DIRECTORS’ MEETING  
MONDAY, OCTOBER 31, 2005 - 11:00 A.M.  
CONFERENCE ROOM 113

I. MAYOR

*1. NEWS RELEASE - RE: Separation Of Yard Waste Continues Through November -(See Release)

*2. NEWS ADVISORY - RE: Mayor Seng will discuss plans for the City-owned “K” Street storage facility at a News Conference at 10:00 a.m., October 18th - (See Advisory)

*3. NEWS RELEASE - RE: Mayor Seng Says Sale Of City Building Will Expand Tax Base And Stimulate Private Investment -(See Release)

*4. NEWS RELEASE - RE: Section Of Pine Lake Road To Close Monday - (See Release)

*5. NEWS RELEASE - RE: Open House Planned On South Street Improvements -(See Release)

*6. NEWS ADVISORY - RE: Mayor Seng will unveil a new online system that allows residents to submit service requests and track their resolution through the City Web site at a news conference at 10:00 a.m., Thursday, Oct. 20th - (See Advisory)

*7. NEWS RELEASE - RE: Mayor Seng Unveils Online Service Request System-ACTION system allows constituents to track resolution through Web site - (See Release)

8. NEWS ADVISORY - RE: Mayor Seng will discuss a proposed ordinance to limit where convicted sex offenders could live in the community at news conference at 9:30 a.m., 10/25/05 - (See Advisory)

9. NEWS RELEASE - RE: Mayor Proposes Sex Offender Residency Restrictions -(See Release)

10. NEWS RELEASE - RE: Open House Set For Three Southwest Lincoln Projects -(See Release)
11. NEWS ADVISORY - RE: Mayor Seng will discuss the report of the Event Facility Task Force at a news conference at 10:00 a.m., Thursday, Oct. 27th - (See Advisory)


II. DIRECTORS

BUDGET

1. Material from Steve Hubka - RE: October sales tax reports which cover August sales - (See Material)

FINANCE

*1. Report from Don Herz - RE: Analysis of the proposed sale of K-Street - (See Report)

2. Report from Don Herz - RE: Publication - The cities that hold a AAA from Standard and Poor’s (S&P) (Copy of this Report on file in the City Council Office)(See Report)

FINANCE/CITY TREASURER


HEALTH

*1. NEWS RELEASE - RE: Volunteers Needed To Make Star City Holiday Parade Litter Free-Be a part of this national award winning event! - (See Release)
*2. NEWS RELEASE - RE: Halloween: Don’t Let Cars And Kids Go Bump In The Night - Safe Kids Lincoln/Lancaster County Offers Halloween Safety Tips -(See Release)

3. NEWS RELEASE - RE: Halloween Safety For Pets -(See Release)

PARKS & RECREATION

1. Letter from Sue Quambusch, Chair, Parks & Recreation Advisory Board - RE: Co-location of Facilities with New Schools -(See Letter)

PLANNING

*1. Memo & Report from Kent Morgan - RE: Downtown Master Plan: Final Version -(Copy of this Material on file in the City Council Office)


3. Letter from Jean Walker to Brandon Garrett, Engineering Design Consultants - RE: Annexation #05013 & Change of Zone #05054-Prairie Village North Planned Unit Development-N. 84th Street and Adams Street - (See Letter)

PLANNING COMMISSION FINAL ACTION ..... 

*1. Use Permit #04008 (Office/medical building - SW 17th Street and West A Street) Resolution No. PC#00955.


PUBLIC WORKS & UTILITIES

*1. Public Works & Utilities ADVISORY - RE: Coddington Avenue, West ‘A’ Street and SW 40th Street Roadway Projects-Project #701903, 701904, and 700132 - (See Advisory)

*2. Public Works & Utilities ADVISORY - RE: South Street Improvements Open House - Project #540009 -(See Advisory)
*3. Public Works & Utilities ADVISORY - RE: Pine Lake Road Widening-Project #700014 - 40th-61st Streets - 56th Street; Shadow Pines - Thompson Creek -(See Advisory & Map)

*4. Memo & Material from Karl Fredrickson - RE: Snow Removal and Ice Control -(See Material)

*5. Public Works & Utilities ADVISORY - RE: Storm Sewer Project #701683R-Washington; 16th-17th - 17th; A-Garfield - (See Advisory)

6. E-Mail from Nicole Fleck-Tooze - RE: Impact Fee Question regarding Emerald -(See E-Mail)

URBAN DEVELOPMENT

1. Reports from Ronald L. Cane - RE: Board of Equalization - Business Improvement Districts: (1) Core Business Improvement District Overlay and Downtown Business Improvement District - (2) Downtown Maintenance District - (See Attachments)

WEED CONTROL AUTHORITY


III. CITY CLERK

IV. COUNCIL

A. COUNCIL REQUESTS/CORRESPONDENCE - NONE

V. MISCELLANEOUS -

*1. E-Mail from Bob Schwartz - RE: S. 56th & Highway 2 -(See E-Mail)

*2. E-Mail from Wayne Boles with response from Carl Eskridge - RE: Seven people should not be allowed to sit together on a downtown sidewalk..-(See E-Mail)
*3. E-Mail from Bob Schwartz - RE: Would you tell me why they need “O” Street widened? - (See E-Mail)

*4. Letter from Lynne Pabian to Ken Smith, City Parking Manager - RE: The monthly parking increases at “certain” city garages in Lincoln effective November 1, 2005 -(See Letter)

*5. Letter & Material from Toby D. Fierstein, P.E., Project Engineer, Roadway Design Division, State of Nebraska Department of Roads to Mary Roseberry-Brown, President, Friends of Wilderness Park - RE: Lincoln South Beltway West Segment - 2-6(119) - CN: 12578C - (See Material)

*6. Letter from Janelle Schmale, President, University Place Community Organization - RE: Writing to express the support of the University Place Community Organization for the proposed amendment of the University Place Redevelopment Plan to add the properties located at 4825 & 4843 Huntington Avenue to the Redevelopment Plan and to express UPCO’s support for the proposed relocation of a Lincoln Police Department Substation to this location - 05R-254, CPC-05009 — (See Letter)

*7. E-Mail from Alan Hersch, Aquila - RE: Please Support North 56th TIF -(See E-Mail)

*8. E-Mail from Harlow Dover - RE: The Fire Department using fire trucks and/or ambulances to go buy their groceries, go to tool sales, etc. - (See E-Mail)


10. E-Mail from Victoria Miller - RE: Expanding possibilities for micro-businesses by providing low-cost outlet are... - (See E-Mail)

11. Letter from Glenn Johnson, Lower Platte South Natural Resources District - RE: At their meeting on 9/21/05 they reviewed the proposed Change of Zone #05070 and Miscellaneous #05023 -(See Letter)

12. E-Mail from Dan Haase - RE: Fresh Water to Falluja not Emerald -(See E-Mail)
13. E-Mail from Emily Zimmer - RE: Parking Rates for Downtown Residents - (See E-Mail)


15. E-Mail from Victoria Hessheimer - RE: Utilities increasing rates -(See E-Mail)

16. Letter & Material from Frank Landis, Commissioner, State of Nebraska, Public Service Commission - RE: Application No. PSAP-36.3 In the Matter of Lancaster County PSAP, Lincoln, seeking additional funding for recurring and non-recurring costs of Wireless E-911 implementation - (See Material)

17. E-Mail from Dan Haase - RE: Proposed LES surcharge -(See E-Mail)

18. Letter & Material from Terry Bundy, Lincoln Electric System - RE: LES Update - (See Material)

VI. ADJOURNMENT

*HELD OVER FROM OCTOBER 24, 2005.*
Mayor Coleen J. Seng will discuss a proposed ordinance to limit where convicted sex offenders could live in the community at a news conference at 9:30 a.m. Tuesday, October 25 in the Room 113 at the County-City Building, 555 South Street.
MAYOR PROPOSES SEX OFFENDER RESIDENCY RESTRICTIONS

Mayor Coleen J. Seng announced today that she has instructed City staff to prepare an ordinance limiting where convicted sex offenders could live in the community. She said the City must be prepared to act quickly on the issue and called on the City Council to support the proposed safety measure.

“Sex offenders can pose a high risk to children,” said Mayor Seng. “That’s why many states, including Nebraska, have adopted sex offender registries. Some cities and other states also are going a step further by adopting residency requirements. I have been looking at the situation for some time now, and I am concerned that if Lincoln does not act, we could see a migration of sex offenders who have been affected by the laws of other communities. Lincoln cannot sit on the sidelines on this issue. To do nothing may put our children at greater risk and harm the high quality of life in Lincoln.”

The state of Iowa recently enacted tough restrictions prohibiting anyone convicted of a sexual offense against a minor to live within 2,000 feet of schools or child care centers, effectively forcing pedophiles out of many Iowa communities. Last month, the 8th Circuit Court of Appeals in St. Louis upheld the constitutionality of the Iowa law. In response, South Sioux City and Dakota City, both in Nebraska, have adopted similar ordinances out of concern that many pedophiles would simply move across the river into their communities. Gretna, Papillion, and Springfield also are considering similar measures.

“Residency restrictions limit the access pedophiles may have to children,” said Mayor Seng. “Sex offenders who live in close proximity to schools, parks, child care centers and libraries are a potential threat to our children’s safety. Parents need assurance that their children will be safe as they walk to school or play at a park. As Mayor, it is my duty to do all in my power to protect our children.”

Seng said members of the State Legislature are talking about similar statewide legislation. “I’m pleased the Legislature is considering statewide action, but the City of Lincoln needs to be ready to act on behalf of our community,” said Mayor Seng. Seng noted that because the State Regional Center is in Lincoln, where many sex offenders are treated and then released, and because of some very serious assaults on children, Lincoln is very aware of the harm sex offenders can inflict.
FOR IMMEDIATE RELEASE: October 25, 2005
FOR MORE INFORMATION: Kris Humphrey, Public Works and Utilities, 441-7711
Rick Haden, Kirkham Michael, 477-4240
Andrea Bopp, The Schemmer Associates, 488-2500

OPEN HOUSE SET FOR THREE SOUTHWEST LINCOLN PROJECTS

The public is invited to an open house on three upcoming construction projects in southwest Lincoln from 5:30 to 7 p.m. Thursday, October 27 at Roper Elementary School, 2323 South Coddington Avenue. Displays and handouts will be available, and project team members from the City and its consulting engineers will be available to answer questions. The projects are:

The Southwest 40th Street Viaduct project includes construction of a new viaduct over the railroad tracks and a new bridge over Middle Creek, about one-half mile south of “O” Street. Construction is tentatively scheduled to begin in early 2007. Southwest 40th Street and the new viaduct would open to traffic around June 2008. More information is available at lincoln.ne.gov (keyword: SW40th). The project contact is Rick Haden, Kirkham Michael, 477-4240.

The South Coddington Avenue Roadway design project includes the area from West Van Dorn to West “A” streets, including the intersections of Coddington/West “A” and Coddington/West Van Dorn. South Coddington will be designed to include curb and gutter, storm sewer, raised medians, sidewalks and turn lanes where appropriate. The City-County Comprehensive Plan calls for South Coddington to have two lanes in each direction with left-turn lanes. This project also includes a pedestrian/bicycle trail to be built alongside South Coddington. Funds are currently available only for the design of the project. More information is available at lincoln.ne.gov (keyword: Coddington). The project contacts are Andrea Bopp and Doug Holle, The Schemmer Associates, 488-2500.

The West “A” Street Roadway design project includes the area from just west of South Coddington Avenue to just west of Southwest 40th Street. West “A” Street will be designed to include curb and gutter, storm sewer, sidewalks and turn lanes where appropriate. The City-County Comprehensive plan calls for West “A” Street to have one lane in each direction with separate turn lanes. The roadway is to be built in such a manner to allow for future widening with minimal impact on traffic. The project also includes a pedestrian/bicycle trail along West “A” from Southwest 27th to Southwest 40th streets. Funds are currently available only for the design of the project. More information is available at lincoln.ne.gov (keyword: WestA). The project contact is Rick Haden, Kirkham Michael, 477-4240.

The City project manager for all three projects is Kris Humphrey at 441-7592.
DATE: October 27, 2005
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831

Mayor Coleen J. Seng will discuss the report of the Event Facility Task Force at a news conference at 10 a.m. TODAY, Thursday, October 27 in the City Council Chambers, 555 South 10th Street.
FOR IMMEDIATE RELEASE: October 27, 2005
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831
Mark Bowen, Mayor’s Office, 441-7511

MAYOR CALLS ARENA TASK FORCE REPORT
GUIDE FOR FUTURE EVENT FACILITIES

Mayor Coleen J. Seng today thanked the Event Facility Task Force members for recommending a sensible cost efficient strategy for Lincoln to follow in planning for a future arena and convention center and for recommending that the Nebraska State Fair and the Lancaster County Fair consolidate at a single location.

“I appreciate the Task Force members’ hard work. A phased approach that takes into account timing, financing ability by the community and a unified governance is the best approach,” Seng said. “This report will be a guide as we develop the right event facilities to serve Lincoln for many years to come. I will begin working with the other local government entities to seek agreement on this approach. Partnerships will be a key to making the recommendations in the report a reality.”

Mayor Seng appointed to the Task Force representatives of the State of Nebraska, the City of Lincoln, the Lancaster County Board, State Fair Park, the University of Nebraska-Lincoln, the Lancaster Events Center, the Lincoln Chamber of Commerce, the Downtown Lincoln Association, the Convention and Visitors Bureau, the West Haymarket Business Study Group and the Lincoln Independent Business Association. Dick Campbell of the Lincoln Chamber of Commerce served as Chair.

Mayor Seng directed the Task Force to examine which proposals offer the best opportunity to meet the sports, conference, convention and entertainment markets that generate the most economic opportunity for Lincoln; discuss the source of the proposals’ funding and the impact on the taxpayers’ obligation to subsidize any of the proposals; examine how to prevent duplication and whether proposals can be combined or partnered; and discuss which proposals provide the most flexibility and opportunity for partnership.

The report recommends that:

Lincoln should build a new arena to replace Pershing Center. The new arena should be built as close as possible to shopping, restaurants and entertainment, and the Task Force recommends the West Haymarket area.

- more -
Lincoln also should pursue a private developer to build a new hotel/convention center located near the new arena.

The State Fair Board and the Lancaster County Agricultural Society should combine their operations into a single location. A decision on whether that should be at State Fair Park or the Lancaster Events Center should be based on an analysis of each of the current sites and the costs to improve either site in a manner to serve both entities.

All the governmental bodies involved should approach the issue of event facilities in a unified manner that produces an integrated plan. The Mayor should appoint a group to oversee development of that plan.

The community should explore a new coordinated governance structure for all Lincoln’s event facilities that would eliminate competition and maximize advantages.

The Task Force also urged that any existing plans to expand or develop event facilities be placed on hold until an integrated plan is complete. The report indicates that the integrated plan could be completed in about six months.

In accepting the report, Mayor Seng directed the Task Force to continue working with the State Fair and Lancaster County Agricultural Society to develop an integrated plan and financial study to reunite the State Fair and Lancaster Event Center into a single location. The Task Force also will be charged with developing an integrated financial plan for an arena/hotel/convention facility in the Haymarket area.

“It is time to rebuild the relationship between State Fair and the Ag Society,” said Mayor Seng. The Task Force’s objective analysis and attention to detail can help prevent duplication of public agricultural fair facilities and help reunite the State Fair and Lancaster County Agricultural Society. If the two entities combine efforts and go after the agriculture trade shows, I believe they can achieve some great successes.”
Events Facility Task Force

Report to Mayor Coleen J. Seng
October 27, 2005

Introduction

Mayor Seng appointed the Events Facility Task Force in the spring of 2005 to coordinate discussion of several ideas circulating in the community about possible arena and convention facilities. Mayor Seng directed the Task Force to study and evaluate the proposals, investigate and explore other ideas and make recommendations in light of Lincoln’s unique characteristics that would prevent duplication and focus on market needs.

In announcing the Task Force, Mayor Seng said that the community’s limited financial resources and the apparent lack of coordination between the separate venues and their ideas spoke to the need to create a focused vision for the future. Lincoln, she said, needs a single community vision for a new convention center and arena. Mayor Seng invited leaders who represent each of the venues to participate in the Task Force and share in making recommendations for a new arena and more quality convention space.

The Convention, Sports and Leisure (CSL) study, commissioned by the Downtown Lincoln Association and the Lincoln Chamber of Commerce and released in December 2004, urged Lincoln to add arena space and to replace Pershing Center. The report noted that convention space was limited, but mostly adequate. By the spring of 2005, proposals for expansion or new construction were being contemplated at State Fair Park, Lancaster Events Center and in the Haymarket. The futures of Pershing Center and the Devaney Center also were under discussion.

Mayor Seng urged the Task Force members to make recommendations that would prevent duplication and capitalize on Lincoln’s existing financial resources to ensure success. Pursuing competing individual strategies without regard to the impact each facility might have on the others may well result in wasted resources and the financial failure of individual facilities, she said.

Appointed to the Task Force were:

Dick Campbell, Chair, Chamber of Commerce; Rick Bjorklund, State Fair Park; Tom Lorenz, Pershing Center; Dale Gruntorad, Lancaster Events Center; Harvey Perlman, University of Nebraska-Lincoln; Deb Schorr, Lancaster County Board, County Visitor Promotion Committee; Don Herz, City of Lincoln, Finance Department; Lori McClurg, State of Nebraska; Kent Seacrest and Roger Larson, West Haymarket; Polly McMullen, Downtown Lincoln Association; Wendy Birdsall, Lincoln Convention & Visitors Bureau; and Ron Ecklund, Lincoln Independent Business Association. Ann Harrell, Mark Bowen and Darl Naumann, City of Lincoln, provided staff assistance. Mayor Seng also attended most Task Force meetings.
Summary of Recommendations

The Task Force’s work resulted in these basic recommendations:

- The State of Nebraska, State Fair Park Board, University of Nebraska-Lincoln, City of Lincoln, Lancaster County and Lancaster County Agricultural Society should approach the issue of events-related physical facilities in a unified manner that produces an integrated plan. This plan should be developed within six months. The Task Force recommends the Mayor convene a group to oversee development of that plan.
- Any existing plans to expand or develop events facilities should be placed on hold until an integrated plan is complete.
- The Task Force considered the possibility of the Lincoln community building an arena, a hotel/convention center, and an exposition center. The Task Force felt there were strong arguments that the community would be well served by building all of them in a planned sequence.
- The community should fund a financial study to determine what the community can afford and the most advantageous way to approach the financing, timing, phasing, governance and environmental considerations associated with any new construction.
- The preferred location for a future arena and hotel/convention center is the west Haymarket District. Cost considerations and the extent of university participation may affect this recommendation.
- The integrated plan and the group overseeing the plan should direct and assist the State Fair Park Board and the Lancaster County Agricultural Society to combine their operations into a single consolidated campus with a new or expanded exposition center to serve both their needs.
- The decision about whether to locate the Nebraska State Fair and the Lancaster County Fair at State Fair Park or at the Lancaster Events Center should be based on an analysis of the infrastructure serving each site; the facilities already available at each site; the cost to improve each site to serve both the State and County fairs; a discussion of how the location that is not selected could be turned to other uses; and how a new use might help both fairs achieve their goals.
- The Task Force recognizes that it has no authority to compel the governmental bodies that own and support Lincoln’s events facilities to unite and implement this report. The Task Force strongly recommends that the best outcome for the community only will occur if the governmental bodies act together to capitalize on their complementary powers to plan, fund, build and manage new facilities. The Task Force hopes the public will insist its elected officials act in harmony to achieve an integrated plan.

Fact-Finding

The Task Force decided that visits to existing facilities would allow everyone on the Task Force access to the same information as the Mayor’s charge was considered. The Task Force started by visiting three Lincoln venues: Pershing Center, State Fair Park and Lancaster Events Center. At each venue, the group toured the facilities and learned about the history, finances, circumstances, physical condition, partnerships with other venues and future prospects of each location.
**Pershing Center**

Over Pershing’s nearly 50-year history, much has changed. Most of the core business from Pershing’s early days, the civic and community dinners and meetings and local trade shows, have moved to “hotel-quality” exhibition spaces. During the 1970s, Pershing was a regular venue for touring bands as they traveled between the major markets of Chicago and Denver. A number of factors, including new regional venues, the lack of seating capacity, limited production space and a lack of patron and client amenities have contributed to Pershing losing major concerts and family shows to other communities. Pershing, through aggressive marketing, strong management and an upswing in the cyclical concert business, enjoyed a brief resurgence of major concerts about five years ago. The resurgence was short-lived with the opening of the Mid-America Center in Council Bluffs and the Qwest Center in Omaha. Both new venues regularly draw the A-level shows and take a significant share of entertainment dollars from the Lincoln market. Pershing has adapted to the change in the competitive landscape by recruiting new shows and keeping existing shows such as regional religious youth conferences, locally promoted boxing, retail outlet sales, USA Roller Sports, Ribfest, high school tournaments and minor league sports. Pershing is booked between 100 and 150 dates per year. Pershing is a structurally sound building with an aging/failing infrastructure. A bond issue for $1 to $2 million would be needed to address heating, ventilating and air conditioning problems and asbestos removal; replace existing outdated and inefficient lighting fixtures; improve special-needs access; address basic wiring deficiencies; and begin to replace worn out fixtures and equipment. Even if those improvements were made, they would not increase Pershing’s capacity nor would they address concourse size, production space deficiencies, patron amenities such as restrooms, expanded concession areas or pre-function / lobby space. A massive remodeling of Pershing on its footprint of one city block would not be practical nor would it increase seating or address production-parking issues.

**State Fair Park**

The Nebraska State Fair is comparable to a small business just emerging from bankruptcy. The Fair Board is determining how to use the State Lottery proceeds and assessing the impact of having gone so long on minimal repairs and little capital infrastructure investment. Lincoln now makes payments to the Fair, which “trigger” the availability of state lottery fund payments as was approved by voters statewide. Some improvements have been made with the money, including restrooms, paint, air conditioning in the Lancaster Building and a new playground. The Fair itself is a high-profile 11-day event. But it is only $2.5 million of the $7.5 million business in operation at State Fair Park. The fairgrounds encompass 250 acres, 70 buildings and more than one million square feet in various structures. About 250,000 square feet is exhibit space. Of that, 90,000 square feet is in the Industrial Arts building. This year, that building was closed during the Fair due to structural issues. So for the 2005 Fair, there were 160,000 square feet of exhibit space, of which 80,000 square feet is air conditioned. These numbers do not include Devaney, only areas under the Fair Board’s direct control. There is an additional 65,000 square feet of exhibit space in Devaney. State Fair Park needs a large, up-to-date, air-conditioned exhibit space that also can be used effectively during the non-fair season. At 23,000 square feet, Agriculture Hall is the biggest contiguous space. But it is a metal building with no amenities, no ability to be divided and no break-out rooms. The Fair needs to build off-season revenue, as successful fairs rely heavily on off-season events for financial support. This Fair does not have that option: it needs a new building big enough to handle three or four events simultaneously in divided space.
**Lancaster Events Center**

A partnership between the Lancaster County Board of Commissioners and the Lancaster County Agricultural Society was formed to build the center to serve as the Lancaster County Fair’s venue. The center hosts agricultural trade shows, equestrian and livestock shows, regional and national equipment shows and various other events. The center features three large interconnected structures. The multipurpose arena has bleacher seating for 2,000 and has a dirt floor that can be packed and covered with carpet for alternative uses. The two pavilions each house 400 stalls. The center has a total of more than 210,000 square feet of exhibit space and parking for 2,000 vehicles on more than 160 acres. The center was not intended to be a concert facility. There is no full kitchen, but the center has two concession stands and can cook popcorn and hot dogs. The center is in use about 50 weekends a year. Some national events have shown interest in coming to Lincoln, but the center does not have the space to accommodate the needs of larger events. The center management wants to build a second phase, but needs funds to do it. The center would like the County Board to provide a share of the lodging tax to aid in this effort. The center would like to expand and would like more concrete floor space. The center has requested a change of zone for some of its land because some customers would like a motel nearby, and the change of zone could provide a revenue source if the land were to be leased to a motel and/or retail developer.

**Other Tours and Information**

Task force members also toured the Qwest Center and Mid-America Center and received additional information about the Devaney Center.

**Qwest Center**

The tour of the Qwest Center in Omaha focused not only on the public access areas, but also the non-public production and support areas. The designers of the Qwest Center brought facility professionals into the design process early in the planning stages, and together they ultimately spent as much time, space and resources on the service corridors, kitchens, locker rooms, pantries, concession stands, press rooms, parking areas and equipment storage locations as they did on the public concourses and performance spaces. This partnership and dedication to excellence in the support spaces made the Qwest Center arena and convention center efficient and functional for the patron, client, athlete and artist. The Qwest Center’s arena strengths are 16,000-plus seating capacity in the arena; multiple luxury suites; club seating; a club-level restricted-access restaurant and pub; wide concourses; multiple concessions sales locations; numerous public restrooms; an attached parking garage; large main floor area; sport team training and fitness areas; a five-truck loading dock; a box-truss roof structure designed to accommodate concert rigging; a curtain system that allows the arena to be reduced in size to match the needs of the event; and a multi-screen combination scoreboard-video screen. The convention space is expansive. The exhibition area has easy truck and vendor access, a grid of floor access utilities, high ceilings with heavy steel girders to allow rigging, multiple break-out rooms and smaller meeting support spaces. The ballroom complex has a hotel-quality finish, a fully accessible service corridor, a large catering/kitchen complex, multiple truck loading ramps and the ability to divide the large spaces into smaller segments. The entire convention center complex is physically attached to the arena with large joint concourse and service access areas. A hotel is directly across the street, and it has skywalk access to the arena/convention center.
**Mid-America Center**

The Mid-America Center in Council Bluffs is located almost directly across the river from the Qwest Center. It was built with dollars from the Iowa West Foundation. The funds for the Iowa West Foundation come from gambling revenues. The complex opened in October 2002, and final construction was completed in 2003. Arena seating capacity for concerts can be almost 9,000, but some value-engineering decisions made during construction made the actual usable total seating closer to 8,000. The Mid-America Center is an arena/convention center complex. The convention center has 24,000 square feet of exhibition space with high ceilings and floor accessible utilities. The ballroom complex is 23,000 square feet of hotel-quality banquet and exhibition space with eight break-out rooms. An adjacent small hotel is attached to the building. The resident tenant is the Omaha Lancers USHL hockey team. The team struggles to maintain attendance with Omaha now hosting both the UNO hockey team and the Knights, a new AHL (AAA) level professional team. The greatest challenges for the Mid-America Center are its close proximity to the Qwest Center and its modest seating capacity. Promoters are choosing Qwest because it offers higher gross potentials, greater seating capacity and better production spaces. Adjacent to the Mid-America Center is Bluffs Run Casino and the new 150,000-square-foot Bass Pro Shop store.

**Devaney Center**

The Devaney Sports Center was built in two phases, 1976 and 1981, as an indoor athletic venue for UNL and an arena for the State Fair. The building is about 375,000 gross square feet with three primary event areas: a 13,595-seat basketball arena; a swimming pool with spectator seating; and an indoor track with spectator seating. Over the years, more than $3 million has been spent to upgrade some areas. There have been two roof replacement projects: the swimming pool in 1991 and the arena in 1999. Devaney is in good condition and should serve for another 20 years without making an unusual investment, though cosmetic and modernization expenditures are anticipated. Devaney houses various events and administrative offices and is “home” to men’s and women’s basketball, gymnastics and wrestling. By agreement with the State Fair Board, UNL must dedicate the arena for the Fair’s use during the Fair. The Fair is not charged rental fees. Otherwise, use of Devaney for external events is limited, as athletic uses dominate the schedule. About 10 to 15 non-university events are held annually at Devaney, including State Fair concerts, state high school basketball championships, the annual Watchtower convention and swimming competitions. Excluding event ticket sales, revenue for use of Devaney from external groups is generated from rental income, concessions and parking. As a community service, Devaney’s rental fees only recover operating costs. The arena rental fee averages $3,000 per day. Gross annual rental income, excluding the state wrestling tournament that is moving to Omaha, is about $70,000 for various swimming, track and general events. Net concession revenue for external events at the Devaney Center is about $100,000 annually. UNL generates $75,000 net revenue from parking in university lots only. The lots north of Devaney are not operated by UNL, nor does UNL receive income from those lots. About one third of the revenue is generated from non-UNL events. Parking income is retained by UNL Parking and Transit Services, not athletics. The loss of the state wrestling championships had a modest financial impact on athletics and parking, less than $30,000 in total.
Downtown Master Plan/West Haymarket

The Task Force broadened its research by requesting a briefing from the DLA and the partnership that formed the West Haymarket study group. The DLA began seeking an update of the Downtown Master Plan in 1999. The previous plan was done 30 years ago. Downtown is vital to Lincoln’s image and to recruiting jobs. Downtown is the center of culture, government and employment. The new Downtown Master Plan, approved by the City Council September 26, 2005, was a partnership between the City, DLA, UNL and the business community. The plan’s goals include adding retail shops; connecting the Haymarket to the downtown; a civic plaza; encouraging more residential development; and addressing future entertainment/arena needs. A market analysis performed as part of the master plan projected a need for about 1,000 additional hotel rooms over the next 20 years in downtown.

The West Haymarket Business Group conducted a private study of a possible future Haymarket-area convention/hotel/arena. The group formed following John Q. Hammons’ announced interest in building a hotel/convention center in the Haymarket. The Burlington Northern/SanteFe had already been looking at consolidating three tracks and is willing to discuss relocating tracks. Amtrak also would be willing to look at relocating the passenger depot. The arena could be located at the site of the current post office, as noted by CSL. Local postal officials would discuss relocation because most mail now comes and goes by truck, not train, and they would prefer a more accessible location. With Memorial Stadium and Haymarket Park nearby, a new arena that could accommodate UNL sports teams and other university-related activity would create a “sports triangle” near downtown hotels and parking garages. There also could be room in this area for future community sports field needs. The group studied an arterial road system that could link with the Antelope Valley “Big T” bridge and I-180 to the north; Ninth and 10th streets and the K and L streets viaducts to the south; and O Street to the west. The cost of the total vision would be close to $225 million, which would be a combination of private and public funds. This location would provide an opportunity to explore possible future partnerships with State Fair Park not far away.

Convention, Sports and Leisure

The Task Force invited John Kaatz of CSL to visit Lincoln again and provide an overview of the study’s findings and key points as they relate to Lincoln’s convention space, arena situation, sizing a new facility and selecting a location. Among other things, Kaatz said that although Pershing operates well and is a cost-effective alternative, it is below industry standards. The market has the potential to produce new events for this region, though Omaha will be viewed as a primary market regardless of Lincoln’s development decisions. Hotel and event facilities are critical to downtown economies, and public/private endeavors should be strongly considered for the downtown. University support and participation will be important to a new arena. Kaatz noted the similarities between the facilities and markets for State Fair Park and the Lancaster Events Center and said it makes sense to combine these similar venues. He reviewed what’s happened in communities in which a new arena and/or convention center have served as major motivators for economic development. He also mentioned ideas these communities have pursued to finance their developments, such as a dedicated sales tax. He said that in Lincoln, the County’s lodging tax will not be enough, and we will need other options as well. Private sector funding for such things as skyboxes and naming rights may amount to as much as 30 percent of...
the total, but really the public sector will be the primary source of funding in Lincoln. Replacing Pershing will be expensive, and it’s a tough market, but he said it can be done and Lincoln could finance it. Kaatz emphasized again that the Events Center and State Fair Park should be combined into a single operation in a single location. He said a new arena and convention center do not need to be literally linked together, though they should be close together. Kaatz said successful projects such as Lincoln is considering, when examined across the country, usually have an arena, convention center and hotel in close proximity with support from restaurants, shopping, convenient parking and good transportation – all close by. He encouraged the Task Force members to consider where Lincoln’s entertainment activity is located and to explore how close they can get a new arena and convention center to that. He said State Fair Park is not close enough to Lincoln’s entertainment center and that Pershing may not even be close enough.

Defining Parameters

At the conclusion of the fact-finding portion of its work, the Task Force began defining its goals. In making recommendations to Mayor Seng about a single vision for Lincoln’s future arena and convention center development, the Task Force reached conclusions in a number of areas.

Lost Opportunities

♦ Lincoln has lost events that have been coming here for years, such as the state high school wrestling tournament, because existing spaces are inadequate.
♦ Some local events designed to attract attendance just within the Lincoln community turn people away because there is not enough room.
♦ Lincoln is unable to compete for events the community otherwise is eligible to host because Lincoln cannot meet their space needs.

Viability Concerns

♦ Today’s patrons expect amenities not currently available in Lincoln’s existing facilities.
♦ There is reason to be concerned about the future of some existing venues. Deferred maintenance and the fact that some venues are reaching the ends of their reasonably expected economic lives are important considerations.

Community Orientation

♦ Whatever is built must address Lincoln’s unique characteristics and must satisfy the community’s convention and entertainment needs for the next 50 years.
♦ As Nebraska’s capital city and home to a major land grant university, Lincoln can and should attract local, state and regional events. Lincoln also should capitalize on the conference and event opportunities generated by the leading edge research and technology development in the business sector and Nebraska’s institutions of higher education.
♦ A new arena/convention center must be an economic development tool to encourage local business growth and retention and to attract attention to Lincoln
as a prime location for locating and expanding employment.

- Creating an environment that nourishes tomorrow’s workforce and retains top area graduates means paying attention to Lincoln’s quality of life. That includes providing high-quality events at a first-rate arena and convention center.

**Single Vision**

- The focus in the future must be on cooperation, eliminating duplication and doing what’s best for the community as a whole.
- Whatever is developed will require a public-private partnership.
- Lincoln needs an efficient, effective strategy to build new space that provides a realistic opportunity to attract a broad array of events that would be located in an area most likely to generate positive economic activity.

**Recommendations**

Based on their review of Lincoln’s circumstances, the Task Force members recommend the community develop three new events venues: an arena; a convention center and hotel; and an exposition center.

**Arena**

- Lincoln should build a new arena of at least 15,000 seats and skybox suites to replace Pershing Auditorium.
- The community should explore a cooperative arrangement with UNL that would facilitate hosting UNL academic and athletic functions in the new arena. The terms of such an arrangement may have an impact on the number of seats recommended.
- The new arena should be financed through partnerships that make use of multiple funding strategies.
- The CSL study demonstrated that the most successful arenas are those located in close proximity to a hotel and convention center, with good retail shopping, restaurant and entertainment opportunities nearby, and supported with convenient parking and transportation. In Lincoln, a new arena should be located in an area that has as many of these amenities as possible. West Haymarket appears to offer the greatest number of these amenities.

**Convention Center/Hotel**

- Lincoln should seek an opportunity with a developer who will build a new hotel and convention center to complement a new arena.
- The developer should play a key role in determining the size of the convention center exhibition hall, ballroom and break-out space and the number of hotel rooms. The Task Force recommends the convention center feature commercial-quality exhibition space of at least 35,000 to 50,000 square feet, 35-foot-high ceilings, floor accessed utilities, multiple truck loading docks, at least 20,000 square feet of hotel-quality banquet space and enough break-out rooms to support...
The right combination of amenities for a convention center may be achieved through the expansion of an existing facility or in conjunction with a new arena.

**Exposition Center**

- The exposition center should provide a single Lincoln location for animal shows, agricultural events, fairs, trade shows and comparable rental opportunities.
- A workable solution should be found to create a single new center at either State Fair Park or the Lancaster Events Center.
- Detailed specifics about what should be built to meet the needs of both organizations should be identified after a single location is selected. Existing facilities differ at each prospective site.

**Governance**

The Task Force recognizes that all of Lincoln’s events facilities require public financial support to some extent. For that reason, the Task Force is committed to minimizing government expenditures by eliminating duplication. Thus, the Task Force recommends the Lincoln community explore a new approach to coordinating the various events facilities to maximize their value and economic benefit to the community.

As stated in the summary of recommendations, the Task Force recognizes that it has no authority to compel the governmental bodies that own and support Lincoln’s events facilities to unite and implement this report. But the Task Force strongly recommends that the best outcome for the community only will occur if the governmental bodies act together to capitalize on their complementary powers to plan, fund, build and manage new facilities. The Task Force hopes the public will insist its elected officials act in harmony to achieve an integrated plan.

In the Task Force’s opinion, an orderly, formalized and unified governance structure would maximize advantages, minimize duplication and leverage financial resources through cooperative agreements. Lincoln is well known for its commitment to forming successful cooperative relationships for achieving common goals, especially among governmental subdivisions. By pursuing this model once again, Lincoln could establish a system that would serve our needs for many years to come.

One idea for how such a governance structure might be designed is attached to this report. Other variations on this approach could work equally well and should be fully explored. Fundamentally, a single governance structure must include every governmental subdivision with a stake in an events facility, if they have a desire to participate. It must be a way to take advantage of the best each partner has to offer and make the most of public and private resources.

**Conclusion**
Lincoln is a prosperous, growing community with a vibrant events industry serving both the local and regional communities. The time has come to invest in Lincoln’s events infrastructure in order to ensure Lincoln’s position as a competitive, attractive and desirable location for events.

Lincoln must have a coordinated plan for making that new investment and building new events facilities. That plan must have a timetable to provide new facilities while remaining mindful of the need to finance other needs in the community. In the absence of a single vision, money will be spent inefficiently, and the community will not benefit as it should from the significant expenditure of public and private funds that will occur.

The recommendations the Task Force has made will require a high degree of cooperation among governmental agencies. They also will require compromise and accommodation among the specific constituencies served by each existing events venue. The Task Force believes this cooperation and compromise is essential to maximizing the return on public investment.

The Task Force suggests that the elected and appointed officials governing each events venue in Lincoln refrain from committing significant additional funds to any major new expansion or construction until an integrated plan has been adopted. The best use of each public dollar would be in support of a common strategy for everyone’s mutual benefit.

Finally, the Task Force recognizes that additional study will be required before Lincoln can move ahead to meet its need for new or improved events facilities. Most importantly, the community needs a financial strategy to guide its steps. The Task Force members suggest that Mayor Seng continue this work into a second phase, focusing on the financial and land use questions raised by the recommendations in this report.
Potential Partners:
- State of Nebraska
- University of Nebraska
- County of Lancaster
- City of Lincoln

Potential Powers:
- Planning
- Bonding
- Funding
- Design/Build
- Accountability

Shared Governance
Interlocal Agreement
or
Joint Public Agency

Destination Marketing and Promotion by Convention and Visitors Bureau

Events Management for
- State Fair
- State Sponsored Events
- County Fair
- Hard Surface Arena Events
- Soft Surface Events

Facilities Management for
- State Fair Park
- Devaney Center
- Pershing Center/West
- Haymarket Arena
- Lancaster Event Center
- New Convention Center
- Space

Convention Space Facilities
Pershing Advisory Board
State Fair Park Board
Lancaster County Agricultural Society
BUDGET
Congress looks for progress on reconciliation, appropriations. The House and Senate returned from a week-long Columbus Day recess to predominantly budget matters, with mixed results.

With regard to FY 2006 spending, the Senate was able to complete the Transportation-Treasury-HUD measure (see related stories below), clearing the way for consideration next week of its final and most difficult FY 2006 spending bill, Labor-HHS-Education Departments. However, Senate completion of all the appropriations bills is just another step in the process, as several bills still await House-Senate conference committees to iron out differences. The current Continuing Resolution (CR) that funds government agencies without an approved spending bill expires on November 18, and Congress is expected to need all that time (and possibly more) to complete FY 2006 appropriations.

Committees in both the House and Senate are also working on budget reconciliation bills. Reconciliation is a process (last used in 1997) that allows for expedited consideration of legislation to reduce spending in mandatory spending programs. The FY 2006 budget resolution approved by Congress earlier this year called for $35 billion in savings to be realized in reconciliation, and House leaders have recently upped the ante and are looking to find $50 billion in savings. Much of that amount will come from Medicare and Medicaid (about $10 billion), but other programs such as food stamps have also been targeted.

In an indication that there is some bipartisan resistance to making cuts to programs for the poor – particularly at a time when many families in the Gulf Coast are most in need of those services – House leaders were forced to pull legislation from the floor this week that would have changed the budget resolution to reflect the increase in mandatory target savings from $35 billion to $50 billion. Reports are that a number of Republicans were planning on voting against the amendment, jeopardizing its passage.

Senate leaders have not indicated any interest in finding any more than the $35 billion in savings agreed upon earlier this year, and while House conservatives in recent weeks have increased their rhetoric in favor of increased cuts, passage of a reconciliation package this year is not a certainty.

HOUSING AND CD
Senate approves FY 2006 HUD spending measure, amendment to increase CDBG funding withdrawn. The Senate approved its version of the FY 2006 Transportation-Treasury-HUD (TTHUD) appropriations bill this week, clearing the measure for a House-Senate conference committee. While there was much debate on the floor regarding a variety of issues, there were no major changes to the HUD funding levels approved by the Senate Appropriations Committee in July.

Most notably, a proposed amendment by Senators Patrick Leahy (D-VT) and Norm Coleman (R-MN) to increase funding for the CDBG, Section 8, and public housing programs by $200 million each was withdrawn. Chairman Kit Bond (R-MO) of the Senate TTHUD Appropriations Subcommittee raised a point of order against the amendment because it would have caused the bill to exceed budget limits. As a result, 60 votes were needed to approve the amendment, and fearing defeat, Leahy and Coleman dropped their effort. Bond, however, pledged on the floor to find additional funds for CDBG in the House-Senate conference.
The Senate has recommended $3.774 billion for CDBG formula grants in FY 2006, $103 million below the level approved by the House and $342 million below FY 2005 levels. Other details on the Senate FY 2006 HUD program recommendations, as well as comparisons with House levels, may be found in the July 22 Washington Report.

Meanwhile, a reported compromise regarding the creation of an affordable housing fund in legislation to reform Fannie Mae and Freddie Mac has run into problems. As approved by the House Financial Services Committee earlier this year, legislation (HR 1461) to tighten federal oversight over the mortgage lenders and 12 Federal Home Loan Banks (also known as Government Sponsored Enterprises, or GSEs) included a provision to create an affordable housing fund using 5 percent of the each lender’s annual profits. However, House conservatives objected to the fund, calling it a “slush fund” that would be used to benefit “friends” of the GSEs, and blocked its consideration on the floor.

The problem was thought to be resolved when a compromise was announced that would have capped the affordable housing program’s life at five years, lowered the percentage of profits contributing to the funds to 3.5 percent in the first two years, and given families whose homes had been destroyed by recent hurricanes priority for funds in the first two years. However, the compromise also includes language that would prevent non-profit entities applying for the affordable housing funds from engaging in any voter registration activities, a provision Democrats deem unacceptable. For-profit entities would not be barred from such activities in the bill.

The legislation is scheduled for floor debate next week and Democrats are set to insist on a vote on whether to strip the voter registration language from the bill. Additional information on the affordable housing fund may be found in the June 10 Washington Report.

EMINENT DOMAIN

Amendment to restrict eminent domain use passed. Among the provisions passed as part of the FY 2006 measure funding the Departments of Transportation, the Treasury, the Judiciary, and Housing and Urban Development, an amendment was adopted by unanimous consent that would place restrictions on local government use of eminent domain.

The amendment prohibits the use of any Federal funds in the bill during FY 2006 for those local, state, or Federal projects in which eminent domain is exercised for any purpose other than public use. Public use is defined as transportation, utility, brownfields, and projects to eradicate blight. Included in the definition of blight are areas designated for recovery from natural disasters. Economic development benefiting private entities is expressly excluded as a public use.

The amendment also requires the General Accountability Office to conduct a study over the next year on the practices and results of exercising eminent domain.

A similar amendment was attached to the House bill before it passed in June, and, thus, some restrictions on eminent domain are expected in the conference report.

Meanwhile, there are a number of other bills pending to restrict eminent domain use, including the Strengthening the Ownership of Private Property Act of 2005 (HR 3405), which has been approved by the House Agriculture Committee (see Washington Report October 7). The House Judiciary Committee is also expected to take up a new version of its eminent domain legislation (HR 3135) as early as next week.

TELECOMMUNICATIONS

Senate panel sets deadline for digital television transition; earmarks funds for local public safety needs. The Senate Commerce Committee voted 19-3 in favor of legislation that would require television broadcasters to switch from analog to digital television by April 7, 2009. The transition to digital television will free up a valuable portion of the spectrum in the 800 MHz range, part of which will be reserved for public safety communications. Public safety agencies covet the 800 MHz slice of the spectrum because it provides broad coverage with few dead spots, travels well through walls and other obstacles and facilitates communications between different agencies. Cellular communications providers covet it for the same reasons.

Under the proposal, sponsored by Senate Commerce Committee Chairman Ted Stevens (R-AK), the federal government will auction off the portion of the spectrum freed up by the transition to digital television that is not reserved for public safety use. The auction is expected to net the federal government a windfall of at least $10 billion, considerably more than the $4.8 billion in revenue or spending cuts that the Budget Resolution requires the Senate Commerce Committee to come up with.

Staying true to his word several weeks ago, Stevens has big plans for the extra $5.2 billion. $3 billion would go towards subsidizing the cost of buying transformer boxes for households that only have analog televisions and $2.2 billion would fund grants for interoperable communications for local public safety agencies and upgrades to 911 call centers.

During the Commerce Committee’s consideration of the bill, Senator John McCain (R-AZ) offered an amendment to move the digital television transition date to 2007. McCain argues that the later transition date would prevent local first responder from quickly obtaining needed equipment. The Committee rejected the McCain amendment by a vote of 5-17, but only after McCain obtained a promise from Stevens that he would support a floor amendment to provide $1 billion in local interoperable
communications grants before 2009, with the funding for the grants provided by borrowing against the expected auction proceeds.

The Stevens bill now heads to the Senate Budget Committee. The Budget Committee will wrap it up with bills reported by other committees into the Budget Reconciliation bill designed to implement the broad fiscal policy goals outlined by the Budget Resolution. Stevens expects challenges to his bill from other Senators than $1 billion subsidizing digital transformer boxes and from other Senators eager to tap the spectrum auction windfall for other projects.

PUBLIC SAFETY
House passes bill to protect gun industry from lawsuits. Legislation (S 397) was approved by the House yesterday by a vote of 283-144 that would dismiss all future and pending civil liability actions against gun manufacturers, distributors, dealers or importers of firearms and ammunition.

The legislation exempts cases involving those who knowingly transferred or sold firearms intended for criminal use, and lawsuits in which correct usage of the firearm resulted in physical injury, death or property damage because of a defect in the firearm. The Senate also amended the bill to require that all guns have child safety devices.

Debate over lawsuits against the firearms industry began in the 1990s when several cities filed lawsuits against handgun manufacturers in an effort to hold them responsible for the costs of urban gun violence. Similar legislation has been introduced and never cleared both the Senate and House in the past and has long been opposed by gun rights advocates and cities.

The bill, sponsored by Senator Larry Craig (R-ID), passed the Senate with bipartisan support on July 29 and is expected to be signed into law by President Bush when it reaches his desk.

WELFARE
House panel votes to include TANF reauthorization in Budget Reconciliation. The House Education and Workforce Committee approved legislation (HR 240) that would reauthorize the Temporary Assistance for Needy Families Program (TANF). As part of its vote, the panel sent the bill to the House floor as a stand alone bill but also forwarded it to the House Ways and Means Committee and the House Budget Committee for inclusion in the Budget Reconciliation bill. The Ways and Means Committee has primary jurisdiction over TANF while the Education and the Workforce Committee has jurisdiction over the work rules for the program.

The details of those work rules, combined with the level of childcare funding for TANF recipients, have stymied efforts to reauthorize TANF since it expired in 2002. The program has been kept running by a series of temporary extensions, the latest of which expires on December 31. In general, the House has pushed for work requirements and levels of childcare spending that have been resisted by the Senate.

Sponsored by Representative Deborah Pryce (R-OH), HR 240 shows that the House has no intention of backing off. It would increase the weekly work requirement for TANF recipients from 30 to 40 hours per week and would reduce the number of months, from 12 to 3, that education and training could count as work under TANF. It would also increase childcare spending for TANF recipients by $1 billion over five years, a level that critics claim is too low to help recipients meet current work requirements much less an additional 10 hours per week.

Democrats decried the bill and offered a host of amendments to loosen the work rules to make it easier to pursue community college and technical degrees while receiving TANF and to increase child care spending. The Committee defeated all of them on party line votes. Democrats also criticized the move to include TANF reauthorization in budget reconciliation, saying that the House leadership is trying to do an end run around the Senate. Under Senate rules, Budget Reconciliation bills cannot be filibustered and thus only need the support of 51 senators rather than the 60 needed for most bills. It is unlikely that 60 Senators would support the strict requirements outlined in HR 240.

GRANT OPPORTUNITIES
Environmental Protection Agency: The EPA published the guidance for its FY 2006 Brownfields Assessment, Revolving Loan Fund, and Cleanup grants. There are two notable changes to this year’s RFP: the performance period for assessment and cleanup grants has been extended from two to three years and only community-wide revolving loan fund applications will be considered rather than site-specific proposals. There is approximately $72 million available to award 200 cooperative agreements. Applications are due by December 14, 2005. For more information, see http://www.epa.gov/brownfields/.

Department of Justice: The Office for Victims of Crime is accepting applications for reimbursements associated with conducting public awareness initiatives during National Crime Victims’ Rights Week 2006 from April 23-29, 2006. The Office expects to reimburse 60 communities up to $5000 each to aid in their awareness campaigns. Applicants will be selected competitively based on their collaboration with other facets of the community, outside support, experience in victim’s issues and initiative planning, media use, innovation, diversity, and clarity. Winners from 2004 and 2005 will not be considered. The deadline to apply is November 18, 2005. For more information, see: http://www.ovc.gov/fund/2006NCVRWf und/welcome.html.
## Actual Compared to Projected Sales Tax Collections

<table>
<thead>
<tr>
<th>Month</th>
<th>Projected</th>
<th>Actual</th>
<th>Variance</th>
<th>Change</th>
<th>% Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>September</td>
<td>$4,521,210</td>
<td>$4,549,328</td>
<td>$28,118</td>
<td>$37,025</td>
<td>0.82%</td>
</tr>
<tr>
<td>October</td>
<td>$4,738,362</td>
<td>$4,464,503</td>
<td>($273,859)</td>
<td>($76,968)</td>
<td>-1.69%</td>
</tr>
<tr>
<td>November</td>
<td>$4,743,930</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>December</td>
<td>$4,420,986</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>January</td>
<td>$4,632,570</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>February</td>
<td>$5,740,599</td>
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<tr>
<td>March</td>
<td>$4,191,410</td>
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<tr>
<td>April</td>
<td>$3,957,554</td>
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<tr>
<td>May</td>
<td>$4,620,145</td>
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</tr>
<tr>
<td>June</td>
<td>$4,464,241</td>
<td></td>
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<td></td>
<td></td>
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<tr>
<td>July</td>
<td>$4,536,625</td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>August</td>
<td>$4,837,297</td>
<td></td>
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</tr>
<tr>
<td><strong>Total</strong></td>
<td>$55,404,929</td>
<td>$9,013,831</td>
<td>($245,741)</td>
<td>-39,943</td>
<td>-0.89%</td>
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</tr>
<tr>
<td>September</td>
<td>$3,758,935</td>
<td>$3,844,150</td>
<td>$4,239,938</td>
<td>$4,453,875</td>
<td>5.05%</td>
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<tr>
<td>October</td>
<td>$4,273,028</td>
<td>$4,116,763</td>
<td>$4,464,191</td>
<td>$4,670,587</td>
<td>4.62%</td>
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<tr>
<td>November</td>
<td>$4,060,765</td>
<td>$4,125,824</td>
<td>$4,407,744</td>
<td>$4,526,166</td>
<td>2.69%</td>
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<td>December</td>
<td>$3,824,569</td>
<td>$3,855,906</td>
<td>$4,034,958</td>
<td>$4,314,111</td>
<td>6.92%</td>
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<tr>
<td>January</td>
<td>$3,968,572</td>
<td>$4,140,990</td>
<td>$4,046,633</td>
<td>$4,335,924</td>
<td>7.15%</td>
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<tr>
<td>February</td>
<td>$4,895,886</td>
<td>$4,982,568</td>
<td>$5,224,986</td>
<td>$5,531,405</td>
<td>5.86%</td>
</tr>
<tr>
<td>March</td>
<td>$3,731,090</td>
<td>$3,908,567</td>
<td>$4,076,943</td>
<td>$3,980,041</td>
<td>-2.38%</td>
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<tr>
<td>April</td>
<td>$3,126,694</td>
<td>$3,641,403</td>
<td>$3,711,803</td>
<td>$3,889,388</td>
<td>4.78%</td>
</tr>
<tr>
<td>May</td>
<td>$4,061,857</td>
<td>$3,949,873</td>
<td>$4,184,028</td>
<td>$4,602,788</td>
<td>10.01%</td>
</tr>
<tr>
<td>June</td>
<td>$3,741,325</td>
<td>$3,856,119</td>
<td>$4,169,550</td>
<td>$4,599,245</td>
<td>10.31%</td>
</tr>
<tr>
<td>July</td>
<td>$3,804,895</td>
<td>$4,033,350</td>
<td>$4,105,554</td>
<td>$4,391,257</td>
<td>6.96%</td>
</tr>
<tr>
<td>August</td>
<td>$4,093,476</td>
<td>$4,231,174</td>
<td>$4,402,156</td>
<td>$4,893,438</td>
<td>11.16%</td>
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<tr>
<td>Total</td>
<td>$47,341,091</td>
<td>$48,686,688</td>
<td>$51,068,484</td>
<td>$54,188,225</td>
<td>6.11%</td>
</tr>
</tbody>
</table>

Year to date vs. previous year
## CITY OF LINCOLN
### SALES TAX REFUNDS

<table>
<thead>
<tr>
<th></th>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>SEPTEMBER</td>
<td>($472,215)</td>
<td>($646,545)</td>
<td>($48,531)</td>
<td>($69,997)</td>
<td>44.23%</td>
<td>($135,858)</td>
<td>94.09%</td>
<td>($80,882)</td>
<td>-40.47%</td>
</tr>
<tr>
<td>OCTOBER</td>
<td>($127,363)</td>
<td>($379,290)</td>
<td>($64,605)</td>
<td>($110,193)</td>
<td>70.56%</td>
<td>($165,219)</td>
<td>49.94%</td>
<td>($358,866)</td>
<td>117.21%</td>
</tr>
<tr>
<td>NOVEMBER</td>
<td>($448,872)</td>
<td>($132,336)</td>
<td>($134,088)</td>
<td>($219,454)</td>
<td>63.66%</td>
<td>($101,531)</td>
<td>-53.73%</td>
<td>($173,972)</td>
<td>71.35%</td>
</tr>
<tr>
<td>DECEMBER</td>
<td>($193,085)</td>
<td>($240,014)</td>
<td>($177,459)</td>
<td>($390,445)</td>
<td>120.02%</td>
<td>($325,510)</td>
<td>-16.63%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>JANUARY</td>
<td>($352,999)</td>
<td>($74,082)</td>
<td>($306,467)</td>
<td>($59,315)</td>
<td>-80.65%</td>
<td>($220,967)</td>
<td>272.53%</td>
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<td></td>
</tr>
<tr>
<td>FEBRUARY</td>
<td>($115,206)</td>
<td>($509,277)</td>
<td>($61,404)</td>
<td>($323,218)</td>
<td>426.38%</td>
<td>($394,324)</td>
<td>22.00%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>MARCH</td>
<td>($303,779)</td>
<td>($428,507)</td>
<td>($17,601)</td>
<td>($22,759)</td>
<td>29.30%</td>
<td>($99,240)</td>
<td>336.05%</td>
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<tr>
<td>APRIL</td>
<td>($478,438)</td>
<td>($333,878)</td>
<td>($281,861)</td>
<td>($199,018)</td>
<td>-29.39%</td>
<td>($69,900)</td>
<td>-64.88%</td>
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<tr>
<td>MAY</td>
<td>($79,461)</td>
<td>($176,292)</td>
<td>($275,081)</td>
<td>($155,787)</td>
<td>-43.37%</td>
<td>($122,283)</td>
<td>-21.51%</td>
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<tr>
<td>JUNE</td>
<td>($47,618)</td>
<td>($127,168)</td>
<td>($138,914)</td>
<td>($194,593)</td>
<td>40.08%</td>
<td>($34,811)</td>
<td>-82.11%</td>
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<tr>
<td>JULY</td>
<td>($235,932)</td>
<td>($181,863)</td>
<td>($563,339)</td>
<td>($42,086)</td>
<td>-92.53%</td>
<td>($162,998)</td>
<td>287.30%</td>
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<tr>
<td>AUGUST</td>
<td>$0</td>
<td>($63,949)</td>
<td>($341,868)</td>
<td>($531,884)</td>
<td>55.58%</td>
<td>($148,028)</td>
<td>-72.17%</td>
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<tr>
<td>TOTAL</td>
<td>($2,854,968)</td>
<td>($3,293,201)</td>
<td>($2,411,218)</td>
<td>($2,318,751)</td>
<td>-3.83%</td>
<td>($1,980,668)</td>
<td>-14.58%</td>
<td>($613,720)</td>
<td>52.44%</td>
</tr>
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</table>

Year to date vs. previous year
**CITY OF LINCOLN**  
**NET SALES TAX COLLECTIONS**  
**2000-2001 THROUGH 2005-2006**  

<table>
<thead>
<tr>
<th></th>
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<th></th>
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<th></th>
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<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>SEPTEMBER</td>
<td>$3,286,720</td>
<td>$3,197,606</td>
<td>$4,191,407</td>
<td>$4,383,878</td>
<td>4.59%</td>
<td>$4,512,303</td>
<td>2.93%</td>
<td>$4,549,328</td>
<td>0.82%</td>
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<tr>
<td>OCTOBER</td>
<td>$4,145,665</td>
<td>$3,737,474</td>
<td>$4,399,587</td>
<td>$4,560,394</td>
<td>3.66%</td>
<td>$4,541,471</td>
<td>-0.41%</td>
<td>$4,464,503</td>
<td>-1.69%</td>
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<tr>
<td>NOVEMBER</td>
<td>$3,611,894</td>
<td>$3,993,488</td>
<td>$4,273,655</td>
<td>$4,306,712</td>
<td>0.77%</td>
<td>$4,586,261</td>
<td>6.49%</td>
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<tr>
<td>DECEMBER</td>
<td>$3,631,485</td>
<td>$3,615,893</td>
<td>$3,857,499</td>
<td>$3,923,666</td>
<td>1.72%</td>
<td>$4,174,828</td>
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<tr>
<td>JANUARY</td>
<td>$3,615,574</td>
<td>$4,066,908</td>
<td>$3,740,166</td>
<td>$4,276,609</td>
<td>14.34%</td>
<td>$4,043,044</td>
<td>-5.46%</td>
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<tr>
<td>FEBRUARY</td>
<td>$4,780,680</td>
<td>$4,473,291</td>
<td>$5,163,582</td>
<td>$5,208,187</td>
<td>0.86%</td>
<td>$5,692,517</td>
<td>9.30%</td>
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<tr>
<td>MARCH</td>
<td>$3,427,311</td>
<td>$3,480,060</td>
<td>$4,059,342</td>
<td>$3,957,283</td>
<td>-2.51%</td>
<td>$4,059,634</td>
<td>2.59%</td>
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<tr>
<td>APRIL</td>
<td>$2,648,256</td>
<td>$3,307,525</td>
<td>$3,429,942</td>
<td>$3,690,371</td>
<td>7.59%</td>
<td>$4,028,088</td>
<td>9.15%</td>
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<tr>
<td>MAY</td>
<td>$3,982,395</td>
<td>$3,773,581</td>
<td>$3,908,947</td>
<td>$4,447,001</td>
<td>13.76%</td>
<td>$4,608,034</td>
<td>3.62%</td>
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<tr>
<td>JUNE</td>
<td>$3,693,707</td>
<td>$3,728,951</td>
<td>$4,030,637</td>
<td>$4,404,651</td>
<td>9.28%</td>
<td>$4,522,924</td>
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<tr>
<td>JULY</td>
<td>$3,568,964</td>
<td>$3,851,488</td>
<td>$3,542,215</td>
<td>$4,349,171</td>
<td>22.78%</td>
<td>$4,356,468</td>
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<tr>
<td>AUGUST</td>
<td>$4,093,476</td>
<td>$4,167,224</td>
<td>$4,060,288</td>
<td>$4,361,554</td>
<td>7.42%</td>
<td>$4,655,637</td>
<td>6.74%</td>
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<td>TOTAL</td>
<td>$44,486,126</td>
<td>$45,393,489</td>
<td>$48,657,267</td>
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<td>6.60%</td>
<td>$53,781,209</td>
<td>3.69%</td>
<td>$9,013,831</td>
<td>-0.44%</td>
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</table>

Year to date vs. previous year
OFFICE OF TREASURER, CITY OF LINCOLN, NEBRASKA

OCTOBER 25, 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 September 30, 2005:

Balance Forward      $ 241,806,085.93
Plus Total Debits September 1-30, 2005  $ 26,209,479.57
Less Total Credits September 1-30, 2005   ($39,814,308.11)
Cash Balance on September 30, 2005  $ 228,201,257.39

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. $ 1,999,370.97
Wells Fargo Bank  ($42,657.00)
Wells Fargo Bank Credit Card Account  $ 749.97
Cornhusker Bank  $ 21,519.96
Pinnacle Bank  $ 1,818.71
Union Bank & Trust Company  $ 332,094.83
West Gate Bank  ($21,922.74)
Idle Funds - Short-Term Pool  $ 47,663,900.32
Idle Funds - Medium-Term Pool  $ 177,266,816.70
Cash, Checks and Warrants  $ 979,565.67
Total Cash on Hand September 30, 2005  $ 228,201,257.39

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 $32,743,756.41 representing authorized investments of the City's funds.

ATTEST:

Joan E. Ross, City Clerk
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>
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<tr>
<td>FHLMC FGLMC D67795</td>
<td>3128F7U6</td>
<td>12/01/2009</td>
<td>$1,191,997.00</td>
<td>$78,387.88</td>
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<td>$83,273.52</td>
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<td>FHLMC GOLD POOL B13665</td>
<td>312966CA</td>
<td>04/01/2019</td>
<td>$10,600,000.00</td>
<td>$8,739,754.40</td>
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<td>$8,421,956.83</td>
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<tr>
<td>FHLMC FCTW C66069</td>
<td>31335HX5</td>
<td>07/01/2022</td>
<td>$11,150,000.00</td>
<td>$9,137,251.31</td>
<td>0.97</td>
<td>$8,839,987.61</td>
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<tr>
<td>FNMA FNCL 254725</td>
<td>31371K4J</td>
<td>05/01/2033</td>
<td>$500,000.00</td>
<td>$357,314.57</td>
<td>0.98</td>
<td>$351,768.36</td>
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<td>FNMA FNCL 254562</td>
<td>31371XXV8</td>
<td>12/01/2032</td>
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<td>$1,910,586.89</td>
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<td>$1,881,629.46</td>
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<td>FNMA FNCL 656284</td>
<td>31375UPH4</td>
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<td>FNMA FNCL 558363</td>
<td>31385AB6</td>
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<tr>
<td>FNMA FNCL 082570</td>
<td>31400B4W7</td>
<td>02/01/2016</td>
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<td>$4,125,618.79</td>
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<td>FNMA POOL 725772</td>
<td>31402DJR2</td>
<td>09/01/2034</td>
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<td>$7,409,591.61</td>
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<td>$7,269,716.42</td>
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<tr>
<td>FNMA FNARM 764364</td>
<td>31404CDF7</td>
<td>06/01/1994</td>
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<td>$6,320,706.16</td>
<td>0.97</td>
<td>$6,105,347.17</td>
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<td>FNMA FNARM 768922</td>
<td>31404HG78</td>
<td>06/01/2034</td>
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<td>$3,914,367.73</td>
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<td>$3,827,956.14</td>
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<tr>
<td>FNMA FNCL 805211</td>
<td>31406BR85</td>
<td>01/01/2035</td>
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<td>$3,438,806.34</td>
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<td>$3,265,357.91</td>
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<td>GNMA-2 C2JO 3156</td>
<td>36202DGH7</td>
<td>11/02/2016</td>
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<td>$785,380.40</td>
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<td>GNMA-2 C2JO 3194</td>
<td>36202DRP8</td>
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<td>$4,130,000.00</td>
<td>$1,543,706.65</td>
<td>1.02</td>
<td>$1,576,956.28</td>
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**US BANK NE**

<table>
<thead>
<tr>
<th>TOTAL PLEDGED</th>
<th>ORIGINAL FACE</th>
<th>CURRENT PAR</th>
<th>MARKET PRICE</th>
<th>MARKET VALUE</th>
</tr>
</thead>
</table>
| $68,235,075.00 | $68,235,075.00 | $49,923,222.54 | $48,699,215.67 |}

**WELLS FARGO BANK NE**

<table>
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<th>ORIGINAL FACE</th>
<th>CURRENT PAR</th>
<th>MARKET PRICE</th>
<th>MARKET VALUE</th>
</tr>
</thead>
</table>
| $118,890,000.00 | $118,890,000.00 | $29,993,780.92 | $30,368,478.92 |}
HALLOWEEN SAFETY FOR PETS

The best way to keep your pet safe on Halloween is to keep them at home. A current license will help identify your pet and get them back to their owner as soon as possible.

Dogs, especially, may resent strangers and trick-or-treaters coming into their territory and become protective, which might lead to growling or nipping at children. Owners with black cats may become targets of pranksters during Halloween. Keep your dogs and cats away from the door, preferably in a quiet room.

Chocolate and candy are harmful to animals; biscuits and toys are a safer option. It is also important that all candy wrappers get thrown in the trash—cellophane and tin foil can be harmful if swallowed.

###
October 25, 2005

Mayor Coleen J. Seng
City of Lincoln
555 South 10th Street, Suite 208
Lincoln, Nebraska 68508

RE: Co-location of Facilities with New Schools

Dear Mayor Seng:

The Parks and Recreation Advisory Board have been watching with interest the work of the Lincoln Public Schools Student Housing Task Force. The Lincoln Journal Star reported on October 17 that the Task Force is recommending construction of four new elementary schools, two new middle schools, and renovation of four existing middle schools over the next decade among other projects. As you know, Lincoln has a successful history of co-locating recreation centers with elementary and middle schools. Most recently the Parks and Recreation Department has come to understand the value of having dedicated space within Park Middle School to support social, educational, recreational programs for teens.

The Lincoln City/Lancaster County Comprehensive Plan states the community’s intent to co-locate schools with parks. In addition, the Comprehensive Plan states the intent to construct community space within schools in the form of smaller “recreation activity centers” at some schools, and “community recreation centers” at other schools. These spaces support before-and-after school programs as well as a variety of other community activities. A joint recreation facility planning study completed in August 2004 indicated the need for community recreation centers with schools in two locations – one in northwest Lincoln and the second in southeast Lincoln. Recreation activity centers would be co-located with all other new elementary and middle schools.

As you know, staff representing Lincoln Public Schools (LPS), the Lincoln YMCA, the Planning Department, the Public Works and Utilities Department, and the Parks and Recreation Department have been meeting monthly to coordinate planning efforts. We applaud these efforts to co-locate community facilities, and to maximize utilization of public investment in schools, parks, trails, and recreation facilities.

It seems likely that Lincoln Public Schools will be approaching the community with one or more bond issues to construct new school space and to renovate existing schools. The Parks and Recreation Advisory Board is particularly concerned that purposeful discussions be occurring between LPS and City administrations and elected officials regarding coordinated efforts to fund construction of community space within schools. Four elementary schools and two middle schools were constructed in our community during the past decade without integration of
community space. These were missed opportunities. The Board is encouraging development of a coordinated funding strategy to assure that joint facilities can be constructed to best serve our community's students and residents.

Our community has benefited from co-location of park and recreation facilities with schools in the past. We have the opportunity to again make wise investments of community resources in school/park facilities. The Parks and Recreation Advisory Board urges moving forward in a coordinated manner.

Sincerely,

Sue Quambusch
Chair, Parks and Recreation Advisory Board

Cc: Dr. Susan Gourley, Lincoln Public Schools
    Ken Svoboda, Chair of the Lincoln City Council
    Kathy Danek, President of the Board of Education
Brandon Garrett  
Engineering Design Consultants  
2200 Fletcher Ave., Suite 102  
Lincoln, NE 68504

RE: Annexation No. 05013 and Change of Zone No. 05054,  
Prairie Village North Planned Unit Development  
(N. 84th Street and Adams Street)

Dear Brandon:

Please be advised that the revised submittal for the above referenced applications will appear on the City Council agenda for introduction on October 31, 2005, and the public hearing will be held on Monday, November 7, 2005, at 1:30 p.m.

The Factsheets and supplemental information submitted by the Planning Department to the City Council, which contain the staff report, the minutes of the Planning Commission meeting, all correspondence and any other information submitted on these applications, may be accessed on the Internet at http://www.lincoln.ne.gov/city/council/index.htm. The Factsheets will be linked to the respective Council agenda. The Factsheets are also available in the Planning Department.

Please feel free to contact me if you have any questions or need additional information (402-441-6365) or plan@lincoln.ne.gov.

Sincerely,

Jean Walker  
Administrative Officer

cc: Prairie Home Builders, Inc., 2045 Folsom Street, 68522  
Peter Katt, P.O. Box 95109, 68509  
Tom Huston, 233 S. 13th Street, Suite 1900, 68508  
Bill Austin, 301 S. 13th Street, Suite 400, 68508  
Eldon Peterson, 1030 Daybreak Circle, 68505  
Richard Esquivel, 733 W. Cuming, 68521  
Doug Cunningham, 1114 Rockhurst Drive, 68510  
Susan Schulte, 8120 Whitney Court, 68507  
Joy Wilder, 140 E. Cherrywood Drive, 68510  
Gary Floyd, 8900 Avon Lane, 68505  
Tammy Spence, The Vickerage, 6140 Havelock Ave., 68507  
Jay Voigt, 7223 Shamrock Court, 68506  
Pat and Jane Raybould, B&R Stores, Inc., 4554 W Street, 68503  
Planning Department Mail and E-Mail Contact Lists  
Lincoln City Council  
Joan Ross, City Clerk
Ken,

Okay, Thanks.

Tammy Grammer

"Ken Svoboda" <ksvoboda@alltel.net>

Tammy, Please attach to Directors for 31 Oct.
Ken
----- Original Message ----- 
From: <TBogenreif@ci.lincoln.ne.us>
To: <campjon@aol.com>; <jcookcc@aol.com>; <robine@neb.rr.com>; 
<amcroy@mccrealty.com>; <newman2003@neb.rr.com>; <ksvoboda@alltel.net>;
<dmmarvin@neb.rr.com>
Sent: Wednesday, October 26, 2005 8:41 AM
Subject: Fw: Impact Fee Question Re: Emerald

> > Council,
> > FYI - Impact Fee Question regarding Emerald. Do you want me to also list
> this e-mail on the Directors' Agenda for Oct. 31st and attach e-mail?
> Please let me know! Thanks.
> > Tammy Grammer
> > ----- Forwarded by Tammy J Grammer/Notes on 10/26/05 08:41 AM -----
> > Nicole
> > Tooze/Notes
> > 10/26/05 08:32 AM City Council Members
> > cc
> > Steve Masters/Notes@Notes, Karl A
> > Fredrickson/Notes@Notes, Marvin S
> > Krout/Notes@Notes, Stephen S
> > Henrichsen/Notes@Notes, Michaela A
> > Hansen/Notes@Notes, rpeo@netinfo.ci.lincoln.ne.us@Notes
At the City Council meeting on Monday, the Council asked whether impact fees for water would apply and what the cost of the fees would be if Emerald was provided water by the City of Lincoln. Impact fees would apply if Emerald were annexed in order to be served with water. Assuming a 1" water meter for each of the 25 customers in Emerald under the 2005 fee schedule, each customer would pay an $850 Water System Impact Fee and a $528 Water Distribution Impact Fee, for a total of $1,378 each or $34,450 for all 25 customers. If a 3/4" meter is assumed, the fees would total $827 for each customer and $20,675 for 25 customers.

If Emerald were provided water without annexation, impact fees would not be applicable, however in order to be equitable the City would need to ensure through an agreement that Emerald was contributing to the larger water system costs, in addition to the specific cost to extend and provide service to Emerald.

If there are other specific questions you would like addressed at the pre-council meeting that has been requested on this topic, please let us know.

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MEMORANDUM

DATE: October 10, 2005

TO: Board of Equalization

FROM: Ronald L. Cane
Program Monitor

DEPARTMENT: Urban Development

SUBJECT: Business Improvement Districts:
   (1) Core Business Improvement District Overlay and Downtown Business Improvement District
   (2) Downtown Maintenance District

The subject Business Improvement Districts were created by ordinances adopted by City Council in 1999 and 1997, respectively. Downtown Lincoln Association (DLA) provides management of these districts under a contract approved by City Council. DLA submits annual budgets identifying contract services for City Council review and approval.

In order to implement the contract services, assessments are levied against property owners within the boundaries established in the ordinances on an annual basis. This assessment is calculated on expenditures approved for payment for the period September 1, 2004 through August 31, 2005. The proposed assessments are attached.

Core Business Improvement District Overlay

The expenditures total $155,508.82. In addition, administrative fees and interest amount to $4,263.42 resulting in a grand total of $159,772.24. The assessment rate is .09912312 per $100 of taxable valuation as determined by the County Assessor.

Downtown Business Improvement District

The expenditures total $251,735.36. In addition, administrative fees and interest amount to $7,138.89 resulting in a grand total of $258,874.25. The assessment rate is .09483944 per $100 of taxable valuation as determined by the County Assessor. Assessments on residential properties are calculated at 26% of assessed value.

Downtown Maintenance District

The total amount to be assessed is $190,315.04. The assessment rate is $3.14319 per front foot as allowed in the Ordinance creating the district.
Mr. Ronald L. Cane  
Urban Development Program Manager  
808 P Street, Suite 400  
Lincoln, NE 68508  

Dear Mr. Cane:

The Department of Property Assessment and Taxation has determined that three centrally assessed companies have valuation attributable to "real property" within or adjacent to the two specific areas specified by Lincoln City Ordinance No. 17496 and 17495, authorized by Nebraska statute 29-4015.

#390 Aquilla d/b/a/ People's Natural Gas based on real property allocated value  

2005 Taxable Value

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>BID Area</td>
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<tr>
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#620 Alltel Communications based on real property allocated value  

2005 Taxable Value

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<tr>
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#107 Burlington Northern Santa Fe Railroad based on real property allocated value  

2005 Taxable Value

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If you have any questions please do not hesitate to contact me at the Department of Property Assessment and Taxation.

FOR THE PROPERTY TAX ADMINISTRATOR,

Sincerely,

Jody M. Warfield
Property Tax Associate
(402) 471-5982

cc: People’s Natural Gas
    Alltel
    Burlington Northern Santa Fe
    Norm Agena
### 2004/2005 DOWNTOWN MAINTENANCE BID

<table>
<thead>
<tr>
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<tr>
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<td>36,595.00 October Allocation</td>
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<td>(562.28) 1st Quarter Settlement</td>
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<td>36,595.00 January Allocation</td>
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<td>2/8/05</td>
<td>36,595.00 February Allocation</td>
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<tr>
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<tr>
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<td>36,595.00 May Allocation</td>
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<tr>
<td>7/28/05</td>
<td>36,595.00 August Allocation</td>
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<tr>
<td>8/31/05</td>
<td>(68,562.39) June Allocation</td>
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## 2004/2005 DOWNTOWN MANAGEMENT BID

### EXHIBIT A

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<td>4,457.91</td>
<td>2,589.58</td>
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Assessment Cost at .00575 Program Cost of 407,244.18
Admin Cost at .00375 Program Cost of 407,244.18

Estimated Advertising Cost 35.00
Estimated Bond Cost 18.00
Notice Expense 288.00

Total Expenditures 251,735.36 155,508.82 407,244.18
Total Interest/Costs 7,138.89 4,283.42 11,422.31
Grand Total 258,874.25 159,772.24 418,646.49
ASSESSMENT RESOLUTION

Business Improvement District Act
Core Business Improvement District Overlay

Lincoln, Nebraska, ________________, 2005

I move the adoption of the following resolution:

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

That the cost of providing for the development of public activities and the promotion of public events in the Core Business Improvement District Overlay including management and promotion and advocacy of retail trade activities or other promotional activities in the district area; enhancement of the enforcement of parking regulations and the provision of security within the district area; the improvement of parking availability; the provision of physical improvements for decoration and security purposes; the maintenance, repair, and reconstruction of improvements of other facilities authorized by the Business Improvement District Act not otherwise subject to maintenance, repair, or reconstruction under or within another business improvement district; any other projects or undertakings for the benefit of the public facilities in the district area; the employment of or contracting for personnel, including administrators, to provide for any service as may be necessary or proper to carry out the purposes of the Business Improvements District Act and cost incidental thereto, be and the same is hereby assessed upon the property in said district described in the proposed Distribution of Assessment attached to this resolution, marked "Proposed Distribution of Assessment of the Core Business Improvement District Overlay", and made a part hereof; that the cost of said public activities and promotion of public events is the sum of $159,772.24; that the property set forth in the proposed Distribution of Assessment is specially benefited by such activities and improvement; that each piece and parcel of property described is specially benefited in the amount set forth therein, and no property is taxed more than the special benefits accruing thereto by reason of said activities and improvements; that the cost of said activities and improvements is hereby apportioned and assessed upon the several pieces and parcels of property in said district in the manner and amount set forth in the proposed Distribution of Assessment of the Core Business Improvement District Overlay.

BE IT FURTHER RESOLVED that the City Clerk be and is hereby directed to record this resolution in the minutes of the City Council with the vote thereon by yeas and nays.

AND BE IT FURTHER RESOLVED that the City Council sit as Board of Equalization for the purpose of equalizing said assessments on the ______ day of ______________, 2005, at _____m., and on the ______ day of __________________________, 2005, at __________m., _____ with adjournments from day to day until the work of equalizing said assessments shall be completed.

Introduced by: ____________________________
ASSESSMENT RESOLUTION

Business Improvement District Act
Downtown Business Improvement District

Lincoln, Nebraska, ________________, 2005

I move the adoption of the following resolution:

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

That the cost of providing for the development of public activities and the promotion of public events in the Downtown Business Improvement District including management and promotion and advocacy of retail trade activities or other promotional activities in the district area; enhancement of the enforcement of parking regulations and the provision of security within the district area; the improvement of parking availability; the provision of physical improvements for decoration and security purposes; the maintenance, repair, and reconstruction of improvements of other facilities authorized by the Business Improvement District Act not otherwise subject to maintenance, repair, or reconstruction under or within another business improvement district; any other projects or undertakings for the benefit of the public facilities in the district area; the employment of or contracting for personnel, including administrators, to provide for any service as may be necessary or proper to carry out the purposes of the Business Improvements District Act and cost incidental thereto, be and the same is hereby assessed upon the property in said district described in the proposed Distribution of Assessment attached to this resolution, marked "Proposed Distribution of Assessment of the Downtown Business Improvement District", and made a part hereof; that the cost of said public activities and promotion of public events is the sum of $258,874.25; that the property set forth in the proposed Distribution of Assessment is specially benefited by such activities and improvement; that each piece and parcel of property described is specially benefited in the amount set forth therein, and no property is taxed more than the special benefits accruing thereto by reason of said activities and improvements; that the cost of said activities and improvements is hereby apportioned and assessed upon the several pieces and parcels of property in said district in the manner and amount set forth in the proposed Distribution of Assessment of the Downtown Business Improvement District.

BE IT FURTHER RESOLVED that the City Clerk be and is hereby directed to record this resolution in the minutes of the City Council with the vote thereon by yeas and nays.

AND BE IT FURTHER RESOLVED that the City Council sit as Board of Equalization for the purpose of equalizing said assessments on the _____ day of _______________, 2005, at _____m., and on the _____ day of ________________, 2005, at _____m., __________________ with adjournments from day to day until the work of equalizing said assessments shall be completed.

Introduced by: ____________________________
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<th>Parcel ID</th>
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<td>105.63.00</td>
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<tr>
<td>104.97.00</td>
<td>$72,150.00</td>
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</table>

**Additional Notes:**
- Parcel 634.56.00 is a manufacturing building.
- Parcel 639.94.00 is a commercial property.
- Parcel 124.34.00 is a retail building.
- Parcel 125.99.00 is a residential property.
- Parcel 105.63.00 is an office building.
- Parcel 104.97.00 is a hotel.

**Administrative Supervision:**
- Located on original plat block 42, lots 7, 8, and 9.
- Located on original plat block 45, lots 4, 5, and 6.
- Located on original plat block 41, lots 5, 6, and 7.
- Located on original plat block 40, lots 3, 4, and 5.
- Located on original plat block 39, lots 2, 3, and 4.
- Located on original plat block 38, lots 1, 2, and 3.

**Lot Value:**
- Lot 4: $94,620.00
- Lot 5: $85,900.00
- Lot 6: $78,200.00
- Lot 7: $72,150.00
- Lot 8: $63,450.00
- Lot 9: $57,900.00

**Additional Information:**
- Parcel 105.63.00 is zoned for commercial use.
- Parcel 104.97.00 is zoned for mixed-use.
- Parcel 124.34.00 is zoned for industrial use.
- Parcel 125.99.00 is zoned for residential use.
- Parcel 121.45.00 is zoned for educational use.
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<td>Lot 18</td>
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<td>Lot 19</td>
<td>22.5</td>
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**Notice:** Jane Ann et al. Trustee 10-27-450-06-000-946-600.

**Lot A 1/2 Vac. Alley Adj:**

**Millers Creek Subdivision** (OPP Block 99 Lots 7 & Original Plat)
| Parcel ID | Place Description | Description | Value
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**Total**: 9,841,500
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ASSESSMENT RESOLUTION

Business Improvement District Act
Downtown Maintenance Improvement District

Lincoln, Nebraska, _________________, 2005

I move the adoption of the following resolution:

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

That the cost of providing for the development of public activities and the promotion of public events in the Downtown Maintenance Improvement District including management and promotion and advocacy of retail trade activities or other promotional activities in the district area; enhancement of the enforcement of parking regulations and the provision of security within the district area; the improvement of parking availability; the provision of physical improvements for decoration and security purposes; the maintenance, repair, and reconstruction of improvements of other facilities authorized by the Business Improvement District Act not otherwise subject to maintenance, repair, or reconstruction under or within another business improvement district; any other projects or undertakings for the benefit of the public facilities in the district area; the employment of or contracting for personnel, including administrators, to provide for any service as may be necessary or proper to carry out the purposes of the Business Improvements District Act and cost incidental thereto, be and the same is hereby assessed upon the property in said district described in the proposed Distribution of Assessment attached to this resolution, marked "Proposed Distribution of Assessment of the Downtown Maintenance Improvement District", and made a part hereof; that the cost of said public activities and promotion of public events is the sum of $190,315.04 that the property set forth in the proposed Distribution of Assessment is specially benefited by such activities and improvement; that each piece and parcel of property described is specially benefited in the amount set forth therein, and no property is taxed more than the special benefits accruing thereto by reason of said activities and improvements; that the cost of said activities and improvements is hereby apportioned and assessed upon the several pieces and parcels of property in said district in the manner and amount set forth in the proposed Distribution of Assessment of the Downtown Maintenance Improvement District.

BE IT FURTHER RESOLVED that the City Clerk be and is hereby directed to record this resolution in the minutes of the City Council with the vote thereon by yeas and nays.

AND BE IT FURTHER RESOLVED that the City Council sit as Board of Equalization for the purpose of equalizing said assessments on the ______ day of ____________, 2005, at ___m., and on the ____ day of ______________________, 2005, at ______m., ______________________ with adjournments from day to day until the work of equalizing said assessments shall be completed.

Introduced by:

BID's\BID FY05\maintenance.res
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- Year: 2005

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**Note:** This table lists a series of ALLOT blocks and their respective dimensions. Each entry includes the coordinates and a description of a property line. The table is used to plan and outline the land for development or other purposes.
Honorable Lincoln City Council Members

I am attaching two documents that have considerable information concerning Wal-Mart and what is happening in other parts of the country. I know you are all very busy, however, I believe this information is very pertinent to consider for the long term well being of the city of Lincoln and the State of Nebraska. Please note in the Hometown Advantage attachment the piece on Police protection and click on it. It is quite interesting. If I can help in any way or be of assistance please let me know.

Doug Cunningham
Director
Hometown Merchants Association
5533 South 27 Street, Suite 104
Phone: 402-423-6284
Cell: 402-360-3775
Fax: 402-423-8686

- articleHometownAdvantagePoliceCalls.doc
- NGAspecialReportOct2005.doc
Hi Honorable Lincoln City Council Members,

Doug Cunningham stopped by New Rules Project and suggested that you visit the following URL:

http://www.newrules.org/retail/factsheets.html

Here is their message....
Honorable City Council Members I am sending this information in another way because I dont believe you were able to open it in the original e-mail I sent you. Doug Cunningham Hometown Merchants Association

New Rules Project

http://www.newrules.org/
Already Struggling City Struggles More
The struggling town of Ronoake talks about the manufacturing that's left downtown struggling. Furthering the struggles of the downtown area was the construction of a bypass, where some stores relocated. Many retailers have been lost in the shadows of a Wal-Mart Supercenter that Mayor Betty Ziglar lured to town. More than half of the 90 stores and office space in town are vacant.

Proposed Wal-Mart Site Needs $1.5 Million in Improvements
Wal-Mart is proposing to build a 99,700 square foot Supercenter on the corner of Prickly Pear Ave. and 4th Street. The 11.38 acre property, however, needs an estimated $1.5 million in improvements to bring it up to city code before any store can be built. Who should pay these costs is what the city and Wal-Mart have been negotiating over for the last month. To bring the property up to city standards, a new water line will have to be installed. Other water lines along with several electrical lines will have to be relocated. Road conditions will also have to be improved, including new entrances, exits, and curbs, turning lanes, medians and new traffic lights. There are two options: let Wal-Mart do the work and the city pay them back, or the city arranges it own financing for the construction. Wal-Mart is proposing the city pay them back the $1.5 million over a number of years with interest through sales tax breaks. It could take the city five to ten years to pay it off. Wal-Mart is proposing a six percent interest rate. Council members are concerned that Wal-Mart wants the city to pay too much and that they will be better off getting a loan and doing the work themselves. Currently the property is not zoned for commercial use. An election is slated for September 13 for residents to approve the re-zoning.

Classes on Competing With Wal-Mart Draw Few
As a condition of the city's approval for a new Wal-Mart Supercenter, Wal-Mart has paid an estimated $2,000 to help small business owners learn how to survive competition from the retail giant. A series of summer classes taught by San Jose State University professor Tim Hendricks offer training in marketing tactics designed to help businesses improve customer relations and offer specialized services. While the classes have received rave reviews, the turnout has been less than spectacular. The Gavilan College Small Business Development Center has attempted to spread the word about the classes, and has tried to vary the schedule to offer both night and day sessions, but many single owners may find it tough to get away. The final class was scheduled for August 16, although there could be additional sessions if enough businesses show interest.

Wal-Mart's $4.8 Million Subsidy Has Been Paid, Now They Want to Move
Wal-Mart's push to leave it's Redland Boulevard store for a supercenter on the north end of town could mean emptying a location that the city spent about $4.8 million to fill. City leaders agreed to subsidize Wal-Mart in 1990 because they thought it would pay off with big sales tax receipts for years to come.
city made its final payment in connection to the subsidy in 2002, and the store has been a significant source of revenue. One council person voiced her opinion that Wal-Mart should not be allowed to vote until they fill the other store with a retailer. Most of the residents agree with her. Another councilman suggested those on the council that approve this, need to have their heads examined. The neighbors close to the proposed locations are upset and said it is too close to homes.

CA San Francisco 8/10/2005 Reuters Discrimination Lawsuit
Wal-Mart Wants to Block Class Action Status
Wal-Mart Stores, Inc. has asked a federal appeals court to overturn a U.S District Court decision allowing class-action status for a sex-discrimination lawsuit. Under the ruling, the lawsuit now covers more than 1.6 million women and could cost the retailer billions of dollars. Wal-Mart is accused of discriminating against female workers in pay, promotions and training. Wal-Mart attorney Ted Boutrous said the appellate judges should overturn the lower court's decision because the charges of the six lead plaintiffs are not typical or common of the entire class. He also argued that the lower court's decision prevents Wal-Mart from defending itself by preventing individual store managers from testifying. In the past Wal-Mart has denied a pattern of discrimination, and argues the number of men in management positions reflects the higher number of applications it receives from men.

http://economictimes.indiatimes.com/articleshow/1196147.cms

CO Denver 8/30/2005 Rocky Mountain News Petition, Referendum
Proposed Wal-Mart in Hands of Voters
Voters will decide in November whether to reverse the City Council's decision to build a supercenter at West 72nd Avenue and Sheridan Blvd. After hearing the opposition for 90 minutes the Council decided to put the issue on the ballot. The residents for the past few weeks have pounded the pavement to get signatures for a petition that would force a referendum that would let voters decide. But last week the voters were 200 signatures short and that is why the council had to make a decision to put it on the ballot or not. They did get over 6,200 votes. There are already 16 Wal-Marts in this metro area.

http://rockymountainnews.com/drmn/local/article/0,1299,DRMN_15_4040666,00.html

CT Connecticut 8/15/2005 Forbes Environmental Protection Settlement
Wal-Mart Agrees to Storm Water Settlement
Wal-Mart has signed a storm water settlement agreement with the Connecticut Department of Environmental Protection concerning 20 Wal-Mart Stores and two Sam's Club locations in the state. Under the agreement, Wal-Mart will pay $600,000 in civil penalties for violations and will also contribute $550,000 to two different supplemental environmental projects. $500,000 to assist municipalities in addressing storm water issues, and $50,000.00 for environmental projects in the Connecticut River Watershed.


FL St. Petersburg 8/30/2005 St. Petersburg Time
Employees from Florida Stores share complaints
A group of about 100 Wal-Mart employees who work in stores from Melbourne to Crystal River have scheduled a news conference in Tampa to air complaints about working conditions at the state's largest private employer. This group of Wal-Mart Workers Association has been in discussion since April. This
is the first time they have gone public. The group chose Tampa Bay area for this discussion since it is
Wal-Mart central in the chain’s plan to switch most of the discount stores to supercenters. Wal-Mart plans
to open 11 more supercenters in the Tampa Bay area within three years. However, they have taken it on
the chin this year. Fierce neighborhood opposition rose, helping scotch two supercenter sites and tying a
third one up in court. Only one new supercenter opened in St. Petersburg. Another site near Ybor City in
Tampa was dropped after the chain was outbid by another suitor for the property. One day after this
conference, a group called WARN is staging a two-day "Site Fighters' conference at the Continuing
Education Center at Eckerd College in St. Petersburg. They will outline national efforts to put political
pressure and create local laws that restrict the way big-box retail chains do business. The event is open to
the public.


GA Henry County 8/11/2005 Atlanta Journal-Constitution Growth, Planning
County Rejects Wal-Mart Proposal
County commissioners have rejected a proposed 203,819 square foot Wal-Mart Supercenter for the
County's Ellenwood/Fairview community. The decision, announced at a town hall meeting, prompted wild
applause and cheering from half of the standing room only crowd of 150 people. Some Wal-Mart
supporters booed, others just looked confused. The county's Planning Commission was worried enough
about traffic in the area that it unanimously recommended to county commissioners that they deny Wal-
Mart's plans. Wal-Mart officials say they are still committed to serving area residents but it is unclear if the
company will try to build elsewhere in Henry County or in nearby Clayton or DeKalb counties.
Commission Chairman Jason Harper is concerned Wal-Mart will build just outside Henry and cause most
of the traffic anyway without any of the tax revenue. Wal-Mart officials say they planned $1.7 million in
road improvements in the area.

www.ajc.com/metro/content/metro/clayton/0805/11walmart.html

IA Mason City 8/9/2005 KIMT News Channel 3 Local Opposition
Residents Against Re-Zoning for Proposed Wal-Mart
Senior citizens that live in the Austin Oaks Condominiums lost their first attempt to stop a proposed Wal-
Mart when the city's Planning Commission voted unanimously to change the zoning on two adjacent
properties from residential to commercial. "We love our property, we're trying to maintain it, and we're
disappointed that we can't have some affect on the zoning," said resident Diane Amacher. "I feel like
it's zoning creep. We were zoned residential and they just one by one have zoned the property around us.
So now, we're the only residential in the midst of it all." The fight is far from over. Other issues like
traffic and the environment will be discussed at the next commission hearing on September 13.

www.kimt.com/servlet/Satellite?pagename=KIMT/MGArticle/IMT_BasicArticle&c=MGArticle&cid=1031784346686&path=

KS Topeka 8/12/2005 Associated Press Local Opposition
Developer Sues for Building Permit
A Douglas County District Judge has ordered a trial to decide if the town of Lawrence should issue a
building permit for a Wal-Mart store on the city's northwest side. The lawsuit which was brought by the
developer, says city officials had no reason to refuse the project other than political pressure. Opponents
say the site is too small and will hurt older businesses. A date for the trial has yet to be set.

www.wibw.com/home/headlines/1674191.html

Limiting Size of Wal-Mart
The City Council enacted a limit on big box stores for those 160,000 sq. ft. or larger. The rules govern big
box retailers on property larger than ten acres and within 500 feet
of residential areas. The Wal-Mart project has been followed closely because the site is next to a
neighborhood. Opponents formed a new group called Westbrook Our Home. This group fought the zone
change and that allowed the retailer into the area and pressed for the restrictions to protect the neighborhood. The rules govern issues on the site ranging from noise limits to lighting to the buildings appearance. Wal-Mart expressed reservations about 150-foot buffers and 7 a.m. to 11 p.m. operating hours in particular but said it will accept all rules if it can have 20,000 sq. ft. more for the buildings footprint. Opponents say store size is directly linked to the traffic, noise and pollution generated by the stores.

**MI Bay City 8/28/2005 The Bay City Times Rally**

**Wal-Mart Protesters Fear Retailer Will Wipe Out Small Stores**

You could hear "USA" and "No Wal-Mart" as a crowd rallied in a muddy farm field in Portsmouth Township, in regard to the retailer wanting to put a supercenter in next door. An orthopedic surgeon who hosted the rally, said they were there to keep Wal-Mart from taking over the world. Tom Johnson of Frankenmuth blamed Wal-Mart for the demise of his store near Caro. Wal-Mart saturating areas and eliminating business is not the American way. The proposed supercenter is on hold pending the outcome of a lawsuit filed by opponents, who claim the township ignored concerns by residents when it approved the retailer's site plan. Bay City Commissioner Hennessy stated that the town had invested lots of money in attracting lots of business to the area. With Wal-Mart's history of undercutting prices he is very concerned


**MI Livonia 8/10/2005 Detroit Free Press Local Opposition**

**Residents Oppose New Bigger Wal-Mart**

About 400 people attended a public hearing, most vehemently opposed to plans to build a Wal-Mart Supercenter on the site of the old Wonderland Mall. During the meeting, which lasted for more than three hours, only one person out of the dozen who spoke had something positive to say about Wal-Mart. Livonians who don't want Wal-Mart included in the mall note that there's another Wal-Mart only a mile away. Schostak Bros., which is spearheading the proposed redevelopment of the mall that closed in 2003, hosted the forum and has scheduled others as a courtesy to mall neighbors before submitting the project to local officials for approval. Although some residents say that Livonia needs the jobs the new Wal-Mart would create, most who attended the meeting said they don't like shopping in the store and view it as an intrusion on smaller businesses and neighborhoods.


**MO St. Louis 8/28/2005 St. Louis Post Dispatch Eminent Domain**

**Stalled Projects**

Just last year, Maplewood was one area where a new Wal-Mart opened, thanks to the city's decision to condemn some residents' houses. Then last month, under pressure from property owners, the Maplewood City Council backed away from a plan to forcibly buy buildings for a redevelopment downtown. In Missouri on the local level, you're seeing a political fire. Governments have become more aware of the other side because of the level of public attention. Elected officials are now listening to what people are saying.

**Chapel Hill, Carrboro Eye Wal-Mart Warily**

Large scale developments in rural areas are the topic of discussion. 63 acres of land in Chatham County off of U.S. 15-501 has been discussed for the site of a Supercenter. The city has not received a proposal to rezone the land. Concerned citizens are doing what they can to minimize the impact by this supercenter on traffic and environment. Chatham First is watching Chatham County Board of Commissioners very closely. Chatham First is also raising money to do an Independent Traffic Study to see what effect a large
A proposed Wal-Mart supercenter in Conover is heading to the City Council with a stamp of disapproval from the city's planning board and criticism from many residents. The planning board denied the 203,000 sq. ft. supercenter. The board asked the council to study the Wal-Mart's economic impact on downtown Conover before making any final decision. The board also opposed rezoning a portion of land for the project, which includes a gas station and five outlying buildings. Board members are concerned about the project's size and also the effect this project will have on other shopping districts. This last meeting attracted an overflow crowd and the majority of speakers were opposed to this project, questioning Wal-Mart's business practices, the need for a store in Conover, traffic and crime issues and the store's appearance. Others were skeptical the project would benefit the town in the long run. "There's always talk of creating jobs, but Wal-Mart's the reason we lost the jobs in the first place." resident Shane Lynch said. "(A Wal-Mart will) kill as many as it creates. We are turning into a society that shops ourselves out of work."

Residents Fear that Wal-Mart is Coming to Town

An engineer of a newly annexed 50 acres came to speak to the city council and he got more than he bargained for. Edgewood residents saw this meeting as a chance to protest and complain. Only comments relating to architecture and design were allowed to be addressed. Community members gave suggestions such as keeping a low level of lighting, controlling noise, creating restful areas to sit versus a sea of asphalt, and creating a horse trail around the entire 50 acres instead of just in front. A 190,000 sq. ft. retail building is going to have a huge impact on the community on how it looks.
**Mayor of Hebron discussed Eminent Domain**

The Mayor of Hebron speaks to the House of Financial Services Subcommittee on Housing and Community Opportunity. The fifth amendment allows governments to take land from private property holders, for the "public good" including many roads and utility infrastructures, schools, and flood control reservoirs. Without eminent domain the Mayor does not believe those improvements would occur. But eminent domain can also inflict significant hardship on private property owners who have their own vision for their own property. He does not believe that the framers of the constitution had the taking of ones property in mind. There is no questions that any of our homes would produce more tax revenue and jobs if they were turned into an office building site and every job and every business would produce more jobs and taxes if they were torn down and a Lowe's or a Wal-Mart were constructed. If that's the definition of the "public good" to be used then everything we own as individuals is in jeopardy as soon as some private business delivers their plan or vision to the local council.

**Fighting to Keep Out Wal-Mart**

Residents and officials are debating whether there are hidden costs of such cheap goods. One town said no to Wal-Mart and thinks they will be back. In June Harrison's rejected a zoning change that would have given the green light to a supercenter at New Haven and Harrison Road, despite the road’s proximity to existing big box retailers. The council voted against approving 5-0, even though the site is zoned commercial and is "high intensity retail" as mentioned in the city's comprehensive plan. Tim Mara, attorney for several concerned Harrison residents and who has sued to stopped at least two other Wal-Mart supercenters in the region. Residents were worried about traffic and sprawl as well as impact to Harrison's small businesses. Mara has also challenged supercenters in Deerfield Township and Milford, where impacts on traffic, environment and business is a recurring theme. Sheer size of and activity in supercenters inherently causes traffic and environmental problems. The stores don't generate new commercial activity but sucks it away from independent merchants too small to fight back. Mara said supercenters tend to super size the garden-variety traffic and quality of life issues that come with smaller commercial planning and zoning disputes. Supercenters can transform the character of neighborhoods for miles in every direction.

**Costco Says Its Coming to Toledo**

Costco executives have announced plans to build a store in west Toledo's Westgate shopping center. The shopping center was one the city's first retail centers outside of the downtown area. The center became a place with locally owned stores and had its own identity unlike most shopping centers. Recently however, many of the stores have left and Westgate have become the object of some serious community planning efforts. Past discussions have been against any form of Big-Box development but this time it's Costco, a company with good wages and benefits. Nothing has been submitted to the city and Westgate's owners insist that plans for the redevelopment remain open - but Costco executives say nope, they're coming.

http://toledoblade.com/apps/pbcs.dll/article?AID=/20050811/COLUMNIST03/508110361/-1NEWS33
**Gresham rejects Wal-Mart Plan**

Gresham won't allow Wal-Mart to build a controversial supercenter because the traffic would overwhelm nearby roads. Wal-Mart had not yet purchased that land. Round one won was stated by one of the members of the Centennial Neighborhood Association. Wal-Mart has a history of appealing every decision they lose. GreshamFirst, the group that organized to fight the supercenter, hired Portland lawyer, Chris Cook. Cook has successfully opposed Wal-Mart when they appealed several rulings in other Oregon cities. GreshamFirst spokesperson said it's hard to tell what Wal-Mart will do, they've seen Wal-Mart walk away at very early stages. GreshamFirst urged the city to adopt a big box ordinance. It would require larger retailers to pass an economic impact review before the city allows them to build. It was noted that the intersections cannot handle the traffic and that in Wal-Mart's initial traffic report Wal-Mart did not show the intersection failing. But the city's traffic consultant brought it to the city's attention.

**Wal-Mart to Pay for Improvements**

The city council approved a developer agreement with Wal-Mart supercenter, which will result in the extension of 7th and 10th avenues southeast as well as utility improvements. Wal-Mart has agreed to pay for all the work, since the Wal-Mart traffic will be causing the increase in traffic. Additional, the retailer will be responsible for the extension of water mains, storm sewers and sanitary sewers to adequately serve the property. For the sewer and water lines, Wal-Mart will retain ownership until service for those lines are needed for adjoining properties.

**Retailer, Grocer and Soon Bank of Wal-Mart**

Many speak of Wal-Mart being too big, putting other merchants out of business and not treating its workers well. But don't get any of them started on the discussion about Wal-Mart wanting to get more into the banking business. Wal-Mart is seeking permission from the Utah Department of Financial Institutions and Federal Deposit Insurance Corporation to open an industrial bank in Salt Lake City. The company says it will allow them to save money on the more than 140 million credit and debit card transactions carried out at its store each month. Alan Whitchurch, appointed by Wal-Mart to run its new bank, said there are no plans to make consumers or commercial loans or open additional branches. The bank will not be open to the public. But owning a Utah industrial bank positions Wal-Mart to open their own bank branches in just a few short years, provided they can get permission from state and federal regulators. Some are not so sure they believe Wal-Mart. Just six years ago Wal-Mart tried to acquire Canadian TD Bank and wanted to put them in their retail stores, planning to have the retail cashiers also be bank tellers. Now Wal-Mart has turned to Utah, who has liberal banking laws which may allow them to finally accomplish their goals. Independent bankers have voiced a concern about being put out of business by Wal-Mart as other retailers and grocers have.

**You Can't Get There from Here**

The city and a landowner are arguing about a proposed Wal-Mart supercenter and two roads. The landowner, Chesapeake Development of Hampton Roads, is arguing in court that developers are using odd-shaped, narrow pieces of land called "spite strips," to essentially land-lock CDHR property and block access to new roads being built in the area. The term "spite strips" refers to actions of property owners to limit another landowner's access. In the lawsuit against the city, CDHR states that the city officials have failed to enforce a city ordinance that makes spite walls or stripes illegal. Without access, CDHR won't be able to develop 50 acres of prime land. The city is saying it is a private land dispute. The city council approved the rezoning in 2003. The city says they didn't know they were creating the strips when they
signed off on the general plans for the property. The city said that CDHR had 30 days after the council’s actions to challenge the rezoning. Wal-Mar, concerned that the court case could jeopardize its multi million dollar plans, has been given permission to intervene in the discussion.

**Hard Copy on File**

**WA Olympia 8/10/2005 The Olympian Zoning, Growth**

**Temporary Big-Box Ban Extended**
The city council voted unanimously to extend the temporary ban on large Big-Box retailers for another six months to give planners more time to study whether such stores fit in town. In February, the City Council adopted the moratorium on stores larger than 125,000 square feet, citing concerns such as traffic, parking and the effect on local merchants that needed to be studied. The moratorium affects new proposed stores, not existing ones. However, current retailers won't be able to expand beyond the square foot limits while the ban is in effect. Officials have spent the past few months looking at how other cities deal with the size of proposed stores, design, parking, traffic and economic effect. But according to City Manager Steve Hall, they need more time.

**Hard Copy on File**

**WA Yelm 8/31/2005 The News Tribune First Amendment, Opposition**

**Wal-Mart Brings Fears and Tears to Yelm**
For the past six months, Wal-Mart talk has been banned at Yelm City Hall. Officials were concerned with appearing biased if the project was appealed. An American Civil Liberties Union attorney in Seattle reprimanded the city in July, arguing the policy denied potential speakers their First Amendment rights. These hearings have mirrored other ongoing fights against a proposed supercenter. One example is Lakewood where all the players are the same. Seattle attorney David Bricklin represents the anti-Wal-Mart Yelm Commerce Group, as well as a group of the stores opponents in Lakewood.

**Hard Copy on File**

**WI Stoughton 8/20/2005 Wisconsin State Journal Annexation, Big Box Ordinance**

**Annexing land from nearby towns may bring Wal-Mart**
The city council will meet soon to discuss annexing 185 acres from the towns of Pleasant Springs and Dunkirk. The area will house a Super Wal-Mart. In 2004 a city ordinance was put into place, proposing a single building or collection of buildings amounting to 80,000 sq. ft. or more triggers a requirement that the area have its own city approved neighborhood plan. The neighborhood plan has to lay out plans for the future of property within 1500 feet of its core development. If a development with a Wal-Mart was proposed, the entire area annexation area would fall under the neighborhood plan requirement. It would be the property owner’s responsibility to hire a firm to prepare a plan. Since 2004, Stoughton has had a big box ordinance, which limits large commercial and retail buildings to 110,000 sq. ft. It was adopted in response to a proposal to build an 183,000 sq. ft. Wal-Mart supercenter on the Linnerud property if it was annexed into the city.

**Hard Copy on File**
Dear Victoria Miller: 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.

Tammy J. Grammer  
City Council Office  
555 S. 10th Street  
Lincoln, NE 68508  
Phone: 402-441-6867  
Fax: 402-441-6533  
e-mail: tgrammer@lincoln.ne.gov

"vicky miller" <victoriamiller2000@hotmail.com>

>From: "vicky miller" <victoriamiller2000@hotmail.com>  
>To: mayor@ci.lincoln.ne.us  
>Subject: Expanding possibilities for micro-businesses by providing low-cost outlet area  
>Date: Mon, 24 Oct 2005 16:03:46 -0400  
>
>As Lincoln does not offer an area for low-cost "fleamarket" type stall rental, other than the Farmers Market in the Old Market, and as attempts to gain area at the State Fair Grounds that would be available for such a "fleamarket" and be available for the payment of city sales tax have not come to ruition, perhaps alternative paths for encouraging micro-businesses in the Lincoln area could be considered.>
>
The working definition of micro-business in this case is a business generally operated out of the home with the owner being the only employee, usually part-time, generally as an adjunct to out-of-the home employment. Such business could include the home woodworker, quilter, and "junk" collector. among others. In fact, when the city allows a place for these home-based manufacturers or distributors a place to vend their wares, the city is allowing these entrepreneurs the opportunity to create their own part-time jobs. The only thing needed for these businesses to thrive in
Lincoln is a low-cost place to vend their wares, similar to those in other cities such as Denver.

It would seem that there are, at this time, three possibilities for opening operational areas for these micro-businesses.

One possibility would be expanding street vending to additional products, such as T-shirts, rally rags, and spirit beads, during football season.

It is my understanding that current city laws limit street vending to flowers, food and balloons, to certain areas of the city and that those items must be sold a certain distance away from store-front retailers that offer the same sort of products. The purpose, of course, is to limit the competition to those retailers by others who would have a much lower overhead without the cost of store rental/ownership, labor, etc. and who would be by and large only a seasonal presence, specifically football season. However, the additional products listed above are already being sold in other private businesses, such as parking lots and bars, with the permission of the owner but without certification by the city and collection of city sales tax. Permits for street vendors provide additional income to the city in the form of permit fees and sales tax as well as provide opportunities for micro-business.

Another possibility may be that such a "fleamarket" area could be included within the expansion plans of the Lancaster County buildings in Havelock.

The third possibility may be an area in the designated blighted area of West O Street that would be used for such a "fleamarket" area.

Any of these, if handled properly, would provide greater sales tax income to the city, provide outlets for the micro-businesses, provide opportunities for others to purchase unique or low-cost items, and provide an additional attraction for visitors and tourists. Another benefit would be the resale of "junk" that might otherwise just end up in the landfill.

Of course, these are only the most obvious possibilities to someone such as myself, an ordinary citizen. Others with greater insight could surely find others.

Thank you for your time and consideration. Please feel free to contact me as you wish but telephone is the most timely response.

Victoria Miller
1226 Summer St.
Lincoln, NE 68502
435-5074


Don’t just search. Find. Check out the new MSN Search!
http://search.msn.click-url.com/go/onm00200636ave/direct/01/
October 23, 2005

Lincoln City Council
555 South 10th Street,
Lincoln, NE 68508

Dear Council members:

The Lower Platte South Natural Resources District Board of Directors, at their meeting on September 21, 2005 reviewed the proposed Change of Zone #05070 and Miscellaneous #05023: text changes to the zoning and subdivision ordinances to make clarifications and address discrepancies regarding use of best available flood information within the Existing Urban Area and New Growth Areas.

The District and the City of Lincoln have closely cooperated in the several watershed master plans that have been developed and adopted, along with support of the recommendations of the Mayor’s Flood Plain Task Force. The Board is of the opinion that when better information on floodplains becomes available it should be utilized for planning and regulatory purposes. It would seem that the City and the NRD would be negligent in their duties to protect public safety and property from potential damages if this known information is available but not utilized.

The Directors adopted the following motion:

That the Lower Platte South Natural Resources District Board of Directors support revisions to the City of Lincoln ordinances to recognize floodprone areas identified by watershed master plans or other competent hydrologic and hydraulic studies as best available information and to extend the City’s floodway/floodplain regulations to these areas in the Existing Urban Area.

The NRD Board of Directors urge the City Council to adopt and implement the proposed ordinance changes to floodplain regulations in the Existing Urban Areas.

Sincerely,

[Signature]
Glenn D. Johnson
General Manager

GDJ/gdj

The Lower Platte South Natural Resources District shall manage the land and water resources of the district for the common good of all people
Dear Mr. Haase: Your message has been received in the Council Office and will be forwarded to the Council Members. Thank you.

Tammy J. Grammer  
City Council Office  
555 S. 10th Street  
Lincoln, NE - 68508  
Phone: 402-441-6867  
Fax: 402-441-6533  
e-mail: tgrammer@lincoln.ne.gov

Dan Haase <dh438749@alltel.net>

Dear City Council Member,  

Please explain to our city why more is being done to get fresh water to cities in Iraq than to Emerald. Why are international relations a part of the funding shortage and malfeasance pervading Washington?  

Who citizens support is important, and that directly affects what our city can or can't do.  

So, please, explain to citizens of Lincoln and the deprived of Emerald...why you support Mr. Bush's waste rather than building of our communities?  

kindly,

3612 S 75th; 68506
Dear Emily Zimmer: Your message has been received in the Council Office and will be forwarded to the Council Members. Thank you for your input on this issue.

Tammy J. Grammer
City Council Office
555 S. 10th Street
Lincoln, NE 68508
Phone: 402-441-6867
Fax: 402-441-6533
e-mail: tgrammer@lincoln.ne.gov

"Emily Zimmer" <emilyzimmer@hockingreid.com>

10/26/05 09:30 AM

cc
bcc

Subject RE: Parking Rates for Downtown Residents

"Emily Zimmer" <emilyzimmer@hockingreid.com>

10/26/05 09:30 AM

"Wayne Boles" <WBOLES@telesis-inc.com>,
<KDSmith@ci.lincoln.ne.us>, <alee@ci.lincoln.ne.us>,
<aharrell@ci.lincoln.ne.us>,
<cjohnson@gepacificrealtylincoln.com>,
<charles.korytowski@gsa.gov>,
<cinnamondokken@yahoo.com>,
<dmcghee@ci.lincoln.ne.us>,
<dmcghee@ci.lincoln.ne.gov>,
<dyoung@ayreskahler.com>, <dkileen@ci.lincoln.ne.us>,
<dstange@FMArealt.com>, <rpace@cns.gov>,
<campion@aol.com>, <lpd429@cjis.ci.lincoln.ne.us>,
<lincolnhaymarket@alltel.net>,
<kdonnelly@ci.lincoln.ne.us>, <kmiller@ci.lincoln.ne.us>,
<larry.eckles@email.state.ne.us>,
<margaret@douglastheatres.com>,
<mremmenga@ci.lincoln.ne.us>, <mda@artergroup.com>,
<coffeeguy@thecoffeehouse.tv>, <michael.sisk@gsa.gov>,
<pmcullen@downtownlincoln.org>,
<lorenz@pershingcenter.com>, <wj63236@alltel.net>,
<tony.pensick@gsa.gov>, <wbirdsall@lcoc.com>,
<wscott@speedwaymotors.com>,
<johnnd@douglastheatres.com>,
<khake@securityfederal.net>, "Coleen Seng \(E-mail\)"
<lisakelly@webtv.net>
<mayor@ci.lincoln.ne.us>, "Lisa Kelly \(E-mail\)"
<campjon@aol.com>, <lpd429@cjis.ci.lincoln.ne.us>,
<lincolnhaymarket@alltel.net>, "Carl Eskridge
\(E-mail\)" <ceskridge@unicam.state.ne.us>, "Cinnamon
Dokken \(E-mail\)" <cinnamondokken@yahoo.com>, "CVB
Lincoln \(E-mail\)" <joan@lincoln.org>, "Daniel Marvin
\(E-mail\)" <dmartin@neb.rr.com>, "David Landis \(E-mail\)"
<dlandis@unicam.state.ne.us>, "Deb Johnson \(E-mail\)"
<djohnson@updowntowners.org>, "Doug Lienemann
\(E-mail\)" <dliennemann@midweststeelworks.com>, "Jackie
Spahn \(E-mail\)" <nshf@alltel.net>, "James E. Arter
\(E-mail\)" <jea@artergroup.com>, "Jane Stricker \(E-mail\)"
<jane@footloosebirkenstock.com>, "Jonathan Cook
\(E-mail\)" <jcookcc@aol.com>, "Lynda J. Peterson
Wayne,

My thoughts exactly! As a downtown resident, raising my parking costs will not be an incentive for me to seek parking in a different, less utilized, parking garage. I'm sure the city has taken into consideration that downtown residents prefer to park in the garage that is attached to or nearby their home -- as most suburbanites prefer.

We have become a relatively easy source of increased income. However, I wonder if the city realizes what a disincentive high parking fees can be in attracting people to live in the downtown neighborhood.

Thank you for writing a letter to Mayor Seng. After blindly accepting other increases through the years, your action has been incentive for me to write one of my own.

Emily

-----Original Message-----
From: Wayne Boles [mailto:WBOLES@telesis-inc.com]
Sent: Tuesday, October 25, 2005 7:21 PM
To: 'KDSmith@ci.lincoln.ne.us'; alee@ci.lincoln.ne.us; aharrell@ci.lincoln.ne.us; cjohnson@gepacificrealtylincoln.com; charles.korytowski@gsa.gov; cinnamon dokken@yahoo.com; dmcgee@ci.lincoln.ne.us; debby@douglastheatres.com; dyoung@ayresskahler.com; dkilleen@ci.lincoln.ne.us; dstange@FMArealty.com; rpace@cns.gov; campjon@aol.com; lpd429@cjis.ci.lincoln.ne.us; lincolnhaymarket@alltel.net; kdonnelly@ci.lincoln.ne.us; kmiller@ci.lincoln.ne.us; larry.eckles@email.state.ne.us; margaret@douglastheatres.com; mrmenga@ci.lincoln.ne.us; mda@artergroup.com; coffeeguy@thecoffeehouse.tv; michael.sisk@gsa.gov; pmcmullen@downtownlincoln.org; tlorenz@pershingcenter.com; wj63236@alltel.net; tony.pensick@gsa.gov; Wayne Boles; wbirdsa1@1ccoc.com; wscott@speedwaymotors.com; johnd@douglastheatres.com; khake@securityfederal.net; Coleen Seng (E-mail); Lisa Kelly (E-mail)
Cc: KFredrickson@ci.lincoln.ne.us; AHarrell@ci.lincoln.ne.us; DGonzolac@ci.lincoln.ne.us; Parking_Staff%NOTES@ci.lincoln.ne.us; Carl Eskridge (E-mail); Cinnamon Dokken (E-mail); CVB Lincoln (E-mail); Daniel Marvin (E-mail); David Landis (E-mail); Deb Johnson (E-mail); Doug Lienemann (E-mail); Emily Zimmer; Jackie Spahn (E-mail); James E. Arter (E-mail); Jane Stricker (E-mail); Jonathan Cook (E-mail); Lynda J. Peterson (E-mail); Mark Bowen (E-mail); Patte Newman (E-mail); Rebecca
Coleen Seng  
Mayor  
City of Lincoln  

Your Honor:  

I am writing to recommend that monthly reserved parking rates in City of Lincoln Downtown parking garages for downtown residents be adjusted immediately to the lowest rate recently published by the City of Lincoln, i.e., $65 per month ($780/year).

Here are some thoughts, which influence my rationale:

Downtown residents are important to creating and maintaining a desirable atmosphere;  
Downtown residents are important to counteract the influences of the inebriated and transient visitors to downtown;  
Downtown residents are important to counteract the criminal visitors to downtown;  
Whereas downtown employees can carpool and use public transportation options to and from work, residents must have their vehicles nearby for grocery shopping, medical appointments and other errands, as do most other Lincoln residents;  
Downtown residents are a captive market for City parking garages but it is unfair to penalize residents after enticing them to live Downtown;  
Exorbitant reserved parking rates for residents will not encourage the growth of Downtown residency and may cause it to diminish;  
For the residents of University Towers, Larry Price's gift of the land under the University Square Parking Garage should have insured reasonable reserved parking rates in perpetuity;  
Although Downtown commercial investors may have an incentive to help fund future parking garages, Downtown residents have neither an incentive nor an obligation to fund the expansion of the Downtown high rise parking system;  
An argument could be made that adding additional traffic and the resultant carbon monoxide and noise will detract from Downtown residents' quality of life;  
Requiring residents to fund that which may not be in their best interests would also be unfair.

Thank you for this hearing and your consideration.

Sincerely,

Wayne  

E. Wayne Boles  
506 University Towers  
Lincoln, NE 68508  
(402) 434-5973  
wboles@telesis-inc.com
Five Free Medicare Part D Forums Scheduled in Lincoln

Every person eligible to receive Medicare coverage must make a decision about the new Medicare Prescription Drug Benefit, commonly referred to as Part D. Enrollment in Part D begins on November 15, 2005. This program is not dependent on income.

To assist persons in learning about Medicare Part D, available drug plans, and the enrollment process, five FREE, 60-minute forums will be held in Lincoln. The forums, sponsored by the Community Health Endowment of Lincoln and the Lancaster County Medical Society, will be held as follows:

Belmont Senior Center, 1234 Judson Street
Thursday, October 27, 2005, 6:00 pm

Cotner Center, 1540 North Cotner Boulevard
Wednesday, November 2, 2005, 10:00 am

Westgate Bank, 6003 Old Cheney Road
Wednesday, November 2, 2005, 6:00 pm

Christ’s Place Church, 1111 Old Cheney Road
Thursday, November 3, 2005, 10:00 am

Malone Community Center, 2032 U Street
Thursday, November 3, 2005, 1:30 pm

Representatives from the Nebraska Department of Insurance and the Lincoln Area Agency on Aging will be present to answer your questions.

Questions about the forums? Contact the Community Health Endowment of Lincoln at 436-5516 or the Lancaster County Medical Society at 483-4800.
To "Vicki Hessheimer"
<VHessheimer@wicks-sterling-trucks.com>

Subject Re:

Dear Ms. Hessheimer: 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.

Tammy J. Grammer
City Council Office
555 S. 10th Street
Lincoln, NE 68508
Phone: 402-441-6867
Fax: 402-441-6533
e-mail: tgrammer@lincoln.ne.gov

"Vicki Hessheimer" <VHessheimer@wicks-sterling-trucks.com>
October 26, 2005

To Whom It May Concern:

I have been in the city of Lincoln all of my life born and raised here since 11-1967. I have never lived anywhere else. I give this background simply to show I know Lincoln quite well, the services we offer, and the ones we don’t.

Unfortunately our utilities in this city are very limited. You don’t get any choice for gas or for electricity nor for phone or cable. I feel this is so unjust for our citizens.

I also am so very upset with the lack of customer service provided by the Lincoln owned utilities! Especially the Lincoln Electric System. I understand they are looking to increase their rates again, and yet their customer service continues to decrease. I am very opposed to another rate hike from them until they can focus on their customers and their customer needs.

I was out of state with my daughter in Iowa City, as she was in the hospital there for severe seizure disorder. I missed my budget payment in July, however I made a double payment in August and wrote a note requesting to be put back on the same budget amount, I also noted all phone numbers I could be reached at for any questions or comments. I wrote this in the area where you would change your address so they would find and notice it. I never received anything from anyone. I continued to get my bills and paid my budget amount. Then on 10-26-05 a man shows up at my door to turn off my power for non payment. I explained to him the situation and he said I had to pay the full amount but he would allow me to pay that later today and he would leave my power on. I agreed, as I was at work and my daughter called me to let me know what was going on. I then called the office to find out why I had not received any notification from them due to my note. I was told that I should have made them a priority and called them, they get far too much through the mail and can’t respond to any notes.

I found her to be very rude and absolutely unrealistic. I will not make LES a priority over my child in a hospital and for them to state that I should is absolutely wrong!!!!!! I hope you all understand that citizens of Lincoln are tired of not getting to choose their providers and more importantly tired of being abused and treated so rudely by the only providers we have.
If LES needs more money then let’s get someone else in here that can provide us with electric service that has customer service as a priority instead of only money as a priority. I am willing to pay more for service by someone willing to serve me and not just look at the bottom dollar.

Please take this into consideration while reviewing the rate hike requested by the Lincoln Electric System.

Thank you for your time and consideration.

Sincerely,

Victoria Hessheimer
2901 NW 9th
Lincoln, NE 68521
402-474-5514
October 25, 2005

Chairman Ken Svoboda
Lincoln City Council
555 South 10th Street
Lincoln, NE 68508

RE: Application No. PSAP-36.3 In the Matter of Lancaster County PSAP, Lincoln, seeking additional funding for recurring and non-recurring costs of Wireless E-911 implementation.

Dear Chairman Svoboda,

The Lincoln Emergency Communications Center filed an application with the Public Service Commission on September 30, 2005, seeking funding from the Enhanced Wireless 911 Fund for costs related to trunking for the provision of enhanced wireless 911 service.

I am pleased to inform you that at our last meeting, the Commission approved your E911 application to reimburse the Lincoln/Lancaster 911 Center for trunking charges that they have paid from October 2004 to July of 2005 in the amount of $2,391.94. Further, from this date forward, the Commission will pay monthly recurring costs of $240.00 per month for the trunking necessary to provided enhanced wireless 911 service directly to Alltel. If you have any questions, please feel free to contact the Wireless E911 Director, Kara Thielen, at 402-471-0220 or myself at 402-471-3101.

Yours truly,

Frank Landis
Commissioner

FEL:ab
BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Lancaster County PSAP, Lincoln, seeking additional funding for recurring and non-recurring costs of Wireless E-911 implementation.

Application No. PSAP-036.3

GRANTED

Entered: October 18, 2005

BY THE COMMISSION:

By written request for funding received November 24, 2004, City of Lincoln/Lancaster County PSAP, Lincoln, seeks funding from the Enhanced Wireless 911 Fund for expenses of implementing and providing enhanced wireless 911 service. That application was granted on February 23, 2005, in Application No. PSAP-036.1.

On September 30, 2005, the Commission received an application from City of Lincoln/Lancaster County PSAP, Lincoln, for the recurring costs of additional wireless trunks. The additional wireless trunking is necessary due to the number of wireless calls that the PSAP receives. City of Lincoln/Lancaster County PSAP, Lincoln, seeks reimbursement for recurring costs of $2,391.94, which have already been paid to Alltel for the period of October 5, 2004 through July 18, 2005. Additionally, City of Lincoln/Lancaster County PSAP, Lincoln, seeks future monthly recurring costs of $240.00.

City of Lincoln/Lancaster County PSAP, Lincoln, has entered into a service agreement with Alltel for enhanced wireless 911 equipment and services. A copy of the agreement is attached to the original request for funding. In the agreement, Lincoln/Lancaster County PSAP, Lincoln, authorized the Nebraska Public Service Commission to remit all payments for enhanced wireless 911 service to Alltel.

OPINION AND FINDINGS


Costs requested are eligible under Neb. Rev. Stat. § 86-465 (2004 Cum. Supp.). All costs have been incurred or will be incurred for the purchase, installation, maintenance and operation of telecommunications equipment and telecommunications services required for the provision of enhanced wireless 911 service.
City of Lincoln/Lancaster County has submitted an implementation plan in compliance with Commission Docket No. 911-001.

Those amounts already paid to Alltel by City of Lincoln/Lancaster County PSAP, Lincoln, will be refunded directly to City of Lincoln/Lancaster County. Because City of Lincoln/Lancaster County PSAP, Lincoln, authorized Alltel to receive all payments on its behalf for wireless enhanced 911, the Commission further finds that all future payments should be remitted to Alltel upon invoice. Only invoices that comport with the approved costs in this order will be paid. Recurring costs requested for partial months must be prorated.

City of Lincoln/Lancaster County PSAP, Lincoln, is currently on the selective router. Therefore, the Commission will not reimburse any amounts for long distance charges.

Based upon the request for funding and supporting documentation, the Commission is of the opinion and finds that the request for funding should be granted.

ORDER

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that City of Lincoln/Lancaster County's PSAP, Lincoln, request for additional funding should be granted.

IT IS FURTHER ORDERED that upon invoice from Alltel, the Commission shall remit to Alltel, amount that comports with this order.

IT IS FINALLY ORDERED that amounts already paid to Alltel by City of Lincoln/Lancaster County will be refunded directly to City of Lincoln/Lancaster County.
MADE AND ENTERED at Lincoln, Nebraska this 18th day of October, 2005.

COMMISSIONERS CONCURRING:

[Signatures]

//s// Frank E. Landis
//s// Gerald L. Vap

NEBRASKA PUBLIC SERVICE COMMISSION

Chairman [Signature]

ATTEST:

[Signature]

Executive Director
Dear Mr. Haase: 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.

Tammy J. Grammer  
City Council Office  
555 South 10th Street  
Lincoln, NE 68508  
Phone: 402-441-6867  
Fax: 402-441-6533  
e-mail: tgrammer@lincoln.ne.gov

Dan Haase <dh43849@alltel.net>

Dear Elected Official,

While I agree a surcharge reaching all customers of LES should be implemented, I would hope that it would too be implemented with conservation incentives and "over mean use" charges incorporated into the "tax"

There are a number of options that haven't been presented to the Council and Mayor, I hope a more "robust" fairness is achieved and "governance" demonstrate a high level of thought that is essential for economic justice to be reached.

kindly,

3612 S 75th; 68506
October 27, 2005

Subject: LES Update

Dear Mayor Seng and Council members:

As I am sure you have noted in the press, there has been a lot happening at LES. Some of that activity which has now been approved by the LES Administrative Board will be on your agenda for approval in coming weeks. The purpose of this letter is to provide you a brief update on our recent activities.

**LES Budget**

Last week the LES Administrative Board unanimously approved a 2006 budget of $279 million, up $25 million compared to our 2005 budget. Capital costs are down by $13 million while power costs are up over $35 million. Comparisons to the 2005 budget overstate the amount of increase because you will recall that we had a number of unexpected cost increases for natural gas and coal transportation that occurred after our 2005 budget was approved. This year we have also encountered significant post-hurricane gas cost increases that occurred while the budget was under review by the LES Board. Therefore, this year we have included those cost increases as part of the budget.

The budget details will be sent to you under separate cover and will be on your agenda starting November 14.

**Power Cost Adjustment (PCA) and 2006 Rate Increase**

Previously we had projected the need for a 5% increase in electric rates in August 2006. With what has happened to natural gas and wholesale power prices since the start of the hurricane season, we have had to increase the 2006 power cost estimates by $13 million which will have to be matched with additional revenue. Because this cost volatility is something that could moderate and move back to reasonable levels in the future, the Board’s Budget & Rates Committee recommended the use of a power cost adjustment rather than a fixed rate increase. A PCA tracks actual costs, therefore if costs go down, the PCA also goes down and LES does not over-collect revenue. The power cost adjustment would also be used to handle the revenues that would have been generated by the August 2006 rate increase. Therefore with the implementation of a PCA in February there would be no rate change in August of 2006.
I have attached a brief Board Committee report that provides some background on the power cost adjustment. We are posting similar background information on our web site www.les.com. If you have questions from constituents related to the PCA, feel free to direct them to our website. As noted on the website, customers can also send comments to us by addressing them to info@les.com.

The bond rating agencies view rates with power cost adjustments as an important mechanism to keep costs and revenues aligned in volatile fuel markets. The value of PCA in evaluating utility stability and credit quality is noted in the attached article by David Bodek, one of Standard & Poor’s analysts who reviews LES.

Because the PCA is related to and grew out of our 2006 budget development, we plan to discuss both the 2006 budget and the power cost adjustment with you during our upcoming pre-council session, although the PCA will not actually be on your agenda until after an LES public hearing and Board approval in early December.

**LES Energy Assistance Program**
Recognizing that the recent escalations in energy prices will cause low income and some fixed income residents to have difficulty in keeping up with their monthly energy bills, the LES Board boosted the funding level of the Energy Assistance Program by 20% to approximately $90,000 per year. Distributions from the program are made by the Lincoln Action Program.

**On-line Bill Payment**
In addition to the methods of bill payment currently available to customers, LES announced that in the first quarter of 2006 customers will also be able to pay bills on-line. LES will contract with a vendor to provide this service. The vendor will accept payments by check or credit card. There will be a vendor’s convenience fee to customers who use this service.

**Bond Issue and Credit Ratings**
Earlier this year the City Council approved the issuance of up to $150 million in electric revenue bonds. Pursuant to that authority LES sold $115 million worth of electric revenue bonds through a competitive internet auction at a true interest cost of 4.747%. Our bonds carried “AA” ratings from Moody’s, Standard & Poor’s and Fitch Ratings. While Standard & Poor’s maintained their “AA” rating on the bonds we were disappointed that they changed their outlook rating for LES from “stable” to “negative”. Standard & Poor’s believes we should be maintaining higher debt coverage levels than were in our last series of forecasts. We expect that the power cost adjustment addition to our rates will help us keep our good ratings.

**Review of LES Fees**
As part of our discussion of 2005 rates, we noted our intent to do a comprehensive review of fees and changes for possible implementation with the fall 2006 rate change. Although we no longer would be scheduling a fall rate change it is still our intent to do the review of fees and charges and present the results of that review to the LES Board in the second quarter of 2006. At that time we would involve the Board in discussions of an appropriate effective date for any approved changes.
If you have an interest in going into more detail on any of these subjects, please give me a call or send an e-mail and I would welcome the opportunity to sit down with you and go into as much detail as you like.

Sincerely,

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

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

TLB:cls

Attachments
LES ADMINISTRATIVE BOARD
COMMITTEE REPORT & RECOMMENDATION

<table>
<thead>
<tr>
<th>Date:</th>
<th>October 14, 2005</th>
</tr>
</thead>
<tbody>
<tr>
<td>Committee:</td>
<td>Budget and Rates</td>
</tr>
<tr>
<td>Issue:</td>
<td>Implementation of a Power Cost Adjustment</td>
</tr>
<tr>
<td>Requested Action:</td>
<td>Approval to proceed with public hearing and approval process to implement a Power Cost Adjustment</td>
</tr>
</tbody>
</table>

What is a Power Cost Adjustment (PCA)?

A Power Cost Adjustment (PCA) is a commonly utilized mechanism that allows a utility to adjust the amount charged for retail service in order to generate the revenue necessary to cover fluctuating changes in power costs. It can be adjusted upwards and downwards as necessary commensurate with cost fluctuations, rather than a base rate adjustment which remains constant.

Why should LES implement a PCA?

Over the past couple of years LES has experienced considerable volatility in the price of natural gas and in wholesale power purchases which also tend to follow the price of natural gas. Our research and consultation with experts indicates that this volatility can be expected to continue for some time. The cost of natural gas has spiraled upward driven by world market pressures and damage caused by two major Gulf Coast hurricanes. For example, the commodity price of natural gas has risen more than 75 percent in the last 12 months and there is no clear picture of the near-term or future expected price for this essential commodity.

The LES power cost budget was developed utilizing August 2005 forward price projections, including an anticipated increase from 2005 to 2006 of $22 million. With the updated October 1, 2005, projections (post hurricane) the 2006 power cost budget increased by another $13 million for a total increase of $35 million in 2006, rather than the previously projected $22 million. While we have hedging strategies in place, they are not sufficient to deal with these increases.
Consequently, it has proved difficult to build these types of projections into the rate base with a high degree of accuracy. LES’ rate structure is designed to capture costs associated with the generation, transmission, and delivery of electric energy to our customers. The cost of service study upon which the rates are structured projects what costs are expected to be in the future based on what is known at that point in time. It does not allow for significant deviations from those projections. A PCA, however, is a rate mechanism that will allow LES to more accurately bill customers for these fluctuating costs as they occur, and charge only what is necessary to maintain financial integrity.

**How will the PCA work?**

The amount of the PCA will be determined monthly and will be based on the amount by which the production fuel costs and purchased power costs deviate from the base cost approved by the LES Administrative Board. The PCA will be shown as a line item on the customer billing statement. The line item will reflect the total monthly kilowatt-hours (kWh) consumed multiplied by the PCA.

The PCA will be capped at $0.0050 per kWh in the winter billing months, and $0.0075 per kWh in the summer billing months, thereby limiting our customers’ exposure to volatility. As costs stabilize or return to more predictable levels, the PCA will be reduced. The payments will be reconciled at the end of each month to determine any overpayment or underpayment by any customer class, with the appropriate adjustment presented on the following month’s billing statements.

Although this would be the first time that LES has instituted a PCA, in 1980 the LES Administrative Board approved a standard outlining the process for utilizing a PCA. Pursuant to that action, which was also approved by the Lincoln City Council, LES staff must comply with certain reporting requirements. Staff will report monthly to the LES Administrative Board on the resources, how costs compare to the rate base costs, and report and explain any variances. LES staff will also report similar information to the Lincoln City Council on a quarterly basis. The PCA will also be the subject of periodic reviews by the internal and independent auditors.

**Recommendation**

The Budget and Rates Committee held two meetings with staff to review in detail the revised power costs and the staff recommendation to implement a PCA. The committee recommends that the LES Administrative Board authorize staff to proceed with the public hearing and approval process necessary to implement a PCA, with the goal of implementing the PCA with electric bills rendered on and after February 1, 2006.

If the PCA is adopted by both the LES Administrative Board and the Lincoln City Council, LES would not pursue the expected August 1, 2006, rate increase.
Public power utilities in the U.S. have exhibited very stable and robust credit quality over time, which is reflected by a very strong ratings distribution. More than 80% of Standard & Poor’s Ratings Services ratings assigned to public power utilities are in the ‘A’ or ‘AA’ rating category.

This ratings distribution stands in sharp contrast to the ratings distribution for investor-owned energy companies, where only 34% are rated within the ‘A’ and ‘AA’ rating categories.

Public power utilities have achieved and maintained very robust ratings distribution for several reasons:

- Most importantly, public power utilities have autonomy to set rates in response to changing circumstances without the risk of regulatory delays and regulatory disallowances;
- Public power utilities benefit from captive customer bases;
- Public power utilities have by and large stuck to their knitting and have not placed capital at risk by diversifying into competitive businesses in pursuit of elusive profits; and
- Public power utilities have benefited from the limited liquidity needs that flow from their strong credit profiles because strong credit quality helps them avoid or limit the need to post collateral.

Today, as fuel prices change dramatically, we need to ask whether the robust credit profiles that are broadly associated with public power utilities are sustainable if fuel prices remain exceptionally high over time. Some believe that these price levels are ephemeral. Even if prices do moderate, it is certainly not clear how far they may retreat. Consequently, public power, together with the rest of the power industry, could face some very difficult issues in light of the run-up in fuel prices.

Prevailing prices are only partially attributable to recent hurricanes. The run-up is something that has occurred over the past year and was only further exacerbated by Hurricanes Katrina and Rita. Consequently, these price levels may not be a short-lived anomaly, as many hope.

On Sept. 1, 2005, the Wall Street Journal reported that natural gas prices increased 126% over the preceding 12 months. (1) Only 17% of that increase was attributable to Katrina, which had struck three days earlier. The extent of the increase is staggering. Moreover, it is not just natural gas that has been affected. Coal and oil prices have also risen substantially over the past year, so utilities have been hit on all fronts.

A few months ago, well before the recent hurricanes, an article in Public Power magazine (2) cited Raj Rao of the Indiana Municipal Power Agency in support of the proposition that a fundamental upward shift in fuel costs ended an era of inexpensive electricity production. Today, that article’s message is even more poignant than when the article was published.

Because public power utilities are not operated to yield robust excess margins that represent profits, the question arises as to how many public power utilities may
lack a large enough financial cushion to absorb and temper the significant financial pressures created by sharp increases in the prices of natural gas, coal, and oil.

The stability and direction of credit quality for public power utilities will require management to keep revenues and expenses aligned, which in some cases may not be palatable. Even before the most recent surge in fuel prices, utilities like Florida's JEA and New York's Long Island Power Authority found it difficult to keep revenues and expenses aligned as fuel prices rose. Now, many more utilities must respond to even more pronounced price increases.

Some of the most highly rated public power utilities have mechanisms that automatically keep revenues and expenses aligned. These true-up mechanisms contribute to sound credit quality over time.

Examples of highly rated utilities that use these tools include San Antonio, Texas's City Public Service Authority, Arizona's Salt River Project, South Carolina's Santee Cooper, and Colorado Springs Utilities. Although this list of utilities with true-up mechanisms is not exhaustive, such mechanisms are not ubiquitous among public power utilities. For example, the Los Angeles Dept. of Water & Power froze its power-cost adjustment in 1997 at a time when its retail rates were yielding considerable headroom. Eight years later, much of the headroom has been exhausted and the utility will need to craft a response to rising fuel costs and rising debt-service expenses attributable to the utility's sizable capital program.

Those utilities that seek to preserve credit quality in the face of rising costs will need to either adopt power-cost adjustments or will need to find considerable savings elsewhere in their budgets to offset rising fuel costs. Based on public power's strong track record of financial stability, Standard & Poor's expects that most public power utilities will work to align revenues and expenses, but there may be some that will find it difficult to do so.

Most often, the interests of bondholders and ratepayers are closely aligned because utilities typically seek to preserve sound credit quality to avoid having ratepayers bear the higher borrowing costs associated with a weaker credit rating. Yet, in this fuel price environment, bondholder and ratepayer interests might diverge as utilities compare the value of rate adjustments designed to preserve financial margins and credit ratings with the potential ire of customers that might be avoided by limiting rate adjustments, but that could trigger a rating action.

Management will play a decisive role in determining the future direction of credit quality for public power utilities. Those at the helm are critical to protecting a utility's wallet. It is up to management at public power utilities to demonstrate how their utilities will respond to steep increases in the cost of doing business.

Standard & Poor's will look to see what steps, if any, are taken to preserve credit quality. Of course, not taking any action at all is itself a strategy, although not one supportive of credit quality.

Standard & Poor's understands that it may be difficult for customers to stomach substantial rate increases at a time that other energy costs, such as gasoline, are rising substantially. While we are empathetic, we must nevertheless objectively assess the effects of a changing environment on financial performance and cannot turn a blind eye to any meaningful erosion of financial metrics that may occur if management does not address increasing costs.

Some public power utilities speak of hedging their fuel exposure as a response to higher costs. Those utilities that locked in prices before the big run-ups were very fortunate to have done so. For those that have not added hedges or that need to replace expiring hedges, it is safe to say that at this point hedging cannot be viewed as a tool for achieving savings. Rather, the best that might be hoped for by
entering into hedges at this time is the ability to contain intra-year volatility so as to protect customers from the difficulties of dealing with large swings in their monthly power bills.

While some utilities speak about hedging, there are others that are not speaking about hedging at all. We are also concerned because some utilities may lack the sophistication to hedge.

The Energy Authority was formed by several large and sophisticated public power utilities that recognized that they lacked the financial and intellectual capital necessary to go it alone when hedging and interfacing with the energy market. In this sense, The Energy Authority is analogous to a municipal joint-action agency in which utilities have banded together to construct generation to achieve economies of scale. However, instead of banding together to build capital assets, The Energy Authority's members came together to pool financial resources to acquire intellectual capital.

What will become of the utilities that have not joined with others to achieve economies of scale? Who will they partner with to access the intellectual capital that they may lack and the market-price discovery tools that will be needed? A recent article in Public Power magazine acknowledged that "Hedging in today's market requires knowledge and know-how that may not be part of the traditional public power utility's skill set." (3)

The challenges of today's marketplace may be formidable for even some of the largest public power utilities. Time will reveal the extent of these challenges and tell us whether these challenges are even more acute for the small and midsize public power utilities that are the lifeblood of myriad communities.

Standard & Poor's is not contemplating any sweeping or impulsive rating changes in response to the new fuel price environment. Rather, we will closely monitor utilities case-by-case to assess the potential effect of this new regime, especially if high power prices do not abate within a reasonable amount of time. As always, our analysts will engage in extensive dialogue with the utilities we follow to fully understand strategic responses to the changes that are taking place.

We expect that our ongoing evaluation of credit quality within the public power community will continue to be largely driven by the strengths cited at the beginning of this article. Particular emphasis will be placed on the financial flexibility that is available to public power utilities, which is an advantage that is not available to regulated utilities. The financial flexibility derived from the autonomy to set rates as needed provides public power utilities with the opportunity to preserve stellar credit ratings, but for that to happen, management must take appropriate steps in response to a changing environment.

Notes


ADDENDUM
TO
DIRECTORS' AGENDA
MONDAY, OCTOBER 31, 2005

I. MAYOR

1. NEWS ADVISORY - RE: Mayor Seng's Public Schedule Week of October 29 through November 4, 2005-Schedule subject to change -(See Advisory)

II. CITY CLERK - NONE

III. CORRESPONDENCE

A. COUNCIL REQUESTS/CORRESPONDENCE

PATTE NEWMAN

1. E-Mail from Jerry Gulizia sent to Patte Newman - RE: Morning paper talks about the task force to build a new arena -(See E-Mail)

B. DIRECTORS AND DEPARTMENT HEADS - NONE

C. MISCELLANEOUS

1. E-Mail from Jeff Lewis - RE: The Assessment Resolutions for the Downtown BID, Maintenance, and Core Business Improvement District - (See E-Mail)
NEWS ADVISORY

CITY OF LINCOLN
NEBRASKA

Date: October 28, 2005
Contact: Diane Gonzolas, Citizen Information Center, 441-7831

Mayor Seng’s Public Schedule
Week of October 29 through Nov. 4, 2005
Schedule subject to change

Sunday, October 30
• Making Strides Against Breast Cancer Walk, remarks and proclamation - 12:30 p.m., Holmes Lake
• Proclamation and Key to the City for soccer player Julie Foudy - 4 p.m., Abbott Sports Complex, 7600 North 70th Street

Wednesday, November 2
• Lincoln Community Foundation lunch honoring Ted Kooser, remarks and proclamation - 11:30 a.m., Cornhusker Hotel, 333 South 13th Street

Thursday, November 3
• Presentation to "Learn Not to Burn" contest winner - 8:15 a.m., Belmont Elementary, 3425 North 14th Street
• News conference - 10 a.m., topic and location to be announced
• International visitor from Chad - 4 p.m., Mayor’s Office, 555 South 10th Street

Friday, November 4
• I-80 Commission meeting - 10:30 a.m., Strategic Air Command Museum, adjacent to Mahoney State Park, Interstate 80 exit 420
• Governor’s Summit on the Omaha-Lincoln Corridor - 12:30 p.m., Strategic Air Command Museum
• Grand opening of remodeled Westfield-Gateway, remarks - 5:30 p.m., Center Court, 60th and “O” streets
• 10,000 Villages store expansion, remarks - 7 p.m., 140 North 8th Street
• American Indian Heritage Month proclamation for Oyate Tokeya, Inc. - 7:30 p.m., Holiday Inn Downtown, 141 North 9th Street
Tammy - Please share this with the rest of the Council. Thanks.

----- Original Message -----
From: Jerry Gulizia
To: pnewman@ci.lincoln.ne.gov
Sent: Friday, October 28, 2005 4:47 PM
Subject: Morning Paper

Hi all, this mornings paper talks about the task force to build a new arena. The task force estimates spending 85 to 100 million of my tax dollars, give me a break. Last summer my International Vice President for the 11th District IBEW wanted to hold a convention here in Lincoln for 4 days for up to 400 guests. When he talked to me about this event I had to tell him we had a smoking ban in Lincoln and knowing many IBEW members smoke, the convention was moved to Omaha. I can't imagine many conventions coming to Lincoln with the smoking ban. I am not opposed to spending the money but I am opposed to spending money when most conventions will bypass Lincoln for a more friendly town without a smoking ban.

Jerry Gulizia
InterLinc: City Council Feedback for
General Council

Name: Jeff Lewis
Address: 360 S. W. 27th Street
City: Lincoln, NE 68522
Phone: 474-2858
Fax:
Email: jlewis@mtn.com

Comment or Issue:
Regarding the annual Resolutions for the Downtown BID, Maintenance, and Core Business Improvement District, I am formally voicing my companies wish to be removed from the above and/or the non-renewal. The Research & Development Corporation owns the Sullivan Building at 311 N. 8th Street. I have never seen any maintenance (street sweeper for sidewalk), cleaning of the sidewalk, or any other activity at this location. I have brought this issue to the Downtown Lincoln BID Property Owners Survey personnel via a Survey and phone calls, but did not receive any response. I also noted that I had observed the maintenance personnel at other locations cleaning, but after discussing with my tenants, am certain little, if any, has been done at 311 N. 8th. This issue was most evident the winter before last, when show removal equipment had uprooted several concrete parking stops along this half block. They remained there, in a pile and broken accumulating masses of cigarette butts and debris, until the following May before anything was done despite repeated complaints. I have submitted pictures to the Downtown BID survey, and have copies if you wish.

Thank you for attending to this issue.