

**THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD
MONDAY, AUGUST 18, 2008 AT 1:30 P.M.**

The Meeting was called to order at 1:30 p.m. Present: Council Vice Chair Emery; Council Members: Camp, Cook, Marvin, Spatz, Svoboda; City Clerk, Joan E. Ross; Absent: Eschliman.

Council Vice Chair Emery asked all present to stand and recite the Pledge of Allegiance and observe a moment of silent meditation.

READING OF THE MINUTES

MARVIN Having been appointed to read the minutes of the City Council proceedings of August 11, 2008 reported having done so, found same correct.

Seconded by Spatz & carried by the following vote: AYES: Camp, Cook, Emery, Marvin, Spatz, Svoboda; NAYS: None; ABSENT: Eschliman.

MAYOR'S AWARD OF EXCELLENCE

Mayor Beutler awarded the Mayor's Award of Excellence for July to Cindy Koenig-Warnke of the Technical Investigation Unit for the Lincoln Police Department in the category of Productivity. He stated that Cindy has become an expert on financial exploitation of elderly and vulnerable adults. She was able to locate an 89 year old lady in Mexico who was reported missing with a person who was financially exploiting her for an estimated amount of \$70,000.

Chief Casady, Lincoln Police Department, came forward to comment that Cindy will go the extra mile to get her job accomplished. He stated he was incredibly proud to have a person of such caliber to work along side. She sought private funding from the National White Collar Crime Investigation Center for travel expenses to pursue her investigation.

Cindy Koenig-Warnke came forward to state there was a lot of teamwork that went into this challenge from the Chief, Capt. Sundemeier, her Sergeant, the investigators, the assigned conservator Attorney Lisa White, Sgt. Kozal, Sgt. Kubicek, and her family. She thanked the Mayor and the Council for this award.

This matter was taken under advisement.

PUBLIC HEARING

VACATION 07010 - APPLICATION OF WRK, LLC, TO VACATE N. 11TH STREET SOUTH OF THE SOUTH RIGHT-OF-WAY OF Y STREET ADJACENT TO BLOCK 1, NORTH LINCOLN ADDITION, AND THE NORTH-SOUTH ALLEY ABUTTING LOTS 1, 2, 3, AND 4, BLOCK 1, DAVENPORT'S SUBDIVISION, GENERALLY LOCATED AT N. 11TH AND Y STREETS - Seacrest & Kalkowski, 1111 Lincoln Mall, Suite 350, came forward representing WRK to answer questions.

Josh Burger, 6601 Everett St., WRK, was available for questions.

This matter was taken under advisement.

CHANGE OF ZONE 08027 - AMENDING TITLE 27 OF THE LINCOLN MUNICIPAL CODE, THE ZONING CODE, BY ADDING A NEW SECTION 27.25.080 TO PROVIDE THAT EACH APPLICATION FOR A BUILDING PERMIT IN THE O-1 OFFICE DISTRICT SHALL BE REVIEWED FOR COMPLIANCE WITH THE LINCOLN DOWNTOWN DESIGN STANDARDS; BY AMENDING SECTION 27.35.020 TO ADD PROHIBITED USES IN THE AREA OF THE B-4 LINCOLN CENTER BUSINESS DISTRICT FROM 150 FEET EAST OF 17TH STREET TO THE EASTERN EDGE OF SAID DISTRICT; AMENDING SECTION 27.35.025 TO DELETE RECYCLING CENTERS AS A PERMITTED CONDITIONAL USE IN THE B-4 DISTRICT AND TO ADD VEHICLE BODY REPAIR SHOPS AS A PERMITTED CONDITIONAL USE IN THE AREA 150 FEET EAST OF 17TH STREET TO THE WESTERN EDGE OF SAID DISTRICT; AMENDING SECTION 27.35.030 TO MODIFY EXISTING PROVISIONS REGARDING PERMITTED SPECIAL USES IN THE B-4 DISTRICT AND TO ADD SERVICE STATIONS AS A PERMITTED SPECIAL USE IN THE AREA OF THE B-4 DISTRICT FROM 150 FEET EAST OF 17TH STREET TO THE EASTERN EDGE OF SAID DISTRICT; AMENDING SECTION 27.35.070 TO MODIFY THE HEIGHT AND AREA REGULATIONS IN THE B-4 DISTRICT; ADDING A NEW SECTION 27.35.080 TO PROVIDE THAT EACH APPLICATION FOR A BUILDING PERMIT IN THE B-4 LINCOLN CENTER BUSINESS DISTRICT SHALL BE REVIEWED FOR COMPLIANCE WITH THE LINCOLN DOWNTOWN DESIGN STANDARDS; AMENDING SECTION 27.63.180 TO MODIFY EXISTING PROVISIONS REGARDING PERMITTED SPECIAL USES IN THE B-4 DISTRICT AND TO ADD SERVICE STATIONS AS A PERMITTED SPECIAL USE IN THE AREA FROM 150 FEET EAST OF 17TH STREET TO THE EASTERN EDGE OF SAID DISTRICT; AMENDING SECTION 27.67.050 TO MODIFY SPECIAL PARKING CONDITIONS IN THE B-4 DISTRICT; AMENDING SECTION 27.69.070 TO ALLOW CERTAIN PERMITTED SIGNS IN THE B-4 DISTRICT BEGINNING 150 FEET EAST OF 17TH STREET AND CONTINUING TO THE WESTERN BOUNDARY OF SAID DISTRICT AND TO ALLOW CERTAIN PERMITTED

SIGNS IN THE B-4 DISTRICT BEGINNING 150 FEET EAST OF 17TH STREET AND CONTINUING TO THE EASTERN BOUNDARY OF SAID DISTRICT; AND REPEALING SECTIONS 27.35.020, 27.35.025, 27.35.030, 27.35.070, 27.63.180, 27.67.050, AND 27.69.070 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING. (RELATED ITEMS: 08-107, 08R-187, 08-108);

MISC. 08007 - AMENDING THE CITY OF LINCOLN DESIGN STANDARDS BY AMENDING CHAPTER 1.00 REQUEST FOR WAIVER PROCEDURE, TO ADD A NEW SECTION 2.5 TO PROVIDE A SEPARATE PROCESS FOR WAIVERS FROM THE LINCOLN DOWNTOWN DESIGN STANDARDS, AND TO ADD A NEW CHAPTER 3.76 TO ADOPT LINCOLN DOWNTOWN DESIGN STANDARDS FOR EXTERIOR FEATURES OF PROJECTS REQUIRING BUILDING PERMITS IN THE B-4 LINCOLN CENTER BUSINESS DISTRICT AND THE O-1 OFFICE DISTRICT. (RELATED ITEMS: 08-107, 08R-187, 08-108) (ACTION DATE: 8/25/08);

CHANGE OF ZONE 08026 - APPLICATION OF THE PLANNING DIRECTOR FOR A CHANGE OF ZONE FROM R-6, R-7, AND R-8 RESIDENTIAL DISTRICTS TO B-4 LINCOLN CENTER BUSINESS DISTRICT; FROM I-1 INDUSTRIAL PARK DISTRICT, P PUBLIC USE DISTRICT AND B-3 COMMERCIAL DISTRICT TO B-4 LINCOLN CENTER BUSINESS DISTRICT; AND FROM R-6 RESIDENTIAL DISTRICT AND I-1 INDUSTRIAL DISTRICT TO P PUBLIC USE DISTRICT, ON PROPERTY IN THE ANTELOPE VALLEY AREA GENERALLY LOCATED FROM K STREET TO VINE STREET, FROM 17TH STREET TO 23RD STREET. (RELATED ITEMS: 08-107, 08R-187, 08-108) - David Landis, Director of Urban Development, came forward to ask approval of the design standards which are to promote private sector investments. He informed the Council that Urban Development met with the Neighborhood Association, Lincoln Realtors Association, DLA, Chamber of Commerce, and LIBA. Suggestions were received of which some were also implemented.

Tom Henning, 6015 The Knolls, President and CEO of Assurity Life Insurance, stated they are planning to build a new corporate headquarters in the new Antelope Valley area. He stated they need assurance this area will be developed in a way they can be proud to call this corporate home for many years. He is in support of the design standards.

Jon Weinberg, 6601 Everett, Chair of Downtown Lincoln Association, came forward to express their support of the concept of developing Downtown Design Standards which is consistent with the Comprehensive Downtown Master Plan approved in 2005. DLA does oppose the recommended no parking in the Antelope Valley area which they feel is inconsistent with the Downtown Master Plan.

Bob Harris, 3618 Culpepper Court, Interim President of the Lincoln Community Foundation which represents the charitable intent of donors who leave perpetual gifts to benefit the Lincoln community. A donation of \$500,000 has been received to support the development of Union Plaza. He stated the Foundation feel the Design Standards provide adequate protection to satisfy the interest on behalf of these donors and encourage they be approved.

Kyle Fisher, Chamber of Commerce, 1135 M Street, came forward in support of the Design Standards and to recommend limited land uses without additional approval process, continue to streamline the permit process, and to find required funding to fulfill recommended street standard without sacrifices to projects in other parts of the community and for Lincoln to continue to support the efforts to market community, national and international investors to improve the image as a business friendly community.

Carl Sjulín, 6003 Old Cheney Rd., President of Westgate Bank, came forward in support of the proposed Design Standards which will lead to the highest and best use in the Antelope Valley redevelopment area. They are planning on building a downtown branch and parking would be important in this area.

Mark Hunzeker, 600 Wells Fargo Center, 1248 O Street, representing B & J Partnership, Speedway Properties, came forward with no comment on the Design Standards, but to comment on the effect the standards may have on small parcels within the effected area. An amendment was proposed to the standards which would create a presumption that a waiver of those standards would be granted in cases where the small size or other physical characteristics of the site make compliance impractical or impossible or create economic hardship. In addition the ownership and boundaries of that site have not changed since that effective date of the standards so cannot go out and create a situation that would create that presumption. For example a project as small as a quarter of a block would be difficult to meet the standards.

Mark Hoistad, 2648 Everett St., came forward not in opposition to design standards, but has objection to the building features in the current Design Standards. He suggested to adopt standards in a way to stimulate guidelines and goals that want to be achieved in the area as opposed to defining specific things that can't be done. A performance based model rather than regulatory design standard would be preferred.

Peter Hind, 5140 Valley Rd., professor with the College of Architecture and practicing architect in Lincoln, President of LHDC, and a member of the Mayor's Environmental Task Force, came forward not against the Design Standards, but to encourage guidelines that are open

ended and not about prohibition of things we might not like. Creativity is important.

Steve Henrichsen, Planning Department, came forward to answer parking questions. There is not a parking requirement from 17½ Street to the Haymarket area, N Street to P Street from 17th Street to 24th Street, and no parking requirement from N Street to P Street in the Antelope Valley area. There are parking requirements south of N Street and north of P Street. On-street parking cannot be included in a building permit. They are working on trying to maximize the amount of on-street parking in this area in particular in some of the areas where there is 100 feet of right-of-way and where there is less traffic count. They are looking at areas to add diagonal parking. It would be non-typical to have language of whether or not it is the City's obligation to provide parking. The zoning ordinance includes only what is prohibited or allowed.

Mr. Landis stated the appropriate place to add such language related to parking would be in the Antelope Valley Redevelopment Plan. An exchange of value, reduced cost of land, for the use of a private parking facility during non-business hours has been an idea talked about with no objection at this time. In response to strict design standards which may cause a beautiful building to be turned away the Planning Director may waive the strict design standards.

Mr. Henrichsen stated the typical appeal process would be that it goes before the Urban Design Committee or whatever board and then to the City Council. It now allows the appeal to go directly to the City Council if they feel there would be a better chance at the Design Cut Committee they can chose to go that route. It can be as short as 30 days from when applied for. In response to Mr. Hunzeker's suggestion it was stated that a block as small as a 1/4 block applies to most all the properties in the area. Most of the lots in this area are 50 ft wide and along O Street there are lots of 25 foot wide lots. There are a lot of buildings on very small properties that still meet those standards. We don't think it is necessary to have that particular size or hardship as a part of it.

Rick Peo, City Attorney, came forward to express opposition to the presumption process as it puts a burden on the City to rebut a developer's information they have in their hands. They are the ones who know if they have a hardship. They know whether or not how the site is going to work and if they come in and say it doesn't work for me we don't have the basis to rebut that presumption. This isn't a good process. The appeal process in and of itself provides ample opportunity for them to present their views.

Mr. Landis came forward for rebuttal.

This matter was taken under advisement.

CHANGE OF ZONE 08037 - APPLICATION OF JOY A. SHIFFERMILLER FOR A CHANGE OF ZONE FROM R-7 RESIDENTIAL DISTRICT TO O-1 OFFICE DISTRICT ON PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF S. 10TH STREET AND G STREET - Joy Shiffermiller, 3930 South Street, came forward to request approval for use of this property as a law office.

Marvin Krout, Planning Director, said this property abuts uses not residential and also because the property to the north is zoned residential but is subject to a Historical Preservation Special Permit which permits office uses. So the character of 10th Street is more office oriented and the next block to the north is O-1 zoning. This is looked at as an extension to the O-1 zoning.

This matter was taken under advisement.

APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND THE LANCASTER COUNTY AGRICULTURAL SOCIETY RELATING TO THE ANNEXATION OF APPROXIMATELY 160 ACRES OF PROPERTY GENERALLY LOCATED AT NORTH 84TH STREET AND HAVELOCK AVE. (RELATED ITEMS: 08R-160, 08R-161, 08-89, 08-90) (ACTION DATE: 7/28/08) (7/21/08 - P.H. CON'T. TO 8/18/08 W/ACTION ON 8/25/08) (WAIVED THE RULES TO HAVE ACTION THIS DATE, 5-1; SPATZ DISSENTING; MTA #1, ADOPTED, 6-0; MTA #2, ADOPTED, 6-0; DELAYED ONE WEEK W/ACTION ONLY TO 8/25/08, 5-1; EMERY DISSENTING.);

COMP. PLAN AMENDMENT 08014 - AMENDING THE 2030 LINCOLN/LANCASTER COUNTY COMPREHENSIVE PLAN TO DESIGNATE LAND LOCATED AT THE SOUTHEAST CORNER OF NORTH 84TH STREET AND HAVELOCK AVE. AS COMMERCIAL IN THE LAND USE PLAN. (RELATED ITEMS: 08R-160, 08R-161, 08-89, 08-90) (ACTION DATE: 7/28/08) (7/21/08 - P.H. CON'T. TO 8/18/08 W/ACTION ON 8/25/08);

ANNEXATION 08004 - APPLICATION OF LANCASTER COUNTY AGRICULTURAL SOCIETY, INC. TO AMEND THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 29.07 ACRES OF PROPERTY GENERALLY LOCATED AT NORTH 84TH STREET AND HAVELOCK AVE. (RELATED ITEMS: 08R-160, 08R-161, 08-89, 08-90) (7/21/08 - P.H. CON'T. TO 8/18/08 W/ACTION ON 8/25/08);

CHANGE OF ZONE 08025 - APPLICATION OF LANCASTER COUNTY AGRICULTURAL SOCIETY, INC. FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO H-4 GENERAL COMMERCIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT THE SOUTHEAST

CORNER OF NORTH 84TH STREET AND HAVELOCK AVE. (RELATED ITEMS: 08R-160, 08R-161, 08-89, 08-90) (7/21/08 - P.H. CON'T. TO 8/18/08 W/ACTION ON 8/25/08)- Alan Wood, legal counsel for Lancaster Agricultural Society and the Lancaster Event Center, this change of zone and annexation of approximately 25 acres owned by the Ag Society and 14 acres which will accommodate a proposed commercial development including a hotel, restaurant, and retail at the corner of 84th and Havelock. A 40 or 50 year long-term lease would be entered into with tenants. Under State Statute Chapter 77 which states that if the property is not used for tax exempt purposes then it would go back to being taxed. The Phase II expansion is scheduled to be finished the first of October which includes an additional livestock pavillion and also the covering of the Amy Countryman arena which is a dirt floored livestock arena and a connector with meeting rooms and food dispensing facilities. There are no fixed seats in any of the finished improvements at this time. If there is the possibility of bringing larger events to the Event Center, but in order to accommodate those larger events 3500 - 4000 fixed seats would need to be installed this would possibly be done.

Marvin Krout, Planning Director, came forward to answer the question of the date of 12-1-2012 as a compromise date with the Lancaster Ag Society to wait with their arena plans until after the vote on the Haymarket arena next year. If it did not pass this will allow time to come back with a second revised proposal.

This matter was taken under advisement.

AMENDING CERTAIN PORTIONS OF THE LINCOLN-LANCASTER COUNTY AIR POLLUTION CONTROL PROGRAM REGULATIONS AND STANDARDS TO INCORPORATE CHANGES TO THE AIR QUALITY REQUIREMENTS OF THE STATE OF NEBRASKA ENVIRONMENTAL PROTECTION ACT AND THE FEDERAL CLEAN AIR ACT - Scott Holmes, Health Dept., came forward to state these regulations will bring the Health Department's standards up to speed with the State and Federal regulations that applied to all different regulated business entities in Lincoln & Lancaster County.

Rick Thorson, Health Dept. Air Quality Supervisor, stated these changes are related to a program called Prevention of Significant Deterioration or PSD which is a federally mandated program designed to insure public health and welfare. This applies to large new sources of air pollution or to existing sources that want to add processes or capacity to their facility. These regulations will provide air quality analysis.

This matter was taken under advisement.

APPROVING AND ADOPTING PROPOSED AMENDMENTS TO THE LINCOLN CENTER REDEVELOPMENT PLAN FOR THE BLOCK 85 REDEVELOPMENT PROJECT ON PROPERTY GENERALLY BOUNDED BY ROSA PARKS WAY, M STREET, SOUTH 8TH STREET, AND SOUTH 9TH STREET - Dallas McGee, Urban Development, TIF will be allowed to assist in facilitating this redevelopment which includes the renovation of three existing buildings on this block and the construction of one new building. Private investment of \$7.6 million is anticipated and the TIF will be used for the relocation of utilities and for streetscape improvements. Approval of this will allow negotiations to proceed. This project is for revitalization and would not happen without TIF.

Kent Seacrest, Seacrest & Kalkowski, 1111 Lincoln Mall, Suite 350, came forward representing WRK, Inc. And to introduce Josh Burger of WRK.

Josh Burger, WRK, Inc., in answer to the split in cost of the \$7.6 million land acquisition versus construction he stated the Color Court/ Peanut Butter factory was purchased for \$2.1 million and Cornhusker Printing was purchased for around \$465,000.

Mr. Seacrest stated the rent structure in the Haymarket area has not gone up which allows for the "But For" tests to allow the specified area be declared blighted. The demolition is not eligible for TIF.

This matter was taken under advisement.

APPROVING AND ADOPTING A PROPOSED AMENDMENT TO THE ANTELOPE VALLEY REDEVELOPMENT PLAN TO ADD THE "AV PARKWAY PLAZA TRIANGLE REDEVELOPMENT PROJECT" GENERALLY LOCATED AT N. 19TH AND Q STREETS - Dallas McGee, Urban Development, stated this development envisions a new corporate headquarters for the new Assurity Life Insurance Company. It is the largest private development to date in the Antelope Valley Redevelopment area. There will be two phases; the 1st phase will be between Q and R Streets expected to result in excess of \$50,000 private investment. The 2nd phase will be in the area north of R Street and could generate an additional \$8 to 30 million in private investments. The purpose of this is to revitalize the area in the surrounding neighborhoods. TIF is needed for improvement of aged public utilities and to encourage improvement to incorporate the project in the plans for the plaza and parkway.

Tom Henning, 6015 The Knolls, President/CEO of Assurity Life Insurance Company, came forward to explain that due to the cost of the property his company could not justify locating in this area if it were

not for the Tax Increment Financing available. The building is planned to be approximately 180,000 square feet with possibly six floors. Part of this building will include rental space. Clark Enerson Architectural firm will be the architect and space planner and Sampson Construction will be project manager. It is estimated to cost in excess of \$55 million. They have a current contract with the State of Nebraska to sell the downtown office building to the State. 450 associates will be moving into the new building with an estimated payroll of \$24 million annually here in Lincoln which doesn't include benefit costs.

This matter was taken under advisement.

APPROVING AN AGREEMENT BETWEEN THE UNITED STATES GEOLOGICAL SURVEY AND THE CITY TO CONDUCT STORMWATER QUALITY MONITORING SERVICES UNDER THE CITY'S NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) STORMWATER PERMIT - Ben Higgins, Public Works & Utilities, stated this is the third of three agreements for water quality monitoring. The first two were with UNL; one was wet weather and one was dry weather monitoring. These permits are to meet the obligations of NPDES permit to meet federal mandates passed through the state. This will provide for continuous monitoring and will monitor a different set of pollutants than being monitored through UNL. It will be available for viewing on the website.

This matter was taken under advisement.

ADOPTING THE LES 2008 RATE SCHEDULES, SERVICE REGULATIONS, AND COST ANALYSIS SUMMARY PROVIDING FOR A SYSTEM AVERAGE INCREASE OF 10.1 PERCENT, TO BE EFFECTIVE SEPTEMBER 1, 2008 - Terry Bundy, Administrator and CEO of Lincoln Electric System, came forward to request an increase of electric rates. The LES Administrative Board recommended a 10.1% increase and a 9.1% increase announced at a press conference. The reasons for the increase are; 1. Higher than expected natural gas prices for the fuel used in the combustion turbines, 2. Higher than expected wholesale market prices for electricity purchased on the market, 3. Lower than expected interest earnings on the funds required to maintain. The energy voucher program which provides low income assistance through the Lincoln Action Program. \$33,000 will be added for the last four months of this year. The full year of 2009 will be for \$100,000.

Todd Hall, LES, came forward to explain the cost of service analysis of the proposed 10.1% increase: residential 10.9, small commercial 10.7 large commercial 10.8, intermediate commercial, 11.4 large light & power 8.4. Winter rate for residential was going to run 13% to 14% and the summer rate was 8%. The major reason for the increase is the energy cost increases.

Ken Winston, Attorney, 1120 K St., Ste. 200, came forward on behalf of the Nebraska Chapter of Sierra Club in support of investing in renewable energy available in the state and invest in energy efficiency. Renewable energy, solar and wind, are readily available here in Nebraska and are not susceptible to rate increases because the cost of wind and solar will remain the same regardless.

Susan Hale, Center for People in Need, came forward to speak on behalf of Director Beatty Brasch in support of reducing the 10.1% increase to 9.1% if they can be assured the low income assistance funds will remain at \$100,000.

Walter Canney, 2111 S. 66th Street, came forward in support of the LES rate increase of 10.1 as recommended.

Scott Zager, 2510 Cheshire South, came forward to state that any increases should not be approved without adequate provisions that minimize future costs. He encouraged keeping the pressure on LES executives to be more proactive in their efforts to keep energy costs low.

Bob Caldwell, 6100 Luann Lane, Chair of the Lincoln Employers Coalition, to state they would not oppose either one of the increases. When a large increase is being considered the Coalition suggests more communication and more lead time to assist businesses when they are planning their budgets, planning for hiring, or planning for growing their businesses.

Andre Mick, representing LIBA Board of Directors, came forward to neither support nor oppose the rate increase of 9.1%. They encourage additional reviews of expenditures for saving in personnel, travel, advertising, public relations and to lower the 2 to 1 retirement match for employees.

Eva Sohl, Nebraska League of Conservation Voters, came forward to see that there is leadership taken to look into efficiency and renewable energy development.

Mr. Bundy came forward for rebuttal.

This matter was taken under advisement.

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

COUNCIL ACTION

REPORTS OF CITY OFFICERS

CLERK'S LETTER AND MAYOR'S APPROVAL OF ORDINANCES & RESOLUTIONS PASSED BY COUNCIL ON AUGUST 4, 2008 - CLERK presented said report which was placed on file in the Office of the City Clerk.

REPORT FROM CITY TREASURER OF CITY CASH ON HAND AT THE CLOSE OF BUSINESS JUNE 30, 2008 - CLERK presented said report which was placed on file in the Office of the City Clerk. (5-21)

REPORT FROM CITY TREASURER OF FRANCHISE TAX FOR THE MONTH OF JUNE, 2008 FROM AQUILA - CLERK presented said report which was placed on file in the Office of the City Clerk. (16-1)

REPORT FROM CITY TREASURER OF FRANCHISE TAX FOR THE MONTH OF JUNE 30, 2008 FROM TIME WARNER CABLE - CLERK presented said report which was placed on file in the Office of the City Clerk. (41-2518A)

REPORT FROM CITY TREASURER OF EMERGENCY 911 TAX FOR THE MONTH OF JUNE, 2008 FROM BUDGET PREPAY, INC., AT&T COMM. OF MIDWEST, INC., QWEST COMM., LEVEL 3 COMM., LEVEL 3 COMM., GRANITE TELECOMM., COMTEL TELCOM ASSETS, ACN COMM., AT&T COMM. OF MIDWEST, TWC DIGITAL PHONE, LLC - CLERK presented said report which was placed on file in the Office of the City Clerk. (20-02)

REPORT FROM CITY TREASURER OF TELECOMMUNICATIONS OCCUPATION TAX FOR THE MONTH OF APRIL, 2008: CRICKET; APRIL - JUNE, 2008: AMERIVISION, COMTECH 21, T-MOBILE CENTRAL, ASSOCIATION ADMINISTRATORS, MEGPATH, OPEX, NECC TELECOM, DIGIZIP; MAY, 2008: SPRINT, SPRINT SPECTRUM, NEXTEL, MCI, WINDSTREAM SYSTEMS OF THE MIDWEST, WINDSTREAM, NEBRASKA TECHNOLOGY & TELECOMM, USCOC OF GREATER IOWA, TWC DIGITAL PHONE, CRICKET, NEW CINGULAR, ONSTAR, VIRGIN MOBILE USA, PRIMUS, WORKING ASSETS FUNDING, QWEST, BROADWING, USCOC OF NEBRASKA, /KANSAS, ANDIAMO, NEW EDGE NETWORK, ACN, VERIZON SELECT SERVICES, UCN, TELECORP., BELL ATLANTIC, WHOLESALE CARRIER, TRANS NATIONAL COMM. INTERNATIONAL, GLOBAL CROSSING, MCLEOD USA, EARTHLINK, VOICECOM, GLOBALSTAR USA, INTELICALL OPERATOR, BROADBAND DYNAMICS, TRACFONE WIRELESS, XO COMM., CINCINNATI BELL ANY DISTANCE, ATI, KDDI AMERICA, TON SERVICES, CIMCO, BUSINESS PROD. SOLUTIONS, NORSTAN NETWORK, QUANTUM SHIFT, IBM GLOBAL, NETWORK BILLING, BUSINESS TELECOM.; JUNE 2008: WINDSTREAM, FIRST COMM., NOS, TCG OMAHA, SBC LONG DISTANCE, ACCERIS, ENHANCED, GTC, LIGHTYEAR NETWORK, TRI-M, ZONE, BT AMERICAS, WWC LICENSE, AT&T COMM. OF MIDWEST, SPRINT SPECTRUM, NEXTEL, SPRINT, MCI, VIAERO WIRELESS, ATS MOBILE, COVISTA, 800 RESPONSE, NETWORK BILLING SYSTEMS, 360NETWORKS (USA), ENHANCED, NOSVA, UNITE PRIVATE NETWORKS - CLERK presented said report which was placed on file in the Office of the City Clerk. (20)

PETITIONS & COMMUNICATIONS

THE FOLLOWING HAVE BEEN REFERRED TO PLANNING DEPT.:

- Change of Zone No. 08041 - Application of Realty Trust Group, Pine Woods Planned Unit Development Plan, for a change of zone from AGR to R-3 for a Planned Unit Development District designation of property generally located at S. 70th Street and Pine Lake Road; with modifications to the Zoning and Land Subdivision Ordinances to develop approximately 11 dwelling units and approximately 53,000 square feet of office, retail and/or commercial floor area in the underlying R-3 zoning.
- Special Permit No. 08036 - Application of Hartland Homes, Inc., Hartland Estates 1st Addition Community Unit Plan, for 3 dwelling units, with requests to waive the minimum radius turnaround for dead-end street, average lot width, lot area, and required side yard, on property generally located at SW 12th Street and West A Street.
- Special Permit No. 08037 - Application of Joan Kopf, (Gamma Phi Beta) a nonstandard building, on property generally located at 415 N. 16th Street.

SETTING THE HEARING DATE OF SEPTEMBER 8, 2008 AT 1:30 P.M. FOR THE APPLICATION OF HYVEE, INC. DBA HYVEE #1 FOR A CLASS D LIQUOR LICENSE LOCATED AT 5010 O STREET - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-84977 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, September 8, 2008 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 Application of HyVee, Inc. dba HyVee #1 for a Class D liquor license located at 5010 O Street.

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

Introduced by Ken Svoboda

Seconded by Camp & carried by the following vote: AYES: Camp, Cook, Emery, Marvin, Spatz, Svoboda; NAYS: None; ABSENT: Eschliman.

LIQUOR RESOLUTIONS

APPLICATION OF CASEY'S RETAIL COMPANY DBA CASEY'S GENERAL STORE 2744 FOR A CLASS B LIQUOR LICENSE AT 4335 N. 70TH STREET - PRIOR to reading:
CAMP Moved to delay public hearing and action to 8/25/08.
Seconded by Spatz & carried by the following vote: AYES: Camp, Cook, Emery, Marvin, Spatz, Svoboda; NAYS: None; ABSENT: Eschliman.

MANAGER APPLICATION OF TINA M. KRINGS FOR CASEY'S RETAIL COMPANY DBA CASEY'S GENERAL STORE 2744 AT 4335 N. 70TH STREET - PRIOR to reading:
CAMP Moved to delay public hearing and action to 8/25/08.
Seconded by Spatz & carried by the following vote: AYES: Camp, Cook, Emery, Marvin, Spatz, Svoboda; NAYS: None; ABSENT: Eschliman.

ORDINANCES - 2ND READING & RELATED RESOLUTIONS (as required)

VACATION 07010 - APPLICATION OF WRK, LLC, TO VACATE N. 11TH STREET SOUTH OF THE SOUTH RIGHT-OF-WAY OF Y STREET ADJACENT TO BLOCK 1, NORTH LINCOLN ADDITION, AND THE NORTH-SOUTH ALLEY ABUTTING LOTS 1, 2, 3, AND 4, BLOCK 1, DAVENPORT'S SUBDIVISION, GENERALLY LOCATED AT N. 11TH AND Y STREETS - CLERK read an ordinance, introduced by John Spatz, vacating the east half of North 11th Street south of "Y" Street adjacent to Lots 2 through 7, Block 1, Davenport's Subdivision; the remaining portion of the west half of North 11th Street south of "Y" Street abutting Lots 1 through 5 (extended), Block 1, North Lincoln Addition; and the north-south alley abutting Lots 1 through 4, Block 1, Davenport's Subdivision, and retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, the second time.

CHANGE OF ZONE 08027 - AMENDING TITLE 27 OF THE LINCOLN MUNICIPAL CODE, THE ZONING CODE, BY ADDING A NEW SECTION 27.25.080 TO PROVIDE THAT EACH APPLICATION FOR A BUILDING PERMIT IN THE O-1 OFFICE DISTRICT SHALL BE REVIEWED FOR COMPLIANCE WITH THE LINCOLN DOWNTOWN DESIGN STANDARDS; BY AMENDING SECTION 27.35.020 TO ADD PROHIBITED USES IN THE AREA OF THE B-4 LINCOLN CENTER BUSINESS DISTRICT FROM 150 FEET EAST OF 17TH STREET TO THE EASTERN EDGE OF SAID DISTRICT; AMENDING SECTION 27.35.025 TO DELETE RECYCLING CENTERS AS A PERMITTED CONDITIONAL USE IN THE B-4 DISTRICT AND TO ADD VEHICLE BODY REPAIR SHOPS AS A PERMITTED CONDITIONAL USE IN THE AREA 150 FEET EAST OF 17TH STREET TO THE WESTERN EDGE OF SAID DISTRICT; AMENDING SECTION 27.35.030 TO MODIFY EXISTING PROVISIONS REGARDING PERMITTED SPECIAL USES IN THE B-4 DISTRICT AND TO ADD SERVICE STATIONS AS A PERMITTED SPECIAL USE IN THE AREA OF THE B-4 DISTRICT FROM 150 FEET EAST OF 17TH STREET TO THE EASTERN EDGE OF SAID DISTRICT; AMENDING SECTION 27.35.070 TO MODIFY THE HEIGHT AND AREA REGULATIONS IN THE B-4 DISTRICT; ADDING A NEW SECTION 27.35.080 TO PROVIDE THAT EACH APPLICATION FOR A BUILDING PERMIT IN THE B-4 LINCOLN CENTER BUSINESS DISTRICT SHALL BE REVIEWED FOR COMPLIANCE WITH THE LINCOLN DOWNTOWN DESIGN STANDARDS; AMENDING SECTION 27.63.180 TO MODIFY EXISTING PROVISIONS REGARDING PERMITTED SPECIAL USES IN THE B-4 DISTRICT AND TO ADD SERVICE STATIONS AS A PERMITTED SPECIAL USE IN THE AREA FROM 150 FEET EAST OF 17TH STREET TO THE EASTERN EDGE OF SAID DISTRICT; AMENDING SECTION 27.67.050 TO MODIFY SPECIAL PARKING CONDITIONS IN THE B-4 DISTRICT; AMENDING SECTION 27.69.070 TO ALLOW CERTAIN PERMITTED SIGNS IN THE B-4 DISTRICT BEGINNING 150 FEET EAST OF 17TH STREET AND CONTINUING TO THE WESTERN BOUNDARY OF SAID DISTRICT AND TO ALLOW CERTAIN PERMITTED SIGNS IN THE B-4 DISTRICT BEGINNING 150 FEET EAST OF 17TH STREET AND CONTINUING TO THE EASTERN BOUNDARY OF SAID DISTRICT; AND REPEALING SECTIONS 27.35.020, 27.35.025, 27.35.030, 27.35.070, 27.63.180, 27.67.050, AND 27.69.070 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING. (RELATED ITEMS: 08-107, 08R-187, 08-108) - CLERK read an ordinance, introduced by John Spatz, amending Title 27 of the Lincoln Municipal Code, the Zoning Code, by adding a new Section 27.25.080 to provide that each application for a building permit in the O-1 Office District shall be reviewed for compliance with the Lincoln Downtown Design Standards; by amending Section 27.35.020 to add prohibited uses in the area of the B-4 Lincoln Center Business District from 150 feet east of 17th Street to the eastern edge of said district; amending Section 27.35.025 to delete recycling centers as a permitted conditional use in the B-4 district and to add vehicle body repair shops as a permitted conditional use in the area 150 feet east of 17th Street to the western edge of said district; amending Section 27.35.030 to modify existing provisions regarding permitted special uses in the B-4 district and to add service stations as a permitted special use in the area of the B-4 district from 150 feet east of 17th Street to the eastern edge of said district; amending Section 27.35.070 to modify the height and area regulations in the B-4 district; adding a new Section 27.35.080 to provide that each application for a building permit in the B-4 Lincoln Center Business District shall be reviewed for compliance with the

Lincoln Downtown Design Standards; amending Section 27.63.180 to modify existing provisions regarding permitted special uses in the B-4 district and to add service stations as a permitted special use in the area from 150 feet east of 17th Street to the eastern edge of said district; amending Section 27.67.050 to modify special parking conditions in the B-4 district; amending Section 27.69.070 to allow certain permitted signs in the B-4 district beginning 150 feet east of 17th Street and continuing to the western boundary of said district and to allow certain permitted signs in the B-4 district beginning 150 feet east of 17th Street and continuing to the eastern boundary of said district; and repealing Sections 27.35.020, 27.35.025, 27.35.030, 27.35.070, 27.63.180, 27.67.050, and 27.69.070 of the Lincoln Municipal Code as hitherto existing, the second time.

MISC. 08007 - AMENDING THE CITY OF LINCOLN DESIGN STANDARDS BY AMENDING CHAPTER 1.00 REQUEST FOR WAIVER PROCEDURE, TO ADD A NEW SECTION 2.5 TO PROVIDE A SEPARATE PROCESS FOR WAIVERS FROM THE LINCOLN DOWNTOWN DESIGN STANDARDS, AND TO ADD A NEW CHAPTER 3.76 TO ADOPT LINCOLN DOWNTOWN DESIGN STANDARDS FOR EXTERIOR FEATURES OF PROJECTS REQUIRING BUILDING PERMITS IN THE B-4 LINCOLN CENTER BUSINESS DISTRICT AND THE O-1 OFFICE DISTRICT. (RELATED ITEMS: 08-107, 08R-187, 08-108) (ACTION DATE: 8/25/08)

CHANGE OF ZONE 08026 - APPLICATION OF THE PLANNING DIRECTOR FOR A CHANGE OF ZONE FROM R-6, R-7, AND R-8 RESIDENTIAL DISTRICTS TO B-4 LINCOLN CENTER BUSINESS DISTRICT; FROM I-1 INDUSTRIAL PARK DISTRICT, P PUBLIC USE DISTRICT AND B-3 COMMERCIAL DISTRICT TO B-4 LINCOLN CENTER BUSINESS DISTRICT; AND FROM R-6 RESIDENTIAL DISTRICT AND I-1 INDUSTRIAL DISTRICT TO P PUBLIC USE DISTRICT, ON PROPERTY IN THE ANTELOPE VALLEY AREA GENERALLY LOCATED FROM K STREET TO VINE STREET, FROM 17TH STREET TO 23RD STREET. (RELATED ITEMS: 08-107, 08R-187, 08-108) - CLERK read an ordinance, introduced by John Spatz, amending the Lincoln Zoning District Maps adopted by reference and made a part of Title 27 of the Lincoln Municipal Code, pursuant to Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the second time.

CHANGE OF ZONE 08037 - APPLICATION OF JOY A. SHIFFERMILLER FOR A CHANGE OF ZONE FROM R-7 RESIDENTIAL DISTRICT TO O-1 OFFICE DISTRICT ON PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF S. 10TH STREET AND G STREET - CLERK read an ordinance, introduced by John Spatz, amending the Lincoln Zoning District Maps adopted by reference and made a part of Title 27 of the Lincoln Municipal Code, pursuant to Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the second time.

APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND THE LANCASTER COUNTY AGRICULTURAL SOCIETY RELATING TO THE ANNEXATION OF APPROXIMATELY 160 ACRES OF PROPERTY GENERALLY LOCATED AT NORTH 84TH STREET AND HAVELOCK AVE - PRIOR to reading:

SVOBODA Moved to waive the rules to have action on Bill No. 08R-160 on this date.

Seconded by Camp & carried by the following vote: AYES: Camp, Cook, Emery, Marvin, Svoboda; NAYS: Spatz; ABSENT: Eschliman.

MARVIN Moved Amendment No. 1 to Bill No. 08R-160 in the following manner:

1. Amend Attachment "A" Memorandum of Understanding by adding Recitals VII, VIII, and IX on page 2 as follows:

VII.

Pursuant to the Conditional Annexation and Zoning Agreement for Regent Heights 1st Addition and Northern Lights Addition ("Regent Heights Agreement:), the City and the developers of Regent Heights 1st Addition and Northern Lights Addition constructed certain sanitary sewer trunk lines (hereafter "Sewer A" and "Sewer B") to sewer 254 acres of land within the preliminary plats of Regent Heights 1st Addition and Northern Lights Addition. Said Sewer A and Sewer B can also sewer 746 acres of land outside of the boundaries of the preliminary plats for regent Heights 1st Addition and Northern Lights Addition, including the Fairgrounds.

VIII.

In the Regent Heights Agreement, the City agreed to charge owners of land outside the boundaries of the preliminary plats for Regent Heights 1st Addition and Northern Lights Addition who benefit not from maintenance of Sewer A and Sewer B, but from the extension of Sewer A and Sewer B into an entirely new area, including the property on which the Fairgrounds is located, a fair share of the cost of Sewer A and Sewer B based upon a per-acre formula or some other fair share formula approved by the City.

IX.

The City is willing to annex a portion of the Fairgrounds as requested by the Agricultural Society, provided the Agricultural Society agrees to contribute \$40,443.20 as the Agricultural Society's fair share of the cost to construct Sewer A and Sewer B which sewers that portion of the Fairgrounds being annexed based upon a cost of \$1,570.00 per acre times the 25.76 acres being annexed.

Amend attachment "A" Memorandum of Understanding by adding paragraph 12 on page 5 as follows:

12. Sewer Main Extension. The Agricultural Society understands and acknowledges that the portion of the Fairgrounds being annexed was made sewerable by the construction of Sewer A and Sewer B pursuant to the Regent Heights Agreement and that the Agricultural Society did not participate in, nor contribute the Agricultural Society's fair share of the cost of the construction of Sewer A and Sewer B to serve that portion of the Fairgrounds being annexed. The Agricultural Society desires the portion of the Fairgrounds being annexed to be connected to Sewer A and Sewer B and therefore agrees to pay at the time of annexation a connection fee of One Thousand Five Hundred Seventy and 00/100ths Dollars (\$1,570.00) per acre times 25.76 acres for a total connection fee of \$40,443.20.

Seconded by Cook & carried by the following vote: AYES: Camp, Cook, Emery, Marvin, Spatz, Svoboda; NAYS: None; ABSENT: Eschliman.

MARVIN Moved Amendment No. 2 to Bill No. 08R-160 in the following manner:

1. Amend Attachment "A" Memorandum of Understanding by adding paragraphs 13 and 14 on page 5 as follows:

13. Binding Effect. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns and shall inure to and run with the Fairgrounds.

14. Recordation. This Agreement or a memorandum thereof shall be filed in the Office of the Register of Deeds of Lancaster County, Nebraska at the Society's cost and expense.

Seconded by Cook & carried by the following vote: AYES: Camp, Cook, Emery, Marvin, Spatz, Svoboda; NAYS: None; ABSENT: Eschliman.

SVOBODA Moved to delay Bill No. 08R-160 for action only for one week on August 25, 2008.

Seconded by Cook & carried by the following vote: AYES: Camp, Cook, Marvin, Spatz, Svoboda; NAYS: Emery; ABSENT: Eschliman.

COMP. PLAN AMENDMENT 08014 - AMENDING THE 2030 LINCOLN/LANCASTER COUNTY COMPREHENSIVE PLAN TO DESIGNATE LAND LOCATED AT THE SOUTHEAST CORNER OF NORTH 84TH STREET AND HAVELOCK AVE. AS COMMERCIAL IN THE LAND USE PLAN.

ANNEXATION 08004 - APPLICATION OF LANCASTER COUNTY AGRICULTURAL SOCIETY, INC. TO AMEND THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 29.07 ACRES OF PROPERTY GENERALLY LOCATED AT NORTH 84TH STREET AND HAVELOCK AVE. - CLERK read an ordinance, introduced by Ken Svoboda, annexing and including the below described land as part of the City of Lincoln, Nebraska and amending the Corporate Limits Map attached to and made a part of Ordinance No. 18208, to reflect the extension of the corporate limits boundary of the City of Lincoln, Nebraska established and shown thereon, the second time.

CHANGE OF ZONE 08025 - APPLICATION OF LANCASTER COUNTY AGRICULTURAL SOCIETY, INC. FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO H-4 GENERAL COMMERCIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF NORTH 84TH STREET AND HAVELOCK AVE. - CLERK Read an ordinance, introduced by Ken Svoboda, amending the Lincoln Zoning District Maps attached to and made a part of Title 27 of the Lincoln Municipal Code, as provided by Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the second time.

PUBLIC HEARING RESOLUTIONS

AMENDING CERTAIN PORTIONS OF THE LINCOLN-LANCASTER COUNTY AIR POLLUTION CONTROL PROGRAM REGULATIONS AND STANDARDS TO INCORPORATE CHANGES TO THE AIR QUALITY REQUIREMENTS OF THE STATE OF NEBRASKA ENVIRONMENTAL PROTECTION ACT AND THE FEDERAL CLEAN AIR ACT - CLERK read the following resolution, introduced by John Spatz, who moved its adoption:

A-84978 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the Amendments to Article 2, Sections 1, 2, 10, 14, 17, 19, 30, and 34 of the Lincoln-Lancaster County Air Pollution Control Program Regulations and Standards implemented by the Lincoln-Lancaster County Health Department, copies of which are attached hereto, marked as

Attachment "A" and made a part hereof by reference, which Amendments incorporate changes to the air quality requirements of the State of Nebraska Environmental Protection Act and the Federal Clean Air Act, is hereby approved.

The City Clerk is directed to return two (2) fully executed copies of said Amendments to Susan Starcher, Lancaster County Clerk's Office, for filing with the County.

Introduced by John Spatz

Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Emery, Marvin, Spatz, Svoboda; NAYS: None; ABSENT: Eschliman.

APPROVING AND ADOPTING PROPOSED AMENDMENTS TO THE LINCOLN CENTER REDEVELOPMENT PLAN FOR THE BLOCK 85 REDEVELOPMENT PROJECT ON PROPERTY GENERALLY BOUNDED BY ROSA PARKS WAY, M STREET, SOUTH 8TH STREET, AND SOUTH 9TH STREET - CLERK read the following resolution, introduced by John Spatz, who moved its adoption:

A-84979 WHEREAS, the City Council on October 22, 1984, adopted Resolution No. A-69713 finding an area generally bounded by "R" Street, 17th Street, "S" 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 has previously adopted the Lincoln Center Redevelopment Plan and amendments thereto (hereinafter the "Lincoln Center Redevelopment Plan" or "Plan") including plans for various redevelopment projects within said blighted and substandard area in accordance with the requirements and procedures of the Nebraska Community Development Law; and

WHEREAS, the Director of the Urban Development Department has filed with the City Clerk proposed amendments to the Plan (hereinafter the "Amendments") for said blighted and substandard area contained in the document entitled "Block 85 Redevelopment Project" which is attached hereto, marked as Attachment "A", and made a part hereof by reference; and

WHEREAS, the Director of Urban Development has reviewed said Amendments and has found that if adopted the Amendments and the Plan meet the conditions set forth in Neb. Rev. Stat. § 18-2113 (2006 Cum. Supp.); and

WHEREAS, said proposed Amendments to the Lincoln Center Redevelopment Plan for the Block 85 Redevelopment Project have been submitted to the Lincoln-Lancaster County Planning Commission for review and recommendations; and

WHEREAS, on July 3, 2008 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 July 16, 2008 before the Lincoln City - Lancaster County Planning Commission regarding the Amendment, a copy of said notice and list of said governing bodies and registered neighborhood associations having been attached hereto as Attachment "B" and "C" respectively; and

WHEREAS, the Lincoln City - Lancaster County Planning Commission on July 16, 2008 held a public hearing relating to the proposed Amendments to the Lincoln Center Redevelopment Plan and found the Amendments to be in conformance with the Comprehensive Plan and recommended approval thereof; and

WHEREAS, on August 1, 2008 a notice of public hearing was mailed postage prepaid to the foregoing registered neighborhood associations setting forth the time, date, place, and purpose of the public hearing before the City Council to be held on August 18, 2008, regarding the proposed Amendments to the Lincoln Center Redevelopment Plan, a copy of said notice having been attached hereto as Attachment "D"; and

WHEREAS, on August 1, 2008 and August 8, 2008 a Notice of Public Hearing was published in the Lincoln Journal Star newspaper, setting the time, date, place and purpose of the public hearing to be held on August 18, 2008 regarding the proposed Amendments to the Lincoln Center Redevelopment Plan for said blighted and substandard area, a copy of such notice having been attached hereto and marked as Attachment "E"; and

WHEREAS, on August 18, 2008 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 to the Lincoln Center Redevelopment Plan and all interested parties were afforded at such public hearing a reasonable opportunity to express their views respecting said proposed Amendments to the Plan; and

WHEREAS, the City Council has duly considered all statements made and materials submitted relating to said proposed modifications to the Plan; and

WHEREAS, the City Council now desires to modify said Plan by establishing the "Block 85 Redevelopment Project", on property described as Lots 1-9, 13-15, with all the vacated east/west alley adjacent, and the north 67 feet of Lot 18 with the north 67 feet of the vacated north/south alley adjacent, of Block 85, Lincoln Original, and Lots 1-3 and the north 5 feet of Lot 4, Lincoln Land Co. Subdivision of Lots 16 and 17, and including the associated right-of-way of S. 8th Street, S. 9th Street, Rosa Parks Way and M Street, and the north/south alley between S. 8th and S. 9th Streets ("Block 85 Redevelopment Project Area"), to accommodate the redevelopment of three underutilized buildings into mixed-use commercial buildings and the construction of a new mixed-use residential and commercial building.

NOW, THEREFORE, IT IS FOUND AND DETERMINED by the City Council of the City of Lincoln, Nebraska as follows:

1. That the Block 85 Redevelopment Project is described in sufficient detail and is designed with the general purpose of accomplishing a coordinated, adjusted and harmonious development of the City and its environs which will promote the general health, safety and welfare, sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of unsanitary or unsafe dwelling accommodations or conditions of blight.

2. That incorporating the Block 85 Redevelopment Project into the Redevelopment Plan is feasible and in conformity with the general plan for the development of the City of Lincoln as a whole and said Plan is in conformity with the legislative declarations and determinations set forth in the Community Development Law.

3. That the substandard and blighted conditions in the Block 85 Redevelopment Project Area are beyond remedy and control solely by regulatory process and the exercise of police power and cannot be dealt with effectively by the ordinary operations or private enterprise without the aids provided by the Community Development law, specifically including Tax Increment Financing.

4. That elimination of said substandard and blighted conditions under the authority of the Community Development Law is found to be a public purpose and in the public interest; and

5. That the Block 85 Redevelopment Project would not be economically feasible without the use of tax-increment financing.

6. That the Block 85 Redevelopment Project would not occur in the Block 85 Redevelopment Project Area without the use of tax-increment financing.

7. That the costs and benefits of the redevelopment activities, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for public and private services have been analyzed by the City Council as the governing body for the City of Lincoln and have been found to be in the long-term best interest of the City of Lincoln.

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

1. That pursuant to the provisions of the Nebraska Community Development Law and in light of the foregoing findings and determinations, the Amendments to the Lincoln Center Redevelopment Plan attached hereto as Attachment "A", establishing the Block 85 Redevelopment Project are hereby accepted and approved by the City Council as the governing body for the City of Lincoln.

2. That the Urban Development Director, or his authorized representative, is hereby authorized and directed to take all steps necessary to implement the provisions of said Redevelopment Plan as they relate to the above-described amendments.

3. That the Block 85 Redevelopment Project Area is the Redevelopment Project Area comprising the property to be included in the area subject to the tax increment provision authorized in the Nebraska Community Development Law.

4. That the Finance Director is hereby authorized and directed to cause to be drafted and submitted to the City Council any appropriate ordinances and documents for the authorization to provide necessary funds including Community Improvement Financing in accordance with the Community Development Law to finance related necessary and appropriate public acquisitions, improvements and activities set forth in said Amendments to the Lincoln Center Redevelopment Plan.

5. That it is intended that this resolution and the modifications adopted herein are supplemental hereto the findings, approvals, and authorizations set forth in Resolution No. A-68489, Resolution No. A-70273, Resolution No. A-71073, Resolution No. A-71490, Resolution No. A-71701, Resolution No. A-72046, Resolution No. A-72329, Resolution No. A-72774, Resolution No. A-73000, Resolution No. A-73698, Resolution A-74165, Resolution No. A-74186, Resolution A-74291,

Resolution No. A-74583, Resolution No. A-74603, Resolution No. A-75257, Resolution A-75784, Resolution A-75974, Resolution A-76438, Resolution No. A-77828, Resolution No. A-78138, Resolution No. A-78688, Resolution No. A-80587, Resolution No. A-81681, Resolution No. A-83005, Resolution No. A-83839, Resolution No. A-84238, Resolution No. A-84478, Resolution No. A-84603, and Resolution A-84867.

Introduced by John Spatz

Seconded by Svoboda & carried by the following vote: AYES: Cook, Emery, Marvin, Spatz, Svoboda; NAYS: Camp; ABSENT: Eschliman.

APPROVING AND ADOPTING A PROPOSED AMENDMENT TO THE ANTELOPE VALLEY REDEVELOPMENT PLAN TO ADD THE "AV PARKWAY PLAZA TRIANGLE REDEVELOPMENT PROJECT" GENERALLY LOCATED AT N. 19TH AND Q STREETS - CLERK read the following resolution, introduced by John Spatz, who moved its adoption: A-84980 WHEREAS, the City Council on July 21, 2003, adopted Resolution No. A-82222 finding an area generally bounded by C Street on the south, 17th Street on the west, the Burlington Northern Railroad on the north, and 28th Street on the east (comprising parts of the Near South, Woods Park, Malone, Clinton, Hawley, Hartley, and Downtown neighborhoods), and an area generally bounded by the Burlington Railroad on the south, Interstate 180 on the west, Salt Creek on the north, and 14th Street on the east (comprising the North Bottoms neighborhood) 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 has previously adopted the Antelope Valley Redevelopment Plan and amendments thereto (hereinafter the "Antelope Valley Redevelopment Plan" or "Plan") including plans for various redevelopment projects within said blighted and substandard area in accordance with the requirements and procedures of the Nebraska Community Development Law; and

WHEREAS, the Director of the Urban Development Department has filed with the City Clerk proposed amendments to the Plan (hereinafter the "Amendments") for said blighted and substandard area contained in the document entitled "AV Parkway Plaza Triangle Redevelopment Project", which is attached hereto, marked as Attachment "A", and made a part hereof by reference; and

WHEREAS, the Director of Urban Development has reviewed said Amendments and has found that if adopted the Amendments and the Plan meet the conditions set forth in Neb. Rev. Stat. § 18-2113 (2006 Cum. Supp.); and

WHEREAS, said proposed Amendments to the Antelope Valley Redevelopment Plan have been submitted to the Lincoln City - Lancaster County Planning Commission for review and recommendation; and

WHEREAS, on July 3, 2008 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 July 16, 2008 before the Lincoln City - Lancaster County Planning Commission regarding the Amendment, a copy of said notice and list of said governing bodies and registered neighborhood associations having been attached hereto as Attachment "B" and "C" respectively; and

WHEREAS, the Lincoln City - Lancaster County Planning Commission on July 16, 2008 held a public hearing relating to the proposed Amendment to the Antelope Valley Redevelopment Plan and found the Amendments to be in conformance with the Comprehensive Plan and recommended approval thereof; and

WHEREAS, on August 1, 2008 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 to be held on August 18, 2008 regarding the proposed Amendment, a copy of said notice having been attached hereto as Attachment "D"; and

WHEREAS, on August 1, 2008 and August 8, 2008, 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 to be held on August 18, 2008 regarding the proposed Amendment to the Plan for said blighted and substandard area, a copy of such notice having been attached hereto and marked as Attachment "E"; and

WHEREAS, on August 18, 2008 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 to the Antelope Valley Redevelopment Plan and all interested parties were afforded at such public hearing a reasonable opportunity to express their views respecting said proposed Amendments to the Plan; and

WHEREAS, the City Council has duly considered all statements made and materials submitted relating to said proposed plans; and

WHEREAS, the City Council now desires to modify said Plan by establishing the "AV Parkway Plaza Triangle Redevelopment Project" in the block that includes Q Street to the south, the proposed site of the Antelope Valley Parkway to the west, and 21st Street and a portion of the proposed site of Union Plaza to the east ("AV Parkway Plaza Triangle Redevelopment Project Area"), to accommodate the future the development of new headquarter office building and adjacent parking structure and a future complementary mixed-use commercial building.

NOW, THEREFORE, IT IS FOUND AND DETERMINED by the City Council of the City of Lincoln, Nebraska as follows:

1. That AV Parkway Plaza Triangle Redevelopment Project is described in sufficient detail and is designed with the general purpose of accomplishing a coordinated, adjusted, and harmonious development of the City which will promote general health, safety, and welfare, sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the reoccurrence of unsanitary or unsafe dwelling accommodations or conditions of blight.

2. That incorporating the AV Parkway Plaza Triangle Redevelopment Project into the Redevelopment Plan is feasible and in conformity with the general plan for the development of the City of Lincoln as a whole and said Plan is in conformity with the legislative declarations, and the determinations set forth in the Community Development Law.

3. That the substandard and blighted conditions in the AV Parkway Plaza Triangle Redevelopment Project are beyond remedy and control solely by regulatory process and the exercise of police power and cannot be dealt with effectively by the ordinary operations or private enterprise without the aids provided by the Community Development law, specifically including Tax Increment Financing.

4. That elimination of said substandard and blighted conditions under the authority of the Community Development Law is found to be a public purpose and in the public interest.

5. That the AV Parkway Plaza Triangle Redevelopment Project would not be economically feasible without the use of tax-increment financing.

6. That said the AV Parkway Plaza Triangle Redevelopment Project would not occur in the Redevelopment Area without the use of tax-increment financing.

7. That the costs and benefits of the redevelopment activities, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for public and private services have been analyzed by the City Council as the governing body for the City of Lincoln and have been found to be in the long-term best interest of the City of Lincoln.

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

1. That, pursuant to the provisions of the Nebraska Community Development Law and in light of the foregoing findings and determinations, The Amendments to the Antelope Valley Redevelopment Plan attached hereto as Attachment "A", establishing the AV Parkway Plaza Triangle Redevelopment Project, are hereby accepted and approved by the City Council as the governing body for the City of Lincoln.

2. That the Urban Development Director, or his authorized representative, is hereby authorized and directed to take all steps necessary to implement the provisions of said Redevelopment Plan as they relate to the above-described amendments.

3. That the Urban Development Director, or the Director's authorized representative, is hereby authorized and directed to contact the owners and tenants of those properties listed herein for the purpose of negotiation of contracts or options for the acquisition of all interests in said real estate in accordance with the land acquisition procedures of the City of Lincoln; and to take all steps necessary for the acquisition of said property by purchase, if possible.

4. That the Finance Director is hereby authorized and directed to cause to be drafted and submitted to the City Council any appropriate ordinances and documents for the authorization to provide necessary funds, including Community Improvement Financing in accordance with the Community Development Law, to finance the related necessary and appropriate public acquisitions, improvements, and activities set forth in said Amendments to the Antelope Valley Redevelopment Plan.

BE IT STILL FURTHER RESOLVED that it is intended that this resolution and the modifications adopted herein are supplemental to the findings, approvals, and authorizations as set forth in Resolution No. A-82222, Resolution No. A-83093, Resolution No. A-83223, Resolution No. A-84477, Resolution No. A-84631 and A-84844.

Introduced by John Spatz

Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Emery, Marvin, Spatz, Svoboda; NAYS: None; ABSENT: Eschliman.

ACCEPTING AND APPROVING A PERMANENT PRESERVATION EASEMENT TO CONSERVE AND PROTECT THE LANDMARK DESIGNATION OF THE LEWIS-SYFORD HOUSE GENERALLY LOCATED AT 700 N. 16TH STREET - CLERK read the following resolution, introduced by John Spatz, who moved its adoption:

A-84981 WHEREAS, the Nebraska State Historical Society Foundation has offered to convey to the City of Lincoln a permanent preservation easement to conserve and protect the landmark designation of the Lewis-Syford House on property generally located at 700 N. 16th Street and legally described as the West Half of Lots J and K, Tuttle et al's Subdivision of Lot 1, Little's Subdivision, Lincoln, Lancaster County, Nebraska; and

WHEREAS, acquisition of this preservation easement by the City would further the goals of the Comprehensive Plan relating to conserving and protecting landmark designations by restricting the development of the property.

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

That, on behalf of the City of Lincoln, Nebraska, the offer of a preservation easement by the Nebraska State Historical Society Foundation over the property legally described above and in accordance with the terms of the Historic Preservation Right, attached hereto and marked as Attachment "A", is hereby accepted and approved.

BE IT FURTHER RESOLVED that the Mayor is authorized to execute the Historic Preservation Right on behalf of the City of Lincoln, Nebraska.

Introduced by John Spatz

Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Emery, Marvin, Spatz, Svoboda; NAYS: None; ABSENT: Eschliman.

APPROVING AN AGREEMENT BETWEEN THE UNITED STATES GEOLOGICAL SURVEY AND THE CITY TO CONDUCT STORMWATER QUALITY MONITORING SERVICES UNDER THE CITY'S NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) STORMWATER PERMIT - CLERK read the following resolution, introduced by John Spatz, who moved its adoption:

A-84982 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached Joint Funding Agreement for Water Resources Investigations between the U. S. Geological Survey, United States Department of the Interior, and the City of Lincoln, to conduct stormwater quality monitoring services under the City's National Pollutant Discharge Elimination System (NPDES) stormwater permit, is hereby approved and the Mayor is authorized to execute said Agreement on behalf of the City.

The City Clerk is hereby directed to transmit a fully executed original of the Joint Funding Agreement to Ben Higgins, Lincoln Water System, for distribution to the USGS.

Introduced by John Spatz

Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Emery, Marvin, Spatz, Svoboda; NAYS: None; ABSENT: Eschliman.

ADOPTING THE LES 2008 RATE SCHEDULES, SERVICE REGULATIONS, AND COST ANALYSIS SUMMARY PROVIDING FOR A SYSTEM AVERAGE INCREASE OF 10.1 PERCENT, TO BE EFFECTIVE SEPTEMBER 1, 2008 - PRIOR to reading:

MARVIN Moved to amend Bill No. 08R-190 in the following manner:

1. On page 1, line 13, delete "average increase of 10.1%" and insert in lieu thereof increase of 9.1% to be applied uniformly for all rate classes.

2. On page 1, after line 14, insert a new paragraph as follows: Whereas, the City Council understands that the Administrative Board of the Lincoln Electric System may require a further rate increase in March of 2009; and

3. Replace the attachment to the Resolution referenced as "2008 Rate Schedules, Service Regulations and Cost Analysis Summary" with the attachment to this Motion to Amend entitled "Proposed Rate Schedules and Service Regulations for Rates Effective September 1, 2008."

Seconded by Svoboda & carried by the following vote: AYES: Cook, Emery, Marvin, Spatz, Svoboda; NAYS: Camp; ABSENT: Eschliman.

CLERK Read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-84983 WHEREAS, rate schedules and service regulations for the use and services of Lincoln Electric System of the City of Lincoln, including the electric energy sold, furnished or supplied by said City of Lincoln,

Nebraska, have been established by resolution from time to time, the last one being Resolution No. A-83739, adopted by the City Council on February 11, 2008, and approved by the Mayor on February 14, 2008; and

WHEREAS, the Administrative Board of the Lincoln Electric System has recommended to the City Council of the City of Lincoln, Nebraska, that the document entitled, "2008 Rate Schedules, Service Regulations and Cost Analysis Summary" which is attached hereto and fully incorporated herein, be adopted for the use of Lincoln Electric System and the provision of services to ratepayers in the service area of Lincoln Electric System; and

WHEREAS, the rate recommendation demonstrating the justification for a system average increase of ~~10.1%~~ 9.1% to be applied uniformly for all rate classes to be effective September 1, 2008 complies with the City of Lincoln's Bond Ordinance for Lincoln Electric System regarding rates; and

WHEREAS, the City Council understands that the Administrative Board of the Lincoln Electric System may require a further rate increase in March of 2009; and

WHEREAS, it is evident to the City Council of the City of Lincoln, Nebraska, that the justification for said rates and charges has been demonstrated and therefore said rates should be adopted.

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

That effective September 1, 2008, the attached "2008 Rate Schedules, Service Regulations and Cost Analysis Summary" for the use of Lincoln Electric System and the provision of services to ratepayers in the service area of Lincoln Electric System is hereby established and adopted; and

BE IT FURTHER RESOLVED that Resolution No. A-84739, adopted on February 11, 2008, is hereby superseded by this Resolution effective September 1, 2008.

Introduced by Ken Svoboda

Seconded by Cook & carried by the following vote: AYES: Camp, Cook, Emery, Marvin, Spatz, Svoboda; NAYS: None; ABSENT: Eschliman.

ORDINANCE - 1ST READING & RELATED RESOLUTIONS (AS REQUIRED)

APPROVING THE DEVELOPMENT AND CONDITIONAL ZONING AGREEMENT BETWEEN THE CITY AND BOYCE CONSTRUCTION, INC. FOR THE DEVELOPMENT OF THE PROPERTY LOCATED AT NORTH 14TH STREET AND SUPERIOR STREET SUBJECT TO RESTRICTIONS ON MAXIMUM DENSITY, DRIVE ACCESS TO NORTH 14TH STREET, AND A DRIVE ACCESS TO THE NORTH BOUNDARY OF THE PROPERTY TO BE COMPATIBLE WITH THE ADJACENT RESIDENTIAL NEIGHBORHOOD. (RELATED ITEMS: 08R-193, 08-111) (ACTION DATE: 9/8/08)

CHANGE OF ZONE 08036 - APPLICATION OF BOYCE CONSTRUCTION FOR A CHANGE OF ZONE FROM R-2 RESIDENTIAL DISTRICT TO R-5 RESIDENTIAL DISTRICT ON APPROXIMATELY 29,227 SQ. FT. GENERALLY LOCATED AT N. 14TH STREET AND SUPERIOR STREET. (RELATED ITEMS: 08R-193, 08-111)- - CLERK read an ordinance, introduced by Ken Svoboda, amending the Lincoln Zoning District Maps adopted by reference and made a part of Title 27 of the Lincoln Municipal Code, pursuant to Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the first time.

ORDINANCES - 3RD READING & RELATED RESOLUTIONS (as required)

APPROVING A TRANSFER OF APPROPRIATIONS AND CASH (WHERE APPROPRIATE) BETWEEN CERTAIN CAPITAL IMPROVEMENT PROJECTS WITHIN THE STREET CONSTRUCTION/VEHICLE TAX FUND, WATER CONSTRUCTION FUND, AND SANITARY SEWER CONSTRUCTION FUND WITHIN THE PUBLIC WORKS & UTILITIES DEPARTMENT - PRIOR to reading:

SVOBODA Moved to amend Bill No. 08-100 in the following manner:

1. On page 3, lines 2 and 3 strike \$472,535 and insert in lieu thereof \$167,731.

Seconded by Cook & carried by the following vote: AYES: Camp, Cook, Emery, Marvin, Spatz, Svoboda; NAYS: None; ABSENT: Eschliman.

CLERK Read an ordinance, introduced by Doug Emery, approving the transfer of unspent and unencumbered appropriations and cash (if any) between certain capital improvement projects within the Street Construction/Vehicle Tax Fund, Water Construction Fund, and Sanitary Sewer Construction Fund within the Public Works & Utilities Department, the third time.

MARVIN Moved to pass the ordinance as amended.

Seconded by Cook & carried by the following vote: AYES: Camp, Cook, Emery, Marvin, Spatz, Svoboda; NAYS: None; ABSENT: Eschliman.

The ordinance, being numbered #19124, is recorded in Ordinance Book #26, Page

APPROVING A LEASE AGREEMENT BETWEEN THE CITY AND ST. JAMES UNITED METHODIST CHURCH, FOR THE LEASE OF SPACE BY THE LINCOLN AREA AGENCY ON AGING FOR ITS ACTIVAGE CENTER PROGRAM AT 2400 S. 11TH STREET, LINCOLN, NEBRASKA FOR A ONE-YEAR TERM FROM SEPTEMBER 1, 2008 THROUGH AUGUST 31, 2009 - CLERK read an ordinance, introduced by Dan Marvin, accepting and approving a Lease Agreement between the City of Lincoln and St. James United Methodist Church for the lease of space by the Lincoln Area Agency on Aging for its ActivAge Center Program at 2400 S. 11th Street, Lincoln, NE, 68502, for a term commencing on September 1, 2008 and terminating on August 1, 2008 and terminating on August 31, 2009, the third time.

MARVIN Moved to pass the ordinance as read.
Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Emery, Marvin, Spatz, Svoboda; NAYS: None; ABSENT: Eschliman.
The ordinance, being numbered **#19125**, is recorded in Ordinance Book #26, Page

APPROVING A LEASE AGREEMENT BETWEEN THE CITY AND THE PANAMA CAFÉ, FOR THE LEASE OF SPACE BY THE LINCOLN AREA AGENCY ON AGING FOR ITS ACTIVAGE CENTER PROGRAM AT 310 LOCUST STREET, PANAMA, NEBRASKA FOR A ONE-YEAR TERM FROM SEPTEMBER 1, 2008 THROUGH AUGUST 31, 2009 - CLERK read an ordinance, introduced by Dan Marvin, accepting and approving a Lease Agreement between the City of Lincoln and the Panama Café for the lease of space by the Lincoln Area Agency on Aging for its ActivAge Center Program at 310 Locust Street, Panama, NE 68419, for a term commencing on September 1, 2008 and terminating on August 31, 2009, the third time.

MARVIN Moved to pass the ordinance as read.
Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Emery, Marvin, Spatz, Svoboda; NAYS: None; ABSENT: Eschliman.
The ordinance, being numbered **#19126**, is recorded in Ordinance Book #26, Page

APPROVING A LEASE AGREEMENT BETWEEN THE CITY AND BENNET AMERICAN LEGION POST #280, FOR THE LEASE OF SPACE BY THE LINCOLN AREA AGENCY ON AGING FOR ITS ACTIVAGE CENTER PROGRAM AT 970 MONROE, BENNET, NEBRASKA FOR A ONE-YEAR TERM FROM SEPTEMBER 1, 2008 THROUGH AUGUST 31, 2009 - CLERK read an ordinance, introduced by Dan Marvin, accepting and approving a Lease Agreement between the City of Lincoln and the American Legion Post #280 for the lease of space by the Lincoln Area Agency on Aging for its ActivAge Center Program at 970 Monroe, Bennet, NE 68317, for a term commencing on September 1, 2008 and terminating on August 31, 2009, the third time.

MARVIN Moved to pass the ordinance as read.
Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Emery, Marvin, Spatz, Svoboda; NAYS: None; ABSENT: Eschliman.
The ordinance, being numbered **#19127**, is recorded in Ordinance Book #26, Page

REGISTERED TO SPEAK SESSION - NONE

OPEN MICROPHONE SESSION - NONE

MISCELLANEOUS BUSINESS

PENDING -

CAMP Moved to extend the Pending List to August 25, 2008.
Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Emery, Marvin, Spatz, Svoboda; NAYS: None; ABSENT: Eschliman.

UPCOMING RESOLUTIONS -

CAMP Moved to approve the resolutions to have Public Hearing on August 25, 2008.
Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Emery, Marvin, Spatz, Svoboda; NAYS: None; ABSENT: Eschliman.

ADJOURNMENT 6:21 P.M.

CAMP Moved to adjourn the City Council meeting of August 18, 2008.
Seconded by Svoboda & carried by the following vote: AYES: Camp,
Cook, Emery, Marvin, Spatz, Svoboda; NAYS: None; ABSENT: Eschliman.
So ordered.

Joan E. Ross, City Clerk

Judy Roscoe, Senior Office Assistant

