DIRECTORS’ MEETING  
MONDAY, OCTOBER 11, 2004 - 11:00 A.M.  
CONFERENCE ROOM 113

I. MAYOR

1. NEWS ADVISORY - RE: Mayor Seng’s Public Schedule Week of October 1 through 8, 2004-Schedule subject to change - (See Advisory)

2. NEWS RELEASE - RE: Purchase Expands Wetlands At Arbor Lake - (See Release)

3. NEWS RELEASE - RE: 9TH Street To Be Rehabilitated From “Q” To “H” Streets (See Release)

4. Director’s Report-September 2004 from Bonnie Coffey/Lincoln-Lancaster Women’s Commission

5. Washington Report - October 1, 2004

II. DIRECTORS

FINANCE DEPARTMENT/CITY TREASURER

1. Material from Don Herz, Finance Director & Melinda J. Jones, City Treasurer - RE: Resolution & Finance Department, Treasurer of Lincoln, Nebraska - Investments Purchased September 27 thru October 1, 2004.

HEALTH

1. NEWS RELEASE - RE :Nebraska Fitness Challenge 2004 - (See Release)

2. NEWS RELEASE - RE: International Walk To School Day - (See Release)

3. NEWS RELEASE - RE: Health Department May Have Limited Amount of Flu Vaccine - (See Release)

4. NEWS RELEASE - RE: Individuals Not at High-Risk Asked Not to Get Flu Shot - FLU Hot Line Established - (See Release)
PLANNING

1. REPORT - RE: Final Edition of CIP-CAPITAL IMPROVEMENT PROGRAM - For Fiscal Years 2004-2010 (Council received this material in their file folders. Copy of Report on File in Council Office. Material also available at the website shown on the attached E-Mail. (See E-Mail)

2. Memo from Kent Morgan - RE: Multi-Modal Transportation Materials - (See Material)


4. Memo from Marvin Krout - RE: Northbank Junction Annexation Agreement - (See Memo)

PLANNING COMMISSION FINAL ACTION . . . .

1. Special Permit No. 04050 (Wireless facility-monopole-5221 South 48th Street) Resolution No. PC-00889.

2. Special Permit No. 04051 (On-sale alcohol-South 14th and Pine Lake Road) Resolution No. PC-00890.

PUBLIC WORKS & UTILITIES DEPARTMENT

1. ADVISORY - RE: 9TH Street; Q Street-H Street - Project 701753 -(See Advisory)

2. ADVISORY - RE: Pre-Construction Open House/with map - (See Advisory)

3. Letter from Allan Abbott to Heather R. Cooprider, Property Manager, NP Dodge Management Company - RE: The widening proposal for the 14th Street & Superior intersection and the impacts it will have on the Superior Place Apartments - (See Letter)

WEED CONTROL AUTHORITY

III. CITY CLERK

1. Petition brought into Council Office by City Clerk Joan Ross on 10/06/04 - RE: 04R-241-Andrea’s Court CUP (special permit 04035) Petition - on Council Agenda for 10/11/04 - (See Petition)

IV. COUNCIL

A. COUNCIL REQUESTS/CORRESPONDENCE

JONATHAN COOK

1. Request to Terry Bundy, Lincoln Electric System - RE: LES Budget & rate increase request (RFI#118 - 9/17/04)

2. Request to Harry Kroos, Public Works & Utilities Dept., Sidewalk Inspector - RE: Sidewalk Ramps (RFI#119-10/07/04)

GLENN FRIENDT


ANNETTE McROY

1. Request to Police Chief Casady/Dana Roper, City Attorney - RE: Problems and no help!-In Gaslight Village Court with young children riding motorized scooters throughout the park at high rates of speed & with NO lights after dark (RFI#159 - 9/24/04)
2. Request to Ken Smith, Parking Mgr., Public Works & Utilities Department - RE: Parking Garages for downtown residents (RFI#160-10/07/04)

PATTE NEWMAN

1. Request to Marc Wullschleger, Urban Development; Don Herz and Steve Hubka, Finance; Allan Abbott and W. Telen, Public Works; Dana Roper, City Attorney; Marvin Krout, Planning - RE: Antelope Valley Project, Tax Increment Financing (in relationship to non-profit organizations and the current Michigan and Connecticut court cases on eminent domain and their effects on T.I.F funding here) and Consultants and Consulting fee funding. (RFI #27 - 10-01-04). — 1.) SEE RESPONSE FROM MARVIN KROUT, PLANNING DIRECTOR RECEIVED ON RFI#27-10/06/04.

TERRY WERNER

1. OUTSTANDING Request to Vince Mejer, Purchasing Agent - RE: Notice to Bidders #04-110 – Television Equipment (RFI#132 - 6/16/04)

B. COUNCIL COMMENTS

V. MISCELLANEOUS

1. MEDIA RELEASE from Lori Seibel - RE: Community Health Endowment Announcing Funding Priorities - (See Release)

2. E-Mail from Mike & Terri Beard - RE: Housing Inspections - (See E-Mail)

3. E-Mail from Thomas Myers - RE: Impact fee relief - (See E-Mail)

4. E-Mail from Chuck Shook - RE: Wants to know who on the City Council votes for or against any particular issue - (See E-Mail)

5. Letter from Dennis Weixelman - RE: This should be our concern! -Cars from Counties - cars parked on the street going west, south of his house, Potential revenue?-(See Letter)

VI. ADJOURNMENT
Date: October 1, 2004
Contact: Diane Gonzolas, Citizen Information Center, 441-7831

**Mayor Seng’s Public Schedule**
**Week of October 1 through 8, 2004**
*Schedule subject to change*

**Saturday, October 2**
- National Council of Negro Women Annual Banquet - 6 to 9 p.m., Villager Motor Inn, 5200 “O” Street

**Sunday, October 3**
- Friendship Home Safe Quarters event, greet volunteers - 3 p.m., Union College, atrium outside the Dick Administration Building

**Monday, October 4**
- City-County Common Meeting - 8:30 a.m., Room 113, City-County Building, 555 South 10th Street
- Leadership Lincoln Annual Recognition Dinner, welcome remarks - 7 p.m., Cornhusker Hotel, 333 South 13th Street

**Tuesday, October 5**
- Madonna Alzheimer Unit groundbreaking, remarks - 10 a.m., 58th and Colfax streets
- International visitors from Jordan - 11:30 a.m., Mayor’s Conference Room, County-City Building, 555 South 10th Street
- Brighter Beginnings Event Day, remarks, proclamation and dedication of new pond garden - 2 p.m., Lincoln Regional Center, West Prospector and Folsom
- Council of Women Leaders Dinner, remarks - 5:30 p.m., Union College Ortner Center

**Wednesday, October 6**
- Fire Prevention Week Poster Contest, announce winner- 1 p.m., West Lincoln Elementary, 630 West Dawes Avenue
- Safe Kids Walk Kick-off, remarks - 2 p.m., Belmont Elementary, 2435 North 14th Street
Thursday, October 7
• Mental Health Awareness Breakfast, remarks and proclamation - 8 a.m., BryanLGH Medical Center West, Conference Center, lower level of West Medical Plaza
• News conference - 10 a.m., topic and location to be announced
• International visitors from Kosovo - 11:15 a.m., Mayor’s Conference Room, County-City Building, 555 South 10th Street
• Citizens Against Racism and Discrimination, declaration of resolution passed by City Council - 7 p.m., YWCA Georgian Room, 1432 “N” Street

Friday, October 8
• YWCA’s Week Without Violence, news conference and proclamation - 11 a.m., YWCA, 1432 “N” Street
• Women in Philanthropy Celebration Lunch - 11:30 a.m., Country Club of Lincoln, 3200 South 24th Street
• Celebration of Labor - 6 p.m., Firefighters Reception Hall, 241 Victory Lane
PURCHASE EXPANDS WETLANDS AT ARBOR LAKE

Mayor Coleen J. Seng today announced that the City of Lincoln and the Saline Wetlands Conservation Partnership have purchased 69.2 acres of land adjacent to Lincoln’s Arbor Lake to expand wetlands. The lake is north of 27th Street and Arbor Road. The purchase will nearly double the amount of imperiled saline wetland habitat at Arbor Lake, which is preserved by the City and its partners in Lancaster County.

Saline wetlands are one of the rarest ecosystems in Nebraska. Concentrated in Lancaster and Saunders counties, these salt marshes host salt-tolerant plants and animals found nowhere else in Nebraska, including two species that are listed on the state’s endangered species list.

“For many years, Arbor Lake has provided the citizens of Lincoln with the opportunity to experience one of Nebraska’s most unique ecosystems,” said Mayor Seng. “This acquisition will increase these opportunities while conserving the area for future generations to enjoy.”

The Saline Wetlands Conservation Partnership worked with a local landowner to acquire the adjoining parcels to the east and south of Arbor Lake. Funding for the acquisition was provided through a grant from the Nebraska Environmental Trust, which has provided $750,000 over the last three years for saline wetland conservation. Strong partnerships were a key factor in receiving the funding, according to Mary A. Harding, Executive Director of the Trust.

“The Trust seeks out projects that bring together the resources of multiple partners to achieve real progress on Nebraska’s natural resource issues,” Harding said. “We are proud to support the work of the Saline Wetlands Conservation Partnership in its efforts to preserve the last of Nebraska’s saline wetlands.”

Full partners of the Saline Wetlands Conservation Partnership include the City of Lincoln, Lancaster County, the Lower Platte South Natural Resources District, The Nature Conservancy and the Nebraska Game and Parks Commission. Other partners include private landowners, USDA-Natural Resources Conservation Service, Ducks Unlimited, the Wachiska Audubon Society, the Nebraska Sierra Club, the Home Builders Association of Lincoln, Pheasants Forever, the Conservation Alliance of the Great Plains and the Nebraska Wildlife Federation.
The Nebraska Legislature created the Nebraska Environmental Trust in 1992 to preserve, protect and restore natural resources for future generations. Using revenue from the Nebraska Lottery, the Trust has provided grants to more than 700 projects across the state. Individuals and organizations can apply for funding to protect habitat, improve water quality and establish recycling programs in Nebraska.
FOR IMMEDIATE RELEASE: October 1, 2004
FOR MORE INFORMATION: Steve Faust, Engineering Services, 441-8413

9TH STREET TO BE REHABILITATED FROM “Q” TO “H” STREETS

Work scheduled to begin October 6 on 9th Street will cause daytime lane closures and nighttime detours. The work on 9th from “Q” to “H” streets will include milling the existing surface to remove about three inches of existing asphalt, replacing the asphalt and painting new pavement markings. The City will use a pavement mixture that incorporates recycled tires.

The milling work will create uneven surfaces and lane closures during the day. Installation of the new asphalt will close portions of 9th Street during two nights, weather permitting. The first night of asphalt work will close 9th from “Q” to “N” streets, and the second night will close 9th from “N” to “H” streets. The dates of the closures and detour routes will be announced at a later date. The project is expected to be completed by October 15.
TO: LLWC Commissioners  
Mayor Coleen J. Seng  
Lincoln City Council Members  
Lancaster County Board of Commissioners  
Lancaster County Towns/Villages/Boards  

FROM: Bonnie Coffey/Lincoln-Lancaster Women's Commission  

DATE: 8/31/04  
SUBJECT: Director’s Report – September 2004  

Community Learning Center (CLC) Initiative  
Background: The City of Lincoln was one of eight cities nationwide to receive a thirty-month technical assistance grant to engage the city in CLCs; I served as point person for that grant, and continue to serve on the management team for the CLC initiative in Lincoln. Community Learning Centers are partnerships that provide opportunities and support services that lead to improved student learning, stronger families and stronger communities. There are currently 15 CLCs in Lincoln funded by a blended stream of 21st Century, PEN, City of Lincoln and grant monies.

● As a member of the CLC Statewide Network, I attended a meeting in Kearney on 9/8. The group is working on development of committees and a statewide plan to support CLCs; the group is supported by the Nebraska Children & Families Foundation. I am serving on the Marketing Committee; we had a conference call on 9/29.

● A CLC Management Team meeting was held on 9/27 to discuss plans for the next SNAC Summit. It’s scheduled for November 13. The group is also looking at providing some community development/organizing education to site supervisors.

Community Services Initiative (CSI)  
Background: CSI is the implementation of plans developed through a community-wide survey of gaps in human services needs; seven coalitions address needs, including Housing, Transportation, Early Childhood & Youth Development, Violence, Behavioral Health, Basic & Emergency Needs, and Medical Health Care. Along with Julie Cervantes-Salomon of Heartland Big Brother Big Sisters, I serve as a co-chair for the Early Childhood & Youth Development Coalition. The Early Childhood and Youth Development Coalition have two subgroups, one for Early Childhood and one for Youth Development; I focus on the Early Childhood subgroup. Additionally, I serve on the CSI Human Services Planning Cabinet.

● I attended a lunch meeting with Helen Raikes and Linda Zink (with the Nebraska Association of the Young Child) on 9/7 to learn more about planned meetings with elected officials about the issues of early care and education. The group is planning a series of breakfast meetings with senators and senior staff in various parts of the state to bring attention to the importance and need for action in this area.

● The Youth Development Coalition of CSI met on 9/2.
I participated in a conference call with Karen Pittman, executive director of the Forum for Youth Investment, for pointers on how to best work with diverse groups of youth-serving organizations and efforts.

A preliminary conference call was held on 9/22 to finalize plans for the Mayor’s press conference on 9/23, announcing the award of a “Success by 6®” license. Attending were Mayor Seng, County Commissioner Deb Schorr, United Way executive director Sandy Rupp, United Way Director of Distribution Robin Mahoney, CSI Project Manager Robyn Henderson, CSI Youth Development Coalition member Lea Ann Johnson, and me.

An informal focus group was held on 9/22 with some of the CSI coalition members for preliminary work on an evaluation. I was in attendance as co-chair for Early Care and Youth Development Coalition.

**Women’s Leadership**

*Background: During LLWC’s strategic planning following the “Women’s Voices” project that surveyed women in Lincoln and Lancaster County, focus is being placed on two areas, “Women’s Leadership & Public Policy” and “Women’s Health.”*

Meetings with commissioners working on the “voter’s guide” were held on 9/1 and during the LLWC monthly meeting. The final draft was approved, and a preliminary 500 copies were printed just in time for the Candidate’s Forum that LLWC cosponsored with the League of Women Voters. Another printing is planned for distribution prior to the November 2 election date. The guide covers issues concerning women and encouraging their vote. The guide is designed to prompt questions for candidates.

Preparations continued for the “Women and Money” Conference on September 24, produced with The Lincoln Agency with LLWC providing supportive services. I met with Wanda Caffery of The Lincoln Agency on 9/2 to help write radio spots, and taped them on 9/3. LLWC Public Information Specialist Diane Mullins and I attended the event on 9/24, staffing a display and distributing information on LLWC.

The Candidate’s Debate for Lancaster County District 2 and 4 candidates and Congressional District 1 candidates was held on 9/23. LLWC cosponsored this nonpartisan event along with the League of Women Voters as lead agency. Other cosponsors included the Lincoln Area Agency on Aging, the 27th Street Business District and St. Paul United Methodist Church, the site of the debates. LLWC commissioners Nancy Intermill served as moderator for the Lancaster County District 4 debate and Danja Pegram-Siders served as timekeeper for that debate. LLWC commissioner Bridget Christensen and I handed out “Voter’s Guides.”
● LLWC receives many requests for interviews from students on papers they’re working on through SCC, UNL and our other colleges. On 9/27, I helped Andrea Davich with her paper on why more Nebraska women aren’t achieving higher positions (The Institute for Women’s Policy Research ranks Nebraska 50th for women in managerial and professional positions.)

**Women’s Health**

_Background:_ During LLWC’s strategic planning following the “Women’s Voices” project that surveyed women in Lincoln and Lancaster County, focus is being placed on two areas, “Women’s Leadership & Public Policy” and “Women’s Health.” LLWC Director Bonnie Coffey serves as a liaison to the Family Violence Council and Co-Chair of the Changing Attitudes Committee (a subcommittee formed to implement part of the FVC strategic plan to address community attitudes concerning violence).

● The Arabic tape has been recorded; we are awaiting Dunia al-Muse’s return from Iraq to review the tape to ensure its accuracy. Then, we’ll work on the Arabic tape label; that will complete the project on women’s health.

● Diane Mullins continues to help in the planning for the candlelight vigil on 10/20 in recognition for the YWCA’s “Week Without Violence” scheduled for October 18-23.

**Lincoln-Lancaster Teenage Pregnancy Prevention Coalition (TPPC).**

_Background:_ For several years, LLWC has been an active member of TPPC. LLWC’s director serves as the president for 2003/04.

● Due to my vacation, I was not able to attend the September meeting.

**Media/PR/Speaking**

● On 9/1, I provided information on My 106.3 FM with Austin & Kaci’s morning show on the “Women and Money” conference LLWC is cosponsoring with The Lincoln Agency, Inc. On 9/29, information was shared on the October 5 “Council of Women Leaders” networking event.

● I was invited to provide a talk on the importance of women and voting at Northeast Community College in Norfolk on 9/21, followed by a lunch and conversation with non-traditional students.

● I presented a presentation for OLLI (Osher Lifelong Learning Institute, through the UNL College of Education and Human Sciences) on leadership on 9/29.

**Meetings/Public Contacts**
I attended the County Management Team meeting on 9/2.

LLWC’s monthly meeting was held on 9/8.

I attended “Lunch for the Girls,” produced by Girl’s, Inc. in Omaha, to hear Enron whistleblower Sherron Watkins. I had the opportunity to sit with the group from the Women’s Fund of Greater Omaha, invited by their executive director, Ellie Archer.

**WomenTalk**

*Background: This unique television series addressing the issues that impact women was inaugurated in January 2000, and is the only one of its kind in the city/county. Thanks to the volunteer efforts of friends and LLWC commissioners pulling camera duty, and the underwriting of the Lincoln Journal Star, these programs are produced at no cost to LLWC, the City or the County.*

Upcoming programs include:
- September 2004 – “Women Vote!” (to be taped 9/30)
  Co-moderator, Danja Pegram-Siders, Guests: former Mayor Helen Boosalis, Nebraska State Senator Carol Hudkins
- November 2004 – “Perspectives: Native American Women”

**FY 2004/05 programs are:**
- March 2005 – Perspectives: Muslim Women”
- May 2005 – “Overexposed: Dangers of Tanning”
- July 2005 – “Invited In: Internet Predators”
- September 2005 – “How to Get Ahead Without Going to the Golf Course”
- November 2005 – “Crystal Catastrophe: Women and Meth”

We are appreciative of the underwriting of the Lincoln Journal Star for this year’s series of WomenTalk programs.

**Regularly Attended Meetings**

- LLWC Staff Meetings are held each Monday at 9 a.m. to review the week, touch base and coordinate schedules and activities.

- Each Monday at 10:45 a.m., I attend the Directors Meeting held with City Council.

- Each Wednesday from 9-11 a.m., I attend the Mayor's Cabinet meeting. Weekly reports are e-mailed to the Mayor each Monday morning.
LLWC offices were closed on 9/7 in recognition of Labor Day. I was on vacation September 9 through 19.

**Coming Up**
► Council of Women Leaders – Tuesday, October 5, 5:30-7 pm @ Ortner Center, Union College
► LLWC Monthly Meeting – Wednesday, October 13, 5:45 pm @ LLWC Conference Room, 440 S. 8th Street
► Candlelight Vigil - Wednesday, October 20, 7:30 pm @ Rape/Spouse Abuse Crisis Center
► Election Day – Tuesday, November 2
Transportation

Congress approves eight-month extension on highway, transit bill. After an intense week of negotiating, lawmakers tasked with rewriting the six-year surface transportation bill agreed to an eight-month extension of the current law. This sixth temporary extension of TEA-21, passed exactly one year after the original expiration of the bill, will give Congress until the end of May 2005 to complete work on the bill. House leaders had originally hoped to include the remaining $2 billion in FY 2004 highway funds for earmarked projects within the extension; however, this proposal was met by stiff opposition from Senate lawmakers. At the insistence of the Senate, the remaining funding will be distributed to states through the current funding formula.

Lawmakers provided $24.5 billion in contract authority for the highway program and $5.2 billion in contract authority for transit programs through the eight-month extension period.

Several provisions were added to a relatively clean extension bill, including the recapture of the 2.5 cents-per-gallon tax on ethanol that currently is deposited in the general fund and placed it in the Highway Trust Fund. It is estimated that $940 million in ethanol gas tax revenues would be generated with this provision. The legislation includes a new $2.7 billion “supplemental minimum guarantee” fund designed to ensure that all states receive the 90.5 percent minimum return on each dollar they contribute to the highway trust fund. Revised FY 2004 gas tax estimates show that a number of states had dropped below that level. States currently above the 90.5 percent guarantee would not be eligible for the fund. Lawmakers were also able to include language within the extension for the budgetary firewalls that tie gas tax revenue to highway and transit program.

Throughout the negotiations, House Transportation and Infrastructure Committee Chairman Don Young (R-AK) expressed that while an extension was needed before the September 30 deadline, he hoped that the bill could be completed when Congress returns for a lame-duck session after the election or early next year at the start of the 109th Congress. Young commented that lawmakers “were close to an agreement, but not close enough” to finalize the conference report prior to the planned adjournment on October 8. With the primary focus of Congress on the completion of the FY 2005 appropriations bills after the election, it is unlikely that members will address the reauthorization bill during the lame-duck session.

In related news, the House Transportation and Infrastructure Committee this week approved the “Public Transportation Terrorism Prevention and Response Act of 2004.” The legislation, H.R. 5082, would authorize $3.4 billion in grants for public transit operators to expand and improve anti-terrorism measures. Funding will be allocated based on risk and vulnerability assessments consist with recommendations of the 9/11 Commission.

The bill would require the Transportation Security Administration (TSA) to identify and evaluate public transportation assets throughout the country and develop a plan, budget and grant program to defend these facilities. TSA would also be required to assign roles and missions to the relevant federal, state, local and private stakeholder in meeting these efforts.

The measure would authorize $775 million in fiscal year 2005, $825 million in fiscal 2006, and $880 million in fiscal 2007 for transit systems’ capital investments. It also would authorize $400 million in fiscal 2005, $300 million in fiscal 2006, and $200 million in fiscal 2007 for transit system operations, such as security training, drills, canine patrols, and overtime reimbursement. Grants would also be available for private
McCain, Burns reach spectrum compromise. October 1 compromise panel’s jurisdiction at the Department of to be included in the Homeland Security 2009 regardless of the status of the
that the program would remain under his pushing hard for $2 billion in drought relief broadcasters relinquish their spectrum by
As FY 2005 officially begins, only one Appropriations Public Safety
the majority of its 13 annual spending bills prior to that date. This year, only the Department of Defense appropriations bill has been signed into law; and as a result, Congress this week was forced to approve a Continuing Resolution (CR) to keep government operations running at all other federal departments.

The current CR expires on November 20, 2004, signaling that the appropriations process is not likely to be completed before Congress adjourns on October 8 in preparation for elections. Most observers believe that several of the outstanding bills will be considered in one large omnibus package during the week of November 15, when lawmakers were scheduled to be back in Washington for organization meetings for new and current Members in preparation for the start of the 109th Congress in January.

Congressional leaders are hoping to approve the FY 2005 Homeland Security Department appropriations bill prior to October 8, as well as measures for Military Construction, Foreign Operations, and the

District of Columbia. This leaves funding decisions for a number of agencies of importance to local governments -- such as HUD, EPA, HHS, Transportation, Justice, and the U.S. Army Corps of Engineers -- left to be made in the context of the omnibus package in November, and possibly even into calendar year 2005.

Further complicating matters is a $12.1 billion FY 2004 supplemental request for emergency disaster assistance in hurricane-ravaged (and “swing” state) Florida. In addition, some Midwestern legislators are pushing hard for $2 billion in drought relief to be included in the Homeland Security measure, a move being vigorously opposed by fiscal conservatives.

McCain and Burns clashed last week during a Commerce Committee markup of legislation (S 2820) sponsored by McCain that would have mandated that television broadcasters relinquish their spectrum by 2009 regardless of the status of the transformation to digital television. During the markup, Burns successfully offered an amendment to the McCain bill backed by the National Association of Broadcasters that created a broad loophole that would have made the deadline meaningless. A furious McCain publicly chastised the Broadcasters, saying that they were putting the needs of a handful of television stations ahead of an urgent public safety need.

The compromise reached by McCain and Burns was offered as an amendment to the intelligence overhaul bill (S 2845) debated by the Senate this week that is designed to implement the recommendations of the 9-11 Commission. Approved by the Senate unanimously, the compromise would require television broadcasters to relinquish the 700 megahertz band of spectrum by 2008 if a public safety agency made a request that they do so.

The compromise would also authorize a grant program (no specific funding level) at the Department of Homeland Security to help state and local governments acquire and deploy interoperable communications equipment and would authorize more than $20 million a year through FY 2009 for public safety communications research. It would also authorize $1 billion a year funded by spectrum auctions to help consumers make the transition to digital television, with preference given to low-income households and to households, primarily in rural areas, that rely on over the air broadcasts for television.
The Senate will continue to consider S 2845 next week. The House 9-11 Commission intelligence overhaul bill (HR 10), which will also be on the floor next week, does not address the 700 megahertz public safety spectrum issue and instead only contains vague language directing the FCC and the Justice Department to cooperate on efforts to expand access to interoperable communications by public safety agencies, but it makes no mention of spectrum.

Though the broadcasters claim to support the McCain-Burns compromise, they may still try to scuttle the Senate language in a House-Senate Conference Committee. In addition, there are serious partisan disputes surrounding civil liberties issues in HR 10 that may stymie passage of a final intelligence overhaul bill. Given the tight schedule for the remaining week before the October 8 target adjournment date, it is unclear whether the spectrum issue could be addressed as stand alone legislation.

**Welfare**

Congress extends welfare law through March 2005. With no reauthorization consensus in sight, both the House and Senate cleared legislation this week to extend the 1996 welfare law for an additional six months. The original law expired in September 2002, but since then Congress has been unable to agree on a long-term reauthorization, temporarily extending the law seven times. Most agree that the 1996 law represented a successful change to federal welfare programs, and no significant alterations were expected. However, the White House and Republicans in Congress soon pushed for more stringent work requirements and new programs to promote marriage and fatherhood, ideas resisted by Democrats unless more assistance is provided for child care, health insurance, and transportation for welfare recipients.

In February 2003, the House approved legislation that would have required welfare participants to work 40 hours per week (up from the current 30) and recommended an additional $1 billion in child care funds over five years. Later that year, the Senate Finance Committee approved a measure to increase the work requirement to 34 hours per week, and during subsequent floor debate, the entire Senate voted to add an additional $6 billion in child care subsidies. However, the bill was pulled from the Senate floor when Democrats pushed for a vote on increasing the minimum wage and the bill has been stalled ever since.

Now with few legislative days left in the congressional session, lawmakers have decided to try again next year. Earlier this week, there was an effort by Senators Rick Santorum (R-PA) and Evan Bayh (D-IN) to add proposed marriage and fatherhood initiatives to the six-month extension, but those efforts were rejected by those wanting an extension without complicating provisions.

**Land Use**

Supreme Court will hear case on city’s prerogative over takings. The United States Supreme Court announced on September 28, 2004 that it would decide whether the creation of jobs and tax revenue is a legitimate reason to transfer property from one private owner to another.

In the case of *Kelo v. New London, Conn.* (04-108), several residents of New London, CT are responding to the city’s intention to condemn their homes and move the residents in order to provide land for a retail, hotel, and office complex. The Connecticut Supreme Court ruled in favor of New London earlier this year.

The Fifth Amendment to the Constitution guarantees the right to condemn private property and take it for public use provided the city gives just compensation. However, unlike many of these takings for blighted and neglected property, the impoverished city believes it can use the property for a greater public benefit simply by better using the land for redevelopment to boost the local economy.

Citing a violation of their constitutional rights, the residents want the Court to set a clear definition for public use. The Court may have decided to hear the case believing the city to have stretched the definition too far.

The court is expected to hear the case this winter with a decision next July.
RESOLUTION NO. A-_______

BE IT HEREBY RESOLVED BY THE CITY COUNCIL of the City of Lincoln, Nebraska:

That the attached list of investments be confirmed and approved, and the City Treasurer is hereby directed to hold said investments until maturity unless otherwise directed by the City Council.

INTRODUCED BY:

________________________________________

Approved:

[Signature]

Don Herz, Finance Director

Approved this ___ day of ____________, 2004

______________________________________

Mayor
September 27, 2004, we used new dollars to invest $1,079,000 in the Short Term Pool as follows:

<table>
<thead>
<tr>
<th>Amount</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>$200,000</td>
<td>Repurchase Agreement at Wells Fargo Bank</td>
</tr>
<tr>
<td>$879,000</td>
<td>First American Government Obligation Fund at US Bank</td>
</tr>
</tbody>
</table>

We cashed a total of $1,740,000 out of the Short Term Pool on September 28, 2004. We then invested in a $35,000 Nebraska Public Agency Investment Trust at Union Bank.

We used new dollars September 28, 2004, to invest $1,000,000 in a FHLMC, purchased at par, rate of 3.5%, maturing September 28, 2012, for the Police and Fire Pension Fund.

September 29, 2004, we cashed a $785,000 Nebraska Public Agency Investment Trust at Union Bank out of the Short Term Pool. We then reinvested $307,000 in a First American Government Obligation Fund at US Bank.

We used new dollars September 29, 2004 to invested $1,000,000 in a FNMA, purchased at par, rate of 4%, maturing September 29, 2014, for the Police and Fire Pension Fund.

We cashed a $150,000 Repurchase Agreement at Wells Fargo Bank out of the Short Term Pool September 30, 2004. We then invested in a $566,000 First American Government Obligation Fund at US Bank.

A $5,000,000 CD matured October 1, 2004, and we immediately cashed along with a $600,000 Repurchase Agreement out of the Short Term Pool. We then reinvested $912,000 as follows:

<table>
<thead>
<tr>
<th>Amount</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>$15,000</td>
<td>Nebraska Public Agency Investment Trust at Union Bank</td>
</tr>
<tr>
<td>$897,000</td>
<td>First American Government Obligation Fund at US Bank</td>
</tr>
</tbody>
</table>
A $3,875,000 FHLB was called October 1, 2004, and we immediately reinvested that same amount in a FNMA, discounted 99.9362%, costing $3,872,528.61, yielding 1.668397%, maturing October 15, 2004, for the Waste Water 2003 Bond Reserve.

We respectfully request approval of our actions.

Don Herz, Finance Director

Melinda J. Jones, City Treasurer
FOR IMMEDIATE RELEASE:   September 30, 2004
FOR MORE INFORMATION:  Lisa Henning, 441-8049

NEBRASKA FITNESS CHALLENGE 2004

It’s time to kick off the Nebraska Fitness Challenge 2004! WorkWell, Inc. and the Lincoln-Lancaster County Health Department are sponsoring a four-week activity program that will begin October 3rd and will be completed on October 30th with a prize drawing on November 17th.

Thousands of employees and family members from Lincoln companies will be participating in a program that incorporates the importance of being physically active while having fun. Points are accumulated by doing different physical activities. Some examples would be six points for a twenty minute jog, one point for taking the stairs instead of the elevator, or three points for taking the dog for a walk. Each week the participants meet or beat a specific score they are eligible for the prize drawing. Top prizes include a 3-day cruise to the Bahamas donated by Travel & Transport and Crete Carrier, a family membership to Sports Courts, or a brand new kid’s bike and helmet courtesy of Union Bank! There are dozens of other “healthy” prizes to fitness facilities, sports stores, restaurants, and family fun centers.

For more information on the Nebraska Fitness Challenge 2004, call 441-4683.
FOR IMMEDIATE RELEASE: October 4, 2004
FOR MORE INFORMATION: Brian Baker, 441-8046
Mike Heyl, 441-3889

INTERNATIONAL WALK TO SCHOOL DAY

In neighborhoods all around the world, Wednesday, October 6th will be observed as International Walk to School Day. The community recognition of International Walk To School Day will be an all-school assembly at 2:00 p.m. in the Belmont Elementary School gymnasium. Special guests include Mayor Coleen J. Seng, City Council representatives Ken Svoboda and Patte Newman, Board of Education members Ed Zimmer and Kathy Danek, and other dignitaries. In Lincoln, as in other cities throughout the U.S., adults and children will walk to school together to raise awareness about pedestrian safety, the health benefits of walking, the importance of walkable communities, and the cleaner air around the schools resulting from fewer vehicles.

Local Walk to School Day Activities include:

" Walk to School Day will be observed in a special way the afternoon of October 6th when students, families and staff from Belmont Elementary School gather together at 2:00 p.m. in the school’s gymnasium for an all-school assembly with special guests Mayor Coleen J. Seng, City Council representatives Ken Svoboda and Patte Newman, Board of Education members Ed Zimmer and Kathy Danek, and other dignitaries. Representatives from Federal Express, a national sponsor of Walk to School Day, will also be present.

" After the all-school assembly, when school is excused for the day, Mayor Seng and City Council members will serve as honorary crossing guards, assisting the students in safely walking home.

" Belmont School Principal, Deb Dabbert, has worked with the Lincoln-Lancaster County SAFE KIDS Coalition to develop Walking School Bus routes for the students of Belmont to follow to school on the morning of October 6th. This follows a week-long event designed to encourage students to earn points for walking to school and adding other forms of physical activity into their day. Mayor Seng will proclaim October 6th as International Walk to School Day in Lincoln and announce the winners of a poster contest in which students participated to promote the concept of walking to school for improved health and how to walk to school safely.
Parents and students of Belmont will turn in walking surveys when they arrive at school the morning of October 6th. The surveys will be reviewed and information will be shared with families of Belmont students regarding concerns parents and students have about why they do or do not walk to school at Belmont.

Both Belmont and Arnold Elementary Schools will be participating in Walk To School educational days during the week, Belmont on Tuesday, October 5th, and Arnold on Thursday, October 7th. Activities will begin at 9:05 a.m. at both schools and will include stations on:

- How to choose safe routes to school using an interactive computer program operated by SAFE KIDS Coalition members.
- The dangers of playing and/or walking near high profile, large vehicles. Federal Express representatives will put children in the driver’s seat of their delivery trucks so they can experience the difficulty of viewing pedestrians around the large vehicle.
- Simple exercises to keep physically fit.
- How to safely use crosswalks. Students will be taken to neighborhood crosswalks and volunteers from the SAFE KIDS Coalition will discuss how to safely cross the street.
Health Department May Have Limited Amount of Flu Vaccine

Bruce Dart, MS, Health Director, announced that the Lincoln-Lancaster County Health Department may have only limited supply of Flu vaccine available this flu season. The problem came about with the announcement today by Chiron Corporation that it will not be able to supply the 50 million doses of flu vaccine it had planned to release in the United States. The Lincoln-Lancaster County Health Department had ordered 5000 doses of this vaccine.

At this time, the Department is attempting to find other sources of vaccine and is on a waiting list with another major manufacturer of Flu vaccine, Aventis. Mr. Dart stated that with the loss of 50 million doses of Flu vaccine, to meet demand in the United States, the recommendation is likely to be that only those at greatest risk be vaccinated with the available vaccine. Given the shortage of flu vaccine last year, 100 million doses of vaccine had been planned for this flu season. Chiron and Aventis were supposed to each supply 50 million doses.

The Health Department will keep the public updated as to current supply and recommendations. At the present time, there is no reported flu activity either locally or in the United States.
Individuals Not at High-Risk Asked Not to Get Flu Shot

Bruce Dart, MS, Health Director, asked that persons who are not at high-risk not get a flu shot this flu season. Mr. Dart said, “We have to do everything we can to assure that the flu vaccine that is available is used most effectively. That means being able to vaccinate as many individuals in the high priority populations as possible. We need the cooperation of all those who are not in a high priority category to not be vaccinated this flu season. For every non priority individual who is not vaccinated, one more priority person will be able to be protected.

The Lincoln-Lancaster County Health Department has established a flu hotline to keep the public updated about the Department’s flu vaccination program. The Hot line number is 441-0358. At this time there is no flu activity in Lancaster County, Nebraska. or the Nation. The Department is unable to provide flu vaccine at this time.

The CDC has established interim recommendations that take precedence over earlier recommendations. The following priority groups for vaccination with influenza vaccine this season are considered to be of equal importance and are:
all children aged 6–23 months;
adults aged 65 years and older;
persons aged 2–64 years with underlying chronic medical conditions;
all women who will be pregnant during the influenza season;
residents of nursing homes and long-term care facilities;
children aged 6 months–18 years on chronic aspirin therapy;
health-care workers involved in direct patient care; and
out-of-home caregivers and household contacts of children aged <6 months.
Accompanying this memorandum, please find a hard copy version of the Final Edition of the City of Lincoln’s FY 2004-05/2009-10 Capital Improvement Program (CIP).

We have also placed a copy of the CIP on the City’s InterLinc web site for use by you and your staff. Once you have logged onto the City’s InterLinc site (<www.lincoln.ne.gov>), follow these easy steps to view the portion of CIP document you are looking for:

• go to the Planning Department page;
• click “Capital Improvement Program”;
• from there you are able to link directly to the summary tables and departmental programs by clicking the appropriate link.

Each file has been created in a “pdf” format, which means that you and your staff will be able to print copies of the CIP as you need them.

If you have any questions concerning how to view and print the document, please call Michele Abendroth of the Planning Department at x16164. If you have questions concerning the content of the CIP, please feel free to call me at x17603 or email me your questions at <dross@lincoln.ne.gov>. Thank you.
COUNCIL MEMORANDUM

TO: Lincoln City Council Members

FROM: Kent Morgan, Planning

SUBJECT: Multi-Modal Transportation Materials

DATE: October 5, 2004

COPIES: Mayor Seng, Mayor’s Office
         Marvin Krout, Planning
         David Cary, Planning

As a follow up to our presentation to you yesterday regarding the Multi-Modal Transportation Study, please find attached the following materials: (1) a handout of the PowerPoint slides used during the presentation; and (2) a working transcript of staff’s concluding remarks concerning the benefits of pursing a policy of enhanced transportation choice.

I apologize for the technical difficulties we encountered with the PowerPoint presentation and for any inconvenience this may have caused you.

Certainly feel free to contact us if you have any questions concerning the attached materials or the Multi-Modal Transportation Study as a whole.
**Multi-Modal Transportation Plan**

"Transportation Choices For All Generations"

Briefing for Lincoln City Council
October 4, 2004

**Today’s Agenda**

- Origins of MMT Study
- Process Overview
- Task Force Recommendations and Accomplishments
- Why Transportation Choice

**MMT Origins: Comprehensive Plan**

- **Multi-Modal Transportation Plan**: Community-wide review of near and long term alternative transportation opportunities
- **Mobility Review**: Look at transportation and mobility needs that are not being met today

**Members of Mayor’s MMT Task Force**

- Kit Boesch
- Nye Bond
- Susan Dunn
- Duane Eitel
- Margaret Hall
- Elaine Hammer
- Rick Krueger
- Marian Malone
- Bill McCoy
- Tad McDowell
- Greg MacLean
- Eric Miller
- Patte Newman
- Oscar R. Pohirieth
- Gordon Scholz
- Terry Werner

**Statement of Study Intent**

“Identify realistic means for expanding travel, mobility, and accessibility opportunities within the City and County by supporting and promoting alternative modes of transportation.”

**MMT Task Force Study Approach**

- 16 Working Sessions over eleven months
- 2 Public Open Houses
- "Community Time" on Task Force Agendas
- Electronic Bulletin Board on City Website
- Phone survey of 500+ Lincoln households
- Heard from providers and experts
- Outreach to existing groups
- Peer City Analysis
**MMT Action Plan**
- Action Plan is **DYNAMIC** in nature
- Contains range of concepts and ideas
- Includes Near-, Mid-, and Long Term Goals
- Successes will take time
- Action Plan will evolve over time

**MMT Action Categories**
- A. Public Transportation
- B. Multi-Use Paths/Pedestrians/Bicycles
- C. Land Use and Development
- D. Administration and Management

**A. Public Transportation**
**Action Areas**
- 1. StarTran Operational Improvements
- 2. Transit Marketing & User Enhancements
- 3. Special Services Coordination

**1. Near Term Operational Improvements**
- Reconfigure services, including selective elimination of under-producing routes.
- Enhance StarTran service to core areas.
- Expand “non-peak services” (Evening, Saturday, and Sunday.)
- Offer fare support to lower income individuals and families.

**1. Long Term Operational Improvements**
- Develop a Long-Term StarTran Operational Action Plan.
- Re-think approach currently taken to provide transit service to Lincoln.
- Establish a committee to further review this topic.
- Will take time and effort to take on and complete this Action Plan.

**2. Transit Marketing & User Enhancements**
- Establish formal marketing program with an annual review to determine effectiveness.
- Expand StarTran marketing commitments from 2.5% to 4.0% of overall budget.
- Implement user enhancements over time (i.e., AVL, traveler information systems, fare box card reader, bus turnouts.)
3. Special Services
- Continued StarTran regular service (i.e., wheelchair lifts on buses) and HandiVan special services city-wide.
- Support StarTran/League of Human Dignity 3 year “Special Services Coordination Program,” including financial support for Years 2 and 3.
- Participate in NDOR’s statewide rural transportation study.

B. Paths/Ped/Bike System Action Areas
- 1. Foster a Fully Integrated Pedestrian/Bike System
- 2. Prepare Multi-Modal Transportation Subarea Plans
- 3. Implement City-Wide Pedestrian Standards

1. Foster a Fully Integrated Pedestrian/Bike System
- Create effective CONNECTIONS.
- Address REHABILITATION needs immediately.
- Expand path system into new GROWTH AREAS.
- Consider ways to provide ON-STREET BIKE FACILITIES.

2. Prepare Multi-Modal Transportation Subarea Plans
- Prepare small area plans to serve as models for MMT design concepts.
- Adopt a “grass-roots approach” by involving motivated neighborhoods.
- Select a PILOT AREA for a 2-Year planning and implementation effort.
- Work to expand MMT subarea planning over next 3 to 10 years.

3. Implement City-Wide Pedestrian Standards
- Pursue Pedestrian Standards called for in City-County Comprehensive Plan.
- Support Public Works efforts to advance pedestrian safety.
- Need community involvement process to develop prototype standards.
- Seek modest amendments in near term, and strive over time to craft realistic and workable standards.

C. Land Use/Development Action Areas
- 1. Pursue Multi-Modal Oriented Design (M²OD)
- 2. Creation of a Multi-Modal Transportation Center
- 3. Monitor Advanced Intra- & Inter-City Service Options
1. Pursue Multi-Modal Oriented Design (M^2OD)

- Long term (15+ years) program to encourage use of new urban design opportunities.
- Promote compatible developments that further mobility choice.

Example Multi-Modal Oriented Design Characteristics

- Mix of uses
- Residential mix
- Street layouts
- Intensity of Development
- Commercial design
- Parking layout
- Use amenities

2. Creation of a Multi-Modal Transportation Center

- Common for cities of our size and style of transit operation.
- Single facility supports transit, bicyclists, pedestrians, and other travelers.
- Create a service and marketing focal point of StarTran services.
- Likely location for such a center would be in the Downtown area.

Multi-Modal Transportation Center: Continued

- Mixed used development (retail, office, services, parking, residential)
- Federal funding would be primary source (80%)
- Formal analysis to determine location, size, and design
- Development could occur within next 4 to 6 years

3. Monitor Advanced Intra- & Inter-City Service Options

- Truly long term transportation planning activities – 15 to 25+ years
- Continue to explore modal options that are perhaps less viable today

D. Administration/Management Action Areas

- 1. Create Multi-Modal Coordinator Position
- 2. Explore StarTran Management and Funding
- 3. MMT Education, Planning & Services
1. Create Multi-Modal Coordinator Position

Give Multi-Modal Transportation a VOICE!

- Immediately create permanent position to coordinate the Plan’s implementation.
- Position must be in City-County Government.
- Person must touch ALL MODES.
- Clear recognition of person’s role and authority must be provided.

2. Explore StarTran Management and Funding

- Need to address StarTran’s present management arrangement
- Must look closely at stability of long term funding situation
- Adopt targets for management and policy makers to meet

Management and Funding Strategy Research

Undertake research within ONE YEAR of the MMT Plan’s adoption and then take action immediately thereafter.

3. MMT Education, Planning & Services

- Work to expand awareness of MMT’s role in the community
- Utilize existing and low cost forums wherever possible
- Seek grant opportunities to expand available resources
- Understand the long term nature of effort

MMT Education

- Educational programs for pedestrians, bicyclist and motorists
- Pedestrian and Bicyclist Crash Statistics
- Pedestrian and Bicycle Statues
**MMT Planning**
- Add MMT Position to Technical Committee Membership
- Prepare Annual MMT Report
- Reinvigorate Role of Mayor’s Pedestrian/Bicycle Advisory Committee (PBAC)
- Strengthen MMT planning relationship with UNL

**MMT Services**
- Ridesharing
- Work Scheduling
- Bicycle Racks/Lockers
- Park n’ Ride Lots
- Bus Pull-Out Lanes
- “Smart Mortgages”

**Recap of Recommended MMT Actions…**

**A. Public Transportation**
- StarTran Operational Changes
- Transit Marketing & User Enhancements
- Special Services

**B. Paths/Peds/Bikes**
- Fully Integrated System
- MMT Subarea Plans
- Pedestrian Standards

**C. Land Use/Development**
- Multi-Modal Oriented Design
- Multi-Modal Transportation Center in Downtown
- Intra- and Inter-City Service Options
**D. Admin./Management**
- MMT Coordinator Position
- StarTran Management & Funding
- MMT Education, Planning & Services

**Action Plan Accomplishments**
- AVL system on all StarTran Buses
- Sidewalk repair and replacement program
- Half-time multi-modal coordinator
- $5 low-income StarTran program
- First year funded for Special Services Coordination
- Bike lane discussion in Downtown Plan
- Shuttle discussion in Downtown Plan
- Multi-modal center discussion in Downtown Plan
- 2 additional bus drivers for second half of FY 2004-2005

**Why Pursue a Policy of Transportation Choice?**
- Quality of Life
- Specialized Mobility
- Health Dividends
- Jobs & Economic Growth

**Quality of Life**

**Specialized Mobility**

**Health Dividends**
JOBS & ECONOMIC GROWTH

THANKS!

Questions and Answers
Why Pursue a Policy of Transportation Choice?

QUALITY OF LIFE

Americans value their mobility - we value our freedom of travel and movement. It is a cherished part of our heritage.

Multi-modal transportation is about building a system of modes and neighborhoods that supports these values.

Multi-modal transportation does not oppose the automobile. It clearly recognizes the automobile as our main form of personal transportation.

Rather, multi-modal transportation embraces a family of modes to ensure mobility choices for all Americans.

We are an increasingly diverse society. Not just racially or culturally; but across generations of the young and old; across various social and economic strata; and yes, even in our various life style choices.

Multi-modal transportation expands opportunities for all of our residents - the quarter million residents in our community today, as well as the half a million people who will be part of our community in the not so distant future - in affect, adding to our collective quality of life.

SPECIALIZED MOBILITY

Not everyone drives a car to work, to school, to shop, or to attend recreational events. For some, this is by choice.
But for many others, it is not by choice but by need. They may be too young or too old to drive; they may have physical or mental challenges preventing them from operating a car; or they may lack the economic means to operate a vehicle.

The phone survey done for this study found that 11 percent of our households had someone who’d been unable to go work, school, or the doctor during the previous 6 months because they lacked transportation. This equals almost 10,000 Lincoln area households.

The same survey found 8 percent of all area households had someone with a physical, mental or other condition limiting their ability to travel without assistance.

About 5 percent of our households - some 5,000 families - lacked access to any vehicle; and 3 percent of all households had no licensed drivers.

In addition, in the year 2000, the City and County were home to 27,000 people over the age of 65. By the year 2020 - or in just 15 years – this number will approach 50,000 people . . . and will expand even fast over succeeding decades.

HEALTH DIVIDENDS

America has some of the finest medical care in the world. But it comes at a price. We spend billions of dollars annually on health care.

While we are a fortunate we can do so, these costs divert scare resources from other services and infrastructure needs.

An America Medical Association study showed 60 percent of Americans lead a totally sedentary lifestyle; and that 40 percent are clinically overweight.

This contributes each year to an alarming increase in heart disease, diabetes, strokes, cancer, osteoarthritis and many other conditions. And adds to our ever increasing health insurance bill.

A CDC study found that obesity-attributable conditions accounted for nearly 10 percent of all U.S. medical expenses. In Nebraska, such conditions cost us nearly half
a billion dollars in medical costs each year.

The health benefits of regular physical activity are far-reaching – helping reduce medical risks and their costs.

Expanding mobility choices will allow us to tackle our growing health problems. If we so choose, we can build neighborhoods and shopping areas that encourage families to walk or ride their bikes together. It can be done – and the health and associated cost reduction will be substantial over the life of this investment.

---

**JOBS AND ECONOMIC GROWTH**

Providing transportation choices aids economic growth in several ways - first, by making certain people can get to their jobs, and second, by creating a community that can retain the talented workers we need to keep quality jobs and businesses in Lincoln.

Studies show that communities offering a wide range of mobility experiences – such as pleasant pedestrian environments – are more likely to obtain greater diversity in their work force, especially among younger people and their families.

This enhances the attractiveness of our community to a wider range of businesses and keeps us current in changing economic times.

Also, multi-modal friendly neighborhoods have been found more attractive to potential home buyers.

They create places where children and families can play and live with a greater sense of security and mobility– all factors which make such neighborhoods more desirable for home sales.
MEMORANDUM

TO:       City Council

FROM:     Allan Abbott, Director of Public Works and Utilities
          Marvin Krout, Director of Planning

SUBJECT:  Draft Policy on Temporary Pump Stations and Force Mains

DATE:     October 1, 2004

COPIES:   Mayor Seng
          Planning and Public Works & Utilities Department staff
          Dana Roper, Rick Peo, City Attorney

City staff is considering a policy to allow temporary pump stations and force mains in a few limited cases. In the past, several private pump stations were proposed to serve small areas and were denied by the City Council. The City’s long standing policy of maintaining a gravity sanitary sewer system has served the city well for decades. The Comprehensive Plan is based on the continuation of this sewer policy. However, for the past year staff has been examining circumstances in which a temporary pump station may serve a short term need. As a result, our departments have developed the attached draft policy on “Temporary Pump Stations and Force Mains.”

Currently the City has received three different requests for pump stations in order to serve development. While staff is considering these temporary facilities, the City should continue to focus on the larger wastewater improvement schedule in the Capital Improvement Program in order to keep up with the demands for gravity sanitary sewer lines. A schedule of wastewater rate increases for the next several years is proposed in order to facilitate the needs of the City. As the wastewater program is implemented, the desire for pump stations should decrease.

Many details regarding maintenance costs, closure and abandonment have yet to be worked out with two of these proposals – Northbank Junction and 98th and O Street. In the case of Northbank Junction, before the City Council on October 11th - staff and the developer do not agree on the details of the proposal and annexation agreement. The information in this memo is based on preliminary discussions to date.

The pump station policy will be discussed at a pre-Council October 11th then forwarded to the Planning Commission for hearing and recommendation, tentatively scheduled for November 10th. The policy would then be forwarded to the City Council for final action.

If pumps and force mains are to be considered, they will be entirely private improvements, at the cost of the developer and will not entitle them to any reduction in impact fees or cost responsibilities. Temporary improvements are not eligible for reimbursement under the impact fee ordinance.

In order to review the current short term requests, city staff developed the proposed policy for temporary pump stations. This policy addresses some limited circumstances for development with a pump station without adding costs or undue risk to the City. The main points from the policy include:
✓ **Pump Stations Shall be on Temporary Basis:** Temporary shall mean a period up to **six years**, at which point the new gravity line is built allowing the facility to be discontinued.

✓ **Priority A Areas Only:** Only allowed in Tier I - Priority A areas – land in Tier I, Priority B and Tier II and III are not planned for full services for 10 years or more. Beginning development in these areas would have service and budget implications.

✓ **Limited Use:** Only a few temporary exceptions to the gravity sewer policy should be approved, the vast majority of the land should be served by a gravity sewer line.

✓ **Receiving Sewer Line Capacity:** The receiving trunk or smaller lines must have capacity based on current and projected flows to receive the extra flow during the temporary basis.

✓ **Service Area of Pump Station:** Pump stations to benefit and serve a single property are discouraged. Small pump stations are inefficient to operate. Pump stations should be designed to serve at least 500 to 1,000 acres.

✓ **Length of Force Main:** Even if fully funded by a developer, building long force mains rather than a gravity sewer lines is inefficient use of the homeowner’s financial resources – and a potential obligation to the rate payers.

✓ **Operating, Repair and Maintenance Costs:** The developer will be responsible for all costs for operating and maintaining the pump station and force main during the life of the facility.

The table on the next page reviews the three proposed temporary pump stations. While each proposal is for a pump station, the facts in each case are significantly different:

1. **Northbank Junction**, at N. 56th and Arbor Road – the wastewater issue is the use of the force main versus the timing of the trunk line. **The City recommends denial of the pump station in the developer’s annexation agreement** due to proposal to transfer costs to an association in 2008 and to only provide a bond for maintenance through 2008. The developer is proposing two wastewater options: 1) extend the trunk line along Salt Creek or 2) build a temporary pump station and force main. The proposed pump here is to move the wastewater from the north to the south side of the creek – it is not to pump over a ridge line into a different basin. The **City’s preference is to work with developer to build the trunk line** which would make more than a thousand acres available for urban development. However, the developer requests the option of the pump station, if the trunk line can’t be funded in the next year or two. The trunk line is in the CIP for construction in 2006-2007, assuming the proposed wastewater rate increases are approved. Unfortunately, if the pump station option is chosen, it will be sized to only serve their development and will not serve more land for development – unlike the trunk line option. This City Council will review this project on October 11th.

2. **Vintage Heights**, at S. 98th and Old Cheney Road – the City recommends **denial** of this request for a pump station that could be in place for 20 to 40 years – not at all temporary. The station also violates the draft policy in that in transfers wastewater from one basin to another and will serve a very small area, less than 70 new homes. Due to long term maintenance concerns and precedent this would set of allowing small stations, this proposal should be denied. It is not in conformance with the draft policy. This preliminary plat will also be before the City Council on October 11th.

3. **98th & O Street**, project is **still under review** and staff has not yet made a recommendation. This pump station and force main will come at considerable expense to the private developer
and will be sized to only serve their development in Stevens Creek, due to capacity limitations. It will be temporary because the Stevens Creek trunk line could be to the site in approximately 5 to 7 years – again, assuming the proposed wastewater rate increases are approved. Staff held a meeting with other nearby owners and found only one owner to date interested in connecting to the temporary pump station.
Review of Main Points of Temporary Pump Station Policy and Three Proposals

Does each of the three proposed development proposals conform to the following important points from the draft policy?

<table>
<thead>
<tr>
<th>Northbank Junction</th>
<th>Vintage Heights</th>
<th>98th and O Street</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>#1. Temporary Basis:</strong> Temporary shall mean a period up to <strong>six years</strong>, at which point the new gravity line is built allowing the facility to be discontinued.</td>
<td>No - pump station could be in place for 20 to 40 years</td>
<td>Yes - if wastewater fees increase, Stevens Creek line could be built by 2010-2011</td>
</tr>
<tr>
<td>Yes - if wastewater fees increase, North Salt Creek line will be built by 2007-2008</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>#2. Priority A Areas Only:</strong> Only allowed in Tier I - Priority A areas</td>
<td>No - while land is annexed, trunk line is in Tier II area</td>
<td>Yes</td>
</tr>
<tr>
<td>Yes</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>#6. Receiving Sewer Line Capacity:</strong> The receiving trunk and/or smaller line must have capacity based on current and projected flows to receive the extra flow during the temporary basis.</td>
<td>Yes - previously approved for approx. 960 dwelling units</td>
<td>Yes - but only for approx. 200 acres</td>
</tr>
<tr>
<td>Yes - enough capacity for approx. 215 acres proposed</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>#9. Service Area of Pump Station:</strong> Pump stations to benefit and serve a single property are discouraged. Small pump stations are inefficient to operate. Pump stations should be designed to serve at least 500 to 1,000 acres.</td>
<td>No - less than 30 acres and serving only 60 to 70 dwelling units</td>
<td>Under review - receiving line has capacity only for approx. 200 acres; developer is proposing more than capacity</td>
</tr>
<tr>
<td>Yes, could have served over 500 acres, but receiving line in near term has capacity only for approx. 215 acres proposed</td>
<td>No - less than 30 acres and serving only 60 to 70 dwelling units</td>
<td>Under review - receiving line has capacity only for approx. 200 acres; developer is proposing more than capacity</td>
</tr>
<tr>
<td><strong>#10. Length of Force Main:</strong> Even if fully funded by a developer, building long force mains rather than a gravity sewer lines is inefficient use of financial resources.</td>
<td>Acceptable - main is less than 500 feet</td>
<td>Under review - force main is over 1 and ½ miles long and costly – but probably not a service problem</td>
</tr>
<tr>
<td>Acceptable – force main length is less than 2,600 feet</td>
<td>Acceptable - main is less than 500 feet</td>
<td>Under review - force main is over 1 and ½ miles long and costly – but probably not a service problem</td>
</tr>
<tr>
<td><strong>#18. Operating, Repair and Maintenance Costs:</strong> There are substantial operation, repair and maintenance costs for a pump station and force main...The developer will be responsible for all costs for operating and maintaining the pump station and force main during the life of the facility, ...The developer will need to provide a bond for the operating costs over the full estimated life time of the facility....</td>
<td>No – developer proposes either a private operator or if City wants to operate and maintain, then the developer opposes the amount of the bond to long term secure costs</td>
<td>Still under discussion</td>
</tr>
<tr>
<td>No - developer proposes to transfer costs to association in 2008 and only provide bond for maintenance through 2008</td>
<td>No – developer proposes either a private operator or if City wants to operate and maintain, then the developer opposes the amount of the bond to long term secure costs</td>
<td>Still under discussion</td>
</tr>
</tbody>
</table>
For decades the community has been well served by its policy to use a gravity based sanitary sewer system. This policy has led to more efficient and cost effective utility service for the citizens and rate payers. Alternatives, such as relying on pump stations, are more expensive to maintain and operate in the long run.

More importantly, the gravity system is a fundamental tool of the City’s infrastructure and community planning that has allowed Lincoln to grow in a more contiguous and predictable manner in order to meet the community’s goals.

The 2025 Lincoln/ Lancaster County Comprehensive Plan states:

“The City’s collection system, in general, will continue to be a gravity fed system that is designed to accommodate urbanization of drainage basins and sub-basins. This system encourages orderly growth within the natural drainage basin boundaries. This policy encourages urban growth from the lower portion of the drainage basin and prohibits pumping of wastewater across basin boundaries. Explore alternative methods, such as lift stations, where practical.”

The adopted City of Lincoln sanitary sewer design standards state:

“The various elements of the sanitary sewer system in the City of Lincoln are designed to handle only that wastewater contribution which originates within the natural surface watershed where in the sanitary sewer system is located. The transfer of wastewater from one watershed to another by any means, such as lift station or construction of a sanitary sewer which cuts through the ridge separating the watersheds, shall not be permitted.”

In light of developer requests to waive this standard and permit temporary pump stations and force mains, it is recommended that such requests be considered based on the criteria on the following pages.
1. **Temporary Basis:** Pump stations are more expensive to maintain and operate than gravity systems and will only be allowed on a temporary basis. Gravity flow sanitary sewer lines are still the best and most cost efficient long term method to provide service. Temporary shall mean a period up to **six years**, at which point the new gravity line is built allowing the facility to be discontinued. As soon as the gravity line is available, the pump station shall be discontinued and removed.

2. **Priority A Areas Only:** Pump stations and force mains shall only be allowed in Tier I - Priority A areas; provided that the gravity trunk line to the service area is in the 6 Year Capital Improvement Program (CIP) with funding clearly identified.

3. **Limited Use:** The City of Lincoln’s gravity sewer system policy has served the community well for decades. It is the most efficient and cost effective system for the citizens and rate payers of Lincoln. Pump stations and force mains shall only be used in unusual circumstances for a substantial public benefit. It is anticipated that temporary pump stations may only be used one or two times in the entire Lincoln area. In the vast majority of situations, gravity sewer should be used, even if the trunk line construction is several years away. Pump stations and force mains are to be temporary due to a delay in the construction of the gravity line.

4. **Impact on Other Services:** Use of a pump station to advance development may also impact the provision of other public services. Thus, the developer must address the following information (based on principles for serving Priority B areas before Priority A areas, page F 30 of the Comprehensive Plan):

   a. “Demonstrate how the necessary infrastructure improvements to serve the sub-basin would be provided and financed. The City shall contact other public agencies to obtain their report on the infrastructure necessary to serve the sub-basin including utilities, roads, fire service, public safety, parks, trails, schools and library needs.

   b. The impact that development in the sub-basin will have on capital and operating budgets, level of service, service delivery and Capital Improvement Programs is addressed.

   c. There is demonstrated substantial public benefit and circumstances that warrant approval of the proposal in advance of the anticipated schedule.”

5. **Crossing Creeks:** Permanent lift stations to transfer sewage from one side of a creek to the other, as part of gravity system have always been permitted. There are circumstances where a lift station to cross a creek is the best solution instead of siphons. This has been a policy and practice of the city for decades.

6. **Receiving Sewer Line Capacity:** The receiving trunk and/or smaller line must have capacity based on current and projected flows to receive the extra flow during the temporary basis. The projected capacity should assume a full buildout of any land that is already planned to be served in the Comprehensive Plan. The projected capacity should be based on a reasonable buildout of any undeveloped land.
7. **Basins with Sewer Line Capacity**: The following sanitary sewer trunk lines have capacity as of this date (assuming projected Tier I development)

<table>
<thead>
<tr>
<th>Lines With Capacity</th>
<th>Lines Without Capacity</th>
</tr>
</thead>
<tbody>
<tr>
<td>West O</td>
<td>Havelock</td>
</tr>
<tr>
<td>Little Salt</td>
<td>Dead Man’s Run</td>
</tr>
<tr>
<td>East Campus</td>
<td>East Campus</td>
</tr>
<tr>
<td>Antelope Creek</td>
<td>Beal Slough</td>
</tr>
<tr>
<td>Salt Creek (south)</td>
<td>Salt Creek (south)</td>
</tr>
<tr>
<td>Middle Creek</td>
<td>Oak Creek</td>
</tr>
<tr>
<td>Oak Creek</td>
<td>Lynn Creek</td>
</tr>
</tbody>
</table>

“Lines Without Capacity” is based on existing and approved developments underway and could not be pumped into under any circumstances. In some situations, once major improvements to a few of these lines are made, then there may be some capacity.

The new Stevens Creek trunk line, when constructed, would have capacity. The new Salt Valley relief trunk line is designed for a specific service area and will be considered at capacity.

8. **Use of Storage Tanks**: The use of storage tanks is prohibited. Developments have proposed building storage tanks in order to pump the waste out at night in areas where the existing pipes are at capacity. There are compelling technical and operational problems with storing effluent for period beyond a few hours. For example, there are odor problems and the waste when held for a long period can cause corrosion problems in pipe lines. A pump station is typically designed to pump all the waste out every 2 to 3 hours, which is the longest period the waste should be held.

9. **Service Area of Pump Station**: The pump station and force main should be sized to serve Tier I, Priority A land that is in the same sub-basin which naturally drains to the pump station. Pump stations to benefit and serve a single property are discouraged. Small pump stations are inefficient to operate. Pump stations should be designed to serve at least 500 to 1,000 acres. The area to be served by the pump station must be contiguous to the city limits. This policy is not intended to permit “leap frog” or growth that is not contiguous to the city. Any land to be served must be inside the city limits prior to service.

10. **Length of Force Main**: Even if fully funded by a developer, building long force mains rather than a gravity sewer lines is inefficient use of the future homeowner’s financial resources. The longer time it takes to transport the waste, the greater potential for problems with respect to corrosion and odor. The transit time must be based on estimated sulfide generating capacity (or offset by chemical addition). The developer must ensure reasonable velocity with at least 4 to 5 feet per second (fps) at least 1x/day. It will be important to make appropriate use of air relief valves, blowoffs, oxygen injection (if needed), in accordance with City design standards. To protect against peak flow impacts of major storm events, the pump station should be sunk in the ground and with an enlarged pipe coming in to the pump station to provide additional storage (Hydraulic Institute Standards 98). Standards will be needed for acceptable chemicals for use in pump station odor control.
11. **Notification of Other Affected Properties:** The City is responsible for contacting all other property owners that may reasonably be served by a pump station, early in the review process. This will allow other owners to have the same information and determine their interest in the potential pump station.

12. **Location of Pump Stations:** The developer is responsible for all costs involved in acquiring suitable land for the pump station and any costs for providing access drives to the facility. Pump stations shall not be in public right-of-way. The developer shall be solely responsible for all costs of any environmental analysis needed to locate the facility.

13. **Obtaining Right-of-Way and Easements:** The developer shall be solely responsible for all costs of obtaining right-of-way and easements without any reimbursement from the City or third parties. Force mains will be allowed to be located in arterial street right-of-way, if space is available. If the force main is to be abandoned after conversion to a gravity system, the developer must prove that there is adequate right-of-way for the unused force main and all other utilities typically found in the right-of-way.

14. **Construction:** The developer shall be solely responsible for all costs of constructing the pump station and force main. Construction plans shall be approved by the Director of Public Works and Utilities Department and be per city standards. Pump stations and force mains are considered temporary facilities and thus are not eligible for reimbursement under the Impact Fee Ordinance. Any construction will be solely at the cost of the developer without reimbursement from the City.

15. **Pump Station Design Specifications:** The City design specifications for temporary pump stations and force mains are under development and would be adopted by the Director of the Public Works & Utilities Department.

16. **Third Party Connections:** When another party other than the developer connects to the pump station that party shall reimburse the developer for their “fair share” of the cost of constructing and operating the pump station and force main. The method and formula for contribution is to be determined.

17. **Ownership and Operation:** The developer will own the pump station, land and easements, and the City will operate the pump station and force mains once inspections have been completed and the facilities are found acceptable. Pump stations in general are costly to maintain and operate and take staff dedicated to handle some time late night calls on failures and problems. Pump stations should be avoided and the City accepts operation responsibilities only to avoid problems of an inexperienced or inaccessible private operator would inadequately respond to complaints or emergency situations.
18. **Operating, Repair and Maintenance Costs:** There are substantial operation, repair and maintenance costs for a pump station and force main. The City may be required to hire additional staff to operate the facility. This requires specialized training and employees with this training are difficult to find to hire. The developer will be responsible for all costs for operating and maintaining the pump station and force main during the life of the facility. The costs of operating, maintenance, upgrading, permitting, administering, all are costs of the system that must be covered by the developer. This responsibility may not be passed to a Homeowner’s Association, though obviously the cost may be included in the lot price. The City does not want the additional cost of collecting from multiple property owners.

The developer will need to provide a bond for the operating costs over the full estimated life time of the facility at time of Annexation Agreement. The preliminary estimate for the operating, repair and maintenance costs is $25,000 per year. The bond will be estimated on a case by case basis depending upon the size and operation of the pump station and force main.

19. **Third Party Costs for Operation & Maintenance:** As third parties request connection, they will be required to pay all costs for operating and maintaining the pump station during the entire life of the facility.

20. **Closing of the Pump Station:** Once the station is decommissioned, the developer and any third parties will be billed all costs involved in decommissioning the station.

21. **Salvage Rights:** The developer shall fund all costs associated with properly abandoning the temporary pump station and force main, including any costs for restoring all property in or adjacent to the easements. The developer shall fund all costs associated with closing and removing the pump station. The developer shall have full salvage rights to the building, equipment and land for the pump station after it is closed. The future use of the land for the pump station shall be identified prior to approving the station.
Appendix

Background Information:

The Mayor’s Infrastructure Financing Committee (MIFC) was a group charged in 2002-2003 with making recommendations to Mayor Wesley on how we pay to maintain and build the City’s public infrastructure. One part of this effort was to examine ways to save on public infrastructure costs and increase the efficiency of infrastructure service delivery. The subcommittee on Cost Savings and Efficiency developed a recommendation on force mains based on a proposal by Kent Seacrest, attorney for a group of developers proposing a lift station and force main for development of land near 98th and O Streets.

The MIFC report included the following:

“1. Force Mains as Temporary Facilities
The Work Group recommends the selective deployment of force mains and lift stations as a temporary means for opening an area for future development. Developers would have to share in the costs of such systems. These systems would be replaced at such time as gravity flow services become available.

2. Service Considerations
The use of force main and lift stations would need to take into consideration these issues:

(1) the collection main into which the effluent is being pumped must have available capacity for the projected life of the force main or lift station;

(2) a written agreement regarding the specific geographic area contributing effluent via the force main or lift station must be defined prior to the provision of services; and

(3) as force mains and lift stations are more expensive to maintain than a gravity flow system, a written agreement regarding the developers contribution to the maintenance of the main or station must be in place prior to the provision of services.”
MEMORANDUM

TO: City Council
FROM: Marvin Krout, Planning Director
SUBJECT: Northbank Junction Annexation Agreement
DATE: October 6, 2004
COPIES: Coleen Seng, Mayor
Peter Katt, Pierson Fitchett Law Firm
Allan Abbott, Steve Masters, Public Works and Utilities Department
Rick Peo, Law Department
Mike Spadt, Fire Department

One of the associated applications for this 215-acre property west of N. 56th Street and south of Arbor Road, on your public hearing agenda for October 11, is an annexation agreement. There are several points of disagreement between the applicant and the City regarding the annexation agreement. Several of the points of disagreement are scheduled to be discussed in more detail at your pre-council on October 11.

1. Requirement of a permanent second access when more than 40 lots are platted.

Both the Fire Department and Public Works and Utilities Department indicated that a permanent second access is necessary once 40 lots are platted. Temporary access roads have been allowed in the past. However, both the Fire and Public Works and Utilities Departments feel a permanent second access best serves the general public health and welfare, and have been consistent on this recommendation. The applicant does not agree with this requirement, indicating it is cost-prohibitive.

2. Requirement of full grading along Arbor Road from the western edge of this plat to N. 56th Street.

This RUTS-style requirement would provide a portion of the permanent grading of Arbor Road. A transition on the east and west of the abutting plat is necessary to transition from the existing gravel road (west of plat) and to the existing asphalt road (east of plat). The transition areas will require some improvement outside the abutting area of the plat. The applicant does not agree with any improvements outside the abutting area of the plat. The Public Works and Utilities Department indicated that the transition areas must be a required length due to the speed of cars coming from the west. This issue is further detailed in the attached memo from Public Works and Utilities Department.
3. **Easement for the temporary force main and lift station.**

The annexation agreement as drafted by staff requires the applicant to obtain all necessary easements if he decides to install a temporary force main and lift station. This temporary facility would only benefit this property, and City staff does not participate in the purchase/condemnation of easements for private use. The applicant would like to see this requirement stricken from the annexation agreement.

4. **Maintenance and operation of the temporary lift station.**

The applicant requests the maintenance of the temporary lift station, if he chooses to build this facility, be transferred to a homeowners association by July 1, 2008. Additionally, the applicant requests the bond for the operation and maintenance of the lift station be terminated January 1, 2008. City staff believes that homeowners would not be aware of or be able to handle the maintenance responsibility, and the City will receive the complaints when the system is not operating properly; therefore the Public Works and Utilities Department should operate the facility. City staff believes that a minimum 5 year bond should be required, although the current Capital Improvement Program shows that permanent wastewater improvements should be constructed by 2008, the City should be protected from uncertainly about funding and construction delays.

5. **Reimbursement of waste water and water contributions.**

The annexation agreement indicates the City will make "best efforts" to repay the contributions to advance construction of permanent wastewater facilities instead of building temporary facilities, by the City’s fiscal year 2007-2008. However, the developer would like to strike "best efforts". The City cannot guarantee this date-certain payback, due to the uncertainties of future revenues, cost inflation, etc..

6. **Impact fee contribution.**

The applicant requests that the grading of Arbor Road be considered an impact fee contribution. The City believes the paving is transitional and partial, requires more work in the future and does not believe this is an impact fee contribution.

7. **Interest.**

The applicant requests interest be paid for early construction of the permanent water and wastewater facilities. The City has never agreed to pay interest in previous agreements of this type, and City staff recommends no interest be paid.

Attachments
Memorandum

To: Rick Peo, City Attorney
    Becky Horner, Planning

From: Dennis Bartels, Engineering Services

Subject: Northbank Junction Paving of Arbor Road

Date: October 6, 2004

cc: Karl Fredrickson
    Roger Figard
    Randy Hoskins

Arbor Road is paved west of North 56th Street approximately 1300 feet with rural asphalt paving in the center of the right-of-way. The expectation of Public Works with the Northbank Junction plat is that the rural paving will be extended to the west line of Northbank Junction in conformance with the "Streets, Roads, and Trails Committee (RUTS)" paving concept (cross-section attached). Since a portion of the paving exists, it is anticipated that the paving project will consist of beginning the paving at the end of existing paving with a paving transition that will move the centerline of the paving from the centerline of the right-of-way south so that the centerline of the new paving will be 12 feet south of the right-of-way centerline. A transition will then as a minimum need to be built from the end of the paving west to meet the existing aggregate surfaced road. If the transition west of the plat is outside the City limits when built, it will require approval from the County Commissioners. I anticipate the transition from the end of paving to the existing road will also be an aggregate surfaced road.

The grading anticipated along the Northbank Junction frontage for Arbor Road is for grading at the south line of Arbor to meet future urban paving grades and the rural paving grades of Arbor Road to meet anticipated grades of the future urban section to facilitate conversion by the City to urban paving. This requirement does not anticipate the developer grading the north half of the right-of-way beyond the right-of-way that exists at the time of construction (subject to possible easements needed to grade the south half as described above).
PLANNING COMMISSION FINAL ACTION
NOTIFICATION

TO : Mayor Coleen Seng
     Lincoln City Council

FROM : Jean Walker, Planning

DATE : September 30, 2004

RE : Special Permit No. 04050
     (Wireless facility-monopole - 5221 South 48th Street)
     Resolution No. PC-00889

The Lincoln City-Lancaster County Planning Commission took the following action at their
regular meeting on Wednesday, September 29, 2004:

    Motion made by Larson, seconded by Marvin, to approve Special Permit No.
    04050, with conditions, requested by US Cellular Wireless Communications,
    for authority to construct a 105’ tall monopole wireless facility capable of
    accommodating the antennas of three carriers, together with a requested waiver
    to the required fall zone, on property generally located at 5221 South 48th Street.
    Motion for approval, with conditions, carried 8-0: Larson, Carroll, Marvin,
    Carlson, Taylor, Pearson, Sunderman and Bills-Strand voting 'yes'; Kriesser
    absent.

The Planning Commission's action is final, unless appealed to the City Council by filing a Letter
of Appeal with the City Clerk within 14 days of the date of the action by the Planning
Commission.

Attachment

cc: Building & Safety
    Rick Peo, City Attorney
    Public Works
    Douglas Rogers, LCC International, 1023 Lincoln Mall, 68508
    US Cellular Wireless Communications, 3601 109th Street, Urbandale, IA 50322
    Sutter Place Properties, L.L.C., 2401 Wilderness Ridge Dr., 68512
    Mike Dennis, South 48th Street N.A., 1845 S. 48th Street, 68506

i:\shared\wp\jl\2004 ccmnotice.sp\SP.04050
RESOLUTION NO. PC-00889

SPECIAL PERMIT NO. 04050

WHEREAS, US Cellular Wireless Communications has submitted an application designated as Special Permit No. 04050 for authority to construct a 105' tall monopole wireless facility capable of accommodating the antennas of three carriers together with a requested waiver to the required fall zone on property generally located at 5221 South 48th Street, and legally described as:

Lot 156 I.T., located in the Southwest Quarter of Section 8, Township 9 North, Range 7 East of the 6th P.M., Lancaster County, Nebraska;

WHEREAS, the Lincoln City-Lancaster County Planning Commission has held a public hearing on said application; and

WHEREAS, the community as a whole, the surrounding neighborhood, and the real property adjacent to the area included within the site plan for this wireless facility tower will not be adversely affected by granting such a permit; and

WHEREAS, said site plan together with the terms and conditions hereinafter set forth are consistent with the comprehensive plan of the City of Lincoln and with the intent and purpose of Title 27 of the Lincoln Municipal Code to promote the public health, safety, and general welfare.
NOW, THEREFORE, BE IT RESOLVED by the Lincoln City-Lancaster County Planning Commission of Lincoln, Nebraska:

That the application of US Cellular Wireless Communications, hereinafter referred to as "Permittee", to construct a 105' tall monopole wireless facility capable of accommodating the antennas of three carriers be and the same is hereby granted under the provisions of Section 27.63.150 the Lincoln Municipal Code upon condition that construction of said tower be in strict compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This approval permits a 105' tall monopole for wireless facilities capable of accommodating the antennas of three carriers with a waiver to the fall zone consistent with the revised site plan.

2. Before receiving building permits:
   a. The Permittee shall complete the following instructions and submit to the Planning Department for review and approval a revised site plan including five copies showing the following revisions:
      i. Identify Lots 155 and 156, and show all lot lines with dimensions.
      ii. Remove the notes relating to setbacks for the B-1 district.
      iii. A signed surveyor's certificate.
      iv. Show required landscaping in compliance with the City of Lincoln Design Standards.
v. Add a note stating that all antennas shall be flush-mounted arrays.

vi. Clearly show adequately-sized lease areas for ground equipment for two additional carriers.

b. The construction plans must conform to the approved plans.

c. The owner of Lot 155 must submit a letter withdrawing Special Permit #1454.

d. Submit a surety adequate to guarantee removal of the wireless facility subject to approval by the City.

3. Before use of the facility all development and construction shall have been completed in compliance with the approved plans.

4. All privately-owned improvements shall be permanently maintained by the Permittee.

5. The site plan approved by this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.

6. The terms, conditions, and requirements of this resolution shall be binding and obligatory upon the Permittee and the Permittee's successors and assigns.

The building official shall report violations to the City Council which may revoke the special permit or take such other action as may be necessary to gain compliance.

7. The Permittee shall sign and return the City's letter of acceptance to the City Clerk within 30 days following approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative
amendment. The City Clerk shall file a copy of the resolution approving the special
permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be
paid in advance by the Permittee.

The foregoing Resolution was approved by the Lincoln City-Lancaster
County Planning Commission on this 29 day of September, 2004.

ATTEST:

[Signature]

Vice-Chair

Approved as to Form & Legality:

[Signature]

Chief Assistant City Attorney
PLANNING COMMISSION FINAL ACTION
NOTIFICATION

TO : Mayor Coleen Seng
     Lincoln City Council

FROM : Jean Walker, Planning

DATE : October 1, 2004

RE : Special Permit No. 04051
     (On-sale alcohol - South 14th and Pine Lake Road)
     Resolution No. PC-00890

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, September 29, 2004:

    Motion made by Larson, seconded by Carlson, to approve Special Permit No. 04051, with conditions, requested by DaNay Kalkowski on behalf of South Industrial Park, L.L.C., for authority to sell alcoholic beverages for consumption on the premises generally located southwest of the intersection of South 14th Street and Pine Lake Road. Motion for approval, with conditions, carried 6-2 (Marvin and Taylor dissenting; Krieser absent).

The Planning Commission's action is final, unless appealed to the City Council by filing a Letter of Appeal with the City Clerk within 14 days of the date of the action by the Planning Commission.

Attachment

cc: Building & Safety
    Rick Peo, City Attorney
    Public Works
    DaNay Kalkowski, 1111 Lincoln Mall, Suite 350, 68508
    South Industrial Park, L.L.C., 300 N. 44th St., Suite 100, 68503
RESOLUTION NO. PC-00890

SPECIAL PERMIT NO. 04051

WHEREAS, South Industrial Park, LLC has submitted an application designated as Special Permit No. 04051 for authority to sell alcoholic beverages for consumption on the premises generally located southwest of the intersection of South 14th Street and Pine Lake Road, legally described as:

Lots 1 and 2, Horizon Business Center 6th Addition, Lincoln, Lancaster County, Nebraska; and

WHEREAS, the real property adjacent to the area included within the site plan for this permit to sell alcoholic beverages on the premises will not be adversely affected; and

WHEREAS, said site plan together with the terms and conditions hereinafter set forth are consistent with the intent and purpose of Title 27 of the Lincoln Municipal Code to promote the public health, safety, and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Lincoln City-Lancaster County Planning Commission of Lincoln, Nebraska:

That the application of South Industrial Park, LLC, hereinafter referred to as "Permittee", to sell alcoholic beverages for consumption on the premises on property
legally described above be and the same is hereby granted under the provisions of
Section 27.63.680 of the Lincoln Municipal Code upon condition that operation of said
licensed premises be in strict compliance with said application, the site plan, and the
following additional express terms, conditions, and requirements:

1. This permit approves the sale of alcoholic beverages for
consumption on the premises only on Lots 15 and 31, as shown on the site plan for Use
Permit #117, Horizon Business Park.

2. Before receiving building permits the Permittee must revise the
general site note #39 in Use Permit #117 to read as follows: Alcoholic beverages may
be sold for consumption on the premises on Lots 15 and 31 as allowed by Special
Permit #04051.

3. Before the sale of alcohol for consumption on the premises, all
development and construction must conform to the approved plans.

4. The site plan approved by this permit shall be the basis for all
interpretations of setbacks, yards, locations of buildings, location of parking and
circulation elements, and similar matters.

5. The terms, conditions, and requirements of this resolution shall be
binding and obligatory upon the Permittee, its successors, and assigns. The building
official shall report violations to the City Council which may revoke the special permit or
take such other action as may be necessary to gain compliance.

6. The Permittee shall sign and return the City's letter of acceptance
to the City Clerk within 30 days following approval of the special permit, provided,
however, said 30-day period may be extended up to six months by administrative
amendment. The City Clerk shall file a copy of the resolution approving the special
permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be
paid in advance by the Permittee.

DATED: September 29, 2004

Introduced by:

Approved as to Form & Legality:

City Attorney

Jon Carlson, Vice-Chair
The City of Lincoln, Department of Public Works would like to take this opportunity to inform you of a project involving the surface rehabilitation of:

**9th Street; Q Street - H Street**  
**Project 701753**

The City has awarded a contract to Dobson Brothers Construction Company to mill and overlay the through traffic lanes of 9th Street from Q Street to H Street. The following is a brief description of the work:

- Milling of the existing asphalt surface will take place during the day with lane closures and will leave uneven surfaces.
- The placement of a new asphalt surface will be completed in two nights: first night from Q Street to N Street and the second night from N Street to H Street.
- The work is scheduled to begin October 6, 2004 and should be completed by October 15, 2004.
- The night work will require through traffic to be detoured.
- The City will be using an asphaltic super pave mix that incorporates recycled tires.

Anyone who is interested in knowing more about the project, access during construction, and traffic disruption, please feel free to call me at 441-8413.

Steven R. Faust  
Pavement Management Coordinator  
City of Lincoln Engineering Services  
531 Westgate Blvd., Suite 100  
Lincoln, NE 68528  
(402) 441-8413  
Fax - (402) 441-6576
This advisory is to inform you of an informational meeting regarding the upcoming construction of the 66th Street Storm Sewer Project between Ballard Avenue and Burlington Avenue. City personnel, the consultant, and the construction contractor will be at this meeting to answer questions concerning the project. The Engineering Services Division of the Public Works Department has awarded a contract to K2 Construction of Lincoln, Nebraska to do the work. Construction is scheduled to begin the week of October 11, 2004.

The project will replace the existing storm sewer system in the following areas:

- 66th Street; Ballard Avenue - Burlington Avenue
- Ballard Avenue; 66th Street - 68th Street
- Platte Avenue; 63rd Street - 68th Street
- Burlington Avenue; 66th Street - 67th Street
- 65th Street and Morrill Avenue
- 66th Street and Morrill Avenue

The project is funded by the 2003 Storm Water Bond with no direct cost to property owners. However, there will be some disruption to vehicular and pedestrian access during construction. Temporary “No Parking” signs will be installed ahead of time to permit the contractor working room. The work areas will be barricaded. Caution should be used when using the areas under construction.

Information and detour routes are available on the City’s website - [www.lincoln.ne.gov](http://www.lincoln.ne.gov). If you have any problems or questions during the construction period, please contact K2 Construction at 467-2355 or the City of Lincoln Project Manager, Erika Fjelstad at 441-5675 for additional information.

Erika Fjelstad, EI - Associate Engineer
Project Manager

531 Westgate Boulevard, Suite 100
Lincoln, NE 68528
Contact Information: (402) 441-5675 or [enunes@lincoln.ne.gov](mailto:enunes@lincoln.ne.gov)
October 4, 2004

Heather R. Cooprider
Property Manager
NP Dodge Management Company
8701 W. Dodge Road, Suite 300
Omaha, NE 68114

Ms. Cooprider:

I received your letter regarding your concerns with the widening proposal for the 14th Street and Superior intersection and the impacts it will have on the Superior Place Apartments. When designing street improvement projects, we take into account the needs of all users, including the need for access to and from the streets.

Several factors went into the consideration of removing the median break that currently serves the shopping center and apartment complex. In looking at the expected future volumes that will be using the intersection of 14th and Superior, a high volume of traffic is expected to turn left from Superior to go south on 14th Street. Normally this volume of traffic would be handled by constructing dual left turn lanes on the east leg of the intersection. However, since 14th Street only has a single through lane in each direction south of Superior, we were not able to do this. This increases the needed storage length for traffic, pushing the left turn lane back across the opening for the driveway into the apartments.

The other major factor that went into the decision to close this driveway is safety. The ability to safely make left turns into and out of this access will decrease as the traffic on Superior continues to increase in the future. We design roads for the expected traffic twenty years into the future to ensure that we do not build a road that will have safety or efficiency problems in the near term.

As we are doing throughout town, the intersection of 14th & Superior will be constructed to accommodate U-turns. This will allow westbound traffic to easily access the apartments with minimal additional travel. Since the U-turns will be made during the dedicated left turn arrow time at the traffic signal, the U-turns can be made safely and efficiently. A similar situation such as this was just instituted at the intersection of 27th & Highway 2, where a direct left turn access for an apartment complex was closed and U-turn locations were provided for access to the apartments.

If you have any questions or would like to discuss this further, please contact either Kent Evans, Project Manager, or Randy Hoskins, City Traffic Engineer, at 441-7711.

Sincerely,

Allan Abbott
Director of Public Works and Utilities

cc: Mayor Coleen Seng
    City Council
    Kent Evans
    Randy Hoskins
    Maggie Kellner
**Combined Weed Program**  
**City of Lincoln**  
**September 2004 Monthly Report**

**Inspection Activity**
- 4,153 inspections on 2,221 sites have been made to date.
- 550 inspections were made during the month.

**Noxious Weeds**
- Made 1,053 inspections on 519 sites on 1,928 acres.

- Found 450 violations on 434 acres.
- Found no violations on 82 sites.
- Sent 45 notices, 325 letters, 11 trace cards and made 59 personal contacts.
- 219 control plans have been received.
- 10 sites controlled by inspectors.
- 380 sites controlled by landowners.
- 1 site forced controlled by contractors
- Control is pending on 13 sites.

**Weed Abatement**
- Made 3,650 inspections on 1,702 sites on 1,304 acres.
- Found 1,373 violations on 904 acres.
- Found no violations on 317 sites.
- Sent 465 notices, 954 letters, published 118 notifications and made 64 personal contacts.
- 1,141 sites cut by landowners.
- 105 force cut by contractors
- Cutting is pending on 152 sites.
- 1,620 complaints received on 1,346 sites.

**September Activities**
6    Fair exhibit
9    SE NACO fall meeting
21-24 NAWMA Conference Rapid City, SD
27    Fall noxious weed Inspections starts
30    Monthly activity report

**October Planned Activities**
2    4-8    Vacation
10   PTI Grant Meeting 9:00 AM
14   County Management Team Retreat 8:30
26-27 Fall Training
31   Monthly activity report

**RECEIVED**
OCT 01 2004
CITY COUNCIL OFFICE
Andrea's Court CUP (special permit 04035) Petition

We, the undersigned hereby attest to our opposition to the proposed development on the northwest corner of North 40th & Superior Streets (Andrea's Court Community Unit Plan, special permit 04035).

We are specifically opposed to the mandated landfill requirements to support development of the 32 townhouse units to the south of the church facility and to the north of Turner Ditch.

We ask that the investment(s) we have made in our properties be fully protected as designated by governmental regulations controlling development of land within a floodplain.

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Richard G. Corns</td>
<td>4111 N 42nd Circle</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Andy A. Corns</td>
<td>4111 N 42nd Circle</td>
<td>10-4-04</td>
</tr>
<tr>
<td>James A. Corns</td>
<td>4101 N 42nd Circle</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Sue Goodman</td>
<td>4141 N 42nd Circle</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Donald Goodman</td>
<td>4141 N 42nd Circle</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Sally Karel</td>
<td>4131 N 42nd Circle</td>
<td>10-4-04</td>
</tr>
<tr>
<td>James H. Ray</td>
<td>4120 N 42nd Circle</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Arlene Wilson</td>
<td>4120 N 42nd Circle</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Dean B. Bernstein</td>
<td>4005 N 44th St.</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Donna B. Bernstein</td>
<td>4005 N 44th St.</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Berdine Sipe</td>
<td>3925 No 44th</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Karen Stellman</td>
<td>3815 N 44th St.</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Geraldine K. Hore 3741 N 44th St.</td>
<td>10-4-04</td>
<td></td>
</tr>
<tr>
<td>Donald Shinkle</td>
<td>3731 N 44th St.</td>
<td>10-4-04</td>
</tr>
<tr>
<td>John A. O'Hara</td>
<td>3730 N 44th St.</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Eleanor O'Hara</td>
<td>3730 N 44th St.</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Kathy Ellison</td>
<td>3801 N 44th</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Gary R. Ellings</td>
<td>3801 N 44th St.</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Linda K. Hol to   3901 N 42nd</td>
<td>10-4-04</td>
<td></td>
</tr>
<tr>
<td>Bruce B. Casseu</td>
<td>4041 N 42nd</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Judith A. Clark</td>
<td>4211 Turner St.</td>
<td>10-4-04</td>
</tr>
<tr>
<td>David M. Clark</td>
<td>4211 Turner St.</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Nancy L. Ray</td>
<td>4120 N 42nd Circle</td>
<td>10-4-04</td>
</tr>
</tbody>
</table>
Andrea's Court CUP (special permit 04035) Petition

We, the undersigned hereby attest to our opposition to the proposed
development on the northwest corner of North 40th & Superior Streets
(Andrea's Court Community Unit Plan, special permit 04035).

We are specifically opposed to the mandated landfill requirements to support
development of the 32 townhouse units to the south of the church facility
and to the north of Turner Ditch.

We ask that the investment(s) we have made in our properties be fully
protected as designated by governmental regulations controlling development
of land within a floodplain.

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Holly Sexton</td>
<td>4200 Turner</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Michael Mattiy</td>
<td>4101 N 44</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Dale J. Lackes</td>
<td>4101 N 44</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Ann M. Cemers</td>
<td>4201 N 44</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Tammi Wihlma</td>
<td>4300 N 44</td>
<td>10-4-04</td>
</tr>
<tr>
<td>J. Kent Young</td>
<td>4130 N 44</td>
<td>10-4-04</td>
</tr>
<tr>
<td>J L. Nelson</td>
<td>4120 N 44</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Lynn A. Yrle</td>
<td>4120 N 44</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Louise Nelson</td>
<td>4120 N 44</td>
<td>10-7-04</td>
</tr>
<tr>
<td>Bette L. Gathe</td>
<td>4120 N 44</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Karen Reed</td>
<td>4111 N 44</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Justin Reed</td>
<td>4111 N 44</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Adam Conover</td>
<td>4100 N 44</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Pamela Conover</td>
<td>4150 N 44</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Ann M. Bollie</td>
<td>4024 N 44</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Nola Folkers</td>
<td>3920 N 44</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Donna Holler</td>
<td>3920 N 44</td>
<td>10-4-04</td>
</tr>
<tr>
<td>James Crowder</td>
<td>3920 N 44</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Judy A. Hedgers</td>
<td>3800 N 44</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Thomas L. Hedges</td>
<td>3800 N 44</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Douglas L. Voll</td>
<td>3900 N 44</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Helen M. Johnson</td>
<td>3920 N 44</td>
<td>10-4-04</td>
</tr>
<tr>
<td>John J. Ecker</td>
<td>3940 N 42</td>
<td>10-4-04</td>
</tr>
</tbody>
</table>
Andrea's Court CUP (special permit 04035) Petition

We, the undersigned hereby attest to our opposition to the proposed development on the northwest corner of North 40th & Superior Streets (Andrea's Court Community Unit Plan, special permit 04035).

We are specifically opposed to the mandated landfill requirements to support development of the 32 townhouse units to the south of the church facility and to the north of Turner Ditch.

We ask that the investment(s) we have made in our properties be fully protected as designated by governmental regulations controlling development of land within a floodplain.

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Holly Sexton</td>
<td>4200 Turner</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Jack Maxwell</td>
<td>4101 N 44</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Mark Sluka</td>
<td>4101 N 44</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Ann M. Cypka</td>
<td>4201 N 44</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Jami Mowaleda</td>
<td>4200 N 44</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Robert Stong</td>
<td>4130 N 44</td>
<td>10-4-04</td>
</tr>
<tr>
<td>HP Velasquez</td>
<td>4120 N 44</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Betty A. Dore</td>
<td>4120 N 44</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Delaine Wilson</td>
<td>4120 N 44</td>
<td>10-7-04</td>
</tr>
<tr>
<td>Dorothy Brite</td>
<td>4120 N 44</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Haimi Reed</td>
<td>4111 N 44</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Justin Reed</td>
<td>4111 N 44</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Almont Gibbons</td>
<td>4100 N 44</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Pamela Conover</td>
<td>4100 N 44</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Ann M. Biddle</td>
<td>4024 N 44</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Jake Kallus</td>
<td>3920 N 44</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Quenn Koller</td>
<td>3920 N 44</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Peter Conover</td>
<td>3820 N 44</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Judy A. Hedges</td>
<td>3800 N 44</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Thomas J. Hedges</td>
<td>3800 N 44</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Douglas W. Liff</td>
<td>3900 N 44</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Helen M. Johnson</td>
<td>3920 N 44</td>
<td>10-4-04</td>
</tr>
<tr>
<td>John B. Liff</td>
<td>3940 N 44</td>
<td>10-4-04</td>
</tr>
</tbody>
</table>
Andrea's Court CUP (special permit 04035) Petition

We, the undersigned hereby attest to our opposition to the proposed development on the northwest corner of North 40th & Superior Streets (Andrea's Court Community Unit Plan, special permit 04035).

We are specifically opposed to the mandated landfill requirements to support development of the 32 townhouse units to the south of the church facility and to the north of Turner Ditch.

We ask that the investment(s) we have made in our properties be fully protected as designated by governmental regulations controlling development of land within a floodplain.

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Judy Wood</td>
<td>4035 N 40th</td>
<td>10-3-04</td>
</tr>
<tr>
<td></td>
<td>4035 N 40th</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Karen Petenier</td>
<td>4201 N 40th</td>
<td>10-4-04</td>
</tr>
<tr>
<td>David Petenier</td>
<td>4201 N 40th St.</td>
<td>10-4-04</td>
</tr>
<tr>
<td>John Selix</td>
<td>4000 Jerseycr.</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Pat Doman</td>
<td>4030 Jerseycr.</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Mark Dige</td>
<td>4030 Jerseycr.</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Dan Selva</td>
<td>4030 Jerseycr.</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Dave Selva</td>
<td>4030 Jerseycr.</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Edward Lay</td>
<td>4116 N 40th St.</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Donay Molken</td>
<td>4001 Ballard Cr.</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Zell Reckner</td>
<td>4001 Ballard Cr.</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Will C Bell</td>
<td>4008 Frederick Cir.</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Mike Eitel</td>
<td>4020 Frederick Cir.</td>
<td>10-4-04</td>
</tr>
<tr>
<td>William Banker</td>
<td>4020 Frederick Cir.</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Darrell Seay</td>
<td>3901 N 40th</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Jerry Plaggey</td>
<td>4000 Pleasantview Cir.</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Mr. Lewis</td>
<td>4021 Pleasantview Cir.</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Byron Abbot</td>
<td>4011 Pleasantview Cr.</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Carol Haskell</td>
<td>4011 Pleasantview Cr.</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Fred Hopa</td>
<td>4011 Pleasantview Cr.</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Rose E. Edel</td>
<td>4041 N 40th</td>
<td>10-4-04</td>
</tr>
<tr>
<td>Vincent Linds</td>
<td>4041 N 40th</td>
<td>10-4-04</td>
</tr>
</tbody>
</table>
Andrea's Court CUP (special permit 04035) Petition

We, the undersigned hereby attest to our opposition to the proposed development on the northwest corner of North 40th & Superior Streets (Andrea's Court Community Unit Plan, special permit 04035).

We are specifically opposed to the mandated landfill requirements to support development of the 32 townhouse units to the south of the church facility and to the north of Turner Ditch.

We ask that the investment(s) we have made in our properties be fully protected as designated by governmental regulations controlling development of land within a floodplain.

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bob Anderson</td>
<td>4101 N 40</td>
<td>10-5-04</td>
</tr>
<tr>
<td>Sally Schmidt</td>
<td>4101 N 40</td>
<td>10-5-04</td>
</tr>
<tr>
<td>Jim Johnson</td>
<td>4010 Pleasantview Cir.</td>
<td>10-5-04</td>
</tr>
<tr>
<td>Betty Page</td>
<td>4000 Pleasantview Cir.</td>
<td>10-5-04</td>
</tr>
<tr>
<td>Virginia Keaton</td>
<td>4725 No 40th</td>
<td>10-5-04</td>
</tr>
<tr>
<td>Donna Johnson</td>
<td>4025 No 40th</td>
<td>10-5-04</td>
</tr>
<tr>
<td>Our Lady</td>
<td>4727 Garden Cir.</td>
<td>10-5-04</td>
</tr>
<tr>
<td>Bernadene Miller</td>
<td>4010 Jersey Cir.</td>
<td>10-5-04</td>
</tr>
<tr>
<td>S. Johnson</td>
<td>4010 Jersey Cir.</td>
<td>10-5-04</td>
</tr>
<tr>
<td>Velma Knott</td>
<td>3720 No. 40</td>
<td>10-5-04</td>
</tr>
<tr>
<td>H. Johnson</td>
<td>3720 No. 40th</td>
<td>10-5-04</td>
</tr>
<tr>
<td>Mary A. Woodard</td>
<td>3722 N 40</td>
<td>10-5-04</td>
</tr>
<tr>
<td>Andy Smith</td>
<td>3724 N 40</td>
<td>10-5-04</td>
</tr>
<tr>
<td>Mary L. Landell</td>
<td>3726 N 40</td>
<td>10-5-04</td>
</tr>
<tr>
<td>Patti Leggett</td>
<td>3718 N 40</td>
<td>10-5-04</td>
</tr>
<tr>
<td>A. Thompson</td>
<td>4200 Cornhusker #71</td>
<td>10-5-04</td>
</tr>
<tr>
<td>Jean Patterson</td>
<td>4200 Cornhusker #70</td>
<td>10-5-04</td>
</tr>
<tr>
<td>Rebecca S. Kettner</td>
<td>4200 Cornhusker #67</td>
<td>10-5-04</td>
</tr>
<tr>
<td>Jacqueline M. Atkins</td>
<td>4200 Cornhusker #67</td>
<td>10-5-04</td>
</tr>
<tr>
<td>Leonard Addison</td>
<td>4200 Cornhusker #67</td>
<td>10-5-04</td>
</tr>
</tbody>
</table>
Andrea's Court CUP (special permit 04035) Petition

We, the undersigned hereby attest to our opposition to the proposed development on the northwest corner of North 40th & Superior Streets (Andrea's Court Community Unit Plan, special permit 04035).

We are specifically opposed to the mandated landfill requirements to support development of the 32 townhouse units to the south of the church facility and to the north of Turner Ditch.

We ask that the investment(s) we have made in our properties be fully protected as designated by governmental regulations controlling development of land within a floodplain.

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Carla Finius</td>
<td>421 N. 42 St. G.</td>
<td>10-04-04</td>
</tr>
<tr>
<td>John D. Ejdus</td>
<td>4201 N. 40th</td>
<td>10-05-04</td>
</tr>
<tr>
<td>Patrick Hoagland</td>
<td>3716 N. 40th</td>
<td>10-5-04</td>
</tr>
<tr>
<td>Jack Lifton</td>
<td>3714 N. 40th</td>
<td>10-5-04</td>
</tr>
<tr>
<td>Mark A. Mullin</td>
<td>3730 N. 40th</td>
<td>10-5-04</td>
</tr>
<tr>
<td>J. E. Taylor</td>
<td>4200 Cornhusker</td>
<td>6-10-04</td>
</tr>
<tr>
<td>Marion Peterson</td>
<td>4200 Cornhusker #63</td>
<td>6-10-04</td>
</tr>
<tr>
<td></td>
<td>4200 Cornhusker #63</td>
<td>6-10-04</td>
</tr>
<tr>
<td>R. V. C. Ringo</td>
<td>4200 Cornhusker #61</td>
<td>10-5-04</td>
</tr>
<tr>
<td>Beth Taylor</td>
<td>4200 Cornhusker #48</td>
<td>10-5-04</td>
</tr>
<tr>
<td>Donnie Youngs</td>
<td>4200 Cornhusker #38</td>
<td>10-5-04</td>
</tr>
<tr>
<td>Marguerite Mahoney</td>
<td>4200 Cornhusker #36</td>
<td>10-5-04</td>
</tr>
<tr>
<td>Joe Henry</td>
<td>4200 Cornhusker #25</td>
<td>10-5-04</td>
</tr>
<tr>
<td>Max Summa</td>
<td>4200 Cornhusker #11</td>
<td>10-5-04</td>
</tr>
<tr>
<td>D. P. Banks</td>
<td>4200 Cornhusker #2</td>
<td>10-5-04</td>
</tr>
<tr>
<td>Will Wright</td>
<td>4200 Cornhusker Hwy #81</td>
<td>10-5-04</td>
</tr>
<tr>
<td>Michael Ramirez</td>
<td>4200 Cornhusker Hwy #76</td>
<td>10-5-04</td>
</tr>
<tr>
<td>Debra Ramar</td>
<td>4200 Cornhusker Hwy #3</td>
<td>10-5-04</td>
</tr>
<tr>
<td>Karen Volpe</td>
<td>4200 Cornhusker Hwy #4</td>
<td>10-5-04</td>
</tr>
<tr>
<td>Terry Nowak</td>
<td>4200 Cornhusker Hwy #4</td>
<td>10-5-04</td>
</tr>
<tr>
<td>Richard H. Zunker</td>
<td>4621 Frederick Ctr</td>
<td>10-5-04</td>
</tr>
</tbody>
</table>
Andrea's Court CUP (special permit 04035) Petition

We, the undersigned hereby attest to our opposition to the proposed development on the northwest corner of North 40th & Superior Streets (Andrea's Court Community Unit Plan, special permit 04035).

We are specifically opposed to the mandated landfill requirements to support development of the 32 townhouse units to the south of the church facility and to the north of Turner Ditch.

We ask that the investment(s) we have made in our properties be fully protected as designated by governmental regulations controlling development of land within a floodplain.

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cheryl A. Rose</td>
<td>4000 N 42nd, Lincoln NE</td>
<td>8/4/2004</td>
</tr>
<tr>
<td>Martin E. Metta</td>
<td>4140 Turner St, Lincoln NE</td>
<td>10/4/04</td>
</tr>
<tr>
<td>Karen M. Wendelin</td>
<td>4110 N 42nd, Lincoln NE</td>
<td>10/4/04</td>
</tr>
<tr>
<td>Thomas M. T.</td>
<td>4140 N 42nd St Cir, Lincoln</td>
<td>10/4/04</td>
</tr>
<tr>
<td>Jule Lou Hansen</td>
<td>4140 N 42nd St Cir, Lincoln</td>
<td>10/5/04</td>
</tr>
<tr>
<td>Norma J. Flesch</td>
<td>4320 Tamar St, Lincoln</td>
<td>10/5-5/04</td>
</tr>
<tr>
<td>Donald A. Corredie</td>
<td>3921 N 42nd St, Lincoln</td>
<td>10/5-5/04</td>
</tr>
<tr>
<td>J. S. Love</td>
<td>4024 Collay Cir, Lincoln</td>
<td>10/5-5/04</td>
</tr>
<tr>
<td>Horacio Coakum</td>
<td>3820 N 42nd, Lincoln</td>
<td>10/5-5/04</td>
</tr>
<tr>
<td>Cheryl Coakum</td>
<td>3820 N 42nd, Lincoln</td>
<td>10/5-5/04</td>
</tr>
<tr>
<td>Beth A. Vazele</td>
<td>3900 N 42nd, Lincoln</td>
<td>10/5-5/04</td>
</tr>
<tr>
<td>Deanne Wendelin</td>
<td>4110 N 42nd St Cir, Lincoln</td>
<td>10/5-5/04</td>
</tr>
<tr>
<td>Denise Milligan</td>
<td>4200 Cornhusker #61</td>
<td>10-05-04</td>
</tr>
<tr>
<td>Donald G.</td>
<td>4200 Cornhusker #50</td>
<td>10/5-04</td>
</tr>
<tr>
<td>Kim Passmore</td>
<td>4200 Cornhusker #49</td>
<td>10-5-04</td>
</tr>
<tr>
<td>Jeff Clark</td>
<td>4200 Cornhusker #43</td>
<td>10-5-04</td>
</tr>
<tr>
<td>Tony Wagner</td>
<td>4200 Cornhusker #41</td>
<td>10-5-04</td>
</tr>
</tbody>
</table>
Andrea's Court CUP (special permit 04035) Petition

We, the undersigned hereby attest to our opposition to the proposed development on the northwest corner of North 40th & Superior Streets (Andrea's Court Community Unit Plan, special permit 04035).

We are specifically opposed to the mandated landfill requirements to support development of the 32 townhouse units to the south of the church facility and to the north of Turner Ditch.

We ask that the investment(s) we have made in our properties be fully protected as designated by governmental regulations controlling development of land within a floodplain.

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Samantha Isom</td>
<td>3748 N 44th St, Lin</td>
<td>10/5/04</td>
</tr>
<tr>
<td>Wendi Greaves</td>
<td>3748 N 44th St, Lin</td>
<td>10/5/04</td>
</tr>
<tr>
<td>Audrey Johnson</td>
<td>4011 Colfax Ave</td>
<td>10-5-04</td>
</tr>
<tr>
<td>Donald Betts</td>
<td>4011 Colfax Ave</td>
<td>10-5-04</td>
</tr>
<tr>
<td>Shirley Blake</td>
<td>4010 Colfax</td>
<td>10-5-04</td>
</tr>
<tr>
<td>Sue Gruenberg</td>
<td>4020 Colfax</td>
<td>10-5-04</td>
</tr>
<tr>
<td>Jay Montgomery</td>
<td>3300 N 45th St, S</td>
<td>10/5/04</td>
</tr>
<tr>
<td>George Keller</td>
<td>4135 Colfax</td>
<td>10-5-04</td>
</tr>
<tr>
<td>Doug Hendler</td>
<td>4021 Colfax Ave</td>
<td>10/5/04</td>
</tr>
<tr>
<td>Kendal Green</td>
<td>4021 Colfax Ave</td>
<td>10/5/04</td>
</tr>
<tr>
<td>Tanya L. Jansen</td>
<td>4115 Colfax</td>
<td>10-5-04</td>
</tr>
<tr>
<td>Michelle Means</td>
<td>4209 Colfax Ave</td>
<td>10-5-04</td>
</tr>
<tr>
<td>Dafy S. Meo</td>
<td>4209 Colfax Ave</td>
<td>10-5-04</td>
</tr>
<tr>
<td>Sean Breenan</td>
<td>4217 Colfax</td>
<td>10-5-04</td>
</tr>
<tr>
<td>Thelma L. Anderson</td>
<td>4210 Colfax</td>
<td>10-5-04</td>
</tr>
<tr>
<td>Robbi J. Longman</td>
<td>4210 Colfax</td>
<td>10-5-04</td>
</tr>
<tr>
<td>Lori Hoffman</td>
<td>4315 Colfax</td>
<td>10-5-04</td>
</tr>
</tbody>
</table>
Andrea's Court CUP (special permit 04035) Petition

We, the undersigned hereby attest to our opposition to the proposed development on the northwest corner of North 40th & Superior Streets (Andrea's Court Community Unit Plan, special permit 04035).

We are specifically opposed to the mandated landfill requirements to support development of the 32 townhouse units to the south of the church facility and to the north of Turner Ditch.

We ask that the investment(s) we have made in our properties be fully protected as designated by governmental regulations controlling development of land within a floodplain.

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Michael M. Raymond</td>
<td>4032 Turner</td>
<td>04/05/04</td>
</tr>
<tr>
<td>Myra K. Ramel</td>
<td>4032 Turner</td>
<td>10/04/04</td>
</tr>
<tr>
<td>Michael Raymond</td>
<td>4032 Turner</td>
<td>10/14/04</td>
</tr>
<tr>
<td>Margaret Beck</td>
<td>4034 Turner</td>
<td>10/4/04</td>
</tr>
<tr>
<td>James Hughes</td>
<td>4016 Turner</td>
<td>10/01/04</td>
</tr>
<tr>
<td>Michelle Hughes</td>
<td>4016 Turner</td>
<td>10/09/04</td>
</tr>
<tr>
<td>Danielle Hughes</td>
<td>4018 Turner</td>
<td>10/14/04</td>
</tr>
<tr>
<td>Dave Sites</td>
<td>4008 Turner</td>
<td>10/04/04</td>
</tr>
<tr>
<td>William Jones</td>
<td>4007 Turner</td>
<td>11/04/04</td>
</tr>
<tr>
<td>Josee Smith</td>
<td>4007 Turner</td>
<td>10/04/04</td>
</tr>
<tr>
<td>Nancy J. Smith</td>
<td>4009 Turner</td>
<td>10/4/04</td>
</tr>
<tr>
<td>Dan Fraas</td>
<td>4025 Turner</td>
<td>10/14/04</td>
</tr>
<tr>
<td>Carl A. Fraas</td>
<td>4025 Turner</td>
<td>10/4/04</td>
</tr>
<tr>
<td>Jacqueline Newton</td>
<td>4131 Turner</td>
<td>10/14/04</td>
</tr>
<tr>
<td>Stephen Miller</td>
<td>4130 Turner</td>
<td>10/14/04</td>
</tr>
<tr>
<td>Michael D. Miller</td>
<td>4001 Turner St.</td>
<td>10/05/04</td>
</tr>
<tr>
<td>Joseph A. Sliga</td>
<td>4001 Turner St.</td>
<td>10-05-04</td>
</tr>
<tr>
<td>Michael Rodriguez</td>
<td>4200 Combroet #74</td>
<td>10-06-04</td>
</tr>
</tbody>
</table>
Andrea's Court CUP (special permit 04035) Petition

We, the undersigned hereby attest to our opposition to the proposed development on the northwest corner of North 40th & Superior Streets (Andrea's Court Community Unit Plan, special permit 04035).

We are specifically opposed to the mandated landfill requirements to support development of the 32 townhouse units to the south of the church facility and to the north of Turner Ditch.

We ask that the investment(s) we have made in our properties be fully protected as designated by governmental regulations controlling development of land within a floodplain.

Name                        Address             Date

Kenneth Sibben             3240 No 40            10-5-04
Carolyn Trumon             3240 No 40            10-5-04
Coralie Kelly              4200 Cornhusker #37  10-5-04
Teresa Spellacy            4200 Cornhusker #37  10-5-04
Vangela Hendricks          4200 Cornhusker #29  10-5-04
Michelle Burner            4200 Cornhusker #29  10-5-04
Dorin Byrnes               4200 Cornhusker #29  10-5-04
Michelle R. Eastman        4200 Cornhusker #29  10-5-04
Karen Crouse              4200 Cornhusker #7   10-5-04
Alice Bickler              4011 Frederick Ave  10-5-04

Filed with City Clerk by
Judy Ward
(430) 382-4777
REQUEST FOR INFORMATION
COUNCIL OFFICE

By: Glenn Friendt - #39
   (Council Member)  
August 17, 2004  
Date

REQUEST: RE: Williamsburg Lake Dredging

Would you please respond to the attached Memo and send me a copy of the response. Please respond to me. Thanks.

-Glenn Friendt

cc: Lin Quenzer, Ombudsman, Mayor's Office
    Neighbors
    Mayor's Office

RESPONSE (Indicate action taken): By: Karl Fredrichson  
   Date  9/10/04

(completed) via attached memo

COMMENTS:

PLEASE RESPOND WITH 15 COPIES to the Council Office
Memorandum

To: Council Members

From: Karl Fredriksen

Subject: Project Number 700034
Williamsburg North Pond Sediment and Disposal

Date: September 10, 2004

cc: Allan Abbott, Roger Figard, Nicole Fleck-Tooze, Karen Sieckmeyer, Maggie Kellner

A meeting hosted by Glenn Friendt was held with the Williamsburg Homeowners Association and Cape Charles Court Homeowners on August 31, 2004. It was well attended with myself and our Project Manager, Brian Dittman also attending.

Joe Hampton, Brian and I described the history behind the pond and where we were with the contract. The major concern was the progress the City's contractor was making and whether the City was going to finish the project. The contractor has not made good progress, however, the City does intend to finish the project according to plans drawn up and reviewed by the Association. I assured the group that we would have the contractor finish the work or find one who would (call in bonding, etc.). I described on the depth survey where work still remained to be accomplished to the group. The group gave their nod of consensus to the work remaining and that it would be satisfy the agreement. It was agreed that Brian and I would work through Glenn Friendt and Joe Hampton on issues in order to reduce the chances of miss information.

After discussions with Joe Hampton we did direct the contractor to remove additional soil from the east side of the pond this week. As of today the work is nearing completion and Brian will be reviewing to see that the agreed upon work is indeed complete and will confirm with Glenn and Joe.
DATE: August 16, 2004

FROM: Glenn Friendt

TO: Allan Abbott, Director of Public Works and Utilities
     Marvin Krout, Planning Director

RE: RFI / Williamsburg Lake Dredging

As a new resident of the Williamsburg and Cape Charles neighborhood, I have been approached by some of my neighbors to look into issues related to dredging of the Williamsburg lake. I have received numerous questions, comments and opinions regarding the necessity to do something about what has been described as the “mess” regarding the lake.

Over the past year there have been changes in composition of the neighborhood and changes in committee leadership that may have affected expectations and perceptions of what needs to be done in terms of lake maintenance.

Clear and direct communication may be at the heart of these concerns. Thus I am offering to facilitate a lunch meeting at the Landing in Williamsburg within the next 1-2 weeks that could provide some clarification to residents in terms of:

1. Discussion of history and background of the lake

2. Current status of the dredging situation

3. A projection of what needs to happen and when

It is my hope that if we can get everyone together to discuss these issues it will lead to an amicable resolution of the situation. Having everyone hear the same information at the same time should help.

Please contact my City Council office with your response and let me know when a meeting with the neighbors can be arranged.

Thank you.

CC: Lin Quenzer
   Neighbors
We looked at the questions in this RFI, and Planning does not have any information to offer you in responding. Regarding parking downtown, Planning has not done studies in the past, and the scope in the current downtown master plan does not include any detailed studies for parking, just how it fits into the overall development strategy.

Marvin S. Krout, Director
Lincoln-Lancaster County Planning Department
tel 402.441.6366/fax 402.441.6377
Tammy:
Please send the following RFI to Marc Wullschleger (Urb. Dev.), Don Herz and Steve Hubka (Finance), Allan Abbott and Wayne Teton (P.W.), Dana Roper (Law) and Marvin Kraut (Planning):

Questions have been raised by a variety of people over the following. Could we get a breakdown of:

1. Antelope Valley Project
   a. Total amount of consultant fees paid or owed to date on the A.V. project. This amount should be broken down between costs paid, amortized and individual company paid.
   b. Total amount expended to date on A.V. Please break down costs into general categories like land and ROW acquisition, consultant fees, road projects, flood control projects etc.
   c. Breakdown of funding to date from different entities. (NRD, feds, state, city etc.)

2. Tax Increment Financing
   a. Could we get total amounts calculated for TIF used in four areas of the city, past and present. Specifically, Haymarket, remainder of downtown, the North 27th project and Havelock.
   For each of these areas can you break it down into general categories of expenditures including land acquisition, consultants fees, aesthetic improvements like lighting and plantings, streets, sidewalks, demolition etc.
   b. Does Urban Development track the individual projects for taxation purposes or is this handled by the County Assessor, or both?
   c. What development companies and/or business entities have been the top ten beneficiaries of TIF in Lincoln?
   Can those amounts be calculated?
   d. Are there any income guidelines for businesses wanting to participate in a redevelopment project? (i.e. are we encouraging smaller entrepreneurs or is the "system" set up to favor larger projects?)
   e. How does TIF work with non-profits? Are non-profits subject to property taxes?
   f. Glenn Friendt asked about a Michigan court case regarding eminent domain. There is also an appeal to the U.S. Supreme Court over a Connecticut decision. Might these cases affect the use of TIF here?

3. Consultants in General
   There have been several studies for parking issues downtown or the master downtown plan. Can you break down the source of funds for these studies (including detail of city funding)?
Media Release

To: Media
CC: Mayor’s Office, Lincoln City Council
From: Lori Seibel, Executive Director, 436-5516
Date: 9/30/2004
Re: Year 2004-05 Funding Priorities

Community Health Endowment Announces Funding Priorities

During FY2004-2005, the Community Health Endowment of Lincoln (CHE) will make $615,000 available to improve community health in Lincoln and to achieve the CHE vision of ”making Lincoln the healthiest community in the nation.” Specifically, CHE will provide funding in the following areas:

1. **New Initiatives**

   CHE will provide up to $195,000 in FY2004-5 to provide funding to four initiatives that address recommendations provided by the Blueprint Project, Urgent Matters Project, and Mayor’s Task Force on Healthcare for the Homeless. *Applications for new initiative funding are by invitation only.* The four new initiatives are:

   1. The development and implementation of a formalized case management network among Lincoln’s hospital emergency departments (ED) that will improve healthcare access and outcomes for patients who present at the ED with non-emergent issues and/or without a medical home (maximum annual funding of $100,000).

   2. Additional physician extender services at the People’s Health Center in order to decrease waiting times and provide a medical home for persons who are
homeless (maximum annual funding of $40,000)

3 Development of a sustainable, community-supported prescription medication assistance fund for adults/children in need, as well as the provision of additional prescription assistance coordination services (maximum annual funding of $50,000); and

4 Implementation and operation of a Medical/Behavioral Health Translation and Interpretation Leadership Group (maximum funding of $5,000).

2. Micro-Project Funding

CHE will provide **$100,000** to fund at least 10 micro-projects, one-time or one-year projects of $10,000 or less. Any non-profit agency or organization in Lincoln/Lancaster County is eligible to submit an application for micro-project funding.

CHE welcomes applications that address any topic with the potential to make Lincoln a healthier community. In addition to applications that address any topic, CHE is interested in applications that address the following areas:

- Provision of cross-training to emergency providers (police, fire, chaplaincy, paramedic, emergency room) and homeless providers;
- Community engagement and project development related to healthy eating in school environments;
- Establishment of a co-payment assistance fund to assist in the provision of medical, dental, and behavioral healthcare to homeless persons; and
- Prevention, early detection, treatment, and management of diabetes.

3. Ongoing Obligations for Multi-Year Project

CHE will make $320,000 available to fund existing multi-year projects.

“In its six year history, CHE has committed nearly $8 million in grants to improve the health of our community. At the same time, the fund has grown at the rate of inflation for the benefit of future generations,” according to Christi Chaves, President of the CHE Board of Trustees. “Despite rising interest rates and a constitutional restriction that prevents the investment of CHE funds in equities, we are pleased to announce that CHE has been able to allocate more than $600,000 to address community health priorities in FY2004-05.”
For further information, or to obtain application materials, contact CHE at 436-5516.
3 OCTOBER 04  
ATTN: LINCOLN CITY COUNCIL MEMBERS  
RE: HOUSING INSPECTIONS

AS TENANTS WE WOULD LIKE TO GO ON RECORD IN SUPPORT OF THE AMENDMENT TO THE CITY INSPECTION PROCESS BILL #04-173 AS SUPPORTED BY REOMA.

WE LIVE AT 1000 E STREET #4B (IN THE EVERETT NEIGHBORHOOD) AND HAVE DONE SO FOR OVER ELEVEN YEARS. WE LIKE LIVING IN A DEVELOPED NEIGHBORHOOD AND THE FREEDOM OF RENTING. WE SUPPORT THE LOCAL SHOPS AND MY WIFE DOES ESL WORK FOR LINCOLN LITERACY PROGRAM. THIS NEIGHBORHOOD IS DIVERSE IN A NUMBER OF WAYS BOTH IN TYPES AND CLASSIFICATIONS OF PROPERTIES AGE GROUPS AND CULTURES. WE THINK THAT WE ARE GOOD NEIGHBORS. WE TAKE CARE OF OUR PROPERTY AND ARE VIGILANT TO OUR SURROUNDINGS. WE HAVE NEIGHBORS WHO KEEP UP THEIR PLACES AND KEEP TO THEMSELVES AND OTHERS WHO DO NOT. WE APPRECIATE THE FIRST GROUP AND REPORT ANY PROBLEMS TO THE PROPER AUTHORITIES. WE BELIEVE THAT THIS IS WHAT ANY GOOD NEIGHBOR WOULD DO.

WE DO NOT BELIEVE, ON THE OTHER HAND, THAT CITY GOVERNMENT SHOULD GO BEYOND THE POINT OF WHAT IS REASONABLE IN ORDER TO DO THE THINGS THAT I’VE JUST DESCRIBED OR DO WE BELIEVE THAT IT COULD DO A BETTER JOB. (WE KNOW IF THERE ARE ROACHES IN OUR BUILDING OR THAT THERE ARE TWO REFRIGERATORS WITH DOORS ON IN THE BACK YARD OF THE SINGLE FAMILY DWELLING NEXT DOOR. WHAT WE DON’T KNOW IS IF THE NEIGHBORS SMOKE DETECTOR IS WORKING. WHO IS GOING TO INSURE THAT? THE CITY?) TO US, THIS WOULD BE AKIN TO YOU THINKING THAT WE COULD NOT RAISE OUR OWN CHILDREN.

WE THANK THE CITY BUILDING AND SAFETY DEPARTMENT FOR THEIR CONCERN AND DO UNDERSTAND THE NEED TO HELP OTHERS THAT MAY NOT BE IN APOSITION TO UNDERSTAND HOW TO GO ABOUT FINDING THE RIGHT DEPARTMENT OR PERSON TO HELP GET THEIR PROBLEM RESOLVED, BUT THAT IS WHAT NEIGHBORS ARE FOR.

IN A CLIMATE THAT IS SENSITIVE TO FISCAL RESPONSIBILITY, SIZE AND FUNCTION OF GOVERNMENT, AND PERSONAL PRIVACY WE BELIEVE THE PROPOSED AMENDMENT TO BE PRUDENT.

AGAIN WE SUPPORT THE AMENDMENT SUPPORTED BY REOMA. WE BELIEVE AS THEY: IT INCREASES SAFETY, IT PROTECTS PRIVACY AND IS THE MOST EFFICIENT WAY TO GET THE JOB DONE.

RESPECTFULLY,

MIKE AND TERRI BEARD
Dear Mr. Myers:

Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray
City Council Office
555 South 10th Street
Lincoln, NE - 68508
Phone: 402-441-6866
Fax: 402-441-6533
e-mail: jray@ci.lincoln.ne.us

I am dismayed to discover that the Council is considering impact fee relief.

What is the potential of impact fees to limit job growth?

Does the Council believe that homes will not be constructed if developers have to pay for the infrastructure costs that they create?

Does anyone believe that the existing impact fee will not be passed on the homeowner?

Does anyone believe that the decision to buy or not buy a home will be changed by a mere $300?

Additional bureaucracy will be created to ensure that developers conform to the requirements. That's an additional cost of $30-50,000 at a minimum.

With respect to the median wage requirement, does the Council intend that every concrete pourer will make a minimum of $36,600? If not, what is the meaning of the median income requirement?

Why does the Council prefer to transfer the costs of infrastructure to the taxpayer? One of the considerations of moving a business to Lincoln is taxes. High taxes make a city less attractive.

Which Council member will state why he/she thinks this additional burden should be passed along to the taxpayer?

Thomas P. Myers
7411 Old Post Road, no. 1
Lincoln NE 68506
InterLinc: City Council Feedback for
General Council

Name: Chuck Shook
Address: 3111 N. 70th #7
City: Lincoln, NE 68507
Phone: 402-483-0739
Fax: 
Email: chuckshook@webtv.com

Comment or Question:
I have been searching the city web site, because I want to know who on the city council votes for or against any particular issue. However I have been unable to find it. Is the reason because it is not there or is it because I am just not able to find it? If it is not there how do I find out the voting record of each city council person. And by the way, How come in the last election for mayor and other smaller offices, they didn't have the party affiliation next to the names. And please don't say because it was a non partisan election. I know that! What i want to know is why? Sincerely Chuck Shook, Interested Citizen.
TO: LINCOLN CITY COUNCIL
   LINCOLN POLICE DEP.

From Dennis Weiselman
530 N 56 1/2 St
68504

This should be our concern.

Cars from County 27: F 928,
F 264, F 436, F 654

Truck F 589, a 27 county
(ear with garage and cars
parked on the street going
west, south of my house.

Potential revenue?

They block my drive, (I have picture)

They block out the postman.

This has been going on for
years.

A year  speed limit 55 1/2 — 2
know they are all over town.
ADDENDUM
TO
DIRECTORS' AGENDA
MONDAY, OCTOBER 11, 2004

I. MAYOR

1. NEWS ADVISORY - RE: Mayor Seng’s Public Schedule Week of October 9 through 15, 2004-Schedule subject to change -(See Advisory)

2. NEWS RELEASE - RE: 9th Street Resurfacing Project Delayed - (See Release)

II. CITY CLERK - NONE

III. CORRESPONDENCE

A. COUNCIL REQUESTS/CORRESPONDENCE - NONE

B. DIRECTORS AND DEPARTMENT HEADS - NONE

C. MISCELLANEOUS

1. E-Mail from Thomas Myers - RE: Amendment of Section 27.82.110 - Waiver of Impact Fees - (See E-Mail)

Date: October 8, 2004
Contact: Diane Gonzolas, Citizen Information Center, 441-7831

Mayor Seng’s Public Schedule
Week of October 9 through 15, 2004
Schedule subject to change

Saturday, October 9
- National Federation of the Blind State Convention, welcome and proclamation - 8:30 a.m., Holiday Inn Downtown, 141 North 9th Street
- National League of Postmasters, Pacific/Western Area Conference, welcome - 9 a.m., Holiday Inn Downtown, Niobrara Room, 141 North 9th Street
- By the People, welcome remarks - 9:30 a.m., UNL City Campus Union, second floor auditorium (event begins at 9 a.m.)
- Lincoln Heritage League (General Federation Woman’s Club/Nebraska) District 1 Convention, welcome - 10 a.m., Lincoln Woman’s Club, 407 South 14th Street
- White Hall Dedication, proclamation - 11:30 a.m., Nebraska Wesleyan University, residence halls patio
- Old City Hall 125th Anniversary Celebration - 1:30 p.m., 10th and “O” streets

Sunday, October 10
- CROP Walk, remarks and proclamation - 1 p.m., Grace Lutheran, 22nd and Washington
- McAdams Park fund-raiser - 4 p.m., Warren United Methodist, 1205 North 45th Street

Monday, October 11
- Mayor’s Award of Excellence presentation - 1:30 p.m., City Council Chambers, 555 South 10th Street
- International visitors from South Asia - 2:30 p.m., Mayor’s Conference Room, 555 South 10th Street
- Lincoln Police Department re-accreditation event, remarks - 7 p.m., City Council Chambers, 555 South 10th Street

Tuesday, October 12
- Mayor’s Multicultural Advisory Committee monthly meeting - 4:30 p.m., Mayor’s Conference Room, 555 South 10th Street
- Downtown Master Plan Community Workshop - 5:30 p.m., St. Paul United Methodist Church, second floor gym, 1144 “M” Street

Thursday, October 14
- Mayor’s Neighborhood Roundtable - 4:30 p.m., County-City Building room 113, 555 South 10th Street
- Lights on After School, remarks - 7 p.m., Haymarket Park
- East Campus Community Organization annual meeting - 8 p.m., Warren United Methodist, 1205 North 45th Street (event begins at 7 p.m.)
PUBLIC WORKS AND UTILITIES DEPARTMENT
Engineering Services, 531 Westgate Blvd., Lincoln, NE 68528, 441-7711, fax 441-6576

FOR IMMEDIATE RELEASE: October 8, 2004
FOR MORE INFORMATION: Steve Faust, Engineering Services, 441-8413

9TH STREET RESURFACING PROJECT DELAYED

Due to the hazardous material spill on the Burlington Northern -Santa Fe Railway tracks this morning, work on the 9th Street resurfacing project from “Q” to “H” streets was delayed. The spill near Highway 77 and Coddington Avenue closed traffic on Highway 77, so all lanes of 9th Street were left open until traffic on the highway resumed. Work to remove the existing asphalt, which creates uneven surfaces and lane closures, will resume at 6 p.m. this evening and is expected to be completed by Saturday night.

Replacement of the asphalt requires a total street closure. From Sunday morning until Sunday night, 9th Street between “Q” and “N” will be closed to traffic. Beginning Monday evening, 9th Street between “N” and “H” streets will be closed. Traffic will be restored by 6:30 a.m. Tuesday morning. Detour routes will be posted.

- 30 -
Dear Mr. Myers: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray
City Council Office
555 South 10th Street
Lincoln, NE - 68508
Phone: 402-441-6866
Fax: 402-441-6533
e-mail: jray@ci.lincoln.ne.us

"Thomas Myers" <tpmphil@hotmail.com>

To: "Thomas Myers" <tpmphil@hotmail.com>
Subject: amendment of Section 27.82.110

To: Members of the Lincoln City Council
From: Thomas P. Myers, 7411 Old Post Road, no. 1, Lincoln, NE 68506
Date: October 8, 2004
Subject: Waiver of Impact Fees

I am writing to state my position against the bill proposing the amendment of Section 27.82.110 of the Lincoln Municipal Code as it is presently written.

- I have benefited from a long conversation with Mr. Bruce Bohrer of the Lincoln Chamber of Commerce who helped me to understand what the amendment was intended to accomplish.

- Mr. Bohrer tells me that the proposed amendment is directed at commercial construction in its various forms. I can find nothing in either the Lincoln Municipal Code or the proposed amendment that so limits the application of the waiver. The phrase, "to promote economic development," is open to various interpretations and arguments. It would not be difficult to argue that some housing developments meet the criterion of promoting economic development.

- Given the ambiguity of the language, I urge you to vote against this amendment as written.

- Whether or not the City should provide incentives to attract businesses, or certain kinds of businesses, is a question for another day. I believe that the City would be far better served by approaching the problem head-on, asking the question, and putting together a package than by the piecemeal
approach, which inevitably produces an incomprehensible mosaic that is likely to repel new businesses rather than attract them.

- Mr. Werner is quoted in the Lincoln Journal Star as asking, "Where is the end?" Given the ambiguity of the language, who knows?

Thomas P. Myers
7411 Old Post Road, no. 1
Lincoln NE 68506

October 8, 2004

HAND DELIVERY

Terry Werner, Chairman
City Council Office
County-City Building
555 S. 10th Street
Lincoln, NE 68508

Re: Northbank Junction - N. 56th & Arbor Road
Annexation NO. 03001, Change of Zone No. 3398 and Special Permit No. 2004

Dear Terry:

On behalf of Roger and Eldonna Schwisow and Hartland Homes, I would request that the above matters be placed indefinitely on pending so that the temporary pump station and force main policy under development by City staff and to be in front of you prior to the end of the year might be decided. While my clients were looking forward to finally bringing this exciting project before the City Council after five years of hard work, we decided it would be preferable to await your overall policy determination on temporary pump stations and force mains. I anticipate appearing at the council hearing on Monday in order to answer any questions you or the other council members might have with regard to this request.

Sincerely,

Peter W. Katt
For the Firm
lawkatt@pierson-law.com

PKW:kg
cc: City Clerk
City Council Members
Brian Carstens, via facsimile
Duane Hartman
Roger and Eldonna Schwisow

Pierson, Fitchett, Hunzeker, Blake & Katt
Council Members Present: Terry Werner, Chair; Ken Svoboda, Vice-Chair; Jon Camp, Jonathan Cook, Patte Newman, Glenn Friendt, Annette McRoy.

Others Present: Mayor Coleen Seng, Mark Bowen, Ann Harrell, Darl Naumann, Corrie Kielty, Lin Quenzer, Mayor’s Office; City Clerk, Joan Ross; Dana Roper, City Attorney; Directors and Department Heads; Darrell Podany, Aide to Council Members Camp, Friendt, & Svoboda; and Tammy Grammer, City Council Staff.

I. MAYOR

Mayor Coleen Seng mentioned to Council the Directors would like to talk to them about a few things.

Bruce Dart stated they all know about the flu situation, there will be a flyer going out today probably cancelling the City and County employees Flu Clinics. They’re trying to assess how much vaccine they’ve got in Lancaster County between surveys in the State and somebody from their own department is working closely on it. They had ordered maybe some where around 6,000 doses in Lancaster County, they estimated around 7,200 high risk people who need the flu shot, so they’re going to be having some hard decisions to make fairly soon. Mr. Dart indicated that they’ll have some more information coming out. The Centers for Disease Control and Prevention (CDC) have identified categories of high risk groups of people of importance, they’re trying to stratify that group and decide who amongst those 8 high risk groups need vaccine more so than any other group. So, that’s where they are right not on it. Mr. Dart stated they only have 500 doses right now, last Tuesday they were supposed to have received 500 doses because it was the day after the Chiron announcement it was pulled immediately and they were supposed to get another 1,000 doses two weeks after that. Mr. Dart noted California ordered all their vaccine from Chiron which means California has zero doses of flu vaccine right now, so the 24 million doses at Aventis, they’re fairly sure that a large majority of that will go to California. Some will come to Nebraska the State will decide how that’s distribute, he’s not looking for Lancaster County getting much more than what they currently have now. He called a meeting last Friday with local care providers and they’re
working very closely with them to identify who really needs the vaccine. So, the private community has really stepped up in working with them to assure that people who most need the vaccine can get it. Mr. Werner asked Mr. Dart if the Health Department pre-qualifies people? Mr. Dart replied ‘no’. Mr. Werner stated okay because someone called him and they were told by a “Walgreen’s” or something that they had to be pre-qualified first by the Health Department.

Police Chief Casady stated if they’ve read this morning’s newspaper the letters to the Editor, there’s a letter from a woman about when they intervened in a block party in the 1900 block of Harwood on September 25th. Chief Casady commented he would say it’s probably not the most sterling Police performance of the year. He had four or five letters about it and he assigned one of his Captain’s, Bob Wihelm, to look into it and investigate it. Essentially, what happened about the first week of September, he was at a meeting with Ed Caudill from the North Bottoms Neighborhood Association and he brought a couple photos of the debris in the aftermath of the wild party they have been called to twice from the preceding weekend. He looked into it and saw although they’ve been called twice they had not taken any enforcement action and he thought how can they possibly have a party that creates this kind of aftermath in terms of litter and debris that did not resolve in a citation on the night perceived. The reason there was no citation issued on the night perceiving is that our officer followed policy, which cause for people to be warned. Our policy, however, also contains a component that says if they’re dispatched to a disorderly party and they find violations of the law occurring and things are not well controlled, they can take immediately enforcement action if necessary. So, it’s not always supposed to be a warning, following that he put it on the Agenda for his command staff and they had quite a talk about their need to respond more effectively to party disturbances and not to let their normal practice of one warning blind them to things that are obviously problematic at that time. In other words, they should be prepared to take action right now if it’s clear that there’s a problem. After all of them had the discussion, they were sent to a block party in the 1900 block of Harwood and what happened was a live band cranked up about 8:00 p.m. that caused the board in the 911 Center to light up with several calls from people noticing the music. They got there, incorrectly sized it up as a party complaint and told the band to knock it off or face citation, not real good judgement on their part or good performance. They made an awful lot of people angry who are supporters of the Police Department and people that should be their friends. They’re in the process of working their way through an investigation because Police Officers have some rights here to have their side heard and interviews, they’re about to wrap it up. Chief Casady commented he’s sure where this is leading is to your Police Chief getting together with residents in the 1900 block of Harwood. No one was arrested, no force was used, no one was given a ticket, they basically raised their voice and yelled at the band and told them to knock it off or
someone was going to be arrested. Ms. McRoy commented didn’t they have a block permit party to block the streets off. Chief Casady replied ‘yes’ no problem blocking the street off, contrary to rumor, they did not close down the block party, they just told the band they couldn’t play. Chief Casady noted for a block party permit you still have to obey the Noise Control Ordinances, it’s probably not a good idea to have a live band playing in a densely populated area. Chief Casady commented there’s a way to handle it and a way not to handle it and they choose the way not to handle it.

Chief Casady stated they probably read about a lawsuit that’s been filed by one of his ex-employee retirees now an Omaha Police Officer. This is not new stuff, they knew this was coming, he filed complaints with the Nebraska Equal Opportunity Commission (NEOC) and the Federal Equal Employment Opportunity Commission (EOC) previously, which had previously been investigated. Obviously, there’s only one account of events there and it’s going to have to work its way through court.

Allan Abbott reported they had a water main break on 70th Street south of South Street over the weekend. They were able to get it fixed and handled traffic fairly well and it’s back in operation. Mr. Abbott indicated everyone responded really well and traffic is flowing fairly well on 70th Street today.

Mr. Abbott stated the 9th Street project has been complicated by about everything, they’ve tried to resurface it, mill it off and resurface it. Last week as they know, they had a chemical spill which they had to postpone the work, shut it down, etc. He sent a memo to Mike Spadt and Tom Casady saying if they’re going to have an incident, please let him know so he can get his traffic signs and stuff up. Well, he’s learned, don’t throw stones because they forgot to tell the Police Department that they were going to be closing 9th Street and Chief Casady called him very-very kindly this morning and mentioned something about a memo that this is the worst fiasco they’ve had in the City. Mr. Abbott apologized to everybody involved, they will work it out tonight, they’ll be working on it tonight. Mr. Abbott commented it was one of those situations that should never happen, but they’ll get it taken care of and hopefully have better things tonight. Mr. Abbott noted as the Mayor says this project is going to be worth wild once they get it done. What’s happening on this job is anything that could happen wrong has complicated it, but hopefully they’ll be out of there in the next couple of days and the street will be smooth. Mr. Camp asked how often does that resurfacing have to be done? Mr. Abbott indicated that it should have been done a lot sooner because it’s been rutted so badly, but normally about every 10 to 15 years and hopefully they can get that out at this point of time and not let it go as long as they did because it was getting so deep it really was becoming a hazard with rain, etc. Mr. Abbott indicated he’s having a meeting this afternoon with
members of his staff to try explain to him where their heads were. Mr. Abbott noted the asphalt mix is the key thing and how it’s laid down and hopefully they’ve learned something between now and then and using a little bit better more expensive asphalt mix in order to get it compacted correctly.

1. NEWS ADVISORY - RE: Mayor Seng’s Public Schedule Week of October 1 through 8, 2004-Schedule subject to change. — NO COMMENTS

2. NEWS RELEASE - RE: Purchase Expands Wetlands At Arbor Lake. — NO COMMENTS

3. NEWS RELEASE - RE: 9TH Street To Be Rehabilitated From “Q” To “H” Streets. — Allan Abbott discussed this issue under “I. Mayor”. (See that discussion)

4. Director’s Report-September 2004 from Bonnie Coffey/Lincoln-Lancaster Women’s Commission. — NO COMMENTS


II. DIRECTORS

FINANCE DEPARTMENT/CITY TREASURER

1. Material from Don Herz, Finance Director & Melinda J. Jones, City Treasurer - RE: Resolution & Finance Department, Treasurer of Lincoln, Nebraska - Investments Purchased September 27 thru October 1, 2004. — NO COMMENTS

HEALTH

1. NEWS RELEASE - RE :Nebraska Fitness Challenge 2004. — NO COMMENTS

2. NEWS RELEASE - RE: International Walk To School Day. — NO COMMENTS

3. NEWS RELEASE - RE: Health Department May Have Limited Amount of Flu Vaccine. — Bruce Dart discussed this issue earlier under “I. Mayor”. (See that discussion)
4. NEWS RELEASE - RE: Individuals Not at High-Risk Asked Not to Get Flu Shot - FLU Hot Line Established. — Bruce Dart discussed this issue earlier under “I. Mayor”. (See that discussion)

PLANNING

Marvin Krout stated they have a meeting next Monday night, they’ve already sent out invitations. The Mayor’s Group Homes Task Force at 6:30 p.m., which does have some preliminary report out, they’ll have a presentation on that report and an open house for discussions and comments from the public.

1. REPORT - RE: Final Edition of CIP-CAPITAL IMPROVEMENT PROGRAM - For Fiscal Years 2004-2010 (Council received this material in their file folders. Copy of Report on File in Council Office. Material also available at the website shown on the attached E-Mail. — NO COMMENTS

2. Memo from Kent Morgan - RE: Multi-Modal Transportation Materials. — NO COMMENTS


4. Memo from Marvin Krout - RE: Northbank Junction Annexation Agreement. — NO COMMENTS

PLANNING COMMISSION FINAL ACTION . . . . .

1. Special Permit No. 04050 (Wireless facility-monopole-5221 South 48th Street) Resolution No. PC-00889. — NO COMMENTS

2. Special Permit No. 04051 (On-sale alcohol-South 14th and Pine Lake Road) Resolution No. PC-00890. — NO COMMENTS
PUBLIC WORKS & UTILITIES DEPARTMENT

Nicole Fleck-Tooze stated tomorrow they’re having a meeting from 9:00 a.m. to Noon at the Boy Scout facility regarding Stevens Creek Watershed Plan. They’ve been having a series of follow up stakeholder meetings with groups related to the Stevens Creek Watershed Plan. This is one they’re trying to gather some different interest groups to respond to the different alternatives that are out there on the table. So, they’re hopeful that they’ll have a good outcome from it.

Also, she wanted to speak briefly on Andrea’s Court, which is back up on their Agenda today. They did receive information that they asked for last from Ross Engineering, she thinks they’ve got everything that they requested and they’ve made some slight modifications to the site. Ms. Tooze stated this is about as much as they can ask them to do, looking at what’s allowed by ordinance today. So, they think they’ve got what they need, it probably won’t satisfy all the home owners in that area. Ms. Tooze stated their concern will be when the area to the south comes into develop, south of Turner Ditch, they can see much greater impacts and it doesn’t mean that they won’t be asking them to off set some of those impacts. But, they’re at a minor and enough level of rise that they don’t feel like they can ask them to do anything further here necessarily. Ms. Tooze stated she will be at the meeting today.

1. ADVISORY- RE: 9TH Street; Q Street-H Street - Project 701753. — Allan Abbott discussed this issue earlier under “I. Mayor”. (See that discussion)

2. ADVISORY- RE: Pre-Construction Open House/with map. — NO COMMENTS

3. Letter from Allan Abbott to Heather R. Cooprider, Property Manager, NP Dodge Management Company - RE: The widening proposal for the 14th Street & Superior intersection and the impacts it will have on the Superior Place Apartments. — NO COMMENTS

WEED CONTROL AUTHORITY

III. CITY CLERK

City Clerk Joan Ross stated to Council under ‘Public Hearing-Liquor Resolutions’, she’ll call Items 1 & 2 together. [Application of Rib Ranch, Inc. dba Rib Ranch for a Class I liquor license at 6440 “O” Street; and Manager application of Todd S. Carkoski for Rib Ranch, Inc. dba Rib Ranch at 6440 “O” Street.]

She’ll also call Items 3 & 4 together. [Application of Premier Catering dba Lincoln Station Great Hall for a CK with catering liquor license at 201 N. 7th Street; and Manager application of Thomas W. Harrison for Premier Catering dba Lincoln Station Great Hall at 201 N. 7th Street.]

For Items 6 through 9 under ‘Public Hearing-Ordinances’, she received a letter from Peter Katt to place these 4 items on the Pending List indefinitely. [See Formal Council Agenda of October 11th for further descriptions of Items 6 through 9.]

On Items 14 & 15, should these items be called together or separate. Mr. Werner stated he thinks they can be called together. City Clerk Joan Ross stated okay. [Approving a License Agreement between the City and Alltel for the placement of telecommunications facilities to be located on City property at Max Roper Park; and Approving a License Agreement between the City and Alltel for the placement of telecommunications facilities to be located on City property at Star City Shores.]

Mr. Werner asked about Items 10 through 13? City Clerk Joan Ross stated Items 10 through 13 will be called together. [See Formal Council Agenda of October 11th for further descriptions of Items 10 through 13.]

They have Motions-To-Amend on various subjects under ‘Ordinances-3rd Reading & Associated Resolutions’ as well as a Substitute Resolution for Item 27. They should have received the Motions-To-Amend in their packets. [Item 27-04R-268, Waiver No. 04010-Application of the University of Nebraska Foundation to waive the requirement of the Land Subdivision Ordinance that sidewalks and street trees be installed within four years of final plat approval, on property generally located at N.W. 1st Street and W. Highland Blvd.]

1. Petition brought into Council Office by City Clerk Joan Ross on 10/06/04 - RE: 04R-241-Andrea’s Court CUP (special permit 04035) Petition - on Council Agenda for 10/11/04 - (See Petition). — NO COMMENTS
IV. COUNCIL

A. COUNCIL REQUESTS/CORRESPONDENCE

JONATHAN COOK

Mr. Cook stated to Dana Roper on the misdemeanors vs. traffic infraction of the two just looking at the ordinance there are other parts of the ordinance that have specific penalties. But, they don’t say misdemeanor or traffic infraction they just have a penalty and the portion they’re amending is the part that says if no penalty has been specified here’s the penalty. Mr. Cook asked what about those circumstances where it says a $50.00 fine, a $300.00 fine, it doesn’t say misdemeanor and traffic infraction could that be a misdemeanor. Dana Roper replied could be. Mr. Cook commented are they sure they want all of those specific things to be misdemeanors wasn’t their purpose here to make most of them traffic infractions not just the things that didn’t have a penalty attached before. Mr. Roper stated he thinks what they’ve done is made those items that are traffic offenses something other than misdemeanors. He thinks that’s the importance of what this is and this is in conformance with the State rules of the road and as they recall this was in response to the letter of the woman who couldn’t get a job as an Airport Screener because she had quote ‘misdemeanor’. Mr. Cook stated he understands all that, but he was looking at Traffic Chapters specifically and he thought there might be other traffic offenses that weren’t covered by the provision they’re amending, but maybe he’s wrong. That it should be traffic infractions, but it wasn’t clear what they were because they have penalties attached. Mr. Roper commented he’s not sure what he’s saying because they have a general penalty provision, the Council at one point in time decided there were some offenses mainly in the downtown area they wanted to try and raise the fines on. So, they attached specific penalties to those and those by in large are not traffic and those they’ll continue to control and they’ll be misdemeanors. Mr. Cook replied okay, maybe he’ll show him what he’s talking about later. Mr. Roper stated okay.

Mr. Cook stated on the issue of the many changes that are being made to the Special Permit Chapter, it’s descriptions and so on the changes basically will be the Planning Commission can now approve special permits without the items having to go to Council. Mr. Cook commented now last week Councilperson Newman asked the question is the appeal mechanism in there that says any Council member may appeal and he believes Rick Peo said ‘yes’ it’s in there, it’s in another section. He couldn’t find it where he thought it should be looking online, which is the portion of the Special Permit Chapter that talks about the appeal process or is he looking in the wrong place or did it not get updated because that was an amendment they tacked onto something passed some time ago. Mr. Cook indicated he wants to make sure that’s in there before they pass this change. Marvin Krout replied he’ll find out before this afternoon.
Mr. Cook commented also on all of these changes to Planning Commission Final Action can the Mayor veto a Planning Commission action and what’s the mechanism. Is the Mayor considered to be a person involved in the Administration of that title and therefore can simply appeal it to the City Council that’s giving her an opportunity to veto if they do something. Marvin Krout commented he’ll want to confirm it with Rick Peo, but he thinks that she can appeal the item to the City Council, but can’t directly veto.

Mr. Cook stated on the website, he has a terrible time searching and he thinks they need to do something to improve it. It’s been that way for years, he can’t find anything that he’s looking for, he thinks there needs to be some changes made to it. Diane Gonzolos stated that Information Services is working on the key words, there’s a total review being done and that’s all being updated. Ms. Gonzolos stated that Terry Lowe and David Jané are working mainly on it, so if he wants to talk to Terry Lowe at Information Services, he could give him an update on how far they’ve gotten. Ms. Gonzolos noted that David [Jané] is gone this afternoon.

1. Request to Terry Bundy, Lincoln Electric System - RE: LES Budget & rate increase request (RFI#118 - 9/17/04). — NO COMMENTS


GLENN FRIENDT - NO COMMENTS

1. OUTSTANDING Request to Public Works / Law / Urban Development - RE: Alley improvements (RFI#38 - 8/16/04). — 1.) SEE RESPONSE FROM DENNIS BARTELS, PUBLIC WORKS & UTILITIES DEPARTMENT RECEIVED ON RFI#38 - 8/23/04. – 2.) SEE RESPONSE FROM JEFF COLE, URBAN DEVELOPMENT DEPARTMENT RECEIVED ON RFI#38 - 8/26/04. — NO COMMENTS

2. OUTSTANDING Request to Allan Abbott, Public Works & Utilities Director / Marvin Krout, Planning Director - RE: Williamsburg Lake Dredging (RFI#39 - 8/17/04). — 1.) SEE RESPONSE FROM KARL FEDRICKSON, PUBLIC WORKS & UTILITIES DEPARTMENT RECEIVED ON RFI#39-10/01/04. — NO COMMENTS
ANNETTE McROY -NO COMMENTS

1. Request to Police Chief Casady/Dana Roper, City Attorney - RE: Problems and no help!-In Gaslight Village Court with young children riding motorized scooters throughout the park at high rates of speed & with NO lights after dark (RFI#159 - 9/24/04). — NO COMMENTS

2. Request to Ken Smith, Parking Mgr., Public Works & Utilities Department - RE: Parking Garages for downtown residents (RFI#160-10/07/04). — NO COMMENTS

JON CAMP

Mr. Camp stated to Chief Casady that he got a call again on the underground fences/electronic fences for dogs, some Real Estate Agencies were real concerned out in Capital Beach because somebody got ticketed for having one. Mr. Camp asked is their policy still 100% they don’t recognize those? Dana Roper asked what was the ticket for? Mr. Camp stated he’s not sure. Mr. Roper stated as long as the dog is on its own property there wouldn’t be a ticket. Bruce Dart asked Mr. Camp if the Police issued it or did Animal Control? Mr. Camp stated he’ll have to research, they just said they were ticketed. Mr. Dart commented he’s wondering if their staff issued it, if he knows the name, he can check on it and find out why. Mr. Camp stated to Mr. Dart okay and asked Chief Casady if they recognize underground fences or maybe it’s a question for Dana [Roper]. Mr. Roper stated the fence doesn’t have anything to do with it, if the dog is on his own property it’s not a violation. Chief Casady stated to Mr. Camp the dog at large only applies when the dog is off their property, so if they had their dog in their yard and it was trained to stay in the yard whether it was by electric fence or voice command, it’s not a violation law. Mr. Svoboda noted unless it’s declared vicious or a dangerous dog. Chief Casady stated correct and Mr. Roper commented right and that’s a whole different category.

Mr. Camp stated to Don Herz that he got this copy of a complaint or protest on the recent fire truck bid and maybe they all got it [inaudible]. [Don Herz comments inaudible.]

KEN SVOBODA - NO COMMENTS
1. Request toMarc Wullschleger, Urban Development; Don Herz and Steve Hubka, Finance; Allan Abbott and W. Telen, Public Works; Dana Roper, City Attorney; Marvin Krout, Planning - RE: Antelope Valley Project, Tax Increment Financing (in relationship to non-profit organizations and the current Michigan and Connecticut court cases on eminent domain and their effects on T.I.F funding here) and Consultants and Consulting fee funding. (RFI #27- 10-01-04). — 1.) SEE RESPONSE FROM MARVIN KROUT, PLANNING DIRECTOR RECEIVED ON RFI#27-10/06/04. — NO COMMENTS

TERRY WERNER

Mr. Werner mentioned to Don Herz that he did not get his test E-Mail if he sent it. Mr. Herz stated he did send it. Mr. Werner noted he thinks it’s been fixed and mentioned his one request that’s still remaining with Vince Mejer. Mr. Herz commented sorry, Vince [Mejer] is getting it to him.

Mr. Werner stated he would like to see Diane Gonzolas after the Directors’ Meeting today.

1. OUTSTANDING Request to Vince Mejer, Purchasing Agent - RE: Notice to Bidders #04-110 – Television Equipment (RFI#132 - 6/16/04). — NO COMMENTS

B. COUNCIL COMMENTS - NO FURTHER COMMENTS

V. MISCELLANEOUS

1. MEDIA RELEASE from Lori Seibel - RE: Community Health Endowment Announcing Funding Priorities. — NO COMMENTS

2. E-Mail from Mike & Terri Beard - RE: Housing Inspections. — NO COMMENTS

3. E-Mail from Thomas Myers - RE: Impact fee relief. — NO COMMENTS
4. E-Mail from Chuck Shook - RE: Wants to know who on the City Council votes for or against any particular issue. — Mr. Cook stated maybe the City Clerk could reply to this e-mail about getting a hold of voting records for City Council members and maybe the Election Commissioner also needs to answer the question about party affiliation next to names. Mr. Cook commented that Mr. Shook isn’t satisfied by the fact that it’s a non-partisan election, why aren’t the parties listed.

5. Letter from Dennis Weixelman - RE: This should be our concern! -Cars from Counties - cars parked on the street going west, south of his house, Potential revenue? — NO COMMENTS

**ADDENDUM -(For October 11\(^{th}\))**

I. MAYOR

1. NEWS ADVISORY - RE: Mayor Seng’s Public Schedule Week of October 9 through 15, 2004-Schedule subject to change. — NO COMMENTS

2. NEWS RELEASE - RE: 9\(^{th}\) Street Resurfacing Project Delayed. — Allan Abbott discussed this issue earlier under “I. Mayor”. (See that discussion)

II. CITY CLERK - NONE

III. CORRESPONDENCE

A. COUNCIL REQUESTS/CORRESPONDENCE - NONE

B. DIRECTORS AND DEPARTMENT HEADS - NONE

C. MISCELLANEOUS

1. E-Mail from Thomas Myers - RE: Amendment of Section 27.82.110 - Waiver of Impact Fees. — Mr. Cook stated Thomas P. Myers sent them a letter and he talked to Bruce Bohrer and now has a reply to that asking some additional questions and so maybe they can have someone respond to it. Mayor Seng stated she talked to Thomas Myers on Friday because he had written a letter to the Editor and he was one that she followed up with. Mayor Seng noted he is writing e-mails and letters and now this is a different topic, his previous
topic had been on the bond issue. He’s supposed to be coming in to talk about all these issues with her and whoever else on whatever issues he has and they’ll have the right people there.

Mr. Werner asked Dana Roper if he has seen this letter? Mr. Roper replied no. Mr. Werner stated it’s on economic development, which they just got on their Addendum. Mr. Cook stated to Mr. Werner that it sounds like Mr. Myers was going to meet with staff members to get answers to his questions. Mr. Werner stated okay, he will give Dana [Roper] a copy of this letter. [Mr. Roper received a copy of this letter during the meeting.]

2. Letter from Peter W. Katt, Pierson/Fitchett Law Firm - RE: Northbank Junction - N. 56th & Arbor Road-Annexation No. 03001, Change of Zone No. 3398 and Special Permit No. 2004. — City Clerk Joan Ross mentioned this letter earlier to Council under “II. City Clerk”. (See that discussion)

VI. MEETING ADJOURNED - Approximately at 11:40 a.m.