I. MAYOR
1. Corrected Copy of Water Testing for Total Coliform and E. Coli Bacteria by the Colilert® Method of Analysis.
2. NEWS RELEASE. West Haymarket Action Team Invites Public to Open Houses.
3. NEWS RELEASE. Mayor Beutler Will Announce Creation of Committee to Advise City Departments and the Mayor on Issues Affecting Women at a News Conference, October 11, 2007, 10:00 a.m., County-City Building, 555 South 10th Street, Reception Area Outside of Mayor’s Office.
4. NEWS RELEASE. Mayor Forms Advisory Council on Women’s Issues.

II. DIRECTORS

PLANNING DEPARTMENT

III. CITY CLERK

IV. COUNCIL REQUESTS/CORRESPONDENCE

JONATHAN COOK
1. Correspondence from Alison Stewart on StarTran Funding. (Delivered to Councilman Cook on 10/08/07 before Formal Meeting)

ROBIN ESCHLIMAN

V. MISCELLANEOUS
1. Correspondence from Paula Rezek on Outcome of Time Warner Cable. (Distributed to Council Members on 10/08/07 before Formal Meeting)
2. Email from Barb Keating. Do Not Cut the StarTran System. (Distributed to Council Members on 10/08/07 before Formal Meeting)
3. Email from Aaron Dominguez. Do Not Cut Budget for StarTran. (Distributed to Council Members on 10/08/07 before Formal Meeting)
4. Email from Diane Kimble. Serious Flaws in Considering Cuts to StarTran Budget. (Distributed to Council Members on 10/08/07 before Formal Meeting)
5. Email from Troy Platt, Director of Communications, Lincoln Chamber of Commerce Regarding Audit Board Approval.
7. Email from Sharon Miller. Do Not Eliminate Bus Stop on Southwood Drive.
8. Correspondence from Dennis F. Mohatt Regarding the Cardwell Branch Watershed Master Plan.
9. Email from Jolene Boshart. Fix City Bus Problems by Expanding, not Shrinking, the Services.
10. Email from Paul Haith with Attachment of Letter Sent to Councilwoman Eschliman on May 15, 2005 Regarding Use Taxes and Billing.

VI. ADJOURNMENT
October 4, 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.

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<th>Regulatory Tests during the month of September 2007:</th>
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Respectfully,

Mary Sue Semmes
Sandra Irions
Nebraska Public Health Environmental Laboratory
Lab Manager

enc.
<table>
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<tr>
<th>Year</th>
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City of Fiction
Total Collection Summary Results
WEST HAYMARKET ACTION TEAM INVITES PUBLIC TO OPEN HOUSES

The West Haymarket Action Team (WHAT) is inviting the public to open houses Thursday, October 18, to find out more about the concept of an arena in the West Haymarket area. Those interested can choose from two sessions, both at the Pershing Center: 11 a.m. to 1 p.m. or 5 to 7 p.m.

WHAT tri-chairs are Mayor Chris Beutler, Chamber of Commerce President Wendy Birdsall and Cori Sampson Vokoum of Sampson Construction Company. They are leading an effort to explore the replacement of the 50-year-old Pershing Center with a new public arena west of the downtown Haymarket area. The concept also could include a new convention center and hotel. The improvements are expected to generate additional entertainment, commercial, trade and residential opportunities in the area. (Background information is provided at end of release.)

The purpose of the open houses is to provide information and take comments on the concept before the City Council’s consideration of a redevelopment plan for the area. Both open houses will include:

- A video presentation on the West Haymarket arena concept;
- A behind-the-scenes tour of Pershing Center;
- Information on the arena concept and redevelopment plan amendment;
- Expert briefings with questions from the public;
- Opportunities for the public to provide survey input and written comments.

Leadership Lincoln will provide volunteers to accompany the tours, facilitate briefings and question/answer sessions and encourage public input and comments. Pershing Center will have a concession stand open to the public.

For more information on the open houses or the West Haymarket Action Team, contact Kent Morgan in Planning at 441-7491. More information on WHAT also is available on the City Web site, lincoln.ne.gov (keyword: WHAT)
The 2015 Vision group is promoting ten potential pillars or projects that will move Lincoln forward in a public-private partnership model. The goal is to provide new quality jobs and retain young people in Lincoln. One of the pillars is the construction of the West Haymarket Arena to provide current and future generations with quality entertainment and recreation – the same kinds of experiences Pershing Center has provided because of commitments made by the community more than 50 years ago. The potential arena site encompasses the rail yards just west of the historic Lincoln Station, extending north to Haymarket Park and south across “O” Street. The goal is to preserve the spirit and atmosphere that now exists in the historic Haymarket and to lay the cornerstone for future economic, tourist, entertainment and recreational opportunities.

Mayor Beutler and 2015 Vision jointly created WHAT to better define the arena vision and to work on its potential implementation. The 16-member committee began meeting last spring. WHAT includes elected officials, taxpayers, private business owners, neighborhood groups, the Chamber of Commerce, the Downtown Lincoln Association, the University of Nebraska and other nonprofit organizations.

WHAT is following a seven-step redevelopment process that has been used successfully here in Lincoln and elsewhere across the country.

**STEP ONE: Preliminary Community Validation**

This step was carried out over the last several years and included a variety of studies completed by industry experts, engineers, architects and planners:

- A study by Conventions, Sports and Leisure concluded that, “The quality of Pershing Auditorium is significantly below industry standards.... It is so outdated that substantial investment in upgrades may not be warranted.”
- After a multi-year effort, the 2005 Downtown Master Plan and the Mayor’s Event Facilities Task Force proposed a new arena to replace Pershing Center, along with a hotel and convention center complex in the West Haymarket area.

As part of these studies, numerous citizen groups explored the need for a new arena and identified the West Haymarket area as the best location.

**STEP TWO: Redevelopment Plan**

With the help of a team of local experts in environmental issues, infrastructure and financing, WHAT oversaw the drafting of a redevelopment plan amendment for the area, which was approved by the Lincoln-Lancaster County Planning Commission September 26th. The redevelopment plan will go to the Lincoln City Council for a public hearing and action, tentatively scheduled for late October. The adoption of the redevelopment plan does not commit the City to undertake the West Haymarket arena project.

If the City Council adopts the redevelopment plan amendment, the next five potential steps in the process are:

- The City would issue an invitation to developers to submit proposals.
- A redevelopment agreement would be negotiated between the City and the chosen developer.
- A complex financing package would be developed. The use of public funds would require a public vote.
- The City Council would take action on the redevelopment agreement, including the financing package.
- If the City Council makes a firm commitment, final design and construction could begin.
Mayor Chris Beutler will announce the creation of a committee to advise the Mayor and City departments on issues affecting women in the community at a news conference at 10 a.m. Thursday, October 11 in the reception area just outside the Mayor’s Office, second floor of the County-City Building, 555 South 10th Street.
Mayor Chris Beutler today announced the formation of the Mayor’s Commission on Women, a 15-member group to advise him on issues impacting women and help recommend solutions. His action follows the recent disbanding of the Lincoln Lancaster Women’s Commission (LLWC), which was formed in 1976 by then-Mayor Helen Boosalis and then-Lancaster County Commissioner Jan Gauger.

“Thirty years ago, Helen Boosalis and Jan Gauger had a dream,” said Beutler. “They were powerful, successful women who had to be twice as strong and determined as the men they competed against, largely because of the barriers women faced in social, economic and political life at that time.

“While the Women’s Commission has gone away, the needs have not,” Beutler said. “I believe we must remain diligent in our efforts. Government and business are still largely dominated by men. Nebraska ranks third in the nation in the number of women in the workforce, yet near the bottom in pay equity. My new Commission is a reflection of my commitment to a Lincoln that provides opportunity for all its citizens. I will be a Mayor that represents the interests of women and whose commitment to equity is stronger than just words.”

Beutler said he will re-appoint many of the former LLWC members to the advisory board to retain their experience and commitment. He said he hopes the new Commission can work with the non-profit Friends of the Women’s Commission and private supporters to continue the work initiated by the LLWC. “While the new Commissioners will not have the City’s financial resources behind them, the power of their ideas will help shape my Administration’s policy,” he said.

Beutler thanked Director Bonnie Coffey, calling her “the heart and soul” of LLWC. “Her dedication to the cause of women has been unparalleled,” he said. Because of its strong leadership, Beutler said, the LLWC has had tremendous success in addressing barriers and providing solutions that gave women a more equitable footing in our community.

- more -
Mayor’s Commission on Women
October 11, 2007
Page Two

Mayor Beutler cited a few of the accomplishments:

- An LLWC task force helped primary caregivers find quality child care.
- “Men Speak Out Against Violence” is a Commission effort to provide training to help curb male violence against women.
- “A Place at the Table,” was initiated to get a comprehensive look at women in leadership in the Lincoln-Lancaster area. The study and a follow-up in 2006 provided valuable information for public policy decisions.

“These accomplishments are just a few of the many that have been critical in getting women to society’s starting line, so they could compete equally with men and allow our community to benefit from the abilities and skills they bring to our businesses, our civic endeavors and government,” said Beutler.
Congress

As Senate takes a week-long break, Democrats devise plan to move forward with FY 2008 spending. House and Senate Democratic leaders agreed tentatively on a plan that would speed the process of sending FY 2008 appropriations bills to the President.

Although FY 2008 formally started on October 1, none of the twelve FY 2008 spending measures have been sent to the President for his signature, nor have any been reconciled by House-Senate conference committees. While the House has approved their versions of all 12 measures, the Senate has thus far approved only five. Senators did not complete debate this week on the spending bill for the Departments of Commerce and Justice, where an amendment to increase COPS hiring funding by $110 million in FY 2008 is expected.

Given the slow pace at which Senate floor action proceeds, combined with the specter of having to reconsider some of the bills if they are vetoed by the President, Democratic leaders have reportedly negotiated spending levels for each subcommittee in order to speed conference deliberations.

Democrats are also eager to send a bill to the President to test his threats that he would veto any bill that exceeds his recommended spending level. Currently, the White House and Senate Democrats are about $20 billion apart overall on a FY 2008 domestic discretionary spending package that is just short of $1 trillion.

Senate Majority Leader Harry Reid (D-NV) indicated this week that the first fiscal 2008 spending bill that will be sent to the President will be either: Labor-HHS-Education; Commerce-Justice-Science, or Transportation-HUD.

Government operations are currently being funded at FY 2007 levels through a Continuing Resolution that expires on November 16.

Meanwhile, the Senate will go through with plans to take a week-long Columbus Day recess. The House, however, will stay in Washington for an abbreviated Tuesday through Thursday session. Among the measures expected to be considered is legislation (HR 2895) that would create an affordable housing trust fund to be funded through profits from mortgage lending giants Fannie Mae and Freddie Mac, as well as from the Federal Housing Administration.

Public Safety

Collective bargaining measure for public safety officers introduced in the Senate. Senator Judd Gregg (R-NH) introduced S 2123, the Public Safety Employer-Employee Cooperation Act of 2007, to require that collective bargaining procedures be established for public safety employees.

Similar to the legislation passed in the House last month, HR 980, the bill would require the Federal Labor Relations Authority to decide if each state:

- Permits public safety employees to form and join a labor union that is, or seeks to be, recognized as the exclusive bargaining representative of public safety employees;

- Requires public safety employers to recognize public safety employee labor unions, bargain with them and commit agreements with public safety employee labor unions to writing;
• Requires public safety employers to bargain with public safety employee labor unions on hours, wages and terms of employment;
• Makes an impasse resolution mechanism available, and
• Requires state court enforcement of the items above.

The House passed its version of the bill by a vote of 314-97. Although Gregg’s bill also enjoys bipartisan support and has garnered 20 cosponsors, several Senators are committed to stopping the bill. Opponents of the legislation are seeking to secure the support of 41 Senators, the number needed to uphold a filibuster and prevent the final tally from passing.

INTERNET TAX

Republicans pushing hard for permanent extension of Internet tax ban. Republican leaders in both the House and the Senate are calling on their Democratic counterparts to schedule votes on legislation to permanently extend the moratorium on state and local taxation of Internet access fees. The current moratorium expires on November 1.

While there seems to be unanimity for an extension of the ban, conservative Republicans have begun to intensify a push to make that moratorium permanent. On the other hand, state and local government organizations have been pressuring for a four-year extension of the current moratorium, on the grounds that the ever-changing landscape in telecommunications technology would make a permanent solution unwise. There is also concern that changes in the definition of Internet access could potentially jeopardize existing taxation and fees for the use and maintenance of public rights-of-way.

Congressional Republicans are seizing the issue to publicly paint Democratic leadership as “pro-tax.” However, as the moratorium expiration date draws closer, some in the telecommunications industry are shifting their support from a permanent extension. The “Don’t Tax Our Web Coalition,” which includes AT&T, Comcast, Yahoo, Amazon, and eBay is reportedly supporting a measure (HR 3678) introduced last week by House Judiciary Committee Chairman John Conyers (D-MI) that would impose a four-year moratorium and narrow the definition of Internet access.

The House Judiciary Committee plans to take up HR 3678 next week and amendments to extend the moratorium permanently are expected.

WATER RESOURCES

Bush WRDA veto message leaked. The press obtained a copy of President Bush’s veto message for legislation (HR 1495) that would authorize hundreds of Army Corps of Engineers flood control, transportation, and environmental restoration projects. Although President Bush has yet to actually receive the bill, the leaked veto message makes it clear that he does not intend to sign it, despite intense pressure from governors, mayors and congressional leaders of both parties.

In this veto message, Bush calls the legislation, dubbed the Water Resources Development Act (WRDA), “an unsound bill” that “authorizes funds far in excess of what the American taxpayer can afford,” arguing that the bill would add billions of dollars of new projects to what is already a backlog of $38 billion in authorized but incomplete Corps projects. The President’s veto message goes on to urge Congress to send him a bill that focuses on national priorities such as the Florida Everglades Project, hurricane protection for New Orleans and protecting Sacramento from flooding, saying that HR 1495 instead “reflects the ability of a Member of Congress to get a project authorized irrespective of whether it is good for the nation as a whole.”

At this point, it appears that if the President does veto HR 1495, Congress could potentially override it. Normally staunch supporters of the President, such as Senate Environment and Public Works Committee Ranking Member James Inhofe (R-OK), are lobbying him to sign the bill and say that they have lined up large bipartisan majorities in support of overriding a veto if and when it comes.

ECON. DEVELOPMENT

House clears regional development bill despite White House veto threat. By a vote of 264-154, the House passed legislation (HR 3246) that would create five regional economic development commissions modeled on the Appalachian Regional Commission (ARC).

Although the bill initially enjoyed broad bipartisan support, White House opposition to the measure led to mass Republican defections. In the end, only 39 Republicans voted in favor of the bill and the final tally in support of the bill was well short of the 290 votes that would be needed to override a veto.

As passed by the House, the bill would create five regional economic development commissions:

• Delta Regional Commission covering a list of counties in Alabama, Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri and Tennessee;

• Northern Great Plains Regional Commission, covering all of Iowa, Minnesota, Nebraska, North Dakota, South Dakota and a list of counties in Missouri;

• Southeast Crescent Regional Authority covering all counties in Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, Virginia not covered by the ARC or the Delta Regional Commission;

• Southwest Border Regional Commission covering a list of counties in Arizona, California, New Mexico and Texas, and

• Northern Border Regional Commission covering a list of counties in Maine, New Hampshire, New York and Vermont.

In addition to determining the most distressed counties within their jurisdiction, the bill would allow each commission to designate “isolated areas of distress” within attainment counties.

The bill would authorize $40 million for each commission in FY 2008, $45

Eligible uses of the funds would include grants for transportation or telecommunications infrastructure, job training, improving basic health care and other public services, promoting resource conservation, tourism, recreation, and preservation of open space, and promoting the development of renewable and alternative energy sources.

The bill now heads to the Senate, where there appears to be bipartisan support for the measure. However, the Senate Environment and Public Works has not scheduled any action on the bill.

**TRANSPORTATION**

Panel holds hearing on new DOT Safe Routes to School program. On Tuesday, the House Transportation and Infrastructure Subcommittee on Highways and Transit heard testimony about a new initiative designed to battle childhood obesity by encouraging kids to walk and bike to school. The subcommittee heard from a group of stakeholders who presented positive reviews of the young initiative.

The Safe Routes to School program, enacted as part of the 2005 SAFETEA-LU law, has reached over 700 schools in its first two years. The program is designed to make it safer, easier, and more popular for kids to get out of the car and walk or bike to school.

The program can be used to fund a variety of pedestrian infrastructure improvements within two miles of primary and middle schools. Eligible activities include the planning, design, and construction of sidewalk improvements, traffic calming and speed reduction measures, pedestrian and bicycle crossing improvements, on-street bicycle facilities, off-street bicycle and pedestrian facilities, secure bike parking, and traffic diversion measures. The program also pays for educational programs to make it more socially acceptable for kids to walk and bike to school and to increase traffic safety. Local match contributions are encouraged but not required.

Safe Routes to School funding is apportioned to States based on their relative shares of total enrollment in primary and middle schools (kindergarten through eight grade), but no State will receive less than $1 million. Additional information on how each state administers the program can be found at: [http://www.saferoutesinfo.org/contacts/index.cfm](http://www.saferoutesinfo.org/contacts/index.cfm)
October 8, 2007

Mike Johnson
Olsson Associates
1111 Lincoln Mall
Lincoln, NE 68508

RE: Grandale Addition - Final Plat #07031
Generally located at South 40th Street and Wilderness Hills Blvd

Dear Mike,

Grandale Addition, Final Plat #07031, generally located at South 40th Street and Wilderness Hills Blvd was approved by the Planning Director on October 8, 2007. The plat and the subdivision agreement must be recorded in the Register of Deeds. The fee is determined at $.50 per existing lot and per new lot and $20.00 per plat sheet for the plat, and $.50 per new lot and $5.00 per page for associated documents such as the subdivision agreement. If you have a question about the fees, please contact the Register of Deeds. Please make check payable to the Lancaster County Register of Deeds. The Register of Deeds requests a list of all new lots and blocks created by the plat be attached to the subdivision agreement so the agreement can be recorded on each new lot.

Pursuant to § 26.11.060(d) of the Lincoln Municipal Code, this approval may be appealed to the Planning Commission and any decision of the Planning Commission to the City Council by filing a letter of appeal within 14 days of the action being appealed. The plat will be recorded with the Register of Deeds after the appeal period has lapsed (date + 14 days), and the recording fee and signed subdivision agreement have been received.

Sincerely,

Brian Will
Planner

xc: Meridian Corporation, 3730 South 14th Street, Lincoln, NE 68502
City Council
Dennis Bartels, Public Works & Utilities
Terry Kathe, Building & Safety
Sharon Theobald, Lincoln Electric
Jean Walker, Planning
File
Begin forwarded message:

From: Alison Stewart <astewart1@unl.edu>
Date: October 5, 2007 2:21:57 PM CDT
To: jcook@lincoln.ne.gov
Subject: City Council meeting Monday and StarTran

Dear Jonathan,

I am concerned about StarTran funding and the proposals by some council members to cut StarTran's budget considerably. In light of this I am wondering what time the StarTran portion of the council meeting will take place and whether this e-mail will serve, from your perspective, as support from me for StarTran. If you need bodies for the meeting, I may be able to e-mail some other university faculty members and mobilize them to attend.

I usually ride the bus (#16) every day to the university from my home near Lake and 22nd Streets. I find the bus reasonably priced and generally reliable. It is much less expensive and less stressful than parking on campus or near campus. And it is environmentally much sounder. I once did a price comparison and found that our car that was paid off (Ford Escort wagon from 1993) cost a minimum of $100/month for gas, insurance, car tax, and repairs. The bus is a bargain by comparison.

I have not seen any discussion on the part of the City Council in terms of the positive environmental impact StarTran has on Lincoln's environment, but I do think it should be part of the discussion. Just as bike riding should be encouraged, so should riding the bus. We need more buses in Lincoln, not fewer. We need a concerted effort to get Lincolnnites out of their cars and into buses. If the rapid growth over the last decades has taught us anything, it has shown that more cars can mean more speed, congestion, and pollution.

Your response appreciated,

Alison Stewart
2127 Park Ave.
Lincoln, NE 68502
tel. 476-1703
Alison Stewart
Professor of Art History
120 Richards Hall
Department of Art & Art History
University of Nebraska-Lincoln
Lincoln, NE 68588-0114

phone: 402, 472-5547
FAX: 402, 472-9746
e-mail: astewart1@unl.edu
1) AVL is part of StarTran's security plan to meet FTA and Dept of Homeland Security requirements for establishing formal security procedures by 2010. Monitoring the exact location of large buses/vehicles will be a benefit during a disaster or crisis situation. Daily monitoring of bus locations will assist supervision of the driver, being on time/scheduling, etc. The customer service desk will have access to bus locations to assist patrons who call looking for bus arrival information, especially during weather events or detours. Patrons will have the ability to look on a website and determine real time arrival of their bus. Real time arrival signs located at key boarding locations will keep patrons informed of bus arrivals. The voice annunciation system on all buses to announce stops will benefit visually impaired patrons.

2) The Federal Transit apportionment for StarTran, for the current year is about $2.5 million, with about $1.35 million to Operating Budget, and $1.15 million for CIP projects. The federal apportionment is somewhat constant, but has fluctuated over the prior years, with a low of $2.3 million in 2004. Projections for next year is $2.65 million.

3) The FTA service life for HandiVans is 5 years or 150,000 miles. This is the minimum service a van is required to be maintained, when using federal funds to purchase. The decision to replace vehicles is a local decision based on several criteria, namely cost of repairs, rust/deterioration of the body/chassis, safety concerns, available CIP funding, etc. The current CIP has HandiVans scheduled to be replaced after 6 years of service. The prior HandiVans were purchased at $55,000 per vehicle, and are budgeted to cost $65,000 per vehicle in 08-09.

4) a) FTA requires our 35' buses to be maintained for 12 years or 500,000 miles, however StarTran generally replaces in the 14 to 15 year time frame. Replacement of the buses after this requirement is met is a local decision, based on several criteria, namely cost of repairs, rust/deterioration of the body/chassis, safety concerns, available CIP funding, etc. b) Bus manufacturers need to meet certain federal guidelines. However, buses are made in various sizes and use different kinds of fuels. Size, type and fuel sources are generally determined locally for the bid specs. c) The prior buses were purchased at $278,000 per vehicle, and are budgeted to cost $305,000 per vehicle in 2011.

5) Being a part of the federal transit program and related operating and capital funding assistance, StarTran is required to be in compliance with all federal transit regulations, summarized into 23 main areas. The procedures, activities, and responsibilities assigned to the organization of StarTran and other city departments are structured to be in compliance with these federal regulations. The attached file summarizes the basic requirements of the 23 areas. The affirmative action requirement is described in section 22.

Costs to be in compliance with the 23 areas can not be directly assigned to each area. However, nearly all of StarTran's activities and services are developed to be in compliance with the federal requirements.

Listing of Federal Transit Requirements in 23 Areas1.wpd

6) The current ATU contract is effective through August 31, 2009. Wage increases each year are generally 3%. See attached wage rate schedule for operators and maintenance staff. The entire ATU contract can be found at the following city web site address:
Listing of Federal Transit Requirements in 23 Areas

1. Legal
2. Financial
3. Technical
4. Satisfactory Continuing Control
5. Maintenance
6. Procurement
7. Disadvantaged Business Enterprise (DBE)
8. Buy America
9. Suspension/Debarment
10. Lobbying
11. Planning/Program of Projects
12. Title VI
13. Public Comment Process for Fare and Service Changes
14. Half Fare
15. ADA
16. Charter Bus
17. School Bus
18. National Transit Database (NTD)
19. Safety and Security
20. Drug-Free Workplace
21. Drug and Alcohol Program
22. Equal Employment Opportunity (EEO)
23. ITS Architecture

Description of Basic Requirements

1. Legal

**Basic Requirement:** The grantee must be eligible and authorized under state and local law to request, receive, and dispense FTA funds and to execute and administer FTA funded projects. The authority to take all necessary action and responsibility on behalf of the grantee must be properly delegated and executed.

2. Financial

**Basic Requirement:** The grantee must demonstrate the ability to match and manage FTA grant funds, to cover cost overruns, to cover operating deficits through long-term stable and reliable sources of revenue, to maintain and operate federally funded facilities and equipment, and to conduct an annual independent organization-wide audit in accordance with the provisions of OMB C A-133.

3. Technical

**Basic Requirement:** The grantee must be able to implement the Urbanized Area Formula Grant Program of Projects in accordance with the grant application, Master Agreement, and all applicable laws and regulations, using sound management practices.
4. Satisfactory Continuing Control
**Basic Requirement:** The grantee must maintain control over real property, facilities and equipment and ensure that they are used in transit service.

5. Maintenance
**Basic Requirement:** The grantee must keep federally funded equipment and facilities in good operating order, maintain written procedures, and maintain documentation of maintenance activity.

6. Procurement
**Basic Requirement:** FTA grantees will use their own procurement procedures that reflect applicable state and local laws and regulations, provided that the process ensures competitive procurement and that the procedures conform to applicable federal law including 49 CFR Part 18, specifically Section 18.36 and FTA C 4220.1E, “Third Party Contracting Requirements.” Grantees will maintain a contract administration system that ensures that contractors perform in accordance with terms, conditions, and specifications of their contracts or purchase orders.

7. Disadvantaged Business Enterprise (DBE)
**Basic Requirement:** The grantee must comply with the policy of USDOT that DBEs, as defined in 49 CFR Part 26, are ensured nondiscrimination in the award and administration of USDOT-assisted contracts. Grantees also must create a level playing field on which DBEs can compete fairly for USDOT-assisted contracts; ensure that only firms that fully meet eligibility standards are permitted to participate as DBEs; help remove barriers to the participation of DBEs; and assist the development of firms that can compete successfully in the marketplace outside the DBE program.

8. Buy America
**Basic Requirement:** Per Buy America law, federal funds may not be obligated unless steel, iron, and manufactured products used in FTA-funded projects are produced in the United States, unless FTA has granted a waiver, or the product is subject to a general waiver. Rolling stock must have a 60 percent domestic content and final assembly must take place in the United States.

9. Suspension/Debarment
**Basic Requirement:** To prevent fraud, waste, and abuse in federal transactions, persons or entities, which by defined events or behavior, potentially threaten the integrity of federally administered programs are excluded from participating in FTA-assisted programs. FTA grantees are required to certify that they are not excluded from federally assisted transactions. Grantees also are required to ensure that none of the grantee’s “principals” (as defined in the governing regulation 49 CFR Part 29), subrecipients, and third-party contractors and subcontractors is debarred, suspended, ineligible or voluntarily excluded from participation in federally assisted transactions.

10. Lobbying
**Basic Requirement:** Recipients of federal grants and contracts exceeding $100,000 must certify compliance with Restrictions on Lobbying before they can receive funds. In addition, grantees are required to impose the lobbying restriction provisions on their contractors.
11. Planning/Program of Projects
Basic Requirement: The grantee must participate in the transportation planning process in accordance with FTA requirements, Metropolitan Statewide Planning Final Rule, and Management Systems Interim Final Rule (Transportation Planning Regulations [TPR]), as revised.

12. Title VI
Basic Requirement: The grantee must ensure that no person in the United States shall, on the ground of race, color, or national origin, be excluded from participating in, or denied the benefits of, or be subject to discrimination under any program or activity receiving federal financial assistance. The grantee must ensure that federally supported transit service and related benefits are distributed in an equitable manner.

13. Public Comment Process for Fare and Service Changes
Basic Requirement: The grantee must have a locally developed process to solicit and consider public comment before raising a fare or carrying out a major reduction of transportation.

14. Half Fare
Basic Requirement: Grantees must ensure that elderly persons and persons with disabilities, or an individual presenting a Medicare card, will be charged during non-peak hours for transportation using or involving a facility or equipment of a project financed under Section 5307 not more than 50 percent of the peak hour fare.

15. ADA
Basic Requirement: Titles II and III of the Americans with Disabilities Act of 1990 provide that no entity shall discriminate against an individual with a disability in connection with the provision of transportation service. The law sets forth specific requirements for vehicle and facility accessibility and the provision of complementary paratransit service.

16. Charter Bus
Basic Requirement: Grantees are prohibited from using federally funded equipment and facilities to provide charter service except on an incidental basis and when one or more of applicable exceptions for urban areas set forth in the charter service regulation at 49 CFR 604.9 (b) applies.

17. School Bus
Basic Requirement: Grantees are prohibited from providing exclusive school bus service unless the grantee qualifies under specified exceptions. In no case can federally funded equipment or facilities be used.

18. National Transit Database (NTD)
Basic Requirement: The grantee must collect, record, and report financial and non-financial data in accordance with the Uniform System of Accounts (USOA) and updated with the National Transit Database (NTD) Reporting Manual as required by 49 USC 5335(a).
19. Safety and Security
Basic Requirement: Any recipient of Urbanized Area Formula Grant Program funds must annually certify that it is spending one percent of such funds for transit security projects or that such expenditures for security systems are not necessary.

Under the safety authority provisions in the federal transit laws, the Secretary has the authority to investigate the operations of the grantee for any conditions that appear to create a serious hazard of death or injury especially to patrons of the transit service. However, FTA has no specific requirements for transit safety. States are required to oversee the safety of rail fixed guideway systems through a designated oversight agency.

20. Drug-Free Workplace
Basic Requirement: Grantees are required to maintain a drug-free workplace for all employees and to have an ongoing drug-free awareness program.

21. Drug and Alcohol Program
Basic Requirement: Grantees receiving FTA funds under Capital Grant, Urbanized Area Formula Grant, or Non-Urbanized Area Formula Grant Programs must have a drug and alcohol-testing program in place for all safety-sensitive employees.

22. Equal Employment Opportunity (EEO)
Basic Requirement: The grantee must ensure that no person in the United States shall, on the ground of race, color, creed, national origin, sex, age, or disability be excluded from participating in, denied the benefits of, or be subject to discrimination in employment under any project, program or activity receiving federal financial assistance from the federal transit laws. FTA's Circular 4704.1 notes that "an executive should be appointed as Manager/Director of EEO who reports and is directly responsible to the agency's chief executive officer".

23. ITS Architecture
Basic Requirement: Intelligent Transportation Systems (ITS) projects funded by the Highway Trust Fund and the Mass Transit Account must conform to the National ITS Architecture, as well as to U. S. Department of Transportation (DOT) adopted ITS standards.
PROVISIONS RELATING TO BUS OPERATORS

ARTICLE 23

WAGE RATE AND CLASSIFICATION — OPERATORS

Section 1. The regular straight time hourly rates of pay for bus operators covered by this Agreement shall be as follows:

For pay periods commencing August 24, 2006:

First six (6) months of service (75% of top rate) = $12.849
Second six (6) months of service (80% of top rate) = $13.706
Third six (6) months of service (85% of top rate) = $14.562
Fourth six (6) months of service (90% of top rate) = $15.419
Thereafter, (top rate) .................................. = $17.132

For pay periods commencing August 23, 2007:

First six (6) months of service (75% of top rate) = $13.235
Second six (6) months of service (80% of top rate) = $14.117
Third six (6) months of service (85% of top rate) = $14.999
Fourth six (6) months of service (90% of top rate) = $15.881
Thereafter, (top rate) .................................. = $17.646

For pay periods commencing August 21, 2008:

First six (6) months of service (75% of top rate) = $13.631
Second six (6) months of service (80% of top rate) = $14.540
Third six (6) months of service (85% of top rate) = $15.449
Fourth six (6) months of service (90% of top rate) = $16.358
Thereafter, (top rate) .................................. = $18.175

All increases shall be effective the first day of the pay period following the effective date of eligibility for an increase.

Section 2. All operators giving trainees instruction shall receive fifty cents (50¢) per hour additional pay for time spent. Training duties shall be assigned to the most senior regular operator on each route, whenever possible, during those times when trainees are scheduled to train unless the most senior regular operator requests not to give instruction.
ARTICLE 36
WAGE RATES AND CLASSIFICATIONS — MAINTENANCE

Section 1. The regular straight time hourly rates of pay for maintenance employees covered by this Agreement shall be as follows:

For pay commencing August 24, 2006:

<table>
<thead>
<tr>
<th></th>
<th>90% Rate</th>
<th>95% Rate</th>
<th>100% Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Journey Mechanic</td>
<td>$17.967</td>
<td>$18.965</td>
<td>$19.963</td>
</tr>
<tr>
<td>Apprentice Mechanic</td>
<td>16.067</td>
<td>16.959</td>
<td>17.852</td>
</tr>
<tr>
<td>Bus Service Worker</td>
<td>14.632</td>
<td>15.445</td>
<td>16.258</td>
</tr>
<tr>
<td>Bus Cleaner</td>
<td>10.412</td>
<td>10.991</td>
<td>11.569</td>
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</tbody>
</table>

For pay commencing August 23, 2007:

<table>
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<th>90% Rate</th>
<th>95% Rate</th>
<th>100% Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Journey Mechanic</td>
<td>$18.506</td>
<td>$19.534</td>
<td>$20.562</td>
</tr>
<tr>
<td>Apprentice Mechanic</td>
<td>16.067</td>
<td>16.959</td>
<td>17.852</td>
</tr>
<tr>
<td>Bus Service Worker</td>
<td>15.071</td>
<td>15.909</td>
<td>16.746</td>
</tr>
<tr>
<td>Bus Cleaner</td>
<td>10.724</td>
<td>11.320</td>
<td>11.916</td>
</tr>
</tbody>
</table>

For pay commencing August 21, 2008:

<table>
<thead>
<tr>
<th></th>
<th>90% Rate</th>
<th>95% Rate</th>
<th>100% Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Journey Mechanic</td>
<td>$19.061</td>
<td>$20.120</td>
<td>$21.179</td>
</tr>
<tr>
<td>Apprentice Mechanic</td>
<td>16.549</td>
<td>17.469</td>
<td>18.388</td>
</tr>
<tr>
<td>Bus Service Worker</td>
<td>15.523</td>
<td>16.386</td>
<td>17.248</td>
</tr>
<tr>
<td>Bus Cleaner</td>
<td>11.046</td>
<td>11.659</td>
<td>12.273</td>
</tr>
</tbody>
</table>

Payday to be biweekly, every other Thursday, with pay period ending every other Wednesday. All increases shall be effective the first day of the pay period following the effective date of eligibility for an increase.

Section 2. WORKING FOREMAN A maintenance employee appointed by the City as a working foreman shall be paid seventy-five (75) cents per hour over and above the rate allowed to his classification while acting in that capacity.

Section 3. All maintenance employees shall be allowed five (5) minutes at noon and before the end of their shifts for the purpose of washing up. All maintenance employees shall be allowed two fifteen (15) minute breaks during their shifts.

Section 4. All new mechanics and service workers hired as new employees shall be paid at the rate of ninety percent (90%) of their classification for the first six (6) months, then ninety-five percent (95%) for the second six (6) months, and one hundred percent (100%) of the current rate thereafter.
InterLinc: City Council Feedback for
General Council

Name: Paula Rezek
Address: 1636 Euclid Ave
City: Lincoln, NE 68502
Phone: 402-477-0913
Fax: 
Email: prezek@neb.rr.com

Comment or Question:
I would like to know what the outcome with Time Warner Cable is? Has this ever been resolved? I have put in a call to TWC, because all of the problems from before seem to be starting all over again.

Thank you,
Paula Rezek
Hello,

My name is Barb Keating and I am a Star Tran user. Please do not cut the Star Tran System. This effects some of the poorest folks in our community if you do. Every day I see people who without Star Tran would be without any kind of transportation at all. You would be ignoring the handicapped, the poor and the elderly. To expect these people to walk further or to do without seems to me to be the act of people who are out of touch.

Many people also ride the bus to save on gas. In this day and age of "going green" I find it important to save resources and Star Tran provides that ability.

Please do not cut Star Tran, it is the lifeline for many in this community.

Sincerely,

Barb Keating
Hello Council members,

I am writing you to urge you not to cut the budget for Star Tran. Our family of four has one car and we rely on the city bus service every workday to get to and from work and to take the kids to places like the zoo on the weekend if one of us needs the car for something else. I know that the Irving School (16) route which we take to UNL for work every day also carries many other faculty and staff from our neighborhood to and from work.

I think that the review of the bus routes and the Star Tran system this year was a good idea and it should be done on a regular basis (every 5 years for instance) in conjunction with a well thought out 5 and 10 year plan. Please consider bringing in consultants from other cities in the US and from other countries perhaps to review the system and advise our city on how to improve profitability and effectiveness. Cutting the Star Tran budget at this stage does not accomplish any positive long term goal.

All kinds of people ride the bus (you should try it sometime if you haven't recently). We ride the bus because it reduces our annual expenditures on car ownership and I give fewer of my dollars to foreign oil producing countries. It's also just plain easier and quicker than driving to work and finding a place to park. You should be striving to make this bus system better, not worse, and in my opinion cutting the budget will certainly make it worse.

I would be happy to answer any questions you might have or to speak to the council or individual members at any time.

Thank you,
Aaron Dominguez
2201 Woodscrest Avenue, Lincoln, NE 68502
(402) 742-4868
Although I attended the Startran hearing in June, I'm unable to attend today's city council meeting. Here are my comments.

There was a serious flaw in the way ridership data was collected by the consulting firm. They used figures from one month in the summer. In summer there is no snow or ice to contend with. Wintry weather also increases ridership somewhat. Although there are some summer classes at all levels of school, there are many fewer students and school employees riding the bus in the summer than the winter.

Making the star shuttle free sounds good until all the details were known. Is it a coincidence that the star shuttle will now go into the Haymarket but drop the 18th & J stop and that a city council member has property in the Haymarket?

There will be longer service hours for this route between the Haymarket and UNL. This sounds like trying to make sure the Haymarket businesses and the bar hopping crowd are happy.

Some of the many elderly and disabled citizens who live in the 18th & J area testified at the June meeting. The Startran representative said it's only one block to another stop going downtown, which is true but it's 1 block uphill. For people with heart and respiratory problems even one uphill block is much more difficult than it would be for people without health issues.

Also, there is the issue of trying to use the electric scooters and wheelchairs on an uphill sidewalk in the winter. Recently there have been notices in the buses about extended service to the Kawasaki plant certain times. When the bus goes to Kawasaki, it doesn't go to another part of the route. I know this type of thing is done on other routes also, for instance the school booster buses, Lincoln Benefit Life, and others.

Why can't something similar be arranged for the star shuttle? Not just twice a day, but throughout the day, what if every 3rd or 4th trip the bus went to 18th & J and didn't go into the Haymarket. I'm sure the people living in the 18th & J area would gladly continue to pay the $.30 fare that they now pay.

LIBA testified first at the June hearing that service should be limited not expanded and immediately left before hearing anyone else speak. They seem to want to limit bus service only to 48th & O or maybe Westfield Gateway and nowhere else. Do the LIBA members refuse customers who ride the bus? Do they refuse to hire employees who ride the bus?

Lincoln is growing and the bus service needs to keep up with that, ridership will decrease if service is cut. Thank you.
Chamber Commends City Council & Mayor on Audit Board Approval

Lincoln, NE - The Lincoln City Council approved a resolution yesterday (10/8/07) that creates a six-member City Audit Advisory Board. "This is something we've been advocating for," said Chamber of Commerce President Wendy Birdsall. "An outside auditor or audit advisory board is an issue that has been on the Chamber's local agenda for some time. We think the Mayor's office and the Council did an excellent job working together to build consensus on this." The newly created board will oversee both financial and performance audits of city departments. Three members of the board will be appointed by the City Council, three will be appointed by the Mayor's office. Kyle Fischer, Public Policy Specialist for the Chamber, testified in support of the resolution. "This is an issue we've raised at budget hearings, public hearings, press conferences, you name it," said Birdsall. "We are happy the Chamber's voice could be heard." Special Thanks from the Chamber to Councilman Jon Camp and Councilwoman Robin Eschilman. Both Council members made this issue a priority.

Tracy Platt
Director of Communications
Lincoln Chamber of Commerce
(402) 436-2355

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The Lincoln Chamber of Commerce

PRESS RELEASE
October 9, 2007

Public Policy Alert

Lincoln Chamber Applauds Council and Mayor for audit board efforts

Lincoln, NE - The Lincoln City Council approved a resolution yesterday (10/8/07) that creates a six-member City Audit Advisory Board.

"This is something we've been advocating for," said Chamber of Commerce President Wendy Birdsall. "An outside auditor or audit advisory board is an issue that has been on the Chamber's local agenda for some time. We think the Mayor's office and the Council did an excellent job working together to build consensus."

Kyle Fischer, Public Policy Specialist for the Chamber, testified in support of the resolution during Monday's public hearing.
Special Thanks from the Chamber to Councilman Jon Camp and Councilwoman Robin Eschilman. Both Council members made this issue a priority.

Contact Kyle Fischer at kfischer@lincoln.org or 436-2352 for more information.
InterLinc: City Council Feedback for General Council

Name: Sharon Miller  
Address: 2108 Southwood Pl  
City: Lincoln, NE 68512  
Phone: 402-420-1170  
Fax:  
Email: bogeysh@neb.rr.com

Comment or Question:  
I live on Southwood Place which is almost across the street from the Southwood Dr bus stop. I am on the Board of our Association here. Many of our residents are concerned about losing that bus stop. We have quite a few aging and elderly people that live here. If there is no bus stop close, how are they going to get to doctor appointments, therapy, etc.? It is nice to have an alternative to driving, especially in bad weather. There are also some blind people that live close by and are out at the bus stop every morning. I invite any or all of you to contact me after 5:30pm at 420-1170 to discuss this. I have read many comments on the website, and agree that the solution to Star Tran making money is to have MORE convenience to your customers, not LESS!!! My employer may be moving their office downtown and I know I would like to ride the bus in nasty weather if there was a route that went close to the new office. Again, please call me M-F at 420-1170 after 5:30 to discuss the loss of this very valuable bus stop! Thank you!
Public Comment
Cardwell Branch Watershed Master Plan
October 10, 2007

I believe the proposed Cardwell Branch Watershed Master Plan is fundamentally flawed, due to the fact that it does not provide adequate remedy to prevent flooding and resulting risk to properties. While many actions are proposed, these actions will not significantly reduce risk and may, in fact, move risk from one area to another in the Cardwell Woods subdivision.

It cannot be disputed that the City of Lincoln was negligent for failing to provide information that resulted in homes being built in the Cardwell Branch floodplain. A judge recently entered this judgment against the City of Lincoln. Every homeowner in Cardwell Woods subdivision, who were original builders of their homes, graded their lots and built their homes with inaccurate elevation data. Had the City of Lincoln provided access to the accurate information, the risk to homeowners could have been significantly reduced. Instead the City of Lincoln and this Planning Commission chose to ignore the 1996 baseflood elevation study it commissioned to be completed by the Nebraska Department of Natural Resources.

This Master Plan does not propose remedial projects to significantly reduce the risk of flooding to homeowners in the Cardwell Woods area. Furthermore, the Master Plan proposes that homeowners share the cost of these inadequate remedies. Negligence on the part of the City has caused this problem, and the City of Lincoln should adopt a Master Plan that actually eliminates the risk.
Hello:

I know you had a hearing on Monday regarding the plan devised by Coby Mack and friends advocating a city core where the bus routes would go. I am a blind person in the city of Lincoln and, although I do not personally use the bus per se, I do use some of the StarTran programs, and I know many blind people who use the buses as their main source of transportation. Plans like this are both ignorant and short-sighted, since they look only at the small picture, forgetting that real people use real buses at all times. One suggestion was that blind people simply move into the city's core. This suggestion is arrogant and unbelievably insensitive, since blind people, like other people, should be able to choose to live wherever they like. Startran's challenge should be to serve people wherever they are, not limit its already depleted ridership.

I would like to urge that you vote this plan down, and have no further dealings with stunted, inward-looking, idiotic ideas such as this. Let's fix the city's bus problems by expanding, not shrinking, the services.

Jolene Boshart
5135 South Street
Lincoln, NE 68506
Phone: (402) 483-5088
Email: jboshart@neb.rr.com
Lincoln City Council:
The following letter was sent to Robin on May 15, 2005. She sent copies to the both the police and fire chief.
Robin, I hope you still have their responses and will share with other city council members. I do recall that the police chief said they were studying the false alarm issue.

May 15, 2005
Robin:
Congratulations on being elected to the Lincoln City Council.

The funding of City Government is a great concern to us. We also realize that City and County Government constitute less than 50% of our property tax and the remaining is for the Lincoln Public Schools.

We would like to suggest that you propose to the City Council some additional “use” taxes. First, let us explain what we mean by a “use” tax. Our water bill is a form of use tax. The more we use, the more the fee or use tax. Electricity is similar, the more we use, the more the fee. Sewer tax is based on the amount of our water bill or another use tax. Wheel tax is assessed for car owners for use of the streets or another use tax. There are fees or taxes for building permits, and the list goes on.

We think these taxes are fair because they tax those who “use the service”. We would like to suggest some additional “use” taxes.

1. Registration fees for business and residential alarm systems. The city has an alarm registration ordinance but no fees for the registration. They also do not charge for false alarm responses by the police and fire departments. Many cities have a $25.00 registration fee for alarm systems and a fee for false alarms. Usually the first false alarm is free and then there are fees of $100 for the second and $250 for the third and each subsequent alarm during the registration period which is a year. My estimate of the number of alarm systems in Lincoln is 5000 which would bring in $125,000 per year in registrations alone. Responding to false alarms has been estimated, in one city, to take 15% of the resources of the police. 5000 alarm systems would generate about 4000 false alarms per year. This would bring in about $260,000 per year in false alarm charges.

2. Fees for the cost of police to investigate and provide scene safety at auto crashes. Auto crashes are not auto accidents as we more commonly refer to them. Auto crashes are caused by someone being negligent. If I understand the 2003 Police annual report, they were dispatched to about 10,500 vehicular crashes. If a charge of $50.00 we assessed to each of the negligent
individuals it would bring in some $525,000 or at $100.00 over one million dollars per year.

3. Many cities and towns are now billing insurance companies for fire department responses to residential and commercial fires. Insurance policies for home owners and commercial building have clauses that will pay for fire department response to fires. These limits are usually $500 for residential and up to $4000 for commercial property.

The Lincoln Fire Department does not respond to many structural fires, only about 150 per year, but billing insurance companies, which the owners pay premiums for the fire department to respond, would generate about $75,000 to $100,000 per year.

4. Fire departments respond to auto crashes for extrication, scene safety, hazmat, and so forth. Insurance companies will often cover these costs and many cities and towns are doing this to help pay for equipment and resources used. It is difficult to glean the statistics of how many fire department responses are made to auto crashes, a conservative estimate might be 2000.

An average rate for a response by the Fire Department (this is not ambulance) would be about $250.00. This would generate some $500,000 per year or enough money to buy a new fire truck every year and pay for the cost of the crew to man it. If all four of these modes were adopted, the City would generate approximately 1.5 million dollars each year.

Most communities outsource the billing for these services so that there are no personal service costs nor capital expenditures involved. Billing companies usually charge based on a percentage of income so there is never an expense to the city. The contract costs, for Lincoln, would be in the neighborhood of $200,000 or less.

Our company, Fire-Extrication-Hazmat Billing, LLP, is in the business of doing this type of billing. While we would be interested in a contract with the City, we feel that as residents of the City we would like to have the City consider these options to let the users of the services pay for them.

Please do not hesitate to contact me should you have questions regarding this.

Again, congratulations on your election win. We are sure that you will serve the community to the very best of your ability.

Sincerely,

Paul and Barb Haith
489-2344
paul@fehbilling.com
Because we were unable to attend the City Council meeting on Monday, October 8, and the City Council says they haven't heard much from local residents concerning the proposed bus route changes, my husband and I are writing this email to voice our opinions.

My husband and I depend on the bus as our only form of transportation. Until he won his disability case we lived on just my disability income which qualified me for Medicaid. Medicaid paid for the cab fare for me to see my family physician and orthopedic surgeon. Both these doctors had offices near St. Elizabeth's at the time I began seeing them. Now they have moved so far south that no bus route reaches them and there are no plans to ever have a bus route to those areas. Why not pay for a cab ourselves, you say? It's approximately $35 one way to my primary care physician and $50 one way to my orthopedic surgeon (I've had both knees replaced). It isn't unusual for us to each require a doctor appointment once a month (actually, it is suggested that be a minimum due to the number of medications we are on and the severity of my husband's illnesses). We simply cannot afford several hundred dollars a month in cab fare!

Use the Handi-Van, you say? The League of Inhumane Indignity (my misspellings) turned us down because we are able to ride the regular buses "most the time." They also stated Handi-Van would not go anywhere that isn't serviced by regular StarTran buses.

Find new doctors, you say? When you have multiple medical problems and chronic pain plus rely on Medicare for insurance it isn't easy to find doctors who want to take you on as a new patient.

On a positive note, the suggestions I wrote down at the first public viewing of the proposed route changes, for the route that runs in front of our apartment complex, has been mostly incorporated into the maps that are available online. That is encouraging! I also think the city council needs to realize many people gave input on these changes prior to their meeting on Monday and didn't realize the city council wouldn't be notified of all those suggestions. It makes it appear as though the only riders who had anything to say were the 40 that went to the meeting on Monday. That is far from the truth! Those initial viewings of the proposed changes were heavily attended and people were extremely vocal -- to the point where you could see the frustration setting in for the folks taking suggestions.

The North 27th bus that services our location is NEVER empty and quite often there is standing room only. We purposely chose our current location due to it being on the North 27th bus route as our destinations are mainly along the current 27th route. Thus, we don't have to travel downtown and transfer to another bus in order to run the majority of our errands. With the proposed changes we will have to ride through Belmont to go downtown and transfer to a bus to go back north on 27th in order to reach the places where we shop most
frequently. Moving would be a financial hardship for us.

Coby Mach has no idea what he is talking about and continues to broadcast his ignorance on this subject at every available opportunity. The bus service is just that -- a service -- and a public one at that. There's nothing wrong with having tax dollars paying for a large part of a public service. (I don't see any toll roads in Lincoln.) It is a necessity and they should be improving it in order to increase ridership, not the other way around. At the Federal Transit Administration website it states: "FTA's mission includes ensuring non-discriminatory, equitable, accessible and safe public transportation, enhancing the social and economic quality of life for all Americans." That says ALL AMERICANS, Coby, not just the ones who live in the "core areas" of a city. Federal housing assistance funds renters all over Lincoln, not just in the core of the city. Suggesting all disabled, low-income people live in one area smacks of discrimination.

And while I'm on the subject, is it possible for the city to try to get more grants and other types of funding to help offset some of the costs? The study that continues to be quoted was done by people in NEW YORK CITY using MAPS and statistics. Not one of them rode even one of the city routes to see what situations may be occurring throughout Lincoln. That's $100,000+ they could have spent offsetting bus costs.

It's also interesting the DRIVERS don't like many of the proposed changes and they are the ones who should know best what will and won't work. The bus drivers in this town are great and know their clients very well. Most go out of their way to make riding StarTran a joy. So why doesn't the city council meet with the drivers and get THEIR input? It seems like common sense to me. I'm hoping at the very least StarTran listened to their drivers and incorporated some of their suggestions to the current proposed changes.

Jacquelyn R. Keller
Thomas J. Keller
3151 N. Hill Rd, #106
Lincoln, NE 68504
402-742-9540
ADDENDUM
TO
DIRECTORS’ AGENDA
MONDAY, OCTOBER 15, 2007

I. MAYOR -
   1. NEWS ADVISORY - RE: Mayor Beutler’s Public Schedule Week of October 13 through October 19, 2007 - Schedule subject to change.

II. CITY CLERK - NONE

III. CORRESPONDENCE -
   A. COUNCIL REQUESTS/CORRESPONDENCE - NONE
   B. DIRECTORS AND DEPARTMENT HEADS -
      HEALTH
   C. MISCELLANEOUS -
      1. E-Mail from Terry Bundy, LES - RE: End of Rate Surcharge.
      2. E-Mails & Letters sent by Gregory B. Tyrrell, DeCamp Legal Services, PC - RE: Item 9, 07R-207, Our client Mr. Sean Divers, for the review of his claim on 10/15/07.
Date: October 12, 2007  
Contact: Diane Gonzolas, Citizen Information Center, 441-7831

**Mayor Beutler’s Public Schedule**  
**Week of October 13 through October 19, 2007**  
*Schedule subject to change*

**Monday, October 15**  
- Leadership Lincoln’s 7th Annual Celebration of Community Leadership, remarks - 5:30 p.m., Cornhusker Marriott Hotel, 333 S. 13th St.

**Tuesday, October 16**  
- Lincoln Chamber of Commerce/Turbine Flats ribbon-cutting - 10 a.m., 2124 “Y” St.

**Wednesday, October 17**  
- Downtown Lincoln Association’s 40th anniversary celebration and annual meeting, remarks - noon, Embassy Suites, 1040 “P” St.
- “Drive Time Lincoln” with Coby Mach on KLIN - 5:15 p.m.

**Thursday, October 18**  
- Nebraska Chapter of the American Institute of Architects state conference (hosted by Bahr Vermeer Haecker), remarks - 8 a.m., Embassy Suites
- International Visitors (lunch with Mayors from Macedonia), presentation of honorary citizenship certificates - 11:45 a.m., Governor’s Mansion, 1425 “H” St.
- Baylor Evnen Curtiss Grimt & Witt, reception for Mark Hunzeker, Bill Blake and Peter Katt - 4:30 p.m., Wells Fargo Center, 1248 “O” St., Suite 600
- 2015 Vision/WHAT (West Haymarket Action Team) community forum, remarks - 5 p.m., Pershing Center, 226 Centennial Mall South
HIGH RISK PERSONS SHOULD GET A FLU SHOT

The Lincoln-Lancaster County Health Department is encouraging persons considered at high risk for complications due to influenza to begin seeking out and obtaining their flu shot. At the current time, influenza vaccine manufacturers are projecting that as many as 132 million doses of influenza vaccine will be available from currently licensed manufacturers in the U.S. for use during the 2007-08 influenza season. This is 22 million doses more than last flu season.

Influenza (flu) vaccination is the primary method for preventing influenza. Influenza is a highly infectious disease of the lungs, it can cause mild to severe illness and at times can lead to death. Every year in the United States, on average 5% to 20% of the population gets the flu; more than 200,000 people are hospitalized from flu complications and about 36,000 people die from flu.

The Lincoln-Lancaster County Health Department’s (LLCHD) local Flu Hotline is available to the public to provide information about Flu immunization availability in the community. The local Flu Hotline can be accessed by calling 441-0358. The Health Department has also posted many of the locations at www.lincoln.ne.gov, Keyword “Flu”.

The Lincoln-Lancaster County Health Department will begin providing Flu shots to low income uninsured individuals and children between the ages of 6 months through 4 years of age on
October 15, 2007. The Lincoln-Lancaster County Health Department is located at 3140 N Street and is open from 8:00 a.m to 4:00 p.m, Monday through Friday.

The Department will no longer be providing flu shots to persons who are covered by insurance, Medicare, Medicaid (except for children 6 months through 4 years of age), other third-party payers, or those who do not fall at or below 185 percent of the U.S. poverty guidelines. Medicare continues to cover flu shots and those on Medicare can obtain their flu shot through either their health care provider or by checking with the many flu clinic sites available in the community.

Individuals considered at high risk include the following:

- persons aged 50 years and older
- residents of nursing homes and other long-term care facilities
- persons aged 2—64 years with certain chronic medical conditions
- children aged 6 months through 4 years
- pregnant women

Others who should get a flu immunization include those who live with or care for those at high risk for complications from flu:

- Household contacts of persons at high risk for complications from the flu
- Household contacts and out of home caregivers of children less than 6 months of age (these children are too young to be vaccinated)
- Healthcare workers.

###
FLU IMMUNIZATION UPDATE

Beginning October 15, 2007, the Lincoln-Lancaster County Health Department’s influenza immunization program will begin providing flu vaccine to low-income uninsured individuals and children 6 months through 4 years of age.

Except for children 6 months through 4 years of age, the department will no longer be providing flu shots to persons who are covered by insurance, Medicare, Medicaid, other third-party payers, or who do not fall at or below 185 percent of U.S. poverty guidelines.

The Lincoln-Lancaster County Health Department has established a local Flu Hotline to provide information about Flu immunization availability in the community. The local Flu Hotline can be accessed by calling 441-0358. The Health Department has also posted many of the locations where flu immunizations are available at www.lincoln.ne.gov, Keyword “Flu”.

Although all of the community flu sites are available to adults, the age at which children can obtain a flu immunization at these locations varies. Below is information on Flu immunizations for children at these sites:

- **Express Care** – Super Saver, 2525 Pine Lake Road.
  (Children 8 years and older who need only a single dose of flu vaccine)
  Check the web site above for Express Care special Flu clinics in November at other Super Saver and Russ’s Market locations

- **Special Flu Clinics operated by Maxim Health Systems** at:
  Shopko, Walmart, Sunmart and CVS Pharmacies
  (Children 9 years and older)
  Check the web site above for dates and times for these Flu clinics.

- **Linc Care** – Three locations, 3910 Village Drive, 5000 North 26th St, 1601 North 86th St.
  (Children 12 years and older)

- **Walgreen Flu clinics** (various locations, dates & time)
  (Children 14 years and older)
  Check the web site above for dates and times for these Flu clinics

- **BryanLGH LifePointe**- 7501 South 27th St
  (Children 15 years and older)

The American Medical Association has established a web site for tracking availability of Flu vaccine for purchase by healthcare providers. The web site http://www.preventinfluenza.org/ivats/ contains the following information and is updated every Wednesday during the influenza season.

- Names of wholesale distributors or manufacturers with vaccine in stock for sale and/or
on order

- How to order vaccine (phone, email, web or fax)
- Brands and formulations in stock for sale and/or on order
- If on order, projected availability date(s)

The Lincoln-Lancaster County Health Department has initiated its weekly Laboratory, School and Health-Care provider Flu surveillance. Hospital Flu surveillance will begin in the next several weeks.

The 2007-2008 ACIP Prevention and Control of Influenza recommendations are available at [http://www.cdc.gov/mmwr/preview/mmwrhtml/rr5606a1.htm](http://www.cdc.gov/mmwr/preview/mmwrhtml/rr5606a1.htm)

**IMMUNIZATION UPDATE**

On August 10, 2007, the CDC Advisory Committee on Immunization Practices (ACIP) issued revised recommendation for meningococcal conjugate vaccine (MCV4) (Menactra). ACIP recommends health-care providers vaccinate with MCV4 throughout the year to minimize seasonal increases in demand during July and August when students prepare to return to school from summer vacation. Vaccine providers should administer MCV4 and Tdap (tetanus toxoid, reduced diphtheria toxoid and acellular pertussis) vaccine to persons aged 11--18 years during the same visit if both vaccines are indicated and available. If simultaneous vaccination is not feasible (e.g., a vaccine is not available), MCV4 and Tdap can be administered using any order of administration. When making decisions about timing of vaccination, providers should consider that eligibility for the Vaccines for Children Program ends at age 19 years. [http://www.cdc.gov/mmwr/preview/mmwrhtml/mm5631a3.htm](http://www.cdc.gov/mmwr/preview/mmwrhtml/mm5631a3.htm)

**Physician Advisory Available By E-Mail**

Physicians, Advance Nurse Practitioners, Physician Assistants, Health-Care and Laboratory Administrators can receive periodic physician advisories by e-mail. Send an e-mail to ttimmons@ci.lincoln.ne.us with your name, type of practitioner (MD, ARNP, PA-C, Administrator, etc.) and location of practice.

PC Mayor Chris Beutler
Board of Health
Steven Rademacher, MD, Medical Consultant
Thomas Stalder, MD, Medical Consultant
James Nora, MD, Medical Consultant
Shelley Jones, M.D., Medical Consultant
Richard Morin, M.D, Medical Consultant
Joan Anderson, Executive Director, Lancaster County Medical Society

**ADDENDUM TO PHYSICIAN ADVISORY**

Low-income uninsured children 5 years through 18 years of age must provide a written physician order to receive a flu immunization at the Lincoln-Lancaster County Health Department.
TO: Mayor Beutler and City Council

Today we are mailing the agenda book for the LES Administrative Board meeting to be held on October 19th.

I wanted you to be aware of an action item on that agenda that may generate some discussion prior to the Board meeting. That action item would end the 5.5% rate surcharge as of the end of October.

I have reviewed the latest financial results for LES and although the surcharge has not collected all of the additional costs we incurred due to the ice storm damage, there have been enough improvements in other areas of our operations that I am confident we will end the year in a sound financial condition if the surcharge is stopped. The Board Budget and Rates Committee has endorsed placing this item on the agenda.

Board approval of the LES 2008 Budget is also on this month's agenda. We will be forwarding our budget to the City Council in November with your action scheduled for early December.

Please let me know if you have any questions.

Thanks

Terry

NOTE: This electronic message and attachment(s), if any, contains information which is intended solely for the designated recipient(s). Unauthorized disclosure, copying, distribution, or other use of the contents of this message or attachment(s), in whole or in part, is prohibited without the express authorization of the author of this message.
Dear Mr. Dan Marvin:

Please find attached a document we would like to present on behalf of our client, Mr. Sean Divers, for the review of his claim on October 15, 2007, at 1:30 p.m. Please let me know if you have any questions.

Sincerely,

Gregory B. Tyrrell
Paralegal
DeCamp Legal Services, PC

- scan0010.tif
October 9, 2007

Greg Tyrell
Decamp Legal Services
414 S. 11th St.
Lincoln, NE 68508

RE: Sean Divers

Dear Greg,

I have seen Sean Divers two times. Once after the accident and once also on 10/09/2007. He has had pain secondary to low back pain and upper back pain and also neck pain after his accident with a bus. I have never seen him before that. He has been a patient of our clinic and seen one of the other providers. He has made no mention of any kind of back or leg pain during those two visits. Both of those being earlier this year. Today he is doing much better. His pain is controlled. He is continuing physical therapy. I have released him to go back to work.

I feel his problem is related to his accident completely. If he continues physical therapy, I believe his problems should be abated. If you have any other questions you can write and direct those to me.

Sincerely,

Albert Halls, M.D.

AH/pmt 33
Dear Mr. Dan Marvin:

Attached is a lien we would like introduced at the meeting scheduled for October 15, 2007, at 1:30 p.m.

Sincerely,
Gregory B. Tyrrell
Paralegal
DeCamp Legal Services, PC

- scan0011.tif
NOTICE OF HOSPITAL LIEN

BryanLGH MEDICAL CENTER

TO: Decamp Legal Services
    Attorney at Law
    414 S 11th St
    Lincoln NE 68508

Date of Loss: 9-19-07

YOU ARE HEREBY NOTIFIED that, pursuant to Nebraska Revised Statutes § 52-401 (Reissue 1988), BryanLGH Medical Center claims a lien in the amount of Five Thousand Seven Hundred Fifty Seven Dollars and no cents ($5757.00) for professional services rendered to date, together with any finance charge thereon, and any charges for services rendered hereafter to Sean Divers. Professional services necessarily performed to date include, but are not limited to, the following:

Account No. 800830029

BryanLGH Medical Center hereby asserts said lien against and upon any sum awarded to Sean Divers in judgment or obtained by settlement or compromise for damages from the party or parties allegedly causing injury and/or from any insurer whose policy extends coverage for injuries which may include, but are not limited to, medical payments and/or uninsured/underinsured motorists.

Dated September 27, 2007.

[Signature]
BryanLGH Medical Center
BY: [Signature]
BY: Peggy Volmer
TITLE: Patient Financial Associate
PHONE: (402) 481-5752

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TOTAL CHARGES 5757.00
TOTAL PAYMENTS 0.00
TOTAL ADJUSTMENTS 0.00
ACCOUNT BALANCE 5757.00

This document represents a summary of your charges as indicated in the Service From and To Dates. A claim(s) has been submitted to your insurance or third party payer(s), if applicable.