Community Development Agency Proceedings
August 26, 2026

The Community Development Agency of the City of David City, Nebraska, convened in open public session at 7:44 p.m. in the meeting room of the City Office at 490 "E" Street, David City, Nebraska. The Public had been advised of the meeting by posting a notice in four public places (City Office, US Post Office, Butler County Courthouse, and Hruska Public Library). The Community Development Agency members acknowledged advance notice of the meeting. The advance notice to the Public, and Community Development Agency members conveyed the availability of the agenda, which was kept continuously current in the office of the Secretary and was available for public inspection on the City's website. No new items were added to the agenda during the twenty-four hours immediately prior to the opening of the meeting.

Present for the meeting were: Community Development Agency Members Jeremy Abel, Rick Holland, Jessica Miller, Kevin Woita, Jim Angell, Keith Marvin, Bruce Meysenburg, City Administrator Alan Zavodny, Community Development Agency Secretary Lori Matchett, Beth Klosterman, and Marlene Hein. City Attorney Michael Sands attended via Zoom. City Administrator Intern Raiko Martinez was absent.

Council Member Keith Marvin made a motion to approve the minutes of the July 8, 2026 meeting of the Community Development Agency as presented. Council Member Jeremy Abel seconded the motion. The motion carried. Jeremy Abel: Yea, Jim Angell: Yea, Rick Holland: Yea, Keith Marvin: Yea, Bruce Meysenburg: Yea, Jessica Miller: Yea, Kevin Woita: Yea. Yea: 7, Nay: 0.

The Community Development Agency considered Resolution No. 2-2026 CDA, approving a General Business Occupation Tax Agreement and authorizing the Agency's issuance of an occupation tax promissory note. It was explained that the resolution represents the CDA's portion of the three-party agreement related to the General Business Occupation Tax. The resolution authorizes the CDA to enter into the agreement and issue the occupation tax promissory note that the City previously authorized purchasing.

RESOLUTION NO. 2-2026 CDA

A RESOLUTION OF THE COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF DAVID CITY, NEBRASKA, APPROVING A GENERAL BUSINESS OCCUPATION TAX AGREEMENT FOR A PHASE OF THE REDEVELOPMENT PROJECT SET FORTH IN THE "REDEVELOPMENT PLAN FOR GDC PROPERTIES, LLC, REDEVELOPMENT PROJECT", AS AMENDED; AND AUTHORIZING ISSUANCE OF ITS OCCUPATION TAX PROMISSORY NOTE PURSUANT TO THE TERMS OF THE OCCUPATION TAX AGREEMENT.

WHEREAS, the Mayor and City Council of the City of David City, Nebraska (the "City"), previously approved a redevelopment plan entitled, "Redevelopment Plan for GDC Properties, LLC, Redevelopment Project" (as amended, the "Plan"), setting forth a phased mixed-use redevelopment project located in the City (collectively, the "Redevelopment Project"); and

WHEREAS, one phase of the Redevelopment Project contemplates the construction of a new hotel (the "Hotel Project") on a portion of Redevelopment Project site (the "Hotel Site"), all as described and depicted in the Plan; and

WHEREAS, on April 8, 2026, via Resolution No. 4-2026, the Mayor and Council of the City approved an amendment to the Plan, to designate the Hotel Site as an "enhanced employment area", as defined under section 18-2142.02 of the Nebraska Community Redevelopment Law, sections 18-2101 et seq. (the “Act”); and

WHEREAS, the Plan, as amended, permits the levy of a general business occupation tax upon the Hotel Site for the purpose of offsetting and/or reimbursing eligible costs of the Hotel Project, as allowed by the Act; and

WHEREAS, the Community Development Agency of the City of David City, Nebraska (the "Agency"), has for its consideration, attached hereto and incorporated herein as Exhibit A**,** a proposed form of the Occupation Tax Agreement by and between the Agency, the City, and Hallmark Inns, LLC, a Nebraska limited liability company (“Owner”), as developer, with respect to the rights and obligations of the foregoing parties in relation to the designation of the Hotel Site as an enhanced employment area and attendant levy of a general business occupation tax (the "Occupation Tax Agreement").

NOW, THEREFORE, BE IT RESOLVED, by the Agency, as follows:

Section 1. That the Occupation Tax Agreement by and between the Agency, the City, and the Owner, in the form presented, is hereby acknowledged and approved. The Agency Chairperson and Secretary are hereby authorized to execute said Occupation Tax Agreement in substantially the form presented but with such changes as they shall deem appropriate or necessary. The execution and delivery by the Agency Chairperson of the Occupation Tax Agreement, or any such documents, instruments, agreements or certifications relating to such matters contained in the Occupation Tax Agreement, shall conclusively establish their authority with respect thereto and the authorization and approval thereof.

Section 2. That the Agency is hereby authorized to issue its occupation tax promissory note, in the principal amount of $200,000, at an 8.00% rate of interest per annum, in accordance with the Occupation Tax Agreement, and in substantially the same form as that set forth in Exhibit 3 to the Occupation Tax Agreement (the “Occupation Tax Promissory Note”).

Section 3. That the holder of the Occupation Tax Promissory Note shall have a first-priority lien interest on all payments allocated to the Occupation Tax Promissory Note, pursuant to and in conformance with the terms of the Occupation Tax Agreement and Occupation Tax Promissory Note.

Section 4. That the Agency’s administration of the Occupation Tax Promissory Note shall be governed by the terms of the Act, this Resolution, the Occupation Tax Promissory Note, and the Occupation Tax Agreement, and in the event of any conflict between the foregoing, such conflict shall be determined in accordance with the above priority.

Section 5. The Agency Chairperson and Secretary, on behalf of the Agency, or any one of them, are hereby authorized to take any and all actions, and to execute any and all documents deemed by them necessary to effect the transactions authorized by this Resolution and the Occupation Tax Agreement.

Section 6. This Resolution shall be in force and take effect from and after its adoption as provided by law.

PASSED AND ADOPTED THIS 26TH DAY OF AUGUST, 2026.

_____
CHAIRPERSON

ATTEST:

_____
SECRETARY

EXHIBIT A
Occupation Tax Agreement

(See attached)

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Community Development Agency Member Keith Marvin made a motion to approve Resolution No. 2-2026 CDA, approving a general business occupation tax agreement and authorizing the Agency's issuance of an occupation tax promissory note. Community Development Agency Member Jim Angell seconded the motion. The motion carried. Jeremy Abel: Yea, Jim Angell: Yea, Rick Holland: Yea, Keith Marvin: Yea, Bruce Meysenburg: Yea, Jessica Miller: Yea, Kevin Woita: Yea. Yea: 7, Nay: 0.

Community Development Agency Member Jessica Miller made a motion to adjourn at 7:45 p.m. Community Development Agency Member Kevin Woita seconded the motion. The motion carried. Jeremy Abel: Yea, Jim Angell: Yea, Rick Holland: Yea, Keith Marvin: Yea, Bruce Meysenburg: Yea, Jessica Miller: Yea, Kevin Woita: Yea. Yea: 7, Nay: 0.

Minutes Completed by: _____
Lori Matchett, Secretary