

# **MCCOOK CITY COUNCIL**

## **REGULAR MEETING**

**Tuesday, July 6, 2021  
5:30 PM - City Council Chambers**

Call to Order and Roll Call.

Open Meetings Act Announcement.

Pledge of Allegiance.

Items.

1. Announcements & Recognitions.
  2. Consent Agenda.
    - A. Approve the minutes of the June 21, 2021 regular City Council meeting.
    - B. Ratify the Mayor's appointments to the Economic Development Plan Citizen's Advisory Review committee - reappoint Sean Wolfe and Sarah Renner - terms expire July 2024 and to the Parks Advisory Board - reappoint Caitlin Whitehead - term expires May 2024 and appoint Natalie Smith - term expires May 2024
    - C. Receive and file communication from Nebraska Investment Finance Authority (NIFA) regarding low-income housing tax credits (LIHTC) for the Maplewood II, LLC project.
  3. Regular Agenda.
    - A. Presentation from Joyce Anderson, McCook Humane Society Board Member.
    - B. Discuss the date for the community meeting for a potential pool project.
    - C. Follow-up discussion regarding the McCook City Council's prioritization of current general and enterprise fund needs and potential general fund projects.
    - D. Council Comments.
    - E. Meeting of the McCook Community Development Agency.
      1. Recess as a City Council and convene as the McCook Community Development Agency for consideration of the CDA Agenda.
      2. Call to Order and Roll Call.
      3. Open Meetings Act Announcement.
      4. Approve Resolution No. CDA 2021-02 authorizing and approving the First Amendment to the Redevelopment Agreement for the Blackwood Enterprises Redevelopment Project.
      5. Adjournment of Community Development Agency meeting.
- Adjournment.

**CITY MANAGER'S REPORT  
JULY 6, 2021 CITY COUNCIL MEETING**

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**ITEM:**        2.A.

Approve the minutes of the June 21, 2021 regular City Council meeting.

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**BACKGROUND:**

Receive and approve the minutes.

**FISCAL  
IMPACT:**    None.

**APPROVALS:**

  
\_\_\_\_\_  
Lea Ann Doak, City Clerk

June 29, 2021

McCook City Council  
June 21, 2021  
5:30 PM Central

A MEETING OF THE MAYOR AND COUNCIL OF THE CITY OF MCCOOK, NEBRASKA convened in open, regular, and public session at 5:30 o'clock P.M. in the City Council Chambers.

Present: Mayor Gonzales, Councilmembers Calvin, Weedin, Muehlenkamp, Rambali (arrived 6:03 P.M.)

Absent: None.

City Officials present: City Manager Schneider, City Attorney Mustion, City Clerk Doak, Library Director Crocker, Utilities Director Dutcher, Water Superintendent Fawver, Fire Chief Harpham, Public Works Director Potthoff, Senior Services Director Siegfried, and Police Chief Smith.

Notice of the meeting was given in advance thereof by publication in the McCook Daily Gazette on June 17, 2021, the designated method of giving notice, a copy of the proof of publication being attached to these minutes. Advance notice of the meeting was also given to the Mayor and members of the City Council and a copy of the Acknowledgement of Receipt of such notice is attached to these minutes. Availability of the agenda was communicated in the advance notice to the Mayor and Council. All proceedings hereafter shown were taken while the meeting was open to the attendance of the public.

Mayor Gonzales announced that a copy of the Open Meetings Act was posted by the entrance to the Council Chambers and available for public review. Following the Pledge of Allegiance to the flag of the United States of America, Mayor Gonzales called the meeting to order.

**1. Announcements & Recognitions.**

There were no announcements or recognitions.

**2. Consent Agenda.**

Councilmember Calvin requested that Item E be removed from the Consent Agenda and placed on the Regular Agenda.

Motion to approve the consent agenda. This motion, made by Weedin and seconded by Muehlenkamp, passed.

Gonzales: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA, Rambali: ABSENT  
YEA: 4, NAY: 0, ABSENT: 1

2.A. Approve the minutes of the June 7, 2021 regular City Council meeting.

- 2.B. Receive and file the Financial Report for the period ending May 31, 2021.
- 2.C. Ratify the Mayor's appointments to the Parks Advisory Board - appoint Tom Bredvick - term expires May 2023 and to the Planning Commission - appoint Jamie Mockry as alternate - term expires March 2024.
- 2.D. Receive and file the claims for the months of April 2021 as published May 6, 2021 and May 2021 as published June 10, 2021.
- 2.F. Approve and authorize the Mayor to sign the FY2021-2022 contract with the West Central Nebraska Area Agency on Aging (WCNAAA) for the purpose of defining and specifying the separate and mutual responsibilities of each in the management, operation, support, monitoring and evaluation of the McCook Heritage Senior Center.
- 2.G. Authorize the acceptance of the Grant Offer Agreement with the Federal Aviation Administration for Airport Improvement Program Project (AIP) No. 3-31-0052-018-2021, the development of an Airport Master Plan Update at McCook Ben Nelson Regional Airport and authorize the Mayor to sign.
- 2.H. Approve the application for a Special Designated Liquor License submitted by Early Morning Cackle, L.L.C., Liquor License #D-122055, for a wedding reception to be held at the McCook Municipal Auditorium, 302 West 5th Street, on July 10, 2021 at 3:30 P.M. to July 11, 2021 at 1:00 A.M.
- 2.I. Authorize the Mayor to sign the American Rescue Plan Act - Coronavirus Local Fiscal Recovery Fund - Non-Entitlement Units of Local Government Application, contingent to review and acceptance by the City Attorney.

**3. Regular Agenda.**

- 2.E. Approve the request from Garrett Wagner to close the following streets for the 5th Annual Cruisin' the Bricks Cruise Night and Car Show: Friday, July 9th from 6:00 P.M. to 8:30 P.M. - West "C" Street from Norris Avenue to West 1st Street (including the alley); East "C" Street from Norris Avenue to East 1st Street (including the alley); shutting off or covering the traffic signal at the intersection of Norris Avenue and "C" Street; West 2nd Street from "B" Street to West "C" Street (including the intersection at West 2nd and "C" Street); West "C" Street from West 1st Street to West 3rd Street (including alleys and the intersection of West 2nd Street and West "C" Street.); and Saturday, July 10th from 6:00 A.M. to 2:30 P.M. - West 2nd Street from "B" Street to West "C" Street (including the intersection at West 2nd and "C" Street); and West "C" Street from West 1st Street to West 3rd Street (including the alleys and the intersection of West 2nd Street and West "C" Street.)

Councilmember Calvin clarified that the neighbors had been contacted to see if they had any concerns or objections.

Motion to approve the request from Garrett Wagner to close the following streets for the 5th Annual Cruisin' the Bricks Cruise Night and Car Show: Friday, July 9th from 6:00 P.M. to 8:30 P.M. - West "C" Street from Norris Avenue to West 1st Street (including the alley); East "C" Street from Norris Avenue to East 1st Street (including the alley); shutting off or covering the traffic signal at the intersection of Norris Avenue and "C" Street; West 2nd Street from "B" Street to West "C" Street (including the intersection at West 2nd and "C" Street); West "C" Street from West 1st Street to West 3rd Street (including alleys and the intersection of West 2nd Street and West "C" Street.); and Saturday, July 10th from 6:00 A.M. to 2:30 P.M. - West 2nd Street from "B" Street to West "C" Street (including the intersection at West 2nd and "C" Street); and West "C" Street from West 1st Street to West 3rd Street (including the alleys and the intersection of West 2nd Street and West "C" Street.). This motion, made by Calvin and seconded by Weedin, passed.

Gonzales: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA, Rambali: ABSENT  
YEA: 4, NAY: 0, ABSENT: 1

3.A. Discuss and take action on a bond refinance structure for the Combined Utilities Revenue Refunding Bonds, Series 2021.

Brad Slaughter of Piper Sandler & Co. presented three different payment options; (1) Cash Flow Savings - projected total savings \$513,668.37; (2) Limited Cash Flow Savings - projected total savings \$567,496.77; and (3) Shortened Amortization Savings - projected total savings \$617,381.77.

A motion voted to accept the Cash Flow Savings option for the bond refinance structure for the Combined Utilities Revenue Refunding Bonds, Series 2021. This motion, made by Calvin and seconded by Muehlenkamp, passed.

Gonzales: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA, Rambali: ABSENT  
YEA: 4, NAY: 0, ABSENT: 1

3.B. Consider a topic for consideration from Tasha Blomstedt regarding a jake brake ordinance.

Ms. Blomstedt was present to address her request, stating that she was not angry about the use of jake brakes and understands that it would be hard to enforce. She had noticed there are signs prohibiting their use at Arapahoe, Bartley, and Indianola and thought if they could put up a sign maybe we could too; adding that the sign might act as a deterrent.

Discussion included why they opposed the ordinance, because it would be difficult to enforce and would not stand up in court; it is only enforceable if a police officer witnesses it; that there are other vehicles that cause loud noises, such as motorcycles and cars without mufflers, could it be a noise pollution question; and what would the cost of signs be.

Mayor Gonzales noted that the issue could be brought back for a vote by one of the Councilmembers who opposed the ordinance - Councilmember Weedin or Muehlenkamp, or by newly elected Councilmember Rambali.

3.C. Consider a topic for consideration from Julie Carpenter regarding reimbursement due to the step reconstruction project at the McCook City Auditorium.

Ms. Carpenter was not present to address her request.

City Manager Schneider and City Attorney Mustion did not feel that the City was in breach of the contract; the contract was for the rental of the interior of the auditorium, the exterior is secondary, and they did have access to the building.

No action was taken on this time.

- 3.D. Follow-up discussion regarding the McCook City Council's prioritization of current and enterprise fund needs and potential general fund projects.

Mayor Gonzales presented a spreadsheet of the various projects discussed to date, broken down in the following categories - Staffing, Capital and General needs, Wellness projects, and McCook Growth - then by department; and project listings included in the Drinking Water SRF and Clean Water SRF needs survey.

The Council reviewed and discussed the information presented.

- 3.E. Determine a date for a community meeting regarding a potential swimming pool project, said community meeting to be led by Kyle McCawley of Lamp Rynearson.

August 5, 2021 was selected as the date for the community meeting, with the location being either at the auditorium or at the McCook Christian Church.

- 3.F. Approve the use of ACE funds in the amount of \$10,000 to assist the Norris Alley Project.

Motion to approve the use of ACE funds in the amount of \$10,000 to assist the Norris Alley Project. This motion, made by Muehlenkamp and seconded by Calvin, passed.

Gonzales: NAY, Calvin: YEA, Weedon: YEA, Muehlenkamp: YEA, Rambali: YEA  
YEA: 4, NAY: 1, ABSENT: 0

- 3.G. Discuss setting an initial organizational/training meeting date for the creation of a regional land bank.

The organizational/training meeting was set for July 15, 2021 at 6:30 P.M. in the McCook Municipal Center upstairs training room.

- 3.H. Introduce and approve on first reading Ordinance No. 2021-3017 providing for the amendment of Sections 90.33 and 90.99, as they pertain to Chapter 90 - Animals, of the City of McCook Code of Ordinances.

Mayor Gonzales asked the Clerk to read Ordinance No. 2021-3017 by title.

AN ORDINANCE AMENDING SECTIONS 90.33 AND 90.99, AS THEY PERTAIN TO CHAPTER 90 - ANIMALS, OF THE CITY OF MCCOOK CODE OF ORDINANCES;

PROVIDING FOR THE REPEAL OF ANY AND ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING A TIME AND DATE FROM AND AFTER WHICH THIS ORDINANCE SHALL TAKE EFFECT AND BE ENFORCED.

Ordinance No. 2021-3017 has been introduced, read by title, and I move that the statutory rule requiring reading on three different days be suspended. This motion, made by Calvin and seconded by Weedin, passed.

Gonzales: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA, Rambali: YEA  
YEA: 5, NAY: 0, ABSENT: 0

Motion for final passage of Ordinance No. 2021-3017. This motion, made by Calvin and seconded by Weedin, passed.

Gonzales: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA, Rambali: YEA  
YEA: 4, NAY: 1, ABSENT: 0

Mayor Gonzales stated for the record that Ordinance No. 2021-3017 is declared lawfully passed and adopted upon publication as required by law.

3.I. Review and approve form to be used and establish rating system for the annual evaluation of City Manager Schneider.

It was the consensus of the Council to utilize the form and rating system as presented by Mayor Gonzales for the city manager's evaluation. Councilmembers are to have their sheets turned into the Mayor by July 6.

3.J. Council Comments.

Councilmember Weedin thanked Utilities Director Dutcher and his staff for the extra monitoring of the water wells during the recent heat wave to ensure that our residents had water.

**Adjournment.**

There being no further business to come before the Council, Mayor Gonzales declared the meeting adjourned at 8:12 P.M.

ATTEST:

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Michael D. Gonzales, Mayor

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Lea Ann Doak, City Clerk-Treasurer

**CITY MANAGER'S REPORT  
JULY 6, 2021 CITY COUNCIL MEETING**

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**ITEM:**          **2.B.**  

**RECOMMENDATION:**

Ratify the Mayor's appointments to the:

- Economic Development Plan Citizen's Advisory Review committee - reappoint Sean Wolfe and Sarah Renner - terms expire July 2024
  - Parks Advisory Board - reappoint Caitlin Whitehead - term expires May 2024 and appoint Natalie Smith - term expires May 2024
- 

**BACKGROUND:**

The Mayor has contacted all appointees and they are willing to serve on the various boards.

**FISCAL  
IMPACT:**     None.

**APPROVALS:**

  
\_\_\_\_\_  
Lea Ann Doak, City Clerk

June 29, 2021

**ECONOMIC DEVELOPMENT PLAN  
CITIZEN'S ADVISORY REVIEW COMMITTEE**

SEAN WOLFE  
424 Seminole Drive  
[swolfe@chmccook.org](mailto:swolfe@chmccook.org) 344-8306 (W)  
Appointed - October 2018 (Replaced Troy Bruntz)  
Reappointed July 2021  
Term Expires - July 2024

SARAH RENNER  
#13 Mashie 345-7040 (W)  
[srenner@krd-fcu.org](mailto:srenner@krd-fcu.org)  
Appointed - September 2018 (Replaced Jerda Garey-Vickers) 340-0827 (C)  
Reappointed July 2021  
Term Expires - July 2024

LEON KUHLEN  
712 West "L" Street  
[kuhlen@mccooknet.com](mailto:kuhlen@mccooknet.com)  
Appointed - April 2008 (original 2-year term) 345-3981(H)  
Reappointed - July 2020  
Term Expires - July 2022

ALEXIS DAVIDSON 345-2580 (w)  
1505 Centennial Drive  
[adavidson@mccooknet.com](mailto:adavidson@mccooknet.com)  
Appointed - June 2021 replaced Danielle Johnson (original 2-year term)  
Term Expires - July 2022

JORDAN JOHNSON  
#15 Spyglass  
[jjohnson@mnb.bank](mailto:jjohnson@mnb.bank)  
Appointed - September 2017 replaced Linda Taylor (original 3-yr term)  
Reappointed - July 2020  
Term Expires - July 2023

BOB ELDER  
804 West "M" Street  
[belder@mccookbison.org](mailto:belder@mccookbison.org) 340-4557 (C)  
Appointed - September 2020 (Replaced Gary Wiemers)  
Term Expires - July 2023

JEANETTE PETERS  
406 West "R" Street  
[jeanettepeters@hotmail.com](mailto:jeanettepeters@hotmail.com) 340-8560 (C)  
Appointed - September 2018 (Replaced Bill Burton)  
Reappointed - October 2020  
Term Expires - July 2023

ALL FUTURE TERMS 3-YEAR

June 29, 2021

## PARKS ADVISORY BOARD

CAITLIN WHITEHEAD  
712 Norris Avenue  
Appointed - August 2019 Replaced Elizabeth Yilk  
Reappointed July 2021  
Term Expires - May 2024  
[caitlin.whitehead1@gmail.com](mailto:caitlin.whitehead1@gmail.com) (720)448-0797 (C)  
308-345-8817 (W)

NATALIE SMITH  
708 Missouri Avenue  
Appointed - July 2021 Replaced Harry Sughroue  
Term Expires - May 2024  
[nataliesmith@gmail.com](mailto:nataliesmith@gmail.com) 308-350-0064

JEREMY LABRIE  
519 Norris Avenue  
Appointed - September 2020 Replaced Bill Larington  
Term Expires - May 2022  
[jeremy.labrie@yahoo.com](mailto:jeremy.labrie@yahoo.com) 402-209-0451

MARK FRIEHE  
Frenchman Valley Coop  
PO Box 760  
Appointed - June 1996  
Reappointed - April 2020  
Term Expires - May 2023  
[mfriehe@fvcoop.com](mailto:mfriehe@fvcoop.com) 340-5710 (C)  
345-1826 (H)  
345-4060 (O)

TOM BREDVICK  
302 Elizabeth Lane  
Appointed - June 2021  
Term Expires - May 2023

\*Denotes Chairperson  
3 yr. terms

**CITY MANAGER'S REPORT  
JULY 6, 2021 CITY COUNCIL MEETING**

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**ITEM:**        2.C.

**RECOMMENDATION:**

Receive and file communication from Nebraska Investment Finance Authority (NIFA) regarding low-income housing tax credits (LIHTC) for the Maplewood II, LLC project.

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**BACKGROUND:**

See attached letter dated June 22, 2021.

**FISCAL  
IMPACT:**     None.

**APPROVALS:**

  
\_\_\_\_\_  
Lea Ann Doak, City Clerk

June 30, 2021



June 22, 2021

Mayor Mike Gonzales  
City of McCook  
810 Norris Avenue  
McCook, NE 69001

RE: NIFA LIHTC #7-1011 Maplewood II, LLC

Dear Mayor Gonzales:

The Nebraska Investment Finance Authority (NIFA) has issued a conditional reservation of low-income housing tax credits for the above-referenced projects. As required by Section 42 of the Internal Revenue Code, NIFA, as the allocating agency, must notify the chief executive officer of the local jurisdiction within which the projects are located and provide such individual a reasonable opportunity to comment on the projects.

Please send your comments (if any) in writing to NIFA within 30 days of the date of this letter. If you have any questions, please feel free to contact me at 402-434-3916.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sara Tichota', is written over a horizontal line.

Sara Tichota  
LIHTC Allocation Manager

**CITY MANAGER'S REPORT  
JULY 6, 2021 MCCOOK CITY COUNCIL MEETING**

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**ITEM 3.A.**

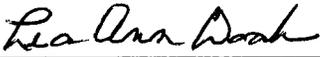
Receive and file a presentation from Joyce Anderson, McCook Humane Society Board Member.

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**BACKGROUND:**

The City of McCook and the McCook Humane Society have a longstanding relationship with each other. Joyce Anderson will be present at the meeting to update the McCook City Council on the McCook Humane Society.

**APPROVALS:**

  
\_\_\_\_\_  
Lea Ann Doak, City Clerk

June 29, 2021

  
\_\_\_\_\_  
Nate Schneider, City Manager

June 29, 2021

**CITY MANAGER'S REPORT  
JULY 6, 2021 MCCOOK CITY COUNCIL MEETING**

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ITEM 3.B. Discuss the date for the community meeting for a potential pool project.

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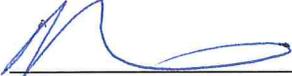
**BACKGROUND:**

At the June 21 McCook City Council meeting, a community meeting to discuss a potential swimming pool project was set for August 5. MNB Bank is holding its Hot Summer Nights concert that same evening. Council can choose to keep the same date or change the date.

**APPROVALS:**

  
\_\_\_\_\_  
Lea Ann Doak, City Clerk

June 30, 2021

  
\_\_\_\_\_  
Nate Schneider, City Manager

June 30, 2021

**CITY MANAGER'S REPORT  
JULY 6, 2021 MCCOOK CITY COUNCIL MEETING**

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**ITEM 3.C.** Follow-up discussion regarding the McCook City Council's prioritization of current general and enterprise fund needs and potential general fund projects.

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**BACKGROUND:**

This agenda item is a follow-up from the May 17, June 7, and June 21 McCook City Council meetings. Continued discussion will help the prioritization process, especially with budget season just around the corner.

**APPROVALS:**

  
\_\_\_\_\_  
Lea Ann Doak, City Clerk

June 30, 2021

  
\_\_\_\_\_  
Nate Schneider, City Manager

June 30, 2021

**CITY MANAGER'S REPORT  
JULY 6, 2021 MCCOOK COMMUNITY DEVELOPMENT AGENCY MEETING**

**ITEM NO. 3.E** - Approve Resolution No. CDA 2021-~~92~~ authorizing and approving the first amendment to the Redevelopment Agreement with Blackwood Enterprises (Redevelopment Project).

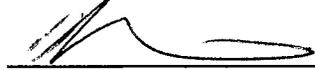
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**BACKGROUND:**

On April 6, 2020, the Community Development Agency of the City of McCook and Blackwood Enterprises, L.L.C. entered into a Redevelopment Agreement. Blackwood Enterprises, L.L.C. is requesting an amendment of the agreement, modifying the effective date of the project. The effective date is currently January 1, 2021. The proposed amendment would change the effective date to January 1, 2022. The amendment request is due to unanticipated delays in construction of the project. The new maturity date will become December 31, 2037. The remaining terms will remain unchanged.

A formal resolution is necessary to enact the modification. Additionally, an Amendment to Redevelopment Agreement must be executed by both parties.

**APPROVALS:**

  
\_\_\_\_\_

June 29, 2021

Nathan A. Schneider, City Manager

  
\_\_\_\_\_

June 29, 2021

Lea Ann Doak, City Clerk

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

**RESOLUTION NO. CDA 2021-02**

(First Amendment to Redevelopment Agreement  
– Blackwood Enterprises Redevelopment Project)

**A RESOLUTION OF THE COMMUNITY DEVELOPMENT AGENCY OF THE CITY  
OF MCCOOK, NEBRASKA, AUTHORIZING AND APPROVING THE FIRST  
AMENDMENT TO REDEVELOPMENT AGREEMENT (BLACKWOOD ENTERPRISES  
REDEVELOPMENT PROJECT).**

RECITALS

- A. On or about March 16, 2020, the Community Development Agency of the City of McCook, Nebraska (“CDA”) and Blackwood Enterprises, L.L.C., a Nebraska limited liability company (“Redeveloper”), entered into that certain Redevelopment Agreement (the “Redevelopment Agreement”) to implement the Blackwood Enterprises Redevelopment Project (the “Project”).
- B. Redeveloper has requested that the Redevelopment Agreement be amended to adjust the Effective Date based on delays in the construction of the Project.
- C. The CDA has prepared a First Amendment to Redevelopment Agreement for the Project to amend the Effective Date of the Project, a copy of which is attached hereto as Exhibit “A” and incorporated by this reference (the “First Amendment”).

NOW THEREFORE, BE IT RESOLVED, by the CDA, that the First Amendment to Redevelopment Agreement is hereby approved.

BE IT FURTHER RESOLVED, the CDA authorizes the Chairman of the CDA to execute and enter into the First Amendment.

BE IT FURTHER RESOLVED, the CDA authorizes the Chairman of the CDA to take all such actions that are required to fulfill the terms of the First Amendment and to consummate the agreement set forth therein.

BE IT FURTHER RESOLVED, the CDA hereby rescinds any other resolutions or actions that are contradictory or incompatible with this Resolution.

Dated this 6th day of July, 2021.

COMMUNITY DEVELOPMENT  
AGENCY OF THE CITY OF  
MCCOOK, NEBRASKA

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Michael D. Gonzales, Chairman

ATTEST:

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Lea Ann Doak, Secretary

**EXHIBIT "A"**  
**First Amendment to Redevelopment Agreement**

(See Attached)

Exhibit "A"

## FIRST AMENDMENT TO REDEVELOPMENT AGREEMENT

### (Blackwood Enterprises Redevelopment Project)

This First Amendment to Redevelopment Agreement ("First Amendment") dated this 6th day of July, 2021 is entered into by and between the Community Development Agency of the City of McCook, Nebraska ("CDA") and Blackwood Enterprises, L.L.C., a Nebraska limited liability company ("Redeveloper").

#### RECITALS

- A. The CDA and Redeveloper entered into that certain Redevelopment Agreement dated March 16, 2020 (the "Redevelopment Agreement") to implement the Blackwood Enterprises Redevelopment Project (the "Project").
- B. The construction of the Project has been delayed, and the Effective Date must be amended.
- C. The CDA and Redeveloper desire to amend the Redevelopment Agreement to amend the Effective Date of the Project.

NOW THEREFORE, in consideration of mutual promises contained herein and in the Redevelopment Agreement, the parties agree to amend the Redevelopment Agreement as follows:

1. Terms Defined in this Redevelopment Agreement. The following definitions in Section 1.01 of the Redevelopment Agreement is hereby deleted and restated as follows:

"F. "Effective Date" means January 1, 2022."

"K. "Project Completion Date" means on or before December 31, 2021."

2. Exhibit "B". Exhibit "B" to the Redevelopment Agreement is hereby replaced with the Exhibit "B" attached hereto and incorporated by this reference.

3. Reconfirm other Terms. The CDA and Redeveloper hereby reconfirm all other terms and conditions of the Redevelopment Agreement, except as expressly modified by the terms of this First Amendment.

**[Signature Page Follows]**

This First Amendment to Redevelopment Agreement is effective as of the date reflected in the first paragraph above.

**“CDA”**

COMMUNITY DEVELOPMENT AGENCY  
OF THE CITY OF MCCOOK,  
NEBRASKA

ATTEST:

By: \_\_\_\_\_  
Lea Ann Doak, Secretary

By: \_\_\_\_\_  
Michael D. Gonzales, Chairman

**“REDEVELOPER”**

Blackwood Enterprises, L.L.C.,  
a Nebraska limited liability company

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**EXHIBIT "B"**  
**TIF INDEBTEDNESS**

1. Projected Base Value: \$135,000
2. Projected Minimum Final Value: \$1,139,857
3. Projected Incremental Valuation: \$1,004,857
4. Assumed Tax Levy: 1.911555
5. Anticipated Tax Increment: \$19,208 annually
6. Assumed Interest Rate: 5%
7. TIF Indebtedness:

- a. **Principal Amount.** The principal amount of the TIF Indebtedness shall be equal to or less than \$200,000, which is the maximum amount, together with interest accruing thereon, which can be amortized by December 31, 2037, solely from the Tax Increment Revenues based upon the Anticipated Tax Increment.
- b. **Payments.** Semi-annually commencing when real estate taxes are fully collected for the tax year 2022. The CDA shall utilize all Tax Increment received from the Project to pay debt service on the TIF Indebtedness until the TIF Indebtedness is fully repaid. Provided, however, the CDA does not warrant, represent, or guaranty that the Tax Increment will be sufficient to repay the entire amount of the TIF Indebtedness. The CDA has no obligation to make any payments other than the actual Tax Increment received from the Project.
- c. **Maturity Date.** On or before December 31, 2037.
- d. **TIF Period.** The period for the division of taxes for this Project shall be fifteen (15) years, commencing on the Effective Date of January 1, 2022 (2022 taxes paid in 2023) and terminating on December 31, 2036 (2036 taxes due on December 31, 2036 but paid in 2037). Payment of ad valorem taxes in arrears pursuant to customary payments in Nebraska shall not affect the fifteen (15) year TIF period.

*Note: All calculations are based on assumptions and estimates of future values that may be different than the values used herein or may vary from year to year.*