

**COMMUNITY DEVELOPMENT AGENCY
LEXINGTON NEBRASKA
September 12, 2016**

A Regular Meeting of the Community Development Agency was held Monday, September 12, 2016, at Lexington City Hall, located at 406 East 7th Street, Lexington, Nebraska at 5:30 p.m. Members present were Jason Fagot, John Fagot, Linda Miller, Steve Smith and Seth McFarland. Gail Hall and Kory Cetak were excused. City Officials present were City Manager Joe Peplitsch, Assistant City Manager Dennis Burnside, City Attorney Brian Copley and Secretary Pamela Baruth.

NOTICE: Notice of the meeting was given in advance notice, thereof by publication in the Lexington Clipper-Herald, the designated method for giving notice, as shown by the Affidavit of Publication attached to these Minutes. The proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public. All items presented and discussed on the Agenda were available for public inspection.

CALL TO ORDER: The Meeting was called to order by Chairman Fagot, who informed the public that the Open Meetings Act is posted in the Council Chambers at the Lexington City Hall, located at 406 E. 7th Street, Lexington, Nebraska.

RESOLUTION: Peplitsch reviewed a proposed redevelopment contract with Reflections of “U” Floral Design & Boutique, LLC for property located at 5th Street and Madison Street. He noted the Planning Commission has reviewed the plan as to its conformance to the city comprehensive plan and recommends approval; the proposed plan will be reviewed by the council as the next step in the process. Following discussion, Resolution No. 2016-08 was presented. Moved by John Fagot, seconded by Smith, to approve Resolution No. 2016-08. Roll call. Voting “aye” were Miller, McFarland, Smith, John Fagot, Jason Fagot. Motion carried.

RESOLUTION NO. 2016-08

A RESOLUTION RECOMMENDING APPROVAL OF A REDEVELOPMENT PLAN OF THE CITY OF LEXINGTON, NEBRASKA, INCLUDING A REDEVELOPMENT CONTRACT; APPROVING A REDEVELOPMENT PROJECT OF THE CITY OF LEXINGTON, NEBRASKA; AND APPROVAL OF RELATED ACTIONS.

WHEREAS, the Mayor and Council of the City of Lexington, Nebraska (the “City”), upon the recommendation of the Planning Commission of the City of Lexington, Nebraska (the “Planning Commission”), and in compliance with all public notice requirements imposed by the Community Development Law, Chapter 18, Article 21, Reissue Revised Statutes of Nebraska, as amended (the “Act”), duly declared the redevelopment area legally described in the Redevelopment Contract, set forth hereafter to be blighted and substandard and in need of redevelopment, (the “**Project Area**”);

WHEREAS, the Mayor and City Council of the City of Lexington, Nebraska, (the "City") by its Ordinance, created the Community Development Agency of Lexington, Nebraska (the "Agency") pursuant to Section 18-210.01 of the Act;

WHEREAS, pursuant to and in furtherance of the Act, the Luft Redevelopment Plan (the “Redevelopment Plan”) which is contained in a Redevelopment Contract (collectively, the “Redevelopment Contract”), has been prepared and submitted to the Agency by Reflections of “U”

Floral Design & Boutique, LLC (the “Redeveloper”), in the form attached hereto as **Exhibit A**, for the purpose of redeveloping the Project Area and includes a provision to divide certain ad valorem taxes as provided in Section 18-2147 of the Act on the Project Area legally described in **Exhibit A** to assist in the redevelopment thereof; and

WHEREAS, pursuant to the Redevelopment Contract, the Agency would agree to incur indebtedness and make a grant for the purposes specified in the Redevelopment Contract (the “**Project**”) in accordance with and as permitted by the Act; and

WHEREAS, the Agency has made certain findings and pursuant thereto has determined that it is in the best interests of the Agency and the City to enter into the Redevelopment Contract and to carry out the transactions contemplated thereby.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMUNITY DEVELOPMENT AGENCY OF LEXINGTON, NEBRASKA AS FOLLOWS:

Section 1. The Agency has determined that the proposed land uses and building requirements in the Project Area are designed with the general purposes of accomplishing, and in conformance with the general plan of the City, a coordinated, adjusted, and harmonious development of the City and its environs which will, in accordance with present and future needs, promote health, safety, morals, order, convenience, prosperity and the general welfare, as well as efficiency in economy in the process of development; including, among other things, adequate provision for traffic, vehicular parking, the promotion of safety from fire, panic, and other dangers, adequate provisions for light and air, the promotion of the healthful and convenient distribution of population, the provision of adequate transportation, water, sewerage, and other public utilities, schools, parks, recreational and community facilities, and other public requirements, the promotion of 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.

Section 2. The Agency has conducted a cost benefit analysis for the Project in accordance with the Act, as set forth in the Redevelopment Plan, and has found and hereby finds that the Project would not be economically feasible without the use of tax increment financing, the Project would not occur in the Project Area without the use of tax increment financing and the costs and benefits of the Project, 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 and have been found to be in the long term best interests of the community impacted by the Project.

Section 3. The Planning Commission of the City of Lexington has recommended approval of the Redevelopment Contract.

Section 4. In compliance with section 18-2114 of the Act, the Agency finds and determines as follows: (a) the Redevelopment Area constituting the Redevelopment Project will not be acquired by the Agency and the Agency shall receive \$50,000.00 from the sale of the redevelopment area; (b) the method of financing the Redevelopment Project shall be by the Redeveloper’s private financing and the issuance of a tax increment revenue bond in the amount of approximately \$55,000.00, the proceeds of which shall be granted to the Redeveloper for purposes of acquiring and preparing the project site, and legal costs and from other funds provided by the Redeveloper; and (c) no families or businesses will be displaced as a result of the project.

Section 5. The Agency recommends approval of the Redevelopment Contract and the Redevelopment Plan contained therein by the City Council.

Section 6. This resolution shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED this 12th day of September, 2016.

ROUNDTABLE: Miller will be absent from September 19 meeting.

ADJOURNMENT: There being no further business to discuss, Chairman Fagot declared the meeting adjourned.

Respectfully submitted,
Pamela Baruth
CDA Secretary