

**CORRESPONDENCE  
IN LIEU OF  
DIRECTORS' MEETING  
MONDAY, FEBRUARY 21, 2005**

**I. MAYOR**

- \*1. NEWS RELEASE - RE: Open House Planned For Improvements In South 27<sup>th</sup> And Yankee Hill Area-(See Release)
- \*2. Washington Report - February 11, 2005.

**II. DIRECTORS**

**FINANCE DEPARTMENT/CITY TREASURER**

- \*1. Monthly City Cash Report - City of Lincoln-Pledged Collateral Statement - January 31, 2005.

**PLANNING**

- \*1. Letter from Brian Will to Kent Braasch, Essex Corporation - RE: The Preserve on Antelope Creek 7<sup>th</sup> Addition-Final Plat #04094 generally located at South 80<sup>th</sup> Street and Pioneers Blvd. - (See Letter)

**PLANNING COMMISSION FINAL ACTION .....**

- \*1. Special Permit No. 1816A (Continuation of soil excavation operation-N.W. 40<sup>th</sup> & West Vine Streets) Resolution No. PC-00902.

**PUBLIC WORKS & UTILITIES**

- \*1. Public Works & Utilities ADVISORY - RE: Pre-Construction Open House-South 27<sup>th</sup> Street and Yankee Hill Road Improvements-Project Numbers 701668, 701662, 701596B-(See Advisory)

**WEED CONTROL AUTHORITY**

- \*1. Combined Weed Program-City of Lincoln-January 2005 Monthly Report.

### III. CITY CLERK

- \*1. Letter from Deputy City Clerk Teresa J. Meier to D.O. & J.O., Inc., DBA O'Rourke's Tavern - RE: Please be advised that the Lincoln City Council, on 2/14/05, continued the public hearing & action on the application of O'Rourke's Tavern to Feb. 28<sup>th</sup> - City Council requires your attendance at the meeting & requests a computerized mock-up of the design of the 6 ft. fence to be used-(See Letter)

### IV. COUNCIL

#### A. COUNCIL REQUESTS/CORRESPONDENCE

##### JONATHAN COOK

- 1. OUTSTANDING Request to **Public Works & Utilities Department** - RE: Snow plowed onto sidewalks repeatedly (RFI#122 - 01/11/05)

##### GLENN FRIENDT

- 1. Request to ~~Marc Wullschleger, Urban Development Director~~ /Lynn Johnson, Parks & Recreation Director - RE: Next steps for the University Place property vacation (RFI#41-02/02/05). — **1.) SEE RESPONSE FROM MARC WULLSCHLEGER, URBAN DEVELOPMENT DIRECTOR RECEIVED ON RFI#41-02/09/05.**

##### PATTE NEWMAN

- 1. Request to Ann Harrell, Acting Public Works Director/~~Larry Worth, StarTran~~ - RE: Larry Worth's memo summarizing the StarTran Town Hall Meeting on Jan. 22<sup>nd</sup> (RFI#29-02/08/05). — **1.) SEE RESPONSE FROM LARRY WORTH, STARTRAN RECEIVED ON RFI#29-02/10/05.**

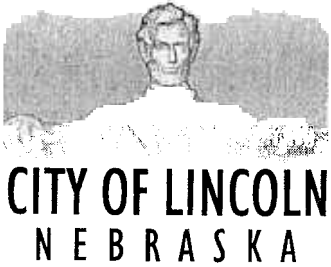
### V. MISCELLANEOUS

- \*1. E-mail from Melissa Landis - RE: Support Change of Zone #05003 & Miscellaneous #05001(Council received a copy of this E-Mail on 2/14/05) (See E-Mail)

- \*2. E-mail from Fernando Pages - RE: 405 S. 26<sup>th</sup> Street (Council received on 2/14/05) (See E-Mail)
- \*3. E-mail from Fernando Pages - RE: 405 S. 26<sup>th</sup> Street (Council received on 2/14/05)(See E-Mail)
- \*4. E-mail from Congressman Emanuel Cleaver, II - RE: Regional Mayors' Summit on Friday, February 18, 2005 - (Council received on 2/14/05)(See E-Mail)
- \*5. E-mail from Tim & Ellen Kraft - RE: Smoking Ordinance -(See E-Mail)

## **VI. ADJOURNMENT**

**\*HELD OVER UNTIL MARCH 7, 2005.**



# NEWS RELEASE

MAYOR COLEEN J. SENG

lincoln.ne.gov

## **PUBLIC WORKS AND UTILITIES DEPARTMENT**

Engineering Services, 531 Westgate Blvd., Lincoln, NE 68528, 441-7711, fax 441-6576

**FOR IMMEDIATE RELEASE:** February 17, 2005

**FOR MORE INFORMATION:** Holly Lionberger, Public Works and Utilities, 441-7711  
Dawn Steffen, HWS Consulting Group, 479-2200

### **OPEN HOUSE PLANNED FOR IMPROVEMENTS IN SOUTH 27TH AND YANKEE HILL AREA**

The public is invited to attend a pre-construction open house Wednesday, February 23 on improvements planned for the area of South 27th Street and Yankee Hill Road. The open house is from 5:30 to 7 p.m. in the multi-purpose room at Scott Middle School, 2200 Pine Lake Road.

This project will widen streets in the area to four lanes plus turn lanes. The widening will take place on South 27th from Yankee Hill Road to Whispering Wind Boulevard and on Yankee Hill Road from South 40th to South 27th streets, including the intersection of South 27th and Yankee Hill Road. Construction is set to begin in March and is expected to be completed by September 2006.

Representatives from the City Public Works and Utilities Department will be available to explain the project and to answer questions. For more information, contact Dawn Steffen with HWS Consulting Group at 479-2200.

# Washington Report

Vol. 11 No. 3  
February 11, 2005

City of Lincoln -- Washington Office

## Bush Presents FY 2006 Budget To Congress

### INSIDE

|                                   |   |
|-----------------------------------|---|
| <i>Congress</i> .....             | 1 |
| <i>Budget</i> .....               | 1 |
| <i>Housing &amp; CD</i> .....     | 2 |
| <i>Economic Development</i> ..... | 2 |
| <i>Public Safety</i> .....        | 2 |
| <i>Homeland Security</i> .....    | 3 |
| <i>Transportation</i> .....       | 3 |
| <i>Human Services</i> .....       | 4 |
| <i>Job Training</i> .....         | 4 |
| <i>Arts and Recreation</i> .....  | 5 |
| <i>Environment</i> .....          | 5 |
| <i>Grant Opportunities</i> .....  | 5 |

### Congress

House Appropriations to restructure subcommittee lineup. New House Appropriations Committee Chairman Jerry Lewis (R-CA) announced plans this week to reduce the number of subcommittees on his panel from 13 to 10 while also changing jurisdictions for some federal programs. Lewis plans to move forward with his plan even though new Senate Appropriations Committee Chairman Thad Cochran (R-MS) and his subcommittee chairmen are not willing to go through the same changes on the Senate side.

The most radical component of the Lewis plan is to eliminate the Veterans' Administration, HUD, and Independent Agencies subcommittee, which also has jurisdiction over NASA and EPA. The VA would be moved to the Military Construction subcommittee, to be renamed Military Quality of Life and Veterans' Affairs. HUD would be moved to the Transportation-Treasury subcommittee (to be renamed Transportation, Treasury, Judiciary, and Housing), EPA would shift to the Interior subcommittee (to be renamed Interior and the Environment), and NASA would move to the Commerce, Justice, State subcommittee (to be renamed Science, State, Justice, and Commerce). The District of Columbia and Legislative Branch subcommittees would be eliminated, with DC jurisdiction shifting to the Transportation subcommittee and the Legislative bill to be handled by the full committee.

The changes have resulted in a scramble among committee members wondering what their subcommittee assignments will be, and created some uncertainty on the staff level, leaving many to believe that the start of the FY 2006 process will be significantly delayed.

The driving force behind the changes is House Majority Leader Tom DeLay (R-TX), who is determined to remove NASA from direct

competition with the VA. DeLay's Houston-based district is home to NASA facilities and employees. In addition, the rearranging of subcommittee chairmen, as well as jurisdictional control, was also a not-so-subtle reaction to DeLay's displeasure with the actions last year of some chairmen, also known as "cardinals."

So far, the Senate is not willing to accept the compromise, as turf-conscious senior members are not anxious to lose jurisdiction. However, the result would prevent House-Senate conference committees on the subcommittee bills, thus the continuation of annual omnibus spending bills in which virtually all federal spending is rolled into one large measure. Omnibus bills give the Leadership more control over the final outcome of the budget process, and despite the explanation from Lewis, DeLay, and others that the changes are meant to avoid an omnibus bill, the result will likely be just the opposite.

### Budget

Bush presents \$2.57 trillion FY 2006 budget to Congress. The White House submitted its FY 2006 budget request to Capitol Hill this week, and it did not leave local governments with much to cheer about. In addition to the proposed elimination of the Community Development Block Grant program at HUD that was reported last week, the Bush plan would slash spending on state and local law enforcement and reduce or eliminate funding for scores of other programs -- from flood control to bioterrorism grants to wastewater facility loans -- that assist communities.

Faced with the prospect of yet another record deficit in 2005 (projected at \$427 billion), ongoing military operations overseas, and the hope of extending the tax cuts of 2001 and 2003, the only area of the budget in which the President could easily offer some austerity was non-defense domestic discretionary spending.

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However, those programs only represent 18 percent of the federal budget, so virtually every domestic agency received recommended reductions of some kind. In its budget materials, the White House boasted of eliminating or significantly reducing over 150 federal programs that were considered by the President's budget office to be ineffective or not meeting its targeted goals.

While these cuts are only suggestions -- Congress must ultimately come up with the final budget for FY 2006 -- the President has set a tone that will force local governments to work very hard to protect all the programs of importance. The next step for the budget is the development in Congress of an FY 2006 budget resolution, which does not require Presidential approval and sets the broad baselines under which the Appropriations Committees must operate for the year. By law the budget resolution is supposed to be completed by April 15, but that deadline has been very difficult to meet in recent years.

**Following the report is a chart that outlines the President's recommendations for funding of select federal programs, along with a comparison to previous years' funding.**

## Housing & CD

President calls for major spending reductions at HUD. President Bush is calling for a major reduction in HUD spending for FY 2006, with many programs of interest to city governments hit hard.

As outlined last week, the elimination of CDBG leads the list of casualties. The Administration is calling for the elimination of CDBG and 17 other programs spread throughout the federal government, replacing them with a block grant administered by the Economic Development Administration (EDA) at the Department of Commerce.

Dubbed the Strengthening America's Communities Grant Program (SACGP), it

would provide economic development grants targeted towards economically distressed communities according to a formula based on job loss, unemployment and poverty. Under the program, grantees would have to demonstrate specific results related to job creation, new business creation, homeownership rates and commercial development. SACGP would be supplemented by discretionary grants awarded as a bonus to communities that demonstrate effective use of SACGP. The Administration proposes to spend \$3.71 billion on SACGP, 22 percent less than the \$4.7 billion provided for CDBG alone in FY 2005.

In addition to eliminating HUD's community development mission, the Administration's main priority for HUD remains increasing homeownership as part of the President's overall "Ownership Society" effort. The Administration is calling for a 400 percent increase, to \$200 million, for its American Dream Downpayment Initiative (ADDI) that provides downpayment assistance to low- and moderate-income households. The increase for ADDI takes up all of the White House's proposed \$41 million increase proposed for HOME and then some. Funding for the core HOME Program would see an 8.3 percent decrease under the Administration's proposal.

The remainder of the Administration's homeownership thrust consists of a proposed Single Family Homeownership Tax Credit that would provide a tax credit to the builders of affordable homes in low- and moderate-income census tracts, a zero downpayment initiative at the Federal Housing Administration, and the use of Section 8 funds to provide families with homeownership vouchers to cover downpayment and closing costs.

The Administration's other major HUD priority is the elimination of chronic homelessness. Reflecting this focus, the Administration is proposing a 14 percent increase for Homeless Assistance Grants and asking the nation's mayors to commit to ending chronic homelessness in a decade.

## Economic Development

Administration would fold existing EDA programs into block grant. As part of its proposal to combine 18 community and economic development programs administered by five different cabinet departments, the Public Works, Economic Adjustment and Planning Grant Programs administered by the Economic Development Administration (EDA), an agency of the Commerce Department, would be folded into the Strengthening America's Communities Grant Program (SACGP).

The Administration's proposal has the potential to considerably increase the workload for what many consider a skeletal EDA staff. It would also force EDA to add community development and housing to its traditional core mission of economic development, missions that many critics think EDA and the overall Department of Commerce are ill-equipped to handle.

The President's proposal to eliminate the EDA discretionary grant programs and replace them with a broad block grant with multiple goals has been met with skepticism on Capitol Hill, particularly by the leadership of the House and Senate Committees that reauthorized EDA last year. Once a longtime target of attack, EDA now enjoys broad support on Capitol Hill. The agency's many congressional supporters argue that the agency has eliminated waste and successfully focused on its core mission of promoting economic development in distressed communities.

## Public Safety

Local law enforcement assistance would be slashed under Bush budget plan. The White House's proposed FY 2006 budget for the Department of Justice would cut overall federal assistance to state and local law enforcement agencies to about \$1.5 billion from the \$3 billion allocated in FY 2005. Among the programs slated for elimination or major reductions include the Local Law Enforcement Block Grant (eliminated), the COPS Program (once

funded as high as \$1.6 billion, reduced to \$118 million, hiring grants eliminated), the Byrne formula grant program (\$634 million in FY 2005, eliminated in FY 2006), and the State Criminal Alien Assistance Program (\$305 million in FY 2005, eliminated in FY 2006).

According to materials released by the White House budget office, the justification for the sharp reductions was that the programs were “not able to effectively demonstrate an impact on reducing crime.” The \$54 million Juvenile Accountability Block Grant program was also described as ineffective and proposed for elimination. And the budget office thought that the \$305 million in congressionally-earmarked projects under the Byrne and COPS Law Enforcement technology programs in FY 2005 prevented the targeting of assistance based on need or priority and were also slated for elimination in FY 2006.

Overall, the Justice Department budget would be reduced by 5.5 percent (\$1.1 billion) from FY 2005, but some agencies would receive increases, such as the FBI (10 percent) and Drug Enforcement Agency (3.8 percent).

## Homeland Security

President calls for more targeted Homeland Security funds. President Bush’s FY 2006 budget request includes a total of \$41.1 billion for the Department of Homeland Security. This is an increase of seven percent over the enacted FY 2005 funding, excluding Project BioShield. However, overall funding for key first responder programs would be cut \$360 million, from \$3.720 billion in FY 2005 to \$3.360 billion in FY 2006 and that funding would be more targeted.

The Administration is proposing to consolidate grants for port security, transit security and rail security into a single Targeted Infrastructure Protection program funded at \$600 million. Also, the President’s proposal calls for structural and formula changes to the state Homeland

Security Grant, changing the funding formula used to allocate money to states from one based on population, to one based on a number of factors including risks, threats, vulnerabilities, and unmet first responder capabilities, as determined by the DHS Secretary. Every state would receive 0.25 percent of the total spending under the proposed budget, down from the current 0.75 percent. The Urban Area Security Initiative program is funded at \$1.020 billion, an increase from last year’s funding of \$885 million.

Block grant funding, high threat funding, and infrastructure funding would be passed through the states, requiring states to sub-allocate 80 percent of this funding to local areas within 60 days of receipt as in FY 2005. The President’s budget would allow state block grant funding and high threat funding to be used for operational costs, including overtime. The exemption from the Cash Management Act would not be continued into FY 2006, meaning cities will be required to advance-fund homeland security activities and then seek reimbursement unless they can spend funding within 3-5 days of receipt.

## Transportation

Highway and transit programs fare well in President’s budget, Amtrak and airports would suffer. President Bush’s FY 2006 Transportation Department budget submitted Monday calls for increased funding most federal transportation programs, but it also dealt a severe blow to the future of Amtrak.

Federal transit funding would rise from \$7.65 billion in FY 2005 to \$7.78 billion in FY 2006—an increase of 1.8 percent, but the budget does not propose to guarantee the portion of the transit program that is funded with General Funds (about 10 percent). The largest portion of the President’s DOT request provides \$34.7 billion for federal-aid highway programs, an increase of \$966 million. Overall, federal surface transportation programs would increase by \$28 billion over the next six years, which reflects a reported agreement

between the Bush Administration and the House on the TEA-21 reauthorization bill that would provide \$284 billion over a six-year period.

The budget proposal would eliminate all federal operating subsidies for Amtrak and provide \$360 million for the Surface Transportation Board to maintain existing commuter rail services and freight operations in the northeast corridor. The proposal again calls for the elimination of the FTA Bus and Bus Facilities program, which was considered and rejected by Congress last year. With the money, the Rail Modernization program would be increased by \$122 million, the Rural Formula program would receive an additional \$141.7 million, the Job Access Reverse Commute (JARC) program would receive an extra \$39.9 million, and the New Starts program would get an additional \$93 million.

The President’s budget would also reduce funding for the FAA Airport Improvement Program to \$3 billion, about \$500 million below FY 2005 levels. The budget would also allow for an increase from \$3 to \$8 on airline passenger ticket fees to pay for increased security needs. The airline industry opposes the proposal, arguing that the costs of security should not be levied solely on the struggling industry.

In a related item, President Bush’s proposed FY 2006 Department of Homeland Security (DHS) budget establishes a security infrastructure program, and for the first time ever, transportation is eligible for such funding. The Targeted Infrastructure Protection (TIP) program would provide \$600 million in federal grants for the protection of critical infrastructure including: public transportation, seaports, railways, and energy facilities. No specific amount was provided for transit security, and all modes would have to compete against each other. Funding under this program would be left to the discretion of the Secretary.

House Committee Introduces TEA-21 reauthorization bill. On Wednesday, House Transportation and Infrastructure

(T&I) Committee Chairman Don Young (R-AK) re-introduced legislation (HR 3) to reauthorize federal surface transportation programs under the 1998 TEA-21 law. The bill is nearly identical to the measure (HR 3550) that was approved by the House last year, “just with different numbers,” as Young explained. The bill authorizes \$283.9 billion in guaranteed funding for surface transportation programs from FY 2005 through FY 2009 the same funding level that negotiations had centered on in the closing days of the 108<sup>th</sup> Congress and reportedly has the approval of the White House. The bill also includes a “reopener” provision - opposed by the White House -- that would allow Congress to reconsider the legislation to provide additional funds to transportation programs if the resources became available.

While Young is hoping to move his bill quickly through his committee on the House floor, Senate Environment and Public Works Committee Chairman James Inhofe (R-OK) is taking a more cautious approach. He has commented that the number is not adequate, but that Senate leadership had been pressuring him to work with the White House-approved levels. While he works out those questions, Inhofe’s panel will deal with the proposed rewrite of the Clean Air Act.

## Human Services

State and local health prevention programs are a victim of proposed budget. The Bush Administration’s FY 2006 budget proposal for the Department of Health and Human Services would impose an overall \$300 million reduction in discretionary spending, with programs at the Centers for Disease Control (CDC) absorbing the most significant reductions.

The CDC budget would fall by about \$500 million to \$4 billion in FY 2006 under the White House plan, highlighted by sharp reductions in the state and local bioterrorism program and the proposed elimination of the \$131 million Preventative Health Block Grant. In addition, the \$637 million Community Services Block Grant

program would be eliminated and its responsibilities shifted to the new community and economic development initiative at the Department of Commerce.

Funding for the State Children’s Health Insurance Program (SCHIP) would increase by \$890 million to \$6.2 billion, and the Immunizations (\$529 million) and Refugee Assistance (\$489 million) programs would also enjoy relatively comfortable increases under the Bush budget.

Of the overall \$642 billion HHS budget, only \$68.9 billion involves discretionary spending, with the remainder being allocated to mandatory programs such as Medicare and Medicaid.

## Job Training

Administration calls for further consolidation of job training programs; House panel heeds call as it tackles WIA reauthorization. The Administration is calling for the consolidation of most job training programs under the Workforce Investment Act (WIA) into a single Employment Services Block Grant funded at \$4 billion. The current Adult Block Grant, Youth Block Grant and Dislocated Workers Programs would be folded into the \$866 million block grant.

Under the proposal, local Workforce Development Boards would lose much of their control over federal job training funds in favor of vesting most responsibility with the Governor. The Administration argues that this approach will allow for more flexibility and targeting of federal job training funds.

The Administration is also calling for the creation of a \$250 million program to help community colleges provide training for employment in industries facing labor shortages and is once again calling for the creation of “personal reemployment accounts” that would allow individuals to use unemployment compensation of up to \$3,000 to spend on job training.

The 21<sup>st</sup> Century Competitiveness Subcommittee of the House Education and the Workforce Committee approved legislation (HR 27) this week that would reauthorize the Workforce Investment Act (WIA) and implement some of the President’s proposals. HR 27 would combine most adult training programs, including the Dislocated Workers Program and the Adult Block Grant, into a single block grant. However, the bill would leave the Youth Block Grant as a separate program and does not affect the current balance between the State Workforce Investment Board and the Local Workforce Investment Board.

The bill would authorize \$1.25 billion for the Youth Block Grant in FY 2006 and such sums as may be necessary for FY 2007 through FY 2011. It would authorize \$3.14 billion for the new Adult Block Grant in FY 2006 and such sums as may be necessary for FY 2007 through FY 2011. The bill would also reauthorize the Job Corps Program at such sums as may be necessary through FY 2011. The bill incorporates the President’s community college and personal reemployment account proposals with no specific authorization level.

Much of the debate during the Subcommittee’s consideration of the bill focused on an amendment offered by Representative Robert Scott (D-VA) that would have struck language in the bill allowing religious groups that receive WIA funding to use religious preference in hiring. Scott argues that because many churches are single race, the language essentially allows for racial discrimination in hiring. The Subcommittee rejected Scott’s amendment by a vote of 13-19 but the issue will likely hamper the bill as it works its way through Congress.

The full Education and the Workforce Committee is expected to clear HR 27 in the coming weeks.



## Arts and Recreation

White House proposes level funding for NEA and NEH, but parks programs would not fare as well. Supporters of programs at the National Endowment for the Arts (NEA) and National Endowment for the Humanities (NEH) have spent much of the last several years fighting off attempts in Congress to eliminate the agencies, and that work has clearly paid dividends.

In a year in which the majority of non-defense related domestic discretionary programs have been subject to proposed cuts, the President's FY 2006 budget request for the Department of the Interior recommends that the two agencies receive the same level of funding as FY 2005. NEA is funded at \$121 million and NEH at \$138 million in FY 2005.

Recreation programs at the National Park Service were not as fortunate, however, as the Administration would eliminate funding for the Land and Water Conservation Fund stateside grant program (\$90 million in FY 2005), and once again recommended no funds for the Urban Parks and Recreation Recovery (UPARR) program. The Bush Administration rationale for the cutbacks in recreation and land acquisition programs is that the bulk of the Park Service's budget should be spent on the current backlog in operations and maintenance of current national parks.

Meanwhile, the Institute for Library and Museum Services would see a slight increase in FY 2006 under the Bush budget (\$2 million to \$36 million), while historic preservation programs would decrease by approximately \$6 million to \$66 million.

## Environment

Clean water revolving loan fund would see major reduction in Bush EPA budget. The Bush Administration proposed a 5.6 percent cut (\$450 million) in funding to \$7.6 billion at the Environmental Protection Agency in FY 2006, highlighted by a \$361 million cut in the Clean Water State Revolving Loan Fund (SRF) to \$730 million.

EPA officials claimed that the clean water SRF program was "sustainable" at the proposed level. In addition, agency officials remarked that the 5.6 percent overall agency reduction was not that significant given that the White House proposes to eliminate \$500 million in congressionally-inserted earmarks from last year. Naturally, Congress is not expected to embrace this idea.

Outside of the clean water SRF and the earmarks, most EPA programs would receive the same funding as FY 2005 and in some cases, modest gains. The drinking water SRF would receive a \$7 million increase to \$850 million, while the Brownfields program would be bumped up by \$40 million to \$210 million.

## Grant Opportunities

**Department of Homeland Security:** The Office for Domestic Preparedness has published the FY 2005 *Applicant Workshop Presentation* online, which helps fire departments applying for the Assistance to Firefighters Grant Program. The PowerPoint presentation includes changes in the program, detailed information on program eligibility and requirements, tips for a successful application, and guidance on the new Staffing for Adequate Fire and Emergency Response Program (SAFER). The presentation can be found at [www.firegrantsupport.com/present.aspx](http://www.firegrantsupport.com/present.aspx). The grant application period is expected to begin in early-March for one month, and there is \$650 million available for the program.

**Department of Homeland Security:** DHS has published the *National Response Plan*, a comprehensive strategy to manage domestic incidents and coordinate all levels of government to prepare and respond effectively. This plan forms the core of emergency planning and prevention for domestic incidents across the nation, and has been signed by all departments of the Federal Government. The plan includes specific responsibilities for local governments, and, as DHS is strongly promoting this plan, will likely require local governments to show how the plan has been integrated into their emergency response plan in order to qualify for DHS programs. For more information, first responders and incident management authorities may call 1-800-368-6498 or see: [www.dhs.gov/dhspublic/display?theme=14&content=4264](http://www.dhs.gov/dhspublic/display?theme=14&content=4264).

## **President Bush FY 2006 Budget Proposal Selected Federal Assistance Programs In Millions of Dollars**

**Note:** The FY 2004 Omnibus Appropriations Act reduces all non-Defense FY 2004 appropriations by 0.59 percent. This chart reflects that cut.

**Note:** The FY 2005 Omnibus Appropriations Act reduces all non-Defense, non-Homeland Security FY 2005 appropriations by 0.83 percent. This chart reflects that cut.

**[www.capitaledge.com/proposed  
2006funding.pdf](http://www.capitaledge.com/proposed2006funding.pdf)**

## Department of Agriculture

| <b>PROGRAM</b>                    | <b>FY 2004</b> | <b>FY 2005</b> | <b>FY 2006<br/>Proposed</b> |
|-----------------------------------|----------------|----------------|-----------------------------|
| Child and Adult Care Food Program | 1,989          | 2,042          | 2,175                       |
| School Breakfast Program          | 1,787          | 1,909          | 2,030                       |
| School Lunch Program              | 6,767          | 6,739          | 7,254                       |
| Summer Food Service Program       | 281            | 281            | 298                         |
| WIC                               | 4,612          | 5,233          | 5,510                       |

## Department of Commerce

| PROGRAM  | FY 2004 | FY 2005 | FY 2006<br>Proposed |
|--|---------|---------|---------------------|
| Economic Development Administration                        |         |         |                     |
| - Public Works Grants                                      | 201     | 166     | 0 <sup>1</sup>      |
| - Planning Assistance                                      | 24      | 25      | 0 <sup>2</sup>      |
| - Econ Adjustment  | 41      | 45      | 0 <sup>3</sup>      |
| National Telecommunications and Information Administration |         |         |                     |
| - TOP Grants   | 15      | 0       | 0                   |
| Strengthening America's Communities Grant Program          | 0       | 0       | 3,710 <sup>4</sup>  |

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<sup>1</sup> The President is proposing to consolidate this program into the Strengthening America's Communities Grant Program at the Department of Commerce.

<sup>2</sup> The President is proposing to consolidate this program into the Strengthening America's Communities Grant Program at the Department of Commerce.

<sup>3</sup> The President is proposing to consolidate this program into the Strengthening America's Communities Grant Program at the Department of Commerce.

<sup>4</sup> This new program will consolidate 18 programs administered by several cabinet departments into a single targeted block grant.

## Department of Education

| PROGRAM   | FY 2004 | FY 2005          | FY 2006<br>Proposed |
|---|---------|------------------|---------------------|
| Educational Technology<br>State Grants <sup>1</sup> | 692     | 496              | 0                   |
| Institute of Museum & Library<br>Services           | 261     | 281 <sup>2</sup> | 262 <sup>3</sup>    |
| Safe and Drug Free Schools                          |         |                  |                     |
| - State Grants                                      | 442     | 438              | 0                   |
| - National Program                                  | 153     | 152              | 318                 |
| 21 <sup>st</sup> Century Learning<br>Centers        | 999     | 991              | 991                 |

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<sup>1</sup> The No Child Left Behind Act (PL 107-110) combines a variety of technology programs, including the Community-Based Technology Centers Program, into a state block grant.

<sup>2</sup> The bill earmarks most of the appropriation for specific projects.

<sup>3</sup> An unspecified part of the proposed funding would be used to fund the National Museum of African American History.

# Environmental Protection Agency

| <b>PROGRAM</b>           | <b>FY 2004</b> | <b>FY 2005</b> | <b>FY 2006<br/>Proposed</b> |
|--------------------------|----------------|----------------|-----------------------------|
| Brownfield               | 119            | 139            | 121                         |
| State Assistance Grants  | 3,874          | 3,574          | 2,961                       |
| - Categorical Grants     | 1,168          | 1,136          | 1,181                       |
| - Clean Water SRLF       | 1,342          | 1,091          | 730                         |
| - Drinking Water<br>SRLF | 845            | 843            | 850                         |

## Department of Health & Human Services

| PROGRAM                                 | FY 2004 | FY 2005 | FY 2006<br>Proposed |
|---|---------|---------|---------------------|
| Aging Services Programs                 | 1,374   | 1,393   | 1,369               |
| Battered Women Shelters                 | 125     | 126     | 126                 |
| Bioterrorism Hospital Preparedness      | 515     | 491     | 483                 |
| Child Care Block Grant                  | 2,088   | 2,082   | 2,083               |
| CDC Immunization                        | 1,521   | 2,114   | 2,072               |
| CDC Bioterrorism State & Local Capacity | 934     | 927     | 797                 |
| CDC HIV/STD/TB Prevention               | 1,291   | 992     | 956                 |
| Community Access Program                | 84      | 84      | 0                   |
| Community Health Centers                | 1,617   | 1,748   | 2,038               |
| Community Services Block Grant          | 642     | 642     | 0                   |
| Head Start                              | 6,776   | 6,842   | 6,888               |
| Healthy Start                           | 97      | 103     | 97                  |
| LIHEAP                                  | 1,789   | 2,182   | 2,000               |
| Maternal & Child Health Block Grant     | 730     | 724     | 724                 |
| Refugee & Entrant Assistance            | 447     | 484     | 552                 |
| Runaway and Homeless Youth              | 89      | 88      | 89                  |
| Ryan White AIDS Program                 | 2,020   | 2,065   | 2,083               |
| Social Services Block Grant             | 1,690   | 1,686   | 1,762               |
| Substance Abuse Block Grant             | 1,699   | 1,710   | 1,776               |

## Department of Homeland Security

| PROGRAM                                    | FY 2004 | FY 2005 | FY 2006<br>Proposed |
|--|---------|---------|---------------------|
| Disaster Relief                            | 2,042   | 2,042   | 2,140               |
| Emergency Food & Shelter                   | 152     | 153     | 153                 |
| Emergency Management<br>Performance Grants | 179     | 180     | 170                 |
| Firefighter Assistance Grants              | 746     | 715     | 500                 |
| Flood Map Modernization                    | 199     | 200     | 200                 |
| Metropolitan Medical<br>Response System    | 50      | 30      | 0                   |
| National Pre-Disaster<br>Mitigation Fund   | 149     | 100     | 150                 |
| Port Security Grants                       | 124     | 150     | 0 <sup>1</sup>      |
| Rail & Transit Security Grants             | 0       | 150     | 0 <sup>2</sup>      |
| State Homeland Security<br>Block Grant     | 1,690   | 1,500   | 0 <sup>3</sup>      |
| State Discretionary Grants                 | 0       | 0       | 1,020               |
| State Formula Grants                       | 0       | 0       | 220                 |
| Targeted Infrastructure<br>Program         | 0       | 0       | 600                 |
| Urban Area Security Initiative             | 721     | 885     | 1,020               |

<sup>1</sup> The President is proposing combining this program with other infrastructure programs into a new Targeted Infrastructure Program.

<sup>2</sup> The President is proposing combining this program with other infrastructure programs into a new Targeted Infrastructure Program.

<sup>3</sup> The President is proposing to target state grants to high threat area: \$220 million will be for state formula grant and \$1.02 billion will be for state discretionary grants.



## Department of Housing & Urban Development

| PROGRAM   | FY 2004 | FY 2005 | FY 2006<br>Proposed |
|---|---------|---------|---------------------|
| CDBG  | 4,331   | 4,116   | 0 <sup>1</sup>      |
| Community Development<br>Financial Institutions | 61      | 56      | 8 <sup>2</sup>      |
| Historically Black Colleges &<br>Universities   | 10      | 10      | 0                   |
| Homeless Assistance                             | 1,260   | 1,241   | 1,145               |
| HOME  | 2,006   | 1,899   | 1,941               |
| HOPWA   | 295     | 282     | 268                 |
| Lead Hazard Reduction                           | 174     | 167     | 119                 |
| Public Housing Capital Fund                     | 2,696   | 2,578   | 2,327               |
| Public Housing Operating<br>Fund                | 3,579   | 2,438   | 3,407               |
| Public Housing HOPE VI                          | 149     | 143     | 0 <sup>3</sup>      |
| Section 8                                       | 19,257  | 20,226  | 20,926              |
| Section 202 Elderly Housing                     | 789     | 741     | 741                 |
| Section 811 Disabled<br>Housing                 | 248     | 238     | 120                 |
| Youthbuild                                      | 65      | 61      | 61 <sup>4</sup>     |

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<sup>1</sup> The President is proposing to consolidate this program into the Strengthening America's Communities Grant Program at the Department of Commerce.

<sup>2</sup> The proposed funding would be used for the administrative expenses of the New Markets Tax Credit.

<sup>3</sup> The President is also proposing to rescind most of the FY 2005 appropriation for HOPE VI.

<sup>4</sup> The President is proposing to transfer administration of this program to the Department of Labor and to consolidate into a block grant with other employment and training programs. The funding level is the Administration's estimate of what would be spent on the program under the new block grant.

## Department of Interior & Related Independent Agencies

| PROGRAM  | FY 2004 | FY 2005 | FY 2006<br>Proposed |
|--|---------|---------|---------------------|
| Historic Preservation Fund                                   | 75      | 72      | 66                  |
| Land and Water<br>Conservation<br>Fund State Matching Grants | 94      | 90      | 0                   |
| National Endowment for the<br>Arts                           | 121     | 122     | 121                 |
| National Endowment for the<br>Humanities                     | 136     | 139     | 139                 |
| North American Wetlands<br>Conservation Fund                 | 38      | 38      | 50 <sup>1</sup>     |

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<sup>1</sup> The President is proposing to fund this program with receipts from the Land and Water Conservation Fund.

## Department of Justice

| PROGRAM  | FY 2004          | FY 2005                | FY 2006<br>Proposed |
|--|------------------|------------------------|---------------------|
| Byrne Discretionary Grants                       | 158              | 169                    | 0 <sup>1</sup>      |
| Byrne Formula Grants                             | 497              | 629 <sup>2&amp;3</sup> | 0 <sup>4</sup>      |
| COPS   | 752              | 601 <sup>5</sup>       | 118                 |
| Drug Courts                                      | 38               | 40                     | 70                  |
| Justice Assistance Grant                         | 0                | 0                      | 1,215 <sup>6</sup>  |
| Juvenile Accountability<br>Incentive Block Grant | 59               | 55                     | 0 <sup>7</sup>      |
| Juvenile Justice Grants                          | 351              | 381                    | 0 <sup>8</sup>      |
| Local Law Enforcement Block<br>Grant             | 224 <sup>9</sup> | 0 <sup>10</sup>        | 0 <sup>11</sup>     |
| State Criminal Alien<br>Assistance Program       | 297              | 302                    | 0 <sup>12</sup>     |
| Violence Against Women                           | 386              | 384                    | 363                 |
| Weed and Seed                                    | 58               | 61                     | 0 <sup>13</sup>     |

<sup>1</sup> The Administration is proposing to consolidate several programs into a new Justice Assistance Grant.

<sup>2</sup> The bill combines the Byrne Formula Grant Program and the Local Law Enforcement Block Grant into a single program pursuant to HR 3036 as passed by the House.

<sup>3</sup> The bill sets aside \$97.5 million of the appropriation for Boys and Girls Clubs, the NIJ and USA Freedom Corps.

<sup>4</sup> The Administration is proposing to consolidate several programs into a new Justice Assistance Grant.

<sup>5</sup> Only \$10 million of the appropriation is for Hiring Grants, a cut of \$109 million.

<sup>6</sup> The Administration is proposing to consolidate several programs into a new Justice Assistance Grant.

<sup>7</sup> The Administration is proposing to consolidate several programs into a new Justice Assistance Grant.

<sup>8</sup> The Administration is proposing to consolidate several programs into a new Justice Assistance Grant.

<sup>9</sup> The final bill earmarks \$91 million for Boys and Girls Clubs, the NIJ and USA Freedom Corps.

<sup>10</sup> The House bill combines the Byrne Formula Grant Program and the Local Law Enforcement Block Grant into a single program pursuant to HR 3036 as passed by the House.

<sup>11</sup> The Administration is proposing to consolidate several programs into a new Justice Assistance Grant.

<sup>12</sup> The Administration is proposing to consolidate several programs into a new Justice Assistance Grant.

<sup>13</sup> The Administration is proposing to consolidate several programs into a new Justice Assistance Grant.

## Department of Labor

| PROGRAM                       | FY 2004 | FY 2005 | FY 2006<br>Proposed |
|-------------------------------|---------|---------|---------------------|
| Adult Employment and Training | 895     | 891     | 866 <sup>1</sup>    |
| Community College Initiative  | 0       | 0       | 35 <sup>2</sup>     |
| Dislocated Workers            | 1,448   | 1,467   | 1,350 <sup>3</sup>  |
| Job Corps                     | 1,537   | 1,547   | 1,499 <sup>4</sup>  |
| Youth Employment and Training | 995     | 986     | 950 <sup>5</sup>    |

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<sup>1</sup> The President is proposing to consolidate funding for Employment and Training Programs into a general block grant to states with decision making over how to use the funds largely vested in the Governor.

<sup>2</sup> The program will provide grants for training in industries with labor shortages.

<sup>3</sup> The President is proposing to consolidate funding for Employment and Training Programs into a general block grant to states with decision making over how to use the funds largely vested in the Governor.

<sup>4</sup> The President is proposing to consolidate funding for Employment and Training Programs into a general block grant to states with decision making over how to use the funds largely vested in the Governor.

<sup>5</sup> The President is proposing to consolidate funding for Employment and Training Programs into a general block grant to states with decision making over how to use the funds largely vested in the Governor.

## Department of Transportation

| PROGRAM                          | FY 2004          | FY 2005          | FY 2006<br>Proposed |
|----------------------------------|------------------|------------------|---------------------|
| Airport Facilities and Equipment | 2,910            | 2,519            | 2,488               |
| Airport Improvement Program      | 3,379            | 3,471            | 3,000               |
| Amtrak                           | 1,225            | 1,207            | 360                 |
| Federal-Aid Highways Programs    | 33,843           | 34,412           | 34,700              |
| Job Access & Rev Commute         | 105 <sup>1</sup> | 124 <sup>2</sup> | 164                 |
| Transit Formula Grants           | 3,839            | 3,999            | 3,697               |
| Transit Capital Investment       | 3,138            | 3,311            | 1,326               |

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<sup>1</sup> The bill earmarks the entire appropriation for specific projects.

<sup>2</sup> The bill earmarks the entire appropriation for specific projects.

OFFICE OF TREASURER, CITY OF LINCOLN, NEBRASKA

February 16, 2005

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 January 31, 2005:

|   |           |                              |
|---|-----------|------------------------------|
| Balance Forward                         | \$        | 244,713,245.94               |
| Plus Total Debits January 1 - 31, 2005  | \$        | 28,569,156.49                |
| Less Total Credits January 1 - 31, 2005 | \$        | <u>(28,677,689.33)</u>       |
| <b>Cash Balance on January 31, 2005</b> | <b>\$</b> | <b><u>244,604,713.10</u></b> |

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.

|  |           |                              |
|--|-----------|------------------------------|
| U.S. Bank Nebraska, N.A                    | \$        | (199,852.38)                 |
| Wells Fargo Bank                           | \$        | 24,795.50                    |
| Union Bank & Trust Company                 | \$        | 6,709.60                     |
| Pinnacle Bank                              | \$        | 30,179.22                    |
| Cornhusker                                 | \$        | 2,778.49                     |
| West Gate Bank                             | \$        | 22,450.02                    |
| Wells Fargo Bank Credit Card Bank Account  | \$        | 2,865.71                     |
| Idle Funds - Short-Term Pool               | \$        | 55,533,059.70                |
| Idle Funds -Medium-Term Pool               | \$        | 188,500,031.68               |
| Cash, Checks and Warrants                  | \$        | <u>684,695.56</u>            |
| <b>Total Cash on Hand January 31, 2005</b> | <b>\$</b> | <b><u>244,607,713.10</u></b> |

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 \$26,458,632.98 representing authorized investments of the City's funds.

ATTEST:

  
Melinda J. Jones, City Treasurer

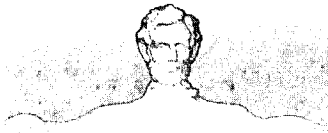
Joan E. Ross, City Clerk

**CITY OF LINCOLN - PLEDGED COLLATERAL STATEMENT  
JANUARY 31, 2005**

| DESCRIPTION                | CUSIP     | MATURITY DATE        | ORIGINAL FACE           | CURRENT PAR             | MARKET PRICE | MARKET VALUE            |
|----------------------------|-----------|----------------------|-------------------------|-------------------------|--------------|-------------------------|
| FHLMC FGLMC D67795         | 3128F7UU6 | 01Dec09              | \$ 1,191,991.00         | \$ 106,764.37           | 1.08         | \$ 115,402.67           |
| FHLMC FGTW C90689          | 31335HXS7 | 01Jul23              | \$ 11,150,000.00        | \$ 9,886,542.10         | 0.99         | \$ 9,763,888.67         |
| FNMA FNARM 303824          | 31373UPH4 | 01Jul25              | \$ 1,600,000.00         | \$ 59,292.05            | 1.03         | \$ 61,163.35            |
| FNMA FNCL538363            | 31385AB89 | 01Apr30              | \$ 550,000.00           | \$ 61,999.34            | 1.09         | \$ 67,284.35            |
| FNMA FNCL 254725           | 31371K4J7 | 01May33              | \$ 500,000.00           | \$ 404,819.97           | 1.00         | \$ 403,704.24           |
| FNMA FNCL 682970           | 31400BW77 | 01Feb18              | \$ 7,100,000.00         | \$ 4,838,206.04         | 1.00         | \$ 4,833,706.02         |
| GNMA-2 G2JO 3156           | 36202DQH7 | 20Nov16              | \$ 2,550,000.00         | \$ 921,355.70           | 1.04         | \$ 957,191.74           |
| GNMA-2 G2JO 3194           | 36202DRP8 | 20Feb17              | \$ 4,130,000.00         | \$ 1,799,290.63         | 1.04         | \$ 1,869,038.33         |
| FNMA FNCL 254592           | 31371KXX8 | 01Dec32              | \$ 3,100,000.00         | \$ 5,185,734.79         | 1.00         | \$ 2,181,197.21         |
| <b>US BANK NE</b>          |           | <b>TOTAL PLEDGED</b> | <b>\$ 31,871,991.00</b> | <b>\$ 23,264,004.99</b> |              | <b>\$ 20,252,576.58</b> |
| FNCL 535771 6.00%          | 31384WFL9 | 01Feb31              | \$ 8,200,000.00         | \$ 1,345,480.60         |              | \$ 1,389,974.30         |
| FGCI EO1490 5.00%          | 31294KUP8 | 01Nov18              | \$ 350,000.00           | \$ 286,685.34           |              | \$ 291,458.94           |
| FNCL 729001 5.50%          | 31402G3J0 | 01Aug33              | \$ 2,050,000.00         | \$ 1,635,614.68         |              | \$ 1,668,628.50         |
| FNCL 759855 5.50%          | 31403WE45 | 01Feb34              | \$ 1,250,000.00         | \$ 1,073,490.96         |              | \$ 1,094,488.38         |
| FNCL 773591 5.50%          | 31404NNG7 | 01Jul34              | \$ 11,600,000.00        | \$ 10,756,330.14        |              | \$ 10,960,937.70        |
| FNCL 555285 6.00%          | 31385W2S7 | 01Mar33              | \$ 17,005,000.00        | \$ 5,659,772.78         |              | \$ 5,845,464.21         |
| FNCT 255047 5.5%           | 31371LHY8 | 01Dec23              | \$ 350,000.00           | \$ 291,523.69           |              | \$ 299,227.21           |
| FGCI G11540 5.00%          | 31283KV96 | 01Apr19              | \$ 3,800,000.00         | \$ 3,203,727.10         |              | \$ 3,257,072.36         |
| FNCL 666295 6.00%          | 31391GGC4 | 01Nov32              | \$ 8,650,000.00         | \$ 1,673,412.05         |              | \$ 1,728,315.01         |
| FNCL 545277 6.00%          | 31385HXE7 | 01Nov31              | \$ 5,400,000.00         | \$ 886,819.00           |              | \$ 915,896.91           |
| FNCL 615057 6.00%          | 31388UJA9 | 01Jan32              | \$ 5,000,000.00         | \$ 1,270,971.65         |              | \$ 1,312,645.54         |
| FNCL 622169 6.00%          | 31389DFJ1 | 01Dec31              | \$ 2,200,000.00         | \$ 440,362.85           |              | \$ 454,801.91           |
| GNSF 781210 6.50%          | 36225BKX5 | 15Sep29              | \$ 8,700,000.00         | \$ 1,137,551.62         |              | \$ 1,199,653.95         |
| FNCL 323715 6%             | 31374TSC4 | 01May29              | \$ 10,500,000.00        | \$ 1,586,608.27         |              | \$ 1,639,075.82         |
| FNCL 323605 6.50%          | 31374TNW5 | 01Mar29              | \$ 2,400,000.00         | \$ 229,117.42           |              | \$ 240,120.34           |
| <b>WELLS FARGO BANK NE</b> |           | <b>TOTAL PLEDGED</b> | <b>\$ 87,455,000.00</b> | <b>\$ 31,477,468.15</b> |              | <b>\$ 32,297,761.08</b> |
| US Treasury 6.50%          | 912827T85 | 15May05              | \$ 250,000.00           |                         |              |                         |
| FARM CREDIT NOTE 5%        | 31331LGY8 | 10May04              | \$ 250,000.00           |                         |              |                         |
| <b>UNION BANK LINCOLN</b>  |           | <b>TOTAL PLEDGED</b> | <b>\$ 500,000.00</b>    |                         |              |                         |
| FHLB BOND 3.05%            | 3133X4X63 | 28Mar07              | \$ 3,000,000.00         | \$ 3,000,000.00         |              |                         |
| FNMA Pool #253819          | 31371J4C5 | 01May11              | \$ 1,025,000.00         | \$ 995,861.61           |              |                         |

| DESCRIPTION                   | CUSIP       | MATURITY DATE        | ORIGINAL FACE          | CURRENT PAR           | MARKET PRICE | MARKET VALUE |
|-------------------------------|-------------|----------------------|------------------------|-----------------------|--------------|--------------|
| <b>CORNHUSKER BANK</b>        |             | <b>TOTAL PLEDGED</b> | <b>\$ 4,025,000.00</b> | <b>\$3,995,861.61</b> |              |              |
| FHLB Step Up 2.4%             | 31339XUE2   | 09Jan09              | \$ 2,000,000.00        |                       |              |              |
| FHLB Step-Up 2.125%           | 31339YDB5   | 23Jul09              | \$ 2,000,000.00        |                       |              |              |
| FHLB Step Up 2.25%            | 31339XM43   | 30Jun08              | \$ 2,000,000.00        |                       |              |              |
| FHLB 2.50% to 5/05, then 5.25 | 3133MYQG5   | 19Nov08              | \$ 500,000.00          |                       |              |              |
| <b>WEST GATE BANK</b>         |             | <b>TOTAL PLEDGED</b> | <b>\$ 6,500,000.00</b> |                       |              |              |
| CD 1.85%                      | 03-00072788 | 23Mar05              | \$ 2,000,000.00        |                       |              |              |
| <b>TIER ONE BANK</b>          |             | <b>TOTAL PLEDGED</b> | <b>\$ 2,000,000.00</b> |                       |              |              |





# CITY OF LINCOLN NEBRASKA

MAYOR COLEEN J. SENG

www.ci.lincoln.ne.us

Lincoln-Lancaster County  
Planning Department  
Marvin S. Krout, Director  
Mary F. Bills-Strand, Chair  
City-County Planning Commission  
555 South 10th Street  
Suite 213  
Lincoln, Nebraska 68508  
402-441-7491  
fax: 402-441-6377

February 11, 2005

Kent Braasch  
Essex Corporation  
11606 Nicholas Street Suite 100  
Omaha, NE 68154

RE: The Preserve on Antelope Creek 7<sup>th</sup> Addition - Final Plat #04094  
Generally located at South 80<sup>th</sup> Street and Pioneers Blvd

Dear Kent,

The Preserve on Antelope Creek 7<sup>th</sup> Addition, generally located at South 80<sup>th</sup> Street and Pioneers Blvd was approved by the Planning Director on February 11, 2005. 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 and attached lot list. 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.

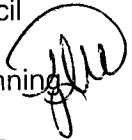
Sincerely,

Brian Will  
Planner

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

**PLANNING COMMISSION FINAL ACTION  
NOTIFICATION**

**TO :** Mayor Coleen Seng  
Lincoln City Council

**FROM :** Jean Walker, Planning 

**DATE :** February 17, 2005

**RE :** **Special Permit No. 1816A**  
(Continuation of soil excavation operation - N.W. 40<sup>th</sup> & West Vine Streets)  
**Resolution No. PC-00902**

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, February 16, 2005:

Motion made by Taylor, seconded by Carroll, to approve **Special Permit No. 1816A**, with conditions, requested by Noel L. Chadd and Gloria J. Chadd, for authority to continue the soil excavation operation on property located south and east of the corner of N.W. 40<sup>th</sup> Street and West Vine Street. Motion for conditional approval carried 7-0 (Marvin, Pearson, Carroll, Taylor, Krieser, Sunderman and Carlson voting 'yes'; Larson and Bills-Strand absent).

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

Attachment

cc: Building & Safety  
Rick Peo, City Attorney  
Public Works  
Ross Engineering, Inc., 201 N. 8<sup>th</sup> Street, Ste. 401, 68508  
Noel Chadd, 3335 N. 13<sup>th</sup> Street, 68521

---

RESOLUTION NO. PC- 00902

SPECIAL PERMIT NO. 1816A

1           WHEREAS, Noel L. and Gloria J. Chadd have submitted an application  
2 designated as Special Permit No. 1816A for soil excavation on property located south  
3 and east of the corner of N.W. 40th Street and West Vine Street, and legally described  
4 to wit:

5                     Lot 59 I.T., located in the Southwest Quarter of Section 20,  
6                     Township 10 North, Range 6 East, Lincoln, Lancaster  
7                     County, Nebraska; and

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

10           WHEREAS, the community as a whole, the surrounding neighborhood,  
11 and the real property adjacent to the area included within the site plan for this soil  
12 excavation will not be adversely affected by granting such a permit; and

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

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

1           That the application of Noel L. and Gloria J. Chadd, hereinafter referred to  
2 as "Permittee", to operate a soil excavation be and the same is hereby granted under  
3 the provisions of Section 27.63.360 of the Lincoln Municipal Code upon condition that  
4 operation of said soil excavation be in strict compliance with said application, the site  
5 plan, and the following additional express terms, conditions, and requirements:

6           1.       This permit approves a soil, sand and gravel excavation for a one-  
7 year period which may be renewed by administrative amendment, on an annual basis,  
8 for up to five years from the date of approval of this special permit. Visual screening is  
9 waived but the entrance shall be gated and the area fenced.

10           2.       The Permittee must complete the following and submit the  
11 documents and plans to the Planning Department for review and approval:

12           a.       The Permittee must submit a revised site plan including five  
13 copies showing the following revisions before beginning  
14 excavation operations:

- 15           i.       A better delineation of the tree mass and drainage  
16 area proposed to be preserved.
- 17           ii.       Add a note that the site shall be loyed at all times of  
18 non-use.
- 19           iii.       Add a note that access and use of this mining permit  
20 is only via West Vine Street to N.W. 27th Street to O  
21 Street. Use of N.W. 40th Street and West Holdrege  
22 Street is not permitted.

23           b.       Post a bond in the amount of \$5,000 to guarantee erosion  
24 control and the restoration of topsoil vegetation.

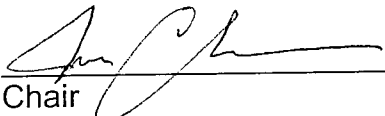
- 1 c. Provide a plan showing the erosion control measures, and a  
2 phased vegetation replacement plan that is satisfactory to  
3 the Lower Plat South NRD.
- 4 d. Applications for driveways shall be approved by the County  
5 Engineer. The applicant shall be responsible to maintain  
6 West Vine Street road surface and to keep it free of mud  
7 and soil from this operation.
- 8 e. Provide a dust control plan to the satisfaction of the Health  
9 Department.
- 10 f. Enter a Road Maintenance Agreement with Lancaster  
11 County for West Vine and N.W. 27th Streets.
- 12 g. State Department of Roads shall approve all use or activity  
13 on Interstate I-80 right-of-way.
- 14 h. An NPDES Permit shall be approved.
- 15 i. The construction plans must conform to the approved plans.
- 16 3. Before operating this soil excavation operation, all development  
17 and construction must conform to the approved plans.
- 18 4. All applicable local, state and federal codes must be complied with.
- 19 5. The site plan approved by this permit shall be the basis for all  
20 interpretations of setbacks, yards, locations of buildings, location of parking and  
21 circulation elements, and similar matters.
- 22 6. The terms, conditions, and requirements of this resolution shall be  
23 binding and obligatory upon the Permittee and the Permittee's successors and assigns.

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

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

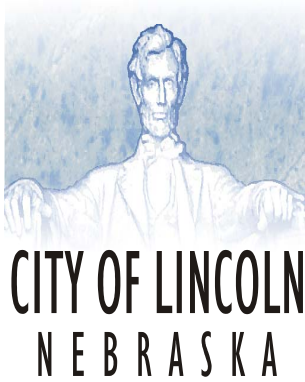
9 The foregoing Resolution was approved by the Lincoln City-Lancaster  
10 County Planning Commission on this 16 day of February, 2005.

ATTEST:

  
Vice- Chair \_\_\_\_\_

Approved as to Form & Legality:

  
\_\_\_\_\_  
Chief Assistant City Attorney



# PUBLIC WORKS & UTILITIES ADVISORY

MAYOR COLEEN J. SENG

[www.ci.lincoln.ne.us](http://www.ci.lincoln.ne.us)

February 11, 2005

## **PRE-CONSTRUCTION OPEN HOUSE** **South 27th Street and Yankee Hill Road Improvements** **Project Numbers 701668, 701662, 701596B**

The City of Lincoln will be hosting a Pre-Construction Public Open House to discuss the South 27th Street and Yankee Hill Road improvement projects. The Open House will be on Wednesday, February 23, 2005 from 5:30 p.m. to 7:00 p.m. at Scott Middle School, 2200 Pine Lake Road.

The projects' designs are complete and construction is set to begin in March, 2005. This project will widen to 4-lanes plus turn lanes, 27th Street from Yankee Hill Road to Whispering Wind Boulevard, and Yankee Hill Road from 40th to 27th Street including the 27th and Yankee Hill Road intersection.

Representatives from the City Public Works and Utilities Department will be available to explain the project and to answer questions from the public. For more information, please contact either person listed below.

Dawn Steffen  
Public Involvement Project Manager  
HWS Consulting Group  
(402) 479-2200

Holly Lionberger  
City Project Manager  
Public Works and Utilities  
(402) 441-7711

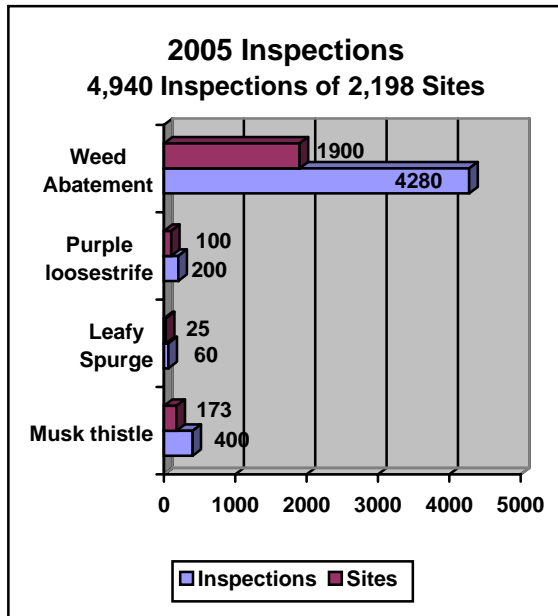
# Combined Weed Program City of Lincoln January 2005 Monthly Report

## 2005 Combined Weed Control Plan

The mission of the Lancaster County Noxious Weed Control Authority is: The education of the public concerning noxious weeds and to exercise the necessary authority to obtain effective control of noxious weeds county-wide and the education of the public concerning weed abatement and to exercise the necessary authority to cut and clear overgrown weeds and worthless vegetation in the city of Lincoln.

### Management

Plans are to encourage voluntary compliance of required noxious weed control weed and abatement in the City of Lincoln by making inspections of 2,198 sites. 173 musk thistle sites will be inspected during the spring-summer season. This will include inspections of private lands, Union Pacific and BNSF railroads, of the Bluff Road and 48<sup>th</sup> Street landfills, of all complaints, all observed infestations.



- 25 Leafy spurge sites will be inspected
- Landfill sites will be inspected in the spring and fall.

- 100 purple loosestrife sites will be inspected. Streams in the City of Lincoln will be inspected for wild purple loosestrife plants.
- Inspections will be made on 1,900 sites for violations of City Weed Abatement Program. Notifications and needed follow-up will be made on all inspections.

### Awareness

Several education efforts will be made to make the public aware of noxious weeds and City Weed Abatement.

- Publish this Weed Awareness Special insert to in the Lancaster County Cooperative Extension Service Nebline with a circulation of about 9,000.
- Maintaining and updating Internet Homepage at [www.ci.lincoln.ne.us/cnty/weeds](http://www.ci.lincoln.ne.us/cnty/weeds) with over 40,000 hits in 2004.
- Special mailings to multiple violators, leafy spurge owners, owners of problem infestations, homeowner associations, public land managers, and Adopt-a-Clean Road volunteers.
- Prepare and display exhibit in lobby of County Cooperative Extension Service Conference Center and Nebraska State Fair.

### January Activities

- 13 Mgt Team Mtg
- 20 Lower Platte Purple Loosestrife Mtng
- 25 Commissioners approval of annual reports & plan
- 25 NEBlne insert deadline
- 27 2:00 PM Central Platte NRD
- 31 Submit required state reports
- 31 Monthly activity report

### February Planned Activities

- 8 8:30 Commons Mtg Annual Report & Plan
- 8 11:30 County Staff Meeting
- 8 5:30 meeting with Lower Platte South NRD
- 10 7:30 Mgt Team Mtg
- 17 LPWMA Steering Committee
- 22-24 NWCA Conference North Platte
- 28 Monthly activity report





FEBRUARY 15, 2005

D.O. & J.O., INC.  
DBA O'ROURKE'S TAVERN  
1329 O ST.  
LINCOLN NE 68508

TO WHOM IT MAY CONCERN:

Please be advised that the Lincoln City Council, on Monday, Feb. 14, 2005, continued the public hearing & action on the application of O'Rourke's Tavern to expand the Class C Liquor License for by an addition of a beer garden area measuring 20' by 23' to the north on property generally located at 1329 O Street to Feb. 28, 2005, at 5:30 p.m.

The City Council requires your attendance at the meeting & requests a computerized mock-up of the design of the 6 ft. fence to be used.

SINCERELY,

TERESA J. MEIER  
DEPUTY CITY CLERK

pc: file  
City Council



**Joan V Ray**

02/14/2005 09:51 AM

To: melissa@landisarts.com  
cc: plan@lincoln.ne.gov, council@ci.lincoln.ne.us  
Subject: Re: Support Change of Zone #05003 & Miscellaneous #05001

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

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

"melissa@landisarts.com" <melissa



**"melissa@landisarts.com" <melissa**

02/14/2005 09:43 AM  
Please respond to  
melissa

To: plan@lincoln.ne.gov, council@ci.lincoln.ne.us  
cc:  
Subject: Support Change of Zone #05003 & Miscellaneous #05001

I am writing to support the change of zone 05003 & Misc. 05001. Please protect our residential neighborhoods from light pollution. This change to the lighting standards is simple to measure and easy to enforce. While it is very important for businesses to have adequate lighting for safety and security, there is no reason that light needs to shine onto and into neighboring homes.

Thank you for your time and attention.

Sincerely,  
Melissa Landis  
1735 South 16th  
Lincoln, NE 68502

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mail2web - Check your email from the web at  
<http://mail2web.com/> .



"Fernando Pages"  
<fpages@neb.rr.com>

02/14/2005 11:22 AM

To: <council@ci.lincoln.ne.us>  
cc:  
Subject: 405 S 26th St

This letter replaces letter sent earlier. This one includes a more detailed of upgrades offered to the Woods Park Neighborhood Association (and fixes a spelling mistake).

---

To: Councilman Jonathan Cook

Re: 405 S 26<sup>th</sup> St.

Dear Jonathan:

As you know, I have a petition before the Lincoln City Council. I am asking the Council to allow the Planning Department to review my plans for construction at 405 South 26<sup>th</sup> Street under the design standards in existence at the time I submitted my application for a building permit in October of this year instead of the design standards adopted in November.

Following your suggestion, I met with the board of the Woods Park neighborhood association on Tuesday 8 February 2005 to see if I could convince the association to withdraw their objection to my petition.

Several of the Woods Park association members present at the meeting sympathized with my request and felt that the new neighborhood standards should have included an effective date that would not have left me in a predicament; but they did not agree to support my request. Some members expressed the desire to achieve a compromise, others fervent objection. We could not find consensus.

Beyond opposition to the uses allowed under R-6 zoning, which for some members seemed the bigger issue, most members of the association did not see a way to compromise on street-facing garages. Members voiced concern about street crowding and a lack of green space.

I offered to include a strip of shrubbery between the two single-car driveways and pointed out that, without street-facing garages, tenants in the street facing units might not opt to park in a lot at the rear of the building and then walk to the front for access to their units. A garage for each apartment offers more off-street parking than required by code and an incentive to use it. I am not sure I conveyed the point effectively, because although having street-facing units without parking will aggravate street crowding, I did not sway the association.

If the association had found a middle ground, I would have willingly enhanced the esthetics of the building, added specific landscaping and even reduced the number of bedrooms. None of this seemed to matter.

The association did present me a list of architectural suggestions ranging from changing the siding color to extending the eave depth. If the Council votes in my favor, I will incorporate

these suggestions voluntarily. (See list attached.)

My appeal before the council concerns fairness. I based my proforma and architectural work on the standards in existence when I bought the property and submitted plans. My architect even had a courtesy review with Ed Zimmer. We all went into the project expecting to play by the current rules, not ones to change mid-review.

A material change as required by the new standards puts me in financial jeopardy. I financed the project based on the value of four units with attached garages: Not on a standard, slip-in, four-plex configuration with an undesirable, inaccessible and unsightly parking lot that meets minimum building standards. I am trying to offer something better. The bank that financed this project has already called me, (Brian Johnson, Cornhusker Bank, Bethany Branch) concerned about the potential for a reduction in value.

Without four garages, I will have to rethink the construction and consider alternatives such as a six-plex of three-bedroom apartments. I cannot simply proceed with a reduced-value project. I have already spent approximately \$50,000 on land and \$10,000 in architecture and engineering for this building. I cannot accept such a significant loss without finding a comparable, bankable substitute. I cannot simply build duplex, as suggested.

Since the underlying problem appears to be R-6 zoning, even more than my garages, it becomes ambiguous and risky to invest in a city at odds with its own zoning laws. If I knew the rules would change mid-project, I would have passed up this property. By granting this waiver, you will not thwart the new neighborhood standards, but you will act fairly. I will in kind, acting responsibly and in a neighborly manner but making the concessions offered to the neighborhood, even though they rejected my offer.

Sincerely,

Fernando

Here's the list of items I am willing to do to enhance the project:

1. Extend eaves and soffits on the street facing elevation to match roof overhangs of adjacent buildings.
2. Landscape a strip between the two driveways leading to the single car garages with tall shrubbery that would soften the concrete ribbons.
3. Add trees and decorative landscaping in the front yard and along the green-space between the curb and sidewalk. Install sprinkles to assure the landscaping survives. Have landscaping designed and installed by Finke Gardens to guarantee a professional appearance and ecological appropriate selection of plants.
4. Confer with Ed Zimmer and the architect regarding colors, siding lap and other esthetic factors not encompassed in the old or new neighborhoods standards to assure a good esthetic fit.
5. Comply with all new neighborhood standards that do not conflict with the two single-stall garages.
6. Execute leases that state the tenet is to use garages for parking and not storage.



**Joan V Ray**

02/14/2005 12:15 PM

To: "Fernando Pages" <fpages@neb.rr.com>  
cc: <council@ci.lincoln.ne.us>  
Subject: Re: 405 S 26th St.

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

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

"Fernando Pages" <fpages@neb.rr.com>



**"Fernando Pages"**  
**<fpages@neb.rr.com>**

02/14/2005 11:22 AM

To: <council@ci.lincoln.ne.us>  
cc:  
Subject: 405 S 26th St.

To: Lincoln City Council  
From: Fernando Pagés  
Re: 405 S 26<sup>th</sup> St.

As you know, I have a petition before the Lincoln City Council. I am asking the Council to allow the Planning Department to review my plans for construction at 405 South 26<sup>th</sup> Street under the design standards in existence at the time I submitted my application for a building permit in October of this year instead of the design standards adopted in November.

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at the rear of the building and then walk to the front for access to their units. A garage for each apartment offers more off-street parking than required by code and an incentive to use it. I am not sure I conveyed the point effectively, because although having street-facing units without parking will aggravate street crowding, I did not sway the association.

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The association did present me a list of architectural suggestions ranging from changing the siding color to extending the eave depth. If the Council votes in my favor, I will incorporate these suggestions voluntarily.

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Sincerely,

Fernando

URGENT CONGRESSIONAL  
TELEGRAM E-MAIL \* *STOP*

TO: REGIONAL MAYORS AND CITY COUNCIL MEMBERS \* *STOP*

FROM: CONGRESSMAN EMANUEL CLEAVER, II (MO-05) \* *STOP*

RE: REGIONAL MAYORS' SUMMIT ON FRIDAY, FEBRUARY 18, 2005 \* *STOP*

URGENT MESSAGE:

PROPOSED CUTS IN COMMUNITY DEVELOPMENT BLOCK GRANTS \* *STOP*

THREATEN PROGRAMS IN YOUR COMMUNITY \* *STOP*

U.S. REP. CLEAVER CALLS FOR REGIONAL MAYORS' SUMMIT \* *STOP*

TO VOICE YOUR CONCERNS WITH MEMBERS OF CONGRESS \* *STOP*

FEBRUARY 18, 2005, 10AM TO NOON, PRESS CONFERENCE TO FOLLOW \* *STOP*

HELD AT DOWNTOWN MARRIOTT IN KANSAS CITY (200 W. 12<sup>th</sup> St.) \* *STOP*

DETAILED LETTER FORTHCOMING \* *STOP*




**Joan V Ray**

02/17/2005 11:22 AM

To: "Tim Kraft" <tkraft2@neb.rr.com>

cc:

Subject: Re: Smoking Ordinance 

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

Joan V. Ray

City Council Office

555 South 10th Street

Lincoln, NE - 68508

Phone: 402-441-6866

Fax: 402-441-6533

e-mail: jray@ci.lincoln.ne.us

"Tim Kraft" <tkraft2@neb.rr.com>



**"Tim Kraft"**

<tkraft2@neb.rr.com>

02/16/2005 09:07 PM

To: <council@ci.lincoln.ne.us>

cc:

Subject: Smoking Ordinance

An article in the Lincoln Journal Star today reported that some members of the City Council were inquiring about the possibility of tinkering with the smoking ordinance. This was apparently due to the complaints of some bar owners and employees that they were losing money.

The ordinance is not even two months old. It is much too early to know how it will ultimately effect Lincoln's economics. We believe that things will eventually settle down and adjust so that few people will be negatively impacted. Even if that is not the case, public health is more important than a few jobs.

It could be argued that health inspections and fire codes cost jobs, but no one would seriously consider eliminating ordinances that so obviously save so many lives. The smoking ordinance is no different, although the health consequences are not always as immediate.

The bottom line is that the people of Lincoln overwhelmingly voted for the smoking ordinance. The choice was clear and well publicized and the people chose this law.

We are appalled that anyone on the City Council would even consider reversing an election because they don't agree with the results. Everyone knew the change would not be painless.

We urge the City Council to leave the smoking ordinance alone!

Sincerely,

Tim and Ellen Kraft  
4901 Boeckner Ave  
483-9952