

**THE MINUTES OF THE CITY COUNCIL MEETING HELD
MONDAY, MARCH 27, 2017 AT 5:30 P.M.**

The Meeting was called to order at 5:30 p.m. Present: Council Chair Gaylor Baird; Council Members: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; City Clerk: Teresa Meier.

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

READING OF THE MINUTES

CHRISTENSEN Having been appointed to read the minutes of the City Council Proceedings of March 20, 2017, reported having done so, found same correct.

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

PUBLIC HEARING

**** Councilman Camp arrived in chambers at 5:33 p.m.****

AMENDING THE FY 2016-22 CAPITAL IMPROVEMENT PROGRAM TO CHANGE THE FUNDING SOURCE FOR THE LINCOLN POLICE DEPARTMENT CIP PROJECT #0345 – LPD GARAGE-MAINTENANCE & REPAIR FACILITY TO CHANGE THE AMOUNT, FUNDING SOURCES, AND APPROPRIATED FUNDS IN 2016-17 - Jeffrey Bliemeister, Chief of Police, came forward and explained in 2015 a fleet maintenance study was completed and we were given a number of options: renovating at the current location, a joint combined facility with the County Engineer, and the final option was to have a stand alone facility. One of those options was placed into the CIP with funding to begin in 2021 and 2022 with general obligation bonds, which is \$17.9 million. Today, the Lincoln Police Department is being faced with some much needed renovations that total to almost \$600,000. From discussions with City staff, they are aware that the south Haymarket redevelopment is quickly approaching on the current location at 635 J Street. That, combined with about 5 years worth of savings because of low fuel prices in the Police Maintenance Funds, provides a combination of opportunities. There is an existing 12,000 square foot building on approximately 3.5 acres in an industrial complex west of Salt Valley. This would be a proposed 2 phase process. The first phase would be the purchase and some immediate renovations to the new area, which would be paid for from savings from fuel and additional revenue sources and the LPD reappropriated funds. The second phase would pay for an addition to the new building contingent on the sale of the current property. They do not want to move too far from where the officers currently report.

Cyndi Lamm, Council Member, asked when they would know if the new location would be feasible to allow the addition needed.

Chief Bliemeister shared they have to negotiate and have it appraised. The sale would be contingent on if it meets the needs of LPD. They are hopeful to have that completed in 90 days.

Jon Camp, Council Member, asked about the funding of this project, what the costs might be for extra parking in the new area for police cars and commute times for officers.

Chief Bliemeister stated the current drive time for officers is about 5 minutes and the new location would be a 10 minute drive time. The estimated value of the current property is at \$1.5 million. When using the estimates for the sale, they will take away \$500,000 to keep a parking lot. After the move, they are looking at 100 vehicles being maintained at the new location. Discussion followed.

Leirion Gaylor Baird, Council Chair, asked if the new location does not allow for the addition, what would be the next step.

Chief Bliemeister explained they would start over and go back to the study done in 2015 and explore another option.

Ms. Gaylor Baird asked if these were one time dollars or could they fund additional staff.

Chief Bliemeister confirmed they are one time dollars. Discussion followed.

Terri Pope-Gonzalez, 349 S. 1st Street, came forward and gave a number of statements.

This matter was taken under advisement.

APPROVING A TRANSFER OF APPROPRIATIONS IN THE AMOUNT OF \$1,170,295 FROM FUTURE LABOR SETTLEMENTS TO 0182 ROADWAY AND BRIDGE REHABILITATION TO COVER A PORTION OF THE PROJECTED COST OF THE 84TH & HAVELOCK INTERSECTION IMPROVEMENTS - Sherry Wolf-Drbal, City Finance Department, came forward and stated when the 2014/2016 budget was adopted, several labor unions had not settled their contracts for that biennial period. There had to be some significant projections of what that might be for 4 bargaining units. The money has been carried forward from the 2014/2016 budgets. It was this past summer when the final contract of the Fire Union was settled. When all those unions were settled and the payments were made to the employees there was about \$1.7 million remaining from the estimates.

Leirion Gaylor Baird, Council Chair, asked if this was all the funds that remained.

Ms. Wolf-Drbal stated there was a transfer made to the Police and Fire Pension, but now this is all that remains. Discussion followed.

Miki Esposito, Director of Public Works, came forward and explained there is tremendous need to improve this area and they were able to come up with close to \$1 million dollars of impact fees, but were unable to come up with the remaining million which is where this transfer would come into place.

Randy Hoskins, Assistant City Engineer, came forward and shared this project would build a number of turn lanes that will allow Havelock to operate more efficiently when there are events at the Lancaster Event Center as well as some improvements to 84th and Havelock. They are looking at possibly raising the flood plain, but will look further into it when getting more into the design.

Jane Raybould, Council Member, asked how many additional left turn lanes are being created.

Mr. Hoskins said coming west there will be a single left turn lane, a through lane and a right turn lane. Right now there is just one single lane. Discussion followed.

Leirion Gaylor Baird, Council Chair, asked for clarification on the funding sources.

Ms. Esposito shared Lancaster County Event Center is owned and operated by the Agricultural Society. The Agricultural Society entered into an agreement with the City which would make this impact fee eligible for the turn lanes as a piece of infrastructure improvements. District 4 has more than a million dollars, but they are devoting a million for this project. The total cost for the project is \$2.27 million.

Mr. Hoskins confirmed the full project is not impact fee eligible. Discussion followed.

Amy Dickerson, Managing Director of the Lancaster Event Center, 4100 N. 84th Street, came forward in support and stated they will soon be hosting new events and project as many as 13,000 individuals on the property at once. They also host over 300 events and having one single lane to exit the property will not work with this amount of traffic. This will also help with safety. Discussion followed.

Terri Pope-Gonzalez, 349 S. 1st Street, came forward and gave a number of statements.

Ron Trouba, President of Lincoln Firefighters Association, 241 Victory Lane, came forward in opposition stating they are not in opposition to the project, but feel the funds should be placed in the Police and Fire Pension.

This matter was taken under advisement.

COMP. PLAN CONFORMANCE 17003 – APPROVING AN AMENDMENT TO THE WEST O REDEVELOPMENT PLAN TO ADD THE “NATURE’S VARIETY REDEVELOPMENT PROJECT” TO REMOVE BLIGHT AND SUBSTANDARD CONDITIONS AND STRENGTHEN THE BUSINESS COMMUNITY IN THE WEST O STREET AREA THROUGH THE REDEVELOPMENT OF THREE UNDERDEVELOPED PARCELS THROUGH THE CONSTRUCTION OF AN APPROXIMATELY 24,000 SQUARE FOOT FREEZE-DRYING FACILITY AND DEVELOPMENT OF A PROCESSING CENTER AND A FROZEN STORAGE FACILITY, ON PROPERTY GENERALLY LOCATED AT 3203 WEST VIEW AVENUE AND 235, 301, 311, 321, AND 333 SOUTHWEST 32ND STREET - David Landis, Director of Urban Development, came forward and stated this amendment is necessary because the plan needs to describe the kinds of project that may be forthcoming. Nature’s Variety will utilize a 24,000 square foot building in the first phase along with a freezer and processing floor that will be the second phase and a final phase of a kibble production plant area. The Planning Commission passed this unanimously. Discussion followed.

Leirion Gaylor Baird, Council Chair, asked how is this eligible for TIF if the underdeveloped parcels are not blighted and what blight conditions are expected to be removed.

Mr. Landis explained in a redevelopment area they have to show the existence of the substandard and the blighted conditions. This does not have to be shown with each individual parcel on the land. This just has to be an area of land that is shown that is in need of redevelopment. In many areas of this location there are drainage issues that can categorize this area as blighted and substandard.

Tom Huston, Cline Williams Wright Johnson & Oldfather Law Firm, 233 S. 13th Street, Suite 1900, appeared on behalf of Nature’s Variety and stated Nature’s Variety has two locations that they operate in Lincoln. They would like to relocate and consolidate their facility and phase one is for that purpose. This will involve a significant investment by the company who already uses the building on the property to the north. Discussion followed.

Terri Pope-Gonzalez, 349 S. 1st Street, came forward and gave a number of statements.

This matter was taken under advisement.

APPROVING A MASTER LEASE AGREEMENT BETWEEN THE CITY OF LINCOLN AND MOBILITIE, LLC FOR THE PURPOSE OF INSTALLING, MAINTAINING, AND OPERATING COMMUNICATIONS EQUIPMENT ON CERTAIN CITY OF LINCOLN PROPERTIES, UTILITY POLES, AND/OR FACILITIES - David Young, Public Works, came forward and stated this agreement is a follow up agreement to the Verizon Small Cell Contract that was signed in January. There are no material differences between the two agreements. Rental term, agreement length and construction standards are all the same. There are a few minor differences based on the business model of each company.

Leirion Gaylor Baird, Council Chair, asked how these new agreements affect the financing model for street lights, if at all.

Mr. Young explained he does not believe they affect them at all. The attachment rights are on existing street lights, not new street lights. They are not obligating any changes to the pole. If they have to ask Verizon or Mobilitie to remove their equipment for work to be done they can do that. In all of these cases new poles are being installed and that is all funded by the carrier. Discussion followed.

Christy Eichorn, Mobilitie, 7824 Sycamore Drive, came forward in favor.

This matter was taken under advisement.

CHANGE OF ZONE 16045 – APPLICATION OF EADO, LLC FOR A CHANGE OF ZONE FROM B-4 BUSINESS DISTRICT TO B-4 BUSINESS DISTRICT PUD; FOR A PLANNED UNIT DEVELOPMENT DISTRICT DESIGNATION OF SAID PROPERTY; AND FOR A DEVELOPMENT PLAN WHICH PROPOSES MODIFICATIONS TO THE ZONING ORDINANCE, LAND SUBDIVISION ORDINANCE, AND DESIGN STANDARDS TO FOSTER AN URBAN MIXED-USE AREA, INCLUDING OFFICE, RESIDENTIAL, RETAIL, AND OTHER COMMERCIAL ACTIVITIES, ON PROPERTY GENERALLY BOUNDED BY O STREET ON THE NORTH, ANTELOPE CREEK ON THE EAST, K STREET ON THE SOUTH, AND ANTELOPE VALLEY PARKWAY ON THE WEST - Kent Seacrest, Seacrest and Kalkowski Law Firm, 1128 Lincoln Mall, Suite 105, came forward representing EADO, LLC and stated this is in regards to the Telegraph District and this is the Redevelopment Agreement to continue to move this project forward. They are not adjusting land use in any way. This is primarily regarding signage. There is a motion to amend to add two additional signs that will need a sign permit. This will also allow for pedestrian signs to hang under the canopy. There will be street markers and two larger signs, one that will have an electronic sign, the other will be big enough to drive under that will identify that you have entered into the Telegraph District. Discussion followed.

Jane Raybould, Council Member, asked if some of the signs require anything electrical, who will be responsible for that utility bill.

Mr. Seacrest stated the private sector would be responsible for any lighting bills and maintenance.

Jon Camp, Council Member, asked if they planned to change any of the street signs.

Mr. Seacrest stated they did think to put up new street signs, but that idea is now off the table and the street signs will remain the same. Discussion followed.

Ed Zimmer, Planning Department, came forward and explained they thought the two murals would not be considered signs, but to eliminate any confusion they are getting sign permits for those signs.

This matter was taken under advisement.

APPROVING A CONTRACT BETWEEN THE CITY OF LINCOLN AND LINCOLN HAYMARKET DEVELOPMENT CORPORATION TO CONDUCT AND REGULATE A SATURDAY PUBLIC MARKET IN THE HAYMARKET AREA, 7TH STREET FROM P TO Q STREET, P STREET FROM 7TH TO 8TH STREET, Q STREET FROM 7TH TO CANOPY STREET, AND CANOPY STREET FROM P TO Q STREET FROM MAY 6, 2017 THROUGH OCTOBER 14, 2017; AND ON 8TH STREET FROM P TO Q STREET FROM MAY 6, 2017 THROUGH AUGUST 26, 2017 - Linda Hubka, Haymarket Farmers Market, came forward and explained this would be their 32nd Farmers Market. They are looking to use the same sidewalks and streets as previously used. They will only use 8th Street until the football season starts.

Carl Eskridge, Council Member, asked how the safety fixes from Public Works would do in this area with the Farmers Market.

Miki Esposito, Director of Public Works, stated they have a large resurfacing project in this area that is planned for 2018 and that will begin as soon as the weather clears. This project will be coordinated with Farmers Market and attempt to structure their work throughout the week, while Farmers Markets operates on the weekend.

This matter was taken under advisement.

COUNCIL ACTION

REPORTS OF CITY OFFICERS

AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF LINCOLN AND THE STATE OF NEBRASKA DEPARTMENT OF ROADS (NDOR) SO THAT FEDERAL FUNDS MAY BE USED FOR CONSTRUCTION AND CONSTRUCTION ENGINEERING OF THE SOUTH CODDINGTON AVENUE AND WEST VAN DORN STREET INTERSECTION SAFETY PROJECT. PROJECT NO. HSIP-5205(1), CN 13147 - CLERK read the following resolution, introduced by Jon Camp, Roy Christensen moved its adoption:

A-90329

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

That the attached Agreement between the City of Lincoln and the State of Nebraska Department of Roads for Federal Surface Transportation Program Funds for construction inspection and construction engineering services for the South Coddington Avenue and West Van Dorn Street Intersection Safety Project HSIP-5205(1), CN 13147, 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 Agreements to Craig Aldridge, Engineering Services, Public Works and Utilities, for transmittal and execution by the State Department of Roads.

Introduced by Jon Camp

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

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APPROVING AN EXTENSION OF MEMORANDUM OF UNDERSTANDING BETWEEN THE STATE OF NEBRASKA DEPARTMENT OF MOTOR VEHICLES AND THE CITY OF LINCOLN POLICE DEPARTMENT FOR THE USE OF DMV FACIAL RECOGNITION SYSTEM FOR A FOUR YEAR PERIOD - CLERK read the following resolution, introduced by Jon Camp, Roy Christensen moved its adoption:

A-90330 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That Extension 1 to the Memorandum of Understanding between the City of Lincoln, on behalf of the Lincoln Police Department, and the Nebraska Department of Motor Vehicles for the use of the Department of Motor Vehicles' Facial Recognition System for a four-year term, upon the terms and conditions set forth in said Extension 1 to the Memorandum of Understanding, a copy of which is attached hereto marked as Attachment "A" and made a part hereof by reference, is hereby accepted and approved and the Mayor is authorized to execute said Memorandum of Understanding on behalf of the City.

The City Clerk is directed to send an executed copy of Extension 1 to the Memorandum of Understanding to Tonya Peters, Lincoln Police Department, for transmittal to the Nebraska Department of Motor Vehicles.

Introduced by Jon Camp

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

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTION AND ORDINANCES PASSED BY CITY COUNCIL ON MARCH 13, 2017 - 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, APRIL 10, 2017 AT 3:00 P.M. ON THE APPLICATION OF CASEY'S RETAIL COMPANY INC DBA CASEY'S GENERAL STORE #2745 FOR A CLASS D LIQUOR LICENSE AT 2243 N. COTNER BLVD - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-90331 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, April 10, 2017, 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 Casey's Retail Company Inc dba Casey's General Store #2745 for a Class D Liquor License at 2243 N. Cotner Blvd.

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

Introduced by Roy Christensen

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

SETTING THE HEARING DATE OF MONDAY, APRIL 10, 2017 AT 3:00 P.M. ON THE APPLICATION OF CASEY'S RETAIL COMPANY INC DBA CASEY'S GENERAL STORE #2749 FOR A CLASS D LIQUOR LICENSE AT 5500 SUPERIOR STREET - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-90332 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, April 10, 2017, 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 Casey's Retail Company Inc dba Casey's General Store #2749 for a Class D Liquor License at 5500 Superior Street.

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

Introduced by Roy Christensen

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

SETTING THE HEARING DATE OF MONDAY, APRIL 10, 2017 AT 3:00 P.M. ON THE APPLICATION OF HALFTIME SPORTS BAR AND GRILL LLC DBA HALFTIME BAR & GRILL FOR A CLASS I LIQUOR LICENSE AT 200 W. P STREET - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-90333 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, April 10, 2017, 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 Halftime Sports Bar and Grill LLC dba Halftime Bar & Grill for a Class I Liquor License at 200 W. P Street.

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

Introduced by Roy Christensen

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

SETTING THE HEARING DATE OF MONDAY, APRIL 10, 2017 AT 3:00 P.M. ON THE APPLICATION OF YUMMY CHINA INC DBA MR. HUI'S II FOR A CLASS I LIQUOR LICENSE AT 4131 PIONEER WOODS DRIVE, SUITE 102 - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-90334 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, April 10, 2017, 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 Yummy China Inc dba Mr. Hui's II for a Class I Liquor License at 4131 Pioneer woods Drive, Suite 102.

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

Introduced by Roy Christensen

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

SETTING THE HEARING DATE OF MONDAY, APRIL 10, 2017 AT 3:00 P.M. ON THE APPLICATION OF GLOBAL WARMING INC. DBA THE MILL FOR A CLASS C LIQUOR LICENSE AT 2021 TRANSFORMATION DRIVE, UNIT 3 - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-90335 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, April 10, 2017, 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 Global Warming Inc. dba The Mill for a Class C Liquor License at 2021 Transformation Drive, Unit 3.

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

Introduced by Roy Christensen

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

PLACED ON FILE IN THE OFFICE OF THE CITY CLERK:

Administrative Amendment No. 17015 to Change of Zone No. 15016, Wilderness Creek PUD, approved by the Planning Director on March 15, 2017, to clarify that the zoning regulations follow the zoning designation areas identified on the plan unless otherwise noted, generally located at South 40th Street and Yankee Hill Road.

LIQUOR RESOLUTIONS - NONE.

PUBLIC HEARING - RESOLUTIONS

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF MARCH 1-15, 2017 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-90336 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 March 1, 2017, 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>
Beth (Mary) Davidson	\$3,400.86	None
Annie Demby as Guardian of Zachary Brandt	NAS*	

* No Amount Specified

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 Jon Camp

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

AMENDING THE FY 2016-22 CAPITAL IMPROVEMENT PROGRAM TO CHANGE THE FUNDING SOURCE FOR THE LINCOLN POLICE DEPARTMENT CIP PROJECT #0345 – LPD GARAGE- MAINTENANCE & REPAIR FACILITY TO CHANGE THE AMOUNT, FUNDING SOURCES, AND APPROPRIATED FUNDS IN 2016-17 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-90337 WHEREAS, the Project #0345 LPD Garage-Maintenance & Repair Facility has been previously established as a capital improvement project within the Capital Improvement Program adopted by Resolution A-89947; and

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WHEREAS, it is necessary to amend the 2016-22 Capital Improvement Project to change the funding source for the Project #0345 LPD Garage-Maintenance & Repair Facility to change the amount, funding sources, and to appropriate funds in 2016-17.

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

1. That the City Council hereby amends Project #0345 LPD Garage-Maintenance & Repair Facility of the 2016-22 Capital Improvement Program to delete proposed General Obligation Bond funding of \$17,970,800 in 2021-22.

2. That the City Council hereby amends Project #0345 LPD Garage-Maintenance & Repair Facility of the 2016-22 Capital Improvement Program to appropriate \$1,250,000 of Police Garage Fund balance (04025.9237) and \$750,000 of Police Department General Fund (0401b.9237 from reappropriated funds) in 2016-17 for land acquisition and Phase I – Construction/Renovation and Phase II – Planning/Construction for the LPD Garage-Maintenance & Repair Facility (404105).

3. That the City Council hereby amends Project #0345 LPD Garage-Maintenance & Repair Facility of the 2016-22 Capital Improvement Program to add \$2,047,000 in 2020-21 for Phase II – Planning/Construction. Phase II – Planning/Construction is projected to be funded by \$1,000,000 Police Garage Fund balance (estimated to be reimbursement from Advanced Land Acquisition Fund for the initial purchase when the existing Police Garage real estate is sold) and \$1,047,000 General Fund dollars from Police Department reappropriated funds allocated to the project over 5 years.

4. That the Finance Director is directed to make the necessary adjustments in the 2016-18 biennial budget to appropriate funds to the LPD Garage-Maintenance & Repair Facility (404105) as shown on ATTACHMENT A.

Introduced by Jon Camp

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

APPROVING A TRANSFER OF APPROPRIATIONS IN THE AMOUNT OF \$1,170,295 FROM FUTURE LABOR SETTLEMENTS TO 0182 ROADWAY AND BRIDGE REHABILITATION TO COVER A PORTION OF THE PROJECTED COST OF THE 84TH & HAVELOCK INTERSECTION IMPROVEMENTS - CLERK read the following resolution, introduced by Cyndi Lamm, who moved its adoption:

A-90338 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That a transfer of appropriations in the amount of \$1,170,295.00 from General Expense/Future Labor Settlements to 0182 Roadway and Bridge Rehabilitation/Cash Transfers to cover a portion of the projected cost of the 84th & Havelock Intersection Improvements, is hereby approved and the Finance Director is authorized to make such transfer upon passage of this resolution.

Introduced by Cyndi Lamm

Seconded by Fellers & carried by the following vote: AYES: Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: Camp, Christensen.

COMP. PLAN CONFORMANCE 17003 – APPROVING AN AMENDMENT TO THE WEST O REDEVELOPMENT PLAN TO ADD THE “NATURE’S VARIETY REDEVELOPMENT PROJECT” TO REMOVE BLIGHT AND SUBSTANDARD CONDITIONS AND STRENGTHEN THE BUSINESS COMMUNITY IN THE WEST O STREET AREA THROUGH THE REDEVELOPMENT OF THREE UNDERDEVELOPED PARCELS THROUGH THE CONSTRUCTION OF AN APPROXIMATELY 24,000 SQUARE FOOT FREEZE-DRYING FACILITY AND DEVELOPMENT OF A PROCESSING CENTER AND A FROZEN STORAGE FACILITY, ON PROPERTY GENERALLY LOCATED AT 3203 WEST VIEW AVENUE AND 235, 301, 311, 321, AND 333 SOUTHWEST 32ND STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-90339 WHEREAS, the City Council has previously adopted the West O Street Redevelopment Plan (hereinafter the “Plan”)– including plans for various redevelopment projects within the Redevelopment Plan area in accordance with the requirements and procedures of the Nebraska Community Development Law; and now desires to modify said plan by establishing the “Nature’s Variety Redevelopment Project” to remove blight and substandard conditions and strengthen the business community in the West O Street area through the redevelopment of three underdeveloped parcels through the construction of an approximately 24,000 square foot freeze-drying facility and development of a processing center and a frozen storage facility, on property generally located at 3203 West View Avenue and 235, 301, 311, 321, and 333 Southwest 32nd Street; and

WHEREAS, the Director of the Urban Development Department has filed with the City Clerk modifications to the Redevelopment Plan contained in the document entitled the “Amendment to the West O Street Redevelopment Plan, Nature’s Variety Redevelopment Project” which is attached hereto, marked as Attachment “A”, and made a part hereof by reference, and has reviewed said plan and has found that it meets the conditions set forth in Neb. Rev. Stat. § 18-2111 and § 18-2113 (Reissue 2012); and

WHEREAS, on February 17, 2017, a 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 March 1, 2017 before the Lincoln City - Lancaster County Planning Commission regarding the proposed amendments to the Redevelopment Plan to add the Nature's Variety Redevelopment Project, 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 proposed Amendments to the West O Street Redevelopment Plan to add the Nature's Variety Redevelopment Project were submitted to the Lincoln-Lancaster County Planning Commission for review and recommendations, and, on March 1, 2017, the Lincoln-Lancaster County Planning Commission held a public hearing relating to the Plan Amendments and found the Plan Amendments to be in conformance with the Comprehensive Plan and recommended approval thereof; and

WHEREAS, on March 10, 2017, a notice of public hearing was mailed postage prepaid to the foregoing list of 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 27, 2017 regarding the proposed amendments to the Redevelopment Plan to add the Nature's Variety Redevelopment Project, a copy of said notice having been attached hereto as Attachment "D"; and

WHEREAS, on March 10, 2017 and March 17, 2017, a Notice of Public Hearing was published in the Lincoln Journal Star newspaper, setting the time, date, place, and purpose of the public hearing to be held on March 27, 2017 regarding the proposed amendments to the West O Street Redevelopment Plan and to add the Nature's Variety Redevelopment Project, a copy of such notice having been attached hereto and marked as Attachment "E"; and

WHEREAS, on March 27, 2017 in the City Council chambers of the County-City Building, 555 South 10th Street, Lincoln, Nebraska, the City Council held a public hearing relating to the proposed modifications to the Redevelopment Plan and all interested parties were afforded at such public hearing a reasonable opportunity to express their views respecting said proposed modifications to the redevelopment plan; and

WHEREAS, the City Council has duly considered all statements made and materials submitted relating to said proposed modifications to the redevelopment plan.

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

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

2. That incorporating the Nature's Variety Redevelopment Project into the West O Street Redevelopment Plan is feasible and in conformity with the general plan for the development of the City of Lincoln as a whole and said Plan is in conformity with the legislative declarations and determinations set forth in the Community Development Law.

3. That the Nature's Variety Redevelopment Project would not be economically feasible without the use of tax-increment financing.

4. That the improvements to be implemented by the Nature's Variety Redevelopment Project would not occur in the community redevelopment area without the use of tax-increment financing.

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

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

1. That the document attached hereto as Attachment "A" adding the Nature's Variety Redevelopment Project to the West O Street Redevelopment Plan, is hereby accepted and approved by the City Council as the governing body for the City of Lincoln.

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

3. That the Nature's Variety Redevelopment Project Area as described and depicted in the Plan Amendment is the Redevelopment Project Area comprising the property to be included in the area subject to the tax increment provision authorized in the Nebraska Community Development Law.

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

Introduced by Jon Camp

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

PUBLIC HEARING ORDINANCES - 2ND READING & RELATED RESOLUTIONS - NONE.

APPROVING A MASTER LEASE AGREEMENT BETWEEN THE CITY OF LINCOLN AND MOBILITIE, LLC FOR THE PURPOSE OF INSTALLING, MAINTAINING, AND OPERATING COMMUNICATIONS EQUIPMENT ON CERTAIN CITY OF LINCOLN PROPERTIES, UTILITY POLES, AND/OR FACILITIES - CLERK read an ordinance, introduced by Jon Camp, accepting and approving the Master Lease Agreement between the City of Lincoln and Mobilitie, LLC for the purpose of installing, maintaining, and operating communications equipment on certain City of Lincoln properties, utility poles, and/or facilities, the second time.

CHANGE OF ZONE 16045 – APPLICATION OF EADO, LLC FOR A CHANGE OF ZONE FROM B-4 BUSINESS DISTRICT TO B-4 BUSINESS DISTRICT PUD; FOR A PLANNED UNIT DEVELOPMENT DISTRICT DESIGNATION OF SAID PROPERTY; AND FOR A DEVELOPMENT PLAN WHICH PROPOSES MODIFICATIONS TO THE ZONING ORDINANCE, LAND SUBDIVISION ORDINANCE, AND DESIGN STANDARDS TO FOSTER AN URBAN MIXED-USE AREA, INCLUDING OFFICE, RESIDENTIAL, RETAIL, AND OTHER COMMERCIAL ACTIVITIES, ON PROPERTY GENERALLY BOUNDED BY O STREET ON THE NORTH, ANTELOPE CREEK ON THE EAST, K STREET ON THE SOUTH, AND ANTELOPE VALLEY PARKWAY ON THE WEST - CLERK read an ordinance, introduced by Jon Camp, repealing Ordinance No. 19988 (COZ 13026) designating Lots 1 and 2, Block 7 and Outlot I, Antelope Valley 2nd Addition as a Planned Unit Development District and approving the 21st & N Planned Unit Development, and amending the Lincoln Zoning District Maps attached to and made a part of Title 27 of the Lincoln Municipal Code, as provided by Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the second time.

APPROVING A CONTRACT BETWEEN THE CITY OF LINCOLN AND LINCOLN HAYMARKET DEVELOPMENT CORPORATION TO CONDUCT AND REGULATE A SATURDAY PUBLIC MARKET IN THE HAYMARKET AREA, 7TH STREET FROM P TO Q STREET, P STREET FROM 7TH TO 8TH STREET, Q STREET FROM 7TH TO CANOPY STREET, AND CANOPY STREET FROM P TO Q STREET FROM MAY 6, 2017 THROUGH OCTOBER 14, 2017; AND ON 8TH STREET FROM P TO Q STREET FROM MAY 6, 2017 THROUGH AUGUST 26, 2017 - CLERK read an ordinance, introduced by Jon Camp, accepting and approving the Contract between the City of Lincoln, Nebraska, a municipal corporation, and the Lincoln Haymarket Development Corporation for establishment and regulation of a Saturday public market in the Haymarket area, 7th Street from P to Q Streets; P Street from 7th to 8th Streets; Q Street from 7th to Canopy Streets; and Canopy Street from P to Q Streets; from May 6, 2017 through October 14, 2017, and on 8th Street from P to Q Street from May 6, 2017 through August 26, 2017, and authorizing the Mayor to sign such Contract on behalf of the City, the second time.

ORDINANCES - 3RD READING & RELATED RESOLUTIONS

COMP. PLAN CONFORMANCE 17002 – DECLARING APPROXIMATELY 1,200 SQUARE FEET OF PROPERTY GENERALLY LOCATED AT 2201 SOUTH 17TH STREET AS SURPLUS PROPERTY - CLERK read an ordinance, introduced by Trent Fellers, declaring approximately 1,200 square feet of City owned property generally located at 2201 South 17th Street as surplus, the third time.

FELLERS Moved to pass ordinance as read.

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

The ordinance, being numbered #20465, is recorded in Ordinance Book 32.

APPROVING A PURCHASE AGREEMENT BETWEEN THE CITY OF LINCOLN AND RASHEED BADEER AND MEDIA KAJAN FOR THE SALE OF CITY OWNED PROPERTY GENERALLY LOCATED AT 623 SOUTH 19TH STREET - CLERK read an ordinance, introduced by Trent Fellers, authorizing the sale of City owned property generally located at 623 South 19th Street, Lincoln, Nebraska, and approving the Purchase Agreement for the sale of said property between the City of Lincoln and Rasheed Badeer and Media Kajan, the third time.

FELLERS Moved to pass ordinance as read.

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

The ordinance, being numbered #20466, is recorded in Ordinance Book 32.

AMENDING CHAPTER 3.06 OF THE LINCOLN MUNICIPAL CODE RELATING TO THE FORMULATION AND SUBMITTAL OF THE BIENNIAL BUDGET BY AMENDING SECTION 3.06.020 TO CHANGE THE DATE BY WHICH THE MAYOR'S RECOMMENDED BIENNIAL BUDGET MUST BE SUBMITTED TO THE CITY COUNCIL TO JUNE 15TH AND REPEALING SECTION 3.06.020 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING - CLERK read an ordinance, introduced by Leirion Gaylor Baird, amending Chapter 3.06 of the Lincoln Municipal Code relating to the Formulation and Submittal of the Biennial Budget by amending Section 3.06.020 to amend the date by which the Mayor's recommended biennial budget must be submitted to the City Council to June 15th and repealing Section 3.06.020 of the Lincoln Municipal Code as hitherto existing, the third time.

FELLERS Moved to pass ordinance as read.
Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.
The ordinance, being numbered #20467, is recorded in Ordinance Book 32.

A RESOLUTION ESTABLISHING THE TIMELINE FOR THE PREPARATION AND APPROVAL OF THE CITY'S BIENNIAL BUDGET. (RELATED ITEMS: 17-16, 17R-36) - CLERK read the following resolution, introduced by Leirion Gaylor Baird, Trent Fellers moved its adoption:

A-90340 A RESOLUTION regarding the timeline for the preparation and approval of the City's biennial budget.

WHEREAS, the City Council is a full and equal partner in the creation and adoption of the City's budget, and

WHEREAS the City Council needs adequate time prior to the release of the Mayor's budget to review and analyze the fiscal circumstances of the City and its departments, as well as anticipated changes from the current biennium to the upcoming biennial budget;

WHEREAS, the City Council believes a longer period between the announcement of the Mayor's recommended budget and Council action will give members of the public more time to review the budget and offer their input,

WHEREAS, the City Council recognizes that an additional year-end transfer and clean-up resolution will be necessary closer to the end of the fiscal year to account for more timely and accurate fiscal year-end budget estimates and information.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska that the City Council makes the following changes to the biennial budget process:

- 1) The overall schedule for the biennial budget process will be as shown in the attached Schedule A. The dates in future biennial cycles may be modified slightly to align better with future calendars or to comply with legal requirements.
- 2) Mid-year budget briefings will be held annually beginning in the third week of January and ending by the last week in February, as shown in the attached Schedule B. The dates in future years may be modified slightly to align better with future calendars.
- 3) That department budget hearings before the Council will begin during the week following the release of the Mayor's budget.
- 4) That all Council members shall submit their proposed changes to the Mayor's recommended budget to the entire Council and the public according to Schedule A.

Introduced by Leirion Gaylor Baird

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

COMP. PLAN CONFORMANCE 16010 – DECLARING APPROXIMATELY 4,525 SQUARE FEET OF PROPERTY GENERALLY LOCATED ADJACENT TO 710 HILL STREET IN STANDING BEAR PARK AS SURPLUS PROPERTY (RELATED ITEMS: 17-29, 17-34) - CLERK read an ordinance, introduced by Trent Fellers, declaring approximately 4,123.35 square feet of City owned property generally located adjacent to 710 Hill Street in Standing Bear Park as surplus, the third time.

FELLERS Moved to pass ordinance as read.
Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.
The ordinance, being numbered #20468, is recorded in Ordinance Book 32.

APPROVING A PROPERTY PURCHASE AND SALE AGREEMENT FOR THE SALE OF APPROXIMATELY 4,123.35 SQUARE FEET IN THE SOUTHEAST CORNER OF STANDING BEAR PARK TO LINCOLN PUBLIC SCHOOLS FOR CIRCULATION ASSOCIATED WITH OPERATION OF A FOOD DISTRIBUTION CENTER ON THE ABUTTING LPS PROPERTY (RELATED ITEMS: 17-29, 17-34) - CLERK read an ordinance, introduced by Trent Fellers, authorizing the sale of real property consisting of approximately 4,123.35 square feet in the southeast corner of Standing Bear Park adjacent to 710 Hill Street, Lincoln, Lancaster County, Nebraska., the third time.

FELLERS Moved to pass ordinance as read.
Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.
The ordinance, being numbered #20469, is recorded in Ordinance Book 32.

CHANGE OF ZONE 17003 – APPLICATION OF NEW COVENANT COMMUNITY CHURCH FOR A CHANGE OF ZONE FROM AGR AGRICULTURAL RESIDENTIAL DISTRICT TO R-3 RESIDENTIAL DISTRICT AND FROM AGR AGRICULTURAL RESIDENTIAL DISTRICT TO R-T RESIDENTIAL TRANSITION DISTRICT ON PROPERTY GENERALLY LOCATED AT 6000 SOUTH 84TH STREET (RELATED ITEMS: 17-37, 17R-78) - CLERK read an ordinance, introduced by Trent Fellers, amending the City of Lincoln Zoning District Map 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 third time.

FELLERS Moved to pass ordinance as read.
Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.
The ordinance, being numbered #20470, is recorded in Ordinance Book 32.

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APPROVING A DEVELOPMENT AND CONDITIONAL ZONING AGREEMENT BETWEEN THE CITY OF LINCOLN, NEBRASKA AND NEW COVENANT COMMUNITY CHURCH (DEVELOPER) TO PROHIBIT CERTAIN R-T DISTRICT USES WHICH SHOULD NOT BE LOCATED ON THE DEVELOPER'S PROPERTY WITHIN A PIPE LINE PLANNING AREA NEXT TO AN EXISTING NATURAL GAS LINE. (RELATED ITEMS: 17-37, 17R-78) - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-90341 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That the Development and Conditional Zoning Agreement which is attached hereto marked as Exhibit "A" and made a part hereof by reference, between the City of Lincoln, Nebraska and New Covenant Community Church (Developer) to prohibit certain R-T District uses on the property generally located at South 84th Street and Foxtail Drive ("Property") which should not be located in the Pipe Line Planning Area on the Property next to an existing natural gas line, is hereby approved and the Mayor is authorized to execute the Development and Conditional Zoning Agreement on behalf of the City.

BE IT FURTHER RESOLVED that the City Clerk is directed to return one fully executed copy of this Agreement to the Planning Department for distribution to the parties.

BE IT FURTHER RESOLVED that the City Clerk is directed to record the Development and Conditional Zoning Agreement with the Register of Deeds, filing fees to be paid by the Developer.

Introduced by Trent Fellers

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

CHANGE OF ZONE 16042 – APPLICATION OF EMLI, LLC FOR A CHANGE OF ZONE FROM R-2 RESIDENTIAL DISTRICT TO B-3 COMMERCIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT 3255 A STREET. (RELATED ITEMS: 17-38, 17R-81) - CLERK read an ordinance, introduced by Trent Fellers, amending the City of Lincoln Zoning District Map 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 third time.

FELLERS Moved to pass ordinance as read.

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

The ordinance, being numbered #20471, is recorded in Ordinance Book 32.

APPROVING A DEVELOPMENT AND CONDITIONAL ZONING AGREEMENT BETWEEN THE CITY OF LINCOLN, NEBRASKA AND EMLI, LLC (DEVELOPER) TO PROHIBIT THE USE OF THE PROPERTY GENERALLY LOCATED AT 3255 A STREET FOR A RANGE OF COMMERCIAL AND RETAIL USES WHICH WOULD NOT BE COMPATIBLE WITH THE SURROUNDING NEIGHBORHOOD UNDER THE PROPOSED CHANGE OF ZONE 16042. (RELATED ITEMS: 17-38, 17R-81) - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-90342 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That the Development and Conditional Zoning Agreement which is attached hereto marked as Exhibit "A" and made a part hereof by reference, between the City of Lincoln, Nebraska and EMLI, LLC (Developer) to prohibit the use of the property generally located at 3255 A Street for a range of commercial and retail uses which would not be compatible with the surrounding neighborhood under the proposed Change of Zone No. 16042, is hereby approved and the Mayor is authorized to execute the Development and Conditional Zoning Agreement on behalf of the City.

BE IT FURTHER RESOLVED that the City Clerk is directed to return one fully executed copy of this Agreement to the Planning Department for distribution to the parties.

BE IT FURTHER RESOLVED that the City Clerk is directed to record the Development and Conditional Zoning Agreement with the Register of Deeds, filing fees to be paid by the Developer.

Introduced by Trent Fellers

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

ANNEXATION 17002 – AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 61.91 ACRES OF PROPERTY GENERALLY LOCATED AT SOUTH 90TH STREET AND A STREET. (RELATED ITEMS: 17-40, 17-41, 17R-82) - CLERK read an ordinance, introduced by Trent Fellers, annexing and including the below described land as part of the City of Lincoln, Nebraska and amending the Corporate Limits Map attached to and made a part of Ordinance No. 18208, to reflect the extension of the corporate limits boundary of the City of Lincoln, Nebraska established and shown thereon, the third time.

FELLERS Moved to pass ordinance as read.

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

The ordinance, being numbered #20472, is recorded in Ordinance Book 32.

CHANGE OF ZONE 17002 – APPLICATION OF JACK A. HERBERT, TRUSTEE OF THE MARIE A HERBERT TRUST, MARIE A. HERBERT, TRUSTEE OF THE JACK A. HERBERT TRUST, AND BLUE ROCK INVESTMENTS, LLC FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT AND FROM AG AGRICULTURAL DISTRICT TO R-1 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT SOUTH 90TH STREET AND A STREET. (RELATED ITEMS: 17-40, 17-41, 17R-82) - CLERK read an ordinance, introduced by Trent Fellers, amending the City of Lincoln Zoning District Map 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 third time.

FELLERS Moved to pass ordinance as read.

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

The ordinance, being numbered #20473, is recorded in Ordinance Book 32.

APPROVING A CONDITIONAL ANNEXATION AND ZONING AGREEMENT AMONG JACK A. HERBERT, TRUSTEE OF THE MARIE A. HERBERT TRUST, MARIE A. HERBERT, TRUSTEE OF THE JACK A. HERBERT TRUST, BLUE ROCK INVESTMENTS, LLC, AND THE CITY OF LINCOLN REGARDING THE CONSTRUCTION OF VARIOUS PUBLIC IMPROVEMENTS NECESSITATED BY THE REQUESTED ANNEXATION OF PROPERTY GENERALLY LOCATED AT SOUTH 90TH STREET AND A STREET. (RELATED ITEMS: 17-40, 17-41, 17R-82)- CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-90343 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the Conditional Annexation and Zoning Agreement which is attached hereto, marked as Attachment "A" and made a part hereof by reference, among Jack A. Herbert, Trustee of the Marie A. Herbert Trust, Marie A. Herbert, Trustee of the Jack A. Herbert Trust, Blue Rock Investments, LLC, and the City of Lincoln, relating to the construction of various public improvements necessitated by the annexation of property generally located at A Street and South 90th Street and legally described as Lot 30 Irregular Tract, located in the West Half of Section 26, Township 10 North, Range 7 East of the 6th P.M., Lincoln, Lancaster County, Nebraska; re-zoning the property from AG Agricultural District to R-3 Residential District; and approval of a preliminary plat for White Horse which includes approximately 154 single-family dwelling lots, as set out in the Agreement is hereby approved and the Mayor is authorized to execute the Conditional Annexation and Zoning Agreement on behalf of the City.

BE IT FURTHER RESOLVED that the City Clerk is directed to return the original and one fully executed copy of the Conditional Annexation and Zoning Agreement to George Wesselhoft, Planning Department, for recording with the Register of Deeds and distribution to the owners. Recording fees are to be paid in advance by the owners

BE IT FURTHER RESOLVED that the City Clerk is directed to forward a copy of this Agreement to Michaela Dugan, Impact Fee Administrator.

Introduced by Trent Fellers

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

RESOLUTIONS - 1ST READING

AMENDING THE LINCOLN-LANCASTER COUNTY AIR POLLUTION CONTROL REGULATIONS AND STANDARDS TO ASSURE CONSISTENCY WITH FEDERAL AND STATE AIR QUALITY REGULATIONS. (3/20/17 - INTRODUCTION DELAYED 1 WEEK TO 3/27/17)

APPROVING A CONTRACT BETWEEN THE CITY OF LINCOLN AND J&M DISPLAYS, INC. FOR INDEPENDENCE DAY FIREWORKS DISPLAY, PURSUANT TO BID NO. 16-263, FOR A TERM BEGINNING UPON EXECUTION OF THE CONTRACT THROUGH DECEMBER 1, 2017 WITH THE OPTION TO RENEW FOR ONE ADDITIONAL THREE YEAR TERM. (*CONSENT*)

APPROVING THE LABOR CONTRACT BETWEEN THE CITY OF LINCOLN AND THE LINCOLN POLICE UNION (LPU) FOR A TERM EFFECTIVE AUGUST 11, 2016 THROUGH AUGUST 31, 2019.

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

APPROVING THE 9TH AND O REDEVELOPMENT AGREEMENT BETWEEN THE CITY OF LINCOLN AND HLI DEVELOPMENT, LLC RELATING TO THE REDEVELOPMENT OF PROPERTY GENERALLY BOUNDED BY 9TH STREET ON THE WEST, 10TH STREET ON THE EAST, AND O STREET ON THE NORTH. (RELATED ITEMS: 17R-98, 17R-97, 17-47, 17-48, 17-49) (ACTION DATE: 4/10/17)

AMENDING THE FY 16/17 CIP TO AUTHORIZE AND APPROPRIATE \$14,013,514 IN TIF FUNDS AND \$2,350,000 IN EEA FUNDS FOR THE 9TH AND O REDEVELOPMENT PROJECT. (RELATED ITEMS: 17R-98, 17R-97, 17-47, 17-48, 17-49) (ACTION DATE: 4/10/17)

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AUTHORIZING A TWO PERCENT (2%) OCCUPATION TAX, EFFECTIVE JANUARY 1, 2020, ON GROSS RECEIPTS FOR THE OPERATION OF A GENERAL BUSINESS WITHIN THE DESIGNATED ENHANCED EMPLOYMENT AREA TO BE USED TO PAY FOR CONSTRUCTION AND OPERATION OF TWO HOTELS TO BE LOCATED WITHIN THE 9TH AND O REDEVELOPMENT AREA. (RELATED ITEMS: 17R-98, 17R-97, 17-47, 17-48, 17-49) - CLERK read an ordinance, introduced by Roy Christensen, providing for the levy of a general business occupation tax; established definitions; providing for the administration, collections, returns, delinquencies and recovery of unpaid amounts related to such occupation tax; specifying how much tax revenue will be used; providing a sunset provision for the tax; and related matters, the first time.

AUTHORIZING THE ISSUANCE OF TAX ALLOCATION BONDS FOR THE 9TH AND O REDEVELOPMENT PROJECT. (RELATED ITEMS: 17R-98, 17R-97, 17-47, 17-48, 17-49) - CLERK read an ordinance, introduced by Roy Christensen, authorizing the issuance of Tax Allocation Bonds for the 9th and O Redevelopment Project, the first time.

AUTHORIZING THE ISSUANCE OF OCCUPATION TAX REVENUE BONDS FOR THE 9TH AND O REDEVELOPMENT PROJECT. (RELATED ITEMS: 17R-98, 17R-97, 17-47, 17-48, 17-49) - CLERK read an ordinance, introduced by Roy Christensen, authorizing the issuance of Occupation Tax Revenue Bonds for the 9th and O Redevelopment Project, the first time.

ADJOURNMENT

7:34 P.M.

CAMP Moved to adjourn the City Council Meeting of March 27, 2017.
 Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge,
Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

Teresa J. Meier, City Clerk

Monet J. McCullen, Office Specialist