

**RESOLUTION ACKNOWLEDGING CITY OF BELLEVUE'S STUDY OF POTENTIAL
EXTENSION OF FORCE MAIN FOR PHASE 1A OF THE UNIFIED SSWS TO SERVE
ADDITIONAL AREAS OUTSIDE OF THE AGENCY'S JURISDICTION**

WHEREAS, pursuant to the Interlocal Cooperation Act, Neb. Rev. Stat. § 13-801, et seq. (the "Act"), Sarpy County and the Cities of Papillion, Bellevue, Springfield, La Vista and Gretna entered into an agreement (as amended, the "Formation Interlocal"), and formed the interlocal agency called the Sarpy County and Cities Wastewater Agency (the "Agency") (all capitalized terms not otherwise expressly defined herein shall have the same meanings as provided in the Formation Interlocal);

WHEREAS, the Agency is a separate body corporate and politic under the Act;

WHEREAS, pursuant to the Formation Interlocal, the powers of the Agency as a body are exercised by the Agency Board;

WHEREAS, the City of Bellevue is currently studying its existing wastewater infrastructure to support development areas located outside of the Agency's Jurisdiction but within Bellevue's present zoning and extraterritorial jurisdiction. The study includes an analysis of potentially increasing the size of the Agency's proposed force main to serve such development areas in Bellevue's jurisdiction;;

WHEREAS, the City of Bellevue's public works staff has expressed to the Agency administrators of Bellevue's agreement to pay for the design and additional construction costs necessary to increase the size of the Agency's force main and related infrastructure to serve additional development areas in Bellevue's zoning and extraterritorial jurisdiction;

WHEREAS, in addition to Bellevue's promise to pay for such additional costs, the Agency's administrators, staff, and advisors and their counterparts with the City of Bellevue also discussed the potential of modifying the Agency's Jurisdiction and/or growth zones under its Growth Management Plan as may be necessary for the Agency to serve such additional areas in Bellevue's jurisdiction; and

WHEREAS, the Agency Board discussed the Bellevue study and the potential of expanding certain portions of Phase 1A infrastructure to serve additional areas in Bellevue's jurisdiction that are not presently included in the Agency's design, plans and specifications.

NOW, THEREFORE, BE IT RESOLVED BY THE AGENCY BOARD THAT the Agency Board acknowledges the fact that Bellevue is studying the possible expansion of the proposed Phase 1A of the Unified SSWS to serve additional areas in Bellevue's jurisdiction and the Board will consider any future proposal by Bellevue for the Unified SSWS to serve such additional areas in Bellevue's jurisdiction; provided, however, these Resolutions are an acknowledgement by the Agency Board of Bellevue's intent to pursue such potential expansion of Phase 1A infrastructure and shall in no way be construed or interpreted as the Agency Board's approval of or consent to any such expansion of the current design and proposed construction of the Unified SSWS or for the Agency to provide wastewater services to such areas; and

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE AGENCY BOARD THAT the any wastewater service by the Unified SSWS of land outside the Agency's Jurisdiction but within Bellevue's jurisdiction shall be in accordance with written agreements between the Agency and Bellevue and pursuant to the Agency's resolutions, rules, policies and procedures including, but not limited to, the Agency's Growth Management Plan and Rates/Fees Schedule.

The above Resolutions were approved by a vote of the Sarpy County and Cities Wastewater Agency Board at a public meeting duly held in accordance with applicable law on the 28th day of July, 2021.

ATTEST:

Lisa A. Haine
Sarpy County and Cities Wastewater
Agency Secretary



David R. Kelly
Sarpy County and Cities Wastewater
Agency Board Chairman