

RESOLUTION NO. A-_____

1 WHEREAS, the City Council on July 21, 2003, adopted Resolution No. A-
2 82222 finding an area generally bounded by 17th Street on the west to 22nd Street on
3 the east, and from "K" Street on the south to "S" Street on the north, sometimes
4 referred to in the plan as the East Downtown and "O" Street Corridor area, which also
5 includes the east entryway into Downtown Lincoln along the "O" Street Corridor from
6 17th Street to 27th Street; and Second, the balance of the area depicted in the map
7 generally bounded in the segment north of the BNSF Railroad corridor by Interstate
8 I-180 on the west and the new waterway on the east, and the BNSF Railroad on the
9 south to Salt Creek on the north; generally bounded in the segment south of the BNSF
10 Railroad corridor by 17th Street and the University of Nebraska - Lincoln on
11 the west to 26th Street from the BNSF Railroad to N Street and then to 28th Street from
12 N Street to Capitol Parkway on the east, and the BNSF Railroad on the north to E
13 Street from 17th Street to 23rd Street and then to D Street between 23rd Street to
14 Capitol Parkway on the south. This balance of the area depicted in the map is
15 sometimes referred to in the plan as the "Neighborhoods" and includes all or parts of
16 seven residential neighborhoods: North Bottoms, Clinton, Malone/Hawley, Woods Park,
17 Near South and Downtown finding said area to be blighted and substandard as defined
18 in the Nebraska Community Development Law (Neb. Rev. Stat. § 18-2101, et seq. as
19 amended) and in need of redevelopment; and

20 WHEREAS, the City Council on November 29, 2004, adopted Resolution
21 No. A-83093, the Antelope Valley Redevelopment Plan (hereinafter the "Plan")
22 including plans, projects, and concepts for various redevelopment activities within said

1 area in accordance with the requirements and procedures of the Nebraska Community
2 Development Law; and now desires to establish a new Project Area for the one block
3 area bounded by P, Q, 17th, and 18th Streets to provide for the development of the
4 East Downtown Hotel Redevelopment Project (hereinafter the Project) including public
5 streetscape, utility, and other improvements throughout the project area, and to provide
6 details on how said development will be implemented in accordance with the Plan; and

7 WHEREAS, the Director of the Urban Development Department has filed
8 with the City Clerk an Amendment to the Plan to provide for the Project within said
9 blighted and substandard area, which Amendment is attached hereto, marked as
10 Exhibit "A", and made a part hereof by reference, and has reviewed said Amendment
11 and has found that the Amendment meets the conditions set forth in Neb. Rev. Stat. §
12 18-2113; and

13 WHEREAS, on January 7, 2005 notice of public hearing was mailed,
14 postage prepaid, to the president or chairperson of the governing body of each county,
15 school district, community college, educational service unit, and natural resource district
16 in which the real property subject to such plan is located and whose property tax
17 receipts would be directly affected and to all registered neighborhood associations
18 located in whole or in part within one mile radius of the area to be redeveloped setting
19 forth the time, date, place, and purpose, of the public hearing to be held on January 19,
20 2005 before the Lincoln City - Lancaster County Planning Commission regarding the
21 Amendment, a copy of said notice and list of said registered neighborhood associations
22 having been attached hereto as Exhibit "B" and "C" respectively; and

23 WHEREAS, said proposed Amendment to the Plan has been submitted to
24 the Lincoln City - Lancaster County Planning Commission for review and

1 recommendation, and said Planning Commission on February 7, 2005 found said
2 request to be in conformance with the Comprehensive Plan and recommended
3 approval thereof; and

4 WHEREAS, on February 11, 2005 a notice of public hearing was mailed,
5 postage prepaid, to the foregoing governing bodies and registered neighborhood
6 associations setting forth the time, date, place, and purpose of the public hearing
7 before the City Council to be held on February 28, 2005 regarding the proposed
8 Amendment, a copy of said notice having been attached hereto as Exhibit "D"; and

9 WHEREAS, on February 11, 2005 and February 18, 2005, a notice of
10 public hearing was published in the Lincoln Journal Star newspaper, setting forth the
11 time, date, place, and purpose of the public hearing to be held on February 28, 2005
12 regarding the proposed Amendment for said blighted and substandard area, a copy of
13 such notice having been attached hereto and marked as Exhibit "E"; and

14 WHEREAS, on February 28, 2005 in the City Council Chambers of the
15 County City Building, 555 South 10th Street, Lincoln, Nebraska, the City Council held a
16 public hearing relating to the proposed Amendment and all interested parties were
17 afforded at such public hearing a reasonable opportunity to express their views
18 respecting said proposed Amendment; and

19 WHEREAS, the City Council has duly considered all statements made
20 and materials submitted relating to said proposed plans.

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

23 1. That the Amendment to provide for the Project is described in
24 sufficient detail and is designed with the general purpose of accomplishing a

1 coordinated, adjusted, and harmonious development of the City which will promote
2 general health, safety, and welfare, sound design and arrangement, the wise and
3 efficient expenditure of public funds, and the prevention of the reoccurrence of
4 unsanitary or unsafe dwelling accommodations or conditions of blight.

5 2. That the Project is feasible and in conformity with the general plan
6 for the development of the City of Lincoln as a whole and said plan is in conformity with
7 the legislative declarations, and the determinations set forth in the Community
8 Development Law.

9 3. That the Director of the Urban Development Department has
10 submitted with said Redevelopment Plan a statement of the proposed method and
11 estimated cost of the acquisition and preparation for redevelopment of the Project area
12 and the estimated proceeds or revenue from disposal thereof to redevelopers; a
13 statement of the proposed method of financing the Redevelopment Project; and a
14 statement of the method proposed for the relocation of persons and businesses to be
15 displaced from the Redevelopment Project area, attached hereto as Exhibit "F".

16 4. That the acquisitions by the City of real property as set forth in the
17 Amendment are necessary for implementation of said Project and are consistent with
18 the Plan and the public purposes under the provisions of the Community Development
19 Law; specifically including the following real property:

20 In the City of Lincoln, Lancaster County Nebraska:

21 1700 P St. - Kinneys O Street Addition, Block 11 Lots 7,8,9, and 10;

22 1744 P St. - Kinneys O Street Addition, Block 11 Lots 11 & 12;

23 240 N 17th St. - Hancock Addition, Lot 2;

24 1725 Q St. - Hancock Addition, Lot 1;

1 Kinneys O Street Addition, Block 11 Lots 1 & 2;
2 and the remainder of the alley and other areas, if any, comprising the
3 entire block.

4 5. That the Redevelopment Project in the Amendment would not be
5 economically feasible without the use of tax-increment financing.

6 6. That said Redevelopment Projects would not occur in the
7 Redevelopment Area without the use of tax-increment financing.

8 7. That the costs and benefits of the Project, including costs and
9 benefits to other affected political subdivisions, the economy of the community, and the
10 demand for public and private services have been analyzed by the City Council and
11 have been found to be in the long-term best interest of the community impacted by the
12 redevelopment project according to the cost benefit model (a) summarized in Exhibit
13 "G" hereto, which model analyzes the tax shifts from the use of Community
14 Improvement Financing as authorized in § 18-2147; (b) the community's public service
15 needs impacts and local tax impacts arising from the approval of the project; (c)
16 impacts on employers and employees of firms locating or expanding within the
17 boundaries of the project area; (d) impacts on other employers and employees in the
18 City and immediate area outside the project area; and (e) other impacts the City Council
19 hereby determines to be relevant to the consideration of costs and benefits arising from
20 the redevelopment project.

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

22 That, pursuant to the provisions of the Nebraska Community Development
23 Law and in light of the foregoing findings and determinations, the Amendment attached

1 hereto as Exhibit "A" are hereby accepted and approved by the City Council as the
2 governing body for the City of Lincoln.

3 BE IT FURTHER RESOLVED that the Urban Development Director or the
4 Director's authorized representative is hereby authorized and directed to take all steps
5 necessary to implement the provisions of said Amendments.

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

13 BE IT STILL FURTHER RESOLVED that the Finance Director is hereby
14 authorized and directed to cause to be drafted and submitted to the City Council any
15 appropriate ordinances and documents for the authorization to provide necessary
16 funds, including Community Improvement Financing in accordance with the provisions
17 of the Community Development Law, to finance the related necessary and appropriate
18 public acquisitions, improvements, and activities set forth in said Amendment and
19 Redevelopment Plan.

20 BE IT STILL FURTHER RESOLVED that it is intended that this resolution
21 and the modifications adopted herein are supplemental to the findings, approvals, and
22 authorizations as set forth in Resolution No. A-82222 and Resolution No. A-83093

Introduced by:

Approved as to Form and Legality:

Assistant City Attorney

Approved this ____ day of _____, 2005:

Mayor