I. MAYOR
*1. NEWS RELEASE. Mayor Presents January Award of Excellence to Bus Operator Clifton Carpenter.
*2. (a) City of Lincoln Snow/Traffic Conditions Report for Tuesday, February 13, 2007, 4:30 a.m.
   (b) City of Lincoln Snow/Traffic Conditions Report for Tuesday, February 13, 2007, 10:00 a.m.
4. NEWS ADVISORY. Mayor Seng’s Schedule for Week of February 17-23, 2007.
5. NEWS ADVISORY. Report shows Jump in Discrimination Complaints.
6. NEWS ADVISORY. Mayor Seng and Public Works and Utilities Officials News Conference on Update of Repairing Water Main Breaks and Potholes. Thursday, February 22, 2007, 10:00 am at the County-City Building in the Mayor’s Conference Room.
7. NEWS RELEASE. Residents Asked to Report Potholes.
8. NEWS RELEASE. Weather Conditions Have Caused Large Increase in Water Main Breaks.

II. DIRECTORS
FINANCE

PLANNING
*2. Residential Land Inventory and Single Family Lots As of January 1, 2007 from Marvin Krout, Planning Director.

PLANNING COMMISSION FINAL ACTION
1. Special Permit No. 07002. (Rock Crusher-Recycling Plant: 3rd and Q Streets) Resolution No. PC-01037.
PUBLIC WORKS AND UTILITIES
1. Memo from Steve Masters regarding Discharge of Sump Pump/Foundation Drains.
2. Memo from David Cary, Transportation Planner regarding 14th Street Bike Lane.
3. Thanks and Appreciation Memo from Karl Fredrickson, Public Works/Utilities Director, to Margaret Blatchford, Law Department, for Dedication, Time, and Expertise on City Projects.
4. ADVISORY. 11th and “O” Pedestrian Signal Modifications.
5. ADVISORY. Special Public Meeting of the Railroad Transportation Safety District on Tuesday, February 20, 2007.
6. Memo from Steven Masters to Patte Newman Regarding Water District on North 63rd Street.

III. CITY CLERK

IV. COUNCIL REQUESTS/CORRESPONDENCE

ROBIN ESCHLIMAN
1. Request to Karl Fredrickson, Public Works & Utilities Director - RE: Retirement Buyout Information (Eschliman RFI#6 - 02/01/07)

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)

PATTE NEWMAN
1. Copy of Letter to Gary Hendrix from Street Maintenance Operations Regarding Concerns on Sidewalks, Driveways, Curb, and Gutter Street Repairs.

V. MISCELLANEOUS
1. Email from Shannon McGovern giving Web Address of IHRA Motorsports.
2. Email from Shannon McGovern giving the Official Website of the National Muscle Car Association.
3. Email from Randy Haas giving Support for Amendment to West “O” Redevelopment Plan.
4. Email from Joel Ludwig listing questions and comments for the City Council, County Board, and Lincoln Chamber of Commerce.


*7. Letter from H. Eugene Cook re: Problem with having cancelled checks returned when payments made to Lincoln Electric System and the Lincoln Water and Wastewater System. (Distributed to Council Members on 02/14/07)

*8. Email from Joyce Fisher questioning the Aquila seven dollar surcharge, possibly not legal and unethical.

*9. Letter to Police Chief Casady from The New Americans Task Force on work done by liaison with new Americans. (Delivered to Council Members on February 15, 2007)

MISCELLANEOUS RECEIVED WEEK OF 02/19/07
1. Email to Nancy Hicks, Lincoln Journal-Star from Fred marks with Opinions on Drinking by Representatives.
2. Email from Jodi Johnson stating Aquila Rate Increase Ridiculous and Unrealistic.
3. Email from Joel Ludwig, Current Responsible Service versus Political Ambition of County Commissioners.
4. Email from Shannon McGovern Regarding the Journal Star on Drag Racing Track.
5. Email from Shannon McGovern Regarding Motorsports Demand.
7. Letter from the Lower Platte South Natural Resources District: Maps and Amendment to City Zoning Ordinance Regarding Salt Creek Flood Storage Areas. (Distributed to Council Members on 07/21/07)
8. Email from Velana Tegley. Thanks for Looking into Time Warner Cable, Trying to Make them Responsible.
11. Email from Cortney Neemann. Almost to point of canceling service with Time Warner.
13. Email from Gerald and Peggy Gulland. Overall Performance of Time Warner Navigator Poor, Inferior to the Old System.
14. Letter from Jerry R. Irwin to John McQuinn, City Prosecutor, Requesting Verification of Lincoln Smoking Regulation Act Provision of which His Business is in Violation. (Delivered to Council Members on 02/22/07)
15. Email from Carrie Petr. Thank You for Investigating Problems with Time Warner Cable’s Service Changes.
17. Email from Matt Turman. Time Warner Acted in Their Own Best Interest With Upgrade at Expense of Customers.
18. Email from Shawn Salrin. Unacceptable for Time Warner to have a Monopoly on Cable Television Service for Lincoln.
21. Email from Travis Reinsch. Time Warner Service Has Been Horrendous Since Upgrade.
22. Email from Dan Showalter Listing Problems Associated with Time Warner DVR.
25. Email from Greg Gifford. Hold Time Warner Cable Accountable.
26. Email from Linda Stoehr. Thank you Councilman Cook. Will Time Warner Discuss Any Form of Compensation?
28. Email from Bruce Focken. So Upset with Time Warner’s New System and Feel Like a Experimental Ginny Pig, Paying $1800 a Year.
29. Email from Jim Metschke. Nine Issues Listed on Time Warner Cable, Should have Additional Cable Service Operation Other Than This Monopoly. Thank You for Looking Into These Issues.
30. Email from Kevin Carter. Complaint Against Time Warner.
31. Email from Jason Agee. Time Warner Cable’s Unsatisfactory Service.

VI. ADJOURNMENT

* Held Over from February 19, 2006.
Date: February 16, 2007
Contact: Diane Gonzolas, Citizen Information Center, 441-7831

Mayor Seng’s Public Schedule
Week of February 17 through 23, 2007
Schedule subject to change

Sunday, February 18
• ARC of Lincoln “Dash for Disabilities,” remarks and proclamation - 12:45 p.m., Knight Field House, Nebraska Wesleyan University, 53rd and Huntington streets

Tuesday, February 20
• KFOR - 12:30 p.m., 3800 Cornhusker Highway

Wednesday, February 21
• Ribbon-cutting for new Entrepreneur Center at Southeast Community College - 4 p.m., 285 South 68th Street Place

Thursday, February 22
• Lincoln Fire and Rescue Badge Pinning, remarks - 6 p.m., Firefighter’s Reception Hall, 241 Victory Lane
REPORT SHOWS JUMP IN DISCRIMINATION COMPLAINTS

The number of housing discrimination complaints received by the Lincoln Commission on Human Rights (LCHR) in 2006 more than doubled the number received in 2005, increasing from 13 to 32. That’s according to the LCHR annual report, which also shows the number of employment discrimination complaints increasing 53 percent from 47 to 72.

LCHR Director Larry Williams attributes the increases to the educational and training outreach programs completed by staff. “It’s hard to determine whether discrimination is occurring more often in our community, but I do believe more people are aware of fair housing laws and the role of LCHR,” said Williams.

LCHR conducted 88 educational outreach and training sessions in 2006, reaching more than 3,600 people. The agency also meets with Lincoln High Schools career education classes twice a year to discuss the rights and responsibilities of employees and employers. “We will continue to focus on educational outreach because in order for discrimination to end, all must be aware of their rights and responsibilities under the law.”

LCHR received 112 total discrimination complaints in 2006, compared to 65 in 2005. In addition to housing and employment complaints, eight public accommodation complaints were filed, compared to five in the previous year. The agency was able to obtain more than $20,000 in monetary settlements for clients in 2006.

In 2006, LCHR received federal grants totaling $142,607, about 45 percent of LCHR’s total budget. LCHR received $171,285 in City general fund dollars in fiscal year 2005-2006, about .16 percent of the City’s total general fund budget. “With minimal resources, LCHR serves as the primary law enforcement agency for both federal and local anti-discrimination laws,” said Williams. “A local commission with local people reviewing local concerns is the best way to combat discrimination and protect all citizens.”

LCHR conducts a Fair Housing Conference and an Employment Symposium each year. This year’s Fair Housing Conference is set for April 31 and May 1, and the Employment Symposium is set for October 12. More information on LCHR, including the 2006 annual report and registration for the Fair Housing Conference, can be found on the City Web site at lincoln.ne.gov (keyword: rights). To schedule an educational program, call the agency at 441-7624.
Mayor Coleen J. Seng and Public Works and Utilities officials will give an update on repairing water main breaks and potholes at a news conference at **10 a.m. Thursday, February 22** in the Mayor’s Conference Room, 2nd floor, County-City Building, 555 S. 10th St.
Mayor Coleen J. Seng and the City Public Works and Utilities Department said “pothole season” is under way and are encouraging citizens to report potholes that need to be repaired. Potholes are created when water seeps into cracks in the pavement, freezes and expands.

“We are having a wet and cold winter so far, and that means there are more potholes to repair,” said Mayor Seng. “City street crews have been working diligently to repair potholes between the snowstorms. We all want to keep our streets in good condition, so we appreciate the help of the public in letting us know where repairs are needed.”

Citizens can report potholes and other street problems in three ways:

- Call the Pothole Hotline at 441-7646.
- Use the online, interactive “ACTION” (Acting with Citizens to Improve our Neighborhoods) system available on the City Web site. The system is available at lincoln.ne.gov (click on “City Service Requests” on the home page or use the keyword ACTION). This form also may be used to report stormwater, snow and ice problems.
- For emergency street problems that need immediate attention, call 441-7701.

The City repairs potholes year round, but this is the busiest time of the year for pothole repair. Since January 1, street crews have repaired about 3,000 potholes, including more than 800 since Tuesday morning. Typically, Public Works repairs between 12,000 and 15,000 potholes every year, using between 600 and 700 tons of patching material.

Motorists are asked to be aware that re-freezing at night can create icy street conditions. Drivers also are encouraged to be especially careful as they drive around crews making street repairs.
WEATHER CONDITIONS HAVE CAUSED LARGE INCREASE IN WATER MAIN BREAKS

Last summer’s dry weather and this winter’s deeper than normal frost conditions have likely contributed to a tripling in water main breaks in Lincoln in the last few months. From November 1, 2006 to February 21, 2007, there were 117 breaks compared with 35 in the same period last year and 44 the previous year.

“The number of water main breaks during the winter is the highest on record,” said Mayor Coleen J. Seng. “The Lincoln Water System (LWS) takes disruption of water service very seriously. City crews have been working day and night to fix these problems and restore full service to customers, regardless of the weather conditions.” LWS officials said some of the breaks have been difficult to locate because water does not always surface at the point of the break due to deep frost conditions.

Steve Owen, LWS Superintendent of Water Distribution, said most breaks occur on older water mains, but corrosive soil could also be a factor in some areas. Water mains weaken over time as soil expands and contracts during severe weather conditions, such as extended drought or frost.

“We suspect that previously mild winters have caught up with the water system this year,” said Owens. “The combination of the dry summer and the deeper frost depths have caused the unprecedented number of water main breaks this year.”

LWS has about 1,200 miles of water mains and averages about 132 water main breaks for an entire year. The Public Works and Utilities Department has increased funding by ten times for the replacement of water main projects since the early 1990s. In the current fiscal year, $2.7 million is budgeted for water main replacement projects. Twenty separate projects that will replace more than five miles of water mains are now in the design phase or under contract. Owen says breaks that occur this winter will be evaluated with past information to determine future projects.

- more -
Owen said the area of 10th and “D” streets has had multiple water main breaks this winter, making it a priority for replacement in the next year. Crews have installed additional valves on this water main, so future breaks can be better isolated to reduce disruptions of service.

Owen said the same conditions that have lead to increased water main breaks also are leading to more water service leaks. While the City owns and maintains the water mains, the pipe that connects a building to the water main is owned and maintained by the property owner. Owen said homes and business that have water services more than 70 years old are at particular risk of developing leaks in the future. He said that as a preventive measure, property owners may want to consider replacing old and deteriorated water services before they leak and cause additional damage and expense. LWS can assist in assessing the age of a water service and its possible condition.

For more information on LWS, visit the City Web site at lincoln.ne.gov (keyword: water).
FY 2007 BUDGET FINALLY COMPLETE

BUDGET
FY 2007 budget plan approved and signed into law. The Senate on Wednesday approved the joint resolution (House Joint Resolution 20) that will fund federal agencies for the remainder of FY 2007. President Bush signed the measure into law on Thursday, as the previous resolution funding the government was scheduled to expire at the end of the day.

The resolution is identical to the version approved by the House on January 31, and with some exceptions, funds most federal programs at their FY 2006 levels (see the February 2 Washington Report for additional details on the resolution). The 81-15 vote in the Senate came after two weeks of negotiation and partisan maneuvering, as congressional Democrats were eager to dispense with the FY 2007 appropriations cycle and prevent any changes to the House-approved version.

Several Senate Republicans were interested in providing additional funds for base closure activities in the resolution, but Majority Leader Harry Reid (D-NV) used a maneuver that prevented any amendments from being offered. As a result, Republicans had a choice between holding up a final vote on the measure (and potentially shutting down the government), or accept the pending version. Once Democrats agreed to include additional base closure funds in the supplemental spending measure for military activities to be considered in March, approval was all but assured.

Meanwhile, the White House Office of Management and Budget (OMB) issued guidance this week that prohibits federal agencies from obligating funds in FY 2007 based on communications from Members of Congress. Since the FY 2007 resolution contains no earmarks, a number of federal agencies will have more funding available for competitive programs. As a result, Members are expected to contact federal agencies on behalf of projects in their districts, a process that critics are calling “backdoor” earmarking, and OMB wanted to reinforce that awards should be based on merit alone and not such contacts.

AVIATION
FAA reauthorization plan unveiled. On Wednesday, the Federal Aviation Administration (FAA) unveiled a reauthorization plan that includes a new financing proposal to fund federal aviation programs. The current FAA funding system is set to expire on September 30, 2007. According to the FAA, its primary source of funding -- the Airport and Airway Trust Fund -- has an uncommitted balance that would cover only two months of FAA operations. For that reason, Congress is being pressured by the FAA to act quickly before the current taxes expire.

Titled the Next Generation (NextGen) Air Transportation System Financing Reform Act of 2007, the proposal would draw on a “hybrid” of three funding sources for FAA services: user fees, taxes, and the General Fund. User fees would sharply increase to cover 53 percent of the FAA operations, while fuel and international passenger taxes would assume 28 percent, and the General Fund contribution would account for approximately 19 percent. The majority of the proceeds to the trust fund are derived from passenger ticket taxes, which would be eliminated.

Several changes would be made to the popular Airport Improvement Program (AIP). Of particular interest, the federal government’s matching share of AIP projects...
would be reduced from 75 percent to 50 percent for airfield pavement and rehabilitation projects for runways, taxiways and aprons at large and medium hub airports. A special rule would be added to allow for primary small hub airports that have increased operations and are classified as medium hub airports to retain for two years their eligibility for up to a 90 percent federal match of project costs. Additionally, the bill would allow the temporary increase in the federal share from 90 percent to 95 percent for certain projects at small airports that are slated to expire as scheduled at the end of FY 2007.

In response to the proposal, both Democrats and Republicans expressed strong skepticism, saying it would not raise more revenue, possibly even less, than the current financing system. The main target of criticism was the FAA’s call for general aviation to take on a steep fuel tax increase, saying it could be as much as a 40 percent hike, a proposal the passenger airlines support. Senior Republicans in the House have been quoted as saying the hybrid plan is “going nowhere” and is “dead on arrival.”

The House Transportation and Infrastructure Committee Subcommittee on Aviation will continue its examination of the financing issues next month. The first of four FAA reauthorization hearings is scheduled for March 14, at which Congress will discuss financing options, including the user fee plan. The rest of the hearings are scheduled for March 21, 22, and March 28. On February 15, the Senate Commerce, Science and Transportation Subcommittee on Aviation held a hearing about the Administration’s proposal to reauthorize the FAA and is expected to host multiple hearings on FAA funding options throughout the spring.

**TRANSPORTATION**

FHWA and FTA issue metropolitan planning guidelines. The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) issued new regulations governing the metropolitan planning process. The new regulations are the first time that the rule governing the metropolitan planning process has been updated since 1993. Since then, Congress has passed two major surface transportation bills, the Transportation Equity Act for the 21st Century (TEA-21) and the Safe, Accountable, Flexible, Efficient Transportation Equity Act – A Legacy for Users (SAFETEA-LU).

The new rule implements the changes mandated by those two laws. In addition, it also includes provisions designed to tie the planning process to environmental and land use planning, increase public involvement in the transportation planning process and impose stronger fiscal constraints on local transportation planners.

During the rulemaking process, transportation planning organizations expressed concern that portions of the rule in its draft form exceeded FHWA’s and FTA’s statutory authority and could complicate the planning process and expose metropolitan planning organizations to increased legal challenges. They argued that many of those provisions should instead be included in guidance documents. At this point, it is not entirely clear whether the final rule adequately took those concerns into account.

A copy of the rule, which takes effect on March 16, is available at: [http://www.capitaledge.com/MetropolitanPlanningRule.pdf](http://www.capitaledge.com/MetropolitanPlanningRule.pdf)

**EDUCATION**

Senate panel clears Head Start reauthorization. The Senate Health, Education, Labor and Pensions Committee cleared bipartisan legislation (S 556) this week that would reauthorize Head Start through FY 2012. The ease with which the committee approved the legislation contrasts starkly with recent efforts to reauthorize the program, which has not been authorized for a decade. The House passed a reauthorization bill in 2005. That bill stalled in the Senate because of language in the bill that would have allowed faith-based organizations operating Head Start programs to consider religious preference when hiring staff.

The legislation, sponsored by Committee Chairman Edward Kennedy (D-MA) and Committee Ranking Member Michael Enzi (R-WY), would authorize $7.3 billion for the program in FY 2008, $7.5 billion in FY 2009, $7.9 billion in FY 2010 and “such sums as may be necessary” for FY 2011 and FY 2012. Congress appropriated $6.789 billion for the program in FY 2007. The bill would also expand eligibility for Head Start to children from families with incomes of up to 130 percent of the federal poverty level, up from the current cap of 100 percent of the federal poverty level ($26,728 for a family of four).

Kennedy and Enzi said that the eligibility change and increased funding authorization will allow an additional 56,000 children to participate in Head Start over the next five years. In addition, the bill would expand the Early Head Start Program, which serves children aged 3 and younger. It would set aside 20 percent of total funding, versus 10 percent under current law, for Early Head Start.

The bill now heads to the Senate floor. Both Kennedy and Enzi said that they expect the Senate to pass the bill quickly. They also said they are working closely with House Education and Labor Committee Chairman George Miller (D-CA), who expects to bring a bill before his Committee in March.

**GRANT OPPORTUNITIES**

Environmental Protection Agency: The EPA announced it will now accept applications for the Community Action Renewed Environment (CARE) program for FY 2007. CARE aims to help communities build self-sustaining, community-based partnerships that will help communities identify and develop a means to reduce the risk from toxic and environmental pollutants. The EPA will award funding to two types of programs. Level I will fund community based partnerships, while Level II will fund the activity of identifying and actual risk reduction projects. The estimated total funding awarded will be $2.7 million, with 5-10 Level I awards at a maximum of $100,000 and 6-8 Level II projects at a maximum of $300,000. The application deadline is April 9, 2007. For more information see: [www.epa.gov/care](http://www.epa.gov/care)
OFFICE OF TREASURER, CITY OF LINCOLN, NEBRASKA

FEBRUARY 20, 2006

TO: MAYOR COLEEN SENG & CITY COUNCIL MEMBERS

FROM: FINANCE DEPARTMENT / CITY TREASURER

SUBJECT: MONTHLY CITY CASH REPORT

The records of this office show me to be charged with City cash as follows at the close of business January 31, 2007:

<table>
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<tr>
<th>Description</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>Balance Forward</td>
<td>$198,816,297.29</td>
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<tr>
<td>Plus Total Debits January 1-31, 2007</td>
<td>$27,969,023.61</td>
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<tr>
<td>Less Total Credits January 1-31, 2007</td>
<td>($24,556,404.24)</td>
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<tr>
<td><strong>Cash Balance on January 31, 2007</strong></td>
<td><strong>$202,228,916.66</strong></td>
</tr>
</tbody>
</table>

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

<table>
<thead>
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<th>Description</th>
<th>Amount</th>
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</thead>
<tbody>
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<td>U. S. Bank Nebraska, N.A.</td>
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<tr>
<td>Wells Fargo Bank</td>
<td>($114,010.03)</td>
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<tr>
<td>Wells Fargo Bank Credit Card Account</td>
<td>($11,356.87)</td>
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<td>Cornhusker Bank</td>
<td>$7,132.26</td>
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<td>Pinnacle Bank</td>
<td>$44,730.73</td>
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<td>Union Bank &amp; Trust Company</td>
<td>$133,349.26</td>
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<td>West Gate Bank</td>
<td>($45,743.99)</td>
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<td>Idle Funds - Short-Term Pool</td>
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<td>Idle Funds - Medium-Term Pool</td>
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<tr>
<td>Cash, Checks and Warrants</td>
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<tr>
<td><strong>Total Cash on Hand January 31, 2007</strong></td>
<td><strong>$202,228,916.66</strong></td>
</tr>
</tbody>
</table>

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

I also hold as City Treasurer, securities in the amount of $24,315,148.07 representing authorized investments of the City's funds.

**ATTEST:**

[Signature]

Melinda Jones, City Treasurer
## CITY OF LINCOLN - PLEDGED COLLATERAL STATEMENT
### AS OF JANUARY 31, 2007

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A. **West View**: proposed commercial/industrial project on south side of Interstate 80.

B. **Potential Commercial/Industrial Park**: over 100 acres available for commercial or industrial space adjacent to Interstate 80.

C. **View Point West & Hartland Cardinal Heights**: underway on plans for over 300 single family lots and 36 townhome (single family attached) dwelling units.

D. **Hub Hall Heights**: underway on 349 single family lots with potential church site and land for 200 apartment units.

E. **Ashley Heights Neighborhood Center**: approved for 93,500 SF of commercial uses, including grocery store under construction.

F. **Arnold School Site**: proposed relocation of existing LPS Arnold Elementary school with potential relocated mini-branch library. School construction scheduled to begin in late 2007 with opening in August 2009.

G. **Highland View**: plans approved for 566 single family lots.

H. **Fallbrook Middle School**: School construction scheduled to begin in 2007 with opening in August 2009, includes plans for adjacent YMCA branch to open in 2009.

I. **Fallbrook**: underway on pedestrian oriented community with mix of residential uses and 125,000 SF retail Town Center with over 500,000 SF of office space. First phase includes over 433 single family lots and 142 townhome units with potential for two apartment areas.

J. **The Links at Lincoln**: over 600 apartment units and 9 hole golf course with club house.

K. **Verizon**: grading underway on plans for 112,800 SF building for a call center with up to 800 jobs in Univ. - Nebraska Technology Park.

L. **NSAA Headquarters**: planned new home of Nebraska School Activities Association and Nebraska High School Hall of Fame.

M. **The Option 13**: thirteen new residential lofts planned in Haymarket at 7th & R Street.

N. **Vision 2015**: Numerous plans underway in Downtown area, including new arena, convention center/hotel, civic plaza, and retail & entertainment corridor.

O. **UNL Research & Development Corridor**: consideration of relocating State Fair Park to Event Center and expanding R & D uses along Antelope Valley and former fairgrounds.

P. **Hartlands Garden Valley**: underway on 349 single family lots.

Q. **Charleston Heights**: plans approved for 206 single family lots and 144 townhome units next to future school site.

R. **14th & Alvo Road Elementary School**: School construction scheduled to begin in late 2007 with opening in August 2009.

S. **Stone Bridge Creek**: underway on a total of 935 dwelling units including 684 single family lots and 251 townhome units. Future phases to include retail, office and industrial space in addition to trails and open space.

T. **King Ridge Commercial**: approved for over 700,000 SF of primarily retail space, including future 6 screen movie theater.

U. **Landmark Employment Center**: approved for over 1 million SF of retail, office and industrial space.

V. **56th & I-80**: potential large industrial and commercial development.

W. **Northbank Junction**: approved for 371 single family lots.

X. **50th & O**: proposed HyVee grocery to anchor redevelopment of north side of O Street.

Y. **Prairie Village North**: future mix of housing types and over 1,000 units and 600,000 SF of commercial space on northeast corner with additional 285,000 SF on southeast corner. Includes two potential “big box” retail sites.

Z. **North Forty**: former golf course in process of conversion to 140,000 SF of commercial space and 74 single family lots.

AA. **Northern Lights Commercial Center**: planned new 116,000 SF HyVee grocery store as part of overall center with over 330,000 SF.

BB. **Waterford Estates**: first phase of 660 units of single family and townhome units built around new small lake. Future development to include potential light industrial and commercial.
What's Up In North Lincoln
Selected Projects and Plans

Future Service Limit
Existing City Limits
A. **Southwest Village**: approved for approximately 1.3 million Square Feet (SF) of retail, office and light industrial space, including “big box” retail and 150 townhome (single family attached) dwelling units.

B. **Wilderness View Townhomes**: 162 townhome dwelling units planned southwest of Ruskin Place apartments

C. **Horizon Business Center**: construction underway on 540,000 SF of potential retail, office, industrial, and warehouse space

D. **Vavrina Meadows**: nearing completion of mixed use neighborhood with single family, townhome and apartments units along with up to 495,000 SF of commercial space.

E. **Temporary School**: commercial building presently in use by Lincoln Public Schools to house students while their school is being renovated.

F. **Wilderness Woods Office Park**: underway on 308,000 SF of office and small retail space.

G. **Folsom School Site**: future Lincoln Public School elementary school, construction to begin in 2007 with opening in August 2008.

H. **Stone Ridge Commercial**: approved for 166,000 SF of neighborhood commercial uses.

I. **Wilderness Hills Town Center**: approved for up to 495,000 SF of retail and office space, including “big box” retail and pedestrian oriented Town Center with restaurants & stores.

J. **Wilderness Hills**: mixed use residential underway with potential for up to 2,000 dwellings, including apartments with plans for 673 single family lots and 544 townhome units.

K. **Prairie Crossing**: 76 dwelling units to be built by the Lincoln Housing Authority.

L. **Yankee Ridge**: Super Target of 175,000 SF under construction as part of 225,000 SF neighborhood center.

M. **Yankee Hill Plaza**: proposed for 216,000 SF of neighborhood commercial space.

N. **Wilderness Hills Common**: proposed center of 600,000 SF including big box retail, office and commercial uses.

O. **Grandale**: new subdivision approved for 188 single family lots and 34 townhome units south of new Southwood Lutheran Church.

P. **Apple’s Way**: approved commercial center with new Lowe’s under construction along with 31 future single family lots.

Q. **Village Gardens**: Pedestrian oriented neighborhood underway with first phase of up to 93 single family lots, 70 rowhouse/townhome units, 30 apartments with up to 300,000 SF of neighborhood commercial and office space built. Also includes future home of Trinity United Methodist church.

R. **Hamman Meadows**: approved for 68 single family lots and extension of bike trail.

S. **“The Preserve”**: underway on mix of 121 single family lots, 44 townhome and 180 retirement apartment units with future 82,000 SF of commercial space.

T. **Grand Terrace**: approved for 185 single family lots and 84 townhome units.

U. **The Woodlands at Yankee Hill**: over 300 acres for future mixed use neighborhood including about 1,350 dwellings in single family, townhomes, and apartments with two neighborhood commercial centers.

V. **Ravenwood**: recently approved for 44 single family lots.

W. **Vintage Heights Commercial Center**: underway on 250,000 SF commercial center, including new Fireworks restaurant.

X. **Boulder Ridge**: roads and construction underway on plans 191 single family lots, 47 townhome and 224 apartment units.

Y. **LPS Potential School Sites**: land for potential elementary or middle schools in vicinity of 38th & Yankee Hill, 66th & Yankee Hill, and two sites in Vintage Heights – no plans for construction in next 10 years.

Z. **Prairie Lake Commercial Center**: approved for nearly 2 million SF of retail and office space on both sides of Highway 2.

AA. **Jensen Park Estates**: approved for 147 single family and townhome dwelling units.

BB. **Jensen Park**: 200 acre future community park and recreational facility.
What's Up In South Lincoln
Selected Projects and Plans
PLANNING COMMISSION FINAL ACTION
NOTIFICATION

TO : Mayor Coleen Seng
Lincoln City Council

FROM : Jean Walker, Planning

DATE : February 20, 2007

RE : Special Permit No. 07002
(Rock crusher-recycling plant: 3rd & Q Streets)
Resolution No. PC-01037

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, February 14, 2007:

Motion made by Strand, seconded by Carroll, to approve Special Permit No. 07002, with conditions, as amended, requested by TCW, LLC, for authority to operate a rock crusher-recycling plant on approximately 4.2 acres of property generally located at North 3rd Street and Q Street.

Motion for conditional approval, as amended, carried 7-1 (Cornelius, Strand, Carroll, Taylor, Sunderman, Krieser and Carlson voting ‘yes’; Esseks voting ‘no’; Larson absent).

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

Attachment

cc: Building & Safety
Rick Peo, City Attorney
Public Works
Mike Eckert, Civil Design Group, 3901 Normal Blvd., Suite 203, 68506
TCW, LLC, 141 M Street, 68508
Mark Hunzeker, P.O. Box 95109, 68509
Danny Walker, South Salt Creek Community Org., 427 E Street, 68508
Gary Irwin, South Salt Creek Neighborhood, 645 D Street, 68522
Ben Higgins, Watershed Management, Public Works & Utilities Department
RESOLUTION NO. PC-01037
SPECIAL PERMIT NO. 07002

WHEREAS, TCW, LLC has submitted an application designated as Special Permit No. 07002 for authority to operate a rock crusher-recycling plant on approximately 4.2 acres of property generally located at N. 3rd Street and Q Street, and legally described to wit:

A part of Blocks 261 and 266, Original Lincoln, Lancaster County, Nebraska, together with vacated east-west alleys and with that part of vacated Q Street, R Street, S Street, 3rd Street, and 4th Street adjacent thereto, and more particularly described as follows:

Beginning at the intersection of North 3rd Street and Q Street as Original Platted in the Southwest Quarter of Section 23, Township 10 North, Range 6 East of the 6th P.M., Lincoln, Lancaster County, Nebraska; thence in a northerly direction on the centerline of said North 3rd Street on an assumed bearing of north 00 degrees 00 minutes 00 seconds east for a distance of 810.37 feet to a point of intersection with the southwesterly 50.00 foot right-of-way line of the Union Pacific Railroad; thence south 30 degrees 42 minutes 08 seconds east on the southeasterly 50.00 foot right-of-way line of the Union Pacific Railroad for a distance of 704.10 feet to a point of intersection with the west right-of-way line of North 4th Street as originally platted in the City of Lincoln; thence south 00 degrees 03 minutes 07 seconds east on the westerly right-of-way line of North 4th Street for a distance of 205.04 feet to a point on the centerline of vacated Q Street; thence north 89 degrees 59 minutes 15 seconds west of the centerline of vacated Q Street for a distance of 359.68 feet to the point of beginning;

WHEREAS, the Lincoln City-Lancaster County Planning Commission has held a public hearing on said application; and
WHEREAS, the community as a whole, the surrounding neighborhood, and the
real property adjacent to the area included within the site plan for this rock crusher-recycling
plant will not be adversely affected by granting such a permit; and

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

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

That the application of TCW, LLC hereinafter referred to as "Permittee", to
operate a rock crusher-recycling plant be and the same is hereby granted under the provisions
of Section 27.63.290 the Lincoln Municipal Code upon condition that the operation of said rock
crusher-recycling plant be in strict compliance with said application, the site plan, and the
following additional express terms, conditions, and requirements:

1. This permit approves a rock crusher-recycling plant.

2. Before operating the rock crusher the Permittee must complete the following
instructions and submit the documents and plans to the Planning Department office for review
and approval:

a. A revised site plan including 5 copies showing the following revisions:

   i. Revise the site plan by identifying the existing wetland or provide
      information that the area is not a wetland and agree that no
      storage/fill be in that area if determined to be a wetland.

   ii. Add a note to the site plan that there shall be no more than 40
       percent permanent fill on the site.

b. Submit a copy of the site grading plan showing proposed grading
   contours approved by Flood Plain Development Permit #FP060152.

c. Provide documentation from the Register of Deeds that the letter of
   acceptance as required by the approval of the special permit has been
   recorded.
3. The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.

4. This resolution's terms, conditions, and requirements bind and obligate the Permittee, its successors and assigns.

5. The applicant shall sign and return the letter of acceptance to the City Clerk within 60 days following the approval of the special permit, provided, however, said 60-day period may be extended up to six months by administrative amendment. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the applicant.

The foregoing Resolution was approved by the Lincoln City-Lancaster County Planning Commission on this 14th day of February, 2007.

ATTEST:

/S/ Original signed by: Jon Carlson
Chair

Approved as to Form & Legality:

[Signature]
Chief Assistant City Attorney
The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, February 14, 2007:

Motion made by Carroll, seconded by Strand, to approve Special Permit No. 07001, with conditions, as amended, requested by Waterford Estates, LLC, and Sesosiris Temple Holding Company, for authority to develop Waterford Estates Community Unit Plan for 51 dwelling units, together with waivers to the Land Subdivision Ordinance and Zoning Code requirements to reduce setbacks to zero from lot lines and to allow sidewalks at the edge of the curb; and

Motion made by Carroll, seconded by Strand to approve Preliminary Plat No. 07001, Waterford Estates 1st Addition, with conditions, as amended, requested by Waterford Estates, LLC, and Sesosiris Temple Holding Company, including waivers to the requirements of the Land Subdivision Ordinance and Design Standards in order to allow the transfer of sewage from one drainage basin to another by a lift station; to allow lot lines that are not perpendicular to the right of-way; to allow sanitary sewer mains to flow opposite to street grades; to allow block length to exceed 1,320 feet; and to allow impacts to the minimum flood corridor;

all on property generally located at North 98th Street and O Street.

Motions for conditional approval, as amended, carried 8-0 (Cornelius, Strand, Carroll, Taylor, Essexs, Sunderman, Kriese and Carlson voting 'yes'; Larson absent).

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

The associated annexation and change of zone requests were also recommended for approval and will be scheduled on the City Council agenda when a revised legal description for the annexation area is submitted by the applicant.

Attachment

cc: Building & Safety
    Rick Peo, City Attorney
    Public Works
    Mark Palmer, Olsson Associates, 1111 Lincoln Mall, 68508
    DaNay Kalkowski, 1111 Lincoln Mall, Suite 350, 68508
    Waterford Estates, LLC, 8644 Executive Woods Drive, 68512
    Sesosiris Temple Holding Company, 1717 Yolande Street, 65521
    Jeff Clausen (silverhawk6@hotmail.com)
RESOLUTION NO. PG-01038

SPECIAL PERMIT NO. 07001

WHEREAS, Waterford Estates, LLC and Sesosiris Temple Holding Company

have submitted an application designated as Special Permit No. 07001 for authority to develop

Waterford Estates Community Unit Plan for 51 dwelling units, together with requests to waive

the Land Subdivision Ordinance and Zoning Code requirements to reduce setbacks to zero

from lot lines, and to allow sidewalks at the edge of the curb, on property generally located at N.

98th Street and O Street and legally described as:

A portion of Lot 11 I.T., and a portion of the North Half of the
Southwest Quarter, all located in the West Half of Section 24,
Township 10 North, Range 7 East of the 6th P.M., City of Lincoln,
Lancaster County, Nebraska, and more particularly described as
follows:

Commencing at the southeast corner of said Southwest Quarter;
thereafter northwesterly along the east line of said Southwest Quarter on
an assumed bearing of north 00 degrees 10 minutes 10 seconds
east, a distance of 1,727.56 feet to a point; thence north 89
degrees 49 minutes 50 seconds west, a distance of 393.17 feet to
a point of curvature; thence along a curve in a counter clockwise
direction having a delta angle of 12 degrees 52 minutes 56
seconds, a radius of 585.00 feet, an arc length of 131.53 feet, a
tangent length of 66.04 feet, a chord length of 131.25 feet, and a
chord bearing of south 83 degrees 43 minutes 42 seconds west,
to a point of tangency; thence south 77 degrees 17 minutes 14
seconds west, a distance of 441.26 feet to the true point of
beginning; thence south 12 degrees 42 minutes 46 seconds east,
a distance of 127.15 feet to a point; thence south 00 degrees 48
minutes 28 seconds east, a distance of 437.23 feet to a point;
thence north 88 degrees 55 minutes 37 seconds west, a distance
of 882.89 feet to a point; thence north 67 degrees 01 minutes 23
seconds west, a distance of 217.87 feet to a point; thence north
28 degrees 11 minutes 44 seconds east, a distance of 352.94 feet to a point; thence north 30 degrees 29 minutes 10 seconds east, a distance of 1.73 feet to a point of curvature; thence along a curve in a clockwise direction having a delta angle of 60 degrees 47 minutes 26 seconds, a radius of 120.00 feet, an arc length of 127.32 feet, a tangent length of 70.39 feet, a chord length of 121.43 feet, and a chord bearing of north 60 degrees 52 minutes 53 seconds east, to a point of tangency; thence south 88 degrees 43 minutes 24 seconds east, a distance of 287.64 feet to a point of curvature; thence along a curve in a counter clockwise direction having a delta angle of 13 degrees 59 minutes 22 seconds, a radius of 515.00 feet, an arc length of 125.74 feet, a tangent length of 63.19 feet, a chord length of 125.43 feet, and a chord bearing of north 84 degrees 16 minutes 55 seconds east, to a point of tangency; thence north 77 degrees 17 minutes 14 seconds east, a distance of 372.21 feet to the point of beginning; said tract contains a calculated area of 470,619.91 square feet or 10.80 acres, more or less;

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

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

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

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

That the application of Waterford Estates, LLC and Sescstris Temple Holding Company, hereinafter referred to as "Permittee", to develop Waterford Estates Community Unit Plan for 51 dwelling units be and the same is hereby granted under the provisions of Section 27.63.320 and Chapter 27.65 of the Lincoln Municipal Code upon condition that construction of
said development be in strict compliance with said application, the site plan, and the following
additional express terms, conditions, and requirements:

1. This permit approves 51 dwelling and adjusts setbacks to zero from the lot lines.

2. The City Council must approve the associated requests:
   a. Change of Zone 07002.
   b. Annexation 07001.

3. Final plats within the area of the CUP must be approved by the City.

4. Before a final plat is approved:
   a. The Permittee shall complete the following instructions and submit the
documents and plans to the Planning Department office for review and
   approval.
      i. A revised site plan including 5 copies showing the following
         revisions:
            (1) Add to the General Notes, "Signs need not be shown on
                this site plan, but need to be in compliance with chapter
                27.69 of the Lincoln Zoning Ordinance, and must be
                approved by Building & Safety Department prior to
                installation".
            (2) Label the private roadways as "Outlot A" if that is the
                intent.
            (3) Satisfy Engineering Services comments outlined in their
                January 30, 2007 memo.
            (4) Add easements per Lincoln Electric System comments
            (5) Add the purpose of Outlot A to the site plan.
            (6) Show sidewalks at least 4' from the curb. Revise the
                "TYPICAL ROADWAY CROSS-SECTION" on the Cover
                Sheet to reflect this change as well.
      ii. Provide documentation from the Register of Deeds that the letter
          of acceptance as required by the approval of the special permit
          has been recorded.
      iii. A landscape (screen) plan approved by the Director of Planning.
b. Ornamental street lights for private roadways and pedestrian way
casements must be approved by L.E.S.
c. The construction plans must comply with the approved plans.
5. Before occupying the dwelling units all development and construction must
comply with the approved plans.
6. All privately-owned improvements, including landscaping and recreational
facilities, must be permanently maintained by the Permittee or an appropriately established
homeowners association approved by the City.
7. The site plan accompanying this permit shall be the basis for all interpretations of
setbacks, yards, locations of buildings, location of parking and circulation elements, and similar
matters.
8. This resolution's terms, conditions, and requirements bind and obligate the
Permittee, its successors and assigns.
9. The Permittee shall sign and return the letter of acceptance to the City Clerk
within 60 days following the approval of the special permit, provided, however, said 60-day
period may be extended up to six months by administrative amendment. The City Clerk shall
file a copy of the resolution approving the special permit and the letter of acceptance with the
Register of Deeds, filling fees therefore to be paid in advance by the Permittee.
The foregoing Resolution was approved by the Lincoln City-Lancaster County Planning
Commission on this 14 day of February, 2007.

ATTEST:

Original signed by

Chair

Approved as to Form & Legality:

Chief Assistant City Attorney
RESOLUTION NO. PC-07039

WHEREAS, Waterford Estates LLC and Sesostris Temple Holding Company
have submitted the preliminary plat of Waterford Estates 1st Addition for acceptance and
approval together with a request to waive the requirements of the Land Subdivision Ordinance
and Design Standards for Land Subdivision Regulations in order to allow the transfer of
sewerage from one drainage basin to another by a lift station; to allow lot lines that are not
perpendicular to the right-of-way; to allow sanitary sewer mains to flow opposite to street
grades; to allow block length to exceed 1,320 feet; and to allow impacts to the minimum flood
corridor on property generally located at N. 98th Street and O Street; and

WHEREAS, the Planning Director has recommended conditional approval of
said preliminary plat; and

WHEREAS, the Planning Director has administratively approved the requested
waivers to allow the transfer of sewerage from one basin to another, to allow lot lines that are
not perpendicular to the right-of-way, and to allow Block 2 to exceed the maximum block length,
and no further action on the requested waivers is required.

NOW, THEREFORE, BE IT RESOLVED by the Lincoln City-Lancaster County
Planning Commission that the preliminary plat of Waterford Estates 1st Addition, generally
located at N. 98th Street and O Street, as submitted by Waterford Estates LLC and Sesostris
Temple Holding Company, is hereby accepted and approved, subject to the following terms and
conditions:

1. After the subdivider completes the following instructions and submits the
documents and plans and 6 copies to the Planning Department office, the preliminary plat will
be signed by the Chair of the Planning Commission certifying approval. (NOTE: These
documents and plans are required by ordinance or design standards). Revise the preliminary
plat to show:

a. Include the layout for the Community Unit Plan area in Outlot A.

b. Show a north/south public street or private roadway with public access
easements from South Shore Drive (new name) to Boathouse Road
through Outlot B in a location that is satisfactory to the Director of
Planning for the block length requirement.

c. Reduce the block length of Block 3 by providing an additional east-west
street connection to the property to the east. This will satisfy the block
length requirement and will provide better connectivity between
neighborhoods.

d. Lots 54-61, Block 1 and Lots 93-98, Block 5 cannot be final platted until a
full right of way is dedicated and provisions for improvements met for
Watersedge Drive.

e. Re-number lots for each block beginning with “1” as per section
26.15.015(f).

f. Add the preliminary plat boundary to the site plan sheets 2 and 3.

g. Label the blank area north of Lots 103 and 104, Block 6 as “Outlot F” and
label its purpose.

h. Change Lot 61, Block 1 to “Outlot H” and label as “FUTURE
DEVELOPMENT”. Adjust SITE SPECIFIC NOTES #11 accordingly.

i. On the Site Plan Cover Sheet, label the two site plan sheets as “… OF 8”
instead of “XX”.

j. Add corrected legal description to the Cover Sheet.

j. Add Outlots F, G, and H and their uses to GENERAL SITE NOTES #11.

k. Change “10TH” to “104TH” in GENERAL SITE NOTES #16.

l. Renumber the “REQUESTED WAIVERS” to read 1-5.

m. Revise the “VICINITY MAP” to include only the boundary of the
preliminary plat for the “PROJECT LOCATION”.

n. Satisfy Engineering Services comments outlined in their January 30,
2007 memo.

o. Rename South Shore Drive and South Shore Bay. Other street names
shown in the surrounding areas on the cover sheet may also change in
conjunction with City comments for Waterford Estates Preliminary Plat #04011.


q. Along O Street show the high pressure natural gas pipeline.

r. Label dimensions for Lots 69-71, Block 3.

2. The City Council must approve the following associated requests:

a. Change of Zone No. 07002

b. Annexation No. 07001

3. Final Plats will be approved by the Planning Director after:

a. The required improvements are completed or a surety is posted to guarantee the completion of the public streets, private roadway improvements, sidewalks, sanitary sewer system, water system, drainage facilities, land preparation and grading, sediment and erosion control measures, storm water detention/retention facilities, drainageeway improvements, street lights, landscaping screens, street trees, temporary turnaround and barricades, and street name signs.

b. The subdivider must sign an agreement that binds the subdivider, its successors and assigns:

i. to complete the street paving of public streets, and temporary turnarounds and barricades located at the temporary dead-end of the streets shown on the final plat within two (2) years following the approval of this final plat.

ii. to complete the paving of private roadway, and temporary turnarounds and barricades located at the temporary dead-end of the private roadway shown on the final plat within two (2) years following the approval of this final plat.

iii. to complete the installation of sidewalks along both sides of all streets and private roadways as shown on the final plat within four (4) years following the approval of this final plat.

iv. to complete the public water distribution system to serve this plat within two (2) years following the approval of this final plat.

v. to complete the public wastewater collection system to serve this plat within two (2) years following the approval of this final plat.

vi. to complete the enclosed public drainage facilities shown on the approved drainage study to serve this plat within two (2) years following the approval of this final plat.
vii. to complete the enclosed private drainage facilities shown on the approved drainage study to serve this plat within two (2) years following the approval of this final plat.

viii. to complete land preparation including storm water detention/retention facilities and open drainageway improvements to serve this plat prior to the installation of utilities and improvements but not more than two (2) years following the approval of this final plat.

ix. to complete the installation of public street lights along streets within this plat within two (2) years following the approval of this final plat.

x. to complete the installation of private street lights along all private roadways within this plat within two (2) years following the approval of this final plat.

xi. to complete the planting of the street trees along all streets and private roadways within this plat within four (4) years following the approval of this final plat.

xii. to complete the planting of the landscape screen within this plat within two (2) years following the approval of this final plat.

xiii. to complete the installation of the street name signs within two (2) years following the approval of this final plat.

xiv. to complete the installation of the permanent markers prior to construction on or conveyance of any lot in the plat.

xv. to timely complete any other public or private improvement or facility required by Chapter 26.23 (Development Standards) of the Land Subdivision Ordinance which have not been waived but which inadvertently may have been omitted from the above list of required improvements.

xvi. to submit to the Director of Public Works a plan showing proposed measures to control sedimentation and erosion and the proposed method to temporarily stabilize all graded land for approval.

xvii. to comply with the provisions of the Land Preparation and Grading requirements of the Land Subdivision Ordinance.

xviii. to complete the public and private improvements shown on the preliminary plat and Community Unit Plan.

xix. to maintain the outlots and private improvements on a permanent and continuous basis.
xx. to keep taxes and special assessments on the outlots from becoming delinquent.

xxi. to maintain the plants in the medians and islands on a permanent and continuous basis.

xxii. to maintain and supervise the private facilities which have common use or benefit on a permanent and continuous basis, and to recognize that there may be additional maintenance issues or costs associated with providing for the proper functioning of storm water detention/retention facilities as they were designed and constructed within the development.

xxiii. to retain ownership of and the right of entry to the outlots in order to perform the above-described maintenance of the outlots and private improvements on a permanent and continuous basis. However, Owner(s) may be relieved and discharged of such maintenance obligations upon creating in writing a permanent and continuous association of property owners who would be responsible for said permanent and continuous maintenance subject to the following conditions:

1. Owner shall not be relieved of Owner’s maintenance obligation for each specific private improvement until a register professional engineer or nurseryman who supervised the installation of said private improvement has certified to the City that the improvement has been installed in accordance with approved plans.

2. The maintenance agreements are incorporated into covenants and restrictions in deeds to the subdivided property and the documents creating the association and the restrictive covenants have been reviewed and approved by the City Attorney and filed of record with the Register of Deeds.

xxiv. to submit to the lot buyers and builders a copy of the soil analysis.

xxv. to protect the trees that are indicated to remain during construction and development.

xxvi. to relinquish the right of direct vehicular access from Outlot C, Block 4 to O Street.

4. The waiver to the design standards to permit the sanitary sewer to flow opposite the street grades is hereby approved.
5. The waiver to allow the transfer of sewerage from one basin to another is hereby approved.


ATTEST:

/S/ Original signed by
Jon Carlson

Chair

Approved as to Form & Legality:

[Signature]
Chief Assistant City Attorney
To: Margaret Blatchford, Law Department

From: Karl Fredrickson, Director of Public Works/Utilities

Subject: City Projects

Date: February 15, 2007

cc: Mayor Coleen J. Seng, City Council, Dana Roper, Roger Figard, Thomas Shafer

I would like to extend my gratitude for the help you have provided to the City and more specifically to us here in Public Works/Utilities. I have received many favorable statements from our staff on the recent 48th and O Street, 50th Street (HyVee) projects, as well as other projects that you have been involved with.

You and other staff have spent many hours, including week-ends, working to see that these projects are successful and the City’s interests are protected. Many of these hours have been paid at the rate of “experience and one-half time,” meaning no pay. The citizens of this City should acknowledge and appreciate the dedication and expertise you have. I do.

Thank you.
February 16, 2007

11th and “O” Pedestrian Signal Modifications

The City of Lincoln Department of Public Works and Utilities is making pedestrian safety improvements at the intersection of 11th and “O” Streets. This includes the installation of specialized pedestrian push buttons which are meant to assist the blind and visually impaired individuals who walk through this intersection daily.

The project includes the installation of additional pedestrian push buttons for pedestrians wishing to cross 11th Street and the replacement of the existing push buttons with the specialized push buttons. These specialized push buttons will include three features:

- A very low beeping tone will help pedestrians find the push button. The tone can only be heard about 25 to 30 feet. A previous system used at this location was removed because its tone was too loud.
- A Braille sign gives pedestrians the name of the street the button allows them to cross.
- The button has a raised arrow on its surface to reinforce the direction of travel, and it vibrates when the “walk” light comes on.

Commonwealth Electric Company will begin the installation in the next week or two, weather permitting. Work is scheduled to be completed by the end of February.

For more information, contact Scott Opfer, Manager of Traffic Operations, at 441-7711.
SPECIAL PUBLIC MEETING
RAILROAD TRANSPORTATION SAFETY DISTRICT
TUESDAY, FEBRUARY 20, 2007; 8:00 - 9:30 A.M.
CITY COUNCIL CHAMBERS

Items to be discussed

• Quiet Zone Study and North 44th Street Traffic Study

• Additional Quiet Zone Studies
  1. South Salt Creek
  2. 14th and Yankee Hill Area

For more information, contact Roger Figard, Executive Director, at 441-7711.
Service issues will continue to be a growing problem in the older parts of town.

Common in many of the older parts of town were **branch services** (more than one services tied to a single tap) or **long services that cross private property** (non-abutting). Occurrence of problems with services that require reconstruction do cause inconvenience, possibly short term loss of service with adjacent, effected property owners. And when one service requires repair in a neighborhood, it is likely that others in the area will also eventually require repair. With that in mind, staff suggests that it would be good to provide a pipeline built under district.

Some relevant facts:
- In this area a number of properties do have nonabutting services.
- If a district were to be created a 6-inch water main would be constructed in Francis St. (62nd to Donald St.), new taps to the main provided and a new service pipes to stop boxes will be installed.
- All properties adjacent to the new pipe line would be assessed if the district is approved.
- The assessment rate is usually a less expensive option for property owners vs repair/rebuilding a non-abutting service. Property values may benefit.
- The assessment district rate per foot will likely increase.
- Lincoln Water usually benefits from the improved fire flow rates.

A water district can be created without a majority of property owners in support. Needed is the vote of City Council to create the district. If the Council does not create the district, then the only option is for a non-abutting agreement (across another’s property).

Steve and/or Jerry,

Someone asked me if I know anything about a proposed water district coming up on Francis St from N. 63rd to the west. Someone is building a new house on an old site and apparently the service has to come in a long ways to reach his property. He is prepared to pay but city staff says they have to propose a water
district just in case any of his five or six neighbors would like to have an assessment for water service that they don't need. The question was raised as to if there any way to shorten the process?

If one person will pay for it does it HAVE to go thru the normal process. Or am I getting incomplete information? (We had something similar awhile back except that people didn’t WANT to pay. Is this the same thing?)

Could you let me know please?
Patte Newman
February 21, 2007

Gary Hendrix
7901 Steinway Road
Lincoln, NE 68505

Dear Gary,

I would like to meet with you at 7901 Steinway Road to address the various concerns you have with sidewalks, driveways, and curb and gutter street repair. What I propose is to bring along someone from each of these areas of concern that can address what can or cannot be done and whose responsibility it is to see that it gets addressed. Also, I would like everyone to agree on a time frame for addressing each of the issues if repair work is to be done.

Obviously you have already waited longer than should be expected for this response and I apologize for the lateness. However, I would also ask if it might be possible to get past this winter season have a meeting around the end of March or early April. We can move from verbally resolving these issues to a timeliness of getting the work that is needed to completion.

My work phone number is 441-7701 and I am available from 8:00 a.m. to 4:30 p.m., Monday through Friday. I have your work and cellular phone numbers. When this winter weather breaks, I will contact you and arrange to meet on site and determine a date and time to resolve these issues as our budgets and schedules will allow.

Sincerely,

W. L. Nass

W. L. Nass
Maintenance Coordinator
Street Maintenance Operations

cc: Mayor's Office
Patte Newman, City Council
Karl Fredrickson, Public Works Director
Wayne Teten, Maintenance Manager
Roger Figard, City Engineer
Andrew Edwards
Harry Kroos
Bruce Sweney
15 February 2007

NANCY HICKS
Lincoln Journal-Star
1445 "K" Street
Lincoln, NE  68508
438-4558

Dear Nancy Hicks and the Opinion Page at the  Lincoln Journal-Star,

Have you blacklisted me? I have sent some wonderful opinions (in my own opinion) and no phone calls for permission to publish (perhaps I speak the truth?!?)?

Anyway...here is another opinion:

I am seeing a pattern over the last 1-and-a-half months. A former State Senator goes to jail for DUI (Mossey), a Hastings City Councilman gets his DUI conviction overturned (Glassmyer), a freshman State Senator refuses a breath test (Nantkes), a Judge in Omaha refuses to convict an Omaha Lawyer of Felony DUI (MS. Head) and Officer Schenkle, of the Lincoln Police Department, gets probation.

It seem our public representatives have a drinking problem. It also seems to me that they are right...we need more prisons! In fact, I am sure, they are thinking of building one especially for them complete with sauna, hot tub and full service gymnasium! All I can say...it's about time!!!

Most of these offenders will be back...Mossey will spend his time in jail and continue drinking. Councilman Glassmyer dodged a bullet and he is probably drinking right now. Senator Nantkes is drinking at home too scared to go out. MS. Head, Attorney at Law, is probably studying DUI law and will represent Senator Nantkes in her defense. Officer Schenkle get the shaft because she is the only one that can not afford an attorney on a cops wage!
Lincoln, a drinkin' town with a Basketball problem!

Ain't life grand !!!

Love,

FRED MARKS, Recovering Alcoholic and Drug Addict
http://LincolnRecovery.org
Concerned Citizen of the World
6701 Vine Street
Lincoln, NE 68505
402-817-0651
402-730-5000

---

I am using the free version of SPAMfighter for private users.
It has removed 1374 spam emails to date.
Paying users do not have this message in their emails.
Try SPAMfighter for free now!
I wanted to voice my concerns regarding the $7.00 a month increase in the Aquila bill. That is an extremely high increase in monthly bills. We were given a one day notice of this increase, without warning. The only gas I use in my home is my fireplace, which means a $7.00 increase would be a 35% increase on my bill. That is ridiculous and completely unrealistic.

Thank you,

Jodi Johnson
Dear Lancaster County Commissioners,

I would like to encourage each of you to reflect upon your service to the people in your district and the county as a whole. It concerns me that two of you appear more interested in your next elected position than you are the economic development of Lancaster County and the surrounding metropolitan area.

Most of the people in each of your districts live in the city. Two of you appear more intent on furthering the interests of a few of your rural neighbors above the wishes of the entire county. You know who you are. The people know who you are.

You are supposed to represent your entire district and the county. If you have ambition of running for another office in the future, you had better recognize that most of the voters who will remember you live in the city of Lincoln.

You cannot embrace anti-growth, restrict the economic freedom of the people of the county, restrict the expansion of the city, obstruct the ability of the community to utilize key transportation resources and put the needs of the majority of the county as subordinate to a few. If your actions are governed by your ambitions rather than the needs of the people, remember this: Those few won’t get you elected to another office.

Your actions, taken against the economic growth and welfare of the citizens of Lancaster County AS A WHOLE, will be remembered. Your actions affect the people of Nebraska, and the Lincoln Metropolitan area. People are watching.

Are you for growth and opportunity? I will keep the record of your actions fresh in the minds of the voters in your future campaigns.
Joel Ludwig

219 4th Street

Garland, NE68360
This has to be the truest comment I have seen posted.

"Survey....we don't need no stinkin' survey.....Motor Sports FANS already know the demand....look around the Midwest at all the race facilities including Brainerd, Kansas City, Denver, St Louis, Des Moines, Chicago and you can see the DEMAND...How come you dont see NEBRASKA??? The Kansas Speedway is one of the top tourist attactions of Kansas...Heartland Park Topeka ranks Nebraska as their most attended Fan Base...This is an exciting time for Lincoln to have an opportunity to have a sanctioned NHRA Drag Race facility being proposed in our community. We have a golden opportunity for a facility to bring NHRA Drag Racing on a national and regional level to bring revenue, new businesses, create tourism, and most importantly of all, provide family entertainment for people in Nebraska to enjoy. There is a new sheriff in town...it's call NHRA Family Entertainment...can't wait till it's built."
From: Chevy Dragster <knownos500hp@yahoo.com>
To: midwestminichoppers@hotmail.com
Subject: Motorsports Demand
Date: Sun, 18 Feb 2007 17:47:20 -0800 (PST)

"The elite noble people of Lincoln, few as they are, may not realize the
large community of motor sports fans, but we do out number you. There will
be 20,000 people at the Lincoln swap meet next month. An annual event. I
bet most of you didn't even know about us. Wake up. We are here, and we are
a large part of this community. Bring on the race track. It is about time
to stop the B.S. and get it done."

Finding fabulous fares is fun.
Let Yahoo! FareChase search your favorite travel sites to find flight and
hotel bargains.
CARROLL L. VERHAGE, M.D.
1322 H STREET
GENEVA, NE 68361
Telephone (402) 759-4431

February 17, 2007

Violations Bureau
555 South 10th Street
Lincoln, NE 68508

RE: Blue 1983 Mercury
Tag No. 34-D804

Dear Bureau:

I think a parking fine of $100.00 is outrageous. If someone would have checked, they would have found out that the tags and taxes were paid on this vehicle on 12-19-2006. I am sorry that I have not had the opportunity to put the tag stickers on the vehicle.

If the City of Lincoln takes this attitude to a car parked on Duncan Aviation's back lot, I will see that the car never sits there anymore. I will make it a point to not do business in Lincoln in the future, including my aircraft repair.

Sincerely,

C. L. Verhage

CLV: 1k

Copy to: CEO
Duncan Aviation
Municipal Airport
Lincoln, NE 68524

Lincoln City Council
555 S. 10th
Lincoln, NE 68508
**IMPORTANT NOTICE**

**TO THE OWNER OF THE VEHICLE DESCRIBED HEREON:**
You are advised that a complaint is on file in the Violations Bureau relative to a parking or non-moving violation. As the registered owner of the vehicle in violation, you are notified to report to the Violations Bureau, 555 South 10th Street, 1st floor, Finance Department to dispose of this ticket. If you are unable to appear in person, you may dispose of this complaint by mailing a check or money order in the amount shown on the reverse side of this card to the address specified (not responsible for cash lost in the mail). If a receipt is requested, a stamped, self-addressed envelope must be included with citation and payment. **THIS CARD MUST ACCOMPANY PAYMENT FOR PROPER CREDIT.**

**AS THE REGISTERED OWNER OF THE VEHICLE IF YOU FAIL TO COMPLY WITHIN 15 DAYS OF THE DATE OF VIOLATION, YOUR VEHICLE WILL BE SUBJECT TO TOWING AND IMPOUNDMENT. TOWED VEHICLES MUST PAY IN CASH OR MONEY ORDER.**

Payments can be made at www.lincoln.ne.gov

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**Ticket No.** 30004057  
**Date** 02/08/2007  
**Time** 10:59:00  
**Violation** IMP REG  
**Fine Amt** $100.00

**Address:**  
3431 AVIATION RD MBRC BLU 4D  
**Location:** GENEVA NE 68361  
**License No:** 34D804 NE
February 21, 2007

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

Dear Council Members:

The Board of Directors of the Lower Platte South Natural Resources District, at their meeting on January 17, 2007 adopted a motion to endorse the revised, updated Salt Creek Floodplain Maps and the amendment to the City Zoning Ordinance to adopt standards for development within the Salt Creek Flood Storage Areas. The District has been a partner with the City of Lincoln in the update of these maps and the development of the ordinances.

These new maps include the current landuse in the floodplain, accurate topographic information, updated and refined hydrology and hydraulics and thus represent the most accurate information to help protect the safety of lives and property. The ordinance changes provide the most realistic and reasonable approach in regulating the existing and future floodplain development to maintain the floodway within the Salt Creek Levee system.

The Board of Directors would urge the City Council to adopt the updated Salt Creek 100-year maps as best available information for local flood regulation and approve the City Zoning Ordinance change as proposed.

Sincerely,

Glenn D. Johnson
General Manager

GDJ/gdj
I am so glad that someone is making Time Warner responsible for what they have done to US, the customers.

Navigator is so aggravating. We don't like it and everyone that we have talked to doesn't like it either.

I just want to thank you for helping us to maybe get some results, when we as individuals that have called, couldn't get any response or results.

Thank you.
Mrs. Velana Tegley
I am not able to attend the meeting but wanted to give my input. WHY did they release the Navigator before they had the bugs worked out? I had very few problems with Passport and now have just resigned myself to the fact that I will have to reboot everyday. It's slow to react when pressing the channel or the guide buttons. I have called so many times to complain and their answer is to reboot. I think every customer they have dumped this product on should get some sort of refund.

I will say I was impressed when the CEO sent out a letter apologizing. Before that letter, every time I called they acted like I was the only person in Lincoln having any problem.
I can not attend the Council Meeting on March 5th but would like to voice my strong support for the proposed evaluation of Time Warner Cable's software and Digital Video Recorder. I am a subscriber and am very dissatisfied with the product provided by Time Warner. It was much better prior to the "upgrade".

I moved to Lincoln from Omaha where the cable service is better and much cheaper due to the fact that competition is allowed and forces the companies to provide better service at a lower cost. My son who still lives in Omaha pays much less for cable and has no complaints about the service provided - much different than Time Warner subscribers in Lincoln who have no other choice but to put up with the shoddy product and high prices.

Kent Plummer
2242 Liberty Bell Lane

This electronic message contains information from the Nebraska Department of Banking and Finance that may be privileged and confidential. If you have received this communication in error, please notify the sender immediately by return e-mail or by telephone at (402) 471-2171.
I would just like to say that the daily reboots and slow DVR is really starting to just tick me off. I am almost to the point of canceling my service and going through Dish. I pay almost $100 dollars a month and what for? A DVR that takes me about 10 min. to watch a recorded show, commercials that I want to fast forward through during my recorded show takes another 5 min just to fast forward through them and by the time that it starts to fast forward after you have pushed the button the show is already back on and being fast forwarded through then I am having to rewind to get to the beginning of the show. Any command that is asked of (pushed on the remote) usually takes between 1 and 5 min. to end up going through.

What I ask from you as the city council of Lincoln is to try and get us customers with the service that Time Warner is providing or should I say the service Time Warner isn't providing, to get them to reimburse us for the service that we haven't been receiving that Time Warner should be giving us. Even if it is only a $10 reimbursement a month. Just showing something that they actually care about the service they are providing to there customers.

Thank you for your time!

Cortney Neemann
ITS’S ABOUT TIME SOMEONE DID SOMETHING ABOUT TW. TWO ITEMS. 1. RATE INCREASES EVERY YEAR ABOVE THE INFLATION PERCENTAGE BECAUSE OF NO COMPETITION. POOR DELIVERY SERVICE EVEN WITHOUT THE NAVIGATOR SERVICE, I HAVE BEEN TOLD THE SIGNAL STRENGTH IN MY AREA IS NOT THAT GOOD AND THEY HAVE NOT DONE ANYTHING ABOUT THE PROBLEM. AFTER REPEATED SERVICE CALLS OVER THE YEARS I HAVE GIVEN UP TRYING TO GET SOMETHING DONE. KEEP LOOKING INTO THEIR SERVICE. ELDON JAMESON 3805 CALVERT. THANKS
My wife and I wish to offer our opinion of the Time Warner "Navigator".

We find that it is poorly designed and gives little, if any information about the channel to be viewed.

It does not give the date of the movie, and few, if any of the stars.

It is very slow, and often must be re-booted.

The graphics are very poor.

I would rate the overall performance of the Navigator at poor, at best.

I know they went to the Navigator to save money, (they had to pay for the old system, while Navigator is in house)m but the new product is very much inferior to the old.

Gerald F. Gulland
Peggy A. Gulland

AOL now offers free email to everyone. Find out more about what's free from AOL at AOL.com.
John C. McQuinn  
City Prosecutor, Ste. 4201  
575 South 10th St.  
Lincoln, Ne 68508  

Dear Mr. McQuinn:

I received your letter of Febr. 16, 2007. I am asking you to give me verification of what provision of the Lincoln Municipal Code Chapter 3.50, Lincoln Smoking Regulation Act of which my business is in violation.

Thank you in advance for your cooperation in this matter.

Sincerely,

Jerry R. Irwin  
Foxy Lady  
1823 "0" St.  
Lincoln, Ne. 68508  
402 435-0890

CC:  Bob Kawamoto  
Dale Stertz  
Chuck Schweitzer  
Scott Holmes  
Mark Andersen  
Chief Cassidy  
Jon Camp  
Jonathan Cook  
Annette McRoy  
Patte Newman  
Etc.  
Etc.  
Etc.
FEB 16 2007

Jerry Irwin
Foxy Lady
1823 ‘O’ St.
Lincoln, NE 68508

Dear Mr. Irwin:

On February 12, 2007 an inspection was conducted by the Lincoln-Lancaster County Health Department at your establishment to determine the compliance status of your designated outdoor smoking area.

In order to qualify as an outdoor smoking area, you must provide at least 20% net open space relative to the total square footage of all four walls and ceiling. This open space must be permanent and non-closable. The use of any building material (such as lattice work, wrought iron, tarps, banners, screening material, etc.) in this open space is subtracted from the total available open space.

Based on the inspection of your designated smoking area and calculations made from that inspection, only 5% net open space is currently provided. You cannot allow smoking in this designated smoking area until you have achieved the required 20% net open space and have received written approval from the LLCHD. Should it be determined that you are allowing smoking in this area, this case will be referred to my office for prosecution under the provision of Lincoln Municipal Code Chapter 8.50, Lincoln Smoking Regulation Act.

Please direct any questions regarding compliance with the Act to Chris Schroeder at (402) 441-6272. Thank you, in advance, for your voluntary compliance in this matter.

Sincerely,

John C. McQuinn
Chief City Prosecutor

JCM:CS:1c

cc: Bob Kawamoto, Captain Lincoln Police Department
    Dale Stertz, Building and Safety
    Chuck Schweitzer, Fire Prevention Bureau
    Scott Holmes, Lincoln-Lancaster County Health Department
Dear Councilman Cook and City Council members,

Thank you all very much for moving forward in investigating the recent problems with Time Warner Cable's recent service changes. We have certainly had some of the problems described in the Journal-Star, and have heard numerous stories from friends and colleagues about their own hassles. I am pleased to see the City Council taking action to address this issue. Thank you!

Sincerely,
Carrie Petr
7130 Phoenix Drive, Lincoln
To whom it may concern,

The problems with the new program that Time Warner has implemented are not acceptable. The fact that we have to pay ninety or more dollars a month for cable is ridiculous to begin with, but then to add a horrible product to that is mind boggling. Why are we as a city standing for this? Our elected officials need to address this issue now, or we need new elected officials that will handle problems for the people they serve. We have no competition in the cable TV arena here in Lincoln, God knows why. For a capitalist society to prosper competition is paramount. Maybe we should think about making the cable service in Lincoln a two horse race.

Ryan Kearney

"Restore all things in Christ."

-Pope Pius X
Dear Council Members,

I am sure you will get many messages like mine - I am simply fed up with paying full price for a product that only works half the time.

I feel like Time Warner acted in their own best interest through this "upgrade" at the expense of their customers. Unfortunately, they have nothing to lose - we're not going anywhere. I personally have no recourse for Time Warner's actions. I have no other cable providers to choose from, and I am unable to put up a satellite dish at my apartment complex. Time Warner needs to be held accountable for this - and if they want to regain any semblence of public support they need to offer some sort of compensation.

Thank you Councilman Cook for introducing this resolution.

Best,

Matt Turman

Sr. Political Science Major

Nebraska Wesleyan University

First, I would like to thank Jonathan Cook for calling for the performance evaluation - it is much needed.
It is unacceptable that this company has a monopoly on cable television service for Lincoln. The actions of TWC as a whole indicate that it has no fear of actions on the part of the city government to correct its abuses.

Sincerely,

Shawn Salrin
1827 F St.
Lincoln, NE.
...thanks to Jonathan Cook for standing up for his constituents regarding the Time-Warner monopoly in Lincoln, NE. If it were not that the satellite cable people only offer Grand Island and Hastings and Kearney local channels, and not Omaha, I would have converted to satellite years ago.

...I don't know just how much Lincoln gets in remuneration from Time-Warner for their franchise/monopoly in Lincoln, but I definitely think that this needs to be made public and discussed. Let the public in our locale indicate to the powers that be whether that exclusivity/monopoly is worthwhile.

...personally, I'm tired of the Time-Warner dictates to customers. Their software upgrade is poor, previous promises that they were fixing the problem continue in numerous press releases and computer generated phone messages, but I've not really seen any improvements yet. They again raised rates, I called to complain, they just said "that's the way it is". They said they sent a letter out telling us they were going to raise the rates, but I don't recall seeing that. Does the council get informed of this prior to rate hikes? Just how much is Time-Warner gleaning off the Lincoln/Southeast Nebraska market where they have the monopoly. Should not the council be the advocate for the public rather than Time-Warner? I'd like to see the council assign a study to compare rates where Time-Warner has a monopoly, and where they compete with other cable providers and see what that rate is, and then we can better determine whether the exclusivity/monopoly of Time-Warner is justified.

...these are just a few concerns, I have others, but I do appreciate Jonathan Cook standing up to Time-Warner and at least questioning what Time-Warner is doing.

Ryon Adams
I just have a few comments about Time-Warner Cable. Some time back I changed from being a "Dish" owner to Time-Warner, and was pleased with the change, that is, until these "new" updates being installed by Time-Warner. I am tired of my cable not working, or it says "boot" on my DVR. I am paying for a service that many times does not work. I hope and pray that in the event the 911 Center comes on line to issue a warning such as a tornado or our local television stations issue a warning, that my cable does not say "boot"...

Thank You,

Danny G. McEntarffer
6050 Fremont St
Lincoln, NE  68507
402-464-1778
I saw the article in the paper today and applaud your efforts. My service has been horrendous ever since the "upgrade" to the new navigator. The only reason I still have Time Warner is that my apartment complex doesn't allow satellites. Thanks!

Travis Reinsch
I am enclosing a list of problems I have with the Time Warner DVR;

- When selecting the menu - it pauses for a long time before responding to the button pressed
- Locks up 2 times per week and must have the power removed for a reboot. (02/13/2007, 02/14/2007 and 02/16/2007)
- When tech support is called they act like I am an idiot, and say "did you reboot" and "the patch is coming in about 4 - 6 weeks". This is from my conversation with them on 02/15/2007
- When fast forwarding the recorded show and then selecting the play feature - on the old system it would back up a couple seconds and it doesn't do that any more.
- When selecting a new series to record it records every instance of the show even though the first run was selected in the options

Dan Showalter
1822 Chloe Lane
Lincoln, NE 68512
(402) 617-1664 H
(402) 420-4206 W
Time Warner picked Lincoln, NE to test its navigator software because it was a small city in a remote location where they had an absolute monopoly. We were the first in the nation to see this mess in its standstill mode.

Now we are supposed to suffer through another edition in the next few days. If Lincoln would bring in some competition these kind of fiascos would happen somewhere else. A friend of mine who knows T/W in NYC said they picked us because they knew it wouldn't work, but also that any complaints would fall on empty response by the City of Lincoln who are totally cowed by the "Big Boys" from back east.

Please folks, let us get into the 21st century and bring in some competition....!!!

David Patrick
davepatrick31@msn.com
To whom it may concern-
Since the introduction of the "Navigator" through Time Warner, I have had nothing but trouble. Delayed timing, missed recordings and customer service representative that insist I unplug my unit to "reboot the system" is what I receive for service I feel is already priced too high. I think it's time for another cable company to be brought into town to compete with Time Warner.
Thank You-
James R. Piippo

TV dinner still cooling?
Check out "Tonight's Picks" on Yahoo! TV.
Members of the Lincoln City Council:

Months ago, Time Warner Cable informed customers of the impending software change to our cable system. Months later, problems still persist. An apology letter sent by the president of Time Warner Cable Nebraska promised quick action in fixing the problems and asked customers for patience since the cable company is "testing" the beta version of the software. Today, my cable bill is near $100 per month. Problems are more consistent than the service itself. And Time Warner technicians only advice is to "unplug the cable box for 30 seconds and plug it back in."

Today you have a chance to hold Time Warner Cable accountable. You should do so. You have a responsibility to do so. Releasing untested and problematic software to unknowing customers is appalling. The promised quick action to correct the problems has not been quick. The frustration has mounted and Lincoln residents are at a boiling point. For example, on the UNL campus several individuals are in talks with The Dish Network and DirecTV satellite services to provide a student discount similar to the discount provided by Time Warner Cable.

I hope you take the time today to carefully consider that Time Warner Cable is essentially a monopoly and the Lincoln City Council provides the only check and balance between Time Warner Cable and the customer. Time Warner Cable rates in Lincoln are more expensive than Cox Cable rates in Omaha and the service of Time Warner Cable is greatly inferior. Please do not pass this resolution as an empty gesture to the Lincoln community. It is time that Time Warner Cable be held accountable for this horrendous mistake and uncanny error in judgement. An investigation should be launched and the Lincoln City Council must take action on this matter.

Sincerely,

Greg Gifford
8 Trenridge Road
Lincoln, NE 68506

(402) 613-5985

ggifford2@unl.edu
Dear Council,

Since Time Warner selected Nebraska to do their software beta testing, will any form of compensation be discussed?

A one month complementary subscription might do it for me.

Where can I hear or read the content of this particular council discussion?

And, Councilman Cook, thank you so much for looking into this issue for us.

Linda Stoehr
328-0207
To whom it may concern:

I was happy to see that the council was looking into the situation with Time Warner and the Navigator software, I would like to attend the public meeting but unfortunately I will be out of town. I do hope you will have another public meeting on this subject, however that may not happen so I thought I would at least let you know what I have experienced with Time Warner.

Like everyone else with DVRs I have had the usual problems with slow response, however there are other issues with the new software that I am experiencing and when I call into Time Warner the will not even acknowledge that there are other problems. Here is a list of the issues I have.

1. Lost DVR recordings, shows that were set to record and show up on the list as recorded are not there.
2. DVR recordings that only record part of a show and then the recording stops in the middle of the show for some unknown reason.
3. Audio delay when changing to upper tear channels, sometimes you see the show for 15 seconds before you hear the audio.
4. System lock up, all of a sudden you can't change channels or look at the guide, you have to re-boot at that point.
5. Slow response of banners and channel guides.

As I mentioned earlier, some of these problems are not getting coverage in the press and when I have attempted to determine if Time Warner was aware of these issues, I have gotten no response. I have had technicians at my house and have called customer service several times, when I push them for answers all I get is "we will call you back" and I never hear anything again. I have also asked the question why they simply do not switch back to the old software until they get the Navigator fixed, I get no response to that question. I have also requested an email address of someone in charge of the project so I can make sure that they were aware of all of the issues, Time Warner customer service will not give any information on who you can contact to make sure all of the issues are known.

Time Warner claims that they are making this switch so we can have things like caller ID on our TV - well who cares about that I just want my TV and DVR to work, and you might remind them we pay dearly for their service, more than their Omaha customers. I think Time Warner owes their customers a rebate for the services we have not been receiving.

Sincerely
Michael Sawyer
W 402-467-0605
H 402-488-8683
I too am so upset with Time Warner’s new navigator system and now feel I am paying Time Warner $1800.00/year to be their experimental Ginny pig which I did not volunteer my services for.
I have made more then many complaints and phone calls regarding these many matters only to find myself waiting on their phones answering machine getting even more frustrated.

If it were me not satisfying my end of the contract with Time Warner there is NO hesitation with them charging me and every other hard working subscriber with late charges, so I feel they should NOT be allowed any grace period to rectify, and they also should be made liable for credits or refunds.

Time Warner has some very serious problems that they created themselves, they always offer more services included in packages that nobody really wants, needs or uses to raise prices. It’s time they add services that people need and desire, they only add things that don't cost them much money (if any) to create, then add a charge to the customer which in turn never uses it, and they keep the service that everyone wants needs and desires (such as the NFL Network for example)
this is just bad customer relation decisions. never once have I got a survey or questioneer of what choices I wanted or could pick from, It's always just more channels of paid advertisement channels they add, for what they say is MY VIEWING PLEASURE....

UNBELIEVABLE

I also recommend that the service should be charged for hours used rather then flat monthly rates. (you pay only when you use it). Not when your at work and the TV is off.

sincerely Bruce Focken
My cable box first rebooted itself in November of 2006 and the format changed.
1) I believe the format not to be as good as the old format.
2) My box too, reboots on its own at any given time
3) There are numerous times when my screen or the menu goes blank
4) There are numerous times when the menu comes up contains no data what so ever.
5) I have to continually reboot to enjoy the service I am paying dearly for.
6) I don’t believe I should pay full price to beta test their software, nor did I sign up to beta test their software at full price.
7) When you call them, they just walk you through a reboot and the techies agree it is crap.
8) I would like to see some form of discount returned to the Lincoln users who have had to put up with the inconvenience.
9) When I beta test software for companies, the software is free or drastically reduced to me when the final product is produced.

Thanks for looking into this for the citizens of Lincoln. Time Warner needs to take care of its customers, or we should at least have additional cable service options other then their monopoly.

Appreciated,
Jim Metschke
5435 Wilshire Blvd.
Lincoln, NE 68504-3354
402-202-5466
metschke@ix.netcom.com

Accept as good whatever happens to you or affects you, knowing that nothing happens without God.
- The Didache
Time Warner has shown a blatant disrespect and ignored the needs of its paying customers. The City Council has waited far too long to detail the issues and take action. Do the math, Time Warner has reaped vast rewards while providing an inferior product and service. The city should never have allowed a monopoly of this nature and should be held accountable as well as Time Warner. Paying customers should receive a reduced cable rate for the same period of time they have been hindered by these issues. Subscribers have paid in good faith for an inferior product and service and TW has reaped millions during this beta testing of a product that never should have been released. If the monopoly had not been allowed Time Warner would have paid severely as its client base chose a different vendor. Shame on the City Council and the Mayor who shall all be replaced. Time Warner has lost my respect, but unfortunately at this time not my business since thanks to our local government I have no other choice. A soon to be ex-customer of Time Warner and most definitely an unhappy registered voter.

Kevin Carter
Attn: Jonathan Cook

After I read the article in the Journal Star about your public hearing, and since I won't be able to attend, I wanted to send you a quick note explaining how I feel about Time Warner Cable's service. In January, I took my cable box back to Time Warner and cancelled all of my cable television service and only kept internet. (I really can't complain about the internet service itself, although it really is rather expensive considering what the service costs in other markets around the midwest.)
The television service was nearly unusable, from lock-ups to poor picture quality on most of the analog channels; and the HD and Digital channels had many issues with the picture freezing and blocks of it would come and go, when the picture and sound weren't already freezing up. I couldn't see paying them over $90.00 per month (not including the $45/month for internet on top of that) for something that was nothing but frustrating. And, since there is no other cable option, at this point I'm just as happy without their service (or lack thereof) as far as television content goes. Personally, I feel their rates border on extortionate assuming the service worked most of the time, let alone how it is now. So I'm voting with my money.

Regardless, I wanted you to know how I feel about the situation. We need some sort of viable alternative other than satellite.

Thank you for listening.

Regards,

Jason Agee
HHS IS&T Technical Services Evaluation and Integration
(402) 471-0493
AD D E N D U M
T O
D I R E C T O R S’  A G E N D A
MONDAY, FEBRUARY 26, 2007

I. MAYOR -

1. NEWS ADVISORY - RE: Mayor Seng’s Public Schedule Week of February 24 through February 30, 2007 - Schedule subject to change.

2. NEWS RELEASE - RE: Public Invited To Open House On South Street Improvements Project Pre-Construction.


II. CITY CLERK - NONE

III. CORRESPONDENCE

A. COUNCIL REQUESTS/CORRESPONDENCE - NONE

B. DIRECTORS AND DEPARTMENT HEADS - NONE

C. MISCELLANEOUS - NONE
Mayor Seng’s Public Schedule
Week of February 24 through 30, 2007
Schedule subject to change

Saturday, February 24
• Food Share, volunteer - 8:30 a.m., Fourth Presbyterian Church, 5200 Francis

Sunday, February 25
• Make-A-Wish Foundation “Night with Oscar” - 5 p.m., The Great Hall, Lincoln Station, 201 N. 7th St.

Tuesday, February 27
• KLIN 1400AM “call-in” show with Charlie Brogan and Mark Halvorsen - 8:10 a.m., Broadcast House, 4343 “O” St.
• Nebraska Statehood Birthday Party, remarks - 1:30 p.m., Champions Club (west of Memorial Stadium)
• Junior Girl Scout Troop, remarks - 6:30 p.m., Munden Parlor, First United Methodist Church, 56th and St. Paul Ave.

Thursday, March 1
• News conference - 10 a.m., topic and location to be announced
• Terry Uland “Farewell” from NeighborWorks - 4:30 p.m., Apothecary Building, 140 N. 8th St.

Friday, March 2
• Nebraska Blacksmith, Welders and Machinists Association state convention, remarks - 8:15 a.m., Howard Johnson Inn (Platte Ballroom), 5250 Cornhusker Hwy.
• Dr. Seuss Day with Marcee Seng’s kindergarten class - 12:30 p.m., Hartley Elementary, 730 N. 33rd St.
The public is invited to an open house on the South Street Improvements Project (8th to 18th streets) from 5:30 to 7:30 p.m. Tuesday, February 27 at Bryan/LGH West Medical Plaza, 2300 South 16th Street, Conference Center B and C.

Full-scale construction is scheduled to begin March 12 and conclude by September. The public is invited to learn about the construction schedule and construction phasing at the open house. Representatives from the City of Lincoln’s Public Works and Utilities and Urban Development Departments will be available to discuss the project and answer questions, along with the project’s construction contractor.

The project includes roadway resurfacing; replacement of medians and traffic signals; pavement marking; new streetscape enhancements such as ornamental lighting, banners and benches; the replacement of storm sewers and water mains; and sanitary sewer repairs.

For more information, the public can contact Holly Lionberger, Public Works and Utilities Department, at 441-8400 or visit the City Web site at lincoln.ne.gov (keyword: southstreet).
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: Sunday, February 25, 2007
Time: noon

City street crews have been out since about 8 p.m. Saturday night engaging in full-scale material spreading and plowing operations. As the rain turned to sleet followed by a heavy, wet snowfall during the overnight hours, about 84 maintenance vehicles were plowing Lincoln’s emergency snow routes, bus routes and major arterial streets between the hours of 3 and 6 a.m. Sunday.

At about 10 a.m. today, street crews began making their way into residential streets with plows and material spreaders. Areas of drifting snow will be targeted with the plows while hills and intersections will receive additional material spreading.

Lincoln Police Department reports no significant increase in accidents related to the inclement weather.

Parking bans are not in effect at this time. Drivers are advised to proceed with caution.

Residents are asked to make sure sidewalks are clear, especially at crosswalks and curb cuts, and to clear snow from fire hydrants. It is illegal to push or blow snow into or on any street, alley or sidewalk.

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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