

RESOLUTION NO. A-\_\_\_\_\_

1           WHEREAS, the City Council on July 21, 2003, adopted Resolution No. A-82222  
2 finding an area generally bounded by C Street on the south, 17th Street on the west, the  
3 Burlington Northern Railroad on the north, and 28th Street on the east (comprising parts of the  
4 Near South, Woods Park, Malone, Clinton, Hawley, Hartley, and Downtown neighborhoods),  
5 and an area generally bounded by the Burlington Railroad on the south, Interstate 180 on the  
6 west, Salt Creek on the north, and 14th Street on the east (comprising the North Bottoms  
7 neighborhood) to be blighted and substandard as defined in the Nebraska Community  
8 Development Law (Neb. Rev. Stat. § 18-2101, et seq. as amended) and in need of  
9 redevelopment; and

10           WHEREAS, the City Council has previously adopted the Antelope Valley  
11 Redevelopment Plan and amendments thereto (hereinafter the "Antelope Valley  
12 Redevelopment Plan" or "Plan") including plans for various redevelopment projects within said  
13 blighted and substandard area in accordance with the requirements and procedures of the  
14 Nebraska Community Development Law; and

15           WHEREAS, the Director of the Urban Development Department has filed with the  
16 City Clerk proposed amendments to the Plan (hereinafter the "Amendments") for said blighted  
17 and substandard area contained in the document entitled "Proposed Amendment to the  
18 Antelope Valley Redevelopment Plan – Antelope Village", which is attached hereto, marked as  
19 Attachment "A", and made a part hereof by reference; and

20           WHEREAS, the Director of Urban Development has reviewed said Amendments  
21 and has found that if adopted the Amendments and the Plan meet the conditions set forth in  
22 Neb. Rev. Stat. § 18-2113 (Reissue 2007); and

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

4           WHEREAS, on January 2, 2009 notice of public hearing was mailed, postage  
5 prepaid, to the president or chairperson of the governing body of each county, school district,  
6 community college, educational service unit, and natural resource district in which the real  
7 property subject to such plan is located and whose property tax receipts would be directly  
8 affected and to all registered neighborhood associations located in whole or in part within one  
9 mile radius of the area to be redeveloped setting forth the time, date, place, and purpose, of the  
10 public hearing to be held on January 14, 2009 before the Lincoln City - Lancaster County  
11 Planning Commission regarding the Amendment, a copy of said notice and list of said governing  
12 bodies and registered neighborhood associations having been attached hereto as Attachment  
13 "B" and "C" respectively; and

14           WHEREAS, the Lincoln City - Lancaster County Planning Commission on  
15 January 14, 2009 held a public hearing relating to the proposed Amendment to the Antelope  
16 Valley Redevelopment Plan and found the Amendments to be in conformance with the  
17 Comprehensive Plan and recommended approval thereof; and

18           WHEREAS, on January 23, 2009 a notice of public hearing was mailed, postage  
19 prepaid, to the foregoing governing bodies and registered neighborhood associations setting  
20 forth the time, date, place, and purpose of the public hearing before the City Council to be held  
21 on February 9, 2009 regarding the proposed Amendment, a copy of said notice having been  
22 attached hereto as Attachment "D"; and

23           WHEREAS, on January 23, 2009 and January 30, 2009, a notice of public  
24 hearing was published in the Lincoln Journal Star newspaper, setting forth the time, date, place,  
25 and purpose of the public hearing to be held on February 9, 2009 regarding the proposed

1 Amendment to the Plan for said blighted and substandard area, a copy of such notice having  
2 been attached hereto and marked as Attachment "E"; and

3 WHEREAS, on February 9, 2009 in the City Council Chambers of the County  
4 City Building, 555 South 10th Street, Lincoln, Nebraska, the City Council held a public hearing  
5 relating to the proposed Amendments to the Antelope Valley Redevelopment Plan and all  
6 interested parties were afforded at such public hearing a reasonable opportunity to express their  
7 views respecting said proposed Amendments to the Plan; and

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

10 WHEREAS, the City Council now desires to modify said Plan by establishing the  
11 "Antelope Village Redevelopment Project" in the block that includes P Street to the south, Q  
12 Street to the north, 23rd Street to the west, 24th Street to the east ("Antelope Village  
13 Redevelopment Project Area"), to accommodate the future development of an  
14 office/condominium building of 18,000 square feet and 18 townhomes for homeownership.

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

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

23 2. That incorporating the Antelope Village Redevelopment Project into the  
24 Redevelopment Plan is feasible and in conformity with the general plan for the development of

1 the City of Lincoln as a whole and said Plan is in conformity with the legislative declarations,  
2 and the determinations set forth in the Community Development Law.

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

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

11 5. That the Antelope Village Redevelopment Project would not be  
12 economically feasible without the use of tax-increment financing.

13 6. That the Antelope Village Redevelopment Project would not occur in the  
14 Redevelopment Area without the use of tax-increment financing.

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

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

22 1. That, pursuant to the provisions of the Nebraska Community  
23 Development Law and in light of the foregoing findings and determinations, the Proposed  
24 Amendment to the Antelope Valley Redevelopment Plan attached hereto as Attachment "A",

1 establishing the Antelope Village Redevelopment Project, is hereby accepted and approved by  
2 the City Council as the governing body for the City of Lincoln.

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

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

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

Introduced by:

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Approved as to Form and Legality:

\_\_\_\_\_  
City Attorney

Approved this ___ day of _____, 2009:  _____ Mayor
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