

**THE MINUTES OF THE CITY COUNCIL MEETING HELD  
MONDAY, JULY 01, 2013 AT 3:00 P.M.**

The Meeting was called to order at 3:00 p.m. Present: Council Chair Eskridge; Council Members: Camp, Christensen, Cook, Emery, Fellers, Gaylor Baird; City Clerk, Teresa J. Meier.

Council Chair Eskridge 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**

GAYLOR BAIRD Having been appointed to read the minutes of the City Council proceedings of June 24, 2013 reported having done so, found same correct.

Seconded by Camp & carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

**PUBLIC HEARING**

APPLICATION OF SEVEN CROWNS INVESTMENT GROUP LLC DBA RODIZIO GRILL FOR A CLASS I LIQUOR LICENSE AT 131 NORTH 8TH STREET, SUITE 130;  
MANAGER APPLICATION OF SCOTT A. MORGAN FOR SEVEN CROWNS INVESTMENT GROUP LLC DBA RODIZIO GRILL AT 131 NORTH 8TH STREET, SUITE 130 - Scott A. Morgan, 131 N. 8<sup>th</sup> St., came forward to take the oath and answer questions. Rodizio is an all-you-can-eat Brazilian Steakhouse with a gourmet salad bar. The anticipated opening date will be within 45 days.

This matter was taken under advisement.

APPLICATION OF SWEEP LEFT LLC DBA SWEEP LEFT FOR A CLASS I LIQUOR LICENSE AT 815 O STREET;  
MANAGER APPLICATION OF MARY JONES FOR SWEEP LEFT LLC DBA SWEEP LEFT AT 815 O STREET - Mary Jones, 815 O St., came forward to take the oath and answer questions. The original Sweep Left was opened in 1976 and closed in the mid-1990s. The former owner sold the name to Sweep Left, LLC and the bar is reopening in its original location.

This matter was taken under advisement.

APPLICATION OF ZOO BLUES INC. DBA ZOO BAR FOR A CLASS I LIQUOR LICENSE AT 136 NORTH 14TH STREET;  
MANAGER APPLICATION OF PETER H. WATTERS FOR ZOO BLUES INC. DBA ZOO BAR AT 136 NORTH 14TH STREET - The manager was not present when these applications were initially called to have Public Hearing. Council voted to delay these items until 07/15/13. Mr. Watters arrived before the end of Public Hearing and Council voted to reconsider the applications and to allow public testimony. Mr. Watters came forward to take the oath and answer questions. (See "Council Action" for final votes).

This matter was taken under advisement.

APPLICATION OF ROBIN OIL COMPANY DBA ROC'S STOP & SHOP FOR A CLASS D LIQUOR LICENSE AT 1449 NORTH 56TH STREET;  
MANAGER APPLICATION OF LARRY E. SEMIN FOR ROBIN OIL COMPANY DBA ROC'S STOP & SHOP AT 1449 NORTH 56TH STREET - Jan Semin, 1449 N. 56<sup>th</sup> St., came forward to take the oath and answer questions. Roc's Stop & Shop currently sells beer and is now applying to add the sale of alcohol.

This matter was taken under advisement.

AUTHORIZING THE ISSUANCE, SALE AND DELIVER OF ANTELOPE VILLAGE REDEVELOPMENT PROJECT TAX ALLOCATION BONDS OF THE CITY OF LINCOLN, NEBRASKA - Andrew R. Willis, Cline Williams Johnson & Oldfather, L.L.P., came forward representing NeighborWorks to state the redevelopment agreement was approved in 2009 and amended in 2012. The bonds are authorized in an amount not to exceed \$482,600 for both phases of this project and will cover some of the infrastructure improvements, land acquisition and other eligible public improvements. Discussion followed.

David Landis, Director of Urban Development, came forward to state that when this project began, the total value of this entire block was \$573,000. With the 18 units, the assessed value is now approximately \$2.7 million. If six more units are added, that amount will exceed \$3.5 million. Of the 2.9 million spent on this project, all of it was invested within Lincoln except for two contracts that were won through the bid process by Omaha firms. The use of Tax Increment Financing has been questioned recently. This is an example of the valuation growth, local investment, and neighborhood improvement that can result when TIF is one of the tools used for redevelopment. Discussion followed.

Richard Esquivel, 733 W. Cuming St., came forward to express his concerns regarding the use of taxpayer dollars on any project that will benefit a private entity rather than the City at large. The money should be used for things like schools, police or public utilities. Discussion followed.

This matter was taken under advisement.

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AMENDING SECTION 5.04.165 OF THE LINCOLN MUNICIPAL CODE RELATING TO OPEN ALCOHOLIC BEVERAGE CONTAINERS IN MOTOR VEHICLES BY ADDING A NEW SUBSECTION (C) TO CLASSIFY A VIOLATION OF THIS SECTION AS AN INFRACTION AND PRESCRIBING THE PENALTY FOR VIOLATION OF THAT SECTION CONSISTENT WITH STATE STATUTES - Rod Confer, City Attorney, came forward to state that this is a Code amendment to bring the Lincoln Municipal Code into compliance with State statutes. Discussion followed. This matter was taken under advisement.

APPROVING AN AGREEMENT BETWEEN THE CITY OF LINCOLN AND 1320 P LLC FOR A WALL EASEMENT AT 1320 P STREET IN CONJUNCTION WITH DEVELOPMENT OF CIVIC PLAZA, GRANTING OF A BUILDING RESTRICTION EASEMENT ALONG THE EASTERN BOUNDARY OF THE CIVIC PLAZA, AND PROVIDING AN OPTION FOR THE DEVELOPMENT AND OPERATION OF A SIDEWALK CAFÉ IN THE SOUTHEASTERN AREA OF THE CIVIC PLAZA. (RELATED ITEMS: 13-75, 13R-139)

AMENDING THE FIRST YEAR (2012-2013) OF THE SIX YEAR CIP TO ADD THE CIVIC PLAZA PROJECT GENERALLY LOCATED AT 13TH AND P STREETS TO THE PARKS AND RECREATION DEPARTMENT LIST OF CAPITAL IMPROVEMENT PROJECTS AND APPROVING THE APPROPRIATION OF \$400,925 IN TIF FUNDS AND \$100,001 IN KENO FUNDS FOR THE PROJECT. (RELATED ITEMS: 13-75, 13R-139) - Chris Connolly, Assistant City Attorney, came forward to state that the City would like control of the wall on the west side of property at 1320 P Street. That wall is a prominent part of the aesthetics of the Civic Plaza and is in need of repairs. The City will fund the majority of repairs, a sidewalk café cover will be paid for by the property owner, and the current lessee will purchase equipment and furnishings. All involved parties will receive some residual value. The agreement is only for five years, with option to renew at that time. There is the option by both parties to opt out.

Lynn Johnson, Director of Parks & Recreation, came forward to state that the concept of a Civic Plaza was identified as part of the 2005 Downtown Master Plan as a significant meeting and gathering place in the center of the P Street Corridor. The wall on the east side of the plaza is the backdrop of the Plaza concept as designed by Jun Kaneko. A portion of this wall has never been a finished masonry wall, so part of this project involves the clean-up and sealing of the north end. The south end will be opened up with windows, doors, and a store front system that opens onto the café space. The Downtown Lincoln Association is in support of this agreement. Discussion followed.

Derek Zimmerman, Baylor Evnen, LLP, 1248 O St., Ste. 600, was on hand to answer questions.

Richard Esquivel, 733 W. Cuming St., came forward to express his concerns regarding the use of City dollars on a project that will benefit a private entity rather than the City at large.

This matter was taken under advisement.

AMENDING THE FUNDING SHOWN FOR PARKS AND RECREATION CIP PROJECT 660 STEVENS CREEK PARK SITE ACQUISITION BY CHANGING AND INCREASING THE APPROPRIATION FROM \$1,000,000 OF OTHER FINANCING TO \$1,157,400 OF ADVANCE ACQUISITION FUNDS AND AUTHORIZING THE FINANCE DIRECTOR TO INCREASE APPROPRIATIONS FOR AND APPROVE THE EXPENDITURE OF \$1,157,400 FROM WITHIN THE ADVANCE ACQUISITION FUND FOR THE PROJECT - Nicole Fleck-Tooze, Planning Department, came forward to state the City has a long-term strategy within the Comprehensive Plan to identify a regional park within the Stevens Creek Watershed, an area identified as a Tier 1 growth area. After reviewing proposals, a viable option has been negotiated with the landowner. This area is a 63 acre site on the southeast corner of 98<sup>th</sup> and Adams Streets and it abuts Burns Park. Together they will offer approximately 73 acres and in the long-term, will include plans for playfields and playgrounds, natural areas associated with the riparian corridor, some historical resources, and a future trail connection. In the short-term, the farmed area will be seeded with a native grassland mix and have a walking path and off-street parking. Areas of land located within the 21<sup>st</sup> and N Street Redevelopment Project are encumbered by Federal Funding and in order to meet Federal regulation, there is a formal process to identify replacement property which must be available at the time of sale. The purchase of the property at Stevens Creek would fulfill that requirement. A formal Public Notice period for this conversion process has been completed and there were no comments or objections. Once the 21<sup>st</sup> & N Street property is sold, the City will reimburse the Advance Land Acquisition Fund. The City has reached an agreement with the property owners in Stevens Creek and they would like to move forward soon. It is important to be to accommodate this because it is a key element in the development of the 21<sup>st</sup> and N Street site. The purchase price is \$1,155,000. Discussion followed.

This matter was taken under advisement.

APPROVING OVERLORD LLC DBA BUNNERS AS A KENO SATELLITE SITE AT 2785 SOUTH 17TH STREET - Katrina Coffey, Vice President of Marketing for Big Red Keno, came forward to introduce the owners of Bunnners and to answer questions.

This matter was taken under advisement.

APPROVING THE 2013 - 2017 STRATEGIC PLAN FOR COMMUNITY DEVELOPMENT STRATEGIES TO BE CARRIED OUT IN LINCOLN - David Landis, Director of Urban Development, came forward to state the Housing and Urban Development Department requires that the money they award the City as part of a Community Development Block Grant must be spent on projects that meet one of three different larger national objectives. The City is required to make a five-year plan documenting demographics, rental percentages and other similar information aimed at finding appropriate locations in which to spend the HUD money and to prove that necessary requirements are being met. Urban Development will spend \$2.9 million on related housing projects

even though only \$1.6 million in new money will be received from HUD. The discrepancy in this amount is offset by program income made from the repayment of loans previously issued by Urban Development for similar projects. Discussion followed.

This matter was taken under advisement.

APPROVING THE FISCAL YEAR 2013 ACTION PLAN: ONE YEAR USE OF FUNDS FOR HUD ENTITLEMENT PROGRAMS - David Landis, Director of Urban Development, came forward to state that some of the projects outlined in the 2013 Action Plan include Community Crops, park improvements in lower income areas, rain gardens on public property, and most significantly this year, improvements on 11<sup>th</sup> Street.

This matter was taken under advisement.

AUTHORIZING THE MAYOR TO EXECUTE A MULTI-YEAR CONTRACT PER CITY ORDINANCE WHEN FUNDING APPROPRIATIONS COMES FROM MORE THAN ONE FISCAL YEAR CIP FOR THE PRESCOTT AVENUE FROM 47TH STREET TO 48TH STREET PAVING PROJECT, CITY PROJECT NO. 540616 - Thomas Shafer, Public Works & Utilities, came forward to state that whenever there is a contract at a construction site that stretches over two fiscal years, it is important to have the approval of Council to spend money out of the upcoming fiscal year to complete the project.

This matter was taken under advisement.

APPROVING A CONTRACT AGREEMENT BETWEEN THE CITY OF LINCOLN, LANCASTER COUNTY, THE LINCOLN LANCASTER COUNTY PUBLIC BUILDING COMMISSION AND GRAYBAR ELECTRIC COMPANY FOR THE ANNUAL REQUIREMENTS OF ELECTRICAL PRODUCTS, PURSUANT TO COUNTY OF LOS ANGELES, CALIFORNIA CONTRACT NO. MA-IS-1340234-1, FOR A THREE YEAR TERM - Sharon Mulder, Purchasing Department, came forward to state that this contract is an example of municipalities "piggybacking" off of other municipalities in order to leverage economies of scale to get better pricing.

This matter was taken under advisement.

## COUNCIL ACTION

### REPORTS OF CITY OFFICERS

REPORT OF SETTLEMENT AGREEMENT UNDER NEB. REV. STAT. §84-713 (NON-TORT CLAIMS) - CLERK presented said report which was placed on file in the Office of the City Clerk.

SETTING THE HEARING DATE OF MONDAY, JULY 29, 2013, AT 5:30 P.M. FOR BOARD OF EQUALIZATION MEETING SPECIAL ASSESSMENT GROUP I - Approved.

RESOLUTION APPROVING THE DISTRIBUTION OF FUNDS REPRESENTING INTEREST EARNINGS ON SHORT-TERM INVESTMENTS OF IDLE FUNDS DURING THE MONTHS ENDED MARCH 31, APRIL 30, MAY 31, 2013 - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-87397 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That during the months ended March 31, April 30, May 31, 2013 \$48,179.09 was earned from the investments if "IDLE FUNDS". The same is hereby distributed to the various funds on a pro-rata basis using the balance of each fund and allocating a portion of the interest on the ratio that such balance bears to the total of all fund balances.

Introduced by Leirion Gaylor Baird

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

REPORT FROM THE CITY TREASURER OF CITY CASH ON HAND AT THE CLOSE OF BUSINESS MAY 31, 2013 - CLERK presented said report which was placed on file in the Office of the City Clerk. (5-21)

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTIONS AND ORDINANCES PASSED BY THE CITY COUNCIL ON JUNE 17, 2013 - CLERK presented said report which was placed on file in the Office of the City Clerk. (27-1)

### PETITIONS & COMMUNICATIONS

SETTING THE HEARING DATE OF MONDAY, JULY 15, 2013 AT 3:00 P.M. FOR THE APPLICATION OF BIG RED HOTEL II, LLC DBA HILTON GARDEN INN HOTEL FOR A CLASS I LIQUOR LICENSE LOCATED AT 801 R STREET - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-87398 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, July 15, 2013, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the application of Big Red Hotel II, LLC dba Hilton Garden Inn Hotel for a Class I liquor license located at 801 R Street.

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

Introduced by Leirion Gaylor Baird

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

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SETTING THE HEARING DATE OF MONDAY, JULY 15TH, 2013 AT 3:00 P.M. FOR THE APPLICATION OF YIN FAMILY, LLC DBA HIRO 88 FOR A CLASS C LIQUOR LICENSE LOCATED AT 601 R STREET - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-87399 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, July 15, 2013, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the application of Yin Family, LLC dba Hiro88 for a Class C liquor license located at 601 R Street, Suite 100.

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

Introduced by Leirion Gaylor Baird

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

SETTING THE HEARING DATE OF MONDAY, JULY 15TH, 2013 AT 3:00 P.M. FOR THE APPLICATION OF YIN FAMILY, LLC DBA HIRO 88 FOR AN ENTERTAINMENT DISTRICT LIQUOR LICENSE LOCATED AT 601 R STREET - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-87400 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, July 15, 2013, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the application of Yin Family, LLC dba Hiro 88 for a Entertainment District liquor license located at 601 R Street, Suite 100.

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

Introduced by Leirion Gaylor Baird

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

SETTING THE HEARING DATE OF MONDAY, JULY 22ND, 2013 AT 3:00 P.M. FOR THE APPLICATION OF YARD INVESTMENTS, LLC DBA THE GATES FOR A CLASS C LIQUOR LICENSE LOCATED AT 300 CANOPY STREET, SUITE 140 - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-87401 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, July 22, 2013, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the application of Yard Investments, LLC dba The Gates for a Class C liquor license located at 300 Canopy Street, Suite 140.

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

Introduced by Leirion Gaylor Baird

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

SETTING THE HEARING DATE OF MONDAY, JULY 22ND, 2013 AT 3:00 P.M. FOR THE APPLICATION OF YARD INVESTMENTS, LLC DBA THE GATES FOR AN ENTERTAINMENT DISTRICT LIQUOR LICENSE LOCATED AT 300 CANOPY STREET, SUITE 140 - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-87402 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, July 22, 2013, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the application of Yard Investments, LLC dba The Gates for an Entertainment District license located at 300 Canopy Street, Suite 140.

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

Introduced by Leirion Gaylor Baird

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

PLACED ON FILE IN THE OFFICE OF THE CITY CLERK:

Administrative Amendment No. 13042 to Preliminary Plat No. 00014, North Creek Trade Center, approved by the Planning Director on June 18, 2013, requested by ESP, Inc., to reduce the 20 foot landscape easement to 10 feet adjacent to Interstate 80, and provide a landscape plan, for Lots 4 and 5, Block 2, on property generally located at N. 27<sup>th</sup> St. and Fletcher Ave.

**MISCELLANEOUS REFERRALS - NONE**

**LIQUOR RESOLUTIONS**

APPLICATION OF SEVEN CROWNS INVESTMENT GROUP LLC DBA RODIZIO GRILL FOR A CLASS I LIQUOR LICENSE AT 131 NORTH 8TH STREET, SUITE 130 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-87403 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 Seven Crowns Investment Group, LLC dba Rodizio Grill for a Class "I" liquor license at 131 North 8th Street, Suite 130, Lincoln, Nebraska, for the license period ending April 30, 2014, be approved with the condition that:

1. Applicant must successfully complete the responsible beverage server training course required by Section 5.04.035 of the Lincoln Municipal Code within 30 days of approval of this resolution.

2. All employees must possess a valid Responsible Beverage Server/Seller Permit as required by Section 5.04.124 of the Lincoln Municipal Code.

3. The premises 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 Fellers and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

MANAGER APPLICATION OF SCOTT A. MORGAN FOR SEVEN CROWNS INVESTMENT GROUP LLC DBA RODIZIO GRILL AT 131 NORTH 8TH STREET, SUITE 130 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-87404 WHEREAS, Seven Crowns Investment Group, LLC dba Rodizio Grill located at 131 North 8th Street, Suite 130, Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Scott A. Morgan be named manager;

WHEREAS, Scott A. Morgan 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 Scott A. Morgan 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 Fellers and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

APPLICATION OF SWEEP LEFT LLC DBA SWEEP LEFT FOR A CLASS I LIQUOR LICENSE AT 815 O STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-87405 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 Sweep Left LLC dba Sweep Left for a Class "I" liquor license at 815 O Street, Lincoln, Nebraska, for the license period ending April 30, 2014, be approved with the condition that:

1. All employees must possess a valid Responsible Beverage Server/Seller Permit as required by Section 5.04.124 of the Lincoln Municipal Code.

2. The premises 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 Fellers and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

MANAGER APPLICATION OF MARY JONES FOR SWEEP LEFT LLC DBA SWEEP LEFT AT 815 O STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-87406 WHEREAS, Sweep Left LLC dba Sweep Left located at 815 O Street, Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Mary Jones be named manager;

WHEREAS, Mary Jones 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 Mary Jones 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 Fellers and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

APPLICATION OF ZOO BLUES INC. DBA ZOO BAR FOR A CLASS I LIQUOR LICENSE AT 136 NORTH 14TH STREET - PRIOR to reading:

CAMP Moved to delay Action on application of Zoo Bar until July 15, 2013

Seconded by Cook and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

EMERY Moved to reconsider application of Zoo Bar.

Seconded by Gaylor Baird and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

CLERK Read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

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A-87407 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 Zoo Blues Inc. dba Zoo Bar for a Class "I" liquor license at 136 North 14th Street, Lincoln, Nebraska, for the license period ending April 30, 2014, be approved with the condition that:

1. All employees must possess a valid Responsible Beverage Server/Seller Permit as required by Section 5.04.124 of the Lincoln Municipal Code.
2. The premises 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 Emery and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

MANAGER APPLICATION OF PETER H. WATTERS FOR ZOO BLUES INC. DBA ZOO BAR AT 136 NORTH 14TH STREET - PRIOR to reading:

CAMP Moved to delay Action on manager application of Peter H. Watters until July 15, 2013

Seconded by Cook and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

EMERY Moved to reconsider manager application of Peter H. Waters.

Seconded by Gaylor Baird and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

CLERK Read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-87408 WHEREAS, Zoo Blues Inc. dba Zoo Bar located at 136 North 14th Street, Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Peter H. Watters be named manager;

WHEREAS, Peter H. Watters 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 Peter H. Watters 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 Emery and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None

APPLICATION OF ROBIN OIL COMPANY DBA ROC'S STOP & SHOP FOR A CLASS D LIQUOR LICENSE AT 1449 NORTH 56TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-87409 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 Robin Oil Company dba Roc's Stop & Shop for a Class "D" liquor license at 1449 North 56th Street, Lincoln, Nebraska, for the license period ending April 30, 2014, be approved with the condition that:

1. All employees must possess a valid Responsible Beverage Server/Seller Permit as required by Section 5.04.124 of the Lincoln Municipal Code.
2. The premises 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 Fellers and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

MANAGER APPLICATION OF LARRY E. SEMIN FOR ROBIN OIL COMPANY DBA ROC'S STOP & SHOP AT 1449 NORTH 56TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-87410 WHEREAS, Robin Oil Company dba Roc's Stop & Shop located at 1440 North 56th Street, Lincoln, Nebraska has been approved for a Retail Class "D" liquor license, and now requests that Larry E. Semin be named manager;

WHEREAS, Larry E. Semin 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 Larry E. Semin 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 Fellers and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

ORDINANCES - 2<sup>ND</sup> READING & RELATED RESOLUTIONS (as required)

AUTHORIZING THE ISSUANCE, SALE AND DELIVERY OF ANTELOPE VILLAGE REDEVELOPMENT PROJECT TAX ALLOCATION BONDS OF THE CITY OF LINCOLN, NEBRASKA - CLERK read an ordinance, introduced by Fellers, authorizing and providing for the issuance of City of Lincoln, Nebraska tax allocation bonds, notes, or other obligations, in one or more taxable or tax-exempt series, in an aggregate principal amount not to exceed \$800,000 for the purpose of (1) paying the costs of acquiring, purchasing, constructing, reconstructing, improving, extending, rehabilitating, installing, equipping, furnishing and completing certain improvements within the City's Antelope Village 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, notes or other obligations; pledging certain tax revenue and other revenue to the payment of the principal of and interest on the bonds, notes or other obligations as the same become due; limiting payment of the bonds, notes or other obligations 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, notes or other obligations not specified herein; taking other actions and making other covenants and agreements in connection with the foregoing; and related matters, the second time.

AMENDING SECTION 5.04.165 OF THE LINCOLN MUNICIPAL CODE RELATING TO OPEN ALCOHOLIC BEVERAGE CONTAINERS IN MOTOR VEHICLES BY ADDING A NEW SUBSECTION (C) TO CLASSIFY A VIOLATION OF THIS SECTION AS AN INFRACTION AND PRESCRIBING THE PENALTY FOR VIOLATION OF THAT SECTION CONSISTENT WITH STATE STATUTES - CLERK read an ordinance, introduced by Fellers, amending Section 5.04.165 of the Lincoln Municipal Code relating to open alcoholic beverage containers in motor vehicles by adding a new subsection (c) to classify a violation of this section as an infraction and prescribing the penalty for violation of that section, consistent with state statutes; and repealing Section 5.04.165 of the Lincoln Municipal Code as hitherto existing, the second time.

APPROVING AN AGREEMENT BETWEEN THE CITY OF LINCOLN AND 1320 P LLC FOR A WALL EASEMENT AT 1320 P STREET IN CONJUNCTION WITH DEVELOPMENT OF CIVIC PLAZA, GRANTING OF A BUILDING RESTRICTION EASEMENT ALONG THE EASTERN BOUNDARY OF THE CIVIC PLAZA, AND PROVIDING AN OPTION FOR THE DEVELOPMENT AND OPERATION OF A SIDEWALK CAFÉ IN THE SOUTHEASTERN AREA OF THE CIVIC PLAZA. (RELATED ITEMS: 13-75, 13R-139) - PRIOR to reading:

COOK Moved to Delay Bill No. 13-75 to July 22, 2013 to have continued Public Hearing with 3<sup>rd</sup> Reading and Action on the same date.

Seconded by Camp and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

CLERK Read an ordinance, introduced by Fellers, accepting and approving the Agreements between the City of Lincoln and 1320 P LLC for a wall easement at 1320 P Street in conjunction with development of Civic Plaza, granting of a building restriction easement along the eastern boundary of Civic Plaza, and providing an option for the development and operations of a sidewalk café in the southeastern area of Civic Plaza and authorizing the Mayor to sign such Agreement and related documents on behalf of the City, the second time.

AMENDING THE FIRST YEAR (2012-2013) OF THE SIX YEAR CIP TO ADD THE CIVIC PLAZA PROJECT GENERALLY LOCATED AT 13TH AND P STREETS TO THE PARKS AND RECREATION DEPARTMENT LIST OF CAPITAL IMPROVEMENT PROJECTS AND APPROVING THE APPROPRIATION OF \$400,925 IN TIF FUNDS AND \$100,001 IN KENO FUNDS FOR THE PROJECT. (RELATED ITEMS: 13-75, 13R-139) - PRIOR to reading:

COOK Moved to Withdraw Bill No.13R-139.

Seconded by Emery and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

The resolution, having been **WITHDRAWN**, was assigned File #38-4636 and was placed on file in the Office of the City Clerk.

## PUBLIC HEARING - RESOLUTIONS

AMENDING THE FUNDING SHOWN FOR PARKS AND RECREATION CIP PROJECT 660 STEVENS CREEK PARK SITE ACQUISITION BY CHANGING AND INCREASING THE APPROPRIATION FROM \$1,000,000 OF OTHER FINANCING TO \$1,157,400 OF ADVANCE ACQUISITION FUNDS AND AUTHORIZING THE FINANCE DIRECTOR TO INCREASE APPROPRIATIONS FOR AND APPROVE THE EXPENDITURE OF \$1,157,400 FROM WITHIN THE ADVANCE ACQUISITION FUND FOR THE PROJECT - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-87411 WHEREAS, \$1,000,000 of Other Financing has been appropriated to fund the Parks and Recreation CIP Project 660 Stevens Creek Park site acquisition; and

WHEREAS, the Parks and Recreation Department would propose to change the funding for said Project by changing and increasing the appropriation from \$1,000,000 of Other Financing to \$1,157,400 of Advance Acquisition Funds; and

WHEREAS, Article IX-B, Section 12, of the Charter of the City of Lincoln provides that no purchase of real estate or other expenditures in connection therewith shall be made from the Advance Acquisition Fund unless given prior approval by resolution of the City Council.

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

That pursuant to Article IX-B, Section 12, of the Charter of the City of Lincoln, the funding shown on Parks and Recreation CIP Project 660 Stevens Creek Park site acquisition is amended by changing and increasing the appropriation from \$1,000,000 of Other Financing to \$1,157,400 of Advance Acquisition Funds.

BE IT FURTHER RESOLVED that the Finance Director is hereby authorized to increase appropriations for and approve the expenditure of \$1,157,400 from within the Advance Acquisition Fund for the aforementioned Project.

Introduced by Trent Fellers

Seconded by Emery and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

APPROVING OVERLORD LLC DBA BUNNERS AS A KENO SATELLITE SITE AT 2785 SOUTH 17TH STREET - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-87412 WHEREAS, the City of Lincoln and the County of Lancaster, Nebraska have entered into an Interlocal Agreement for the purpose of providing for a joint City-County keno lottery; and

WHEREAS, the City has entered into a contract for the operation of a keno type lottery with EHPV Lottery Services, LLC, a Nebraska limited liability company; and

WHEREAS, Section 5 of the Interlocal Agreement and Section 3(b) of the Keno Contract grant the City the authority to approve all satellite locations within the corporate limits of Lincoln; and

WHEREAS, all requirements under the Interlocal Agreement and the Keno Contract governing the establishment and location of keno satellite sites have been met.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska that a keno satellite site is hereby authorized at the location of Overlord LLC dba Bunnars, 2785 South 17th Street, Lincoln, NE 68502.

The City Clerk is directed to return an executed copy of this Resolution to Bunnars.

Introduced by Trent Fellers

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

APPROVING THE 2013 - 2017 STRATEGIC PLAN FOR COMMUNITY DEVELOPMENT STRATEGIES TO BE CARRIED OUT IN LINCOLN - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-87413 WHEREAS, the City of Lincoln, Nebraska, acting by and through the Mayor as the Chief Executive Officer and the City Council as the Legislative body of this City, with full citizen participation with reference thereto and in full compliance with the U.S. Department of Housing and Urban Development requirements, has prepared the 2013 - 2017 Strategic Plan for HUD Entitlement Programs under the provisions of 24 C.F.R., Part 91, et al.; and

WHEREAS, such plan includes the proposed community development activities and community development objectives, all prepared in full compliance with the requirements, instructions, and recommendations contained in the Community Development Block Grant, the Home Investment Partnership Act, and the McKinney-Vento Homeless Assistance Act; and

WHEREAS, such plan and the items contained therein and each of them appear to be in the best interest of the City of Lincoln, Nebraska; and

WHEREAS, certain assurances must be incorporated into the City of Lincoln's 2013 - 2017 Strategic Plan, as prescribed in the Community Development Block Grant, the Home Investment Partnership Act including Title 24 C.F.R., Part 91, and the McKinney-Vento Homeless Assistance Act, including Title 24 C.F.R., Part 576.

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

That the aforesaid Strategic Plan will be submitted to Housing and Urban Development in accordance with 24 C.F.R., Part 91 and in accordance with the instructions prescribed by HUD, and each and every item included therein is hereby approved. The Mayor and other City officials charged with responsibilities pertinent to the proposed certifications are hereby authorized to execute said certifications for and on behalf of the City of Lincoln, Nebraska, and the Mayor is hereby authorized and directed to execute said statement for and on behalf of the City of Lincoln, Nebraska, to submit same to the Secretary of Housing and Urban Development, or his designate, in the form and substance as required by the Community Development Block Grant and Home Investment Partnership Act, and to supplement such Strategic Plan in any way reasonably required by the Department of Housing and Urban Development to expedite approval of the same.

BE IT FURTHER RESOLVED that the City of Lincoln, Nebraska, hereby assures and certifies that it will comply with the regulations, policies, guidelines, and requirements of Federal Management Circulars 74-4 and 74-7 and OMB Circular A-87 and 24 Code of Federal Regulations, Part 85, as they relate to the Strategic Plan, acceptance and use of federal funds for these federally-assisted programs.

BE IT FURTHER RESOLVED that the City of Lincoln, Nebraska, hereby assures and certifies with respect to the Strategic Plan that:

1. It possesses legal authority to make a grant submission and to execute the proposed community development and housing program.



2. The City will affirmatively further fair housing.
3. The City has in effect and is following a residential anti-displacement and relocation assistance plan.
4. The City will continue to provide a drug-free workplace required by 24 CFR Part 21, Subpart B by:
  - a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
  - b. Establishing an ongoing drug-free awareness program to inform employees about -
    - i. The dangers of drug abuse in the workplace;
    - ii. The grantee's policy of maintaining a drug-free workplace;
    - iii. Any available drug counseling, rehabilitation, and employee assistance programs; and
    - iv. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
  - c. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by subparagraph (1);
  - d. Notifying the employee in the statement required by subparagraph (a) that, as a condition of employment under the grant, the employee will:
    - i. Abide by the terms of the statement; and
    - ii. Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
  - e. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph d.ii. from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
  - f. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph d.ii., with respect to any employee who is so convicted
    - i. Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
    - ii. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency;
  - g. Making a good faith effort to continue to maintain a drug-free workplace through implementation of subparagraphs a, b, c, d, e, and f.
5. The City will comply with restrictions on lobbying required by 24 CFR part 87, together with disclosure forms if required by that part. The City further certifies that to the best of the City's knowledge and belief:
  - a. No federal appropriated funds have been paid or will be paid, by or on behalf of the City, to any person for influencing or attempting to influence any officer or employee of an agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement;
  - b. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and
  - c. The City will require that the language of paragraph 4 of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.
6. The City possesses legal authority under state and local law to make a grant submission and to carry out the proposed community development and housing program for which it is seeking funding in accordance with applicable HUD regulations. By passage of this resolution, the Mayor, as the official representative of the City of Lincoln is hereby authorized to submit the Strategic Plan, including all the understandings and assurances contained therein. Further the Mayor is hereby directed and authorized to act in

connection with the submission of the Strategic Plan and to provide such additional information as may be required.

7. The housing activities to be undertaken with CDBG and HOME are consistent with the City's strategic plan.

8. The City will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, as required under 24 C.F.R. § 570.606(b) and Federal implementing regulations; and the requirements in 24 C.F.R. § 570.606(c) governing the residential antidisplacement and relocation assistance plan under Section 104(d) of the Act (including a certification that the grantee is following such a plan); and the relocation requirements of 24 C.F.R. § 570.606(d) governing optional relocation assistance under Section 105(a)(11) of the Act.

9. The City will comply with Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) and implementing regulations at 24 CFR Part 135.

BE IT FURTHER RESOLVED that the City of Lincoln hereby assures and certifies with respect to the Community Development Block Grant program portion of the Strategic Plan:

1. The City is in full compliance and following a detailed citizen participation plan that satisfies the requirement of 24 CFR § 91.105 and which:

a. Provides for and encourages citizen participation, with particular emphasis on participation by persons of low and moderate income who are residents of slum and blighted areas and of areas in which funds are proposed to be used, and provides for participation of residents in low and moderate income neighborhoods as defined by the City;

b. Provides citizens with reasonable and timely access to local meetings, information, and records relating to the City's proposed use of funds, as required by the regulations of the Secretary, and relating to the actual use of funds under the Act;

c. Provides for technical assistance to groups representative of persons of low and moderate income that request such assistance in developing proposals with the level and type of assistance to be determined by the grantee;

d. Provides for public hearings to obtain citizen views and to respond to proposals and questions at all stages of the community development program, including at least the development of needs, the review of proposed activities, and review of program performance, which hearings shall be held after adequate notice, at times and locations convenient to potential or actual beneficiaries, and with accommodation for the handicapped;

e. Provides for a timely written answer to written complaints and grievances, within 15 working days where practicable; and

f. Identifies how the needs of non-English speaking residents will be met in the case of public hearings where a significant number of non-English speaking residents can be reasonably expected to participate;

2. The City's strategic housing and community development plan identifies community development and housing needs and specifies both short-term and long-term community development objectives that have been in accordance with the primary objective of the statute authorizing the CDBG Program, as described in 24 CFR 570.2 and the requirements of 24 CFR Part 91 Subpart C and 24 CFR Part 570.

3. The City is following a current HUD approved consolidated plan.

4. The City has developed its final statement of projected use of funds so as to give maximum feasible priority to activities which benefit low and moderate income families or aid in the prevention or elimination of slums or blight; (the final statement of projected use of funds may also include activities which the grantee certifies are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available); except that the aggregate use of CDBG funds received under Section 106 of the Act and, if applicable, under Section 108 of the Act, during program years 2013, 2014, 2015, 2016, and 2017 shall principally benefit persons of low and moderate income in a manner that ensures that not less than 70 percent of such funds are used for activities that benefit such persons during such period.

The City will not attempt to recover any capital costs of public improvements assisted in whole or in part with funds provided under Section 106 of the Act or with amounts resulting from a guarantee under Section 108 of the Act by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements, unless:

a. Funds received under Section 106 of the Act are used to pay the proportion of such fee or assessment that relates to the capital costs of such public improvements that are financed from revenue sources other than under Title I of the Act; or

b. For purposes of assessing any amount against properties owned and occupied by persons of moderate income, the City certifies to the Secretary that it lacks sufficient funds received under Section 106 of the Act to comply with the requirements of subparagraph (1) above.

5. The City has adopted and is enforcing:

a. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and

b. A policy of enforcing applicable state and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction.

6. The City will conduct and administer the grant in compliance with Title VI of the Civil Rights Act of 1964 (Public Law 88-352, 42 U.S.C. 2000d et seq.), the Fair Housing Act (42 U.S.C. 3601-19), and implementing regulations.

7. The City's notification, inspection, testing and abatement procedures concerning lead-based paint will comply with 24 C.F.R. § 570.608.

8. The City will comply with all applicable law.

BE IT FURTHER RESOLVED that the City of Lincoln hereby assumes and certifies with respect to the HOME program portion of the Strategic Plan that:

1. The tenant-based assistance is an essential element of its strategic plan;

2. The City is using and will use HOME funds for eligible activities and costs, as described in §§ 92.205 through 92.209 of 24 C.F.R., Subtitle A, and that it is not using and will not use HOME funds for prohibited activities, as described in § 92.214 of 24 C.F.R. Subtitle A;

3. Before committing funds to a project, the City will evaluate the project in accordance with guidelines that it adopts for this purpose and will not invest any more HOME funds in combination with other federal assistance than is necessary to provide affordable housing.

BE IT FURTHER RESOLVED that the City of Lincoln hereby assumes and certifies with respect to the Emergency Solutions Grant (ESG) program portion of the Strategic Plan that:

1. If either the cost of an emergency shelter's rehabilitation or the cost to convert a building into an emergency shelter exceeds 75 percent of the value of the building before rehabilitation, the City will maintain the building as a shelter for homeless individuals and families for a minimum of ten (10) years after the date the building is first occupied by a homeless individual or family after the completed rehabilitation or conversion;

2. In all other cases where ESG funds are used for renovation, the City will maintain the building as a shelter for homeless individuals and families for a minimum of three (3) years after the date the building is first occupied by a homeless individual or family after the completed renovation;

3. In the case of assistance involving shelter operations or essential services related to street outreach or emergency shelter, the City will provide services or shelter to homeless individuals and families for the period during which the ESG assistance is provided, without regard to a particular site or structure, so long as the City serves the same type of persons or persons in the same geographic area;

4. Any renovation carried out with ESG assistance shall be sufficient to ensure that the building involved is safe and sanitary;

5. The City will assist homeless individuals in obtaining permanent housing, appropriate supportive services, and other Federal, State, local, and private assistance available for these individuals;

6. The City will obtain matching amounts required under 24 CFR 576.201;

7. The City has established and is implementing procedures to ensure the confidentiality of records pertaining to any individual provided family violence prevention or treatment services under any project assisted under the ESG program, including protection against the release of the address or location of any family violence shelter project, except with the written authorization of the person responsible for the operation of that shelter;

8. To the maximum extent practicable, the City will involve, through employment, volunteer services, or otherwise, homeless individuals and families in constructing, renovating, maintaining, and operating facilities assisted under the ESG program, in providing services under the program, and in providing services for occupants of facilities assisted under the program;

9. All activities the City undertakes with assistance under the ESG are consistent with the City's consolidated plan; and

10. The City will establish and implement, to the maximum extent practicable and where appropriate, policies and protocols for the discharge of persons from publicly funded institutions of care in order to prevent this discharge from immediately resulting in homelessness for these persons.

Introduced by Trent Fellers

Seconded by Emery and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

APPROVING THE FISCAL YEAR 2013 ACTION PLAN: ONE YEAR USE OF FUNDS FOR HUD ENTITLEMENT PROGRAMS - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-87414 WHEREAS, the City of Lincoln, Nebraska, acting by and through the Mayor as the Chief Executive Officer and the City Council as the Legislative body of this City, with full citizen participation with reference thereto and in full compliance with the U.S. Department of Housing and Urban Development requirements, has prepared the City of Lincoln FY 2013 Annual Action Plan: One Year Use of Funds outlining the activities and initiatives of Urban Development for Community Development Block Grant (CDBG), HOME and Emergency Solutions Grant (ESG) entitlement funds from HUD Entitlement Programs under the provisions of 24 C.F.R., Part 91, et al.; and

WHEREAS, such plan includes the proposed community development activities and community development objectives, all prepared in full compliance with the requirements, instructions, and recommendations contained in the Community Development Block Grant Regulations, HOME Investment Partnerships Act Regulations, and the McKinney-Vento Homeless Assistance Act of 1987; and

WHEREAS, such plan and the items contained therein and each of them appear to be in the best interest of the City of Lincoln, Nebraska; and

WHEREAS, certain assurances must be incorporated into the City of Lincoln's FY 2013 Action Plan, as prescribed in the Community Development Block Grant Regulations, the HOME Investment Partnerships Act Regulations and 24 C.F.R., Part 91, and the McKinney-Vento Homeless Assistance Act, including Title 24 C.F.R., Part 576.

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

That the FY 2013 Action Plan, a copy of which is attached hereto, is hereby approved and the Mayor is authorized to submit the FY 2013 Action Plan to the Department of Housing and Urban Development for total grants for Fiscal Year 2013 in the amount of \$2,578,244 (\$1,693,897 CDBG; \$770,225 HOME; and \$114,122 ESG) under the provisions of Title I of the Housing and Community Development Act of 1974, as amended, Title II of the Cranston-Gonzalez National Affordable Housing Act of 1990, as amended, Title IV of Subtitle B of the Stewart B. McKinney Homeless Assistance Act of 1988, as amended, and each and every item included therein is hereby approved. The Mayor and other City officials charged with responsibilities pertinent to the proposed certifications are hereby authorized to execute said certifications for and on behalf of the City of Lincoln, Nebraska, and the Mayor is hereby authorized and directed to execute said statement for and on behalf of the City of Lincoln, Nebraska, to submit same to the Secretary of Housing and Urban Development, or his designate, in the form and substance as required by the Community Development Block Grant Regulations and HOME Investment Partnerships Act Regulations, and to supplement such Action Plan in any way reasonably required by the Department of Housing and Urban Development to expedite approval of the same.

BE IT FURTHER RESOLVED that the City of Lincoln, Nebraska, hereby assures and certifies that it will comply with the regulations, policies, guidelines, and requirements of Federal Management Circulars 74-4 and 74-7 and OMB Circular A-87 and 24 Code of Federal Regulations, Part 85, as they relate to the Action Plan, acceptance and use of Federal funds for the City's federally-assisted programs.

BE IT FURTHER RESOLVED that the City of Lincoln, Nebraska hereby assures and certifies with respect to the FY 2013 Action Plan that:

1. The City will affirmatively further fair housing.
2. The City has in effect and is following a residential anti-displacement and relocation assistance plan.
3. The City will continue to provide a drug-free workplace by:
  - a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
  - b. Establishing an ongoing drug-free awareness program to inform employees about -
    - i. The dangers of drug abuse in the workplace;
    - ii. The grantee's policy of maintaining a drug-free workplace;
    - iii. Any available drug counseling, rehabilitation, and employee assistance programs; and
    - iv. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
  - c. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by subparagraph (1);
  - d. Notifying the employee in the statement required by subparagraph (a) that, as a condition of employment under the grant, the employee will:
    - i. Abide by the terms of the statement; and
    - ii. Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
  - e. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph d.ii. from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
  - f. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph d.ii., with respect to any employee who is so convicted -
    - i. Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

- ii. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency;
  - g. Making a good faith effort to continue to maintain a drug-free workplace through implementation of subparagraphs a, b, c, d, e, and f.
  - 4. The City will comply with restrictions on lobbying required by 24 CFR part 87, together with disclosure forms if required by that part. The City further certifies that to the best of the City's knowledge and belief:
    - a. No federal appropriated funds have been paid or will be paid, by or on behalf of the City, to any person for influencing or attempting to influence any officer or employee of an agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement;
    - b. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and
    - c. The City will require that the language of paragraph 4 of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.
  - 5. The City possesses legal authority under state and local law to make a grant submission and to carry out the proposed community development and housing program for which it is seeking funding in accordance with applicable HUD regulations. By passage of this resolution, the Mayor, as the official representative of the City of Lincoln is hereby authorized to submit the Action Plan, including all the understandings and assurances contained therein. Further the Mayor is hereby directed and authorized to act in connection with the submission of the Action Plan and to provide such additional information as may be required.
  - 6. The housing activities to be undertaken with CDBG and HOME funds are consistent with the City's strategic plan.
  - 7. The City will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, as required under 24 C.F.R. § 570.606(b) and Federal implementing regulations; and the requirements in 24 C.F.R. § 570.606(c) governing the residential antidisplacement and relocation assistance plan under Section 104(d) of the Act (including a certification that the grantee is following such a plan); and the relocation requirements of 24 C.F.R. § 570.606(d) governing optional relocation assistance under Section 105(a)(11) of the Act.
  - 8. The City will comply with Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) and implementing regulations at 24 CFR Part 135.
- BE IT FURTHER RESOLVED that the City of Lincoln hereby assures and certifies with respect to the Community Development Block Grant program portion of the FY 2013 Action Plan that:
- 1. The City is in full compliance and following a detailed citizen participation plan that satisfies the requirement of 24 CFR § 91.105 and which:
    - a. Provides for and encourages citizen participation, with particular emphasis on participation by persons of low and moderate income who are residents of slum and blighted areas and of areas in which funds are proposed to be used, and provides for participation of residents in low and moderate income neighborhoods as defined by the City;
    - b. Provides citizens with reasonable and timely access to local meetings, information, and records relating to the City's proposed use of funds, as required by the regulations of the Secretary, and relating to the actual use of funds under the Act;
    - c. Provides for technical assistance to groups representative of persons of low and moderate income that request such assistance in developing proposals with the level and type of assistance to be determined by the grantee;
    - d. Provides for public hearings to obtain citizen views and to respond to proposals and questions at all stages of the community development program, including at least the development of needs, the review of proposed activities, and review of program performance, which hearings shall be held after adequate notice, at times and locations convenient to potential or actual beneficiaries, and with accommodation for the handicapped;
    - e. Provides for a timely written answer to written complaints and grievances, within 15 working days where practicable; and

f. Identifies how the needs of non-English speaking residents will be met in the case of public hearings where a significant number of non-English speaking residents can be reasonably expected to participate;

2. The City's strategic housing and community development plan identifies community development and housing needs and specifies both short-term and long-term community development objectives that have been in accordance with the primary objective of the statute authorizing the CDBG Program, as described in 24 CFR 570.2 and the requirements of 24 CFR Part 91 Subpart C and 24 CFR Part 570.

3. The City is following a current HUD approved consolidated plan.

4. The City has developed its final statement of projected use of funds so as to give maximum feasible priority to activities which benefit low and moderate income families or aid in the prevention or elimination of slums or blight; (the final statement of projected use of funds may also include activities which the grantee certifies are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available); except that the aggregate use of CDBG funds received under Section 106 of the Act and, if applicable, under Section 108 of the Act, during program year 2013 shall principally benefit persons of low and moderate income in a manner that ensures that not less than 70 percent of such funds are used for activities that benefit such persons during such period.

The City will not attempt to recover any capital costs of public improvements assisted in whole or in part with funds provided under Section 106 of the Act or with amounts resulting from a guarantee under Section 108 of the Act by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements, unless:

a. Funds received under Section 106 of the Act are used to pay the proportion of such fee or assessment that relates to the capital costs of such public improvements that are financed from revenue sources other than under Title I of the Act; or

b. For purposes of assessing any amount against properties owned and occupied by persons of moderate income, the City certifies to the Secretary that it lacks sufficient funds received under Section 106 of the Act to comply with the requirements of subparagraph (1) above.

5. The City has adopted and is enforcing:

a. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and

b. A policy of enforcing applicable state and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction.

6. The City will conduct and administer the grant in compliance with Title VI of the Civil Rights Act of 1964 (Public Law 88-352, 42 U.S.C. 2000d et seq.), the Fair Housing Act (42 U.S.C. 3601-19), and implementing regulations.

7. The City's notification, inspection, testing and abatement procedures concerning lead-based paint will comply with 24 C.F.R. § 570.608.

8. The City will comply with all applicable law.

BE IT FURTHER RESOLVED that the City of Lincoln hereby assumes and certifies with respect to the HOME program portion of the FY 2013 Action Plan that:

1. The City is using and will use HOME funds for eligible activities and costs, as described in §§ 92.205 through 92.209 of 24 C.F.R., Subtitle A, and that it is not using and will not use HOME funds for prohibited activities, as described in § 92.214 of 24 C.F.R. Subtitle A;

2. Before committing funds to a project, the City will evaluate the project in accordance with guidelines that it adopts for this purpose and will not invest any more HOME funds in combination with other federal assistance than is necessary to provide affordable housing.

BE IT FURTHER RESOLVED that the City of Lincoln hereby assumes and certifies with respect to the Emergency Solutions Grant (ESG) program portion of the FY2013 Action Plan that:

1. If either the cost of an emergency shelter's rehabilitation or the cost to convert a building into an emergency shelter exceed 75 percent of the value of the building before rehabilitation, the City will maintain the building as a shelter for homeless individuals and families for a minimum of ten (10) years after the date the building is first occupied by a homeless individual or family after the completed rehabilitation or conversion;

2. In all other cases where ESG funds are used for renovation, the City will maintain the building as a shelter for homeless individuals and families for a minimum of three (3) years after the date the building is first occupied by a homeless individual or family after the completed renovation;

3. In the case of assistance involving shelter operations or essential services related to street outreach or emergency shelter, the City will provide services or shelter to homeless individuals and families for the period during which the ESG assistance is provided, without regard to a particular site or structure, so long as the City serves the same type of persons or persons in the same geographic area;

4. Any renovation carried out with ESG assistance shall be sufficient to ensure that the building involved is safe and sanitary;

5. The City will assist homeless individuals in obtaining permanent housing, appropriate supportive services, and other Federal, State, local, and private assistance available for these individuals;

6. The City will obtain matching amounts required under 24 CFR 576.201;

7. The City has established and is implementing procedures to ensure the confidentiality of records pertaining to any individual provided family violence prevention or treatment services under any project assisted under the ESG program, including protection against the release of the address or location of any family violence shelter project, except with the written authorization of the person responsible for the operation of that shelter;

8. To the maximum extent practicable, the City will involve, through employment, volunteer services, or otherwise, homeless individuals and families in constructing, renovating, maintaining, and operating facilities assisted under the ESG program, in providing services under the program, and in providing services for occupants of facilities assisted under the program;

9. All activities the City undertakes with assistance under the ESG are consistent with the City's consolidated plan; and

10. The City will establish and implement, to the maximum extent practicable and where appropriate, policies and protocols for the discharge of persons from publicly funded institutions of care in order to prevent this discharge from immediately resulting in homelessness for these persons.

Introduced by Trent Fellers

Seconded by Camp and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

AUTHORIZING THE MAYOR TO EXECUTE A MULTI-YEAR CONTRACT PER CITY ORDINANCE WHEN FUNDING APPROPRIATIONS COMES FROM MORE THAN ONE FISCAL YEAR CIP FOR THE PRESCOTT AVENUE FROM 47TH STREET TO 48TH STREET PAVING PROJECT, CITY PROJECT NO. 540616 - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-87415 WHEREAS, the City of Lincoln desires to enter into a contract for the Prescott Avenue from 47th Street to 48th Street Paving Project, City Project No. 540616; and

WHEREAS, said contract will involve the expenditure of money from appropriations of more than one year, and Article VII, Section 3 of the Charter of the City of Lincoln provides that no such expenditure of money of more than one year shall be valid unless approved by resolution of the City Council.

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

That the Mayor is authorized to execute a contract between the City and Constructors, Inc. for construction of the Prescott Avenue from 47th Street to 48th Street Paving Project, City Project No. 540616.

The City Clerk is directed to return one fully executed copy of this resolution to Craig Aldridge, Engineering Services, Public Works & Utilities.

Introduced by Trent Fellers

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

APPROVING A CONTRACT AGREEMENT BETWEEN THE CITY OF LINCOLN, LANCASTER COUNTY, THE LINCOLN LANCASTER COUNTY PUBLIC BUILDING COMMISSION AND GRAYBAR ELECTRIC COMPANY FOR THE ANNUAL REQUIREMENTS OF ELECTRICAL PRODUCTS, PURSUANT TO COUNTY OF LOS ANGELES, CALIFORNIA CONTRACT NO. MA-IS-1340234-1, FOR A THREE YEAR TERM - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-87416 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached Contract Agreement between the City of Lincoln, Lancaster County, the Lincoln-Lancaster County Public Building Commission and Graybar Electric Company for the annual requirements for Electrical Products, pursuant to County of Los Angeles, California Contract No. MA-IS-1340234-1, for a three-year term, upon the terms and conditions as set forth in said Contract Agreement, is hereby approved and the Mayor is authorized to execute the same and any associated amendments or renewals on behalf of the City of Lincoln.

Introduced by Trent Fellers

Seconded by Gaylor Baird and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF JUNE 1-15, 2013 - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-87417 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the claims listed in the attached report, marked as Exhibit "A", dated June 17, 2013, of various new and pending tort claims filed against the City of Lincoln with the Office of the City Attorney or the Office of the City Clerk, as well as claims which have been disposed of, are hereby received as required by Neb. Rev. Stat. § 13-905 (Reissue 1997). The dispositions of claims by the Office of the City Attorney, as shown by the attached report, are hereby approved:

<u>DENIED CLAIMS</u>		<u>ALLOWED/SETTLED CLAIMS</u>	
Debra & Brad Berka	\$692.01	Virginia Vice	\$ 197.59
Cheever Apartments	570.00	Dennis & Benita Cooper	3,000.00

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

Introduced by Trent Fellers

Seconded by Emery and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

**ORDINANCE - 3<sup>RD</sup> READING & RELATED RESOLUTIONS (as required)**

CHANGE OF ZONE 13010 - APPLICATION OF JOHN HOLLINGSWORTH AND CAMERON TOWNHOMES FOR A CHANGE OF ZONE FROM AGR AGRICULTURE RESIDENTIAL DISTRICT TO R-3 RESIDENTIAL DISTRICT, ON PROPERTY GENERALLY LOCATED AT SOUTH 56TH STREET AND CUMBERLAND DRIVE (6/10/13 - DELAYED TO 6/24/13 TO HAVE 2<sup>ND</sup> READING & PUBLIC HEARING) - CLERK Read an ordinance, introduced by Jonathan Cook, amending the Lincoln Zoning District Maps adopted by reference and made a part of Title 27 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the third time.

COOK Moved to pass the ordinance as read.

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

The ordinance, being numbered **#19890**, is recorded in Ordinance Book #28, Page .

**ORDINANCES - 1<sup>ST</sup> READING & RELATED RESOLUTIONS (as required)**

AMENDING THE PAY SCHEDULE FOR A CERTAIN EMPLOYEE GROUP WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGE WHICH IS PREFIXED BY THE LETTER "A" BY CHANGING THE TITLE AND PAY RANGE OF THE CLASSIFICATION "LABOR SUPERVISOR II" TO "DISTRICT SUPERVISOR." - CLERK read an ordinance, introduced by Leirion Gaylor Baird, amending Section 1 of Ordinance No. 19601 passed August 15, 2011, relating to the pay schedules of employees whose classifications are assigned to the pay range which is prefixed by the letter "A," by amending Classification Code 5011 to create a new job classification "District Supervisor" by renaming the current Class Title "Labor Supervisor II" as "District Supervisor," revising the specifications for said classification as set forth on Attachment A, attached hereto, and amending the pay range of said classification from (A09) to (A12), the first time.

**RESOLUTIONS - 1<sup>ST</sup> READING - ADVANCE NOTICE**

ORDERING PAVING DISTRICT NO. 2631 CONSTRUCTED IN GLADSTONE STREET FROM 35<sup>TH</sup> TO 36<sup>TH</sup> STREETS AND IN 36<sup>TH</sup> STREET FROM GLADSTONE TO HARTLEY STREETS AND ASSESSING THE COST THEREOF AGAINST THE BENEFITTED PROPERTY.

REAPPOINTING MARTHAELLEN FLORENCE TO THE LIBRARY BOARD FOR A SEVEN-YEAR TERM EXPIRING AUGUST 31, 2020.

APPROVING THE RENEWAL OF AN AGREEMENT BETWEEN THE CITY ON BEHALF OF THE LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT AND CONSULTANTS IN INFECTIOUS DISEASE LLC FOR MEDICAL CONSULTATION SERVICES FOR THE HEALTH DEPARTMENT FOR A TERM OF JULY 1, 2013 THROUGH JUNE 30, 2016.

**MISCELLANEOUS BUSINESS - NONE**

**OPEN MICROPHONE - NONE**

**ADJOURNMENT 4:24 P.M.**

CAMP Moved to adjourn the City Council meeting of July 1, 2013.  
Seconded by Cook & carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

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Teresa J. Meier, City Clerk

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Amy Hana Huffman, Office Specialist