

May 6, 2024
Beatrice, Nebraska

A meeting of the Mayor and City Council (the "Council") of the City of Beatrice, Nebraska (the "City") was held at 7:00 p.m. on Monday, May 6, 2024 in the BPS Administration Building Board Room located at 320 N. 5th Street, Beatrice, Nebraska. Advance publicized notice of such meeting was given in strict accordance with the provisions of Article 14, Chapter 84, Reissue Revised Statutes of Nebraska, as amended (the "Open Meetings Act"), and set forth (a) the time, date, and place of this meeting, (b) that this meeting would be open to the attendance of the public and (c) that an agenda of then known subjects to be taken up at the meeting could be obtained from the office of the City Clerk (the "City Clerk"). A copy of said advance publicized notice (in the form of an affidavit of publication) was ordered annexed to the minutes of this meeting as Attachment 1. Each Council Member was previously furnished with a copy of said advance publicized notice, the same having been transmitted to each Council Member simultaneously with its publicizing, and a copy of their collective acknowledgment of receipt of such notice is attached to these minutes as Attachment 2. Additionally, reasonable efforts were made to provide advance notification of the meeting to all news media requesting the same of the time, date, and place of the meeting.

The Mayor, **Robert Morgan**, presided, and the City Clerk, **Erin Saathoff**, recorded the proceedings. On roll call the following Council Members were present: **Barnard, Doyle, Eskra, Fairbanks, McLain, Ruh**. The following Council Members were absent: **Fralin, Kerr**. A quorum being present and the meeting duly commenced, the following proceedings were had and done.

The Mayor publicly stated to all in attendance that a current copy of the Open Meetings Act was available for review and indicated the location of such copy in the room where the meeting was being held. All proceedings hereafter shown were taken while the meeting was open to the attendance of the public.

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(Other Proceedings)

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Mayor Robert Morgan introduced the following Resolution (the “Reimbursement Resolution”), the full text of which is attached hereto as Attachment 3:

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF BEATRICE, NEBRASKA TO DECLARE ITS OFFICIAL INTENT UNDER THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, TO REIMBURSE CERTAIN CAPITAL EXPENDITURES FROM THE PROCEEDS OF TAX-EXEMPT OR TAX-FAVORED DEBT OBLIGATIONS.

The title of the Reimbursement Resolution was approved.

Following discussion of the Reimbursement Resolution, **Council Member McLain** moved for adoption thereof, which motion was seconded by **Council Member Fairbanks**. The Mayor stated the question was “Shall the Reimbursement Resolution be adopted?” Upon roll call vote, the following Council Members voted AYE: **Barnard, Doyle, Eskra, Fairbanks, McLain, Ruh**. The following voted NAY: **None**. The following Council Members were absent or abstained: **Fralin, Kerr**. The adoption of the Reimbursement Resolution having been concurred in by a majority of the Council, the Mayor declared the Reimbursement Resolution adopted. In the presence of the Council, the Mayor signed and approved the Reimbursement Resolution. The City Clerk attested the passage and approval of the Reimbursement Resolution and affixed the City Clerk’s signature thereto.

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(Other Proceedings)

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(Other Proceedings)

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Motion to adjourn.



Mayor

ATTEST:


City Clerk

ATTACHMENT 1

**AFFIDAVIT OF PUBLICATION
OF NOTICE OF MEETING**

AFFIDAVIT OF PUBLICATION

The Beatrice Daily Sun
108 S 6th St
(402) 223-5233

State of Florida, County of Orange, ss:

Yuade Moore, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agent of The Beatrice Daily Sun, a legal newspaper printed, published and having a general circulation in the County of as that and state of Nebraska, and that the attached printed notice was published in said newspaper and that said newspaper is the legal newspaper under the statutes of the State of Nebraska.

The above facts are within my personal knowledge and are further verified by my personal inspection of each notice in each of said issues.

PUBLICATION DATES:

May. 1, 2024

NOTICE ID: Y8Ab7EXmFsMHUybB0tgJ

PUBLISHER ID: COL-NE-500193

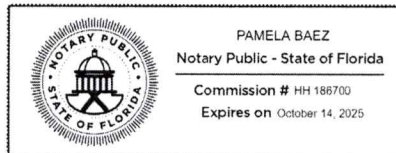
NOTICE NAME: CC Mtg 5/6

Publication Fee: \$9.63

(Signed) Yuade Moore

VERIFICATION

State of Florida
County of Orange



Subscribed in my presence and sworn to before me on this: 05/01/2024

Notary Public
Notarized remotely online using communication technology via Proof.

Notice of Meeting

Notice is hereby given that a meeting of the Mayor and Council of the City of Beatrice, Nebraska will be held at 7:00 P.M. on May 6, 2024, in the BPS Administration Building Board Room, 320 North 5th Street, Beatrice, Nebraska, and will be open to the public. An agenda for such meeting is available for public inspection at the office of the City Clerk, 400 Ella Street, Beatrice, Nebraska, and on the City website, www.beatrice.ne.gov.
Erin Saathoff, CMC, City Clerk
COL-NE-500193 5/1 ZNEZ


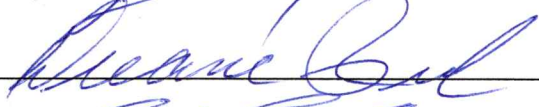
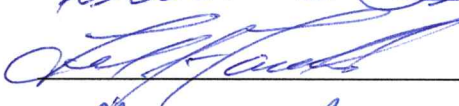
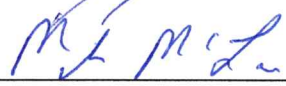

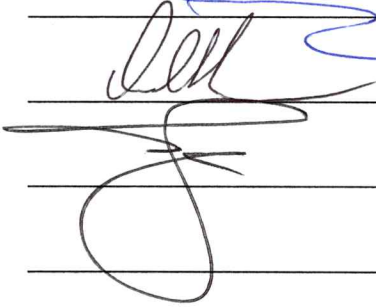
ATTACHMENT 2

ACKNOWLEDGMENT OF RECEIPT OF ADVANCE NOTICE OF MEETING

**ACKNOWLEDGMENT OF RECEIPT OF
NOTICE OF MEETING**

The undersigned Mayor and City Council of the City of Beatrice, Nebraska acknowledge receipt of advance notice of a meeting of said body and the agenda for such meeting held at 7:00 p.m. on Monday, May 6 in the BPS Administration Building Board Room located at 320 N. 5th Street, Beatrice, Nebraska.

Dated May 6, 2024.

**ATTACHMENT 3
RESOLUTION NUMBER 7300**

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF
THE CITY OF BEATRICE, NEBRASKA TO DECLARE ITS
OFFICIAL INTENT UNDER THE INTERNAL REVENUE
CODE OF 1986, AS AMENDED, TO REIMBURSE CERTAIN
CAPITAL EXPENDITURES FROM THE PROCEEDS OF
TAX-EXEMPT OR TAX-FAVORED DEBT OBLIGATIONS.**

WHEREAS, the United States Department of the Treasury has promulgated final regulations under the Internal Revenue Code of 1986, as amended (the “**Code**”), that impose requirements on the City of Beatrice, Nebraska (the “**Issuer**”) when it desires to reimburse itself for capital expenditures relating to the capital projects described herein from the proceeds of its tax-exempt or tax-favored debt obligations or such debt obligations issued on its behalf; and

WHEREAS, the Issuer has determined that it is necessary for the Issuer to finance the acquisition of certain public safety equipment, including, but not limited to, a police car, fire truck and other public safety equipment, all for use by the City (collectively, the “**Project**”) and to finance the costs of such Project with the proceeds of tax-exempt or tax-favored debt obligations to be issued by the Issuer or by an entity authorized to issue such obligations; and

WHEREAS, the Issuer anticipates that the Issuer will spend its moneys to pay Project costs (the “**Prior Capital Expenditures**”) prior to the issuance of any tax-exempt or tax-favored debt obligations; and

WHEREAS, the Issuer reasonably expects to be reimbursed for such Prior Capital Expenditures with proceeds of tax-exempt or tax-favored debt obligations to be issued by the Issuer or by an entity authorized to issue such obligations (the “**Reimbursement Debt**”) in the maximum principal amount of \$200,000 plus such additional principal amount necessary to pay costs of issuance and to fund any reserves; and

WHEREAS, the Issuer expects that the Reimbursement Debt will be incurred and allocated to reimburse the Prior Capital Expenditures no later than 18 months after the later of (a) the date on which it pays the Prior Capital Expenditures, or (b) the date on which the Project is placed in service, but in no event not later than 3 years after the original date of such Prior Capital Expenditures, or (c) such other date that is permitted by law; and

WHEREAS, the Issuer finds it necessary to adopt this Resolution to ensure that its declaration of intent to reimburse itself for such Prior Capital Expenditures satisfies the “Official Intent Requirement” described in Treasury Regulations Section 1.150-2 (the “**Regulations**”).

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL
OF THE CITY OF BEATRICE, NEBRASKA, AS FOLLOWS:**

Section 1. The Issuer hereby declares its official intent to reimburse itself for the Prior Capital Expenditures relating to the Project out of the proceeds of the Reimbursement Debt to be issued by the Issuer or by an entity authorized to issue such obligations on its behalf. With such declaration, the Issuer hereby satisfies the “Official Intent Requirement” of the Regulations.

Section 2. Other than (a) expenditures to be paid or reimbursed from sources other than the Reimbursement Debt, (b) expenditures constituting “preliminary expenditures” within the meaning of Section 1.150-2(f)(2) of the Regulations or (c) expenditures in a “de minimus” amount (as defined in Section 1.150-2(f)(1) of the Regulations), no expenditures for the Project have been paid by the Issuer more than 60 days prior to the date of execution and delivery of this Resolution.

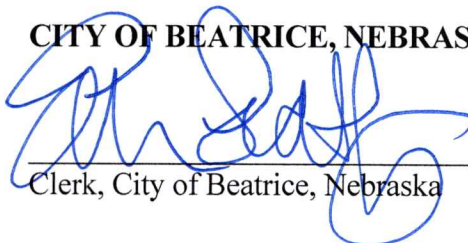
Section 3. This Resolution does not constitute approval of any kind with respect to the issuance of the Reimbursement Debt or any other tax-exempt or tax-favored debt obligations and does not legally or morally obligate the Issuer or any other entity to issue such obligations on its behalf.

Section 4. This Resolution shall be operative, effective and valid upon its passage by the Issuer’s Mayor and City Council.

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APPROVED by the Mayor and City Council of the City of Beatrice, Nebraska on May 6, 2024.

CITY OF BEATRICE, NEBRASKA

A handwritten signature in blue ink, appearing to be "R. S. S.", is written over a horizontal line.

Clerk, City of Beatrice, Nebraska