THE MINUTES OF THE CITY COUNCIL MEETING HELD
MONDAY, MARCH 21, 2011 AT 3:00 P.M.

The Meeting was called to order at 3:00 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

COOK Having been appointed to read the minutes of the City Council proceedings of March 14, 2011 reported having done so, found same correct. Seconded by Emery & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

PUBLIC HEARING

APPROVING AN ADOPTION AGREEMENT RELATING TO THE RETIREMENT PLAN FOR UNCLASSIFIED
DEPARTMENT HEADS PURSUANT TO ARTICLE II, SECTION 3 OF THE CHARTER OF THE CITY OF LINCOLN TO PROVIDE THAT THE EMPLOYER CONTRIBUTIONS SHALL BE 9% OF AN EMPLOYEE’S COMPENSATION AND TO PROVIDE THAT EMPLOYER CONTRIBUTION SHALL BE 7% OF THE EMPLOYER’S COMPENSATION FOR EMPLOYEES HIRED ON OR AFTER APRIL 1, 2011 - Don Taute, Asst. City Attorney, came forward to explain the process of this agreement. He advised Council not to act upon MTA #1. He explained that MTA #2 has similar language but changes the 9% employer contribution to 6% and the employee contribution from 7% to 6% with an effective date for new hires on or after May 1, 2011. It also has a substitute adoption agreement which replaces the attachment that was initially a part of Bill No. 11-25.

Kyle Fisher, Lincoln Chamber of Commerce, 1135 M St., came forward in support of Council Member Camp’s amendment to the agreement. He also expressed appreciation to the Mayor’s administration and other members of the Council for their diligence on lowering personnel costs.

Coby Mach, LIBA, came forward in support of the amendment that reduces the retirement match from 2:1 to 1:1. He thanked the Mayor and City Council for their efforts to bring added savings to future budgets. This matter was taken under advisement.

COMP. PLAN CONFORMANCE 11002 - APPROVING AN AMENDMENT TO THE NORTHWEST CORRIDORS
REDEVELOPMENT PLAN TO ADD THE UNIVERSITY OF NEBRASKA TECHNOLOGY PARK PROJECT #3: WORLD’S FOREMOST BANK PROJECT, INCLUDING THE CONSTRUCTION OF A 40,000 SQUARE FOOT OFFICE/COMMERCIAL BUILDING AND PARKING LOT, ON PROPERTY GENERALLY LOCATED NORTH OF THE EXISTING BANK LOCATION AT 4800 N.W. 1ST STREET;

VACATION NO. 11001 - APPLICATION OF WORLD’S FOREMOST BANK TO VACATE HIGHLAND CIRCLE EXCEPT THE 50 FEET EAST OF THE EAST RIGHT-OF-WAY LINE OF N.W. 1ST STREET, GENERALLY LOCATED AT N.W. 1ST STREET AND HIGHLAND CIRCLE - Wynn Hjermstad, Urban Development, came forward to state that this plan amendment is the fourth project in the redevelopment area joining the other three redevelopments identified as the Rosewood Motel, Verizon and Perot projects. She said this $7.2 million project on 14.5 acres includes the construction of a 40,000 sq. ft. office building, acquisition of land for a parking lot and set-aside for future expansion. Ms. Hjermstad clarified this as an outer area TIF project ($852,000) for economic development rather than blight removal and it also meets criteria as being a primary employer with salary requirements. She said 400 new jobs will be created with a projected annual payroll of $12.4 million.

Tom Huston, Cline Williams Law Firm, 233 S. 13th St., came forward on behalf of World’s Foremost Bank and requested that Council take action on the Redevelopment Plan Amendment today so as to keep it separate from the Redevelopment Agreement next week. He said company representatives will come before Council next week to talk about the exciting relationship between World’s Foremost Bank and the University of Nebraska.

This matter was taken under advisement.

APPROVING A MULTI-YEAR CONTRACT BETWEEN THE CITY OF LINCOLN, LANCASTER COUNTY, LINCOLN-LANCASTER COUNTY PUBLIC BUILDING COMMISSION AND HEWLETT PACKARD COMPANY FOR COMPUTER EQUIPMENT, PERIPHERALS, AND RELATED SERVICES FOR A TERM FROM THE
DATE OF EXECUTION THROUGH AUGUST 31, 2012, WITH OPTIONS TO RENEW FOR TWO ONE-YEAR TERMS OR ONE TWO-YEAR TERM - Vince Mejer, Purchasing Agent, came forward to answer questions. This matter was taken under advisement.

APPROVING AN AGREEMENT BETWEEN THE CITY OF LINCOLN, LANCASTER COUNTY AND THOMSON WEST FOR ELECTRONIC LEGAL RESEARCH FOR A PERIOD OF APRIL 1, 2011 THROUGH MARCH 31, 2015 WITH AN OPTION TO RENEW FOR ONE ADDITIONAL YEAR - Rod M. Confer, City Attorney, came forward to state that the City will pay 1/4 of the cost as the service is shared with the following entities: County Attorney, Public Defender and Department of Corrections. This matter was taken under advisement.

SPECIAL PERMIT 10037 - APPEAL OF EMERALD CARE COMPANY FROM THE CONDITIONAL APPROVAL ALLOWING A DOMICILIARY CARE FACILITY FOR UP TO 48 RESIDENTS ON PROPERTY GENERALLY LOCATED SOUTHWEST OF THE INTERSECTION OF SOUTH 84TH STREET AND PIONEERS BOULEVARD - Mark Hunzeker, Baylor Evnen, 600 Wells Fargo Center, 1248 O St., came forward representing the applicant to discuss his client’s issue with the construction of the right turn lane explaining it is neither justified nor possible due to lack of right-of-way. He described the water line issue in 84th Street and the various costs associated with tapping into an appropriate line and licensing of potable water requirements.

Roger Figard, Public Works Dept., came forward to state that his department’s main concern is to be able to meet expectations of the customer. Regarding the water issue, he explained the differences between transmission mains and distribution mains. Mr. Figard shared information in reference to the turning lane. He said that while 84th Street is part of the National Highway System and does not need to meet minimum design standards based on the AASHTO Green Book, he clarified that NDOR would not require a turn lane at that location. He said the City spent extra money on the homeowner’s retaining wall to reduce impacts of 84th Street to the property owner. Mr. Figard said that while most newer arterial streets do not have a residential driveway or use off of the arterial and are accessed at a street return, Mr. Hunzerker’s client is unique in that they have no abutting to another public street. Mr. Figard said Public Works has requested this particular infrastructure to preserve the life, improve or increase safety and reduce congestion of the 15-20,000 cars which drive by on 84th Street each day. His department has not seen any drawings or documentation that would suggest the right turn lane would cost $100,000.

Council Member Emery requested an explanation for what he felt were State inconsistencies on 84th Street as it related to the right-in and right-out access at the North Forty project.

Mr. Figard responded to Council Member Emery’s concerns. He said when the County did 84th Street and federal money was used, the City specifically bought control of access. He said there were no existing access points when the City built the North Forty project. Because those access points were requested and added, it required working with the State and Feds to buy back access. He clarified that on South 84th Street the driveway with access to the property already exists.

Rod M. Confer, City Attorney, came forward to clarify the appeal as it related to the water line. He said once an appeal is taken, the determination of the Planning Commission becomes advisory; therefore, Council has the power to make a determination as to what that water line should be.

Council Member Snyder questioned why the property is being treated as if it was commercial rather than residential. She said she does not see the need for a turn lane.

Mr. Figard responded that regardless of commercial or residential, the whole point of a turn lane is to get drivers off the arterial street so they can slow down and make a turn without creating congestion or a potential a rear-end accident.

Donna Bader, 4305 S. 84th St., came forward as the 32-year property owner and clarified that when 84th Street was widened, a retaining wall was installed at the City’s demand to control erosion and their circle drive was removed. Ms. Bader stated she understands policy & procedure but pointed out that the business to the north does not have turn lane access; records indicate no accidents on 84th at either driveway; and Health Dept. has given clean reports from her deep-water aquifer.

Mr. Hunzeker, came forward in rebuttal. He requested Council to consider the fact that this Alzheimer’s operation facility is the only company in Lincoln which accepts Medicare and Medicaid patients and the cost to install a turn lane
would be a needless expense that would kill this project. He clarified that the water line they propose to tap will be a six-inch main off a 24-inch main to serve a fire hydrant. He requested Council to approve the Planning Commission recommendation on the water line, to approve the appeal on the turn lane and to do so in the hope of not letting perfect be the enemy of good. This matter was taken under advisement.

COMP. PLAN CONFORMANCE 11001 - APPROVING AN AMENDMENT TO THE LINCOLN STAR BUILDING REDEVELOPMENT PROJECT, IN THE LINCOLN CENTER REDEVELOPMENT PLAN, TO EXTEND THE PROJECT AREA TO INCLUDE THE M STREET RIGHT-OF-WAY FROM SOUTH 7TH STREET TO SOUTH 17TH STREET TO ALLOW FOR STREETSCAPE DESIGN AND IMPROVEMENTS - Hallie Salem, Urban Development, came forward to state that this project will allow for the completion of right-of-way improvements including streetscape and vault improvements in M Street and 12th Street related to the Star Buildings. She said an agreement in December 1997 was adopted to fund these improvements using TIF funds. She said in 1995 the base value for the area was $861,000 and the current assessed value is over $4 million. An estimation of $450,000 in additional increment will be available to extend streetscape improvements along M Street from 7th to 17th. These changes will allow for a design of the M Street streetscape throughout the area and potentially the installation of streetscape improvements and amenities in the project area.

Dallas McGee, Urban Development, came forward to discuss the amendment. In looking at the 2005 Downtown Master Plan and looking at the proposed recommendations, a connection was proposed linking Antelope Valley on the East with the West Haymarket developing on the west and linking M Street as a better connection on the south. Mr. McGee described different concepts to that linkage as being Park Blocks and Urban Blocks. By working with the Downtown Lincoln Association, property owners, business owners & other interests, a plan can be put together for future projects to be identified better & integrated with the streetscape. He feels decisions should not be made on a block-by-block basis but instead by a guide for the entire 10-block stretch. In response to Council questions, he anticipated spending $100,000.

In response to Council Member Camp’s concerns about an open-ended dollar figure and his subsequent suggestion of a $25,000 lid, Ms. Salem feared a spending cut would reduce public participation. She also reminded Council that three other increment districts are proposing to use TIF on M Street. She said funds can be used more efficiently by creating a uniform design first. This matter was taken under advisement.

COUNCIL ACTION

REPORTS OF CITY OFFICERS

LINCOLN WATER & WASTEWATER SYSTEM Recapitulation of Daily Cash Receipts for the Month of February, 2011 - CLERK presented said report which was placed on file in the Office of the City Clerk. (8-71)

CLERK’S LETTER AND MAYOR’S APPROVAL OF RESOLUTIONS AND ORDINANCES PASSED BY THE CITY COUNCIL ON MARCH 7, 2011 - CLERK presented said report which was placed on file in the Office of the City Clerk. (27-1)

PETITIONS & COMMUNICATIONS - NONE

MISCELLANEOUS - NONE

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

APPROVING AN ADOPTION AGREEMENT RELATING TO THE RETIREMENT PLAN FOR UNCLASSIFIED DEPARTMENT HEADS PURSUANT TO ARTICLE II, SECTION 3 OF THE CHARTER OF THE CITY OF LINCOLN TO PROVIDE THAT THE EMPLOYER CONTRIBUTIONS SHALL BE 9% OF AN EMPLOYEE’S COMPENSATION AND TO PROVIDE THAT EMPLOYER CONTRIBUTION SHALL BE 7% OF THE EMPLOYEE’S COMPENSATION FOR EMPLOYEES HIRED ON OR AFTER APRIL 1, 2011.
(2/28/11 - TO HAVE 1ST READING IN 2 WKS. ON 3/14/11; P.H. ON 3/21/11) - CLERK read an ordinance, introduced by Jonathan Cook, adopting the Volume Submitter Money Purchase Plan Adoption Agreement relating to the Retirement Plan for Unclassified Department Heads, the second time.

COMP. PLAN CONFORMANCE 11002 – APPROVING AN AMENDMENT TO THE NORTHWEST CORRIDORS REDEVELOPMENT PLAN TO ADD THE UNIVERSITY OF NEBRASKA TECHNOLOGY PARK PROJECT #3: WORLD’S FOREMOST BANK PROJECT, INCLUDING THE CONSTRUCTION OF A 40,000 SQUARE FOOT OFFICE/COMMERCIAL BUILDING AND PARKING LOT, ON PROPERTY GENERALLY LOCATED NORTH OF THE EXISTING BANK LOCATION AT 4800 N.W. 1ST STREET. (RELATED ITEMS: 11R-63 (11-28) ACTION DATE: 3/21/11) - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

WHEREAS, the City Council on October 23, 2006, adopted Resolution No. A-84082 finding an area generally bounded by Sun Valley Boulevard from West O Street to Cornhusker Highway, along Cornhusker Highway from I-180 to N.W. 12th Street, along N.W. 12th Street from Cornhusker Highway to Highlands Boulevard, Highlands Boulevard from N.W. 12th Street to N.W 1st Street, and West Superior Street from N.W. 1st Street to I-180 (Northwest Corridors Redevelopment 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 Northwest Corridors Redevelopment Plan (hereinafter the "Northwest Corridors 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 a proposed amendment to the Plan (hereinafter the "Amendments") to add the University of Nebraska Technology Park Project 3 (World’s Foremost Bank Project). Said Amendments are contained in the document entitled "Proposed Amendment to the Northwest Corridors Redevelopment Plan University of Nebraska Technology Park Project 3", 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 (Reissue 2007); and

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

WHEREAS, on February 11, 2011 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 February 23, 2011 before the Lincoln City - Lancaster County Planning Commission regarding the Amendments, 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 February 23, 2011 held a public hearing relating to the Amendments to the Northwest Corridors Redevelopment Plan and found the Amendments to be in conformance with the Comprehensive Plan and recommended approval thereof; and

WHEREAS, on March 4, 2011 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 March 21, 2011 regarding the Amendments, a copy of said notice having been attached hereto as Attachment "D"; and

WHEREAS, on March 4, 2011 and March 11, 2011, 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 March 21, 2011 regarding the Amendments, a copy of such notice having been attached hereto and marked as Attachment "E"; and

WHEREAS, on March 21, 2011 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 Amendments to the Northwest Corridors 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 Amendments; and

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

1. That the Amendments are described in sufficient detail and are 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 Amendments 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 Northwest Corridors Redevelopment Area are beyond remedy and control solely by regulatory process and 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 University of Nebraska Technology Park Project 3 would not be economically feasible without the use of tax-increment financing.

6. That the University of Nebraska Technology Park Project 3 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 Northwest Corridors Redevelopment Plan attached hereto as Attachment "A", establishing the University of Nebraska Technology Park Project 3, 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 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 Northwest Corridors Redevelopment Plan.

BE IT STIL 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-840982 and Resolution No. A-84099 and Resolution No. A-84599.

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

VACATION NO. 11001 – APPLICATION OF WORLD’S FOREMOST BANK TO VACATE HIGHLAND CIRCLE EXCEPT THE 50 FEET EAST OF THE EAST RIGHT-OF-WAY LINE OF N.W. 1ST STREET, GENERALLY LOCATED AT N.W. 1ST STREET AND HIGHLAND CIRCLE. (RELATED ITEMS: 11R-63, 11-28) (ACTION DATE: 3/28/11) - CLERK read an ordinance, introduced by Jonathan Cook, vacating Highland Circle except the 50 feet east of the east right-of-way line of N.W. 1st Street, generally located at N.W. 1st Street and Highland Circle, and retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, the second time.
PUBLIC HEARING - RESOLUTIONS

APPROVING A MULTI-YEAR CONTRACT BETWEEN THE CITY OF LINCOLN, LANCASTER COUNTY, LINCOLN-LANCASTER COUNTY PUBLIC BUILDING COMMISSION AND HEWLETT PACKARD COMPANY FOR COMPUTER EQUIPMENT, PERIPHERALS, AND RELATED SERVICES FOR A TERM FROM THE DATE OF EXECUTION THROUGH AUGUST 31, 2012, WITH OPTIONS TO RENEW FOR TWO ONE-YEAR TERMS OR ONE TWO-YEAR TERM - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-86269

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

That the multi-year contract between the City of Lincoln, Lancaster County, Lincoln-Lancaster County Public Building Commission and Hewlett Packard Company for computer equipment, peripherals, and related services for a term from the date of execution through August 31, 2012, with options to renew for two one-year terms or one two-year term, in accordance with the terms and conditions contained in said contract, is hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

Introduced by Jonathan Cook

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

APPROVING AN AGREEMENT BETWEEN THE CITY OF LINCOLN, LANCASTER COUNTY AND THOMSON WEST FOR ELECTRONIC LEGAL RESEARCH FOR A PERIOD OF APRIL 1, 2011 THROUGH MARCH 31, 2015 WITH AN OPTION TO RENEW FOR AN ADDITIONAL YEAR - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-86270

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

That the attached agreement between the City of Lincoln, Lancaster County and Thomson West for electronic legal research for a period of April 1, 2011 through March 31, 2015 with an option to renew for one additional year, in accordance with the terms and conditions contained in said agreement, is hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

The City Clerk is directed to return the executed copies of the Agreement to Steve Huggenberger, Assistant City Attorney, for transmittal to Thomson West.

Introduced by Jonathan Cook

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

SPECIAL PERMIT 10037 - APPEAL OF EMERALD CARE COMPANY FROM THE CONDITIONAL APPROVAL ALLOWING A DOMICILIARY CARE FACILITY FOR UP TO 48 RESIDENTS ON PROPERTY GENERALLY LOCATED SOUTHWEST OF THE INTERSECTION OF SOUTH 84TH STREET AND PIONEERS BOULEVARD - PRIOR to reading:

CARROLL Moved to Delay Bill No. 11R-61 one week for Action Only to March 28, 2011.

Seconded by Cook & carried by the following vote: AYES: Carroll, Cook, Emery, Snyder, Spatz; NAYS: Camp, Hornung.

COMP. PLAN CONFORMANCE 11001 - APPROVING AN AMENDMENT TO THE LINCOLN STAR BUILDING REDEVELOPMENT PROJECT, IN THE LINCOLN CENTER REDEVELOPMENT PLAN, TO EXTEND THE PROJECT AREA TO INCLUDE THE M STREET RIGHT-OF-WAY FROM SOUTH 7TH STREET TO SOUTH 17TH STREET TO ALLOW FOR STREETSCAPE DESIGN AND IMPROVEMENTS - PRIOR to reading:

CAMP Moved to Delay Bill No. 11R-62 one week for Action Only to March 28, 2011.

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

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

CREATING RE-PAVING DISTRICT NO. 157 FOR NEW STREET PAVEMENT IN 63RD STREET FROM GLADSTONE STREET TO FREMONT STREET AND ASSESSING THE COSTS THEREOF AGAINST THE BENEFITED PROPERTIES - CLERK read an ordinance, introduced by Doug Emery, creating Re-paving District No. 157, defining the limits thereof, establishing the width of the roadway to be re-paved and new curb, providing for the payment of the cost thereof, designating the property to be benefitted, providing for the acquisition of easements and additional right-of-way, if necessary, and repealing all ordinances or parts of ordinances in conflict herewith, the first time.

APPROVING THE LEASE AGREEMENT BETWEEN THE CITY AND DITTMER & DITTMER OF CRETE FOR THE LEASE OF OFFICE SPACE BY AGING PARTNERS FOR ITS PERSONAL & FAMILY SERVICES PROGRAM AT 1005 E. HIGHWAY 33, SUITE 6, CRETE, NE 68333 FOR A TERM OF JUNE 1, 2011 THROUGH MAY 31, 2012 - CLERK read an ordinance, introduced by Doug Emery, accepting and approving a Lease Agreement between the City of Lincoln and
Dittmer & Dittmer of Crete for the lease of office space by the Aging Partners for its Aging Partners Personal & Family Services program located at 1005 E. Highway 33, Suite 6, Crete, NE 68333, for a term of June 1, 2011 through May 31, 2012, the first time.

CHANGE OF ZONE NO. 11005 - APPLICATION OF PARK RIDGE APARTMENTS TOO, LLC, FOR A CHANGE OF ZONE FROM R-2 RESIDENTIAL DISTRICT TO R-4 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT S.W. 8TH STREET AND WEST C STREET - CLERK read an ordinance, introduced by Doug Emery, 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)

AUTHORIZING THE ISSUANCE OF NOT TO EXCEED $2,800,000.00 CITY OF LINCOLN, NEBRASKA NORTH HAYMARKET HOTEL PHASE II REDEVELOPMENT PROJECT TAX ALLOCATION BONDS. (RELATED ITEMS: 11-27, 11R-55) (REQUEST 2ND, 3RD READINGS ON 3/14/11) - CLERK read an ordinance, introduced by Eugene Carroll, authorizing and providing for the issuance of City of Lincoln, Nebraska Tax Allocation Bonds, in one or more taxable or tax-exempt series, in an aggregate principal amount not to exceed $2,800,000 for the purpose of: (1) paying the costs of acquiring, purchasing, constructing, reconstructing, improving, extending, rehabilitating, installing, equipping, furnishing and completing certain public improvements within the City’s North Haymarket Hotel Phase II 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 bonds; pledging certain tax revenue and other revenue to the payment of the principal of and interest on the bonds 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 bonds not specified herein; taking other actions and making other covenants and agreements in connection with the foregoing; and related matters, the third time.

CARROLL Moved to pass the ordinance as read.

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

The ordinance, being numbered #19510, is recorded in Ordinance Book #25, Page .

APPROVING THE NORTH HAYMARKET HOTEL PHASE II REDEVELOPMENT AGREEMENT BETWEEN BLOCK 21, LLC AND THE CITY RELATING TO THE REDEVELOPMENT OF PROPERTY GENERALLY LOCATED AT 8TH AND R STREETS (RELATED ITEMS: 11-27, 11R-55) - CLERK read the following resolution, introduced by Eugene Carroll, who moved its adoption:

A-86271

BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That the attached City of Lincoln Redevelopment Agreement for the North Haymarket Hotel Phase II Project between the City of Lincoln and Block 21, LLC, relating to the redevelopment of property generally located at 8th and R Streets, upon the terms and conditions set forth in said Redevelopment Agreement, which is attached hereto marked as Attachment "A", is hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

The City Clerk is directed to transmit one fully executed original of said Agreement to Hallie Salem, Urban Development Department, for transmittal to Block 21, LLC.

Introduced by Eugene Carroll

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

OPEN MICROPHONE - NONE

PENDING -

CAMP Moved to extend the Pending List to March 28, 2011.

Seconded by Emery & 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 March 28, 2011. Seconded by Emery & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

ADJOURNMENT  4:40 P.M.

CAMP  Moved to adjourn the City Council meeting of March 21, 2011. Seconded by Emery & 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