

**THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD
MONDAY, JUNE 3, 2002 AT 5:30 P.M.**

The Meeting was called to order at 5:35 p.m. Present: Council Chairperson Cook; Council Members: Camp, Friendt, McRoy, Seng, Svoboda, Werner. Joan Ross, City Clerk.

Council Chair asked all present to stand and recite the Pledge of Allegiance and reflect for a moment of silent meditation.

READING OF THE MINUTES

McROY Having been appointed to read the minutes of the City Council proceedings of May 28, 2002, reported having done so, found same correct.

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

PUBLIC HEARING

APPLICATION OF BUGEATER INVESTMENTS, INC. DBA "CLIFF'S LOUNGE" FOR A CLASS "C" LIQUOR LICENSE AT 140 N. 12TH STREET;

MANAGER APPLICATION OF EVELYN M. MCFARLAND FOR BUGEATER INVESTMENTS, INC. DBA "CLIFF'S LOUNGE" AT 140 N. 12TH STREET - Evelyn McFarland, 7001 Carol Circle, came forward, took the oath, to answer questions posed by Council.

This matter was taken under advisement.

APPLICATION OF LINCOLN HAYMARKET DEVELOPMENT CORP. FOR A SPECIAL DESIGNATED LIQUOR LICENSE TO COVER THE DEPOT SOUTH PARKING LOT AT 7TH AND P STREETS ON JUNE 14 AND 15, 2002 FROM 8:00 P.M. TO 1:00 A.M.;

APPLICATION OF LINCOLN HAYMARKET DEVELOPMENT CORP. FOR A SPECIAL DESIGNATED LIQUOR LICENSE TO COVER AN AREA IN 8TH STREET BETWEEN P AND Q STREETS ON JUNE 14, 2002 FROM 5:00 P.M. TO 1:00 A.M., AND ON JUNE 15, 2002 FROM 11:00 A.M. TO 1:00 A.M. - Councilman Friendt noted for the record a letter from Scott Miller of the Haymarket Development Corp., who could not be in attendance at this evening's meeting.

This matter was taken under advisement.

APPLICATION OF HAVELOCK BUSINESS ASSOCIATION FOR A SPECIAL DESIGNATED LIQUOR LICENSE COVERING AN AREA LOCATED ON HAVELOCK AVE. FROM APPROXIMATELY 10 FEET WEST OF 62ND STREET TO APPROXIMATELY 15 FEET WEST OF THE INTERSECTION AT 63RD STREET AND ½ BLOCK NORTH AND SOUTH ON 62ND STREET ON JUNE 8, 2002 FROM 4:00 P.M. TO 1:00 A.M. - Denise Otto, representing the Havelock Business Association, came forward to answer any questions by Council members.

This matter was taken under advisement.

APPLICATION OF P.R. VENTURES LLC FOR A SPECIAL DESIGNATED LIQUOR LICENSE COVERING AN AREA MEASURING 80 FEET BY 120 FEET IN THE PARKING LOT AT 6235 HAVELOCK AVENUE ON JUNE 8, 2002 FROM 12:00 NOON TO 1:00 A.M. - Chad Carlson, 1640 W. Garfield Circle, came forward to answer any questions posed by Council.

This matter was taken under advisement.

APPLICATION OF COREY FLETCHER DBA "MAHONEY GOLF COURSE" FOR A SPECIAL DESIGNATED LIQUOR LICENSE COVERING THE ENTIRE GOLF COURSE INCLUDING DRIVING RANGE, PARKING LOTS, AND ALL FENCED-IN AREAS AT MAHONEY GOLF COURSE AT 7900 ADAMS STREET ON JUNE 27, 2002 FROM 8:00 A.M. TO 9:00 P.M., JULY 14, 2002 FROM 8:00 A.M. TO 5:00 P.M., AUGUST 3, 2002 FROM 8:00 A.M. TO 6:00 P.M., AUGUST 10, 2002 FROM 8:00 A.M. TO 9:00 P.M. (WITH A RAIN DATE OF AUGUST 11, 2002 FROM 12:00 NOON TO 9:00 P.M.), AND SEPTEMBER 29, 2002 FROM 8:00 A.M. TO 5:00 P.M. - Corey Fletcher, 7900 Adams, representing Mahoney Golf Course, came forward to answer questions.

This matter was taken under advisement.

CREATING SEWER DISTRICT NO. 1177 IN OLD CHENEY ROAD FROM APPROXIMATELY 62ND STREET EAST TO APPROXIMATELY PHEASANT RUN LANE - Nicole Fleck-Tooze,

Public Works Dept., came forward to explain why this Bill is being withdrawn. Councilman Friendt asked Ms. Fleck-Tooze to explain the difference between Ordinances and the process of the Executive Orders. This matter was taken under advisement.

AMENDING CHAPTER 5.04 OF THE LINCOLN MUNICIPAL CODE RELATING TO ALCOHOLIC LIQUOR BY AMENDING SECTION 5.04.062 TO PROVIDE THAT MISREPRESENTATIONS AND/OR OMISSIONS ON APPLICATIONS FOR SPECIAL DESIGNATED LICENSES SHALL CONSTITUTE GROUNDS FOR DENIAL OR CANCELLATION OF SUCH LICENSE; AMENDING SECTION 5.04.064 TO PROVIDE ADDITIONAL REQUIREMENTS AND LIMITATIONS FOR SPECIAL DESIGNATED LICENSES REQUESTING HOURS OF OPERATION FOR ONE OR MORE LICENSES ANY TIME BETWEEN 12:01 A.M. THE DAY OF ANY UNIVERSITY OF NEBRASKA HOME FOOTBALL GAME THROUGH 6:30 A.M. THE FOLLOWING DAY AND TO PROVIDE AN EXCEPTION TO THE REQUIREMENTS FOR STATE GOVERNMENT APPLICATION AND PROVIDING AN EFFECTIVE DATE OF 6/1/03 - Councilwoman McRoy asked City Attorney, Dana Roper to clarify the SDL applications from last year's process. Mr. Roper explained it would make the applications more orderly and if they are not completed properly, could constitute grounds for denial or cancellation. Discussion among Council members ensued and it was decided to place the bill on pending. Councilman Svoboda reminded members that this bill would not go into effect until June of 2003, so there would be time to make amendments to such.

This matter was taken under advisement.

SPECIAL PERMIT 1970 - APPLICATION OF CHUCK SALEM DBA "FAST BREAK, INC." FOR AUTHORITY TO SELL ALCOHOLIC BEVERAGES FOR CONSUMPTION OFF THE PREMISES ON PROPERTY GENERALLY LOCATED AT 4801 RANDOLPH STREET - Mark Hunzeker, 530 S. 13th St., Suite B, representing "Fast Break, Inc." He explained that this property had once been an eyesore to the community and now is going to be a brand new structure making quite an improvement to the neighborhood. Mr. Hunzeker stated the mitigation plan for reduction in distance to the next residential space, the hours of operation being reduced to close at midnight and sale of alcohol ending at 10:00 p.m. He stated that their efforts far exceed the requirements that are made by the Planning Dept.

Councilman Werner asked if anyone was present in the audience from the neighborhood.

Chuck Salem, applicant, came forward and said he did attend the semiannual meeting of the neighborhood and 35 people were present. He stated that he had had a response from Steve Noble, the Pres. of the neighborhood association and they reported to him they had no opposition to the sale of alcohol. Hugh McDermott, Principal at Millard Lefler Middle School was also approached to see about his concerns regarding the sales of alcohol. Mr. Salem reflected on his business reputation of 47 years and not having any conflict with sales of alcohol at his other businesses.

Councilwoman Seng thanked him for meeting with the neighborhood association and asked if he had made contact with Tabitha.

Councilman Svoboda asked if they had one manager on record with each liquor license.

Councilman Werner explained there was a precedence in place to turn these applications down and asked why they proceeded with a new building.

Mr. Salem stated that the last time they built, this particular ordinance was not in place.

Officer Russ Fosler, LPD was called forward to ask why the Police Dept. had denied this application. He stated that the denial was due to the distance rules.

Council Chair Cook asked City Attorney, Dana Roper, how we go about policing the mitigation plan. Mr. Roper replied that this becomes a part of the special permit conditions of this bill.

Robb, Otte, 201 N. 8th Street, Suite 300, Attorney representing Quinn-C Corporation and Jim Carveth, President. He explained that Mr. Carveth believed Mr. Salem to be a good business partner and they proceeded to clear these blighted lots to build a new convenience store. It is also felt that this store is needed in the neighborhood. Mr. Ott concluded by asking for the Council members support in making this happen.

Richard Shoeman, 2620 Sewell, came forward to ask if the Sinclair station across the street will be given the same consideration if they should decide to sell beer as well.

Danny Walker, 427 E St., came forward to state that he found it

hard to believe that they didn't know the laws involved before they built this convenience store.

Mark Hunzeker came forward to present his rebuttal. He stated that Fast Break had met all the terms in mitigation and they should be allowed to have this special permit granted.

This matter was taken under advisement.

ASSESSING PROPERTY OWNERS FOR THE COST OF SNOW REMOVAL BY THE CITY FROM SIDEWALKS ADJACENT TO THEIR PROPERTY DURING THE WINTER OF 2001-2002 - John Tavlin, 2323 Winding Ridge Rd., came forward and handed out a memorandum written regarding how the laws are to be enforced regarding snow removal in the City of Lincoln. He owns the property at 5836 Woodstock Avenue and it has been vacant since 2000. He stated he did not receive notice regarding the mandatory snow removal; he has historical data regarding the snow fall on the dates reported and he felt that the bill sent by Public Works was two times as much as actual removal would have been.

Councilman Svoboda stated he appreciated all the information that was given by Mr. Tavlin. However the snow fall amount on January 31st was 5" and was not removed until February 7th.

Nicole Fleck-Tooze, Public Works, came forward to explain the billing system and that staff time does need to be included in the cost as part of the overhead. The Inspection fees have been reviewed by the City Attorney's office.

Councilwoman McRoy stated that we all needed to be good neighbors and be responsible in our efforts for snow removal.

Dana Roper, City Attorney, came forward to state the city ordinance Chapter 14.80.110 requires citizens to remove snow by 9:00 a.m. the following morning after a snow storm.

Councilman Camp made a motion to delay for one week. The motion failed for a lack of a second.

Danny Walker, 427 E St. came forward to ask how improper notification has an impact on personal injury.

Councilman Camp warned Mr. Walker that it is improper of him to ask questions of staff.

This matter was taken under advisement.

APPROVING THE INTENT TO CREATE A BUSINESS IMPROVEMENT DISTRICT IN THE NORTH 27TH STREET REDEVELOPMENT PROJECT AREA, GENERALLY LOCATED AT N. 26TH STREET ON THE WEST TO 28TH STREET ON THE EAST AND FROM O STREET ON THE SOUTH TO FAIR STREET ON THE NORTH AND PRIMARILY INCLUDING THOSE PROPERTIES ABUTTING 27TH STREET - Anthony Bonelli, President of the North 27th Business Association came forward in favor of the Business Improvement District.

This matter was taken under advisement.

7:00 P.M. BREAK

7:20 P.M. RECONVENED

AUTHORIZING APPROVAL OF AN AGREEMENT FOR THE REDEVELOPMENT OF THE OLD FEDERAL BUILDING AT 129 N. 10TH STREET BETWEEN THE CITY OF LINCOLN AND NUSTYLE DEVELOPMENT CORPORATION UNDER THE NEBRASKA COMMUNITY DEVELOPMENT LAW - Dallas McGee, Urban Development came forward to present the plan for NuStyle Development to redevelop the Old Federal Building. He gave a brief background history on the building and reviewed the goals of the redevelopment process.

Tammy Barrett, co-owner of NuStyle Development Co., came forward to relate to Council some history of her company and other places where they have worked in Omaha. She stated that she and her brother, who are co-owners are very passionate about historic preservation and keeping the buildings they own in tip-top shape.

Various Council Members queried Ms. Barrett regarding their ownership of buildings, rental rates, new apartment square footage, parking spaces, etc.

Steve Weber of Bahr, Vermeer, Haecker Architects, came forward and gave a presentation with site plans as to what NuStyle has had designed to date for the Old Federal Building. They plan to utilize all four floors, plus the basement for parking.

Councilwoman Seng asked about the Comfort Station, as it did not appear to be included in the redevelopment plans.

Bill Cunningham, Leland Consulting Group, came forward and stated he was involved in the Investment Strategy Study in 1998. He gave a comparative example of downtown Denver area and that the historic rehabilitation has been a critical piece of strategy for their

revitalization. He is in favor of the plan to redevelop the Old Federal Building.

Richard Keith, 1201 O St., Suite 101, representing Great Plains Appraisal, came forward. He stated our firm was retained by Urban Development to provide a real estate appraisal on the Old Federal Building property. Estimating market value of the unencumbered, fee simple estate on the property as it existed. Our estimate reflected the market value as if available to its highest and best use.

Wayne Drummond, Dean of the College of Architecture at UNL, came forward and stated he had the privilege of serving on the committee to help select the final contractor. He felt the process was well conducted and he was in favor of this project.

Charlie Meyer, Chair of the Downtown Lincoln Association came forward in support of the project.

Lisa Kelly, Downtown Neighborhood Association, came forward in support of the redevelopment.

Michael Carpenter, Pres. of the Lincoln Haymarket Development Corporation, 7631 Air Drive, came forward in support of the project. The group of people he represents has seen the proposal and has endorsed this project wholeheartedly.

Tamara Andreasen, 1700 Preamble Ln., member of Updowntowners, came forward and had a hand out giving 10 points regarding the benefits of downtown living. She was in favor of the redevelopment project.

Bruce Bohrer, Lincoln Chamber of Commerce, came forward in support of this project.

Jeff Ford, 141 N. 9th Street, Manager of the Holiday Inn, came forward in support of the redevelopment project.

Robin Eschlin, 750 North 86th Street, representing FMA Realty & LIBA, gave statistics relative to leasing space in buildings such as the Old Federal Bldg. Her company FMA, would be interested in doing leasing to management services.

Linnie Green, General Manager of Embassy Suites, came forward in support of the redevelopment plan. This building is the gateway as you come off the freeway and it would be nice to see it as a vibrant, well lighted building, rather than the present condition of it.

Joel Pedersen, Asst. City Attorney, came forward to give Council some background on the provisions of the agreement that had been drafted. He highlighted these key provisions in the redevelopment agreement: historic tax credits for the city, historic preservation easements, being able to retain the right of first refusal, retention of the reciprocal use for the Court Room area and historic preservation review and a mutual cooperation provision. The city is acting as a community development authority and that is how we get to use the tax increment financing and that is all spelled out in the agreement. It is in the resolution, that plan amendment did authorize the Urban Development Director to pursue private development of the Old Federal Bldg. and that was done in December of 2000 and it was approved by the City Council. He pointed out that the state statutes are clear in regards to TIF Funds that private redevelopment is preferred.

Tad Fraizer, 3020 Kucera, came forward in favor of the redevelopment of Old Federal Bldg.

9:30 P.M. BREAK

9:38 P.M. RECONVENED

Steve Flanders, 6420 Eastshore Dr., came forward and presented statistics for the Council to consider regarding rental space, should they decide to keep the building as city property. He stated he has a neutral position regarding the redevelopment.

Dan Marvin, 2523 Woods Blvd. came forward in opposition to the sale of the Old Federal Bldg.

Melinda Pearson, 2007 Park Avenue, Architect, came forward and stated she felt that the Old Federal Building was not a liability, it is rather a landmark asset. She stated she felt the City would not benefit in selling the building.

Ross Hecht, 2724 Stafford Ave., came forward in opposition to the sale of Old Federal.

Lily Blase, President of the Historic Preservation Assoc., came forward to state she felt the city needed to preserve Old Fed as a quality public facility. She asked that the group from the audience stand to be recognized, who were also in agreement that this building should not be sold.

Rich Shoeman, 2626 Sewell, came forward in opposition. He would like to see the building preserved as it is.

Peter Bleed, 1315 N. 37th Street, came forward and stated that the plan before the Council would threaten the long term integrity of the building.

Kent Winston, 1915 D Street, came forward in opposition. With the given amounts of office space needed by both City and County, it does not make sense to sell this building.

Craig Grote, 4935 Huntington St., came forward in opposition.

Roxanne Smith, 711 Peach Street, came forward in opposition. She suggested that this location would be good for the main Public Library.

Danny Walker, 427 E Street, came forward in opposition. He stated we could afford to spend \$12-\$13M for a ballpark and another \$4M for a bridge to the ballpark, but we can't afford to renovate this building.

Dan Lutz, 3915 Apple Street, came forward in opposition to the

Eileen Bergt, 1908 Euclid, member of Preservation Association of Lincoln, and is concerned about the historic easements. She was in opposition to the redevelopment plan.

Marlene Rickertsen, 8130 Dundee Drive, was in opposition to the sale of the building. Two new proposals to buy Old Fed are on the table and in my opinion, they are both better ideas than giving the building away to NuStyle.

Hal Allen, 2320 Sheridan Blvd., came forward in opposition to the redevelopment plan. We haven't heard what it would cost to rehab the building. Cecil Steward would have us believe it would cost \$18-\$20 million. Another estimate given was \$7 million. I question how you can make an informed decision when you don't have an accurate cost benefit analysis.

Keith Dubos, 1712 E Street, Architect, came forward in opposition to the redevelopment plan.

Jo Gutgsell, 2105 B Street, former Council Member, came forward saying it was a mistake several years ago to put the Old Federal Building on the surplus property list. She suggested that the Council meet with the County Board of Commissioners and let them purchase the building or at least use it for office space as well. Also noted was that tours should be given of this historic building.

Councilman Svoboda wanted to set the record straight that there has never been a formal offer from the County regarding this building.

Council Chair Cook questioned the Comfort Station location and if it had been surplus.

Dana Roper, City Attorney, stated that the Comfort Station building had never been surplus. However, with a majority vote, this could be done by the Council.

Joel Pedersen, Asst. City Attorney, came forward and stated that it made sense to include this property. Adding the Comfort Station to the property does not add a positive or negative value to the appraisal. NuStyle or the restaurant owner would be required to have insurance on the dock area, therefore protecting the city against claims.

Jon Carlson, 1445 South 20th, came forward and stated this would be a drastic change to this building. If maintenance is a problem for this property, then we as the city, should be better landlords.

Mary Roseberry Brown, 1423 F Street, came forward in opposition to this project. She purported the developers would not be permanent owners and then would the next owners abide by what the City desired done with this building.

Steve Kiene, 7201 N. 7th St., came forward in opposition. He spoke in favor of the numbers that Mr. Flanders and Mr. Marvin shared earlier and thought they were fairly accurate. With the savings of \$10M over the next 25 years by not moving out of Old Federal. Why couldn't we take the money that we would be saving and use that money each year to pay TIF money to NuStyle to develop another building downtown every year. He used the example of the Sharp Bldg. which is for sale and it would hold more than 43 apartments. He wanted the City to maintain ownership of the building, restore the courtroom and public areas and make information about this building available.

Councilman Camp asked Mr. Kiene about his father's offer that was received and if it was legitimate. Mr. Kiene replied yes it was.

Carol Brown, 2201 Elby Circle, came forward in opposition. She suggested to council that a vote this evening would be a bad reflection on all of the Council members.

Jim Layman, Real Estate Consultant, came forward and gave updated statistics to the Council, from what he had given them earlier in Pre-Council meetings.

Melissa Dirr, 442 South 28th Street, representing State Historic Preservation Assoc., came forward in opposition to this plan.

Ed Zimmer, Planning Dept., came forward to answer questions on

landmark status. Since 1985 that building has been eligible to be listed on National Register of Historic places. We have local landmark designation, which puts it under the protection of Chapter 27.57 of the zoning code, which specifies a set of preservation guidelines and review of those changes specified in those guidelines. We would retain the ownership of the historic easements and administer it through the preservation commission with staffing by the Planning Dept.

Cecil Steward, 124 N. 11th Street, came forward to give his rebuttal for the Urban Development Dept. He reinforced that this sale would be a key ingredient to the P Street revitalization plan. He stated that this is a good investment in the future of downtown Lincoln.

Scott Dodge, 1915 West 5th Street, came forward and stated he was neither for or against this plan. He had come home late from work and realized that this meeting was still going on and suggested the Council do this at a daytime hour, and delay the action on this item.

This matter was taken under advisement.

MISCELLANEOUS BUSINESS

Craig Groat, 4935 Huntington, came forward to express his opinions regarding the 1920 City Charter which prohibited selling City Property over the value of \$5,000. This charter was removed from the City Charter in the 1960's. He told the Council they had acted grossly irresponsible this evening.

Council Chair Cook gaveled Mr. Groat out of order and asked him to not discuss the Old Federal Bldg. topic any further.

This matter was taken under advisement.

Marcie Gaino, 2109 Q Street, came forward to request the JAVA team to please notify the property owners of revisions of time lines and changes to the project, so that they may be kept informed. Joel Pedersen, Asst. City Attorney replied that the notices are sent out when funds are available. Councilwoman Seng suggested Ms. Gaino contact Glen Johnson or Amy at Public Works regarding this so that her name can be added to the property owners list.

This matter was taken under advisement.

**** END OF PUBLIC HEARING ****

COUNCIL ACTION

LIQUOR RESOLUTIONS

APPLICATION OF BUGEATER INVESTMENTS, INC. DBA "CLIFF'S LOUNGE" FOR A CLASS "C" LIQUOR LICENSE AT 140 N. 12TH STREET - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption for approval.

A-81513 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Bugeater Investments, Inc. dba "Cliff's Lounge" for a Class "C" liquor license at 140 N. 12th Street, Lincoln, Nebraska, for the license period ending October 31, 2002, be approved with the condition that the premise complies in every respect with all city and state regulations. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Ken Svoboda

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

MANAGER APPLICATION OF EVELYN M. MCFARLAND FOR BUGEATER INVESTMENTS, INC. DBA "CLIFF'S LOUNGE" AT 140 N. 12TH STREET - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption for approval:

A-81514 WHEREAS, Bugeater Investments, Inc. dba "Cliff's Lounge" located at 140 N. 12th Street, Lincoln, Nebraska has been approved for a Retail Class "C" liquor license, and now requests that Evelyn M. McFarland be named manager;

WHEREAS, Evelyn M. McFarland appears to be a fit and proper person to manage said business.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that Evelyn M. McFarland be approved as manager of this business for said licensee. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Ken Svoboda

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

APPLICATION OF LINCOLN HAYMARKET DEVELOPMENT CORP. FOR A SPECIAL DESIGNATED LIQUOR LICENSE TO COVER THE DEPOT SOUTH PARKING LOT AT 7TH AND P STREETS ON JUNE 14 AND 15, 2002 FROM 8:00 P.M. TO 1:00 A.M. - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption for approval:

A-81515 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Lincoln Haymarket Development Corp. for a Special Designated License to cover the Depot South parking lot at 7th and P Streets, Lincoln, Nebraska, on June 14 and 15, 2002 between the hours of 8:00 p.m and 1:00 a.m., be approved with the condition that the premise complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Ken Svoboda

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

APPLICATION OF LINCOLN HAYMARKET DEVELOPMENT CORP. FOR A SPECIAL DESIGNATED LIQUOR LICENSE TO COVER AN AREA IN 8TH STREET BETWEEN P AND Q STREETS ON JUNE 14, 2002 FROM 5:00 P.M. TO 1:00 A.M., AND ON JUNE 15, 2001 FROM 11:00 A.M. TO 1:00 A.M. - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption for approval:

A-81516 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Lincoln Haymarket Development Corporation for a Special Designated License to cover an area in 8th Street between P and Q Streets, Lincoln, Nebraska, on June 14, 2002 between the hours of 5:00 p.m. and 1:00 a.m., and on June 15, 2002 between the hours of 11:00 a.m. to 1:00 a.m. be approved with the condition that the premise complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Ken Svoboda

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

APPLICATION OF HAVELOCK BUSINESS ASSOCIATION FOR A SPECIAL DESIGNATED LIQUOR LICENSE COVERING AN AREA LOCATED ON HAVELOCK AVE. FROM APPROXIMATELY 10 FEET WEST OF 62ND STREET TO APPROXIMATELY 15 FEET WEST OF THE INTERSECTION AT 63RD STREET AND ½ BLOCK NORTH AND SOUTH ON 62ND STREET ON JUNE 8, 2002 FROM 4:00 P.M. TO 1:00 A.M. - CLERK read the following

resolution, introduced by Ken Svoboda, who moved its adoption for approval:

A-81517 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Havelock Business Association for a Special Designated License to cover a portion of Havelock Avenue from approximately 10 feet west of 62nd Street to approximately 15 feet west of the intersection at 63rd Street and ½ block north and south on 62nd Street, as shown on the attached drawing, on June 8, 2002, between the hours of 4:00 p.m. and 1:00 a.m., be approved with the condition that the premise complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

APPLICATION OF P.R. VENTURES LLC FOR A SPECIAL DESIGNATED LIQUOR LICENSE COVERING AN AREA MEASURING 80 FEET BY 120 FEET IN THE PARKING LOT AT 6235 HAVELOCK AVENUE ON JUNE 8, 2002 FROM 12:00 NOON TO 1:00 A.M. - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption for approval:

A-81518 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of P.R. Ventures L.L.C. for a Special Designated License to cover an area measuring 80 feet by 120 feet in the parking lot at 6235 Havelock Avenue, Lincoln, Nebraska, on the 8th day of June, 2002 between the hours of 12:00 noon and 1:00 a.m., be approved with the condition that the premise complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Ken Svoboda

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

APPLICATION OF COREY FLETCHER DBA "MAHONEY GOLF COURSE" FOR A SPECIAL DESIGNATED LIQUOR LICENSE COVERING THE ENTIRE GOLF COURSE INCLUDING DRIVING RANGE, PARKING LOTS, AND ALL FENCED-IN AREAS AT MAHONEY GOLF COURSE AT 7900 ADAMS STREET ON JUNE 27, 2002 FROM 8:00 A.M. TO 9:00 P.M., JULY 14, 2002 FROM 8:00 A.M. TO 5:00 P.M., AUGUST 3, 2002 FROM 8:00 A.M. TO 6:00 P.M., AUGUST 10, 2002 FROM 8:00 A.M. TO 9:00 P.M. (WITH A RAIN DATE OF AUGUST 11, 2002 FROM 12:00 NOON TO 9:00 P.M.), AND SEPTEMBER 29, 2002 FROM 8:00 A.M. TO 5:00 P.M. - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption for approval:

A-81519 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Corey Fletcher d/b/a Mahoney Golf Course for a Special Designated License to cover the entire golf course including driving range, parking lots, and all fenced-in areas at Mahoney Golf Course at 7900 Adams Street, Lincoln, Nebraska, on June 27, 2002 from 8:00 a.m. to 9:00 p.m., July 14, 2002 from 8:00 a.m. to 5:00 p.m., August 3, 2002

from 8:00 a.m. to 6:00 p.m., August 10, 2002 from 8:00 a.m. to 9:00 p.m. (with a rain date of August 11, 2002 from 12:00 noon to 9:00 p.m.), and September 29, 2002 from 8:00 a.m. to 5:00 p.m., be approved with the condition that the premise complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Coleen Seng

Seconded by McRoy & carried by the following vote: AYES: Camp, Cook, McRoy, Seng, Werner; NAYS: Friendt, Svoboda.

ORDINANCES - 2ND READING

CREATING SEWER DISTRICT NO. 1177 IN OLD CHENEY ROAD FROM APPROXIMATELY 62ND STREET EAST TO APPROXIMATELY PHEASANT RUN LANE. - PRIOR TO READING:
SVOBODA Moved to Withdraw Bill No. 02-30, as per the request of the applicant.

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

The ordinance, having been **WITHDRAWN**, was assigned the File #38-4404 & was placed on file in the Office of the City Clerk.

AMENDING CHAPTER 5.08 OF THE LINCOLN MUNICIPAL CODE RELATING TO AUCTIONS AND AUCTIONEERS BY ADDING A NEW SECTION 5.08.025 TO PROVIDE THAT ANNUAL PERMITS GRANTED UNDER CHAPTER 5.08 SHALL EXPIRE ON MAY 31ST FOLLOWING THEIR DATE OF ISSUANCE - CLERK read an ordinance, introduced by Jon Camp, amending Chapter 5.08 of the Lincoln Municipal Code relating to auctions and auctioneers by adding a new section numbered 5.08.025 to provide that annual permits granted under Chapter 5.08 shall expire on May 31st following their date, the second time.

AMENDING CHAPTER 5.04 OF THE LINCOLN MUNICIPAL CODE RELATING TO ALCOHOLIC LIQUOR BY AMENDING SECTION 5.04.062 TO PROVIDE THAT MISREPRESENTATIONS AND/OR OMISSIONS ON APPLICATIONS FOR SPECIAL DESIGNATED LICENSES SHALL CONSTITUTE GROUNDS FOR DENIAL OR CANCELLATION OF SUCH LICENSE; AMENDING SECTION 5.04.064 TO PROVIDE ADDITIONAL REQUIREMENTS AND LIMITATIONS FOR SPECIAL DESIGNATED LICENSES REQUESTING HOURS OF OPERATION FOR ONE OR MORE LICENSES ANY TIME BETWEEN 12:01 A.M. THE DAY OF ANY UNIVERSITY OF NEBRASKA HOME FOOTBALL GAME THROUGH 6:30 A.M. THE FOLLOWING DAY AND TO PROVIDE AN EXCEPTION TO THE REQUIREMENTS FOR STATE GOVERNMENT APPLICATION AND PROVIDING AN EFFECTIVE DATE OF 6/1/03 - PRIOR to reading:

McROY Moved to place Bill No. 02-72 on pending indefinitely.

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

CLERK Read an ordinance, introduced by Jon Camp, amending Chapter 5.04 of the Lincoln Municipal Code relating to Alcoholic Liquor by amending Section 5.04.062 to provide that misrepresentations and /or omissions on applications for special designated licenses shall constitute grounds for denial or cancellation of such license; amending Section 5.04.064 to provide additional requirements and limitations for special designated licenses requesting hours of operation for one or more licenses any time

between 12:01 a.m. the day of any University of Nebraska home football game through 6:30 a.m. the following day and to provide an exception to the requirements for state government applications; providing an effective date of June 1, 2003; and repealing Sections 5.04.062 and 5.04.064 of the Lincoln Municipal Code as hitherto existing, the second time.

CHANGE OF ZONE 3298 - AMENDING SECTION 5 OF ORDINANCE NO. 17981, PASSED APRIL 1, 2002, TO CORRECT THE LEGAL DESCRIPTION FOR A CHANGE OF ZONE FROM R-3 RESIDENTIAL TO B-2 PLANNED NEIGHBORHOOD BUSINESS DISTRICT ON PROPERTY GENERALLY LOCATED BETWEEN S. 27TH STREET AND S. 40TH STREET, NORTH OF YANKEE HILL ROAD - CLERK read an ordinance, introduced by Jon Camp, amending Section 5 of Ordinance 17981, passed by City Council on April 1, 2002, to correct the legal description to accurately reflect the property being transferred from the R-3 Residential District to the B-2

Planned Neighborhood Business District and repealing Section 5 of Ordinance 17981 as hitherto existing, the second time.

RESOLUTIONS

SPECIAL PERMIT 1970 - APPLICATION OF CHUCK SALEM DBA "FAST BREAK, INC." FOR AUTHORITY TO SELL ALCOHOLIC BEVERAGES FOR CONSUMPTION OFF THE PREMISES ON PROPERTY GENERALLY LOCATED AT 4801 RANDOLPH STREET - CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption for approval:

A-81520 WHEREAS, Chuck Salem on behalf of Fast Break, Inc. has submitted an application designated as Special Permit No. 1970 for authority to sell alcoholic beverages for consumption off the premises at the convenience store at 4801 Randolph Street, legally described as:

Lots 3 through 7, Block 2, Linwood Addition, Lincoln, Lancaster County, Nebraska; and

WHEREAS, the real property adjacent to the area included within the site plan for this permit to sell alcoholic beverages for consumption off the premises will not be adversely affected; and

WHEREAS, said site plan together with the terms and conditions hereinafter set forth are consistent with the intent and purpose of Title 27 of the Lincoln Municipal Code to promote the public health, safety, and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the application of Chuck Salem on behalf of Fast Break, Inc., hereinafter referred to as "Permittee", to sell alcoholic beverages for consumption off the premises on property legally described above be and the same is hereby granted under the provisions of Section 27.63.685 of the Lincoln Municipal Code upon condition that operation of said licensed premises be in strict compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit approves the sale of alcoholic beverages for consumption off the premises at the convenience store located at 4801 Randolph Street.

2. Before receiving building permits the construction plans must conform the to approved plans.

3. Before occupying these structures all development and construction must conform to the approved plans.

4. The site plan approved by this permit shall be the basis for all interpretations of setbacks, yards, location of parking and circulation elements, and similar matters.

5. The terms, conditions, and requirements of this resolution shall be binding and obligatory upon the Permittee, his successors, and assigns. The building official shall report violations to the City Council which may revoke the special permit or take such other action as may be necessary to gain compliance.

6. The Permittee shall sign and return the City's letter of acceptance to the City Clerk within 30 days following approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the Permittee.

Introduced by Annette McRoy

Seconded by Svoboda & carried by the following vote: AYES: Camp, Friendt, McRoy, Svoboda; NAYS: Cook, Seng, Werner.

ASSESSING PROPERTY OWNERS FOR THE COST OF SNOW REMOVAL BY THE CITY FROM SIDEWALKS ADJACENT TO THEIR PROPERTY DURING THE WINTER OF 2001-2002 - PRIOR to reading:

CAMP Moved to delay action for one week to 6/10/03.

Seconded by Seng & LOST by the following vote: AYES: Camp, Cook, Seng; NAYS: Friendt, McRoy, Svoboda, Werner.

CLERK Read the following resolution, introduced by Annette McRoy, who moved its adoption for approval:

A-81521 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the snow removal costs for snow and ice removal off sidewalks for the 2001-2002 winter as listed below be and the same hereby are assessed against the property listed opposite the amount.

<u>Location</u>	<u>Legal Description</u>	<u>Snow Removal Charges</u>
2301 Park Avenue	Chase & Beardsley's Park Hill Addition, Block 4, Lot 12	\$165.00
5836 Woodstock Avenue	Skyline Rolling Hills 2 nd Addition, Block 2, Lot 20	\$165.00

Introduced by Annette McRoy

Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

AUTHORIZING THE ACQUISITION OF THE RIGHT-OF-WAY FOR THE PAVING IN SOUTH 14TH STREET AND YANKEE HILL ROAD PURSUANT TO EXECUTIVE ORDER NO. 62602 - CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption for approval:

A-81522 WHEREAS, the City of Lincoln, Nebraska by Executive Order No. 62602, dated July 11, 2001, has granted R. C. Krueger Development authority to construct public street paving in South 14th Street and Yankee Hill Road in front of Vavrina Meadows 1st Addition; and

WHEREAS, in order to construct said street paving, it is necessary for the City of Lincoln to acquire additional right-of-way for said streets.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the City of Lincoln is hereby authorized to acquire the additional right-of-way for the street paving in South 14th Street and Yankee Hill Road pursuant to Executive Order 62602. Such property rights may be acquired by negotiation and purchase or by condemnation, if necessary, as provided by law.

Introduced by Annette McRoy

Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH THEREIN FOR THE PERIOD OF MAY 1 - 15, 2002 - CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption for approval:

A-81523 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the claims listed in the attached report, marked as Exhibit "A", dated May 16, 2002, of various new and pending tort claims filed against the City of Lincoln with the Office of the City Attorney or the Office of the City Clerk, as well as claims which have been disposed of, are hereby received as required by Neb. Rev. Stat. § 13-905 (Reissue 1997). The dispositions of claims by the Office of the City Attorney, as shown by the attached report, are hereby approved:

	<u>DENIED</u>		<u>ALLOWED</u>	
Alvin A. Schroeder	\$ 58.00	Jeffrey Cascagnette	\$1,416.18	
Jonathan C. Travis	135.00	Enterprise Rent-a-Car	6,758.43	

The City Attorney is hereby directed to mail to the various claimants listed herein a copy of this resolution which shows the final disposition of their claim.

Introduced by Annette McRoy

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

APPROVING THE INTENT TO CREATE A BUSINESS IMPROVEMENT DISTRICT IN THE NORTH 27TH STREET REDEVELOPMENT PROJECT AREA, GENERALLY LOCATED AT N. 26TH STREET ON THE WEST TO 28TH STREET ON THE EAST AND FROM O STREET ON THE SOUTH TO FAIR STREET ON THE NORTH AND PRIMARILY INCLUDING THOSE PROPERTIES ABUTTING 27TH STREET - PRIOR to reading:

SENG Moved to amend Bill No. 02R-122 in the following manner: Replace the current page 3 of Bill No. 02R-122 with the attached page 3 which incorporates the following change:

On line 5 of page 3, the figure "\$1.76" is replaced with the figure "\$2.76".

Seconded by Svoboda & carried by the following vote: AYES: Camp,

Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

CLERK Read the following resolution, introduced by Annette McRoy, who moved its adoption for approval:

A-81524 A RESOLUTION OF INTENTION TO ESTABLISH A BUSINESS IMPROVEMENT DISTRICT FOR THE PROVISION OF MAINTENANCE OF CERTAIN PUBLIC FACILITIES AND IMPROVEMENTS IN THE AREA OF NORTH 27TH STREET FROM O STREET TO FAIR STREET.

BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

Pursuant to the provisions of the Business Improvement District Act, Neb. Rev. Stat. § 19-4015 et seq. (Reissue 1997), and based upon the recommendations received from the duly appointed Business Area Improvement Board and the Lincoln-Lancaster County Planning Commission, the City Council of the City of Lincoln hereby declares its intention to create a business improvement district for the purpose of providing maintenance of certain public facilities and improvements in a portion of the area as hereinafter more specifically described.

BE IT FURTHER RESOLVED that in accordance with the provisions of Neb. Rev. Stat. § 19-4024 (Reissue 1997) the following information is provided regarding the creation of such business improvement district:

1. DESCRIPTION OF BOUNDARIES:

The boundaries of the proposed Business Improvement District shall generally extend from 26th Street on the west to 28th Street on the east and from the center line of O Street on the north to Fair Street on the south primarily including those properties abutting 27th Street. Said boundaries and the property included therein are all more specifically shown on the map which is attached hereto, marked as Attachment A, and made a part hereof by reference.

2. TIME AND PLACE OF HEARING ON CREATION OF DISTRICT. The time and place of the hearing to be held by the City Council of the City of Lincoln to consider the establishment of such business improvement district shall be on June 3, 2002, at the hour of 1:30 p.m., or as soon thereafter as possible, in the City Council Chambers, first floor, County-City Building, 555 South 10th Street, Lincoln, Nebraska 68508.

3. WORK TO BE PERFORMED WITHIN THE DISTRICT. The work to be performed within the proposed improvement district shall include:

- a. Litter and refuse removal from sidewalks, planting areas, and beautification areas within the public right-of-way.
- b. Care and maintenance, including replacement, of all landscaping, including watering, fertilizing, weeding, pruning, spraying, and removal and replacement of dead plantings.
- c. Maintenance (excluding repair) of sidewalks.
- d. General maintenance of median signs including repair and repainting.

4. ESTIMATED COSTS. The estimated total annual costs and expenses for the work proposed to be performed within the business improvement district is not to exceed \$28,299.99 for the first year.

5. METHOD OF RAISING REVENUE. It is recommended that, from and after the date of approval of the ordinance creating the proposed business improvement district, the costs and expenses for the work

proposed to be performed within such business improvement district be levied as special assessments, fairly and equitably based upon the special benefits to the property within the district. Such special assessments shall be levied on a front foot basis and, for the first year of the life of said district, is proposed to not exceed \$2.76 per front foot.

Introduced by Annette McRoy

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

AUTHORIZING APPROVAL OF AN AGREEMENT FOR THE REDEVELOPMENT OF THE OLD FEDERAL BUILDING AT 129 N. 10TH STREET BETWEEN THE CITY OF LINCOLN AND NUSTYLE DEVELOPMENT CORPORATION UNDER THE NEBRASKA COMMUNITY DEVELOPMENT LAW - PRIOR to reading:

CAMP Moved to delay action for one week to 6/10/02.

Seconded by Werner & LOST by the following vote: AYES: Camp, Cook, Werner; NAYS: Friendt, McRoy, Seng, Svoboda.

CLERK Read the following resolution, introduced by Annette McRoy, who moved its adoption for approval:

A-81525 WHEREAS, the City Council, on October 22, 1984, adopted Resolution

No. A-69719 finding an area generally bounded by R Street, 17th Street, H Street, and 7th Street, to be blighted and, on October 19, 1987, adopted Resolution No. A-71701 finding said area to be blighted and substandard as defined in the Nebraska Community Development Law (Neb. Rev. Stat. §18-2101, et seq. as amended) and in need of redevelopment; and

WHEREAS, the City Council, by Ordinance No. 14705 (July 20, 1987), declared the property located at 129 North 10th Street, Lincoln, known as the Old Federal Building, as surplus, and approved the sale thereof pursuant to Article II, Section 1(5) of the Charter of the City of Lincoln and authorized the Mayor to execute such documents as may be necessary to effectuate such sale; and

WHEREAS, the City Council has previously adopted the Lincoln Center Redevelopment Plan (Plan) including plans for various redevelopment projects within said area in accordance with the requirements and procedures of the Nebraska Community Development Law; including specifically by amendment to the Plan by Resolution No. A-80587 (December 11, 2000) providing for the sale, redevelopment and rehabilitation of the Old Federal Building on Block 43 (Amendment); and

WHEREAS, on November 3, 2000 notice of public hearing was mailed, postage prepaid, to the president or chairperson of the governing body of each county, school district, community college, educational service unit, and natural resource district in which the real property subject to such plan is located and whose property tax receipts would be directly affected and to all registered neighborhood associations located in whole or in part within one mile radius of the area to be redeveloped setting forth the time, date, place, and purpose, of the public hearing to be held on November 15, 2000 before the Lincoln City - Lancaster County Planning Commission regarding the Amendment; and

WHEREAS, said Amendment was submitted to the Lincoln City - Lancaster County Planning Commission for review and recommendation, and said Planning Commission on November 15, 2000 found said request to be in conformance with the Comprehensive Plan and recommended approval thereof; and

WHEREAS, on December 1, 2000 a notice of public hearing was mailed, postage prepaid, to the foregoing governing bodies and registered neighborhood associations setting forth the time, date, place, and purpose of the public hearing before the City Council held on December 11, 2000 regarding the Amendment; and

WHEREAS, on November 24, 2000 and December 1, 2000, a notice of public hearing was published in the Lincoln Journal Star newspaper, setting forth the time, date, place, and purpose of the public hearing held on December 11, 2000 regarding the Amendment; and

WHEREAS, on December 11, 2000 in the City Council Chambers of the County City Building, 555 South 10th Street, Lincoln, Nebraska, the City Council held a public hearing relating to the proposed Amendments and all interested parties were afforded at such public hearing a reasonable opportunity to express their views respecting said proposed Amendments; and

WHEREAS, the City Council after the hearing on December 11, 2000 duly considered all statements made and materials submitted relating to said Amendment and specifically found among other things that the costs and benefits of the Redevelopment Projects, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for public and private services were in the long-term best interest of the community impacted by the redevelopment projects considering: (a) the tax shifts from the use of Community Improvement Financing as authorized in § 18-2147; (b) the community's public service needs impacts and local tax impacts arising from the approval of the project; (c) impacts on employers and employees of firms locating or expanding within the boundaries of the project area; (d) impacts on other employers and employees in the City and immediate area outside the project area; and (e) other impacts the City Council hereby determines to be relevant to the consideration of costs and benefits arising from the redevelopment project; and

WHEREAS, The City Council directed that the Urban Development Director or his authorized representative to take all steps necessary to implement the provisions of said Amendment; and

WHEREAS, the City advertised for and requested redevelopment proposals for the Redevelopment of the Old Federal Building; and

WHEREAS, in July of 2001 the City received and reviewed, using a

selection committee process, three RFP's for the Project, selecting NuStyle as the redeveloper of record according to the Community Development Law in September, 2001; and

WHEREAS, NuStyle and the City have negotiated and are desirous of entering into the attached "Old Federal Building Redevelopment Agreement."

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached Old Federal Building Redevelopment Agreement between the City of Lincoln and NuStyle Development Corporation for the redevelopment of the Old Federal Building at 129 N. 10th Street, in accordance with the terms and conditions contained in said Agreement, is hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

The City Clerk is directed to return one fully executed copy of the Agreement to NuStyle Development Corporation and one copy to the Urban Development Department.

Introduced by Annette McRoy

Seconded by Seng & carried by the following vote: AYES: Friendt, McRoy, Seng, Svoboda, Werner; NAYS: Camp, Cook.

SETTING THE HEARING DATE OF MONDAY, JUNE 17, 2002 AT 1:30 P.M. FOR B.

CHRISTENSEN ENTERPRISES, L.L.C. DBA BC'S FOR A CLASS C LIQUOR LICENSE LOCATED AT 1200 "O" STREET - CLERK read the following resolution, introduced by Annette McRoy, who moved it adoption for approval:

A-81526 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby fixed for Mon., June 17, 2002 at 1:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the purpose of considering the Application of B Christensen Enterprises, L.L.C., dba BC's for a Class C liquor license located at 1200 "O" Street.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Annette McRoy

Seconded by Friendt & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

SETTING THE HEARING DATE OF MONDAY, JUNE 17, 2002 AT 1:30 P.M. FOR LINCOLN P ST CATERING CO. DBA "EMBASSY SUITES" FOR AN ADDITION TO LICENSED PREMISES CONSISTING OF AN ENCLOSED BACK DOCK OUTDOOR AREA APPROX 90' X 105', LOCATED AT 1040 P STREET - CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption for approval.

A-81527 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby fixed for Mon., June 17, 2002 at 1:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th Street, Lincoln, NE for the purpose of considering the Application of Lincoln P St Catering Co., dba "Embassy Suites" to expand the licensed premises consisting of an enclosed bank dock outdoor area approx 90' x 105' at 1040 "P" St.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Annette McRoy

Seconded by Friendt & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

APPROVING DISTRIBUTION OF FUNDS REPRESENTING INTEREST EARNINGS ON SHORT-TERM INVESTMENTS OF IDLE FUNDS FOR THE MONTH ENDING APRIL 30, 2002 - CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption for approval.

A-81528 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That during the month ended April 30, 2002, \$145,453.22 was earned from short-term investments of "IDLE FUNDS". The same is hereby distributed to the various funds on a pro-rata basis using the balance of each fund and allocating a portion of the interest on the ratio that such balance bears to the total of all fund balances.

Introduced by Annette McRoy

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

APPROVING THE ANTELOPE CREEK OPERATING AGREEMENT BETWEEN THE CITY OF LINCOLN AND THE LOWER PLATTE SOUTH NATURAL RESOURCES DISTRICT TO COORDINATE THE FUTURE OPERATION, MAINTENANCE, REPAIR, AND REPLACEMENT OF CERTAIN

PORTIONS OF THE ANTELOPE CREEK WATERWAY FROM J STREET TO THE CONFLUENCE OF SALT CREEK. (5/20/02 - Delayed Action to 6/3/02) - CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption for approval:

A-81531 WHEREAS, the City of Lincoln, Nebraska, a municipal corporation (City), and the Lower Platte South Natural Resources District, a political subdivision of the State of Nebraska (NRD), public agencies within the meaning of Neb. Rev. Stat. § 13-803 (Reissue 1997) agree that it is in their mutual best interest to provide for the ongoing maintenance and capital improvement responsibilities between the City upon completion of the Channel Improvements from J Street to Salt Creek as described in the Antelope Valley Study and the United States Army Corps of Engineer Antelope Creek Feasibility Study No. M-5244(3) (Project), in cooperation with one another through an Interlocal Agreement, and upon the terms and conditions set forth in the Interlocal Agreement;

WHEREAS, Article 15, Section 18 of the Nebraska Constitution and the Interlocal Cooperation Act, Neb. Rev. Stat. § 13-801 et seq. (Reissue 1997) permit subdivisions and governments in the State of Nebraska to cooperate with one another for the purpose of jointly exercising governmental authority and responsibilities;

WHEREAS, Article 2, Section 5 of the City's Charter grants to the City the power to join with other subdivisions, agencies, or public corporations, whether federal, state, or local, or with any number or combination thereof, by contract or otherwise, as may be permitted by the laws of the State of Nebraska, in the joint ownership, operation, or performance of any property, facility, power, or function, or in agreements containing provisions that one or more thereof operate or perform for the other or others and to appropriate and spend money for such purposes.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached Antelope Creek Operating Agreement is hereby approved and the Mayor is authorized to execute the same on behalf of the City, including executing, accepting, and entering into the real estate easements, documents, and transfers as provided in the Agreement, and also including the authority to approve minor, typographical, or technical changes to conform to the originals as approved by the governing body of the NRD.

Introduced by Annette McRoy

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

APPROVING THE FIRST AMENDMENT TO THE JOINT ANTELOPE VALLEY AUTHORITY INTERLOCAL AGREEMENT BETWEEN THE JOINT ANTELOPE VALLEY AUTHORITY, THE BOARD OF REGENTS OF THE UNIVERSITY OF NEBRASKA, THE CITY OF LINCOLN, NEBRASKA, AND THE LOWER PLATTE SOUTH NATURAL RESOURCES DISTRICT FOR THE DESIGN, CONSTRUCTION, OPERATION, AND IMPLEMENTATION OF THE PHASE ONE PRIORITY PROJECTS. (5/20/02 - Delayed Action to 6/3/02) - CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption:

A-81532 WHEREAS, the Board of Regents of the University of Nebraska, a public body corporate and governing body of the University of Nebraska (University), the City of Lincoln, Nebraska, a municipal corporation (City), and the Lower Platte South Natural Resources District, a political subdivision of the State of Nebraska (NRD), all of which are public agencies within the meaning of Neb. Rev. Stat. § 13-803 (Reissue 1997), have previously agreed that it is in their mutual best interest to coordinate planning and implementation of a public project which is described in the Antelope Valley Study and the United States Army Corps of Engineer Antelope Creek Feasibility Study, Number M-5244(3) (Project), in cooperation with one another through an Interlocal Agreement creating a joint administrative entity known as the Joint Antelope Valley Authority, to act on behalf of the parties for the purposes, and upon the terms and conditions set forth in the Interlocal Agreement;

WHEREAS, Article 15, Section 18 of the Nebraska Constitution and the Interlocal Cooperation Act, Neb. Rev. Stat. § 13-801 et seq. (Reissue 1997) permit subdivisions and governments in the State of

Nebraska to cooperate with one another for the purpose of jointly exercising governmental authority and responsibilities;

WHEREAS, Article 2, Section 5 of the City's Charter grants to the City the power to join with other subdivisions, agencies, or public corporations, whether federal, state, or local, or with any number or combination thereof, by contract or otherwise, as may be permitted by the laws of the State of Nebraska, in the joint ownership, operation, or performance of any property, facility, power, or function, or in agreements containing provisions that one or more thereof operate or perform for the other or others and to appropriate and spend money for such purposes; and

WHEREAS, the Parties desire to amend the Interlocal Agreement to provide for property transactions, additional duties and obligations, coordination and enforcement provisions.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the Mayor is hereby authorized to execute the attached First Amendment to the Joint Antelope Valley Authority Interlocal Agreement including executing, accepting, and entering into the real estate easements, documents, and transfers as provided in the Agreement, on behalf of the City and also including the authority to approve minor, typographical, or technical changes to conform the originals as approved by the governing bodies of the Parties.

Introduced by Annette McRoy

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

PETITIONS & COMMUNICATIONS

THE FOLLOWING WERE REFERRED TO THE LAW DEPT.:

PETITION TO VACATE PUBLIC WAY ALL OF 69TH STREET FROM LOGAN AVENUE TO ALLEY TO THE SOUTH, SUBMITTED BY FRANK MOOK, WILLIAM K. AND CATHY L. KOLB.

PETITION TO VACATE PUBLIC WAY ALL OF WEST Q STREET FROM N.W. 27TH STREET EAST FOR A DISTANCE OF 506.1 FEET., SUBMITTED BY MEADOWBROOK PROPERTIES, LTD. FOUR FORMAL PAVING PETITIONS FOR RE-PAVING DISTRICT NO. 154 FOR GRADING, PAVING, CURBING, GUTTERING, AND SIDEWALK CONSTRUCTION ON SAUNDERS AVE., 12TH STREET TO 14TH STREET, SIGNED BY ED J. GRUBBS, ROSE M. GRUBBS SIEMSEN, BRIAN J. BURNS AND BEN C. & AMY C. HERR.

INFORMAL PETITION FOR GRADING AND GRAVELING OF THE ALLEY BETWEEN 69TH AND 70TH STREETS AND Y AND X STREETS, SIGNED BY DARREL DEBRIE - CLERK presented said petition which was referred to the Public Works Dept.

REPORTS OF CITY OFFICERS

CLERK'S LETTER & MAYOR'S APPROVAL OF ORDINANCES AND RESOLUTIONS PASSED AT THE COUNCIL MEETING OF MAY 20, 2002 - CLERK presented said report which was placed on file in the Office of the City Clerk.

CLERK'S LETTER & MAYOR'S APPROVAL OF 2025 Comprehensive Plan passed at the Council meeting of May 28, 2002 - CLERK presented said report which was placed on file in the Office of the City Clerk.

INVESTMENT OF FUNDS FOR MAY 13 THROUGH MAY 17, 2002 - CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption:

A-81529 BE IT HEREBY RESOLVED BY THE CITY COUNCIL of the City of Lincoln, Nebraska:

That the attachments be confirmed and approved, and the City Treasurer is hereby directed to hold said investments until maturity unless otherwise directed by the City Council. (Investments for May 13 - May 17, 2002)

Introduced by Annette McRoy

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

INVESTMENT OF FUNDS FOR MAY 20 THROUGH MAY 24, 2002 - CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption:

A-81530 BE IT HEREBY RESOLVED BY THE CITY COUNCIL of the City of Lincoln, Nebraska:

That the attachments be confirmed and approved, and the City Treasurer is hereby directed to hold said investments until maturity unless otherwise directed by the City Council. (Investments for May 20 - May 24, 2002)

Introduced by Annette McRoy

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

REQUEST OF PUBLIC WORKS TO SET THE HEARING DATE OF MONDAY, JUNE 24, 2002 AT 5:30 P.M.:

02-74 Authority to construct a six inch water main in Mockingbird Lane, 14th Street west approximately 2,300 linear feet and north approximately 590 linear feet in Colonel Densmore Park and assess the cost thereof to the benefitted property.

02-75 Authority to pave the north/south alley, 54th to 56th Streets, Cleveland to Adams and assess the cost thereof against the benefitted property.

02-77 Authority to construct street lighting in the Lincoln Country Club area from approximately South 27th Street on the east to south 20th Street on the west, Van Dorn on the north to High Street on the south and assess the costs thereof against the benefitted properties.

CLERK Requested to have hearing date of Monday, June 24, 2002 at 5:30 p.m. & place on the formal City Council Agenda:

CAMP So moved.

Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

ANNUAL REPORTS OF TIME WARNER CABLE FOR 1999 AND 2001 - CLERK presented said report which was placed on file in the Office of the City Clerk. (**#41-2518A**)

REPORT FROM CITY TREASURER OF FRANCHISE FEES COLLECTED FROM AQUILA IN APRIL, 2002 - CLERK presented said report which was placed on file in the Office of City Clerk. (**#16-1**)

REPORT FROM CITY TREASURER OF TELECOMMUNICATIONS TAX COLLECTED FOR THE MONTH OF MAY, JUNE, JULY, AUGUST, SEPTEMBER, OCTOBER, NOVEMBER AND DECEMBER OF 2001 FROM NORSTAN NETWORK SERVICES, INC.; FOR THE MONTHS OF JANUARY, FEBRUARY AND MARCH OF 2002 FROM MATRIX TELECOM; FOR THE MONTH OF MARCH 2002 FROM VERIZON SELECT SERVICES, INC. AND GE BUSINESS PROD. SOLUTIONS; FOR THE MONTH OF APRIL, 2002 FROM: USA PAGING, TELCO DEVELOPMENT GROUP DE INC., EXCEL TELECOMMUNICATIONS, INC., LIGHTYEAR COMMUNICATIONS, INC., NEXTEL WEST CORP., GUARANTEED PHONE SERVICE, GLOBALCOM, INC., TRI-M COMMUNICATIONS, GLYPHICS COMMUNICATIONS, INC., NOSVA LIMITED PARTNERSHIP, GTC TELECOM, INC., RSL COM USA, INC., ATT WIRELESS PCS, LLC, XO LONG DISTANCE SERVICES, INC., TELIGENT SERVICES, INC., WORLDXCHANGE CORP., ASSOCIATION ADMINISTRATORS, INC., LONG DISTANCE OF MICHIGAN, INC., ZONE TELECOM, INC., SINGLE BILLING SERVICE, INC., NOS COMMUNICATIONS, INC., AFFINITY NETWORK, INC., NPCR, INC., BROADWING TELECOMMUNICATIONS, ONSTAR CORPORATION, AHT COMM. OF MIDWEST, WORKING ASSETS FUNDING SERVICE, INC., TRANSNATIONAL COMMUNICATIONS INTERNATIONAL, INC., PRIMUS TELECOMMUNICATIONS, INC., QWEST COMMUNICATIONS, CORP., GLOBAL CROSSING TELECOMMUNICATIONS, INC., ATS MOBILE TELEPHONE CO., INC., ACN COMMUNICATIONS SERVICES, INC., VARTEC TELECOM, INC., WESTERN UNION COMMUNICATIONS, INC., TRACFONE WIRELESS, INC., ATLAS COMMUNICATIONS, LTD., AND OPERATOR COMMUNICATIONS, INC.; FOR THE MONTHS OF JANUARY & FEBRUARY, 2002: CRICKET COMMUNICATIONS, INC.; FOR THE MONTH OF APRIL, 2002: AMENDED RETURN OF COMDATA TELECOMMUNICATIONS SERVICES, INC., NETWORK BILLING SYSTEMS, L.L.C., CRICKET COMMUNICATIONS, INC., MACLEOD USA TELECOMMUNICATIONS SERVICES, INC., SPRINT COMMUNICATION COMPANY LIMITED PARTNERSHIP, SPRINT SPECTRUM, L.P., BIG PLANET, INC., NORSTAN NETWORK SERVICES, INC., D & D COMMUNICATIONS, INC., ALLTEL COMMUNICATIONS OF NEBRASKA, INC., ALLTEL SYSTEMS OF THE MIDWEST, INC., AND ALLTEL NEBRASKA, INC. - CLERK presented said report which was placed on file in the Office of the City

Clerk. (#20)

ORDINANCES - 1ST READING

VACATING A PORTION OF HAWTHORNE ADDITION ON PROPERTY GENERALLY LOCATED AT S.W. 27TH STREET AND SOUTH STREET - CLERK read an ordinance, introduced by Annette McRoy, vacating a portion of Hawthorne Addition on property generally located at S. W. 27th Street and South Street, the first time.

CHANGE OF ZONE 3361 - APPLICATION OF HARTLAND HOMES, INC. FOR A CHANGE OF ZONE FROM AG AGRICULTURAL TO R-3 RESIDENTIAL ON PROPERTY GENERALLY LOCATED AT S.W. 27TH STREET AND SOUTH STREET - CLERK read an ordinance, introduced by Annette McRoy, for a Change of Zone 3361 - Application of Hartland Homes, Inc. for a change of zone from AG Agricultural to R-3 Residential on property generally located at S. W. 27th Street and South Street, the first time.

AMENDING CHAPTER 23.10 OF THE LINCOLN MUNICIPAL CODE TO ADOPT THE 2002 EDITION OF THE NATIONAL ELECTRICAL CODE - CLERK read an ordinance, introduced by Annette McRoy, amending Chapter 23.10 of the Lincoln Municipal Code to adopt the 2002 edition of the National Electrical Code, the first time.

ORDINANCES - 3RD READING

ESTABLISHING A VOLUNTARY BILLING DONATION PROGRAM THROUGH LINCOLN ELECTRIC SYSTEM - PRIOR to reading:

CAMP Moved to amend Bill No. 02-52 in the following manner:

On Page 2, line 19, after the words "as approved by the" insert the word other; delete the words "body of the NRD" and insert in lieu thereof the word bodies; so that line 19 reads as follows: technical changes to conform to the originals as approved by the other governing bodies.

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, McRoy, Seng, Svoboda, Werner; NAYS: Friendt.

CLERK Read an ordinance, introduced by Ken Svoboda, establishing a voluntary utility billing donation program to fund City programs and projects serving the community, the third time.

SVOBODA Moved to pass the ordinance as amended.

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, McRoy, Seng, Svoboda, Werner; NAYS: Friendt.

The ordinance, being numbered **18002**, is recorded in Ordinance Book 25, Page

CREATING RE-PAVING DISTRICT NO. 155 IN WEST CHARLESTON STREET FROM NORTH 1ST STREET WEST TO AND INCLUDING THE PROPOSED CUL-DE-SAC AND ASSESSING THE COST THEREOF TO THE BENEFITTED PROPERTIES - CLERK read an ordinance, introduced by Ken Svoboda, creating Re-paving District No. 155, defining the limits thereof, establishing the width of the roadway to be re-paved and new curb, providing for the payment of the cost thereof, designating the property to be benefitted, providing for the acquisition of easements and additional right-of-way, if necessary, and repealing all ordinances or parts of ordinances in conflict herewith, the third time.

SVOBODA Moved to pass the ordinance as read.

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

The ordinance, being numbered **18003**, is recorded in Ordinance Book 25, Page

APPROVING A SUBLEASE AGREEMENT BETWEEN THE CITY OF LINCOLN AND LINCOLN ACTION PROGRAM AT THE ONE STOP CENTER FOR PROVIDING JOB TRAINING AND EMPLOYMENT SERVICES UNDER THE WORKFORCE INVESTMENT ACT - CLERK read an ordinance, introduced by Ken Svoboda, accepting and approving a Sublease Agreement between the City of Lincoln and One Stop Partner Lincoln Action Program for a lease of space at 1010 N Street, Lincoln, Lancaster County, Nebraska for a term of March 1, 2002 through June 30, 2002 whereby the City of Lincoln is subleasing space to Lincoln Action Program at the One Stop Career Center for providing job training and employment services under the Workforce Investment Act, the third time.

SVOBODA Moved to pass the ordinance as read.

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

The ordinance, being numbered **18004**, is recorded in Ordinance Book 25, Page

APPROVING A SUBLEASE AGREEMENT BETWEEN THE CITY OF LINCOLN AND GOODWILL INDUSTRIES AT THE ONE STOP CENTER FOR PROVIDING JOB TRAINING AND

EMPLOYMENT SERVICES UNDER THE WORKFORCE INVESTMENT ACT - CLERK read an ordinance, introduced by Ken Svoboda, accepting and approving a Sublease Agreement between the City of Lincoln and One Stop Partner Goodwill industries for a lease of space at 1010 N Street, Lincoln, Lancaster County, Nebraska for a term of March 1, 2002 through December 31, 2006 whereby the City of Lincoln is subleasing space to Goodwill Industries at the One Stop Career Center for providing job training and employment services under the Workforce Investment Act, the third time.

SVOBODA Moved to pass the ordinance as read.
Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.
The ordinance, being numbered **18005**, is recorded in Ordinance Book 25, Page

APPROVING A SUBLEASE AGREEMENT BETWEEN THE CITY OF LINCOLN AND NAF MULTICULTURAL DEVELOPMENT CORPORATION FOR PROVIDING JOB TRAINING AND EMPLOYMENT SERVICES UNDER THE WORKFORCE INVESTMENT ACT - CLERK read an ordinance, introduced by Ken Svoboda, accepting and approving a Sublease Agreement between the City of Lincoln and One Stop Partner NAF Multicultural Human Development Corporation for a lease of space at 1010 N Street, Lincoln, Lancaster County, Nebraska for a term of March 1, 2002 through December 31, 2006 whereby the City of Lincoln is subleasing space to NAF Multicultural Human Development Corporation at the One Stop Career Center for providing job training and employment services under the Workforce Investment Act, the third time.

SVOBODA Moved to pass the ordinance as read.
Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.
The ordinance, being numbered **18006**, is recorded in Ordinance Book 25, Page

APPROVING THE NORTHEAST COMMUNITY RECREATIONAL SPORTS COMPLEX IMPROVEMENT, LEASE, AND OPERATING AGREEMENT BETWEEN JOINT ANTELOPE VALLEY AUTHORITY, THE BOARD OF REGENTS OF THE UNIVERSITY OF NEBRASKA, AND THE CITY OF LINCOLN, NEBRASKA FOR THE DEVELOPMENT OF THE NORTHEAST COMMUNITY RECREATIONAL SPORTS COMPLEX ON PROPERTY GENERALLY LOCATED AT 32ND STREET AND LEIGHTON AVENUE - PRIOR to reading:

SVOBODA Moved to amend Bill No. 02-68 in the following manner:
On Page 2, line 19, after the words "as approved by the" insert the word other; delete the words "body of the NRD" and insert in lieu thereof the

word bodies; so that line 19 reads as follows: technical changes to conform to the originals as approved by the other governing bodies.

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

CLERK Read an ordinance, introduced by Ken Svoboda, approving an Improvement Lease and Operating Agreement (Agreement) and accepting the terms and conditions of the Lease and Operating Agreement (Agreement) and accepting the terms and conditions of the Lease and Operating Agreement between the Board of Regents of the University of Nebraska, a public body corporate and governing body of the University of Nebraska (University), the City of Lincoln, Nebraska, a municipal corporation (City), and the Joint Antelope Valley Authority, a joint administrative entity created under the Interlocal Cooperation Act Neb. Rev. Stat. § 13-801 et seq., public agencies within the meaning of Neb. Rev. Stat. § 13-803 (Reissue 1997), under which the parties agree that it is in their best interest to coordinate planning, development, and implementation of a joint use shared facility complex to be known as the Northeast Community Recreational Sports Complex (Complex) in connection with the Antelope Valley Study and the United States Army Corps of Engineer Antelope Creek Feasibility Study No. M-5244(3) (Project), in cooperation with one another through the Agreement setting forth the provisions for improvement, lease, and operating the Complex, and upon the terms and conditions set forth in the Agreement, the third time.

SVOBODA Moved to pass the ordinance as amended.
Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.
The ordinance, being numbered **18007**, is recorded in Ordinance Book 25, Page

MISCELLANEOUS BUSINESS

PENDING LIST -

**REGULAR MEETING
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CAMP Moved to extend the Pending List to June 10, 2002.
 Seconded by Seng & carried by the following vote: AYES: Camp,
 Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

UPCOMING RESOLUTIONS -

CAMP Moved to approve the resolutions to have Public Hearing on
 June 10, 2002.
 Seconded by Seng & carried by the following vote: AYES: Camp,
 Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.

ADJOURNMENT

2:03 A.M.

CAMP Moved to adjourn the City Council meeting of June 3, 2002.
 Seconded by Seng & carried by the following vote: AYES: Camp,
 Cook, Friendt, McRoy, Seng, Svoboda, Werner; NAYS: None.
 So ordered.

Joan Ross, City Clerk

Glenna Graupmann, Office Assistant III