS NEBRASKA GAS UTILITY	MONTHLY SERVICE-2020-7-1	151.96
CENTURY LINK	MONTHLY SERVICE-2020-6-22	39.91
CONCRETE SUPPLY, INC	CONCRETE	12,636.63
COX BUSINESS SERVICES	MONTHLY SERVICE-2020-6-24	274.17
CORNHUSKER INTERNATIONAL TRUCKS	2020 INT'L TRUCK CHASSIS	112,700.00
EMPLOYEES BENEFITS SYSTEMS	HEALTH INSURANCE-JUL 2020	39,267.87
HEIMES CORPORATION	AVERY RD STORM SEWER	89,966.02
INDEPENDENT SALT CO	ICE CONTROL SALT	4,466.31
MARTIN PRODUCTS SALES, LLC	BULK OIL	266.40
MENARDS	LUMBER, SUPPLIES, TORCH, BATTERIES, RATCHET	230.62
METLIFE GROUP BENEFITS	DENTAL INSURANCE-JUL 2020	1,013.39
METROPOLITAN UTILITIES DIST	MONTHLY SERVICE-2020-7-6	242.99
NEBRASKA IOWA INDUSTRIAL FASTENERS	THICK FENDER WASHERS, KEYSTOCK, NUTS	877.32
OMAHA PUBLIC POWER DISTRICT	MONTHLY SERVICE-2020-6-25	14,061.35
OMAHA PUBLIC POWER DISTRICT	MONTHLY STREET LIGHTING-2020-6-29	72,844.96
OMNI	ASPHALT	891.80
P&M CONCRETE INC	PUMP CONCRETE-BETZ DITCH	1,101.00
PRECISE MRM LLC	POOLED DATA PLAN	645.00
READY MIXED CONCRETE COMPANY	CONCRETE	14,617.08
THIELE GEOTECH	MATERIAL TESTING	2,311.00
TRAVELERS	AUTO LIABILITY CLAIMS	6,000.00
TRISTAR RISK ENTERPRISE MANAGEMENT	TPA WORK COMP FUNDING-JUN 2020	679.46
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES	2,088.07
WALKERS UNIFORM RENTAL	UNIFORM SERVICE	13.42
WESTLAKE ACE HARDWARE	BUTANE CYLINDER	14.58
		<b>\$ 407,331.11</b>

### FLEET MAINTENANCE

ALLIED OIL & TIRE COMPANY	DIESEL EXHAUST FLUID	155.00
AUTOMOTIVE WAREHOUSE DIST, INC	PERMATEX, PARTS, SEALS	1,874.02
BAUER BUILT	TIRES	630.06
BAXTER FORD	MUFFLER	388.59
BEARDMORE CHEVROLET	LAMP	177.23
BLACK HILLS NEBRASKA GAS UTILITY	MONTHLY SERVICE-2020-7-1	22.96
BOBCAT OF OMAHA	PIVOT PARTS	126.66
CAPITAL BUSINESS SYSTEMS, INC	COPIER EXPENSE	35.76
CENTURY LINK	MONTHLY SERVICE-2020-6-22	31.04
CORNHUSKER INTERNATIONAL TRUCKS	COVER ASM, GAS INDICATOR, BEARINGS, CYLINDER, AXLE GASKETS	1,604.23
COX BUSINESS SERVICES	MONTHLY SERVICE-2020-6-24	107.39
EMPLOYEES BENEFITS SYSTEMS	HEALTH INSURANCE-JUL 2020	17,943.11
FACTORY MOTOR PARTS CO	ENGINE OIL, FILTERS	37.57
FARM PLAN	BOOT KIT, GUARD, COMPRESSOR, FAN CLUTCH	1,971.96
GRAINGER	DISPOSABLE PPE	95.99
INLAND TRUCK PARTS CO	DRIVESHAFT	551.96
J & J SMALL ENGINE SERVICE	SPEED FEED HEAD	32.99
LOGAN CONTRACTORS SUPPLY	PUMP PENDANT	228.54

# MINUTE RECORD

## CLAIMS FOR JULY 21, 2020

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### FLEET MAINTENANCE (cont'd)

MACQUEEN EQUIPMENT, LLC	FRONT BRAKE PAD KIT	428.49
MATHESON TRI-GAS INC	WELDING SUPPLIES	113.13
MENARDS	BATTERIES, DRILL BITS, PIPE, SUPPLIES, LUMBER	813.02
METLIFE GROUP BENEFITS	DENTAL INSURANCE-JUL 2020	457.66
MEYER LABORATORY INC	HAND SOAP	84.00
NAPA AUTO PARTS	OIL SEALS, FILTERS, BEARINGS,FITTINGS, CALIPERS, WATER PUMP, PARTS	379.70
NEBRASKA IOWA INDUSTRIAL FASTENERS	CARRIAGE BOLTS. LOCK NUTS	60.69
OMAHA PUBLIC POWER DISTRICT	MONTHLY SERVICE-2020-6-25	1,406.00
O'REILLY AUTOMOTIVE PARTS	U-JOINT, FLASHER, BATTERIES	91.92
P&M HARDWARE	HYD HOSES, BELTS	731.24
POWERPLAN	BUCKET TEETH PINS AND LOCKS	104.88
SEAGRAVES FIRE APPARATUS, LLC	HOSE REEL MOTOR	504.38
SWAN ENGINEERING	WIPERS, O-RINGS	38.58
TOYNE, INC	120V CONNECTOR	175.05
TRISTAR RISK ENTERPRISE MANAGEMENT	TPA WORK COMP FUNDING-JUN 2020	11,289.00
TRUCK CENTER COMPANIES	HEATER, RELAY, SENSORS, MUFFLER BAND	1,036.77
TURFWERKS	LIFT ARM, CANISTER, PARTS, BELTS	3,063.45
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES	388.47
WALKERS UNIFORM RENTAL	UNIFORM SERVICE	77.40
WELDON PARTS INC	SPEED SENSOR CABLE	54.38
WOODHOUSE FORD SOUTH	PIN	18.08
		<u>\$ 47,331.35</u>

### SOLID WASTE

WASTE CONNECTIONS OF NEBRASKA	TRASH HAULING FEES-JUNE 2020	300,532.12
		<u>\$ 300,532.12</u>

### PLANNING

BLACK HILLS NEBRASKA GAS UTILITY	MONTHLY SERVICE-2020-7-1	2.36
CENTURY LINK	MONTHLY SERVICE-2020-6-22	13.30
EMPLOYEES BENEFITS SYSTEMS	HEALTH INSURANCE-JUL 2020	4,286.59
GRETNA GUIDE & NEWS	LEGAL AD	24.36
MARCO TECHNOLOGIES, LLC	COPIER EXPENSE	152.89
METLIFE GROUP BENEFITS	DENTAL INSURANCE-JUL 2020	98.07
SUBURBAN NEWS ADV	LEGAL AD	20.63
		<u>\$ 4,598.20</u>

### PERMITS & INSPECTIONS

BLACK HILLS NEBRASKA GAS UTILITY	MONTHLY SERVICE-2020-7-1	3.61
CENTURY LINK	MONTHLY SERVICE-2020-6-22	22.17
EMPLOYEES BENEFITS SYSTEMS	HEALTH INSURANCE-JUL 2020	11,758.99
METLIFE GROUP BENEFITS	DENTAL INSURANCE-JUL 2020	261.52
TRISTAR RISK ENTERPRISE MANAGEMENT	TPA WORK COMP FUNDING-JUN 2020	107.22
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES	711.46
		<u>\$ 12,864.97</u>

### POLICE/CODE ENFORCEMENT

A-RELIEF SERVICES	PORTABLE RESTROOM-RANGE	126.00
ATLANCO, LLC	GAS MASK CARRIERS	2,460.00
BELLEVUE FORT CROOK, LLC	K9 RENT-AUG 2020	1,248.00

# MINUTE RECORD

## CLAIMS FOR JULY 21, 2020

PAGE 7

### POLICE/CODE ENFORCEMENT (cont'd)

BELLEVUE FORT CROOK, LLC	K9 RENT-ADD'L FOR JUL 2020	48.00
BLACK HILLS NEBRASKA GAS UTILITY	MONTHLY SERVICE-2020-7-1	65.77
CAPITAL BUSINESS SYSTEMS, INC	COPIER EXPENSE	135.03
CELLEBRITE USA CORP	SOFTWARE RENEWAL AND UPGRADE	6,700.00
CENTURY LINK	MONTHLY SERVICE-2020-6-22	406.05
COX BUSINESS SERVICES	MONTHLY SERVICE-2020-6-24	184.99
DATASOURCE MOBILITY, LLC	CRUISE MDC EQUIPMENT	22,531.61
DIGITAL INTELLIGENCE, INC	FORENSIC WORK STATION	10,916.93
ELEVEN 10 LLC	FIELD MEDICAL SUPPLIES	671.40
EMPLOYEES BENEFITS SYSTEMS	HEALTH INSURANCE-JUL 2020	135,025.63
FEDERAL EXPRESS CORPORATION	SHIPPING CHARGE	31.32
GALLO PROFESSIONAL POLYGRAPH SERVICES, LLC	POLYGRAPH SERVICE	1,050.00
GALL'S, LLC	DUTY BELT GEAR FOR NEW RECRUITS	1,730.17
GOVDIRECT, INC	LAPTOP INPUT CAR ADAPTER, LAPTOP VEHICLE DOCKING	5,344.02
INFOSAFE SHREDDING	SHREDDING SERVICE	180.00
KEEP KIDS ALIVE DRIVE 25	KKAD-25 SIGNS	750.00
LP POLICE	MONTHLY LOCATE PLAN-JUNE 2020	129.95
MATRIX BUSINESS SYSTEMS	COPIER EXPENSE	631.56
MENARDS	SUPPLIES FOR RANGE	34.94
METLIFE GROUP BENEFITS	DENTAL INSURANCE-JUL 2020	3,966.95
NEBRASKA STATE PATROL	FINGERPRINTING OF CONTRACTORS	226.25
QUE TEL CORP	DIGITAL SIGNATURE PADD	2,160.00
RAPID GRAPHICS	BIKE LETTERING FLAGS	277.50
SECRETARY OF STATE	NOTARY FEE-TREINEN	30.00
SETCOM CORP	HELMET MIC REPAIR	417.56
SHELL SUPER STORE	CRUISER WASH	3.75
TRISTAR RISK ENTERPRISE MANAGEMENT	TPA WORK COMP FUNDING-JUN 2020	8,199.95
ULINE	CD LABELS	130.40
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES	8,636.75
VERIZON WIRELESS	MONTHLY SERVICE-2020-6-23	600.15
WATCHGUARD	BODY CAMERAS CHARGING DOCKS	380.00
		<b>\$ 215,430.63</b>

### FIRE & RESCUE

AIRGAS USA, LLC	MEDICAL SUPPLIES	80.93
BLACK HILLS NEBRASKA GAS UTILITY	MONTHLY SERVICE-2020-7-1	60.75
BOUND TREE MEDICAL, LLC	MEDICAL SUPPLIES	303.84
CENTURY LINK	MONTHLY SERVICE-2020-6-22	113.03
COX BUSINESS SERVICES	MONTHLY SERVICE-2020-6-24	576.95
EMPLOYEES BENEFITS SYSTEMS	HEALTH INSURANCE-JUL 2020	71,549.06
MACQUEEN EQUIPMENT, LLC	PUMP AND TANK SKID	9,845.00
MENARDS	CLEANING SUPPLIES	76.59
METLIFE GROUP BENEFITS	DENTAL INSURANCE-JUL 2020	2,222.92
METROPOLITAN UTILITIES DIST	MONTHLY SERVICE-2020-7-6	43.77
OMAHA PUBLIC POWER DISTRICT	MONTHLY SERVICE-2020-6-25	6,344.82
TRAVELERS	AUTO LIABILITY CLAIMS	895.13
TRISTAR RISK ENTERPRISE MANAGEMENT	TPA WORK COMP FUNDING-JUN 2020	611.74
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES	5,102.03
ZIRMED, INC	MONTHLY PROFESSIONAL MGT FEE	123.26
		<b>\$ 97,949.82</b>

# MINUTE RECORD

## CLAIMS FOR JULY 21, 2020

PAGE 8

### NON-DEPARTMENTAL/CONTRACTS

CENTURY LINK	MONTHLY SERVICE-2020-6-19	749.19
COX BUSINESS SERVICES	MONTHLY SERVICE-2020-6-24	430.81
SARPY COUNTY COURT HOUSE	ANIMAL CONTROL-AUG 2020	13,406.75
TASC - TOTAL ADMINISTRATIVE SERVICES CORP	QUARTERLY TASC ADMIN FEE-JUL-SEP 2020	1,104.54
TRISTAR RISK MANAGEMENT	QUARTERLY CLAIMS FEES	3,750.00
		<u>\$ 19,441.29</u>

### INFORMATION TECHNOLOGY

TESSCO	ANTENNAS	88.05
TJ CABLE	LOCATES FOR IT	150.00
		<u>\$ 238.05</u>

### WASTEWATER

CENTURY LINK	MONTHLY SERVICE-2020-6-22	70.09
COX BUSINESS SERVICES	MONTHLY SERVICE-2020-6-24	83.39
ELLIOTT EQUIPMENT CO	PIG TAILS MALE PINS, GAUGE, ROOT CUTTER, SAW SKID, TENSIONER ARM	3,769.48
EMPLOYEES BENEFITS SYSTEMS	HEALTH INSURANCE-JUL 2020	13,233.46
GRAINGER	MARKING PAINT, WAND, FLAGS	208.68
MATRIX BUSINESS SYSTEMS	COPIER EXPENSE	12.59
MENARDS	GASKET MAKER, CONCRETE TOOLS	308.77
METLIFE GROUP BENEFITS	DENTAL INSURANCE-JUL 2020	294.21
METROPOLITAN UTILITIES DIST	MONTHLY SERVICE-2020-7-7	214.25
NAPA AUTO PARTS	OIL	54.96
OMAHA PUBLIC POWER DISTRICT	MONTHLY SERVICE-2020-6-25	3,049.69
TRISTAR RISK ENTERPRISE MANAGEMENT	TPA WORK COMP FUNDING REFUND-JUN 2020	(10,455.48)
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES	1,092.84
		<u>\$ 11,936.93</u>

### COMMUNITY BETTERMENT

OMAHA PUBLIC POWER DISTRICT	MONTHLY SERVICE-2020-6-25	100.32
		<u>\$ 100.32</u>

### COMMUNITY DEVELOPMENT

ABBY HIGHLAND	CBDG CONSULTANT EXPENSES	396.60
GRETNA GUIDE & NEWS	LEGAL ADS	56.15
SUBURBAN NEWS ADV	LEGAL ADS	191.45
		<u>\$ 644.20</u>

### FEDERAL FORFEITURES

VERIZON WIRELESS	MONTHLY SERVICE-2020-6-21	335.63
		<u>\$ 335.63</u>

### G.O. BONDS

CORE BANK TRUST	SID 147-BANKING FEES	625.00
UMB BANK - TRUST OPERATIONS	SID'S BOND PAYMENTS, PAYING AGENT FEES	512,153.75
		<u>\$ 512,778.75</u>

**TOTAL CLAIMS FOR JULY 21, 2020** \$ 1,833,890.00

**TOTAL PAYROLL FOR JULY 10, 2010** \$ 1,084,002.84




8a.  
7/21/2020

## CITY OF BELLEVUE

OFFICE OF THE MAYOR

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

# MEMORANDUM

**TO:** All Council Members  
**FROM:** Rusty Hike, Mayor   
**DATE:** July 14<sup>th</sup>, 2020  
**SUBJECT:** Reappointment to the Bellevue Planning Commission

Please consider the following for reappointment to the Bellevue Planning Commission.

Todd Aerni  
5159 Waterford Ave Circle  
Papillion, NE 68133  
402-981-8365  
He will serve a three (3) year term ending August 2023.

Mike Perrin  
1304 Robinwood Drive  
Bellevue, NE 68005  
402-618-8013  
He will serve a three (3) year term ending August 2023.

Eric Ritz  
2533 Hancock St  
Bellevue, NE 68005  
314-799-9339  
He will serve a three (3) year term ending August 2023.

# Michael G. Perrin

1304 Robinwood Drive, Bellevue, NE 68005

Phone: 402-618-8013 E-Mail: [888stmichael@gmail.com](mailto:888stmichael@gmail.com)

## Profile

In August of 2001 I began my career with the Sarpy County Sheriff's Office. During these 19 years, I have worked in numerous areas of the department including the Juvenile Justice Division, Jail Division, Road Patrol Division, and Investigations Division. While working in these divisions, I have been a member or participated in the Field Training program, Drug Recognition Expert, the Bike Patrol, the Firearms Unit, the Emergency Services Unit, and the Metro Fugitive Task Force. I am also currently the vice-chairman for the Merit Commission.

Beyond the office, I am a father to three amazing boys ages 14, 13, and 11, and I have been married to my wife, Stephanie, for 17 years. One of our boys attends Wake Robin Elementary School, one is at Logan Fontenelle Middle, and our oldest will be starting his freshman year at Bellevue East in August. They are very energetic and participate in several activities throughout the year. I have assisted coaching their summer baseball teams and I look forward to coaching this summer, as well. Our oldest son is playing his fifth year of select baseball and has started his first year of Legion Baseball. I was appointed to the Bellevue Planning Commission in December 2017 and have learned a lot in that role. Also in December 2017, I completed the University of Nebraska-Omaha, Certified Public Manager program.

- Emergency Services Unit/SWAT
- ESU Lead Firearms Instructor
- Field Training Officer
- Firearms Unit
- Bike Patrol
- Bellevue Planning Commission
- Recognition Committee
- Merit Commission
- Field Sobriety Instructor
- Drug Recognition Expert
- Metro Fugitive Task Force
- Certified Public Manager
- 5 Division Commander Recognition Letters
- Unit Commendation
- Unit Citation
- Elman/Fawcett Award Recipient
- Field Training Supervisor

## Experience

### Juvenile Justice Division

**August 2001 to December 2001**

- In August of 2001 I was hired as a deputy for the Sheriff's Office. Because I was a few weeks shy of my 21<sup>st</sup> birthday, I worked in the Juvenile Justice Division for several months. I began training at the Nebraska Law Enforcement Training Center in January of 2002.

### Jail Division

**March 2002 to August 2004**

**March 2016 to August 2018 (Sergeant)**

- After graduating from the academy in March of 2002, I completed the FTO program and was assigned to the Jail division. I served on road patrol during this period from August to November of 2003.
- In 2003 I attended the field training officer class and trained new deputies in the jail.
- In March of 2016 I was promoted to Sergeant and assigned to C shift in the Jail Division. In January of 2018 I moved to B Shift

### **Road Patrol Division**

**August 2004 to March 2010**

**November 2015 to March 2016**

**August 2018 to Present (C shift Sergeant)**

- In August of 2004 I was transferred to the Road Patrol Division where I spent the several years on night shift and then transferred to day shift.
- During my time in the Road Patrol Division, I attended several drug classes and was certified as a DRE and as a Field Sobriety Instructor. I have completed the Leadership in Police Organizations training and have also trained several deputies in the FTO program.
- In August 2018 I was transferred to C shift, where I have had the opportunity to supervise some amazing Deputies.

### **Warrants Unit/ Investigations Division**

**March 2010 to November 2015**

- In March of 2010 I was selected for the Warrants Unit and was also made a part of the Metro Fugitive Task Force.
- I was able to attend several valuable classes through the U.S. Marshals Office to include firearms, CQB building searching, tactical first-aid, legal issues, gang and street crimes, and several more. I also received advanced training in Reid Interview and Interrogation.
- While serving in the Investigations Division I was selected to the ESU team, Firearms Unit, and Bike Patrol. I was also appointed as the ESU team's lead firearms instructor.

## **Recognition/Awards**

### **Division Commanders Recognition**

I have received five Division Commanders Recognition letters. First, for helping to organize a multi-agency warrants sweep. Second, for apprehending a murder suspect in Omaha. Third, for tracking down a wanted felon for a first degree sexual assault who had been on the run for over eight years. My fourth letter came for my time and effort given to the Warrants Unit. Most recently, I received my fifth recognition for assisting in apprehending a robbery suspect at the Wal-Mart on Wickersham Blvd.

### **Unit Commendation**

As a part of the Jose Quintero investigation, a unit commendation was issued to numerous deputies. I was included in this commendation for my contributions to the case.

### **Unit Citation**

As a part of the ESU team, I was awarded a Unit Citation for my part in a stand off at 20714 S. Hwy 50. This incident involved a man was holding his 13-year-old daughter hostage and had been threatening to blow up the house.

### **Michael Elman Ryan Fawcett Award**

At the 2016 FOP Holiday Party I was awarded the Elman/Fawcett award by FOP Lodge 3 for my efforts and commitment to the Sarpy County Sheriff's Office.

# Todd M. Aerni

5159 Waterford Avenue Circle, Papillion, NE 68133 • 402-981-8365 • tmaerni@gmail.com

**Objective** To move the your organization into the future by combining my successful leadership, strong ethics, proven customer service, innovative and proactive public relation skills as a local government manager.

**Experience** Hillcrest Health Services (Facilities Management Director) 2014-Present  
Responsible for developing and implementing systems of maintenance and environmental services for all properties, buildings, grounds, major movable equipment and vehicles that Hillcrest Health Services owns or manages. Provide planning, leadership, coordination and technical direction for company maintenance and environmental services teams through the effective team work of the Administrator, COO and VP of Facility Operations, VP of Home and Community Services, and CFO.

- Business Development
- Coordinating construction and renovation related projects
- Capital planning
- Efficient, effective, and proactive building maintenance and ES programs
- Overseeing grounds maintenance
- Vehicle fleet management
- Consistent and accurate procurement of equipment for building, grounds, maintenance, laundry and housekeeping systems
- Oversight of life safety code compliance related to buildings and grounds

City of Papillion, NE (Chief Building Official) 2007-2014

Responsible for the administration and operation of the City's permits, inspections and code enforcement process through planning, direction, coordination and technical activities and supervision over five employees as they pertain to the zoning, construction, alteration, renovation or repair of all structures and development within the city and surrounding jurisdictions.

- Expanded knowledge of community development & redevelopment
- Multiple municipal facility expansions and renovations
- Wide range of historic preservation knowledge
- Interpret city codes and regulations to owners, private contractors, government officials, businesses, and the general public
- Develop and administer city budget- \$16M General Fund/ \$48M Total
- Develop and administer capital budget
- Streamlined Code Enforcement procedures
- Strategic Planning
- Leadership and IT committee member
- Papillion Day's Parade Coordinator
- Papillion's Downtown Building Guidelines Author (See attached article)
- Papillion's Digital Stop Program Creator & Designer (See attached article)
- Papillion Extreme 5K Creator & Director (See attached article)

City of Lincoln, NE (Plans Examiner/ Building Inspector) 2004-2007

Responsible for review of construction plans to ensure conformance to adopted codes and other ordinances enforced by the City; perform field inspections and enforce municipal code provisions pertaining to public welfare, safety, public nuisance, building, property maintenance and structure design; explains regulations relating to municipal code provisions to the owners, private contractors, and the general public.

- Commercial and residential plan review and inspections
- Customer Service Center
- Expanded knowledge of community development
- Wide range of historic preservation knowledge
- Maintain department archives and records retention

Vantage Pointe Homes (Site Supervisor), Lincoln, NE 2002-2004

Responsible for site coordination on construction projects which included supervision over fifteen employees and multiple sub-contractors; primary responsibility was to ensure that construction occurred according to schedule and within budgetary guidelines without sacrificing quality; communicated time lines and budgetary constraints with all parties responsible for completing a phase of a project.

- Facilitate all permitting, regulatory processes and interaction with local governments, planning departments and building departments throughout the Midwest
- Punch list & Warranty

Lyon Enterprises LLC (Draftsman/ Site Supervisor), Lincoln, NE 2000-2002

Responsible for all drafting related services and for site coordination on construction projects which included multiple sub-contractors; primary responsibility was to ensure that construction occurred according to the design, schedule and within budgetary guidelines without sacrificing quality. Lyon Enterprises consists of four companies in one. Dennis J. Lyon Architects is a full service architectural firm. Lyon Construction provides quality construction and construction management. The Plan Man is a contract drafting service providing residential and commercial plans, and related graphic arts. Keystone Homes designs and builds custom homes.

- Facilitate all permitting, regulatory processes and interaction with local governments, planning departments and building departments
- Commercial and residential drafting
- Finish carpentry
- Punch list & Warranty

**Achievements**

Leadership ICMA Graduate  
ICMA's Senior Executive Institute Graduate  
Leadership Sarpy Graduate  
Sarpy County Swim Club Board Member  
"Suburban 40 under 40" Recipient  
2010 Nebraska Code Official of the year  
Southeast Community College Academic Advisor Committee  
President of Nebraska Code Officials Association

Multiple International Code Council Certifications  
Multiple National Incident Management System (NIMS), Incident Command System (ICS)  
and FEMA Certifications

**Education**

Masters of Public Administration Degree-  
Bellevue University, Bellevue, NE, January 2013

Bachelors of Science Degree in Management-  
Bellevue University, Bellevue, NE, 2010

Associates of Science Degree in Architectural Engineering Technology –  
Southeast Community College, Milford, NE, 2000

**Professional/  
Community  
Activities**

Nebraska Energy Code Collaborative committee member  
American Planning Association member  
International Facilities Management Association member  
Colorado Chapter of the International Code Council member  
American Association of Code Enforcement member  
Nebraska Hunter Education instructor & youth deer hunting mentor  
Habitat for Humanity volunteer  
Youth soccer, basketball, and football coach  
Sarpy County Citizen Corps member

**Interpersonal  
Skills**

Maintain integrity in my public and private life  
Building trust with citizens, customers, and employees  
Leaving a lasting legacy  
Energetic and hands-on

## Lisa Rybar

---

**From:** Eric Ritz <ericwritz@gmail.com>  
**Sent:** Wednesday, July 15, 2020 9:08 AM  
**To:** Lisa Rybar; Tammi Palm; Angela Curry  
**Subject:** Planning Commission Reappointment  
**Attachments:** MVII - Eric Ritz.docx

Lisa,

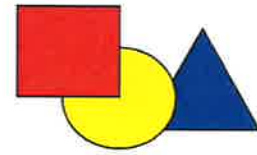
I would like my appointment to the Planning Commission to be renewed. I have attached a resume that I use for bidding federal projects. Please let me know if it is sufficient or if you need any additional information from me. Thank you.

Eric Ritz  
General Manager  
Mark VII Enterprises, Inc.  
314-799-9339

Sent from [Mail](#) for Windows 10

# Eric Ritz

General Manager/PM Estimator Hybrid



MARK VII ENTERPRISES

## Project Role

Provide technical, analytical and support services company wide to ensure that all departments are operating efficiently, meeting standards and achieving goals. Oversee Accounting and ensure that it is supporting other departments so they can make informed decisions. Develop and implement Internal Controls Company Wide. Oversee development and implementation of Safety standards (including COVID-19 requirements) to ensure a safe work place. Oversee Project Managers to ensure projects are progressing and assist where needed. Review company resources and direct additional resources to departments and projects on an as needed basis. Directly bid projects (all stages) and either assign to a Project Manager or oversee directly. Forecast estimates, business climate, upcoming contract opportunities and direct efforts to reduce risk and maximize profits.

## Project Experience

- Belleaire Elem Life/Safety/HVAC Upgrades – BPS – PM
- Park 1 and 4 Awing – CoO - PM
- Lewis & Clark: FPLS Security Upgrades – OPS - PM

## Skills/Certifications

- Davis Bacon Certification and Reporting
- RRP Initial Training (Lead Abatement)
- OSHA 30 HR certificate
- First Aid/CPR Certification
- Advanced Auditing & Governmental Accounting
- Microsoft Office Suite, Basic HTML and Java
- QuickBooks – Contractor Series
- Bluebeam
- RS Means Estimating

## Education

2011 - Creighton University  
Masters of Business Admin

2009 - Creighton University  
Bachelor of Business Admin  
Focus: Accounting

## Experience

Mark VII Enterprises  
General Manager  
2012-Current

Mark VII Enterprises  
Accountant/Bookkeeper  
2010-2012

InfoGroup  
Tax Dept. Intern  
2008-2010

CITY OF BELLEVUE, NEBRASKA  
AGENDA ITEM COVER SHEET

COUNCIL MEETING DATE: 07/21/2020		SUBMITTED BY: Don Preister, City Council President	
AGENDA ITEM:	CONSENT AGENDA <input checked="" type="checkbox"/>	SPECIAL PRESENTATION <input type="checkbox"/>	
LIQUOR LICENSE <input type="checkbox"/>	ORDINANCE <input type="checkbox"/>	PUBLIC HEARING <input type="checkbox"/>	
RESOLUTION <input type="checkbox"/>	CURRENT BUSINESS <input type="checkbox"/>	OTHER <input checked="" type="checkbox"/>	

SUBJECT:

2020-2021 City Budget Review Task Force

SYNOPSIS/BACKGROUND:

As Council President I use authority of Council Policy 16 to appoint a Budget Task Force, BTF, of 3 Council Members, Paul Cook, Thomas Burns and me, Don Preister, along with the Mayor, Finance Director, Administrator. We will work with Department Heads to form the 20/21 annual budget. There will be no fiscal impact of the BTF itself. The BTF will meet as needed to present a balanced annual budget to the public and full Council. They will continue to meet as needed during the upcoming year to monitor progress. The BTF will remain in service until a new BTF is selected for the next budget cycle. To keep the full Council informed and engaged, without violating the Open Meetings Act, I ask that Paul Cook work with Bob Stinson, Thomas Burns work with Kathy Welch and I will work with Pat Shannon directly. The BTF defined task, is the budget's successful passage and carry out. The final BTF report will be the passage of the balanced Budget, then follow up through the end of the budget year completion. I remain available for questions and assistance. Thank you. I ask for passage of this BTF.

FISCAL IMPACT:  BUDGETED FUNDS?:  GRANT/MATCHING FUNDS?:

TRACKING INFORMATION FOR CONTRACTS AND PROJECTS:

IS THIS A CONTRACT?:  COUNTER-PARTY:  INTERLOCAL AGREEMENT:

CONTRACT DESCRIPTION:

CONTRACT EFFECTIVE DATE:  CONTRACT TERM:  CONTRACT END DATE:

PROJECT NAME:

START DATE:  END DATE:  PAYMENT DATE:  INSURANCE REQUIRED:

CIP PROJECT NAME:  CIP PROJECT NUMBER:

STREET DISTRICT NAME (S):  STREET DISTRICT NUMBER (S):

ACCOUNTING DISTRIBUTION CODE:  ACCOUNT NUMBER:

RECOMMENDATION:

Approval of the appointment of the Budget Task Force to work with Department Heads to form the 2020-2021 annual budget and present to the public and full Council.

ATTACHMENTS:

- |  |   |                         |
|--|---|-------------------------|
| 1. <input type="text" value="Letter recommending appointments"/> | 2. <input type="text" value="Council Policy 16"/> | 3. <input type="text"/> |
| 4. <input type="text"/>  | 5. <input type="text"/>                           | 6. <input type="text"/> |

SIGNATURES:

LEGAL APPROVAL AS TO FORM:

FINANCE APPROVAL AS TO FORM:

ADMINISTRATOR APPROVAL AS TO FORM:



## Susan Kluthe

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**From:** Don Preister  
**Sent:** Thursday, July 16, 2020 2:05 PM  
**To:** Susan Kluthe  
**Cc:** Jim Ristow; Richard Severson; Paul Cook; Thomas Burns; Rusty Hike  
**Subject:** agenda item to establish a Budget Task Force, BTF, for 2020-2021

Dear Mayor Rusty Hike, CA Jim Ristow and City Council,

As Council President, I present for your consideration, the continuation, reappointment of a City Budget Task Force, BTF, for the 2020-2021 budget. Authority for doing so lies in Council Policy 16, attached here with the Cover Sheet. For the past two budget cycles this BTF has shown it is useful to the process. The BTF purpose and objective will be to aid in crafting the annual City budget, then monitor it for adherence, during the year. Should any amending be needed during the period of its function, the BTF will make recommendations to the full Council, in conjunction with the Administration and Finance Director. Following Council approval, the BTF will meet as needed to craft, then present a balanced annual budget to the public and full City Council vote for approval. They will meet with Department Directors, City Attorney and others as needed and arranged by the Finance Director. They will remain in service until a new BTF is approved or is no longer deemed needed by the Council. The final report required by policy 16, will be the final passage of the budget itself.

I appoint to the BTF, Council members, Paul Cook, Thomas Burns and Don Preister, along with Finance Director Rich Severson, Mayor Rusty Hike and City Administrator Jim Ristow. These people will constitute the BTF itself, that will work with all Department Directors and others deemed helpful to the budget writing process.

In order to include the full Council membership, without violating the Open Meetings Act, I direct each of the 3 BTF Council members to inform the 3 others. Councilman Cook to Councilman Bob Stinson; Councilman Burns to Councilwoman Kathy Welch; Councilman Preister to Councilman Pat Shannon. These pairings will serve as two way communication into the process, facilitating earlier and increased cooperative budget development. I ask for your approval vote of the BTF.

I am grateful for your time and consideration. Thank you.

Gratefully,  
Don Preister  
Council President, Ward 5

## **POLICY RESOLUTION 16**

### **COUNCIL TASK FORCES**

From time to time it will be beneficial for the City Council to investigate, fact find, seek solutions and remedies to issues of policy or operations of government. To facilitate such efforts, it shall be the policy of the Council to establish Task Forces as working groups.

A Task Force may only be requested by the Mayor or any Council member. The Council shall approve the Task Force, and its defined task and objectives which shall be presented in writing by the Council member requesting the Task Force. The members of a Task Force shall be appointed by the Council member requesting the Task Force and approved by the Council. The members may include up to three (3) Council members and city personnel, if approved by the City Administrator. The Council shall set a start date and a tentative end date for each Task Force.

The City Clerk shall maintain a Task Force file containing all member names and contact information, starting and ending dates, defined task with objectives, final written report and any further action taken by the Council. Task Force members shall be listed on the city's website during the time the Task Force is active.

Upon completion of the defined task, a written report shall be presented at a regular meeting to the Council for review. The Task Force shall be disbanded unless further action is requested and approved by the Council.

Revised & Adopted: 3/16

CITY OF BELLEVUE, NEBRASKA  
AGENDA ITEM COVER SHEET

10a.  
7/21/2020

COUNCIL MEETING DATE: 07/21/2020		SUBMITTED BY: Susan Kluthe, City Clerk	
AGENDA ITEM:	CONSENT AGENDA <input type="checkbox"/>	SPECIAL PRESENTATION <input type="checkbox"/>	
LIQUOR LICENSE <input checked="" type="checkbox"/>	ORDINANCE <input type="checkbox"/>	PUBLIC HEARING <input type="checkbox"/>	
RESOLUTION <input type="checkbox"/>	CURRENT BUSINESS <input type="checkbox"/>	OTHER <input type="checkbox"/>	

SUBJECT:

Recommend approval of a Special Designated Liquor License for Fairview Golf Company Inc. dba "Tregaron Golf Course"

SYNOPSIS/BACKGROUND:

Fairview Golf Company would like to be able to sell beer, wine, and distilled spirits at the Hall of Fame Banquet on August 8, 2020, to be held at the John B Muller Administrative Services Building, Bellevue University, 812 Bruin Blvd, Bellevue, from 5:00 p.m. to 11:00 p.m. SDL Applications are turned in directly to the City Clerk's Office. Application is reviewed by the Police, submitted to the City Council for review and recommendation, and then forwarded to the Nebraska Liquor Control Commission for issuance (if there are no issues).

FISCAL IMPACT: 40.00 BUDGETED FUNDS?: NO GRANT/MATCHING FUNDS?: NO

TRACKING INFORMATION FOR CONTRACTS AND PROJECTS:

IS THIS A CONTRACT?: NO COUNTER-PARTY: INTERLOCAL AGREEMENT: NO

CONTRACT DESCRIPTION:

CONTRACT EFFECTIVE DATE: CONTRACT TERM: CONTRACT END DATE:

PROJECT NAME:

START DATE: END DATE: PAYMENT DATE: INSURANCE REQUIRED: NO

CIP PROJECT NAME: CIP PROJECT NAME:

STREET DISTRICT NAME (S): STREET DISTRICT NUMBER (S):

ACCOUNTING DISTRIBUTION CODE: ACCOUNT NUMBER:

RECOMMENDATION:

Recommend approval of a Special Designated Liquor License for Fairview Golf Company to sell beer, wine, and distilled spirits at the Hall of Fame Banquet on August 8, 2020, to be held at the John B Muller Administrative Services Building, Bellevue University, 812 Bruin Blvd, Bellevue, from 5:00 p.m. to 11:00 p.m.

ATTACHMENTS:

1. SDL Application 2. Police Report 3.   
 4. 5. 6.   
 7. 8. 9.

SIGNATURES:

LEGAL APPROVAL AS TO FORM:

FINANCE APPROVAL AS TO FORM:

ADMINISTRATOR APPROVAL AS TO FORM:

*A. Bree Roblins*  
*Mark Elbert*

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

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

Fairview Golf Company Inc.

Retail Liquor License Name or \*Non-Profit Organization (\*Must include Form #201 as Page 2)

13909 Glengarry Circle Bellevue, NE 68123

Retail Liquor License Address or Non-Profit Business Address

071701 C/K

Retail License Number or Non-Profit Federal ID #

Consecutive Dates only 8/8/2020  
Event Date(s): \_\_\_\_\_

Event Start Time(s): 5 PM \_\_\_\_\_

Event End Time(s): 11 PM \_\_\_\_\_

Alternate Date: N/A

Alternate Location Building & Address: N/A

Event Building Name: John B Muller Administrative Services Building

Event Street Address/City: Bellevue University 812 Bruin BLVD Bellevue, NE 68123

Indoor area to be licensed in length & width: 102' x 88'

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

Type of Event: Hall of Fame Banquet Estimate # of attendees: 100

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

Event Contact Name: Doug Bengston Event Contact Phone Number: 402-292-9300

Event Contact Email: dbengston@tregarongolf.com

\*Signature Authorized Representative:  Printed Name: Doug Bengston

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

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

Local Governing Body completes below:

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

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

**APPLICATION FOR A  
SPECIAL DESIGNATED LIQUOR LICENSE**

**POLICE REPORT**

DATE OF COUNCIL MEETING: 07-21-2020 Due to City Clerk: 07-14-2020

APPLICANT: Fairview Golf Company Inc. dba "Tregaron Golf Course"

LOCATION/ADDRESS: 13909 Glengarry Circle, Bellevue

REQUESTED ACTION: Request for a Special Designated Liquor License to sell beer, wine, and distilled spirits for the Hall of Fame Banquet on Saturday, August 8, 2020 from 5:00 p.m. to 11:00 p.m. at the John B. Muller Administrative Services Bldg, Bellevue University, 812 Bruin Blvd, Bellevue.

COMMENTS:

No objection. 7-7-20  
Capt DA Stutzbach  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CITY OF BELLEVUE, NEBRASKA  
AGENDA ITEM COVER SHEET

10b.  
7/21/2020

COUNCIL MEETING DATE: 07/21/2020		SUBMITTED BY: Susan Kluthe, City Clerk	
AGENDA ITEM:	CONSENT AGENDA <input type="checkbox"/>	SPECIAL PRESENTATION <input type="checkbox"/>	
LIQUOR LICENSE <input checked="" type="checkbox"/>	ORDINANCE <input type="checkbox"/>	PUBLIC HEARING <input checked="" type="checkbox"/>	
RESOLUTION <input type="checkbox"/>	CURRENT BUSINESS <input type="checkbox"/>	OTHER <input type="checkbox"/>	

SUBJECT:

Application for Taco Terraza LLC. dba "Taco Terraza" for Class "I-123771" Liquor License to sell beer, wine, and distilled spirits at 513 Fort Crook Road, Bellevue and Servando Alvarez as Manager  
*(North)*

SYNOPSIS/BACKGROUND:

Taco Terraza LLC dba "Taco Terraza" would like a Class "I-123771" Liquor License to sell beer, wine, and distilled spirits, On Sale Only at 513 Fort Crook Road, Bellevue and for Servando Alvarez as Manager. Applications are turned directly into the NE Liquor Control Commission by the applicant then forwarded on to the City Clerk's Office by the NE Liquor Control Commission. The Clerk publishes a hearing notice and the application is reviewed by the Police, Planning and Clerk and then submitted to the City Council for review and recommendation, and then forwarded to the NE Liquor Control Commission for final approval (if there are no issues).  
*(North)*

FISCAL IMPACT: \$765.00/year      BUDGETED FUNDS?: NO      GRANT/MATCHING FUNDS?: NO

TRACKING INFORMATION FOR CONTRACTS AND PROJECTS:

IS THIS A CONTRACT?: NO      COUNTER-PARTY:      INTERLOCAL AGREEMENT: NO

CONTRACT DESCRIPTION: \_\_\_\_\_

CONTRACT EFFECTIVE DATE: \_\_\_\_\_ CONTRACT TERM: \_\_\_\_\_ CONTRACT END DATE: \_\_\_\_\_

PROJECT NAME: \_\_\_\_\_

START DATE: \_\_\_\_\_ END DATE: \_\_\_\_\_ PAYMENT DATE: \_\_\_\_\_ INSURANCE REQUIRED: NO

CIP PROJECT NAME: \_\_\_\_\_ CIP PROJECT NUMBER: \_\_\_\_\_

STREET DISTRICT NAME (S): \_\_\_\_\_ STREET DISTRICT NUMBER (S): \_\_\_\_\_

ACCOUNTING DISTRIBUTION CODE: \_\_\_\_\_ ACCOUNT NUMBER: \_\_\_\_\_

RECOMMENDATION:

Recommend approval of application of Taco Terraza LLC dba "Taco Terraza" for a Class "I-123771" Liquor License at 513 Fort Crook Road, Bellevue and for Servando Alvarez as Manager  
*(North)*

ATTACHMENTS:

- |                  |                   |                    |
|------------------|-------------------|--------------------|
| 1. Application   | 2. Clerk's Report | 3. Planning Report |
| 4. Police Report | 5. _____          | 6. _____           |

SIGNATURES:

LEGAL APPROVAL AS TO FORM: \_\_\_\_\_

FINANCE APPROVAL AS TO FORM: \_\_\_\_\_

ADMINISTRATOR APPROVAL AS TO FORM: \_\_\_\_\_

*A. Bree Roblins*  
*Mark Elbert*

**APPLICATION FOR LIQUOR LICENSE  
CHECKLIST - RETAIL**

NEBRASKA LIQUOR CONTROL COMMISSION  
301 CENTENNIAL MALL SOUTH  
PO BOX 95046  
LINCOLN, NE 68509-5046  
PHONE: (402) 471-2571  
FAX: (402) 471-2814  
Website: www.lcc.nebraska.gov

<p><b>RECEIVED</b></p> <p>JUN 12 2020</p> <p><b>NEBRASKA LIQUOR CONTROL COMMISSION</b></p>		
Hot List: YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> New/Replacing #	
Class Type <b>I</b>	<b>123771</b>	Initial <b>BR</b>


Applicant name ~~Servando Daniel Alvarez & Sandra Ornelas~~ Taco Terraza LLC

Trade name Taco Terraza

Previous trade name N/A

Contact email address sannddy64@hotmail.com

Provide all the items requested. Failure to provide any item will cause this application to be returned or placed on hold. All documents must be legible. Any false statement or omission may result in the denial, suspension, cancellation or revocation of your license. If your operation depends on receiving a liquor license, the Nebraska Liquor Control Commission cautions you that if you purchase, remodel, start construction, spend or commit money that you do so at your own risk. Prior to submitting your application review the application carefully to ensure that all sections are complete, and that any omissions or errors have not been made. You may want to check with the city/village or county clerk, where you are making application, to see if any additional requirements must be met before submitting application to the Nebraska Liquor Control Commission.

<p>Office use only</p> <p>PAYMENT TYPE <u>ck 1011</u></p> <p>AMOUNT: <u>400</u></p> <p>Received: <u>BR</u></p>	 <p>2000006035</p>
--	--

RECEIVED

FOR 1000  
REV FEB 2017  
PAGE 1

1.  Fingerprints are required for each person as defined in new application guide, found on our website under "Licensing Tab" in "Guidelines/Brochures". See Form 147 for further information, this form **MUST** be included with your application.
2.  Enclose application fee of \$400 (nonrefundable), check made payable to the Nebraska Liquor Control Commission or you may pay online at PAYPORT.
3.  Enclose the appropriate application forms;
  - Individual License (requires insert form 1)
  - Partnership License (requires insert form 2)
  - Corporate License (requires insert form 3a & 3c)
  - Limited Liability Company (LLC) (requires form 3b & 3c)
4.  If building is being leased send a copy of signed lease. Be sure the lease reads in the name of the individual(s), corporation or Limited Liability Company (LLC) making application. Lease term must run through the license year being applied for.
5.  If building is owned or being purchased send a copy of the deed or purchase agreement in the name of the applicant.
6.  If buying the business of a current liquor license holder:
  - a. Provide a copy of the purchase agreement from the seller (must read applicants name)
  - b. Provide a copy of alcohol inventory being purchased (must include brand names and container size)
  - c. Enclose a list of the assets being purchased (furniture, fixtures and equipment)
7.  If requesting to operate on current liquor license; enclose Temporary Operating Permit (TOP) (Form 125).
8.  Enclose a list of any inventory or property owned by other parties that are on the premises.
9.  For citizenship enclose U.S. birth certificate; U.S. passport or naturalization paper
  - a. For residency enclose proof of registered voter in Nebraska
  - b. If permanent resident include Employment Authorization Card or Permanent Resident Card
  - c. See guideline for further assistance
10.  Corporation or Limited Liability Company (LLC) must enclose a copy of articles of incorporation; as filed with the Secretary of State's Office.
11.  Submit a copy of your business plan.

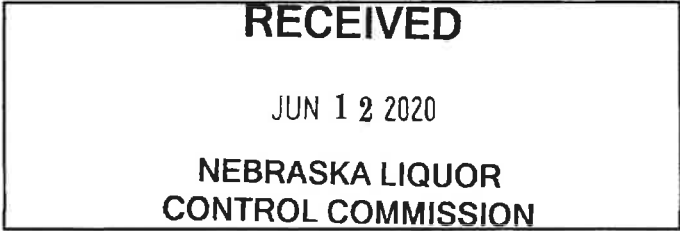
**I acknowledge that this application is not a guarantee that a liquor license will be issued to me, and that the average processing period is 60 days. Furthermore, I understand that all the information is truthful and I accept all responsibility for any false documents.**

*Jose S. Hernandez Norez*  
 Signature

06/10/20  
 Date

**APPLICATION FOR LIQUOR LICENSE  
RETAIL**

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



**RETAIL LICENSE(S)**

- A BEER, ON SALE ONLY
- B BEER, OFF SALE ONLY
- C BEER, WINE, DISTILLED SPIRITS, ON AND OFF SALE
- D BEER, WINE, DISTILLED SPIRITS, OFF SALE ONLY
- I BEER, WINE, DISTILLED SPIRITS, ON SALE ONLY
- J LIMITED ALCOHOLIC LIQUOR, OFF SALE – MUST INCLUDE SUPPLEMENTAL FORM 120
- AB BEER, ON AND OFF SALE
- AD BEER ON SALE ONLY, BEER, WINE, DISTILLED SPIRITS OFF SALE
- IB BEER, WINE, DISTILLED SPIRITS ON SALE, BEER OFF SALE ONLY

Class K Catering license (requires catering application form 106) \$100.00

Additional fees will be assessed at city/village or county level when license is issued

Class C license term runs from November 1 – October 31  
All other licenses run from May 1 – April 30  
Catering license (K) expires same as underlying retail license

**CHECK TYPE OF LICENSE FOR WHICH YOU ARE APPLYING**

- Individual License (requires insert 1 FORM 104)
- Partnership License (requires insert 2 FORM 105)
- Corporate License (requires insert 3a FORM 101 & 3c FORM 103)
- Limited Liability Company (LLC) (requires form 3b FORM 102 & 3c FORM 103)

Name N/A Phone number: N/A

Firm Name N/A



Trade Name (doing business as) Taco Terraza

Street Address #1 513 Fort Crook Rd.

Street Address #2 ~~3506 Faulk Ave.~~

City Bellevue County Sarpy Zip Code 68147

Premises Telephone number (402) 972-0647

Business e-mail address sannddy64@hotmail.com

Is this location inside the city/village corporate limits: YES  NO

Mailing address (where you want to receive mail from the Commission)


Name Sandra Ornelas

Street Address #1 3506 Faulk Ave.

Street Address #2 513 Fort Crook Rd.

City Bellevue State NE Zip Code 68147



In the space provided or on an attachment draw the area to be licensed. This should include storage areas, basement, outdoor area, sales areas and areas where consumption or sales of alcohol will take place. If only a portion of the building is to be covered by the license, you must still include dimensions (length x width) of the licensed area as well as the dimensions of the entire building. No blue prints please. 

\*\*For on premises consumption liquor licenses minimum standards must be met by providing at least two restrooms

Building: length 85 x width 30 in feet  
Is there a basement? Yes  No  If yes, length        x width        in feet  
Is there an outdoor area? Yes  No  If yes, length 25 x width 29 in feet

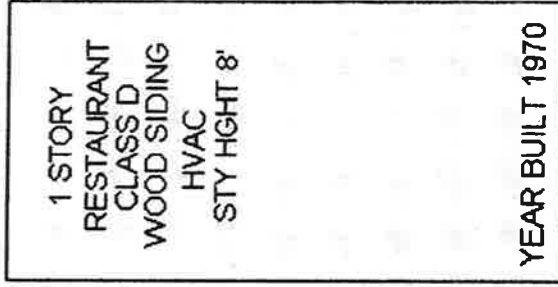
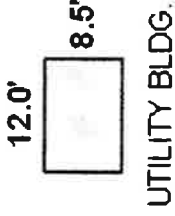
PROVIDE DIAGRAM OF AREA TO BE LICENSED BELOW OR ATTACH SEPARATE SHEET

**Income Source Table**

Source	Source Description	Units	Mrkt/Unit	Market
350	RESTAURANT SIT DOWN	1800	10.00	18,000



CONCRETE SLAB 657 SF  
 ASPHALT PARKING 12,303 SF



24.0' Patio

29.0'

**1. READ CAREFULLY. ANSWER COMPLETELY AND ACCURATELY §53-125(5)**

Has anyone who is a party to this application, or their spouse,            been convicted of or plead guilty to any charge. Charge means any charge alleging a felony, misdemeanor, violation of a federal or state law; a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name.                                   . Commission must be notified of any arrests and/or convictions that may occur after the date of signing this application.

           YES  NO

If yes, please explain below or attach a separate page

Name of Applicant	Date of Conviction (mm/yyyy)	Where Convicted (city & state)	Description of Charge	Disposition

2. Are you buying the business of a current retail liquor license?

           YES  NO

If yes, give name of business and liquor license number \_\_\_\_\_

- a) Submit a copy of the sales agreement
- b) Include a list of alcohol being purchased, list the name brand, container size and how many
- c) Submit a list of the furniture, fixtures and equipment

3. Was this premise licensed as liquor licensed business within the last two (2) years?

           YES  NO

If yes, give name and license number \_\_\_\_\_

4. Are you filing a temporary operating permit (TOP) to operate during the application process?

YES  NO

If yes:

- a) Attach temporary operating permit (TOP) (Form 125)
- b) TOP will only be accepted at a location that currently holds a valid liquor license.

5. Are you borrowing any money from any source, include family or friends, to establish and/or operate the business?

YES  NO

If yes, list the lender(s) \_\_\_\_\_

6. Will any person or entity, other than applicant, be entitled to a share of the profits of this business?

YES  NO

If yes, explain. (all involved persons must be disclosed on application)

---

**No silent partners**

7. Will any of the furniture, fixtures and equipment to be used in this business be owned by others?

YES  NO

If yes, list such item(s) and the owner. \_\_\_\_\_

8. Is premises to be licensed within 150 feet of a church, school, hospital, home for the aged or indigent persons or for veterans, their wives, and children, or within 300 feet of a college or university campus?

YES  NO

If yes, provide name and address of such institution and where it is located in relation to the premises (Neb. Rev. Stat. 53-177)(1)

Provide letter of support or opposition, see FORM 134 – church or FORM 135 - campus

---

9. Is anyone listed on this application a law enforcement officer?

YES  NO

If yes, list the person, the law enforcement agency involved and the person's exact duties.

---

10. List the primary bank and/or financial institution (branch if applicable) to be utilized by the business.

a) List the individual(s) who will be authorized to write checks and/or withdrawals on accounts at this institution.

First National Bank—Taco Terraza LLC - Sandra & Servando

---

11. List all past and present liquor licenses held in Nebraska or any other state by any person named in this application. Include license holder name, location of license and license number. Also list reason for termination of any license(s) previously held.

N/A

12. List the alcohol related training and/or experience (when and where) of the person(s) making application. Those persons required are listed as followed:

- Individual: Applicant and spouse; spouse is exempt if they filed Form 116 – Affidavit of Non-Participation.
- Partnership: All partners and spouses, spouses are exempt if they filed Form 116 – Affidavit of Non-Participation.
- Limited Liability Company: All member of LLC, Manager and all spouses; spouses are exempt if they filed Form 116 – Affidavit of Non-Participation.
- Corporation: President, Stockholders holding 25% or more of shares, Manager and all spouses; spouses are exempt if they filed Form 116 – Affidavit of Non-Participation.

NLCC certified training program completed:

Applicant Name	Date (mm/yyyy)	Name of program (attach copy of course completion certificate)
Servando, D. Alvarez	06/2020	FBSR/rbst
Ornelas, P. Sandra	06/2020	FBSR/rbst

List of NLCC certified training programs

Experience:

Applicant Name/Job Title	Date of Employment:	Name & Location of Business
N/A	N/A	N/A

13. If the property for which this license is sought is owned, submit a copy of the deed, or proof of ownership. If leased, submit a copy of the lease covering the entire license year. **Documents must show title or lease held in name of applicant as owner or lessee in the individual(s) or corporate name for which the application is being filed.**

Lease: expiration date \_\_\_\_\_  
 Deed \_\_\_\_\_  
 Purchase Agreement

14. When do you intend to open for business? August 1st, 2020

15. What will be the main nature of business? Fast Food Restaurant

16. What are the anticipated hours of operation? 7am.-9pm.

17. List the principal residence(s) for the past 10 years for all persons required to sign, including spouses.

RESIDENCES FOR THE PAST 10 YEARS, APPLICANT AND SPOUSE MUST COMPLETE					
APPLICANT: CITY & STATE	YEAR		SPOUSE: CITY & STATE	YEAR	
	FROM	TO		FROM	TO
Servando, Bellevue, NE.	15	20	Sandra, Bellevue, NE.	15	20
Servando, Omaha, NE.	09	15	Sandra, Omaha, NE.	09	15

If necessary attach a separate sheet.

The undersigned applicant(s) hereby consent(s) to an investigation of his/her background and release present and future records of every kind and description including police records, tax records (State and Federal), and bank or lending institution records, and said applicant(s) and spouse(s) waive(s) any right or causes of action that said applicant(s) or spouse(s) may have against the Nebraska Liquor Control Commission, the Nebraska State Patrol, and any other individual disclosing or releasing said information. Any documents or records for the proposed business or for any partner or stockholder that are needed in furtherance of the application investigation of any other investigation shall be supplied immediately upon demand to the Nebraska Liquor Control Commission or the Nebraska State Patrol. The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete, inaccurate or fraudulent.

Individual applicants agree to supervise in person the management and operation of the business and that they will operate the business authorized by the license for themselves and not as an agent for any other person or entity. Corporate applicants agree the approved manager will superintend in person the management and operation of the business. Partnership applicants agree one partner shall superintend the management and operation of the business. All applicants agree to operate the licensed business within all applicable laws, rules, regulations, and ordinances and to cooperate fully with any authorized agent of the Nebraska Liquor Control Commission.

**Applicant Notification and Record Challenge:** Your fingerprints will be used to check the criminal history records of the FBI. You have the opportunity to complete or challenge the accuracy of the information contained in FBI identification record. The procedures for obtaining a change, correction, or updating an FBI identification record are set forth in Title 28, CFR, 16.34.

Must be signed in the presence of a notary public by applicant(s) and spouse(s). See guideline for required signatures

  
\_\_\_\_\_  
Signature of Applicant

Servando Daniel Alvarez  
\_\_\_\_\_  
Print Name

  
\_\_\_\_\_  
Signature of Spouse

Sandra Ornelas  
\_\_\_\_\_  
Print Name

  
\_\_\_\_\_  
Signature of Applicant

Sandra Ornelas  
\_\_\_\_\_  
Print Name

  
\_\_\_\_\_  
Signature of Spouse

Servando Daniel Alvarez  
\_\_\_\_\_  
Print Name

ACKNOWLEDGEMENT

*Covid-19*

State of Nebraska  
County of \_\_\_\_\_

The foregoing instrument was acknowledged before me this

\_\_\_\_\_ by \_\_\_\_\_  
date

name of person(s) acknowledged (individual(s) signing)

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



In compliance with the ADA, this application is available in other formats for persons with disabilities. A ten day advance period is required in writing to produce the alternate format.

**APPLICATION FOR LIQUOR LICENSE  
LIMITED LIABILITY COMPANY (LLC)  
INSERT - FORM 3b**

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

Office Use

All members including spouse(s), are required to adhere to the following requirements:

- 1) All members spouse(s) must be listed
- 2) Managing/Contact member and all members holding over 25% interest and their spouse(s) (if applicable) must submit fingerprints. See Form 147 for further information, this form MUST be included with your application.
- 3) Managing/Contact member and all members holding over 25 % shares of stock and their spouse (if applicable) must sign the signature page of the Application for License form 100 (even if a spousal affidavit has been submitted)

Attach copy of Articles of Organization (must show electronic stamp or barcode receipt by Secretary of States office)

Name of Registered Agent: Servando Alvarez

Name of Limited Liability Company that will hold license as listed on the Articles of Organization

Taco Terraza LLC

513 Fort Crook Rd.

LLC Address: \_\_\_\_\_

Bellevue

NE

68147

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

(402) 972-0647

N/A

LLC Phone Number: \_\_\_\_\_ LLC Fax Number: \_\_\_\_\_

Name of Managing/Contact Member

Name and information of contact member must be listed on following page

Alvarez

Servando

D.

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ MI: \_\_\_\_\_

3506 Faulk Ave.

Bellevue

Home Address: \_\_\_\_\_ City: \_\_\_\_\_

NE

68147

(402) 9720647

State: \_\_\_\_\_ Zip Code: \_\_\_\_\_ Home Phone Number: \_\_\_\_\_

Servando Alvarez

Signature of Managing/Contact Member

*Waived Covid-19*

**ACKNOWLEDGEMENT**

State of Nebraska

County of \_\_\_\_\_

The foregoing instrument was acknowledged before me this

by \_\_\_\_\_

Date \_\_\_\_\_

name of person acknowledge

Affix Seal

List names of all members and their spouses (even if a spousal affidavit has been submitted)

Last Name: Alvarez First Name: Servando MI: D.  
Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
Spouse Full Name (indicate N/A if single): Sandra Ornelas  
Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
Percentage of member ownership 50%

---

Last Name: Ornelas First Name: Sandra MI: P.  
Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
Spouse Full Name (indicate N/A if single): Servando Daniel Alvarez  
Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
Percentage of member ownership 50%

---

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ MI: \_\_\_\_\_  
Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
Spouse Full Name (indicate N/A if single): \_\_\_\_\_  
Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
Percentage of member ownership \_\_\_\_\_

---

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ MI: \_\_\_\_\_  
Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
Spouse Full Name (indicate N/A if single): \_\_\_\_\_  
Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
Percentage of member ownership \_\_\_\_\_

List names of all members and their spouses (even if a spousal affidavit has been submitted)

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ MI: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Spouse Full Name (indicate N/A if single): \_\_\_\_\_

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Percentage of member ownership \_\_\_\_\_

---

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ MI: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Spouse Full Name (indicate N/A if single): \_\_\_\_\_

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Percentage of member ownership \_\_\_\_\_

---

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ MI: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Spouse Full Name (indicate N/A if single): \_\_\_\_\_

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Percentage of member ownership \_\_\_\_\_

---

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ MI: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Spouse Full Name (indicate N/A if single): \_\_\_\_\_

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Percentage of member ownership \_\_\_\_\_

---

Is the applying Limited Liability Company controlled by another corporation/company?

YES

NO

If yes, provide the following:

- 1) Name of corporation \_\_\_\_\_
- 2) Supply an organizational chart of the controlling corporation named above
- 3) Controlling corporation **MUST** be registered with the Nebraska Secretary of State, copy of articles must be submitted with application §53-126

Indicate the company's tax year with the IRS (Example January through December)

4/2020

7/2020

Starting Date: \_\_\_\_\_ Ending Date: \_\_\_\_\_

Is this a Non Profit Corporation?

YES

NO

8 4 - 4 7 6 6 9 9 6

If yes, provide the Federal ID #. \_\_\_\_\_

# Nebraska Secretary of State

## TACO TERRAZA, LLC

Fri Jun 12 14:06:32 2020

**SOS Account Number**

2002034310

**Status**

Active

**Principal Office Address**

No address on file

**Registered Agent and Office Address**

SERVANDO D ALVAREZ MORA

513 FORT CROOK RD N

BELLEVUE, NE 68005

**Designated Office Address**

513 FORT CROOK RD N

BELLEVUE, NE 68005

**Nature of Business**

Not Available

**Entity Type**

Domestic LLC

Qualifying State: NE

**Date Filed**

Feb 13 2020

### Filed Documents

Filed documents for TACO TERRAZA, LLC may be available for purchase and downloading by selecting the Purchase Now button. Your Nebraska.gov account will be charged the indicated amount for each item you view. If no Purchase Now button appears, please contact Secretary of State's office to request document(s).

Document	Date Filed	Price	
Certificate of Organization	Feb 13 2020	\$0.90 = 2 page(s) @ \$0.45 per page	<a href="#">Purchase Now</a>

### Good Standing Documents

- If you need your Certificate of Good Standing Apostilled or Authenticated for use in another country, you must contact the Nebraska Secretary of State's office directly for information and instructions. Documents obtained from this site cannot be Apostilled or Authenticated.

**Online Certificate of Good Standing with Electronic Validation**

**\$6.50**

This certificate is available for immediate viewing/printing from your desktop. A Verification ID is provided on the certificate to validate authenticity online at the Secretary of State's website.

[Purchase Now](#)

**Certificate of Good Standing - USPS Mail Delivery**

**\$10.00**

This is a paper certificate mailed to you from the Secretary of State's office within 2-3 business days.

**MANAGER APPLICATION  
INSERT - FORM 3c**

NEBRASKA LIQUOR CONTROL COMMISSION  
301 CENTENNIAL MALL SOUTH  
PO BOX 95046  
LINCOLN, NE 68509-5046  
PHONE: (402) 471-2571  
FAX: (402) 471-2814  
Website: www.lcc.nebraska.gov

Office Use

**RECEIVED**

JUN 12 2020

NEBRASKA LIQUOR  
CONTROL COMMISSION

**FORM MUST BE COMPLETELY FILLED OUT IN ORDER FOR APPLICATION TO BE PROCESSED**

**MANAGER MUST:**

- Complete all sections of the application. Be sure it is signed by a **member or corporate officer**, corporate officer or member must be an individual on file with the Liquor Control Commission
- Fingerprints are required. See form 147 for further information, read form carefully to avoid delays in processing, this form **MUST** be included with your application.
- Provide a copy of one of the following: US birth certificate, naturalization papers or current US passport (even if you have provided this before)
- Be a registered voter in the State of Nebraska, include a copy of voter card or print document from Secretary of State website with application

Spouse who **will not** participate in the business, **spouse must:**

- Complete the Spousal Affidavit of Non Participation Insert (must be notarized). The non-participating spouse completes the top half; the manager completes the bottom half. **Be sure to complete both halves of this form.**
- Need not answer question #1 of the application

Spouse who **will** participate in the business, the **spouse must:**

- Sign the application
- Fingerprints are required. See form 147 for further information, read form carefully to avoid delays in processing, this form **MUST** be included with your application.
- Provide a copy of one of the following: birth certificate, naturalization papers or current US passport (even if you have provided this before)
- Be a registered voter in the state of Nebraska, include a copy of voter card with application
- Spousal Affidavit of Non Participation Insert **not** required

BARCODE

**MANAGER APPLICATION  
INSERT - FORM 3c**

NEBRASKA LIQUOR CONTROL COMMISSION  
301 CENTENNIAL MALL SOUTH  
PO BOX 95046  
LINCOLN, NE 68509-5046  
PHONE: (402) 471-2571  
FAX: (402) 471-2814  
Website: www.lcc.nebraska.gov

Office Use
<b>RECEIVED</b>
JUN 12 2020
<b>NEBRASKA LIQUOR CONTROL COMMISSION</b>

**MUST BE:**

- ✓ Include copy of US birth certificate, naturalization paper or current US passport
- ✓ Nebraska resident. Include copy of voter registration card or print out document from Secretary of State website
- ✓ Fingerprinted. See form 147 for further information, read form carefully to avoid delays in processing, this form **MUST** be included with your application
- ✓ 21 years of age or older



Taco Terraza

Name of Corporation/LLC: \_\_\_\_\_



Liquor License Number: \_\_\_\_\_ Class Type \_\_\_\_\_ (if new application leave blank)

Premise Trade Name/DBA: Taco Terraza

Premise Street Address: \_\_\_\_\_

City: Bellevue County: Sarpy Zip Code: 68147

Premise Phone Number: 402-972-0647

Premise Email address: sandy64@hotmail.com

**The individual whose name is listed as a corporate officer or managing member as reported on insert form 3a or 3b or listed with the Commission. To see authorized officers or members search your license information here.**



(Faxed signatures are acceptable)

**Manager's information must be completed below PLEASE PRINT CLEARLY**

Last Name: Alvarez First Name: Servando MI: D.

Home Address: 3506 Faulk Ave.

City: Bellevue County: Sarpy Zip Code: 68147

Home Phone Number: \_\_\_\_\_

Driver's License Number & State: \_\_\_\_\_

Social Security Number: \_\_\_\_\_

Date Of Birth: \_\_\_\_\_ Place Of Birth: Mexico

Email address: sannddy64@hotmail.com

Are you married? If yes, \_\_\_\_\_

YES  NO

Spouse's Name: \_\_\_\_\_

Spouses Last Name: Ornelas First Name: Sandra MI: P.

Social Security Number: \_\_\_\_\_

Driver's License Number & State: \_\_\_\_\_

Date Of Birth: \_\_\_\_\_ Place Of Birth: Mexico

\_\_\_\_\_

CITY & STATE	YEAR FROM	YEAR TO	CITY & STATE	YEAR FROM	YEAR TO
Bellevue, NE	2015	2020	Bellevue, NE	2015	2020
Omaha, NE	2009	2015	Omaha, NE	2009	2015

YEAR FROM TO		NAME OF EMPLOYER	NAME OF SUPERVISOR	TELEPHONE NUMBER
2016	2020	Clark Drywall	Bryan Clark	(402) 657-7242
2012	2016	E & K	Pat Logan	(402) 895-3777

**1. READ CAREFULLY. ANSWER COMPLETELY AND ACCURATELY.**

**Must be completed by both applicant and spouse, unless spouse has filed an affidavit of non-participation.**

Has anyone who is a party to this application, or their spouse, [REDACTED] been convicted of or plead guilty to any charge. Charge means any charge alleging a felony, misdemeanor, violation of a federal or state law; a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea, [REDACTED]. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name. Commission must be notified of any arrests and/or convictions that may occur after the date of signing this application.

YES       NO

If yes, please explain below or attach a separate page.

Name of Applicant	Date of Conviction (mm/yyyy)	Where Convicted (City & State)	Description of Charge	Disposition

2. Have you or your spouse ever been approved or made application for a liquor license in Nebraska or any other state?

YES       NO

**IF YES, list the name of the premise(s):**

---

3. Do you, as a manager, qualify under Nebraska Liquor Control Act (§53-131.01) and do you intend to supervise, in person, the management of the business?

YES       NO

4. List the alcohol related training and/or experience (when and where) of the person making application.

6/10/20

Servando Daniel Alvarez

\*NLCC Training Certificate Issued: \_\_\_\_\_ Name on Certificate: \_\_\_\_\_

Applicant Name	Date (mm/yyyy)	Name of program (attach copy of course completion certificate)
Servando Daniel Alvarez	06/10/20	Responsible Beverage Service Training
Sandra Ornelas	06/11/20	Responsible Beverage Service Training

\*For list of NLCC Certified Training Programs see training

Experience:

Applicant Name / Job Title	Date of Employment:	Name & Location of Business:
N/A	N/A	N/A

5. Have you enclosed form 147 regarding fingerprints?

YES

NO

The above individual(s), being first duly sworn upon oath, deposes and states that the undersigned is the applicant and/or spouse of applicant who makes the above and foregoing application that said application has been read and that the contents thereof and all statements contained therein are true. If any false statement is made in any part of this application, the applicant(s) shall be deemed guilty of perjury and subject to penalties provided by law. (Sec §53-131.01) Nebraska Liquor Control Act.

The undersigned applicant hereby consents to an investigation of his/her background including all records of every kind and description including police records, tax records (State and Federal), and bank or lending institution records, and said applicant and spouse waive any rights or causes of action that said applicant or spouse may have against the Nebraska Liquor Control Commission and any other individual disclosing or releasing said information to the Nebraska Liquor Control Commission. If spouse has NO interest directly or indirectly, a spousal affidavit of non-participation may be attached.

The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete, inaccurate, or fraudulent.

***Applicant Notification and Record Challenge:*** Your fingerprints will be used to check the criminal history records of the FBI. You have the opportunity to complete or challenge the accuracy of the information contained in FBI identification record. The procedures for obtaining a change, correction, or updating an FBI identification record are set forth in Title 28, CFR, 16.34.

Servando Alvarez  
Signature of Manager Applicant

[Signature]  
Signature of Spouse

ACKNOWLEDGEMENT

State of Nebraska  
County of \_\_\_\_\_ The foregoing instrument was acknowledged before me this

\_\_\_\_\_ by \_\_\_\_\_  
date NAME OF PERSON BEING ACKNOWLEDGED

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

Affix Seal

Covid-19

In compliance with the ADA, this application is available in other formats for persons with disabilities. A ten day advance period is required in writing to produce the alternate format.

**PRIVACY ACT STATEMENT/  
SUBMISSION OF FINGERPRINTS /  
PAYMENT OF FEES TO NSP-CID**

NEBRASKA LIQUOR CONTROL COMMISSION  
301 CENTENNIAL MALL SOUTH  
PO BOX 95046  
LINCOLN, NE 68509-5046  
PHONE: (402) 471-2571  
FAX: (402) 471-2814  
Website: www.lcc.nebraska.gov



**THIS FORM IS REQUIRED TO BE SIGNED BY EACH PERSON BEING FINGERPRINTED:**

**DIRECTIONS FOR SUBMITTING FINGERPRINTS AND FEE PAYMENTS:**

- FAILURE TO FILE FINGERPRINT CARDS AND PAY THE REQUIRED FEE TO THE NEBRASKA STATE PATROL WILL DELAY THE ISSUANCE OF YOUR LIQUOR LICENSE
- Fee payment of \$45.25 per person **MUST** be made **DIRECTLY** to the Nebraska State Patrol;  
It is recommended to make payment through the NSP PayPort online system at [www.ne.gov/go/nsp](http://www.ne.gov/go/nsp)  
Or a check made payable to NSP can be mailed directly to the following address:  
\*\*\*Please indicate on your payment who the payment is for (the name of the person being fingerprinted) and the payment is for a Liquor License\*\*\*  
The Nebraska State Patrol – CID Division  
3800 NW 12<sup>th</sup> Street  
Lincoln, NE 68521
- Fingerprints taken at NSP LIVESCAN locations will be forwarded to NSP – CID  
*Applicant(s) will not have cards to include with license application.*
- Fingerprints taken at local law enforcement offices may be released to the applicants;  
*Fingerprint cards should be submitted with the application.*

*Applicant Notification and Record Challenge: Your fingerprints will be used to check the criminal history records of the FBI. You have the opportunity to complete or challenge the accuracy of the information contained in FBI identification record. The procedures for obtaining a change, correction, or updating a FBI identification record are set forth in Title 28, CFR, 16.34.*

Trade Name: Taco Terraza

Name of Person Bring Fingerprinted: Servando Daniel Alvarez

Date of Birth: \_\_\_\_\_ Last 4 SSN: \_\_\_\_\_ Date fingerprints were taken: 6/10/2020

Location where fingerprints were taken: 1510 Wall St, Bellevue, NE. 68005

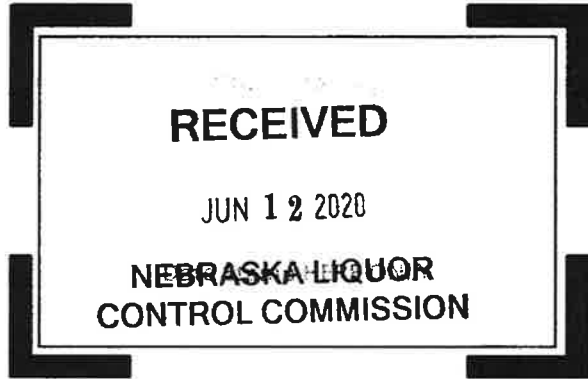
How was payment made to NSP?  
 NSP PAYPORT  CASH  CHECK SENT TO NSP CK # 1012

My fingerprints are already on file with the commission – fingerprints completed for a previous application less than 2 years ago? YES

Servando Alvarez  
SIGNATURE REQUIRED OF PERSON BEING FINGERPRINTED

**PRIVACY ACT STATEMENT/  
SUBMISSION OF FINGERPRINTS /  
PAYMENT OF FEES TO NSP-CID**

NEBRASKA LIQUOR CONTROL COMMISSION  
301 CENTENNIAL MALL SOUTH  
PO BOX 95046  
LINCOLN, NE 68509-5046  
PHONE: (402) 471-2571  
FAX: (402) 471-2814  
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**DIRECTIONS FOR SUBMITTING FINGERPRINTS AND FEE PAYMENTS:**

- FAILURE TO FILE FINGERPRINT CARDS AND PAY THE REQUIRED FEE TO THE NEBRASKA STATE PATROL WILL DELAY THE ISSUANCE OF YOUR LIQUOR LICENSE
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It is recommended to make payment through the NSP PayPort online system at [www.ne.gov/go/nsp](http://www.ne.gov/go/nsp)  
Or a check made payable to NSP can be mailed directly to the following address:  
\*\*\*Please indicate on your payment who the payment is for (the name of the person being fingerprinted) and the payment is for a Liquor License\*\*\*  
The Nebraska State Patrol – CID Division  
3800 NW 12<sup>th</sup> Street  
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- Fingerprints taken at NSP LIVESCAN locations will be forwarded to NSP – CID  
*Applicant(s) will not have cards to include with license application.*
- Fingerprints taken at local law enforcement offices may be released to the applicants;  
*Fingerprint cards should be submitted with the application.*

***Applicant Notification and Record Challenge:*** Your fingerprints will be used to check the criminal history records of the FBI. You have the opportunity to complete or challenge the accuracy of the information contained in FBI identification record. The procedures for obtaining a change, correction, or updating a FBI identification record are set forth in Title 28, CFR, 16.34.

Trade Name: Taco Terraza  
Name of Person Bring Fingerprinted: Sandra Ornelas  
Date of Birth: \_\_\_\_\_ Last 4 SSN: \_\_\_\_\_ Date fingerprints were taken: 6/10/2020  
Location where fingerprints were taken: 1510 Wall St, Bellevue, NE. 68005

How was payment made to NSP?

NSP PAYPORT  CASH  CHECK SENT TO NSP CK # 1005

My fingerprints are already on file with the commission – fingerprints completed for a previous application less than 2 years ago? YES

SIGNATURE REQUIRED OF PERSON BEING FINGERPRINTED

**LIQUOR LICENSE APPLICATION REPORT  
CITY OF BELLEVUE  
PLANNING DEPARTMENT**

**DATE OF CITY COUNCIL PUBLIC HEARING:** July 21, 2020

**DATE REPORT DUE TO CITY CLERK:** July 15, 2020

**APPLICANT:** Taco Terraza LLC dba "Taco Terraza"

**ADDRESS:** 513 Fort Crook Road., Bellevue

**REQUESTED ACTION:** Recommendation to approve a Class "I-123771" Liquor License to sell beer, wine, and distilled spirits, On Sale Only, 513 Fort Crook Road, Bellevue, and for Servando Alvarez as Manager

**BACKGROUND:** New Application of Class "I-123771" Liquor License Application

**IS THIS LOCATION WITHIN THE CITY LIMITS OF BELLEVUE?** Yes

**IS THIS LOCATION WITHIN THE CITY'S TWO-MILE ZONING JURISDICTION?** Yes

**EXISTING ZONING:** BG (General Business)

**WILL ZONING ALLOW A LIQUOR LICENSE?** Yes

**EXISTING LAND USE:** Commercial/Restaurant

**IS THE CURRENT USE NON-CONFORMING?** No **EXPLANATION:** \_\_\_\_\_

**ADJACENT LAND USE AND ZONING:**

**NORTH:** Commercial, BG

**SOUTH:** Commercial, BG

**EAST:** Single Family Residential, BG

**WEST:** Fort Crook Road right-of-way, n/a

**DISTANCE FROM SCHOOL (if applicable):** n/a

**DISTANCE FROM COLLEGE (if applicable):** n/a

**DISTANCE FROM CHURCH (if applicable):** n/a

|

**IMMEDIATE NEIGHBORHOOD/AREA LAND USES:** This property is part of a commercial strip along Fort Crook Road north. There are residences adjacent to the east of this property.

**NUMBER OF PARKING SPACES REQUIRED:** Unknown **PROVIDED:** n/a

**ANALYSIS OF NEIGHBORHOOD EFFECTS:**

**TRAFFIC:** No impact expected.

**STREET/ACCESS:** No impact expected.

**PEDESTRIAN:** No impact expected.

**NOISE:** Single Family Residences adjacent to the east of this property that could experience noise from this general commercial area.

**LIGHTING:** No impact expected.

**GENERAL COMMENTS:** This is a commercial area which would support liquor sales.

**APPLICATION FOR LIQUOR LICENSE  
AND CORPORATE MANAGER**

**POLICE REPORT**

DATE OF COUNCIL MEETING: 07/08/20 Due to City Clerk: before July 15th

APPLICANT: Taco Terraza LLC dba "Taco Terraza"

LOCATION/ADDRESS: 513 Fort Crook Road, Bellevue

REQUESTED ACTION: Recommendation for approval of Class "I" Liquor License to sell beer, wine and distilled spirits, On Sale Only, at 513 Fort Crook Road, Bellevue AND for Servando Alvarez as Manager of the license.

INDIVIDUALS TO BE CHECKED:

<u>Name &amp; Address</u>	<u>D.O.B.</u>	<u>S.S.N.</u>
<u>Servando Alvarez</u> <u>3506 Faulk Ave, Bellevue 68147</u>	_____	_____
<u>Sandra Ornelas</u> <u>3506 Faulk Ave, Bellevue 68177</u>	_____	_____

COMMENTS:

*Approved 7-1-20*  
*Capt. [Signature]*

# LIQUOR LICENSE APPLICATION REPORT

## City Clerk

APPLICANT: Taco Terraza LLC dba "Taco Terraza"

LOCATION/ADDRESS: 513 Fort Crook Road, Bellevue

REQUESTED ACTION: Recommendation for Approval for a Class "I-123771" Liquor License to sell beer, wine, and distilled spirits, On Sale Only, at 513 Fort Crook Road, in Bellevue, AND for Servando Alvarez as manager.

DATE APPLICATION RECEIVED: 06/25/20

FINAL DATE HEARING CAN BE HELD (45 days from receipt): 08/10/20

DATE ADVERTISED (not less than 7 nor more than 14 days): 07/08/20

### CURRENT NUMBER OF LICENSES:

Class A (Beer on sale only): 1

Class B (Beer off sale only): 0

Class C (Alcoholic liquor, on and off sale): 24

Class D (Alcoholic liquor, off sale only): 27

Class I (Alcoholic liquor on sale only): 29

Class K (Catering License with Class B, C or D license): 5

Class X (Wholesale Liquor) 1

TOTAL 87

CITY OF BELLEVUE, NEBRASKA  
AGENDA ITEM COVER SHEET

11a.  
11a1.  
11a2.  
07/21/2020

COUNCIL MEETING DATE: 07/07/2020		SUBMITTED BY: Tammi Palm	
AGENDA ITEM:	CONSENT AGENDA <input type="checkbox"/>	SPECIAL PRESENTATION <input type="checkbox"/>	
LIQUOR LICENSE <input type="checkbox"/>	ORDINANCE <input checked="" type="checkbox"/>	PUBLIC HEARING <input type="checkbox"/>	
RESOLUTION <input type="checkbox"/>	CURRENT BUSINESS <input type="checkbox"/>	OTHER <input type="checkbox"/>	

SUBJECT:

Approval of a request to rezone Lots 1 and 2, Watson's Replat Three being a replat of Lot 2, Watson's Replat II, from AG to AG and ML; and to preliminary and final plat Lots 1 and 2 Watson's Replat Three. Applicant: DLWC Real Estate, LLC. Location: 3803 Cornhusker Road.

SYNOPSIS/BACKGROUND:

The applicant is requesting to obtain approval of a change of zone, preliminary plat, and final plat to allow for the current agricultural use as well as light industrial development.

FISCAL IMPACT:  BUDGETED FUNDS?: NO GRANT/MATCHING FUNDS?: NO

TRACKING INFORMATION FOR CONTRACTS AND PROJECTS:

IS THIS A CONTRACT?: NO	COUNTER-PARTY: <input type="text"/>	INTERLOCAL AGREEMENT: NO
CONTRACT DESCRIPTION: <input type="text"/>		
CONTRACT EFFECTIVE DATE: <input type="text"/>	CONTRACT TERM: <input type="text"/>	CONTRACT END DATE: <input type="text"/>
PROJECT NAME: <input type="text"/>		
START DATE: <input type="text"/>	END DATE: <input type="text"/>	PAYMENT DATE: <input type="text"/>
CIP PROJECT NAME: <input type="text"/>		INSURANCE REQUIRED: NO
CIP PROJECT NUMBER: <input type="text"/>		
STREET DISTRICT NAME (S): <input type="text"/>	STREET DISTRICT NUMBER (S): <input type="text"/>	
ACCOUNTING DISTRIBUTION CODE: <input type="text"/>	ACCOUNT NUMBER: <input type="text"/>	

RECOMMENDATION:

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

ATTACHMENTS:

- |   |                         |                         |
|---|-------------------------|-------------------------|
| 1. Planning Commission Recommendation Sheet | 2. Staff Report         | 3. Rezoning Ordinance   |
| 4. <input type="text"/>                     | 5. <input type="text"/> | 6. <input type="text"/> |

SIGNATURES:

LEGAL APPROVAL AS TO FORM:

FINANCE APPROVAL AS TO FORM:

ADMINISTRATOR APPROVAL AS TO FORM:

*A. Bree Hoblins*  
*[Signature]*  
*[Signature]*

# City of Bellevue

## PLANNING COMMISSION RECOMMENDATION

APPLICANT: DLWC Real Estate LLC  
CASE #'s: Z-2004-02, S-2004-04, and S-2004-05  
CITY COUNCIL HEARING DATE: July 7, 2020

REQUEST: to rezone Lots 1 and 2, Watson's Replat Three, being a replat of Lot 2, Watson's Replat II, from AG to AG and ML, for the purpose of industrial development; preliminary plat Lots 1 and 2, Watson's Replat Three; and final plat Lots 1 and 2, Watson's Replat Three.

On May 28, 2020 the City of Bellevue Planning Commission voted seven yes, zero no, two absent and zero abstained:

**APPROVAL** based on conformance with the zoning ordinance, subdivision regulations, and lack of perceived negative impact to the surrounding area, as well as an amendment to the Future Land Use Map of the Comprehensive Plan.

**VOTE:**

Yes:	Seven:	No:	Zero:	Abstain:	Zero:	Absent:	Two:
	Casey					Ackley	
	Cain					Perrin	
	Aerni						
	Ritz						
	Hankins						
	Cutsforth						
	Jacobson						

Planning Commission Hearing (s) was held on: May 28, 2020

# CITY OF BELLEVUE PLANNING DEPARTMENT

## RECOMMENDATION REPORT # 2

**CASE NUMBERS:** Z-2004-07  
S-2004-06  
S-2004-08

**FOR HEARING OF:**  
**REPORT 1#:** May 28, 2020  
**REPORT 2#:** July 07, 2020

### **I. GENERAL INFORMATION**

#### **A. APPLICANT:**

DLWC Real Estate, LLC  
12601 South 71<sup>st</sup> Street  
Papillion, NE 68133

#### **B. PROPERTY OWNER:**

DLWC Real Estate, LLC  
12601 South 71<sup>st</sup> Street  
Papillion, NE 68133

#### **C. GENERAL LOCATION:**

3803 Cornhusker Road

#### **D. LEGAL DESCRIPTION:**

Lots 1 and 2, Watson's Replat Three, being a platting of Lot 2, Watson's Replat II, located in the Northeast  $\frac{1}{4}$  of Section 29, and the Northwest  $\frac{1}{4}$  of Section 28, T14N, R13E of the 6<sup>th</sup> P.M., Sarpy County, Nebraska.

#### **E. REQUESTED ACTIONS:**

1. Rezone Lots 1 and 2, Watson's Replat III, from AG to AG and ML for the purpose of industrial development.
2. Preliminary plat Lots 1 and 2, Watson's Replat III.
3. Final plat Lots 1 and 2, Watson's Replat III.

**F. EXISTING ZONING AND LAND USE:**

AG, Orchard/Greenhouse/Nurseries and Vacant

**G. PURPOSE OF REQUEST:**

The purpose of this request is to obtain approval of a change of zone, preliminary plat, and final plat to allow for the current agricultural use as well as light industrial development.

**H. SIZE OF SITE:**

The site is approximately 25.75 acres.

**II. BACKGROUND INFORMATION**

**A. EXISTING CONDITION OF SITE:**

A portion of the site is being used as a nursery, greenhouse, and orchard for the Trees, Shrubs and More landscaping business. The site consists of several accessory structures and various varieties of trees. The portion of the site abutting 36<sup>th</sup> Street is vacant and has most recently been utilized for fill.

**B. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:**

1. **North:** Commercial, Light Industrial, and Cornhusker Road right-of-way, General Business (BG)/Light Manufacturing (ML),
2. **East:** Commercial, Light Industrial, and 36<sup>th</sup> Street right-of-way, General Business (BG) and Light Manufacturing (ML)
3. **South:** Agricultural/Vacant, AG
4. **West:** Agricultural/Vacant, AG

**C. REVELANT CASE HISTORY:**

1. On September 26, 1991, the Planning Commission recommended approval of a request to final plat Lots 1 and 2, Watson's Replat II, being a replat of Tax Lot 13A, Tax Lot 13B (the north 10 feet of the east 10 feet of Tax Lot 13); together with Lot 1, Watson's Replat, located in the Northeast ¼ of the Northeast ¼ of Section 29; together with Tax Lot 17A, located in the Northwest ¼ of the Northwest ¼ of Section 28; all located in T14N, R13E of the 6<sup>th</sup> P.M., Sarpy County, Nebraska. The City Council approved the aforementioned request on October 15, 1991.
2. On May 16, 1991 the Planning Commission recommended approval of a request to preliminary plat Lots 1 and 2, Watson's Replat II, being a replat of Tax Lot 13A, Tax Lot 13B (the north 10 feet of the east 10 feet of Tax Lot 13); together

with Lot 1, Watson's Replat, located in the Northeast ¼ of the Northeast ¼ of Section 29; together with Tax Lot 17A, located in the Northwest ¼ of the Northwest ¼ of Section 28; all located in T14N, R13E of the 6<sup>th</sup> P.M., Sarpy County, Nebraska. The City Council approved the aforementioned request on June 10, 1991.

3. On May 16, 1991 the Planning Commission recommended approval of a request to rezone Tax Lot 13A, Tax Lot 13B (the north 10 feet of the east 10 feet of Tax Lot 13); together with Lot 1, Watson's Replat, located in the Northeast ¼ of the Northeast ¼ of Section 29; together with Tax Lot 17A, located in the Northwest ¼ of the Northwest ¼ of Section 28; all located in T14N, R13E of the 6<sup>th</sup> P.M., Sarpy County, Nebraska. The City Council approved the aforementioned request on June 10, 1991.
4. On May 28, 2020 the Planning Commission recommended approval of a request to rezone Lots 1 and 2, Watson's Replat Three, being a replat of Lot 2, Watson's Replat II, from AG to AG and ML, for the purpose of industrial development; preliminary plat Lots 1 and 2, Watson's Replat Three; and final plat Lots 1 and 2, Watson's Replat Three.

**D. APPLICABLE REGULATIONS:**

1. Section 5.05, Zoning Ordinance, regarding AG uses and requirements.
2. Section 5.27, Zoning Ordinance, regarding ML uses and requirements.
3. Chapter 3, Subdivision Regulations, regarding Preliminary Plats.
4. Chapter 4, Subdivision Regulations, regarding Final Plats.

**III. ANALYSIS**

**A. COMPREHENSIVE PLAN:**

The Future Land Use Map of the Comprehensive Plan designates this area as Agricultural.

**B. OTHER PLANS:**

The applicant has indicated a desire to sell proposed Lot 2, Watson's Replat III, if his rezoning is approved.

**C. TRAFFIC AND ACCESS:**

1. There is no traffic data information available for this area.

2. Proposed Lot 1 has access to South 36<sup>th</sup> Street, while Proposed Lot 2 has access from Cornhusker Road.

**D. UTILITIES:**

All utilities are available to serve this development.

**E. ANALYSIS:**

1. Dale Watson, on behalf of DLWC Real Estate, LLC, has submitted a request to preliminary plat and final plat Lots 1 and 2, Watson's Replat III, for the purpose of agricultural and industrial development.

2. The applicant is also requesting a change of zone from AG to AG (Agricultural) for proposed Lot 1, and ML (Light Manufacturing District) for proposed Lot 2.

The AG zoning requires a minimum lot area of 20 acres, while the ML zoning requires a minimum lot area for business or industry of 10,000 square feet. Both lots meet the minimum zoning requirements.

3. Proposed Lot 1 is the current location of Trees, Shrubs and More, a design and garden center. The main building, several outbuildings, and greenhouses are on this location.

4. According to the Federal Emergency Management Agency (FEMA) Floodway Boundary and Floodway maps, most of the site lies within the limits of the 100-year flood plain of the Big Papillion Creek.

The applicant has previously received a flood development permit to fill a portion of the site above the elevation of the 100 year flood plain.

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

Matt Knight, Public Works Engineer, made comments pertaining to technical revisions to the final plat. The applicant's engineer has satisfied the requested revisions.

Krista Hoffart, Offutt Air Force Base Community Planner, made comments the property is in the Air Installation Compatible Use Zone (AICUZ) and falls with the

65-69 db and 70-74 db noise ranges. She requested if or when development occurs it complies with the suggested Land Use Compatibility Recommendations for areas within those noise zones. Some will require no modification, while others may suggest that noise attenuation materials be used in construction to reduce noise levels a specific decibel amount.

Compliance with the AICUZ ordinance will be monitored during the building permit process.

No other comments were received on this case.

6. The applicant's engineer has dedicated 30' of additional right-of-way along 36<sup>th</sup> Street at the request of the city to allow for future expansion of this roadway.

7. Based on its existing zoning, this property is designated for agricultural use in the Future Land Use Map of the Comprehensive Plan. If the aforementioned requests are approved, staff would also recommend including a motion for an amendment to the Future Land Use Map for this area.

8. Proposed Lot 2 for which the ML zoning is being requested for abuts several lots presently zoned ML. Additionally, staff believes with the continued AG zoning for proposed Lot 1 to the west, along with the current AG zoning and floodplain and floodway to the south and west of this property, the proposed zoning request is compatible with the neighborhood and existing development. There is a multi family residential development to the east of this property; however, that property is across the 36<sup>th</sup> Street right-of-way, and is also to the east of the existing ML zoning.

**F. TECHNICAL DEFICIENCIES:**

None

**IV. DEPARTMENT RECOMMENDATION**

APPROVAL based upon conformance with the Zoning Ordinance, and Subdivision Regulations; and also based upon the lack of perceived negative impact to the surrounding neighborhood.

**V. PLANNING COMMISSION RECOMMENDATION**

APPROVAL based upon conformance with the zoning ordinance, subdivision regulations, and lack of perceived negative impact to the surrounding area, as well as an amendment to the Future Land Use Map of the Comprehensive Plan to reflect Lot 2, Watson's Replat III as light industrial.

**VI. ATTACHMENTS TO REPORT**

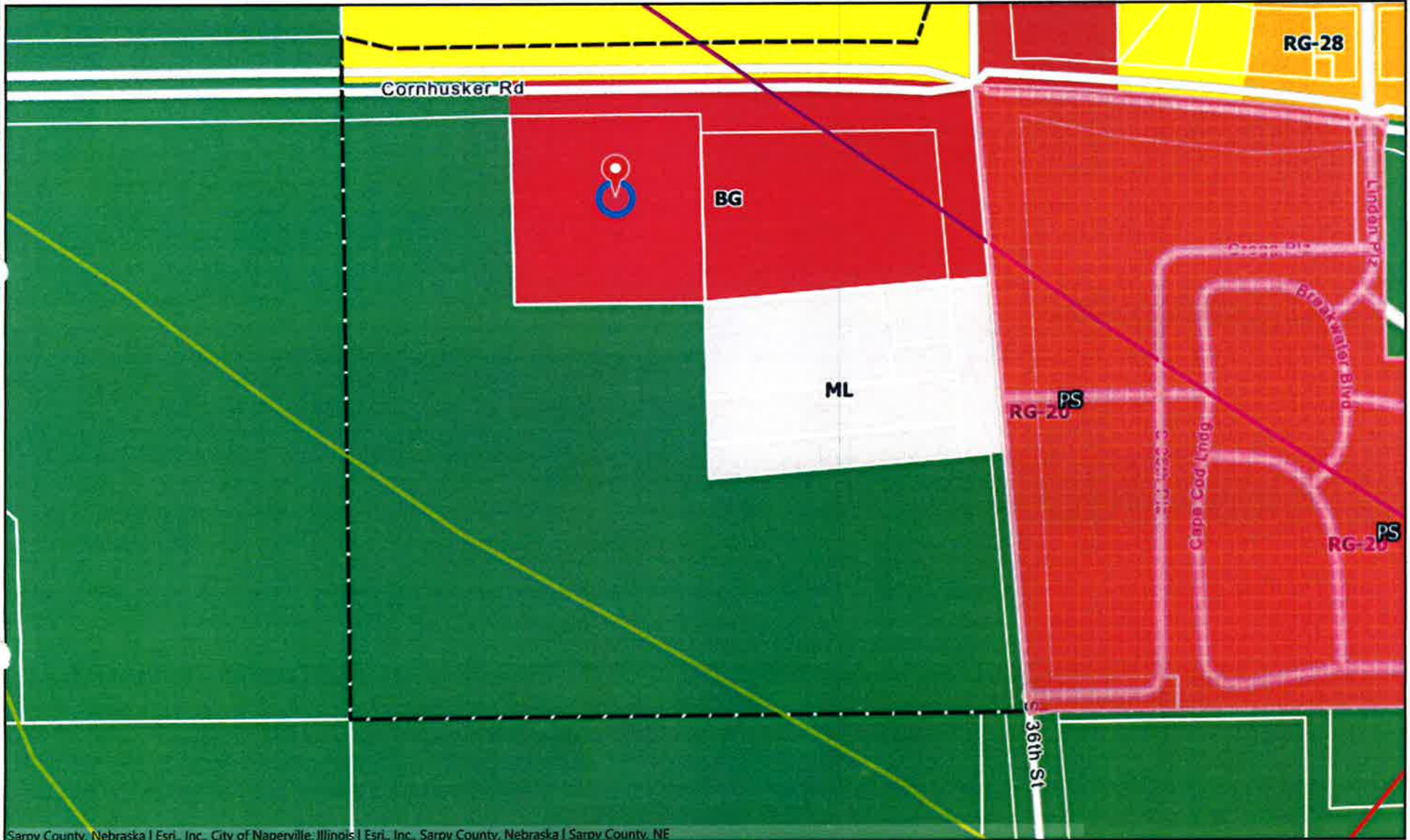
1. Vicinity map/Zoning Map
2. 2018 GIS aerial
3. Preliminary plat received May 14, 2020
4. Final plat received May 14, 2020
5. Letter from Joe Dethlefs received April 27, 2020

**VII. COPIES OF REPORT TO:**

1. DLWC Real Estate, LLC (Dale Watson)
2. TD2 Engineering & Surveying
3. Public Upon Request

  
Prepared by: \_\_\_\_\_ Date 6/3/20

  
Planning Manager \_\_\_\_\_ Date



Sarpv County, Nebraska | Esri, Inc. | City of Naperville, Illinois | Esri, Inc. | Sarpv County, Nebraska | Sarpv County, NE

Map Scale 1: 4514

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Notes





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Map Scale 1: 4514

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Notes



# WATSON'S REPLAT THREE

## LOTS 1 AND 2

- EXEMPTION GRANTED TO OMAHA PUBLIC POWER DISTRICT RECORDED IN MISC. BOOK 39 AT PAGE 23 OF THE SARPY COUNTY RECORDS.
- EXEMPTION GRANTED TO METROPOLITAN UTILITIES DISTRICT OF OMAHA RECORDED IN MISC. BOOK 37 AT PAGE 372 OF THE SARPY COUNTY RECORDS.

- NOTES**
- DIMENSIONS IN PARENTHESIS PERTAIN TO EASEMENTS.
  - THE PROPERTY LIES WITHIN THE AIR INSTALLATION COMPATIBLE USE ZONE (AICUZ) AND FALLS WITHIN THE 65-88dB AND 70-74dB NOISE ZONES. WHEN DEVELOPMENT OCCURS ON THE PROPERTY, IT MUST COMPLY WITH THE SUGGESTED LAND USE COMPATIBILITY RECOMMENDATIONS FOR AREAS WITHIN THOSE NOISE ZONES. SOME WALL REQUIRE NO MODIFICATIONS, WHILE OTHERS MAY SUGGEST THAT NOISE ATTENUATING MATERIALS BE USED IN CONSTRUCTION TO REDUCE NOISE LEVELS A SPECIFIC DECIBEL AMOUNT.

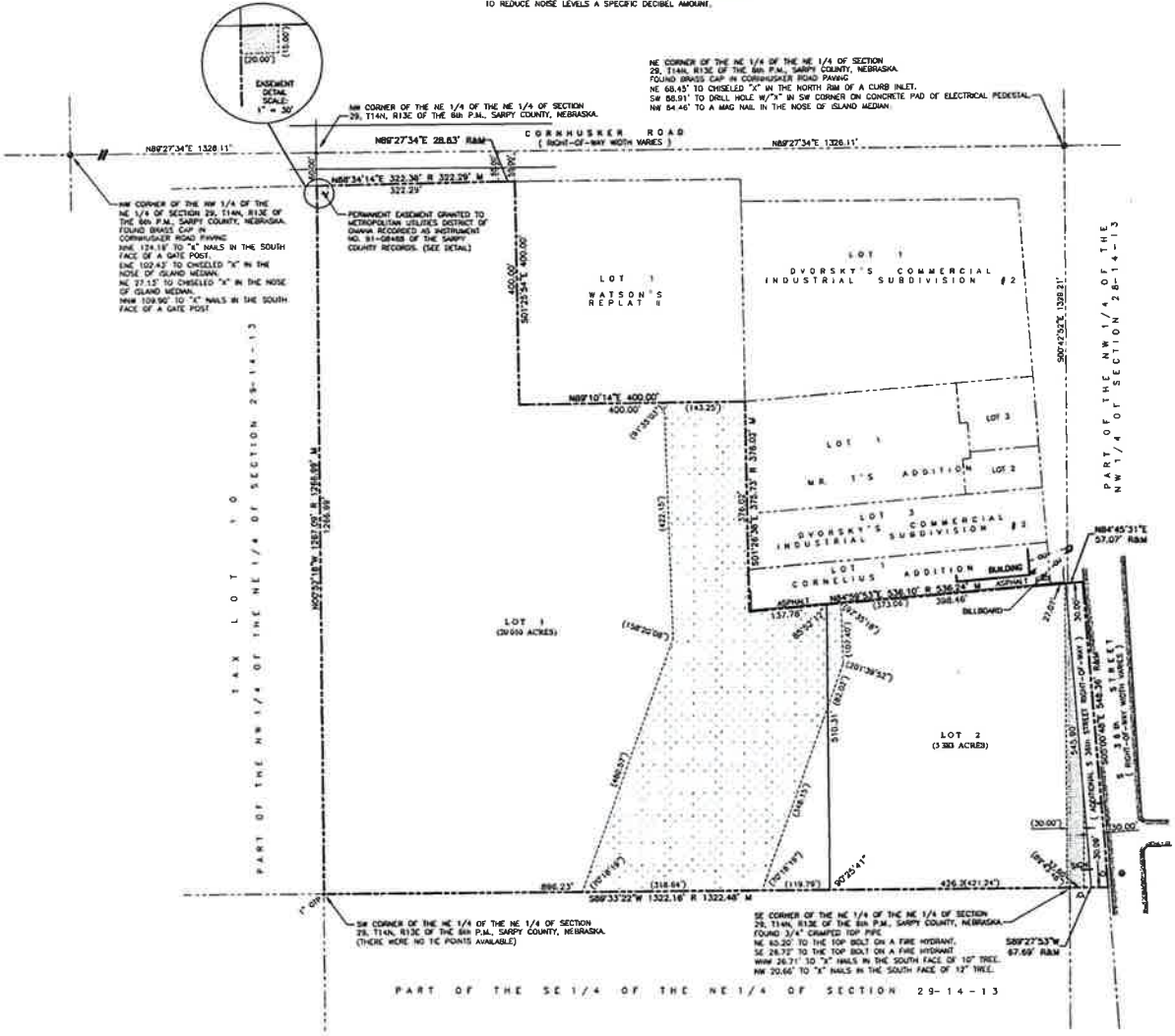


VICINITY MAP

**TD2**  
engineering & surveying

Thompson, Dreeschen & Dornier, Inc.  
10836 Old Mill Rd  
Omaha, NE 68154  
p 402.330.8860 f 402.330.5866  
td2co.com

Survey Type



### SUBMIDER

DLWC REAL ESTATE, LLC  
12601 SOUTH 71st STREET  
PAPILLION, NEBRASKA 68133

### ENGINEER

THOMPSON, DRESSECH & DORNER, INC.  
10836 OLD MILL ROAD  
OMAHA NEBRASKA 68154

### LEGAL DESCRIPTION

LOT 2, WATSON'S REPLAT II, AN ADDITION TO THE CITY OF BELLEVUE, LOCATED WITHIN PART OF THE NE 1/4 OF THE NE 1/4 OF SECTION 29 AND WITHIN PART OF THE NW 1/4 OF THE NW 1/4 OF SECTION 28, ALL IN T14N, R13E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA.

### NOTES

- NO CONTOURS ARE SHOWN AS NO GRADING IS PROPOSED BY THE SUBMIDER.
- EXISTING ZONING IS AG. PROPOSED ZONING IS ML.
- REQUIRED UTILITIES EXIST.

### LEGEND

- CORNERS FOUND
- CORNERS SET
- (5/8" REBAR W/CAP #308)
- ▲ TEMPORARY POINT
- R RECORDED DISTANCE
- M MEASURED DISTANCE
- OPEN TOP PIPE
- CRIMPED TOP PIPE
- △ FIRE HYDRANT
- SKW
- SEWER MANHOLE
- ⊙ POWER POLE
- ⊕ ELECTRICAL METER
- ○— OVERHEAD UTILITY LINE

WATSON'S REPLAT THREE  
LOTS 1 AND 2



Elevation Dates

No.	Description	MM-CC-YY

Job No.: A1561-19-20P  
Drawn By: RJR  
Reviewed By: JDW  
Date: APRIL 15, 2020  
Book:  
Pages:

Sheet Title  
CITY OF BELLEVUE  
PRELIMINARY PLAT

Sheet Number

RECEIVED

MAY 14 2020

PLANNING DEPT.



thompson, dressen & dornier, inc. 10838 Old Mill Rd Omaha, NE 68154 p.402.330.8860 f.402.330.5866 td2co.com

# WATSON'S REPLAT THREE

## LOTS 1 AND 2

BEING A REPLATING OF LOT 2, WATSON'S REPLAT II, AN ADDITION TO THE CITY OF BELLEVUE, LOCATED WITHIN PART OF THE NE 1/4 OF SECTION 29 AND WITHIN PART OF THE NW 1/4 OF THE NW 1/4 OF SECTION 28, ALL IN T14N, R13E OF THE 6th P.M., SARPY COUNTY, NEBRASKA.

EASEMENT GRANTED TO OMAHA PUBLIC POWER DISTRICT RECORDED IN MISC. BOOK 39 AT PAGE 23 OF THE SARPY COUNTY RECORDS.  
EASEMENT GRANTED TO METROPOLITAN UTILITIES DISTRICT OF OMAHA RECORDED IN MISC. BOOK 37 AT PAGE 372 OF THE SARPY COUNTY RECORDS.

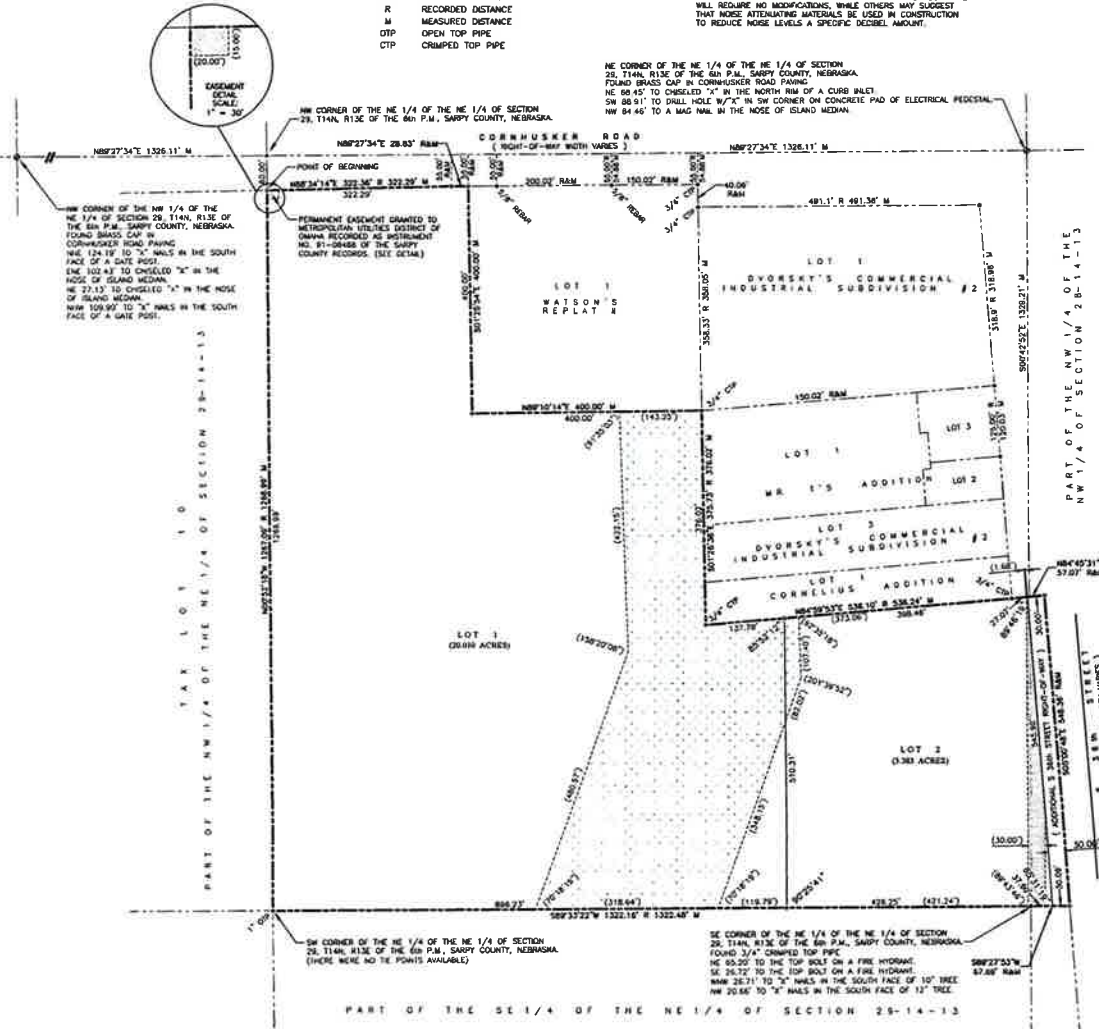
### LEGEND

- CORNERS FOUND
- CORNERS SET (5/8" REBAR W/ CAP #308)
- ▲ TEMPORARY POINT
- R RECORDED DISTANCE
- M MEASURED DISTANCE
- OPEN TOP PIPE
- CRUMPED TOP PIPE

### NOTES

1. DIMENSIONS IN PARENTHESIS PERTAIN TO EASEMENTS.
2. THE PROPERTY LIES WITHIN THE AIR INSTALLATION COMPATIBLE USE ZONE (A0C2) AND FALLS WITHIN THE 65-80dB AND 70-74dB NOISE ZONES. WHEN DEVELOPMENT OCCURS ON THE PROPERTY, IT MUST COMPLY WITH THE SUGGESTED LAND USE COMPATIBILITY RECOMMENDATIONS FOR AREAS WITHIN THESE NOISE ZONES. SOME WILL REQUIRE NO MODIFICATIONS, WHILE OTHERS MAY SUGGEST THAT NOISE ATTENUATING MATERIALS BE USED IN CONSTRUCTION TO REDUCE NOISE LEVELS A SPECIFIC DECIBEL AMOUNT.

NE CORNER OF THE NE 1/4 OF THE NE 1/4 OF SECTION 29, T14N, R13E OF THE 6th P.M., SARPY COUNTY, NEBRASKA. FOUND BRASS CAP IN CONDUISER ROAD PAVEMENT. NE 88.45° TO CHECKED "X" IN THE NORTH RM OF A CURB INLET. SW 88.91° TO DRILL HOLE W/ "X" IN SW CORNER ON CONCRETE PAD OF ELECTRICAL, PEDESTAL. NW 84.45° TO A MAG NAIL IN THE NOSE OF ISLAND MEDIAN.



### SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE MADE A BOUNDARY SURVEY OF THE SUBDIVISION DESCRIBED HEREIN AND THAT PERMANENT MARKERS HAVE BEEN FOUND OR SET AT ALL CORNERS OF SAID BOUNDARY AND AT ALL LOT CORNERS WITHIN SAID SUBDIVISION TO BE KNOWN AS WATSON'S REPLAT THREE, LOTS 1 AND 2, BEING A REPLATING OF LOT 2, WATSON'S REPLAT II, AN ADDITION TO THE CITY OF BELLEVUE, SARPY COUNTY, NEBRASKA, ALL MORE PARTICULARLY DESCRIBED AS FOLLOWS, BEGINNING AT THE NW CORNER OF SAID LOT 2, SAID CORNER BEING 80.00 FEET SOUTH OF THE NW CORNER OF THE NE 1/4 OF SECTION 29, T14N, R13E OF THE 6th P.M., SAID SARPY, AND ON THE SOUTH LINE OF CORNHUSKER ROAD;

APRIL 15, 2020  
DATE:

### DEDICATION

KNOW ALL MEN BY THESE PRESENTS, THAT ME, DALE REAL ESTATE, LLC, A NEBRASKA LIMITED LIABILITY COMPANY, BEING THE OWNERS OF THE LAND DESCRIBED WITHIN THE SURVEYOR'S CERTIFICATE AND EMBRACED WITHIN THIS PLAT, HAVE CAUSED SAID LAND TO BE SUBDIVIDED INTO A STREET AND LOTS TO BE NAMED AND NUMBERED AS SHOWN, SAID SUBDIVISION TO BE HERETOFORE KNOWN AS WATSON'S REPLAT THREE, AND WE DO HEREBY RATIFY AND APPROVE OF THE DISPOSITION OF OUR PROPERTY AS SHOWN ON THIS PLAT AND WE HEREBY DEDICATE TO THE PUBLIC, FOR PUBLIC USE, THE STREET AS SHOWN HEREON, AND WE DO FURTHER GRANT PERPETUAL EASEMENTS TO OMAHA PUBLIC POWER DISTRICT (OPPD), COX COMMUNICATIONS, AND CENTURION, ACROSS A FIVE (5) FOOT WIDE STRIP OF LAND ABUTTING ALL FRONT AND SIDE BOUNDARY LOT LINES; AN EIGHT (8) FOOT WIDE STRIP OF LAND ABUTTING THE REAR BOUNDARY LINES OF ALL INTERIOR LOTS; AND A SIXTEEN (16) FOOT WIDE STRIP OF LAND ABUTTING THE REAR BOUNDARY LINES OF ALL EXTERIOR LOTS. THE TERM EXTERIOR LOTS IS HEREBY DEFINED AS THOSE LOTS FORMING THE OUTER PERIMETER OF THE ABOVE DESCRIBED ADDITION. THE SIXTEEN (16) FOOT WIDE EASEMENT MAY BE REDUCED TO EIGHT (8) FEET WIDE WHEN THE ADJACENT LAND IS SURVEYED, PLATTED AND RECORDED. PERPETUAL EASEMENTS ARE HEREBY GRANTED TO METROPOLITAN UTILITIES DISTRICT AND/OR BLACK HILLS ENERGY, THEIR SUCCESSORS AND ASSIGNS TO ERECT, INSTALL, OPERATE, MAINTAIN, REPAIR AND RENEW PIPELINES, HYDRANTS AND OTHER RELATED FACILITIES AND TO EXTEND THEREON PILES FOR THE TRANSMISSION OF GAS AND WATER OIL THROUGH UNDER AND ACROSS A FIVE (5) FOOT WIDE STRIP OF LAND ABUTTING ALL CUL-DE-SAC STREETS. NO PERMANENT BUILDINGS OR RETAINING WALLS SHALL BE PLACED IN SAID EASEMENT MARKS, BUT THE SAME MAY BE USED FOR GARDENS, SWALES, LANDSCAPING, SIDEWALKS, DRIVEWAYS AND OTHER PURPOSES THAT DO NOT THEM OR LATER INTERFERE WITH THE AFORESAID OR RIGHTS HEREIN GRANTED.

DALE REAL ESTATE, LLC  
A NEBRASKA LIMITED LIABILITY COMPANY  
BY: DALE E. WATSON, PRESIDENT

### ACKNOWLEDGEMENT OF NOTARY

STATE OF NEBRASKA)  
COUNTY OF SARPY)  
THE FOREGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020 BY DALE E. WATSON, PRESIDENT OF DALE REAL ESTATE, LLC, A NEBRASKA LIMITED LIABILITY COMPANY ON BEHALF OF SAID COMPANY.

NOTARY PUBLIC

### SARPY COUNTY TREASURER'S CERTIFICATE

THIS IS TO CERTIFY THAT I FIND NO REGULAR OR SPECIAL TAXES DUE OR DELINQUENT AGAINST THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE AND EMBRACED WITHIN THIS PLAT AS SHOWN ON THE RECORDS OF THIS OFFICE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

TREASURER'S SEAL

SARPY COUNTY TREASURER

### APPROVAL OF BELLEVUE PLANNING COMMISSION

THIS PLAT OF WATSON'S REPLAT THREE WAS APPROVED BY THE BELLEVUE PLANNING COMMISSION ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020. THIS PLAT BECOMES NULL AND VOID IF NOT RECORDED WITHIN 90 DAYS OF THE ABOVE DATE.

BELLEVUE PLANNING COMMISSIONER

### APPROVAL OF BELLEVUE CITY COUNCIL

THIS PLAT OF WATSON'S REPLAT THREE WAS APPROVED AND ACCEPTED BY THE BELLEVUE CITY COUNCIL ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020. APPROVAL OF THIS PLAT BECOMES NULL AND VOID IF NOT RECORDED WITHIN 90 DAYS OF THE ABOVE DATE.

MAYOR CITY CLERK

### REVIEW BY SARPY COUNTY PUBLIC WORKS

THIS PLAT OF WATSON'S REPLAT THREE WAS REVIEWED BY THE SARPY COUNTY SURVEYORS OFFICE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

SARPY COUNTY SURVEYOR/ENGINEER

WATSON'S REPLAT THREE  
LOTS 1 AND 2



Revision Dates		
No.	Description	MM-DD-YY

Job No.: A1561-19-20A  
Drawn By: RJR  
Reviewed By: JDW  
Date: APRIL 15, 2020  
Book:  
Page:

CITY OF BELLEVUE  
FINAL PLAT

Sheet Number

SHEET 1 OF 1

April 23, 2020

Ms. Tammi L. Palm  
City of Bellevue  
1510 Wall Street  
Bellevue, NE 68005

RE: Watson's Replat Three  
Rezoning Justification Letter  
TD2 File No. 1561-19-20.1

Ms. Palm:

Once Lot 2, Watson's Replat II is subdivided into Lots 1 and 2, Watson's Replat Three, the Owner plans to sell Lot 2, Watson's Replat Three. To attract potential buyers, the Owner would like to rezone Lot 2 from Agricultural District (AG) to Light Manufacturing District (ML).

Please contact me if you have any other questions.

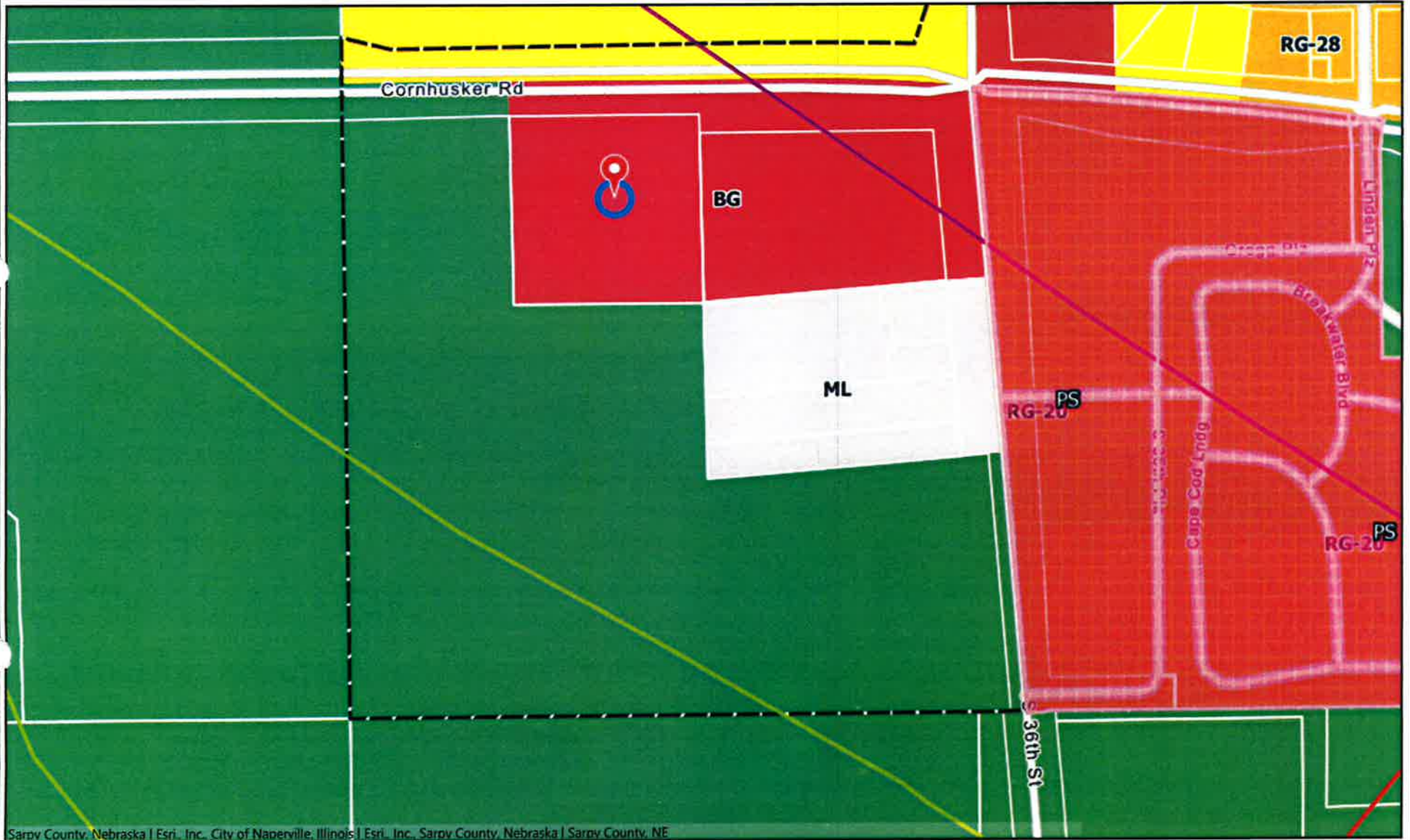
Sincerely,

Thompson, Dreessen & Dörner, Inc.



Joe Dethlefs, P.E.

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APR 27 2020  
PLANNING DEPT.



Sarpy County, Nebraska | Esri, Inc., City of Naperville, Illinois | Esri, Inc., Sarpy County, Nebraska | Sarpy County, NE

Map Scale 1: 4514

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Notes





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Notes



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# WATSON'S REPLAT THREE

## LOTS 1 AND 2

- EASEMENT GRANTED TO OMAHA PUBLIC POWER DISTRICT RECORDED IN MSC. BOOK 38 AT PAGE 23 OF THE SARPY COUNTY RECORDS.
- EASEMENT GRANTED TO METROPOLITAN UTILITIES DISTRICT OF OMAHA RECORDED IN MSC. BOOK 37 AT PAGE 372 OF THE SARPY COUNTY RECORDS.

- NOTES:**
- DIMENSIONS IN PARENTHESIS PERTAIN TO EASEMENTS.
  - THE PROPERTY LIES WITHIN THE HR INSTALLATION COMPATIBLE USE ZONE (A01C) AND FALLS WITHIN THE 65-80dB AND 70-74dB NOISE ZONES. WHEN DEVELOPMENT OCCURS ON THE PROPERTY, IT MUST COMPLY WITH THE SUGGESTED LAND USE COMPATIBILITY RECOMMENDATIONS FOR AREAS WITHIN THOSE NOISE ZONES. SOME WALL REQUIRE NO IMPROVEMENTS, WHILE OTHERS MAY SUGGEST THAT NOISE ATTENUATING MATERIALS BE USED IN CONSTRUCTION TO REDUCE NOISE LEVELS A SPECIFIC DECIBEL AMOUNT.

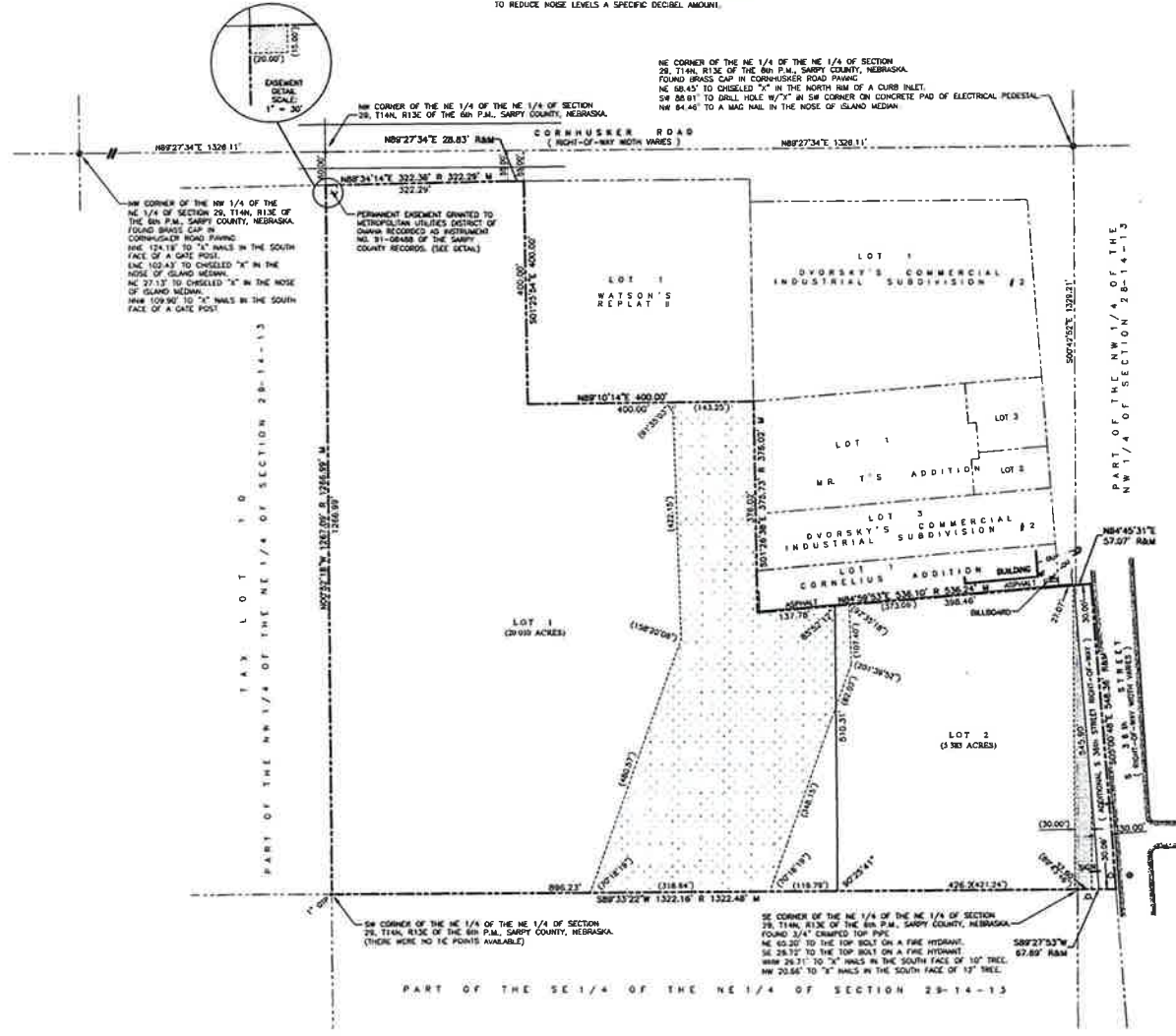


VICINITY MAP

**TD2**  
engineering & surveying

thompson, dressen & dörner, inc.  
10836 Old Mill Rd  
Omaha, NE 68154  
p 402.330.8660 f 402.330.5966  
td2@a.com

Survey Type



### SUBDIVIDER

DLWC REAL ESTATE, LLC  
12601 SOUTH 71st STREET  
PAPILLION, NEBRASKA 68133

### ENGINEER

THOMPSON, DREESSEN & DORNER, INC.  
10836 OLD MILL ROAD  
OMAHA NEBRASKA, 68154

### LEGAL DESCRIPTION

LOT 2, WATSON'S REPLAT #2, AN ADDITION TO THE CITY OF BELLEVUE, LOCATED WITHIN PART OF THE NE 1/4 OF THE NE 1/4 OF SECTION 29 AND WITHIN PART OF THE NW 1/4 OF THE NW 1/4 OF SECTION 28, ALL IN T14N, R13E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA.

### NOTES

- NO CONTOURS ARE SHOWN AS NO GRADING IS PROPOSED BY THE SUBDIVIDER.
- EXISTING ZONING IS AG. PROPOSED ZONING IS ML.
- REQUIRED UTILITIES EXIST.

### LEGEND

- CORNERS FOUND
- CORNERS SET (5/8" REBAR W/CAP #308)
- ▲ TEMPORARY POINT
- R RECORDED DISTANCE
- M MEASURED DISTANCE
- OT OPEN TOP PIPE
- CTP CRIMPED TOP PIPE
- ▲ FIRE HYDRANT
- SIGN
- SEWER MANHOLE
- ⦿ POWER POLE
- ⚡ ELECTRICAL METER
- OVERHEAD UTILITY LINE

WATSON'S REPLAT THREE  
LOTS 1 AND 2



File	Description	MM-DD-YY

Job No.: A1561-19-20P  
Drawn By: RJR  
Reviewed By: JDW  
Date: APRIL 15, 2020  
Book:  
Pages:

CITY OF BELLEVUE  
PRELIMINARY PLAT

Sheet Number

SHEET 1 OF 1

RECEIVED

MAY 14 2020

PLANNING DEPT.



thompson, dreesen & dornier, inc. 10836 Old Mill Rd Omaha, NE 68154 p.402.330.8860 f.402.330.5866 ttd2.com

# WATSON'S REPLAT THREE

## LOTS 1 AND 2

BEING A REPLATTING OF LOT 2, WATSON'S REPLAT II, AN ADDITION TO THE CITY OF BELLEVUE, LOCATED WITHIN PART OF THE NE 1/4 OF THE SECTION 29 AND WITHIN PART OF THE NW 1/4 OF THE NW 1/4 OF SECTION 28, ALL IN T14N, R13E OF THE 6th P.M., SARPY COUNTY, NEBRASKA.

EASEMENT GRANTED TO OMAHA PUBLIC POWER DISTRICT RECORDED IN MISC BOOK 39 AT PAGE 23 OF THE SARPY COUNTY RECORDS.  
EASEMENT GRANTED TO METROPOLITAN UTILITIES DISTRICT OF OMAHA RECORDED IN MISC BOOK 37 AT PAGE 372 OF THE SARPY COUNTY RECORDS.

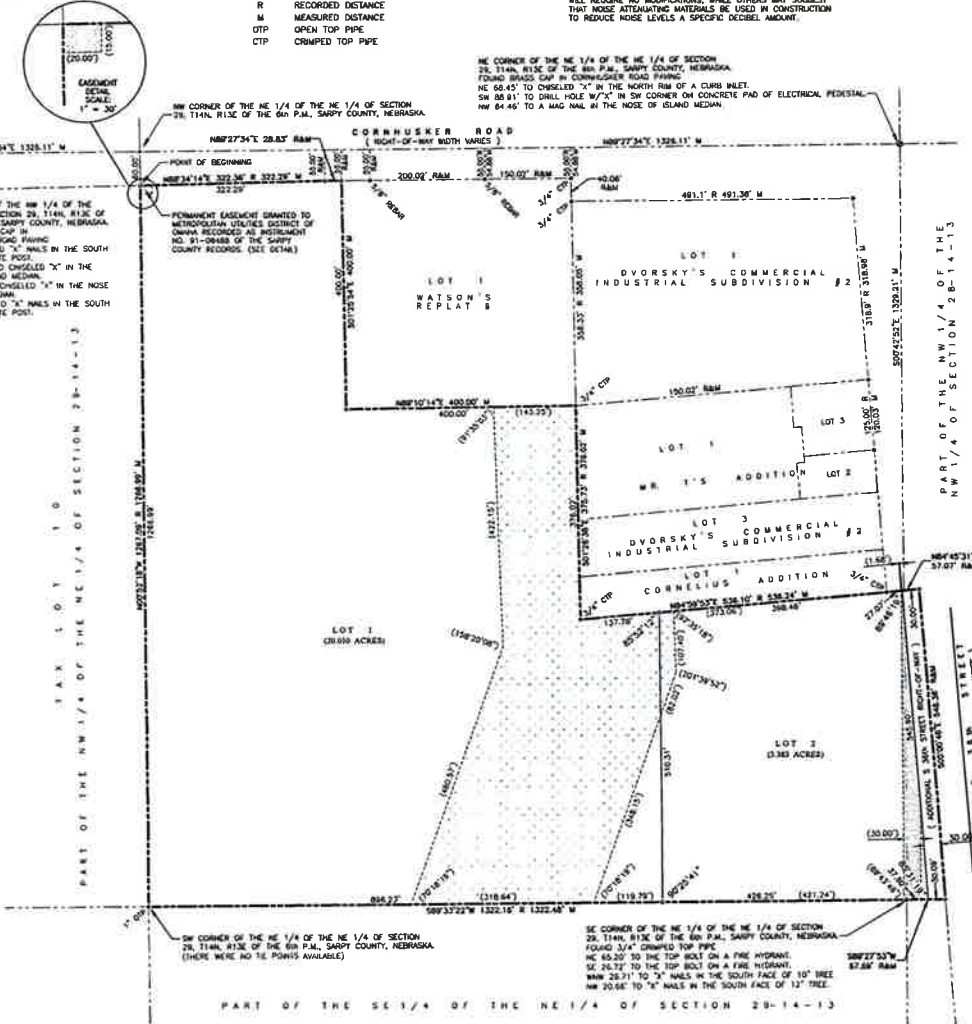
- LEGEND**
- CORNERS FOUND
  - CORNERS SET (3/8" REBAR W/ CAP #308)
  - ▲ TEMPORARY POINT
  - R RECORDED DISTANCE
  - M MEASURED DISTANCE
  - OTB OPEN TOP PIPE
  - CTP CRIMPED TOP PIPE

**NOTES**

1. DIMENSIONS IN PARENTHESES PERTAIN TO EASEMENTS.

2. THE PROPERTY LIES WITHIN THE AIR INSTALLATION COMPATIBLE USE ZONE (AICUZ) AND FALLS WITHIN THE 65-80db AND 70-74db NOISE ZONES. WHEN DEVELOPMENT OCCURS ON THE PROPERTY, IT MUST COMPLY WITH THE SUGGESTED LAND USE COMPATIBILITY RECOMMENDATIONS FOR AREAS WITHIN THESE NOISE ZONES. SOME WILL REQUIRE NO MODIFICATIONS, WHILE OTHERS MAY SUGGEST THAT NOISE ATTENUATING MATERIALS BE USED IN CONSTRUCTION TO REDUCE NOISE LEVELS A SPECIFIC DECIBEL AMOUNT.

NE CORNER OF THE NE 1/4 OF THE NE 1/4 OF SECTION 29, T14N, R13E OF THE 6th P.M., SARPY COUNTY, NEBRASKA. FOUND BRASS CAP IN CORNHUSKER ROAD FRINGE. NE 66.45° TO ORANGE "X" IN THE NORTH RIM OF A CURB INLET. SW 89.1° TO DRILL HOLE W/3" IN SW CORNER OF CONCRETE PAD OF ELECTRICAL, PEDESTAL. NW 84.46° TO A MAG NAIL AT THE NOSE OF ISLAND MEDIAN.



### SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE MADE A BOUNDARY SURVEY OF THE SUBDIVISION DESCRIBED HEREIN AND THAT PERMANENT MARKERS HAVE BEEN FOUND OR SET AT ALL CORNERS OF SAID BOUNDARY AND AT ALL LOT CORNERS WITHIN SAID SUBDIVISION TO BE KNOWN AS WATSON'S REPLAT THREE, LOTS 1 AND 2, BEING A REPLATTING OF LOT 2, WATSON'S REPLAT II, AN ADDITION TO THE CITY OF BELLEVUE, SARPY COUNTY, NEBRASKA. ALL MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NE CORNER OF SAID LOT 1, SAID CORNER BEING 80.00 FEET SOUTH OF THE NW CORNER OF THE NE 1/4 OF THE NE 1/4 OF SECTION 29, T14N, R13E OF THE 6TH P.M., SAID SARPY, AND ON THE SOUTH LINE OF CORNHUSKER ROAD;

THENCE N88°34'14"E (ASSUMED BEARING) 322.29 FEET ON THE NORTH LINE OF SAID LOT 2 AND ON THE SOUTH LINE OF CORNHUSKER ROAD;

THENCE N89°27'34"E 28.83 FEET ON THE NORTH LINE OF SAID LOT 2 AND ON THE SOUTH LINE OF CORNHUSKER ROAD TO THE NE CORNER OF SAID LOT 2;

THENCE S01°25'54"E 400.00 FEET ON THE EAST LINE OF SAID LOT 2;

THENCE N89°10'14"E 400.00 FEET ON THE EAST LINE OF SAID LOT 2;

THENCE S01°26'38"E 376.02 FEET ON THE EAST LINE OF SAID LOT 2;

THENCE N84°56'53"E 536.24 FEET ON THE EAST LINE OF SAID LOT 2;

THENCE N84°53'31"E 57.07 FEET ON THE EAST LINE OF SAID LOT 2; TO THE WEST LINE OF 36TH STREET;

THENCE S05°02'48"E 548.34 FEET ON THE EAST LINE OF SAID LOT 2 AND ON THE WEST LINE OF 36TH STREET TO THE SE CORNER OF SAID LOT 2;

THENCE S89°27'33"W 87.69 FEET ON THE SOUTH LINE OF SAID LOT 2;

THENCE S89°33'22"W 1322.48 FEET ON THE SOUTH LINE OF SAID LOT 2 TO THE SW CORNER THEREOF;

THENCE N07°52'18"W 1266.99 FEET ON THE WEST LINE OF SAID LOT 2 TO THE POINT OF BEGINNING.

CONTAINING 23.770 ACRES MORE OR LESS

APRIL 15, 2020  
DATE



### DEDICATION

I KNOW ALL MEN BY THESE PRESENTS THAT WE, DLHC REAL ESTATE, LLC, A NEBRASKA LIMITED LIABILITY COMPANY, BEING THE OWNERS OF THE LAND DESCRIBED WITHIN THE SURVEYOR'S CERTIFICATE AND EMBRACED WITHIN THIS PLAT, HAVE CAUSED SAID LAND TO BE SUBDIVIDED INTO A STREET AND LOTS TO BE NAMED AND NUMBERED AS SHOWN, SAID SUBDIVISION TO BE HEREAFTER KNOWN AS WATSON'S REPLAT THREE, AND WE DO HEREBY INTENT AND APPROVE OF THE DEDICATION OF OUR PROPERTY AS SHOWN ON THIS PLAT AND WE HEREBY DEDICATE TO THE PUBLIC, FOR PUBLIC USE, THE STREET AS SHOWN HEREON, AND WE DO FURTHER GRANT PERPETUAL EASEMENTS TO OMAHA PUBLIC POWER DISTRICT (OPPD), COG COMMUNICATIONS, AND CENTURLINK ACROSS A FIVE (5) FOOT WIDE STRIP OF LAND ABUTTING ALL FRONT AND SIDE BOUNDARY LOT LINES; AN EIGHT (8) FOOT WIDE STRIP OF LAND ABUTTING THE REAR BOUNDARY LINES OF ALL INTERIOR LOTS; AND A SIXTEEN (16) FOOT WIDE STRIP OF LAND ABUTTING THE REAR BOUNDARY LINES OF ALL EXTENSION LOTS. THE TENM EXTENSION LOTS IF HEREIN DEFINED AS THOSE LOTS FORMING THE OUTER PERIMETER OF THE ABOVE DESCRIBED ADDITION. THE SIXTEEN (16) FOOT WIDE EASEMENT MAY BE REDUCED TO FOUR (4) FEET WIDE WHEN THE ADJACENT LAND IS SURVEYED, PLATTED AND RECORDED. PERPETUAL EASEMENTS ARE HEREBY GRANTED TO METROPOLITAN UTILITIES DISTRICT (MUD) AND/OR BLACK HILLS ENERGY, THEIR SUCCESSORS AND ASSIGNS TO ERECT, INSTALL, OPERATE, MAINTAIN, REPAIR AND RENEW PIPELINES, HYDRANTS AND OTHER RELATED FACILITIES AND TO EXTEND THEREON PIPES FOR THE TRANSMISSION OF GAS AND WATER ON, THROUGH, UNDER AND ACROSS A FIVE (5) FOOT WIDE STRIP OF LAND ABUTTING ALL CURB-TO-CURB STREETS. NO PERMANENT BUILDINGS OR RETAINING WALLS SHALL BE PLACED IN SAID EASEMENT WAYS, BUT THE SAME MAY BE USED FOR GARAGES, SHEDS, LANDSCAPING, SIDEWALKS, DRIVEWAYS AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID OR RIGHTS HEREIN GRANTED.

DLHC REAL ESTATE, LLC  
A NEBRASKA LIMITED LIABILITY COMPANY  
BY: DALE E. WASTON, PRESIDENT

### ACKNOWLEDGEMENT OF NOTARY

STATE OF NEBRASKA)  
COUNTY OF SARPY)  
THE FOREGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020 BY DALE E. WASTON, PRESIDENT OF DLHC REAL ESTATE, LLC, A NEBRASKA LIMITED LIABILITY COMPANY ON BEHALF OF SAID COMPANY.

NOTARY PUBLIC

### SARPY COUNTY TREASURER'S CERTIFICATE

THIS IS TO CERTIFY THAT I FIND NO REGULAR OR SPECIAL TAXES DUE OR DELINQUENT AGAINST THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE AND EMBRACED WITHIN THIS PLAT AS SHOWN ON THE RECORDS OF THIS OFFICE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

TREASURER'S SEAL

SARPY COUNTY TREASURER

### APPROVAL OF BELLEVUE PLANNING COMMISSION

THIS PLAT OF WATSON'S REPLAT THREE WAS APPROVED BY THE BELLEVUE PLANNING COMMISSION ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020. THIS PLAT BECOMES NULL AND VOID IF NOT RECORDED WITHIN 90 DAYS OF THE ABOVE DATE.

BELLEVUE PLANNING COMMISSIONER

### APPROVAL OF BELLEVUE CITY COUNCIL

THIS PLAT OF WATSON'S REPLAT THREE WAS APPROVED AND ACCEPTED BY THE BELLEVUE CITY COUNCIL ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020. APPROVAL OF THIS PLAT BECOMES NULL AND VOID IF NOT RECORDED WITHIN 90 DAYS OF THE ABOVE DATE.

MAYOR CITY CLERK

### REVIEW BY SARPY COUNTY PUBLIC WORKS

THIS PLAT OF WATSON'S REPLAT THREE WAS REVIEWED BY THE SARPY COUNTY SURVEYORS OFFICE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

SARPY COUNTY SURVEYOR/ENGINEER

WATSON'S REPLAT THREE  
LOTS 1 AND 2



Revisions Dates

No.	Description	MM-DD-YY

Job No.: A1561-19-20A  
Drawn By: RJR  
Reviewed By: JDW  
Date: April 15, 2020  
Book:  
Page:

City of Bellevue  
FINAL PLAT

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF BELLEVUE, NEBRASKA, AS PROVIDED FOR BY ARTICLE 3 OF ORDINANCE NO. 3619 BY CHANGING THE ZONE CLASSIFICATION OF LAND LOCATED AT CORNHUSKER ROAD AND 36<sup>TH</sup> STREET, MORE PARTICULARLY DESCRIBED IN SECTION 1 OF THE ORDINANCE AND TO PROVIDE AN EFFECTIVE DATE.

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

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

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

Lot 1, Watson’s Replat Three being a platting of Lot 2 Watson’s Replat II, located within part of the Northeast ¼ of Section 29, and within part of the Northwest ¼ of Section 28, all located in T14N, R13E of the 6th P.M., Sarpy County, Nebraska.

From AG (Agricultural District) to AG (Agricultural District).

Lot 2, Watson’s Replat Three being a platting of Lot 2 Watson’s Replat II, located within part of the Northeast ¼ of Section 29, and within part of the Northwest ¼ of Section 28, all located in T14N, R13E of the 6th P.M., Sarpy County, Nebraska.

From AG (agricultural District) to ML (Light Manufacturing District)

(DLWC Real Estate, LLC)

Section 2. This ordinance shall not take effect until such time as the final plat of Watson’s Replat Three is filed with the Sarpy County Register of Deeds in accordance with Section 4-10 of the City of Bellevue Subdivision Regulations.

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

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

ADOPTED by the Mayor and City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

ATTEST

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

\_\_\_\_\_  
Mayor

First Reading: 06/16/2020  
Second Reading: 07/07/2020  
Third Reading: \_\_\_\_\_

# WATSON'S REPLAT THREE

## LOTS 1 AND 2

--- EASEMENT GRANTED TO OMAHA PUBLIC POWER DISTRICT RECORDED IN MSC. BOOK 38 AT PAGE 23 OF THE SARPY COUNTY RECORDS.

--- EASEMENT GRANTED TO METROPOLITAN UTILITIES DISTRICT OF OMAHA RECORDED IN MSC. BOOK 37 AT PAGE 372 OF THE SARPY COUNTY RECORDS.

### NOTES:

1. DIMENSIONS IN PARENTHESIS PERTAIN TO EASEMENTS.
2. THE PROPERTY LIES WITHIN THE AIR INSTALLATION COMPATIBLE USE ZONE (AICUZ) AND FALLS WITHIN THE 65-80db AND 70-74db NOISE ZONES. WHEN DEVELOPMENT OCCURS ON THE PROPERTY, IT MUST COMPLY WITH THE SUGGESTED LAND USE COMPATIBILITY RECOMMENDATIONS FOR AREAS WITHIN THOSE NOISE ZONES. SOME WALL REQUIRE NO IMPROVEMENTS, WHILE OTHERS MAY SUGGEST THAT NOISE ATTENUATING MATERIALS BE USED IN CONSTRUCTION TO REDUCE NOISE LEVELS A SPECIFIC DECIBEL AMOUNT.

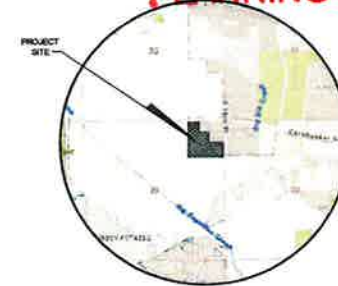
NE CORNER OF THE NE 1/4 OF THE NE 1/4 OF SECTION 28, T14N, R13E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA. FOUND BRASS CAP IN CORNHUSKER ROAD PAVING.

NW CORNER OF THE NE 1/4 OF THE NE 1/4 OF SECTION 28, T14N, R13E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA. FOUND BRASS CAP IN CORNHUSKER ROAD PAVING.

NE 60.45' TO CHISELED "X" IN THE NORTH END OF A CURB INLET.

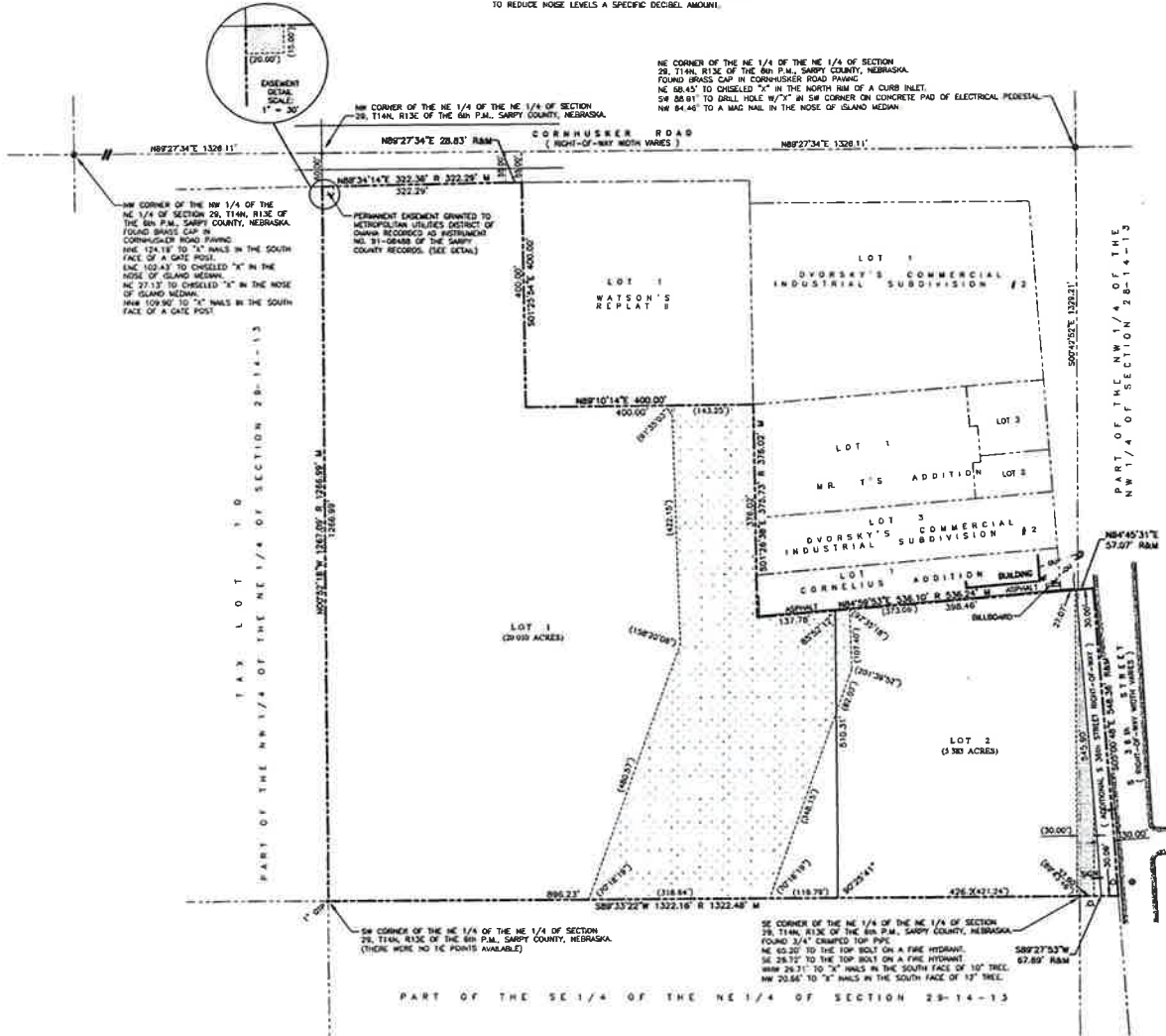
SW 88.91' TO DRILL HOLE W/7" #1 SW CORNER ON CONCRETE PAD OF ELECTRICAL PEDESTAL.

NW 84.40' TO A MAG NAIL IN THE NOSE OF ISLAND MEDIAN.



VICINITY MAP

thompson, dressen & dörner, inc.  
10836 Old Mill Rd  
Omaha, NE 68154  
p 402.330.8660 f 402.330.5966  
td2ca.com  
Survey Type



### SUBDIVIDER

DLWC REAL ESTATE, LLC  
12601 SOUTH 71st STREET  
PAPILLION, NEBRASKA 68133

### ENGINEER

THOMPSON, DREESSEN & DORNER, INC.  
10836 OLD MILL ROAD  
OMAHA NEBRASKA 68154

### LEGAL DESCRIPTION

LOT 2, WATSON'S REPLAT II, AN ADDITION TO THE CITY OF BELLEVUE, LOCATED WITHIN PART OF THE NE 1/4 OF THE NE 1/4 OF SECTION 29 AND WITHIN PART OF THE NW 1/4 OF THE NW 1/4 OF SECTION 28, ALL IN T14N, R13E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA.

### NOTES

1. NO CONTOURS ARE SHOWN AS NO GRADING IS PROPOSED BY THE SUBDIVIDER.
2. EXISTING ZONING IS AG. PROPOSED ZONING IS ML.
3. REQUIRED UTILITIES EXIST.

### LEGEND

- CORNERS FOUND
- CORNERS SET (5/8" REBAR W/CAP #308)
- ▲ TEMPORARY POINT
- R RECORDED DISTANCE
- M MEASURED DISTANCE
- OT OPEN TOP PIPE
- CTP CRIMPED TOP PIPE
- △ FIRE HYDRANT
- SIGN
- SEWER MANHOLE
- ⊕ POWER POLE
- ⊕ ELECTRICAL METER
- OVERHEAD UTILITY LINE

WATSON'S REPLAT THREE  
LOTS 1 AND 2



Revisions Table

File	Description	MM-DD-YY

Job No.: A1561-19-20P  
Drawn By: RJR  
Reviewed By: JDW  
Date: APRIL 15, 2020  
Book:  
Pages:

CITY OF BELLEVUE  
PRELIMINARY PLAT

# WATSON'S REPLAT THREE

## LOTS 1 AND 2

BEING A REPLATTING OF LOT 2, WATSON'S REPLAT II, AN ADDITION TO THE CITY OF BELLEVUE, LOCATED WITHIN PART OF THE NE 1/4 OF THE NE 1/4 OF SECTION 29 AND WITHIN PART OF THE NW 1/4 OF THE NW 1/4 OF SECTION 28, ALL IN T14N, R13E OF THE 6th P.M., SARPY COUNTY, NEBRASKA.

RECEIVED

MAY 14 2020

PLANNING DEPT.



thompson, dreesen & dorner, inc.  
10836 Old Mill Rd  
Omaha, NE 68154  
p.402.330.8860 f.402.330.5866  
td2ca.com

WATSON'S REPLAT THREE  
LOTS 1 AND 2

EASEMENT GRANTED TO OMAHA PUBLIC POWER DISTRICT RECORDED IN MISC BOOK 39 AT PAGE 23 OF THE SARPY COUNTY RECORDS.

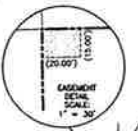
EASEMENT GRANTED TO METROPOLITAN UTILITIES DISTRICT OF OMAHA RECORDED IN MISC BOOK 37 AT PAGE 372 OF THE SARPY COUNTY RECORDS.

**LEGEND**

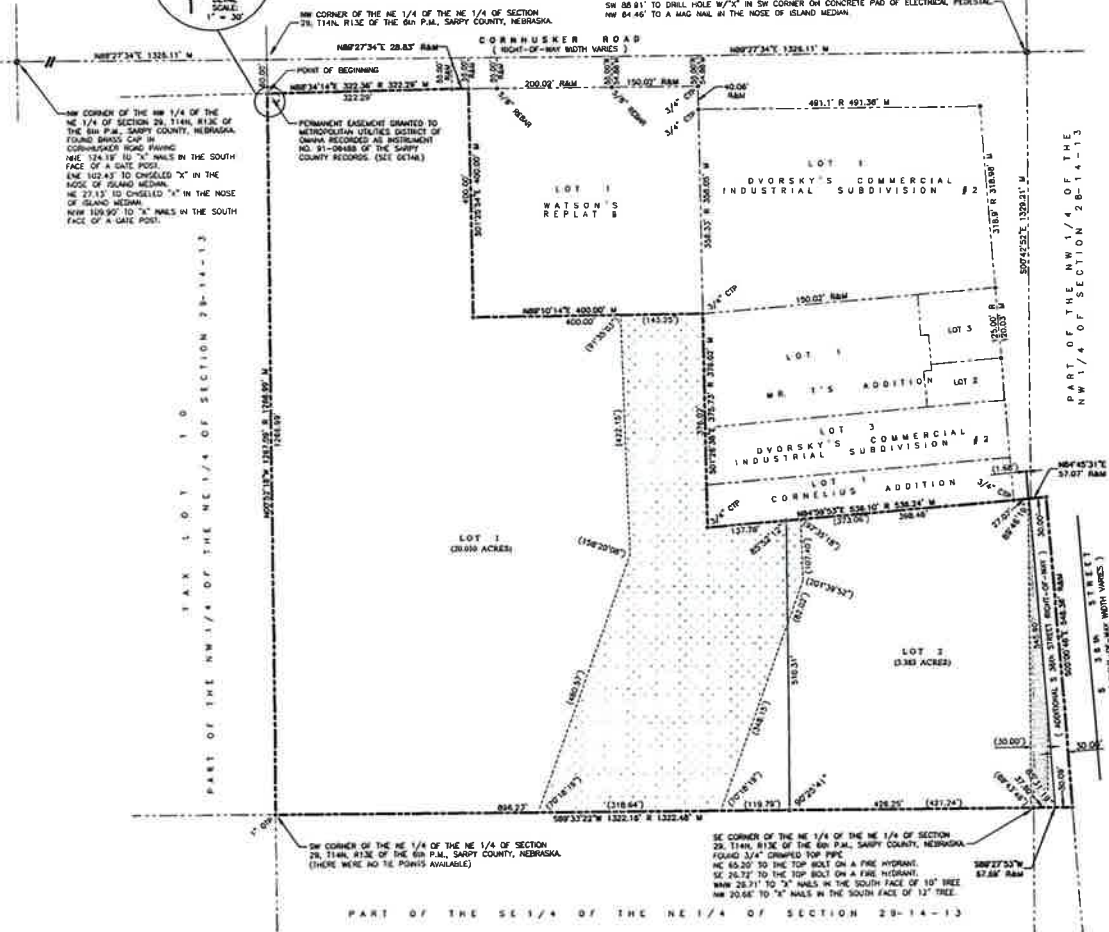
- CORNERS FOUND
- CORNERS SET
- (3/8") REBAR W/ CAP (#308)
- TEMPORARY POINT
- R RECORDED DISTANCE
- M MEASURED DISTANCE
- OTF OPEN TOP PIPE
- CTP CRUMPED TOP PIPE

**NOTES**

1. DIMENSIONS IN PARENTHESES PERTAIN TO EASEMENTS.
2. THE PROPERTY LIES WITHIN THE AIR INSTALLATION COMPATIBLE USE ZONE (AICUZ) AND FALLS WITHIN THE 65-80dB AND 70-74dB NOISE ZONES. WHEN DEVELOPMENT OCCURS ON THE PROPERTY, IT MUST COMPLY WITH THE SUGGESTED LAND USE COMPATIBILITY RECOMMENDATIONS FOR AREAS WITHIN THESE NOISE ZONES. SOME WILL REQUIRE NO MODIFICATIONS, WHILE OTHERS MAY SUGGEST THAT NOISE ATTENUATING MATERIALS BE USED IN CONSTRUCTION TO REDUCE NOISE LEVELS A SPECIFIC DECIBEL AMOUNT.



NE CORNER OF THE NE 1/4 OF THE NE 1/4 OF SECTION 29, T14N, R13E OF THE 6th P.M., SARPY COUNTY, NEBRASKA.  
FOUND BRASS CAP IN CORNHUSKER ROAD FRINGE.  
NE 68.45° TO OVERLID 3" IN THE NORTH RIM OF A CURB INLET.  
SW 88.91° TO DRILL HOLE W/3" IN SW CORNER ON CONCRETE PAD OF ELECTRICAL, PEDESTAL.  
NW 84.46° TO A MAG NAIL AT THE NODE OF ISLAND MEDIAN.



**SURVEYOR'S CERTIFICATE**

I HEREBY CERTIFY THAT I HAVE MADE A BOUNDARY SURVEY OF THE SUBDIVISION DESCRIBED HEREIN AND THAT PERMANENT MARKERS HAVE BEEN FOUND OR SET AT ALL CORNERS OF SAID BOUNDARY AND AT ALL LOT CORNERS WITHIN SAID SUBDIVISION TO BE KNOWN AS WATSON'S REPLAT THREE, LOTS 1 AND 2, BEING A REPLATTING OF LOT 2, WATSON'S REPLAT II, AN ADDITION TO THE CITY OF BELLEVUE, SARPY COUNTY, NEBRASKA, ALL MORE PARTICULARLY DESCRIBED AS FOLLOWS, BEGINNING AT THE NE CORNER OF SAID LOT 1, SAID CORNER BEING 80.00 FEET SOUTH OF THE NW CORNER OF THE NE 1/4 OF THE NE 1/4 OF SECTION 29, T14N, R13E OF THE 6TH P.M., SAID SARPY, AND ON THE SOUTH LINE OF CORNHUSKER ROAD;

THENCE N88°34'14"E (ASSUMED BEARING) 322.29 FEET ON THE NORTH LINE OF SAID LOT 2 AND ON THE SOUTH LINE OF CORNHUSKER ROAD;

THENCE N89°27'34"E 28.83 FEET ON THE NORTH LINE OF SAID LOT 2 AND ON THE SOUTH LINE OF CORNHUSKER ROAD TO THE NE CORNER OF SAID LOT 2;

THENCE S01°25'54"E 400.00 FEET ON THE EAST LINE OF SAID LOT 2;

THENCE N89°10'14"E 400.00 FEET ON THE EAST LINE OF SAID LOT 2;

THENCE S01°26'38"E 376.02 FEET ON THE EAST LINE OF SAID LOT 2;

THENCE N84°56'53"E 536.24 FEET ON THE EAST LINE OF SAID LOT 2;

THENCE N84°45'31"E 57.07 FEET ON THE EAST LINE OF SAID LOT 2 TO THE WEST LINE OF 36TH STREET;

THENCE S05°02'48"E 548.34 FEET ON THE EAST LINE OF SAID LOT 2 AND ON THE WEST LINE OF 36TH STREET TO THE SE CORNER OF SAID LOT 2;

THENCE S89°27'33"W 87.69 FEET ON THE SOUTH LINE OF SAID LOT 2;

THENCE S89°33'22"W 1322.48 FEET ON THE SOUTH LINE OF SAID LOT 2 TO THE SW CORNER THEREOF;

THENCE N00°32'18"W 1266.99 FEET ON THE WEST LINE OF SAID LOT 2 TO THE POINT OF BEGINNING.

CONTAINING 23.770 ACRES MORE OR LESS

APRIL 15, 2020  
DATE:



**DEDICATION**

KNOW ALL MEN BY THESE PRESENTS THAT WE, DLHC REAL ESTATE, LLC, A NEBRASKA LIMITED LIABILITY COMPANY, BEING THE OWNERS OF THE LAND DESCRIBED WITHIN THE SURVEYOR'S CERTIFICATE AND EMBRACED WITHIN THIS PLAT, HAVE CAUSED SAID LAND TO BE SUBDIVIDED INTO A STREET AND LOTS TO BE NAMED AND NUMBERED AS SHOWN, SAID SUBDIVISION TO BE HEREAFTER KNOWN AS WATSON'S REPLAT THREE, AND WE DO HEREBY RADE AND APPROVE OF THE DEDICATION OF OUR PROPERTY AS SHOWN ON THIS PLAT AND WE HEREBY DEDICATE TO THE PUBLIC, FOR PUBLIC USE, THE STREET AS SHOWN HEREON, AND WE DO FURTHER GRANT PROPRIETARY EASEMENTS TO OMAHA PUBLIC POWER DISTRICT (OPPD), COX COMMUNICATIONS, AND CENTURYLINK ACROSS A FIVE (5) FOOT WIDE STRIP OF LAND ADJUTING ALL FRONT AND SIDE BOUNDARY LOT LINES; AN EIGHT (8) FOOT WIDE STRIP OF LAND ADJUTING THE REAR BOUNDARY LINES OF ALL INTERIOR LOTS; AND A SIXTEEN (16) FOOT WIDE STRIP OF LAND ADJUTING THE REAR BOUNDARY LINES OF ALL EXTENSION LOTS. THE TENM EXTENSION LOTS IF HEREIN DEFINED AS THOSE LOTS FORMING THE OUTER PERIMETER OF THE ABOVE DESCRIBED ADDITION, THE SIXTEEN (16) FOOT WIDE EASEMENT MAY BE REDUCED TO FOUR (4) FEET WIDE WHEN THE ADJACENT LAND IS SURVEYED, PLATTED AND RECORDED. PERPETUAL EASEMENTS ARE HEREBY GRANTED TO METROPOLITAN UTILITIES DISTRICT (MUD) AND/OR BLACK HILLS ENERGY, THEIR SUCCESSORS AND ASSIGNS TO ELECT, INSTALL, OPERATE, MAINTAIN, REPAIR AND RENEW PRESSURES, HYDRANTS AND OTHER RELATED FACILITIES AND TO EXTEND THEREON PIPES FOR THE TRANSMISSION OF GAS AND WATER ON, THROUGH, UNDER AND ACROSS A FIVE (5) FOOT WIDE STRIP OF LAND ADJUTING ALL CURB-TO-CURB STREETS; NO PERMANENT BUILDINGS OR RETAINING WALLS SHALL BE PLACED IN SAID EASEMENT WAYS, BUT THE SAME MAY BE USED FOR GARAGES, SHEDS, LANDSCAPING, SIDEWALKS, DRIVEWAYS AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID OR RIGHTS HEREIN GRANTED.

DLHC REAL ESTATE, LLC  
A NEBRASKA LIMITED LIABILITY COMPANY  
BY: DALE E. WASTON, PRESIDENT

**ACKNOWLEDGEMENT OF NOTARY**  
STATE OF NEBRASKA)  
COUNTY OF SARPY)  
THE FOREGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020 BY DALE E. WASTON, PRESIDENT OF DLHC REAL ESTATE, LLC, A NEBRASKA LIMITED LIABILITY COMPANY ON BEHALF OF SAID COMPANY.

NOTARY PUBLIC  
TREASURER'S SEAL  
SARPY COUNTY TREASURER

**SARPY COUNTY TREASURER'S CERTIFICATE**  
THIS IS TO CERTIFY THAT I FIND NO REGULAR OR SPECIAL TAXES DUE OR DELINQUENT AGAINST THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE AND EMBRACED WITHIN THIS PLAT AS SHOWN ON THE RECORDS OF THIS OFFICE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

**APPROVAL OF BELLEVUE PLANNING COMMISSION**  
THIS PLAT OF WATSON'S REPLAT THREE WAS APPROVED BY THE BELLEVUE PLANNING COMMISSION ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020. THIS PLAT BECOMES NULL AND VOID IF NOT RECORDED WITHIN 90 DAYS OF THE ABOVE DATE.

**APPROVAL OF BELLEVUE CITY COUNCIL**  
THIS PLAT OF WATSON'S REPLAT THREE WAS APPROVED AND ACCEPTED BY THE BELLEVUE CITY COUNCIL ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020. APPROVAL OF THIS PLAT BECOMES NULL AND VOID IF NOT RECORDED WITHIN 90 DAYS OF THE ABOVE DATE.

**REVIEW BY SARPY COUNTY PUBLIC WORKS**  
THIS PLAT OF WATSON'S REPLAT THREE WAS REVIEWED BY THE SARPY COUNTY SURVEYORS OFFICE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

Revision Dates

No.	Description	MM-DD-YY

Job No.: A1561-19-20A  
Drawn By: RJR  
Reviewed By: JDW  
Date: APRIL 15, 2020  
Book:  
Page:

Sheet Title

CITY OF BELLEVUE  
FINAL PLAT

Sheet Number

SHEET 1 OF 1

11/12/2018 8:11 PM BNA REVISED L:\PROJECTS\1561-19-20A\Drawings\Mapes\Mapes\_1.dwg Drawing:17/11/19:20:19

CITY OF BELLEVUE, NEBRASKA  
AGENDA ITEM COVER SHEET

12a.  
12a1.  
12a2.  
07/21/2020

COUNCIL MEETING DATE: 07/21/2020		SUBMITTED BY: Tammi Palm		
AGENDA ITEM:		CONSENT AGENDA <input type="checkbox"/>	SPECIAL PRESENTATION <input type="checkbox"/>	
LIQUOR LICENSE <input type="checkbox"/>		ORDINANCE <input checked="" type="checkbox"/>	PUBLIC HEARING <input type="checkbox"/>	
RESOLUTION <input type="checkbox"/>		CURRENT BUSINESS <input type="checkbox"/>	OTHER <input type="checkbox"/>	

SUBJECT:

Approval of a request to rezone Lots 1 through 3, Hidden Hills 2nd Addition, being a replat of Lot 42B1, 47B, and part of Lot 48B, Marian Park, and part of Lot 1, the North 40 feet of Lot 2, and Lot 3B, Jewell Place from RE to RS-120; and to preliminary and final plat Lots 1 through 3, Hiddend Hills 2nd Addition. Applicant: Sherwood Properties. General Location: Southwest of the intersection of Combs Road and Canyon Road.

SYNOPSIS/BACKGROUND:

The applicant is requesting to obtain a change of zone, preliminary plat, and final plat to allow for single family residential development. The applicant has indicated a change of zone will minimize grading and tree removal on the proposed sites as the sites are currently wooded and covered with vegetation. The RS-120 zoning is being requested for proposed Lots 1 through 3 zoned RE, Rural Estates. The proposed lots presently abut several lots and subdivisions zoned RS-120.

FISCAL IMPACT:  BUDGETED FUNDS?:  GRANT/MATCHING FUNDS?:

TRACKING INFORMATION FOR CONTRACTS AND PROJECTS:

IS THIS A CONTRACT?:  COUNTER-PARTY:  INTERLOCAL AGREEMENT:

CONTRACT DESCRIPTION:

CONTRACT EFFECTIVE DATE:  CONTRACT TERM:  CONTRACT END DATE:

PROJECT NAME:

START DATE:  END DATE:  PAYMENT DATE:  INSURANCE REQUIRED:

CIP PROJECT NAME:  CIP PROJECT NUMBER:

STREET DISTRICT NAME (S):  STREET DISTRICT NUMBER (S):

ACCOUNTING DISTRUBUTION CODE:  ACCOUNT NUMBER:

RECOMMENDATION:

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

ATTACHMENTS:

- |  |  |  |
|--|--|--|
| 1. <input type="text" value="Planning Commission Recommendation Sheet"/> | 2. <input type="text" value="Staff Report"/> | 3. <input type="text" value="Rezoning Ordinance"/> |
| 4. <input type="text"/>  | 5. <input type="text"/>                      | 6. <input type="text"/>                            |

SIGNATURES:

LEGAL APPROVAL AS TO FORM: \_\_\_\_\_

FINANCE APPROVAL AS TO FORM: \_\_\_\_\_

ADMINISTRATOR APPROVAL AS TO FORM: \_\_\_\_\_

*A. Byrre Roblins*  
*Chad K...*

# City of Bellevue

## PLANNING COMMISSION RECOMMENDATION

**APPLICANT:** Sherwood Properties, LLC  
**CASE #'s:** S-2005-08, S-2005-09, and Z-2005-04  
**CITY COUNCIL HEARING DATE:** July 21, 2020

**REQUEST:** to rezone Lots 1 through 3, Hidden Hills 2nd Addition, being a replat of Lots 43B1, 47B, and part of Lot 48B, Marian Park, all located in the North ½ of Section 25, T14, R13E of the 6th P.M., Sarpy County, Nebraska; and part of Lot 1, lying West of Canyon Road, the North 40' of Lot 2, and Lot 3B1, Jewell Place, all located in the Southeast ¼ of Section 25, T14N, R13E of the 6th P.M., Sarpy County, Nebraska from RE to RS-120 for the purpose of single family residential development; preliminary plat Lots 1 through 3 , Hidden Hills 2nd Addition; and final plat Lots 1 through 3, Hidden Hills 2nd Addition.

On June 25, 2020 the City of Bellevue Planning Commission voted nine yes, zero no, zero absent and zero abstained:

**APPROVAL** based upon conformance with the Zoning Ordinance, Subdivision Regulations, and lack of perceived negative impact to the surrounding area, as well as an amendment to the Future Land Use Map of the Comprehensive Plan to include this area as low density residential.

**VOTE:**

Yes:	Nine:	No:	Zero:	Abstain:	Zero:	Absent:	Zero:
	Casey						
	Perrin						
	Cain						
	Ritz						
	Aerni						
	Ackley						
	Hankins						
	Cutsforth						
	Jacobson						

Planning Commission Hearing (s) was held on: June 25, 2020

# CITY OF BELLEVUE PLANNING DEPARTMENT

## RECOMMENDATION REPORT # 2

CASE NUMBERS: Z-2005-04  
S-2005-08  
S-2005-09

FOR HEARING OF:  
REPORT 1#: June 25, 2020  
REPORT 2#: July 21, 2020

### I. GENERAL INFORMATION

#### A. APPLICANT:

Sherwood Properties  
14711 Industrial Road  
Omaha, NE 68144

#### B. PROPERTY OWNER:

Sherwood Properties  
14711 Industrial Road  
Omaha, NE 68144

#### C. GENERAL LOCATION:

Southwest of the intersection of Combs Road and Canyon Road

#### D. LEGAL DESCRIPTION:

Lots 1 through 3, Hidden Hills 2nd Addition, being a replat of Lots 43B1, 47B, and part of Lot 48B, Marian Park, all located in the North ½ of Section 25, T14, R13E of the 6th P.M., Sarpy County, Nebraska; and part of Lot 1, lying West of Canyon Road, the North 40' of Lot 2, and Lot 3B1, Jewell Place, all located in the Southeast ¼ of Section 25, T14N, R13E of the 6th P.M., Sarpy County, Nebraska.

#### E. REQUESTED ACTIONS:

1. Rezone Lots 1 through 3, Hidden Hills 2<sup>nd</sup> Addition, from RE to RS-120 for the purpose of single family residential development.
2. Preliminary plat Lots 1 through 3, Hidden Hills 2<sup>nd</sup> Addition.

3. Final plat Lots 1 through 3, Hidden Hills 2<sup>nd</sup> Addition.

**F. EXISTING ZONING AND LAND USE:**

RE, Vacant

**G. PURPOSE OF REQUEST:**

The purpose of this request is to obtain approval of a change of zone, preliminary plat, and final plat to allow for single family residential development.

**H. SIZE OF SITE:**

The site is approximately 2.98 acres.

**II. BACKGROUND INFORMATION**

**A. EXISTING CONDITION OF SITE:**

The site is currently vacant; heavily wooded, covered with vegetation, and the terrain is rough with steep slopes.

**B. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:**

- 1. **North:** Single Family Residential, RE and RS-120
- 2. **East:** Single Family Residential, RS-120-PS
- 3. **South:** Single Family Residential, RE and RS-120-PS
- 4. **West:** Single Family Residential, RS-120 and RS-84

**C. REVELANT CASE HISTORY:**

- 1. On June 25, 2020 the Planning Commission recommended approval of a request to rezone Lots 1 through 3 Hidden Hills 2<sup>nd</sup> Addition, and preliminary plat and final plat Lots 1 through 3 Hidden Hills 2<sup>nd</sup> Addition, as well as an amendment to the Future Land Use Map of the Comprehensive Plan to include this area as low density residential.

**D. APPLICABLE REGULATIONS:**

- 1. Section 5.08, Zoning Ordinance, regarding RS-120 uses and requirements.
- 2. Chapter 3, Subdivision Regulations, regarding Preliminary Plats.
- 3. Chapter 4, Subdivision Regulations, regarding Final Plats.

### **III. ANALYSIS**

#### **A. COMPREHENSIVE PLAN:**

The Future Land Use Map of the Comprehensive Plan designates this area as Rural Estates.

#### **B. OTHER PLANS:**

None

#### **C. TRAFFIC AND ACCESS:**

1. There is no traffic data information available for this area.
2. Proposed Lot 1 has access from Bellevue Boulevard. Proposed Lots 2 and 3 have access from Canyon Road. Proposed Lot 3 includes an access easement to proposed Lot 2.

#### **D. UTILITIES:**

All utilities are available to serve this development.

#### **E. ANALYSIS:**

1. Jerry Standerford, on behalf of Sherwood Properties, has submitted a request to preliminary plat and final plat Lots 1 through 3, Hidden Hills 2nd Addition, for the purpose of single family residential development.
2. The applicant is also requesting a change of zone from RE to RS-120 (Single Family Residential, 12,000 Square Foot Zone) for proposed Lots 1 through 3.
3. The property is presently zoned RE. One of the primary setback differences is the RE zoning district requires a minimum 20 foot side yard setback, while the proposed RS-120 zone requires a minimum 10 foot side yard setback. The applicant has indicated a change of zone will minimize grading and tree removal on the proposed sites.
4. This application was sent out to the following departments and individuals for review: Public Works, Permits and Inspections, Offutt Air Force Base, Chief of Police, Fire Inspector, and the Bellevue Public School District. The cover letter indicated a deadline to send comments back to the Planning Department, and also stated if the requested department did not have comments pertaining to the application, no response was needed.

Dean Dunn, Public Works Engineering Manager, made comments pertaining to technical revisions to the preliminary plat and final plat. The applicant's engineer has satisfied the requested revisions.

No other comments were received on this case.

5. Combs Road will remain unimproved abutting these lots. The city does not have issue with this due to only three lots being created, and the existing terrain. Lot 1 will have access from Bellevue Boulevard, while Lot 3 will take access from Canyon Road. Lot 2 will also access Canyon Road via an access easement through Lot 3. The developer will extend the pavement from Canyon Road and further improve the intersection of Canyon Road and Combs Road with paving.

6. Proposed Lots 1 through 3 for which the RS-120 zoning is being requested for abuts several lots and subdivisions presently zoned RS-120. Additionally, staff believes the proposed zoning request is compatible with the surrounding neighborhoods and existing developments.

7. Based on its existing zoning, this property is designated for rural estates use in the Future Land Use Map of the Comprehensive Plan. If the aforementioned requests are approved, staff would also recommend including a motion for an amendment to the Future Land Use Map for this area to be low density residential.

**F. TECHNICAL DEFICIENCIES:**

None

**IV. DEPARTMENT RECOMMENDATION**

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

**V. PLANNING COMMISSION RECOMMENDATION**

APPROVAL based upon conformance with the Zoning Ordinance, Subdivision Regulations, and lack of perceived negative impact to the surrounding area, as well as an amendment to the Future Land Use Map of the Comprehensive Plan to include this area as low density residential.

**VI. ATTACHMENTS TO REPORT**

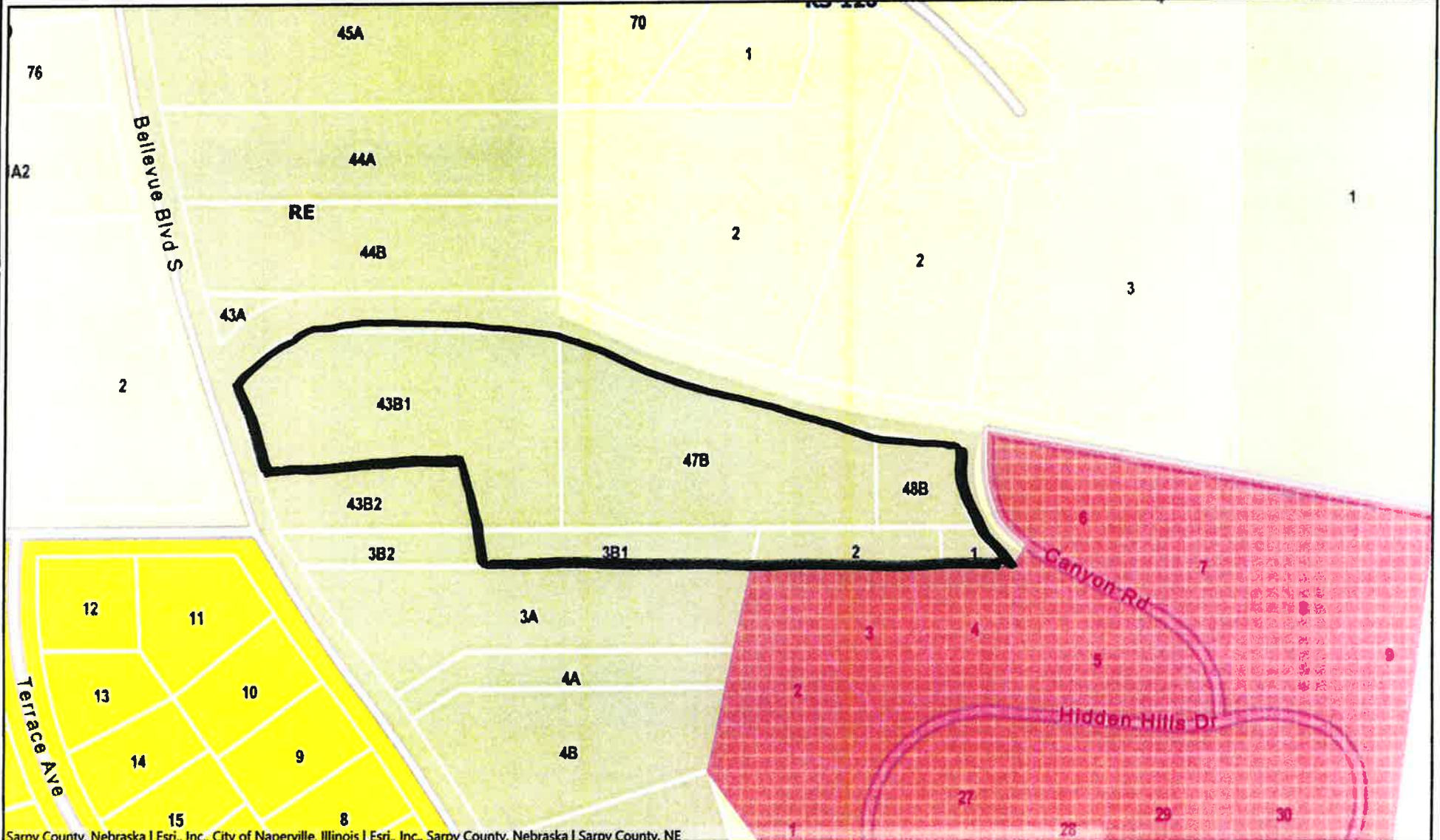
1. Vicinity map/Zoning Map
2. 2018 GIS aerial
3. Preliminary plat received June 18, 2020
4. Final plat received June 17, 2020
5. Letter from Mark Westergard received May 27, 2020
6. Letter from Hidden Hills Homeowner's Association received June 24, 2020

**VII. COPIES OF REPORT TO:**

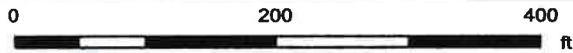
1. Sherwood Properties (Jerry Standerford)
2. E & A Consulting Group, Inc
3. Mark Johnson, Attorney
4. Public Upon Request

Angela Curry 6/29/20  
Prepared by: Date

Sammi L Palm 06/29/20  
Planning Manager Date



Sarpy County, Nebraska | Esri, Inc. City of Naperville, Illinois | Esri, Inc. Sarpy County, Nebraska | Sarpy County, NE



Map Scale 1: 2257

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



Notes





Esri, Inc., City of Naperville, Illinois | Esri, Inc., Sarpy County, Nebraska | Sarpy County, NE

0 100 200  
ft

Map Scale 1: 1592

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



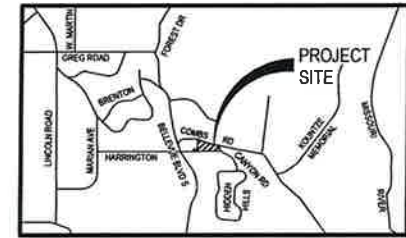
Notes



# HIDDEN HILLS 2ND ADDITION

## LOTS 1 THRU 3 INCLUSIVE

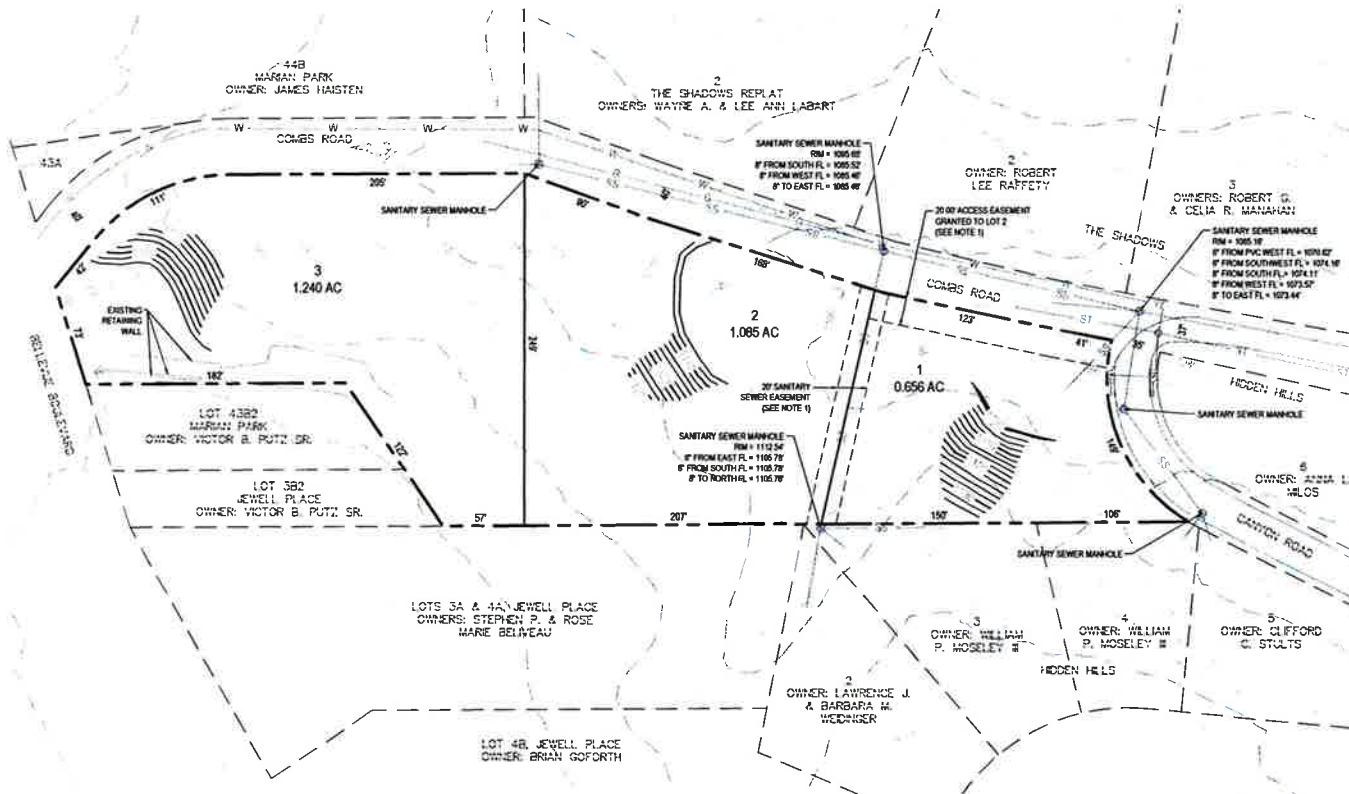
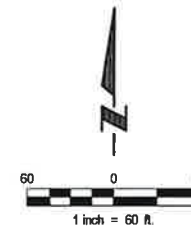
A TRACT OF LAND LOCATED IN ALL OF LOTS 43B1 AND 47B, MARIAN PARK, A SUBDIVISION IN PART OF THE NE1/4 AND PART OF THE NW1/4 OF SECTION 25, AND PART OF LOT 48B, SAID MARIAN PARK, ALONG WITH PART OF LOTS 1 AND 2, JEWELL PLACE, A SUBDIVISION LOCATED IN PART OF THE SE1/4 AND PART OF THE SW1/4 OF SAID SECTION 25 AND ALL OF LOT 3B1, SAID JEWELL PLACE, ALL LOCATED IN TOWNSHIP 14 NORTH, RANGE 13 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA.



VICINITY MAP

### LEGEND

- BOUNDARY LINE
- RIGHT OF WAY LINE
- LOT LINE
- EASEMENTS
- EXIST. MAJOR CONTOURS
- EXIST. MINOR CONTOURS
- PROP. MAJOR CONTOURS
- PROP. MINOR CONTOURS
- SS-SS SANITARY SEWER LINE
- G-G GAS LINE



### LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN ALL OF LOTS 43B1 AND 47B, MARIAN PARK, A SUBDIVISION IN PART OF THE NE1/4 AND PART OF THE NW1/4 OF SECTION 25, AND PART OF LOT 48B, SAID MARIAN PARK, ALONG WITH PART OF LOTS 1 AND 2, JEWELL PLACE, A SUBDIVISION LOCATED IN PART OF THE SE1/4 AND PART OF THE SW1/4 OF SAID SECTION 25 AND ALL OF LOT 3B1, SAID JEWELL PLACE, ALL LOCATED IN TOWNSHIP 14 NORTH, RANGE 13 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA.

SAID TRACT OF LAND CONTAINS 129,872 SQUARE FEET OR 2.981 ACRES, MORE OR LESS.

DEVELOPER/OWNER  
SHERWOOD PROPERTIES LLC  
14711 INDUSTRIAL ROAD  
OMAHA, NE 68144

### ZONING:

EXISTING	RE	
PROPOSED:	RS-120, LOT 1	0.656 AC
	RS-120, LOT 2	1.085 AC
	RS-120, LOT 3	1.240 AC
	TOTAL:	2.981 AC

### NOTES:

- TYPICAL UTILITY EASEMENTS WILL BE DEDICATED WITH THE FINAL PLAT.

RECEIVED  
JUN 18 2020  
PLANNING DEPT.

Proj No:	P2007.025.002
Date:	05 22 2020
Designed By:	JRS
Drawn By:	EHL
Scale:	1" = 100'
Sheet:	1 of 1

Revisions	
Date	Description
06/19/20	REVISED PER COUNTY COMMENTS
06/17/20	REVISED PER COUNTY COMMENTS

PRELIMINARY PLAT

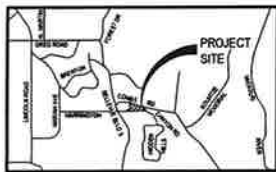
HIDDEN HILLS 2ND ADDITION  
LOTS 1 THRU 3 INCLUSIVE  
BELLEVUE, NEBRASKA



E & A CONSULTING GROUP, INC.  
Engineering Answers

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

10909 Mill Valley Road, Suite 100 • Omaha, NE 68154  
Phone: 402.895.4700 • Fax: 402.895.3599  
www.eacg.com



VICINITY MAP

# HIDDEN HILLS 2ND ADDITION

LOTS 1 THRU 3 INCLUSIVE

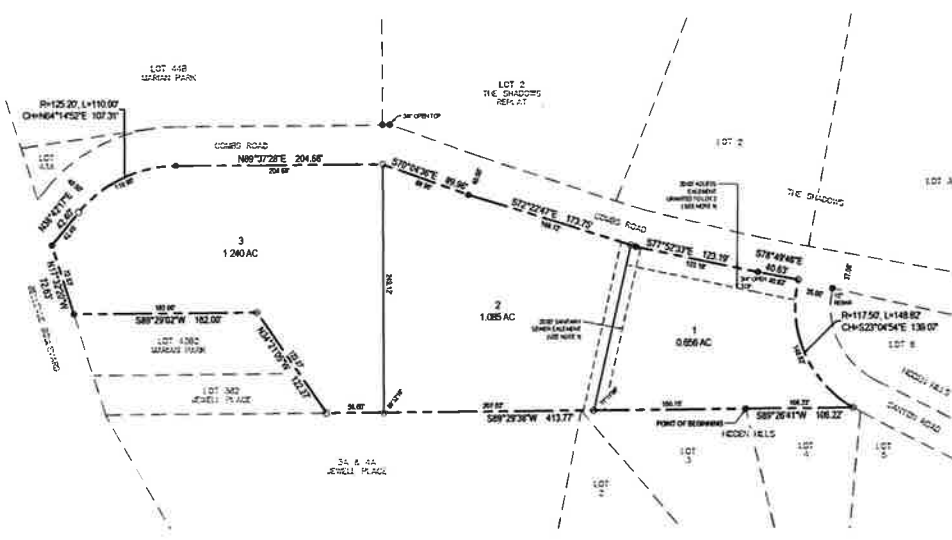
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**LEGEND**

- BOUNDARY LINE
- LOT LINE
- EASEMENTS
- - - - - DIST. PROPERTY LINES
- - - - - DIST. EASEMENTS
- PINS FOUND 3/4" PINCHED TOP (UNLESS NOTED)
- 5/8" REBAR SET WITH CAP L5-48

RS-130 ZONING SETBACK TABLE (LOTS 1 THRU 3)	
FRONT YARD	3'
SIDE YARD	10'
STREET SIDE YARD	3'
REAR YARD	3'



**NOTES:**

1. ALL EASEMENTS THAT ARE NOT LABELED WITH ANY RECORDING INFORMATION WILL BE RECORDED BY A SEPARATE DOCUMENT.
2. ALL ANGLES ARE 90° UNLESS OTHERWISE NOTED.

**DESCRIPTION**

I HEREBY CERTIFY THAT I HAVE MADE A GROUND SURVEY OF THE SUBDIVISION DESCRIBED HEREIN AND THAT PERMANENT MONUMENTS HAVE BEEN PLACED ON THE BOUNDARY OF THE WITHIN PLAT AND STAKES AT ALL CORNERS OF ALL LOTS, STREETS AND ANGLE POINTS IN HIDDEN HILLS 2ND ADDITION (THE LOTS NUMBERED AS SHOWN) A TRACT OF LAND LOCATED IN ALL OF LOTS 4081 AND 478, MARAN PARK, A SUBDIVISION IN PART OF THE NE1/4 AND PART OF THE NW1/4 OF SECTION 25, AND PART OF LOT 488, SAO MARAN PARK, ALONG WITH PART OF LOTS 1 AND 2, JEWELL PLACE, A SUBDIVISION LOCATED IN PART OF THE SE1/4 AND PART OF THE SW1/4 OF SAO SECTION 25 AND ALL OF LOT 301, SAO JEWELL PLACE, ALL LOCATED IN TOWNSHIP 14 NORTH, RANGE 13 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING AT THE NORTHWEST CORNER OF LOT 4, HIDDEN HILLS, A SUBDIVISION LOCATED IN PART OF SAO SE1/4 OF SECTION 25, SAO POINT ALSO BEING THE NORTHWEST CORNER OF LOT 3, SAO HIDDEN HILLS, THENCE S89°29'39"W ASSUMED BEARING ALONG THE NORTHERLY LINE OF SAO LOT 2, HIDDEN HILLS, SAO LINE ALSO BEING THE NORTHERLY LINE OF LOT 3A, SAO JEWELL PLACE, SAO LINE ALSO BEING THE SOUTHWEST CORNER OF SAO LOT 301, JEWELL PLACE, SAO POINT ALSO BEING THE SOUTHWEST CORNER OF LOT 302, SAO JEWELL PLACE, THENCE N34°27'02"W ALONG THE WESTERLY LINE OF SAO LOT 301, JEWELL PLACE, SAO LINE ALSO BEING THE SOUTHERLY LINE OF SAO LOT 488, MARAN PARK, SAO LINE ALSO BEING THE EASTERNLY LINE OF SAO LOT 302, JEWELL PLACE, SAO LINE ALSO BEING THE EASTERNLY LINE OF LOT 488, MARAN PARK, A DISTANCE OF 122.37 FEET TO THE NORTHEAST CORNER OF SAO LOT 488, MARAN PARK, THENCE S89°29'39"W ALONG SAO SOUTHERLY LINE OF LOT 488, MARAN PARK, SAO LINE ALSO BEING THE NORTHERLY LINE OF SAO LOT 488, MARAN PARK, SAO POINT ALSO BEING THE NORTHWEST CORNER OF SAO LOT 488, MARAN PARK, SAO POINT ALSO BEING THE NORTHWEST CORNER OF SAO LOT 488, MARAN PARK, SAO LINE ALSO BEING THE EASTERNLY RIGHT-OF-WAY LINE OF BELLEVUE BOULEVARD, THENCE W17°27'04"W ALONG THE WESTERLY LINE OF SAO LOT 488, MARAN PARK, SAO LINE ALSO BEING THE EASTERNLY RIGHT-OF-WAY LINE OF BELLEVUE BOULEVARD, A DISTANCE OF 72.80 FEET TO THE NORTHWEST CORNER OF SAO LOT 488, MARAN PARK, SAO POINT ALSO BEING THE POINT OF INTERSECTION OF SAO EASTERNLY RIGHT-OF-WAY LINE OF BELLEVUE BOULEVARD AND THE SOUTHERLY RIGHT-OF-WAY LINE OF COMBS ROAD, THENCE ALONG THE NORTHERLY LINE OF SAO LOTS 481, 478 AND 488, MARAN PARK, SAO LINE ALSO BEING THE SOUTHERLY RIGHT-OF-WAY LINE OF COMBS ROAD ON THE FOLLOWING SEVEN (7) DESCRIBED COURSES: (1) THENCE N30°47'16"E, A DISTANCE OF 42.48 FEET; (2) THENCE NORTHWESTERLY ON A CURVE TO THE RIGHT WITH A RADIUS OF 125.90 FEET, A DISTANCE OF 118.98 FEET, SAO CURVE HAVING A LONG CHORD WHICH BEARS N44°14'37"E, A DISTANCE OF 107.31 FEET; (3) THENCE W87°37'06"E, A DISTANCE OF 204.98 FEET; (4) THENCE S77°06'44"E, A DISTANCE OF 89.85 FEET; (5) THENCE S72°29'21"E, A DISTANCE OF 173.75 FEET; (6) THENCE S77°32'27"E, A DISTANCE OF 123.19 FEET; (7) THENCE S78°41'06"E, A DISTANCE OF 483.75 FEET TO THE POINT OF INTERSECTION OF SAO SOUTHERLY RIGHT-OF-WAY LINE OF COMBS ROAD AND THE WESTERLY RIGHT-OF-WAY LINE OF CANYON ROAD, THENCE SOUTHWESTERLY ALONG SAO WESTERLY RIGHT-OF-WAY LINE OF CANYON ROAD ON A CURVE TO THE LEFT WITH A RADIUS OF 117.56 FEET, A DISTANCE OF 148.87 FEET, SAO CURVE HAVING A LONG CHORD WHICH BEARS S27°50'45"E, A DISTANCE OF 139.87 FEET TO A POINT ON THE NORTHERLY LINE OF SAO LOT 4, HIDDEN HILLS, THENCE S89°29'39"W ALONG SAO NORTHERLY LINE OF LOT 4, HIDDEN HILLS, A DISTANCE OF 188.22 FEET TO THE POINT OF BEGINNING.

**SHERWOOD PROPERTIES, LLC**

JERRY STANCKOWSKI, MEMBER DATE \_\_\_\_\_

**ACKNOWLEDGEMENT OF RECEIPT**

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ BEFORE ME, THE undersigned a Notary Public in and for Sarpy County, Nebraska, personally came JERRY STANCKOWSKI, MEMBER OF SHERWOOD PROPERTIES, LLC, WHO IS PERSONALLY KNOWN TO BE THE IDENTICAL PERSON WHOSE NAME IS AFFIXED TO THE DESCRIPTION ON THIS PLAT AND ACKNOWLEDGED THE SAME TO BE HIS VOLUNTARY ACT AND DEED.

WITNESS MY HAND AND NOTARIAL SEAL, THE DAY AND YEAR LAST ABOVE WRITTEN.

**NOTARY PUBLIC**

**BELLEVUE CITY COUNCIL APPROVAL**

THIS PLAT OF HIDDEN HILLS 2ND ADDITION (LOTS NUMBERED AS SHOWN) WAS APPROVED BY THE CITY COUNCIL OF BELLEVUE ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ APPROVAL OF THIS FINAL PLAT SHALL INCOME HILL AND VOID NINETY (90) DAYS FROM THE DATE OF CITY COUNCIL APPROVAL IF THIS FINAL PLAT IS NOT FILED WITH THE REGISTER OF DEEDS AS PROVIDED IN SECTION 4-10 OF THE CITY OF BELLEVUE SUBDIVISION REGULATIONS.

**MAYOR**

**ATTEST**

**COUNTY TREASURER'S CERTIFICATE**

THIS IS TO CERTIFY THAT I FIND NO REGULAR OR SPECIAL TAXES DUE OR DELINQUENT AGAINST THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE AND EMPLOACED IN THIS PLAT AS SHOWN BY THE RECORDS OF THIS OFFICE.

**COUNTY TREASURER** DATE \_\_\_\_\_

RECEIVED  
JUN 17 2020  
PLANNING DEPT.

**SURVEYOR'S CERTIFICATION**

I HEREBY CERTIFY THAT I HAVE MADE A GROUND SURVEY OF THE SUBDIVISION DESCRIBED HEREIN AND THAT PERMANENT MONUMENTS HAVE BEEN PLACED ON THE BOUNDARY OF THE WITHIN PLAT AND STAKES AT ALL CORNERS OF ALL LOTS, STREETS AND ANGLE POINTS IN HIDDEN HILLS 2ND ADDITION (THE LOTS NUMBERED AS SHOWN) A TRACT OF LAND LOCATED IN ALL OF LOTS 4081 AND 478, MARAN PARK, A SUBDIVISION IN PART OF THE NE1/4 AND PART OF THE NW1/4 OF SECTION 25, AND PART OF LOT 488, SAO MARAN PARK, ALONG WITH PART OF LOTS 1 AND 2, JEWELL PLACE, A SUBDIVISION LOCATED IN PART OF THE SE1/4 AND PART OF THE SW1/4 OF SAO SECTION 25 AND ALL OF LOT 301, SAO JEWELL PLACE, ALL LOCATED IN TOWNSHIP 14 NORTH, RANGE 13 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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SAID TRACT OF LAND CONTAINS 129,872 SQUARE FEET OR 2.911 ACRES, MORE OR LESS

ERIC A. SCHAEFER L.S. 508 DATE \_\_\_\_\_

**APPROVAL OF BELLEVUE CITY PLANNING COMMISSION**

THIS PLAT OF HIDDEN HILLS 2ND ADDITION (LOTS NUMBERED AS SHOWN) WAS APPROVED BY THE BELLEVUE CITY PLANNING COMMISSION.

CHAIRMAN OF CITY PLANNING COMMISSION DATE \_\_\_\_\_

**REVIEW BY SARPY COUNTY PUBLIC WORKS**

THIS PLAT OF HIDDEN HILLS 2ND ADDITION WAS REVIEWED BY THE SARPY COUNTY SURVEYOR'S OFFICE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_.

**COUNTY SURVEYOR / ENGINEER**

**E & A CONSULTING GROUP, INC.**  
Engineering • Planning • Environmental & Field Services  
10089 Mill Valley Road, Suite 100 • Omaha, NE 68154  
Phone: 402.899.4444  
www.eandagroup.com



HIDDEN HILLS 2ND ADDITION  
LOTS 1 THRU 3 INCLUSIVE  
BELLEVUE, NEBRASKA

FINAL PLAT

Date	Description
10/10/20	REVIEW PER COUNTY COMMISSIONS
10/17/20	REVIEW PER COUNTY COMMISSIONS
11/11/20	REVIEW PER COUNTY COMMISSIONS
11/11/20	REVIEW PER COUNTY COMMISSIONS



E & A CONSULTING GROUP, INC.

Engineering Answers

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

May 27, 2020

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

RE: Hidden Hills 2<sup>nd</sup> Addition – Zoning Justification Letter

Dear Tammi:

This plat of three large residential lots is requested to be re-zoned to RS-120 from RE. The justification for the request for RS-120 zoning is as follows:

- 1) This development is located in very rough terrain with steep slopes and heavily wooded areas. In order to site the homes in locations that will minimize grading and tree removals the RS-120 zoning allows 10' side yards vs. 20' in RE. Front and rear yard requirements are identical in the two zoning classifications at 35'. The 10' side yard will allow maximum flexibility in siting the homes.
- 2) There is an existing sanitary sewer line and associated permanent easement crossing the site. The logical location of placement of the lot line between Lots 1 and 2 is on the centerline of the easement. Doing this, the area of Lot 1 is 0.643 acres, less than the required 1 acre minimum in RE zoning and hence RS-120 is requested, with a 12,000 SF minimum lot area. It should be noted that although RS-120 zoning is requested for Lots 2 and 3 also, both of these lots exceed 1 acre in size.
- 3) Although the City's Future Land Use Map designates this area for "RE" land uses, most of the surrounding developments are zoned RS-120.

Sincerely,

E&A Consulting Group

Mark A. Westergard, PE

Cc: File

***Hidden Hills Homeowners' Association  
820 Hidden Hills Drive  
Bellevue, Nebraska***

June 24, 2020

Honorable Eric Ritz, Chairman  
Bellevue Planning Commission  
2020 City of Bellevue  
1510 Wall Street  
Bellevue NE 68005

***Subject: Sherwood Properties Application, Combs Road and Canyon Road  
Case Nos. Z-2005-04, S-2005-08 and S-2005-09***

Dear Chairman Ritz:

We are writing to express our opposition to Sherwood Properties' Application to rezone the above described property adjacent to Combs and Canyon Roads.

Nearly 40 residents and members of the Hidden Hills Homeowners' Association and other affected property owners believe that the proposed application will be detrimental to our community and are opposed to this application. We believe that the rezoned property will cause traffic and safety problems, destroy local wildlife habitats, water drainage challenges, and lower the property values in our community.

The Association has previously expressed its concern about the volume of nonresidential traffic through our community, and has asked city officials to moderate that traffic flow. This rezoning application will exacerbate an already problematic traffic flow.

Wildlife is abundant and welcomed in our community. If approved, this application will destroy their habitats. Any planned development of the property should consider the continuing impact on local wildlife habitats. This application does not do so.

Property values are likely to go down in our area if the rezoned property use is inconsistent with our developed community.

We respectfully urge you to deny the proposed rezoning application.

Thank you.

Sincerely,

Shiela Ausenbaugh  
Terry Ausenbaugh  
818 Hidden Hills Drive

John Carver  
Kelly Carver  
848 Hidden Hills Drive

Allison Haas  
845 Hidden Hills Drive

Joni Ann Brooks  
Jeffery Brooks  
829 Hidden Hills Drive

John Gentle  
814 Hidden Hills Drive

Mary Ann Johnson  
Wally Johnson  
820 Hidden Hills Drive

John Kawecki  
Janey Kawecki  
831 Hidden Hills Drive

Mary Leahy  
John Leahy  
843 Hidden Hills Drive

Rick Lempp,  
Michaeline Lempp  
811 Hidden Hills Drive

Bill Moseley  
Claudia Moseley  
841 Hidden Hills Drive

Elizabeth Lacy  
813 Hidden Hills Drive

Sharon Kelly  
Larry Pearce  
842 Hidden Hills Drive

Tom Polonis  
Judy Polonis  
809 Hidden Hills Drive

Don Ranheim  
Mary Lee Ranheim  
817 Hidden Hills Drive

Paul Snyder  
Myrna Snyder  
828 Hidden Hills Drive

Marcus Brown  
Tina Sonntag  
829 Hidden Hills Drive

Cliff Stults  
Hilde Stults  
833 Hidden Hills Drive

Bandon Wall  
Ashley Wall  
703 Canyon Road

Barb Weidinger  
Larry Weidinger  
846 Hidden Hills Drive

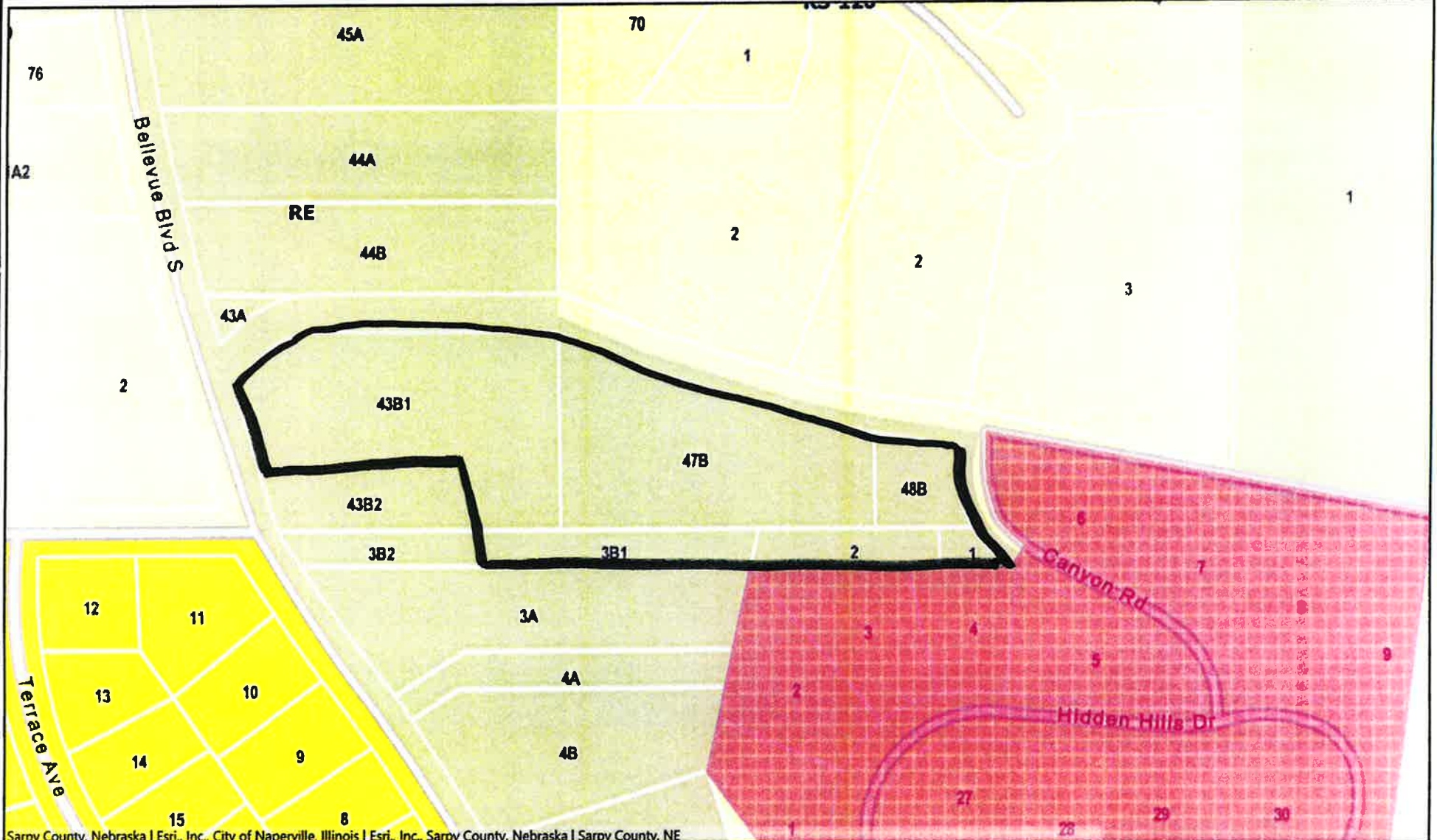
Nina Wolford  
Frederick Wolford  
805 Bellevue Blvd. South

cc: Dianna VanHorn, Planning Secretary

RECEIVED

JUN 24 2020

PLANNING DEPT.



Sarpy County, Nebraska | Esri, Inc., City of Naperville, Illinois | Esri, Inc., Sarpy County, Nebraska | Sarpy County, NE



Map Scale 1: 2257

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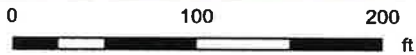


Notes





Esri, Inc., City of Naperville, Illinois | Esri, Inc., Sarpy County, Nebraska | Sarpy County, NE



Map Scale 1: 1592

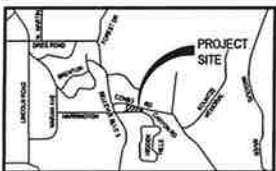
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Notes







VICINITY MAP

# HIDDEN HILLS 2ND ADDITION

LOTS 1 THRU 3 INCLUSIVE

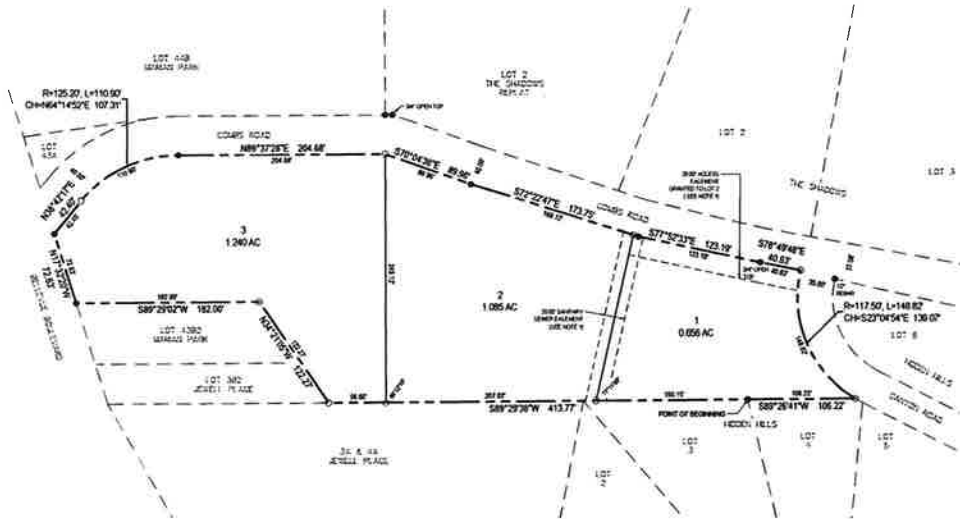
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**LEGEND**

- BOUNDARY LINE
- - - LOT LINE
- - - EASEMENTS
- - - EXIST. PROPERTY LINES
- - - EXIST. EASEMENTS
- PINS FOUND 3/4" PROVED TOP (UNLESS NOTED)
- 5/8" REBAR SET WITH CAP LS-408

RS-120 ZONING SETBACK TABLE (LOTS 1 THRU 3)	
FRONT YARD	20'
SIDE YARD	10'
STREET SIDE YARD	20'
REAR YARD	20'



- NOTES:**
- ALL EASEMENTS THAT ARE NOT LABELED WITH ANY RECORDING INFORMATION WILL BE RECORDED BY A SEPARATE DOCUMENT.
  - ALL ANGLES ARE 90° UNLESS OTHERWISE NOTED.

**DEDICATION**

I, THE UNDERSIGNED, JERRY STANDERFORD, MEMBER OF THE BOARD OF DIRECTORS OF SHERWOOD PROPERTIES, LLC, OWNERS OF THE PROPERTY DESCRIBED IN THIS SURVEYS CERTIFICATION AND EMBRACED WITHIN THIS PLAT, HAVE CAUSED SAID LAND TO BE SUBDIVIDED INTO LOTS AND STREETS TO BE NUMBERED AND NAMED AS SHOWN, SAID SUBDIVISION TO BE HEREIN KNOWN AS HIDDEN HILLS 2ND ADDITION (LOTS TO BE NUMBERED AS SHOWN), WHO DO HEREBY GRANT AND APPROVE OF THE DEDICATION OF OUR PROPERTY AS SHOWN ON THIS PLAT, AND WHO DO HEREBY GRANT EASEMENTS AS SHOWN ON THIS PLAT, WE DO FURTHER GRANT A PERPETUAL EASEMENT TO THE OMAHA PUBLIC POWER DISTRICT (OPPD), COUSINS ROAD, AND BOUNDARY LOT LINE, AN EIGHT (8) FOOT WIDE STRIP OF LAND RUNNING ALL FRONT AND SIDE BOUNDARY LINES OF ALL INTERIOR LOTS, AND A SIXTEEN (16) FOOT WIDE STRIP OF LAND RUNNING THE REAR BOUNDARY LINES OF ALL EXTERIOR LOTS. THE TERM EXTERIOR LOTS IS HEREBY DEFINED AS THOSE LOTS FORMING THE OUTER PERIMETER OF THE ABOVE DESCRIBED ADDITION. THE SIXTEEN (16) FOOT WIDE EASEMENT MAY BE REDUCED TO EIGHT (8) FEET WIDE WHEN THE ADJACENT LAND IS SURVEYED, PLATTED AND RECORDED. NO PERMANENT BUILDINGS OR RETAINING WALLS SHALL BE PLACED IN SAID EASEMENT STRIPS, BUT THE SAME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING AND OTHER PURPOSES THAT DO NOT EXIST OR LATER INTERFERE WITH THE AFORESAID OR RIGHTS HEREBY GRANTED.

SHERWOOD PROPERTIES, LLC

JERRY STANDERFORD, MEMBER DATE \_\_\_\_\_

**ACKNOWLEDGMENT OF NOTARY**

STATE OF NEBRASKA )  
 COUNTY OF \_\_\_\_\_ )  
 ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY, PERSONALLY CAME JERRY STANDERFORD, MEMBER OF SHERWOOD PROPERTIES, LLC, WHO IS PERSONALLY KNOWN TO BE THE IDENTICAL PERSON WHOSE NAME IS AFFIXED TO THE DEDICATION ON THIS PLAT AND ACKNOWLEDGED THE SAME TO BE HIS VOLUNTARY ACT AND DEED.  
 WITNESS MY HAND AND NOTARIAL SEAL, THE DAY AND YEAR LAST ABOVE WRITTEN.

NOTARY PUBLIC \_\_\_\_\_

**BELLEVUE CITY COUNCIL APPROVAL**

THIS PLAT OF HIDDEN HILLS 2ND ADDITION (LOTS NUMBERED AS SHOWN) WAS APPROVED BY THE CITY COUNCIL OF BELLEVUE ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ APPROVAL OF THIS FINAL PLAT SHALL BECOME NULL AND VOID UNLESS APPROVED FROM THE DATE OF CITY COUNCIL APPROVAL. IF THIS FINAL PLAT IS NOT FILED WITH THE RECORDER OF DEEDS AS PROVIDED IN SECTION 4-10 OF THE CITY OF BELLEVUE SUBDIVISION REGULATIONS.

MAYOR \_\_\_\_\_

ATTEST \_\_\_\_\_

**COUNTY TREASURER'S CERTIFICATE**

THIS IS TO CERTIFY THAT I FIND NO REGULAR OR SPECIAL TAXES DUE OR DELINQUENT AGAINST THE PROPERTY DESCRIBED IN THE SURVEYORS CERTIFICATE AND EMBRACED IN THIS PLAT AS SHOWN BY THE RECORDS OF THIS OFFICE.

COUNTY TREASURER DATE \_\_\_\_\_

**RECEIVED**  
**JUN 17 2020**  
**PLANNING DEPT.**

**SURVEYORS CERTIFICATION**

I HEREBY CERTIFY THAT I HAVE MADE A GROUND SURVEY OF THE SUBDIVISION DESCRIBED HEREIN AND THAT PERMANENT MONUMENTS HAVE BEEN PLACED ON THE BOUNDARY OF THE WITHIN PLAT AND STAKES AT ALL CORNERS OF ALL LOTS, STREETS AND ANGLE POINTS IN HIDDEN HILLS 2ND ADDITION (THE LOTS NUMBERED AS SHOWN) A TRACT OF LAND LOCATED IN ALL OF LOTS 4081 AND 478, MARIAN PARK, A SUBDIVISION IN PART OF THE NE1/4 AND PART OF THE NW1/4 OF SECTION 25, AND PART OF LOT 488, SAID MARIAN PARK, ALONG WITH PART OF LOTS 1 AND 2, JEWELL PLACE, A SUBDIVISION LOCATED IN PART OF THE SE1/4 AND PART OF THE SW1/4 OF SAID SECTION 25 AND ALL OF LOT 301, SAID JEWELL PLACE, ALL LOCATED IN TOWNSHIP 14 NORTH, RANGE 13 EAST OF THE 6TH P.M., SARRY COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 4, HIDDEN HILLS, A SUBDIVISION LOCATED IN PART OF SAID SE1/4 OF SECTION 25, SAID POINT ALSO BEING THE NORTHWEST CORNER OF LOT 3, SAID HIDDEN HILLS, THENCE S89°29'29"W (ASSUMED BEARING) ALONG THE NORTHERLY LINE OF SAID LOT 3, HIDDEN HILLS, SAID LINE ALSO BEING THE NORTHERLY LINE OF LOT 2A, SAID JEWELL PLACE, SAID LINE ALSO BEING THE SOUTHWEST CORNER OF SAID LOT 301, JEWELL PLACE, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF SAID LOT 301, JEWELL PLACE, THENCE S40°21'00"W ALONG THE WESTERLY LINE OF SAID LOT 301, JEWELL PLACE, SAID LINE ALSO BEING THE SOUTHERLY LINE OF SAID LOT 488, MARIAN PARK, SAID LINE ALSO BEING THE EASTERLY LINE OF SAID LOT 302, JEWELL PLACE, SAID LINE ALSO BEING THE EASTERLY LINE OF LOT 4082, MARIAN PARK, A DISTANCE OF 122.27 FEET TO THE NORTHWEST CORNER OF SAID LOT 4082, MARIAN PARK, THENCE S39°07'04"W ALONG SAID SOUTHERLY LINE OF LOT 4082, MARIAN PARK, SAID LINE ALSO BEING THE NORTHERLY LINE OF SAID LOT 4081, MARIAN PARK, A DISTANCE OF 180.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 4081, MARIAN PARK, SAID POINT ALSO BEING THE NORTHWEST CORNER OF SAID LOT 4082, MARIAN PARK, SAID POINT ALSO BEING THE EASTERLY RIGHT-OF-WAY LINE OF BELLEVUE BOULEVARD, THENCE W17°32'29"W ALONG THE WESTERLY LINE OF SAID LOT 4082, MARIAN PARK, SAID LINE ALSO BEING THE EASTERLY BOUNDARY LINE OF BELLEVUE BOULEVARD, A DISTANCE OF 72.62 FEET TO THE NORTHWEST CORNER OF SAID LOT 4081, MARIAN PARK, SAID POINT ALSO BEING THE POINT OF INTERSECTION OF SAID EASTERLY RIGHT-OF-WAY LINE OF BELLEVUE BOULEVARD AND THE SOUTHERLY RIGHT-OF-WAY LINE OF COMBS ROAD, THENCE ALONG THE NORTHERLY LINE OF SAID LOTS 4081, 478 AND 4082, MARIAN PARK, SAID LINE ALSO BEING THE SOUTHERLY BOUNDARY LINE OF COMBS ROAD ON THE FOLLOWING SEVEN (7) DESCRIBED COURSES: (1) THENCE N30°49'21"E, A DISTANCE OF 42.88 FEET; (2) THENCE NORTHEASTERLY ON A CURVE TO THE RIGHT WITH A RADIUS OF 120.20 FEET, A DISTANCE OF 110.30 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS N64°42'52"E, A DISTANCE OF 107.31 FEET; (3) THENCE S89°29'29"E, A DISTANCE OF 264.88 FEET; (4) THENCE S79°07'04"E, A DISTANCE OF 88.16 FEET; (5) THENCE S72°20'24"E, A DISTANCE OF 173.75 FEET; (6) THENCE S77°52'23"E, A DISTANCE OF 120.18 FEET; (7) THENCE S79°49'46"E, A DISTANCE OF 480.52 FEET TO THE POINT OF INTERSECTION OF SAID SOUTHERLY RIGHT-OF-WAY LINE OF COMBS ROAD AND THE WESTERLY RIGHT-OF-WAY LINE OF CANYON ROAD, THENCE SOUTHEASTERLY ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF CANYON ROAD ON A CURVE TO THE LEFT WITH A RADIUS OF 117.50 FEET, A DISTANCE OF 148.82 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS S27°04'54"E, A DISTANCE OF 128.02 FEET TO A POINT ON THE NORTHERLY LINE OF SAID LOT 4, HIDDEN HILLS, THENCE S89°29'29"W ALONG SAID NORTHERLY LINE OF LOT 4, HIDDEN HILLS, A DISTANCE OF 108.22 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS 278.87 SQUARE FEET OR 2.881 ACRES, MORE OR LESS.

ERIC A SCHREIBER DATE \_\_\_\_\_

**APPROVAL OF BELLEVUE CITY PLANNING COMMISSION**

THIS PLAT OF HIDDEN HILLS 2ND ADDITION (LOTS NUMBERED AS SHOWN) WAS APPROVED BY THE BELLEVUE CITY PLANNING COMMISSION.

CHAIRMAN OF CITY PLANNING COMMISSION DATE \_\_\_\_\_

**REVIEW BY SARRY COUNTY PUBLIC WORKS**

THIS PLAT OF HIDDEN HILLS 2ND ADDITION WAS REVIEWED BY THE SARRY COUNTY SURVEYORS OFFICE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

COUNTY SURVEYOR / ENGINEER \_\_\_\_\_

**E & A CONSULTING GROUP, INC.**  
 Engineering • Planning • Environmental • Field Services  
 18000 Mill Valley Road, Suite 100 • Omaha, NE 68134  
 Phone: 402.426.3333  
 www.eandagroup.com



HIDDEN HILLS 2ND ADDITION  
 LOTS 1 THRU 3 INCLUSIVE  
 BELLEVUE, NEBRASKA

FINAL PLAT

Date	Description	Reviewed Per County Comments	Reviewed City Comments
06/16/2020	Final Plat		
06/17/2020	Final Plat		

**ORDINANCE NO. 4001**

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

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

**B**E IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BELLEVUE, NEBRASKA:

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

Lots 1 through 3, Hidden Hills 2nd Addition, being a replat of Lots 43B1, 47B, and part of Lot 48B, Marian Park, all located in the North ½ of Section 25, T14, R13E of the 6th P.M., Sarpy County, Nebraska; and part of Lot 1, lying West of Canyon Road, the North 40' of Lot 2, and Lot 3B1, Jewell Place, all located in the Southeast ¼ of Section 25, T14N, R13E of the 6th P.M., Sarpy County, Nebraska

From RE, (Residential Estates) to RS-120, (Single Family Residential, 12,000 Square Foot Zone)

(Sherwood Properties, LLC)

**S**ection 2. This ordinance shall not take effect until such time as the final plat of Hidden Hills 2<sup>nd</sup> Addition is filed with the Sarpy County Register of Deeds in accordance with Section 5-10 of the City of Bellevue Subdivision Regulations.

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

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

**A**DOPTED by the Mayor and City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

ATTEST

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

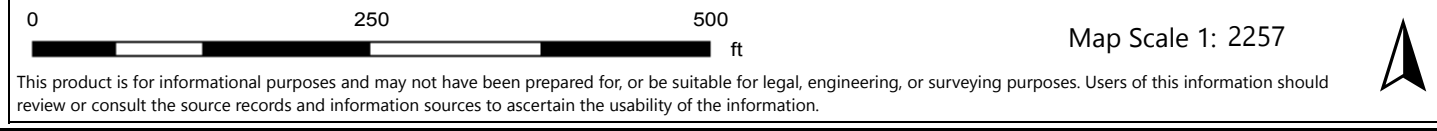
\_\_\_\_\_  
Mayor

First Reading: 07/07/2020  
Second Reading: \_\_\_\_\_  
Third Reading: \_\_\_\_\_



Sarpy County, Nebraska | Esri, Inc., City of Naperville, Illinois | Esri, Inc., Sarpy County, Nebraska | Sarpy County, NE

Notes



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

*Hidden Hills Homeowners' Association  
820 Hidden Hills Drive  
Bellevue, Nebraska*

July 13, 2020

Bellevue City Council  
City of Bellevue  
1510 Wall Street  
Bellevue NE 68005

*Subject: Sherwood Properties Application, Combs Road and Canyon Road  
Case Nos. Z-2005-04, S-2005-08 and S-2005-09*

Dear Council Members,

Many residents and members of the Hidden Hills Homeowners' Association and other affected property owners believe that the proposed application will be detrimental to our community and are opposed to this application. We believe that the rezoned property will cause drainage and erosion issues that will adversely affect properties in our area.

Below is a listing of residents' questions and concerns, which we ask be answered in consideration of the Sherwood Properties' request:

- What assurance can you give residents that once combined, the three Sherwood Properties' rezoned and re-platted lots will be limited to no more than one house per lot? What prevents the developer from subdividing the lots further if there are no buyers for each of the large lots?
- The developer's representative stated at the Planning Commission hearing that homes would be in the \$350,000+ range. Is there any enforcement of that statement?
- The city could not keep the old Combs Road open because of excessive runoff from Bellevue Blvd. South. Was there a hydrological or erosion study conducted before or after the roadway was abandoned? What, if anything, has changed since the time that the road was abandoned to improve drainage?
- Who is responsible for building and maintaining the new stretch of Combs Road?
- Will Combs Road be a dedicated city street or a private road?
- What is the cost to Bellevue taxpayers to service and maintain a dedicated city street that has only two residences on it?
- Will the existing gravel over dirt portion of Combs Road intersecting with Canyon Drive be resurfaced before development begins?
- Hidden Hills Drive is not designed to accommodate heavy construction equipment. Will the developer and subcontractors be required to use only Bellevue Blvd. South, Main Street, and Combs Road to access the two lower lots?

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JUL 13 2020  
CITY CLERK

- How will the city address runoff from the three lots? Will the city repeat what it has done elsewhere in Hidden Hills? For example:
  - Runoff from Bellevue Blvd. South and Hidden Hills Drive runs unchecked into storm drains. That runoff continues to carve massive channels onto Waldruh property and through Jewell Park.
  - The city did a complete a project between 827 and 829 Hidden Hills Drive to stabilize an eroding hillside but has not addressed erosion and channeling farther along the embankment to the south.
- The Milos' property at the intersection of Combs and Canyon Roads is below roadway level. How will the city protect that property from flooding?
- Residents of homes abutting the Sherwood Properties' lots are concerned that trees and other vegetation will be clear cut immediately, thus leaving the lots lying vacant and susceptible to erosion for a long period of time. Will the developer wait until there is a buyer before taking down trees?

We respectfully urge you to deny the proposed application.

Thank you.

Sincerely,



Mary Ann Johnson, President of the Hidden Hills Homeowner's Association

Cc: Susan Kluthe, Bellevue City Clerk

RECEIVED  
JUL 13 2020  
CITY CLERK

## Susan Kluthe

---

**From:** Waldon Johnson <wjohnson93@cox.net>  
**Sent:** Tuesday, July 14, 2020 10:48 AM  
**To:** Susan Kluthe  
**Subject:** RE: Letter to the City Council re agenda item for 21 Jun 2020 meeting

Now that I have a copy of the report from the Planning Commission meeting, which I am sharing with neighbors, may we submit additional questions/comments? I do know that the agenda with our first submission will be sent to council members today.

One concern: The report says access to lots 2 and 3 will be via an easement and will not use the old Combs Rd., which the city abandoned over 40 years ago. Access will be onto Canyon Road only. We'd like to know where the proposed easement and access will be sited. May have other concerns after folks have read the report.

Thank you very much,  
Mary Ann Johnson  
402-292-3266

**From:** Susan Kluthe <Susan.Kluthe@bellevue.net>  
**Sent:** Tuesday, July 14, 2020 10:03 AM  
**To:** Waldon Johnson <wjohnson93@cox.net>  
**Subject:** Re: Letter to the City Council re agenda item for 21 Jun 2020 meeting

Thank you! We will attach to Council packet for that item!


Get [Outlook for iOS](#)

On Mon, Jul 13, 2020 at 2:54 PM -0500, "Waldon Johnson" <[wjohnson93@cox.net](mailto:wjohnson93@cox.net)> wrote:

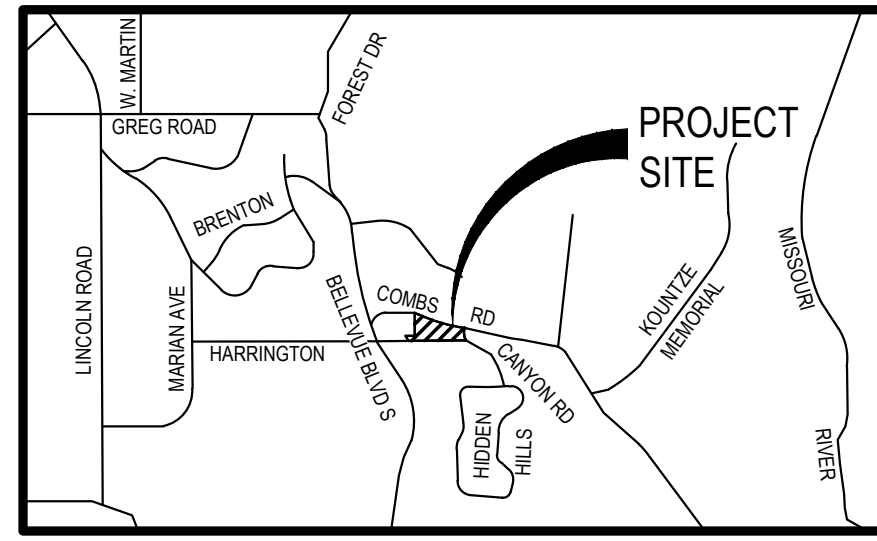
I will bring in a copy of the signed letter yet this afternoon. Please let me know if there is anything else I must provide regarding having Hidden Hills and other Bellevue residents' concerns about the item on the 21 July 2020 City Council agenda.

Thank you,  
Mary Ann Johnson  
402-292-3266

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 Virus-free. [www.avast.com](http://www.avast.com)

**RECEIVED**  
**JUL 14 2020**  
**CITY CLERK**

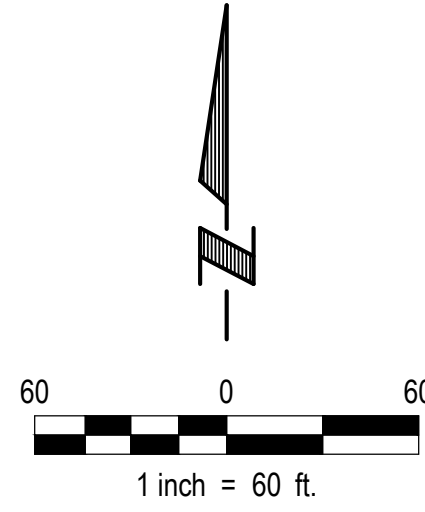


VICINITY MAP

# HIDDEN HILLS 2ND ADDITION

## LOTS 1 THRU 3 INCLUSIVE

A TRACT OF LAND LOCATED IN ALL OF LOTS 43B1 AND 47B, MARIAN PARK, A SUBDIVISION IN PART OF THE NE1/4 AND PART OF THE NW1/4 OF SECTION 25, AND PART OF LOT 48B, SAID MARIAN PARK, ALONG WITH PART OF LOTS 1 AND 2, JEWELL PLACE, A SUBDIVISION LOCATED IN PART OF THE SE1/4 AND PART OF THE SW1/4 OF SAID SECTION 25 AND ALL OF LOT 3B1, SAID JEWELL PLACE, ALL LOCATED IN TOWNSHIP 14 NORTH, RANGE 13 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA.



### LEGEND

- BOUNDARY LINE
- LOT LINE
- EASEMENTS
- - - EXIST. PROPERTY LINES
- - - EXIST. EASEMENTS
- PINS FOUND 3/4" PINCHED TOP (UNLESS NOTED)
- 5/8" REBAR SET WITH CAP LS-608

FRONT YARD	35'
SIDE YARD	10'
STREET SIDE YARD	20'
REAR YARD	35'

### DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE, SHERWOOD PROPERTIES, LLC, OWNERS OF THE PROPERTY DESCRIBED IN THE SURVEYORS CERTIFICATION AND EMBRACED WITHIN THIS PLAT, HAVE CAUSED SAID LAND TO BE SUBDIVIDED INTO LOTS AND STREETS TO BE NUMBERED AND NAMED AS SHOWN, SAID SUBDIVISION TO BE HEREAFTER KNOWN AS HIDDEN HILLS 2ND ADDITION (LOTS TO BE NUMBERED AS SHOWN), AND WE DO HEREBY RATIFY AND APPROVE OF THE DISPOSITION OF OUR PROPERTY AS SHOWN ON THIS PLAT, AND WE DO HEREBY GRANT EASEMENTS AS SHOWN ON THIS PLAT, WE DO FURTHER GRANT A PERPETUAL EASEMENT TO THE OMAHA PUBLIC POWER DISTRICT (OPPD), COX COMMUNICATIONS, AND CENTURYLINK ACROSS FIVE (5) FOOT WIDE STRIP OF LAND ABUTTING ALL FRONT AND SIDE BOUNDARY LOT LINES; AN EIGHT (8) FOOT WIDE STRIP OF LAND ABUTTING THE REAR BOUNDARY LINES OF ALL INTERIOR LOTS; AND A SIXTEEN (16) FOOT WIDE STRIP OF LAND ABUTTING THE REAR BOUNDARY LINES OF ALL EXTERIOR LOTS. THE TERM EXTERIOR LOTS IS HEREIN DEFINED AS THOSE LOTS FORMING THE OUTER PERIMETER OF THE ABOVE DESCRIBED ADDITION. THE SIXTEEN (16) FOOT WIDE EASEMENT MAY BE REDUCED TO EIGHT (8) FEET WIDE WHEN THE ADJACENT LAND IS SURVEYED, PLATTED AND RECORDED. NO PERMANENT BUILDINGS OR RETAINING WALLS SHALL BE PLACED IN SAID EASEMENT WAYS, BUT THE SAME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID OR RIGHTS HEREIN GRANTED.

SHERWOOD PROPERTIES, LLC

JERRY STANDERFORD, MEMBER DATE

### ACKNOWLEDGEMENT OF NOTARY

STATE OF NEBRASKA )  
COUNTY OF \_\_\_\_\_ )

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY, PERSONALLY CAME JERRY STANDERFORD, MEMBER OF SHERWOOD PROPERTIES, LLC, WHO IS PERSONALLY KNOWN TO BE THE IDENTICAL PERSON WHOSE NAME IS AFFIXED TO THE DEDICATION ON THIS PLAT AND ACKNOWLEDGED THE SAME TO BE HIS VOLUNTARY ACT AND DEED.

WITNESS MY HAND AND NOTARIAL SEAL THE DAY AND YEAR LAST ABOVE WRITTEN.

NOTARY PUBLIC

### BELLEVUE CITY COUNCIL APPROVAL

THIS PLAT OF HIDDEN HILLS 2ND ADDITION (LOTS NUMBERED AS SHOWN) WAS APPROVED BY THE CITY COUNCIL OF BELLEVUE ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_. APPROVAL OF THIS FINAL PLAT SHALL BECOME NULL AND VOID NINETY (90) DAYS FROM THE DATE OF CITY COUNCIL APPROVAL IF THIS FINAL PLAT IS NOT FILED WITH THE REGISTER OF DEEDS AS PROVIDED IN SECTION 4-10 OF THE CITY OF BELLEVUE SUBDIVISION REGULATIONS.

MAYOR

ATTEST

### COUNTY TREASURER'S CERTIFICATE

THIS IS TO CERTIFY THAT I FIND NO REGULAR OR SPECIAL TAXES DUE OR DELINQUENT AGAINST THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE AND EMBRACED IN THIS PLAT AS SHOWN BY THE RECORDS OF THIS OFFICE.

COUNTY TREASURER DATE

### SURVEYORS CERTIFICATION

I HEREBY CERTIFY THAT I HAVE MADE A GROUND SURVEY OF THE SUBDIVISION DESCRIBED HEREIN AND THAT PERMANENT MONUMENTS HAVE BEEN PLACED ON THE BOUNDARY OF THE WITHIN PLAT AND STAKES AT ALL CORNERS OF ALL LOTS, STREETS AND ANGLE POINTS IN HIDDEN HILLS 2ND ADDITION (THE LOTS NUMBERED AS SHOWN). A TRACT OF LAND LOCATED IN ALL OF LOTS 43B1 AND 47B, MARIAN PARK, A SUBDIVISION IN PART OF THE NE1/4 AND PART OF THE NW1/4 OF SECTION 25, AND PART OF LOT 48B, SAID MARIAN PARK, ALONG WITH PART OF LOTS 1 AND 2, JEWELL PLACE, A SUBDIVISION LOCATED IN PART OF THE SE1/4 AND PART OF THE SW1/4 OF SAID SECTION 25 AND ALL OF LOT 3B1, SAID JEWELL PLACE, ALL LOCATED IN TOWNSHIP 14 NORTH, RANGE 13 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 4, HIDDEN HILLS, A SUBDIVISION LOCATED IN PART OF SAID SE1/4 OF SECTION 25, SAID POINT ALSO BEING THE NORTHEAST CORNER OF LOT 3, SAID HIDDEN HILLS, THENCE S89°29'38"W (ASSUMED BEARING) ALONG THE NORTHERLY LINE OF SAID LOT 3, HIDDEN HILLS, SAID LINE ALSO BEING THE NORTHERLY LINE OF LOT 3A, SAID JEWELL PLACE, SAID LINE ALSO BEING THE SOUTHERLY LINE OF SAID LOT 3B1, JEWELL PLACE, A DISTANCE OF 413.77 TO THE SOUTHWEST CORNER OF SAID LOT 3B1, JEWELL PLACE, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF LOT 3B2, SAID JEWELL PLACE; THENCE N34°21'05"W ALONG THE WESTERLY LINE OF SAID LOT 3B1, JEWELL PLACE, SAID LINE ALSO BEING THE SOUTHERLY LINE OF SAID LOT 43B1, MARIAN PARK, SAID LINE ALSO BEING THE EASTERLY LINE OF SAID LOT 3B2, JEWELL PLACE, SAID LINE ALSO BEING THE EASTERLY LINE OF LOT 43B2, MARIAN PARK, A DISTANCE OF 122.27 FEET TO THE NORTHEAST CORNER OF SAID LOT 43B2, MARIAN PARK; THENCE S89°29'02"W ALONG SAID SOUTHERLY LINE OF LOT 43B1, MARIAN PARK, SAID LINE ALSO BEING THE NORTHERLY LINE OF SAID LOT 43B2, MARIAN PARK, A DISTANCE OF 182.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 43B1, MARIAN PARK, SAID POINT ALSO BEING THE NORTHWEST CORNER OF SAID LOT 43B2, MARIAN PARK, SAID POINT ALSO BEING THE NORTHWEST CORNER OF SAID LOT 43B2, MARIAN PARK, SAID POINT ALSO BEING ON THE EASTERLY RIGHT-OF-WAY LINE OF BELLEVUE BOULEVARD; THENCE N17°32'20"W ALONG THE WESTERLY LINE OF SAID LOT 43B1, MARIAN PARK, SAID LINE ALSO BEING THE EASTERLY RIGHT-OF-WAY LINE OF BELLEVUE BOULEVARD, A DISTANCE OF 72.63 FEET TO THE NORTHWEST CORNER OF SAID LOT 43B1, MARIAN PARK, SAID POINT ALSO BEING THE POINT OF INTERSECTION OF SAID EASTERLY RIGHT OF WAY LINE OF BELLEVUE BOULEVARD AND THE SOUTHERLY RIGHT-OF-WAY LINE OF COMBS ROAD; THENCE ALONG THE NORTHERLY LINE OF SAID LOTS 43B1, 47B AND 48B, MARIAN PARK, SAID LINE ALSO BEING THE SOUTHERLY RIGHT-OF-WAY LINE OF COMBS ROAD ON THE FOLLOWING SEVEN (7) DESCRIBED COURSES: (1) THENCE N38°42'17"E, A DISTANCE OF 42.40 FEET; (2) THENCE NORTHEASTERLY ON A CURVE TO THE RIGHT WITH A RADIUS OF 125.20 FEET, A DISTANCE OF 110.90 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS N64°14'52"E, A DISTANCE OF 107.31 FEET; (3) THENCE N89°37'28"E, A DISTANCE OF 204.68 FEET; (4) THENCE S70°04'36"E, A DISTANCE OF 89.96 FEET; (5) THENCE S72°22'47"E, A DISTANCE OF 173.75 FEET; (6) THENCE S77°52'33"E, A DISTANCE OF 123.19 FEET; (7) THENCE S78°49'48"E, A DISTANCE OF 40.63 FEET TO THE POINT OF INTERSECTION OF SAID SOUTHERLY RIGHT-OF-WAY LINE OF COMBS ROAD AND THE WESTERLY RIGHT-OF-WAY LINE OF CANYON ROAD; THENCE SOUTHEASTERLY ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF CANYON ROAD ON A CURVE TO THE LEFT WITH A RADIUS OF 117.50 FEET, A DISTANCE OF 148.82 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS S23°04'54"E, A DISTANCE OF 139.07 FEET TO A POINT ON THE NORTHERLY LINE OF SAID LOT 4, HIDDEN HILLS; THENCE S89°26'41"W ALONG SAID NORTHERLY LINE OF LOT 4, HIDDEN HILLS, A DISTANCE OF 106.22 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS 129,872 SQUARE FEET OR 2.981 ACRES, MORE OR LESS.

ERIC A. SCHABEN LS-608 DATE

### APPROVAL OF BELLEVUE CITY PLANNING COMMISSION

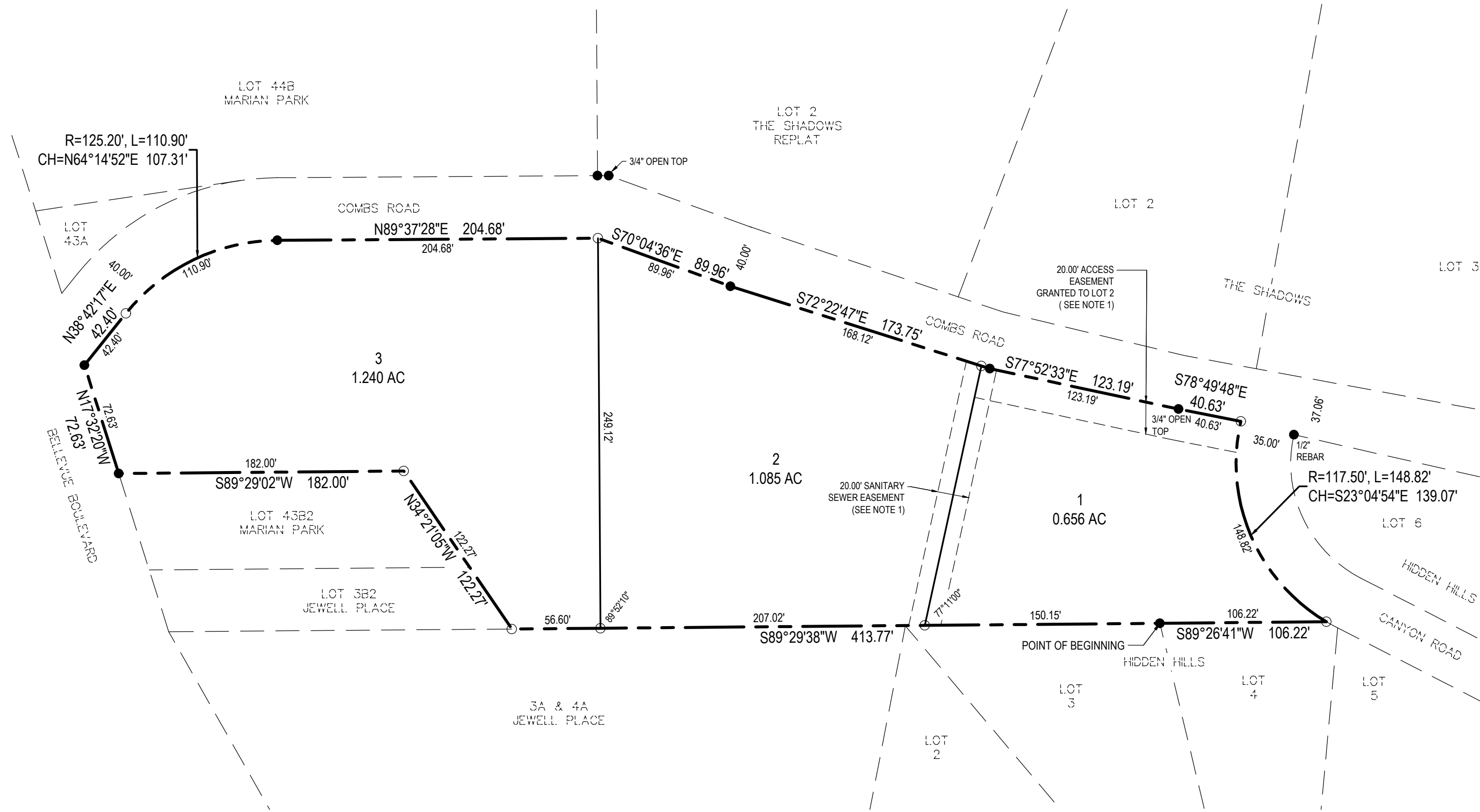
THIS PLAT OF HIDDEN HILLS 2ND ADDITION (LOTS NUMBERED AS SHOWN) WAS APPROVED BY THE BELLEVUE CITY PLANNING COMMISSION.

CHAIRMAN OF CITY PLANNING COMMISSION DATE

### REVIEW BY SARPY COUNTY PUBLIC WORKS

THIS PLAT OF HIDDEN HILLS 2ND ADDITION WAS REVIEWED BY THE SARPY COUNTY SURVEYOR'S OFFICE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

COUNTY SURVEYOR / ENGINEER



### NOTES:

- ALL EASEMENTS THAT ARE NOT LABELED WITH ANY RECORDING INFORMATION WILL BE RECORDED BY A SEPARATE DOCUMENT.
- ALL ANGLES ARE 90° UNLESS OTHERWISE NOTED.

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



HIDDEN HILLS 2ND ADDITION  
LOTS 1 THRU 3 INCLUSIVE  
BELLEVUE, NEBRASKA

FINAL PLAT

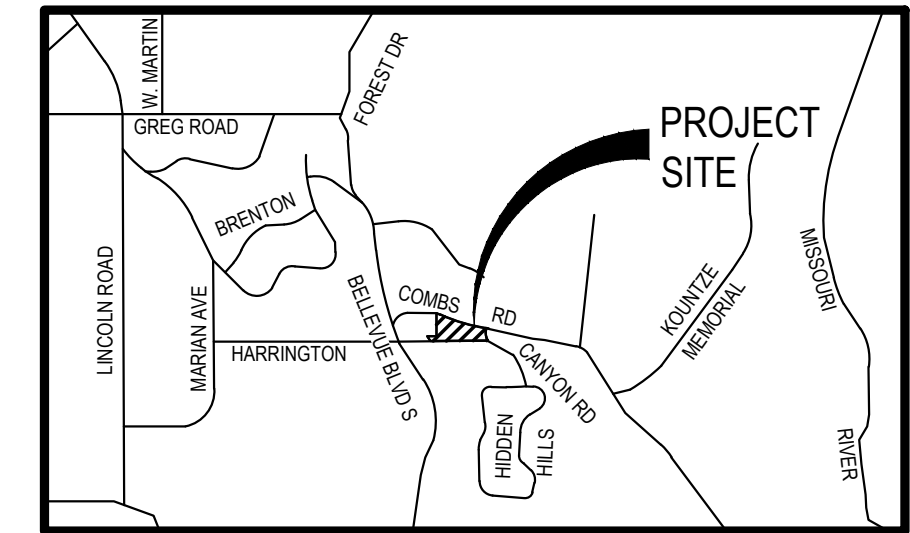
Revisions	Date	Description
1	06/15/20	REVISED PER COUNTY COMMENTS
2	06/17/20	REVISED PER COUNTY COMMENTS

Date: 09/22/2020  
 Designed By: JRS  
 Drawn By: EHN  
 Scale: 1" = 60'  
 Sheet: 1 of 1

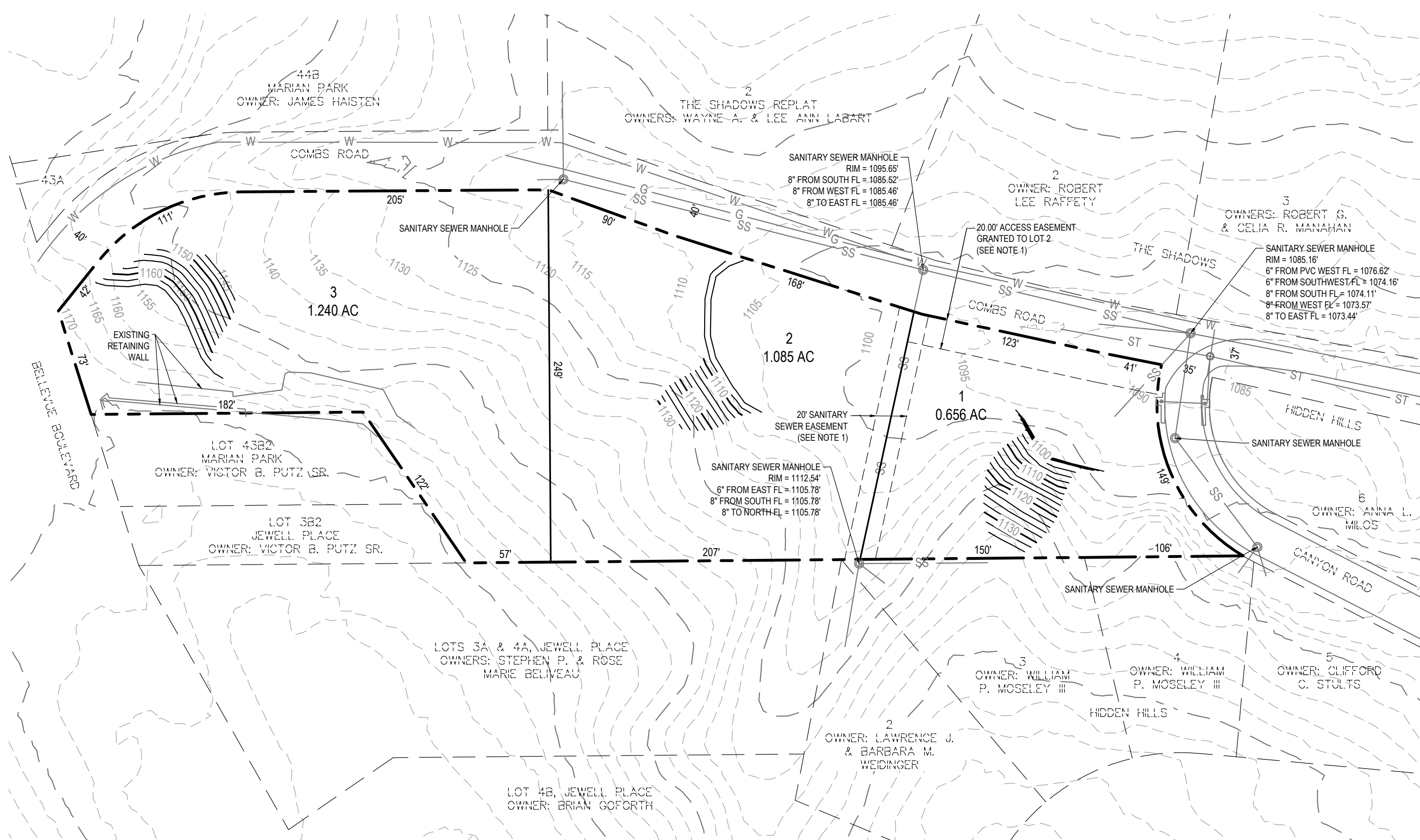
# HIDDEN HILLS 2ND ADDITION

## LOTS 1 THRU 3 INCLUSIVE

A TRACT OF LAND LOCATED IN ALL OF LOTS 43B1 AND 47B, MARIAN PARK, A SUBDIVISION IN PART OF THE NE1/4 AND PART OF THE NW1/4 OF SECTION 25, AND PART OF LOT 48B, SAID MARIAN PARK, ALONG WITH PART OF LOTS 1 AND 2, JEWELL PLACE, A SUBDIVISION LOCATED IN PART OF THE SE1/4 AND PART OF THE SW1/4 OF SAID SECTION 25 AND ALL OF LOT 3B1, SAID JEWELL PLACE, ALL LOCATED IN TOWNSHIP 14 NORTH, RANGE 13 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA.



VICINITY MAP



**LEGEND**

- BOUNDARY LINE
- RIGHT OF WAY LINE
- LOT LINE
- - - EASEMENTS
- - - 1120 - - - EXIST. MAJOR CONTOURS
- - - 1122 - - - EXIST. MINOR CONTOURS
- - - 1120 - - - PROP. MAJOR CONTOURS
- - - 1122 - - - PROP. MINOR CONTOURS
- SS-SS- SANITARY SEWER LINE
- G-G- GAS LINE

**LEGAL DESCRIPTION**

A TRACT OF LAND LOCATED IN ALL OF LOTS 43B1 AND 47B, MARIAN PARK, A SUBDIVISION IN PART OF THE NE1/4 AND PART OF THE NW1/4 OF SECTION 25, AND PART OF LOT 48B, SAID MARIAN PARK, ALONG WITH PART OF LOTS 1 AND 2, JEWELL PLACE, A SUBDIVISION LOCATED IN PART OF THE SE1/4 AND PART OF THE SW1/4 OF SAID SECTION 25 AND ALL OF LOT 3B1, SAID JEWELL PLACE, ALL LOCATED IN TOWNSHIP 14 NORTH, RANGE 13 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA.

SAID TRACT OF LAND CONTAINS 129,872 SQUARE FEET OR 2.981 ACRES, MORE OR LESS.

**DEVELOPER/OWNER**  
 SHERWOOD PROPERTIES LLC  
 14711 INDUSTRIAL ROAD  
 OMAHA, NE 68144

**ZONING:**

EXISTING	RE	
PROPOSED:	RS-120, LOT 1	0.656 AC
	RS-120, LOT 2	1.085 AC
	RS-120, LOT 3	1.240 AC
	<b>TOTAL:</b>	<b>2.981 AC</b>

- NOTES:**
- TYPICAL UTILITY EASEMENTS WILL BE DEDICATED WITH THE FINAL PLAT.

Proj No:	P2007.025.002
Date:	05.22.2020
Designed By:	JRS
Drawn By:	EHN
Scale:	1" = 100'
Sheet:	1 of 1

Revisions	
No.	Description
1	REVISED PER COUNTY COMMENTS
2	REVISED PER COUNTY COMMENTS

**PRELIMINARY PLAT**

**HIDDEN HILLS 2ND ADDITION**  
 LOTS 1 THRU 3 INCLUSIVE  
 BELLEVUE, NEBRASKA



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

10909 Mill Valley Road, Suite 100 • Omaha, NE 68154  
 Phone: 402.895.4700 • Fax: 402.895.3599  
 www.eacg.com

CITY OF BELLEVUE, NEBRASKA  
AGENDA ITEM COVER SHEET

COUNCIL MEETING DATE: 07/21/2020		SUBMITTED BY: CDBG	
AGENDA ITEM:	CONSENT AGENDA <input type="checkbox"/>	SPECIAL PRESENTATION <input type="checkbox"/>	
LIQUOR LICENSE <input type="checkbox"/>	ORDINANCE <input type="checkbox"/>	PUBLIC HEARING <input type="checkbox"/>	
RESOLUTION <input checked="" type="checkbox"/>	CURRENT BUSINESS <input type="checkbox"/>	OTHER <input type="checkbox"/>	

SUBJECT:

Approval of the CDBG 2020 Action Plan including the funding recommendation for the FY-20 entitlement allocation.

SYNOPSIS/BACKGROUND:

As a recipient of an annual allocation of CDBG entitlement funding through the Department of Housing and Urban Development, the City has prepared the annual Action Plan which outlines the activities that will be funded during the next fiscal year, expected outcomes of each activity and a summary of citizen participation. The proposed activities are selected through an application process with eligibility review by CDBG staff and a funding recommendation prepared by the CDBG Committee following a thorough review of each application and public hearing with applicants. The Notice of Availability & Public Hearing for the draft plan was published June 17, 2020, and a copy of the draft plan is available on the City's website. Once approved, the 2020 Action Plan will be submitted to HUD for review and approval.

FISCAL IMPACT: \$344,643.00 BUDGETED FUNDS?: YES GRANT/MATCHING FUNDS?: YES

TRACKING INFORMATION FOR CONTRACTS AND PROJECTS:

IS THIS A CONTRACT?: NO COUNTER-PARTY: INTERLOCAL AGREEMENT: NO

CONTRACT DESCRIPTION:

CONTRACT EFFECTIVE DATE: CONTRACT TERM: CONTRACT END DATE:

PROJECT NAME: \*Once approved by City Council and HUD, activities will be named and coded.

START DATE: 10/01/2020 END DATE: 09/30/2023 PAYMENT DATE: INSURANCE REQUIRED: YES

CIP PROJECT NAME: CIP PROJECT NUMBER:

STREET DISTRICT NAME (S): STREET DISTRICT NUMBER (S):

ACCOUNTING DISTRIBUTION CODE: ACCOUNT NUMBER:

RECOMMENDATION:

Approve the CDBG 2020 Action Plan including Resolution 2020-32, SF-424/SF-424D, and Certifications.

ATTACHMENTS:

- |                                   |                           |                                |
|-----------------------------------|---------------------------|--------------------------------|
| 1. Resolution 2020-32             | 2. 2020 Action Plan Draft | 3. 2020 Funding Recommendation |
| 4. SF-424/424D and Certifications | 5.                        | 6.                             |

SIGNATURES:

LEGAL APPROVAL AS TO FORM:

FINANCE APPROVAL AS TO FORM:

ADMINISTRATOR APPROVAL AS TO FORM:

*A. Bree Roblins*  
*[Signature]*  
*Mark [Signature]*

**2020 ACTION PLAN FUNDING RECOMMENDATION**

<b>Applicant/Project</b>	<b>Requested Funding</b>	<b>Recommended Funding</b>	<b>Match Funding</b>
<b>Acquisition/ Housing</b>			
<b>Housing Foundation of Sarpy County – Deer Creek Village Apartments</b> Request funding to assist with acquisition and infrastructure improvements for the development of a new affordable housing apartment complex.	\$ 200,000.00	-	-
<b>Public Services</b>			
<b>Bellevue Junior Sports Association – Sports Participation Assistance Program</b> Request funding to offer a participation assistance for registration and equipment fees to low- and moderate-income households within city limits. Assistance will be open to all sports programs offered by application.	\$ 8,000.00	\$ 8,000.00 <i>*Scholarship Match Based on Income</i>	TBD <i>*Scholarships match</i>
<b>Eastern Nebraska Community Action Partnership (ENCAP) – Food Delivery Program</b> Request funding to assist with the expansion of the Bellevue Food Pantry service by adding a food delivery service to households in Bellevue.	\$ 56,298.00	\$ 56,298.00	\$ 55,248.50
<b>Housing</b>			
<b>Habitat for Humanity of Sarpy County – Rehabilitation of Single-Family Housing Unit</b> Request funding to assist with rehabilitation of a single-family housing unit acquired by Habitat and available for affordable housing.	\$ 38,000.00	\$ 38,000.00	\$ 116,200.00
<b>Economic Development/Commercial Rehabilitation</b>			
<b>All-Brite Glass and Screen – Parking Lot Replacement</b> Request funding to assist with reconstruction of the parking lot and sidewalks at the business located at 601 West Mission Ave.	\$ 56,880.00	\$ 7,358.00 <i>*Sidewalk Rehabilitation</i>	TBD <i>*must provide funds required to complete project</i>
<b>Bellevue Volunteer Fire Hall – Facility Upgrade Project</b> Request funding to assist with façade improvements including window replacement and door replacement at the building located at 2108 Franklin Street in Olde Towne Bellevue.	\$ 19,439.00	\$ 19,439.00 <i>*Only Façade Improv – Door/Windows</i>	\$ 19,442.00
<b>First Baptist Church of Bellevue – Parking Improvements</b> Request funding to assist with rehabilitation of the parking facilities damaged during flood response and to continue to provide parking for Olde Towne Bellevue.	\$ 8,548.00	\$ 8,548.00	\$ 11,251.51

<b>MRH Land LLC – First City Tavern and Grill</b> Request funding to assist with façade improvements including window replacement, canvas tenting, and railings for the building at 2210 Franklin Street in Olde Towne.	\$ 45,000.00	\$ 45,000.00	\$450,000
<b>MRJC Holdings, LLC – One01 Mission Building</b> Request funding to assist with façade improvements including window replacement at the building on the corner of Franklin Street and Mission Street in Olde Towne Bellevue.	\$ 57,500.00	-	-
<b>Marathon Ventures, Inc. – Rehabilitation 909 Fort Crook Road N</b> Request funding to assist with building rehabilitation improve food safety and provide a basis for growth and increased employment.	\$ 150,000.00	\$ 100,000.00	\$ 1,519,264.00
<b>Willabees Barbershop – Building Improvement Project</b> Request funding to assist with façade improvements including sidewalk, landscaping and window replacement at the building located at 2268 Franklin Street in Olde Towne Bellevue.	\$ 42,201.89	\$ 12,000.00 *Sidewalk/Façade Only	\$ 4,000.00
<b>Administration and Planning</b>			
<b>City of Bellevue - Administration</b> Request funding for general management, oversight, coordination, and staff expense for the CDBG program.	\$ 50,000.00	\$ 50,000.00	-
<b>Total CDBG Funding</b>			
	<b>\$ 731,866.89</b>	<b>\$ 344,643.00</b>	<b>-</b>



# *City of Bellevue's* **2020 CDBG Action Plan**

Prepared for and submitted to the  
U.S. Department of Housing and Urban Development  
in accordance with 24 CFR Part 91

PREPARED BY:

**CITY OF BELLEVUE**  
**1500 WALL STREET**  
**BELLEVUE, NE 68005**  
**(402) 293-3000**  
**[www.bellevue.net](http://www.bellevue.net)**



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# Executive Summary

## AP-05 Executive Summary - 24 CFR 91.200(c), 91.220(b)

### 1. Introduction

As an entitlement community for the receipt of CDBG funding, the City of Bellevue has prepared the 2020-2021 Action Plan following the regulations and requirement as outlined by the U.S. Department of Housing & Urban Development (HUD) to be eligible for the acceptance of Community Development Block Grant (CDBG) program funds. The 2020 Action Plan outlines the proposed uses of CDBG entitlement funds during the fiscal year period from October 1, 2020, to September 30, 2021. The intent of the CDBG funds allocated to projects in the Plan is to meet the needs and priorities as outlined in the City's 2019-2023 Consolidated Plan, and meet the goals of the CDBG program to develop a suitable living environment, provide decent and affordable housing, and expand economic opportunities, primarily for persons of low and moderate-income.

As part of the development of the 2020 Action Plan, the City allocated a total of \$344,643.00 in CDBG funding 2019-2023 Consolidated Plan, which serves as the guidance for meeting the housing and community development needs of the City of Bellevue during the five-year period.

### 2. Summarize the objectives and outcomes identified in the Plan

This could be a restatement of items or a table listed elsewhere in the plan or a reference to another location. It may also contain any essential items from the housing and homeless needs assessment, the housing market analysis or the strategic plan.

During the development of the 2019-2023 Consolidated Plan, the City worked to identify goals and anticipated outcomes during the next five years of the CDBG program. Many factors influenced the City's assessment of the community needs, including housing needs created by a rising housing market; furthering economic development efforts throughout Bellevue; and updating existing facilities, services, and programs; and the availability of non-CDBG funding sources to leverage with proposed activities. During the development of the 2020 Action Plan, the City of Bellevue selected projects which will focus on the specific priorities and goals which are included in the table below.

### 2019-2023 CONSOLIDATED PLAN PRIORITIES & GOALS

<b>1. Priority Need Name: Encourage Economic Development through Business Development and Job Creation – HIGH</b>
a. Increase rehabilitation of existing commercial building i. Provide assistance to building owners to address code violations, infrastructure

- requirements, and façade improvements
- b. Increase employment opportunities
  - i. Provide assistance for the development of new business and the expansion of existing businesses
  - ii. Review available employment opportunities and work with businesses to develop and implement job training to fill existing openings
- c. Expand accessibility and Availability of transportation
  - i. Continue to work with community partners to identify areas of need for transportation options

**2. Priority Need Name: Improve and Expand Available and Accessible Public Infrastructure and Buildings. – HIGH**

- a. Improve existing public facilities
  - i. Support revitalization efforts for public facilities to create economic development opportunities
  - ii. Support project that provide leveraging funds to increase impact of project
- b. Reverse deterioration in existing neighborhoods
  - i. Provide assistance to remove barriers to accessibility
  - ii. Address public facilities that are not up to existing standards to create sustainable neighborhoods

*AFFH GOAL - Identify prospects to address Bellevue’s aging infrastructure and necessary updates to ensure all residents have accessibility to services.*

- i. Work with the City of Bellevue ADA Committee to review current status of ADA Transition plan and infrastructure needs in the community along with identifying funding sources for assistance.*
- ii. Develop programs and assistance to address housing accessibility modification needs.*

**3. Priority Need Name: Increase Housing Availability and Sustainability – HIGH**

- a. Sustain the current available housing stock
  - i. Provide assistance to low- and moderate-income homeowners to assist make affordable any necessary repairs that put health and safety at risk.
- b. Increase the development of affordable housing units
  - i. Support efforts to increase affordable housing units through acquisition and rehabilitation.
  - ii. Review options of infill development utilizing vacant lots and reducing vacant building blight.
  - iii. Assist community partners with efforts to address housing needs of elderly, disable, small families, and at-risk low- and moderate-income individuals and families

*AFFH Goal: Increase affordable housing opportunities to expand housing choice by increasing quality and quantity of affordable housing units and the number of participating landlords in the jurisdiction.*

- i. *Research partners and funding sources to conduct a housing market study for the community and identify opportunities to use the study to enhance development and developer partnerships*
- ii. *Review possible developer incentives to increase development of affordable housing and meet with necessary partners to develop, prepare and adopt incentives.*
- iii. *Determine prospects to increase the available funding and programs for housing rehabilitations programs in the community.*
- iv. *Work with City officials and departments to review current criteria for determining city project need to include accessibility and housing issues.*

*AFFH Goal: Identify opportunities to safeguard current and future zoning ordinances to encourage the development of affordable housing stock as well as utilize occupancy requirements that do not hinder fair housing choice.*

- i. *Work with local planning department to review current land zoning and develop proposal to increase multi-family zoning.*
- ii. *Increase infill development opportunities by reviewing regulations and best practices to identify possible changes to the current regulations and develop proposals.*
- iii. *Research opportunities to increase the percentage of newly constructed housing units that are affordable and accessible to people with disabilities.*

*AFFH Goal: Increase homeownership opportunities through financial literacy and promoting equitable access to credit and home lending.*

- i. *Identify partners, specifically lending agencies, to assist with reviewing current lending concerns to identify areas of opportunities for education and assistance.*
- ii. *Enhance educational materials and expand distribution and availability of materials.*

**4. Priority Need Name: Increase and Expand Public Service Availability – LOW**

- a. Increase and expand public services that address resident needs
  - i. Identify community partners and support efforts to create or expand public services that support identified needs in the community, including, but not limited to elderly, disabled, mental health, senior, and crime awareness services.

*AFFH Goal: Increase the overall knowledge and understanding of fair housing with the community’s developers, real estate professionals, financial institutions, elected officials and residents.*

- i. *Identify interested partners to facilitate fair housing workshops for landlords and housing providers*
- ii. *Share and distribute fair housing information for renters.*
- iii. *Work with local multi-family housing providers to provide information and education about fair housing to managements officials and tenants.*

*AFFH Goal: Provide opportunities to alter the perceptions of community exclusion and diffuse opposition to affordable housing through knowledge and education.*

- i. *Research proactive marketing strategies to enhance community image and identify community stakeholders to assist with development of community strategies to propel movement forward.*

ii. Identify possible funding sources to assist with marketing strategies specific for the community.

**5. Priority Need Name: Administration of CDBG Program - HIGH**

a. Administration of the CDBG programs.

For the 2020 CDBG funding cycle, the City received eleven project proposals from qualified applicants. Each proposal was reviewed for compliance with HUD regulations to ensure that each met the prescribed National Objectives, criteria of a CDBG eligible activity, demonstrated the applicant’s ability to carry out projects, and showed the impact and benefit for low -and moderate-income persons during the coming fiscal year. One public hearing was held to allow the applicants to present their projects to the CDBG Committee and allowed the public to hear and comment on each of the submissions. After thorough review and consideration by the CDBG Committee, nine projects were recommended for funding and included in the draft 2020 Annual Action Plan that was presented to the Mayor and City Council for consideration and approval.

**2019 CDBG Activities & Outcomes**

APPLICANT/PROJECT	CDBG FUNDING	PROPOSED OUTCOMES
<b>Acquisition/Demolition</b>		
<b>Habitat for Humanity of Sarpy County – 2020 Land Purchase</b> Request funding to purchase on or more plots of land for the development of affordable housing. The lots will be in city limits of Bellevue and assist with the 2020 home build project.	\$ 22,000.00	1 low- and moderate-income household
<b>Public Facilities and Improvements</b>		
<b>City of Bellevue – Chandler Hills Paving Improvement and Reconstruction Project</b> Request funding for the removal and reconstruction of the pavement, installation of curb and gutter, and replacement of the guardrail on 17 <sup>th</sup> Street between Sydney Street and Josephine Street.	\$ 260,631.81	1,165 households from LMI Census Tract 101.07, Block Group 1
<b>City of Bellevue – Washington Park Improvement</b> Request funding for park improvements including installation of ADA sidewalks, curb ramps, and paths; play structure replacement and improvement with ground covering, and picnic shelter.	\$ 114,900.00	1,405 households from LMI Census Tract 101.06, Block Group 4 & 5
<b>Housing</b>		
<b>Housing Foundation of Sarpy County – Capacity Building and Development</b>	\$ 10,000.00	1 organization

Request funding to complete capacity building for the Foundation in preparation of the conversion of 51 units of public housing to the Foundation. All units are located within Bellevue city limits.		
<b>Public Services</b>		
<b>Bellevue Junior Sports Association – Sports Participation Assistance Program</b> Request funding to offer a participation assistance for registration and equipment fees to low- and moderate-income households within city limits. Assistance will be open to all sports programs offered by application.	\$ 8,000.00	59 LMI persons
<b>Heartland Family Service – Housing Navigation Program</b> Request funding to provide housing navigation services, supportive services and assistance with employment and income support to those in Bellevue at imminent risk of homelessness	\$ 15,000.00	25 LMI persons
<b>Administration and Planning</b>		
<b>City of Bellevue - Administration</b> Request funding for general management, oversight, coordination, and staff expense for the CDBG program.	\$ 50,000.00	
<b>Total CDBG Funding</b>		
	<b>\$ 480,531.81</b>	

### 3. Evaluation of past performance

This is an evaluation of past performance that helped lead the grantee to choose its goals or projects.

Following the conclusion of each fiscal year, the City prepares the Consolidated Annual Performance Evaluation and Reporting (CAPER), which captures progress toward meeting needs and achieving strategies established in the Consolidated Plan and the Annual Action Plan. Through the monitoring of performance measures, staff is able to identify operational improvements, resource allocation issues, and policy questions to be addressed in the upcoming year.

Overall, Bellevue and its partners have been successful in implementing its community services and public improvements projects and programs and meeting the objectives established in the previous Consolidated Plan and foresees continued progress through the new Plan.

The City will complete its first year of the 2019-2023 Consolidated Plan on September 30, 2020. The overall accomplishments of the program have been notable including 100% of funds benefiting LMI individuals and households. The first year of the 2019-2023 Consolidated Plan began on October 1,

2019, and will end on September 30, 2020. During the funding cycle, the City allocated funds to six projects that met five priorities from the Consolidated Plan. Following the conclusion of the fiscal year, the City will prepare the 2019-2020 Consolidated Annual Performance and Evaluation Report (CAPER) to outline the goals and accomplishment of each project.

Bellevue's priorities, goals, and objectives over the term of the five-year plan are determined by the City based on the information gathered in the planning process and the needs assessment. The City will use this plan as the basis for selecting which projects to fund over the five-year period

#### **4. Summary of Citizen Participation Process and consultation process**

Summary from citizen participation section of plan.

The federal regulations that govern the planning process place a strong emphasis on community participation, especially by low-income persons and others who may benefit from the plan. During 2020, the City of Bellevue presented an amendment to the Citizen Participation Plan to meet current requirements from the CARES Act for CDBG Coronavirus funding. Following approval at the July 7, 2020, City Council meeting, the City of Bellevue followed the adopted Citizen Participation Plan in the development of the Annual Action Plan. While developing the plan, the City consulted with key stakeholder groups, organizations, and completed the following outreach:

- Published notices prior to meeting, public hearings, and availability of plans for review as well as distributed the information through a mailing list open to all interested citizens,
- Hosted 3 public hearings on March 10, June 4, and July 7, 2020,
- Held one applicant workshop on April 14, 2020, and
- Met with various community organizations to discuss needs and opportunities for funding.

In addition, several of the City of Bellevue plans that were already developed and adopted were also used during the planning process to ensure consistency and coordination. The following city plans were consulted: Bellevue Comprehensive Plan, Bellevue Blight Study, City of Bellevue Strategic Plan including Mission Statement with Organizational Core Values, Olde Towne Development Plan, Bellevue Neighborhood Needs Assessment and Revitalization Strategy, and Bellevue Area Community Housing Assessment Report.

#### **5. Summary of public comments**

This could be a brief narrative summary or reference an attached document from the Citizen Participation section of the Con Plan.

During the development of the 2020 Action Plan, residents were provided numerous opportunities to provide comment regarding the City of Bellevue's CDBG program identified needs, priorities, and goals during public hearings and reviews. Following the development of the plan and publication of the

Notice of Availability, the draft 2020 Action Plan was available for public review and comment during a 30-day period which was from June 17, to July 21, 2020.

A public hearing was held on July 7, 2020, during a city council meeting at which time residents were invited to provide comment on the draft plan. All comments received during the public hearing and during the availability period will be summarized and included with the final Action Plan.

## **6. Summary of comments or views not accepted and the reasons for not accepting them**

Comments received during the comment period and public hearing for the draft 2020 Action Plan will be included here prior to approval of the plan.

## **7. Summary**

The following document represents the housing, community, and economic development needs and priorities as well as the chosen projects and activities selected for implementation as part of the 2020 CDBG Action Plan.

**PR-05 Lead & Responsible Agencies – 91.200(b)**

**1. Agency/entity responsible for preparing/administering the Consolidated Plan**

Describe the agency/entity responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role	Name	Department/Agency
CDBG Administrator	BELLEVUE	Finance Department

**Table 1 – Responsible Agencies**

**Narrative (optional)**

The City of Bellevue is the lead agency responsible for overseeing the development of the Consolidated Plan and administering the development and implementation of the Action Plan and annual projects. The City of Bellevue works with an independent consultant to administer the City’s CDBG program, under the direction of the Finance Director, who maintains responsibility for development of the Consolidated Plan, Annual Action Plan, and Consolidated Annual Performance & Evaluation Report (CAPER). The Consultant works with the CDBG Committee, which was created by the City Council to assist with allocation of annual funding by reviewing the applications for funding request and making a final recommendation to the Bellevue City Council. The City will continue to work with organizations that were involved in the development of the Consolidated Plan to address the identified needs and administered activities and programs.

**Consolidated Plan Public Contact Information**

Abby Highland, CDBG Program Administrator

Phone: (443) 655-2123

Email: [abby.highland@outlook.com](mailto:abby.highland@outlook.com)

Richard Severson, Finance Director, City of Bellevue

1500 Wall Street, Bellevue, NE 68005

Phone: (402) 293-3000

Email: [Richard.Severson@bellevue.net](mailto:Richard.Severson@bellevue.net)

## **AP-10 Consultation – 91.100, 91.200(b), 91.215(I)**

### **1. Introduction**

As required by HUD regulations and the Citizen Participation Plan, the City of Bellevue consulted with public and private agencies that provide services to the community. When developing the plan, the City, as the lead agency responsible for overseeing and administering the Action Plan, took several actions to include input from the community as a whole and from key stakeholders.

### **Provide a concise summary of the jurisdiction’s activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(I))**

The City of Bellevue works with various organizations throughout the community to create an institutional structure effective in dealing with housing and community development issues. The City is also working to provide financial resources to meet the demands. This collaboration is accomplished through regular phone and in-person meetings, consultations, neighborhood, committee and community meetings, participation in civic and Continuum of Care meetings, and other events/activities throughout the year.

While there are areas requiring additional coordination in Bellevue and Sarpy County, the service network is well established and active. With the close proximity to neighboring communities and the inclusion of Bellevue in the Omaha-Council Bluffs Metropolitan Area, several needs go beyond a single jurisdiction. For these needs, Bellevue continues to work with various organizations including the City of Omaha, Sarpy County, Douglas County, the State of Nebraska, and other surrounding units of government to implement this plan.

### **Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness.**

The City of Bellevue is in the jurisdiction of the Metropolitan Area Continuum of Care for the Homeless (MACCH), which includes the cities of Omaha and Council Bluffs and the three-county area of Douglas, Sarpy and Pottawattamie. Since Bellevue is a part of this larger area Continuum of Care, the homeless population count and numbers are not available for the Bellevue area alone. The City participates in and works with the MACCH to identify and then address the needs of homeless persons and persons at risk of homelessness in the Omaha Metro area. MACCH collects homeless data, analyzes the data, and establishes goals and objectives as part of the planning for homeless programs and reports the data in HMIS.

**Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS**

The City of Bellevue does not receive ESG funds.

**2. Describe Agencies, groups, organizations and others who participated in the process and describe the jurisdiction's consultations with housing, social service agencies and other entities**

**Table 2 – Agencies, groups, organizations who participated**

1	<b>Agency/Group/Organization</b>	Bellevue Chamber of Commerce
	<b>Agency/Group/Organization Type</b>	Business and Civic Leaders
	<b>What section of the Plan was addressed by Consultation?</b>	Economic Development
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The organization was invited to participate in the development of the Annual Action Plan by attending public hearings, sharing information regarding the funding opportunity with interested businesses, and providing comments related to economic development, housing, homeless services, and other issues relevant in the Action Plan.
2	<b>Agency/Group/Organization</b>	Bellevue Community Foundation
	<b>Agency/Group/Organization Type</b>	Civic Leaders Foundation
	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment Economic Development Public Service Needs
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The organization was invited to participate in the development of the Annual Action Plan by attending public hearings, sharing information regarding the funding opportunity with interested eligible applicants, and providing comments related to economic development, housing, homeless services, and other issues relevant in the Action Plan.
3	<b>Agency/Group/Organization</b>	Bellevue Food Pantry
	<b>Agency/Group/Organization Type</b>	Services-Children Services-Elderly Persons Services-Persons with Disabilities

	<b>What section of the Plan was addressed by Consultation?</b>	Public Service Needs
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The organization was invited to participate in the development of the Annual Action Plan by attending public hearings, submitting applications for assistance, and providing comments related to housing, homeless services, and other issues relevant in the Action Plan.
4	<b>Agency/Group/Organization</b>	Bellevue Housing Authority
	<b>Agency/Group/Organization Type</b>	Housing PHA Services - Housing
	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment Public Housing Needs
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The organization was invited to participate in the development of the Annual Action Plan by attending public hearings, submitting applications for assistance, share the funding opportunity with other interested organizations, and providing comments related to housing, homeless services, and other issues relevant in the Action Plan.
5	<b>Agency/Group/Organization</b>	Bellevue Junior Sports Association
	<b>Agency/Group/Organization Type</b>	Services-Children
	<b>What section of the Plan was addressed by Consultation?</b>	Non-Homeless Special Needs
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The organization was invited to participate in the development of the Annual Action Plan by attending public hearings, submitting applications for assistance, and providing comments related to housing, homeless services, and other issues relevant in the Action Plan.

6	<b>Agency/Group/Organization</b>	Bellevue Public Schools
	<b>Agency/Group/Organization Type</b>	Services-Children Services-Education
	<b>What section of the Plan was addressed by Consultation?</b>	Non-Homeless Special Needs
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The organization was invited to participate in the development of the Annual Action Plan by attending public hearings, submitting applications for assistance, and providing comments related to housing, homeless services, and other issues relevant in the Action Plan.
7	<b>Agency/Group/Organization</b>	Bellevue Senior Center
	<b>Agency/Group/Organization Type</b>	Services-Elderly Persons Services-Persons with Disabilities
	<b>What section of the Plan was addressed by Consultation?</b>	Non-Homeless Special Needs
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The organization was invited to participate in the development of the Annual Action Plan by attending public hearings, submitting applications for assistance, and providing comments related to housing, homeless services, and other issues relevant in the Action Plan.
8	<b>Agency/Group/Organization</b>	Bellevue University
	<b>Agency/Group/Organization Type</b>	Services-Education Major Employer
	<b>What section of the Plan was addressed by Consultation?</b>	Non-Homeless Special Needs

	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The organization was invited to participate in the development of the Annual Action Plan by attending public hearings, submitting applications for assistance, and providing comments related to housing, homeless services, and other issues relevant in the Action Plan.
9	<b>Agency/Group/Organization</b>	Green Bellevue
	<b>Agency/Group/Organization Type</b>	Services-Health Civic Leaders
	<b>What section of the Plan was addressed by Consultation?</b>	Non-Homeless Special Needs
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The organization was invited to participate in the development of the Annual Action Plan by attending public hearings, submitting applications for assistance, and providing comments related to housing, homeless services, and other issues relevant in the Action Plan.
10	<b>Agency/Group/Organization</b>	Habitat for Humanity of Sarpy County
	<b>Agency/Group/Organization Type</b>	Housing Services - Housing
	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The organization was invited to participate in the development of the Annual Action Plan by attending public hearings, submitting applications for assistance, and providing comments related to housing, homeless services, and other issues relevant in the Action Plan.

11	<b>Agency/Group/Organization</b>	Housing Foundation for Sarpy County
	<b>Agency/Group/Organization Type</b>	Housing Services - Housing Foundation
	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The organization was invited to participate in the development of the Annual Action Plan by attending public hearings, submitting applications for assistance, and providing comments related to housing, homeless services, and other issues relevant in the Action Plan.
12	<b>Agency/Group/Organization</b>	Lutheran Family Services
	<b>Agency/Group/Organization Type</b>	Services-Children Services-Elderly Persons Services-Persons with Disabilities Services-Persons with HIV/AIDS Services-Victims of Domestic Violence Services-homeless
	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment Non-Homeless Special Needs
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The organization was invited to participate in the development of the Annual Action Plan by attending public hearings, submitting applications for assistance, and providing comments related to housing, homeless services, and other issues relevant in the Action Plan.
13	<b>Agency/Group/Organization</b>	Sarpy County Museum
	<b>Agency/Group/Organization Type</b>	Civic Leaders

	<b>What section of the Plan was addressed by Consultation?</b>	Non-Homeless Special Needs
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The organization was invited to participate in the development of the Annual Action Plan by attending public hearings, submitting applications for assistance, and providing comments related to housing, homeless services, and other issues relevant in the Action Plan.
14	<b>Agency/Group/Organization</b>	Eastern Nebraska Community Action Partnership
	<b>Agency/Group/Organization Type</b>	Services - Housing Services-Children Services-Elderly Persons Services-Persons with Disabilities Services-homeless Service-Fair Housing
	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment Non-Homeless Special Needs
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The organization was invited to participate in the development of the Annual Action Plan by attending public hearings, submitting applications for assistance, and providing comments related to housing, homeless services, and other issues relevant in the Action Plan.
15	<b>Agency/Group/Organization</b>	HEARTLAND FAMILY SERVICES
	<b>Agency/Group/Organization Type</b>	Services - Housing Services-Children Service-Fair Housing
	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment Homelessness Strategy Non-Homeless Special Needs

	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The organization was invited to participate in the development of the Annual Action Plan by attending public hearings, submitting applications for assistance, and providing comments related to housing, homeless services, and other issues relevant in the Action Plan.
16	<b>Agency/Group/Organization</b>	Sarpy County Government
	<b>Agency/Group/Organization Type</b>	Other government - County
	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment Non-Homeless Special Needs Market Analysis
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The organization was invited to participate in the development of the Annual Action Plan by attending public hearings, submitting applications for assistance, and providing comments related to housing, homeless services, and other issues relevant in the Action Plan.

17	<b>Agency/Group/Organization</b>	Lift Up Sarpy
	<b>Agency/Group/Organization Type</b>	Services - Housing Services-Children Services-Elderly Persons Services-Persons with Disabilities Services-Persons with HIV/AIDS Services-Victims of Domestic Violence Services-homeless Services-Health Services-Education Services-Employment Service-Fair Housing Services - Victims Services - Broadband Internet Service Providers Services - Narrowing the Digital Divide Foundation
	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment Homelessness Strategy Non-Homeless Special Needs
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The organization was invited to participate in the development of the Annual Action Plan by attending public hearings, submitting applications for assistance, and providing comments related to housing, homeless services, and other issues relevant in the Action Plan.
18	<b>Agency/Group/Organization</b>	Metro Area Continuum of Care for The Homeless
	<b>Agency/Group/Organization Type</b>	Housing Services-homeless Service-Fair Housing

	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The organization was invited to participate in the development of the Annual Action Plan by attending public hearings, submitting applications for assistance, and providing comments related to housing, homeless services, and other issues relevant in the Action Plan.
19	<b>Agency/Group/Organization</b>	Metropolitan Area Planning Agency
	<b>Agency/Group/Organization Type</b>	Regional organization Planning organization
	<b>What section of the Plan was addressed by Consultation?</b>	Non-Homeless Special Needs Market Analysis Economic Development
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The organization was invited to participate in the development of the Annual Action Plan by attending public hearings, submitting applications for assistance, and providing comments related to housing, homeless services, and other issues relevant in the Action Plan.
20	<b>Agency/Group/Organization</b>	Project Houseworks
	<b>Agency/Group/Organization Type</b>	Housing Services - Housing
	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment Non-Homeless Special Needs

	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The organization was invited to participate in the development of the Annual Action Plan by attending public hearings, submitting applications for assistance, and providing comments related to housing, homeless services, and other issues relevant in the Action Plan.
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**Identify any Agency Types not consulted and provide rationale for not consulting**

All agencies providing a full range of services in and around the City of Bellevue and involved in the CDBG program were contacted to request comments. As agencies are identified or contact the City, they are included on the mailing list for future assistance and correspondence.

**Other local/regional/state/federal planning efforts considered when preparing the Plan**

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care	Metropolitan Area Continuum of Care for the Homeless	The City of Bellevue reviewed the 10 Year Plan to End Homelessness to ensure comparability with the City's comprehensive plan and future goals. The City continues to contact MACCH regarding funding opportunities in Bellevue and homelessness needs.

**Table 3 – Other local / regional / federal planning efforts**

**Narrative (optional)**

## **AP-12 Participation – 91.105, 91.200(c)**

### **1. Summary of citizen participation process/Efforts made to broaden citizen participation Summarize citizen participation process and how it impacted goal-setting**

In 2020, the City of Bellevue prepared and adopted an updated Citizen Participation Plan. The Citizen Participation Plan which discusses the City's procedures and efforts in regard to public notices, public comment periods, public hearings, technical assistance to community partners, record retention, and complaints. The City is also required to consult with public and private agencies that provide services to the community. When developing the plan, the City took several actions to include input from the community as a whole and from key stakeholders:

- The City consulted with representatives from other city departments on how CDBG could have the most beneficial community impact. This consultation included several departments, such as Planning, Public Works, Police, Fire, Human Services, Streets, and Parks and Recreation.
- The held two public hearings during the application process and development of the proposed activities for the 2020 Action Plan. In addition to the public hearings, an application workshop was held to assist interested organization, groups, and citizens who were interested in applying for CDBG assistance for eligible projects.
- The CDBG Committee, a group made up of six community members, held a public meeting to review projects and ask questions of applicants, discuss proposed projects with applicants, and develop a funding recommendation to be presented to the Bellevue City Council for consideration. The Committee used detailed criteria to review, score, and rank the proposals for completeness, community need, and compliance with CDBG requirements.
- The City made the draft action plan available for public comment from June 17, to July 21, 2020. Copies were made available at the City Library, Lied Activity Center, City Clerk's Office, CDBG Office, and on the City's website. The availability of the plan was announced in the local newspaper and on the City's website.
- The City held the third public hearing on July 7, 2020, during the Bellevue City Council meeting to receive public comment and allow Councilmembers to ask any questions of applicants and committee members. The Bellevue City Council considered final approval of the plan and funding recommendations during the July 21, 2020, meeting.

The citizen participation process also helped the City of Bellevue to establish its priority needs for the next five years during the development of the Consolidated Plan.

**Citizen Participation Outreach**

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
1	Newspaper Ad	Non-targeted/broad community	Not applicable.	No specific response. A newspaper ad and press release were distributed inviting public participation and comment at two public hearings regarding planning and development of the annual action plan. The notices were distributed with 15-days notice to each of the two public hearings held regarding the development of the plan, opening of the application process, and the review of project applications received.	None.	

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
2	Public Hearing	Non-targeted/broad community	<p>Two public hearings were held during the development of the annual action plan to encourage public participation. The first hearing included a presentation overview of the CDBG program, the application process for funding, and the identified needs and goals outlined in the Consolidated Plan. The second hearing which was held virtually included presentation by applicants for CDBG funding and questions by CDBG Committee members. In total, 31 people attend the public hearings.</p>	<p>Discussion during the public hearings included the CDBG requirements, funding process, and applications received. No additional comments were received.</p>	None.	

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
3	Application Workshop	Non-targeted/broad community  Eligible Interested Parties	The applicant workshop is step-by-step assistance for those individuals and organizations interested in applying for CDBG assistance in understanding the HUD requirements and regulations for CDBG funding in addition to the City of Bellevue requirements. Due to Directed Health Measures by the State of Nebraska in response to the coronavirus, the workshop was held virtually. There were 10 participants in the applicant workshop.	None.		

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
4	Newspaper Ad	Non-targeted/broad community	A 30-day Notice of Availability of the proposed 2020 Action Plan and a 15-day Notice of Public Hearing were published in the local newspaper, on the City's website, and posted/ distributed to various locations throughout the community.	No specific response received.	None.	

**Table 4 – Citizen Participation Outreach**

## Expected Resources

### AP-15 Expected Resources – 91.220(c)(1,2)

#### Introduction

The 2020 Action Plan will be the second year of 2019-2023 Consolidated Plan. The Action Plan addresses the proposed programs, projects, and activities that will be undertaken with the resources anticipated to be available in the proposed budget. The City of Bellevue anticipates receiving \$334,643 in CDBG funds per year from FY 2019-2023. These funds will be used to fund eligible community development projects in low- and moderate-income areas or to benefit low- and moderate-income families and households. Based on the proposed funding

recommendation for the 2020 entitlement allocation, funds are anticipated to be allocated as follows:

- 14% will be allocated to planning, administration, and governmental compliance, such as fair housing studies, etc.
- 19% of funds will be allocated to public service activities,
- 56% to encourage business and job growth through economic development project, and
- 11% or more for improving or expanding affordable housing

**Anticipated Resources**

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	344,643	0	0	344,643	935,357	CDBG funding will be used throughout the city limits for priorities outlined in the Consolidated Plan and will be leveraged with other federal, local or private funding sources.

**Table 5 - Expected Resources – Priority Table**

**Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied**

The City of Bellevue is an entitlement community for CDBG funding and does not receive any additional funding from HUD. During the annual funding cycle, the City does not require a match to a funding request but does emphasize providing leveraged funding from projects seeking CDBG funds and take into consideration any leverage funding presented as part of a proposed activity budget. Agencies are requested to identify their efforts to obtain additional resources to assist with their projects during the application process.

The City does encourage and support community organizations to seek other grants through private, public, state and federal grants to supplement CDBG improvement projects. As in the past, the City of Bellevue will be as creative as possible to find other sources of funding from state, federal, private developer, tax-credits, loans, and local funds in order to develop and deliver efficient and cost-effective projects.

**If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the plan**

The City of Bellevue owns land throughout the community, much of which is utilized for various parks, ball fields, trails and other recreation facilities. As needs are identified, the City of Bellevue considers all possible projects and activities to assist with addressing the needs to the benefit of all citizens and the utilization of publically owned land for projects as leverage.

During the 2020 program year, the City anticipates completing activities on privately-owned land within Bellevue city limits to assist projects for housing, economic development, and commercial rehabilitation projects.

**Discussion**

## Annual Goals and Objectives

### AP-20 Annual Goals and Objectives

#### Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Rehabilitation of Commercial Buildings	2019	2023	Non-Housing Community Development	City of Bellevue	Encourage Economic Development	CDBG: \$92,345	Facade treatment/business building rehabilitation: 5 Business
2	Increase Employment Opportunities	2019	2023	Non-Housing Community Development	City of Bellevue	Encourage Economic Development	CDBG: \$100,000	Jobs created/retained: 5 Jobs
3	Increase Affordable Housing Opportunitites	2019	2023	Affordable Housing	City of Bellevue	Increase Affordable Housing Opportunities	CDBG: \$38,000	Homeowner Housing Rehabilitated: 1 Household Housing Unit
4	Provide Community/Neighborhood Services	2019	2023	Non-Homeless Special Needs	City of Bellevue	Increase and Expand Public Service Availability	CDBG: \$64,298	Public service activities for Low/Moderate Income Housing Benefit: 160 Households Assisted
5	Planning and Administration	2019	2023	Administration	City of Bellevue	Planning and Administration	CDBG: \$50,000	Other: 1 Other

**Table 6 – Goals Summary**

#### Goal Descriptions

1	<b>Goal Name</b>	Rehabilitation of Commercial Buildings
	<b>Goal Description</b>	In the Action Plan, funding was allocated to five businesses for rehabilitation of commercial buildings through facade improvements and code corrections. The funding will assist with sidewalk improvements, window and door replacement, and parking improvements.
2	<b>Goal Name</b>	Increase Employment Opportunities
	<b>Goal Description</b>	As part of the Action Plan, funding was allocated to one business for expansion and job creation. After rehabilitation to meet all food safety requirements, the business will provide five new job positions for low- and moderate-income workers.
3	<b>Goal Name</b>	Increase Affordable Housing Opportunities
	<b>Goal Description</b>	In the Action Plan, one project was funded to rehabilitate a single family housing unit. The project will provide one new affordable housing unit for a low- and moderate-income family.
4	<b>Goal Name</b>	Provide Community/Neighborhood Services
	<b>Goal Description</b>	In the Action Plan, two projects were funded to provide public services to the community. One program will assist children from low- and moderate-income families to participate in organized sports programs in Bellevue. Also funded was an expansion of the community food pantry to provide delivery service to low- and moderate-income households in the community.
5	<b>Goal Name</b>	Planning and Administration
	<b>Goal Description</b>	Funding in the Action Plan was provided for planning and administration including all activities associated with the successful administration of the CDBG program.

# Projects

## AP-35 Projects – 91.220(d)

### Introduction

During the 2020 Action Plan, the City of Bellevue will administer nine projects that received CDBG entitlement funding. Focus and resources will be on the following priority areas:

- Assist with rehabilitation of affordable housing,
- Provide community public services,
- Assist with economic development through commercial rehabilitation, and
- Administration of the CDBG program.

The allocation of funds for the following projects are closely aligned with the top housing and economic development needs identified in the needs assessment and housing market analysis, and through input contributed by stakeholders and citizens who participated in the development of the Consolidated Plan. The objectives and outcomes for each proposed activity in 2020 may be found in section AP-38 Project Summary.

### Projects

#	Project Name
1	Single Family Housing Rehabilitation
2	Sports Participation Assistance Program
3	ENCAP Food Delivery Program
4	All-Brite Sidewalk Rehabilitation Project
5	Facility Upgrade Project
6	Parking Rehabilitation and Improvements
7	MRH First City Tavern and Grill
8	Marathon Commercial Building Rehabilitation
9	Willabees Building Facade Improvement Project
10	Program Administration

Table 7 - Project Information

**Describe the reasons for allocation priorities and any obstacles to addressing underserved needs**



**AP-38 Project Summary**  
**Project Summary Information**

1	<b>Project Name</b>	Single Family Housing Rehabilitation
	<b>Target Area</b>	City of Bellevue
	<b>Goals Supported</b>	Increase Affordable Housing Opportunities
	<b>Needs Addressed</b>	Increase Affordable Housing Opportunities
	<b>Funding</b>	CDBG: \$38,000
	<b>Description</b>	The proposed project includes the rehabilitation of a single-family housing unit acquired by Habitat. The housing unit will be rehabilitated with CDBG funding and in-kind donations. The unit will then be made available for a low- and moderate-income household.
	<b>Target Date</b>	9/30/2021
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	1 low- and moderate-income household
	<b>Location Description</b>	The housing unit will be located within city limits of Bellevue.
	<b>Planned Activities</b>	The CDBG funding will assist with rehabilitation of one single family housing unit.
2	<b>Project Name</b>	Sports Participation Assistance Program
	<b>Target Area</b>	City of Bellevue
	<b>Goals Supported</b>	Provide Community/Neighborhood Services
	<b>Needs Addressed</b>	Increase and Expand Public Service Availability
	<b>Funding</b>	CDBG: \$8,000
	<b>Description</b>	The program creates a participation assistance for low- and moderate-income families who reside within Bellevue city limits. The participation assistance will be expanded and available for all sports programs offered by BJS and the amount of assistance based on the household income to increase the number of households served.
	<b>Target Date</b>	
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	It is anticipated that 60 households will participate in the assistance program through BJS.

	<b>Location Description</b>	The assistance program will be available to all eligible households within the city limits of Bellevue.
	<b>Planned Activities</b>	The program will provided assistance to low- and moderate-income households to participate in organized sports programs.
<b>3</b>	<b>Project Name</b>	ENCAP Food Delivery Program
	<b>Target Area</b>	City of Bellevue
	<b>Goals Supported</b>	Provide Community/Neighborhood Services
	<b>Needs Addressed</b>	Increase and Expand Public Service Availability
	<b>Funding</b>	CDBG: \$56,298
	<b>Description</b>	The proposed program will provide for the expansion of the Bellevue Food Pantry service by adding a food delivery service to households who are unable to travel to and utilize the food pantry in its locations. The proposed activities include door drop delivery of emergency food packages to individuals who are unable to leave their homes due to physical or mental impairments, those who are unable to access transportation to the pantry, and those who are caring for family members in the homeand unable to travel to the pantry location.
	<b>Target Date</b>	9/30/2021
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	The proposed activity will assist approximately 100 households with access to food service.
	<b>Location Description</b>	The Bellevue Food Pantry is located at 1908 Hancock Street in Olde Towne Bellevue. The delivery service will be available to households within city limits.
<b>Planned Activities</b>	The proposed activities include door drop delivery of emergency food packages to individuals who are unable to leave their homes due to physical or mental impairments, those who are unable to access transportation to the pantry, and those who are caring for family members in the homeand unable to travel to the pantry location.	
<b>4</b>	<b>Project Name</b>	All-Brite Sidewalk Rehabilitation Project
	<b>Target Area</b>	City of Bellevue
	<b>Goals Supported</b>	Rehabilitation of Commercial Buildings
	<b>Needs Addressed</b>	Encourage Economic Development

	<b>Funding</b>	CDBG: \$7,358
	<b>Description</b>	The proposed project will assist with the rehabilitation and reconstruction of sidewalks at the business located at 601 West Mission Ave in Olde Towne Bellevue. The current sidewalks are in poor condition and do not meet ADA requirements. The project will bring the sidewalks up to code standards with all ADA requirements. The business owner will be required to provide leveraging funds in the amount required to complete the full sidewalk project.
	<b>Target Date</b>	9/30/2021
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	The proposed activity will assist one business with facade improvements including sidewalk rehabilitation.
	<b>Location Description</b>	The proposed activity is located at 601 West Mission Ave, Bellevue, NE 68005, which is located in Olde Towne Bellevue.
	<b>Planned Activities</b>	The planned activities include rehabilitation and reconstruction of the dilapidated sidewalks around the business.
5	<b>Project Name</b>	Facility Upgrade Project
	<b>Target Area</b>	City of Bellevue
	<b>Goals Supported</b>	Rehabilitation of Commercial Buildings
	<b>Needs Addressed</b>	Encourage Economic Development
	<b>Funding</b>	CDBG: \$19,439
	<b>Description</b>	The proposed project will assist with the rehabilitation of the building located at 2108 Franklin Street in Olde Towne Bellevue. The project will be facade improvements including replacement of the exterior windows and doors to increase energy efficiency and address ADA requirements.
	<b>Target Date</b>	9/30/2021
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	The proposed activity will assist one business with facade improvements.
	<b>Location Description</b>	The proposed activity is located at 2108 Franklin Street, Bellevue, NE 68005, which is in Olde Towne Bellevue.

	<b>Planned Activities</b>	The planned activities include facade improvements including the replacement of windows and exterior doors to weatherize and increase efficiency of the building.
6	<b>Project Name</b>	Parking Rehabilitation and Improvements
	<b>Target Area</b>	City of Bellevue
	<b>Goals Supported</b>	Rehabilitation of Commercial Buildings
	<b>Needs Addressed</b>	Encourage Economic Development
	<b>Funding</b>	CDBG: \$8,548
	<b>Description</b>	The proposed project will assist with the rehabilitation of the parking lot located at 112 East 23rd Street in Olde Towne Bellevue. The parking lot is utilized by Olde Towne Bellevue businesses for parking and was severely damaged from use during the emergency response to flooding during 2019.
	<b>Target Date</b>	9/30/2021
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	The proposed activity will assist one business with facade improvements.
	<b>Location Description</b>	The proposed activity is located at 112 East 23rd, Bellevue, NE 68005, which is located in Olde Towne Bellevue.
	<b>Planned Activities</b>	The planned activities include the rehabilitation and reconstruction of the parking lot.
7	<b>Project Name</b>	MRH First City Tavern and Grill
	<b>Target Area</b>	City of Bellevue
	<b>Goals Supported</b>	Rehabilitation of Commercial Buildings
	<b>Needs Addressed</b>	Encourage Economic Development
	<b>Funding</b>	CDBG: \$45,000
	<b>Description</b>	The proposed project will assist with the facade improvements to the building located at 2210 Franklin Street in Olde Towne Bellevue. The facade improvements include window replacement, canvas tenting, and railings. The business will provide additional jobs for local residents, a place to eat during all hours, and entertainment to create a destination in Olde Towne Bellevue

	<b>Target Date</b>	9/30/2021
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	The proposed activity will assist one business with facade improvements.
	<b>Location Description</b>	The proposed activity is located at 2210 Franklin Street, Bellevue, NE 68005, which is located in Olde Towne Bellevue.
	<b>Planned Activities</b>	The proposed activities include facade improvements with window replacement, canvas tenting, and deck railings.
<b>8</b>	<b>Project Name</b>	Marathon Commercial Building Rehabilitation
	<b>Target Area</b>	City of Bellevue
	<b>Goals Supported</b>	Increase Employment Opportunities
	<b>Needs Addressed</b>	Encourage Economic Development
	<b>Funding</b>	CDBG: \$100,000
	<b>Description</b>	The proposed project will assist with the building renovations to improve the existing building to meet food safety requirements. The improvements will allow for business growth and increased employment along Fort Crook Road.
	<b>Target Date</b>	9/30/2021
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	The proposed activity will assist one business with building renovation to expand and hire five additional FTE positions.
	<b>Location Description</b>	The proposed activity is located at 909 Fort Crook Road N, Bellevue, NE 68005
	<b>Planned Activities</b>	
<b>9</b>	<b>Project Name</b>	Willabees Building Facade Improvement Project
	<b>Target Area</b>	City of Bellevue
	<b>Goals Supported</b>	Rehabilitation of Commercial Buildings
	<b>Needs Addressed</b>	Encourage Economic Development
	<b>Funding</b>	CDBG: \$12,000

	<b>Description</b>	The proposed project will assist with façade improvements for a commercial building at 2268 Franklin Street in Olde Towne Bellevue. The façade improvements include sidewalk rehabilitation, landscaping, and window replacement.
	<b>Target Date</b>	9/30/2021
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	The proposed activity will assist one business.
	<b>Location Description</b>	The proposed activity is located at 2268 Franklin Street, Bellevue, NE, which is located in Olde Towne Bellevue.
	<b>Planned Activities</b>	The proposed activity is for facade improvements including sidewalk improvements, lanscaping, and window replacement.
<b>10</b>	<b>Project Name</b>	Program Administration
	<b>Target Area</b>	City of Bellevue
	<b>Goals Supported</b>	Planning and Administration
	<b>Needs Addressed</b>	Planning and Administration
	<b>Funding</b>	CDBG: \$50,000
	<b>Description</b>	The project includes all activities associated with successful administration of the CDBG program including department expenses necessary to administer the CDBG program (staff, salary, benefits, supplies, and services), required action plan, CAPER, financial and reporting requirements, project monitoring, environmental assessments, continued training and education opportunities, and other responsibility for the CDBG program.
	<b>Target Date</b>	12/31/2021
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	NA
	<b>Location Description</b>	The City of Bellevue Administration Office is located at 1500 Wall Street, Bellevue, NE 68005.
	<b>Planned Activities</b>	The planned activities include adminitration of the CDBG program.

## **AP-50 Geographic Distribution – 91.220(f)**

### **Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed**

Allocations for CDBG funding are typically based geographically only when an application is eligible for a project primarily benefitting low-and-moderate income area that meets the priorities of the Consolidated Plan.

Of the nine projects funded during the 2020 fiscal year, six projects have specific locations which are located in Olde Towne Bellevue. The BVFD Facility Upgrade Project and MRH First City Tavern and Grill projects are located in Censys Tract 101.06, Block Group 4 and 5, which has a population of 1,405 and a LMI population of 80.3%. The other four projects are located south of Mission Avenue. Habitat for Humanity of Sarpy County's Single Family Housing Rehabilitation project will be located in Bellevue city limits and identified at the time of purchase.

### **Geographic Distribution**

<b>Target Area</b>	<b>Percentage of Funds</b>
City of Bellevue	100

**Table 8 - Geographic Distribution**

### **Rationale for the priorities for allocating investments geographically**

As outlined in the Consolidated Plan, the City is not targeting specific neighborhoods, but may develop target areas over the period of this plan as several local initiatives develop more specific revitalization plans. The City of Bellevue distributes funding through a competitive application process. Emphasis is placed on projects that address high priority needs of low- and moderate-income persons, households, or areas. While the City does emphasize assisting LMI areas, the funding of specific activities is based upon an evaluation of which one's best meets identified needs.

### **Discussion**

The City of Bellevue distributes funding through a competitive application process. Emphasis is placed on projects that address needs of low- and moderate-income persons, households, or areas, While the City does emphasize assisting LMI areas, the funding of specific activities is based upon an evaluation of which one best meet identified needs. The City accepts applications from eligible organizations which are then reviewed by staff and a CDBG Committee who determines a funding recommendation. CDBG staff determines eligibility and feasibility of each application and then distributes those applications to the committee for review based on the committee's funding philosophy which includes consideration of: comparability with outlines priorities, defined objectives, realistic scope, benefit to the community and LMI residents and leveraging of dollars. The recommendation is then provided to the Bellevue City

Council for final approval of the proposed projects for the Action Plan.

During the 2020 Action Plan funding cycle, the City of Bellevue proposed funding for nine applications five of those projects are located in Olde Towne Bellevue. The area was declared blighted and substandard by the City of Bellevue and approved by the City Council in July 2012. The designation means an area has a predominance of buildings or improvements, whether nonresidential or residential in character, which, by reason of dilapidation, deterioration, age or obsolescence...or any combination of such factors is conducive to ill health...and crime, and is detrimental to the public health, safety, morals, or welfare. the City Planning Department believed the area is detrimental to the public health and safety and therefore presented it for the substandard and blighted designation. The proposed CDBG projects would assist with improving the public safety by addressing facade and sidewalk improvements at four business in Olde Towne Bellevue.

## Affordable Housing

### AP-55 Affordable Housing – 91.220(g)

#### Introduction

In the Consolidated Plan, the City of Bellevue outlined the priority to maintain and increase affordable housing stock for low- and moderate-income individuals and families. The City identified the goal to address this need of affordable housing with partners to educate the public regarding affordable housing and fair housing information.

During the 2020 Action Plan, funds have been allocated to Habitat for Humanity of Sarpy County to address critical housing needs through the rehabilitation of a single family housing unit within the city limits of Bellevue. Through the partnership with Habitat for Humanity, the City of Bellevue hopes to continue to reduce the number of substandard housing units, maintain the existing affordable housing stock and contribute to increase independence and quality of life for very low-income households.

<b>One Year Goals for the Number of Households to be Supported</b>	
Homeless	0
Non-Homeless	0
Special-Needs	0
Total	0

**Table 9 - One Year Goals for Affordable Housing by Support Requirement**

<b>One Year Goals for the Number of Households Supported Through</b>	
Rental Assistance	0
The Production of New Units	0
Rehab of Existing Units	1
Acquisition of Existing Units	0
Total	1

**Table 10 - One Year Goals for Affordable Housing by Support Type**

#### Discussion

Affordable housing continues to be a priority for Bellevue. In addition the funding allocated in the 2020 Action Plan to activities the maintain, develop and support affordable housing, the City of Bellevue is partnering with the Bellevue Housing Authority and other agencies throughout Sarpy County to complete a Housing Study to demonstrate the need for affordable housing and assist efforts to

encourage additional development.

## **AP-60 Public Housing – 91.220(h)**

### **Introduction**

The Bellevue Housing Authority is the primary provider of housing to very low-income households in the City. The BHA receives funding on an annual basis from HUD to support the provision of housing, to make repairs on existing properties and to provide programs and supportive services to public housing residents.

### **Actions planned during the next year to address the needs to public housing**

No CDBG funding is directly allocated to meet public housing needs in fiscal year 2020. The City of Bellevue will support non-profit efforts to construct affordable housing, including the Public Housing Authority, by assisting in the identification of vacant or abandoned properties and lots for home building purposes and other areas as needed. During the 2020 fiscal year, the City will continue to support the Bellevue Housing Authority's efforts to obtain ownership of existing public housing units and use the capital to continue efforts to expand affordable housing available in the community.

### **Actions to encourage public housing residents to become more involved in management and participate in homeownership**

The City of Bellevue will continue working closely with the Bellevue Housing Authority to address the importance of resident involvement and promote fair housing information among the residents. With limited funding available, the City of Bellevue has not funded a project to encourage public housing residents to become more involved in management and to participate in homeownership.

All programs funded by the City of Bellevue will be promoted among the residents to increase involvement in city events and activities, specifically economic development and job growth activities will be encouraged to include Public Housing resident outreach in their recruitment strategy.

### **If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance**

The Bellevue Housing Authority is not identified as troubled by HUD.

### **Discussion**

## **AP-65 Homeless and Other Special Needs Activities – 91.220(i)**

### **Introduction**

The City of Bellevue relies on the Metropolitan Area Continuum of Care for the Homeless (MACCH) to assist with providing activities and projects directly to the homeless and other special needs population. MACCH most recently updated the 10-year plan to end homelessness in 2015. This updated ensured compliance with the federal strategic plan to prevent and end homelessness. The City of Bellevue actively participated to ensure all needs are identified and addressed within the jurisdiction. In the updated 10 Year Plan, the following four overarching goals were identified:

- End Chronic Homelessness
- End Veteran Homelessness
- End child, family, and youth homelessness
- Set a path to reducing overall homelessness

One needs according to service providers and shelters is increased awareness of existing resources available to meet the needs of the homeless throughout the metropolitan area. The City of Bellevue plans to continue efforts working with the Continuum of Care and area agencies to improve data regarding Bellevue and Sarpy County in order to better understand the need and coordinate efforts to address these needs. With the increased data availability, the information will be more useful and present a more accurate picture of the homeless population in order to match needs with projects and identify funding sources for projects.

In addition to the 10 year plan, MACCH was selected to participate in the national Zero 2016 Campaign to end chronic and veteran homelessness by creating a national tipping point to prove that success is possible, ultimately motivating all communities to end veteran homelessness and end chronic homelessness one year later.

### **Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including**

#### **Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs**

The City of Bellevue will continue to work with MACCH to identify areas where assistance can be provided beyond that of funding.

During the 2020 fiscal year, CDBG funding will continue to assist Heartland Family Services supporting the Housing Navigator services to assist any family who is at imminent risk of becoming homeless or already homeless with a link to housing and income programs. The City has also provided assistance to Habitat for Humanity of Sarpy County to develop new housing units through the purchase of a vacant lot

in 2019 and through the rehabilitation of a single family housing unit in 2020. Through the production and redevelopment of housing units, the City will provide additional affordable housing for families facing homelessness or that are already homeless.

The City also relies on its network of providers who are members of the MACCH. As these are the agencies and organizations who work day to day with the homeless, they are most capable of reaching out to the homeless population and assessing their individual needs.

### **Addressing the emergency shelter and transitional housing needs of homeless persons**

The City of Bellevue does not receive Emergency Shelter Grant funds and has not committed CDBG funding to add shelters and housing in this annual action plan. Instead, the City will work with MACCH to increase their participation in available area non-profit organization planning, operational cost estimating, grant writing and other skills classes that will help the City understand the needs and provide greater assistance to shelters to increase funding, effectively and efficiently plan costs, and make the most of limited funding while preserving or increasing services. In addition to working with MACCH, the City will continue to work with all partners in the Affirmatively Further Fair Housing Plan to develop activities and provide support to addressing the needs of homeless in Bellevue.

### **Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again**

The Bellevue Housing Authority administers the housing voucher program for the Bellevue community. The City of Bellevue offers housing assistance to homeowners with repairs to ensure the housing is safe, sanitary, and accessible for the homeowner to remain in the house. The City will work with MACCH to identify gaps in service for Bellevue as a part of the 10-year plan to end homelessness. As gaps are identified, Bellevue will work with area agencies to develop programs and projects to help address the need and end homelessness.

### **Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs.**

The City of Bellevue offers the housing assistance programs in an effort to assist low- and moderate-

income persons and households to remain in their homes and not become homeless. By providing this assistance, the low and moderate-income households are able free their home of code violations and threats to health and safety of the occupants. This activity may prevent a household from facing homelessness and allow the use of limited funding for family needs rather than costly housing repairs. As part of the 2019 fiscal year, the City provided assistance to Heartland Family Service to continue the Housing Navigator program and expand the program to assist all households at imminent risk of homelessness to connect them to housing and income assistance in the community. The Navigator will work closely with programs in the Bellevue area to identify eligible clients, complete initial assessments to determine client needs and assist clients in developing a plan for housing stability.

By providing the Housing Navigator program, three objective listed in the MACCH's 10 year plan to end homelessness will be addressed: increase use of prevention resources to divert families from entering shelter; reduce the length of time of homeless so that no individual or family remains homeless for longer than 90 days; and increase access to employment and benefit income. This project will provide a new service to Bellevue residents and would directly address the needs of homeless individuals in the Bellevue community by addressing a gap in services.

## **Discussion**

## **AP-75 Barriers to affordable housing – 91.220(j)**

### **Introduction:**

The City of Bellevue is working towards elimination of barriers to all affordable housing. The City recently updated their fair housing ordinance and is working to expand expanded Fair Housing outreach by providing fair housing information brochures at city and public facilities and events, and sponsored public service announcements with media organizations that provide such services to local government. The City monitors local, county, state and federal regulations, policies and ordinances that may directly or inadvertently affect fair housing choice and takes appropriate remedial action as possible.

### **Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment**

The City of Bellevue will continue to provide assistance and funding to private sector and non-profit organizations that support the goal of increasing the supply and availability of affordable housing units and number of available jobs specifically in areas where affordable housing is easily accessible. By increase the economic impact and job opportunities within the city close to affordable housing options, the City hopes to minimize the impact of the public transportation barrier. The City will continue to review it policies to identify any building or zoning codes that present barriers to the development of affordable housing. The City remains committed to removing the negative effects of public policies that serve as barriers to affordable housing.

### **Discussion:**

None.

## **AP-85 Other Actions – 91.220(k)**

### **Introduction:**

Every year, the City of Bellevue looks for innovative, fresh ideas to use CDBG funds to address community needs and provide the biggest benefit for low- and moderate-income persons and community as a whole with the relatively small amount of CDBG funds received.

In determine the most advantageous use for the funding, the City of Bellevue takes into consideration different actions to foster and maintain affordable housing, evaluate and reduce lead-based paint hazards, reduce the number of poverty-level families, develop institutional structure, and enhance coordination within the community.

### **Actions planned to address obstacles to meeting underserved needs**

The City of Bellevue will continue to identify community partners to assist with address the needs of the underserved in the community. By working with these partners and development projects for funding, the City hopes to develop public services offered by organizations within our community to specially address resident's needs.

As part of the 2020 plan, the City of Bellevue allocated funds to Bellevue Junior Sports Association to provide participation assistance to low- and moderate-income families to allow children to participate in organized sports programs. To assist with additional needs during the past year, the City of Bellevue allocated funding to Eastern Nebraska Community Action Partnership (ENCAP) to expand the Bellevue Food Pantry service to include a mobile food delivery service for households who are unable to visit the pantry's physical location.

### **Actions planned to foster and maintain affordable housing**

The City of Bellevue will continue to identify community partners to assist with address the needs of the underserved in the community. The City will continue to work with Rebuilding Together Omaha to identify opportunities to improve affordable housing for homeowners through the rehabilitation programs. In the 2020 Action Plan, funding was provided to Habitat for Humanity of Sarpy County for to assist with the rehabilitation of a single-family housing unit purchased within the city limits of Bellevue. Through the assistance to rehabilitate an existing housing unit, Habitat will be able to provide an affordable housing unit and Bellevue will benefit from the future property taxes from a habitable housing unit. Working with these partners and development projects for funding, the City hopes to develop public services offered by organizations within our community to specifically address resident's

needs.

### **Actions planned to reduce lead-based paint hazards**

As part of the ongoing program, the City will address lead-based paint hazards in homes receiving rehabilitation assistance when funding is available. The City staff will pursue educational opportunities for lead based paint to assist with educating contractors of the requirements, identify available trainings in the area, and work to identify additional funds sources to address this issue.

### **Actions planned to reduce the number of poverty-level families**

By providing investment in economic development to encourage new or expanding businesses to locate in Bellevue, the long-term jobs for low- and moderate-income residents will be increased which will provide stable employment opportunities and increase financial independent for poverty-level families. As part of the 2020 Action Plan, CDBG funds will be allocated to two economic development projects to assist with job creation. The City will continue to work with the Bellevue Chamber of Commerce and other civic and business leaders to identify opportunity to expand the job opportunities for LMI households and provide necessary assistance such as job training to prepare individuals for those opportunities.

### **Actions planned to develop institutional structure**

he City strategy is to enhance coordinate partnerships among its Consolidated Plan partners, including health, mental health, homelessness, veteran, elderly, community-based, housing, and state and local government agencies to further examine the causes and demographics of homelessness and risk, assist in developing additional data sources, identify and report trends impacting multiple agencies in a more timely fashion, and provide outreach and education regarding conditions that create risk, homelessness, and chronic homelessness amongst the mentally-ill and other special-needs residents.

### **Actions planned to enhance coordination between public and private housing and social service agencies**

The City will support the efforts of the Metropolitan Area Continuum of Care for the Homeless and participate in the updates to the 10 year plan to end homelessness and more regularly in their multi agency meetings. More active participation in the Continuum will improve the coordination of the City's Consolidated Plan goals and the Continuum's 10 Year Plan to End Homelessness.

### **Discussion:**

## Program Specific Requirements

### AP-90 Program Specific Requirements – 91.220(I)(1,2,4)

#### Introduction:

The 2020 Action Plan includes funding for one administration project and nine additional projects: Habitat Single Family Housing Unit Rehabilitation, BJSAP Participation Assistance Program, ENCAP Food Delivery Program, All-Brite Sidewalk Rehabilitation, Hall Facility Upgrade Project, Parking Improvements, MRH First City Tavern and Grill, Marathon Building Rehabilitation, and Willabees Building Improvement Project.

Of the nine projects, two projects will directly benefit low- and moderate-income persons; BJSAP Participation Assistance Program and ENCAP Food Delivery Program will provide a benefit to low- and moderate-income households; MRH First City Tavern and Grill and Marathon Building Rehabilitation will provide job creation available to low- and moderate-income census tract; Hall Facility Upgrade Project and MRH First City Tavern and Grill projects will be located in low- and moderate-income census tracts; and Habitat Single Family Housing Unit Rehabilitation will impact low- and moderate- income housing opportunities.

#### Community Development Block Grant Program (CDBG)

##### Reference 24 CFR 91.220(I)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	0
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	0
5. The amount of income from float-funded activities	0
<b>Total Program Income:</b>	<b>0</b>

#### Other CDBG Requirements

1. The amount of urgent need activities	0
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2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.

77.00%

## Attachments

## Citizen Participation Comments

**CITY OF BELLEVUE  
NOTICE OF PUBLIC HEARING REGARDING DEVELOPMENT 2020 ACTION PLAN FOR COMMUNITY  
DEVELOPMENT BLOCK GRANT (CDBG) ACTIVITIES**

TO ALL INTERESTED AGENCIES, GROUPS AND INDIVIDUALS:

The City of Bellevue invites and encourages all interested residents, agencies, nonprofit organizations and other interested parties to attend a Community Development Block Grant (CDBG) public hearing scheduled for:

**Tuesday, March 10, 2020 at 6:00 p.m. in City Council Chambers  
located at 1500 Wall Street, Bellevue, NE 68005.**

The purpose of this public hearing is to provide the public an opportunity to participate in planning the 2020 Annual Action Plan of CDBG activities to achieve the neighborhood and community development strategies as proposed in the 2019-2023 Consolidated Plan. During the public hearing, information will be presented about the CDBG program, including eligibility requirements for activities that may be undertaken with CDBG funds, an estimated grant amount, and a summary of strategies and priorities of the Consolidated Plan. The City of Bellevue will also distribute 2020 CDBG application packets for funding and make electronic copies available on the city's website. The application packets must be submitted to the City of Bellevue on or before the application deadline on April 27, 2020.

The City of Bellevue as a recipient of CDBG funding is required by the U.S. Department of Housing and Urban Development (HUD) to prepare and adopt a Annual Action Plan which will be submitted to HUD before August 15, 2020. The City of Bellevue's CDBG program uses a program year running from October 1 to September 30. At least 70% of CDBG funds must benefit low- and moderate-income residents or neighborhoods.

The City of Bellevue encourages all residents and interested parties to become involved in the development of the Annual Action Plan through participation in the planning or submitting an application for funding.

If special accommodations for persons with disabilities or non-English speaking persons are needed, please contact the City Clerk at (402) 293-3007 no later than March 9, 2020. If you are unable to attend the hearing, please feel free to submit questions, make written comments, or send request for copies of the application packet to the City of Bellevue, CDBG Program, 1500 Wall Street, Bellevue, NE 68005; by email to [Abby.Highland@outlook.com](mailto:Abby.Highland@outlook.com); or contact by phone at (402)293-3000.

# CDBG COMMUNITY MEETING



**Tuesday, March 10<sup>th</sup> at 6:00 p.m.,  
City Council Chambers,  
1500 Wall Street, Bellevue, NE 68005**



At this meeting, we will present information about the Community Development Block Grant (CDBG) program, the goals and priorities of the program, updates to the program impacting the next funding cycle, anticipated funding amounts available for allocation, and eligibility requirements for proposed projects.

During this meeting, CDBG application packets for funding proposals for the 2020-2021 CDBG funding cycle will be available.

If special accommodations are needed, please contact the City Clerk at (402)293-3007 no later than March 6, 2020.



For further information, contact Abby Highland, CDBG Program Administrator, at (402) 293-3000, or [abby.highland@outlook.com](mailto:abby.highland@outlook.com)



**CITY OF BELLEVUE  
2020-2021 Action Plan Community Meeting**

March 10, 2020, at 6:00 p.m.

City Council Chambers, 1500 Wall Street, Bellevue, NE 68005

Name	Organization	Address/Phone/Email	Add to mailing list? (Yes/No)	Contact Preference? Mail or Email?
Jill Connor	ENCAF	jconnor@encapnw.org 2406 Fowler Blvd Bellevue, Ne 68111	No	email
David Szymanski	BVFBD	13504 Innis Cr 402- Bellevue NE 68103 858- dszymanski1@cox.net	Yes	email
Devin Carley	Heartland Family Service	302 American Parkway Pawnee, NE 68446	No	email
Darla Berger	see DHRIS			

Name	Organization	Address/Phone/Email	Add to mailing list? (Yes/No)	Contact Preference? Mail or Email?
Kevin Hensel	Bellevue Chamber of Commerce	1036 Brown Blvd. Bellevue WA 98005 402/898-3000 president@bellevuechamber.com	Yes	email
Carmen Bradley	EMCAP	1908 Hancock St Bellevue cbradley@encapwashington.org	Yes	email
Ryan Pissant	RWD	1110 N Skyway E. Hillman WA		email
Melvin Sackback	Sackback Company	16255 Woodlark Dr Olympia WA 98513 SUBBUCK HOMES & EMAIL.COM		email
Jim Passey	Straightline Development	P.O. Box 626 Elkhorn WA 99022 JimPassey@Cex.net	Yes	email
Matt Emick	BSSA		Yes	email

Name	Organization	Address/Phone/Email	Add to mailing list? (Yes/No)	Contact Preference? Mail or Email?
Tiffany L. Colist	Together	TLeColst@togetherromare.org (402) 637-9842	Yes	Email
Steve/Ribe Schurbe	willaboes	2268 franklin 402 492 9774	Yes	Mail
Cynthia Ruspisul	Housing Foundation	8214 Armstrong Cir Bellevue 68147		Email

# Suburban Newspapers

## Affidavit Of Publication

**YOUR COMMUNITY  
YOUR NEWS**

State of Nebraska )  
 ) ss.  
County of Sarpy )

Being duly sworn, upon oath, Laura Estep-Brook deposes and says that she is a Civil Project Initiatives Supervisor or Deputy Supervisor and says that he is the Managing Editor of Ron Pejak, deposes and says that he is the Executive Editor of the Bellevue Leader, Papillion Times, and Gretna Breeze legal newspapers of general circulation in Sarpy County, Nebraska, and avouched therein that said newspaper has been established for more than one year (less, provided it is a bona-fide paid subscription, or list of more than three hundred; that to the personal knowledge, the newspaper, a copy of which is hereto attached, was printed in the said newspaper once each week, the circulation having been and

Wednesday, February 19, 2020 in Bellevue Leader

And that said newspaper is a legal newspaper under the laws of the State of Nebraska.

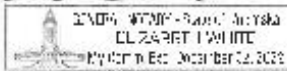
The above facts are within my personal knowledge.

Ron Pejak                      OR. Legal Estep-Brook                      OR. Deputy Supervisor  
Executive Editor                      SNI Project Initiatives                      Managing Editor

Filed this 19th day of February, 2020.

Signed in my presence and sworn to before me this 19th day of February, 2020:

Notary Public



Printer's Fee                      \$38.26  
Certainty Number                      01873  
Order Number                      0001-8451

### CITY OF BELLEVUE NOTICE OF PUBLIC HEARING REGARDING DEVELOPMENT 2020 ACTION PLAN FOR COMMUNITY DEVELOPMENT BLOCK GRANT (COBG) ACTIVITIES

TO ALL INTERESTED AGENCIES, GROUPS AND INDIVIDUALS

The City of Bellevue invites and encourages all interested residents, agencies, nonprofit organizations and other interested parties to attend a Community Development Block Grant (COBG) public hearing scheduled for:

Tuesday, March 10, 2020 at 6:00 pm in City Council Chambers  
located at 1500 Wall Street, Bellevue, NE 68005.

The purpose of this public hearing is to provide the public an opportunity to participate in forming the 2020 Annual Action Plan of COBG activities to achieve the neighborhood and community development strategies as proposed in the 2019-2023 Consolidated Plan. During the public hearing, information will be presented about the COBG program, including eligibility requirements for activities that may be undertaken with COBG funds, an estimated total amount, and a summary of strategies and priorities of the Consolidated Plan. The City of Bellevue will also distribute 2020 COBG application packets for funding and make electronic copies available on the city's website. The application packets must be submitted to the City of Bellevue on or before the application deadline on April 27, 2020.

The City of Bellevue as a recipient of COBG funding is required by the U.S. Department of Housing and Urban Development (HUD) to prepare and adopt an Annual Action Plan which will be submitted to HUD before August 15, 2020. The City of Bellevue's COBG program uses a program year running from October 1 to September 30. At least 70% of COBG funds must benefit low- and moderate-income residents in neighborhood.

The City of Bellevue encourages all residents and interested parties to become involved in the development of the Annual Action Plan through participation in the public hearing or submitting an application for funding.

If special accommodations for persons with disabilities or non-English speaking persons are needed, please contact the City Clerk at (402) 293-3007 no later than March 6, 2020. If you are unable to attend the hearing, please feel free to submit questions, make written comments, or send request for copies of the application packet to the City of Bellevue, COBG Program, 1500 Wall Street, Bellevue, NE 68005, by email to Abby.Higland@ci.bellevue.ne.us or contact by phone at (402) 293-3007.

**CITY OF BELLEVUE  
NOTICE OF PUBLIC HEARING FOR DEVELOPMENT OF THE  
2020 ANNUAL ACTION PLAN  
FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ACTIVITIES**

TO ALL INTERESTED AGENCIES, GROUPS AND INDIVIDUALS:

The City of Bellevue, in anticipation of approximately \$344,436, in Community Development Block Grant (CDBG) entitlement funding from the U.S. Department of Housing and Urban Development, invites and encourages all interested citizens, agencies, nonprofit organizations and other interested parties to participate in a virtual public hearing: **Thursday, June 4, 2020, at 6:00 p.m.**

The purpose of this public hearing is to allow the CDBG Committee to hear presentations from organizations who have submitted applications for 2020 CDBG funding. The public is invited to hear the presentations and submit comments regarding the CDBG funding cycle and proposed activities for the Annual Action Plan. The City of Bellevue, as a recipient of CDBG funding is required by the U.S. Department of Housing and Urban Development (HUD) to prepare and adopt an Annual Action Plan which will be submitted to HUD before August 15, 2020. The City of Bellevue's CDBG program uses a program year running from October 1 to September 30.

Pursuant to the Governor's Executive Order 20-03 and concerns related to the coronavirus and safety of all participants, the public hearing will be held via virtual meeting. The public can participate in the meeting by contacting the CDBG Program Administrator prior to the meeting to receive a sign in email/phone number and access code to join the meeting via GoToMeeting or visit the CDBG Department page of the City of Bellevue website, [www.bellevue.net](http://www.bellevue.net), for instructions on accessing the hearing via GoToMeeting. The public is also invited to schedule a one-on-one conference call to discuss the planning process and specific project requirements by contacting the CDBG Program Administrator.

If special accommodations for persons with disabilities or non-English speaking persons are needed, please contact the CDBG Program Administrator no later than May 29, 2020. If you are unable to participate in the hearing, please feel free to submit questions or written comments the City of Bellevue, CDBG Program Administrator, 1500 Wall Street, Bellevue, NE 68005; by email at [abby.highland@outlook.com](mailto:abby.highland@outlook.com); or by phone at (402)293-3000.



## ***CDBG 2<sup>nd</sup> Public Meeting Virtual Meeting Information***

The 2<sup>nd</sup> Public Hearing for the funding cycle and development of the 2020 Action Plan will be held

**Thursday, June 4, 2020 at 6:00 p.m.**  
and will be a virtual meeting through GoToMeeting.

During this meeting, applicants will be given an opportunity to present their application to the CDBG Committee and answer questions. If you would like to use visual components, please notify me and provide an electronic copy by June 3rd, to be shared during the meeting.

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To participate in the meeting, please use the log in information below:

**Please join my meeting from your computer, tablet or smartphone.**

<https://global.gotomeeting.com/join/670377077>

**You can also dial in using your phone.**

United States: [+1 \(872\) 240-3212](tel:+18722403212)

**Access Code: 670-377-077**

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For further information, contact Abby Highland, CDBG Program Administrator, City of Bellevue, at (443) 655-2123, or by email at [abby.highland@outlook.com](mailto:abby.highland@outlook.com).





**CITY OF BELLEVUE  
NOTICE OF PUBLIC HEARING AND NOTICE OF AVAILABILITY  
OF THE PROPOSED 2020-2021 ACTION PLAN**

TO ALL INTERESTED AGENCIES GROUPS AND INDIVIDUALS:

The City of Bellevue, in consultation with local service providers, agencies, and individuals, has prepared and will submit the 2020-2021 Action Plan of activities for Community Planning and Development Programs including the Community Development Block Grant (CDBG) to the U.S. Department of Housing and Urban Development (HUD) in accordance with regulations at 24 CFR Part 91 governing consolidated submission for community planning and development programs.

A public hearing for the purpose of obtaining public comments for the proposed 2020-2021 Action Plan is scheduled for:

**Tuesday, July 7, 2020, at 6:00 pm during the Bellevue City Council meeting  
in the City Council Chambers, 1500 Wall Street, Bellevue, Nebraska, 68005.**

The location of the public hearing is wheelchair accessible. If special accommodations for persons with disabilities or non-English speaking persons are needed, please contact the City Clerk at (402) 293-3007 no later than July 3, 2020.

The second year Action Plan addresses the intended use of \$344,643 in 2020 entitlement grant funds under the Community Development Block Grant (CDBG) program and identifies community development priority needs, objectives, and activities to be implemented during Fiscal Year 2020-2021. All proposed activities are subject to approval and final adoption by the Mayor and the Bellevue City Council during the July 21, 2020, council meeting. The following table summarizes the proposed allocations for planned activities in FY 2020-2021:

<b><u>HOUSING</u></b>	
Habitat for Humanity of Sarpy County (Single-Family Housing Unit Rehabilitation)	\$ 38,000.00
<b><u>PUBLIC SERVICE</u></b>	
Bellevue Junior Sports Association (Participation Assistance Program)	\$ 8,000.00
Eastern Nebraska Community Action Partnership (Food Delivery Program)	\$ 56,298.00
<b><u>ECONOMIC DEVELOPMENT/COMMERCIAL REHAB</u></b>	
All-Brite Glass and Screen (Sidewalk Rehabilitation)	\$ 7,358.00
Bellevue Volunteer Fire Hall (Facility Upgrade Project)	\$ 19,439.00
First Baptist Church of Bellevue (Parking Improvements)	\$ 8,548.00
MRH Land, LLC (First City Tavern and Grill)	\$ 45,000.00
Marathon Ventures, Inc. (Rehabilitation 909 Fort Crook Rd N)	\$100,000.00
Willabees Barbershop (Building Improvement Project)	\$ 12,000.00
<b><u>ADMINISTRATION &amp; PLANNING</u></b>	
Program Administration	<u>\$ 50,000.00</u>
<b>TOTAL</b>	<b>\$ 344,643.00</b>

The proposed Action Plan is available for review at the following locations: Bellevue City Hall, City Clerk's Office, 1500 Wall Street, Bellevue, NE 68005; Bellevue Public Library, 1003 Lincoln Road, Bellevue, NE 68005; Bellevue Housing Authority, 8214 Armstrong Circle, Bellevue, NE 68005; Bellevue Public Schools Lied Activity Center, 2700 Arboretum Dr, Bellevue, NE 68005; and, City of Bellevue website at [www.bellevue.net](http://www.bellevue.net)

Questions, comments or suggestions are encouraged concerning the 2020-2021 Action Plan and will be accepted until the time of final approval at the July 21, 2020, City Council meeting. All interest parties may submit written comments to the City of Bellevue, CDBG Program, 1500 Wall Street, Bellevue, NE 68005; by email at [abby.highland@outlook.com](mailto:abby.highland@outlook.com); or contact by phone at (402)293-3000. The approved 2020-2021 Action Plan will be submitted to the U.S. Department of Housing and Urban Development on or before August 15, 2020.

**Grantee Unique Appendices**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION ADOPTING THE 2020 ACTION PLAN AND COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM BUDGET FOR THE OCTOBER 2020 – SEPTEMBER 2021 PROGRAM YEAR, AND AUTHORIZING THE MAYOR TO SUBMIT THE PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.**

**WHEREAS**, the 2020 Action Plan meets all current planning and application requirements of the Community Planning and Development Programs funded by the U.S. Department of Housing and Urban Development; and

**WHEREAS**, the consolidated programs include Community Development Block Grant; Home Investment Partnership program, Emergency Shelter Grants and Housing Opportunities for Persons with AIDS; and

**WHEREAS**, the City of Bellevue has conducted public hearings and has received public input concerning the development of an Annual Action Plan and otherwise informed residents of the proposed plan of activities and budget levels included in the Action Plan for Fiscal Year 2020; and

**WHEREAS**, the Annual Action Plan contains the HUD Form 424, an annual plan for the current funding year, and the required certifications of eligibility for federal assistance.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and City Council of the City of Bellevue, Nebraska, as follows

- (a) The Council has reviewed the 2020 Action Plan which includes the plan for expenditure of Community Development Block Grant program funds and activities scheduled for October 2020 - September 2021 and find it to be consistent with the overall objectives of the Housing and Community Development Act and local neighborhood redevelopment strategies.
- (b) The Council, after evaluation of all the pertinent information presented, authorize the Mayor to submit on behalf of the City of Bellevue, the 2020 Action Plan for Community Planning and Development Programs for the October 2020 – September 2021 Program Year.

**PASSED, APPROVED AND ADOPTED** by the Mayor and City Council of the City of Bellevue, State of Nebraska, on this 21<sup>st</sup> day of July 2020.

\_\_\_\_\_  
Rusty Hike, Mayor

(SEAL)

ATTEST:

\_\_\_\_\_  
Susan Kluthe, City Clerk

**Grantee SF-424's and Certification(s)**

OMB Number: 4040-0094  
 Expiration Date: 12/31/2022

Application for Federal Assistance SF-424		
* 1. Type of Submission: <input type="checkbox"/> Preapplication <input checked="" type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application	* 2. Type of Application: <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision	* If Revision, select appropriate letter (a): <input type="text"/> * Other (Specify): <input type="text"/>
* 3. Date Received: <input type="text"/>	4. Applicant Identifier: <input type="text"/>	
5a. Federal Entity Identifier: <input type="text"/>	5b. Federal Award Identifier: <input type="text"/>	
State Use Only:		
6. Date Received by State: <input type="text"/>	7. State Application Identifier: <input type="text"/>	
<b>B. APPLICANT INFORMATION:</b>		
* a. Legal Name: <input type="text"/> CITY OF BELLEVUE		
* b. Employer/Taxpayer Identification Number (EIN/TIN): <input type="text"/>	* c. Organizational OUNS: <input type="text"/>	
<b>d. Address:</b>		
* Street1: <input type="text"/>	1500 WALL STREET	
Street2: <input type="text"/>		
* City: <input type="text"/>	BELLEVUE	
County/Parish: <input type="text"/>		
* State: <input type="text"/>	NE: NEBRASKA	
Province: <input type="text"/>		
* Country: <input type="text"/>	USA: UNITED STATES	
* Zip / Postal Code: <input type="text"/>	68006-3575	
<b>e. Organizational Unit:</b>		
Department Name: <input type="text"/>	Division Name: <input type="text"/>	
FINANCE DEPARTMENT		
<b>f. Name and contact information of person to be contacted on matters involving this application:</b>		
Prefix: <input type="text"/>	* First Name: <input type="text"/>	REBY
Middle Name: <input type="text"/>		
* Last Name: <input type="text"/>	HIGHLAND	
Suffix: <input type="text"/>		
Title: <input type="text"/>	CDBG PROGRAM ADMINISTRATOR	
Organizational Affiliation: <input type="text"/>		
CDBG CONSULTANT, CITY OF BELLEVUE, FINANCE DEPARTMENT		
* Telephone Number: <input type="text"/>	Fax Number: <input type="text"/>	402-293-3006
* Email: <input type="text"/>	reby.highland@outlook.com	

Application for Federal Assistance SF-424	
<b>* 9. Type of Applicant 1: Select Applicant Type:</b> <input type="text" value="City or Township Government"/>	
<b>Type of Applicant 2: Select Applicant Type:</b> <input type="text"/>	
<b>Type of Applicant 3: Select Applicant Type:</b> <input type="text"/>	
<b>* Other (Specify):</b> <input type="text"/>	
<b>* 10. Name of Federal Agency:</b> <input type="text" value="U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT"/>	
<b>11. Catalog of Federal Domestic Assistance Number:</b> <input type="text" value="14.218"/>	
<b>CFDA Title:</b> <input type="text" value="COMMUNITY DEVELOPMENT BLOCK GRANT/COMMUNITY DEVELOPMENT GRANTS"/>	
<b>* 12. Funding Opportunity Number:</b> <input type="text"/>	
<b>* Title:</b> <input type="text"/>	
<b>13. Competition Identification Number:</b> <input type="text"/>	
<b>Title:</b> <input type="text"/>	
<b>14. Areas Affected by Project (Cities, Counties, States, etc.):</b> <input type="text"/> <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <span>Add Attachment</span> <span>Delete Attachment</span> <span>View Attachment</span> </div>	
<b>* 15. Descriptive Title of Applicant's Project:</b> <input type="text" value="PROJECTS TO BE FUNDED WITH B-20 CDBG ENTITLEMENT FUNDING INCLUDES HOUSING, PUBLIC SERVICE, ECONOMIC DEVELOPMENT/COMMERCIAL REHABILITATION, AND PROGRAM ADMINISTRATION ACTIVITIES"/>	
Attach supporting documents as specified in agency instructions. <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <span>Add Attachments</span> <span>Delete Attachments</span> <span>View Attachments</span> </div>	

Application for Federal Assistance SF-424	
<b>16. Congressional Districts Of:</b>	
* a. Applicant: <input type="text" value="1"/>	* b. Program/Project: <input type="text" value="1"/>
Attach an additional list of Program/Project Congressional Districts if needed.	
<input type="text"/>	<input type="button" value="Add Attachment"/> <input type="button" value="Delete Attachment"/> <input type="button" value="View Attachment"/>
<b>17. Proposed Project:</b>	
* a. Start Date: <input type="text" value="10/01/2020"/>	* b. End Date: <input type="text" value="09/30/2021"/>
<b>18. Estimated Funding (\$):</b>	
* a. Federal	<input type="text" value="344,643.00"/>
* b. Applicant	<input type="text"/>
* c. State	<input type="text"/>
* d. Local	<input type="text"/>
* e. Other	<input type="text"/>
* f. Program Income	<input type="text"/>
* g. TOTAL	<input type="text" value="344,643.00"/>
<b>* 19. Is Application Subject to Review By State Under Executive Order 12372 Process?</b>	
<input type="checkbox"/> a. This application was made available to the State under the Executive Order 12372 Process for review on <input type="text"/>	
<input type="checkbox"/> b. Program is subject to E.O. 12372 but has not been selected by the State for review.	
<input checked="" type="checkbox"/> c. Program is not covered by E.O. 12372.	
<b>* 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)</b>	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If "Yes", provide explanation and attach	
<input type="text"/>	<input type="button" value="Add Attachment"/> <input type="button" value="Delete Attachment"/> <input type="button" value="View Attachment"/>
21. "By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 28, Section 1001)	
<input checked="" type="checkbox"/> ** I AGREE	
** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.	
<b>Authorized Representative:</b>	
Prefix: <input type="text" value="Ms"/>	* First Name: <input type="text" value="RUSTY"/>
Middle Name: <input type="text"/>	
* Last Name: <input type="text" value="NIKK"/>	
Suffix: <input type="text"/>	
* Title: <input type="text" value="PAYOR, CITY OF BELLEVUE"/>	
* Telephone Number: <input type="text" value="402-293-3020"/>	Fax Number: <input type="text" value="402-293-3028"/>
* Email: <input type="text" value="rusty.nikk@bellevue.net"/>	
* Signature of Authorized Representative: <input type="text"/>	* Date Signed: <input type="text"/>

ASSURANCES - CONSTRUCTION PROGRAMS

OMB Number: 4540-0006  
Expiration Date: 02/28/2022

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0042), Washington, DC 20503.

**PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.**

**NOTE:** Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Awarding Agency. Further, certain Federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:



1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, the right to examine all records, books, papers, or documents related to the assistance, and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure non-discrimination during the useful life of the project.
4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progressive reports and such other information as may be required by the assistance awarding agency or State.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4726-4783) relating to prescribed standards of merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§1901 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
10. Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

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Standard Form 424D (Rev. 7-87)  
Prescribed by OMB Circular A-102

11. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-645) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
12. Will comply with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333) regarding labor standards for federally-assisted construction subagreements.
14. Will comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1966, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, 'Audits of States, Local Governments, and Non-Profit Organizations.'
19. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.
20. Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits grant award recipients or a sub-recipient from: (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect (2) Procuring a commercial sex act during the period of time that the award is in effect or (3) Using forced labor in the performance of the award or subawards under the award.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
	MAYOR
APPLICANT ORGANIZATION	DATE SUBMITTED
CITY OF BELLEVUE	

SF-424D (Rev. 7-97) Back

**CERTIFICATIONS**

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the jurisdiction certifies that:

**Affirmatively Further Fair Housing** --The jurisdiction will affirmatively further fair housing.

**Uniform Relocation Act and Anti-displacement and Relocation Plan** -- It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, (42 U.S.C. 4601-4655) and implementing regulations at 49 CFR Part 24. It has in effect and is following a residential anti-displacement and relocation assistance plan required under 24 CFR Part 42 in connection with any activity assisted with funding under the Community Development Block Grant or HOME programs.

**Anti-Lobbying** --To the best of the jurisdiction's knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-L.L.L., "Disclosure Form to Report Lobbying," in accordance with its instructions; and
3. It will require that the language of paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

**Authority of Jurisdiction** --The consolidated plan is authorized under State and local law (as applicable) and the jurisdiction possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations.

**Consistency with plan** --The housing activities to be undertaken with Community Development Block Grant, HOME, Emergency Solutions Grant, and Housing Opportunities for Persons With AIDS funds are consistent with the strategic plan in the jurisdiction's consolidated plan.

**Section 3** -- It will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) and implementing regulations at 24 CFR Part 135.

\_\_\_\_\_  
Signature of Authorized Official

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

## Specific Community Development Block Grant Certifications

The Entitlement Community certifies that:

**Citizen Participation** -- It is in full compliance and following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.105.

**Community Development Plan** -- Its consolidated plan identifies community development and housing needs and specifies both short-term and long-term community development objectives that have been developed in accordance with the primary objective of the CDBG program (i.e., the development of viable urban communities, by providing decent housing and expanding economic opportunities, primarily for persons of low and moderate income) and requirements of 24 CFR Parts 91 and 570.

**Following a Plan** -- It is following a current consolidated plan that has been approved by HUD.

**Use of Funds** -- It has complied with the following criteria:

1. **Maximum Feasible Priority.** With respect to activities expected to be assisted with CDBG funds, it has developed its Action Plan so as to give maximum feasible priority to activities which benefit low- and moderate-income families or aid in the prevention or elimination of slums or blight. The Action Plan may also include CDBG-assisted activities which the grantee certifies are designed to meet other community development needs having particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available (see Optional CDBG Certification).

2. **Overall Benefit.** The aggregate use of CDBG funds, including Section 108 guaranteed loans, during program year(s) \_\_\_\_\_ [a period specified by the grantee of one, two, or three specific consecutive program years], shall principally benefit persons of low and moderate income in a manner that ensures that at least 70 percent of the amount is expended for activities that benefit such persons during the designated period.

3. **Special Assessments.** It will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108 loan guaranteed funds, by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements.

However, if CDBG funds are used to pay the proportion of a fee or assessment that relates to the capital costs of public improvements (assisted in part with CDBG funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds.

In addition, in the case of properties owned and occupied by moderate-income (not low-income) families, an assessment or charge may be made against the property for public improvements financed by a source other than CDBG funds if the jurisdiction certifies that it lacks CDBG funds to cover the assessment.

**Excessive Force** -- It has adopted and is enforcing:

1. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
2. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction.

**Compliance with Anti-discrimination laws** -- The grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and the Fair Housing Act (42 U.S.C. 3601-3619) and implementing regulations.

**Lead-Based Paint** -- Its activities concerning lead-based paint will comply with the requirements of 24 CFR Part 35, Subparts A, B, J, K and R.

**Compliance with Laws** -- It will comply with applicable laws.

\_\_\_\_\_  
Signature of Authorized Official

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

**OPTIONAL Community Development Block Grant Certification**

Submit the following certification only when one or more of the activities in the action plan are designed to meet other community development needs having particular urgency as specified in 24 CFR 570.208(c):

The grantee hereby certifies that the Annual Plan includes one or more specifically identified CDBG-assisted activities which are designed to meet other community development needs having particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community and other financial resources are not available to meet such needs.

\_\_\_\_\_  
Signature of Authorized Official

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

**APPENDIX TO CERTIFICATIONS**

**INSTRUCTIONS CONCERNING LOBBYING CERTIFICATION:**

**Lobbying Certification**

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

**RESOLUTION NO. 2020-32**

**A RESOLUTION ADOPTING THE 2020 ACTION PLAN AND COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM BUDGET FOR THE OCTOBER 2020 – SEPTEMBER 2021 PROGRAM YEAR, AND AUTHORIZING THE MAYOR TO SUBMIT THE PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.**

**WHEREAS**, the 2020 Action Plan meets all current planning and application requirements of the Community Planning and Development Programs funded by the U.S. Department of Housing and Urban Development; and

**WHEREAS**, the consolidated programs include Community Development Block Grant; Home Investment Partnership program, Emergency Shelter Grants and Housing Opportunities for Persons with AIDS; and

**WHEREAS**, the City of Bellevue has conducted public hearings and has received public input concerning the development of an Annual Action Plan and otherwise informed residents of the proposed plan of activities and budget levels included in the Action Plan for Fiscal Year 2020; and

**WHEREAS**, the Annual Action Plan contains the HUD Form 424, 424-D, an annual plan for the current funding year, and the required certifications of eligibility for federal assistance.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and City Council of the City of Bellevue, Nebraska, as follows

- (a) The Council has reviewed the 2020 Action Plan which includes the plan for expenditure of Community Development Block Grant program funds and activities scheduled for October 2020 - September 2021 and find it to be consistent with the overall objectives of the Housing and Community Development Act and local neighborhood redevelopment strategies.
- (b) The Council, after evaluation of all the pertinent information presented, authorize the Mayor to submit on behalf of the City of Bellevue, the 2020 Action Plan for Community Planning and Development Programs for the October 2020 – September 2021 Program Year.

**PASSED, APPROVED AND ADOPTED** by the Mayor and City Council of the City of Bellevue, State of Nebraska, on this 21<sup>st</sup> day of July 2020.

\_\_\_\_\_  
Rusty Hike, Mayor

(SEAL)

ATTEST:

\_\_\_\_\_  
Susan Kluthe, City Clerk

**Application for Federal Assistance SF-424**

<b>* 1. Type of Submission:</b> <input type="checkbox"/> Preapplication <input checked="" type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application	<b>* 2. Type of Application:</b> <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision	<b>* If Revision, select appropriate letter(s):</b> <input type="text"/> <b>* Other (Specify):</b> <input type="text"/>
---	---	--

<b>* 3. Date Received:</b> <input type="text"/>	<b>4. Applicant Identifier:</b> 47-6006099
--	---

<b>5a. Federal Entity Identifier:</b> 47-6006099	<b>5b. Federal Award Identifier:</b> <input type="text"/>
---	--

**State Use Only:**

<b>6. Date Received by State:</b> <input type="text"/>	<b>7. State Application Identifier:</b> <input type="text"/>
--	--

**8. APPLICANT INFORMATION:**

<b>* a. Legal Name:</b> CITY OF BELLEVUE		
<b>* b. Employer/Taxpayer Identification Number (EIN/TIN):</b> 47-6006099	<b>* c. Organizational DUNS:</b> 0541562600000	

**d. Address:**

<b>* Street1:</b>	1500 WALL STREET
<b>Street2:</b>	<input type="text"/>
<b>* City:</b>	BELLEVUE
<b>County/Parish:</b>	<input type="text"/>
<b>* State:</b>	NE: Nebraska
<b>Province:</b>	<input type="text"/>
<b>* Country:</b>	USA: UNITED STATES
<b>* Zip / Postal Code:</b>	68005-3675

**e. Organizational Unit:**

<b>Department Name:</b> FINANCE DEPARTMENT	<b>Division Name:</b> <input type="text"/>
---	---

**f. Name and contact information of person to be contacted on matters involving this application:**

<b>Prefix:</b> Ms.	<b>* First Name:</b> ABBY
<b>Middle Name:</b>	<input type="text"/>
<b>* Last Name:</b> HIGHLAND	<input type="text"/>
<b>Suffix:</b>	<input type="text"/>

<b>Title:</b> CDBG PROGRAM ADMINISTRATOR
--

<b>Organizational Affiliation:</b> CDBG CONSULTANT, CITY OF BELLEVUE, FINANCE DEPARTMENT
---

<b>* Telephone Number:</b> 402-293-3000	<b>Fax Number:</b> 402-293-3058
---	---------------------------------

<b>* Email:</b> abby.highland@outlook.com
---

**Application for Federal Assistance SF-424**

**\* 9. Type of Applicant 1: Select Applicant Type:**

C: City or Township Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

\* Other (specify):

**\* 10. Name of Federal Agency:**

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

**11. Catalog of Federal Domestic Assistance Number:**

14.218

CFDA Title:

COMMUNITY DEVELOPMENT BLOCK GRANT/ENTITLEMENT GRANTS

**\* 12. Funding Opportunity Number:**

\* Title:

**13. Competition Identification Number:**

Title:

**14. Areas Affected by Project (Cities, Counties, States, etc.):**

Add Attachment

Delete Attachment

View Attachment

**\* 15. Descriptive Title of Applicant's Project:**

PROJECTS TO BE FUNDED WITH B-20 CDBG ENTITLEMENT FUNDING INCLUDES HOUSING, PUBLIC SERVICE, ECONOMIC DEVELOPMENT/COMMERCIAL REHABILITATION, AND PROGRAM ADMINISTRATION ACTIVITIES

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

**Application for Federal Assistance SF-424**

**16. Congressional Districts Of:**

\* a. Applicant

\* b. Program/Project

Attach an additional list of Program/Project Congressional Districts if needed.

**17. Proposed Project:**

\* a. Start Date:

\* b. End Date:

**18. Estimated Funding (\$):**

* a. Federal	<input type="text" value="344,643.00"/>
* b. Applicant	<input type="text"/>
* c. State	<input type="text"/>
* d. Local	<input type="text"/>
* e. Other	<input type="text"/>
* f. Program Income	<input type="text"/>
* g. TOTAL	<input type="text" value="344,643.00"/>

**\* 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- a. This application was made available to the State under the Executive Order 12372 Process for review on
- b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- c. Program is not covered by E.O. 12372.

**\* 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**

- Yes
- No

If "Yes", provide explanation and attach

**21. \*By signing this application, I certify (1) to the statements contained in the list of certifications\*\* and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances\*\* and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

\*\* I AGREE

\*\* The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

**Authorized Representative:**

Prefix:  \* First Name:   
Middle Name:   
\* Last Name:   
Suffix:

\* Title:

\* Telephone Number:  Fax Number:

\* Email:

\* Signature of Authorized Representative:  \* Date Signed:

## ASSURANCES - CONSTRUCTION PROGRAMS

OMB Number: 4040-0009  
Expiration Date: 02/28/2022

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0042), Washington, DC 20503.



**PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.**

**NOTE:** Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Awarding Agency. Further, certain Federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure non-discrimination during the useful life of the project.
4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progressive reports and such other information as may be required by the assistance awarding agency or State.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards of merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
10. Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681 1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

11. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
12. Will comply with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333) regarding labor standards for federally-assisted construction subagreements.
14. Will comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
19. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.
20. Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits grant award recipients or a sub-recipient from (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect (2) Procuring a commercial sex act during the period of time that the award is in effect or (3) Using forced labor in the performance of the award or subawards under the award.

<b>SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL</b> 	<b>TITLE</b> <input type="text" value="MAYOR"/>
<b>APPLICANT ORGANIZATION</b> <input type="text" value="CITY OF BELLEVUE"/>	<b>DATE SUBMITTED</b> 

## CERTIFICATIONS

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the jurisdiction certifies that:

**Affirmatively Further Fair Housing** --The jurisdiction will affirmatively further fair housing.

**Uniform Relocation Act and Anti-displacement and Relocation Plan** -- It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, (42 U.S.C. 4601-4655) and implementing regulations at 49 CFR Part 24. It has in effect and is following a residential anti-displacement and relocation assistance plan required under 24 CFR Part 42 in connection with any activity assisted with funding under the Community Development Block Grant or HOME programs.

**Anti-Lobbying** --To the best of the jurisdiction's knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and

3. It will require that the language of paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

**Authority of Jurisdiction** --The consolidated plan is authorized under State and local law (as applicable) and the jurisdiction possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations.

**Consistency with plan** --The housing activities to be undertaken with Community Development Block Grant, HOME, Emergency Solutions Grant, and Housing Opportunities for Persons With AIDS funds are consistent with the strategic plan in the jurisdiction's consolidated plan.

**Section 3** -- It will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) and implementing regulations at 24 CFR Part 135.

\_\_\_\_\_  
Signature of Authorized Official

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

## Specific Community Development Block Grant Certifications

The Entitlement Community certifies that:

**Citizen Participation** -- It is in full compliance and following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.105.

**Community Development Plan** -- Its consolidated plan identifies community development and housing needs and specifies both short-term and long-term community development objectives that have been developed in accordance with the primary objective of the CDBG program (i.e., the development of viable urban communities, by providing decent housing and expanding economic opportunities, primarily for persons of low and moderate income) and requirements of 24 CFR Parts 91 and 570.

**Following a Plan** -- It is following a current consolidated plan that has been approved by HUD.

**Use of Funds** -- It has complied with the following criteria:

1. Maximum Feasible Priority. With respect to activities expected to be assisted with CDBG funds, it has developed its Action Plan so as to give maximum feasible priority to activities which benefit low- and moderate-income families or aid in the prevention or elimination of slums or blight. The Action Plan may also include CDBG-assisted activities which the grantee certifies are designed to meet other community development needs having particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available (see Optional CDBG Certification).

2. Overall Benefit. The aggregate use of CDBG funds, including Section 108 guaranteed loans, during program year(s) \_\_\_\_\_ [a period specified by the grantee of one, two, or three specific consecutive program years], shall principally benefit persons of low and moderate income in a manner that ensures that at least 70 percent of the amount is expended for activities that benefit such persons during the designated period.

3. Special Assessments. It will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108 loan guaranteed funds, by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements.

However, if CDBG funds are used to pay the proportion of a fee or assessment that relates to the capital costs of public improvements (assisted in part with CDBG funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds.

In addition, in the case of properties owned and occupied by moderate-income (not low-income) families, an assessment or charge may be made against the property for public improvements financed by a source other than CDBG funds if the jurisdiction certifies that it lacks CDBG funds to cover the assessment.

**Excessive Force** -- It has adopted and is enforcing:

1. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
2. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction.

**Compliance with Anti-discrimination laws** -- The grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and the Fair Housing Act (42 U.S.C. 3601-3619) and implementing regulations.

**Lead-Based Paint** -- Its activities concerning lead-based paint will comply with the requirements of 24 CFR Part 35, Subparts A, B, J, K and R.

**Compliance with Laws** -- It will comply with applicable laws.

\_\_\_\_\_  
Signature of Authorized Official

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

**OPTIONAL Community Development Block Grant Certification**

Submit the following certification only when one or more of the activities in the action plan are designed to meet other community development needs having particular urgency as specified in 24 CFR 570.208(c):

The grantee hereby certifies that the Annual Plan includes one or more specifically identified CDBG-assisted activities which are designed to meet other community development needs having particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community and other financial resources are not available to meet such needs.

\_\_\_\_\_  
Signature of Authorized Official

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

## **APPENDIX TO CERTIFICATIONS**

### **INSTRUCTIONS CONCERNING LOBBYING CERTIFICATION:**

#### **Lobbying Certification**

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

CITY OF BELLEVUE, NEBRASKA  
AGENDA ITEM COVER SHEET

\*16a.  
7/21/2020

COUNCIL MEETING DATE: 07/21/2020		SUBMITTED BY: Chief Dargy	
AGENDA ITEM:	CONSENT AGENDA <input checked="" type="checkbox"/>	SPECIAL PRESENTATION <input type="checkbox"/>	
LIQUOR LICENSE <input type="checkbox"/>	ORDINANCE <input type="checkbox"/>	PUBLIC HEARING <input type="checkbox"/>	
RESOLUTION <input type="checkbox"/>	CURRENT BUSINESS <input type="checkbox"/>	OTHER <input type="checkbox"/>	

**SUBJECT:**

Updating the Interlocal Agreement between the Bellevue Police Department and Law Enforcement Agencies within the Sarpy and Douglas County Metro Area.

**SYNOPSIS/BACKGROUND:**

The Bellevue Police has had an interlocal agreement with Law Enforcement Agencies in the Metro Area that has proved to be invaluable and allows for the sharing of resources. This agreement is vital to allow outside agencies to work in the City of Bellevue, should the need for additional law enforcement resources be apparent. It would also allow Officers from the Bellevue Police Department to assist other Agencies in a time of need.

FISCAL IMPACT: 0 BUDGETED FUNDS?: NO GRANT/MATCHING FUNDS?: NO

**TRACKING INFORMATION FOR CONTRACTS AND PROJECTS:**

IS THIS A CONTRACT?: NO COUNTER-PARTY: INTERLOCAL AGREEMENT: YES

CONTRACT DESCRIPTION:

CONTRACT EFFECTIVE DATE: CONTRACT TERM: CONTRACT END DATE:

PROJECT NAME:

START DATE: END DATE: PAYMENT DATE: INSURANCE REQUIRED: NO

CIP PROJECT NAME: CIP PROJECT NUMBER:

STREET DISTRICT NAME (S): STREET DISTRICT NUMBER (S):

ACCOUNTING DISTRIBUTION CODE: ACCOUNT NUMBER:

**RECOMMENDATION:**

Recommend approval for the Mayor to sign the Interlocal Agreement with Douglas County and Cooperating Agencies.

**ATTACHMENTS:**

1. Mutual Aid Resolution 2. Douglas/Sarpy Interlocal 3. Email  
4. 5. 6.

**SIGNATURES:**

LEGAL APPROVAL AS TO FORM:

*A. Bree Roblins*

FINANCE APPROVAL AS TO FORM:

*Mark About*

ADMINISTRATOR APPROVAL AS TO FORM:

**BOARD OF COUNTY COMMISSIONERS**  
**DOUGLAS COUNTY, NEBRASKA**

**WHEREAS**, Douglas County and the Cooperating Agencies wish to implement to the extent hereafter provided, the provisions of Neb. Rev. Stat. Sec. 29-215 (hereinafter "Sec. 29-215"), so as to empower law enforcement officers (hereinafter "Officers") of each of the Cooperating Agencies to exercise extraterritorial law enforcement authority, including arrest and enforcement under the laws of this state and legal ordinances of each Cooperating Agency, within the jurisdiction of each of the other Cooperating Agencies; and,

**WHEREAS**, the Cooperating Agencies wish to provide for personnel backup and such other assistance as any of the Agencies may require in time of emergency or other time of need; and,

**WHEREAS**, the Cooperating Agencies have common goals, staffing needs, training needs and other needs in common in the area of law enforcement, and the joint cooperation contemplated by this Agreement will allow the Agencies each to provide improved law enforcement services at less cost; and,

**WHEREAS**, each of the Cooperating Agencies, as among themselves, wish to improve law enforcement services and implement, to the extent herein provided, the authority given by Sec. 29-215 to law enforcement officers of each of the Agencies hereto to enforce the laws of this state and legal ordinances of Cooperating Agencies; and,

**WHEREAS**, the Cooperating Agencies wish to formalize their understanding pursuant to the Interlocal Cooperation Act of the State of Nebraska, Neb. Rev. Stat. Sec. 13-801 *et seq.*, as amended (herein "Interlocal Cooperation Act").

**NOW, THEREFORE, BE IT RESOLVED BY THIS BOARD OF COUNTY COMMISSIONERS, DOUGLAS COUNTY, NEBRASKA**, that the attached agreement between the law enforcement agencies of City of Bellevue in Sarpy County, Nebraska (hereinafter "BVPD"); City of La Vista in Sarpy County, Nebraska (hereinafter "LVPD"); City of Omaha in Douglas County, Nebraska (hereinafter "OPD"); City of Papillion in Sarpy County, Nebraska (hereinafter "PPD"); City of Ralston in Douglas County, Nebraska (hereinafter "RPD"); City of Valley in Douglas County, Nebraska (hereinafter "VPD"); City of Waterloo in Douglas County, Nebraska (hereinafter "WPD"); City of Bennington in Douglas County, Nebraska (hereinafter "BPD"); Sarpy County, Nebraska (hereinafter "SCSO"), and Douglas County, Nebraska (hereinafter "DCSO"), herein collectively referred to as "Cooperating Agencies" to provide mutual aid maintenance and support for law enforcement services, and the Chair of this Board is authorized and directed to execute said agreement on behalf of Douglas County.

DATED this 14<sup>th</sup> day of July, 2020.

DOUGLAS SARPY MUTUAL AID  
INTERLOCAL COOPERATION AGREEMENT

THIS AGREEMENT (hereinafter "Agreement" or "Douglas Sarpy Mutual Aid Interlocal") is entered into by and between the law enforcement Agencies of City of Bellevue in Sarpy County, Nebraska (hereinafter "BVPD"); City of La Vista in Sarpy County, Nebraska (hereinafter "LVPD"); City of Omaha in Douglas County, Nebraska (hereinafter "OPD"); City of Papillion in Sarpy County, Nebraska (hereinafter "PPD") ; City of Ralston in Douglas County, Nebraska (hereinafter "RPD"); City of Valley in Douglas County, Nebraska (hereinafter "VPD"); City of Waterloo in Douglas County, Nebraska (hereinafter "WPD"); City of Bennington in Douglas County, Nebraska (hereinafter "BPD"); Sarpy County, Nebraska (hereinafter "SCSO"), and Douglas County, Nebraska (hereinafter "DCSO") , herein collectively referred to as "Cooperating Agencies" or "Agencies."

WHEREAS, the Cooperating Agencies wish to implement to the extent hereafter provided, the provisions of Neb. Rev. Stat. Sec. 29-215 (hereinafter "Sec. 29-215"), so as to empower law enforcement officers (hereinafter "Officers") of each of the Cooperating Agencies to exercise extraterritorial law enforcement authority, including arrest and enforcement under the laws of this state and legal ordinances of each Cooperating Agency, within the jurisdiction of each of the other Cooperating Agencies; and,

WHEREAS, the Cooperating Agencies wish to provide for personnel backup and such other assistance as any of the Agencies may require in time of emergency or other time of need; and,

WHEREAS, the Cooperating Agencies have common goals, staffing needs, training needs and other needs in common in the area of law enforcement, and the joint cooperation contemplated by this Agreement will allow the Agencies each to provide improved law enforcement services at less cost; and,

WHEREAS, each of the Cooperating Agencies, as among themselves, wish to improve law enforcement services and implement, to the extent herein provided, the authority given by Sec. 29-215 to law enforcement officers of each of the Agencies hereto to enforce the laws of this state and legal ordinances of Cooperating Agencies; and,

WHEREAS, the Cooperating Agencies wish to formalize their understanding pursuant to the Interlocal Cooperation Act of the State of Nebraska, Neb. Rev. Stat. Sec. 13-801 *et seq.*, as amended (herein "Interlocal Cooperation Act").

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. Definitions: As used herein the following terms shall have the following meanings:
  - A. "Agency of Primary Jurisdiction" shall mean the Agency responsible for territorial limits of the geographic area within which an arrest is being made, warrant served or other law enforcement activity is occurring.
  - B. "Cooperating Agencies" or "Agencies" shall mean the Agencies signatory hereto, and "Agency" shall mean any one of the Agencies.

- C. "Host Agency" shall mean an Agency of Primary Jurisdiction other than an Officer's own Agency of regular employment.
  - D. "Officer" shall mean a duly sworn full-time or part-time paid law enforcement officer in the employ of a Cooperating Agency.
  - E. "Officer's Primary Jurisdiction" shall mean the geographic area within the territorial limits (corporate limits) of the Agency which regularly employs the Officer.
2. Authority. The authority for the Cooperating Agencies entering into this Agreement is that authority granted by law, including the general powers of the Agencies, the Nebraska Interlocal Cooperation Act, and the authority granted under Sec. 29-215.
3. Purpose. The purpose of this Agreement is to authorize the Officers of each Cooperating Agency to provide law enforcement services outside the limits of their respective primary jurisdictions as authorized by Subsection (2)(d) of Sec. 29-215, and to improve law enforcement in each of the Cooperating Agencies and throughout the ten agency areas through fuller authority and utilization of Officers, through joint training of Officers, sharing of equipment, mutual assistance and the ability to staff Officers based upon the availability of assistance in time of need and to generally enhance law enforcement capacities of the Agencies at a reduced cost to the Agencies.
4. Certain Authority to Act Beyond Primary Jurisdiction Independently Vested by Sec. 29-215. The Agencies recognize that by the provisions of Sec. 29-215, their Officers are given power and authority to act beyond the Officer's Primary Jurisdiction, independent and apart from this agreement in the following situations:
- A. If in a fresh attempt to apprehend a person suspected of committing a felony, Officers may follow such person into any jurisdiction in this state and there arrest and detain such person and return such person to the Officer's Primary Jurisdiction. (Sec. (2)(a) Sec. 29-215).
  - B. If in a fresh attempt to apprehend a person suspected of committing a misdemeanor or a traffic infraction, Officers may follow such person anywhere in an area within twenty-five miles of the boundaries of the Officer's Primary Jurisdiction and there arrest and detain such person and return such person to the apprehending Officer's Primary Jurisdiction. (Sec. (2)(b), Sec. 29-215).
  - C. The Officers shall have such enforcement and arrest and detention authority when responding to a call in which a local, state or federal law enforcement officer is in need of assistance, need of assistance being defined to mean:
    - 1). a law enforcement officer whose life is in danger; or
    - 2). a law enforcement officer who needs assistance in making an arrest

and the suspect (a) will not be apprehended unless immediately arrested, (b) may cause injury to himself or herself or others or damage to property unless immediately arrested, or (c) may destroy or conceal evidence of the commission of a crime. (Sec. (2)(c) Sec. 29-215).

- D. When probable cause exists to believe that a person is operating or in actual physical control of any motor vehicle, motorboat, personal watercraft, or aircraft while under the influence of alcoholic liquor or of any drug or otherwise in violation of section 28-1465, 28-1466, 28-1472, 37-1254.01, 37-1254.02, 60-4,163, 60-4,164, 60-6,196, 60-6,197, 60-6,211.01. or 60-6,211.02, the law enforcement officer has the power and authority to do any of the following or a combination thereof:
- 1) Transport such a person to a facility outside of the law enforcement officer's primary jurisdiction for appropriate chemical testing of the person;
  - 2) Administer outside of the law enforcement officer's primary jurisdiction any post-arrest test advisement to the person; or
  - 3) With respect to such person, perform any other procedures or functions outside of the law enforcement officer's primary jurisdiction which are directly and solely related to enforcing the laws that concern a person operating or being in the actual physical control of any motor vehicle, motorboat, personal watercraft, or aircraft while under the influence of alcoholic liquor or of any other drug or otherwise in violation of section 28-1465, 28-1466, 28-1472, 37-1254.01, 37-1254.02, 60-4,163, 60-4,164, 60-6,196, 60-6,197, 60-6,211.01, or 60-6,211.02. (Sec. (3)(a-c) Sec. 29-215).

This Agreement is not intended nor shall it be construed to in any way limit the power and authority granted by the foregoing provisions of Sec. 29-215. Each of the Cooperating Agencies may individually impose in respect to its own Officers such conditions or limitations on the exercise of the foregoing powers by their own Officers as each such Agency may choose not inconsistent with the terms hereof.

5. Following Suspects Across Jurisdictional Lines. The authority to follow suspects across jurisdictional lines is based upon direct legislative grant of power as contained in Subsections (2)(a) and (2)(b) of Sec. 29-215 and is not derived from nor does it flow from consent of the Cooperating Agencies to the exercise of such authority or the provisions of this Agreement.

In respect to following suspects across jurisdictional lines and related action taken by Officers while within the jurisdiction of a Host Agency, the Host Agency shall not be liable for death,

bodily injury, property damage or personal injury including false arrest, caused by or resulting from such following or related action, by such non-host Agency Officers and the Agency which employs the Officer(s) doing the following agrees, subject to the liability limits of the Political Subdivision Tort Claims Act, to indemnify and save harmless the Host Agency from loss or liability caused by:

- A. the negligence of such non-host Agency Officers doing the following; or
- B. imposition of liability under Neb. Rev. Stat. Section 13-911, as changed or amended from time to time, resulting from actions by such non-host Agency Officers doing the following or pursuing of a suspect in a Host Agency.

6. Additional Authority Granted Pursuant to Interlocal Cooperation Act. Subject to the limitations hereinafter set forth in this Agreement, the Officers of each of the Agencies while in a Host Agency shall have full law enforcement authority, including the authority to arrest and detain, in the following circumstances:

- A. The commission of a felony witnessed by the Officer.
- B. The Officer is a witness to a criminal act or threatened criminal act, or a traffic infraction, whether or not constituting felonious conduct, where non-arrest poses immediate danger or threat to life or safety to the Officer or any other person or persons.
- C. While engaged in or providing services under a mutual assistance request from a Host Agency.
- D. While serving regular shift duty or other period of duty within a Host Agency that has requested Officer coverage or backup for such period of time.
- E. While participating in investigative activity or other cooperative law enforcement activity authorized by this Agreement.

7. Host Agency Prior Consent to Exercise Arrest Authority. Officers not in the Officer's Primary Jurisdiction and while in a Host Agency may make arrests in the following situations without the prior consent of the Host Agency:

- A. In the case of commission of a felony witnessed by the Officer; and
- B. In the case of any criminal act, or threatened criminal act, or a traffic infraction, whether or not constituting felonious conduct, where non-arrest poses immediate danger or threat to life or safety to the Officer or any other person or persons.
- C. when authorized by any provision of Sec. 29-215.

Should such an arrest without prior consent occur, the arrest shall be reported to a supervisor or senior shift officer of the Host Agency in the Jurisdiction for which the arrest occurred as soon as is reasonably possible.

Except for arrests falling within the scope of Paragraph 7(a) and 7(b) above, an Officer, prior to making an arrest in a Host Agency, when not accompanied by an Officer of the Host Agency, shall request the consent of the Host Agency prior to making the arrest. A supervisor or senior shift officer of the Host Agency on duty at the time shall advise as to whether the Host Agency consents to or is withholding consent to the intended arrest, by the Officer at the scene. When feasible, the Host Agency shall dispatch one of its own Officers to the scene to make the arrest. If the Officer at the scene is advised that an Officer from the Host Agency, or other law enforcement officer dispatched at the direction of the Host Agency, has been dispatched to the scene, the Officer at the scene shall, if time and circumstances permit, delay arrest until such Host Agency Officer, or highway patrol officer arrives to make the arrest or to assist therein.

8. Mutual Assistance. Each of the Cooperating Agencies agrees to render law enforcement assistance to each of the other Cooperating Agencies when such assistance is of an emergency nature or one of a non-emergency nature requiring backup or additional Officer force beyond that then available to the requesting Agency in accordance with the following provisions:

A. Requests for Assistance.

- 1) Emergency Situations. Requests by an Agency for assistance in emergency situations may be made by any of the following:
- a. the Mayor or Acting Mayor;
  - b. Agency Administrator or Acting Agency Administrator;
  - c. Agency head or Acting Agency head; or
  - d. Supervisor or Senior Shift Officer of the Agency requesting assistance.
  - e. In situations posing any immediate threat to the life or safety of an Officer or other person, any Officer may himself or herself make such request.
- 2) Non-Emergency Situations. Requests for assistance in non-emergency situations may be made only by the requesting Agency's Mayor, Agency Administrator, Agency head or other person within the law enforcement department of command rank and who is expressly authorized by the requesting Agency to request aid in non-emergency situations.

- B. No Liability for Failure to Respond. It is understood and agreed by all of the Cooperating Agencies that assistance is not assured or guaranteed to any

Agency. Nor is there any understanding that all, or any, requests for assistance will be met. It is expressly agreed by and between all Agencies that any Agency to which a request is made, or which shall otherwise have knowledge of need of assistance in another Agency, shall have no liability whatsoever to the requesting Agency or any other Agency signatory hereto or to the Officers or employees of any Agency or to any third person whomsoever for failure for whatever reason to respond to, or delay in responding to, a call for assistance or for failure to communicate such call or any failure or delay. Each Agency covenants not to sue and agrees to save harmless each of the other Agencies for any claim or action based, in any manner, on a failure to respond in or to a request for assistance under this Agreement.

- C. Radio Communication. Cooperating agencies will, through separate interlocal agreement, ensure that a system is maintained that facilitates radio communication between all cooperating agencies.
  - D. Command at Scene. The Agency requesting assistance shall provide command at the scene for which assistance is requested.
  - E. Procedures. The Cooperating Agencies may develop and effectuate mutually agreed upon written procedures consistent with the mutual assistance provisions hereof.
9. Training. Each Cooperating Agency is responsible for the training of its personnel. The Cooperating Agencies may participate in joint training as agreed upon by the Cooperating Agencies.
10. Search Warrants. Unless otherwise agreed to by a Host Agency, search warrants to be served or acted upon in Host Agency jurisdiction shall have named thereon and shall be served by an Officer of the Host Agency. An Officer of the requesting Agency may, but need not be, named on the warrant or other issuance in addition to an Officer of the Host Agency. Each Agency shall treat requests for service of warrants from other Agencies in the most expeditious manner reasonably possible under the circumstances.
11. Equipment. Cooperating Agencies shall be solely responsible for the maintenance of all equipment provided and utilized by its law enforcement officers, and shall not be required to provide any equipment, maintenance, or repair to any equipment used by those law enforcement officers providing assistance pursuant to this Agreement and who are employed by the other Cooperating Agencies.

Any supplies, equipment, vehicles or other personal property or other real property, which is utilized in the performance of the duties and obligations created under this Agreement, shall remain at all times the property and the sole responsibility of each such jurisdiction and shall not be the obligation or responsibility of the other Cooperating Agencies.

12. Investigation. Each Cooperating Agency shall assist other Agencies requesting assistance in the investigation of persons within the limits of primary jurisdiction of the cooperating Agency who are suspected by such other Agency of committing or believed to have information concerning crimes or criminal activity occurring in such other Agency. When reasonably possible, a Host Agency shall provide an Officer to personally accompany the Officer or Officers of another Agency during their investigation within the Host Agency.
13. Financing. Each Cooperating Agency shall be responsible for all compensation and remuneration of its own employees and shall pay all required payroll, wages, taxes, and benefits as provided by law. Each Cooperating Agency shall also be responsible for the costs of equipment provided and utilized by its law enforcement officers in accordance with Paragraph 11 of this agreement.
14. Officers Remain Employees of Own Agency. An Officer, while serving outside the Officer's Primary Jurisdiction shall at all times be considered and held as serving in the regular line of duty of the Agency which employs the Officer as fully as if the Officer were serving within the limits of the Officer's Primary Jurisdiction.
15. Disciplinary Procedures. Disciplinary action arising out of an Officer's conduct, actions, or omissions, whether occurring within or outside the Officer's Primary Jurisdiction, shall be handled by the Agency which employs the Officer, that is, the Officer's Primary Jurisdiction.
16. Rules and Regulations. The Agencies recognize that the duties, work, skills and working conditions may differ between Agencies. While serving outside their own Agency, Officers serving pursuant to this Agreement shall conduct themselves in accordance with the policies and procedures of the Officer's Primary Jurisdiction, except as may otherwise be agreed to by such Officer's Agency of Primary Jurisdiction and the Host Agency in which the service is performed.
17. Liability Insurance. Each of the Cooperating Agencies agrees to be self-insured or to carry liability insurance written on an "occurrence" basis (as distinguished from "claims made" basis) covering all law enforcement personnel assigned by each Agency under this Agreement and insuring against liability for bodily injury, personal injury (including false arrest) and property damage, in an amount not less than the maximum liability of Agencies of the appropriate class for acts of its law enforcement personnel as from time to time established by the Legislature, said limit at date hereof being \$1,000,000 per person and \$5,000,000 per occurrence, as prescribed by Neb. Rev. Stat. Section 13-1802. Each Agency's insurance or self-insurance shall cover acts and omissions of its Officers while performing services under this Agreement. These Insurance provisions are not intended to waive an Agency's sovereign immunity. Each Agency's liability is governed by and limited to the extent provided by the Nebraska Political Subdivision Tort Claims Act, or other applicable provisions of law.
18. Public Information. To the extent that specific case information relating to a mutual

effort with other law enforcement agencies is made public, each agency shall be responsible for responding to the request to determine which of the reports that it generated may be made available to the public. No participating agency shall release any document generated by another agency without permission unless release is required by a court order.

19. No Agency Relationship Created. This Agreement merely creates the framework for cooperation among the Cooperating Agencies for the purposes hereof, and there is no agency or instrumentality and no agency relationship created hereby between the Agencies or between any Agency's employee and any other Agency. The cooperative activity hereby established does not constitute an independent agency or employer. This is a cooperative undertaking between the Agencies and Officers while performing any services under this Agreement shall at times and for all purposes remain employees exclusively of the law enforcement department of the Agency which encompasses the Officer's Primary Jurisdiction and shall for no purpose be deemed to be an employee of any other Agency.
20. No Separate Entity. This Agreement does not create a separate legal entity under the Interlocal Cooperation Act. For purposes of that Act, this Agreement shall be administered jointly by the Agencies. In cases of disagreement on the administration of this Agreement, the heads of each agency will be responsible for mediating such disagreements. This Agreement does not contemplate acquiring, holding or disposing of joint property nor does it contemplate the levying or collecting of any tax.
21. Term of Agreement. This Agreement shall be effective on the first day of the calendar month next following the completion of implementing action by all ten Agencies as required by Paragraph 22(b) of this Agreement hereof and shall continue in full force and effect for a period of five (5) years thereafter unless terminated earlier by ordinance or resolution of the governing body of any Agency, the effective date of termination shall not be less than thirty (30) days following such terminating Agency's written notice to all other Agencies. The termination of this Agreement by one Agency does not terminate the Agreement between the remaining Agencies, which shall remain in full force and effect. A review of the Agreement may occur upon request of any of the Cooperating Agencies.
22. Miscellaneous.
  - A. Other Agreements. The cooperative program hereby established is cumulative to and not in lieu of specific agreements heretofore or hereafter entered into between any of the Cooperating Agencies in respect to other aspects of public safety. In the event of conflict or when resolving any ambiguities, this Douglas Sarpy Mutual Aid Interlocal takes precedence over any other agreement.
  - B. Implementing Action. Prior to the operative date of this Agreement, each Agency shall take formal action by ordinance

or resolution of its governing body approving this Interlocal Cooperation Agreement. Each Agency shall furnish the other Agencies executed copies of such authorizing action.

23. Mutual Non-Discrimination Clause. The Agencies agree that in accordance with the Nebraska Fair Employment Practice Act, Neb. Rev. Stat. §48-1122, and 42 USCS 12101 *et seq.* Agencies and their subcontractors will not discriminate against any employee or applicant for employment, to be employed in the performance of this Agreement, with respect to hire, tenure, terms, conditions, or privileges of employment because of the age, race, color, religion, sex, disability, political or religious opinions or affiliations, or national origin of the employee or applicant. Agencies and their subcontractors shall not, in the performance of this Agreement, discriminate or permit discrimination in violation of any applicable federal or state laws or local ordinances.
24. Multiple Counterparts. This agreement, involving numerous Agencies, may be executed in multiple counterparts each of which may bear the signatures of less than all of the Agencies hereto, and it shall be in full force and effect even if so executed
25. General Provisions

A. Independent Contractors

It is agreed that nothing contained herein is intended or should be construed in any manner as creating or establishing a partnership or joint venture between the Agencies. Any and all acts that any Agency or its personnel, employees, agents, or contractors, perform pursuant to the terms of this Agreement shall be undertaken as independent contractors and not as employees of the other. The Agencies shall, except as provided herein, act in their individual capacities and not as agents, employees, partners, joint ventures or associates of the other. An employee or agent of one shall not be deemed or construed to be the employee or agent of the others for any purpose whatsoever. No Agency, nor its personnel, employees, agents, or contractors shall be entitled to any benefits of the others. The Agencies shall not provide any insurance coverage to the others or their employees including, but not limited to, workers' compensation insurance. Each Agency shall pay all wages, salaries and other amounts due its employees and shall be responsible for all reports, obligations, and payments pertaining to social security taxation, income tax withholding, workers' compensation, unemployment compensation, group insurance coverage, collective bargaining agreements or any other such similar matters. Any and all claims that may or might arise under the Workers' Compensation Act of the State of Nebraska on behalf of said personnel or other persons while so engaged, and any and all claims whatsoever on behalf of any such person or personnel arising out of employment or alleged employment, including without limitation claims of discrimination against an Agency its officers, employees, agents, or contractors shall in no way be the responsibility of that Agency. No Agency shall have any authority to bind the others by or with any contract or agreement, nor to impose any

liability upon the others. All acts and contracts of each shall be in its own name and not in the name of the others, unless otherwise provided herein.

**B. Release and Indemnity**

Each Agency shall assume all risk of loss, indemnify the others against loss, and hold the others, its employees, agents, assignees, and legal representatives harmless from all liabilities, demands, claims, suits, losses, causes of action, fines, settlements or judgments and all expenses incident thereto, including but not limited to legal fees, for injuries to persons and for loss of, damage to, or destruction of property, arising out of or in connection with this Agreement and proximately caused by the indemnifying Agency's negligent acts or omissions or those of its officers, employees or agents, and assigns, for any losses caused by failure of the indemnifying Agency to comply with terms and conditions of the Agreement, and for any losses caused by other Agencies which have entered into agreements with the indemnifying Agency, provided that the Indemnified Agency gives the Indemnifying Agency prompt, written notice of any such claim, suit, demand or cause of action. The Indemnified Agency shall cooperate in the defense or settlement negotiation of such claim, suit, demand or cause of action. The provisions of this section shall survive expiration or termination of this Agreement. These Indemnification provisions are not intended to waive an Agency's sovereign immunity. Each Agency's liability is governed by and limited to the extent provided by the Nebraska Political Subdivision Tort Claims Act, or other applicable provisions of law.

**C. Drug Free Policy**

Each Agency assures the others that it has established and maintains a drug free workplace policy.

**D. New Employee Work Eligibility Status**

The Agencies shall use a federal immigration verification system to determine the work eligibility status of new employees physically performing services within the State of Nebraska. A federal immigration verification system means the electronic verification of the work authorization program authorized by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, 8 U.S.C. §1324a, known as the E-Verify Program, or an equivalent federal program designated by the United States Department of Homeland Security or other federal agency authorized to verify the work eligibility status of a newly hired employee.

**E. Public Benefits**

With regard to Neb. Rev. Stat. §§4-108 - 113, no Agency is an individual or sole proprietorship. Therefore, no Agency is subject to the public benefits attestation and related requirements of Neb. Rev. Stat. §§4-108 – 113.

**F. Unavailability of Funding**

Due to possible future reductions in Municipal, County, State and/or Federal appropriations, Agencies cannot guarantee the continued availability of funding for this

Agreement, notwithstanding the consideration stated in this Agreement. In the event funds to finance this Agreement become unavailable either in full or in part due to such reduction in appropriations, one Agency may terminate the Agreement or reduce the consideration upon notice in writing to the other Agencies. The notice shall be delivered by certified mail, return receipt requested, or in person with proof of delivery. Each Agency shall be the final authority as to the availability of their funds. The effective date of such Agreement termination or reduction in consideration shall be specified in the notice as the date of service of the notice or the actual effective date of the County, State and/or Federal funding reduction, whichever is later. Provided, that reduction shall not apply to payments made for services satisfactorily completed prior to the effective date. In the event of a reduction of consideration, any Agency may cancel this Agreement as of the effective date of the proposed reduction upon the provision of advance written notice to any Agency.

#### G. Conflict of Interest

In the performance of this Agreement, Agencies will avoid all conflicts of interests or appearances of conflict of interest. Agencies will report any conflict of interest immediately to each other. Agencies assure each other that no Agency employee will have a financial or personal interest in this Agreement. Agencies have not and will not provide any money or other benefit of any kind to any other Agency employee in the procuring of, facilitation of, or execution of this Agreement.

#### H Amendments

This Agreement may be modified only by written amendment, duly executed by authorized officials of the Agencies. No alteration or variation of the terms and conditions of this Agreement shall be valid unless made in writing and signed by the Agencies hereto. Every amendment shall specify the date on which its provisions shall be effective.

#### I. Choice of Law

The Agencies to this Agreement shall conform to all existing and applicable city ordinances, resolutions, state and local laws, federal laws, and all existing and applicable rules and regulations. This Agreement shall be governed by and construed in accordance with the laws of the State of Nebraska without giving effect to any choice or conflict of law provision that would cause the application of laws of any jurisdiction other than those of the State of Nebraska. In addition, all claims relating to or arising out of this contract, or the breach thereof, whether based in contract, tort or otherwise, shall likewise be governed by the laws of the State of Nebraska without giving effect to any choice or conflict of law provision as previously provided here. Venue for any non-federal legal proceeding under this Agreement shall be in the State of Nebraska, District Court of Douglas County and for any federal legal proceeding in the United States District Court for the State of Nebraska located in Omaha, Nebraska.

#### J. Assignment and Delegation

This Agreement is exclusive to the Agencies and rights may not be assigned nor duties

delegated by any Agency except on prior written consent of the other Agencies. Any attempted assignment or delegation without such approval shall be void and shall constitute a material breach of contract. Any and all additional fees, charges, costs or expenses, which result from an approved assignment or delegation, shall be paid by the assigning/delegating Agency. Shall such approval to assign or delegate be granted, all covenants, stipulations, and agreements herein shall inure to the benefit of the Agencies and extend to and bind the legal representatives, successors, and assigns of the Agencies.

K. Joint Work Product

This Agreement is the joint work product of the Agencies; accordingly, in the event of any ambiguity, no presumption shall be imposed against or in favor of any Agency by reason of document preparation.

L. Entire Agreement

This Agreement contains the entire agreement of the Agencies. The provisions of this Agreement may not be explained, supplemented, or qualified through evidence of trade usage or prior course of dealings. No representations were made or relied upon by any Agency other than those that are expressly set forth herein. No agent, employee or other representative of any Agency is empowered to alter any of the terms hereof except as provided herein.

M. Incorporation of Recitals

The recitals set forth above are, by this reference, hereby incorporated into and deemed part of this Agreement.

N. No Third Party Rights

This Agreement is executed for the benefit of the named Agencies only. This Agreement is not intended to, nor shall it provide rights to any third party, excluding any assignment as provided herein, with any remedy, claim, liability, reimbursement, cause of action or other right or privilege; except that this Agreement's indemnification provision shall also inure to the benefit of an Agency's employees, officers and agents.

O. Authorized Representatives and Notice

Except for any notice required under applicable law to be given in another manner, any notice or communication required or permitted hereunder shall be given in further consideration of the mutual covenants herein contained. The Agencies hereto expressly agree that for purposes of notice, during the term of this Agreement and for the period of any applicable statute of limitations thereafter, the head of each agency shall be the authorized representative of the Agencies.

Notice shall be in writing and shall be effective upon receipt. Delivery may be by hand, in which case a signed receipt shall be obtained, or by United States mail, registered or certified, return receipt requested, by facsimile with a signed return facsimile acknowledging receipt or via electronic mail with an acknowledging receipt.

P. Headings

The section headings appearing in this Agreement are inserted only as a matter of convenience, and in no way define or limit the scope of any section.

## Tom Dargy

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**From:** Jessica Turner (DCSO) <jessica.turner@douglascounty-ne.gov>  
**Sent:** Tuesday, July 07, 2020 1:25 PM  
**To:** Tom Dargy; Greg London; Bob Lausten; Marc Leonardo; waterloo82@yahoo.com; Brett Smith; Katherine Mattern; Liddie M. Daniels (OPD); D/C Greg Gonzalez (OPD); chief@benningtonne.com  
**Subject:** Interlocal Agreement Approval/Signatures  
**Attachments:** Mutual Aid Resolution 2020.docx; Douglas-Sarpy Mutual Aid Interlocal 2020 (Final-Clean).docx

Good Afternoon,

I have heard back from all agencies regarding the Interlocal Agreement and have attached the final copy of the agreement as well as suggested resolution language for getting this approved. Below are the next steps and what I will need from each of your agencies:

- (1) Each agency needs to get the Interlocal Agreement approved separately via their city council/county board, etc.
- (2) Upon approval I will need you to notify me that the agreement has been passed. I will be following up with each agency individually if I haven't heard anything.
- (3) I need you to send me the email of the signee for the Interlocal for your agency.
- (3) The Douglas County Clerk has agreed to coordinate getting a signature page for this Interlocal Agreement via docu-sign. You do not have to have docu-sign as long as you send me the email for the person that needs to officially sign the agreement. I need to hear from you if your jurisdiction will not sign via docu-sign, that way we can coordinate getting a physical signature for your agency.
- (5) Once the Interlocal Agreement has been approved by each agency's county board/city council and all signatures have been received, I will distribute a copy of the agreement with the complete signature page to each agency.

**Please respond to this email** so that I know that you have received this and will be moving forward to get this approved/signed.

Thanks,  
Jessica Turner

CITY OF BELLEVUE, NEBRASKA  
AGENDA ITEM COVER SHEET

16b.  
7/21/2020

COUNCIL MEETING DATE: 07/21/2020	SUBMITTED BY: Dean Dunn, Interim Public Works Director	
AGENDA ITEM:	CONSENT AGENDA <input type="checkbox"/>	SPECIAL PRESENTATION <input type="checkbox"/>
LIQUOR LICENSE <input type="checkbox"/>	ORDINANCE <input type="checkbox"/>	PUBLIC HEARING <input type="checkbox"/>
RESOLUTION <input type="checkbox"/>	CURRENT BUSINESS <input checked="" type="checkbox"/>	OTHER <input type="checkbox"/>

SUBJECT:

American Heroes Park Amphitheater Design

SYNOPSIS/BACKGROUND:

HGM Associates will provide professional design services for the American Heroes Park Amphitheater project. The project consists of the design and construction document preparation for the new proposed amphitheater structure and surrounding areas at the NE corner of the Great Lawn as shown on the Master Plan.

FISCAL IMPACT: \$26,800 BUDGETED FUNDS?: YES GRANT/MATCHING FUNDS?: NO N/A

TRACKING INFORMATION FOR CONTRACTS AND PROJECTS:

IS THIS A CONTRACT?: YES COUNTER-PARTY: INTERLOCAL AGREEMENT: NO

CONTRACT DESCRIPTION: American Heroes Park Amphitheater Design

CONTRACT EFFECTIVE DATE: CONTRACT TERM: CONTRACT END DATE:

PROJECT NAME: American Heroes Park Amphitheater Design

START DATE: END DATE: PAYMENT DATE: INSURANCE REQUIRED: YES

CIP PROJECT NAME: Amphitheater Design for American Heroes Park CIP PROJECT NUMBER: PK20(7)

STREET DISTRICT NAME (S): STREET DISTRICT NUMBER (S):

ACCOUNTING DISTRIBUTION CODE: 10-11-7040 ACCOUNT NUMBER: CIPPK20(7)

RECOMMENDATION:

City Council approve the Agreement and authorize the Mayor to sign the Agreement between the City of Bellevue and HGM Associates, Inc. for the American Heroes Park Amphitheater Design Project not to exceed \$26,800.

ATTACHMENTS:

1. Proposal 2. 3. 4. 5. 6.

SIGNATURES:

LEGAL APPROVAL AS TO FORM:

FINANCE APPROVAL AS TO FORM:

ADMINISTRATOR APPROVAL AS TO FORM:

*A. Bree Roblins*  
*[Signature]*  
*Mark Christ*



July 13, 2020

**Mr. Dean Dunn, P.E.**  
**CITY OF BELLEVUE PUBLIC WORKS DEPARTMENT**  
1510 Wall Street  
Bellevue, NE 68005

Subject: **American Heroes Park**  
**Amphitheater Design**  
**HGM Proposal No. 000720-011**

Dear Dean:

On behalf of HGM ASSOCIATES INC. (HGM) we are pleased to submit this letter form agreement for engineering services for the referenced project. This agreement consists of this letter, the attached Scope of Services labeled as Exhibit A; the attached General Provisions labeled as Exhibit B; and the attached Master Plan labeled as Exhibit C.

HGM will provide Basic Engineering Services for the American Heroes Park Phase 6 Improvements. These services are more specifically defined in the attached Scope of Services, Exhibit A. We will also provide Additional Services and/or Construction Period Services upon your request and receipt of your written authorization.

HGM will provide these Basic Services on an hourly basis with our total estimated cost not to exceed \$26,800.00. Additional Services will be charged on an hourly basis in accordance with our standard hourly rate schedule.

We will bill you monthly for our services and reimbursable expenses proportionate to the work completed on the project. All fees are due and payable to HGM within 30 days of the invoice date. A service charge of one and one-half percent per month will be added to any amounts outstanding after 30 days.

We anticipate that we will be able to begin work on this project within 5 working days of receiving your authorization to proceed in the form of your acceptance of this agreement. We estimate that all work can then be completed within 60 days of your authorization to proceed. If at any time we are delayed in the performance of these services, we will notify you immediately. Please note that any information to be provided by you as defined under Client's Responsibilities in the attached Scope of Services will need to be furnished to HGM prior to our beginning work.

Mr. Dean Dunn, P.E.  
CITY OF BELLEVUE PUBLIC WORKS DEPARTMENT  
July 13, 2020  
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Please indicate your acceptance of this agreement amendment by signing where indicated below, and returning one original signed copy to this office.

Yours very truly,  
HGM ASSOCIATES INC. - CONSULTANT



William J. Glismann, P.E.  
Senior Project Manager



Stephen W. Moffitt, P.E.  
Vice President

Acceptance of Proposal:  
CITY OF BELLEVUE PUBLIC WORKS DEPARTMENT - CLIENT

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Printed Name & Title

\_\_\_\_\_  
Date of Acceptance

This is an exhibit attached to and made part of the letter agreement dated July 13, 2020 between: CITY OF BELLEVUE PUBLIC WORKS DEPARTMENT (CLIENT) and HGM ASSOCIATES INC. (CONSULTANT).

**Project Description: American Heroes Park Amphitheater Design**

The project consists of the design and construction document preparation for the new proposed amphitheater structure and surrounding areas at the NE corner of the Great Lawn as shown on the Master Plan. Scope of Work will include grading, new sidewalks and pavement areas, structural design for shelter footing, electrical service for the new structure and options for lighting and sound systems, and new parking lot and pedestrian lighting will be discussed as part of the design.

The Basic Services to be provided by the CONSULTANT under this agreement are further described as follows:

**1. PRELIMINARY DESIGN PLANS**

The CONSULTANT will perform the following tasks for the CLIENT during this design phase:

- A. Preliminary Site Layout Plan indicating proposed shelter, sidewalk, and pavement locations. Investigating structural footing design from information from shelter manufacturer. As well as, design options for proposed ornamental rail and location for the amphitheater structure area.
- B. Preliminary Grading Plan indicating proposed grading options for the shelter and sidewalks in the area, along with any storm sewer design that might be required.
- C. Preliminary Electrical and Sound Option Plans for the new shelter, as well as security, pedestrian, and parking lot lighting options.
- D. A Preliminary Opinion of Probable Construction Costs (OPC) will be developed based on this Preliminary Design including electrical and sound system options.
- E. Preliminary Review Meeting with the CLIENT to review Plan and OPC.

**2. FINAL DESIGN PLANS**

The CONSULTANT will incorporate comments from the Preliminary Review Meeting and perform the following tasks for the CLIENT during this design phase:

- A. Complete design and Final Construction Drawings. Anticipated drawings include:
  1. General Notes / Estimated Quantities
  2. Typical Site Details & Structural Details
  3. Storm Sewer Details (if required)
  4. Site Layout Plan
  5. Site Grading Plan

6. Site Landscape Plan and Details (if required)
  7. Site Electrical Plan
  8. Electrical Details and General Notes/Schedules
  9. Sound System Design Plan, Details, Notes, and Schedules
- B. Prepare Project Manual and Special Provisions for the above-mentioned design elements.
- C. Develop Quantities and Prepare Final Opinion of Probable Construction Costs (OPC).
- D. Final Review Meeting with CLIENT to review Plans and OPC prior to bidding.

**ELECTRICAL DESIGN – ENGINEERING TECHNOLOGIES INC (ETI) (\$14,000.00)**

- A. ETI services will include coordination and specification for Theatrical Sound, Lighting and Power Systems, electrical service to the site, site security lighting for the amphitheater and miscellaneous electrical outlets for amphitheater and potential vendors.

**Design Notes:**

1. The City of Bellevue will prepare and print the Bidding, Contract Documents and the General Requirements.
2. Drawings will reference City of Omaha Standard Specifications and will have any other specification information provided in Special Provisions or noted on the drawings.
3. Since the grading disturbance for the project is under 1 acre, an NPDES permit and Papillion Creek Partnership SWPPP/Grading permit will not be required.
4. The scope is based on a pre-manufactured shelter that has been previously selected. Any change in shelter may result in additional time to the project not included in this Scope.

**CLIENT'S RESPONSIBILITIES:**

In order for the CONSULTANT to perform these services, the CLIENT agrees to furnish the following information:

- A. If the client's pre-selected shelter should change, information on the new shelter should be provided.
- B. Access to any site utility information.

This is an exhibit attached to and made part of the letter agreement dated July 13, 2020 between: CITY OF BELLEVUE, PUBLIC WORKS DEPARTMENT (CLIENT) and HGM ASSOCIATES INC. (CONSULTANT). The General Provisions agreed to by CONSULTANT and CLIENT are as follows:

**Ownership of Instruments of Service:** All reports, plans, specifications, field data, field notes, laboratory test data, calculations, estimates, and other documents prepared by the CONSULTANT as instruments of service shall remain the property of the CONSULTANT. The CONSULTANT shall retain these records for a period of ten (10) years, during which period they will be made available to the CLIENT at all reasonable times. CONSULTANT will provide CLIENT with a paper copy of the plans, the specifications, and laboratory test reports for information and reference in connection with the project; however, such documents are not intended or represented to be suitable for reuse by CLIENT or others. Any such reuse will be at CLIENT'S sole risk and without liability or legal exposure to CONSULTANT or CONSULTANT'S subconsultants.

**CADD/Electronic Files:** In accepting, and utilizing any drawings, reports and data on any form of electronic media generated by the CONSULTANT, the CLIENT agrees that all such electronic files are instruments of service. The CLIENT agrees to waive all claims against the CONSULTANT resulting in any way from any unauthorized changes to, or reuse of, the electronic files for any projects by anyone other than the CONSULTANT. In the event of a conflict between printed hard copy documents signed and sealed by the CONSULTANT and electronic files, the hard copy documents shall govern.

**Termination or Suspension:** If the CLIENT fails to make payments to the CONSULTANT in accordance with this Agreement, such failure shall be considered substantial nonperformance and cause for termination or, at the CONSULTANT'S option, cause for suspension of performance of services under this Agreement. If the CONSULTANT elects to suspend services, the CONSULTANT shall give seven days' written notice to the CLIENT before suspending services. In the event of a suspension of services, the CONSULTANT shall have no liability to the CLIENT for delay or damage caused the CLIENT because of such suspension of services. Before resuming services, the CONSULTANT shall be paid all sums due prior to suspension and any expenses incurred in the interruption and resumption of the CONSULTANT'S services. The CONSULTANT'S fees for the remaining services and the time schedules shall be equitably adjusted.

If the CLIENT suspends the Project, the CONSULTANT shall be compensated for services performed prior to notice of such suspension. When the Project is resumed, the CONSULTANT shall be compensated for expenses incurred in the interruption and resumption of the CONSULTANT'S services. The CONSULTANT'S fees for the remaining services and the time schedules shall be equitably adjusted.

Either party may terminate this Agreement upon not less than seven days' written notice should the other party fail substantially to perform in accordance with the terms of this Agreement through no fault of the party initiating the termination.

In the event of termination not the fault of the CONSULTANT, the CONSULTANT shall be compensated for services performed prior to termination, together with Reimbursable Expenses then due and all Termination Expenses indicated in the next paragraph.

Termination Expenses are in addition to compensation for the CONSULTANT'S services and include expenses directly attributable to termination for which the CONSULTANT is not otherwise compensated.

The CLIENT'S rights to use the CONSULTANT'S Instruments of Service in the event of a termination of this Agreement are set forth in the Ownership of Instruments of Service clause above. If the CLIENT requests copies of the CONSULTANT'S Instruments of Service, the cost of the preparation of those copies shall be considered as a Termination Expense.

**Plan Revisions:** If, after any plans or specifications are completed on any portion thereof, and are approved by the CLIENT and other necessary agencies, the CONSULTANT is required to change plans and specifications because of changes made, authorized, or ordered by the CLIENT, then the CONSULTANT shall receive additional compensation for such changes. Fees for these changes will be computed on an hourly basis.

**Information Furnished by CLIENT:** CLIENT shall be responsible for, and CONSULTANT may rely upon, the accuracy and completeness of all requirements, programs, instructions, reports, data and other information furnished by CLIENT to CONSULTANT pursuant to this Agreement. CONSULTANT may use such requirements, programs, instructions, reports, data, and information in performing or furnishing services under this Agreement.

**Information Furnished by Utility Companies:** The utility locations shown on the CONSULTANT'S instruments of service are from locates or drawings provided to the CONSULTANT by the utility companies. The CONSULTANT makes no guarantee that the utilities shown on the CONSULTANT'S instruments of service comprise all such utilities in the area, either in service or abandoned. The CONSULTANT further does not warrant that the utilities shown on the instruments of service are in the exact location indicated.

**Successors and Assigns:** Both parties agree that, upon execution of this agreement, same shall be binding upon their/its successors, assigns, and legal representatives until terminated by the expiration of agreement or termination by written notice, as provided above.

**Limitation of Liability:** The CLIENT agrees that to the fullest extent permitted by law, the total liability, in the aggregate, of CONSULTANT, CONSULTANT'S officers, directors, partners, employees, agents, and subconsultants, to CLIENT, and anyone claiming by, through, or under CLIENT for any claims, losses, costs, or damages whatsoever arising out of, resulting from or in any way related to this Project or Agreement from any cause or causes, including but not limited to torts, negligence, professional errors or omissions, strict liability, breach of contract, or breach of warranty, shall not exceed the total compensation received by CONSULTANT or \$100,000 whichever is greater.

**Waiver of Consequential Damages:** Notwithstanding anything in this Agreement to the Contrary, it is agreed that CONSULTANT shall not be liable in any event for any special or consequential damages suffered by the CLIENT arising out of the services hereunder. Special or consequential damages as used herein shall include, but not limited to, loss of capital, loss of product, loss of use of any system, or other property, or any other indirect, special or consequential damage, whether arising in contract, tort (including negligence), warranty or strict liability.

**Opinion of Probable Construction Cost:** Opinions of probable construction costs and detailed cost estimates prepared by the CONSULTANT represent his/her best judgment as a design professional familiar with the construction industry. It is recognized, however, that the CONSULTANT has no control over the cost of labor, materials or equipment, over the Contractor's methods of determining bid prices or over competitive bidding or market conditions. Accordingly, the CONSULTANT makes no warranty, express or implied, that the bids or the negotiated cost of the work will not vary from the CONSULTANT's opinion of probable construction cost.

**Construction Phase Services:** (If included under the scope of this Agreement) The CONSULTANT shall provide administration of the Contract between the CLIENT and the Contractor as set forth below and in General Conditions of the Contract for Construction. The CONSULTANT's responsibility to provide Construction Phase Services commences with the award of the Contract for Construction and terminates on the date the CONSULTANT issues the Statement of Final Completion.

The CONSULTANT shall advise and consult with the CLIENT during the Construction Phase Services. The CONSULTANT shall have authority to act on behalf of the CLIENT only to the extent provided in this Agreement or the General Conditions of the Contract for Construction. The CONSULTANT shall not have control over, charge of, or responsibility for the construction means, methods, techniques, sequences or procedures, or for safety precautions and programs in connection with the Work, nor shall the CONSULTANT be responsible for the Contractor's failure to perform the Work in accordance with the requirements of the Contract Documents. The CONSULTANT shall be responsible for the CONSULTANT's negligent acts or omissions, but shall not have control over or charge of, and shall not be responsible for, acts or omissions of the Contractor or of any other persons or entities performing portions of the Work.

The CONSULTANT shall visit the site at intervals appropriate to the stage of construction to become generally familiar with the progress and quality of the portion of the Work completed, and to determine, in general, if the Work observed is being performed in a manner indicating that the Work, when fully completed, will be in substantial compliance with the Contract Documents. However, the CONSULTANT shall not be required to make exhaustive or continuous on-site inspections to check the quality or quantity of the Work. On the basis of the site visits, the CONSULTANT shall keep the CLIENT reasonably informed about the progress and quality of the portion of the Work completed, and report to the CLIENT (1) known deviations from the Contract Documents and from the most recent construction schedule submitted by the Contractor, and (2) defects and deficiencies observed in the Work.

**Jobsite Safety:** That the General Contractor shall be solely responsible for jobsite safety, and that this intent shall be carried out in the CLIENT'S contract with the General Contractor, and that such contract shall indemnify the CONSULTANT. The CONSULTANT, and his agents, shall be named as an additional insured on the General Contractor's policies of general liability insurance.

**Construction Staking:** That the Fees the CONSULTANT receives for the task of construction staking are not commensurate with the potential risk. CLIENT, therefore, agrees to check or require General Contractor to check the location of all construction stakes placed by the CONSULTANT. CLIENT further agrees to limit liability of CONSULTANT for construction staking services such that the total liability of the CONSULTANT shall not exceed the CONSULTANT'S compensation received for the particular service, or \$5,000.00, whichever is greater.

**Hazardous Materials:** The CLIENT agrees that the CONSULTANT's scope of services does not include any services related to the presence of any asbestos, fungi, bacteria, mold or hazardous or toxic materials. Should it become known to the CONSULTANT that such materials may be present on or adjacent to the jobsite, the CONSULTANT may, without liability for any damages, suspend performance under this agreement, until CLIENT takes appropriate action to remove or abate said materials. The CLIENT further agrees, notwithstanding any other provision of this Agreement, to the fullest extent permitted by law, to indemnify and hold harmless the CONSULTANT, its officers, partners, employees and subconsultants (collectively, CONSULTANT) from and against any and all claims, suits, demands, liabilities, losses, damages or costs, including reasonable attorneys' fees and defense costs arising out of or in any way connected with the detection, presence, handling, removal, abatement, or disposal of any asbestos, fungi, bacteria, mold, hazardous or toxic substances, or products or materials that exist on, about or adjacent to the Project site, whether liability arises under breach of contract or warranty, tort, including negligence, strict liability or statutory liability or any other cause of action, except for the sole negligence or willful misconduct of the CONSULTANT.

**Mediation:** Any claims or disputes under this agreement shall be submitted to non-binding mediation.

**Residency Verification Clause:** Pursuant to Neb. Rev. Stat. § 4-114 *et seq.*, each party shall use a federal immigration verification system to determine the work eligibility status of new employees physically performing services within the State of Nebraska. A federal immigration verification system means the electronic verification of the work authorization program authorized by the illegal Immigration Reform and Immigrant Responsibility Act of 1996, 8 U.S.C. § 1324a, known as the E-Verify Program, or an equivalent federal program designated by the United States Department of Homeland Security or other federal agency authorized to verify the work eligibility status of a newly hired employee.