DIRECTORS' ORGANIZATIONAL MEETING

Monday, April 20, 2020

2:00 p.m.

https://www.youtube.com/lnktvcity or https://facebook.com/LNKTVcity

I. MINUTES

1. Approval of Directors' minutes from April 13, 2020

II. ADJUSTMENTS TO AGENDA

III. CITY CLERK

IV. MAYOR'S OFFICE

V. DIRECTORS CORRESPONDENCE

LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT

1. Public Health Update provided by Pat Lopez, Interim Director, Lincoln-Lancaster County Health Department

PLANNING DEPARTMENT

1. Administrative Approvals from March 7, 2020 through April 13, 2020
2. Action dated April 15, 2020
3. Final Action dated April 15, 2020

VI. BOARDS/COMMITTEES/COMMISSION REPORTS

1. DLA - Ward, Meginnis (03.24.20) *carry over from April 6, 2020*
2. PRT - Bowers (03.26.20) *carry over from April 6, 2020*
3. Safe & Successful Kids Inter-Local - Shobe, Meginnis (03.26.20) *carry over from April 6, 2020*
4. PBC - Meginnis, Raybould (03.23.20) *carry over from April 6, 2020* and (04.14.20)
5. BOH - Bowers (04.14.20)

VII. CONSTITUENT CORRESPONDENCE

1. Charter Amendment Language - Craig Romary
   Staff response provided by Teresa Meier, City Clerk
2. Proposed Text Amendment - Bob and Janet Sides

VIII. MEETINGS/INVITATIONS

See invitation list.

IX. ADJOURNMENT

Memorandum

Date: ✦ April 14, 2020

To: ✦ City Clerk

From: ✦ Rhonda Haas, Planning Dept.

Re: ✦ Administrative Approvals

cc: ✦ Geri Rorabaugh, Planning Dept.

This is a list of City administrative approvals by the Planning Director from March 7, 2020 through April 13, 2020:

Administrative Amendment 19072 to Use Permit 140F, Appian Way Regional Shopping Center, approved by the Planning Director on April 10, 2020, to revise the lot layout for Block 6 from two lots to 10 lots, and to decrease the total amount of floor area shown by 75,653 square feet, on property generally located at South 84th Street and Highway 2.

City/County Planning Department
555 S. 10th Street, Ste. 213 • Lincoln NE 68508
(402) 441-7491

REVISED (SEE ITEM 5.1)
ACTION BY PLANNING COMMISSION

NOTICE: **The Lincoln/Lancaster County Planning Commission will hold a public hearing on Wednesday, April 15, 2020, at 1:00 p.m. in Hearing Room 112 on the first floor of the County-City Building, 555 S. 10th St., Lincoln, Nebraska. For more information, call the Planning Department, (402) 441-7491.**

<u>PLEASE NOTE:</u> The Planning Commission action is final action on any item with a notation of "FINAL ACTION". Any aggrieved person may appeal Final Action of the Planning Commission to the City Council or County Board by filing a Notice of Appeal with the City Clerk or County Clerk within 14 days following the action of the Planning Commission.**

The Planning Commission action on all other items is a recommendation to the City Council or County Board.

***** In order to limit the number of people gathering at any one time and our effort to adhere to required "social distancing" protocols, we are staggering the times of various hearings over several hours. These times are identified in () next to each agenda item. We are encouraging attendees to arrive no more than 15 minutes before their scheduled hearing. An agenda item will not begin before the time posted. *****

AGENDA

WEDNESDAY, APRIL 15, 2020

<u>[Commissioners Al-Badry, Finnegan and Scheer absent]</u>

Approval of minutes, as amended, of the regular meeting held April 1, 2020. **<u>**APPROVED: 6-0; (Al-Badry, Finnegan and Scheer absent)**</u>**

1. <u>CONSENT AGENDA:</u>
<u>(Public Hearing and Administrative Action);</u>

COMPREHENSIVE PLAN CONFORMANCE AND RELATED ITEMS:

1.1a COMPREHENSIVE PLAN CONFORMANCE 20003, to review as to conformance with the 2040 Lincoln-Lancaster Comprehensive Plan, a proposed amendment to the Antelope Valley Redevelopment Plan, to add the "Antelope Tower Redevelopment Project", generally located between L Street on the north, K Street on the south, Antelope Valley Parkway on the west and 20th Street on the east.
Staff recommendation: In Conformance with the Comprehensive Plan
Staff Planner: Andrew Thierolf, 402-441-6371, athierolf@lincoln.ne.gov
Planning Commission recommendation: FINDING OF CONFORMANCE: 5-0 (Joy declared a conflict of interest; Al-Badry, Finnegan, and Scheer absent). Public hearing before the City Council is tentatively scheduled for Monday, May 11, 2020, at 3:00 p.m.

1.1b SPECIAL PERMIT 20007, to allow for a permitted use to exceed the maximum permitted height in the B-4 (Business District), on property generally located between L Street on the north, K Street on the south, South Antelope Valley Parkway on the west and 20th Street on the east. *****FINAL ACTION*****
Staff recommendation: Conditional Approval
Staff Planner: Stacey Hageman, 402-441-6361, slhageman@lincoln.ne.gov
Planning Commission 'final action': CONDITIONAL APPROVAL, as set forth in the staff report dated April 1, 2020: 5-0 (Joy declared a conflict of interest; Al-Badry, Finnegan, and Scheer absent). Resolution No. PC-01698.

1.2 COMREHENSIVE PLAN CONFORMANCE 20004, to review as to conformance with the 2040 Lincoln-Lancaster County Comprehensive Plan, a proposed amendment to the Antelope Valley Redevelopment Plan, that adds the "Hepburn Square Redevelopment Project", generally located at 2400 Q Street.
. **Staff recommendation: In Conformance with the Comprehensive Plan**
Staff Planner: George Wesselhoft, 402-441-6366, gwesselhoft@lincoln.ne.gov
Planning Commission recommendation: FINDING OF CONFORMANCE: 5-0 (Al-Badry, Joy, Finnegan, and Scheer absent). Public hearing before the City Council is tentatively scheduled for Monday, May 11, 2020, at 3:00 p.m.

TEXT AMENDMENT

1.3 TEXT AMENDMENT 20003, to amend Section 27.72 of the Lincoln Municipal Code, Chapter 27.72.060(t)(2) by allowing vehicle stacking in a drive-through lane in a front yard setback for the B-1, B-3, H-1, H-2 and H-3 Zoning Districts, and repealing Section 27.72.060(t)(2) of the Lincoln Municipal Code hitherto existing.
Staff recommendation: Approval
Staff Planner: George Wesselhoft, 402-441-6366, gwesselhoft@lincoln.ne.gov
Planning Commission recommendation: APPROVAL: 5-0 (Al-Badry, Joy, Finnegan, and Scheer absent). Public hearing before the City Council is tentatively scheduled for May 4, 2020, at 3:00 p.m.

CHANGE OF ZONE AND RELATED ITEMS:

1.4 CHANGE OF ZONE 20009, from R-3 (Residential District) to R-3 PUD (Planned Unit Development) to allow up to 130,000 square feet of commercial floor area and up to 322 single and multiple-family dwelling units with waivers to the zoning and subdivision regulations, on property generally located at South 59th Circle and Pine Lake Road.
Staff recommendation: Conditional Approval
Staff Planner: Brian Will, 402-441-6362, bwill@lincoln.ne.gov
This application was removed from the Consent Agenda at the request of the applicant to defer public hearing and action on this matter to the next scheduled Planning Commission meeting, which is scheduled for May 13, 2020.

1.5a CHANGE OF ZONE 20010, from AG (Agricultural District) to AGR (Agricultural Residential District), on that portion of property located within Lincoln's zoning jurisdiction, generally located at South 46th Street and Bennet Road.
Staff recommendation: Approval
Staff Planner: Tom Cajka, 402-441-5662, tcajka@lincoln.ne.gov
Planning Commission recommendation: APPROVAL: 5-0 (Al-Badry, Joy, Finnegan, and Scheer absent). Public hearing before the City Council is tentatively scheduled for May 4, 2020, at 3:00 p.m.

1.5b WAIVER 20002, to waive Subdivision Ordinance pertaining to Lincoln Municipal Code 26.33.140(g) regarding street frontage, on property generally located at South 46th Street and Bennet Road. *****FINAL ACTION*****
Staff recommendation: Approval
Staff Planner: Tom Cajka, 402-441-5662, tcajka@lincoln.ne.gov
Planning Commission 'final action': APPROVAL: 5-0 (Al-Badry, Joy, Finnegan, and Scheer absent). Resolution No. PC-01699.

2. REQUESTS AND FOR DEFERRAL: See Item 1.4.

3. ITEMS REMOVED FROM CONSENT AGENDA: See Item 1.4.

4. PUBLIC HEARING AND ADMINISTRATIVE ACTION:
(* 1:00 P.M. PUBLIC HEARING ITEMS: ***)**

COMPREHENSIVE PLAN CONFORMANCE AND RELATED ITEMS:

4.1a COMPREHENSIVE PLAN CONFORMANCE 20005, to review as to conformance with the 2040 Lincoln-Lancaster County Comprehensive Plan, the City of Lincoln's 6-Year Capital Improvements Program (CIP) for FY 2020/2021 to 2025/2026.
. **Staff recommendation: In Full or General Conformance with the Comprehensive Plan**
Staff Planner: Kellee Van Bruggen, 402-441-6363, kvanbruggen@lincoln.ne.gov
Planning Commission recommendation: A FINDING OF GENERAL CONFORMANCE WITH THE COMPREHENSIVE PLAN: 6-0 (Al-Badry, Finnegan, and Scheer absent).

4.1b MISCELLANEOUS 20001, Lincoln MPO Proposal: Review of the draft FY2020 to FY2023 Transportation Improvement Program (TIP) for conformance with the current Lincoln Metropolitan Planning Organization (MPO) Long Range Transportation Plan.
The Planning Commission recommendation will be forwarded to the Lincoln MPO for final action.
Staff recommendation: In Conformance with the LRTP
Staff Planner: Allan Zafft, 402-441-6369, azafft@lincoln.ne.gov
Planning Commission recommendation: A FINDING OF GENERAL CONFORMANCE WITH THE LINCOLN METROPOLITAN ORGANIZATION LONG RANGE TRANSPORTATION PLAN: 6-0 (Al-Badry, Finnegan, and Scheer absent). This proposal will be reviewed by the MPO Technical Committee on April 17, 2020, and is scheduled before the MPO Officials Committee on Friday, May 1, 2020.

5. CONTINUED PUBLIC HEARING AND ADMINISTRATIVE ACTION:

(* 2:15 P.M. PUBLIC HEARING ITEMS: ***)**

SPECIAL PERMIT:

5.1 SPECIAL PERMIT 20008, to allow for the development of a CUP (Community Unit Plan) with up to 28 dwelling units, with requested waivers to lot dimensions, setbacks, and the Private Roadway Design Standards, on property generally located at Fletcher Avenue and Telluride Drive. ***FINAL ACTION***
Staff recommendation: Conditional Approval
Staff Planner: Rachel Jones, 402-441-7603, rjones@lincoln.ne.gov
Planning Commission 'final action': CONDITIONAL APPROVAL, as set forth in the revised staff report date March 24, 2020: 5-1 (Edgerton dissenting; Al-Badry, Finnegan, and Scheer absent). Resolution No. PC-01700.

6. PUBLIC HEARING AND ADMINISTRATIVE ACTION:

(* 3:00 P.M. PUBLIC HEARING ITEMS: ***)**

ANNEXATION AND RELATED ITEMS:

6.1a ANNEXATION 20004, to annex approximately 14.7 acres, more or less, and adjacent rights-of-way, on property, generally located at South 70th Street and Yankee Hill Road.
Staff recommendation: Conditional Approval
Staff Planner: Brian Will, 402-441-6362, bwill@lincoln.ne.gov
Planning Commission recommended CONDITIONAL APPROVAL, as set forth in the revised staff report dated March 5, 2020: 6-0 (Al-Badry, Finnegan, and Scheer absent). Public hearing before the City Council is currently pending.

6.1b CHANGE OF ZONE 20005, from AG (Agricultural District) to B-2 (Planned Neighborhood Business District), on property generally located at South 70th Street and Yankee Hill Road.

Staff recommendation: Approval
Staff Planner: Brian Will, 402-441-6362, bwill@lincoln.ne.gov
Planning Commission recommended APPROVAL: 6-0 (Al-Badry, Finnegan, and Scheer absent). Public hearing before the City Council is currently pending.

6.1c USE PERMIT 20003, to allow up to 120,000 square feet of commercial uses and up to 120 multi-family dwellings within the B-2 (Planned Neighborhood Business District), with waivers to allow shared parking, adjust the parking rate to 1 space per 300 square feet of floor area for all commercial uses, adjust setbacks, allow light trespass across lot lines, and allow sanitary sewer to flow opposite street grade, on property generally located at South 70th Street and Yankee Hill Road.
Staff recommendation: Conditional Approval
Staff Planner: Brian Will, 402-441-6362, bwill@lincoln.ne.gov
Planning Commission recommended CONDITIONAL APPROVAL: 6-0 (Al-Badry, Finnegan, and Scheer absent). Public hearing before the City Council is currently pending.

*** * * * * * * * * ***

ANYONE WISHING TO SPEAK ON AN ITEM
NOT ON THE AGENDA, HAS BEEN SUSPENDED UNTIL FURTHER NOTICE

*** * * * * * * * * ***

Adjournment 3:27 p.m.

PENDING LIST: *Special Permit 15062A, to allow for the expansion of the sale of alcohol for consumption on and off the premises, on property, generally located at 925 Robbers Cave Road.*

PLANNING COMMISSION FINAL ACTION NOTIFICATION

TO: Mayor Leirion Gaylor Baird
Lincoln City Council

FROM: Geri Rorabaugh, Planning

DATE: April 15, 2020

RE: Notice of final action by Planning Commission: April 15, 2020

Please be advised that on April 15, 2020, the Lincoln City-Lancaster County Planning Commission adopted the following resolutions:

Resolution PC-01698, approving **SPECIAL PERMIT 20007**, to allow for a permitted use to exceed the maximum permitted height in the B-4 (Business District), on property legally described as Lots 49-55, Boggs and Holmes Subdivisions; Lots 11-17, McMurtry's Addition; Block 2, located in the NW 1/4 of Section 25-10-6, Lincoln, Lancaster County, Nebraska, generally located between L Street on the north, K Street on the south, South Antelope Valley Parkway on the west and 20th Street on the east;

Resolution PC-01699, approving **WAIVER 20002**, to waive Subdivision Ordinance pertaining to Lincoln Municipal Code 26.33.140(g) regarding street frontage, on property legally described as Lot 9, and Outlot A, South Creek Estates, Corrected Plat, located in the SE 1/4 of Section 7-8-7, Lincoln Lancaster County, Nebraska, generally located at South 46th Street and Bennet Road; and

Resolution PC-01700, approving **SPECIAL PERMIT 20008,** to allow for the development of a CUP (Community Unit Plan) with up to 28 dwelling units, with requested waivers to lot dimensions, setbacks, and the Private Roadway Design Standards, on property legally described as Lot 32, North Creek 7th Addition, located in the SE 1/4 of Section 36-11-6, Lincoln, Lancaster County, Nebraska, generally located at Fletcher Avenue and Telluride Drive.

The Planning Commission action on this application is final, unless appealed to the City Council by filing a notice of appeal with the Planning Department within 14 days of the action by the Planning Commission.

The Planning Commission Resolution may be accessed on the internet at www.lincoln.ne.gov (Keyword = PATS). Use the “Search Selection” screen and search by application number (i.e. SP20007, WVR20002, SP20008). The Resolution and Planning Department staff report are in the “Related Documents” under the application number.

F:\devreview\final action notices\cc\2020\041520

Angela M. Birkett

From: C&P Romary <clrpkrne@windstream.net>
Sent: Monday, April 13, 2020 8:42 PM
To: Council Packet
Subject: charter amendment language

CAUTION: This email comes from a sender outside your organization.

Can you please provide a link to the city's website containing, or send a draft of, the city charter including the proposed amendment language? I've not found this nor have I seen anything in the news about it. Thanks!

Craig Romary
Lincoln

Angela M. Birkett

From: Teresa Meier
Sent: Wednesday, April 15, 2020 12:17 PM
To: 'clrpkrne@windstream.net'
Cc: Angela M. Birkett; Kasey L. Simonson
Subject: Charter Amendments
Attachments: A92014.pdf; A92015.pdf

Good afternoon, Craig!

Angie Birkett w/ the Lincoln City Council Office forwarded your request to our office.

Attached are the proposed Charter Amendments that will be on the ballot in May.

The Lincoln Municipal Code, including the Charter, is available online at
http://online.encodeplus.com/regs/lincoln-ne/

If I can be of further assistance, please let me know. Have a great day!

Teresa J. Meier
City Clerk
555 S. 10th St.
Lincoln NE 68508
Ph: (402) 441-7438

Instead of letting hardships & failures discourage you, let them INSPIRE you!

A92014

20R-53 Introduce: 2-10-20

RESOLUTION NO. A-92014

WHEREAS, under the provisions of Article XI, Section 4 of the Constitution of the State of Nebraska, a proposed Charter amendment may be submitted to a vote of the qualified electors at a special election held in conjunction with a statewide primary election, pursuant to a proposal passed by the City Council of the City of Lincoln, Nebraska:

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

1. That, at the primary election to be held on Tuesday, the 12th day of May, 2020, there shall be submitted to a vote of the qualified electors of the City of Lincoln, Nebraska, for adoption or rejection, the following proposed amendment to the Charter of the City of Lincoln:

CHARTER AMENDMENT

Amend Article IX, Section 27 of the Charter relating to appropriations to correct a typographical error.

ARTICLE IX

FINANCE AND TAXATION

Sec. 27. Appropriations. The finance director shall not allow any commitments or expenditures to be made except as charges against appropriation authorized in the budget or pursuant to Article VII, Section 47. If, at any time, during the budget year, the mayor determines that the available income for the year of any specific fund will be less than the total appropriations authorized from such fund, the mayor~~he~~ shall have the power to reduce appropriations from such fund so as to prevent the incurring of a budget deficit for that year.

The mayor may at any time authorize the transfer of an unencumbered appropriation balance or portion thereof between appropriations of the same department or agency, but the mayor~~he~~ shall inform the council of all such transfers by filing an appropriate written statement with the city clerk within seven days. Appropriation transfers between departments or agencies may only be authorized by resolution of the council.

The council shall not make any appropriation in addition to those authorized in the annual budget, except that it may authorize emergency appropriations in the event of an emergency threatening serious loss of life, health, or property in the community. If there are no unappropriated moneys available from which to make such appropriations, the council

may by~~be~~ resolution authorize the issuance of emergency notes, provided that the emergency notes issued shall not exceed fifteen percent of the total appropriations made in the operating budget for the year concerned, and provided further that the first budget adopted after the issuance of such emergency notes shall provide for their redemption in full. The affirmative vote of six members of the council or a unanimous vote, if fewer than six but at least four members are present, shall be required to pass resolutions authorizing emergency appropriations or the issuance of emergency notes.

Unencumbered balances of operating appropriations shall lapse at the end of the budget year for which authorized. Capital appropriations shall be continuing appropriations, but the council may by ordinance transfer at any time the unencumbered balances of such capital appropriations to other capital appropriations or to an appropriate fund.

The provisions of this section shall govern and apply notwithstanding any existing provisions of this charter to the contrary.

Said amendment shall be submitted to the qualified electors as a Charter amendment of Article IX, Section 27 and shall be printed on said ballot in the following form:

SHALL ARTICLE IX, SECTION 27 OF THE CHARTER OF THE CITY OF LINCOLN BE AMENDED TO CORRECT TYPOGRAPHICAL ERRORS AND MAKE MAYORAL REFERENCE GENDER NEUTRAL?

VOTE FOR or AGAINST

□ I vote FOR the proposed amendment.

□ I vote AGAINST the proposed amendment.

2. That the City Clerk of the City of Lincoln is hereby directed to publish with her official certification, three times, and a week apart, the full text of the proposed amendment to be voted upon, as required by law, all as required by the Constitution of the State of Nebraska.

3. That the Mayor be and hereby is directed to proclaim and give notice that at the primary election to be held in the City of Lincoln, Nebraska on Tuesday, the 12th day of May, 2020, there will be submitted to the qualified electors of the City of Lincoln, Nebraska, for adoption or rejection, the proposition set forth in Section 1 hereof, and the City Clerk is directed to publish the said proclamation as provided by law.

4. That the City Clerk of the City of Lincoln is further directed to notify the Election Commissioner of Lancaster County of the submission of this proposition and to procure the necessary ballots and to make all other arrangements for the same.

Introduced by:

AYES: Bowers, Christensen, Meginnis, Raybould, Shobe, Ward, Washington;
NAYS: None.

Approved as to Form and Legality:

City Attorney

Approved this 25th day of Febr., 2020:

Mayor

ADOPTED

FEB 24 2020

BY CITY COUNCIL

A92015

20R-55 Introduce: 2-10-20

RESOLUTION NO. A-92015

WHEREAS, under the provisions of Article XI, Section 4 of the Constitution of the State of Nebraska, a proposed Charter amendment may be submitted to a vote of the qualified electors at a special election held in conjunction with a statewide primary election, pursuant to a proposal adopted by the City Council of the City of Lincoln, Nebraska:

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

1. That, at the primary election to be held on Tuesday, the 12th day of May, 2020, there shall be submitted to a vote of the qualified electors of the City of Lincoln, Nebraska, for adoption or rejection, the following proposed amendments to the Charter of the City of Lincoln:

CHARTER AMENDMENTS

Amend Article IV, Section 12 of the Charter relating to the duties of the mayor to increase the mayor's threshold to personally make or approve all purchases and contracts from $25,000 to $50,000; Amend Article VII, Section 2 of the Charter relating to the purchasing division, powers and duties to increase the bid requirement threshold from $25,000 to $50,000, to make corresponding changes to mayor's authority to delegate the execution of any purchase, contract award, or other document from less than $25,000 to less than $50,000, to add the word "responsive" to lowest responsible bidder, to clarify the City Purchasing Department secures informal bids and remove the requirement for three informal bids by departments, to substitute the more accurate term of "rebid" instead of "readvertise" when a bid is reopened; and to amend Article VIII, Section 5 of the Charter relating to contract to lowest bidder to add the word "responsive" to lowest responsible bidder for street improvement contracts and to increase the $25,000 threshold to $50,000 for force accounts.

ARTICLE IV

ELECTION AND ORGANIZATION OF ADMINISTRATION RECALL, INITIATIVE AND REFERENDUM

Sec. 12. Duties of Mayor. The executive and administrative power of the city shall be vested in and exercised by a mayor, who shall

also be the ceremonial head of the city government. The mayor shall maintain an office in city hall and shall devote full time to the duties of that office. The mayor shall be elected by the people at large on an at-large, nonpartisan basis and shall serve for a term of four years.

The mayor shall be fully responsible for the proper conduct of the executive and administrative work and affairs of the city. The mayor shall have the power and shall be required to:

(1) Exercise supervision over all departments and agencies of the city government and provide for the coordination of their activities.

(2) Enforce the provisions of this charter, city ordinances, and all applicable laws.

(3) Exercise powers granted to the mayor in this charter, ordinances and applicable laws concerning the appointment and removal of certain officers, employees, and members of boards and commissions.

(4) Submit annually to the council for its consideration a recommended operating budget and capital improvement program and budget.

(5) Exercise supervision over the making of purchases and contracts and personally make or approve all purchases and contracts in excess of fifty~~twenty-five~~ thousand dollars ($50,000~~25,000~~).

(6) Cause to be prepared, transmitted to the council, and distributed to the public at least an annual report on the activities and accomplishments of the departments and agencies comprising the executive branch.

(7) Promote and encourage improvement of the city government, encourage the commercial and industrial growth of the city, and promote and develop the prosperity and social well-being of its people.

(8) Exercise such other powers and perform such other duties as may be prescribed by this charter, ordinances and resolutions and applicable laws.

The mayor shall be responsible for appointments of officers and employees in the executive branch, but the mayor may delegate to department and division heads the authority to make certain appointments. The mayor shall appoint with council approval the heads of all departments established in this charter, and the mayor~~he~~ may remove, without council approval, the heads of such departments.

The mayor shall have the power to conduct investigations of the operations of affairs relating to the performance of any officer, employee, department or agency of the city in any manner with respect to which the mayor may have authority or responsibility. In conducting investigations the mayor shall have the power to administer oaths, to subpoena witnesses, other than council members, and to compel the production of books and papers pertinent to such investigation. Any person who shall fail to appear in response to subpoena, or shall refuse to answer any questions or produce any books or records pertinent to such investigation, or shall knowingly give false testimony therein, shall be guilty of a misdemeanor, and shall be subject to such penalties as may be fixed by ordinance, which the council is hereby authorized to pass, and to such other penalties as may be provided by law.

ARTICLE VII

CONTRACTS AND PURCHASES

Sec. 2. Purchasing Division, Powers and Duties. The purchasing division, in making any purchase in the amount of $50,000.00~~$25,000.00~~ or more, or any other department or agency, in making any contract committing the city to any expenditure of $50,000.00~~$25,000.00~~ or more, shall advertise for formal sealed bids to be opened in public and to be the basis for awards. All advertisements soliciting bids shall be published at least once in the official paper of the city, if there be one, and if there be no official newspaper, then in at least one daily newspaper published and in general circulation in the city. Purchases and contracts involving the expenditure of less than $50,000.00~~$25,000.00~~ may be made without calling for formal sealed bids, but ~~at least three~~ informal bids shall be secured and recorded by the City Purchasing Division ~~if practicable~~.

Competitive bidding shall not be required in purchasing unique or noncompetitive articles or in contracting for professional services. The mayor, or council by the affirmative vote of six of its members, or by a unanimous vote, if fewer than six but at least four members are present, may waive the competitive bidding requirement if such waiver is necessary to meet an emergency threatening serious loss of life, health or property in the community.

The city council may by unanimous vote of the members present authorize the purchase of supplies or the expenditure of funds for the operation or maintenance of any utility operated by the city without estimate or advertising for bids, in which event supplies so authorized may be purchased in the open market. The mayor may, without formal sealed bids, authorize the construction of public works and utilities infrastructures by

private entities when the city's payment of reimbursement or subsidies for such construction does not exceed $100,000.00.

All awards shall be made to the lowest, responsive, responsible bidder. The city council shall by ordinance establish those criteria to be considered in determining the lowest, responsive, responsible bidder. The city shall always have the power to reject all bids and to rebid~~readvertise~~ if it wishes to do so. The mayor may delegate the execution of any purchase, contract award, or other document which has a direct financial impact to the city of less than $50,000.00~~$25,000.00~~.

The city may require that successful bidders provide good and sufficient bonds of appropriate types to ensure deliveries and faithful performance in connection with the purchases or contracts involved.

The provisions of this section shall govern and apply notwithstanding any existing provisions of this charter to the contrary.

ARTICLE VIII

STREETS, PUBLIC IMPROVEMENTS, PUBLIC UTILITIES, SPECIAL ASSESSMENTS

Sec. 5. Contract to Lowest Bidder. All street improvements, the cost of which, or any part thereof, is to be levied as a special tax on property, shall be done by contract with the lowest, responsive, responsible bidder, provided, however, that if the city received no bids, the city may make improvements costing not to exceed $50,000.00~~25,000.00~~ on a force account basis.

Said amendments shall be submitted to the qualified electors as a Charter amendment of Article IV, Section 12; Article VII, Section 2; and Article VIII, Section 5 on the ballot and shall be printed on said ballot in the following form:

SHALL ARTICLE IV, SECTION 12; ARTICLE VII, SECTION 2; AND ARTICLE VIII, SECTION 5 OF THE CHARTER OF THE CITY OF LINCOLN BE AMENDED TO INCREASE THE BID THRESHOLD FROM $25,000.00 TO $50,000.00; TO REMOVE THE REQUIREMENT OF THREE INFORMAL BIDS FOR CONTRACTS LOWER THAN $50,000; TO USE THE TERM "REBID" INSTEAD OF "READVERTISE"; AND TO ADD THE WORD "RESPONSIVE" TO LOWEST RESPONSIBLE BIDDER?

VOTE FOR or AGAINST

□ I vote FOR the proposed amendment.

□ I vote AGAINST the proposed amendment.

2. That the City Clerk of the City of Lincoln is hereby directed to publish with her official certification, three times, and a week apart, the full text of the proposed amendments to be voted upon, as required by law, all as required by the Constitution of the State of Nebraska.

3. That the Mayor be and hereby is directed to proclaim and give notice that at the primary election to be held in the City of Lincoln, Nebraska on Tuesday, the 12th day of May, 2020, there will be submitted to the qualified electors of the City of Lincoln, Nebraska, for adoption or rejection, the proposition set forth in Section 1 hereof, and the City Clerk is directed to publish the said proclamation as provided by law.

4. That the City Clerk of the City of Lincoln is further directed to notify the Election Commissioner of Lancaster County of the submission of this proposition and to procure the necessary ballots and to make all other arrangements for the same.

Introduced by:

AYES: Bowers, Christensen, Meginnis, Raybould, Shobe, Ward, Washington;
NAYS: None.

Approved as to Form and Legality:

City Attorney

Approved this 24th day of February, 2020:

Mayor

ADOPTED

FEB 24 2020

BY CITY COUNCIL

Angela M. Birkett

From: mrmrssides@aol.com
Sent: Wednesday, April 15, 2020 10:53 AM
To: Council Packet
Cc: contact@campaway.com
Subject: Public Comment (Open Mic) portion of the City Council Meeting Monday April 20, 2020

CAUTION: This email comes from a sender outside your organization.

This message is being created for your consideration regarding the following topic at your next meeting.

20-42
Addendum No. 1 to Amended Lease between City and Queenland, Inc., operators of Camp A Way campground, to extend the term of the lease, add a termination for convenience provision, re-set the annual rental rate, and update other lease provisions.

My wife and I are long time residents of Lincoln however we did sell our last house in August 2015 and have established fulltime residence in our recreational vehicle (RV). This action works very well for us as we spend the winter months in our RV in Yuma AZ. We spend the balance of the year (approx. 7 months) travelling in our RV. We are frequent visitors to Lincoln as our grandchildren (and their parents) live in Lincoln, we are members of St. Marks Methodist Church, etc and have our health providers in Lincoln.

The Ordinance Addendum you are considering has a large affect on us as well as other RVr's.

1) LIMITING STAYS TO 30 DAYS PER YEAR We plan to spend more than 30 days per year in the Lincoln area. We usually do a combination of State Park and Camp A Way. Due to the Covid-19, State Parks are closed and our other Lincoln area options are very limited. We are not the type that desire spending nights in retail parking lots, ie Walmart, etc. Our 30 day limit for 2020 will expire May 2 if you don't make some sort of extension/exception. We think the proposed 180 days per year would be a good revision.

2) CAMPGROUND LEASE EXPIRING 202? The current location is ideal for Camp A Way, guests and the city of Lincoln. The proximity to I80, HWY 34 and HWY 77 draws a number of potential Lincoln visitors off of those highways that would likely pass through without the convenience of this park. Once they are here, they very possibly will extend their stay and visit many attractions they would not be aware of if they were instead stopping at Greenwood or Waco, the next closest campgrounds near the Interstate. Several years ago, my wife and I hosted a number of fellow campers from eastern Nebraska/western Iowa. We introduced them to Speedway Motors Museum, Quilt Museum, Memorial Stadium, lunch at the Governors Mansion, East Campus Ice Cream, several restaurants and bars, all within close proximity to the current location. A new location is not likely to provide the draw to the campground or these and many other Lincoln businesses.

We are looking forward to your favorable vote on the proposed addendum.

Thanks.

Bob and Janet Sides