I. MAYOR
1. Drinking Water Samples Tested for Total Coliform and E. Coli Bateria by the Colilert® Method of Analysis.
2. NEWS RELEASE. Lincoln Fire and Rescue Reminds Residents to Practice Fire Escape Plans.
3. NEWS RELEASE. Public Hearing Set on Cardwell Branch Watershed.

II. DIRECTORS

FINANCE/TREASURER

PLANNING COMMISSION FINAL ACTION

PLANNING DEPARTMENT
1. Correspondence Received in Opposition to Special Permit No. 1685A, Located at South 12th and D Streets

PUBLIC WORKS DEPARTMENT
1. Correspondence from Nicole Tooze Regarding Striping Complaint in the 70th and Pioneers Streets Area.
2. Correspondence from Nicole Tooze Regarding Claim Filed for Damage Caused by Street Striping in the 70th and Pioneers Streets Area.

III. CITY CLERK

IV. COUNCIL REQUESTS/CORRESPONDENCE

ROBIN ESCHLIMAN
1. Request to Public Works & Utilities Dept. - RE: Bus System (RFI#10 - 10/02/07)

V. MISCELLANEOUS
1. Correspondence from John E. Cederberg, CPA, on Ordinance Creating the City Audit Advisory Board and Related Matters. (Distributed to Council Members on 10/01/07 before Formal Council Meeting)
2. Correspondence from Jason Stege Regarding StarTran Proposed Routes.

VI. ADJOURNMENT
October 2, 2007

The Honorable Mayor and City Council

All of the drinking water samples were tested for Total Coliform and E. coli bacteria by the Colilert® method of analysis.

<table>
<thead>
<tr>
<th>Regulatory Tests during the month of August 2007:</th>
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<tr>
<td>Test Type</td>
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<td>Initial Repeat</td>
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<td>Test Type</td>
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Respectfully,

Mary Sue Semencik
Sandra Irwin
Nebraska Public Health Environmental Laboratory
Lab Manager

enc.
LINCOLN FIRE AND RESCUE
1801 “Q” Street, Lincoln, NE 68508, 441-8350, fax 441-7098

FOR IMMEDIATE RELEASE: October 4, 2007
FOR MORE INFORMATION: Captain Jeff Hatcher, 441-8374

LINCOLN FIRE AND RESCUE REMINDS RESIDENTS TO PRACTICE FIRE ESCAPE PLANS

Lincoln Fire and Rescue and the National Fire Protection Association (NFPA) remind residents to practice their escape plans during National Fire Prevention Week, October 7 through 13. The latest NFPA research shows that 3,030 people died in home fires in 2005 - that's about eight fire deaths every day. But only 23 percent of households have planned and practiced home fire escape plans.

"When we speak to residents who have experienced a fire in their home, many recall becoming confused and disoriented by the conditions and severity of the situation, but they realized they needed to get out fast," said Captain Jeff Hatcher. "Sometimes there are only seconds to escape, but there's no question that having a plan in place and practicing that plan saves precious time and makes survival more likely. We hope that Fire Prevention Week will prompt folks in our community to plan and practice their escape."

Hatcher said a fire escape plan should identify two ways out of each room and establish a family meeting place outside. The plan should allow for any specific needs in the household, and it should be practiced at least twice a year.

Lincoln Fire and Rescue also recommends families install working smoke alarms on every level and inside and outside of each sleeping area. Hatcher said it's a good idea to check if family members awaken to the sound of a smoke alarm. If not, the family should make plans to wake up others. If the smoke alarm sounds, the following actions are recommended:
- Go to the closest exit.
- If you run into smoke, turn and use another way out.
- If you must exit through smoke, get low and go under the smoke to your exit.
- Don't take time to pick up belongings.
- Move fast but stay calm.

Fire departments across the country have observed Fire Prevention Week for 85 years, making it the longest running public health and safety observance on record.

- 30 -
PUBLIC HEARING SET ON CARDWELL BRANCH WATERSHED

The Lincoln-Lancaster County Planning Commission meeting Wednesday, October 10 will include a public hearing on the Cardwell Branch Watershed Master Plan. A proposed amendment to the Comprehensive Plan would incorporate the master plan as a subarea plan. The Planning Commission meeting begins at 1 p.m. in the City Council Chambers, 555 South 10th Street.

The Cardwell Branch Watershed is southwest of Lincoln. The master plan addresses flood issues, stormwater quality and stream stability and includes long-term planning tools and improvement projects to guide sustainable growth in the region.

After action by the Planning Commission the master plan will have public hearings before the City Council and County Board.

For more information, call Devin Biesecker with the City Public Works and Utilities Department at 441-4955 or Ed Ubben with the Lower Platte South NRD at 476-2729. More information on the project is available at lincoln.ne.gov (keyword: watershed).
BUDGET

Congress clears temporary measure to fund federal programs into FY 2008. Both the House and Senate this week approved a Continuing Resolution (CR) that will fund federal programs until November 16.

The CR was necessary because with the new fiscal year set to begin on October 1, Congress has yet to send any of the 12 FY 2008 appropriations bills to the President. The measure will fund programs at their FY 2007 levels, while also extending the State Childrens’ Health Insurance (SCHIP) program, Federal Aviation Administration (FAA) programs, and the food stamps program. Those initiatives are expected to expire on October 1 without a congressionally-approved reauthorization.

While the House has approved all 12 of its FY 2008 spending bills, the Senate has been slower to approve the measures on its side. Hanging over the process is the threat of vetoes by the President if the appropriations bills exceed his recommended spending limit. Currently, congressional Democrats have pledged to spend about $20 billion (less than 2 percent overall) more in domestic discretionary spending than the President would, directing the majority of those additional funds to health insurance for children and veterans, education programs, and cancer and other disease research.

Senate Majority Leader Harry Reid (D-NV) said this week that Congress will soon see how serious the President is about the vetoes by sending him three bills as a test. While Reid did not indicate which three would be chosen, they would likely come from the group of four that have been approved by both the House and Senate – Homeland Security; Military Construction-Veterans’ Affairs; State Department-Foreign Operations, and Transportation-Housing and Urban Development.

Reid also indicated that he thought that Congress could complete action on no more than seven or eight of the 12 spending bills, with the remainder being rolled into one “omnibus” measure to smooth passage.

The Senate is expected to debate the FY 2008 appropriations bill for the Departments of Commerce and Justice next week. That measure also funds programs at the National Science Foundation and NASA.

INTERNET TAX

Senate panel postpones markup, will consider a six-year extension. Senate Commerce Committee Chairman Daniel Inouye (D-HI) delayed consideration of legislation (S 1453) that would extend the moratorium on state and local taxation of Internet taxes.

The moratorium, first enacted in 1998, is set to expire on November 1. State and local governments have rallied behind S 1453, which would extend the moratorium, and its related grandfather for pre-1998 taxes, for four years. The measure also includes a definition of Internet access that was negotiated with state and local government organizations.

Reportedly, in the face of bipartisan support for a permanent moratorium, Commerce Committee members agreed that the Committee will mark up the legislation next week and amend it to extend the moratorium for six years. However, it remains unclear if a six-year moratorium will suffice to stave off attacks by proponents of a broader and permanent moratorium.

In the House, Judiciary Committee John Conyers (D-MI) has introduced legislation...
(HR 3678) to extend the moratorium for four years and says that his Committee may take it up as soon as next week. The bill would also change the definition of Internet access and includes language designed to exempt from the moratorium a wide array of taxes, such as property, income and business activity taxes, that state and local government levy on most businesses. State and local government are concerned that by specifically exempting specific categories of taxes, the bill could open the door to legal challenges to all taxes that the bill does not exempt from the moratorium.

**WATER RESOURCES**

Senate sends WRDA to President for likely veto. By a vote of 81-12, the Senate cleared for the President’s consideration legislation (HR 1495) that would authorize a wide array of Army Corps of Engineers flood control, navigation and environmental restoration projects. The House cleared the bill in August by a vote of 381-40. President Bush has indicated he will veto the bill despite its passage by wide veto-proof margins in both chambers.

President Bush has until October 6 to either sign or veto the bill. If he vetoes the bill as expected, the House and Senate would likely attempt to override the veto soon after. Bush objects to what he terms the bill’s excessive spending, arguing that the Corps needs to address a backlog of projects before Congress authorizes new ones.

However, the overwhelming votes in favor of the bill indicate strong rank and file desire to move projects forward. Congress last enacted a similar bill in 2000 and a large list of projects awaiting authorization or modification has built up since then.

**PUBLIC SAFETY**

Senate approves gang prevention measure. The Senate approved a measure (S 456) last Friday that would increase federal penalties to discourage illegal gang activities and authorize over $1 billion for gang prevention activities. Senator Dianne Feinstein (D-CA) and Orrin Hatch (R-UT) have been promoting this legislation for over a decade, so the voice vote approval with little debate was somewhat anti-climatic.

Some of the highlights of the bill include:

- $187 million over five years for activities for High Intensity Gang Activity Areas designated by the Justice Department;
- $175 million over five years for a Justice Department gang prevention block grant program for states and local governments to create community-based anti-gang initiatives;
- $270 million over three years for federal, state, and local witness protection programs;
- $100 million over five years for the Project Safe Neighborhood program where U.S. Attorneys partner with local law enforcement to reduce violence and gun crimes;
- $50 million over five years for job training programs for violent youth offenders;
- making a federal crime to recruit of criminal street gang members; engage in illegal activities of criminal street gangs, and commit crimes in furtherance of gangs, and
- increasing penalties for existing racketeering and other violent crimes.

A companion bill (HR 3547) has been introduced in the House by Rep. Adam Schiff (D-CA), but there has been no action on the measure to date.

Meanwhile, the House approved legislation that would make AIDS testing for federal prisoners optional. The measure (HR 1943) would require AIDS testing only for prisoners who are reasonably believed to have been involved in an “exposure incident.” The bill would allow inmates to request testing once a year and require confidential counseling for inmates before and after testing for HIV.

Under current federal law and Bureau of Prison guidelines, inmates sentenced to six months or more in prison are required to be tested if determined to be at risk for HIV infection. The Department of Justice reports that the rate of confirmed AIDS cases in prisons is three times the rate of the general population.

The legislation also would require that HIV-positive inmates scheduled for release receive counseling, treatment referrals, and a 30-day supply of any pertinent medications they were already taking.

The legislation now moves to the Senate, where there is currently no Senate companion to the measure.

**TRANSPORTATION**

FAA funding extended by CR; House panel grills FTA about proposed changes to New Starts. The mechanisms that provide funding for programs at the Federal Aviation Administration (FAA) were extended until November 16 by Congress this week. The extension was included as a provision of a Continuing Resolution (CR) to fund federal agencies in the absence of a completed FY 2008 budget.

The current FAA funding package expires on September 30 so the congressional action will keep programs operating while lawmakers finish work on a proposed four-year reauthorization bill. The House approved its version (HR 2881) of a reauthorization bill last week, while floor action is still pending on a Senate version (S 1300) that was approved on the committee level earlier this year.

Neither the House nor the Senate versions include recommendations by the Bush Administration to replace the current airline ticket tax with a user fee assessed on airlines based on the size of the plane. As a result, the White House has threatened to veto the measure in its current form.

Meanwhile, the House Transportation and Infrastructure Committee’s Subcommittee on Highways and Transit held a hearing this week concerning the Federal Transit Administration (FTA) proposed rulemaking on New Starts and Small Starts rail projects.
The majority of witnesses that testified before the subcommittee said that the proposed rulemaking went beyond congressional intent by making project requirements more stringent than intended in the 2005 SAFETEA-LU law. Chairman James Oberstar (D-MN) expressed concern that FTA is not currently incorporating all of the congressionally mandated criteria into either the New Starts or Small Starts evaluation process. Rather, FTA gives undue weight to a single criterion – cost effectiveness – effectively trumping all the others.

Members also questioned whether FTA has statutory authority to change the definition of “fixed guideway” to allow New Starts and Small Starts funds to be used for high occupancy toll (HOT) lanes. Several witnesses also challenged whether FTA has statutory authority to create a new category for “very small” starts projects under $50 million cost.

**PUBLIC HOUSING**

House panel clears reauthorization of HOPE VI. The House Financial Services Committee approved legislation (HR 3524) that would authorize $800 million a year through FY 2015 for the HOPE VI program, which funds the replacement of severely distressed public housing with new, mixed-income housing developments.

The Bush Administration has repeatedly targeted the program for elimination, arguing that it has already met its goal of replacing 100,000 units of severely distressed public housing. Proponents of the program, which received $99 million in FY 2007, argue that the program continues to address a compelling need.

As cleared by the Committee, the bill would require a one-for-one replacement of all public housing units demolished as part of a HOPE VI project. It would also require that HOPE VI projects be completed within one year and that housing authorities provide relocation plans and comparable replacement housing for all residents displaced by a HOPE VI project.

Bill sponsors expect the House to take up the bill soon. Senator Barbara Mikulski (D-MD) has introduced bipartisan legislation (S 829) to reauthorize HOPE VI at $600 million a year through FY 2013 but the Senate Banking Committee has yet to consider it.

**GRANT OPPORTUNITIES**

**Department of Housing and Urban Development:** HUD is accepting applications for the FY 2007 Brownfields Economic Development Initiative (BEDI). The BEDI program is designed to assist with the redevelopment of Brownfield sites and grants must be used in conjunction with a HUD Section 108-guaranteed loan. HUD also emphasizes that applicants should have current redevelopment or expansion plans to apply. The BEDI Program has $32.9 million available for FY 2007 with maximum award of $2 million. The deadline for all applications is December 24, 2007. For more information go to the September 27 Federal Register pages, 54324-54339.
OFFICE OF TREASURER, CITY OF LINCOLN, NEBRASKA

OCTOBER 1, 2007

TO: MAYOR CHRIS BEUTLER & 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 August 31, 2007:

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<tr>
<th>Description</th>
<th>Amount</th>
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<tr>
<td>Balance Forward</td>
<td>$230,462,305.60</td>
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<tr>
<td>Plus Total Debits August 1-31, 2007</td>
<td>$43,489,435.89</td>
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<tr>
<td>Less Total Credits August 1-31, 2007</td>
<td>($43,715,149.70)</td>
</tr>
<tr>
<td><strong>Cash Balance on August 31, 2007</strong></td>
<td><strong>$230,236,591.79</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>
<tr>
<th>Description</th>
<th>Amount</th>
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<tr>
<td>U. S. Bank Nebraska, N.A.</td>
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<tr>
<td>Wells Fargo Bank</td>
<td>($8,623.82)</td>
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<td>Wells Fargo Bank Credit Card Account</td>
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<td>Cornhusker Bank</td>
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<td>Pinnacle Bank</td>
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<td>Union Bank &amp; Trust Company</td>
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<td>West Gate Bank</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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<td>Cash, Checks and Warrants</td>
<td>$44,599.15</td>
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<tr>
<td><strong>Total Cash on Hand August 31, 2007</strong></td>
<td><strong>$230,236,591.79</strong></td>
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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 $23,594,579.86 representing authorized investments of the City’s funds.

**ATTEST:**

[Signature]
Melinda Jones, City Treasurer
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<tr>
<th>Description</th>
<th>Maturity Date</th>
<th>Original Face</th>
<th>Current Par</th>
<th>Market Price</th>
<th>Market Value</th>
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<tr>
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PLANNING COMMISSION FINAL ACTION
NOTIFICATION

TO : Mayor Chris Beutler
     Lincoln City Council

FROM : Jean Walker, Planning

DATE : September 28, 2007

RE : Special Permit No. 07037
     (Off-sale alcohol - 1930 West O Street)
     Resolution No. PC-01079

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, September 26, 2007:

Motion made by Taylor, seconded by Cornelius, to approve Special Permit No. 07037, with conditions, requested by Saleoff Enterprises, Inc., for authority to sell alcoholic beverages for consumption off the premises, on property generally located at 1930 West O Street.

Motion for conditional approval carried 9-0: Esseks, Sunderman, Cornelius, Taylor, Larson, Gaylor-Baird, Francis, Moline and Carroll voting 'yes'.

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
    Michael Rierden, 645 M Street, Suite 200, 68508
    Saleoff Enterprises, Inc., 1930 West O Street, 68508
    Joseph Quattrrocchi, 625 S. Lakeview Way, Ashland, NE 68003
    Kevin Bradshaw, Capitol Beach Community Assn., P.O. Box 81141, 68501
    John Huff, Capitol Beach Community Assn., 505 Pier 2, 68528
    Karl Jensvold, West O Area Business Assn., 4601 Faulkner Court, 68516
RESOLUTION NO. PC-07037

SPECIAL PERMIT NO. 07037

WHEREAS, Saleoff Enterprises Inc. has submitted an application designated as Special Permit No. 07037 for authority to sell alcoholic beverages for consumption off the premises generally located at 1930 West O Street, legally described as:

Lots 4-7, and the south 95.5' of Lot 8, Woods Bros. Lakeview Acres, except that portion deeded to the State, located in the Southeast Quarter of Section 21, Township 10 North, Range 6 East of the 6th P.M., Lancaster County, Nebraska; and

WHEREAS, the real property adjacent to the area included within the site plan for this permit to sell alcoholic beverages off the premises will not be adversely affected; and

WHEREAS, said site plan together with the terms and conditions hereinafter set forth are consistent 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 Saleoff Enterprises Inc., hereinafter referred to as "Permittee", to sell alcoholic beverages for consumption off the premises on property legally described above be and the same is hereby granted under the provisions of Section 27.63.685 of the Lincoln Municipal Code upon condition that operation of said licensed premises be in strict compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit approves the sale of alcohol for consumption off the premises as shown on the attached site plan.

2. Before the sale of alcohol the construction plans must comply with the approved plans.

3. Before commencing the sale of alcohol for consumption off the premises, all development and construction must conform to the approved plans.

4. The site plan approved by this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.

5. The terms, conditions, and requirements of this resolution shall be binding and obligatory upon the Permittee, its successors, and assigns. The building official shall report violations to the City Council which may revoke the special permit or take such other action as may be necessary to gain compliance.

6. The Permittee shall sign and return the City's letter of acceptance to the City Clerk within 60 days following 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, filing fees therefor to be
paid in advance by the Permittee.

The foregoing Resolution was approved by the Lincoln City-Lancaster
County Planning Commission on this 26 day of September, 2007.

ATTEST:

Chair

Approved as to Form & Legality:

Chief Assistant City Attorney
PLANNING COMMISSION FINAL ACTION
NOTIFICATION

TO : Mayor Chris Beutler
     Lincoln City Council

FROM : Jean Walker, Planning

DATE : September 28, 2007

RE : City Special Permit No. 07041 - Fox Trail Estates Community Unit Plan
     (S.W. 56th & W. Old Cheney Road - split jurisdiction)
Resolution No. PC-01080

The Lincoln City-Lancaster County Planning Commission took the following action at their
regular meeting on Wednesday, September 26, 2007:

Motion made by Taylor, seconded by Cornelius, to approve City Special Permit
No. 07041, with conditions, requested by Pendel, Inc., for authority to develop
the Fox Trail Estates Community Unit Plan for five single family acreage lots,
including build-through lots, together with waivers of the Land Subdivision
Ordinance, Zoning Code and City of Lincoln Design Standards in order to allow
block length to exceed 1320 feet, to waive the preliminary plat process, and
to adjust the front yard setback, side yard setback and rear yard setback, on
property generally located at S.W. 56th Street and W. Old Cheney Road.

Motion for conditional approval carried 9-0: Esseks, Sunderman, Cornelius, Taylor,
Larson, Gaylor-Baird, Francis, Moline and Carroll voting 'yes'.

The Planning Commission's action is final on that portion of the development located in the City
jurisdiction, 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.

On September 26, 2007, the Planning Commission also voted 9-0 to approve County Special
Permit No. 07042 for that portion of the development located in the County jurisdiction. A public
hearing date before the Lancaster County Board of Commissioners is being requested.

Attachment

cc: Building & Safety
    Rick Peo, City Attorney
    Public Works
    Mike Eckert, Civil Design Group, 3901 Normal Blvd., Suite 203, 68506
    Pendel, Inc., 3700 N.W. 128th Street, 68524
    Rob Otte, Attorney, 201 N. 8th Street, Suite 300, 68508
    Don Abbey, 5810 Pine Knoll Drive, Denton, NE 68339
RESOLUTION NO. PC-01080

CITY SPECIAL PERMIT NO. 07041

WHEREAS, Pendel has submitted an application designated as City Special Permit No. 07041 for authority to develop Fox Trail Estates Community Unit Plan for five single family acreage lots, including build through lots, together with requests to waive the Land Subdivision Ordinance, Zoning Code and City of Lincoln Design Standards in order to allow block length to exceed the 1320 feet, to waive the preliminary plat process, and to adjust the front yard setback, side yard setback, and rear yard setback, on property generally located at S.W. 56th Street and Old Cheney Road and legally described as:

All of Lots 4 and 5 I.T., located in the Northeast Quarter of Section 13, Township 9 North, Range 5 East of the 6th P.M., Lancaster County, Nebraska;

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 Pendel, hereinafter referred to as "Permittee", to develop Fox Trail Estates Community Unit Plan for five single family acreage lots 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 five dwelling units, with waivers/modifications to the Land Subdivision Ordinance, Zoning Code and City of Lincoln Design Standards, as listed below:
   a. The requirement of Lincoln Municipal Code § 26.23.130 providing that block lengths shall not exceed 1320 feet is hereby waived.
   c. The requirement of Lincoln Municipal Code § 26.11.032 that a preliminary plat shall be filed for a subdivision is hereby waived.
   e. The Zoning Code provision requiring a rear yard setback of the lesser of 50' or 20% of depth in the AG Agricultural District is reduced to 30'.
   f. The Zoning Code provision requiring a 50' front yard setback in the AG Agricultural District is reduced to 25'.
   g. The Zoning Code provision requiring a 15' side yard setback in the AG Agricultural District is reduced to 5'.

2. The County Board must approve the associated Special Permit No. 07042 and the associated waivers.

3. Final plats must be approved by the City.
   If any final plat on all or a portion of the approved community unit plan is submitted five (5) years or more after the approval of the community unit plan, the city may
require that a new community unit plan be submitted, pursuant to all the provisions of section 26.31.015. A new community unit plan may be required if the subdivision ordinance, the design standards, or the required improvements have been amended by the city; and as a result, the community unit plan as originally approved does not comply with the amended rules and regulations.

Before the approval of a final plat, the public streets, private roadway improvements, sidewalks, public sanitary sewer system, public water system, drainage facilities, land preparation and grading, sediment and erosion control measures, storm water detention/retention facilities, drainageway improvements, street lights, landscaping screens, street trees, temporary turnaround and barricades, and street name signs, must be completed or provisions (bond, escrow or security agreement) to guarantee completion must be approved by the City Law Department. The improvements must be completed in conformance with adopted design standards and within the time period specified in the Land Subdivision Ordinance.

4. Before the approval of a final plat, the Permittee shall enter into an agreement with the City wherein the Permittee, as Subdivider, agrees:

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

b. 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 the final plat.

c. 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 the final plat.

d. To complete the installation of the street name signs within two (2) years following the approval of the final plat.
e. To complete the installation of the permanent markers prior to construction on or conveyance of any lot in the plat.

f. To complete any other public or private improvement or facility required by Chapter 25.23 (Development Standards) of the Land Subdivision Ordinance in a timely manner which inadvertently may have been omitted from the above list of required improvements.

g. 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.

h. To comply with the provisions of the Land Preparation and Grading requirements of the Land Subdivision Ordinance.

i. To complete the public and private improvements shown on the Community Unit Plan.

j. To maintain the outlots and private improvements on a permanent and continuous basis.

k. To keep the taxes and special assessments on the outlots from becoming delinquent.

l. To retain ownership of and the right of entry to the outlots in order to perform the below-described maintenance of the outlots and private improvements on a permanent and continuous basis. However, Subdivider 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) Subdivider shall not be relieved of Subdivider'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.

m. To submit to the lot buyers and home builders a copy of the soil analysis.

n. To pay all design, engineering, labor, material, inspection, and other improvement costs.
o. To protect the trees that are indicated to remain during construction and development.

p. To relinquish the right of direct vehicular access to W. Old Cheney Road except for the existing farm access, a potential future 1/2 mile line street and a future residential street to serve the urban lots in Lot 1, Block 1. To relinquish the right of direct vehicular access to S.W. 56th Street except for the existing farm access and a potential future 1/2 mile street.

q. To submit to all potential purchasers of lots a copy of the ground water report.

r. To agree to subdivide the Acreage Development component as shown on the transitional plat and to agree to implement the Master Plan for future development of the Urban Reserve Component (Outlot C) to a density of about 284 dwellings when sanitary sewer and water are extended to serve the Acreage Development Component and Urban Reserve Component and the Acreage Development Component and Urban Reserve Component are annexed and rezoned. Said agreement to include provisions regarding the timing of annexation conversion of the Acreage Development Component, final platting of the Urban Reserve Component, establishing a plan for funding infrastructure costs for conversion of the Acreage Development Component and implementation of the Master Plan for the Urban Reserve Component or petitioning for creation of special assessment districts for the installation of infrastructure improvements if not installed by the Permittee at the Permittee’s own cost and expense, and incorporating said provisions into deed restrictions to be reviewed and approved by the City Attorney and filed of record with the Register of Deeds.

s. To notify all potential purchasers of lots that said lots are subject to future subdivision and additional future urban residential development as shown on the final plat when (a) the sanitary sewer and water mains have been extended to serve the final plat; (b) the Lots have been annexed; and (c) the Lots have been rezoned to a district allowing for higher urban density.

t. To notify all potential purchasers of lots that Outlot “C” shown and identified on the final plat as “Reserved for Future Platting to Urban Density “ is subject to future urban residential development having a density of approximately 284 dwellings when (a) the sanitary sewer and water mains have been extended to serve the final plat; (b) the Outlot has been annexed; and (c) the Outlot has been rezoned to a district allowing for higher urban density.

u. That Outlot “C” may be subdivided to the density of approximately 284 dwellings when the sanitary sewer and water are extended to serve said Lots and Outlot “C” and said Lots and Outlot “C” are annexed and rezoned.
v. To install water mains to serve Lots located in Blocks 1, 2, 3 and 4 at Owners own cost and expense within twelve (12) months following annexation of said Lots into the City of Lincoln, unless a water district is created by the City Council for the water mains and water mains are finally ordered constructed within six (6) months following said annexation.

w. To install all other infrastructure for conversion of the Lots in Block 1, 2, 3, and 4 and Outlot "C" at Subdivider's own cost and expense when said Lots are replatted as buildable lots unless a special improvement district is created by the City Council for the installation of infrastructure improvements and the improvements are finally ordered constructed. Subdivider understands that a special assessment district for the installation of a local public street and for the installation of public ornamental lights may not be finally ordered constructed by the City Council until a petition signed by the owners of record title, representing a majority of feet frontage of property directly abutting upon the street or streets to be improved shall be presented and filed with the City Clerk petitioning therefor. Subdivider agrees that in the event a street or streets within the final plat are embraced within a street paving district, and/or ornamental lighting district, Subdivider shall, within thirty (30) days following creation of the district, petition the City Council to order the final construction of said street paving and/or ornamental lighting.

In the event any infrastructure improvements including but not limited to water mains, street paving, sidewalks, street trees, stormwater and ornamental street lights are ordered constructed pursuant to a special assessment district Subdivider (1) agrees and consents that the cost thereof shall be assessed and levied together with assessment and equalization costs, against the benefitted properties in Fox Trail Estates, waiving all objections to the sufficiency of the petitions therefor, to the proceedings creating said districts, to the making of the assessments and to the equalization thereof; and (2) agrees to pay to the City of Lincoln said costs as thus assessed and levied against said property.

x. To and hereby waives, as against the City of Lincoln, any and all damages and any claim or right of action for any and all damages, of every nature, which may accrue to Subdivider, or which may result to Subdivider's property or interest therein, by reason of said infrastructure improvements or the construction thereof.

y. To locate buildings on Lots in Blocks 1, 2, 3, and 4, so as to preserve the remaining portion of such Lot for future platting into buildable Lots as shown on the final plat. Subdivider agrees that the City and County may withhold the issuance of any building permit for a building on said Lots which does not comply with the requirements of this paragraph.

z. Not to protest annexation of the property within Fox Trail Estates into the City of Lincoln.
aa. That the obligations of Subdivider under this BTA Subdivision Agreement shall constitute a covenant running with the land and shall be binding on Subdivider and Subdivider's heirs, administrators, successors and assigns.

5. Upon approval of the community unit plan by the Planning Commission, the developer shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including 5 copies with all required revisions and documents as listed below before receiving building permits (if no final plat is required) or before a final plat is approved (if final plat is required):

a. 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".

b. Make the revisions requested in the County Engineers memo of September 6, 2007.

c. Add an approval block for the Lancaster County Board.

d. Revise the density calculations to reflect both the City and County method in the respective area.

e. Show contour elevation numbers as appropriate.

f. Show future half mile roads onto SW 56th Street and W. Old Cheney Road.

g. Show an extension of S.W. 58th and an east west connection road at that same location. The road shall be graded but need not be constructed until Outlot "C" is developed.

h. Show a future road to serve Lot 1, Block 1.

i. Show adjusted "urban" setback lines.

j. Show a "sketch" future layout for the portion of Outlot "C" between SW 56th Street and SW 56th Street.

k. Note Outlot "C" as "Reserved for future platting to urban density".
l. Provide documentation from the Register of Deeds that the letter of acceptance as required by the approval of the special permit has been recorded.

m. The construction plans comply with the approved plans.

6. Before occupying the dwelling units all development and construction must comply with the approved plans.

7. Before occupying dwellings in this CUP the City/County Health Department must approve the water and waste water systems.

8. All privately-owned improvements must be permanently maintained by the Permittee or an appropriately established homeowners association approved by the City.

9. 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.

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

11. 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, filing fees therefor to be paid in advance by the Permittee.

The foregoing Resolution was approved by the Lincoln City-Lancaster County Planning Commission on this 26 day of September, 2006.

ATTEST:

[Signature]
Chair

Approved as to Form & Legality:

[Signature]
Chief Assistant City Attorney
City Council Members:

Mr. Thomalla requested that his comments be forwarded to the City Council (see below). Special Permit No. 1685A is an amendment to the existing special permit to increase the number of children and staff at the child care facility, and to waive the requirement that such facility shall be located on an arterial street and the requirement to provide a conversion plan, on property generally located at South 12th and D Streets. The Planning Commission will hold public hearing on October 10, 2007. The Planning Commission action is a recommendation to the City Council.

--Jean Walker, Administrative Officer
City-County Planning Department
441-6365

Dear Mr. Thomalla:

Thank you for submitting your comments, which have now become part of the record on this application. A copy is being submitted to each Planning Commission member for their consideration prior to the public hearing, which is scheduled for next Wednesday, October 10th. The meeting begins at 1:00 p.m. I am also providing a copy of your comments to the applicant's representative.

If you have any questions about this process or the public hearing, please do not hesitate to contact me.

--Jean Walker, Administrative Officer
City-County Planning Department
441-6365
I do not believe we should increase the size of facilities for young children in this neighborhood until there is a commitment to reduce crime and prostitution and other unwanted elements in this area.

We spent the time to have a rec center down here so the teenagers can be and learn trades that are not valuable to our community. More efforts should be placed in making this area safe and should not encourage additional children until a plan is in place and action has been taken to bring this area of wide streets and close proximity to downtown back to a normal and respectable part of this community.

I would request that you pass this on to the city council and chief of police. I have been an owner in this area for over 16 years and have not been impressed with public works or our law enforcement in caring for this area as it were an important part of our great inner city that leads to downtown and the Capitol.

Thank you for the time you have spent in reading and forwarding this response from a concerned citizen and taxpayer.

Mike Thomalla
Southpointe Office
434-3600 Office
434-3677 Direct Line
430-8122 Cellular
434-3605 Fax
www.mikethomalla.woodsbros.com

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Please see Scott Opfer's email below regarding Jon Camp's question about the 70th and Pioneers area striping complaint during Monday's meeting with Directors. As a clarification, my understanding from Dana Roper is that no formal claim has been submitted to the Law Dept.

Nicole

----- Forwarded by Nicole Tooze/Notes on 10/02/2007 01:46 PM -----  
Scott A Opfer/Notes

Nicole,

First and as far as information regarding this claim, we have checked with our pavement marking contractor who was in town on the night of Aug. 9th doing crosswalks, we've checked with my shop who paint lane lines with our striping and with the pavement marking contractor for the Pioneers Project (Stacy to 82nd St.) and we cannot find anything which would lead us to believe any of them got pavement marking material on this guy's truck. Our pavement marking contractor doing crosswalks, was working at 70th & Lincolnshire on the night of August 9th and neither my shop nor the Pioneers Project marking contractor were working that night. This is the reason, I assume, that the City Attorney's office denied this gentleman's claim. As far as Jon' concern for proper barricading, coning, etc. Either the marking is coned off until the material is dry or in the case of my crews striping the streets with paint, a chase truck is used, complete with flashing lights and an electronic message sign warning motorists of the wet paint. Typically, this paint dries within a minute, but if a driver is not paying attention or is in a hurry, it's not unusual for them to drive across wet paint. The bright side is that street paint is a water based paint and does not require any special cleaning. Soap and water will take it off.

Let me know if I need to be present for any questions the council might have. I drove the paint striper and put down other pavement markings for over 6 years, so I know what stupid things drivers do when they are in a hurry and I've witness several people drive past construction signs and through cones only to ruin new pavement marking and nearly run over City employees.

Scott O.
Hi, Scott. Today at the Director's meeting with Council, Jon Camp mentioned a call he received regarding alleged damage to a truck as a result of striping in the 70th and Pioneers area. It sounded like there must have already been some discussion between this person and our department. Jon indicated this person was told we had no contractor doing striping in that area. He was interested in any information on this particular circumstance, but also on how we ensure that we have ample barricades, etc. on striping projects to prevent damages to people driving (lack of barricades was apparently a reason cited).

If you have some information on this, could you please get it to me so that I can get it to the Council. Thanks, Nicole.
Correction: a claim was submitted by Randy Timm. It was denied and referred to the contractor. It is not yet scheduled on the Council agenda.

Nicole Tooze/Notes

Please see Scott Opfer’s email below regarding Jon Camp’s question about the 70th and Pioneers area striping complaint during Monday’s meeting with Directors. As a clarification, my understanding from Dana Roper is that no formal claim has been submitted to the Law Dept.

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October 1, 2007

Lincoln City Council
Mr. Dan Marvin, Chair
555 S 10th St, Room 111
Lincoln, Nebraska 68508

Re: Ordinance Creating the City Audit Advisory Board and Related Matters

Dear Council Members:

As I will indicate in my testimony at the public hearing, I support the City Audit Advisory Board approach to the longstanding “audit” issue for Lincoln. I believe that it is an ideal approach to obtaining independent examinations of the operations, delivery of services, and financial internal auditing for Lincoln, and that the ordinance will materially improve the quality of services received over the original concept of hiring an internal auditor as a full-time employee of the City.

The purpose of this letter is to offer a few technical comments for your consideration as you review and act on the Ordinance. These comments are of such a detailed nature that I believe they are more effectively delivered in writing than orally at the public hearing. Offering them in writing will also save hearing time.

1. Page 4, Section 4.66.030(a) - I suggest revising the wording as follows:

   “Three members shall be appointed by the Mayor. At least one of the Mayor’s three appointees shall hold an active license as a certified public accountant in Nebraska, or be a certified internal auditor, or have a degree, certificate, or experience showing specialized knowledge in the area of conducting performance audits.”

   Nebraska licenses both “certified public accountants” and “public accountants.” The existing reference is only to a “public accountant.” However, the “public accountant” license is very little used.¹ I expect that the intention is to refer in this Section to a “certified public accountant” and that word needs to be added.

¹ I am informed by a representative of the Board of Public Accountancy that there are presently no “public accountants” in Nebraska. There apparently were two as recently as five years ago, but one passed away and the other retired.
A CPA has a "certificate" that is issued by the state upon initially qualifying for a license to practice as a CPA; i.e. completing the requisite educational requirements, passing the CPA examination, and obtaining the requisite experience. Thereafter, the certificate holder may hold an active license or be on inactive status, which would include retired. I expect that the intention is to refer to an individual who holds an active CPA license to practice in Nebraska.

I suggest the same revision to subsection (b) of this section.

2. Pages 5 and 6 - Section 4.66.040(a) - I suggest that the Council consider carefully whether it wishes to be the sole source of recommendations to initiate an "audit." Under Section 4.66.040 as written, only the Council can suggest an audit to the Board.

The Board will become a somewhat visible group in City government, and I would expect that Board members will somewhat regularly be offered information from the public, and perhaps even by city employees, suggesting that a review would be productive. I would expect information from the public to be especially useful in identifying and prioritizing performance reviews to determine whether one agency or another of city government is efficiently performing its mission.

I also believe that in certain circumstances, the Council may prefer to ratify a suggested review recommended by the Board rather than initiate the review itself.

My suggestion would be to expand this section to include Council approval of suggested audits forwarded by the Board, in addition to the existing language.

3. Page 9, Section 4.66.070 - I suggest that the last sentence be revised to read:

"The contract shall further require that at the end of seven years, the contract auditor shall deliver all such documents, working papers and information and confirm such destruction in writing to the custodian of records or must, at the City's option communicated in writing, destroy such material."

Even though seven years is a relatively long time, I believe that many prospective contract auditors will react negatively to the obligation to transfer the working papers to the City after seven years. Given the political sensitivity that some of these projects are likely to incur, I believe that contract auditors will want to transfer their working papers out of their control, even at a remote time. The prospect that the working papers may become public, and create an public issue at some distant date when the employees who prepared them may no longer be available for explanations, is likely to be unacceptable. It is better to let the City government "move on" and simply require the contract auditors to destroy the working papers after seven years.
4. Pages 12 through 14, Section 4.66.120 - I am surprised by the lack of Board involvement in the selection of the contract auditor. The Board members are volunteers and they should not be expected to spend a lot of time and effort in the selection of the contract auditor, and particularly negotiation of the contract, but the Contract Auditor will report to the Board, and I believe that effective selection, and communication with the Board after selection, requires some participation of the Board in the process. My suggestions are:

- If the proposed cost of the audit is under $30,000, the Board have an opportunity to review the proposal offered by the contract auditor which the Purchasing Agent has selected, to review the draft contract which the Purchasing Agent has negotiated, and to interview the prospective contract auditor if the Board deems it appropriate. This step adds assurance to the effectiveness of the communications between the Board and the Purchasing Agent regarding the scope and objectives of the audit, and of the effectiveness of the communications between the contract auditor and the Purchasing Agent.

The proposed audit contract would then be forwarded to the Council with the recommendations of both the Purchasing Agent and the Board.

- If the proposed cost of the audit is over $30,000, then I would suggest that (a) the Board should approve the request for proposals, (b) the Board should review proposals and the Purchasing Agent’s ranking of the responders, including interviewing one or more of the responders if the Board deems it appropriate, and reach a consensus agreement with the Purchasing Agent regarding the rankings, and (c) the Board should review the draft contract with the selected contract auditor before it is submitted to the Council.

The proposed audit contract would then be forwarded to the Selection Committee of the Council with the recommendations of both the Purchasing Agent and the Board.

5. Finally, I am not clear what latitude is provided in statute for executive sessions. In my view, the Board should be able to meet in executive sessions to:

- Develop the “Board Audit Report.” I agree that the report should be public, but the Board needs to have the opportunity to review and debate freely the details of the audit report and the department’s responses in the course of drafting the Board Audit Report without public disclosure preempts the Board’s report.

- Interviews with prospective contract auditors, if adopted, should be in executive session.

- I would think that there may be other occasions in which the Board should go into executive session if the law permits.
If the Board is permitted executive sessions under the open meeting statutes, it seems to me that the Ordinance should include a reference to executive sessions as permitted by law.

If any of you have any questions regarding my comments, please feel free to contact me, either by phone, in writing, or by e-mail.

I also wish to repeat that, my comments are made in the spirit of pro-active suggestions to a very good Ordinance. I believe that the proposed Ordinance is sound and should be adopted, whether or not the revisions which I am suggesting are made.

Very truly yours,

John E. Cederberg

CC: Mayor Chris Beutler
InterLinc: City Council Feedback for General Council

Name: Jason Stege
Address: 7001 Seward Avenue
City: Lincoln, NE, 68507
Phone: 325-8966
Fax: 
Email: jasonstege@windstream.net

Comment or Question:
My name is Jason Stege and I have been a Star Tran Operator for three years. I would like to express my opinion about the proposed new routes. I'm sorry I can't do it in person but I will be working at the time of the meeting.

I recognize the need for new routes but I believe what is before you now is not the answer.

I have not chosen to be on a fixed route since I have started because I like driving something different everyday. During the Transit Study process it has given me the chance to hear feedback from every route.

The main reasons against the new routes are:

- Elderly and people with disabilities have chosen where to live based on the current routes.
- The elimination of the 27th Street Shuttle, which is the most efficient route.
- The lack of north-south route in tandem with a east-west route. (Suggestion a route that runs south along 56th from Adams to Pioneers then returns north along 48th to Adams. The east-west route could be the O street shuttle as it is now)

Thank you

I can be reached at jasonstege@windstream.net or 325-8966 for further explanation.
I. MAYOR -

1. NEWS ADVISORY - RE: Mayor Beutler’s Public Schedule Week of October 6 through October 12, 2007 - Schedule subject to change.

2. NEWS RELEASE - RE: City To Install Skid-Resistant Road Covering On Rosa Parks Way.

II. CITY CLERK - NONE

III. CORRESPONDENCE -

A. COUNCIL REQUESTS/CORRESPONDENCE - NONE

B. DIRECTORS AND DEPARTMENT HEADS - NONE

C. MISCELLANEOUS -

1. E-Mail from Dana Fritz - RE: Item #5, Proposed changes to the StarTran bus routes.

2. E-Mail from Emily Zimmer, ASUN - RE: Item #5, ASUN testimony for public hearing of the Transit Development Plan (TDP) on Oct. 8th.

3. Letters & Pictures from Gregg L. Trautman - RE: Item #3 -Claim against the City of Lincoln to be reimbursed for the damage that was done to the water line between the sidewalk and the street in front of his house at 2710 Arlington Avenue.


5. Letter from Polly M. McMullen, President, Downtown Lincoln Association - RE: Item #5, Transit Plan Support Letter.
Mayor Beutler’s Public Schedule
Week of October 6 through October 12, 2007
Schedule subject to change

Saturday, October 6
• St. Monica’s Amazing Chase awards breakfast, remarks - 8:30 a.m., Broadcast House, 4343 “O” St.

Sunday, October 7
• Grand re-opening of Eastridge Elementary School, remarks and proclamation - 2:30 p.m., 6245 “L” St.

Tuesday, October 9
• KLIN Morning Show - 8:10 a.m., Broadcast House
• KFOR “Lincoln Live” - 12:30 p.m., Three Eagles Communications, 3800 Cornhusker Hwy.
• Multicultural Advisory Committee meeting - 3:30 p.m., Mayor’s Conference Room, 555 S. 10th

Wednesday, October 10
• Child Guidance Center’s Fifth Annual Children’s Mental Health Award Breakfast - 7:30 a.m., Nebraska Club, 233 S. 13th St., 20th floor
• Starbucks ribbon-cutting, remarks - 10 a.m., 33rd and “O” streets
• Legal Aid of Nebraska Community Conversation, remarks - 4 p.m., Terminal Building, 941 “O” St., eighth floor

Thursday, October 11
• Mayor’s Neighborhood Roundtable - 5:30 p.m., Mayor’s Conference Room, 555 S. 10th St.

Friday, October 12
• Friendship Force Visitors from Russia - 9 a.m., Mayor’s Conference Room 555 S. 10th St.
• Hispanic Heritage Month State Commemoration, remarks and proclamation - 11:45 a.m., State Capitol Rotunda
• Book launch party for Kelly Madigan Erlandson, author of “Getting Sober” - 6 p.m., Antlers Center, 2501 Sheridan Blvd.
• Dedication dinner for Johnny Carson School of Theatre and Film at UNL - 7 p.m., Temple Building, 12th and “R” streets
The City of Lincoln is participating in a pilot project to install a skid-resistant road covering on a portion of Rosa Parks Way (formerly “K” Street). “Tyregrip,” distributed by Ennis Paint Company in Ennis, Texas will be applied Monday, October 8 on a 100-foot section just west of 9th Street. The work will take place from 9 a.m. to 3:30 p.m., weather permitting. Work may continue on Tuesday, October 9. Rosa Parks Way will remain open, but single-lane closures will be needed during the installation process.

The distributor approached the City to do the pilot project. The company said Tyregrip has a proven track record of reducing crashes on wet and dry pavement.

“If the product performs as advertised, this will be a great way to reduce the number of crashes related to slick pavement conditions,” said Randy Hoskins, Assistant City Engineer. “We will continue to look beyond the traditional crash reduction measures used in the past and implement those that are proven effective.”

Hoskins said the City will do a before-and-after study to determine if Tyregrip is effective in reducing the number of weather-related crashes. The Public Works and Utilities Department will then determine if the road covering is cost effective and if it will be installed at other locations with high rates of weather-related crashes.

The Tyregrip product costs $12 to $15 per square yard. For the pilot project, the City is paying only for the barricades, and the Ennis Paint Company is paying all other costs.

Hoskins said the City has placed portable message boards at locations where icing problems have occurred in the past, such as the 27th Street overpass south of Cornhusker Highway and the I-180 bridges into downtown.

“Message boards are helpful during inclement weather, but they only warn drivers,” said Hoskins. “Tyregrip may give us the opportunity to greatly reduce or eliminate the problem.”
Dear Council Members,

I was hopeful when I learned that the city of Lincoln would be evaluating our public transit system to look for ways to improve it. Although I have been unable to attend the meetings, I have remained informed and have sent comments when requested. My suggestions included more frequent service and night service because both would enable me to ride the bus more frequently than I currently do.

Today I was frustrated and disappointed to learn that the proposed route changes will not improve service for me at all. On the contrary, they will make it nearly impossible for me to take the bus to work. The current route (15/Eastridge) is extremely convenient in terms of location of stops and somewhat convenient in terms of frequency/travel time/hours. From my current stop near 56th and Eastridge Drive, very near my home, I can get to UNL in about 30 minutes (sometimes less) without a transfer. The proposed route will have me walking 10-15 minutes to the stop and transferring at Westfield/Gateway to another bus with no indication of how long I will have to wait for the transfer. There is no way this change will make my journey faster than 30 minutes and the hassles of extra walking with heavy bags and transferring buses are more of a sacrifice that I'm willing to make on my way to work at 7:30 am. I am one of the "choice" riders that the transit study authors want to bring on board. I buy an expensive parking pass at UNL so I can drive to work on days that I will need to leave later than the bus runs or on days that I need to run errands on my way in or out. I try to take the bus on "normal" days when my schedule conforms to the limited bus service. I choose to take the bus even though my journey is 10-15 minutes longer each way because I want to reduce pollution and live a greener life. We even bought a house in this location partially because of the current bus route. I am deeply disturbed by the proposed changes that eliminate me as a rider as I have greatly altered my lifestyle to lower my energy consumption including taking the bus more frequently.

I know it is unreasonable to change the bus route for one person who doesn't use it every day but I hope the proposed changes will be carefully scrutinized to reveal the riders, like me, who will be eliminated. Please contact me if I can answer any questions or provide further testimony. I regret that I am unable to attend Monday's meeting due to my teaching schedule.

Sincerely,

Dana Fritz

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Dana Fritz
Associate Professor
Dept. of Art & Art History
Visual Literacy Program Coordinator
Peer Review of Teaching Project Leader
120 Richards Hall
University of Nebraska-Lincoln
Lincoln, NE 68588-0114

phone 402/472-5920
www.unl.edu/fritz
Dear City Councilors:

Please consider a student perspective in regards to your October 8th agenda item, the StarTran route changes and the Transit Development Plan (TDP). The Association of Students of the University of Nebraska (ASUN), the voice of the student body, is generally in support of public transportation. We have been following the study and the development of the TDP and are excited about the updated service. In particular, we are enthusiastic about the free Downtown daytime and evening shuttle. We are hesitant to any budget cuts before this long overdue and much needed study is given a chance to be completely implemented and the appropriate time frame is allowed for it to be utilized and reasonably evaluated.

Respectfully,
Emily Zimmer
ASUN Senator for the College of Arts and Sciences
Government Liaison Committee, Local subcommittee
To:       City Clerk  
City of Lincoln  
555 South 10th Street  
Lincoln, NE 68508  

Re:       2710 Arlington Ave.  

As property owners, we are requesting to be reimbursed by the city of Lincoln for the 
damage that was done to the water line between the sidewalk and the street in front of my 
house at 2710 Arlington Ave. I have attached photos of the damaged shut-off valve.  

Attached is a copy of a letter from our tenant that resided in the property from March 
2003 until May 28th of this year indicating that the damage was caused by the city snow 
removal crews this past winter season.  

Also attached is a bill from Dworak Plumbing to correct this problem. Dworak Plumbing 
has made the necessary repairs. You can see from the bill that Dworak Plumbing 
reinforces that the damage was caused by the City of Lincoln crews.  

Because of this, we feel we should be reimbursed for the cost of these repairs, which total 
$1,450.00.  

We appreciate your immediate attention to this matter. If you have any questions, please 
do not hesitate to give me a call at 402-580-7298.  

Sincerely,  

Gregg L. Trautman  
700 Lakewood Dr  
Lincoln, NE 68510  

[Signature]
June 10, 2007

To: Lincoln Water and Wastewater System

From: Colette J. McGachey

RE: Water leak at shut off near street at 2710 Arlington Street

I resided at 2710 Arlington for four years. I rented from LeVern Trautman. During two of the snowfalls this past winter, the ice and snow from the street was pushed onto the grass area next to the street by the city. Large chunks of ice were deposited on and around the water shut off following the snowstorm of Feb. 28. The city did not remove the snow from the street until 2 days after the storm. At that time the snow remover pushed all the snow onto the yards of those houses on the north side of the street. Some sizable pieces of ice were deposited directly on the water shut off valve.

It took a long time for all this ice and snow to melt. But as it did recede I noticed that the water shut off valve pipe appeared to be slanting at an angle which was not as it had been in the fall. Once the snow had melted I discovered that the shut off valve pipe was indeed at an angle. There was also water seeping from the ground adjacent to the valve. This had never happened in any previous spring. I can only surmise that the weight of the ice deposited by the snow remover caused the valve pipe to bend and create a leak.

I called the Lincoln Water Customer assistance in late March or early April as well as Mr. Trautman to inform both concerning the leak. I was told by the customer service that only the owner could handle the situation. I also informed Mr. Trautman about this.

When I moved out on May 28, 2007 the leak had not been repaired.

Respectfully,

Colette J. McGachey
Sold To
LAVERN TROUTMAN
4231 SOUTHGATE BLVD.
LINCOLN, NE  68506

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**Description**

REPLACE SERVICE FROM METER TO STOP BOX/2710 ARLINGTON AVE.

NOTE: Stop box appears to have been damaged by tractor front end loader

[Signature]
Richard J. Dworak
Dworak Plumbing

Amount
1,450.00

PLEASE RETURN BOTTOM PORTION WITH PAYMENT

**METHOD OF PAYMENT**
- [ ] CHECK
- [ ] VISA
- [ ] MASTERCARD
- [ ] DISCOVER
- [ ] AMERICAN EXPRESS

IF PAYING BY CREDIT CARD, PLEASE PROVIDE THE FOLLOWING:

- CARD NO. ___________  ___________  ___________
- EXPIRATION DATE ___________
- CARD HOLDER'S SIGNATURE

We appreciate your prompt payment.
Pictures of water pipe taken at 10:30 a.m. on Monday, 6/25/07

2710 Arlington Lincoln, NE
Members of the City Council-

I was planning on appearing this afternoon at the public hearing concerning the sign for a new restaurant in the Haymarket...Magnolia. However, I notice that comes after the bus route discussion on your agenda and I am not sure I will be able to stay long...thus this email. (I will be there if my schedule permits)

We applied for the sign permit for this restaurant on August 23; the restaurant was scheduled to open for business the first week in October. We were informed by Building and Safety staff that the sign met the criteria of the sign ordinance and would be routed to the Planning Department's historic preservation personnel for their information. It was scheduled for review by the Historic Preservation Commission at their September meeting.

We put the sign into production so we could meet the scheduled opening, as it met sign ordinance requirements and the general guidelines of the Haymarket district...which state that signs with exposed neon illumination would be reviewed. We anticipated no problem since the Haymarket district already has many signs with exposed neon (ten that I can think of) including one on the City's parking garage. Also, the guidelines for signs in the Haymarket state that signs should be similar to those that would have been used in the 50 years that the district was originally developed-1880-1930. Neon began to be used as a light source for signs in the early 1920's.

Only four of the seven members of the Historic Preservation Commission were in attendance at the September meeting and only three voted approval...four votes for approval are required. We were told that perhaps approval could be achieved at the October meeting. We could not wait and put the sign up, and our customer cannot turn it on. The commission only had three members in attendance at their August meeting, and we had no idea how many would attend the October meeting, so we asked for help from Mayor Beutler's staff and they arranged the appeal at this meeting.

I am asking that you approve the sign's exposed neon illumination.

I also ask that you recognize this process as an example (small and anecdotal as it may be) of a larger problem...too many layers of bureaucracy that delay and stifle attempts to do business in Lincoln. When a large significant project surfaces (Verizon etc.) all of the parties that affect the project get together and see that it happens efficiently; that's good. But, there are many small projects, like this one, that do not warrant the attention given larger projects, that get to be time consuming and costly because our systems are not set up to be efficient and business friendly. This is a very good example of why, from time to time, you hear that Lincoln is a hard place to do business.

Thank you for considering my comments.
Bob Norris
Nebraska Neon Sign Company
bnorris@nebraskasign.com
October 8, 2007

Lincoln City Council
555 So. 10th Street
Lincoln, NE  68508

Dear City Council Members:

On behalf of the Downtown Lincoln Association (DLA) board of directors, I wish to express our strong support for the proposed Transit Development Plan, especially the revamped downtown shuttle proposals. The DLA board was briefed on the Transit Development Plan in February, 2007 and unanimously endorsed it.

The concept of the revamped downtown shuttle first emerged in the 2005 Downtown Master Plan as a key to strengthening P and Q streets as retail corridors, linking the Haymarket with the downtown core and UNL campus. The proposed evening shuttle is especially important in encouraging downtown visitors to park once in a downtown garage and visit several downtown and Haymarket attractions such as restaurants, performing arts, galleries and shops in our 66-block downtown area. The revamped shuttle is very much an economic development initiative which supports many of the Downtown Master Plan strategies and Vision 2015 “Pillars”, thereby increasing private investment, sales tax and tourism revenues in the downtown.

In order to be successful, this new shuttle needs to be easy to use, distinctive and free, all elements of the new proposed Transit Development Plan. DLA is currently working with the UNL College of Journalism and StarTran to create a branding and promotional strategy to support the introduction of the new shuttle.

We urge your support of a Transit Development Plan that stimulates increased business activity and utilization of public transportation by downtown visitors.

Sincerely,

Polly M. McMullen, President
Downtown Lincoln Association