



CITY OF GERING COMMUNITY DEVELOPMENT AGENCY MEETING

Tuesday, November 12, 2024, 5:40 p.m.

Gering City Hall Council Chambers
1025 P Street, Gering, NE 69341

AGENDA

1. Call to Order

2. Roll Call

OPEN MEETINGS ACT - NEB.REV.STAT. CHAPTER 84, ARTICLE 14

As required by State Law, public bodies shall make available at least one current copy of the Open Meetings Act available in the meeting room. Agenda items may be moved up or down on the agenda at the discretion of the CDA Chairman. As required by State Law, additions may not be made to this agenda less than 24 hours before the beginning of the meeting unless they are considered under this section of the agenda and CDA determines that the matter requires emergency action.

3. Approve the minutes of the August 26, 2024 Community Development Agency Meeting

4. Review and take action on Resolution CDA 11-24-1 authorizing Tax Increment Financing Note for the Scott Free Brewing Co. Redevelopment Project

CLOSED SESSION: (The Gering CDA reserves the right to enter into closed session if deemed necessary.)

OPEN COMMENT: Discussion or action by the CDA regarding unscheduled business will not take place. This section is for citizen comment only.

5. Adjourn

THE OFFICIAL PROCEEDINGS OF THE CITY OF GERING COMMUNITY DEVELOPMENT AGENCY (CDA) MEETING, August 26, 2024

A meeting of the Gering Community Development Agency was held on August 26, 2024 at 5:40 p.m. at the Gering City Hall Council Chambers, 1025 P Street, Gering, NE. Present were Chairman Ewing and CDA Members Shields, Gillen, Backus, Bohl, Wiedeman, O'Neal, Morrison and Cowan. Also present were City Administrator Pat Heath, City Clerk Kathy Welfl, City Engineer Annie Folck, TIF Attorney John Selzer. Notice of the meeting was given in advance by publication in the Star-Herald, the designated method of giving notice. All proceedings hereafter were taken while the meeting was open to the media and public.

1. CALL TO ORDER

Chairman Ewing called the meeting to order at 5:40 p.m. and stated that there was a quorum of the CDA present and business could be conducted.

2. Roll Call

OPEN MEETINGS ACT - NEB.REV.STAT. CHAPTER 84, ARTICLE 14

As required by State Law, public bodies shall make available at least one current copy of the Open Meetings Act available in the meeting room. Agenda items may be moved up or down on the agenda at the discretion of the CDA Chairman. As required by State Law, additions may not be made to this agenda less than 24 hours before the beginning of the meeting unless they are considered under this section of the agenda and CDA determines that the matter requires emergency action.

3. Approve the minutes of the May 28, 2024 Community Development Agency Meeting

Motion by Member Gillen to approve the minutes of the May 28, 2024 CDA meeting. Second by Member Bohl. There was no discussion. Chairman Ewing called for the vote. "AYES": Shields, Gillen, Backus, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

4. Review and conduct Cost-Benefit Analysis of the Redevelopment Plan for the Integrity Developments Housing Project

Engineer Folck stated that a couple of months ago, the CDA did a conceptual review of this project. It's a housing project that is located next to 12th Street, 13th Street and K Street near Dome Rock Manner (shown on the overhead screen). The applicant has submitted a request for TIF. They are proposing to build 11 duplexes for 22 units of housing. In order to develop this property, they will have to add a sewer line through the alley which is already platted. They will also have to add a waterline from the existing waterline on K Street to the other end of the property; those are some of their biggest expenses. Along with that, they have the expenses of land acquisition, site preparation, stormwater retention, sidewalks, curb and gutter, engineering, platting and legal fees. The main access to the garages will be from the alleys which will give the front of the homes a little more of an attractive appearance. The intension is to sell these; they will not be rental houses.

She then reviewed the Cost Benefit Analysis. The applicant is looking at requesting \$890,938.75 of TIF revenues for the project. That is for all the aforementioned TIF eligible expenses they have. They are estimating that the public investment from the TIF will leverage approximately \$2,768,900 in private sector money which is about \$3.10 for every TIF dollar invested. The current valuation on the property is \$18,505 which currently generates only about \$2,625. They are looking at increasing that valuation to an estimated \$3,520,000 which would create an additional increment of \$75,343.00 which would be the additional taxes generated off of this property every year. Take that for a period of 15 years for TIF and that would create \$1,130,145 of available TIF. They are not requesting the entire amount; they are requesting \$890,000 of that.

The expenses would go towards a lot of public improvements and public utilities like the water and sewer, sidewalk, curb and gutters. it would help a lot with the connectivity with the sidewalks in

that area. Those costs will be entirely on the redeveloper, the City will not be putting any money into those improvements. As far as impacts on employers and employees, since it's residential there should be no impact on employers or employees either within the area or the area immediately outside their development project area. There are no anticipated impacts on Gering Public Schools. While it is residential, there could be some additional students that live there, but it's not a large enough scale project to really affect student populations. Other impacts include that it provides much needed housing; their goal is to have it at a price point that will be workforce housing. It will also be some infill development. From the City's perspective, it's always nice that rather than having more development on the outskirts where it's that much farther for all the City utilities, it's pulling in from the center which is a better development pattern overall.

5. Review and take action on Resolution CDA 8-24-1 relating to the Integrity Developments Housing Project to:

- (i) **approve the Redevelopment Plan;**
- (ii) **adopt the Cost-Benefit Analysis;**
- (iii) **forward Planning Commission recommendation to the City Council; and**
- (iv) **forward recommended approval of Redevelopment Plan to City Council**

RESOLUTION CDA 8-24-1

BE IT RESOLVED BY THE COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF GERING, NEBRASKA:

Recitals:

a. Pursuant to the Community Development Law, NEB. REV. STAT. § 18-2101 *et seq.*, a redevelopment plan for the *Integrity Developments Housing Project* submitted by Integrity Developments LLC (the "Redevelopment Plan") has been submitted to the Gering Community Development Agency ("CDA"). The Redevelopment Plan proposes to redevelop an area of the City which the City Council has declared to be blighted and substandard and in need of redevelopment. The Redevelopment Plan includes the use of tax increment financing.

b. The Redevelopment Plan has been reviewed by the Planning Commission, which found that the Redevelopment Plan conforms to the City's Comprehensive Plan (the "Comprehensive Plan"). The Planning Commission recommended approval of the Redevelopment Plan to the CDA and City Council.

c. The CDA has reviewed and conducted a cost-benefit analysis of the Redevelopment Plan and makes the findings and recommendations as set forth in this Resolution.

Resolved:

1. The proposed land uses and building requirements in the Redevelopment Plan are designed with the general purposes of accomplishing, in conformance with the Comprehensive Plan, a coordinated, adjusted, and harmonious development of the City and its environs which will, in accordance with present and future needs, promote health, safety, morals, order, convenience, prosperity, and the general welfare, as well as efficiency and economy in the process of development, including, among other things, adequate provision for traffic, vehicular parking, the provision of adequate transportation, water, sewerage, and other public utilities, and other public requirements, the promotion of sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of conditions of blight.

2. The CDA has conducted a cost benefit analysis for the project in accordance with the Community Development Law, and finds that the project as proposed in the Redevelopment Plan would not be economically feasible or occur in the project area without tax increment financing and the costs and benefits of the project, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for public and private services, are in the long term best interests of the community. The Chairperson of the CDA is authorized to execute the cost benefit analysis to show the CDA's review and discussion thereof.

3. The CDA states: (a) the Redeveloper has acquired a portion of the project area and will acquire the remainder of the project area in a private acquisition; the estimated costs of acquiring the project area is \$201,835.75; (b) the estimated cost of preparing the project area for redevelopment is \$13,800.00; (c) the proposed methods of financing of the project are (i) tax increment financing for eligible costs and private investment and borrowing for the remainder of the project costs; (d) the Redevelopment Plan does not propose that either the CDA or City will acquire the project area and neither the CDA nor City will receive proceeds or revenue from disposal of the project area to the Redeveloper; and (e) no families or businesses will be displaced as a result of the project.

4. The CDA recommends approval of the Redevelopment Plan to the City Council.

5. This Resolution along with the recommendation of the Planning Commission shall be forwarded to the City Council for its consideration when reviewing the Redevelopment Plan.
6. All prior resolutions of the CDA in conflict with the terms and provisions of this Resolution are repealed or amended, as the case may be, to the extent of such conflicts.
7. This Resolution shall become effective immediately upon its adoption.

PASSED AND APPROVED on August 26, 2024

**COMMUNITY DEVELOPMENT AGENCY
OF THE CITY OF GERING**

Chairperson

ATTEST:

Secretary

Motion by Member Gillen to approve Resolution CDA 8-24-1. Second by Member O’Neal. There was no discussion. Chairman Ewing called for the vote. “AYES”: Shields, Gillen, Backus, Bohl, Wiedeman, O’Neal, Morrison, Cowan. “NAYS”: None. Abstaining: None. Absent: None. Motion carried.

6. Review Redevelopment Contract with Integrity Developments LLC for the Integrity Developments Housing Project

TIF Attorney, John Selzer, stated the Redevelopment Contract is generally the standard contract used in the past for other projects. The one exception to that is this contract gives the developer a little flexibility to develop the project in phases. It will allow them to take advantage of the full 15 years on every phase of the project they do. The 15 years from TIF won’t run on the full project at once, it will run in phases based on how they want to phase out the project. That’s the only exception; the rest of the contract is the same as it is for other projects where the City requires them to bring in their costs before the TIF is advanced, and the balance of the TIF note too, to the developer.

7. Review and take action on Resolution CDA-8-24-2 relating to the Integrity Developments Housing Project to:

- (i) approve the Redevelopment Contract, conditional upon approval of the Redevelopment Plan by City Council and
- (ii) authorize the Tax Increment Financing Note, conditional upon approval of the Redevelopment Plan by City Council

RESOLUTION NO. CDA 8-24-2

BE IT RESOLVED BY THE COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF GERING, NEBRASKA:

Recitals:

a. Pursuant to the Community Development Law, NEB. REV. STAT. § 18-2101 *et seq.*, a redevelopment plan for the *Integrity Developments Housing Project* submitted by Integrity Developments LLC (the “Redevelopment Plan”) has been submitted to the Gering Community Development Agency (“Authority”). The Redevelopment Plan proposes to redevelop an area of the City which the City Council has declared to be blighted and substandard and in need of redevelopment. The Redevelopment Plan includes the use of tax increment financing.

b. The Redevelopment Plan has been reviewed by the Planning Commission, which found that the Redevelopment Plan conforms to the City’s Comprehensive Plan. The Planning Commission recommended approval of the Redevelopment Plan to the Authority and City Council.

c. The Authority has approved and adopted the Redevelopment Plan.

d. The City Council is scheduled to hold a public hearing regarding and review and analyze the Redevelopment Plan, and consider the Redevelopment Plan for approval at its regular meeting scheduled for August 26, 2024.

e. The Authority and Integrity Developments, LLC (the “Redeveloper”) desire to enter into a Redevelopment Contract (the “Contract”) under which the Authority will provide a grant and tax increment financing to the Redeveloper to assist with the implementation of the Redevelopment Plan. Capitalized terms not otherwise defined in this Resolution shall have the same meaning as provided for in the Contract.

Resolved:

1. The Contract between the Authority and Redeveloper is approved, contingent on the City Council’s approval of the Redevelopment Plan. Once this contingency has been met, the Chairperson of the Authority is authorized to sign the Contract on behalf of the Authority without any further approval other than this Resolution. The Chairperson of the Authority may, in consultation with the City Engineer, make changes and amendments to the Contract and take all actions and execute all documents which the Chairperson deems in the best interest of the Authority in connection with the Redevelopment Plan. This Resolution shall be construed consistently with the Contract. Once the Contract has been entered into by the parties, the following resolutions shall automatically become effective, without any further action of the Authority.

2. A tax increment financing note shall be ordered issued by the Authority and shall be designated as “Tax Increment Financing Note (*Integrity Developments Housing Project*)” (the “Note”).

3. The Note shall be executed by the Chair and Secretary of the Authority and the official seal of the City shall be placed thereon.

4. The City Engineer or the City Engineer’s designee shall have authority to review and approve Disbursement Requests on behalf of the Authority and carry out all other administrative duties and decisions of the Authority relating to the Note and the Contract.

5. The City Treasurer (the “Agent”) as Agent of the Authority is authorized to give notice to the County Assessor for dividing ad valorem real estate taxes according to the terms of the Contract and carry out all other administrative duties and decisions of the Authority relating to the Note.

6. The Note is a special, limited obligation of the Authority and is not secured by any obligation or pledge of any monies received or to be received from taxation, other than tax increment revenues as set forth in the Contract and as described in NEB. REV. STAT. § 18-2147. The Note shall not in any event be a debt of the Authority (except to the extent of the tax increment revenues pledged under the Contract), the City, the State, nor any of its political subdivisions, and neither the Authority, the City, the State nor any of its political subdivisions is liable therefor. In no event shall the Note be payable out of any funds or properties other than those of the Authority acquired under the Contract. The Note does not constitute a debt within the meaning of any constitutional, statutory, or charter limitation upon the creation of general obligation indebtedness of the Authority and does not impose any general liability upon the Authority. No member or official of the Authority nor any person executing the Note shall be liable personally on the Note.

7. The Note shall be in substantially the form of the attached Exhibit A and shall be subject to the terms and conditions as set forth in the Contract and this Resolution (including those in Exhibit A).

a. The Note shall be issued in fully registered form. The name and address of the registered owner of the Note shall at all times be part of the records of the Authority at City Hall in Gering, Nebraska.

b. The Note shall be dated the date the Note is initially issued and delivered (“Date of Original Issue”) and shall bear interest in the amount set forth in the Contract or as otherwise determined by the Agent and Redeveloper. The Agent is authorized to determine: (i) the Date of Original Issue, (ii) the principal amount of the Note, (iii) the maturity date of the Note, and (iv) any other term of the Note, but all subject to the terms of the Contract and this Resolution.

c. The Note shall be issued to such owner as agreed between the Redeveloper and the Authority. Upon execution of the Note and compliance with all other provisions of this Resolution and the Contract, the Note shall be registered by the Agent in the name of the owner and shall be delivered in consideration of payment of the principal amount thereof to the City’s Treasurer in current bankable funds or as otherwise set forth in the Contract. From such purchase price, the Authority shall make a grant to the Redeveloper according to the terms of the Contract.

d. The initial purchaser (and any assignee) shall be required to deliver an investment representation letter to the Agent in a form satisfactory to the Authority, as advised by the Authority’s attorney. No Note shall be delivered to any owner unless the Authority has received from the owner such documents as may be required by the Authority to demonstrate compliance with all applicable laws and the Contract.

e. The records maintained by the Authority as to the principal amount issued, the accrued interest, and amounts paid on this Note shall be the official records of the cumulative outstanding principal amount and accrued interest of this Note for all purposes.

f. The Agent shall have only such duties and obligations as are expressly stated in this Resolution and no other duties or obligations shall be required of the Agent.

g. A transfer of the Note may be registered only upon surrender of the Note to the Agent, together with an assignment duly executed by the owner or its attorney or legal representative in a form as

satisfactory to the Agent. Prior to any transfer, the transferee shall provide to the Authority an investor's letter in a form satisfactory to the Authority, and shall deposit with the Authority an amount to cover all reasonable costs incurred by the Authority, including legal fees, related to such transfer. Upon any registration of transfer, the Authority may execute and deliver a new Note registered in the name of the transferee, with a principal amount equal to the principal amount of the Note surrendered and with the same maturity and interest rate. The Note surrendered in any such exchange shall be canceled by the Agent. A transfer of any Note may be prohibited by the Authority if a default then exists under the Contract. The Authority may impose any additional restrictions on the transfer of any Note as may be required to ensure compliance with applicable laws.

8. The Chairperson of the Authority, City Administrator, City Engineer and their designees are authorized to take any and all actions, and to execute any and all documents deemed by them necessary to affect the transactions contemplated in the Contract and authorized by this Resolution.

9. All prior resolutions of the Authority in conflict with the terms and provisions of this Resolution are repealed to the extent of such conflicts.

10. This Resolution shall become effective immediately upon its adoption.

PASSED AND APPROVED on August 26, 2024

**COMMUNITY DEVELOPMENT
AGENCY OF THE CITY OF
GERING**

Chairperson

ATTEST:

Secretary

**EXHIBIT A
(FORM OF NOTE)
TAX INCREMENT FINANCING NOTE (Integrity Developments Housing Project)
ISSUED BY THE COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF GERING, NEBRASKA**

**Date of
Original Issue**

**Date of
Maturity**

**Rate of
Interest**

December 31, 20__ *

_____ per annum

REGISTERED OWNER: _____

PRINCIPAL AMOUNT: SEE SCHEDULE 1

FOR VALUE RECEIVED, the **COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF GERING, NEBRASKA** (the "**Authority**") promises to pay to the Registered Owner named above, solely from the TIF Revenues (as defined below), the Principal Amount identified on Schedule 1 or other records of the Authority, together with interest on the unpaid principal balance at the rate set forth above, calculated as simple interest and without compounding, subject to the terms and conditions of this Note.

Authority for Note. This Note is issued by the Authority under the authority of and in compliance with the Constitution and statutes of the State of Nebraska and under Resolution No. CDA 8-24-2 passed and adopted by the Authority on August 26, 2024, as from time to time amended and supplemented (the "**Resolution**"). The Resolution incorporates by reference the terms of the Redevelopment Contract between the Authority and Integrity Developments, LLC dated _____ (the "**Contract**"). The terms of the Resolution and Contract are incorporated in this Note by this reference.

Purpose and Intent. This Note has been authorized and issued by the Authority to aid in financing a redevelopment project as defined in the Nebraska Community Development Law.

Definition of TIF Revenues. "**TIF Revenues**" means that portion of the ad valorem real estate taxes generated by the Project on the Site (as those terms are defined in the Contract) and allocated and paid to the Authority according to NEB. REV. STAT. § 18-2147.

Payments. Within 90 days after receiving TIF Revenues, the Authority shall remit such TIF Revenues to the Registered Owner until this Note is paid in full. Payments will be applied first to accrued interest and then to principal. Payments will be mailed by the Authority to the Registered Owner at the address provided in the Provision for Registration of this Note.

Maturity Date. *The City Treasurer as Agent of the Authority has the right and the authority to extend the

maturity date of this Note if TIF Revenues securing this Note may be collected after the then-current maturity date. If TIF Revenues securing this Note are collected after the maturity date, then the Authority shall pay such funds to the Registered Owner, to the extent there are still amounts due and owing under this Note.

Authority Records Controlling. The Authority and the Agent may treat the Registered Owner as the absolute owner of the Note for the purpose of making payments and for all other purposes and neither the Authority nor the Agent shall be affected by any notice or knowledge to the contrary. The records maintained by the Authority as to the principal amount issued, the accrued interest, and amounts paid on this Note shall be the official records of the cumulative outstanding principal amount and accrued interest of this Note for all purposes.

Limited Obligation. This Note is a special limited obligation of the Authority payable solely from and is secured solely by the TIF Revenues. This Note shall not be payable from the general funds of the City or the Authority, nor shall this Note constitute a legal or equitable pledge, charge, lien, security interest or encumbrance upon any of the property or upon any of the income, receipts, or money and securities of the City or the Authority or of any other party other than the TIF Revenues. This Note is not a debt of the City or the Authority within the meaning of any constitutional, statutory or charter limitation upon the creation of general obligation indebtedness of the City or the Authority, and does not impose any general liability upon the City or the Authority. Neither the City nor the Authority shall be liable for the payment of this Note out of any funds of the City or the Authority other than TIF Revenues, according to and as limited by the Resolution and Contract. Neither the members of the Authority nor any person executing this Note shall be liable personally on this Note.

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

[S E A L]

By: _____ (manual signature)
Chairperson

By: _____ (manual signature)
Secretary

PROVISION FOR REGISTRATION

Date of Registration	Name and Address of Registered Owner	Signature of Agent

[The remainder of this page intentionally left blank]

Recitals:

- a. Pursuant to the Community Development Law, NEB. REV. STAT. § 18-2101 *et seq.*, a “Redevelopment Plan” (as modified) for the *Crossroads Cooperative Expansion Project* submitted by Crossroads Cooperative Association (the “Redeveloper”) has been approved by the Gering Community Development Agency (“CDA”) and Gering City Council.
- b. The CDA and the Redeveloper have entered into a Redevelopment Contract dated June 10, 2020, as amended on or about August 25, 2020 (the “Redevelopment Contract”) related to the Redevelopment Plan.
- c. The CDA adopted Resolution No. 5-20-3 on May 11, 2020 which ordered issued “Tax Increment Financing Note (Crossroads Cooperative Expansion).”
- d. On August 18, 2023, the Redeveloper recorded the Final Plat of Blocks 1A and 2A, Crossroads Subdivision, a Replat of Block 1, Crossroads Subdivision and Lots 1-6, Block 1, Lots 1-6, Block 4, Lots 1-6, Block 5, Lots 1-4, Block 7, First Addition to North Gering, and Unplatted Lands within the Northwest Quarter of Section 1, Township 21 North, Range 55 West of the 6th P.M. Scotts Bluff County, Nebraska (the “Replat”).
- e. A Second Modification (the “Second Modification”) to the Redevelopment Plan has been proposed to reconcile the definition of the Project Site in the Plan with the legal descriptions in the Replat.
- f. The proposed Second Modification is not a substantial modification as defined in Neb. Rev. Stat. § 18-2115(3). Thus, the Second Modification can be approved by the authority according to Neb. Rev. Stat. § 18-2117.

Resolved:

- 1. The Second Modification is approved and adopted.
- 2. The Second Amendment to the Redevelopment Contract (“Second Amendment”) as presented to the CDA is approved. The Chairperson of the CDA is authorized to sign the Second Amendment on behalf of the CDA. The Chairperson, in consultation with the City Engineer, may make changes and amendments to the Second Amendment and take all actions and execute all documents which the Chair deems in the best interest of the CDA in connection with the Second Modification.
- 3. Resolution No. 5-20-3 shall be amended by and construed consistently with the Redevelopment Contract as amended by the Second Amendment, once signed, but otherwise Resolution No. 5-20-3 shall remain in full force and effect. Nothing in the Second Modification, this Resolution, or Second Amendment shall adversely affect any Indebtedness issued according to the Plan or Redevelopment Contract.
- 4. The Chairperson of the Authority, City Administrator, City Engineer, and City Treasurer and their designees are authorized to take any and all actions, and to execute any and all documents deemed by them necessary to affect the changes contemplated by the Second Modification and Second Amendment.
- 5. All prior resolutions of the CDA in conflict with the terms and provisions of this Resolution are repealed or amended, as the case may be, to the extent of such conflicts.
- 6. This Resolution shall become effective immediately upon its adoption.

PASSED AND APPROVED on August 26, 2024

**COMMUNITY DEVELOPMENT AGENCY
OF THE CITY OF GERING**

Chairperson

ATTEST:

Secretary

Motion by Member Wiedeman to approve Resolution CDA 8-24-3 to approve the Second Modification to the Plan and Second Amendment to the Contract for Crossroads Cooperative Expansion Redevelopment Project. Second by Member Bohl. There was no discussion. Chairman Ewing called the vote. “AYES”: Shields, Gillen, Backus, Bohl, Wiedeman, O’Neal, Morrison, Cowan. “NAYS”: None. Abstaining: None. Absent: None. Motion carried.

CLOSED SESSION: (The Gering CDA reserves the right to enter into closed session if deemed necessary). None.

OPEN COMMENT: Discussion or action by the CDA regarding unscheduled business will not take place. This section is for citizen comment only. None.

10. Adjourn

Motion by Member Gillen to adjourn. Second by Member Bohl. There was no discussion. Chairman Ewing called the vote. "AYES": Shields, Gillen, Backus, Bohl, Wiedeman, O'Neal, Morrison, Cowan. "NAYS": None. Abstaining: None. Absent: None. Motion carried.

Meeting adjourned at 5:55 p.m.

Kent E, Ewing, Chairman

ATTEST:

Kathleen J. Welfl, City Clerk

RESOLUTION CDA 11-24-1

BE IT RESOLVED BY THE COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF GERING, NEBRASKA:

Recitals:

a. Kristian Schank (the “Redeveloper”) has submitted an Application for Expedited Review of Community Redevelopment Plan (the “Plan”) for the *Scott Free Brewing Co.* (the “Project”), dated September 5, 2024, according to Section 18-2155 of the Community Development Law (NEB. REV. STAT. § 18-2101 *et seq.*) (the “Act”).

b. The Plan proposes to redevelop an area of the City that the City Council has declared to be blighted and substandard and in need of redevelopment. The Plan includes the use of tax increment financing.

c. The Redevelopment Project Area (the “Site”) of the Plan is described as:

The west half of Lot 11 and all of Lot 12, Block 30, First Addition to the City of Gering, Scotts Bluff County, Nebraska (commonly known as 1040 O Street, Gering, Nebraska; Scotts Bluff County Parcel Identification Number: 010054464).

d. The City Council determined that the Plan meets the requirements of Section 18-2155(2) of the Act and approved the Plan and the Project.

Resolved:

1. According to Section 18-2155(6)(a) of the Act, a tax increment financing note is ordered issued by the Community Development Agency (the “Authority”) and shall be designated as “Tax Increment Financing Note (Scott Free Brewing Co.)” (the “Note”).

2. The Note shall be in the principal amount of \$6,000.00, which is the agreed-upon costs of the redevelopment project, as set forth in the Plan. The amount estimated to be generated over a fifteen-year period from the division of taxes as set forth in Section 18-2147 of the Act is calculated as follows:

a. Estimated Project Completion Value:	\$130,820.00
b. Base Value:	\$110,820.00
c. Tax Increment (a minus b):	\$ 20,000.00
d. Estimated Levy:	2.50%
e. Annual Projected Shift:	\$ 500.00
f. Estimated TIF Available (e multiplied by 15)	\$ 7,500.00

No interest shall accrue on the principal balance of the Note.

3. According to Sections 18-2147 and 18-2155 of the Act, the ad valorem taxes on real property located within the Site shall be divided for a period of 15 years after the Effective Date (as defined below). Such tax increment revenues generated on the Site are pledged to pay the Note.

4. The “Effective Date” for dividing the ad valorem real estate taxes on the Site shall be January 1, 2025 and the taxable base value shall be January 1, 2024. Provided, however, if there is no substantial increase in valuation between the 2024 and 2025 tax years, then, if allowed by law and upon the written request of the Redeveloper, the Effective Date shall be January 1, 2026 and the taxable base value shall be January 1, 2025. The City Treasurer (the “Agent”) as Agent of the Authority is authorized to give notice, upon the request of the Redeveloper, to the County Assessor of the Effective Date for dividing ad valorem real estate taxes according to the Act.

5. The Note shall be executed by the Chair and Secretary of the Authority and the official seal of the City shall be placed thereon.

6. The Note shall be in substantially the form of the attached Exhibit A and shall be subject to the terms and conditions as set forth in this Resolution (including those in Exhibit A).

7. The Note shall be issued to such holder as agreed between the Redeveloper and the Authority. The Note shall be issued in fully registered form. As a condition of issuing the Note, the Authority may require the holder to provide an investor’s letter in a form satisfactory to the Authority. A transfer or assignment of the Note may be registered only upon the records, and with consent, of the Authority, upon receipt of transfer or assignment documents satisfactory to the Authority. Prior to any transfer or assignment, the transferee or assignee shall deposit with the Authority an amount to cover all reasonable costs incurred by the Authority, including legal fees, related to such transfer or assignment. The Authority may impose any additional restrictions on the transfer or assignment of any Note as may be required to ensure compliance with applicable laws.

8. The Agent is authorized to determine any other terms of the Note not specified in this Resolution, but all subject to the terms of the Act.

9. The Chair, City Administrator, City Engineer, the Agent and their designees are authorized to take any and all actions, and to execute any and all documents deemed by them necessary to affect the transactions contemplated in this Resolution.

10. All prior resolutions of the Authority in conflict with the terms and provisions of this Resolution are repealed to the extent of such conflicts.

11. This Resolution shall become effective immediately upon its adoption.

PASSED AND APPROVED on November 12, 2024

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

Chair

ATTEST:

Secretary

“**Effective Date**” means the “Effective Date” as defined in the Resolution and as certified to the Scotts Bluff County Assessor.

“**Holder**” means the Registered Owner provided in the Provision for Registration of this Note.

“**Indebtedness**” means the dollar amount specified as “Original Amount of Indebtedness” at the top of this Note, as adjusted from time to time based on payments made by the Authority.

“**Plan**” means the Application for Expedited Review of Community Redevelopment Plan submitted by Kristian Schank related to the Site, dated September 5, 2024, and approved by the City Council on September 23, 2024.

“**Project**” means the Scott Free Brewing Co. Project as set forth in the Plan.

“**Resolution**” means the Resolution of the Authority authorizing the issuance of this Note, dated November 12, 2024.

“**Site**” means The west half of Lot 11 and all of Lot 12, Block 30, First Addition to the City of Gering, Scotts Bluff County, Nebraska (commonly known as 1040 O Street, Gering, Nebraska; Scotts Bluff County Parcel Identification Number: 010054464).

“**TIF Revenues**” mean the tax increment revenues generated from the Site related to the Project for up to 15 years after the Effective Date, according to 18-2147 and 18-2155 of the Act.

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

[S E A L]

By: _____
Chair

By: _____
Secretary

PROVISION FOR REGISTRATION

Date of Registration	Name and Address of Registered Owner	Signature of Agent

Application for Expedited Review of Community Redevelopment Plan Tax Increment Financing (TIF) Project

For Official Use
 Date Received _____
 Date of Review _____
 ___ Approved ___ Denied

County Name Scotts Bluff	City Gering
Redeveloper (Owner) Kristian Schank	
Redevelopment Project Name Scott Free Brewing Co.	
Parcel Number 0010054464	
Application Date of the Expedited Redevelopment 9/5/2024	

1. What are the existing uses and condition of the property within the redevelopment project area? Building Vacant; Condition: Needs repair	
2. What are the proposed uses of the property within the redevelopment project area? Microbrewery	
3a. Has the structure been within the corporate limits of the city for at least sixty years? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
3b. If the project includes the redevelopment of a vacant lot that is within the corporate limits of the city, has that lot been platted for at least sixty years? N/A Yes <input type="checkbox"/> No <input type="checkbox"/>	
4. What is the current assessed value of the property within the redevelopment project area? \$ 110,820	
5. What the increase in the assessed value of the property within the redevelopment project area that is estimated to occur as a result of the redevelopment project? ~ 10,000 - 20,000	
6. Will the redevelopment project be financed in whole or in part through the division of taxes as provided in section 18-2147? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
7. What are the agreed-upon costs of the redevelopment project? \$ 6,000	


 Redeveloper's Signature

9/5/2024
 Date

Upon completion of this form, the redeveloper must provide the original to the City or Community Redevelopment Authority.

(see form instructions on reverse)

Instructions

Who Must File. If a city or the city's community redevelopment authority (CRA) has elected to allow expedited reviews of redevelopment plans that meet the requirements below, this form must be filed with the city or the CRA in order to receive an expedited review. A redevelopment plan is eligible for expedited review if:

1. The redevelopment plan includes only one project;
2. The project is located within a substandard and blighted area that has been within the corporate limits of the city for at least sixty years and:
 - a. Involves the repair, rehabilitation, or replacement of an existing structure; or
 - b. Involves the redevelopment of a vacant lot that has been platted for at least sixty years;
3. The project is located in a county with a population of less than 100,000 inhabitants; and
4. The assessed value of the property within the project area when the project is complete is estimated to be no more than:
 - a. \$350,000 for a project involving a single-family residential structure;
 - b. \$1.5 million for a project involving a multi-family residential or commercial structure;
 - c. \$10 million for a project involving the revitalization of a structure included in the National Register of Historic Places.

The redeveloper shall submit the redevelopment plan directly to the city or CRA, along with an application fee in an amount set by the governing body, not to exceed fifty dollars. The governing body shall determine whether to approve or deny the redevelopment plan within 30 days after submission of the plan. If approved, the authority incurs indebtedness related to the redevelopment project, and the project begins.

The county assessor shall then determine: (1) If the redevelopment project was fully completed within two years after the approval of the development plan and (2) the assessed value of the property within the redevelopment project area. Once completion has been determined, the county assessor shall certify the completion of the expedited redevelopment plan to the city or community redevelopment authority (CRA). Once the county assessor has certified this form as required in Neb. Rev. Stat. § 18-2155, the city or CRA may begin to use the portion of taxes as indicated in Neb. Rev. Stat. § 18-2147 to pay the indebtedness incurred by the city or CRA pursuant to Neb. Rev. Stat. § 18-2155. Payments shall be remitted to the holder of the indebtedness.

SCOTTS BLUFF COUNTY
Real Estate Breakdown Report

Parcel ID 010054464	Legal W 1/2 LT 11, ALL LT 12, BLK 30, FIRST ADD S-T-R: 02-21-55	Card File Situs 1040 O ST GERING, NE 69341
Owner NEMNICH/ERIK B 4010 N 10TH ST GERING, NE 69341		

County Area 0 N/A	Class Code 01-03-03-01-04-02	Value	Previous	Current
Neighborhood 2001 2001	State GEO 1943-02-0-01017-030-0055	Buildings	76,360	82,470
Location / Group 20 20 GERING	Cadastral 1943-02-158-004	Improvement	0	0
Valuation / Group 0 N/A	Book / Page 2023 / 02847	Land / Lots	26,250	28,350
District 41 GERING	Sale Date 07/05/2023	Total	102,610	110,820
School 79-0016	Sale Amount 120,500			

Date Added Notes
12/01/2015 1943-02-0-01017-030-0055 2-1-00 2000 REVIEW~

Permit No.	Type	Description	Date Open	Date Closed	Amount
G17-085B	01 Addition	REPAIRING WALL/FOUNDATION	04/12/2017	08/25/2017	0

Model	Method	Description	Lot Size	Frontage	Spot Code	Cutoff	Value	Add (+/-)	Lot Value	Appr ID
64 2001	02 SqFoot	75 X 140 M2P	10,500.000	75.000	N	14,000	2.500	0	26,250	20652
						43,560	1.500			
						999,999	0.690			
64 2001	02 SqFoot	PROTEST ADJUSTMENT	0.000	0.000	* 2100	14,000	2.500	0	2,100	20652
						43,560	1.500			
						999,999	0.690			

Sale Date **Book** **Page** **Extend** **Ownership History** **Amount**
 E E L INVESTMENTS 0

Milestone	Owner Name	Building	Other	Land	Total	Exempt	Taxable
2022-09-15 09:25:53 AM	E E L INVESTMENTS	67,545	0	26,250	93,795	0	93,795

Year	Statement	District	Building	Other	Land	Total	Exempt	Taxable	Total Tax	Penalty Tax
2023	13030	41	76,360	0	26,250	102,610	0	102,610	2,158.98	0
2022	4532	41	67,545	0	26,250	93,795	0	93,795	2,010.18	0
2021	4531	41	67,545	0	26,250	93,795	0	93,795	2,032.36	0
2020	4507	41	67,545	0	26,250	93,795	0	93,795	2,044.18	0
2019	4465	41	67,545	0	26,250	93,795	0	93,795	1,994.62	0
2018	4429	41	67,545	0	26,250	93,795	0	93,795	2,006.60	0
2017	4402	41	67,545	0	26,250	93,795	0	93,795	2,009.42	0
2016	4499	41	77,267	0	13,125	90,392	0	90,392	1,797.80	0
2015	4479	41	77,267	0	13,125	90,392	0	90,392	1,791.66	0
2014	4463	41	73,588	0	13,125	86,713	0	86,713	1,743.24	0
2013	4439	41	73,588	0	13,125	86,713	0	86,713	1,762.44	0
2012	100544	41	73,588	0	13,125	86,713	0	86,713	1,757.12	0
2011	3816	41	73,588	0	13,125	86,713	0	86,713	1,759.74	0
2010	4120	41	73,588	0	13,125	86,713	0	86,713	1,665.12	0
2009	4333	41	75,419	0	8,269	83,688	0	83,688	1,599.98	0
2008	4587	41	71,828	0	7,875	79,703	0	79,703	1,524.82	0

Parcel ID 010054464 (20652)
 Cadastral ID 1943-02-158-004
 PAD Class Code 01-03-03-01-04-02
 State GEO 1943-02-0-01017-030-0055
Owner
 NEMNICH/ERIK B
 4010 N 10TH ST
 GERING, NE 69341
Situs
 1040 O ST GERING NE 69341
Neighborhood 2001 - 2001
District 41 - GERING
Legal
 W 1/2 LT 11, ALL LT 12, BLK 30,
 FIRST ADD



Primary Image Information
Image ID 94559
Image Date 10/27/2014
File Name DSCF1010
Description Picture Added on 10/27/2014

Marshall & Swift Cost Approach (07/2021)

Property Valuation

Valuation Method Cost Approach
Improvement 82,470
Land/Lot 28,350
Total 110,820 10.55/SqFt

Lot Information

Lot Size PROTEST ADJUSTMENT
Valuation Model 2001
Valuation Method 02 Square Ft
Lot Value 2,100
Lot Size 75 X 140 M2P
Valuation Model 2001
Valuation Method 02 Square Ft
Lot Value 26,250

Review Information

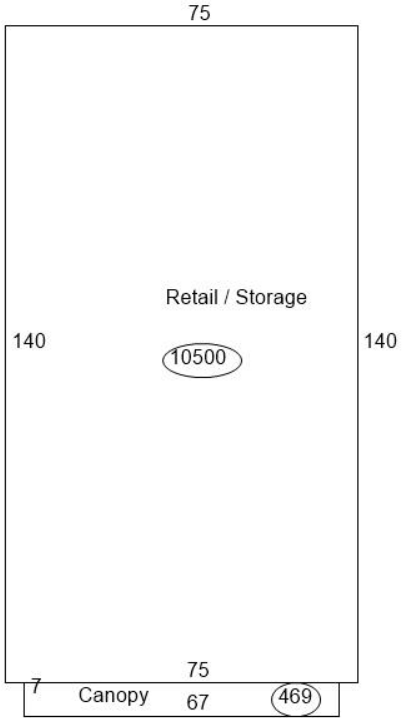
04/15/2020	Entered	PTMYF	
04/01/2017	Entered	PTMYF	
10/21/2014	Inspect	JG	REVIEW
02/17/2012	Entered	MJN	
02/16/2012	Inspect	MJN	

Date Added Notes

12/01/2015 1943-02-0-01017-030-0055 2-1-00 2000 REVIEW~

Income Approach

Parcel ID 010054464 (20652)	Legal W 1/2 LT 11, ALL LT 12, BLK 30, FIRST ADD	Cadastral ID 1943-02-158-004
Owner NEMNICH/ERIK B		PAD Class Code 01-03-03-01-04-02
Situs 1040 O ST GERING NE 69341		State GEO 1943-02-0-01017-030-0055
Neighborhood 2001 - 2001		



Sequence	Code	Description	Base Area	Multiplier	Total Area
1	COMM	Retail / Storage	10,500	1.00	10,500
2	COMM	Canopy	469	1.00	469
Total Building Area			10,969		10,969

Parcel ID 010054464 (20652)
 Cadastral ID 1943-02-158-004
 PAD Class Code 01-03-03-01-04-02
 State GEO 1943-02-0-01017-030-0055
 Owner
 NEMNICH/ERIK B
 4010 N 10TH ST
 GERING, NE 69341
 Situs
 1040 O ST GERING NE 69341
 Neighborhood 2001 - 2001
 District 41 - GERING
 Legal
 W 1/2 LT 11, ALL LT 12, BLK 30,
 FIRST ADD

Marshall & Swift Cost Approach
 Appraisal Zone 1000
 Zone Description Commercial Appraisal Zone
 Manual Date (07/2021)

Building Image Information
 Image ID 0
 Image Date
 File Name
 Description

Building Data
 Building ID 2481
 Sequence 1
 Occupancy 1 353 - Retail Store 50 %
 Occupancy 2 406 - Storage Warehouse 50 %
 Occupancy 3
 Total Floor Area 10,500
 Average Perimeter 430
 Number of Stories 1
 Average Wall Height 14.00
 Year Built 1927
 Effective Age 97

Construction Class C - Masonry bearing walls
Rank 2.00 - Average
Condition 2.00 - Badly Worn
Exterior Wall 100 % - Brick, Solid
Heating/Cooling 100 % - Package Unit
Roof Type Flat
Roof Cover Built Up Roof

Basement Area 0
Basement Levels 0
Basement Finish
Finish Code - 1
Finish Area - 1 0
Finish Code - 2
Finish Area - 2 0

Code	Description	Year In	Size	Units	Depreciation
CAN	CANOPY, ROOF/SLAB	0	469	469	0.00%

RESOLUTION NO. 9-24-1

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF GERING, NEBRASKA:

Recitals:

a. The City Council has elected to allow expedited reviews of redevelopment plans that meet the requirements in Section 18-2155(2) of the Community Development Law (NEB. REV. STAT. § 18-2101 *et seq.*).

b. Kristian Schank (the “Redeveloper”) has submitted an Application for Expedited Review of Community Redevelopment Plan (the “Plan”) for the *Scott Free Brewing Co.* (the “Project”), dated September 5, 2024.

c. The Plan proposes to redevelop an area of the City that the City Council has declared to be blighted and substandard and in need of redevelopment. The Plan includes the use of tax increment financing.

d. The City Engineer has conducted an expedited review of the Plan, determined that the Plan meets the requirements of Section 18-2155(2) of the Community Development Law, and recommended approval of the Plan.

Resolved:


1. The City Council has determined that the Plan meets the requirements of Section 18-2155(2) of the Community Development Law and is consistent with the City’s Comprehensive Plan.
2. The City Council approves the Plan and the Project.
3. The City Engineer and designees and the Community Development Agency of the City of Gering are authorized and directed to execute such documents and take such further actions as are necessary to carry out the purposes and intent of this Resolution and the Plan according to Section 18-2155 of the Community Development Law.
4. This Resolution shall become effective immediately upon its adoption.

PASSED and APPROVED on September 23, 2024.



Mayor

ATTEST:



City Clerk (Seal)

