CORRESPONDENCE
IN LIEU OF
DIRECTORS' MEETING
MONDAY, NOVEMBER 29, 2004

I. MAYOR

*1. NEWS RELEASE - RE: City’s Snow Removal Fund At $3.36 Million - (See Release)

*2. NEWS RELEASE - RE: Statement of Mayor Coleen J. Seng Decision on the November 4, 2004 Recommendation of the Procurement Appeals Board on the Pumper Fire Truck Bid - (See Release)

*3. Response E-Mail from Mayor Coleen Seng to Paul R. Haith - RE: Fire Truck bids - (See E-Mail)

*4. NEWS ADVISORY - RE: Mayor Coleen J. Seng and representatives of the Star City Holiday Festival will discuss this year’s December 4th parade at a news conference at 10:00 a.m., Thursday, November 18th at the parade’s float factory - (See Advisory)

**5. NEWS RELEASE - RE: Mayor Announces Plans For Star City Festival and Parade - (See Release)

**6. NEWS RELEASE - RE: Mayor Releases New Homeless Count - (See Release)

**7. NEWS RELEASE - RE: New System Helps Homeless Service Providers And Clients - (See Release)

**8. NEWS ADVISORY - RE: Mayor Seng’s Public Schedule Week of November 20 through 26, 2004 - Schedule subject to change - (See Advisory)

II. DIRECTORS

FINANCE/BUDGET

**1.** Material from Steve Hubka - RE: Sales Tax Receipts - (See Material)

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 November 1 thru November 12, 2004.


**3.** Material from Don Herz, Finance Director & Melinda J. Jones, City Treasurer - RE: Resolution & Finance Department, Treasurer of Lincoln, Nebraska - Investments Purchased November 15 thru November 19, 2004.

FIRE DEPARTMENT

*1. Letter from Bonny Downing, CFAI, Program Coordinator to Fire Chief Mike Spadt-(faxed to Council Office by Fire Chief Spadt)- RE: Statement of Findings completed on your Annual Compliance Report - (See Letter)

HEALTH

*1. Health Department Report - October, 2004 - (See Report)

*2. NEWS RELEASE - RE: Flu Shots Available to High Risk Individuals - (See Release)

**3. NEWS RELEASE - RE: Sneak Preview and Photo Opportunity With Kids, Lots Of Color & Sound! - 100+ Youth from 38 Schools Will Perform In The Clean Sweep Kids Trash Can Band Promoting The Star City Holiday Parade As A Litter Free Event - (See Release)
PLANNING

*1. Letter from Tom Cajka to Brian D. Carstens, Brian D. Carstens & Associates - RE: Plosky Valley 2nd Addition Final Plat #04105-Generally located at the southwest corner of N. 14th St. & Morton St. - (See Letter)

*2. Letter from Becky Horner to Lyle Loth - RE: Hartland’s Cardinal Heights 7th Addition Final Plat #04086-Generally located at NW 56th and W. Thatcher Lane - (See Letter)

*3. Letter from Becky Horner to Jason Theiellen, EDC - RE: North Creek Business Park 1st Addition Final Plat #04083 - Generally located at 20th and Fletcher Avenue - (See Letter)

*4. Letter from Jean Walker to Interested Parties: - RE: Change of Zone No. 04068 and Special Permit No. 04057 (Text Amendment and Motocross-201 W. South Street) - (See Letter)

**5. Letter from Tom Cajka to Paula Dicero, Associated Engineering - RE: Brandt Heights 2nd Addition Final Plat #04043 - Generally located at S. 84th St. & Norval Rd. - (See Letter)

**6. Annexation by Ordinance - Ordinance No. 18459 - Effective: November 9, 2004 - 11.8 Acres - (See Map)

PLANNING COMMISSION FINAL ACTION ..... 

*1. Waiver No. 04013 (S. 70th St. & Sterling Place) Resolution No. PC-00893.

PUBLIC WORKS & UTILITIES DEPARTMENT

*1. Material from Kris Humphrey - RE: Harris Overpass AG notice to mayor and Council - FYI (See Material)

*2. Memo & Material from Steve Masters - RE: Wastewater Capital Improvements Program - (See Material)

**3. Public Works & Utilities ADVISORY - RE: The intersection of South 14th Street and Highway 2 - Project 701908 - (See Advisory)
**4.** Material - RE: Impact Fee Administrator Response For Continued Hearing on 11/29/04 - Impact Fee Appeal and Attachments - (See Material)

**5.** Public Works & Utilities ADVISORY - RE: Water District No. 1193 - (See Advisory)

**6.** Memo from Steve Masters, Public Works & Utilities & Stephen Henrichsen, Planning - RE: Proposed Temporary Lift Station Policy - (See Memo)

**7.** Material - RE: Impact Fee Administrator Response To Appellant’s Amendment - (See Material)

**STARTRAN**

*1. Memo from Larry Worth - RE: Low-Income Passport Program-October, 2004 Report - (See Memo)

**III. CITY CLERK**

**1. CERTIFIED MAIL - Letter from City Clerk Joan Ross to David Heffelbower; and Richard Douglas McClain - RE: 04R-294–Assessing demolition & utility abandonment expense-Notice Letter - (See Letter)

**2. Letter from Charles & Jane Brubaker - RE: 04R-288 - Amendment to Impact Fee Notice of Appeal - 2300 “B” Street - (See Letter)

**IV. COUNCIL**

**A. COUNCIL REQUESTS/CORRESPONDENCE**

**JONATHAN COOK**


GLENN FRIENDT


3. Request to Don Taute, Personnel Director - RE: Veterans in the City workforce (RFI#40 - 11/15/04)

ANNETTE McROY


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. – 2.) SEE
RESPONSE FROM JOEL PEDERSEN, CITY LAW DEPARTMENT
RECEIVED ON RFI #27 - 10/18/04.

TERRY WERNER

1. Request to Dana Roper, City Attorney - RE: Butchering Animals (RFI #138
  11/01/04). — 1.) SEE RESPONSE FROM TONYA SKINNER,
  ASSISTANT CITY ATTORNEY & CASEY ANDERSEN, LAW CLERK
  RECEIVED ON RFI #138-11/10/04.

B. COUNCIL COMMENTS

V. MISCELLANEOUS

*1. E-Mail from Doc Mullet - RE: Vote NO on the Motocross race track - (See
   E-Mail)

*2. E-Mail from George & Irene Alexander - RE: Opposed to the proposed
   motocross track - (See E-Mail)

*3. E-Mail from Jeanette Nakada - RE: Will Motocross contribute to the
   community? - (See E-Mail)

*4. E-Mail from David Spinar - RE: Say “NO” to motorcycle race track
   development - (See E-Mail)

*5. E-Mail from Jason Smith - RE: Use Permit 04005-NW 1st & Barons Road -
   (See E-Mail)

*6. E-Mail from Steve Guittar - RE: Smoking Ban - (See E-Mail)

*7. Letter from Donald Deal - RE: Smoking Ban - (See Letter)

*8. Letter from Ron Davis - RE: StarTran-Potential Future Litigation- (See Letter)
*9. E-Mail from Mark Hunzeker - RE: Lattimer’s Addition - #23 on 11/15/04 Agenda (Council received their copies of this E-Mail on 11/15/04) (See E-Mail)

*10. E-Mail from Sara Friedman - RE: motocross track - (See E-Mail)

**11. Letter from Thomas Lorenz, Chairperson, Lay Leadership Board Christ Lutheran Church - RE: The Lay Leadership Board of Christ Lutheran Church has been advised of certain allegations regarding actions taken by Pastor ST Williams in his pastoral capacity that, upon initial review, require investigation by the LLB and the Director of Ministries Pastor Luke Schnake. It is our understanding that these allegations are also being investigated by President Russell Sommerfeld of The Nebraska District of the Lutheran Church Missouri Synod - (See Letter)

**12. Letter from Louis Pernicek - RE: A City Ordinance -egress windows-basement fire escape- (See Letter)

**13. E-Mail from Michael Von Busch - RE: Smoking Ban - (See E-Mail)

**14. E-Mail from Jim - RE: Complaint about cars parked on the front lawns - (See E-Mail)

**15. E-Mail from Nancy Vala - RE: Constituent/84th Street Opening Delayed for 3rd time - (See E-Mail)

**16. Response E-Mail from Thomas Shafer, Public Works & Utilities Department to Nancy Vala - RE: Constituent/S. 84th widening - (See E-Mail)

**17. Response Letter from Terry Bundy, LES to Lincoln City Council - RE: Response to LES Budget Pre-Council - (See Letter)

**18. E-Mail from Barb Johnson - RE: Capital Improvement Programs-(forwarded to the Planning Dept. for a response) (See E-Mail)

VI. ADJOURNMENT

**ALL HELD OVER UNTIL DECEMBER 6, 2004.
OFFICE OF THE MAYOR
555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

FOR IMMEDIATE RELEASE: November 18, 2004
FOR MORE INFORMATION: Deb Johnson, Parade Executive Director, 434-6901

MAYOR ANNOUNCES PLANS FOR
STAR CITY FESTIVAL AND PARADE

Mayor Coleen J. Seng today announced plans for the 20th annual celebration of the Star City Holiday Festival, produced by Updowntowners, Inc. and presented by First National Bank. The parade is set for 11 a.m. Saturday, December 4, in downtown Lincoln. The theme for this year’s event is “Our Lasting Treasure,” and spectators will find numerous surprises in the parade lineup, including new floats and balloons and the unveiling of the new-look parade mascot, Major Drummond.

“This parade could not have reached this 20-year milestone without the tremendous support of community organizations, businesses and volunteers,” Mayor Seng said. “The parade truly is a ‘lasting treasure,’ and Lincoln residents can take great pride in its success. It has grown to be the largest parade of its kind in a five-state region, and we welcome visitors to the Capital City for this great holiday tradition.” Mayor Seng again will ride in a horse-drawn carriage with her three grandchildren from Colorado.

Deb Johnson, Executive Director of Updowntowners, Inc., said the parade attracts 85,000 people to downtown Lincoln. “While the parade is 20 years old, spectators will be pleased to find many new entries among our lasting treasures,” Johnson said. “This year, the children will be thrilled to see Arthur, Noah’s Ark, Jay Jay the Jet Plane and our brand new Title Star Float.” Children are encouraged to bring their letters to Santa to the parade. U.S. Postal workers walking in front of Santa’s float at the end of the parade will pick up the children’s letters. Santa takes the time to respond to each letter from the Star City Holiday Festival spectators.

U.S. Cellular has partnered with Updowntowners to develop and build an exciting and vibrant new opening float that celebrates the 20-year birthdays of Updowntowners, the Star City Holiday Festival and U.S. Cellular.

“We are proud to have the opportunity to support this landmark event,” said Ryan Johnson, U.S. Cellular’s Lincoln Store Manager. “And our thanks to the City of Lincoln for welcoming U.S. Cellular to the community.”

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Star City Holiday Parade
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Updowntowners volunteers have worked continually over the past 13 months to bring numerous new entries and new excitement to this year’s event. First National Bank again has played a big role by providing financial support.

“We’re proud to be the presenting sponsor once again for this year’s Star City Holiday Parade,” said Richard L. Herink, President of First National Bank. “This year will be especially exciting since it is the 20th year the parade will be bringing smiles and laughter to the thousands of people who come to watch.”

The Mayor also thanked Saint Elizabeth Regional Medical Center for sponsoring the Polar Bear Express float. Other major sponsors include: U.S. Cellular, Union Bank & Trust, Alltel, Duncan Aviation and Pfizer. The parade also features unique vehicles, animal and equestrian units, walking units, costumed characters and executive clowns. Nineteen bands will march through downtown, including the UNL Cornhusker Marching Band; the 43rd Army Band; bands from all six Lincoln public high schools, Pius X and Parkview Christian; as well as bands from nine other Nebraska communities.

A panel of band professionals will judge the bands in competition. All other judging will be done by a panel of children ages 8 through 14.

StarTran will again offer free rides on all its routes all day December 4. Those wanting information on StarTran routes and schedules can call 476-1234 or check the City Web site at lincoln.ne.gov.

Keep Lincoln & Lancaster County Beautiful is promoting the parade as a litter-free event. Volunteers will be stationed along the parade route to help collect trash and educate the public on the proper disposal of trash. To volunteer, call 441-8035 by Wednesday, November 24.

The parade again will be televised live statewide by KOLN-KGIN-TV.

While the parade is free to the public, production costs are significant. Parade organizers will have volunteers collecting donations during the parade and will have a donation bucket at the information booth.

A number of events are planned as part of the Star City Holiday Festival, beginning with the Holiday Lighting Ceremony from 6 to 8 p.m. Sunday, November 28, at Wells Fargo Plaza, 13th and “O” streets. The parade Web site at www.starcityholidayfestival.org includes information on all the events, plus a parade route map and parking map.

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MEDIA NOTE: There will be many story and photo opportunities over the next week as volunteers work on the floats. Cindi Zuby, a former artistic and executive director of the parade, is here from Canada, donating her time to the event. A map of the float factory is attached. To set up a visit, contact Deb Johnson at Updowntowners, 434-6901.
OFFICE OF THE MAYOR
555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

FOR IMMEDIATE RELEASE: November 19, 2004
FOR MORE INFORMATION: Bradd Schmeichel, Urban Development, 441-7856
Tiffany Mullison, Fresh Start, 475-7777
Susanne Blue, Matt Talbot Kitchen & Outreach, 477-4116
Merry Wills, Cedars, 437-8807
Dennis Hoffman, CenterPointe, 475-5161

MAYOR RELEASES NEW HOMELESS COUNT

Mayor Coleen J. Seng today released the results of a survey estimating that 1,954 people are homeless in Lincoln, including 292 children. The “Point in Time Count” was conducted by organizations that provide services to the homeless.

“Lincoln is focused on the prevention of homelessness,” said Mayor Seng as she issued a proclamation declaring November as Homeless and Hunger Awareness Month in the City of Lincoln. “There are so many agencies and individuals who are not only seeking out those root causes of homelessness, but working each day to prevent them. I want to thank everyone who supports the efforts in our community to combat homelessness and hunger.”

The Mayor signed the proclamation at Matt Talbot Kitchen & Outreach, where she was joined by members of the Lincoln-Lancaster County Homeless Coalition and its Continuum of Care Planning and Evaluation Committee.

Other findings from the “Point in Time” count include:

* The number of individuals in emergency shelter was 82, and the number in transitional shelter was 569.
* The number of family members in emergency shelter was 73, and the number in transitional housing was 370.
* The number of individuals on the street was 183, and the number of families was 20.

Susanne Blue, executive director at Matt Talbot Kitchen & Outreach, says the kitchen has been providing an average of 10,000 meals per month over the past quarter. She projects that over 110,000 meals will be provided by the end of the year – an all-time high for the organization. In 2003, 100,745 meals were provided. The significant increase may be due to the economy and the expanded space at the kitchen and outreach center. A major facility expansion project was completed this past year.

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Homeless Count
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Blue said advocates believe the actual number of homeless is higher than that identified in the "Point in Time Count" because those not receiving services at the time the survey was conducted were not counted. Homeless who are living in cars or motel rooms or staying with family or friends were not counted.

Scott Young, Executive Director of Lincoln Food Bank, said his agency distributed over 2.1 million pounds of food in the first 10 months of this year. This is the equivalent of 5,521 meals a day to the 91 agencies that operate 189 programs in the 16-county service area.

"Our Holiday Food Drive will begin November 22, and we are hopeful that we will have enough food on the shelves to get our agencies through the difficult winter months," said Young. "Food is a critical need of the working poor and homeless 12 months a year, and by giving to the drive people can make a real difference in the lives of these people this winter."

The Lincoln-Lancaster County Homeless Coalition works to educate the public and raise awareness of issues surrounding the homeless and to encourage citizen involvement. The Coalition’s Continuum of Care Planning and Evaluation Committee identifies gaps in services, coordinates the "Point in Time Count" and conducts a peer review of service providers.

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A new information management system is being implemented at Lincoln agencies serving homeless persons that will allow agencies to share information.

The Lincoln and Lancaster County Community Service Management Information System (CS-MIS) is a comprehensive, client-based, case management information and referral system. CS-MIS is now serving the Lincoln Action Program, Matt Talbot Kitchen and Outreach, CEDARS, Fresh Start Home, Houses of Hope, St. Monica’s, and CenterPointe Inc. The system is administered through the UNL Center on Children, Families and the Law (UNL-CCFL).

With CS-MIS in operation, clients will provide basic information once which will be used by every program from which they are receiving services. The system will also allow the agencies to have accurate service histories for their clients, helping them to better serve those in need.

The local Continuum of Care Committee (CoC), a group of agencies providing services to the homeless was required by the U.S. Department of Housing and Urban Development to have such a system in place and has been discussing the implementation for several years. The Lincoln-Lancaster County Human Services Plan Initiative was also seeking a mechanism to better track services provided as well as improve results. The two efforts came together with funding from the Nebraska Homeless Assistance Program, the Lincoln and Lancaster County United Way and the City Urban Development Assistance Department with support from the Woods Foundation through the Community Services Initiative.

"Our focus initially is on those agencies in the community serving homeless and near homeless populations because of the extreme need many homeless persons face and because of the HUD deadline that is linked to continued federal homeless services funding," said Jeff Chambers, Research Manager at UNL-CCFL and the CS-MIS Program Manager. "Our hope is to add at least 10 additional agencies onto the system each year over the next three years.

Other local agency administrators echoed Chambers’ enthusiasm for the new system.

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"The case coordination available through the CS-MIS will permit staff at Fresh Start Home to share relevant information to assist the women throughout their residency," said Tiffany Mullison, Executive Director at Fresh Start Home an current Lincoln Continuum of Care Co-Chair. "Our staff team believes the CS-MIS will save time, allow for more expeditious retrieval of information and enhance case coordination."

"In addition to allowing us to collect and track data more efficiently, the CS-MIS system will also make it easier for case managers to create service plans and monitor goal plans," said Nicole McCoy, Director of Community Services at Lincoln Action Program. "The system will benefit program participants by reducing their time completing intakes by eliminating the need to provide information already given to another participating agency. It also will enhance service delivery by providing a clearer picture of service needs, resources, and gaps in service while making referrals simpler."

"A management information system such as CS-MIS will allow CenterPointe to expand and improve our client outcome data in such a way that has not been feasible in the past," said Dennis Hoffman, Director of Case Management Services at CenterPointe and Immediate Past Chair of the Lincoln Continuum of Care. "This will help us provide better and more meaningful care to individuals who are struggling with addiction and mental health problems."

Chambers said that the City of Lincoln in general is the big beneficiary of the new information management system.

"This system is very beneficial to the clients and the agencies, but it also can provide the community in general a tremendous benefit," Chambers said. "Once implemented CS-MIS can provide community planners, community services funding agencies and the public in general with an ongoing and accurate picture of the emerging service need, the current unmet needs and the community’s ongoing ability to meet known service needs."

For more information about system, visit the CS-MIS web site at http://ccfl.unl.edu/csmis/.
Date: November 19, 2004
Contact: Diane Gonzolas, Citizen Information Center, 441-7831

Mayor Seng’s Public Schedule
Week of November 20 through 26, 2004
Schedule subject to change

Saturday, November 20
• Volunteering at “Food Share” - 7:30 a.m., 4th Presbyterian Church, 5200 Francis
• Youth Leadership Academy, remarks - 10 a.m., Room 105 at Southeast Community College’s downtown campus at Energy Square, 1110 “O” Street
• Indian Center Benefit, Buffalo Dinner - 6 p.m., Holiday Inn Downtown, 141 N. 9th Street
• Capitol City Footprinters Chapter #44, 28th Annual Law Enforcement Awards dinner, presenting awards - 6:30 p.m., The Knolls, 2201 Old Cheney Road

Sunday, November 21
• Havelock Christian Church 100-year birthday celebration, proclamation - 10:45 a.m., 6520 Colfax Avenue

Tuesday, November 23
• KLIN live call-in show - 9:10 a.m., 4343 “O” St.
• Aging Services’ Trees of Love, remarks - 10:30 a.m., Wells Fargo Bank Lobby, 13th and “O” Streets
Congress Completes FY 2005 Budget

Congress

Congress approves FY 2005 budget with passage of omnibus appropriations bill. Congress returned to Washington last week for a brief, post-election “lame duck” session of Congress. The main objective of the session was the completion of the FY 2005 budget process. Nine of the 13 annual spending bills remained incomplete as of Election Night, over one month into the fiscal year.

In order to speed passage of the bills and avoid legislative battles over controversial items, congressional leaders wrapped all nine appropriations bills into a $388 billion “omnibus” appropriations bill that combined funding for a host of agencies of importance to local governments. Among the bills wrapped into the package were: Commerce-State Justice Departments; Labor-HHS-Education Departments; VA-HUD-EPA; Transportation; Energy and Water Development; Interior Department, and Commerce-Justice-State Departments. Funding levels for specific programs in each agency are included in the stories below.

In order to stay within the $388 billion cap that was set by the White House for non-Defense and Homeland security related agencies, Congress imposed an across-the-board reduction of 0.83 percent on all programs included in the omnibus bill.

While Congress was successful in reinstituting a ban on state and local taxation of Internet access fees (see story below), Members were unable to come to an agreement on any of the other major pieces of legislation thought to be “in play” during the lame duck session, including intelligence reform, transportation reauthorization, and Water Resources Development Act (WRDA).

Telecommunications

Congress clears Internet tax ban. The House and Senate cleared legislation (S 150) this week that will reinstate the federal ban on Internet access taxes and on multiple and discriminatory taxation of the Internet for four years retroactive to November 1, 2003. The ban was passed in 1997 but had expired at the end of last year. President Bush is expected to sign S 150 when it reaches his desk.

The version of the bill sent to President Bush represents a significant victory for state and local governments. As originally introduced and as passed by the House (HR 49), the bill would have made the ban permanent and broadened it to preempt all revenue collected by state and local governments from telecommunications providers. The final bill expands the moratorium to prohibit taxation of Direct Subscriber Line (DSL).

The bill also renews the grandfather of pre-October 1, 1998 taxes on Internet access through November 1, 2007 as well as a grandfather through November 1, 2005 of DSL taxes imposed prior to November 1, 2003. The bill also includes language exempting taxes on Voice over Internet Protocol (VOIP) from the moratorium and language designed to preclude the avoidance of traditional telecommunications franchise fees through the practice known as "bundling," whereby telecommunications providers combine voice and Internet service into one bill. The language places the burden of separating Internet service from other services on the providers of bundled service, requiring that they "reasonably identify the charges for Internet access from books and records kept in the regular course of business."

S 150 also requires the General Accountability Office (GAO) to conduct a study on whether the moratorium has had an impact on the deployment of broadband technology and how
the moratorium has affected state and local revenues. The study is due November 1, 2005.

Senator Kay Bailey Hutchison (R-TX) inserted language into the final bill that clarifies that the S 150 does not preempt the collection of the line access fees that Texas local governments collect from telecommunications providers as compensation for the use of public rights-of-way. Though Hutchison's language only directly protects Texas local governments, she obtained assurances from bill sponsors during floor debate that the legislation is not intended to preempt compensation for the use of public rights-of-way, which could be important during legal challenges arising from S 150.

In contrast to Hutchison's actions on behalf of her state's local governments, Representative James Sensenbrenner (R-WI) insisted that the grandfather of pre-1998 taxes on Internet access levied by Wisconsin expires a year before the grandfather for all other states expires. Sensenbrenner, the Chairman of the House Judiciary Committee, is a lead proponent of preempting state and local authority and has vowed that he will work to expand the moratorium and make it permanent in the 109th Congress.

Sensenbrenner's charge on state and local authority will be just one piece of a broad assault on state and local governments being orchestrated by a telecommunications industry eager to free itself of all state and local taxes, fees and regulations as Congress considers a major rewrite of the Communications Act.

The assault has already begun at the Federal Communications Commission (FCC), which has generally sided with industry and ruled that new technologies are not telecommunications services but rather "interstate information services" that are not subject to state and local regulation, taxes and fees. For example, despite the language in S 150, the FCC recently ruled that VOIP is an interstate information service not subject to state and local regulation, fees or taxes. In addition, local governments are awaiting a decision by the Supreme Court that will decide whether the FCC ruling that cable modem services are an interstate information service not subject to traditional cable franchise fees.

Next month, representatives of the seven major state and local public interest groups who meet with industry representatives to discuss telecommunications issues generally and the question of revenue specifically. The meeting comes at the urging of Senator Lamar Alexander (R-TN) who, along with Hutchison and Senators Dianne Feinstein (D-CA) and Thomas Carper (D-DE), was a proponent of the state and local government position during the debate on S 150.

Industry seems intent on eliminating all state and local taxes and fees and will reportedly propose a simplification of those fees similar to the simplification of sales taxes produced by the Streamlined Sales Tax Project (SSSTP). The challenge for local governments will be to reinforce that franchise fees and other similar revenue are not taxes but are compensation for the use of public rights-of-way.

**Transportation**

Highway and transit programs receive increase in omnibus spending bill, but aviation takes a hit. The massive omnibus spending measure included almost $59 billion overall for federal transportation programs. Appropriators gave increases to surface transportation programs, with highway funding rising to $35.5 billion from $33.6 billion and transit programs increasing to $7.7 billion from last year's level of $7.2 billion. These funding levels reflect the House transportation reauthorization bill funding levels for highways and transit, as opposed to the Senate's higher authorization levels. Aviation programs were decreased, however, by 219 million to a level of $13.6 billion.

The FTA New Starts Program was increased by 9 percent to $1.47 billion from last year's funding level; the Bus and Bus Facilities Program increased 7.4 percent to $669.4 million and the Job Access and Reverse Commute Program increased almost 18.8 percent from last year's levels to $123.96 million. Appropriators earmarked most of these accounts, leaving little discretion to the DOT. Committee report language on a number of topics was not modified. In the New Starts area, this means that the FTA would be required to submit a monthly new start update to the Appropriations Committees. The House Appropriations Committee has been concerned that the FTA has not done an effective job of keeping Congress apprised of new start project developments. The monthly update would apply to all projects with a full funding grant agreement, as well as those projects with at least a rating of "recommended" that are in the new starts pipeline.

The FAA received $2.54 billion for the Facilities and Equipment Program, and $3.5 billion for the Airport Improvement Program. Another $102 million was provided for the Essential Air Service Program. The FAA stands to lose $332 million from FY 2004 funding levels.

Amtrak would receive $1.2 billion, before the 0.83 percent across-the-board spending cut. This is the same as the Senate passed transportation spending bill, and an increase from the House measure. Amtrak is still subjected to rigorous reporting requirements, and will have to submit quarterly financial analyses, revenue projections, and capital expenditure projections. Statutory language was included in the bill bringing Amtrak one step closer to privatization of intercity passenger rail. The legislation authorizes DOT to develop and implement a plan for fair competitive bidding by Amtrak and non-Amtrak operators for state-supported routes. DOT can redirect $2.5 million from Amtrak's funding for this new program.

The omnibus bill also provides $1.426 billion for the Federal Railroad Administration (which includes $1.2 billion for Amtrak); $19.3 million for Next Generation High Speed rail, including $3
million for high-speed rail corridor planning and $2 million for Maglev.

**Housing and CD**

The Section 8 program is quickly swallowing the HUD budget. The FY 2005 HUD budget that was approved by Congress over the weekend increases the agency’s budget by $838 million (2.3 percent) but the entirety of that increase was used to renew existing Section 8 assisted housing contracts. The result is significant reductions to major HUD programs such as CDBG and HOME that according to one housing advocate were deeper than she had ever seen.

With instructions for the White House to restrict any increases in FY 2005 spending to Defense Department and Homeland Security Department accounts, Congress struggled to meet the rapidly growing needs of the Section 8 program while maintaining other core programs at HUD. The program now comprises over half of the entire agency budget. The public housing operating assistance fund was the hardest hit, suffering a $1 billion reduction (31.3 percent), but appropriators maintain that the cuts are merely a one-time reduction due to a change that will require public housing agencies to begin their fiscal years on January 1.

Other HUD program funding levels for FY 2005 are as follows (with percentage difference from FY 2004 in parentheses):

- $4.15 billion CDBG formula grants (-4.2%)
- $1.865 billion for HOME (-7%)
- $1.251 billion for homeless assistance grants (-1%)
- $2.6 billion for public housing capital grants (-3.6%)
- $747 million for Section 202 elderly assistance (-3.5%)
- $240 million for Section 81 disabled assistance (-3.7%)
- $284 million for Housing for Persons with AIDS (-3.8%)
- $144 million for HOPE VI severely distressed public housing (-3.4%)
- $24 million for brownfields grants (-4%)
- $10 million for Round II Empowerment Zones (-3.4%)

These programs will also experience an additional 0.83 percent cut that Congress imposed on all non-Defense and Homeland Security agencies to ensure that overall domestic discretionary programs remained within the President’s caps.

**Public Safety**

Congress slashes law enforcement assistance. As part of the FY 2005 omnibus appropriations bill, Congress approved $20.6 billion for the Department of Justice. This funding reflects a 4 percent increase from 2004 and is 3 percent more than what President Bush sought. Despite the overall increases, local law enforcement assistance received major cuts.

In a blow to local governments, the bill adopts the House's proposal to fold the Local Law Enforcement Block Grants (LLEBG) into the Byrne Formula Grant Program. As included in the omnibus, 60 percent of Byrne funds are allocated to the states and 40 percent are allocated directly to local governments according to a formula based on population and violent crime.

The bill provides $634 million for the Byrne Program. After set-asides of $97.5 million for the Boys and Girls Clubs, the National Institute of Justice and the USA Freedom Corps, the local government share of 40 percent comes to $214 million, a 61 percent increase from FY 2004 funding for the LLEBG but a 44 percent decrease from the FY 2003 funding. In addition the news of raises concerns that direct funding to local governments will gradually be directed to the states in the name of further streamlining and consolidation. Indeed, the $634 million allocated to the new Byrne Formula Grant Program is $224 million less than the total provided for the Byrne and LLEBG combined in FY 2004.

At a funding level of $606 million, Community Oriented Policing Services is reduced by 20 percent, allocating only $10 million dollars for the hiring of local police. This cut of approximately 92 percent essentially eliminates the program. Other programs in the bill, with changes from FY 2004 funding in parentheses, include:

- $40 million for Drug Courts (20 percent decrease from FY 2004)
- $55 million for Juvenile Accountability Incentive Block Grants (-8%)
- $384 million for Juvenile Justice Grants (-9%)
- $305 million for State Criminal Alien Assistance Program (-6%)
- $387 million for Violence Against Women (+1%)
- $62 million for Weed and Seed (+7%)

**Job Training**

Congress approves FY 2005 Labor Department spending bill. Included in the omnibus appropriations bill, Labor Department funding is grouped with the Departments of Health and Human Services and Education. Employment and Training Administration programs received $5.4 billion, a 4 percent from FY 2004.

Specific programs funding includes:

- $898 million for the Adult Training Block Grant, and increase of 1 percent over FY 2004
- $994 million for the Youth Block Grant, also a 1 percent increase
- $1.48 billion for the Dislocated Worker Program, a 2 percent hike
- $1.56 billion for Job Corps, another 1 percent increase

However, like other non-defense related FY 2005 appropriations, Labor Department programs will be subject to an across-the-board cut of 0.83 percent, virtually canceling out the small gains.
Environment

Congress cuts funding for the clean water state revolving loan fund. As part of the FY 2005 omnibus appropriations bill, Congress approved $8.09 billion for the Environmental Protection Agency, a decrease of 4% from FY 2004 but an increase of 4% from the administration request for FY 2005. As with all domestic programs, Congress cut final EPA appropriations by an across-the-board 0.83 percent. EPA funding is included in the VA, HUD, and Independent Agencies section of the omnibus bill.

The conference committee compromised halfway between the House and Senate recommendations for the clean water state revolving loan fund, settling on $1.1 billion, a 20% decrease from FY 2004. Both Congress and the Bush Administration are concerned with a backlog of unspent funding in the program.

Other programs of interest (% difference from FY 2004):

< $850 million for the Drinking Water State Revolving Loan Fund (same)
< $1.26 billion for Superfund (-1%)
< $14 million for Brownfields grants (-4.3%)
< $70 million for the Leaking Underground Storage Fund (-8%)
< $225 million for the state air assistance grants (-2%)

Like other programs in the VA/HUD section of the omnibus, cuts in the EPA were used to offset an increase in veteran's health care.

Human Services

Omnibus bill includes HHS spending. The FY 2005 Omnibus Appropriations bill finalized this past weekend incorporates the bill funding the Departments of Labor, Health & Human Services (HHS) and Education. At HHS, most programs of interest to local governments escaped large cuts but few saw significant increases. The biggest increases came for Community Health Centers and for Refugee & Entrant Assistance, both of which grew by 8 percent. Funding for the Substance Abuse and Treatment Block Grant absorbed the biggest cut, seeing its funding decreased by 15 percent.

< $1.748 billion for Community Health Centers (+8%)
< $730 million for the Maternal & Child Health Block Grant (same as FY 2004)
< $2.065 billion for the Ryan White AIDS Program (+2%)
< $1.789 billion for Substance Abuse Treatment and Prevention (-15%)
< $2.2 billion for LIHEAP (+4%)
< $2.1 billion for the Child Care Block Grant (same as FY 2004)
< $488 million for Refugee & Entrant Assistance (+8.9%)
< $1.7 billion for the Social Services Block Grant (same as FY 2004)
< $6.899 billion for Head Start (+2%)
< $89 million for Runaway & Homeless Youth (same as FY 2004)
< $642 million for the Community Services Block Grant (same as FY 2004)
< $1.405 billion for the Administration on Aging (+2%)

On the homeland security front, local governments will not receive major new resources. The Centers for Disease Control State & Local Preparedness Grant Program would receive $934 million, the same as in FY 2004 while the Bioterrorism Hospital Preparedness program would receive $495 million, a 4 percent cut.

Arts and Recreation

Interior Department suffers same fate as other domestic agencies in FY 2005 budget.

Most of the major federal arts and recreation programs funded through the Interior Department appropriations bill received reductions in the FY 2005 budget approved by Congress this past weekend, as the overall funding level for the bill fell 2.5 percent compared with FY 2004 levels.

Program levels for selected programs in the bill include (with changes from FY 2004 in parentheses):

< $92 million for Land and Water Conservation Fund stateside grants (-2.2%)
< $72.75 million for Historic Preservation (-3%)
< $30 million for Save America’s Treasures (same as FY 2004, $15 million for competitive grants, $15 million earmarked)
< $32.4 million for Urban and Community Forestry (-7.5%)
< $123 million for the National Endowment for the Arts (+1.7%)
< $124 million for National Endowment for the Humanities (-8.9%)

In addition, all the programs in the bill will be subject to the 0.83 percent across-the-board reduction imposed by Congress on non-Defense or Homeland Security agencies.
Overtime Regulations

New Labor Department overtime regulations remain in effect. Heeding to White House objections, Congress did not include language in the recently-approved FY 2005 Labor Department appropriations bill to suspend implementation of the Bush Administration’s new rules regulating qualifications for overtime pay.

Earlier this year, both the House and Senate approved amendments to the FY 2005 Labor-HHS-Education Departments appropriations bill that would have prevented the Labor Department from spending agency funds to administer the plan. However, President Bush held firm on the issue during negotiations with Congress over the FY 2005 budget, and congressional leadership dropped the provision last weekend when they were compiling the FY 2005 omnibus appropriations bill that contains the Labor Department budget.

As a result, the regulations, which officially went into effect in August, will remain. More information on the regulations can be obtained on the Labor Department website at: www.dol.gov/esa/regs/compliance/whd/fairpay/main.htm.

Grant Opportunities

Department of Justice: The Office of Violence Against Women is accepting letters of intent for the Grant to Encourage Arrest Policies and Enforcement of Protection Orders Program. The program encourages communities to adopt a coordinated community response in the treatment of domestic violence as a serious violation of criminal law. The focus is a community collaboration to ensure that victim safety is a primary consideration and to develop strategies to address domestic violence based on this consideration. Cities are eligible to apply, and while police departments, nonprofits, pre-trial service agencies, nongovernmental victim service agencies, etc. may assume responsibility for the project, they must apply through a city, state or local court. Grants will be made for projects lasting 24 months. The budget cap for populations up to 500,000 is $400,000, although grants are contingent on Congressional appropriation. Letters of intent are due December 16, 2004. (www.grants.gov)

Department of Health and Human Services: The Substance Abuse and Mental Health Services Administration has updated its standard grants announcements for Services, Infrastructure, Best Practices Planning & Implementation, and Service-to-Science grants. These announcements provide detailed descriptions of grant opportunities before the standard Notice of Funding Availability (NOFA) is published. Although applicants must consult the NOFA before applying for an opportunity, the standard grant announcements provide applicants more time to design projects and prepare applications. For more information: www.samhsa.gov/Grants/generalinfo/useful_Info.aspx#standard.

Department of Housing and Urban Development, November 3: The Office of the Assistant Secretary of Housing and Urban Development, Office of Public and Indian Housing announced the HOPE VI Revitalization of Severely Distressed Public Housing Program. This grant is designed to improve the living environment for public housing residents through demolition, rehabilitation, reconfiguration and replacement projects and to revitalize sites on which public housing projects are located and contribute to the improvement of the surrounding neighborhood. The grant also aims to provide housing that will avoid or decrease the concentration of very low-income families and build sustainable communities. Public housing authorities with severely distressed public housing are eligible to apply. Grant applications are due February 1, 2005. Federal Register pages 64135-64224.

Department of Health and Human Services: The Health Resources and Services Administration has published a comprehensive preview of the agency’s grant programs for FY 2005. Information on each of the programs may be found at can be found at: www.hrsa.gov/grants/preview/default.htm.
### GROSS SALES TAX COLLECTIONS
(With Refunds Added Back In)

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<thead>
<tr>
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<tbody>
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<td>$4,335,924</td>
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<td>$5,531,405</td>
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<td>$54,188,225</td>
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Year to date vs. previous year
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<td>SEPTEMBER</td>
<td>(107,766)</td>
<td>($472,215)</td>
<td>($646,545)</td>
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<td>(375,346)</td>
<td>($127,363)</td>
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<td>($110,193)</td>
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<td>($165,219)</td>
<td>49.94%</td>
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<tr>
<td>NOVEMBER</td>
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<td>($448,872)</td>
<td>($132,336)</td>
<td>($134,088)</td>
<td>1.32%</td>
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<td>($101,531)</td>
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<td>DECEMBER</td>
<td>(36,049)</td>
<td>($193,085)</td>
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<td>($177,459)</td>
<td>-26.06%</td>
<td>($390,445)</td>
<td>120.02%</td>
<td>($325,510)</td>
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<td>JANUARY</td>
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<td>($352,999)</td>
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<td>($306,467)</td>
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<td>($59,315)</td>
<td>-80.65%</td>
<td>($85,175)</td>
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<td>FEBRUARY</td>
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<td>($61,404)</td>
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<td>($323,218)</td>
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<td>($323,218)</td>
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<td>MARCH</td>
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<td>($22,759)</td>
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<td>APRIL</td>
<td>(219,339)</td>
<td>($478,438)</td>
<td>($333,878)</td>
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<td>($199,018)</td>
<td>-29.39%</td>
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<td>-29.39%</td>
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<tr>
<td>MAY</td>
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<td>($155,787)</td>
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<td>(108,185)</td>
<td>($47,618)</td>
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<td>($194,593)</td>
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<td>JULY</td>
<td>(193,310)</td>
<td>($235,932)</td>
<td>($181,863)</td>
<td>($563,339)</td>
<td>209.76%</td>
<td>($42,086)</td>
<td>-92.53%</td>
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<td>AUGUST</td>
<td>(155,756)</td>
<td>$0</td>
<td>($63,949)</td>
<td>($341,868)</td>
<td>434.60%</td>
<td>($531,884)</td>
<td>55.58%</td>
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<td>($2,854,968)</td>
<td>($3,293,201)</td>
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<td>-26.78%</td>
<td>($2,318,751)</td>
<td>-3.83%</td>
<td>($728,118)</td>
<td>-7.84%</td>
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Year to date vs. previous year
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<tr>
<th>Month</th>
<th>Actual 1999-00</th>
<th>Actual 2000-01</th>
<th>Actual 2001-02</th>
<th>% CHG. FROM PR. YEAR</th>
<th>Actual 2002-03</th>
<th>% CHG. FROM PR. YEAR</th>
<th>Actual 2003-04</th>
<th>% CHG. FROM PR. YEAR</th>
<th>Actual 2004-05</th>
<th>% CHG. FROM PR. YEAR</th>
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<tbody>
<tr>
<td>September</td>
<td>$3,484,448</td>
<td>$3,286,720</td>
<td>$3,197,606</td>
<td>31.08%</td>
<td>$4,191,407</td>
<td>4.59%</td>
<td>$4,383,878</td>
<td>4.59%</td>
<td>$4,512,303</td>
<td>2.93%</td>
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<tr>
<td>October</td>
<td>$3,456,293</td>
<td>$4,145,665</td>
<td>$3,737,474</td>
<td>17.72%</td>
<td>$4,399,587</td>
<td>3.66%</td>
<td>$4,560,394</td>
<td>3.66%</td>
<td>$4,541,471</td>
<td>-0.41%</td>
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<td>November</td>
<td>$3,982,687</td>
<td>$3,611,894</td>
<td>$3,993,488</td>
<td>7.02%</td>
<td>$4,273,655</td>
<td>0.77%</td>
<td>$4,306,712</td>
<td>0.77%</td>
<td>$4,586,261</td>
<td>6.49%</td>
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<td>December</td>
<td>$3,668,154</td>
<td>$3,631,485</td>
<td>$3,615,893</td>
<td>6.68%</td>
<td>$3,857,499</td>
<td>1.72%</td>
<td>$3,923,666</td>
<td>1.72%</td>
<td>$4,586,261</td>
<td>6.49%</td>
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<tr>
<td>January</td>
<td>$2,751,381</td>
<td>$3,615,574</td>
<td>$4,066,908</td>
<td>-8.03%</td>
<td>$3,740,166</td>
<td>14.34%</td>
<td>$4,276,609</td>
<td>14.34%</td>
<td>$4,276,609</td>
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<tr>
<td>February</td>
<td>$4,909,166</td>
<td>$4,780,680</td>
<td>$4,473,291</td>
<td>15.43%</td>
<td>$5,163,582</td>
<td>0.86%</td>
<td>$5,208,187</td>
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<td>March</td>
<td>$3,063,425</td>
<td>$3,427,311</td>
<td>$3,480,060</td>
<td>16.65%</td>
<td>$4,059,342</td>
<td>-2.51%</td>
<td>$3,957,283</td>
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<td>May</td>
<td>$3,897,718</td>
<td>$3,982,395</td>
<td>$3,773,581</td>
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<td>$3,908,947</td>
<td>13.76%</td>
<td>$4,447,001</td>
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<td>June</td>
<td>$3,497,973</td>
<td>$3,693,707</td>
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<td>8.09%</td>
<td>$4,030,637</td>
<td>9.28%</td>
<td>$4,404,651</td>
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<td>July</td>
<td>$3,948,039</td>
<td>$3,568,964</td>
<td>$3,851,488</td>
<td>-8.03%</td>
<td>$3,542,215</td>
<td>22.78%</td>
<td>$4,349,171</td>
<td>22.78%</td>
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<td>August</td>
<td>$3,906,898</td>
<td>$4,093,476</td>
<td>$4,167,224</td>
<td>-2.57%</td>
<td>$4,060,288</td>
<td>7.42%</td>
<td>$4,361,554</td>
<td>7.42%</td>
<td>$4,361,554</td>
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<td>Total</td>
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<td>$44,486,126</td>
<td>$45,393,489</td>
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<td>$48,657,267</td>
<td>6.60%</td>
<td>$51,869,477</td>
<td>6.60%</td>
<td>$13,640,035</td>
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## Actual Compared to Projected Sales Tax Collections

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<th>Month</th>
<th>Projected</th>
<th>Actual</th>
<th>From Actual to Projected</th>
<th>$ Change Fr. 03-04</th>
<th>% Change Fr. 03-04</th>
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<td>SEPTEMBER</td>
<td>$4,515,734</td>
<td>$4,512,303</td>
<td>($3,431)</td>
<td>$128,424</td>
<td>2.93%</td>
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<tr>
<td>OCTOBER</td>
<td>$4,727,381</td>
<td>$4,541,471</td>
<td>($185,910)</td>
<td>($18,923)</td>
<td>-0.41%</td>
</tr>
<tr>
<td>NOVEMBER</td>
<td>$4,759,942</td>
<td>$4,586,261</td>
<td>($173,681)</td>
<td>$279,549</td>
<td>6.49%</td>
</tr>
<tr>
<td>DECEMBER</td>
<td>$4,303,478</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>JANUARY</td>
<td>$4,547,686</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>FEBRUARY</td>
<td>$5,600,491</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>MARCH</td>
<td>$4,156,954</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>APRIL</td>
<td>$3,907,319</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>MAY</td>
<td>$4,536,832</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>JUNE</td>
<td>$4,357,746</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>JULY</td>
<td>$4,477,137</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>AUGUST</td>
<td>$4,737,625</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>$54,628,325</td>
<td>$13,640,035</td>
<td>($363,022)</td>
<td>$389,050</td>
<td>2.94%</td>
</tr>
</tbody>
</table>
OFFICE OF TREASURER, CITY OF LINCOLN, NEBRASKA

November 18, 2004

TO: Mayor Coleen Seng & City Council Members

FROM: Finance Department/City Treasurer

SUBJECT: MONTHLY CITY CASH REPORT

The records of this office show me to be charged with City cash as follows at the close of business October 29, 2004.

Balance Forward $ 229,442,568.78
Plus Total Debits October 1 - 29, 2004 $ 28,728,491.61
Less Total Credits October 1 - 29, 2004 $(39,964,579.65)
Cash Balance on October 29, 2004 $ 218,206,480.74

I desire to report that such City cash was held by me as follows which I will deem satisfactory unless advised and further directed in the matter by you.

<table>
<thead>
<tr>
<th>Account</th>
<th>Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td>U.S. Bank Nebraska, N.A</td>
<td>$ 58,419.28</td>
</tr>
<tr>
<td>Wells Fargo Bank</td>
<td>$ 168,269.72</td>
</tr>
<tr>
<td>Union Bank &amp; Trust Company</td>
<td>$ 18,664.74</td>
</tr>
<tr>
<td>Pinnacle Bank</td>
<td>$ 47,924.69</td>
</tr>
<tr>
<td>Cornhusker</td>
<td>$ 60,104.16</td>
</tr>
<tr>
<td>West Gate Bank</td>
<td>$ 59,626.45</td>
</tr>
<tr>
<td>Wells Fargo Bank Credit Card Bank Account</td>
<td>$(16,462.35)</td>
</tr>
<tr>
<td>Idle Funds - Short-Term Pool</td>
<td>$ 20,941,318.39</td>
</tr>
<tr>
<td>Idle Funds - Medium-Term Pool</td>
<td>$ 196,228,341.67</td>
</tr>
<tr>
<td>Cash, Checks and Warrants</td>
<td>$ 640,273.99</td>
</tr>
<tr>
<td>Total Cash on Hand October 29, 2004</td>
<td>$ 218,206,480.74</td>
</tr>
</tbody>
</table>

The negative bank balances shown above do not represent the City as overdrawn in these bank accounts. In order to maximize interest earned on all City funds, deposits have been invested prior to the Departments’ notification to the City Treasurer’s office of these deposits; therefore, these deposits are not recorded in the City Treasurer’s bank account balances at month end.

I also hold as City Treasurer, securities in the amount of $26,555,398.74 representing authorized investments of the City's funds.

ATTEST:

[Signature]
Melinda J. Jones, City Treasurer
<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>CUSIP</th>
<th>MATURITY DATE</th>
<th>ORIGINAL FACE</th>
<th>CURRENT PAR</th>
<th>MARKET PRICE</th>
<th>MARKET VALUE</th>
</tr>
</thead>
<tbody>
<tr>
<td>FHLMC FGLMC D67795</td>
<td>3128F7U8</td>
<td>01Dec09</td>
<td>$1,191,991.00</td>
<td>$111,206.76</td>
<td>1.09</td>
<td>$121,383.85</td>
</tr>
<tr>
<td>FHLMC FGTW C90689</td>
<td>313355HXS7</td>
<td>01Jul23</td>
<td>$11,150,000.00</td>
<td>$10,150,672.05</td>
<td>0.98</td>
<td>$10,056,975.52</td>
</tr>
<tr>
<td>FNMA FNCL 721608</td>
<td>31401XU96</td>
<td>01Jul18</td>
<td>$12,000,000.00</td>
<td>$10,379,844.72</td>
<td>0.98</td>
<td>$10,179,669.41</td>
</tr>
<tr>
<td>FNMA FARM 303824</td>
<td>31373UJP4</td>
<td>01Jul25</td>
<td>$1,500,000.00</td>
<td>$62,286.59</td>
<td>1.04</td>
<td>$64,500.20</td>
</tr>
<tr>
<td>FNMA FNCL538363</td>
<td>31385AB89</td>
<td>01Apr30</td>
<td>$550,000.00</td>
<td>$90,599.51</td>
<td>1.09</td>
<td>$98,385.10</td>
</tr>
<tr>
<td>FNMA FNCL 254725</td>
<td>313741K4J7</td>
<td>01May33</td>
<td>$500,000.00</td>
<td>$421,200.17</td>
<td>1.00</td>
<td>$419,406.70</td>
</tr>
<tr>
<td>FNMA FNCL 682970</td>
<td>31400BW77</td>
<td>01Feb18</td>
<td>$7,100,000.00</td>
<td>$5,098,373.54</td>
<td>1.00</td>
<td>$5,111,614.01</td>
</tr>
<tr>
<td>GNMA-2 GZJO 3156</td>
<td>36202DQH7</td>
<td>20Nov16</td>
<td>$2,550,000.00</td>
<td>$991,343.25</td>
<td>1.04</td>
<td>$1,032,915.13</td>
</tr>
<tr>
<td>GNMA-2 GZJO 3194</td>
<td>36202DRP8</td>
<td>20Feb17</td>
<td>$4,130,000.00</td>
<td>$2,006,878.06</td>
<td>1.04</td>
<td>$2,089,926.48</td>
</tr>
<tr>
<td>FNMA FNCL 254592</td>
<td>31371XXV8</td>
<td>01Dec32</td>
<td>$3,100,000.00</td>
<td>$2,272,710.16</td>
<td>1.00</td>
<td>$2,265,944.30</td>
</tr>
<tr>
<td>US BANK NE</td>
<td>TOTAL PLEDGED</td>
<td>$43,871,991.00</td>
<td>$31,594,024.81</td>
<td></td>
<td>$31,389,720.70</td>
<td></td>
</tr>
<tr>
<td>FNCL 535771 6.00%</td>
<td>31384WFL9</td>
<td>01Feb31</td>
<td>$8,200,000.00</td>
<td>$1,457,691.53</td>
<td>1.50</td>
<td>$1,515,363.73</td>
</tr>
<tr>
<td>FNCT 255047 5.5%</td>
<td>31371LHY8</td>
<td>01Dec23</td>
<td>$350,000.00</td>
<td>$308,110.47</td>
<td>1.00</td>
<td>$316,537.29</td>
</tr>
<tr>
<td>FNCL 555285 6.00%</td>
<td>31385WS27</td>
<td>01Mar33</td>
<td>$17,005,000.00</td>
<td>$6,269,762.03</td>
<td>1.00</td>
<td>$6,510,953.07</td>
</tr>
<tr>
<td>FNCL 666295 6.00%</td>
<td>31391GJC4</td>
<td>01Nov32</td>
<td>$8,650,000.00</td>
<td>$1,991,241.76</td>
<td>1.04</td>
<td>$2,067,842.70</td>
</tr>
<tr>
<td>FNCL 545277 6.00%</td>
<td>31385XHE7</td>
<td>01Nov31</td>
<td>$5,400,000.00</td>
<td>$987,340.75</td>
<td>1.00</td>
<td>$1,025,323.75</td>
</tr>
<tr>
<td>FNCL 615057 6.00%</td>
<td>31388UJA9</td>
<td>01Jan32</td>
<td>$5,000,000.00</td>
<td>$1,487,319.50</td>
<td>1.00</td>
<td>$1,544,536.68</td>
</tr>
<tr>
<td>FNCL 622169 6.00%</td>
<td>31389DFJ1</td>
<td>01Dec31</td>
<td>$2,200,000.00</td>
<td>$509,290.05</td>
<td>1.00</td>
<td>$528,901.78</td>
</tr>
<tr>
<td>GNSF 781210 6.50%</td>
<td>36225BKX5</td>
<td>15Sep29</td>
<td>$8,700,000.00</td>
<td>$1,271,330.65</td>
<td>1.00</td>
<td>$1,348,111.97</td>
</tr>
<tr>
<td>FNCL 32371S 6%</td>
<td>31374TSC4</td>
<td>01May29</td>
<td>$10,500,000.00</td>
<td>$1,730,865.36</td>
<td>1.04</td>
<td>$1,790,345.42</td>
</tr>
<tr>
<td>FNCL 323605 6.50%</td>
<td>31374TNW5</td>
<td>01Mar29</td>
<td>$2,400,000.00</td>
<td>$256,505.09</td>
<td>1.00</td>
<td>$270,476.16</td>
</tr>
<tr>
<td>WELLS FARGO BANK NE</td>
<td>TOTAL PLEDGED</td>
<td>$68,405,000.00</td>
<td>$16,269,466.19</td>
<td></td>
<td>$16,927,382.55</td>
<td></td>
</tr>
<tr>
<td>US Treasury 6.50%</td>
<td>91282TTS5</td>
<td>15May05</td>
<td>$250,000.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>FARM CREDIT NOTE 5%</td>
<td>31331LGY8</td>
<td>10May04</td>
<td>$250,000.00</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>UNION BANK LINCOLN</td>
<td>TOTAL PLEDGED</td>
<td>$500,000.00</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>FHLB BOND 3.00%</td>
<td>3133X4RG8</td>
<td>29Jun07</td>
<td>$3,000,000.00</td>
<td>$3,000,000.00</td>
<td>1.00</td>
<td>$3,000,000.00</td>
</tr>
<tr>
<td>FHLB BOND 3.05%</td>
<td>3133X4X63</td>
<td>28Mar07</td>
<td>$3,000,000.00</td>
<td>$3,000,000.00</td>
<td>1.00</td>
<td>$3,000,000.00</td>
</tr>
<tr>
<td>FNMA Pool #253819</td>
<td>313711J4C5</td>
<td>01May11</td>
<td>$1,025,000.00</td>
<td>$995,861.61</td>
<td>1.00</td>
<td>$995,861.61</td>
</tr>
<tr>
<td>CORNHUSKER BANK</td>
<td>TOTAL PLEDGED</td>
<td>$7,025,000.00</td>
<td>$6,995,861.61</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>FHLB Step Up 2.4%</td>
<td>31339XUE2</td>
<td>06Jan09</td>
<td>$2,000,000.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>FHLB Step-Up 2.125%</td>
<td>31339YEB5</td>
<td>23Jul09</td>
<td>$2,000,000.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>FHLB Step Up 2.25%</td>
<td>31339XM43</td>
<td>30Jun08</td>
<td>$2,000,000.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>DESCRIPTION</td>
<td>CUSIP</td>
<td>MATURITY DATE</td>
<td>ORIGINAL FACE</td>
<td>CURRENT PAR</td>
<td>MARKET PRICE</td>
<td>MARKET VALUE</td>
</tr>
<tr>
<td>----------------------------------</td>
<td>-----------</td>
<td>---------------</td>
<td>---------------</td>
<td>-------------</td>
<td>--------------</td>
<td>--------------</td>
</tr>
<tr>
<td>FHLB 2.50% to 5/05, then 5.25</td>
<td>3133MYQG5</td>
<td>19 Nov 08</td>
<td>$</td>
<td>500,000.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>WEST GATE BANK</td>
<td></td>
<td>TOTAL PLEDGED</td>
<td>$</td>
<td>6,500,000.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ltr of Credit #4603R</td>
<td></td>
<td>22 Dec 04</td>
<td>$</td>
<td>2,100,000.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ltr of Credit #4602R</td>
<td></td>
<td>22 Mar 05</td>
<td>$</td>
<td>2,000,000.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>TIER ONE BANK</td>
<td></td>
<td>TOTAL PLEDGED</td>
<td>$</td>
<td>4,100,000.00</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
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:

____________________________________
Don Herz, Finance Director

Approved this ___ day of ____________, 2004

____________________________________
Mayor
November 15, 2004, we cashed a $521,000 First American Government Obligation Fund at US Bank out of the Short Term Pool. We then invested $1,650,000 as follows:

<table>
<thead>
<tr>
<th>Amount</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>$50,000</td>
<td>Nebraska Public Agency Investment Trust at Union Bank</td>
</tr>
<tr>
<td>$1,600,000</td>
<td>Repurchase Agreement at Wells Fargo Bank</td>
</tr>
</tbody>
</table>

A $2,000,000 investment in the Medium Term Pool matured November 16, 2004 and we immediately cashed and then invested $2,424,000 in the Short Term Pool as follows:

<table>
<thead>
<tr>
<th>Amount</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>$5,000</td>
<td>Nebraska Public Agency Investment Trust at Union Bank</td>
</tr>
<tr>
<td>$450,000</td>
<td>Repurchase Agreement at Wells Fargo Bank</td>
</tr>
<tr>
<td>$1,969,000</td>
<td>First American Government Obligation Fund at US Bank</td>
</tr>
</tbody>
</table>

November 17, 2004 we cashed a $261,000 First American Government Obligation Fund at US Bank in the Short Term Pool. We then invested $3,330,000 as follows:

<table>
<thead>
<tr>
<th>Amount</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>$5,000</td>
<td>Nebraska Public Agency Investment Trust at Union Bank</td>
</tr>
<tr>
<td>$3,325,000</td>
<td>Repurchase Agreement at Wells Fargo Bank</td>
</tr>
</tbody>
</table>

November 19, 2004, we used new funds to invest $1,279,000 in the Short Term Pool as follows:

<table>
<thead>
<tr>
<th>Amount</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>$179,000</td>
<td>First American Government Obligation Fund at US Bank</td>
</tr>
<tr>
<td>$1,100,000</td>
<td>Repurchase Agreement at Wells Fargo Bank</td>
</tr>
</tbody>
</table>

We respectfully request approval of our actions.

Don Herz, Finance Director
Melinda J. Jones, City Treasurer
FOR IMMEDIATE RELEASE: November 24, 2004
FOR MORE INFORMATION: Harry Heafer: 441-8035, 416-4077

SNEAK PREVIEW AND PHOTO OPPORTUNITY WITH KIDS, LOTS OF COLOR & SOUND!

100 + YOUTH FROM 38 SCHOOLS WILL PERFORM IN THE CLEAN SWEEP KIDS TRASH CAN BAND PROMOTING THE STAR CITY HOLIDAY PARADE AS A LITTER FREE EVENT

Last practice is this Sunday, November 28, at State Fair Park starting in the Administration Building Basement at 2:00 p.m. and marching around the streets in State Fair Park from 2:00 p.m. - 3:30 p.m.

Over 100 youth in fifth grade through high school from 38 different public and parochial schools in Lincoln and Lancaster County make up this year’s Clean Sweep Kids Trash Can Band. Their last practice is this Sunday, November 28, at State Fair Park beginning at 2:00 p.m. on the west side of the Administration Building in the basement.

The youth play rhythms on various "instruments" including milk jugs, tin cans, trash can lids, pieces of metal, cardboard barrels, plastic barrels, and 90 gallon trash toters. They also yell out a chant that relates to this year’s parade theme of, Our Lasting Treasure. The Trash Can Band’s theme is, Treasure Our Earth. Their message promotes disposing of litter properly and keeping Lincoln clean.

An additional 50 plus volunteers will be on the sidewalks during the parade providing parade watchers with a convenient way to dispose of their trash without having to leave their prime viewing spot along the parade route. These volunteers are the ones who really help make this a successful litter free event.

This is the 12th year that Keep Lincoln & Lancaster County Beautiful, a program of the Lincoln-Lancaster County Health Department and local affiliate of Keep America Beautiful, has promoted the Star City Holiday Parade as a litter free event. KLLCB receives funding from the Litter Reduction & Recycling Fund administered by the Nebraska Department of Environmental Quality.

###
November 18, 2004

Paula Dicero
Associated Engineering
1232 High St. Suite 3
Lincoln, NE 68502

RE:  Brandt Heights 2nd Addition Final Plat #04043  Generally located at
S. 84th St. & Norval Rd.

Dear Ms. Dicero:

Brandt Heights 2nd Addition generally located northeast of S. 84th St and
South St. was approved by the Planning Director on November 18, 2004. The
plat and the subdivision agreement must be recorded in the Register
of Deeds. The fee is determined at $.50 per existing lot and per new lot
and $20.00 per plat sheet for the plat, and $.50 per new lot and $5.00 per
page for associated documents such as the subdivision agreement. If you
have a question about the fees, please contact the Register of Deeds.
Please make check payable to the Lancaster County Register of Deeds.
The Register of Deeds requests a list of all new lots and blocks created by
the plat be attached to the subdivision agreement so the agreement can
be recorded on each new lot.

Pursuant to § 26.11.060(d) of the Lincoln Municipal Code, this approval
may be appealed to the Planning Commission and any decision of the
Planning Commission to the City Council by filing a letter of appeal within
14 days of the action being appealed. The plat will be recorded with the
Register of Deeds after the appeal period has lapsed (date + 14 days),
and the recording fee and signed subdivision agreement have been
received.

Sincerely,

Tom Cajka
Planner

CC:  Ronald Tonniges
      Joan Ray, City Council
      Dennis Bartels, Public Works & Utilities
      Terry Kathe, Building & Safety
      Sharon Theobald, Lincoln Electric
      File

I:\PC\FP\Approval.wpd
Annexation by Ordinance
Ordinance No. 18459
Effective: November 9, 2004
11.8 Acres
November 18, 2004

The City of Lincoln, Department of Public Works would like to take this opportunity to invite you to an open house regarding the intersection of South 14th Street and Highway 2 - Project 701908.

On Thursday, December 2, 2004 from 5:00 to 7:00 p.m. at the Nebraska Department of Roads Auditorium, Engineers from the Public Works Department and E & A Consulting Group will be available to answer questions about the proposed project. A brief description of the work is:

Improvements to the intersection of 14th and Highway 2 beginning at the intersection of 13th and Stockwell, extending south to approximately 300 feet south of 14th and Pioneers. The western limit is approximately 800 feet west of Highway 2 and the eastern limit is approximately 1,000 feet east of Highway 2. The project includes design of dual right turn lanes on the west leg, dual left turn lanes on the north and south legs, extension of the east leg left turn lane, and signal modifications.

If you cannot attend and have questions, please contact either E & A Consulting Group or me.

Greg Wood  
Project Manager  
E & A Consulting Group  
(402) 420-7217

Kris Humphrey  
Project Manager  
City of Lincoln, Engineering Services  
(402) 441-7592

701908 Adv KH tdq.wpd
Response:

Ms. Robinson, in her testimony on Monday, November 15, 2004, made statements, to which I would like to respond.

- Ms. Robinson stated that the impact fee ordinance is not applied fairly to all applicants and that because she is on an already paved street she should not have to pay arterial street impact fees.

All new construction, unless exempted under 27.82.060 Exemptions from Impact Fees, is required to pay Impact Fees at the time of making application for a permit at Building and Safety. The Ordinance treats all new construction and change in land use on a consistent basis.

The city is divided into seven districts or benefit areas, and each has a separate account for each impact fee facility. Fees collected in a district or benefit area may only be used for new construction in that district or benefit area.

- Ms. Robinson made reference to the differences in impact fee cost per unit of Day Cares ($2.702/square foot) vs Elementary Schools ($0.240/square foot).

The arterial street impact fee for child daycare centers, as well as most other commercial uses are calculated based upon peak hour trip rate generated per square foot of gross floor area pursuant to the ITE traffic generation manual. Per the ITE Trip Generation manual the child care centers trip rate has been calculated based on over 61 traffic count studies nationwide of child care center users. The City of Lincoln also takes into consideration an independent Trip Generation of Day Care Centers by Preston W. Hitchens, Jr. 1990 Compendium of Technical Papers for the net cost calculation figures. Pursuant to this study and ITE traffic generation manual, peak hour can be defined a number of different ways. ITE looks at the peak hour of generation between 4-6, as well as the true peak hour
of the adjacent roadway. When Preston W Hitchens discusses peak times for avoiding lane obstructions or closures, the City has called that from 3:30 to 6 to take into account the school release times.

The independent study indicates using day care centers with varied building areas from 6,000 square feet to 8,400 square feet. Enrollment varied between 98-158 children with between 9-26 employees on site. Data at each location was analyzed with respect to number of enrolled children, gross building area in square feet, and number of employees at each center. Data from this study paralleled the findings in the ITE Day Care Center Average Vehicle Trip ends vs: 1000 square feet gross floor area. All documentation is attached to this response.

Within this independent survey Parents were asked as to whether or not they would have “passed by” the day care center in their normal home/work commute. There was a 24% response rate to primary trip (home to center to home). This setting the New Trip Rate at 24%. This percentage is carried through to the City of Lincoln’s Travel Demand Schedule as % of New Trips, reducing the Net Cost per VMT based on New Trips Rate of 24%, not 100%.

From the ITE manual description of Land Use 520: Elementary schools typically serve students attending kindergarten through the fifth or sixth grade. This land use consists of public schools where bus service is usually provided to students living beyond a specified distance from the school.

Lincoln elementary schools run 83 buses. The buses provide transportation to the elementary school age children, running at 80% capacity. The early childhood special education program uses the busing system at its available capacity, or 100%. The public schools provide bus service to students living beyond a 4 mile distance from the school. The source of this information was from Fred Craigie, Transportation Supervisor for Lincoln Public Schools.

Ms. Robinson challenged the Council to reevaluate the fees schedule for impact fees, and to look at each business on an individual basis and not by square footage.

To date we have 3,498 impact fee applications. Individual determinations of each application without policy would not be a fair and equitable system for the applicants. Policy and guidelines provide a framework for determinations to be made within.

At the 11/15/04 meeting...Council Member Glenn Friendt asked, “Were you paying attention to all of the debates that went on in the past two years about impact fees?” Ms. Robinson replied, “No I have not to be honest with you.... I realize that you guys have talked about the impact fees and economic development and the media. ....Unfortunately, as you know, child care is very expensive and overhead is very expensive. So I can’t offer the $33,000 to every employee that I employ at this time. ..”
The argument that Dawn Robinson, D&A Properties, LLC partners, or StudioNRG were unaware of the amount of Arterial Street Impact Fees is unfortunate. For the past 2 years the city of Lincoln has held numerous televised public hearings, small public group debates, and there have been numerous articles, editorial comments, and letters to the editor in our local papers. The City has also provided individual workshops on Impact Fee education for special interest groups, including engineering and design firms such as StudioNRG. The City of Lincoln Website explains the fee schedule and provides a direct phone number for contacting the Impact Fee Administrator for further questions and clarification. The Impact Fee Administrator has been, and continues to be, available to provide calculations prior to, during or after submission of an application at Building and Safety.

Dawn Robinson and her professional contract firm, StudioNRG, are responsible for the budgetary projections and submissions for their project. Per Account history with Building and Safety, StudioNRG has experience with the Permitting process, and has filed several Impact Fee applications on other projects, since the inception of the Impact Fee Ordinance on June 1, 2003. The City cannot be held responsible for these individuals and private firm’s incorrect projections of impact fee amounts.

Attachments:

City of Lincoln Travel Demand Schedule - Arterial Street Impact Fee Calculation per Land Use Table.

ITE Manual:
- Land Use: 565 Day Care Center pages 913 and 927
- Land Use: 520 Elementary School pages 813 and 816

Trip Generation of Day Care Centers, Preston W. Hitchens, R., ITE 1990 Compendium of Technical Papers.

Peak Hour Definition. Randy Hoskins, City Traffic Engineer
<table>
<thead>
<tr>
<th>Land Use Type</th>
<th>ITE Code</th>
<th>Unit</th>
<th>P.M Peak Hour Trip Rate</th>
<th>Half of P.M Peak Trip Rate</th>
<th>% New Trips</th>
<th>Length Mile</th>
<th>Peak Hour VMT</th>
<th>Net Cost Per VMT</th>
<th>Arterial Street Impact Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-Family Detached</td>
<td>210</td>
<td>Dwelling</td>
<td>1.01</td>
<td>0.51</td>
<td>100%</td>
<td>4.6</td>
<td>2.35</td>
<td>$631.06</td>
<td>$1,483.00</td>
</tr>
<tr>
<td>Single-Family Attached/Duplex</td>
<td>230</td>
<td>Dwelling</td>
<td>0.54</td>
<td>0.27</td>
<td>100%</td>
<td>4.6</td>
<td>1.24</td>
<td>$631.06</td>
<td>$783.00</td>
</tr>
<tr>
<td>Multi-Family</td>
<td>220</td>
<td>Dwelling</td>
<td>0.62</td>
<td>0.31</td>
<td>100%</td>
<td>4.6</td>
<td>1.43</td>
<td>$631.06</td>
<td>$903.00</td>
</tr>
<tr>
<td>Multi-Family Elderly/Retirement</td>
<td>250</td>
<td>Dwelling</td>
<td>0.27</td>
<td>0.135</td>
<td>100%</td>
<td>2.7</td>
<td>0.36</td>
<td>$631.06</td>
<td>$227.00</td>
</tr>
<tr>
<td>Mobile Home Park</td>
<td>240</td>
<td>Dwelling</td>
<td>0.56</td>
<td>0.28</td>
<td>100%</td>
<td>4.6</td>
<td>1.29</td>
<td>$631.06</td>
<td>$814.00</td>
</tr>
<tr>
<td><strong>Retail/Commercial</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hotel/Motel</td>
<td>310</td>
<td>Room</td>
<td>0.61</td>
<td>0.31</td>
<td>100%</td>
<td>2.7</td>
<td>0.84</td>
<td>$631.06</td>
<td>$530.00</td>
</tr>
<tr>
<td>Gen Retail/Shop Ctr (&lt;100,000 sq ft)</td>
<td>820</td>
<td>1000 sq. ft.</td>
<td>6.28</td>
<td>3.14</td>
<td>61%</td>
<td>1.8</td>
<td>3.45</td>
<td>$631.06</td>
<td>$2,178.00</td>
</tr>
<tr>
<td>Gen Retail/Shop Ctr (100,000-299,999 sq ft)</td>
<td>820</td>
<td>1000 sq. ft.</td>
<td>4.32</td>
<td>2.16</td>
<td>72%</td>
<td>2.2</td>
<td>3.11</td>
<td>$631.06</td>
<td>$1,953.00</td>
</tr>
<tr>
<td>Gen Retail/Shop Ctr (300,000-499,999 sq ft)</td>
<td>820</td>
<td>1000 sq. ft.</td>
<td>3.64</td>
<td>1.82</td>
<td>75%</td>
<td>2.2</td>
<td>3.00</td>
<td>$631.06</td>
<td>$1,894.00</td>
</tr>
<tr>
<td>Gen Retail/Shop Ctr (500,000-999,999 sq ft)</td>
<td>820</td>
<td>1000 sq. ft.</td>
<td>2.88</td>
<td>1.44</td>
<td>80%</td>
<td>2.4</td>
<td>2.76</td>
<td>$631.06</td>
<td>$1,742.00</td>
</tr>
<tr>
<td>Gen Retail/Shop Ctr (1 million sq ft+)</td>
<td>820</td>
<td>1000 sq. ft.</td>
<td>2.5</td>
<td>1.25</td>
<td>82%</td>
<td>2.6</td>
<td>2.67</td>
<td>$631.06</td>
<td>$1,685.00</td>
</tr>
<tr>
<td>Bank</td>
<td>512</td>
<td>1000 sq. ft.</td>
<td>54.78</td>
<td>27.39</td>
<td>27%</td>
<td>0.9</td>
<td>6.66</td>
<td>$631.06</td>
<td>$4,204.00</td>
</tr>
<tr>
<td>Convenience Store with Gasoline Sales</td>
<td>853</td>
<td>1000 sq. ft.</td>
<td>50.6</td>
<td>30.3</td>
<td>16%</td>
<td>0.9</td>
<td>4.36</td>
<td>$631.06</td>
<td>$2,752.00</td>
</tr>
<tr>
<td>Movie Theater</td>
<td>444</td>
<td>1000 sq. ft.</td>
<td>3.8</td>
<td>1.9</td>
<td>50%</td>
<td>2.7</td>
<td>2.87</td>
<td>$631.06</td>
<td>$1,622.00</td>
</tr>
<tr>
<td>Restaurant, Fast Food</td>
<td>834</td>
<td>1000 sq. ft.</td>
<td>33.48</td>
<td>16.74</td>
<td>27%</td>
<td>0.9</td>
<td>4.07</td>
<td>$631.06</td>
<td>$2,569.00</td>
</tr>
<tr>
<td>Restaurant, Sit-Down</td>
<td>831</td>
<td>1000 sq. ft.</td>
<td>7.49</td>
<td>3.75</td>
<td>38%</td>
<td>2.7</td>
<td>3.85</td>
<td>$631.06</td>
<td>$2,430.00</td>
</tr>
<tr>
<td>Automobile Care Center</td>
<td>840</td>
<td>1000 sq. ft.</td>
<td>4.01</td>
<td>2.01</td>
<td>61%</td>
<td>1.8</td>
<td>2.20</td>
<td>$631.06</td>
<td>$1,386.00</td>
</tr>
<tr>
<td><strong>Office/Institutional</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Office, General</td>
<td>710</td>
<td>1000 sq. ft.</td>
<td>1.49</td>
<td>0.75</td>
<td>100%</td>
<td>4.6</td>
<td>3.45</td>
<td>$631.06</td>
<td>$2,178.00</td>
</tr>
<tr>
<td>Office, Medical</td>
<td>720</td>
<td>1000 sq. ft.</td>
<td>3.66</td>
<td>1.83</td>
<td>100%</td>
<td>3.6</td>
<td>6.59</td>
<td>$631.06</td>
<td>$4,160.00</td>
</tr>
<tr>
<td>Hospital</td>
<td>610</td>
<td>1000 sq. ft.</td>
<td>0.92</td>
<td>0.48</td>
<td>100%</td>
<td>3.6</td>
<td>1.66</td>
<td>$631.06</td>
<td>$1,048.00</td>
</tr>
<tr>
<td>Nursing Home</td>
<td>620</td>
<td>1000 sq. ft.</td>
<td>0.36</td>
<td>0.18</td>
<td>100%</td>
<td>3.6</td>
<td>0.65</td>
<td>$631.06</td>
<td>$410.00</td>
</tr>
<tr>
<td>Church</td>
<td>560</td>
<td>1000 sq. ft.</td>
<td>0.66</td>
<td>0.33</td>
<td>100%</td>
<td>3.1</td>
<td>1.02</td>
<td>$631.06</td>
<td>$644.00</td>
</tr>
<tr>
<td>Day Care Center</td>
<td>565</td>
<td>1000 sq. ft.</td>
<td>13.2</td>
<td>6.6</td>
<td>24%</td>
<td>2.7</td>
<td>4.28</td>
<td>$631.06</td>
<td>$2,702.00</td>
</tr>
<tr>
<td>Elementary/Secondary School</td>
<td>565</td>
<td>1000 sq. ft.</td>
<td>1.02</td>
<td>0.51</td>
<td>24%</td>
<td>3.1</td>
<td>0.38</td>
<td>$631.06</td>
<td>$240.00</td>
</tr>
<tr>
<td><strong>Industrial</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Light Industrial/Industrial Park</td>
<td>130</td>
<td>1000 sq. ft.</td>
<td>0.92</td>
<td>0.46</td>
<td>100%</td>
<td>4.6</td>
<td>2.12</td>
<td>$631.06</td>
<td>$1,338.00</td>
</tr>
<tr>
<td>Manufacturing</td>
<td>140</td>
<td>1000 sq. ft.</td>
<td>0.74</td>
<td>0.37</td>
<td>100%</td>
<td>4.6</td>
<td>1.70</td>
<td>$631.06</td>
<td>$1,073.00</td>
</tr>
<tr>
<td>Warehouse</td>
<td>150</td>
<td>1000 sq. ft.</td>
<td>0.51</td>
<td>0.26</td>
<td>100%</td>
<td>4.6</td>
<td>1.20</td>
<td>$631.06</td>
<td>$758.00</td>
</tr>
<tr>
<td>Mini-Warehouse</td>
<td>151</td>
<td>1000 sq. ft.</td>
<td>0.28</td>
<td>0.13</td>
<td>100%</td>
<td>2.7</td>
<td>0.35</td>
<td>$631.06</td>
<td>$221.00</td>
</tr>
<tr>
<td><strong>Recreational</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Amusement Park</td>
<td>480</td>
<td>Acre</td>
<td>3.96</td>
<td>1.98</td>
<td>100%</td>
<td>2.7</td>
<td>5.35</td>
<td>$631.06</td>
<td>$3,377.00</td>
</tr>
<tr>
<td>Bowling Alley</td>
<td>494</td>
<td>1000 sq. ft.</td>
<td>3.54</td>
<td>1.77</td>
<td>100%</td>
<td>2.7</td>
<td>4.78</td>
<td>$631.06</td>
<td>$3,017.00</td>
</tr>
<tr>
<td>Golf Course</td>
<td>430</td>
<td>Hole</td>
<td>2.74</td>
<td>1.37</td>
<td>100%</td>
<td>2.7</td>
<td>3.70</td>
<td>$631.06</td>
<td>$2,336.00</td>
</tr>
<tr>
<td>Golf Driving Range</td>
<td>432</td>
<td>Tee</td>
<td>1.26</td>
<td>0.63</td>
<td>100%</td>
<td>2.7</td>
<td>1.70</td>
<td>$631.06</td>
<td>$1,073.00</td>
</tr>
<tr>
<td>Health Club</td>
<td>425</td>
<td>1000 sq. ft.</td>
<td>4.3</td>
<td>2.15</td>
<td>50%</td>
<td>2.7</td>
<td>2.90</td>
<td>$631.06</td>
<td>$1,831.00</td>
</tr>
<tr>
<td>Miniature Golf Course</td>
<td>431</td>
<td>Hole</td>
<td>0.34</td>
<td>0.17</td>
<td>100%</td>
<td>2.7</td>
<td>0.46</td>
<td>$631.06</td>
<td>$290.00</td>
</tr>
</tbody>
</table>

Source: Trip rate is ½ trip ends during PM peak hour of adjacent street on a weekday, Institute of Transportation Engineers (ITE). Trip Generation, 6th ed., 1997: shopping center rates based on upper end of range; new trip percentages for most uses from ITE, Trip Generation Handbook, October 1998; day care center from paper by Hitchens, 1990 ITE Compendium; elementary/secondary school assumed same as for day care; health club new trip percentage assumed; average trip lengths from Table 9; shopping center average trip length reduced from average retail trip length for centers smaller than 300,000 square feet and increased for centers larger than 300,000 square feet; highest trip generating uses assumed one-half trip length of smallest shopping center.
CALCULATE YOUR OWN FEE

[------- ENTER DATA FROM ITE MANUAL -------]

<table>
<thead>
<tr>
<th>Land Use Type</th>
<th>ITE Code</th>
<th>Unit</th>
<th>P.M Peak Trip Rate</th>
<th>Half of P.M Peak Trip Rate</th>
<th>Peak Hour VMT</th>
<th>Net Cost Per VMT</th>
<th>Arterial Street Impact Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Example: Nursery (Garden Center)</td>
<td>817</td>
<td>1,000 sq. ft.</td>
<td>3.8</td>
<td>1.90</td>
<td>0.00</td>
<td>0.00</td>
<td>$631.06</td>
</tr>
</tbody>
</table>

Notes:
1) Be careful to use the floor area, most commonly, and the AVERAGE RATE, Peak Hour of Adjacent Street Traffic, One Hour Between 4 and 6 p.m.
2) Use the Trip Generation Handbook to determine the "% New Trips"

TABLE A

AVERAGE TRIP LENGTH BY TRIP PURPOSE

<table>
<thead>
<tr>
<th>Trip Purpose</th>
<th>National Data</th>
<th>Local Data</th>
<th>Local Ratio</th>
<th>Estimated Local Trip Lengths</th>
</tr>
</thead>
<tbody>
<tr>
<td>To or from work</td>
<td>11.73</td>
<td>0.39</td>
<td>4.6</td>
<td></td>
</tr>
<tr>
<td>Doctor/Dentist</td>
<td>9.23</td>
<td>0.39</td>
<td>3.6</td>
<td></td>
</tr>
<tr>
<td>Average</td>
<td>8.92</td>
<td>3.44</td>
<td>3.5</td>
<td></td>
</tr>
<tr>
<td>School/Church</td>
<td>8.05</td>
<td>0.39</td>
<td>3.1</td>
<td></td>
</tr>
<tr>
<td>Family/Personal</td>
<td>6.88</td>
<td>0.39</td>
<td>2.7</td>
<td></td>
</tr>
<tr>
<td>Shopping</td>
<td>5.61</td>
<td>0.39</td>
<td>2.2</td>
<td></td>
</tr>
</tbody>
</table>

Source: Average trip lengths in miles; national data from US. Department of Transportation, Nationwide Personal Transportation Survey, 1995 (http://www-cta.dot.gov/npts/1995/Doc/table1.pdf); local average trip length from Table 8; estimated local trip lengths are products of national data by ratio.
Land Use: 565
Day Care Center

Description

A day care center is a facility where care for pre-school age children is provided, normally during the daytime hours. Day care facilities generally include classrooms, offices, eating areas, and playgrounds. Some centers also provide after-school care for children.

Additional Data

Peak hours of the generator —
The weekday A.M. and P.M. peak hours of the generator typically coincide with the peak hour of the adjacent street traffic.

The sites were surveyed from the mid-1980s to the 1990s throughout the United States.

Source Numbers

169, 208, 216, 253, 335, 336, 337, 355, 418, 423
Day Care Center
(565)

Average Vehicle Trip Ends vs: 1000 Sq. Feet Gross Floor Area
On a: Weekday,
P.M. Peak Hour of Generator

Number of Studies: 60
Average 1000 Sq. Feet GFA: 4
Directional Distribution: 47% entering, 53% exiting

Trip Generation per 1000 Sq. Feet Gross Floor Area

<table>
<thead>
<tr>
<th>Average Rate</th>
<th>Range of Rates</th>
<th>Standard Deviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>13.94</td>
<td>6.15 - 39.17</td>
<td>7.47</td>
</tr>
</tbody>
</table>

Data Plot and Equation

Fitted Curve Equation: Not given

R² = ****
Trip Generation of Day Care Centers

Preston W. Hitchens, Jr. (S)

INTRODUCTION

This research paper will provide additional insight into the trip making characteristics of day care centers in the metropolitan Philadelphia, Pennsylvania area. Data was collected at six operating day care centers in New Jersey and in Pennsylvania, and analyzed in several areas. The major focus of this work is directed towards trip generation, however peak parking demand, as well as average time parked during the morning and evening peak hours, was reviewed at two centers. Interviews were conducted at two centers during the evening rush hour to determine additional information about site related trips.

METHODOLOGY

Traffic data was collected at six operating day care centers in the metropolitan Philadelphia, Pennsylvania area. The locations of the centers were as follows:

- Voorhees, New Jersey (2 centers)
- Sewell, New Jersey
- Moorestown, New Jersey
- North Wales, Pennsylvania
- Plymouth Meeting, Pennsylvania

Traffic counters monitored driveway activity at each of the above centers during a typical weekday of operation. In order to minimize parental anxiety, the vehicle used by the traffic counter was signed "Traffic Count" and all management staff at each center were briefed as to the purpose of the data collection. All six locations studied were located in commercial areas. Two centers were located near major employment centers, with the other four accessing heavily traveled roadways.

All of the centers required that an adult accompany children into the facility in the morning, where typically, the child was signed in by the parent. In the afternoon the parent was required to enter the day care center and sign out his or her child.

All of the six centers studied had an outdoor play area which was fenced, and located the maximum possible distance from the parking areas. Although the majority of enrollees were personally dropped off and picked up by parents, some of the centers had small omnibus vans (approximately 15 passenger) which picked up children at appropriate times from local schools. The buses were also utilized for field trips.

Typical weekday operating hours at each center (with minor variations) were from 6:30 A.M. to 6:00 P.M. Discussions with managers at the respective centers revealed that some day care centers are offering parents extended hours on Friday evenings to approximately 11:00 P.M., and in some cases, sleep-over opportunities, where the enrolled child would spend the night at the day care center. These programs are marketed to parents as an opportunity for social activity on their part without compromising the safety of their children. For the centers extended hours and/or "sleep overs" offer increased revenue for the center. In addition, centers located near major employment centers offered programming to encourage parents to spend lunch time with their children, such as hongi sales, "Easter parades", etc.

SITE CHARACTERISTICS

The following data was collected at each survey location:

- Building area (square feet)
- Number of Parking Spaces
- Number of Children in Attendance
- Number of Employees in Attendance

Building areas of the centers varied from approximately 5,000 square feet to 8,400 square feet. Parking varied from 13-30 spaces at the study locations. Enrollment at the centers varied between 98-158 children, with between 9-26 employees on site.

TRIP GENERATION CHARACTERISTICS

The number of total trips during a typical weekday; and, during the morning and evening peak hours of each center was easily obtained from the traffic count information. Data at each location was analyzed with respect to number of enrolled children, gross building area in square feet, and number of employees at each center.

Linear regression analysis of total trip ends (T) vs. number of employees (E) on a typical weekday revealed the following relationship:

\[ T = 15.41E + 103.68 \quad R^2=0.865 \]

Similarly, analysis of total trip ends (T) vs. number of enrolled children (C) resulted in the following equation:

\[ T = 3.57C - 62.89 \quad R^2=0.777 \]

Project Engineer
Pennoni Associates Inc.
1600 Callowhill Street
Philadelphia, PA U.S.A. 19130

ITE 1990 Compendium of Technical Papers 359
A comparison of total trip ends (T) vs. 1,000 square feet gross floor area (X) was modeled by the regression equation:

\[ T = 65.78(X) - 98.33 \quad R^2 = 0.651 \]

Given the relatively low correlation coefficients and/or the limited data base, the above equations should be used very cautiously in modeling day center operations.

The following average trip rates were observed by this study:

**Average Weekday Vehicle Trip Ends**
- 20.78 trips/employee
- 52.85 trips/1000 s.f. gross floor area
- 3.26 trips/enrolled child

The range of rates of trips/employee varied from 17.90 trips/employee to 28.12 trips/employee. With respect to trips/1000 square feet of gross floor area, the rates ranged from 42.61 trips/1000 s.f. to 67.50 trips/1000 s.f. The range of rates of trips/enrolled child varied between 1.9 trips/enrolled child to 3.75 trips/child.

The following average trip rates were observed during the A.M. and P.M. peak hours of the generator:

**A.M. Peak Hour of Generator**
- 4.09 trips/employee
- 0.64 trips/enrolee
- 10.42 trips/1000 s.f. gross floor area

**P.M. Peak Hour of Generator**
- 8.12 trips/employee
- 0.65 trips/enrolee
- 10.50 trips/1000 s.f. gross floor area

In addition to determining average trip rates for several dependent variables, the average hourly variation of day care center traffic for the locations studied was determined.

**Average Hourly Variation of Day Care Center Traffic**

<table>
<thead>
<tr>
<th>Hour Ending</th>
<th>Percentage of Trips</th>
</tr>
</thead>
<tbody>
<tr>
<td>7:00 A.M.</td>
<td>3%</td>
</tr>
<tr>
<td>8:00 A.M.</td>
<td>16%</td>
</tr>
<tr>
<td>9:00 A.M.</td>
<td>16%</td>
</tr>
<tr>
<td>10:00 A.M.</td>
<td>8%</td>
</tr>
<tr>
<td>11:00 A.M.</td>
<td>2%</td>
</tr>
<tr>
<td>12:00 NOON</td>
<td>4%</td>
</tr>
<tr>
<td>1:00 P.M.</td>
<td>5%</td>
</tr>
<tr>
<td>2:00 P.M.</td>
<td>3%</td>
</tr>
<tr>
<td>3:00 P.M.</td>
<td>4%</td>
</tr>
<tr>
<td>4:00 P.M.</td>
<td>5%</td>
</tr>
<tr>
<td>5:00 P.M.</td>
<td>12%</td>
</tr>
<tr>
<td>6:00 P.M.</td>
<td>19%</td>
</tr>
</tbody>
</table>

**PARENTS' INTERVIEWS**

In order to gain additional insight into the trip making characteristics of day care centers, interviews of parents were conducted during the P.M. peak hour at two locations. Parents were asked where their trip had begun, where it would end, and its approximate length. Parents were also asked as to whether or not they would have "passed by" the day care center on their normal home/work commute. The following are the results of our interviews:

**Trip Origination:**
- 28% —home
- 72% —work

**Trip Destination:**
- 68% —directly home
- 32% —elsewhere

**Type of Trip:**
- 24% —primary trip (home to center to home)
- 44% —pass-by trip (from work to home)
- 32% —diverted trip (from work to home)

**Trip Length:**
- < 1 mile: 20%
- 1-2 miles: 16%
- 2-5 miles: 4%
- 5-10 miles: 44%
- > 10 miles: 16%

**Number of Children at Center:**
- 1 child: 68%
- 2 children: 32%

**PARKING CHARACTERISTICS**

Although the primary emphasis of this study was trip generation of day care centers, parking data was collected at two facilities. Peak parking rates were observed, as well as length of time parked during the morning and evening peak hours. The average peak parking rate was found to be 2.36 spaces/1000 square feet gross floor area. Parents parked an average of 5.6 minutes during the morning peak period and 6.8 minutes during the evening peak. Additional parking data should be collected on day care centers.

**CONCLUSIONS**

This paper has reviewed trip making characteristics of six operating day care centers in the Philadelphia, Pennsylvania area. The traffic count data was analyzed with respect to the number of employees, the number of enrolled children, and the square feet of gross floor area at each center.
Equations, obtained by linear regression analysis, are presented relating total trip ends vs. the number of employees, total trip ends vs. the number of enrolled children and total trip ends vs. the square feet of gross floor area at each center. In addition, average trip rates are developed for daily trips, A.M. peak hour of generator trips and P.M. peak hour of generator trips.

A comparison of the average trip rates determined by this study; and those published in Trip Generation, (4th Edition, Institute of Transportation Engineers, 1987) shows some differences. The rates presented for trips/employee by this study are approximately 55% lower than that presented in Trip Generation. The average trip rate presented for trips/1000 s.f. gross floor area were well within ITE range. The differences in the average trip rates determined by this study are most likely attributable to differences in regulations pertaining to day care throughout the country. It is recommended that additional studies be done in the Philadelphia, Pennsylvania area and elsewhere to further supplement the data base on this land use code.

NOTE: STUDY AND ITE MANUAL ARE CONSISTENT.
Land Use: 520
Elementary School

Description

Elementary schools typically serve students attending kindergarten through the fifth or sixth grade. Elementary schools are usually centrally located in residential communities in order to facilitate student access, and they have no student drivers. This land use consists of public schools where bus service is usually provided to students living beyond a specified distance from the school.

Additional Data

Average weekday transit trip ends —

Elementary school students generally use school buses more than regular transit and are dropped off and picked up more than high school students, who are apt to walk longer distances, ride bicycles, or in some cases, drive to school. Approximately sixty percent of the students at the sites where data were provided are transported to school via school buses.

Peak hours of the generator —

The weekday A.M. peak hour of the generator typically coincides with the peak hour of the adjacent street traffic. The weekday P.M. peak hour of the generator was between 2:00 P.M. and 4:00 P.M.

The elementary schools surveyed exhibited significant variations in terms of facilities provided.

The sites were surveyed from the mid-1970s to the mid-1990s throughout the United States and Canada.

Source Numbers

7, 32, 86, 186, 383, 390, 395, 444

Lincoln, Nebraska

-> 29 Elementary Schools Runs 83 Buses/DAY
- All provide Regular ED Busing. Runs @ 80% Capacity
- Early Childhood Special Ed - Program uses buses @ 100% of Available Capacity. Transportation Supervisor, Fred Craigie

Source: Lincoln Public Schools, Transportation, Fred Craigie
Elementary School
(520)

Average Vehicle Trip Ends vs: Employees
On a: Weekday,
P.M. Peak Hour of Generator

Number of Studies: 25
Avg. Number of Employees: 43
Directional Distribution: Not available

Trip Generation per Employee

<table>
<thead>
<tr>
<th>Average Rate</th>
<th>Range of Rates</th>
<th>Standard Deviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.50</td>
<td>1.03 - 10.28</td>
<td>2.73</td>
</tr>
</tbody>
</table>

Substantially lower in comparison to the ITE Day Care Center.

Data Plot and Equation

Fitted Curve Equation: Not given

Trip Generation, 8th Edition
816 Institute of Transportation Engineers
The week of November 29, 2004, a private contractor, K2 Construction, will be starting construction of a new water main for the Engineering Services Division of Public Works and Utilities Department in your area.

**Limits of Construction:** The water main will run along the east side of Oaks Hollow and follow the circle around for about 200 feet.

**Construction Schedule:** Beginning the week of November 29, 2004, construction will last approximately 4 weeks barring weather delays or unforeseen conditions.

**K2 Construction:**
Tom Rogge
(402) 467-2355

**Temporary Inconvenience:** The City of Lincoln realizes this project may temporarily inconvenience you. The contractor will try to maintain access to individual properties, but at times may have to close the access for a period of time.

If you have any problems or questions during the construction period, please contact K2 Construction or the City of Lincoln Project Manager for additional information.

Charlie Wilcox, Project Manager
City of Lincoln - Public Works and Utilities
441-7532 or 440-6067
MEMORANDUM

TO: City Council

FROM: Steve Masters, Public Works & Utilities
       Stephen Henrichsen, Planning

SUBJECT: Proposed Temporary Lift Station Policy

DATE: November 23, 2004

COPIES: Allan Abbott, Gary Brandt, Brian Kramer, Public Works & Utilities
         Marvin Krout, Planning Department

The proposed “Temporary Lift Station and Force Main” policy passed by the Planning Commission, on November 10th and five summary points deserve emphasis:

1. The 6-year time frame listed within the policy is significant. The time coincides with the term of the capital improvements program. It is assumed that for a temporary lift station approved under this policy, project(s) that will allow the discontinued use of the temporary facility shall be provided within the 6-year construction program.

2. Even though the developer owns the pumping facilities, when the collection system fails or backups occur within the collection system, City staff receives the phone calls and complaints.

3. Assigning temporary facilities over to home owner associations is not desirable. When older pumped systems require replacement, the costs are significant, requiring advance planning for owners. Reliance upon associations to schedule and to fund replacement of pumping systems may be problematic. This problem would be increased by allowing stations for more than six years.

4. Wastewater Division staff who maintain lift stations also assist with the maintenance and operation of the two wastewater treatment plants. The complexity of our treatment facilities is increasing with new construction occurring. Our Wastewater Division has reduced the number of employees by 12, in comparison to 1990. A majority of those staff positions were from the Treatment Section. Currently, 1.5 FTE’s service and maintain 14 sewage lift stations and 4 storm water pumping stations.

5. The proposed policy is the result of a long series of discussion involving Planning, Public Works and Utilities and developers. The outlined approach does assume that temporary facilities that are constructed will meet lift station design criteria, as if it were to serve a longer term. For example, remote telemetry and controls will be necessary.

I:\CCI\Temp Pump Station Memo Nov 2004.wpd
IMPACT FEE ADMINISTRATOR RESPONSE TO APPELLANT’S AMENDMENT

IMPACT FEE APPEAL - IFA-004008:

APPELLANT: Charles Brubaker
dba Brubaker Rentals
2827 N. 52nd Street
Lincoln, NE 68504

PROPERTY: 2300 B Street
Lincoln, NE

REQUEST: The appellant is appealing from the Arterial Street Impact Fees Determination dated October 7, 2004 arguing that Appellant’s prior use of this property from 1960 to 1963 as a 4 unit multi-family dwelling unit should exempt him from the arterial street impact fee.

RESPONSE:

(1) Building and Safety records indicate that the dwelling at 2300 B Street was legally changed to a duplex in 1955.

(2) Per Mr. Burbaker’s Letter of Appeal, Kay Klinke purchased the building in 1960. At the time of purchase the building was used as a multi-family dwelling containing four dwellings (4-plex). Building and Safety records indicate that a change from a duplex in 1955 to a 4-plex, between 1955 and 1960, was never legally made with the City of Lincoln Building and Safety.

(3) Building and Safety records indicate that in 1962 the building was legally changed to a three plex (3-plex), and continued to be used as a multi-family dwelling with three apartments, until the date of this application, October 7, 2004. The application on October 7, 2004 intent was to increase the number of dwelling units in the building from a 3unit apartment house (3-plex) to a 4 unit apartment house (4-plex).

(4) Lincoln Municipal Code § 27.82.050(4) provides that the impact fee shall be based on the net increase in the fee for the new use as compared to the previous use provided that the previous use was in operation within 15 years prior to the building permit for the redevelopment. The Arterial Street Impact Fee calculation was based on the net increase
in the number of dwelling units stated on the October 7, 2004 Impact Fee Application. The Impact Fee Determination was made on October 7, 2004 in the amount of $903.00.

(5) The argument that the Brubaker’s were unaware of the amount of Arterial Street Impact Fees is unfortunate. For the past 2 years the city of Lincoln has held numerous televised public hearings, small public group debates, and there have been numerous articles, editorial comments, and letters to the editor in our local papers. The City of Lincoln Website explains the fee schedule and provides a direct phone number for contacting the Impact Fee Administrator for further questions and clarification. The Impact Fee Administrator has been, and continues to be, available to provide calculations prior to, during or after submission of an application at Building and Safety.
November 10, 2004

CERTIFIED MAIL

Mr. David Heffelbower
1431 D Street Apartment 4
Lincoln NE 68508

Mr. Richard Douglas McClain
Plaza Mall South
1919 South 40th Street Suite 111
Lincoln NE 68506

Dear Sirs:

Notice is hereby given to all persons interested that on the 29th day of November, 2004, at the meeting of the City Council of the City of Lincoln, Nebraska, to be held at 5:30 p.m., or as soon thereafter as possible in the City Council Chambers in the County/City Building, 555 south 10th Street in said City, the City Council will assess the cost of Unsafe Building Demolition and Utility Abandonment, which the owner failed to perform after notice as required by law, and which the City was required to perform under Chapter 20.04 of the Lincoln Municipal Code, on the real estate described as:

1819 Washington Street, legally described as A. Hurlbuts Sub., Block 4, Lot 3.
Demolition Cost: $11,000.00

Such assessment shall constitute a special assessment against and a lien upon the property, and shall be paid in one annual installment, and shall bear interest at the rate of six percent (6%) per annum.

If you have any questions regarding the proposed assessment, contact John Boies of the Building & Safety Department at 441-6429. If you wish to file an objection or protest thereto, please contact the office of the City Clerk, 441-7438, e-mail: jross@lincoln.ne.gov or by U.S. mail to the City Clerk’s Office, 555 South 10th Street, Room 103, Lincoln, NE 68508.

Sincerely,

Joan E. Ross, CMC
City Clerk
To Joan Ross,

Please include this letter as an amendment with our original appeal for our units at 2300 B St. and we will be attending the city council meeting on Nov. 29 at 5:30 pm. Thanks for your help.

Sincerely
Charles and Jane Brubaker
Amendment to Impact Fee Notice of Appeal - 2300 B St.

Nov. 16, 2004

To The Lincoln City Council,

The Codes Dept. gave us no notification that there would be a $900 Impact Fee until we did our final application for the apt house to be changed from a 3 to 4 apts. in the house. We paid the fee because we need to continue to operate the business. This is a substantial amount of money for a small business to pay with no advanced warning. We had been working with codes about a year to understand what we would need to do to changed the apts. from 3 to 4.

We still don’t understand why we would have had to pay a fee for changing the apts., because if we would have remained a 3 unit bldg the main floor apt would have been rented as a 2 bedroom, this would put the exact same amount of people in our bldg as the 4 apt unit does. Currently the apts. are rented and there is 4 people living in the bldg. If we would have kept it as a 3 apt house, we would still have 4 people renting in our bldg. Please reconsider this fee, to be refunded to us. We have spent a large amount of money already to update all the apartments and believe this fee to be very unfair considering their would be no more extra usage of the utilities and roads than what we would have had with three apartments. We will be attending the city council meeting on Nov 29th.

Sincerely,
Charles and Jane Brubaker
REQUEST FOR INFORMATION
COUNCIL OFFICE

Glenn Friendt - #38
August 16, 2004

By: ____________________________
   (Council Member)

RE: Alley improvements

REQUEST: ____________________________

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

-Glenn Friendt

cc: Lin Quenzer - Ombudsman, Mayor's Office
    Bus Whitehead
    Mayor's Office

RESPONSE (Indicate action taken): ____________________________

By: Dana Roper  11-18-04

See attached memo.

COMMENTS:

PLEASE RESPOND WITH 15 COPIES to the Council Office/tjg
DATE: August 16, 2004

FROM: Glenn Friendt

TO: Public Works
Law
Urban Development

RE: RFI / alley improvements

Please indicate what options are available to refurbish and provide improvements to the alley between Lincoln Mall and H Street from 10 to 11th. Indicate what funds might be available from CDBG or other sources and of any options that might be available to private property owners abutting the alley to make improvements that would include paving at their expense.

Thank you.

CC: Lin Quenzer
Bus Whitehead
INTER-DEPARTMENT COMMUNICATION

TO       Glenn Friendt
DEPARTMENT        City Council
ATTENTION
COPIES TO

DATE    November 18, 2004
FROM    Dana W. Roper
DEPARTMENT    City Law
SUBJECT   RFI #38

You have inquired about the possible paving of an alley between Lincoln Mall and H Street between 10th and 11th Streets. This alley may be paved either under the authority of an alley repaving district or by executive order of the Mayor.

To initiate an executive order, Public Works requests that a letter be written to Engineering Services. There is no application form. After receipt of the letter, Engineering Services will prepare the cost estimates for bonding and engineering fees and prepare the forms to send to the applicant. The contact person for initiating such an executive order would be Dennis Bartels.

To initiate a repaving district a written request should be submitted to the City Council. Should the Council create the district, formal notarized petitions representing over fifty percent of the total front footage must be obtained.

In conversation you also inquired about the use of TIFF to achieve such a paving. It is my understanding from Urban Development that this is rarely, if ever, done unless it is part of a much larger redevelopment agreement. The exception would be the paving of the alley between Potter and Fair, 27th to 29th Streets, which had a subsidy due to the flooding that had occurred in the alley and the resulting claims filed with the City.

Sincerely yours,

[Signature]
Dana W. Roper
City Attorney

DWR/tb
November 12, 2004

To: Members of Christ Lutheran Church
From: Lay Leadership Board

God's blessings in the name of our merciful Savior, Jesus Christ.

The Lay Leadership Board of Christ Lutheran Church has been advised of certain allegations regarding actions taken by Pastor ST Williams in his pastoral capacity that, upon initial review, require investigation by the LLB and the Director of Ministries Pastor Luke Schnake. It is our understanding that these allegations are also being investigated by President Russell Sommerfeld of The Nebraska District of the Lutheran Church Missouri Synod.

In order to give the LLB and Pastor Schnake an opportunity to properly investigate these allegations, and to provide Pastor Williams with the opportunity to respond to same, the LLB has placed Pastor Williams on indefinite administrative leave. As a result of this action by the LLB, Pastor Williams has also been placed on “Restricted Status” within The Lutheran Church-Missouri Synod by President Sommerfeld.

Because these allegations involve confidential personnel matters, the LLB and Pastor Schnake are not able to discuss them further at this time. Mr. Paul Peter, Esq., legal counsel for CLC, is advising the LLB and Pastor Schnake on these matters.

Please be assured that all involved are approaching these matters prayerfully, seeking God's wisdom and guidance. The CLC staff has been apprised of the current situation, and will endeavor to ensure that all ministries of CLC are supported and provided for during this time. Please keep Pastor Williams, the LLB, Pastor Schnake, President Sommerfeld, the Nebraska District, the CLC staff and our congregation in your prayers.

Yours in Christ,

[Signature]

Thomas Lorenz
Chairperson
Lay Leadership Board
Christ Lutheran Church

[Handwritten note: FOR YOUR INFO]
Dear City Council:

1. The enclosed is a city ordinance. A basement fire escape if a person has a bedroom downstairs. Mr. & Mrs. Ron Miller of 2737 So. 41st have a box or 2 sleeping downstairs called building safety. They said as long as they haven't a closet the can call it a family room. This is double jeopardy - an ordinance is law and they should have a basement fire escape.

2. There was an article in the paper about a year ago stating that you people thought cats should be on a leash (I agree). We have 6 cats going & coming to our yard. The crows in our trees eat baby robins & other birds & do their doo doo along our house. We have to pick up after our puppy why should cats be any different.

Louis E. Pernice
2741 S. 41st St.
Lincoln, NE 68506-2505
CHAPTER R310.1 INTERNATIONAL RESIDENTIAL CODE AS ADOPTED BY THE LINCOLN MUNICIPAL CODE

Every Sleeping room shall have at least one operable emergency escape and rescue window or exterior door opening for emergency escape and rescue. Basement rooms with a closet or direct access to a bathroom shall also comply with this requirement. Where openings are provided as a means of escape and rescue, they shall have a sill height not more than 44 inches above the floor. The net clear opening dimensions required by this section shall be obtained by the normal operation of the window or door opening from the inside. Escape and rescue window openings with a finished sill height below the adjacent ground elevation shall be provided with a window well in accordance with Section R310.2.

R310.1.2 Minimum opening area. All emergency escape and rescue openings shall have a minimum net clear opening of 5.7 square feet.

R310.1.2 Minimum opening height. The minimum net clear opening height shall be 24 inches.

R310.1.3 Minimum opening width. The minimum net clear opening width shall be 20 inches.

R310.1.4 Operational constraints. Emergency escape and rescue openings shall be operable from the inside of the room without the use of keys or tools.

LIGHT, VENTILATION & HEATING

R303.1 Habitable rooms. All habitable rooms shall be provided with the aggregate glazing area of not less than 8 percent of the floor area of such rooms. Natural ventilation shall be through windows, doors, louvers or other approved openings to the outdoor air. Such openings shall be provided with ready access or shall otherwise be readily controllable by the building occupants. The minimum operable area to the outdoors shall be 4 percent of the floor area being ventilated.

R310.2 Window wells. Window wells required for emergency escape and rescue shall have horizontal dimensions that allow the door or window of the emergency escape and rescue opening to be fully opened. The horizontal dimensions of the window well shall provide a minimum net clear area of 9 square feet with a minimum horizontal projection and width of 36 inches.

EXCEPTION: The ladder or steps required by Section R310.2.1 shall be permitted to encroach a maximum of 6 inches into the required dimensions of the window well.

R310.2.1 Ladder and steps. Window wells with a vertical depth greater that 44 inches below the adjacent ground level shall be equipped with a permanently affixed ladder or steps usable with the window in the fully open position. Ladders or steps required by this section shall not be required to comply with Sections R314 and R315. Ladders or rungs shall have an inside width of at least 12 inches, shall project at least 3 inches from the wall and shall be spaced not more that 18 inches on center vertically for the full height of the window well.

Amended: 6-1-02 Dept of Building & Safety, Room 203, 555 South 10th St. Lincoln Ne (402) 441-7521
InterLinc: City Council Feedback for General Council

Name: Michael Von Busch
Address: 5123 Constitution Ave
City: Lincoln, NE, 68521

Phone:  
Fax:  
Email:  

Comment or Question:
I believe that the Penalty Box Pub 2, located inside State Fair Park is licensed by the city, and should comply with city ordinances. Either they fall under state law, city law or both. They can not pick and choose which laws they want to follow. If state property falls inside the city limits it is governed under city laws. I find this to be true because the city regulates and enforces the laws on state highways running though Lincoln. With all laws whether it is federal, state or local the stricter law always applies. It is my understanding that the ordinance is to be enforced as a smoke-free workplace, either it’s all or nothing. The people have voted, and our voices should be enforced. Thank you
Good morning Patte,

I ran an errand this morning and noticed that cars are parked on the front lawn at 6917 Vine and 6931 Vine.

I hate to complain but with people purchasing homes in the Meadowlane area and turning them into rentals, we are creating "used car lots" in the driveways.

Can anything be done from a zoning law change, as well as the police enforcing the laws?

thanks for your help.

Jim
RE: Nancy Vala  
2824 O'Hanlon Drive - 68516  
Phone: 421-3188  
e-mail: svala@neb.rr.com

Allan,  

Can you please ask appropriate PW staff to respond to Ms Vala? Please indicate that the response is at the request of Jon's CC office and copy any response to Jon's CC office.

Thanks.  

Darrell

-----Joan V Ray/Notes wrote: -----  
To: campjon@aol.com  
From: Joan V Ray/Notes  
Date: 11/23/2004 12:40PM  
cc: Mayor/Notes@Notes, aabbott@ci.lincoln.ne.us@Notes, Darrell Podany/Notes@Notes  
Subject: 84th Street Opening Delayed for 3rd time  

Jon: I received a call from Nancy Vala who lives at 2824 O'Hanlon Drive. She wants to know why the re-opening of 84th Street between Montello and Pioneers has been delayed again. The street was closed the first week in May and was to have been re-opened August 30th. There was a delay at that time; another delay and now, finally, the re-opening has been delayed again until sometime in December. Ms. Vala has contacted the Mayor's Office where she is told that her message has been forwarded to the Public Works Office; she has contacted the Public Works Office and has received no response. She is contacting you, Jon, in the hopes that she can find an answer as to why it is taking “forever” to complete this street construction project. She indicated, too, that the detour was impossible.

I told Ms. Vala I would notify you of her concerns in the hopes that her questions might be addressed. Her contact information is:
Nancy Vala  
2824 O'Hanlon Drive - 68516  
Phone: 421-3188  
e-mail: svala@neb.rr.com

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 writing in response to your request of Mr. Camp's Council Office.

Property owners have legal protections and rights to due process in all projects that require impacts to private property. This process on the 84th Street project involved extensive, unforeseen changes not typical to most construction projects. Right-of-way negotiations with property owners were anticipated to be completed on this segment in time for construction to begin on those properties. However, some major redesign was necessary to reduce property impacts and finalize property negotiations, which prevented us from completing construction as originally scheduled.

Conflicts with utilities have also caused some delays. Utilities such as water lines, gas lines, telephone lines, electric lines and cable television lines are buried under the ground next to existing roads. Roadway designers work with utility companies to locate utilities during design, and those utilities need to be relocated during construction. Each utility is responsible for moving the utilities in the field, and even with careful preplanning, many conflicts can occur. For example, one major utility line was five feet east of where it was expected to be. The line is composed of more than 1,000 pairs of wire, each of which needed to be spliced and tied, which took additional time. That change required electrical and water hookups to each house to be lowered, again taking more time.

The city does its best to ensure that a project stays on schedule however, the weather conditions have prevented some work from occurring on the schedule originally presented.

In spite of these delays, construction crews were able to relocate a 24-inch water main from Montello to Kathy Lane, and build a major, 48-inch water main beneath the future 84th Street from Montello to Pioneers and pave a major portion of the roadway between Montello and Kathy Lane.
Dear Council Members:

This letter will provide some followup to questions raised at the November 15 PreCouncil Session regarding LES budget.

One of the questions related to Administrative and General expenses. For an overview of the Administrative and General expense category, I would refer you to my October 14, 2004 letter to Mr. Jonathan Cook. The discussion of A&G starts on Page 4 of that letter.

The primary reason A&G expenses show increases between 1997 and 2005 is due to a change in accounting practice that was done at the request of the LES Board. More specifically, in the area of purchasing and material management, costs have increased because more labor charges are retained within the department rather than being charged back to other parts of the company.

Likewise in Office Services, prior to 2001 building operating costs, copying and telephone services were allocated to departments based on square footage or usage. After the accounting change these charges are held within the department.

In the Information Technology area, there are several factors related to increases between 1997 and the 2005 budget. Like the departments previously discussed, we discontinued the charge-back process and more labor costs are held within the department. We have also had some major software and hardware additions. One of the most significant additions was the conversion of our core financial systems to SAP in response to Y2K issues with our prior software. Our computer networks have grown in magnitude and complexity with the addition of new generating units at Rokeby and Salt Valley Generating Station that use computer-based controls. We have made significant investments in GIS systems to improve the efficiencies in everything from facility design and construction to maintenance and managing easements. In the last year we replaced our Supervisory Control and Data Acquisition System (SCADA) which is the key automated system by which we monitor and control our electric facilities. Unfortunately, we have had to devote significant effort to information system security. As an electric utility we fall under evolving and significantly increasing cyber security requirements...
which are being established by the North American Electric Reliability Council (NERC) largely in response to the 2003 blackout, as well as homeland security efforts. A significant contributing factor to that blackout was a failure of First Energy’s SCADA system. While the failure was not due to an act of terrorism, the blackout brought home the critical role that these systems play in keeping the lights on.

In the Financial Services area, the accounting change caused all of our non-construction related FICA costs to be shown in the Financial Services’ budget. That area also retains the cost related to property and casualty insurance which has increased both because rates have gone up significantly post 911 and because of significantly increased evaluation of our facilities with the addition of additional generation at Rokeby and also the Salt Valley Generating Station.

There was a question about $130,000 of memberships within the Executive Office. (The Electric Power Research Institute, EPRI, membership which I mentioned at the PreCouncil Session is actually a multi-year contract and included in the outside services area of the budget.) Following are the largest items which are a part of the memberships budget:

<table>
<thead>
<tr>
<th>Dollars</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>$45,000</td>
<td>Cambridge Energy Research Associates. CERA is on a retainer to provide strategic services in the areas of electric power, fuel forecasting, natural gas and environmental.</td>
</tr>
<tr>
<td>$37,500</td>
<td>American Public Power Association. As the name implies APPA is the trade association for public power utilities.</td>
</tr>
<tr>
<td>$15,000</td>
<td>Transmission Access Policy Study Committee. TAPS is an advocate for transmission dependent utilities at the Federal Energy Regulatory Commission and the North American Electric Reliability Council. At a recent meeting, FERC Commissioner Kelly singled out TAPS as one of the most effective advocacy groups that provide input to FERC.</td>
</tr>
<tr>
<td>$10,000</td>
<td>Lincoln Partnership for Economic Development.</td>
</tr>
<tr>
<td>$5,600</td>
<td>Nebraska Municipal Power Pool.</td>
</tr>
<tr>
<td>$4,500</td>
<td>Lincoln Chamber of Commerce</td>
</tr>
<tr>
<td>$3,000</td>
<td>Nebraska Chamber of Commerce</td>
</tr>
</tbody>
</table>
Please let me know if you have any additional questions.

Sincerely,

Terry L. Bundy, P.E.
Administrator and CEO

E-mail: tbundy@les.com  Phone #: (402)473-3392  FAX #: (402)475-9759

TLB:cls
Dear Ms. Johnson: Your message has been received in the Council Office and will be forwarded to the Planning Department for a response. Thank you.

Tammy Grammer
City Council Office
555 South 10th Street
Lincoln, NE  68508
Phone:   402-441-7515
Fax:         402-441-6533
councilink-bounces@lists.governmentsolutions.net

From: Johnson, Barb
Subject: Capital Improvement Programs

Good Morning CouncilLinkers,
The City of Sioux Falls has a capital improvement program which is studied throughout the year by a capital improvement program committee. It is modified and then approved by the council. Does your city have a CIP committee? If so, who serves on this committee? Our CIP committee consists of four city department directors, one citizen member from the SF Planning Commission and a representative of SF Development Foundation or the Chamber of Commerce. Please let me know if you have a CIP committee and who serves on this committee. Thank you!
Happy Thanksgiving!
bjohnson@siouxfalls.org
Barbara Johnson
235 West 10th Street
Sioux Falls, SD  57104
phone 605/367-7186
fax 605/367-7301
ADDENDUM
TO
DIRECTORS' AGENDA
MONDAY, NOVEMBER 29, 2004

I. MAYOR

1. NEWS RELEASE - RE: Road Construction Could Cause Delays For Game-Day Traffic - (Council received copies of this release in their Thursday packets on 11/24/04) (See Release)

2. NEWS RELEASE - RE: Mayor Seng's Thanksgiving Message - (See Release)

3. CITY OF LINCOLN-SNOW/TRAFFIC CONDITION REPORT - November 29, 2004 at 5:30 a.m. - (See Release)

4. NEWS RELEASE - RE: Changes On Court Street And "Y" Street Connector To Occur Monday - (See Release)

5. NEWS ADVISORY - RE: Mayor Seng's Public Schedule Week of November 27 through December 3, 2004 - Schedule subject to change - (See Advisory)

6. NEWS RELEASE - RE: City Receives More Than $7 Million In Federal Funds For Antelope Valley And South Beltway - (See Release)

II. CITY CLERK - NONE

III. CORRESPONDENCE

A. COUNCIL REQUESTS/CORRESPONDENCE - NONE

B. DIRECTORS AND DEPARTMENT HEADS - NONE

C. MISCELLANEOUS

1. Letter from Mark Murphy - RE: Temporary handicap permit - (Council received their copies of this letter in Thursday packets on 11/24/04)(See Letter)

2. E-Mail from Holly Burns, President, Antelope Valley Connections Team; & Benjamin Iwasaki Zink, Past President, Antelope Valley Connections Team - RE: Antelope Valley Support Letter- (See E-Mail)
NEWS RELEASE

PUBLIC WORKS AND UTILITIES
Engineering Services, 531 Westgate Blvd., Lincoln, NE 68521, 441-7711, fax 441-6576

FOR IMMEDIATE RELEASE: November 22, 2004
FOR MORE INFORMATION: Randy Hoskins, City Traffic Engineer, 441-7711

ROAD CONSTRUCTION COULD CAUSE DELAYS FOR GAME-DAY TRAFFIC

Beginning today, 14th Street traffic from just south of Holdrege Street to just south of the Burlington Northern Santa Fe railroad tracks will encounter a temporary road about one-half block long. This is needed because of construction work at the 14th Street and Holdrege intersection related to the Antelope Valley construction project.

Game-day football traffic for this Friday's Nebraska-Colorado game will be affected. Motorists who have had two southbound lanes on 14th Street prior to the game, will now have only one.

Additional traffic congestion is expected, so fans are encouraged to use alternate routes. Those who still plan to use the route should allow extra time to reach their destinations.

-30-
OFFICE OF THE MAYOR
555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

FOR IMMEDIATE RELEASE: November 24, 2004
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831

MAYOR SENG’S THANKSGIVING MESSAGE

“As we gather with family and friends to celebrate Thanksgiving, our thoughts turn to those who are not at our table this year, including those brave men and women serving in the military. We give thanks for the sacrifices they and their families are making for our country. We also remember the estimated 2,000 people in our community who are homeless. I urge you to support those agencies who care for those in need not just during the holidays, but every day. I wish you all a safe and happy Thanksgiving holiday.”
CITY OF LINCOLN
SNOW/TRAFFIC CONDITION REPORT

A COMPLETE VOICE REPORT IS AVAILABLE AT 441-7783. THIS NUMBER IS FOR NEWS MEDIA USE ONLY.

For more information:
Public Works Snow Center — 441-7644
Citizen Information Center — 441-7547

Date: Monday, November 29, 2004
Time: 5:30 a.m.

As a wet, heavy snow fell on the Capital City during the overnight hours, 18 city maintenance crew sanders hit the streets at 1 a.m. spreading material in reaction to the season’s first significant snowfall. Street crews were scheduled to finish the city’s bus routes by 5 a.m., and are expected to continue sanding efforts until sunrise. Street maintenance crews report that there are some slick spots, specifically bridges and intersections, and urge motorists to drive with caution during their early morning commute.

Lincoln Police Department reports no major problems relating to accidents this morning. LPD urges motorists to allow for some extra time during their morning drive to work.

StarTran reports that all buses should be running on time.

In the event of any significant snow accumulation today, residents are reminded that sidewalks are to be cleared by 9 a.m. following an overnight snowfall.

Please stay informed on traffic conditions and the status of snow operations in Lincoln. Additional information is available on pages 38 and 39 in the blue pages of your Alltel phone directory. If you have questions, you may call the Public Works Snow Center at 441-7644.

-30-
PUBLIC WORKS AND UTILITIES DEPARTMENT
Engineering Services, 531 Westgate Blvd., Lincoln, NE 68528, 441-7711, fax 441-6576

FOR IMMEDIATE RELEASE: November 24, 2004
FOR MORE INFORMATION: Kelly Sieckmeyer, Public Works and Utilities, 441-7454
Wayne Teten, Public Works and Utilities, 441-4939

CHANGES ON COURT STREET AND "Y" STREET CONNECTOR TO OCCUR MONDAY

The ongoing construction on the Antelope Valley flood control project will have two major street changes beginning Monday, November 29.

Court Street, the east-west street immediately south of the Bob Devaney Sports Center, will be closed permanently east of 15th Street, and the Court Street Bridge will be removed. Traffic will be able to travel east on Court Street from 14th to 15th Street before being routed south. Motorists will still be able to access the two UNL parking lots immediately south of the Devaney Center from 17th Street. The State Fairgrounds can be reached from the main entrance at 17th and Court streets, the new 14th Street and Military Road entrance and the east entrance off North 27th Street.

Monday also will be the opening day for the new bridge on the "Y" Street Connector. The "Y" Street Connector will be converted from a one-way westbound street to a two-way street. Motorists traveling through this area need to be aware that the intersection of 17th Street with the "Y" Street Connector will be controlled by a stop sign.

A map and other information are available on the City Web site at lincoln.ne.gov. Information also can be obtained by leaving a message at the Antelope Valley Hotline at 402-458-5999.

- 30 -
Date: November 24, 2004
Contact: Diane Gonzolas, Citizen Information Center, 441-7831

Mayor Seng’s Public Schedule
Week of November 27 through December 3, 2004
Schedule subject to change

Sunday, November 28
• Holiday Lighting Ceremony, remarks - 7 p.m. (event is 6 to 8 p.m.), Wells Fargo Plaza, 13th and “O” streets

Tuesday, November 30
• Community Workshop on Downtown Master Plan - 5:30 p.m., Cornhusker Convention Center, 333 South 13th Street

Thursday, December 2
• News conference - 10 a.m., topic and location to be announced
• Community Visioning Session for Urban Development Consolidated Plan, remarks - 6 p.m., Northbridge Community Center, 1533 North 27th Street

Friday, December 3
• Heritage League’s Holiday of Trees - 10:30 a.m., Unitarian Church, 6300 “A” Street (The event is from 10 a.m. to 8 p.m. on December 2 and 3.)
OFFICE OF THE MAYOR
555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

FOR IMMEDIATE RELEASE: November 24, 2004
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831

CITY RECEIVES MORE THAN $7 MILLION IN FEDERAL FUNDS FOR ANTELOPE VALLEY AND SOUTH BELTWAY

Mayor Coleen J. Seng today announced that two major Lincoln municipal projects have together received more than $6 million in federal funds from the recently approved federal spending bill.

U.S. Senator Ben Nelson informed Mayor Seng that $3 million had been approved for street and bridge transportation projects in the Antelope Valley flood control project. These funds are earmarked specifically for the Antelope Valley flood control and street projects and cannot be used for any other purpose.

Just as important, Senator Nelson also announced that $3 million was approved for the four-lane South Beltway project. The beltway corridor is about one-half mile south of Saltillo Road. The funds, which will actually go to the Nebraska Department of Roads specifically for the South Beltway project, will be used to complete the design and continue the acquisition of right of way. When built, the South Beltway will reduce truck traffic congestion within the City by re-routing long-haul semi-truck traffic from Highway 2 to Highway 77 on the south side of Lincoln.

In addition, U.S. Representative Lee Terry notified the City of Lincoln that $500,000 was appropriated for continuation of the Antelope Valley flood control channel being built by the U.S. Army Corps of Engineers.

"These funds will be very important in moving these projects along," said Mayor Seng. "The Antelope Valley transportation funds will go primarily toward the construction of the large overpass and street about to be constructed near the Devaney Center. The flood channel funds will continue the ongoing construction of the flood channel and help ensure the two projects continue to be built simultaneously to save money."

U.S. Senator Chuck Hagel's office separately notified the City that $650,000 has been approved for improvements to the City's wastewater treatment plants and related infrastructure.

The funds were included as part of the fiscal year 2005 Omnibus Appropriations Conference Report that Congress approved last weekend.

- 30 -
November 24, 2004

Don Killeen
County City Property Management
555 S 10th
Lincoln NE 68508

Dear Don Killeen,

My name is Mark Murphy and I work in the 911 Center. On August 22 I was seriously injured in an accident and have recently been released work half days. I have been issued a temporary handicap permit. Before my return to work I spoke with the 911 Center Manager Julie Righter concerning gaining access to the parking garage under the County/City building in order to park in the handicap parking. I understand Julie contacted you concerning this matter. I am told that your response was that I would not be authorized to park in the “purple” handicap stalls as my “orange” permit wouldn’t allow access to the area to use those stalls. You offered to consider an application for a “green” lot permit to provide a closer handicap stall on the west side of 9th street. Another option given to me was to purchase a $30 a month rental spot in the north parking garage. I am considerate of your position that if you make a concession in my case that you would have to make the concession for every case and from your point of view that is not practical.

The American with Disabilities Act will not apply to my situation as my disability is at this time considered temporary. I may have no recourse but to accept your decision. I am addressing this issue with you now for the benefit of those other County/City building employees who are permanently disabled in some way.

I am sure that the city has probably met its obligation of providing the minimum number of handicap stalls through appropriate formulas, although the placement of these stalls seems to go against the intent of the creation of a handicap stall. The handicap stalls at Walmart, Hyvee, Westfield Shopping Town Gateway, or Ameritas are not placed at the farthest end of the parking lot. These stalls are located closest to the door, or in the case of multiple entrances, in front of each door. Except for the public handicap parking in front of the building on 10th street, which is not for employee use, the only handicap parking close to any door is in the underground parking under the County/City building.

To place access to a handicap stall more than a full city block away from the entrance to a building just seems absurd. Even the application form for the handicap permit states “Physical impairment which limits personal mobility and results in inability to travel unassisted more than two hundred (200) feet without the use of a wheel chair, crutch, walker, prosthetic, orthotic or other assistant device.” The application goes on to imply that with the use of assistant devices travel is unlimited. In my recent experience, the use of such devices does make travel easier but certainly that same travel is not unencumbered, nor the same as being an able bodied person. It needs to be considered that the use of assistant devices may in some cases make any travel just possible. With winter quickly approaching adverse weather conditions will make travel of distances of 200 feet or more very dangerous for people requiring the use of assistive devices.
Since the activation of the gates for the underground parking garage, there is no lack of available parking. Additionally, the majority of handicapped stalls go unused, due to lack of access to the lot. Wouldn't it be a terrible thing, to have those stalls sit empty when so easily access could be provided to serve an employee's need? It is my belief that many of these unused stalls could be turned into handicapped stalls and access provided to disabled employees who truly need them. Just opening a few stalls could positively impact the health and safety of our disabled co-workers. As a result the image portrayed by the City of Lincoln and Lancaster County would be one of caring and concern for employees as a whole.

It would seem to me that with a number of employees having handicap permits (which I commend the City and County for employing) and the issue of the currently aging workforce, which more than likely will grow even larger in the coming years, that the City and County would go beyond providing the minimum requirements and take the step to be exemplar employers. To show the handicap sector, other employers within the public sector, and the general public at large, that the City and County are employers that treat their employees as it would expect its employees to treat the public. Providing access to more than minimum handicap parking doesn't mean an employee will use it, it just means that if an employee needs to use it, they will have not only have access to it but that it placed such that it fulfills the need.

My recent accident has opened my eyes to the absolute absurdity of the current system of issuing parking permits by caste. I hope to open the eyes of the policy makers to the plight of the disabled with regards to the huge impact, a little change in policy would have in making access to work easier and safer for them. Let's not leave those with the greatest need the least served.

Sincerely,

Mark Murphy

Cc: Julie Righter Communications Manager
    Don Herz Finance Director
    Coleen J. Seng Mayor City of Lincoln
    Ken Svoboda City Council
    Joyce Welsch Lincoln Affirmative Action Officer
    Paite Newman City Council
    Annetta McRoy City Council
    Glen Friendt City Council
    Jon Camp City Council
    Jonathan Cook City Council
    Terry Werner City Council
    Bernie Heier County Commissioner
    Larry Hudkins County Commissioner
    Deb Schorr County Commissioner
    Ray Stevens County Commissioner
    Bob Workman County Commissioner
Dear Members of the City Council,
On behalf of the Antelope Valley Connections Team, we give our support the Antelope Valley Project Comprehensive Plan.

We believe that the plan is representative of our goals to ensure the development a viable economic base for the city by providing business incubation, employment, and housing opportunities, while creating a community of learning and understanding through unique youth development programs, celebration of the traditions of all peoples of the community, and affirmation of the rich history of this neighborhood.

We compliment the efforts of Mr. Kent Seacrest and Mr. Rick Wallace for their inclusion of community groups and cultural centers in their efforts to bring everyone to the table to be part of this grand vision and their understanding of the interconnectedness of business, education, human services and culture in a community’s success.

We urge you to support the Antelope Valley Project Comprehensive Plan and look forward to helping the projects this plan proposes become reality.

Thank You,

Holly Burns
President
Antelope Valley Connections Team

Benjamin Iwaski Zink
Past President
Antelope Valley Connections Team