AGENDA

MONDAY, NOVEMBER 8, 2010, 3:00 P.M.
BOARD OF EQUALIZATION HEARING

1) ELECTION OF CHAIR
2) ANNOUNCE: The Open Meetings Law is posted by the Northwest Door of the Chamber.
3) READING OF OPENING STATEMENT BY CHAIR PERSON

CLERK READ ITEMS 4, 5 AND 6 INTO THE RECORD

4) DOWNTOWN BUSINESS IMPROVEMENT DISTRICT generally bounded by H, 6th, R and 17th Streets.
5) CORE BUSINESS IMPROVEMENT DISTRICT OVERLAY generally bounded by Centennial Mall, M, 9th and Q Streets.
6) DOWNTOWN MAINTENANCE DISTRICT generally extending from 7th Street on the west to 17th Street on the east and from R Street on the north to M Street on the south and shall in addition thereto include the properties abutting on the west side of 7th Street from N Street to R Street; the properties abutting on the east side of 17th Street from Q Street to M Street; the properties abutting on the north side of R Street from 7th Street to 10th Street and the properties abutting the south side of M Street from 6th Street to 17th Street. In addition, the district shall include properties abutting both sides of 13th Street from M Street to Lincoln Mall and all of Cornhusker Square.
7) REMARKS BY/QUESTIONS OF URBAN DEVELOPMENT DEPARTMENT STAFF
8) PUBLIC TESTIMONY
9) VOTING SESSION
10) ADJOURNMENT (Sine Die or must set another date and time)

THE MINUTES OF THE BOARD OF EQUALIZATION HELD
MONDAY, NOVEMBER 8, 2010 AT 3:00 P.M.

The Board of Equalization met at 3:00 p.m. in the City Council Chambers of the County-City Building in Lincoln, Nebraska as required by law.

Members Present: Jon Camp, Eugene Carroll, Jonathan Cook, Doug Emery, Adam Hornung, Jayne Snyder, John Spatz.

SPATZ Our first order of business is to elect a Chair.
CAMP I nominate John Spatz.

Seconded by Hornung & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

SPATZ Took the Chair and proceeded with the reading of the procedures to be followed for public hearing on matters presented to the Board, with a brief explanation of the procedures.

PUBLIC HEARING

DOWNTOWN BUSINESS IMPROVEMENT DISTRICT GENERALLY BOUNDED BY H, 6TH, R AND 17TH STREETS;
CORE BUSINESS IMPROVEMENT DISTRICT OVERLAY GENERALLY BOUNDED BY CENTENNIAL MALL, M, 9TH AND Q STREETS;
DOWNTOWN MAINTENANCE DISTRICT GENERALLY EXTENDING FROM 7TH STREET ON THE WEST TO 17TH STREET ON THE EAST AND FROM R STREET ON THE NORTH, TO M STREET ON THE SOUTH AND SHALL IN ADDITION THERETO INCLUDE THE PROPERTIES ABUTTING ON THE WEST SIDE OF 7TH STREET FROM N STREET TO R STREET; THE PROPERTIES ABUTTING ON THE EAST SIDE OF 17TH STREET FROM Q STREET TO M STREET; THE PROPERTIES ABUTTING ON THE NORTH
SIDE OF R STREET FROM 7th STREET TO 10th STREET AND THE PROPERTIES ABUTTING THE SOUTH SIDE OF M STREET FROM 8th STREET TO 17th STREET. IN ADDITION, THE DISTRICT SHALL INCLUDE PROPERTIES ABUTTING BOTH SIDES OF 13th STREET FROM M STREET TO LINCOLN MALL AND ALL OF CORNHUSKER SQUARE.

Ron Cane, Urban Development Department, came forward as the staff person who prepared these assessments and to answer any questions.

VOTING SESSION

DOWNTOWN BUSINESS IMPROVEMENT DISTRICT generally bounded by H, 6th, R and 17th Streets.

CORE BUSINESS IMPROVEMENT DISTRICT OVERLAY generally bounded by Centennial Mall, M, 9th and Q Streets.

DOWNTOWN MAINTENANCE DISTRICT generally extending from 7th Street on the west to 17th Street on the east and from R Street on the north, to M Street on the south and shall in addition thereto include the properties abutting on the west side of 7th Street from N Street to R Street; the properties abutting on the east side of 17th Street from Q Street to M Street; the properties abutting on the north side of R Street from 7th Street to 10th Street and the properties abutting the south side of M Street from 8th Street to 17th Street. In addition, the district shall include properties abutting both sides of 13th Street from M Street to Lincoln Mall and all of Cornhusker Square.

CARROLL Moved approval of all as assessed.

Seconded by Emery & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

ADJOURNMENT

3:04 P.M.

CARROLL Moved to adjourn Sine Die the Board of Equalization meeting.

Seconded by Emery & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

THE MINUTES OF THE CITY COUNCIL MEETING HELD
MONDAY, NOVEMBER 8, 2010 AT 3:00 P.M.

The Meeting was called to order at 3:04 p.m. Present: Council Chair Spatz; Council Members: Camp, Carroll, Cook, Emery, Hornung, Snyder; City Clerk, Joan E. Ross.

Council Chair Spatz announced that a copy of the Open Meetings Law is posted at the back of the Chamber by the northwest door. He asked all present to stand and recite the Pledge of Allegiance and observe a moment of silent meditation.

READING OF THE MINUTES

SNYDER Having been appointed to read the minutes of the City Council proceedings of November 1 reported having done so, found same correct.

Seconded by Camp and carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

PUBLIC HEARING

APPOINTING MAUREEN BRASE-HOUCHIN TO THE LINCOLN CITY LIBRARY BOARD OF TRUSTEES TO FILL AN UNEXPired TERM EXPIRING AUGUST 31, 2013 - Pat Leach, Library Director, came forward in support of Ms. Brase-Houchin’s appointment.

April Stevenson, Library Board of Trustees President, came forward in support of the appointment.

Maureen Brase-Houchin came forward to express interest in serving on the Library Board.
John Austin, 826 S. 14th St., came forward to ask various questions. Council informed Mr. Austin that an appointment to the Library Board of Trustees is not a paid position. Council Chair Spatz advised the public that they may come forward at this time to speak on the Consent Agenda only, not on other issues of concern. This matter was taken under advisement.

APPLICATION OF KELLEY AND TYRRELL, INC. DBA MCCOURT’S ALE HOUSE FOR A CLASS C LIQUOR LICENSE AT 118 SOUTH 9TH STREET; MANAGER APPLICATION OF CHRISTOPHER A. KELLEY FOR KELLEY AND TYRRELL, INC. DBA MCCOURT’S ALE HOUSE AT 118 SOUTH 9TH STREET - Chris Kelley, 118 S. 9th St., came forward to take oath and answer questions. This matter was taken under advisement.

APPLICATION OF YANKEE HILL, LLC DBA YANKEE HILL COUNTRY CLUB FOR A CLASS C LIQUOR LICENSE AT 7600 SAN MATEO LANE; MANAGER APPLICATION OF AMY A. WIESELER FOR YANKEE HILL, LLC DBA YANKEE HILL COUNTRY CLUB AT 7600 SAN MATEO LANE - Amy Wieseler, 7600 San Mateo Lane, came forward to take oath and answer questions. This matter was taken under advisement.

APPLICATION OF BLUE MANGO HOLDINGS, LLC DBA COCOS NIGHT CLUB, FORMERLY KNOWN AS EL SALVADOR CAFE, TO EXPAND ITS CLASS C LIQUOR LICENSE BY THE ADDITION OF A RECONSTRUCTED AREA FOR A NEW LICENSED AREA DESCRIBED AS A ONE STORY BUILDING APPROXIMATELY 50 FEET BY 140 FEET AND THE BASEMENT AREA LOCATED AT 221 SOUTH 9TH STREET - Yeldy Marroquin, came forward as owner to take oath and answer questions. This matter was taken under advisement.

VACATION 10009 - VACATING THE SOUTH HALF OF THE NORTH-SOUTH ALLEY BETWEEN SUMNER STREET AND GARFIELD STREET AND BETWEEN S. 29TH STREET AND JEFFERSON AVENUE - Keith Dubas, owner/applicant, came forward to say that following a phone conversation with the neighborhood association chair, he did not receive any feedback. This matter was taken under advisement.

APPROVING THE AMENDED AND RESTATED SITE LEASE FROM THE CITY AND COUNTY OF LANCASTER, NEBRASKA TO THE LINCOLN-LANCASTER COUNTY PUBLIC BUILDING COMMISSION; APPROVING THE AMENDED AND RESTATED LEASE AGREEMENT FROM THE COMMISSION TO THE CITY AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED $7,500,000 OF THE COMMISSION’S TAX SUPPORTED LEASE RENTAL REVENUE REFUNDING BONDS, SERIES 2010B - Scott Keene, Ameritas Investment Corp., came forward to explain the proposed refunding of two outstanding public building commission financings. He said interest rates have dropped sufficiently; both issues are good candidates for refunding; and progress is moving forward quickly to get to market on November 17. A current estimation of the bond rate is around 3%. This matter was taken under advisement.

APPROVING THREE CONTRACT AGREEMENTS BETWEEN THE CITY AND TABITHA HOME CARE SPECIALTIES, ELITE PROFESSIONALS HOME CARE COMPANY AND ARCADIA HEALTH CARE FOR IN-HOME SUPPORTIVE SERVICES FOR THE ELDERLY, PURSUANT TO BID NO. 10-181, FOR TWO-YEAR TERMS WITH THE OPTION TO RENEW FOR ONE ADDITIONAL TWO-YEAR TERM; APPROVING THREE CONTRACT AGREEMENTS BETWEEN THE CITY AND SOUTHERN UNIFORM & EQUIPMENT, ALAMAR UNIFORMS AND GALLS INC. FOR THE ANNUAL SUPPLY OF POLICE CLOTHING, PURSUANT TO BID NO. 10-107, FOR THREE-YEAR TERMS WITH THE OPTION TO RENEW FOR ONE ADDITIONAL ONE-YEAR TERM - Bob Walla, Assistant Purchasing Agent, came forward to answer questions. This matter was taken under advisement.

APPROVING A COOPERATIVE AGREEMENT BETWEEN THE CITY AND THE NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY FOR GRANT FUNDING FROM THE STORMWATER MANAGEMENT PLAN PROGRAM - Ben Higgins, Public Works & Utilities/Watershed Management, came forward for the grant amounting to $500,000 requiring a City match of 20%. This funding will allow for staffing & projects for water quality monitoring lasting until June 2012 unless extended. This matter was taken under advisement.
APPROVING THE LABOR CONTRACT BETWEEN THE CITY OF LINCOLN AND THE LINCOLN POLICE UNION FOR THE PERIOD OF AUGUST 18, 2010 THROUGH AUGUST 31, 2011 - Don Taute, Assistant City Attorney, came forward to answer Council questions and stated that one minor change involved the cost of body armor. He clarified that a legislative copy was sent for distribution to Council on November 1.

Mark A. Koller, Director of Personnel, came forward to answer questions and clarify changes to the labor contract. He recounted some changes as being an increase to family illness from 40 to 60 hours; an adjustment to uniforms & equipment from $600 to $800; an increase to the max. overtime, callback & standby time bank from 40 to 60 hours; a 1% wage increase; and an adjustment to special assignment pay. Although this contract is not a complex one, he agreed that all future contracts shall include a legislative version as well as the regular version for public record.

This matter was taken under advisement.

APPROVING THE SELECTION OF CONSTRUCTORS INC. AND AUTHORIZING EXECUTION OF THE CONSTRUCTION CONTRACT BETWEEN THE CITY AND THE NEBRASKA DEPT. OF ROADS FOR THE USE OF FEDERAL HIGHWAY INFRASTRUCTURE INVESTMENT FUNDS PROVIDED BY THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 AND/OR FEDERAL SURFACE TRANSPORTATION PROGRAM FUNDS FOR PROJECT LCLC- 5224(3), CITYWIDE CONTINENTAL PEDESTRIAN CROSSWALKS; - Alicea McClusky, Public Works & Utilities/Engineering Services, came forward to answer questions about durable pavement markings and pedestrian crosswalks. In response to questioning, Ms. McClusky said to guard against the use of local funds for immediate repair & replacement, the durable pavement markings were given a two-year life. She said generally the materials last between 3 and 5 years.

This matter was taken under advisement.

COUNCIL ACTION

REPORTS OF CITY OFFICERS

APPOINTING MAUREEN BRASE-HOUCHIN TO THE LINCOLN CITY LIBRARY BOARD OF TRUSTEES TO FILL AN UNEXPIRED TERM EXPIRING AUGUST 31, 2013 - CLERK read the following resolution, originally introduced by Adam Hornung.

COOK Moved its adoption: A-86089

BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That the appointment of Maureen Brase-Houchin to the Lincoln City Library Board of Trustees to fill an unexpired term expiring August 31, 2013, is hereby approved.

Introduced by Adam Hornung

Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

REAPPOINTING JOHN HENRY “JACK” ZOHNER, DENNIS BIGGERSTAFF AND RONALD GEARY TO THE HEATING, VENTILATING AND COOLING BOARD OF EXAMINERS FOR TERMS EXPIRING APRIL 4, 2011, APRIL 4, 2012 AND APRIL 4, 2013, RESPECTIVELY - CLERK read the following resolution originally introduced by Adam Hornung.

COOK Moved its adoption: A-86090

BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That the reappointment of John Henry “Jack” Zohner, Dennis Biggerstaff and Ronald Geary to the Heating, Ventilating and Cooling Board of Examiners for terms expiring April 4, 2011, April 4, 2012 and April 4, 2013, respectively, is hereby approved.

Introduced by Adam Hornung

Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.
REGULAR MEETING  
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REAPPOINTING DAN KUBR, TERRY CULWELL AND JOHN SINCLAIR TO THE BUILDING CODE BOARD OF APPEALS FOR TERMS EXPIRING APRIL 1, 2012, APRIL 1, 2013 AND APRIL 1, 2013, RESPECTIVELY - PRIOR to reading:

CAMP Moved to amend Bill No. 10R-284 to delete the name of Terry Culwell and strike the appointment expiration date of April 1, 2013.

Seconded by Cook & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

CLERK Read the following amended resolution originally introduced by Adam Hornung.

COOK Moved its adoption as amended:

A-86091 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:  
That the reappointment of Dan Kubr, Terry Culwell and John Sinclair to the Building Code Board of Appeals for terms expiring April 1, 2012, April 1, 2013 and April 1, 2013, respectively, is hereby approved.

Introduced by Adam Hornung

Seconded by Camp & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

REAPPOINTING MIKE MCNIFF, DOUG BIGGERTAFF, MATT MORRISSEY, MIKE BERRY AND ROGER KRIEFELS TO THE GAS PIPING EXAM BOARD FOR TERMS EXPIRING APRIL 1, 2012 - CLERK read the following resolution originally introduced by Adam Hornung.

COOK Moved its adoption:

A-86092 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:  
That the reappointment of Mike McNiff, DougBiggertaff, Matt Morrissey, Mike Berry and Roger Kriefels to the Gas Piping Exam Building Board for terms expiring April 1, 2012, is hereby approved.

Introduced by Adam Hornung

Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

REAPPOINTING BILL WHITMER AND DON SCHROEDER TO THE ELECTRICAL ADVISORY APPEALS AND EXAMINING BOARD FOR TERMS EXPIRING AUGUST 15, 2012 AND AUGUST 15, 2013, RESPECTIVELY - CLERK read the following resolution, originally introduced by Adam Hornung.

COOKMoved its adoption:

A-86093 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:  
That the reappointment of Bill Whitmer and Don Schroeder to the Electrical Advisory Appeals and Examining Board for terms expiring August 15, 2012 and August 15, 2013, respectively, is hereby approved.

Introduced by Adam Hornung

Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

APPOINTING DAN CHRISP AND CLINTON BRUHN TO THE ELECTRICAL ADVISORY APPEALS AND EXAMINING BOARD FOR TERMS EXPIRING AUGUST 15, 2011 AND AUGUST 15, 2013, RESPECTIVELY - CLERK read the following resolution originally introduced by Adam Hornung.

COOK Moved its adoption:

A-86094 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:  
That the appointment of Dan Chrisp and Clinton Bruhn to the Electrical Advisory Appeals and Examining Board for terms expiring August 15, 2011 and August 15, 2013, respectively, is hereby approved.

Introduced by Adam Hornung

Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

REAPPOINTING MICHAEL COON, MARTIN KASL AND R.J. LIPPERT TO THE FIRE SPRINKLER AND CHEMICAL EXAMINING BOARD FOR TERMS EXPIRING NOVEMBER 24, 2013 - CLERK read the following resolution originally introduced by Adam Hornung.

COOK Moved its adoption:

A-86095 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:  
That the reappointment of Michael Coon, Martin Kasl and R.J. Lippert to the Fire Sprinkler and Chemical Examining Board for terms expiring November 24, 2013, is hereby approved.

Introduced by Adam Hornung

Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

REAPPOINTING DOUG BIGGERTAFF TO THE WATER CONDITIONING BOARD OF EXAMINERS FOR A TERM EXPIRING SEPTEMBER 4, 2013 - CLERK read the following resolution originally introduced by Adam Hornung.
COOK Moved its adoption: A-86096

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

That the reappointment of Doug Biggerstaff to the Water Conditioning Board of Examiners for a term expiring September 4, 2013, is hereby approved.

Introduced by Adam Hornung

Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

CLERK’S LETTER AND MAYOR’S APPROVAL OF RESOLUTIONS AND ORDINANCES PASSED BY THE CITY COUNCIL ON OCTOBER 25, 2010 - CLERK presented said report which was placed on file in the Office of the City Clerk. (27-1)

REPORT FROM CITY TREASURER OF CITY CASH ON HAND AT THE CLOSE OF BUSINESS SEPTEMBER 30, 2010 - CLERK presented said report which was placed on file in the Office of the City Clerk. (5-21)

PETITIONS & COMMUNICATIONS

REFERRALS TO THE PLANNING DEPARTMENT:
Special Permit No. 10031 - Requested by U-Pull-It, Inc., for the operation of a salvage yard on property generally located at N. 70th Street and Cornhusker Highway.

LIQUOR RESOLUTIONS

APPLICATION OF KELLEY AND TYRRELL, INC. DBA MCCOURT’S ALE HOUSE FOR A CLASS C LIQUOR LICENSE AT 118 SOUTH 9TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-86097

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 Kelley and Tyrrell, Inc. dba McCourt’s Ale House for a Class “C” liquor license at 118 South 9th Street, Lincoln, Nebraska, for the license period ending October 31, 2011, be approved with the condition that the premise must comply 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 Jon Camp

Seconded by Cook & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

MANAGER APPLICATION OF CHRISTOPHER A. KELLEY FOR KELLEY AND TYRRELL, INC. DBA MCCOURT’S ALE HOUSE AT 118 SOUTH 9TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-86098

WHEREAS, Kelley and Tyrrell, Inc. dba McCourt’s Ale House located at 118 South 9th Street, Lincoln, Nebraska has been approved for a Retail Class “C” liquor license, and now requests that Christopher A. Kelley be named manager;

WHEREAS, Christopher A. Kelley 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 Christopher A. Kelley 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 Jon Camp

Seconded by Cook & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

APPLICATION OF YANKEE HILL, LLC DBA YANKEE HILL COUNTRY CLUB FOR A CLASS C LIQUOR LICENSE AT 7600 SAN MATEO LANE - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-86099

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 Yankee Hill, LLC
dba Yankee Hill Country Club for a Class "C" liquor license at 7600 San Mateo Lane, Lincoln, Nebraska, for the license period ending October 31, 2011, be approved with the condition that the premise must comply 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 Jon Camp

Seconded by Cook & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

MANAGER APPLICATION OF AMY A. WIESLER FOR YANKEE HILL, LLC DBA YANKEE HILL COUNTRY CLUB AT 7600 SAN MATEO LANE - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-86100

WHEREAS, Yankee Hill, LLC dba Yankee Hill Country Club located at 7600 San Mateo Lane, Lincoln, Nebraska has been approved for a Retail Class "C" liquor license, and now requests that Amy A. Wieseler be named manager;

WHEREAS, Amy A. Wieseler 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 Amy A. Wieseler 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 Jon Camp

Seconded by Cook & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

APPLICATION OF BLUE MANGO HOLDINGS, LLC DBA COCOS NIGHT CLUB, FORMERLY KNOWN AS EL SALVADOR CAFÉ, TO EXPAND ITS CLASS C LIQUOR LICENSE BY THE ADDITION OF A RECONSTRUCTED AREA FOR A NEW LICENSED AREA DESCRIBED AS A ONE STORY BUILDING APPROXIMATELY 50 FEET BY 140 FEET AND THE BASEMENT AREA LOCATED AT 221 SOUTH 9TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-86101

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 Blue Mango Holdings, LLC dba Cocos Night Club, formerly known as El Salvador Café, to expand its licensed premises by the addition of a reconstructed area for a new licensed area described as a one story building approximately 50 feet by 140 feet and the basement area located at 221 South 9th Street, Lincoln, Nebraska, be approved with the condition that the premise complies in every respect with all City and State regulations.

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

Introduced by Jon Camp

Seconded by Cook & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

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

VACATION 10009 – VACATING THE SOUTH HALF OF THE NORTH-SOUTH ALLEY BETWEEN SUMNER STREET AND GARFIELD STREET AND BETWEEN S. 29TH STREET AND JEFFERSON AVENUE - CLERK read an ordinance, introduced by Adam Hornung, vacating the south half of the north-south alley between Sumner Street and Garfield Street and between S. 29th Street and Jefferson Avenue, and retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, the second time.

APPROVING THE AMENDED AND RESTATATED SITE LEASE FROM THE CITY AND COUNTY OF LANCASTER, NEBRASKA TO THE LINCOLN-LANCASTER COUNTY PUBLIC BUILDING COMMISSION; APPROVING THE AMENDED AND RESTATATED LEASE AGREEMENT FROM THE COMMISSION TO THE COUNTY AND THE CITY; AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED $7,500,000 OF THE COMMISSION’S TAX SUPPORTED LEASE RENTAL REVENUE REFINANCING BONDS, SERIES 2010B - CLERK read an ordinance, introduced by Adam Hornung, of the City of Lincoln, Nebraska approving, the second time.
APPROVING THREE CONTRACT AGREEMENTS BETWEEN THE CITY AND TABITHA HOME CARE SPECIALTIES, ELITE PROFESSIONALS HOME CARE COMPANY AND ARCADIA HEALTH CARE FOR IN-HOME SUPPORTIVE SERVICES FOR THE ELDERLY, PURSUANT TO BID NO. 10-181, FOR TWO-YEAR TERMS WITH THE OPTION TO RENEW FOR ONE ADDITIONAL TWO-YEAR TERM - CLERK read the following resolution, introduced by Adam Hornung, who moved its adoption:

A-86102

BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That the three attached multi-year Contract Agreements between the City of Lincoln and Tabitha Home Care Specialties, Elite Professionals Home Care Company and Arcadia Health Care for In-Home Supportive Services for the Elderly, pursuant to Bid No. 10-181, for two-year terms with options to renew for one additional two-year term, upon the terms and conditions set forth in the said contracts, are hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

Introduced by Adam Hornung
Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

APPROVING THREE CONTRACT AGREEMENTS BETWEEN THE CITY AND SOUTHERN UNIFORM & EQUIPMENT, ALAMAR UNIFORMS AND GALLS INC. FOR THE ANNUAL SUPPLY OF POLICE CLOTHING, PURSUANT TO BID NO. 10-171, FOR TWO-YEAR TERMS WITH THE OPTION TO RENEW FOR ONE ADDITIONAL TWO-YEAR TERM - CLERK read the following resolution, introduced by Adam Hornung, who moved its adoption:

A-86103

BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That the three attached multi-year Contract Agreements between the City of Lincoln and Southern Uniform & Equipment, Alamar Uniforms and Galls Inc. for the annual supply of Police Clothing, pursuant to Bid No. 10-171, for two-year terms with options to renew for one additional two-year term, upon the terms and conditions as set forth in said contracts, are hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

Introduced by Adam Hornung
Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

APPROVING THREE CONTRACT AGREEMENTS BETWEEN THE CITY OF LINCOLN, LANCASTER COUNTY AND THE LINCOLN-LANCASTER COUNTY PUBLIC BUILDING COMMISSION AND LAMPE’S CLEAN AIR SPECIALISTS, DIVISION 15 SALES INC., AND TRI DIM FILTER CORPORATION FOR THE ANNUAL SUPPLY OF HVAC FILTERS, PURSUANT TO BID NO. 10-107, FOR THREE-YEAR TERMS WITH THE OPTION TO RENEW FOR ONE ADDITIONAL ONE-YEAR TERM - CLERK read the following resolution, introduced by Adam Hornung, who moved its adoption:

A-86104

BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That the three attached multi-year Contract Agreements between the City of Lincoln, Lancaster County and the Lincoln-Lancaster County Public Building Commission and Lampe’s Clean Air Specialists, Division 15 Sales Inc., and Tri Dim Filter Corporation for the annual supply of HVAC Filters, pursuant to Bid No. 10-107, for three-year terms with options to renew for one additional one-year term, upon the terms and conditions as set forth in said contracts, are hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

Introduced by Adam Hornung
Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

APPROVING A COOPERATIVE AGREEMENT BETWEEN THE CITY AND THE NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY FOR GRANT FUNDING FROM THE STORMWATER MANAGEMENT PLAN PROGRAM - CLERK read the following resolution, introduced by Adam Hornung, who moved its adoption:

A-86105

BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That the attached Cooperative Agreement between the City of Lincoln and the Nebraska Department of Environmental Quality (NDEQ) regarding grant funding from the state Stormwater Management Plan Program, upon the terms and conditions as set forth in said Agreement, is hereby approved and the Mayor is authorized to execute said Agreement on behalf of the City. This Agreement provides for NDEQ grant funding to implement programs and projects in association with the City of Lincoln’s Stormwater Management Program.
The City Clerk is directed to transmit an executed original Agreement to Ben Higgins, Public Works and Utilities Department, 55 South 10th Street, for transmittal to the Nebraska Department of Environmental Quality.

Introduced by Adam Hornung
Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

APPROVING THE LABOR CONTRACT BETWEEN THE CITY OF LINCOLN AND THE LINCOLN POLICE UNION FOR THE PERIOD OF AUGUST 19, 2010 THROUGH AUGUST 31, 2011 - CLERK read the following resolution, introduced by Adam Hornung, who moved its adoption:

A-86106
BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That the attached labor contract between the City of Lincoln and the Lincoln Police Union, for the period of August 19, 2010 through August 31, 2011, is hereby approved, and the Mayor is authorized to execute the same on behalf of the City.

Introduced by Adam Hornung
Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

APPROVING THE SELECTION OF CONSTRUCTORS INC. AND AUTHORIZING EXECUTION OF THE CONSTRUCTION CONTRACT BETWEEN THE CITY AND THE NEBRASKA DEPT. OF ROADS FOR THE USE OF FEDERAL HIGHWAY INFRASTRUCTURE INVESTMENT FUNDS PROVIDED BY THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 AND/OR FEDERAL SURFACE TRANSPORTATION PROGRAM FUNDS FOR PROJECT LCLC-5221(3), CITYWIDE CONTINENTAL PEDESTRIAN CROSSWALKS; LCLC-5219(8), CITYWIDE DURABLE PAVEMENT MARKINGS; (11/1/10 - TO BE PLACED ON PUBLIC HEARING RESOLUTIONS W/ACTION ON 11/8/10) - CLERK read the following resolution, introduced by Jayne Snyder, who moved its adoption:

A-86107
WHEREAS, the City of Lincoln adopted Resolution No. A-85637 on January 4, 2010 approving an Agreement for the use of Federal Highway Infrastructure Investment Funds provided by the ARRA of 2009 for Citywide Durable Pavement Markings (Project No. LCLC-5239(8)) for multiple locations; and
WHEREAS, the State and City received bids for the construction of the proposed work and selected Constructors, Inc. as the low bidder to whom the contract should be awarded.
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That the City concurs in the selection of the above mentioned contractor; that the City does not desire to perform the work with its own forces in lieu of performing the work by the contract method; and hereby authorizes the Mayor to execute the construction contract on behalf of the City.

The City Clerk is directed to return the executed copies of the Agreements to the Department of Public Works & Utilities, for transmittal and execution by the State Department of Roads.

Introduced by Jayne Snyder
Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

APPROVING THE SELECTION OF CONSTRUCTORS INC. AND AUTHORIZING EXECUTION OF THE CONSTRUCTION CONTRACT BETWEEN THE CITY AND THE NEBRASKA DEPT. OF ROADS FOR THE USE OF FEDERAL HIGHWAY INFRASTRUCTURE INVESTMENT FUNDS PROVIDED BY THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 AND/OR FEDERAL SURFACE TRANSPORTATION PROGRAM FUNDS FOR PROJECT LCLC-5239(8), CITYWIDE CONTINENTAL PEDESTRIAN CROSSWALKS; LCLC-5221(3), CITYWIDE DURABLE PAVEMENT MARKINGS; (11/1/10 - TO BE PLACED ON PUBLIC HEARING RESOLUTIONS W/ACTION ON 11/8/10) - CLERK read the following resolution, introduced by Jayne Snyder, who moved its adoption:

A-86108
WHEREAS, the City of Lincoln adopted Resolution No. A-85637 on January 4, 2010 approving an Agreement for the use of Federal Highway Infrastructure Investment Funds provided by the ARRA of 2009 for Citywide Continental Pedestrian Crosswalks (Project No. LCLC-5221(3)) for multiple locations; and
WHEREAS, the State and City received bids for the construction of the proposed work and selected Constructors, Inc. as the low bidder to whom the contract should be awarded.
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That the City concurs in the selection of the above mentioned contractor; that the City does not desire to perform the work with its own forces in lieu of performing the work by the contract method; and hereby authorizes the Mayor to execute the construction contract on behalf of the City.
The City Clerk is directed to return the executed copies of the Agreements to the Department of Public Works & Utilities, for transmittal and execution by the State Department of Roads.

Introduced by Jayne Snyder
Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

ORDINANCE - 1ST READING & RELATED RESOLUTIONS (as required)

APPROVING THE BLOCK 38 REDEVELOPMENT AGREEMENT BETWEEN BLOCK 38, LLC AND THE CITY RELATING TO THE REDEVELOPMENT OF PROPERTY GENERALLY LOCATED ON THE NORTH HALF OF BLOCK 38, BETWEEN 13TH AND 14TH STREETS AND P AND Q STREETS. (RELATED ITEMS: 10R-290, 10-141, 10-142, 10R-299) (ACTION DATE: 11/22/10)

AUTHORIZING THE ISSUANCE OF TAX ALLOCATION BONDS NOT TO EXCEED $1,725,000 FOR THE CITY OF LINCOLN, BLOCK 38 REDEVELOPMENT PROJECT IN DOWNTOWN LINCOLN. (RELATED ITEMS: 10R-290, 10-141, 10-142, 10R-299) (ACTION DATE: 11/22/10) - CLERK read an ordinance, introduced by Jayne Snyder, authorizing and providing for the issuance of tax allocation bonds to acquire and/or rehabilitate certain public improvements within the City’s Block 38 Redevelopment Project Area, including acquiring any real estate and/or interests in real estate in connection therewith, and (2) paying the costs of issuance thereof; prescribing the form and certain details of the Bond; pledging certain tax revenue and other revenue to the payment of the principal of and interest on the Bond as the same become due; limiting payment of the Bonds to such tax revenues; creating and establishing funds and accounts; delegating, authorizing and directing the Finance Director to exercise his independent discretion and judgment in determining and finalizing certain terms and provisions of the Bond not specified herein; taking other actions and making other covenants and agreements in connection with the foregoing; and related matters, the first time.

AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED $30,000,000 OF THE CITY OF LINCOLN, NEBRASKA PARKING REVENUE AND REFUNDING BONDS, SERIES 2010. (RELATED ITEMS: 10R-290, 10-141, 10-142, 10R-299) (ACTION DATE: 11/22/10) - CLERK read an ordinance, introduced by Jayne Snyder, authorizing and providing for the issuance, sale and delivery of not to exceed $30,000,000 Parking Revenue and Refunding Bonds, Series 2010, in one or more series for the purpose of (A) providing for the payment and redemption of the City’s outstanding (1) $5,525,000 principal amount of Parking Revenue and Refunding Bonds, Series 1999A and (2) $3,850,000 principal amount of Parking Revenue Bonds, Series 2001, and (B) paying all or part of the cost of certain additional parking improvements; making certain amendments to Ordinance No. 17541 of the City; limiting payment of the Series 2010 Bonds solely to certain specified sources; making certain pledges, covenants, and agreements to secure the Series 2010 Bonds; directing the Series 2010 Bonds shall be sold at a negotiated sale; delegating, authorizing and directing the Finance Director or the City Controller to exercise his or her own independent judgment and absolute discretion in (a) determining, fixing, and finalizing the principal amount of each series of the Series 2010 Bonds and principal maturities thereof, rates of interest and other terms and provisions of each series of the Series 2010 Bonds, and (b) determining and fixing the terms and provisions of such documents; and related matters, the first time.

APPROVING A CONSTRUCTION MANAGER AT RISK CONTRACT BETWEEN SAMPSON CONSTRUCTION COMPANY, BLOCK 38, LLC AND THE CITY OF LINCOLN FOR CONSTRUCTION OF THE MIXED USE FACILITY, INCLUDING A CITY PARKING GARAGE, PRIVATE RESIDENTIAL AND COMMERCIAL SPACE, ON PROPERTY GENERALLY LOCATED ON THE NORTH HALF OF BLOCK 38, BETWEEN 13TH AND 14TH STREETS AND P AND Q STREETS. (RELATED ITEMS: 10R-290, 10-141, 10-142, 10R-299) (ACTION DATE: 11/22/10)

AUTHORIZING THE EXECUTION AND DELIVERY OF (1) A LEASE AGREEMENT, (2) A TRUST INDENTURE, (3) A DEED OF TRUST, SECURITY AGREEMENT AND ASSIGNMENT OF RENTS AND LEASES AND (4) A TAX COMPLIANCE AGREEMENT IN CONNECTION WITH THE ISSUANCE OF NOT TO EXCEED $10,000,000 PRINCIPAL AMOUNT OF THE CITY’S RECOVERY ZONE FACILITY INDUSTRIAL DEVELOPMENT REVENUE BONDS (TMCO, INC. PROJECT) SERIES 2010 - CLERK read an ordinance, introduced by Jayne Snyder, authorizing and approving the issuance of a not to exceed $10,000,000 principal amount Industrial Development Bonds.
Recovery Zone Facility Revenue Bond, Series 2010 (TMCO, Inc. Project); approving and authorizing the execution and delivery of a lease agreement, a deed of trust and construction security agreement and a tax compliance agreement and closing documentation; delegating, authorizing and directing the Mayor, Finance Director and Clerk to exercise their own independent discretion and judgment in determining and finalizing the terms, provisions, form and contents of each of such documents; providing for the publication of this ordinance and the time when this ordinance shall take effect; and related items, the first time.

AUTHORIZING THE EXECUTION AND DELIVERY OF (1) A LEASE AGREEMENT, (2) A TRUST INDENTURE, (3) A DEED OF TRUST, SECURITY AGREEMENT AND ASSIGNMENT OF RENTS AND LEASES AND (4) A TAX COMPLIANCE AGREEMENT IN CONNECTION WITH THE ISSUANCE OF NOT TO EXCEED $14,000,000 PRINCIPAL AMOUNT OF THE CITY’S RECOVERY ZONE FACILITY INDUSTRIAL DEVELOPMENT REVENUE BONDS (BLOCK 21, L.L.C. PROJECT) SERIES 2010 - CLERK read an ordinance, introduced by Jayne Snyder, authorizing and approving the issuance of a not to exceed $14,000,000 principal amount Industrial Development Revenue Bonds (Block 21, L.L.C. Project); approving and authorizing the execution and delivery of a Lease Agreement, a Deed of Trust and Construction Security Agreement and a Tax Compliance Agreement and Closing Documents; delegating, authorizing and directing the Mayor, Finance Director and Clerk to exercise their own independent discretion and judgment in determining and finalizing the terms, provisions, form and contents of each of such documents; providing for the publication of this ordinance and the time when this ordinance shall take effect; and related matters, the first time.

COMP. PLAN CONFORMITY 10008 - APPROVING AN AMENDMENT TO THE LINCOLN CENTER REDEVELOPMENT PLAN TO ADD THE "TELESIS MEADOWGOLD REDEVELOPMENT PROJECT" TO REDEVELOP THE FORMER MEADOWGOLD MANUFACTURING COMPLEX INTO MIXED-USE INDUSTRIAL BUILDINGS AND A RESIDENTIAL/COMMERCIAL BUILDING, ON PROPERTY IN BLOCK 84, ORIGINAL LINCOLN, GENERALLY BOUNDED BY M, 7TH, L, AND 8TH STREETS. (RELATED ITEMS: 10R-295, 10-144, 10-147) (ACTION DATE: 11/22/10) - CLERK read an ordinance, introduced by Jayne Snyder, amending the Lincoln Zoning District Maps adopted by reference in accordance with Title 27 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the first time.

AUTHORIZING THE EXECUTION AND DELIVERY OF (1) A LEASE AGREEMENT, (2) A TRUST INDENTURE, (3) A DEED OF TRUST, SECURITY AGREEMENT AND ASSIGNMENT OF RENTS AND LEASES AND (4) A TAX COMPLIANCE AGREEMENT IN CONNECTION WITH THE ISSUANCE OF NOT TO EXCEED $2,800,000 PRINCIPAL AMOUNT OF THE CITY'S RECOVERY ZONE FACILITY INDUSTRIAL DEVELOPMENT REVENUE BONDS (TELESIS, INC. PROJECT) SERIES 2010. (RELATED ITEMS: 10R-295, 10-144, 10-147) (ACTION DATE: 11/22/10) - CLERK read an ordinance, introduced by Jayne Snyder, authorizing and approving the issuance of a not to exceed $2,800,000 principal amount Industrial Development Recovery Zone Facility Revenue Bond, Series 2010 (Telesis, Inc. Project); approving and authorizing the execution and delivery of a lease agreement, a deed of trust and construction security agreement and a tax compliance agreement and closing documentation; delegating, authorizing and directing the Mayor, Finance Director and Clerk to exercise their own independent discretion and judgment in determining and finalizing the terms, provisions, form and contents of each of such documents; providing for the publication of this ordinance and the time when this ordinance shall take effect; and related matters, the first time.

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

COMP. PLAN CONFORMANCE 10006 - ADOPTING AND APPROVING THE PROPOSED NEBRASKA INNOVATION CAMPUS REDEVELOPMENT PLAN FOR AN AREA ADJACENT TO THE UNIVERSITY OF NEBRASKA-LINCOLN CITY CAMPUS INCLUDING THE FORMER NEBRASKA STATE FAIR PARK, GENERALLY LOCATED FROM N. ANTELOPE VALLEY PARKWAY TO 27TH STREET, BETWEEN SALT CREEK AND THE BURLINGTON NORTHERN SANTA FE RAILROAD CORRIDORS. (RELATED ITEMS: 10-135) (ACTION DATE: 11/8/10) - CLERK read the following resolution, introduced by Doug Emery, who moved its adoption:

WHEREAS, the City Council on February 8, 2010, adopted Resolution No. A-85724 finding an area generally bounded by 14th Street to 27th Street, between the Salt Creek and Burlington Northern and Santa Fe Railroad corridors, 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 Director of the Urban Development Department has filed with the City Clerk a Redevelopment Plan entitled “Nebraska Innovation Campus (NIC) Redevelopment Plan,” which is attached hereto, marked as Attachment “A,” and made a part hereof by reference, and has reviewed said plan and has found that it meets the conditions set forth in Neb. Rev. Stat. § 18-2113 (Reissue 2007); and

WHEREAS, on September 24, 2010, a notice of public hearing was mailed postage prepaid 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 October 6, 2010 before the Lincoln City - Lancaster County Planning Commission regarding the proposed Nebraska Innovation Campus (NIC) Redevelopment Plan, a copy of said notice and list of said registered neighborhood associations having been attached hereto as Attachment “B” and “C” respectively; and

WHEREAS, on October 18, 2010 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 November 1, 2010, regarding the proposed Nebraska Innovation Campus Redevelopment Plan, a copy of said notice having been attached hereto as Attachment “D”; and

WHEREAS, on October 15, 2010 and October 22, 2010 a Notice of Public Hearing was published in the Lincoln Journal Star newspaper, setting the time, date, place, and purpose of the public hearing before the City Council to be held on November 1, 2010 regarding the proposed Nebraska Innovation Campus Redevelopment Plan for said blighted and substandard area, a copy of such notice having been attached hereto and marked as Attachment “E”; and

WHEREAS, said proposed Nebraska Innovation Campus Redevelopment Plan has been submitted to the Lincoln-Lancaster County Planning Commission for review and recommendations, and said Planning Commission on October 6, 2010 found the Plan Amendments to be in conformance with the Comprehensive Plan and recommended approval thereof; and

WHEREAS, on November 3, 2010 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 Redevelopment Plan and all interested parties were afforded at such public hearing a reasonable opportunity to express their views respecting said proposed modifications to the Redevelopment Plan; and

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

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

1. That the Nebraska Innovation Campus Redevelopment Plan 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 the Nebraska Innovation Campus 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 Nebraska Innovation Campus Redevelopment Plan 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.

5. That the Nebraska Innovation Campus Redevelopment Plan would not be economically feasible without the use of tax-increment financing.

6. 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 the document entitled “Nebraska Innovation Campus Redevelopment Plan” attached hereto as Attachment "A", establishing the Nebraska Innovation Campus Redevelopment Plan, is 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.

3. That the Redevelopment Plan Area for the Nebraska Innovation Campus Redevelopment Plan as described and depicted in the Plan is the Redevelopment Plan 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 to authorize the necessary funds, including Community Improvement Financing in accordance with the Community Development Law, to finance related necessary and appropriate public acquisitions, improvements, and other activities set forth in said Nebraska Innovation Campus Redevelopment Plan.

Introduced by Doug Emery
Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

CHANGE OF ZONE 10018 - APPLICATION OF THE UNIVERSITY OF NEBRASKA FOR A CHANGE OF ZONE FROM P PUBLIC USE DISTRICT TO O-3 PLANNED UNIT DEVELOPMENT FOR DEVELOPMENT OF NEBRASKA INNOVATION CAMPUS INCLUDING APPROXIMATELY TWO MILLION SQUARE FEET OF MIXED USE COMMERCIAL SPACE, UP TO 250 DWELLING UNITS AND UP TO 135 HOTEL ROOMS, ON PROPERTY GENERALLY LOCATED AT NORTH ANTETELOPE VALLEY PARKWAY AND SALT CREEK ROADWAY. (RELATED ITEMS: 10R-275, 10-135) (ACTION DATE: 11/8/10) - PRIOR to reading: CARROLL Moved MTA #1 to amend Bill No. 10-135 in the following manner: 1. On page 6, after line 34, add a new condition number xix. to read as follows:

ix. Revise General Note 15 to read: New improvements and the relocation of existing utilities and intersections and road within the Nebraska Innovation Campus PUD will be at the developer’s expense. In addition, costs associated with the installation of traffic signals, intersection improvements, sidewalks, and street improvements to accommodate Innovation Campus PUD will be at the developer’s expense.

Seconded by Snyder & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

CLERK Read an ordinance, introduced by Doug Emery, amending the Lincoln Zoning District Maps attached to and made a part of Title 27 of the Lincoln Municipal Code, as provided by Section 27.05.202 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the third time.

EMERY Moved to pass the ordinance as amended.
Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.
The ordinance, being numbered #19464, is recorded in Ordinance Book #27, Page

VACATION 10012 - VACATING THAT PORTION OF THE NORTH-SOUTH ALLEY ABUTTING THE SOUTH 9.78 FEET OF LOT 14, MAXWELL'S ADDITION, GENERALLY LOCATED AT THE NORTHWEST CORNER OF SOUTH 16TH STREET AND SOUTH STREET - CLERK read an ordinance, introduced by Doug Emery, vacating that portion of the north-south alley between S. 15th Street and S. 16th Street abutting the south 9.78 feet of Lot 14, Maxwell’s Addition, generally located at the northwest corner of South 16th Street and South Street, and retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, the third time.

EMERY Moved to pass the ordinance as read.
Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.
The ordinance, being numbered #19465, is recorded in Ordinance Book #27, Page

VACATION 10013 - VACATING VARIOUS RIGHTS-OF-WAY IN ANTETELOPE VALLEY GENERALLY BOUND BY S STREET ON THE NORTH, MONROE AVENUE ON THE SOUTH, N. 19TH STREET ON THE WEST AND N. 22ND STREET ON THE EAST - CLERK read an ordinance, introduced by Doug Emery, vacating various rights-of-way in Antelope Valley generally bounded by S

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Street on the north, Monroe Avenue on the south, N. 19th Street on the west, and retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, the third time.

EMERY Moved to pass the ordinance as read.

Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

The ordinance, being numbered #19466, is recorded in Ordinance Book #27, Page AMENDING TITLE 10 OF THE LINCOLN MUNICIPAL CODE RELATING TO VEHICLES AND TRAFFIC BY ADDING A NEW SECTION NUMBERED 10.02.365 TO DEFINE SNOW REMOVAL DISTRICT, AND BY CREATING A NEW LINCOLN MUNICIPAL CODE CHAPTER 10.41, SNOW REMOVAL DISTRICT, BY ADDING SECTION 10.41.010 TO PROHIBIT PARKING IN ANY SNOW REMOVAL DISTRICT WHENEVER A SNOW EMERGENCY IS DECLARED; ADDING SECTIONS 10.41.020, 10.41.030, 10.41.040, 10.41.050, 10.41.060, 10.41.070, 10.41.080, 10.41.090, AND 10.41.100 TO ESTABLISH THE DOWNTOWN, UNIVERSITY PLACE, HAVELock, BETHANY, COLLEGE VIEW, 11TH AND G STREET, 13TH STREET, 17TH AND WASHINGTON, AND 25TH AND SUMMER SNOW REMOVAL DISTRICTS, RESPECTIVELY; ADDING SECTION 10.41.110 TO AUTHORIZE THE MAYOR TO ORDER A PARKING PROHIBITION ON ALL STREETS DESIGNATED AS PART OF ANY SNOW REMOVAL DISTRICT; AND ADDING SECTION 10.41.120 TO AUTHORIZE THE DIRECTOR OF PUBLIC WORKS AND UTILITIES TO PROVIDE FOR SIGNAGE IDENTIFYING SAID SNOW REMOVAL DISTRICTS - CLERK read an ordinance, introduced by Doug Emery, amending Title 10 of the Lincoln Municipal Code relating to Vehicles and Traffic by adding a new section numbered 10.02.365 to define Snow Removal District, and by creating a new Lincoln Municipal Code Chapter 10.41, Snow Removal District, by adding Section 10.41.010 to prohibit parking in any Snow Removal District whenever a snow emergency is declared; adding Sections 10.41.020, 10.41.030, 10.41.040, 10.41.050, 10.41.060, 10.41.070, 10.41.080, 10.41.090, 10.41.100 to establish the Downtown, University Place, Havelock, Bethany, College View, 11th and G Street, 13th Street, 17th and Washington, and 25th and Summer Snow Removal Districts, respectively; adding Section 10.41.110 to authorize the Mayor to order a parking prohibition on all streets designated as part of any Snow Removal District; and adding Section 10.41.120 to authorize the Director of Public Works and Utilities to provide for signage identifying said Snow Removal Districts, the third time.

EMERY Moved to pass the ordinance as read.

Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

The ordinance, being numbered #19467, is recorded in Ordinance Book #27, Page AMENDING TITLE 5 OF THE LINCOLN MUNICIPAL CODE RELATING TO LICENSES AND REGULATIONS BY AMENDING SECTION 5.36.120 RELATING TO THE APPEAL OF A DENIAL OF AN APPLICATION FOR A PEDDLER’S PERMIT TO PROVIDE THAT THE CHIEF OF POLICE AND THE DIRECTOR OF PUBLIC WORKS AND UTILITIES MAY DESIGNATE PERSONS FROM THEIR DEPARTMENTS TO FILL SUCH DIRECTORS’ POSITIONS ON THE PERMIT REVIEW BOARD; AMENDING SECTION 5.50.080 RELATING TO THE SUSPENSION OR REVOCATION OF A TAXICAB DRIVER LICENSE TO PROVIDE THAT THE CHIEF OF POLICE AND THE DIRECTOR OF PUBLIC WORKS AND UTILITIES MAY DESIGNATE PERSONS FROM THEIR DEPARTMENTS TO FILL SUCH DIRECTORS’ POSITIONS ON THE TAXICAB REVIEW BOARD - CLERK read an ordinance, introduced by Doug Emery, amending Title 5 of the Lincoln Municipal Code relating to Licenses and Regulations by amending Section 5.36.120 relating to the appeal of a denial of an application for a Peddler’s permit to provide that the Chief of Police and the Director of Public Works and Utilities may designate persons from their departments to fill such directors’ positions on the Permit Review Board; amending Section 5.50.080 relating to the suspension or revocation of a taxicab driver license to provide that the Chief of Police and the Director of Public Works and Utilities may designate persons from their departments to fill such directors’ positions on the Permit Review Board, and repealing Sections 5.36.120 and 5.50.080 of the Lincoln Municipal Code as hitherto existing, the third time.

EMERY Moved to pass the ordinance as read.

Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

The ordinance, being numbered #19468, is recorded in Ordinance Book #27, Page OPEN MICROPHONE

Jane Svoboda, address not given, came forward to comment on home health options as it affected her mother, Ann, who passed away four months ago. Ms. Svoboda described her mother’s life as being a happily married Catholic of 60...
years, mother of nine & 40-year right-to-life advocate but through Medicaid, her only home health option in her last few months of life was hospice. Ms. Svoboda expressed her adverse opinion of hospice as it removes life-preserving medicine. This matter was taken under advisement.

John Austin, 826 S. 14th St., came forward to comment on Veteran’s Day; the use of police officers to direct game-day traffic; an effort to clean up downtown sidewalks; and a request to provide the open mic session weekly. This matter was taken under advisement.

Council Chair Spatz thanked Mr. Austin for his reminder and spoke in recognition of the honorable Veterans Day which will be celebrated this week.

Council Member Camp added his comments about the day to honor all of our nation’s veterans on Thursday, November 11, 2010. He said it was the eleventh hour, on the eleventh day, of the eleventh month in 1918 that the armistice was signed to end World War I. He expressed gratitude to all men & women who served in the armed forces whether now or in the past.

MISCELLANEOUS BUSINESS

PENDING -

CAMP Moved to extend the Pending List to November 15, 2010. Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

UPCOMING RESOLUTIONS

CAMP Moved to approve the resolutions to have Public Hearing on November 15, 2010. Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

ADJOURNMENT 3:50 P.M.

CAMP Moved to adjourn the City Council meeting of November 8, 2010. Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

Joan E. Ross, City Clerk

Sandy L. Dubas, Senior Office Assistant