

**DIRECTORS' MEETING
MONDAY, FEBRUARY 12, 2007
CITY-COUNTY BUILDING
11:00 A.M. - ROOM 113**

I. MAYOR

1. City of Lincoln Snow/Traffic Condition Report for: Wednesday, February 7, 2007.
2. Email response to Gary T. Varley, Land Construction, Inc. regarding his email on bid openings.
3. NEWS RELEASE. Open House on South 27th and Pine Lake Improvements, Tuesday, February 13, 2007 at 5:30 pm at Scott Middle School, 2200 Pine Lake Road.
4. Washington Report, February 2, 2007.

II. DIRECTORS

WEED CONTROL AUTHORITY

1. Combined Weed Program, City of Lincoln, January 2007 Monthly Report.

III. CITY CLERK

IV. COUNCIL REQUESTS/CORRESPONDENCE

ROBIN ESCHLIMAN

1. Request to Karl Fredrickson, Public Works & Utilities Director - RE: Retirement Buyout Information (EschlimanRFI#6 - 02/01/07)
2. Memorandum from Dennis Bartels, Engineering Services, re: Proposed Firethorn CUP, Change of Zone and Annexation.

ANNETTE McROY/PATTE NEWMAN

- *1. Request to ~~Scott Holmes & Bruce Dart, Health Department~~ /Dale Stertz & Mike Merwick, Building & Safety Department/Tonya Skinner & Dana Roper, City Law Department - RE: Bar owners, outdoor smoking areas (McRoyRFI#175 & NewmanRFI#41 - 12/18/06). — **1.) SEE RESPONSE FROM SCOTT HOLMES, HEALTH DEPARTMENT RECEIVED ON McRoyRFI#175 & NewmanRFI#41 - 01/11/07.**
- *2. Request to Darl Naumann, Mayor's Office/Karl Fredrickson, Public Works & Utilities Director/Nicole Fleck-Tooze, Public Works-Watershed Management - RE: 50th Street corridor costs (NewmanRFI#42 & McRoyRFI#177 - 01/10/07)

V. MISCELLANEOUS

1. Email from Jim Johnson, re: Corrupting City Election by putting issue on the Lincoln City election ballot in the spring elections.
2. Email from Wilbur Dasenbrock, re: City Council - City Leadership.
3. Email from Wilbur Dasenbrock, re: 50th Street - Action for the best interest of the City at 48th and "O" Streets. (Delivered to Council members on 02/05/07 before meeting)
4. Email from William J. Wood re: South 15th Street name change. (Delivered to Council members on 02/05/07 before meeting)
5. Email from Shannon McGovern re: Supporter of drag strip. Small business opportunities may develop with a drag strip. (Delivered to Council members on 02/05/07 before meeting)
6. Email from Georgia Glass re: Early retirement option.
7. Email from Paul Haith re: Issue of EMS billing RFP.
8. Response from Paul Haith regarding Mejer note to City Council on January 24, 2007.
9. Email from Shannon McGovern re: Location of drag strip.
10. Aquila announcement. Aquila being acquired by Black Hills Corporation, a South Dakota based energy company.
11. Aquila's news release on acquisition of Aquila by Black Hills Corporation.
12. Email from Jodi Delozier re: Against the LES surcharge.
13. Email from Will Kerns re: Lincoln citizens need to address Time Warner mandatory upgrade, in order to beta test software, without giving discounted pricing to citizens participating. Need another cable system in town.
14. Email from Gary T. Varley, Land Construction, Inc., re: Bid openings.
15. Email from George Buckner regarding LES surcharge and financial bonuses paid to LES upper management.

VI. ADJOURNMENT



DNorris@ci.lincoln.ne.us
02/07/2007 11:42 AM

To CIC_Snow_Notification%NOTES@ci.lincoln.ne.us
cc dgonzolas@ci.lincoln.ne.us
bcc
Subject release - snow operations

CITY OF LINCOLN
SNOW/TRAFFIC CONDITION REPORT

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

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

Date: Wednesday, February 7, 2007
Time: 11:30 a.m.

As snow began falling this morning, City street crews began material spreading operations on bridges and overpasses at about 10 a.m. As the snow continued to fall, a full material spreading operation began at about 11 a.m. on bus routes, snow emergency routes and major arterials. Parking bans are not in effect.

Lincoln Police Department reports that the streets are beginning to get slick, especially those that are less traveled than the main arterials. There have been three accidents in the city since 8 a.m. Drivers are advised to allow plenty of following distance and be especially careful at intersections. StarTran reports that all buses are running on time.

Please stay informed on the status of snow operations in Lincoln. Additional information is available on the City Web site at lincoln.ne.gov and on pages 49 and 50 in the blue pages of your Windstream phone directory. If you have questions, you may call the Public Works Snow Center at 441-7644.

-30-

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Mayor_Coleen_Seng/Notes%
 NOTES@ci.lincoln.ne.us
 Sent by:
 MBowen@ci.lincoln.ne.us

02/08/2007 08:46 AM

To "Gary Varley" <gary@landconstruction.com>
 cc council@lincoln.ne.gov, dherz@ci.lincoln.ne.us
 bcc
 Subject Re: Bid openings

February 8, 2007

Gary T. Varley
 Land Construction, Inc
 gary@landconstruction.com

Dear Mr. Varley:

I received your email and you ask a fair question. You mentioned in your inquiry that bid openings have been done in this manner for a long time. I am forwarding your email to the City Finance Director, who oversees the Purchasing Division, to answer your question. Thank you for raising the question.

Sincerely
 Coleen Seng
 Mayor of Lincoln

cc: Don Herz, Director, City Finance Department
 City Council

"Gary Varley"
 <gary@landconstruction.com>

02/07/2007 02:22
 PM

<mayor@lincoln.ne.gov>
 <council@lincoln.ne.gov>

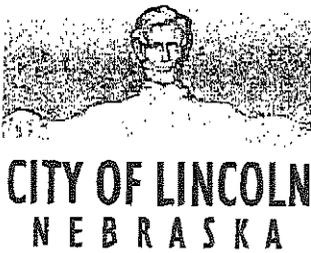
Bid openings

To
 cc
 Subject

Dear Mayor Seng,
 Having worked in the construction industry all my professional life (approximately 27 years) I have been directly involved in the public bid process for a long time. It has always concerned me as to why the City of Lincoln Purchasing Department is so unprofessional when it comes to reading bids. I have bid work all over the state of Nebraska and neighboring states as well. Typically, whether its a small village or town or if its a large corporation, the person reading the bids briefly reviews the bid bond, announces the receipt of the bid bond (or cashier's check, if applicable) and announces if the bidder has acknowledged any addenda. But for some reason the City of Lincoln's Purchasing Department reviews this information

(bonds and addenda) behind closed doors some time after the opening. All of this information should be public knowledge and should be part of the opening process. In fact, if there is a problem with either the bond or addenda elsewhere, in most instances the bid isn't even read. I hope someone will take time to look at this matter. I've read where we are trying to "clean up" some the things down there at City Hall and it just makes sense to me that we could be a little more professional when it comes to reading bids aloud. Thank you for your time.
Gary T. Varley, Land Construction, Inc. 402-610-0515

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NEWS RELEASE

MAYOR COLEEN J. SENG

lincoln.ne.gov

PUBLIC WORKS AND UTILITIES DEPARTMENT

Engineering Services, 531 Westgate Blvd., Lincoln, NE 68508, 441-7701, fax 441-8194

FOR IMMEDIATE RELEASE: February 8, 2007

FOR MORE INFORMATION: Kent Evans, Public Works and Utilities, 441-7583
Katie Tauer, E & A Consulting Group, 420-7217

PUBLIC INVITED TO OPEN HOUSE ON SOUTH 27TH AND PINE LAKE IMPROVEMENTS

The public is invited to an open house on proposed roadway improvements in the area of South 27th Street and Pine Lake Road from 5:30 to 7 p.m. Tuesday, February 13 in the Scott Middle School multi-purpose room, 2200 Pine Lake Road.

The project includes improvements to 27th Street between Pine Lake Road and Yankee Hill Road to enhance the safety and traffic capacity in the area. The street will be widened into a four-lane divided roadway with turn lanes. It is currently in the final design phase, and construction is expected to begin by summer. Most of the work is scheduled to be completed by the end of the year. At the open house, the project design team will be available to answer questions.

Information also will be provided on scheduled improvements to Pine Lake Road between 14th and 27th streets. The Pine Lake Road improvements include the addition of turn lanes at 14th Street, Hazel Scott Drive, Helen Witt Drive and Pine Lake Road. A traffic signal also will be installed at Helen Witt Drive. The construction timeline will depend on acquisition of right of way, and could take place in summer 2007 or 2008.

Those wanting more information on the open house can call Katie Tauer, E & A Consulting Group Inc., at 420-7217. More information on this and other City Public Works and Utilities construction projects is available on the City Web site at lincoln.ne.gov (keyword: projects).



INSIDE:

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HOUSE APPROVES FY 2007 BUDGET MEASURE

BUDGET

House approves FY 2007 funding measure.
The House of Representatives approved a \$463.5 billion joint resolution (House Joint Resolution 20) this week that would fund government agencies (with the exception of the Departments of Defense and Homeland Security) for the remainder of FY 2007, or through September 30, 2007.

Fifty-seven Republicans joined all Democrats in voting for the measure, which was approved 286-140. House Democratic leaders did not allow any amendments to the legislation. Republicans in recent years had used that tactic to their advantage on numerous occasions, and Democrats had pledged more “open rules” when they regained the majority. However, in order to speed consideration of their “First 100 Hours” agenda, and quickly dispense with the FY 2007 budget that had been unexpectedly placed in their laps, Democratic leaders have kept amendments to a minimum thus far.

As promised, the legislation contains no earmarked projects in FY 2007, and the great majority of programs will operate at their FY 2006 levels. In addition, the resolution does not provide much guidance as to how the funds should be spent in FY 2007, instead instructing agencies to report their plans to Congress with 30 days of the measure’s enactment. Programs of interest to local government that received increases include:

Transportation

Highways and transit would receive FY 2007 levels that were guaranteed by the 2005 SAFETEA-LU law, an increase of about \$3.4 billion (to \$39.1 billion) for highways and \$470 million (to \$8.97 billion) for transit. With regard to programs at DOT that are traditionally earmarked, the joint resolution appears to give DOT a great deal of latitude

as far as spending those funds, which could be as much as \$400 million for the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA). Barring some major policy change, we would expect that DOT will announce some competitive programs at FTA and FHWA in the coming weeks.

FY 2007 funding for earmarks from the 2005 SAFETEA-LU law are also expected to continue to be honored, as they are guaranteed and spread over the life of that multi-year measure. And as the resolution specifically provides FTA with the discretion to distribute funds for the New Starts rail program to authorized projects, we are fairly certain that the agency would follow its FY 2007 budget recommendations in that area.

Housing

The Section 8 Assisted Housing program would receive a \$1.4 billion increase to \$21.8 billion, as well as a change in the program formula that directs HUD to use the most recent 12-month leasing and cost data, as opposed to using outdated 2004 data. The Public Housing Operating Fund would receive a \$300 million increase to \$3.8 billion, and homeless assistance grants would rise by \$115 million to \$1.442 billion.

Formula grants under the Community Development Block Grant program at HUD would be funded at the FY 2006 level of \$3.711 billion.

Environment

The Clean Water State Revolving Fund would receive a \$197 million increase to \$1 billion, funded by savings from the elimination of earmarks in the State and Tribal Assistance Grants (STAG) account.

Law Enforcement

The COPS Program at the Justice Department

Washington Report

*Archived at:
[www.capitaledege.com/
archive.html](http://www.capitaledege.com/archive.html)*

*Carolyn C. Chaney
Washington Assistant
chaney@capitaledege.com*

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giglio@capitaledege.com*

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Washington, DC 20005*

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would receive a \$70 million increase to \$540 million, all of which is likely to be available through a competitive grant program (in recent years, Congress has eliminated funds for COPS hiring and earmarked the remaining funds for technology grants). In addition, the Byrne Justice Assistance Grants would rise by \$109 million to \$520 million.

Human Services

The Head Start program at HHS would be increased by \$103 million to \$6.9 billion, the Community Health Centers program would grow by \$207 million to \$1.9 billion, and the Ryan White AIDS Prevention program would see an increase of \$75.8 million to \$1.2 billion.

Other programs receiving increases over FY 2006 levels included veterans' health care (\$3.6 billion), National Institutes of Health (\$620 million), and Pell grants (\$615 million).

Among the programs that will see reductions from FY 2006 levels is the Construction account at the **U.S. Army Corps of Engineers** (-\$115 million to \$2.334 billion). The resolution makes gauging Corps spending in FY 2007 particularly difficult, since the annual spending bill that funds the Corps is almost entirely earmarked. As a result, we would expect that the Corps Headquarters Office will have a great deal of authority over project spending this year.

Finally, when determining FY 2006 funding levels, the joint resolution retains a one percent across-the-board reduction that was applied in FY 2006 to all programs, as well as additional targeted cuts to Interior Department programs (an additional 0.476 percent) and to programs under the Science, Justice, Commerce, and State Department appropriations bill (an additional 0.28 percent).

The FY 2007 joint resolution is scheduled to be considered by the Senate next week, or possibly the following week. The fate of the measure in that chamber is less certain, as it is much more difficult to prevent amendments on legislation, and Republican Senators are expected to offer some proposals. Reports are that the GOP Senators will focus on increasing funds for base closure activities, which received a \$1

billion increase in the measure. Senator Kay Bailey Hutchison (D-TX) has suggested a 1.2 percent across-the-board reduction in domestic discretionary programs in order to add \$3 billion for base closures in FY 2007.

WATER RESOURCES

House panel clears trio of water infrastructure measures. The Water Resources and the Environment Subcommittee of the House Transportation and Infrastructure Committee cleared three water infrastructure bills this week. The Subcommittee's action came a few weeks after Transportation and Infrastructure Committee Chairman James Oberstar (D-MN) said that water and wastewater infrastructure would be among his top priorities this year.

The Water Quality Financing Act (HR 720) would reauthorize the Clean Water State Revolving Loan Fund for five years at \$4 billion a year, more than four times the FY 2006 appropriation. The program was funded at \$887 million in FY 2006 and is slated to receive \$1.084 billion in FY 2007 under the continuing resolution passed by the House this week (see related article). Funding for the program, which provides low-interest loans for the construction of wastewater treatment plants, peaked at \$1.35 billion in FY 2000.

The only moment of discord came during debate on an amendment that would have exempted projects funded by the Clean Water State Revolving Loan Fund from the Davis-Bacon Act, which requires that workers on federally-financed construction projects receive the prevailing local union wage. The amendment was defeated on a largely party line vote.

The Subcommittee also approved legislation (HR 700) that would reauthorize an EPA pilot grant program that helps construct alternative water supply projects. The bill would authorize \$125 million a year for the grants; they were last authorized in FY 2004 at \$75 million. Under the program, grants are provided for projects designed to provide municipal, industrial, and agricultural water supplies in an

environmentally sustainable manner by conserving, managing, reclaiming, or reusing water or wastewater or by treating wastewater.

The third bill (HR 569) that the panel cleared would reauthorize grants to repair and replace combined sewers. The bill would authorize \$1.8 billion for the grants over five years; the program was last authorized in FY 2003 at \$750 million, but has not been funded

ENVIRONMENT

Administration farm bill would boost conservation funding. With Congress poised to begin work on reauthorizing federal agriculture, rural development and nutrition programs, the Administration released a five-year, \$87 billion proposal that would provide a 30 percent funding boost for conservation efforts and would overhaul several key programs.

Under the proposal, the largest conservation program, the Environmental Quality Incentives Program (EQIP), would be combined with a number of other programs, including the Wildlife Habitat Incentives Program, the Forest Land Enhancement Program and the Ground and Surface Water Conservation Program. In addition, the proposal calls for creation of a new program, the Conservation Innovations Grants Program, which would focus on cooperative approaches to improving water quality on a regional scale.

The Administration would also increase funding for the Conservation Security Program (CSP) to \$8.5 billion over five years, a \$500 million over current spending levels. CSP provides assistance to farmers to help them minimize the impact of farming on the environment in general and on watersheds in particular.

The proposal would authorize the Conservation Reserve Program (CRP), which pays farmers for not farming environmentally sensitive land at current acreage levels. It would also change the program to allow payments for land that produces biomass crops that can be used for cellulosic energy production. The

total enrollment cap for the Wetlands Reserve Program (WRP) would increase from 2.275 million to 3.5 million acres under the proposal. However, the yearly enrollment goal under the program would remain at 250,000 acres.

In a related event, Senators Max Baucus (D-MT) and Charles Grassley (R-IA), the Chairman and Ranking Members of the Senate Finance Committee, introduced legislation (S 469) that would make permanent a tax deduction designed to preserve farmland and open space. The provision expires at the end of this year and allows land owners who create conservation easements the ability deduct up to 50 percent of their income (up to 100 percent for some ranchers and farmers).

GRANT OPPORTUNITIES

Environmental Protection Agency: EPA has announced the availability of funds for the National Community-Based Lead Outreach and Training Grant Program for FY 2007. The program aims to reduce the incidences of childhood lead poisoning in low income communities with older housing. The grants will fund outreach, training and program development activities. The EPA has a total of \$1.5 million available and will fund 6-8 projects. Maximum amount awarded is \$250,000. Deadline is April 2, 2007. For more information see:

<http://www.epa.gov/lead/pubs/outreach-traininggrant.pdf>.

The Department of Interior: The National Park Service is accepting applications for the FY 2007 Save America's Treasures Grant program. The purpose of this grant program is to provide assistance for the preservation of nationally significant cultural collections and historic properties. Grants require a 100 percent non-Federal match. For reference of previous awards, in 2006, the average award was \$132,000 and \$223,000 for collections and historic properties respectively. Applications are due April 26, 2007. The expected number of awards is 75 and the estimated total funding available is \$7 million. More information can be found at:

<http://www.cr.nps.gov/hps/treasures/application.htm>.

Environmental Protection Agency:

EPA is accepting applications for the National Award for Smart Growth Achievement. There will be applications the following categories: Overall Excellence in Smart Growth, Built Projects, Policies and Regulations, Equitable Development, and Waterfront and Coastal Communities. Eligible applicants are local governments, state governments, or public sector entities that have implemented smart growth policies, projects or programs. Applications are due April 3, 2007. For more information please visit:

<http://www.epa.gov/smartgrowth/awards.htm>.

Combined Weed Program City of Lincoln January 2007 Monthly Report



Quality Vegetation Management Project Award

BASF announced the winners of their 2006 QVM Project Habitat Awards on January 25. The Lower Platte Weed Management Area received this national award in the aquatic category. The Lower Platte Weed Management Area encompasses the 10 counties in the lower portion of the Platte River drainage, including Lancaster County. The LPWMA organized in 2003 as a cooperative effort of many partners to control the invasion of non-native vegetation of the riparian areas. Over 4,300 acres have been controlled. Sponsored by BASF Professional Vegetation Management (ProVM), the **QVM Project Habitat Awards** are presented to exceptional vegetation management projects that exemplify the principles and practices of **QVM**. The QVM Project Awards reward projects that:

- Restore and improve plant, animal and human habitats
- Seek out and support professional certification and technical training
- Strive to always make a positive environmental change
- Apply herbicide responsibly, using the appropriate amount to achieve the desired results
- Protect threatened and endangered species
- Support industry research and development
- Follow label recommendations

Upgrading Inspector Hand Held Devices

The weed control authority was one of the first departments in the City and County to utilize palm pilots to digitally enter inspections in the field. This greatly improved efficiencies. By upgrading to devices that can not only provide for digital entry of inspections, but also allow access to the data base, serve as a cell phone and camera, efficiencies and effectiveness can be further improved. It will assist the inspectors abilities in working with landowners.

Nebraska Invasive Plant Mapping Program

The Nebraska Weed Control Association along with the Nebraska Department of Agriculture has been working on developing a state-wide GIS mapping program to manage invasive plants. This system is using a popular GIS map interface known as ArcIMS from ESRI. The Nebraska Weed Control Association has paid for the custom coding required to create this system, from the Nebraska Department of Agriculture's Invasive plant assistance fund, which was received from the Nebraska Environmental Trust organization. Once the system is completed, the NDA and counties will be able to keep track on noxious and invasive weeds in Nebraska as well as track treatments and create online reports in an easy to use interface. Some of the features include a user management system, add and modify record set, create map and create GPS points of invasive plants, and print off various records for users. Training and use of the program will begin in February 2007. The general public will also be able to view and print maps.

January Activities

- 4 Statewide WMA meeting-Grand Island
- 9 City/County Commons Meeting
- 11 Management team Meeting
- 16 NEBlne insert deadline
- 16 Threats to Nebraska Rivers Planning
- 17 Lower Platte WMA Mtng
- 18 Hand held meeting
- 23-24 NARD Legislative Conference
- 30 Commissioners approval of annual reports & plan
- 31 Submit required state reports
- 31 Monthly activity report

February Planned Activities

- 5 City/County Commons Meeting
- 8 Management Team Meeting
- 20-22 NWCA Conference Kearney
- 28 Lower Platte WMA Mtng

Weed Control Authority
Lancaster County



M e m o r a n d u m

RECEIVED

FEB 07 2007

CITY COUNCIL
OFFICE

To: Robin Eschliman, City Council
From: Dennis Bartels, Engineering Services
Subject: Proposed Firethorn CUP, Change of Zone and Annexation
Date: February 6, 2007
cc: Karl Fredrickson, Roger Figard, Randy Hoskins

Karl Fredrickson requested that I respond to your questions concerning the proposed Firethorn CUP, change of zone and annexation.

1. The City has agreed per the proposed annexation agreement to reimburse Firethorn the difference in cost between the cost of an 8' water main and 12" water main that is typically required by the Lincoln Water System mid-mile through subdivisions. This cost reimbursement was identified by Olsson Associates to be approximately \$260,000.
2. The estimated cost by Olsson Associates for the proposed 16" water main is \$317,000. The proposed agreement states that the City will reimburse the difference in cost between an 8" and the 16" water main being built.
3. This annexation ends west of 98th Street, however, as you note, it will need to be paved in the future. No preliminary design work has been done so no specific cost estimate is available. A generic estimate for a 4 lane divided urban cross-section for this street is \$4.5 million. Note that Van Dorn Street and Pioneers Boulevard are county road asphalt paved streets that will need future urban paving at a similar \$4.5 million cost for each street.
4. The \$4000 annexation fee you reference is not a city imposed cost, but was determined by the parties requesting annexation. I am not aware of how it was determined. The cost responsibilities for the various city requirements for annexation are written into the annexation agreement. The parties requesting annexation will need to determine how the costs are divided and who will pay them. There are 129 existing residential lots included in this proposed annexation. The 300 lots you reference is the number of lots that can be sewerred based on downstream sewer capacity.
5. The City is not responsible for the 6" water mains needed or the temporary asphalt paving requirements. As noted in "comment 4", I am not aware of how these costs will be divided among the private parties involved in this annexation.

Dennis Bartels



Chris L Koll/Notes
02/02/2007 01:31 PM

To: Dennis D Bartels/Notes@Notes
cc
bcc
Subject: Fw: Firethorn

Dennis:
Karl requests that you respond to Robin's questions and carbon him in on your response.
Thanks, Chris

----- Forwarded by Chris L Koll/Notes on 02/02/2007 01:27 PM -----



"Robin Eschliman"
<robine@neb.rr.com>
01/27/2007 03:11 PM

To: <kfredrickson@lincoln.ne.gov>
cc
Subject: Firethorn

Question for you, Dennis, or the appropriate person:

1. The City is going to pay for the 12" water main, right? What will that cost? — Difference 8x12 = \$260,000
2. In today's dollars, how much will it cost to reimburse the 16-inch water main in 7 years?
3. Someday we will have to pave 98th Street. What will that cost?
4. The owners are paying \$4000 annexation fee. Are there 300 owners now, or less than that? The \$4000 covers all the city's cost, right? Does the city "make money" or break even?
5. There are some other things mentioned: 6" water mains to all new homes; asphalt overlay. Is this something the City is paying for, or will the fees the new homes pay cover this?

Robin Eschliman

76' 8 17 000
198800 Subsidy



Jim Johnson
<JimJohnson@neb.rr.com>
02/02/2007 03:24 AM

To commish@lanaster.ne.gov
cc SecretaryOfState@sos.ne.gov,
ElectionsDeputy@sos.ne.gov, dshively@lincoln.ne.gov,
MKTolzin@lanaster.ne.gov, council@lincoln.ne.gov,
bcc

Subject Enough already with trying to corrupt the City Election!

Commissioners:

I e-mailed you last week to say that I had hoped you were misquoted in a Lincoln Journal-Star article about a plan to break the law and put an issue on the Lincoln City election ballot in the spring elections. As I pointed out then, and would have assumed that I wouldn't have to explain again, this is in direct violation of state statute 32-405, which limits elections to the first Tuesday following the second Monday of the selected month. Lincoln's City Charter specifies that the general election will be on the first Monday of May (as required by state statute 15-301), and the primary is set in the charter to be four weeks earlier, which could theoretically coincide with an allowable date for the County to hold a special election, but this year doesn't happen to be a legal County election date. I had assumed that you would read the law, figure out that you couldn't do it, and quietly let it pass.

But this morning I've opened the Journal-Star again and I read that on the contrary you're quoted as saying that you'll "investigate every avenue" to break that law, including trying to get the Secretary of State and the Attorney General in on your scheme. The article also suggests that you might go the legislative route; I commend you for considering that route because the Legislature is SUPPOSED to be the people who make the laws, but since one of you is married to a state senator I assume you already know that there's zero chance that a bill which has not been properly introduced in the first ten days of the session could get attached to existing legislation and passed with enough of an emergency clause in time to get on the April or May ballot.

I'm not particularly opposed to a new jail, but I'm VERY opposed to attempts to flout election laws. City Elections are already complicated enough; your attempt to sneak in a countywide vote on that same day and try to get one past the voters of Hickman or Waverly who won't be going to the polls because they'll think that as usual it's just a Lincoln election (and who would no doubt be reinforced in their beliefs by the well-meaning media) is obnoxious.

I happen to know the Secretary of State; he's an honest man and I suspect that he'll set you straight on whether or not it's OK to be sloppy with election law. And I assume that the Attorney General will do likewise.

And think about the consequences of going the legislative route. Even if you could get it passed by the deadline, (no chance!), you'd be opening the door to special elections every business day of the year. There are good budgetary reasons for limiting the opportunities for a special election to just once a month; otherwise every other Tuesday we'd be seeing a special election. A county board or city council or school board or paving district would decide they're short on funds; they'd aim for a time when they think no one is watching. Christmas eve? The Tuesday after Labor Day? The week after somebody else's special election? Nothing would be safe. Election Commissioners and County Clerks all over Nebraska would be working full time on getting poll workers together (and paying them) every time somebody decided on a

whim to call a special election.

If you were truly serious about the impact of a ballot on the County's budget, you ought to have held the special election in November when you could have shared expenses countywide with the State, instead of trying to horn in on a City election and forcing the Election Commissioner to scramble for people to work the polls in Waverly, Hickman, Denton, and rural areas. Lancaster County is a big place; you should have used the poll workers while you had them (or waited until May 2008) instead of trying to force the issue in a special election.

I suggest that you drop your plan to break or pervert the law, and just set a (legal) election date. September would be fine; May or November 2008 would be great; whenever. Just don't get me started on trivializing the election process, because I get wordy when I get angry.

Sincerely,

Jim Johnson
1201 Berkshire Ct #36
Lincoln NE 68505

cc:

Secretary of State John Gale
SOS Elections Deputy Neal Erickson
Attorney General Jon Bruning (via website Comment Form)
Election Commissioner David Shively
Deputy Commissioner Maura Kelly Tolzin
Lincoln City Council
Jean Ortiz, Lincoln Journal-Star



Dasenb@aol.com
02/05/2007 10:14 AM

To jcamp@lincoln.ne.gov
cc council@lincoln.ne.gov
bcc
Subject City Council

I hope you can begin someday to become a positive part of our City leadership.

Wilbur Dasenbrock
1449 Meadow Dale Drive
Lincoln, Nebraska, 68505
466-2465



Dasenb@aol.com
02/05/2007 10:16 AM

To council@ci.lincoln.ne.us
cc
bcc
Subject 50th Street

I suggest you take action for the best interest of the City at 48th and O.

Wilbur Dasenbrock
1449 Meadow Dale Drive
Lincoln, NE, 68505
466-2465



WebForm
<none@lincoln.ne.gov>
02/05/2007 12:10 PM

To General Council <council@lincoln.ne.gov>
cc
bcc
Subject InterLinc: Council Feedback

InterLinc: City Council Feedback for
General Council

Name: William J. Wood
Address: 808 "D" Street
City: Lincoln, NE 68502

Phone: (402) 435-6260
Fax: (402) 477-1827
Email: wmwood@alltel.net

Comment or Question:

I am writing in regard to the change in name of South 15th Street, hoping that the council can find some middle ground between the two sides. Certainly there are possibilities to honor the obscure Mr. Goodhue, without changing the name of the street. One way would be to add some designation on this street, that it was a memorial to him, without changing the name. Beverly Berndt, a South 15th Street resident, who opposes this plan, suggested that the name of "H" Street, between 14th and 16th be changed to honor Goodhue, since the State owns all of the property adjacent to the "H" Street in these two blocks.

My wife and I own 142 feet fronting So. 15h Street on the Northwest Corner of 15th and "F" Street, and Dan and Lisa Mulgrue own a 142 feet fronting on South 15th Street, on the Southeast corner of the same intersection and they oppose this plan also. I assume other owners also oppose it.

Its a poor plan to change a short span of a numbered street. If you do change it, the change should be made effective a year or two from now, so that a new telephone directory will be out identifying where Goodhue Blvd. is located. Otherwise how will anyone find it? If someone on the council could mediate this, it would be appreciated. The property owners were not informed of any meetings on this issue that the Near South Neighborhood Association had or that the Downtown Neighborhood Association held, and now it is being sprung upon us. Also, I noted at the public hearing that proponent Kandra Hahn mentioned she had went through the Council's packet on this. Certainly those of us who oppose this were not granted such an opportunity.

Sincerely,

William J. Wood
Attorney at Law



"shannon mcgovern"
<midwestminichoppers@hotmail.com>

02/05/2007 09:04 PM

To russbayer@aol.com, mdekalb@lincoln.ne.gov,
commish@lancaster.ne.gov, commish@lincoln.ne.gov,
council@lincoln.ne.gov, jacknpatti2@yahoo.com,

cc

bcc

Subject Drag Strip info

Hello, Thank-you for everything your doing with the motor sports taskforce. I would just like to say from a self employed small business standpoint. A drag strip in Lancaster county would open up a very large range of small business opportunities in Lincoln. Also existing small business may even have to expand which would create a lot of job opportunities. Factual examples of these opportunities are all the specialty shops that provide parts and services for drag racers. A guy can open a business just building carburetors and be profitable. <http://www.pro-system.com/> for example. Or just deal with torque converters for transmissions. <http://www.racingconverters.com/>. My point is there is more to a Drag strip than the obvious Hotel and restaurant revenue. The job opportunities go beyond the track itself. As you all may find out the Drag strip owners really don't make a lot of money. As you will all find out the positive outweighs the negative. We should all be thankful for Greg Stanford for wanting to invest millions of dollars in his hometown area. To benefit all of us. We should all be asking. What can we do to help get this done? Thank-you for all your hard work on this.



"Glass, Georgia"
<Georgia.Glass@nelnet.net>
02/06/2007 07:21 AM

To "council@lincoln.ne.gov" <council@lincoln.ne.gov>
cc "dtaute@lincoln.ne.gov" <dtaute@lincoln.ne.gov>,
"mayor@lincoln.ne.gov" <mayor@lincoln.ne.gov>,
"shubka@lincoln.ne.gov" <shubka@lincoln.ne.gov>
bcc

Subject: Early retirement option

Good Morning,

I was quite surprised to read in the morning paper (2/6/07) that you voted to delay your decision on offering an early retirement incentive to City employees.

Of all the complex, messy and emotionally charged decisions you are faced with each year this one should be your easiest decision to make, in my opinion.

Early retirement is such a win-win opportunity.

You have the 2002 City of Lincoln experience with early retirement incentives and Lancaster County's recent experience to help prove that this is, indeed, a cost saving measure. I know that the calculations of the budget office provide the data necessary to show the cost savings potential.

When I began my career in Human Resources 20 years ago I was afraid of employee turnover. Twenty years of experience has taught me to embrace turnover. 99% of the time it is a positive for the organization as well as for the individuals involved. Many of the City employees who would take advantage of this incentive will go on to have second careers and serve our community in new and equally productive ways.

With all due respect, in a year when the City is facing a multi-million dollar deficit, I think it would be fiscally irresponsible to NOT vote to accept this early retirement incentive.

Thank you for your time.

Georgia Glass

Georgia Glass, SPHR
Nelnet Human Resources
Lincoln, Nebraska
Office: 402.458.3008
Cell: 402.304.0337
Fax: 402.458.2278
georgia.glass@nelnet.net
www.nelnet.net



Paul Haith <phaith@alltel.net>

To council@lincoln.ne.gov

02/06/2007 08:15 AM

cc

bcc

Subject EMS Billing

Please see attached response to Mr. Mejer's memo to the City Council dated January 24, 2007 regarding the issue of the EMS Billing RFP.

Paul Haith
2010 S. 80th
Lincoln, NE 68506
489-0093



- Februray 1.draft 2.doc

February 1, 2007

LINCOLN CITY COUNCIL

CC: VINCE MEJER

CC: COLEEN SENG

I would not normally respond to notes such as the one sent to the City Council by Vince Mejer dated January 24, 2007, but I feel compelled to because this note was so “uncalled for and so off base.” The following responses correlate to Mr. Mejer’s memo.

1. Being part of the purchasing process the purchasing department must share in the mistrust and compromised ethical standards along with the fire department, Mayor, and others in city government that were involved in the botched purchase of fire trucks.
2. In response to number two of my question and Mr. Mejer’s response, I would encourage the Purchasing Department to think about what is best for the taxpayer since in-house billing would save thousands of dollars. Access to the coding and billing expertise unique to ambulance billing is not “rocket science”. Dozens of people in Nebraska do ambulance billing and those who are giving it up are not doing so because of coding, but because of the time involvement with keeping up with Medicare changes. If LFD is not keeping up with these changes they should not be providing the ambulance service.

A recent document put out by the Fire Department indicates that start up costs for in-house billing would be \$279,000 or approximately what one year of fees would be paid to a billing company. In an analysis of the amount indicated, most of the items are already in place, people, software, hardware etc, so that it would actually only cost about \$30,000 to \$40, 000 to start billing in-house. A savings of some \$200,000+ per year.

Local hospitals did not submit a proposal, but would it not be in the best interest of the City and the tax payers for the city to pursue other options rather than just write RFP’s and let contracts. Did anyone talk to the hospitals about the possibility of billing since it was suggested by an EMS task force put to try to get the EMS Enterprise systems financial house in order?

In regard to comments about not having a preference in evaluating proposals, I would encourage the City Council to pass a resolution to the effect that a bidding priority system be implemented that would give

Lincoln and State businesses some priority in being awarded bids. It only makes sense that tax money be kept in Lincoln and the State.

3. LFR's collection rate in FY03/04 of 80.58% was, I believe, one of the highest collection rates in all of the years that LFR has been running the ambulance service. An additional \$20,000 from auto accidents for that year would raise the collection rate by less than 1%. EMS Billing Services collection rate of 87% is for all of the years that they have been in the billing business. If EMS Billing Services collection rate would hold for Lincoln, that would mean approximately an additional \$200,000 per year would be collected by EMS Billing Services.

Regarding Lincoln's indigent population, I have lived in Lincoln for some 50 years now and was not aware that we have so many indigent residents. The RFP for billing indicates in the payer mix that 18% are self pay. Mr. Mejer is implying that all 18% are indigent which is not true. Also, I doubt if Mr. Mejer knows that towns of 10,000 population have a lesser amount of indigent people than Lincoln? EMS Billing services bills for several EMS services, in two states, that primarily serve Native American reservations. EMS Billing Services know about indigent EMS transports and EMS Billing Services does not use a collection agency for non-payers and they still have a collection rate over twice what LFD has.

One could draw from Mr. Mejer's comments that EMS Billing Services did not meet the criteria for selection because they do not contract with a city of Lincoln's size. Also he states that EMS Billing rates were 8% as opposed to companies that were interviewed had listed rates of 6.85% or lower. If billing rates and size of towns that billing companies served was the criteria for selection, why did the RFP have so many other requirements?

THE RATE THAT A COMPANY CHARGES IS NOT RELAVANT IF THEIR COLLECTION RATE IS SIGNIFICANTLY BETTER THAN OTHERS AND IF THE BOTTOM LINE IS MORE MONEY FOR THE CITY.

4. **Regarding three year contract:** I think that this is fair, but I reiterate, that the city should look at different means of providing the billing as recommended by citizen input.
5. **Regarding the review time frame:** Having reviewed many documents of a similar nature, I still think the time frame was too short to do an adequate review. Based on Mr. Mejer's responses, it would appear that the

committee focused on billing rates rather than on who could do the best job. It appears to have been done in a rush to meet some artificial time frame since it now a month later and no contract has been awarded.

6. **Regarding violating bid laws:** I apologize for making this statement without first hand knowledge that they might have been broken. I asked Mr. Mejer, at the pre-bid meeting, if there were specific criteria that would be used in evaluation of the proposals. We were informed that there were no specific criteria other than answering the questions in the proposal. If that were the case I would guess that all of the proposals answered the questions. So there must have been some specific criteria that was used to select the three to be interviewed.
7. **Regarding selection of AccuMed:** Since many of the items in the RFP correlated with Accumed's website, one could assume that they would be the one selected. I may stand corrected.

From my perspective, I believe that enough time has now been spent on this issue and that anything that I may say or do will not make a change in the outcome of what the city will do.

AS A TAXPAYER IN THE CITY OF LINCOLN, I DO EXPECT THAT ALL CITY EMPLOYEES, THE CITY COUNCIL, AND CITY ADMINISTRATION MAKE AN EFFORT TO LOOK AT HOW COSTS OF SERVICES CAN BE REDUCED. IN THIS CASE, IT MAY BE IN THE BEST INTEREST OF THE CITY TO PUT THE AMBULANCE SERVICE BACK INTO THE PRIVATE SECTOR. THE LFD SERVICE IS NOT BETTER, NOT FASTER, AND DEFINITELY NOT CHEAPER.

I again reiterate that I am not an employee of EMS Billing Services, Inc. but a very interested taxpayer that has some knowledge of EMS operations and billing.

PAUL HAITH



"shannon mcgovern"
<midwestminichoppers@hotmail.com>

02/06/2007 08:03 PM

To carolserv@hotmail.com,
russbayer@aol.comangi_guenther@hotmail.com,
mdekalb@lincoln.ne.gov, commish@lanaster.ne.gov,

cc

bcc

Subject Drag Strip Location

Hello, Listening to the mayoral candidates this morning some good points were brought to my attention. Keeping the drag strip close to Lincoln so the city as well as Lancaster county can benefit from it. Hotel, restaurant and tourism dollars. So I look at a map of Lincoln and surrounding areas. 27th street and I80 seems to have the most hotel accommodations for visitors. State fair, home football games ect. One thing that was mentioned was Hwy77 and I80 intersection. It is already established and will handle growth in that area. It also accommodates Omaha visitors and keeps the traffic to the east of Lincoln. They all sounded like taking advantage of the 4 lane Hwy and interstate 80 would be a good idea. For a Drag strip to be successful and bring in the greatest economic impact for our city, county and state. It has to be inviting to the NHRA and the sponsors. The NHRA has already stated they are very excited about having a track here and the Hwy77 location is ideal and what they need to succeed here. It is very important that the motor sports taskforce recognizes that the location is very important to NHRA they are the ones spending the money on national advertising to bring the events here. So please take a minute to look at a map. The location on Hwy77 between Branched oak and Davey roads is a prime location. I believe that taking advantage of this location will accommodate it nicely and bring the economic impact quickly.
Thank you for your time.



"Hersch, Alan"
<alan.hersch@aquila.com>
02/07/2007 07:29 AM

To "mayor@lincoln.ne.gov" <mayor@lincoln.ne.gov>,
"council@lincoln.ne.gov" <council@lincoln.ne.gov>
cc "Nordell, Don" <don.nordell@aquila.com>
bcc
Subject: Aquila announcement

Lincoln City Officials:

An announcement regarding Aquila ownership will be made today, and we want you to be aware of the news.

Attached is a news release that was issued at 7 AM today.

Some highlights of the transactions are:

- Aquila's natural gas utilities, including Nebraska, Colorado, Kansas and Iowa, will be acquired by Black Hills Corporation, a South Dakota-based energy company.
- We expect the transaction to close in approximately one year, after regulatory approvals.
- Aquila and its employees will remain focused on serving customers and communities with the same safe, reliable service customers have come to expect.

If you have questions about the transaction that require immediate attention, please call me at 437-1865 or Don Nordell at 437-1779. Don and I will try to call each of you later today. Thanks!

Alan Hersch

Don Nordell



- News Sale 02-07-07 final.doc

For Immediate Release

Great Plains Energy, Aquila, and Black Hills Corporation Announce Two Strategic Transactions

Great Plains Energy to Acquire Aquila's Missouri Properties for Cash and Stock, Forging Strong Regional Electric Utility

Black Hills Corporation to Acquire Aquila's Utility Properties in Colorado, Kansas, Nebraska and Iowa, Broadening Its Regional Presence and Retail Utility Base

Kansas City, Mo. and Rapid City, S. Dak.—February 7, 2007—Great Plains Energy Incorporated (NYSE: GXP) and Aquila, Inc. (NYSE: ILA), both of Kansas City, Missouri, and Black Hills Corporation (NYSE: BKH), of Rapid City, South Dakota, today announced that they have entered into definitive agreements for two separate transactions, under which:

- Great Plains Energy, the parent of Kansas City Power & Light (KCP&L), will acquire all the outstanding shares of Aquila and its Missouri-based electric utility assets for \$1.80 in cash plus 0.0856 of a share of Great Plains Energy common stock for each share of Aquila common stock in a transaction valued at approximately \$1.7 billion, or \$4.54 per share, based on Great Plains Energy's closing stock price on February 6, 2007. In addition, Great Plains Energy will assume approximately \$1 billion of Aquila's net debt. The combination will form a strong regional utility well-positioned to meet the growing energy needs of the greater Kansas City area.
- Immediately prior to Great Plains Energy's acquisition of Aquila, Black Hills will acquire from Aquila its electric utility in Colorado and its gas utilities in Colorado, Kansas, Nebraska and Iowa along with the associated liabilities for a total of \$940 million in cash, subject to closing adjustments, significantly broadening Black Hills' regional presence and retail utility base.
- Following closing, Great Plains Energy will be the parent of Aquila, which will continue to own its Missouri-based utilities and its Merchant Services operations, primarily consisting of the 340-megawatt Crossroads power generating facility and residual natural gas contracts. The proceeds from the asset sale to Black Hills will be used to fund the cash portion of the consideration to Aquila shareholders and to reduce existing Aquila debt.

-More-

- Upon consummation of the transactions, Aquila shareholders will own approximately 27 percent of Great Plains Energy common stock, which currently is paying an annual dividend of \$1.66 per share.

When completed, the two transactions will increase the size and scope of Great Plains Energy's and Black Hills' operations, and enhance their ability to serve customers and communities and to build value for their respective shareholders. After the transactions close, Great Plains Energy will have revenues of over \$3 billion and approximately 800,000 customers. The combined Black Hills/Aquila regulated utility and other operations will have a total of more than 750,000 retail and wholesale customers in 12 states.

Great Plains Energy expects to retain most of the employees working for the Aquila operations it is acquiring. This includes all unionized personnel, whose employment status will not be affected by the transaction. In forming a strong regional utility, however, Great Plains Energy does expect some position reductions, primarily where support service functions overlap. Black Hills expects to retain all of the employees working for the Aquila operations it is acquiring. There will be no change to Great Plains Energy's or Black Hills' respective senior management teams or Boards of Directors as a result of the two transactions. Great Plains Energy's CEO will lead the combined Great Plains Energy/Aquila operations and Black Hills' CEO will lead the combined Black Hills/Aquila operations.

The Great Plains Energy/Aquila Transaction

Under the terms of the Great Plains Energy/Aquila transaction, which was approved by the Boards of Directors of both companies, Great Plains Energy will acquire Aquila and its Missouri-based utilities, Missouri Public Service Company and St. Joseph Light & Power, expanding Great Plains Energy's utility service territory around the Kansas City metro area. The Aquila transaction will add about 300,000 electric utility customers to the existing base of about 500,000 customers. The combined generating capacity will consist of approximately 5,800 megawatts.

"For Great Plains Energy, this transaction will forge an exceptionally strong regional electric utility committed to improving the total living environment for customers and communities by providing low-cost, reliable, clean energy," said Michael J. Chesser, Chairman and Chief Executive Officer of Great Plains Energy. "Combining Aquila's many strengths with our own will result in superior customer service, enhanced reliability, and an even greater investment in environmental stewardship and energy efficiency. Moreover, our complementary service territories and generation portfolios provide the opportunity to realize significant synergies."

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Said Richard C. Green, Chairman, President and Chief Executive Officer of Aquila, “We have made tremendous progress since 2002 executing our repositioning strategies. Having improved our financial condition significantly, we believe this transaction provides the best overall, long-term value for Aquila shareholders by accelerating their return on investment. Following the combination, our utilities will have access to lower-cost capital to fund investments to meet customer growth projections, environmental upgrades and improvements to utility infrastructure. In addition, Aquila investors will receive a significant ownership stake in Great Plains Energy and resulting dividends. We look forward to working closely with Mike Chesser and members of the Great Plains Energy team to get the necessary approvals as quickly as possible.”

Chesser said, “Great Plains Energy’s highly collaborative corporate culture, combined with the strong regulatory and community relationships we have built, will help facilitate the timely completion of these transactions and, following completion, a smooth and seamless integration process. For now, all customers of Aquila will continue receiving customer service and billing information directly from Aquila. We, Aquila and Black Hills are committed to keeping our respective constituents—customers, community leaders, business partners and employees—fully informed of our progress in getting these important and exciting transactions completed.”

Great Plains Energy expects the transaction to deliver financial and operational benefits in several areas. Total pre-tax synergies are estimated to reach about \$500 million over a five-year period, with costs to achieve, including transaction costs, of approximately \$185 million.

Operational synergies over the same five-year period are expected to total about \$310 million. These synergies are expected to result from:

- Improved operational and scale efficiencies enabled by adjacent service areas;
- Reduction in overlapping positions and overhead expenses;
- Capturing the benefits of more efficient procurement;
- Integrating and enhancing information technology; and
- Investments in infrastructure and energy efficiency.

Following the transaction, Aquila's credit rating is anticipated to be investment grade. The improved credit rating is expected to lower interest costs on a substantial portion of existing high interest rate debt through rate step-down provisions while also lowering rates on new debt planned to help fund ongoing capital investments. Aquila interest rate savings are estimated to be about \$190 million over five years following the closing of the transactions.

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The transaction is expected to be modestly dilutive to Great Plains Energy earnings in 2008 with EPS accretion beginning in 2009.

Great Plains expects to fully utilize Aquila's substantial net operating loss tax benefits over the next several years following transaction close.

The Black Hills/Aquila Transaction

Under the terms of the Black Hills/Aquila asset purchase/sale agreement, which was approved by the Board of Directors of both companies, Black Hills will acquire one regulated electric utility owned by Aquila in Colorado (where Black Hills currently has various independent power generation, oil and gas, and other non-regulated operations) and Aquila's regulated gas utilities in Colorado, Kansas, Nebraska and Iowa.

The Black Hills transaction will add a total of about 616,000 new utility customers (93,000 electric customers and 523,000 gas customers) to the 137,000 utility customers (104,000 electric customers and 33,000 gas customers) Black Hills currently serves. Other assets included in the Black Hills transaction include a customer service center and centralized natural gas operation in Nebraska.

David R. Emery, Chairman, President, and Chief Executive Officer of Black Hills, said: "Our acquisition of these utility properties and related assets has great industrial logic for Black Hills strategically, operationally and financially. It will significantly enhance our existing footprint in Colorado, enabling us to serve retail utility customers and communities in that state and to do so on an efficient basis. It will also give us, for the first time, a significant presence in the three neighboring states of Kansas, Nebraska and Iowa, where retail utility customers will also benefit from our commitment to superior customer service, reliability and efficiency.

"Black Hills' shareholders should benefit from the transaction as we build a solid foundation for future growth in earnings per share and increased shareholder value. We expect the transaction to provide positive cash flow immediately. We also expect that, after some earnings dilution in the first post-completion year related to transition costs, the transaction will be earnings accretive beginning in the second full post-completion year. Black Hills employees, including those who will be joining us from Aquila, will have additional opportunities for personal and professional growth as we combine our respective, highly complementary utility and other operations. In short, we believe this transaction will produce significant long-term benefits for everyone concerned—investors, customers, communities and employees," Emery said.

Black Hills' has entered into a binding agreement with a group of lenders including ABN Amro Bank as administrative agent for a committed acquisition credit facility to finance the Black Hills/Aquila transaction. Reflecting its prudent and conservative financial philosophy, Black Hills expects the permanent financing that will replace this bridge facility to be a combination of new equity, mandatory convertible securities, unsecured debt at the holding company level and internally generated cash resources. The contemplated permanent financing is expected to be deemed investment grade by credit rating agencies. Some portion of the transaction financing may be obtained through a public offering or private placement prior to closing.

Process and Next Steps

Great Plains Energy's acquisition of Aquila is subject to the approval of both Great Plains Energy and Aquila shareholders; regulatory approvals from the Missouri Public Service Commission, the Kansas Corporation Commission, and the Federal Energy Regulatory Commission; Hart-Scott-Rodino antitrust review; as well as other customary conditions.

Black Hills' purchase of the Aquila assets is subject to regulatory approvals from the Missouri Public Service Commission, the Kansas Corporation Commission, the Colorado Public Utilities Commission, the Nebraska Public Service Commission, the Iowa Utilities Board, and the Federal Energy Regulatory Commission; Hart-Scott-Rodino antitrust review; as well as other customary conditions.

In addition, each of the two transactions is conditioned on the completion of the other transaction. Both are expected to close in about a year.

Advisors

Credit Suisse Securities (USA), LLC and Sagent Advisors, Inc. served as financial advisors and Skadden, Arps, Slate, Meagher & Flom LLP served as legal advisor to Great Plains Energy with regard to the Great Plains Energy/Aquila transaction. Credit Suisse Securities (USA), LLC also served as financial advisor and Morgan Lewis & Bockius LLP served as legal advisor to Black Hills Corporation with regard to the Black Hills/Aquila transaction. The Blackstone Group L.P. and Lehman Brothers, Inc. served as financial advisors to Aquila management and Evercore Group, Inc. served as financial advisor to the Aquila Board of Directors. Fried, Frank, Harris, Shriver & Jacobson LLP served as legal advisor to Aquila with regard to both transactions.

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Analyst Conference Call/Webcast

Great Plains Energy, Aquila and Black Hills will host a financial community conference call on Wednesday, February 7, 2007 at 9:30 a.m. Eastern Time/8:30 a.m. Central Time to discuss the Great Plains Energy/Aquila and the Black Hills Corporation/Aquila transactions. For complete instructions on how to actively participate in the conference call, or to listen to the live audio webcast or a replay of the webcast, please refer to the Investor Relations sections at www.greatplainsenergy.com, www.aquila.com or www.blackhillscorporation.com.

Black Hills also will host a financial community conference call to discuss the Black Hills/Aquila transaction in greater detail on Thursday, February 8, 2007 at 10:00 a.m. Eastern Time/9:00 a.m. Central Time/8:00 a.m. Mountain Time. The dial-in number for the Black Hills call is 1-866-206-5917. For complete instructions on how to actively participate in the Black Hills conference call, or to listen to the live audio webcast or a replay of the webcast, please visit the Investor Relations section at www.blackhillscorporation.com.

Press Conference

Following the Analyst Conference Call/Webcast, the CEOs of Great Plains Energy, Aquila, and Black Hills will host a joint press conference at 11:00 a.m. Eastern Time/10:00 a.m. Central Time. The press conference will take place at Great Plains Energy's headquarters in the board room on the 21st floor at 1201 Walnut Street, Kansas City, Mo. The dial-in number for those unable to attend in person is 1-888-688-7428; passcode is 5291776#. The press conference will not be webcast.

About Great Plains Energy

Great Plains Energy, headquartered in Kansas City, Mo., is the holding company for KCP&L, a leading regulated provider of electricity in the Midwest, and Strategic Energy, LLC, a competitive electricity supplier. The company's website is www.greatplainsenergy.com.

About Aquila

Based in Kansas City, Mo., Aquila owns electric power generation and operates electric and natural gas transmission and distribution networks serving nearly 1 million customers in Colorado, Iowa, Kansas, Missouri and Nebraska. More information on Aquila is available at www.aquila.com.

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About Black Hills Corporation

Black Hills is a diversified energy company. Its retail businesses are Black Hills Power, an electric utility serving western South Dakota, northeastern Wyoming and southeastern Montana; and Cheyenne Light, Fuel & Power, an electric and gas distribution utility serving the Cheyenne, Wyoming vicinity. Black Hills Energy, the wholesale energy business unit, generates electricity, produces natural gas, oil and coal, and markets energy. The company's website is www.blackhillscorp.com.

Great Plains Energy Contacts:

Investors: Todd Allen, manager of investor relations, 816-556-2083,
todd.allen@kcpl.com;

Media: Matt Tidwell, director of corporate communications, 816-556-2069,
matt.tidwell@kcpl.com

Black Hills Corporation Contacts:

Investors: Dale Jahr, director of investor relations, 605-721-2326, djahr@bh-corp.com

Media: Roy Winnick, Kekst and Company for Black Hills, 212-521-4842,
roy-winnick@kekst.com

Aquila Contacts:

Investors: Neala Hackett, director investor relations, 816-467-3562,
neala.hackett@aquila.com;

Media: Al Butkus, vice president media relations, 816-467-3616,
al.butkus@aquila.com

Information Concerning Forward-Looking Statements

Statements made in this document that are not based on historical facts are forward-looking, may involve risks and uncertainties, and are intended to be as of the date when made. In connection with the safe harbor provisions of the Private Securities Litigation Reform Act of 1995, Great Plains Energy, Aquila and Black Hills Corporation are providing a number of important factors, risks and uncertainties that could cause actual results to differ materially for the provided forward-looking information. These include: obtaining shareholder approvals required for the transactions; the timing of, and the conditions imposed by, regulatory approvals required for the transactions; satisfying the conditions to the closing of the transactions; Great Plains Energy and Black Hills Corporation successfully integrating the acquired Aquila businesses into their respective operations, avoiding problems which may result in either company not operating as effectively and efficiently as expected; the timing and amount of cost-cutting synergies; unexpected costs or unexpected liabilities, or the effects of purchase accounting may be different from the companies' expectations; the actual resulting credit ratings of the companies or their respective subsidiaries; the effects on the businesses of the companies resulting from uncertainty surrounding the transactions; the effect of future regulatory or legislative actions on the companies; and other economic, business, and/or competitive factors. Additional factors that may affect the future results of Great Plains Energy, Aquila and Black Hills Corporation are set forth in their most recent quarterly report on Form 10-Q or annual report on Form 10-K with the Securities and Exchange Commission ("SEC"), which are

-More-

available at www.greatplainsenergy.com, www.aquila.com and www.blackhillscorporation.com, respectively. Great Plains Energy, Black Hills Corporation and Aquila undertake no obligation to publicly update or revise any forward-looking statements, whether as a result of new information, future events or otherwise.

Additional Information and Where to Find It

In connection with the acquisition of Aquila by Great Plains Energy, Great Plains Energy intends to file with the SEC a registration statement on Form S-4, containing a joint proxy statement/prospectus and other relevant materials. The final joint proxy statement/prospectus will be mailed to the stockholders of Great Plains Energy and Aquila. INVESTORS AND SECURITY HOLDERS OF GREAT PLAINS ENERGY AND AQUILA ARE URGED TO READ THE JOINT PROXY STATEMENT/PROSPECTUS AND THE OTHER RELEVANT MATERIALS WHEN THEY BECOME AVAILABLE BECAUSE THEY WILL CONTAIN IMPORTANT INFORMATION ABOUT GREAT PLAINS ENERGY, AQUILA AND THE ACQUISITION. The registration statement and joint proxy statement/prospectus and other relevant materials (when they become available), and any other documents filed by Great Plains Energy or Aquila with the SEC, may be obtained free of charge at the SEC's website at www.sec.gov. In addition, investors and security holders may obtain free copies of the documents (when they are available) filed with the SEC by Great Plains Energy by directing a request to: Great Plains Energy, 1201 Walnut, Kansas City, MO, 64106, Attn: Investor Relations. Investors and security holders may obtain free copies of the documents filed with the SEC by Aquila by contacting Aquila, 20 West Ninth Street, Kansas City, Mo, 64105, Attn: Investor Relations.

Participants in Proxy Solicitation

Great Plains Energy, Aquila and their respective executive officers and directors may be deemed to be participants in the solicitation of proxies relating to the proposed transaction. Information about the executive officers and directors of Great Plains Energy and their ownership of Great Plains Energy common stock is set forth in Great Plains Energy's Annual Report on Form 10-K for the year ended December 31, 2005, which was filed with the SEC on March 8, 2006, and the proxy statement for Great Plains Energy's 2006 Annual Meeting of Stockholders, which was filed with the SEC on March 20, 2006. Information regarding Aquila's directors and executive officers and their ownership of Aquila common stock is set forth in Aquila's Annual Report on Form 10-K for the year ended December 31, 2005, which was filed with the SEC on March 7, 2006, and the proxy statement for Aquila's 2006 Annual Meeting of Stockholders, which was filed with the SEC on March 24, 2006. Investors and security holders may obtain more detailed information regarding the direct and indirect interests of Great Plains Energy, Aquila and their respective executive officers and directors in the proposed transaction by reading the joint proxy statement/prospectus regarding the proposed transaction when it becomes available.

###



<tdelozier@pol.net>
02/07/2007 09:36 AM

To <council@ci.lincoln.ne.us>
cc
bcc
Subject: LES surcharge - NO!

To all members of the City Council,

I am definitely opposed to this 5.5% surcharge that LES would like to impose on residential customers. Tell LES to stop giving their top administrators salary raises (I believe the CEO was given a raise recently) and to use this money for the ice storm reconstruction. I have noticed that LES rate hikes or "temporary" surcharges are becoming quite common with this company; in the meantime, LES is not hesitant in giving their top people salary increases on an annual basis. Come on, City Council, put your foot down.

Jodi Delozier
South Lincoln



WebForm
<none@lincoln.ne.gov>
02/07/2007 12:09 PM

To General Council <council@lincoln.ne.gov>
cc
bcc
Subject InterLinc: Council Feedback

InterLinc: City Council Feedback for
General Council

Name: Will Kerns
Address: 2409 Sewell Street
City: Lincoln, NE 68502

Phone: 402-416-4219
Fax:
Email: will_k@cornhusker.net

Comment or Question:
Council men and women of Lincoln,

I was wondering what steps are being taken in regards to Time Warner's software beta testing being done to the subscribers of Lincoln. Time Warner's upgrade to their existing software on their cable boxes was a mandatory upgrade so they can beta test the software. I did not sign up nor am I receiving a discounted pricing plan to be participating. I don't think that we put in place beta testing clauses in our latest contracts. If this is what we have to deal with, it well worth our time in getting another cable company into town. I'm certain the only reason we are being subjected to this test is because we don't have another cable system in town to compete with them. I know my options are limited here, but we as Lincoln citizens need to address this with TIME Warner asap.

Will



"Gary Varley"
<gary@landconstruction.com
>

02/07/2007 02:22 PM

To <mayor@lincoln.ne.gov>

cc <council@lincoln.ne.gov>

bcc

Subject Bid openings

Dear Mayor Seng,

Having worked in the construction industry all my professional life (approximately 27 years) I have been directly involved in the public bid process for a long time. It has always concerned me as to why the City of Lincoln Purchasing Department is so unprofessional when it comes to reading bids. I have bid work all over the state of Nebraska and neighboring states as well. Typically, whether its a small village or town or if its a large corporation, the person reading the bids briefly reviews the bid bond, announces the receipt of the bid bond (or cashier's check, if applicable) and announces if the bidder has acknowledged any addenda. But for some reason the City of Lincoln's Purchasing Department reviews this information (bonds and addenda) behind closed doors some time after the opening. All of this information should be public knowledge and should be part of the opening process. In fact, if there is a problem with either the bond or addenda elsewhere, in most instances the bid isn't even read. I hope someone will take time to look at this matter. I've read where we are trying to "clean up" some the things down there at City Hall and it just makes sense to me that we could be a little more professional when it comes to reading bids aloud. Thank you for your time.

Gary T. Varley, Land Construction, Inc. 402-610-0515



WebForm
<none@lincoln.ne.gov>
02/08/2007 12:07 PM

To General Council <council@lincoln.ne.gov>
cc
bcc
Subject InterLinc: Council Feedback

InterLinc: City Council Feedback for
General Council

Name: George Buckner
Address: 3468 Neerpark Drive
City: Lincoln, NE 68506

Phone: 402-430-4228
Fax:
Email: george.buckner.hjyt@statefarm.com

Comment or Question:

I wish to express my concerns with the request by LES to have a surcharge added onto my regular bill from March 1st 2007 through December 31st 2007 to pay for repairs for the damage from the ice storm. I would be in support of this IF we would not hear, at the end the fiscal year, how the upper management of LES were to receive HUGE financial bonuses added to their salaries, as has happened each year.

If the council is to consider this request, there should be a clause that states that no bonuses would be allowed in this year due to the budget restraints caused by the repair cost, and those monies be used to offset part of the surcharge request. If I were to have a personal crises, I am not allowed to pass along a surcharge to my customers and still enjoy a large bonus paid by those same customers.

Thank you for your consideration.

George Buckner
3468 Neerpark Drive
Lincoln NE 68506

**ADDENDUM
TO
DIRECTORS' AGENDA
MONDAY, FEBRUARY 12, 2007**

I. MAYOR -

1. NEWS ADVISORY - RE: Mayor Seng's Public Schedule Week of February 10 through February 16, 2007 - Schedule subject to change.
2. City of Lincoln Snow/Traffic Condition Report-Friday, 02/09/07-5:00 a.m.
3. NEWS ADVISORY - RE: Members of the media are invited to cover all the Abraham Lincoln Birthday Celebration events.

II. CITY CLERK - NONE

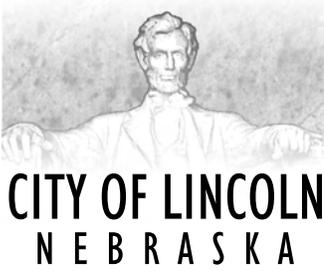
III. CORRESPONDENCE

A. COUNCIL REQUESTS/CORRESPONDENCE - NONE

B. DIRECTORS AND DEPARTMENT HEADS - NONE

C. MISCELLANEOUS -

1. E-Mail from Lt. Col. Joseph W. Johnson, Jr., USAF Retired - RE: Old Fire Trucks.
2. E-Mail from Kathy - RE: Lincoln Fire Trucks set out.
3. E-Mail from David Oenbring - RE: Fire Trucks.



NEWS ADVISORY

MAYOR COLEEN J. SENG

lincoln.ne.gov

Date: February 9, 2007

Contact: Diane Gonzolas, Citizen Information Center, 441-7831

Mayor Seng's Public Schedule **Week of February 10 through 16, 2007** *Schedule subject to change*

Saturday, February 10

- Linh Quang Buddhist Center Lunar New Year, remarks - 10:30 a.m., Welfare Society Hall, 1430 North 10th Street

Sunday, February 11

- Abraham Lincoln Birthday Celebration; remarks, proclamation and Key to the City - 2 p.m., Southwest High School, 7001 South 14th Street
- University Place Community Organization annual meeting, remarks - 3 p.m., Police sub-station, 49th and Huntington
- City Gospel Choir concert - 4 p.m., First United Methodist Church, 50th and St. Paul streets

Monday, February 12

- League of Nebraska Municipalities meeting, remarks - 11:45 a.m., Cornhusker Marriott, 333 South 13th Street
- Mayor's Award of Excellence presentation- 1:30 p.m., City Council Chambers, County-City Building, 555 South 10th Street

Tuesday, February 13

- County Commissioners meeting, Volunteer of the Month presentation - 9:30 a.m., Room 113, County-City Building, 555 South 10th Street
- League of Nebraska Municipalities Senator Appreciation lunch - noon, Cornhusker Marriott, 333 South 13th Street
- Mayor's Multicultural Advisory Committee meeting- 3:30 p.m., Mayor's Conference Room, 555 South 10th Street

Wednesday, February 14

- Rotary Annual Salute to Lincoln's Outstanding Firefighter - 11:30 a.m., Valentino's Restaurant, 70th and Van Dorn

Thursday, February 15

- West Gate Bank grand opening, remarks - 4955 "O" Street
- Asian Center Tet Celebration, remarks - 9:30 a.m., 2615 "O" Street
- United Way "Women in Philanthropy" lunch - noon, Country Club of Lincoln, 3200 South 24th Street
- Big 12 Black Student Government Conference, remarks - 7 p.m., Pershing Center, 226 Centennial Mall South

Friday, February 16

- 2007 Nebraska Leadership Prayer Breakfast - 7 a.m., Cornhusker Marriott, 333 South 13th Street



DNorris@ci.lincoln.ne.us
02/09/2007 05:06 AM

To CIC_Snow_Notification%NOTES@ci.lincoln.ne.us
cc
bcc
Subject snow

CITY OF LINCOLN
SNOW/TRAFFIC CONDITION REPORT

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

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

Date: Friday, February 9, 2007
Time: 5 a.m.

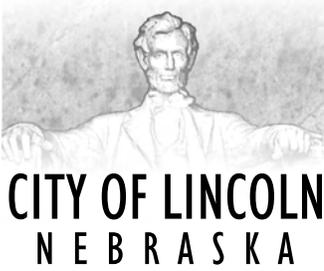
As about one inch of new snow accumulated this morning, City street crews began material spreading operations on bridges, overpasses and intersections at about 3:30 a.m. A full-scale material spreading operation began at about 4 a.m. on bus routes, snow emergency routes and major arterials. Parking bans are not in effect.

Lincoln Police Department reports no significant increase in the number of accidents due to road conditions with two reported since midnight. Drivers are advised to allow plenty of following distance and to be especially careful at intersections during the morning commute. StarTran reports that all buses are expected to be running on time.

Please stay informed on the status of snow operations in Lincoln. Additional information is available on the City Web site at lincoln.ne.gov and on pages 49 and 50 in the blue pages of your Windstream phone directory. If you have questions, you may call the Public Works Snow Center at 441-7644.

-30-

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NEWS ADVISORY

MAYOR COLEEN J. SENG

lincoln.ne.gov

OFFICE OF THE MAYOR

555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

FOR IMMEDIATE RELEASE: February 9, 2007

FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, cell 525-1520

Members of the media are invited to cover all the **Abraham Lincoln Birthday Celebration** events from **noon to 5:30 p.m. Sunday, February 11 at Southwest High School, 7001 South 14th Street.** The schedule is listed below, and more information is available on the City Web site at lincoln.ne.gov.

The information desk will be just inside the south entrance to the school. I will be available on my cell phone most of the day and can help arrange interviews with the performers.

SCHEDULE

Noon to 5:30 p.m. - Children's games, toys, and activities; historical exhibits; souvenirs for sale; free refreshments

Noon to 2 p.m. - Dancing with the Smith Family Band and the Roundhouse Band

1:30 p.m. - "Letters from the Battlefield" with Dr. Spencer Davis, Professor of History at Peru State College, and Dr. Wayne Reynolds, Pastor of Grace United Methodist Church

2 p.m. - Birthday Ceremony with Mayor's proclamation, sponsors' remarks, impersonators awards

2:15 p.m. - Sing-along with Chris Sayre

2:30 p.m. - "VISITING THE LINCOLNS" with Michael Krebs and Debra Ann Miller

3:30 p.m. - Traditional Music with Chris Sayre

IMPERSONATORS CONTEST - Contestants may register at the information desk from noon to 1:30 p.m. They will be judged at 1:30 p.m. in two categories: youth (age 16 and under) and adult. Awards will be presented during the 2 p.m. Birthday Ceremony.



"Joe Johnson, Jr."
<jwjjr@inebraska.com>
02/08/2007 06:41 PM

To "City Council" <council@ci.lincoln.ne.us>
cc "Deena Winter" <DWinter@journalstar.com>
bcc
Subject Old Fire Trucks

Members of the City Council:

I am getting reports (and pictures) of five old city fire trucks being parked in the open, apparently to end their days as rust. What is going on with these vehicles?

All vehicles, especially those that until a few months ago were in service, have value. In the Air Force, out-dated aircraft are sent to Arizona where they are protected from the elements and parts from those aircraft are "cannibalized" to provide spare parts for like aircraft still in service. Cannibalized parts are invaluable resources, preventing the necessity of reopening production lines and the purchase, at great expense, of newly manufactured parts.

These vehicles DO have salvage value and should be protected resources. For example, tires for these vehicles are very expensive. If properly protected, those tires can be recycled for use either here or by some other fire department in Nebraska or anywhere! Doors, ladders, pumps, engines, radios, suspension systems and other items can all be cannibalized and reused (even parts that need some repair or refurbishment can be recycled!).

I simply don't understand why expensive equipment recently retired from service would simply be parked in the open and left to the elements. Nebraska's weather is not kind to this type of equipment given our extremes of cold, heat and humidity! Please look into this matter and do what you can to have the trucks protected until they can be sold or salvaged! Thank you!

Lt Col Joseph W. Johnson, Jr., USAF Retired
2800 Woods Boulevard, No. 908
Lincoln, NE 68502-5844
402-560-1202



"Kathy"
<kat21@inebraska.com>
02/08/2007 09:14 PM

To <council@lincoln.ne.gov>
cc "Dee Cummins" <djcummins@alltel.net>
bcc
Subject FW: Lincoln Fire Trucks set out to die!

I would like to know why these fire trucks are just sitting, too. I agree. Surely some small communities would love to have these.

-----Original Message-----

From: Dee Cummins [mailto:djcummins@alltel.net]
Sent: Thursday, February 08, 2007 6:15 PM
To: Undisclosed-Recipient;;
Cc: RogerYant@aol.com
Subject: Lincoln Fire Trucks set out to die!
Importance: High

Enclosed is an e-mail to the LJS about the unused Firetrucks. Roger received a call from a LFD mechanic saying that they have not been drained and will be damaged. I would appreciate all of you to forward this on to your City Council person and ask them what the deal is. We spent good money for firetrucks and they are sitting rotting. We contacted the paper and they just blew us off.

This is your tax money that is being wasted...do something about it. I am attaching the link to city council. If you want to cc me that would be fabulous! Thanks for doing this and for voicing your opinions. Our elected officials think they can just spend our money willy nilly! It has to stop!

<http://www.lincoln.ne.gov/city/council/index.htm>

Deena, it's hard for me to believe that they were worthless. Were not we using them up to the date the new ones arrived? Someone, someplace in this country, would have loved to have them for their small town or community. This is just another example of waste in the city and fire department. I believe there should be an investigation into this whole thing. Keep up the great work Deena. I'm a fan of your stories. Roger Yant

-----Original Message-----

From: DWinter@journalstar.com
To: rogeryant@aol.com
Sent: Wed, 7 Feb 2007 10:37 AM
Subject: RE: Fire Trucks

From what I understand, the city felt they were worthless and too junked out to be traded; although at one point EDM was going to take them on trade, but I'd bet that all fell to pieces...

-----Original Message-----

From: rogeryant@aol.com [mailto:rogeryant@aol.com]
Sent: Wednesday, February 07, 2007 10:34 AM
To: DeenaWinter; cm@liba.org; coby@liba.org; jbaylor@digitalims.com
Subject: Fire Trucks

Deena, Coby and John.

I found out two days ago that the fire department has five of our old fire trucks sitting outside down on 1st and South St. The person who called me (a mechanic) wanted to know why they are sitting out in the open rusting, deteriorating. If they had not properly drained, the pumps and pipes this could cause them to burst and blow out, making these five trucks worthless. Why did the city not try and sell them, thus recouping some of the cost of the new ones. There are plenty of small communities that would have paid good money for them. Also, how come there are only five? Is that because the other two are not here yet from EDM? I would like you to look into this and let me know what you find out. Don't just take the word of someone in the fire department. I think it is part and parcel to what is wrong in the fire department and the city. I have been there to see them myself. Thanks for what you three do in Lincoln, you are all a big asset to this fine city. Roger Yant 580-1402



- Fire_Trucks_#3__2-08-07.jpg



Dave O <daoco@yahoo.com>

02/09/2007 08:50 AM

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

cc

bcc

Subject: Fire Trucks

Dear Members of the Council,

I have just learned through a source I believe to be accurate that the fire trucks retired from the department after receipt of the new trucks have been left to decay out doors in a city lot. This source further states that the pumps were not drained and the trucks are likely damaged beyond use. This is unbelievable to me. One debacle after another dogs the city and the fire department. Extravagant expenditures, no bid recruitment contracts, botched fire truck bids, money loosing ambulance service, overpaid employees, lavish pensions, failed re-development schemes, loss of major employers. When is the embarrassment and bad new going to end?

I can't believe that some small town fire department wouldn't have welcomed these trucks. At the very least they would have sold for salvage of their parts and pumps. Every year the city reaches deeper into our pockets and every year we are rewarded with some new waste of our tax dollars.

David Oenbring
2630 S 13th
Lincoln, NE 68502
402-525-0204

faber est quisque fortunae suae