

AGENDA
VALLEY CITY COUNCIL
Tuesday, March 11, 2025
City Hall
203 North Spruce
Valley, NE 68064
7:00 PM

1. **Call to Order**
2. **Roll Call**
3. **Proof of Publication**
4. **Visitors/Correspondence**

Anyone desiring to speak on any item or issue not on the agenda or any item on the agenda that does not include a public hearing may do so; but shall be limited to three (3) minutes. Persons should identify themselves by name and address. Persons speaking should not expect the Council to engage in back-and-forth dialogue regarding their comments. Unless an agenda item includes a public hearing, no person may speak during the business portion of the meeting; provided, however, persons speaking during a public hearing are limited to between five (5) and twenty (20) minutes. The public is advised that a copy of the Open Meetings Act is located on the north wall of the Council Chamber, and one copy of all reproducible written material to be discussed at this meeting is available for examination or copying.

5. **Approval of Agenda**
6. **Resolution No. CDA 2025-01 authority, consideration, and action to approve Amendment No. 10 to the Redevelopment Contract between the Community Development Agency of the City of Valley, Nebraska and Bluewater Development Corporation**
7. **Adjourn**

The City Council reserves the right to enter into an executive session at any time during the meeting, in accordance with the Nebraska Open Meetings Act, even though the closed session may not be indicated on the agenda.

It is the intention of the City Council to take up the items on the agenda in sequential order. However, the City Council reserves the right to take up matters in a different order to accommodate the schedules of the City Council members, persons having items on the agenda, and the public.

NOTICE OF MEETING

CITY OF VALLEY
Tuesday, March 11, 2025, 7:00 P.M.
Valley City Hall
203 N. Spruce Street, Valley, NE

Notice is hereby given that a meeting of the Community Development Agency of the City of Valley, Nebraska will be held on Tuesday, March 11, 2025, at 7:00 p.m. at Valley City Hall.

An agenda kept continuously current shall be available for public inspection at Valley City Hall (203 N. Spruce Street).

Christie Donnermeyer, City Clerk

3/6 ZNEZ



The Daily Record

Proof of Publication

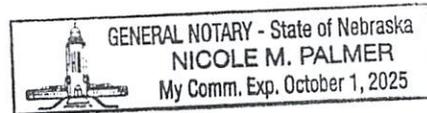
JASON W. HUFF, Publisher

UNITED STATES OF AMERICA, }
The State of Nebraska, } ss.
District of Nebraska, }
County of Douglas, }
City of Omaha }

JASON W. HUFF, being duly sworn, deposes and say that they are the PUBLISHER and/or MANAGING EDITOR of THE DAILY RECORD, of Omaha, a legal newspaper, printed and published daily in the English language, having a bona fide paid circulation in Douglas County in excess of 300 copies, and a general circulation in Sarpy, Lancaster, Cass and Dodge Counties, printed in Omaha, in said County of Douglas, Nebraska for more than fifty-two weeks last past; that the printed notice here-to attached was published in THE DAILY RECORD, of Omaha, for 1 consecutive weeks on:

3/6/25

That said Newspaper during that time was regularly published and in general circulation in the County of Douglas, and State of Nebraska.

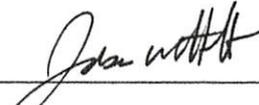


Publisher's Fee \$21.33

Additional Copies \$ _____

Filing Fee \$ _____

Total \$21.33


Subscribed in my presence and sworn to before me this MARCH 06 2025


Notary Public in and for
Douglas County, State of Nebraska

An Open Letter to the Mayor and City Council of the City of Valley, Nebraska. February 16, 2025.

Our observation of our city government has led us to the following:

1. The Mayor and her staff have ample time to meet and prepare Programs and Projects for the city.
2. The City Council has limited time to review these items and no time to discuss with their constituents.
3. The Council is then asked to approve these items or disapprove with little or no input.
4. We have a diverse group of Council members who are apparently independent thinkers and want to do the right thing when they vote.
5. More communication from the Mayor to the Council with ample time for background information and thought is required,
6. The Mayor and Council being elected by the citizens should welcome their input.
7. If the Council does not agree with the Items put forward by the Mayor and her staff. They should vote No without the threat of retaliation from the Mayor or staff.

We have heard this kind of thing from other elected official in the past. "You must pass this bill to know what is in it".

We suggest that the Council vote no on all items that are presented with limited background information, when you vote for an item you own it.

THINK BEFORE YOU VOTE!

BOB BEVINGTON
Lynn Hergum
Lynn Brown
Jae Timm
KURT MUEHLE
Gary Wasserbagen
DICK ROWE
AMER JAWO
MATT ROYUK
EDYE GODDEN
COLE WILLIOTY
BETH ROYUK
JIM THIESSEN
Boni C. Sauter

An Open Letter to the Mayor and City Council of the City of Valley,
Nebraska. February 16, 2025.

Pat Kigdecki

Ruth Sake

Patricia A. Clausen

John F. Martin

1. Randy Roberts
2. Christine Sawyer
3. ~~Christine Sawyer~~
4. Marlene Manning
5. Jan P. Jones
6. Lane D. Jones
7. Steve Sacka
8. Nancy J. Jones
9. Sandy Lewis
10. Mary Jo Jones
11. Mrs. (Gibson)
12. Corinne H. H. H.
13. Sandy Coates
14. John W. Gibson
15. ~~John W. Gibson~~
16. John Howard
17. ~~John Howard~~
18. ~~John Howard~~
19. Carolyn A. Roberts
20. Judy A. Roberts
21. ~~Judy A. Roberts~~
22. ~~Judy A. Roberts~~
23. 23
24. 24
25. 25

000

**COMMUNITY DEVELOPMENT AGENCY OF
THE CITY OF VALLEY, NEBRASKA**

RESOLUTION NO. 2025-01

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VALLEY, NEBRASKA, SITTING AS THE COMMUNITY DEVELOPMENT AGENCY OF THE CITY, APPROVING AMENDMENT TO REDEVELOPMENT CONTRACT (AMENDMENT NO. 10) BY AND BETWEEN THE COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF VALLEY AND BLUEWATER DEVELOPMENT CORPORATION AND AUTHORIZING AND DIRECTING THE FILING OF THE ATTACHED AND INCORPORATED NOTICE TO DIVIDE.

WHEREAS, it is desirable and in the public interest that the City of Valley, Nebraska, (the “City”) a municipal corporation and city of second class, undertake and carry out urban redevelopment projects in areas of the City which are determined to be blighted and substandard and in need of redevelopment; and

WHEREAS, the Community Development Agency (“Agency”) and Bluewater Development Corporation (“Redeveloper”) entered into a Redevelopment Contract, dated as of the 18th day of March, 2014 (the "Contract"); and

WHEREAS, the Contract intended to implement the redevelopment plan entitled "REDEVELOPERS REDEVELOPMENT PLAN FOR THE BLUEWATER DEVELOPMENT LOCATED IN THE SOUTHWEST QUADRANT OF STATE HIGHWAY 64 (IDA STREET) AND 288TH STREET IN THE CITY OF VALLEY, NEBRASKA", (the "Redevelopment Plan") to provide for the redevelopment of lots and lands located in a blighted and substandard area of the City of Valley, Nebraska (the "City"); and

WHEREAS, in order to assist in the financing of the Redevelopment Project described in the Redevelopment Plan, the Contract provides for periodic amendments thereto; and

WHEREAS, pursuant to Section 3.01 of the Contract the parties desire to amend the Contract on the terms set forth herein and this Amendment shall constitute a "Redevelopment Contract Amendment" as defined in the Contract.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Valley, Nebraska, sitting as the Community Development Agency of the City, as follows:

1. The Amendment to Redevelopment Contract (Amendment No. 10) by and between the Agency and Redeveloper, a copy of which is attached hereto as Exhibit “A”, is approved.
2. The Mayor, as Chairman is hereby authorized and directed to execute the Amendment to Redevelopment Contract (Amendment No. 10) for and on behalf of the Agency.

IN WITNESS WHEREOF, the undersigned hereby certify that the Members of the Community Development Agency of the City of Valley, Nebraska passed and adopted this Resolution and caused these presents to be signed in its name and behalf by its Chairman and to be attested by its Secretary, on the date first above written.

PASSED AND APPROVED THIS 11TH DAY OF MARCH, 2025.

COMMUNITY DEVELOPMENT AGENCY
OF VALLEY, NEBRASKA

By: _____
Cindy Grove, Chairman

ATTEST:

Christie Donnermeyer, Secretary

AMENDMENT TO REDEVELOPMENT CONTRACT
Amendment No. 10

This Amendment to Redevelopment Contract (this "Amendment") is made and entered into as of the ____ day of February, 2025, by and between the Community Development Agency of the City of Valley, Nebraska ("Agency"), and Bluewater Development Corporation, a Nebraska corporation ("Redeveloper").

RECITALS

WHEREAS, Agency and Redeveloper entered into a Redevelopment Contract, dated as of the 18th day of March, 2014 (the "Contract");

WHEREAS, the Contract intended to implement the redevelopment plan entitled "REDEVELOPERS REDEVELOPMENT PLAN FOR THE BLUEWATER DEVELOPMENT LOCATED IN THE SOUTHWEST QUADRANT OF STATE HIGHWAY 64 (IDA STREET) AND 288TH STREET IN THE CITY OF VALLEY, NEBRASKA", (the "Redevelopment Plan") to provide for the redevelopment of lots and lands located in a blighted and substandard area of the City of Valley, Nebraska (the "City");

WHEREAS, in order to assist in the financing of the Redevelopment Project described in the Redevelopment Plan, the Contract provides for periodic amendments thereto; and

WHEREAS, pursuant to Section 3.01 of the Contract the parties desire to amend the Contract on the terms set forth herein and this Amendment shall constitute a "Redevelopment Contract Amendment" as defined in the Contract.

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein set forth, Agency and Redeveloper do hereby agree to amend the Contract as follows:

1. Definitions. All capitalized terms used in this Amendment and not otherwise defined herein shall have the meanings ascribed to such terms in the Contract.

2. Amendment – New Phase. This Amendment incorporates a new Phase to the Project entitled [Phase No. 10].

(a) Lots. This new Phase shall include all of Lots in the Redevelopment Project Area for which a building permit has been issued by the City during the calendar year prior to the Effective Date described in Section 2 (b) hereof, which lots are described as follows:

See Exhibit "A" to attached Notice to Divide Taxes.

(b) Effective Date. The effective date of the Amendment shall be January 1, 2025. [The effective date shall be the January 1st of the year following the issuance of a building permit for a residence to be constructed on a Lot described in Section 2 (a)

hereof.]

(c) Division Date. The Division Date (the "Division Date") shall mean the effective date for purposes of dividing taxes pursuant to Section 18-2147 of the Nebraska Community Development Law. The Division Date for the applicable Phase shall be January 1, 2025; and a proposed form of the "Notice to Divide Tax for Community Redevelopment Project" applicable to such Phase is attached hereto as Exhibit A and incorporated herein by this reference. [The Division Date shall be the January 1st of the year following the issuance of a building permit for a residence to be constructed on a Lot described in Section 2 (a) hereof.] For purposes of the Notice to Divide Tax for Community Redevelopment Project, the calendar year in which the division of real property tax becomes effective shall be the year of the Division Date.

(d) Base Value Year. The base value year for such Phase shall be 2024. [The Base Value Year, shall mean the calendar year prior to the Division Date described in Section 2 (c) hereof.] For purposes of the Notice to Divide Tax for Community Redevelopment Project, the Base value Year shall be the year defined in this Section 2 (d).

3. Requirement to File Notice to Divide Tax for Community Redevelopment Project. The Agency shall execute and file with the Douglas County Assessor and Treasurer a signed original of Exhibit A, attached hereto, being the Notice to Divide Tax for Community Redevelopment Project, prior to August 1, 2025. [This date shall be the August 1 following the Division Date described in Section 2 (c) hereof.]

4. Miscellaneous Provisions.

(a) Effectiveness. This Amendment shall become effective when and only when counterparts of this Amendment have been duly executed by both Agency and Redeveloper.

(b) Ratification of Contract. Except as amended by this Amendment, the Contract shall remain in full force and effect and is hereby ratified and confirmed in all respects. Each party acknowledges and agrees to all terms of the Contract, as the same are amended by this Amendment, and makes and restates each representation and warranty set forth therein as if made on the date of this Amendment.

EXHIBIT A

Notice to Divide Tax for Community Redevelopment Project

File With
the County
Assessor on or
Before August 1

Notice to Divide Tax for Community Redevelopment Project Tax Increment Financing (TIF) Project

This section must be completed by the City or Community Redevelopment Authority (CRA).

County Name

Douglas

City Where TIF Project is Located

Valley

Number of Years for Project

15

Name of TIF Project

Bluewater Infrastructure

Redevelopment Plan Type

Standard

Expedited

Extremely Blighted

Provide a brief description of the TIF project and what the funds will be used for.

Site acquisition, demolition, preparation and installation of public infrastructure including streets, sewer and water for residential development in blighted and substandard area.

Calendar year in which the division of real property tax becomes effective.

2025

Base Value Year (Year prior to the calendar year in which the division of real property becomes effective).

2024

Specify the real property parcels, as defined in Neb. Rev. Stat. § 77-132, and as contained in the files of the county assessor, included in the TIF project. Please provide legal descriptions, parcel ID numbers, or street addresses. Additionally, describe the location and boundaries of all parcels included in the redevelopment plan. Attach a map, if one is available.

See attached Exhibit "A" for lot, parcel id. and street address in Bluewater Subdivision and various replats thereof in the City of Valley, Douglas County, Nebraska.

City/CRA Official Name (print)

Phone Number

Email Address

Under penalties of law, I declare that I am the authorized representative of the city or CRA, and that I have provided all required information to the county assessor on or before August 1 of the calendar year that the division of real property tax becomes effective.

sign
here

Authorized Signature

Title

Date

This Section Must Be Completed by the County Assessor

Amount of Real Property Base Value Determined for the TIF Project specified on this Notice: \$ _____

Parcel ID Numbers (if not stated above):

TIF Excess Authority/Fund Code: _____

TIF Base Tax District Code: _____

CTL Report TIF Sequence Number: _____

School District Code: _____

County Assessor's Signature

Date

Upon completion of the Notice to Divide Tax for TIF, the county assessor must retain the original and provide copies to the City/CRA, county treasurer, and Nebraska Department of Revenue, Property Assessment Division.

Instructions

Who Must File. A Notice to Divide Tax for Community Redevelopment Project Tax Increment Financing (TIF) Project must be filed by any city or community redevelopment authority (CRA) that has exercised its statutory powers to carry out provisions of the Community Redevelopment Law. This Notice is used to request that the county assessor divide the real property taxes of the parcels located in a new community redevelopment project or TIF.

When and Where to File. On or before August 1 of the calendar year that the division of the real property tax becomes effective, the city/CRA must complete the required information specified on this Notice for each new TIF project and file the Notice and the required documents with the county assessor.

Definitions. Redevelopment project valuation, also known as the base value, means the assessed valuation on the taxable real property in the redevelopment project last certified to the political subdivisions in the year prior to the effective date to divide the tax. Redevelopment project excess valuation means the total assessed valuation on the real property in a redevelopment project for the current year less the redevelopment project base valuation.

Division of Tax. The division of the real property tax is determined by subtracting the base valuation from the current year total assessed value to arrive at the excess value, if any. The consolidated tax rate for the tax district is applied to both the base value and excess value. The resulting real property tax for the base value will be distributed to all the political subdivisions in the tax district where the project is located. The resulting real property tax for the excess value will be distributed to a special fund and must be used by the city/CRA for the sole purpose of paying the indebtedness incurred for the project for which the taxes were paid. For standard redevelopment projects, the division of real property tax on the redevelopment project may not exceed 15 years after the effective date of the notice provided to the county assessor by the city/CRA. For redevelopment project that receive an expedited review, the division on real property taxes may be divided for a period not to exceed 10 years after the effective date as identified in the redevelopment plan. For redevelopment project for which more than 50% of the property in the redevelopment project area has been declared an extremely blighted area, property taxes may be divided for a period not to exceed 20 years after the effective date of the notice provided to the county assessor by the city/CRA.

Failure to Timely File Notice. If the city/CRA fails to provide the Notice to divide the real property taxes to the county assessor on or before August 1 of the calendar year the taxes were to be divided, the taxes will remain undivided and allocated to the political subdivisions for that year. The untimely Notice will result in the division of the real property taxes being delayed until the following year for the remainder of the financing term of the project.

Example 1. TIF Notice filed timely, on or before August 1.

2021: Calendar year the division of real property taxes begin for TIF project.

2020: Base value determined as last value certified in year prior to the division of tax.

2021 through expiration of the project: Taxes are divided for TIF for a period not to exceed the maximum allowable period (10, 15, or 20 years) depending on the type of project.

Example 2. TIF Notice filed untimely.

2021: Effective date to divide taxes for an approved TIF project but TIF Notice received by county assessor after August 1, 2021. Taxes will not be divided for the current year and will be distributed in full to political subdivisions.

2020: Base value still determined as last value certified in year prior to the effective date to divide tax.

2022 through expiration of project: Taxes are divided for TIF using 2020 as the base value.

Signature City/CRA. This notice must be signed and dated by an authorized representative of the city/CRA.

Requirements of TIF Property. The city/CRA may not implement any plan containing provisions to divide the taxes for real property in the redevelopment plan until the real property in the redevelopment project has been deemed blighted, substandard, and within the corporate boundaries of the city. The city may annex noncontiguous land to develop agricultural processing facilities, pursuant to Neb. Rev. Stat. § 17-405.01(2), that are intended to be a TIF project (for example, an ethanol plant).

City/CRA Report to Property Tax Administrator. On or before December 1 each year, each city which has approved one or more redevelopment plans, for the current assessment year, which are financed in whole or in part through the use of tax-increment financing as provided in Neb. Rev. Stat. §§ 18-2147 and 18-2155 must provide a report to the Property Tax Administrator on each such redevelopment plan which includes the following information:

A copy of any new redevelopment project plans not previously reported and/or any amendments made to redevelopment project/plans. The information must include the date upon which the redevelopment project/plan was approved, the effective date for dividing the tax as provided to the county assessor on the Notice to Divide Tax, the location and boundaries of the property in the redevelopment project, and a short narrative description of the type of development undertaken by the city or village with the financing and the type of business or commercial activity locating within the redevelopment project area as a result of the redevelopment project.

If a city has approved one or more redevelopment plans using an expedited review pursuant to Neb. Rev. Stat. § 18-2155 of the Community Redevelopment Law the city may file a single report under for all such redevelopment plans.

Payment of Debt and City/CRA Notification to County Assessor and Treasurer. When the indebtedness incurred for the project has been paid, the city/CRA must immediately send written notification to the county assessor, county treasurer, and Property Tax Administrator that all further real property taxes should be distributed to the respective political subdivisions allowed to levy a tax on the real property within the TIF project.

County Assessor's Duties. For all projects except projects that received expedited review, the county assessor must verify and complete the base value for the parcels of real property located within the TIF project described in this Notice. If the notice is filed before August 1 of the calendar year the division of tax becomes effective, the base value will be the assessed value of the taxable real property last certified to the political subdivisions in the prior year. If there is no redevelopment value for a parcel or parcels, the county assessor will determine the redevelopment project valuation based on the fair market value of the parcel or parcels as of January 1 of the year prior to the year that the property taxes will be divided. For expedited review projects, the base value will be the assessed value of the taxable real property last certified to the political subdivisions in the year in which the redevelopment plan is approved.

Exhibit "A" to Notice to Divide Taxes for Redevelopment Project					
2025 Division					
Lot	Parcel	Legal	Address	Valuation	
12	0643920522	BLUEWATER LOT 12 BLOCK 0 LOT 12 12528 SQ FT	6414 N 289TH CIR	\$ 592,500.00	
14	0643920526	BLUEWATER LOT 14 BLOCK 0 LOT 14 11406 SQ FT	6508 N 289TH CIR	\$ 741,600.00	
17	0643920532	BLUEWATER LOT 17 BLOCK 0 LOT 17 11637 SQ FT	6602 N 289TH ST	\$ 736,350.00	
26	0643920550	BLUEWATER LOT 26 BLOCK 0 LOT 26 10663 SQ FT	6712 N 289TH ST	\$ 673,200.00	
42	0643920582	BLUEWATER LOT 42 BLOCK 0 LOT 42 14698 SQ FT	29105 MARY ST	\$ 806,250.00	
45	0643920588	BLUEWATER LOT 45 BLOCK 0 LOT 45 15483 SQ FT	29117 MARY ST	\$ 845,400.00	
74	0643920646	BLUEWATER LOT 74 BLOCK 0 LOT 74 15310 SQ FT	29211 MARTIN CIR	\$ 766,950.00	
75	0643920648	BLUEWATER LOT 75 BLOCK 0 LOT 75 14878 SQ FT	29215 MARTIN CIR	\$ 719,100.00	
113	0643920724	BLUEWATER LOT 113 BLOCK 0 LOT 113 16841 SQ FT	6305 N 295TH ST	\$ 780,000.00	
135	0643920768	BLUEWATER LOT 135 BLOCK 0 LOT 135 28387 SQ FT	5915 N 295TH ST	\$ 1,053,900.00	
R 4 L 2	0643951252	BLUEWATER REPLAT 4 LOT 2 BLOCK 0 LOT 2 54414 SQ FT	5903 N 295TH ST	\$ 1,638,000.00	
172	0643920842	BLUEWATER LOT 172 BLOCK 0 LOT 172 32036 SQ FT	6009 N 294TH CIR	\$ 775,500.00	
180	0643920858	BLUEWATER LOT 180 BLOCK 0 LOT 180 25406 SQ FT	5809 N 294TH CIR	\$ 1,235,550.00	
184	0643920866	BLUEWATER LOT 184 BLOCK 0 LOT 184 26225 SQ FT	5703 N 294TH CIR	\$ 1,047,900.00	
185	0643920868	BLUEWATER LOT 185 BLOCK 0 LOT 185 27231 SQ FT	5706 N 292ND CIR	\$ 1,132,650.00	
200	0643920898	BLUEWATER LOT 200 BLOCK 0 LOT 200 40911 SQ FT	6105 N 292ND CIR	\$ 1,049,700.00	
207	0643920912	BLUEWATER LOT 207 BLOCK 0 LOT 207 33752 SQ FT	29120 LAUREL CIR	\$ 774,900.00	
208	0643920914	BLUEWATER LOT 208 BLOCK 0 LOT 208 29784 SQ FT	29116 LAUREL CIR	\$ 1,186,800.00	
209	0643920930	BLUEWATER LOT 209 BLOCK 0 LOT 209 25506 SQ FT	29110 LAUREL CIR	\$ 1,061,100.00	
234	0643920966	BLUEWATER LOT 234 BLOCK 0 LOT 234 29313 SQ FT	5306 N 290TH CIR	\$ 777,750.00	
244	0643920986	BLUEWATER LOT 244 BLOCK 0 LOT 244 17858 SQ FT	5411 N 290TH CIR	\$ 826,050.00	
266	0643921030	BLUEWATER LOT 266 BLOCK 0 LOT 266 17760 SQ FT	6210 N 295TH ST	\$ 505,200.00	