DIRECTORS’ MEETING
MONDAY, MARCH 17, 2008
COUNTY-CITY BUILDING, ROOM 113
11:00 A.M.

I. MAYOR
1. Drinking Water Samples Data Tested for Total Coliform and E. Coli Bacteria by Colilert® Method of Analysis.
2. NEWS ADVISORY. Mayor Beutler’s News Conference on Major Announcements Regarding the Antelope Valley Project Park. Thursday, March 13, 2008, 9:30 a.m., at the Park Site, North of “O” Street Between 21st and 22nd Streets.
3. NEWS RELEASE. Mayor Beutler Announcement. Antelope Valley Park to be Named Union Plaza.

II. DIRECTORS

HEALTH DEPARTMENT
1. NEWS RELEASE. Lincoln-Lancaster County Seeks Nominations for Environmental Leadership Awards.
2. Lincoln-Lancaster County Health Department Meeting Minutes of February 12, 2008.
4. Letter from Dr. Michael P. Molvar, UNMC College of Dentistry, in Support of the LLCHD Dental Program.

PARKS AND RECREATION DEPARTMENT
1. Letter from Pedestrian/Bicycle Advisory Committee Regarding Bike Lanes.

PLANNING COMMISSION FINAL ACTION

PUBLIC WORKS AND UTILITIES
1. Response from Steve Owen, Lincoln Water System Regarding the Claim of Christina Collins on Water Damage.
2. ADVISORY. Holmes Lake Southwest Tributary Stream Stability Project #702250.

III. CITY CLERK
IV. COUNCIL REQUESTS/CORRESPONDENCE

JONATHAN COOK
1. Request to Greg MacLean, Public Works & Utilities Director - RE: Snow Removal - (RFI#133 - 02/26/08)

ROBIN ESCHLIMAN
1. Request to Greg MacLean, Public Works & Utilities Director; and Roger Figard, Public Works & Utilities Dept. - RE: SW 40th Bridge Project - (RFI#12 - 02/15/08) SEE RESPONSE FROM ROGER FIGARD, PUBLIC WORKS & UTILITIES (02/21/08)
2. Request to Lin Quenzer, Mayor’s Office - RE: Graffiti Problem - (RFI#13 - 02/15/08) SEE RESPONSE FROM LIN QUENZER, MAYOR’S OFFICE ON 03/10/08)

V. MISCELLANEOUS
1. Email from Joyce Coppinger Questioning Choice of Lincoln’s Only Cable Service Company.
2. Email from Shannon McGovern on Motorsports in Lancaster County with Web Site Address.
4. Newspaper Article Delivered by Harlan Layton. “Mother Sues Union Pacific in Son’s Death” (Distributed to Council Members on 03/10/08)
5. Email from Fred Marks Regarding Letter to the Editor of the Lincoln Journal-Star on the Lincoln Electric System.
6. Email from ivnik8 Agreeing with Correspondence from Mr. Marks on the Lincoln Electric System.
7. Email from August Ponstingl in Support of the Alley Paving District.
   a) Alley Paving Support Images from August Ponstingl.

VI. ADJOURNMENT
March 5, 2008

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 February 2008:</th>
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<td>Test Type</td>
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<td>Routine</td>
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<td>Initial Repeat</td>
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<th>Nonregulatory Tests during the month of February 2008:</th>
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<td>Test Type</td>
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Respectfully,

Sandra Irons
Nebraska Public Health Environmental Laboratory
Lab Manager

enc.
Mayor Chris Beutler will make several major announcements about the new park planned as part of the Antelope Valley Project at a news conference at 9:30 a.m. Thursday, March 13 at the park site, just north of “O” Street between 21st and 22nd streets.

On-street parking is available on 21st and 22nd streets between “O” and “R” streets. These streets are accessible from “P” and “Q” streets.

In case of rain, the news conference will be held at the former Honda building on the southwest corner of 23rd and “N” streets, and parking is available in the lot south of that building.
OFFICE OF THE MAYOR
555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

FOR IMMEDIATE RELEASE: March 13, 2008
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831
Kevin Keller, Union Bank and Trust Company, 323-1640
Lynn Johnson, City Parks and Recreation Director, 441-8265

ANTELOPE VALLEY PARK TO BE NAMED UNION PLAZA
Union Bank and Trust makes historic gift to community

Mayor Chris Beutler today announced that the new park planned as part of the Antelope Valley Project will be named Union Plaza to recognize a $1.5 million gift from Union Bank and Trust Company. The park will be built along the new waterway in six-acre area between 21st, 22nd, “O” and “R” streets.

“As the largest financial donation our park system has ever received, Union Bank’s gift is historic,” said Mayor Beutler. “Union Plaza will be like no other park in Lincoln with its fountains, trail connections, amphitheater and other special features. And the park will benefit future generations in many other ways. We believe Union Plaza will attract businesses to the edges of the park, helping to expand our tax base and create more opportunities for growth in Lincoln.”

“Lincoln is the headquarters for Union Bank and Trust Company, and the vast majority of our associates live here,” said Angie Muhleisen, President and CEO of Union Bank and Trust Company. “On behalf of the ownership and associates of Union Bank, we are very excited to present this gift for Union Plaza. We have a strong desire to give back to the City that has allowed our bank to be so successful. Union Plaza is a unique opportunity to beautify our City and will be a gift to our City that all individuals and families will enjoy for generations to come.”

Union Plaza is scheduled to be completed in the fall of 2010. It will include four water features, play areas, an outdoor amphitheater, a scenic overlook, new trail connections, educational opportunities, a pond plaza, festival areas and art sculptures.

The total cost of the park is $7.9 million. The City of Lincoln has committed $3.3 million primarily from keno revenue. The Lincoln Parks Foundation, with the help of the 2015 Vision group, will lead a community campaign to raise the remaining $4.6 million needed to finish the park and provide an endowment for maintenance. Mike Seacrest has volunteered to be the campaign’s honorary chair, and co-chairs are Roger Larson, Patty Pansing Brooks and T.J. McDowell.

“Union Plaza is a unique opportunity to move forward the 2015 Vision for our community,” said Larson. “With the generosity of Union Bank and other commitments we’ve received to date, we are happy to announce that we more than halfway to our goal of $4.6 million.”

- more -
Union Plaza
March 13, 2008
Page Two

"We believe Union Plaza will be a jewel for this neighborhood and our entire community. The name Union Plaza is appropriate because it will be a coming together place for all of Lincoln's residents," said McDowell, who also is Executive Director of the Malone Community Center, just north of Union Plaza.

"I am excited about the opportunity that Union Plaza provides to collaborate and connect with so many facets of our community," said Pansing Brooks. "Union Plaza will be a discovery place for people of all ages to learn about the important resources which enrich our State and to celebrate Lincoln, our City that sparkles."

The Lincoln Parks Foundation has committed $75,000 to the Union Plaza campaign. "Through this community campaign, we want to give everyone a chance to be involved," said Christie Dionisopoulou, President of the Lincoln Parks Foundation. "No donation is too big or too small. And, all who donate to this special project receive a charter membership to the Friends of Lincoln's Parks organization, dedicated to enhancing our City Parks and Recreation system. This organization will continue after the campaign and will help us build an endowment to take care of every park in our community."

Lincoln Parks and Recreation Director Lynn Johnson said Union Plaza is part of a generation of new urban parks being created across the country. "Cities around the world are recognizing the social, economic, environmental and health benefits of urban park projects," he said. "We believe Union Plaza will provide that and greatly enhance our parks system in Lincoln. We've truly appreciated the interest, enthusiasm and participation from the many agencies and organizations who have assisted in making Union Plaza a very special place of discovery and celebration of the joys of being outdoors."

The initial planning work on the park by Parsons Brinkerhoff, Olsson Associates and Erickson Sullivan Architects received an Award of Excellence in 2001 from the American Society of Landscape Architects Great Plains Chapter. The Clark Enersen Partners joined the design team in 2006.

The Antelope Valley Project is a partnership among the City, the University of Nebraska-Lincoln and the Lower Platte South Natural Resources District. It will provide flood control, traffic improvements and community revitalization in the heart of the City. More information is available on the City Website at lincoln.ne.gov (keyword: antelope).

More information about Union Plaza is available at www.LincolnUnionPlaza.org or by calling the Lincoln Parks Foundation at: 441-8258.

- 30 -
BUDGET
House and Senate panels approve FY 2009 budget blueprints. The House and Senate Budget Committees approved their respective versions of a FY 2009 budget resolution this week, and while they have similar goals, they take diverging paths to meet them. Both resolutions were approved on strictly party-line votes.

Both resolutions propose more in FY 2009 domestic discretionary spending than the President, the House by $22 billion, and the Senate by $18 billion. Although such increases represent a small percentage of the almost $1 trillion budget, a showdown similar to the last year’s scenario is again expected in which the President has threatened to veto any appropriations bills that exceed his proposed spending limit.

Each version of the resolution also proposes a one-year patch to correct the reach of the Alternative Minimum Tax (AMT). However, while the Senate plan offers no offsets for the $62 billion proposal, the House instructs that the cost be offset and provides protection from a Senate filibuster with reconciliation instructions. The Senate version includes no such reconciliation instructions.

The House and Senate Budget Committees would also provide for the extension of some of the tax breaks promoted by the President and approved in 2001 and 2003. These include the tax break for those in the 10 percent tax bracket, the child care tax credit, and protection from the so-called “marriage penalty.” However the House resolution would instruct the tax-writing committee to come up with immediate offsets for the extensions, while the Senate would offset them with anticipated future budget surpluses.

Both the House and Senate are expected to debate their versions of the FY 2009 budget resolution on their respective floors next week. The budget resolution does not require Presidential approval.

In a related item, political posturing concerning earmarks in the FY 2009 process is heating up. A number of House Republicans -- in an attempt to reclaim the mantle of fiscal discipline -- have been publicly urging a moratorium on earmarks, but have been unable to gain the support of their rank-and-file to do so. House Speaker Nancy Pelosi, in an attempt to take the issue away from Republicans responded this week to the GOP challenge by pointing out that the number of earmarks actually exploded during Republican-controlled Congress and that House Democratic leaders were considering a FY 2009 earmark moratorium.

All of this rhetoric is occurring as congressional offices are frantically compiling information on their earmark requests for submission to the House Appropriations Committee by March 19.

PUBLIC SAFETY
FCC auction of spectrum for public safety agencies not going as planned. As a Federal Communications Commission (FCC) auction of wireless spectrum winds down, the agency has yet to receive a bid for the section of the spectrum that had been set-aside for a national interoperable communications network for public safety agencies.

Since opening up the wireless spectrum auction on January 24, the FCC has received over $20 billion in bids for the spectrum not set-aside for public safety. However, the agency is expected to close the auction within the next week, and thus far, no wireless companies have made the minimum $1.3
billion bid on the so-called “D-Block” of spectrum for public safety.

A key recommendation of the September 11 Commission was creating an interoperable network of wireless capabilities that when completed, would allow different sets of first responders to communicate during disasters anywhere in the country. The FCC envisioned that the spectrum would be shared by the public safety community and consumers, with first responders getting priority during a disaster. That concept was intended to attract industry interest and there was some initial interest.

While anti-collusion regulations prevent companies from commenting on the auction until it is closed, observers believe that financing the $1.3 billion bid was thought to be the problem, as wireless companies could not convince investors to make a commitment at that price. There was also some concern with the fact that the auction parameters of D-Block mandates that a coalition of public safety officials would have significant control over design, construction and operation of the network and be paid $50 million per year.

Chairman Edward Markey (D-MA) of the House Energy and Commerce Subcommittee on Telecommunications believes that the FCC should separate the D-Block from the current auction and sell it off separately. Markey did not suggest publicly that the FCC drop their price for the spectrum, but telecommunications analysts believe that would have to be done in order to attract bidders.

Chairman Bennie Thompson (D-MS) of the House Homeland Security Committee felt that the water agencies posed a serious security threat in the same manner as chemical facilities and refused suggestions to exempt them from the bill. The bill also includes language that would allow DHS to force some water agencies to use alternatives to chlorine – “inherently safer technologies” – but amended the bill to prevent DHS from mandating such measures unless some funding was provided.

The next step for the legislation is the House floor. However, the measure faces an uncertain future in the Senate, where there is significant opposition.

**WATER UTILITIES**

House committee approved chemical security measure that would apply to water utilities. The House Committee on Homeland Security approved legislation this week that would require the Department of Homeland Security (DHS) to promulgate regulations governing security measures at chemical security plants.

Because of the large amount of chlorine that most water utilities carry, the legislation would require them to perform vulnerability assessments and abide by DHS security regulations. Organizations representing water agencies objected to these provisions, arguing that they already are required to conduct assessments and submit them to the Environmental Protection Agency.

However, Chairman Bennie Thompson (D-MS) of the House Homeland Security Committee felt that the water agencies posed a serious security threat in the same manner as chemical facilities and refused suggestions to exempt them from the bill. The bill also includes language that would allow DHS to force some water agencies to use alternatives to chlorine – “inherently safer technologies” – but amended the bill to prevent DHS from mandating such measures unless some funding was provided.
FOR IMMEDIATE RELEASE:            March 7, 2008
FOR MORE INFORMATION:             Renae Rief 441-4602; Harry Heafer 441-8035;
                                  Gene Hanlon 441-7043

LINCOLN-LANCaster COUNTY    
SEEKS NOMINATIONS FOR      
ENVIRONMENTAL LEADERSHIP AWARDS

The City of Lincoln and Lancaster County are seeking nominations for the 2008 Environmental Leadership Awards. These prestigious awards offer recognition to outstanding businesses, organizations, and individuals who have demonstrated environmental stewardship and dedication to sustaining and improving our environment and public health.

Being “green” is not a new concept to many individuals, businesses, and non-profit groups who have been committed to protecting our environment for some time. This awards program is an excellent way to recognize their accomplishments, increase awareness of environmental issues, and encourage others to take action to better our environment.

The City of Lincoln and Lancaster County Environmental Leadership Awards are given in each of the following categories: Business and Industry, Community or Nonprofit Organization, Government, Agriculture, Education (educating the public or providing education in schools/colleges), and Individual Citizen.

To be eligible for an award, nominees must have been instrumental in identifying, reducing, or solving an environmental problem and/or promoting public awareness and active concern for the enhancement and protection of the environment. Additionally, nominees must demonstrate one or more environmental practices in the areas of: pollution prevention/risk reduction, waste reduction and recycling, water conservation, soil conservation, energy conservation, cleanup and beautification, residential and commercial development, or other environmental practices.

Nomination forms are available by calling 441-4602 or 441-7043, or may be completed on-line at: www.lincoln.ne.gov (Keyword: Awards.) Nomination deadline is April 1, 2008. The awards luncheon will be on Thursday, June 5, 2008, from Noon – 1:30 p.m. at the Nebraska Alumni Champions Club across from Memorial Stadium on the University of Nebraska-Lincoln’s Campus.

###
I. ROLL CALL

The meeting of the Board of Health was called to order at 6:35 PM by Lisa Peterson at the Lincoln-Lancaster County Health Department. Members present were: Rodrigo Cantarero, Ed Schneider, Deb Schorr, Ken Svoboda, Rick Hoppe (ex-officio) and Lisa Peterson.

Members Absent: Deb Humphrey, Tony Messineo, Hena Roy, Tom Fox (ex-officio), and Tonya Skinner (ex-officio).

Staff Present: Bruce Dart, Steve Beal, Steve Frederick, Brian Baker, Charlotte Burke, Judy Halstead, John Chess, Nate Hartmann, Jim Weverka, Kathy Cook, Gwendy Meginnis, Andrea Mason, and Elaine Severe.

Others Present: Don Wesely, Mark Anderson.

APPROVAL OF AGENDA

Dr. Peterson asked if there were any additions or corrections to the Agenda.

Motion: Moved by Mr. Svoboda that the Agenda be approved as mailed. Second by Ms. Schorr. Motion carried by acclamation.

II. APPROVAL OF MINUTES

Dr. Peterson asked if there were any additions or corrections to the Minutes.

Motion: Moved by Mr. Svoboda that the December 11, 2007 Minutes be approved as mailed. Second by Dr. Schneider. Motion carried by acclamation.

III. PUBLIC SESSION

IV. DEPARTMENT REPORTS

A. Health Director Update

Dr. Dart stated the monthly highlights were mailed to the Board members. The highlights were formatted to accommodate Board of Health members preferences. Dr. Dart announced Dr. Cathy Alley resigned from the Board of Health because of additional commitments. The Lincoln District Dental Association recommended to the Mayor that Dr. Heidi Stark be appointed to the Board of Health. The Mayor’s Office will present the nomination to the City Council and County Board of Commissioners.
A copy of the Board of Health proposed Work Plan was distributed to Board of Health members. The Work Plan will be discussed at the March 11, 2008 meeting.

Dr. Schneider asked about the status of the Mobile Health Clinic. Dr. Dart replied the Department is providing services at the sites but not through the Mobile Health Clinic vehicle. Staff continue to work with City Purchasing on the sale of the vehicle.

VI. CURRENT BUSINESS

VII. NEW BUSINESS

A. 60th Annual Report of the Lincoln-Lancaster County Health Department

Mr. Beal stated the 60th Annual Report was completed and distributed in January, 2008. This was the 2nd year the report was released on the Department’s website. The report includes messages from the Mayor, the Health Director, financial reports, and separate program and statistical reports for each of the divisions. Highlights of the report will be shown at the Annual Meeting Luncheon and Awards Ceremony on April 9, 2008.

Dr. Schneider complimented Mr. Beal and staff for their good work on the Annual Report. Ms. Schorr asked to have the report sent to LIBA. Mr. Beal will do so.

Motion: Moved by Dr. Schneider that the Board of Health approve the 60th Annual Report of the Lincoln-Lancaster County Health Department. Second by Mr. Svoboda. Motion carried by a 5-0 roll call vote.

B. Kennel Contract

Dr. Dart stated the City has reached a tentative agreement with the Capital Humane Society for kennel services for the next four years. The Humane Society submitted the only bid in response to the RFP. The four year negotiated contract would begin at $390,000 per year and increase by $30,000 for the next three years. Animal Control would stay with the Health Department. Dr. Dart asked the Board of Health to approve the Humane Society’s response to the RFP and forward the contract to the Lincoln City Council for their review and approval. Mr. Hoppe stated he was pleased with the proposed contract and asked that it be moved forward to the City Council for approval. Mr. Hoppe stated the proposed contract includes an option to renew for another four years. Mr. Svoboda stated the proposed contract doesn’t give the City an incentive to reduce the number of animals taken to the shelter. He stated the City Council would likely look at what can be done in the 2nd four years to reduce the number of animals that are picked up and taken to the Humane Society.

Motion: Moved by Dr. Schneider that the Board of Health approve the proposed contract with the Capital Humane Society and forward it to the Lincoln City Council for their consideration. Second by Ms. Schorr. Motion carried by a 5-0 roll call vote.

C. Rural Teen Driving Safety Presentation
Mr. Baker provided information on the Department’s Injury Prevention Program. Current efforts include the Safe Kids Lincoln-Lancaster County Program, the Rural Teen Driving Program and the Older Adult Fall Prevention Program. The Safe Kids Program is working with over 50 partners to address the leading causes of local childhood unintentional injury. The Older Adult Fall Prevention Program is working with the Lincoln Area Agency on Aging and is providing a fall prevention education program to reach high risk older adults.

The Rural Teen Driving Program was developed to address the increasing number of motor vehicle crashes and gravel road driving conditions. Mr. Baker reviewed the program including statistics, risk factors and campaign development. A “Tool Box” has been created and packaged for area high schools. The messages are available in several sizes, posters, etc. Six rural high schools have requested additional information and presentations. Dr. Schneider suggested seat belt usage be included in the presentations and materials.

D. Proposed Policy 202.52 - Firefighter Training - Burn Permits

Dr. Dart stated staff are proposing the policy for Firefighter Training Burn Permits. The policy allows the Department to monitor and limit toxic air pollution that could result from the burning of certain combustible materials during firefighter training activities. Volunteer rural fire departments often conduct training exercises involving the burning of an abandoned structure. The Departments must apply for a burn permit from the Health Department prior to demolition of the building. Input for the policy was received from volunteer fire departments. The Air Pollution Control Advisory Board approved the policy in January, 2008.

Motion: Moved by Dr. Cantarero that the Board of Health approve Policy 202.52 - Firefighter Training Burn Permits. Second by Dr. Schneider. Motion carried by a 5-0 roll call vote.

E. Proposed Ordinance - LMC 28.02 - Regulations for Illicit Discharges

Mr. Chess stated the City of Lincoln is required to comply with the Clean Water Act and holds a National Pollutant Discharge Elimination System Permit from the Nebraska Department of Environmental Quality. The permit says the City must prevent illicit discharges into the storm water system. The Department has been conducting storm water audits of industrial and municipal facilities to raise awareness, educate industries and assure compliance with the City’s permit. The work has been hampered by lack of specific authorities and funding resources. The ordinance would allow the Department to complete this work. The draft ordinance was distributed to representatives of industry and municipal facilities that would be impacted. Staff met with these individuals and
gained their input and listened to their concerns. Their comments, etc. were incorporated into the final draft version. The draft ordinance was then sent to over 100 regulated businesses to gain their input. Two public meetings were also held. Mr. Chess reviewed the final changes that were made by the Law Department.

**Motion:** Moved by Ms. Schorr that the Board of Health approve LMC 28.02 - Regulations for Illicit Discharges and forward them to the Lincoln City Council for approval. Second by Dr. Schneider. Motion carried by a 5-0 roll call vote.

**F. Election of Officers**

Dr. Peterson stated she and Mr. Messineo agreed to serve as President and Vice-President for the coming year.

**Motion:** Moved by Dr. Schneider that the Board of Health elect Dr. Peterson as President and Mr. Messineo as Vice-President of the Board of Health for 2008. Second by Mr. Svoboda. Motion carried by a 5-0 roll call vote.

**VIII. FUTURE BUSINESS**

**IX. ANNOUNCEMENTS**

The next meeting is March 11, 2008 at 6:30 PM.

Annual Luncheon Meeting and Awards Ceremony - April 9, 2008 at 11:30 AM - BryanLGH Medical Plaza.

**X. ADJOURNMENT**

The meeting was adjourned at 7:40 PM.

Elaine Severe  
Recording Secretary

Tony Messineo  
Vice-President
DEPARTMENT REPORT
FEBRUARY, 2008

HEALTH DIRECTOR

- The proposed contract with the Capital Humane Society for kennel services was forwarded to the Lincoln City Council for review and approval. It is scheduled for public hearing in March.

- The Mayor’s Office has nominated Heidi Stark, DDS, to serve on the Board of Health. Her nomination received review and approval by the City Council on March 3 and by the Lancaster County Board of Commissioners on March 4, 2008.

- Employee of the Month - Demon Wimes - Animal Control Division

ASSISTANT HEALTH DIRECTOR

Progress on Accreditation

- The Department is nearing completion of the National Association of City and County Health Officials (NACCHO) Accreditation Demonstration Project with final completion in May 2008.

- Staff are currently working on those “operational definition indicators’ that received a low score as part of the self assessment process. The accreditation of the Health Department will be a long term quality improvement process that bring greater accountability to what we do internally and out in the community. The Lincoln Lancaster County Health Department and the West Allis Health Department in Wisconsin were selected by NACCHO for a proposal that was submitted to the National Association of Local Boards of Health (NALBOH) to be presented at the NALBOH annual meeting and conference in July 2008.

Board of Health Annual Meeting and Awards Ceremony

- The Annual Meeting and Awards Ceremony will be held on April 9, 2008 at Bryan/LGH Medical Plaza East starting at 11:30 AM. Harold Cox, Boston University School of Public Health, will be our keynote speaker. Awards will be presented in several categories for outstanding efforts to promote and protect public health.

RESOURCE & PROGRAM DEVELOPMENT COORDINATOR

- The Nebraska Legislature has concluded Committee hearings on Legislative Bills and
Resolutions. The Legislature has taken action on a number of health related bills. Bills of priority interest to the Health Department from the previous report are updated below as of February 29, 2008:

LB 395 Adopt a New Nebraska Clean Indoor Air Act (Support w/amendment to keep Lincoln ban intact) – Bill Passed with Lincoln’s amendments in place.

LB 722 Change Tax on Tobacco Products (Oppose taxing based on weight – encourages youth use of chewing tobacco) – Advanced from Committee

LB 812 Primary Seat Belt (Support) – Killed in Committee

LB 818 Increases Income Eligibility from 185% to 200% for Kids Connection (Support) – Killed in Committee

LB 836 Prohibits Smoking in Vehicles When Minors Are Present (Support) – Killed in Committee

LB 963 Requires Verification of Lawful Presence in the US (Would like exemption for Public Health services; particularly Maternal Child Health; need clarification regarding Food Handler Permit) – Killed in Committee

LB 966 Increases Appropriation for Tobacco Program from $2.5 Million to $7 Million (Support) – In Committee

LB 1055 Dangerous Dogs and Dogs Running at Large (Some provisions would be positive, some would be problematic – may have preemption concerns) – Advanced from Committee

LB 1074 Certified Pool Operators (Support provisions requiring Certified Pool Operators however, there should not be an allowance for a 90 day vacancy of a CPO) – Killed in Committee

LB 1122 Require Dental Services for Adults Eligible for Medicaid (Support) – In Committee

LB 1176 Limit Medicaid Services for Adults (Oppose some provisions of this bill) – In Committee

ANIMAL CONTROL

February Service Statistics

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<tr>
<td>Pet licenses sold</td>
<td>53,857</td>
<td>54,942</td>
<td>23,145</td>
<td>5,622</td>
<td>5,245</td>
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Department Report - February, 2008

| Cases dispatched | 18,278 | 17,443 | 6,154 | 1,368 | 1,111 |
| Investigations   | 20,647 | 20,327 | 7,627 | 1,556 | 1,540 |

| Animals Impounded | 4,065  | 3,623  | 1,541 | 217   | 245   |
| Dogs             | 2,294  | 1,954  | 769   | 110   | 125   |
| Cats             | 1,648  | 1,559  | 736   | 104   | 114   |

| Court Citations Issued | 523 | 353 | 103 | 12 | 14 |
| Warning/Defects Issued  | 4,041 | 6,969 | 1,728 | 346 | 246 |

| Bite Cases Reported | 543 | 525 | 144 | 24 | 22 |
| Attacks Reported    | 41 | 127 | 40 | 11 | 9 |

| Dogs Declared (PPD, DD, V) | 152 | 148 | 62 | 3 | 8 |

| Animal neglect investigations | 1,001 | 879 | 313 | 78 | 62 |
| Injured animal rescue         | 949   | 798 | 243 | 40 | 29 |
| Wildlife removal              | 396   | 394 | 130 | 10 | 17 |
| Dead animal pickup            | 2,188 | 1,620 | 546 | 63 | 46 |

| Lost and Found Reports | 1,649 | 798 | 466 | 80 | 51 |
| Phone Calls             | 45,263 | 41,887 | 16,843 | 2,894 | 2,824 |
| Average Response Time (min.) | 36 | 31 | 32 | 33 | 26 |

- Animal Control Officer DeMon Wimes responded to a LPD request at 335 W. Charleston Street. LPD was investigating a homicide case and requested the Pitbull be removed from the crime scene and impounded. The dog was taken to the Shelter and it was later claimed.

- On January 30, Officer Kurt Dodd responded to LFD request to Countryside mobile home park. Four pet rabbits which died in a storage shed fire were removed and disposed of.

COMMUNITY HEALTH SERVICES

Community Health Services (CHS) Priority Performance Goals 2008

- Two workgroups met over the course of a year to identify core & critical performance goals for priority populations served by CHS programs and given their most important needs. It was important to group members that CHS strive to meet goals established in the general population, although the clients/populations we serve are at much higher risk for poor health outcomes.
Maternal-Child Health Performance Goals

All measures are for pregnant women & their infants/families who receive services from CHS & are based on comparison measures in the general population as available.

Access Medicaid:

1. No more than 15% of pregnant clients who enroll in Medicaid Managed Care in Lancaster County are automatically assigned to a provider and health plan.
2. At least 85% of pregnant women who enroll in Medicaid Managed Care in Lancaster County proactively select their health plan and PCP based on informed choice.

Maternal-Child Health Services/Home Visitation:

3. At least 75% of pregnant women obtain 10 or more prenatal visits with their primary care physician (PCP).
4. At least 85% of pregnant women receive prenatal care from their PCP in the first trimester.
5. At least 93% of infants weigh at least 2500 grams (5.5 pounds) at birth.
6. At least 98% of pregnant women report 100% abstinence from alcohol during pregnancy.
7. At least 87% of pregnant women report 100% abstinence from smoking during pregnancy.
8. At least 95% of pregnant women, who describe themselves as smokers, report a reduction in the amount of cigarettes smoked during pregnancy.
9. At least 90% of pregnant women report 100% abstinence from using street drugs and from misusing prescription & non-prescription drugs during pregnancy.
10. 100% of nursing care plans for teen parents include an educational plan to finish their high school education.
11. 100% of teen parents understand how to access educational resources in the community.
12. 100% of eligible pregnant women (African-American, Africans, Latina, Asian-American, and Native American) are referred to the Healthy Homes Program and understand how to access this program.
13. 100% of parents of infants/children with developmental delays identified are referred to the Early Development Network and understand how to access those services.
14. At least 70% of parents and children in the Child Abuse Prevention Project meet or make progress on the majority of their family care plan goals.
15. At least 74% of mothers initiate breastfeeding in the hospital.
16. At least 42% of mothers report any breastfeeding at 6 months postpartum.
17. At least 11% of mothers report exclusive breastfeeding at 6 months postpartum.
18. At least 21% of mothers report any breastfeeding at 12 months postpartum.
19. 100% of eligible pregnant women, infants and children are referred to WIC services and understand how to access those services.
20. 100% of pregnant women are referred to dental services and understand how to access those services.
Chronic Disease Performance Goals

All measures are for adults who receive services from CHS. Chronic/acute needs include oral health, mental health illness, and substance abuse.

Information & Referral:

1. At least 75% of callers with chronic/acute medical needs are referred to appropriate services, assessed for barriers, and understand how to access those services.

Minority Health:

2. At least 150 new clients of ethnic/racial minority communities are screened for cardiovascular disease per year and 100% of those with abnormal findings are referred to an appropriate medical home.

Homeless Outreach:

3. 100% of homeless/near homeless clients with chronic/acute medical needs are referred to appropriate services, assessed for barriers, and at least 50% understand how to access those services.

General Assistance - Chronic Disease Self-Management:

4. At least 50% of General Assistance clients report appropriate nutrition after four clinical/case management visits.
5. At least 50% of General Assistance clients report appropriate physical activity after four clinical/case management visits.
6. At least 50% of General Assistance clients accurately describe their medication regimen after four clinical/case management visits.
7. At least 50% of General Assistance clients use Emergency Department services appropriately after four clinical/case management visits.

DENTAL HEALTH & NUTRITION

The LLCHD WIC clinic is the first local WIC agency in Nebraska to implement “open access scheduling.” The philosophy of open access scheduling is to improve customer satisfaction and customer service by scheduling an appointment within 24-36 hours of when the customer requests services. Prior to implementation, WIC participants would schedule their appointment 2 months in advance. Approximately 25-35% of the participants scheduled two months out would fail that appointment. After implementation of Open Access scheduling only 3% of the appointments failed. Open
Access also allowed for an increase of 150 appointments a month by filling appointments

- The Dental staff went through orientation and training for the implementation of Dentrix, a dental software program for client scheduling, chair-side/records documentation, billing and reporting. The live date for implementation of Dentrix was February 1. Dentrix is our dental program’s first automated system, streamlining many of the clinical support functions with improved tracking and reporting capabilities. The Dentrix system will provide our dental program with valuable demographic and clinical data for use with future strategic planning, measurements of performance, effective program reporting and enhanced customer service.

ENVIRONMENTAL PUBLIC HEALTH

Clean air, land and water; Waste Management and Pollution Prevention

Outcome: To make neighborhoods clean, safe, and improve the quality of life in our community. Population Served: Every person in the community generates garbage and may be exposed to nuisance conditions. However, garbage and nuisance complaints are highest in low income, central neighborhoods. Rationale: Clean neighborhoods are safer, have less crime, result in better health practices, and increase the livability and social fabric of our community.

Solid Waste Nuisance Complaints

- Lincoln residents reported 1200 complaints on properties that had garbage, junk & litter, rodents, standing water, and other nuisance conditions in FY 2007. Lincoln does not require all properties to have garbage service, and 75% of all complaints are about garbage, with 45% indicating no garbage service was provided. The majority of garbage complaints are on single family or duplex rental properties in which the lease requires the renter to arrange for garbage collection. These citizen requests for service require about 2.5 FTEs of professional and support staff time, which includes investigation and conducting abatements. In FY 07, 45 abatements were conducted, with all costs assessed against property owners. All work is funded via an occupation tax on waste haulers. This tax is a per ton fee collected on all solid waste
generated in Lincoln, which funds other solid waste programs, such as household hazardous waste education and collection, small business outreach, and the special waste program.

**Healthy Environments for Young Children**

- Outcome: To protect the health of children in licensed child care.  
  Population Served: Children in childcare, their siblings, and their families.  
  Every person in the community is susceptible to communicable disease outbreaks that originate in childcare settings.  
  Rationale: Young children are highly vulnerable to communicable illnesses, injury, and toxic exposures; outbreaks of illness spread rapidly in child care settings and can result in community-wide epidemics.

**Child Care Health and Safety Training**

- In 2006, the Board of Health approved changes in local ordinances and regulations for 150 child care centers and 50 small family child care homes (not regulated as child care homes by the State).  
  These facilities care for about 11,600 young children.  
  These changes required two hours of health and safety training for child care providers in illness and injury prevention, mildly ill child care, medication administration, and safe food handling.  
  The goal of this training is to change behaviors in providers resulting in safer, healthier child care.  
  Over 900 child care providers have attended this training, which has received rave reviews.  
  In addition to training staff, the Child Care Consultant (Gina Egenberger) continues to provide outreach to child care centers, helping them develop and implement policies that improve child health and safety, such as hand washing, diapering practices, and ill child exclusion.  
  We believe the changes in behaviors related to hygiene, managing ill children, and sanitation have greatly reduced the risk of community wide communicable disease outbreaks.  
  No community wide outbreaks of communicable diseases originating in child care centers have occurred since 2006.
What’s coming up?

- Local industries are regulated under Federal Clean Air Act, which is administered at the local level by our department. In March, regulatory updates will be brought to the Board to assure our regulations are up to date with Federal and State requirements.

- The Earth Wellness Festival, a collaborative effort between schools and many public agencies, is the premier environmental education event of the year. About 3000 5th grade students attend interactive presentations on air, waste, water, recycling, conservation and environmental stewardship. This year’s festival is March 19 and 20. Board of Health members are welcome to drop in to presentations by Environmental Public Health staff. Contact Scott Holmes at sholmes@lincoln.ne.gov or 441-8634 for more information.

HEALTH DATA & EVALUATION

- Despite the fact that heart disease is the leading cause of death in the United States and in Nebraska, cancer has been the leading cause of death for Lancaster County residents ever since 1999. In an effort to stay abreast of cancer incidence, we have been regularly requesting cancer information on Lancaster County residents from the Nebraska Cancer Registry. The division just recently obtained data from the Nebraska Cancer Registry for the year 2005, which is the latest available data. We also requested updates for the years 2001 to 2004. (Unlike vital statistics data where the number of births and deaths for a given year are recorded when made available up until a certain date in the next calendar year, data from cancer registries for any given year change over time as newly discovered cases are added whenever that information becomes available.) These data will be analyzed and shared with our programs and partners. In the graph shown below, we have presented the incidence rates per 100,000 population for a select number of cancer sites for the years 2001 to 2005. Four cancer sites (lung and bronchus, breast, prostate and colorectal cancers) alone represent more than half of all new cancer cases. Of the 6,168 cases from 2001 to 2005, there were 1,180 cases of breast cancer (females and males), 723 cases of prostate cancer, 721 cases of lung cancer and 674 cases of colorectal cancer.
HEALTH PROMOTION & OUTREACH

- From 2003 through 2005, there were 2,014 falls among Lancaster County residents, 65 years and older that resulted in 10,076 days of hospital stay and $39,526,962. In addition, falls among this age group that did not require a hospital stay totaled 4,086, resulting in hospital charges of $6,005,589. (This information is obtained from the Division of Health Data and Evaluation’s Hospital Discharge Data.) These falls not only created pain and inconvenience for the older adults but also cost them (and the health care system) more than 46 million dollars. Not only are falls expensive and cause significant pain and suffering among older adults, but they can also contribute to an earlier death for many. Falls are the leading cause of injury-related death among older adults. The most common serious injury is a hip fracture. More than 24% of those suffering a hip fracture die within a year of the fall and another 50% never return to their prior level of mobility and independence. A total of 54% of all elderly fall-related deaths occur in the home.
- LLCHD monitors injury prevention carefully and recognizes the personal health and financial implications of falls. In response to this data, the Injury Prevention Program of the Health Promotion and Outreach Division applied for and received a small grant of $1,500 from the Injury Prevention Program of the Nebraska Department of Health and Human Services to address fall prevention among a small group of older adults. Brian Baker, coordinator of LLCHD’s injury prevention program, has partnered with the Life Time Health Program from Aging Services to develop and implement a program at a specific site. The site that was chosen is Mahoney Manor in the Havelock area of Lincoln. This older adult housing complex has 120 residents with their own apartments. More than 50 of the residents attended the kick-off event that provided an overview of activities for the next five months. When asked by the presenters how many had fallen in the past 12 months, 14 residents responded in the affirmative.

- Primary among the activities is an in-home assessment of safety hazards. In addition, all residents have the opportunity to participate in a variety of health-related programs including medication reviews, basic health screenings, basic vision screening, bone density screening, walker/cane safety, balance, and others. To aid in balance, Tai Chi classes will be provided through Aging Services. An exercise video will also be produced by Aging Services that will be provided to Active Age Centers, older adult housing complexes, and others who request. To evaluate effectiveness of the program, numbers of participants will be kept, but more importantly, residents will be asked to describe how they changed their environments or their behaviors as result of this program.

**INFORMATION & FISCAL MANAGEMENT**

- Information Management staff continue to assist the Dental staff in the implementation of their new clinical practice software.

- The FY 2009 Budget request was prepared and submitted.
March 4, 2008

Dr. Lisa Peterson, Chairman  
Lincoln-Lancaster County Health Department  
Board of Health  
3140 N Street  
Lincoln, NE 68510

Dear Doctor Peterson,

I am writing in support of the LLCHD Dental Program. The UNMC College of Dentistry and the LLCHD Dental Program have had a long collaborative history. As an academic institution, we are committed to providing our students with a quality education. Our students have received valuable learning experiences and a heightened awareness of the dental needs in our community through collaborative grant projects with and extramural rotations at the LLCHD Dental Program.

The LLCHD Dental Program provides an invaluable service for this community in providing outreach, screening and clinical treatment for our most vulnerable populations. It also provides referral services for these populations, much like dentists in the community who refer patients for care they cannot provide themselves. The College of Dentistry has benefited from the outreach and referral services by providing our students with learning opportunities that complement their academic and clinical training here at the College. The grant funded LLCHD Outreach Program has been a valuable and significant source of patients for the College of Dentistry. Our students have treated hundreds of patients in this program. In the process, the patients have received essential care and our students have gained invaluable clinical experience in specific treatment areas where we have shortages of treatment needs in our normal patient population. We are not well positioned to seek or administer the grants that LLCHD has obtained and administered to fund this program. Moreover, the program provides ½ of our normal fees for the care provided to the college while providing the care at no fee to the patients who qualify based on federal low-income standards. Our clinic operations are not supported by state funds. They are totally funded by income generated from patient fees, and thus we are not able to offer routine care to these patients at no fee. Without the LLCHD Outreach program, the patients would not receive the care and our students would be denied a significant number of patient treatment experiences.
We have a statewide service agreement with Medicaid and provide other service learning experiences for students, but we do not consider ourselves to be a primary service provider for the local community. We are particularly limited in our capacity to provide emergency dental care within the context of a balanced educational experience for students. We provide emergency care for patients of record of the college, but cannot provide routine emergency care for other members of the community who are not already patients here. The LLCHD dental clinic is a primary referral source for us to send patients who need emergency care and are not our patients of record. Too often, the most vulnerable populations seek treatment only in response to dental pain, waiting until a toothache is so severe that they no longer can sleep, work or go to school, with the potential that the dental infection could become life threatening. The LLCHD dental clinic has the capacity for responding to such urgent dental care and provides case management for the indigent in a timely and efficient manner. Therefore, the LLCHD Dental Program is a vital and critical component to meeting the dental needs of the low-income, underserved, and General Assistance eligible populations.

I encourage you, as the Board of Health, to work toward meeting and hopefully increasing the capacity for providing dental care for the most vulnerable people in our community through the LLCHD Dental Program.

Sincerely,

Dr. Michael P. Molvar
Assistant Dean and Quality Officer
UNMC College of Dentistry

Cc: Dr. Bruce Dart, PhD
Health Director
March 10, 2008

Mayor Chris Beutler
City of Lincoln
555 So. 10th St. Suite 208
Lincoln, NE 68508

Dear Mayor Beutler:

The Pedestrian/Bicycle Advisory Committee recommends the further development and installation of the bike lane system in Downtown and in other areas of Lincoln where appropriate for the following reasons:

1. Based on the results of user counts, crash data, and staff comments, it is evident that the bike lanes on 11th and 14th have been and continue to be successful.

2. Per the adopted Downtown Master Plan and Comprehensive Plan, bike lanes are to be installed on M and N Streets in downtown to provide east/west lanes that compliment the north/south lanes on 11th and 14th Streets.

3. With completion of the Antelope Valley projects, additional improvements to the bike system in and near downtown continue and the addition of the approved east/west bike lanes will provide one more necessary piece to the system.

In addition, we recommend an additional city-wide study of locations where bike lanes can provide needed on-street connections to activity centers and improve the existing and future bicycle system.

Knowing that this process takes time, we would recommend that the wheels be set in motion sooner rather than later. Would it be too much to hope that they could be striped and ready when students return to campus in the fall of 2008?

Thank you for your consideration in this matter and for the leadership you have given to the city of Lincoln. It is greatly appreciated!

Sincerely,

Beth Thacker, Chair
Mayor’s Pedestrian/Bicycle Advisory Committee

Cc: Planning Department
MEMORANDUM

DATE: February 27, 2008

TO: Lancaster County Board of Commissioners, Lincoln City Council, Lower Platte South Natural Resources District Board of Directors, The Nebraska Game and Parks Commission, and The Nature Conservancy

FROM: Tom Malmstrom  
Natural Resources Coordinator  
Parks and Recreation Department  
Saline Wetlands Conservation Partnership

RE: Saline Wetland Conservation Partnership  
2007 Progress Report

As members of the Saline Wetlands Conservation Partnership (SWCP) I want to make you aware of the activities, which occurred in 2007. The SWCP was initiated in 2003 and continues to progress. The City of Lincoln has been awarded two Nebraska Environmental Trust (NET) grants for the eastern saline wetlands. The first grant was received in 2002 and the second grant is scheduled to be complete this year. These grants have been used for land acquisition and restoration purposes and also provide matching funds for other opportunities.

The Partnership continues to utilize the “Implementation Plan for the Conservation of Nebraska’s Eastern Saline Wetlands, 2003” for guidance in efforts to conserve the saline wetlands. Since its inception the partnership has purchased nearly 710 acres of saline wetlands and other associated upland habitat, initiated educational activities, participated in saline wetland restoration projects, and provides for operation and maintenance of these areas. Following, is a summary of the 2007 activities.
2007 LAND ACQUISITION

Schell Wetlands – NW 12th Street and Branched Oak Road
Size: 123 acres
Purchase price and date: $472,188 on July 31, 2007
Funding sources: Lower Platte South NRD ($187,960.35)
2005 NET grant ($227,227.95)
Partnership Funds ($57,000)
Owner: Lower Platte South NRD

WETLAND RESTORATION

• Frank Shoemaker Marsh – Construction was completed in April 2007. The total cost for the restoration project was nearly $1.2 million. The project was funded from Federal Section 319 funds, 2005 Nebraska Environmental Trust Fund, and State Wildlife Grant funds from the U.S. Fish and Wildlife Service.

• Whitehead Wetlands - Engineering has been completed for the restoration/replacement of an existing drop structure adjacent to Little Salt Creek and incorporating a water control structure to provide management capabilities that would support the existing wetland system. The project also includes removal of sediment which has occurred along 28th Street and access improvements by raising the existing berm at that location. The project began in 2007 and is expected to be completed in mid-2008. The Lower Platte South Natural Resources (LPSNRD) district is funding this project.

• Schleich Wetlands – Engineering has been completed for the restoration of an existing drop structure adjacent to Little Salt Creek. The project began in 2007 and is expected to be completed in 2008. The LPSNRD is funding the engineering services and the City of Lincoln will fund construction with Federal Section 319 funds.

WETLAND MANAGEMENT

• Three seasonal employees were hired by the City of Lincoln in 2007 to perform management on the saline wetland areas. Members of the Partnership established management activities to be addressed within the eastern saline wetlands complex. These employees primarily worked on noxious weed and woody vegetation removal and establishing GPS photo points at publicly owned areas. The Coordinator provided supervision of the employees.
ENDANGERED SPECIES

The Salt Creek tiger beetle (*Cicindela nevadica lincolniana* Casey) was listed on the Federal endangered species list in October 2005. Also listed as a State endangered species, it is endemic to the eastern saline wetlands in Lancaster and southern Saunders counties. The Saltwort (*Salicornia rubra*) is a state listed endangered species. In Nebraska, the eastern saline wetlands are the location where it is found.

On December 12, 2007 the U.S. Fish and Wildlife Service listed the Proposed Rule in the Federal Register regarding the Designation of Critical Habitat for the Salt Creek tiger beetle. A Public Hearing on this designation is scheduled for March 24, 2008. The deadline for public comments is March 31, 2008.

- Representatives of the partnership organizations and the coordinator have been involved with the Habitat Conservation Planning efforts initiated in 2006 in response to the Salt Creek tiger beetle’s Federal endangered species listing. The U.S. Fish and Wildlife Service is the sponsoring agency. It is estimated the Habitat Conservation Plan will be completed in 2009

- When requested, the coordinator and other members of the partnership have provided information to consultants of the U.S. Fish and Wildlife Service regarding Federal activities related to the endangered species act

SALINE WETLAND RESEARCH

In 2007, the Nebraska Game and Parks Commission received funding from the U.S. Fish and Wildlife Service to collect biological and hydrological data. This information will be used for the development of a Habitat Conservation Plan for the Salt Creek tiger beetle and the Eastern Saline Wetlands of Nebraska. The research was initiated in the spring of 2007.

Monitoring well installation at four sites along Little Salt Creek is being conducted by the University of Nebraska. Well installations began in May of 2007 and will conclude in 2008. A description of the well type and installation schedule is provided in the narrative of each of the four saline wetland properties; Whitehead Wetlands, King Wetlands, Frank Shoemaker Marsh, and Little Salt Creek Wildlife Management Area (WMA). Each of these 26 wells will be sampled for temperature, conductivity, pH, dissolved oxygen, cations, anions, and isotopes. A summary of other hydrology research is provided below.

Stream Sampling Project

- Weekly conductivity readings/water sampling effort since first week of May 2007
- 6 locations on Little Salt Creek from headwaters to mouth, 4 sample locations on Salt Creek, and 3 sample locations on Rock Creek
Hydroprobe Soil Conductivity/Moisture Data Collection

- 10 sensors and data-logger installed along Little Salt Creek bank west of Arbor Lake site, located in an area of known tiger beetle population
- 10 sensors and data-logger installed along Little Salt Creek bank at the Raymond Road/Little Salt Creek WMA, also in an area of known tiger beetle population
- Sensors measure temperature, soil moisture content (volumetric), and electrical conductivity
- While these sensors have produced some data, salinity levels in soil have complicated their use and reliability. Modifications and improvements to the system are ongoing.
- Plan to deploy a third set of sensors and data logger at a new location in 2008

Additional Research Project Overview

- Engaged in hydrological and hydrogeological research of Nebraska's Eastern saline wetlands
- Part of larger Salt Creek tiger beetle-hydrology-habitat interaction study
- Studying relationships between deep-source saline groundwater, shallow fresh groundwater moving through the alluvium, surface water within Rock, Salt, and Little Salt Creeks, and local precipitation
- Research results to assist natural resource managers actively working to protect, rehabilitate, and further understand the endangered eastern saline wetland ecosystems

Current Efforts (with specific reference to Little Salt Creek)

- Weekly measurements for temperature, conductivity and salinity as well as collection of water samples at 6 locations (from headwaters to mouth) along reach of Little Salt Creek. Measurements and sampling began May 1, 2007
- Participation in the installation and data collection of soil monitoring stations (collecting data on soil temperature, soil moisture and soil salinity) for Habitat Conservation Plan for the Salt Creek Tiger Beetle. Support to the UNL Department of Entomology Salt Creek tiger beetle research project.

Insect surveys are being conducted by the UNL Department of Entomology at saline habitat locations where the Salt Creek tiger beetle still occurs. Sampling began in 2007 and will continue in 2008. The sampling period is from May through September and uses two key sampling techniques; interception (malaise and pitfall) traps, and attraction (black light) traps.
EDUCATION

- North Star High School – Coordinator established annual program with the Environmental Studies class on saline wetlands in 2005. The coordinator in cooperation with the environmental studies instructor at North Star sponsors field trips for a selected group of students to the saline wetlands. These field trips include presentations to the students by personnel of the LPSNRD, and the NGPC. Topics covered regarding the saline wetlands included vegetation, hydrology, entomology, restoration and mitigation, management, well monitoring and sampling, wildlife, and the relationship of urbanized development with natural areas.

- Coordinator educational presentations - The Coordinator continues to present “saline wetland jeopardy” to fifth grade students attending the Earth Wellness Festival and also presented information on saline and freshwater wetlands to Maxey Elementary students. Other presentations were given to local groups and conservation agencies.

- Updated the saline wetlands information on the City web site

FUNDING RESOURCES

- 2002 Nebraska Environmental Trust Grant – Final report was completed for the grant. In November 2007 the NET Board of Directors found the project to be complete and in compliance with the terms of the grant award. This grant primarily funded land acquisition of saline wetland areas.

- 2005 Nebraska Environmental Trust Grant – The grant amount is $800,000 over a three year period. A total of $666,783.93 has been expended through 2007. A total of $438,432.77 was utilized for wetland restoration at Frank Shoemaker Marsh and $228,351.16 was used for land acquisition.

- Federal Section 319 Grant – The City of Lincoln has received a total of $1,000,000 for the eastern saline wetland complex. This funding is from 2002 and 2005 grants. Through 2006, a total of $961,195.77 has been expended. The funds were used on the acquisition of property, wetland restoration, and engineering services. Of the remaining $38,804.23, $31,640.00 is to be used for the drop-structure improvements at Schleich Wetlands.

- The coordinator on behalf of the City of Lincoln submitted a grant in 2005 for Federal Section 319 funds in the amount of $500,000 for the eastern saline wetland complex. In November of 2007 the City was awarded $250,000. The intention of the grant is for restoration activities. It is anticipated the remaining $250,000 will be awarded in 2008.
SUMMARY OF OTHER COORDINATOR ACTIVITIES

- Establish GPS photo points at saline wetland sites (two seasons at each site from same point) for baseline landscape monitoring data. The intention is to update the data every five years.

- Provided information and met with the Northwest Economic Associates regarding the economic analysis of the critical habitat designation for the Salt Creek tiger beetle

- Coordinated and sponsored a tour of the eastern saline wetlands for local officials, conservation agencies, and partnering organizations

- On behalf of the Partnership presented “Working Together for Better Results” at the Association of State Wetland Managers Western Workshop

- In 2007, the Coordinator and Partnership has been actively working on a Conservation Action Plan for the eastern saline wetlands. This project is sponsored by the representatives of The Nature Conservancy. When the process is complete it will provide a mechanism to assess and re-assess the biology of the unique ecosystem, identify and monitor the threats, and implement priorities for effective conservation

- Noxious weed and woody vegetation control at publicly owned saline wetland sites

- Project Manager for the Frank Shoemaker Marsh wetland restoration project. Conducted photography documentation of the wetland restoration phases

- Participated in field trips to saline wetlands for students from Dawes Middle School, Zeman Elementary, and UNL education class.

- Member and participant of the Educational Workgroup of the Nebraska Partnership for All-Bird Conservation

- Participant of the City of Lincoln’s Little Salt Creek Watershed Master Plan efforts and Habitat Conservation Plan committee sponsored by the U.S. Fish and Wildlife Service

- Presented updates of the Saline Wetlands Conservation Partnership to several groups including the Lancaster County Ecological Advisory Committee, The Nature Conservancy Board of Directors, and members of the Nebraska Natural Legacy Project

- Grant administration including the preparation and submittal of a 2008 Nebraska Environmental Trust Fund grant on behalf of the City of Lincoln for the eastern saline wetland project 2008

- Provided input on a Habitat Conservation Plan research project to evaluate saline wetland hydrology
SALINE WETLAND PROPERTIES

- **Frank Shoemaker Marsh** – 27th Street and Bluff Road
  Size: 160 acres
  Purchase price and date: $472,000 on June 12, 2003
  Funding sources: 2001 State Wildlife Grant through the USFWS ($222,000)
  2002 NET grant ($250,000)
  Owner: City of Lincoln

  **2007 activity summary** – Wetland restoration construction was initiated in September 2006 and completed in April 2007. The restoration project was funded with Federal Section 319 funds, 2005 NET Grant, and State Wildlife Grant funds. Noxious weed removal continued especially in areas where the soil was disturbed due to construction activities. Post-restoration monitoring includes observations of wetland vegetation and management of the hydrology through the five water control structures in place. Monitoring wells have been or will be installed by UNL. To date, two shallow wells (15-30 feet) have been installed and in 2008, three medium depth wells (60-80 feet) and one deep well (180-200 feet) will be installed.

- **Melvin King Property** – South of Arbor Road and East of 27th Street
  Size: 61.2 acres
  Purchase price and date: $204,700 in January 2004
  Funding sources: Federal Section 6 ($153,525)
  2002 NET grant ($51,175)
  Owner: City of Lincoln

  **2007 activity summary** – A few salt cedars located along the north bank of Little Salt Creek were removed. A representative of the Prairie Plains Institute observed the second year growth of the high diversity native seeded on the upland area (20 acres) and had positive comments on the progress of the plant species. Monitoring wells have been or will be installed by UNL. To date, two shallow wells (15-30 feet) have been installed and in 2008, two medium depth wells (60-80 feet) will be installed.

- **Warner Saline Wetlands** - 98th Street and Interstate 80
  Size: 140 acres
  Purchase price and date: $298,580 on December 7, 2004
  Funding sources: Federal Section 319 ($179,148)
  LPSNRD ($43,043.20)
  SWCP ($76,388.80)
  Owner: LPSNRD

  **2007 activity summary** – Woody vegetation removal continues with Honey Locusts and Eastern Red Cedars. The Nebraska Department of Roads met with representatives of the Lower Platte South NRD regarding the purchase of approximately 4 acres of the salt meadow located on the south side of Interstate 80 for the Interstate expansion project.
• **Little Salt Creek Wildlife Management Area** – 1st Street and Raymond Road
  
  Size: 156 acres  
  Purchase price and date: $476,000 in June 2004  
  Funding sources:  
  Federal Section 6 ($276,000)  
  2004 NET grant through NGPC ($200,000)  
  Owner: NGPC  

  **2007 activity summary** – New perimeter fencing installation completed and prescribed grazing was conducted. Future management activities include a prescribed burn and the development of a parking lot. Cedar removal and noxious weed control continues. Monitoring wells have been or will be installed by UNL. To date, two shallow wells (15-30 feet) have been installed and in 2008, two medium depth wells (60-80 feet) will be installed.

• **Arbor Lake Complex** – North of Arbor Road and east of 27th Street.

  Total Size: 132.5 acres  
  Owner: City of Lincoln

  **Arbor Lake Extension Purchase (Anderson Property)**

  Size: 69.2 acres  
  Purchase price and date: $361,710.67 on September 1, 2004  
  Funding source:  
  2002 NET grant through City of Lincoln

  **2007 activity summary** – Continued efforts to control noxious weeds and woody vegetation. The original site was grazed for 30-45 days in the fall to control other vegetation. The City of Lincoln Public Works Department repaired the water control structure. UNL conducted insect inventories throughout the summer along the salt flat areas. The Lincoln Electrical System also finalized the route location of the North Tier III transmission line through the property.

• **Seacrest Range** (43 acres) – Located west of Folsom Street along both the north and south sides of Capitol Parkway West. The area is owned by the City of Lincoln. Efforts continued to remove cedar trees and honey locusts and to control noxious weeds on the site. Mowing of the meadow was discontinued in 2007.
• **Lincoln Saline Wetlands Nature Center** (92.7 acres) – It is located near Capital Beach in Lincoln. This area is owned by the LPSNRD. Management activities in 2007 were noxious weed control and removal of Russian Olive, Honey Locust, and Cedar trees.

• **Schleich Wetlands** (50.2 acres) – It is located southwest of Little Salt Creek near where it empties into Salt Creek and east of the Northbridge housing development in Lincoln. This area is owned by the LPSNRD. Management activities in 2007 were noxious weed and woody vegetation control. Several salt cedars were removed from the south bank of Little Salt Creek. Drop-structure repair began in June 2007 and will be complete in 2008.

• **Whitehead Wetlands** (98.8 acres) – It is located east of 27th street and a short distance south of Interstate 80. This area is owned by the LPSNRD. Management activities in 2007 were noxious weed and phragmites control. Construction began in 2007 for the restoration/replacement of an existing drop structure adjacent to Little Salt Creek and removal of sedimentation which has occurred along 28th Street. The project will be completed in 2008. Monitoring wells have been or will be installed by UNL. To date, five shallow wells (15-30 feet), one medium depth (60-80 feet) well and one deep well (180-200 feet) have been installed. In 2008, six medium depth wells will be installed.

• **Noble Tract** (100.5 acres) – It is located on either side of Little Salt Creek and north of Mill Road. Due to resource limitations, The Nature Conservancy expressed an interest in one of the other partners to assume ownership of the property. The property is now owned by the Nebraska Game and Parks Commission.

• **Little Salt Fork Marsh Preserve** (174.2 acres) – It is located northwest of 1st and Raymond Road and owned by The Nature Conservancy. Management activities in 2007 were noxious weed control and woody vegetation removal. Several salt cedars were removed from both sides of Little Salt Creek.

• **Jack Sinn Wildlife Management Area** (1,352.3 acres) – Located south of Ceresco in Saunders and Lancaster counties. This area is owned by the NGPC. Perimeter fencing construction was completed in most areas. Funding for these projects was provided by the NET, Federal Section 319 funds through the City of Lincoln, and the State Wildlife Grant fund administered through the NGPC. Management activities in 2007 were noxious weed control, woody vegetation removal, and prescribed grazing.

The Nebraska Environmental Trust on February 7, 2008 recommended preliminary funding to the City of Lincoln in the amount of $800,000 for the “Eastern Saline Wetlands Project 2008,” with a statement of intent for $400,000 in year two (2009). Three years will be allowed to expend the funding (year two contract will be for two years).

This program has been very successful and continues to accomplish many of the goals of the Implementation Plan for the Conservation of the Eastern Saline Wetlands. We hope you would agree. Your continued support for the conservation of these natural areas is appreciated. Attached is a summary of Partnership activities from March of 2003. If you have any questions, please contact me at 476-2729 or tmalmstrom@lpsnr.org.
PARTNERS – The major partners include the City of Lincoln, Lancaster County, Lower Platte South NRD, Nebraska Game and Parks Commission, and The Nature Conservancy. Other partners providing resources toward the conservation of the saline wetlands include the Nebraska Environmental Trust, Nebraska Department of Environmental Quality, U.S. Fish and Wildlife Service, U.S. Environmental Protection Agency, Natural Resources Conservation Service, University of Nebraska-Lincoln, Private Landowners, Wachiska Audubon, Home Builders Association of Lincoln, Cooper Foundation, Ducks Unlimited, Hugo and Thelma Aspegren Trust, Lana and Lon Flagtwet, and the Nebraska Chapter of the Sierra Club.

EDUCATION

➢ During the past four years information regarding the saline wetlands has been presented to nearly 1,000 5th grade students

➢ The Saline Wetlands Conservation Partnership web site was developed in 2005

➢ A Saline Wetlands Educational Kiosk was completed and placed at the Pioneers Park Nature Center

➢ An outdoor learning program on the eastern saline wetlands has been developed for North Star High School students

LAND ACQUISITION

Since 2003, fee title acquisitions by members of the partnership included approximately 710 acres of land containing saline wetlands. These properties are:

Frank Shoemaker Marsh (160 acres)
- City of Lincoln

King Wetlands (60.6 acres)
- City of Lincoln

Warner Wetlands (140 acres)
- Lower Platte South NRD

Little Salt WMA (156 acres)
- NE Game and Parks Commission

Arbor Lake extension (69.2 acres)
- City of Lincoln

Schell Wetlands (124.2 acres)
- Lower Platte South NRD

Approximately 630 acres containing saline wetlands have been protected with conservation easements through the Wetland Reserve Program administered by the Natural Resources Conservation Service.

LAND MANAGEMENT

Efforts are continual for the control of noxious weeds and removal of woody vegetation. Fencing sites has allowed for the expansion of grazing and individual partners are evaluating prescribed burn opportunities.

In 2006 and 2007, the City of Lincoln hired seasonal employees to perform work on saline wetland areas.
RESTORATION

Cooperation between the partners and sharing of resources has assisted several restoration projects. The partnership established a core team and technical/advisory committee to work on a restoration plan for Frank Shoemaker Marsh. The City of Lincoln hired a consultant and contractor to complete this project. The project was initiated in April 2004 and was completed in April 2007.

The City of Lincoln provided funds it received to the Nebraska Game and Parks Commission to complete Phase III of the Jack Sinn WMA wetland restoration. The modification of drop structures at the Whitehead and Schleich saline wetland areas has been made possible by an agreement to share costs between the Lower Platte South NRD and the City of Lincoln.

EASTERN SALINE WETLAND CONSERVATION EXPENSE SUMMARY
March 2003 through December 2007

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* Includes $200,000 from a 2004 NET grant received by the NGPC for purchase of BELF lands and SWCP funds for land surveys, closing costs, and appraisals associated with land acquisitions

NOTE: Section 6 funds are from the U.S. Fish and Wildlife Service

TABLE TIDBITS
- To date, funding is 52% Federal and 48% Local
- The average of fee title acquisition is $3,263 per acre
- Easement cost average is $1,031 per acre
- Restoration cost average is $5,111 per acre

Before settlers scraped the Salt Basins, saline wetlands were few, both in number and extent. Today, but a handful remain. They are an imperiled community.
PLANNING COMMISSION FINAL ACTION
NOTIFICATION

TO: Mayor Chris Beutler
Lincoln City Council

FROM: Jean Walker, Planning

DATE: March 13, 2008

RE: Waiver No. 08002
(Pedestrian way easement - 1725 Independence Circle)
Resolution No. PC-01112

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, March 12, 2008:

Motion made by Taylor, seconded by Francis, to approve Waiver No. 08002, requested by Lyle Loth of ESP on behalf of Hartland Homes, to modify the provisions of the Land Subdivision Ordinance to waive the requirement to construct a sidewalk in the pedestrian way easement on Lot 8, Block 1, Hartland Homes North Addition, generally located at 1725 Independence Circle.

Motion for approval carried 8-0: Taylor, Esseks, Larson, Cornelius, Francis, Gaylord-Baird, Sunderman 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
Rick Hargreaves, Hilltop Heights H.O. Assn., 1825 Boston Circle, 68521
David Lewis, Bicentennial Estates N.A., 2333 Philadelphia Drive, 68521
Ken Kendler, Bicentennial Estates H.O. Assn., 5009 Bunker Hill, 68521
Bicentennial Estates N.A., P.O. Box 4735, 68504

\shared\wp\jl\2008 ccnotice.wvr\WVR.08002
Waiver 08002

RESOLUTION NO. PC-02112

WHEREAS, the final plat of Hartland Homes North Addition was previously approved by the City of Lincoln; and

WHEREAS, pursuant to Lincoln Municipal Code § 26.27.020 the conditions of approval required that a sidewalk be constructed in the pedestrian way easement located on Lot 8, Block 1, Hartland Homes North Addition; and

WHEREAS, the applicant, Hartland Homes, Inc. has requested a modification to waive said requirement pursuant to § 26.31.010 of the Lincoln Municipal Code; and

WHEREAS, the Planning Director has recommended approval of the requested modification to § 26.27.020 of the Lincoln Municipal Code; and

WHEREAS, the Planning Commission finds that the strict application of the sidewalk in the pedestrian way easement requirement would result in actual difficulties or substantial hardship or injustice to the property owner.

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

That the provisions of Section 26.27.020 of the Lincoln Municipal Code which requires that a sidewalk be constructed in the pedestrian way easement on Lot 8,
Block 1, Hartland Homes North Addition is hereby waived upon condition that the applicant pay the cost of filing this Resolution with the Register of Deeds for Lancaster County.

All other conditions for approval of the final plat of Hartland Homes North Addition shall remain in full force and effect.

The foregoing Resolution was approved by the Lincoln City-Lancaster County Planning Commission on this 12 day of March, 2008.

ATTEST:

Eugene Carroll
Chair

Approved as to Form & Legality:

Chief Assistant City Attorney
Waiver #08002
1725 Independence Cir

Zoning:

R-1 to R-8 Residential District
AG Agricultural District
AGR Agricultural Residential District
O-1 Office District
O-2 Suburban Office District
O-3 Office Park District
R-T Residential Transition District
B-1 Local Business District
B-2 Planned Neighborhood Business District
B-3 Commercial District
B-4 Lincoln Center Business District
B-5 Planned Regional Business District
H-1 Interstate Commercial District
H-2 Highway Business District
H-3 Highway Commercial District
H-4 General Commercial District
I-1 Industrial District
I-2 Industrial Park District
I-3 Employment Center District
P Public Use District

One Square Mile
Sec. 1 T10N R06E

2007 aerial map

Superior St.
(Fletcher Ave)
N 14th St.
N 27th St.

Zoning Jurisdiction Lines
City Limit Jurisdiction
HARTLAND HOMES NORTH ADDITION
FINAL PLAT

OUTLOT "A"
(45.53 Ac.)
(BLANKET EASEMENT)
The following is in response to the discussion regarding the above claim at the City Council meeting on March 3, 2008.

**Opinion of failure:** It remains the opinion of the Lincoln Water System that the water meter or water service line froze and caused the water meter to break. Contributing factors that resulted in the property damage include:

- Property owner’s choice of winterization which left water in the water meter and water service. This would not be considered as an acceptable procedure in the plumbing industry in cold weather climates.
- The closure of the outlet valve on the meter instead of the inlet valve on the meter, or both.
- Shutting off the primary heating system in the home.
- Potential limitations of a space heater.
- Proximity of the water service and meter to the garage wall and floor slab considering exposure to cold temperatures in this area inherent to a split level home.

The water meter was shut off at the outlet valve as shown on the photograph below. One of two modes of failure likely occurred due to freezing: 1) if water froze inside the meter, the corresponding expansion would break the meter bottom; or, 2) if the service line froze, water pressure caused by ice expansion against the closed valve would greatly exceed the rated pressure of the meter and cause it to break. Shutting off the valve on the inlet side of the meter would have prevented water flowing through the water meter and causing damage. Whether this would have resulted in breaking of the service line is unknown.

**Cast iron vs. bronze bottom plate:** The water meter was installed new in 2003. The meter met all requirements of our purchase contract including compliance with American Water Works Association standards. Meters using a cast iron bottom plates are the predominate type of water meter used in the industry both in cold and warm climates.

In 2005 the Lincoln Water System began to purchase meters with bronze bottoms. While these meters may be less likely to fail in such an abrupt manner when compared to the cast iron bottoms, they do crack and leak significant amounts of water. See the photo below showing an example of a bronze bottom meter. Previous to 2005, this option was not considered cost effective adding more than 20% to the cost of each meter.

**Meter condition and service life:** The rust around the location of the break is surface rust caused by exposure of the unprotected surface of the cast iron after the meter broke. Rusting of cast iron surfaces occurs very quickly and this condition should not be considered as an indication that the meter was defective. Rust around the bolts where the bottom plate meets the housing is common and likely caused from slight scratching of the painted surface during assembly. Again, this has no affect on the strength or life of the meter. The metal components of the meter housing, bottom plate and bolts are sound materials and have essentially an infinite service life. Meter replacement is more a function of battery life and wear of internal parts normally resulting in replacement every 12 – 20 years for small meters.
Winterization: It appears the utility room where the water meter was located did reach freezing temperatures either in room temperature or near the floor slab where the water service enters the room. The water service and meter is located next to the common wall with the garage which greatly increases the risk of freezing. Slab on grade homes and split level homes are most prone to frozen plumbing systems since they are above or only partially below grade when compared to a conventional basement level. For extended periods, the Lincoln Water System recommends shutting water off at the main curb stop valve and having a plumber drain the entire system. If contacted, the LWS will also guide the homeowner through the process of winterization. These tips are offered in FAQs on the LWS website.

In no case would the Lincoln Water System recommend use of a space heater for protection of the plumbing system due to inherent problems with electrical outages, safety, fire concerns, malfunction of the heater and cold transfer through walls and slabs. With approximately 80,000 meters in the system, LWS averages 40 frozen meters each year. There appears to be a slight increase this winter in frozen meters likely do to the number of foreclosures, increased vacant properties and a colder than normal winter.

Code: The Lincoln Municipal Code, Chapter 17.18.060 requires water meters to be protected from freezing. Chapter 17.18.100 assigns ownership of the water meter to the Lincoln Water System. Chapter 17.18.110 assigns ownership of the water service to the property owner.
HOLMES LAKE SOUTHWEST TRIBUTARY STREAM STABILITY
PROJECT #702250

During the week of March 17, 2008, Lottman Carpenter Construction of Diller, NE will be starting construction (weather permitting) of a wetland restoration and stream stability project for the Watershed Management Section of the Public Works and Utilities Department. The project is planned to be completed in June of 2008 barring weather delays or unforeseen conditions.

You are invited to attend a Pre-Construction Project Walk-Through on March 11, 2008 at 5:00 p.m. Please meet at the culvert crossing on Forest Lake Boulevard (see attached map). We will be walking through the outlot to discuss the project improvements so please dress accordingly.

Lottman Carpenter Construction will first be working on the removal of trees and clearing and grubbing of the wetland and stream stability areas that are designed to be restored. Their access for construction will be at the northeast corner of the wetland off South 70th Street. Preservation areas that are not in the wetland or stream stability areas will be fenced or marked off by the contractor (see figure). Contractor hours are allowed between 8:00 a.m. and 7:00 p.m., Monday through Saturday.

As a general reminder, if you have landscaping in the area which you would like to save, please plan to relocate them as soon as practical to avoid damage.

The City of Lincoln realizes this project may temporally inconvenience you. Please be patient, and we will rectify the situation as quickly as possible. If you have any problems or questions during the construction period, please contact Lottman Carpenter Construction Superintendent Tim Lottman, the City of Lincoln Engineering Services Project Manager Charlie Wilcox, or the Watershed Management Project Manager Ed Kouma at (402) 441-7018.

Charlie Wilcox, Project Manager
Engineering Services, Public Works and Utilities
Phone: (402) 440-6067
Email: cwilcox@lincoln.ne.gov

Lottman Carpenter Construction Inc.
Superintendent Tim Lottman
Phone: (402) 793-5865
Office Hours: 8:00 a.m. - 5:00 p.m.
Meet here for project walk-through March 11, 5:00 p.m.

Forest Lakes Blvd.

Not to Scale
1. How many calls are you getting?

Calls to the Ombudsman's Office
The only calls I personally take are those people reporting graffiti on someone else's property or on public infrastructure such as bridge abutments. These third party reports are very intermittent and generally involve public infrastructure. I have received only 35 third party reports to date from the general public.

The number of third party calls has dropped as people have realized that turning in an address could result in vandalism victims being prosecuted. The exception is NeighborWorks' Free to Grow program. I have received 27 reports from Free to Grow to date.

Calls to LPD
It is important to understand that LPD does not break down graffiti reports by type of property vandalized. Their raw figures include graffiti done to cars, dumpsters and other items that are not covered by our ordinance. Thus the figures below cover far more graffiti complaints than we are required to deal with under the ordinance.

2006-2007: 1041 total graffiti crimes to the police over 9 month period  
361 graffiti crimes covered by the ordinance  
2005-2006  637 total graffiti crimes to the police over 9 month period

2. How many are self-reported, occurring on the caller's own property?

All 361 reports I received from LPD were reported by the owner/tenant. They are not directly reported to my office because the ordinance states that the graffiti must be unwanted. The police report by the property owner or tenant confirms that the graffiti met that standard.

3. Are the police always notified, or just in certain instances?

Only if the tenant of a property notifies LPD. We do not know the total number of vandalisms and as a result, we cannot determine the percentage of people who choose to contact the police.

Since the ordinance went into effect, around 102 people (about 28%) who have received the notification to abate have stated that they will never again report when their property is vandalized by graffiti. Their perception is that they are being punished for the actions of someone else who committed a crime.

I am concerned their perception will make them less likely to report graffiti crimes in the future. That is a tremendous problem for LPD. Law enforcement gathers evidence and intelligence from graffiti crimes. We do not want to discourage people from reporting this potentially valuable information.

4. How many of the locations is the City/Vista having to clean up because the people can't
or won't do it themselves?

To date there have been no requests by property owners served with notice for assistance in the clean up of unwanted graffiti, even though the notice provides contact information for volunteer help with clean-up. There have been no forced abatements. The VISTA workers are not permitted by grant restrictions to perform any functions that would be related to enforcement of ordinances. As a result, we are precluded from using any VISTA worker to assist in the enforcement provisions of the Graffiti ordinances.

The City has a contract for forced clean up with Blue Rock Construction Service for 2007-08. The contract is to provide graffiti removal and painting services, with compensation based on contracted rates for actual time on the job site or the minimum charge, whichever is greater. The company is also compensated for any chemicals used.

The contract also specifies that the contractor will be compensated at the prescribed flat rates for being dispatched to a job site where services are not needed due to owner compliance. As a result of the program not being adequately funded, no process is in place to determine whether the graffiti requires abatement if the owner fails to respond to the City’s notice.

5. What funds do you have to pay for this and how depleted are the funds?

These ordinances were enacted by the City Council without any appropriation of funds to implement the various requirements and functions contained therein. When their terms expired, Council members Patte Newman and Annette McRoy designated the balance of their unexpended City Council funds to be used for Graffiti ordinance administration as a one-time contribution.

a.) What was the amount of funding available for graffiti?

None, other than the requested designation of the unexpended City Council funds by former Council members Newman and McRoy.

b.) What have you paid out to date? Please breakdown what amounts were for postage? What other expenses are there?

For fiscal 2006-07 (December – August), postage for the notifications was absorbed into the budget of the Mayor’s office. The postage expense was $1,275.85 and represents only the first nine months of the ordinance, since it was adopted and became effective in December of 2006. The ordinance specifies notices be sent certified, return receipt. For the majority of 06-07, the postage rate was $4.64 per piece, but in May 2007, this increased to $5.21 per piece. Another rate hike is expected this year, so I am not sure what the postage amount will go up to next.

I was only able to conduct compliance checks three times during the nine months of the first fiscal year of the program as the administration of the ordinances became my sole responsibility in addition to my duties as Ombudsman. I absorbed the mileage costs for compliance check trips at my own expense. The first two compliance checks covered roughly 85 miles each. The final compliance check came to around 120 miles. At the 2007 City mileage reimbursement rate of
$0.485 per mile, this cost amounted to $140.65. The mileage rate for 2008 is $0.505 per mile.

Ideally, compliance checks for confirmation of graffiti removal should be done immediately upon the expiration of the 15 day period defined in the ordinance for all properties that have not responded. I would expect this mileage figure to be substantially higher than that reflected by my intermittent ability to conduct inspection checks and because there have been a sizeable minority of people who did not timely respond to confirm their removal of the unwanted graffiti.

Additionally, the ordinance specifies that notice must be physically posted on the premises of all properties where we are unable to obtain certified mail service forcing the City to then make a return trip 15 days following for the compliance check to see if abatement is warranted. Of the 361 properties where notices were sent for 2006-07, 29 either refused service, were unclaimed or not found by the Postal Service. Using these figures, 8% of the notices sent would need to be posted by hand on the properties.

It should be noted that my compliance checks revealed that of 59 properties where no response to the notification had been received by my office or delivery was not accomplished, only 9 (about 2% of the total notices sent) were not removed at the time of the compliance checks. It is unknown what the personnel, mileage or abatement costs would be for full-out enforcement.

I am presently working on a complete budget that will detail the costs and expenses to fully implement the ordinance.

c.) What funds are left?

None.

6. How many volunteers do you have that have called or e-mailed and offered to help with cleanup? Do you track these calls and e-mails? Can you tell us how you coordinate the volunteer process?

Volunteers are coordinated through our AmeriCorps*VISTA worker, Nancy Engel. Nancy has brought together a coalition of volunteers, Lincoln Under Care (LUC - pronounced “luck”), to assist with voluntary clean-ups and help with graffiti prevention activities such as mural projects, education/awareness programs for youth and build community support for volunteer efforts by securing donations of paint and supplies to assist volunteers. Presently, we have 35 individuals involved in the LUC Coalition.

This group includes members of REOMA, the South Street Business Association, Neighborhood Associations, Community Learning Centers, Mc Phee, Everett, Saratoga and other elementary schools' SNAC partnership groups, NeighborWorks, City Departments and dedicated neighbors.

Presently LUC is examining how peer to peer pressure from realtors and landlords can persuade property owners who are having great difficulty in keeping up their properties and managing tenants to remove graffiti. We are also working with LPD, Building & Safety, Health Departments, the business associations and schools on an anti-graffiti campaign that includes CLC programming and mural projects.
Please find below a listing that is sent out by Nancy to people interested in volunteering of our current volunteer offerings related to Graffiti problems in the core neighborhoods.

**LUC Opportunities!**

Lincoln Under Care (LUC - pronounced “luck”) is part of an anti-graffiti coalition effort under the leadership of Nancy Engel, AmeriCorps VISTA member working for the Mayor and Urban Development Department to address graffiti vandalism issues in Lincoln.

All neighborhoods in Lincoln need care, some a little more than others. LUC hopes to give you or any group you represent the opportunity to volunteer to care for Lincoln in many ways. Please look at the following opportunity list and check all that you would like to participate in. Please pass this notice on to other people or interested groups. Please contact Nancy at nengel@lincoln.ne.gov Or call and leave a message at 441-5658 with your name and phone number or email address for more information and your choices. This form can be mailed to Nancy Engel at Urban Development 808 P St. Suite 400 Lincoln NE 68508. You will be contacted when an opportunity to do your task comes up.

I would like to:
- paint out graffiti
- use my personal or company power washer to clean up graffiti
- help others design a mural
- help others paint a mural
- supervise a group painting out graffiti or doing murals
- donate a space, building or wall for a mural
- help paint a building
- donate good (unfrozen) exterior latex paint (any amount, any color)
- donate painting supplies such as paint trays and liners, roller covers, paint brushes, gloves
- clean up litter and trash
- donate food or drinks on work days
- work in the city parks
- conduct surveys in neighborhoods
- help with big scale clean up projects
- help at The Community Learning Centers with “Graffiti Hurts” projects
- ____________________________  (a task you see could be done)
- ____________________________  (a skill or talent you could donate)

Contact Name: ____________________________________________

organization: ____________________________________________

address or neighborhood __________________________________

phone# ____________________________
email

age/ages, if minor

I can work anytime: mornings, afternoons, evenings, week ends, week days
Sat.  Sun.  M T W Th F
This community should have the opportunity to make a choice as to the cable service company that it deals with. The continuously rising costs of cable TV service, the lack of choice as to which channels can be selected and paid for, the problems with other services offered by the cable company all speak loudly and clearly that the time has come for action on the part of our elected officials.

Is any action being considered? If not, what are the reasons? If so, when will we hear more about how the community will be offered choices.

--

Joyce Coppinger
jc10508@alltel.net
402.483.5135, fax 402.483.5161
Please read over the link included below. Can anyone tell me what is being done to provide Lancaster county and the city of Lincoln with the benefits from having a Drag Race track?

Entertainment venues are an important component to the quality of life in cities and states. Venues provide local residents with an opportunity to attend events that interest them without requiring them to travel to another city. This saves local residents money and allows residents to attend more events. Both factors increase the quality of life for local citizens, in much the same way that having more local shopping options raises the quality of life. Lincoln’s need for new entertainment venues to improve the quality of life and to retain or attract younger residents has been a recent topic of discussion in the city. For example, a new arena and
other facilities have been discussed for the downtown area. This analysis considers another potential entertainment venue for the Lincoln area: a National Hot Rod Association (NHRA) Motorplex Facility. In particular, Nebraska Motorplex has recently proposed developing and operating a motorplex venue in Lancaster County. This analysis considers the annual economic impact of such a NHRA Motorplex Facility. That is, the jobs, income, and economic activity that would be generated each year as a drag racing facility attracts visitors to the Lincoln area or helps retain the spending of local motorsports enthusiasts within the county. Such an economic impact would be in addition to the quality-of-life benefits discussed above.

The economic impact estimate focuses on the potential "tourism" impact of the drag racing facility due to the spending at area restaurants, lodging places, and retail outlets either by 1) tourists attracted to the area, or 2) local residents who would otherwise travel out of town to Topeka, Denver, or other regional tracks to attend or participate in drag racing events. The report uses conservative assumptions and focuses on the tourist impact.

The analysis does not consider any economic impact:
1) during the construction of the facility, or
2) from track personnel and operations expenses.

Four steps were taken to estimate the spending by visitors or retained spending from local residents. Throughout the steps, we utilized conservative assumptions to estimate spending:

We estimated the total number in attendance at a NHRA Drag Racing Facility over the course of a year. We differentiated between regional and local races, which are held regularly, and periodic divisional events.

We estimated the share of those in attendance who reside outside of Lancaster County or outside of Nebraska. Note that even local events attract some out-of-state attendance and participation.

We estimated spending profiles for those visitors from outside the area to calculate total new "tourist" spending for Lancaster County due to drag racing events.

We estimated spending retained by local residents who are now able to attend or participate in more events locally.

Events
We analyzed the schedule of 8 other drag racing facilities in Nebraska’s NHRA region to determine the number of events held including regional races, local races and periodic divisional-type events. The 8 drag racing facilities on average hosted two divisional-type events each year, in addition to dozens of regional and local events.

Based on this data, we estimated that a typical track would host approximately 60 days of racing per year, though more successful tracks hosted more days. We utilized 60 days of racing in our baseline analysis. Most of those days represented local and regionally-oriented events. We conservatively estimated approximately 1,000 in attendance for local race days based on data taken from a questionnaire of drag racing facilities within Nebraska’s NHRA Division. We estimated 8,000 in attendance on average for race days for the two divisional-type events. Note that this was less than the average reported by other tracks for major events in existing research studies.

Residence of Those in Attendance
We utilized data from two studies of a drag racing facility in the Topeka, Kansas area to determine attendance patterns for the divisional-type events. Those studies used survey methods to determine the percentage of fans that came to a NHRA Championship Event from outside of the state and outside of the county to attend racing events. We utilized these percentages for our
analysis of divisional-type events at a NHRA Racing Facility in Lancaster County, due to similarities between Topeka and Lincoln. These percentages were applied directly for the divisional-type events. For local events, a breakdown for the origin of spectators and participants was developed using data from a questionnaire of drag racing facilities in Nebraska’s NHRA region.

In all cases, we multiplied the estimated event attendance from above by these percentages to estimate the number of visitors to the drag racing facility from outside Nebraska, outside of Lancaster County (but within Nebraska), and within Lancaster County.

The Topeka study also had an estimate of the number of local residents who attended the NHRA Championship rather than traveling to other races out of state. We used these data to estimate the number of local persons in attendance that are retained in the area.

Spending Profiles

The Topeka studies, and other studies for drag racing facilities in Brainerd, Minnesota and Immokalee, Florida, also provided profiles for visitor spending on lodging, retail, and food. We took the lowest estimate of total spending besides ticket purchases per visitor per day from the four studies ($91) as the basis of our visitor spending estimate for a NHRA Drag Racing Facility in Lancaster County.

One of the Topeka studies also estimated, based on surveys, separate spending profiles for out-of-state visitors, out-of-county (but in-state) visitors, and in-county visitors. Again, the profiles included spending on lodging (for out-of-state and out-of-county visitors), retail, and food. We used these estimates to differentiate between the spending patterns of out-of-state, in-state and in-county visitors.

These spending profiles were multiplied by the number of annual visitors that were calculated earlier in order to estimate the total spending by out-of-state, out-of-county (but in-state), and in county visitors of the proposed Motorplex Facility. This was the basis for our economic impact estimate.

Economic Impact

Direct Economic Impact

The direct annual economic impact of the proposed NHRA Motorplex Facility on Lancaster County is the sum of the estimated spending by out-of-state visitors, out-of-county (but in-state) visitors, and retained in-county visitors. This sum is estimated at $7.8 million. The direct annual economic impact of the proposed drag racing facility on the State of Nebraska is the sum of out-of-state visitors and retained in-state visitors. This is estimated at $4.5 million per year. Both estimates are provided in Table 1 below. The direct impact on Lancaster County is greater due to spending by out-of-county residents from other parts of Nebraska, such as Norfolk or Omaha.

<table>
<thead>
<tr>
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<th>Spending (millions)</th>
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<tr>
<td>Lancaster County</td>
<td>$7.8M</td>
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<tr>
<td>Nebraska</td>
<td>$4.5M</td>
</tr>
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</table>

Table 1

Direct Annual Economic Impact from Visitors and Retained Spending
Sources: Event schedules and attendance from other regional drag racing facilities and spending profiles from studies of other drag racing facilities.

**Total Economic Impact**

In addition to this direct effect, there is an additional "multiplier effect" on the local and state economy. The multiplier effect occurs as money attracted to or retained in the area by the drag racing facility "circulates" through the Lancaster County economy. For example, restaurants, lodging places, and retail stores that gain customers due to the drag racing facility make additional purchases of supplies and services from other Nebraska businesses. Similarly, restaurant, hotel, or store employees also spend their paychecks at other Nebraska businesses.

Both types of spending contribute to the multiplier effect. Such multiplier effects are typically modest for entertainment venues, roughly 25% as large as the direct effect. We calculated relevant economic multipliers for Lancaster County (and the state) using the IMPLAN software and applied them to the direct economic impacts from Table 1. We then added the multiplier effect to the direct economic impact to yield an estimate of the total economic impact.

Our estimate of the total annual economic impact of the proposed drag racing facility is provided in the first column of Table 2 below. The table shows the estimated impact for both Lancaster County and the State of Nebraska using our conservative approach. The total annual impact for Lancaster County is $9.9 million, a substantial tourism impact for the county. The total annual economic impact for Nebraska is $5.9 million.

**Table 2**

<table>
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<th>Estimated Total Annual Economic Impact from Visitors and Retained Spending</th>
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<tr>
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<td>Total Economic Activity (millions)</td>
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<td>Lancaster County</td>
<td>$9.9M</td>
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<td>Nebraska</td>
<td>$5.9M</td>
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</table>

Sources: Spending estimates in Table 1, IMPLAN software and Bureau of Business Research calculations.

Note that Table 2 also provides an estimate of the total annual wages and employment associated with the economic impact. There is an estimated annual impact of $3.5 million on wages in Lancaster County. This is the earnings of approximately 200 full-year jobs in the relevant industries. Note, however, that these earnings would actually accrue to an even larger number of workers during those days that the Motorplex is open for racing. The earnings could mean additional employment during these days or simply more hours worked (and more earnings) by year-round employees. For the State of Nebraska overall, there is an estimated annual impact of $2.1 million worker earnings, which is the equivalent of 120 full-year jobs.

**Full Potential Economic Impact Estimate**

Throughout the analysis we have utilized a **conservative** approach to estimating economic impact. It is possible that a NHRA Motorplex Facility in Lancaster County could have a much higher annual economic impact than we estimated in Tables 1 and 2. For example, one other regional track we examined had twice as many large divisional-type events as we used in our
baseline estimates. Under such a full potential scenario, the estimated economic impact would be $23.2 million for Lancaster County and $14.6 million for the State of Nebraska. The associated worker earnings and employment impacts also would be higher.
Mother sues Union Pacific in son's death

Legal complaint says his death was caused by negligence of U.P.

BY NATE JENKINS
The Associated Press

The mother of a 13-year-old boy who died when struck by a Union Pacific train last year has sued the company, alleging that an attorney told her he had her best interests at heart but then pressured her into signing a document that released the railroad from liability.

Two days after Efrain Ramos-Domingo died from injuries at the railroad crossing near a school in Schuyler, an attorney retained by Union Pacific approached his mother, Manuela Domingo Caspar Gonzalez, according to the complaint filed this week in Colfax County.

Gonzalez does not speak English, according to the lawsuit, and was worried about how to pay for her son's burial.

The attorney "held himself out to have (Gonzalez's) best interests at heart," then obtained her signature that released the company from liability in exchange for $15,000, according to the suit filed by attorneys Robert Chaloupka and Maren Lynn Chaloupka of Scottsbluff.

"In fact, (Gonzalez) did not understand the meaning of the release. Plaintiff had no money to pay for her son's burial. She did not understand that by signing the release ... she was giving up the right to use the procedures of the judicial system to learn how Efrain was killed, to learn what (Union Pacific's) role was in Efrain's death, and to seek accountability for Efrain's wrongful death," the legal complaint says.

Company spokesman Joe Arbona said he was not familiar with the complaint and would not comment on its allegations.

"I can tell you that Union Pacific certainly follows prudent procedures when dealing with situations like these," Arbona said when asked about how the company obtains releases from liability.

The complaint also says that the boy's death was caused by negligence on the part of Union Pacific for not eliminating dangers at the pedestrian crossing where he was killed.

There was an unreasonable risk of death at the crossing because the simultaneous passing of east and westbound trains created a visual obstruction that "made it impossible to visualize both trains prior to crossing the tracks," the complaint says.
Letter to the Editor of the Lincoln Journal-Star and all other Lincoln Media Outlets:

Hello City Council and Mr. Mayor,

I have done a little research and I have sent emails to some of you and some of you were even kind enough to respond. Thank you.

As many of you know, I recently enquired about the recent request by LES for an increase in rates for electricity. They requested 5.5 percent and through your dedication to the public, you negotiated them down to 5.0 percent. How very kind of you. Thank you very much!

Social Security recipients got an increase in benefits last year of 2.3 percent. How very kind of the federal government. However, it seems to me...that pretty soon I am going to have to sell my computer and move into the City Mission. Either that, or I am going to have to steal a bottle of vodka so I can 1) get drunk or 2) get three hots and a cot at the local County Jail. At the County Jail...inmates are not required to pay utilities! That includes no bill from LES! Isn't it funny that we would need more space at the County Jail and the City Mission? Gosh...I wonder why?

After I sent an email to some of you, you were more than ready to attack your colleagues on the problems with rising energy prices at LES and how it was somebody else's fault that prices were going up. Pardon me, but I think you are all guilty of being children that could all use a spanking! LES is a public utility. You have the authority to say no! You are not the whipping post for LES...you are supposed to be the final authority!

I contacted Mike Foley. Some of you might know him as the State Auditor. He informed me that you...as the City Council have the right to review the records of the Lincoln Electric System (LES) and, by way of audit...find out where the
problems are with rising electricity prices. I suggest you do that!

As I stated in my earlier emails, to some of you...my guess is that our rising electricity prices have more to do with rising salaries of executives at LES than they do with the cost of providing electricity to Lincoln, NE and the surrounding communities.

I also stated in an earlier email to Robin Eschilman and Jon Camp that a possible reason for rising electricity costs is that Lincoln residents are conserving and not using as much electricity. While Lincoln residents are trying to conserve LES is trying to meet their bottom line. LES's bottom line is money. Money so that they can buy new houses, new cars and send their kids to the best schools that the rest of us can not afford!

I am a small individual with a humble home, a computer (which is over 5 years old), a mail box, a website at http://eLincoln.net and one single vote. I can not do much, BUT, I expect you to do better for the poor people of this hard working city that are finding it harder and harder to find jobs that can support them!

Sincerely,

FRED MARKS
6701 Vine Street
Lincoln, NE 68505-2236
402-261-5346

The Audacity of Hope:

This email is sent in the spirit of friendship and fellowship. This email list is maintained by me and I make mistakes. If I made a mistake sending this to you, please accept my amends. If you have received this in error, I am sorry, I have no intent to offend anyone. If this message was forwarded by someone other than beatlerockin1959@gmail.com, please reply to the person sending the mail. To subscribe, type "Subscribe" in the Subject Box and send email to: beatlerockin1959@gmail.com. To unsubscribe, type "Unsubscribe" in the Subject
---Original Message---

From: ivnik8@earthlink.net
Date: 3/11/2008 9:31:44 PM
To: lincolnrecovery
Subject: RE: Lincoln Electric System

RIGHT ON, mr. marks!!!

----- Original Message -----  
From: lincolnrecovery  
To: ivnik8@earthlink.net  
Sent: 3/11/2008 7:34:27 PM  
Subject: Lincoln Electric System

Subject: Lincoln Electric System

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Sincerely,

FRED MARKS
6701 Vine Street
I want to write to you with my support for the Alley Paving District. I was about 5 minutes late for the Public Hearing last night for this item (#13). I believe there is a valid problem that needs to be addressed:

Why is there a need for this alley paving district?

1. Mud is getting tracked on city streets for ¼ mile at the south end of the alley. It’s a constant problem and gets worst all the time.

2. Ruts: there are ruts so deep in some places a small car could get stuck

3. Wear Holes: from using the alley, we’re constantly filling or trying to fill these things, which leads to:

4. Trash, large rocks and small Boulders, Garden Refuse is thrown in the alley, and even sawdust is thrown in the alley, in part because it is such a pit no one really cares: even the adjacent owners, and in part to try to deal with the big holes.

5. 33rd street is a Busy Artery Street: which leads the residents along 33rd Street wanting to use the alley more than those along 34th Street.

6. Neglect and disrepair. As stated above, when was the last time the alley had gravel added? It should be done on yearly basis. (which if done regularly is just a costly as paving the alley.)

7. And finally, the neighborhood is a classic example of New Urbanism: Older homes with narrow lot Garages must be set to the back of the lots just to fit them on the lots. This idea is just what the planning department dreams about, but here the catch is our alley is in horrible shape, so people don’t like using it.

The Solution to all the above problems is to pave the alley. We could all benefit greatly from paving the alley.

Support and Opposition:
My own straw poll shows that 10 owners supported the alley. I’ve been made aware there is opposition. I’ve heard that the opposition claims to have at least 51% of the adjacent neighbors in opposition, let me remind you that this if that is true, that it is only a preliminary result, because, we, the supporters have not gone door to door yet to talk to individuals. We plan to go door to door asking for neighbors to sign the district once it is created.

I ask you, city council, give us, the neighbors who are very much in favor of this, a chance to get others on board by giving this district a green light to start so we can start requesting signatures. I think we have a better than 50% a chance of changing the minds of some of the opposition (we would only need 3 to change to have a majority). While I’m against the City forcing people to pay taxes, I feel that these adjacent property owners are not being responsible for their responsibility to take care of the alley.

I also spoke with 4 of the opposition after the meeting, and they all conceded their only real concern is costs. While I understand budgets are tight, I don’t comprehend how $17-20 a month is a large expense. This costs is less than a dollar a day. I think they are reacting to the large total costs of $2,500, but keep in mind this is spread out over 20 years. I think this is an excellent investment in a part of the city I get to use everyday.

In closing, the photos illustrate there are many problems, and we feel that over time, we can get the support of the property owners.

Neighbors for Paving the Alley,
August Ponstingl
I couldn't attach these to the email I sent regarding my support for the Alley Paving District (item #13) on the agenda last night:

Please take a minute to see the mess we have with this alley.

Thanks
August Ponstingl

- DSCF3958.JPG
- DSCF3961.JPG
- DSCF3963.JPG
- DSCF3964.JPG
ADDENDUM
TO
DIRECTORS’ AGENDA
MONDAY, MARCH 17, 2008

I. MAYOR -

1. NEWS ADVISORY - RE: Mayor Beutler’s Public Schedule Week of March 15 through March 21, 2008 - Schedule subject to change.

II. CITY CLERK -


III. CORRESPONDENCE -

A. COUNCIL REQUESTS/CORRESPONDENCE - NONE

B. DIRECTORS AND DEPARTMENT HEADS - NONE

C. MISCELLANEOUS -

1. E-Mail from Steve Duden - RE: Item #18 - Claim for Damages.

2. E-Mail from Mary Roseberry-Brown - RE: Removal of Appendix N from the Wastewater Facility Master Plan.
Date: March 14, 2008
Contact: Diane Gonzolas, Citizen Information Center, 441-7831

Mayor Beutler’s Public Schedule
Week of March 15 through 21, 2008
Schedule subject to change

Monday, March 17
• Mayor's Award of Excellence presentation - 1:30 p.m., Council Chambers, County-City Building, 555 S. 10th St.

Tuesday, March 18
• International visitors from China - 10:30 a.m., Mayor's Conference Room, County-City Building
• Salute to Business, remarks and proclamation - 11:30 a.m., Embassy Suites, 1140 “P” St.
• Near South Neighborhood meeting, remarks - 6:30 p.m., location to be determined

Wednesday, March 19
• Friendship Force (10 Russian visitors) - 4 p.m., Mayor's Conference Room

Friday, March 21
• Visit from Ambassador from Tajikistan - 10:30 a.m., Mayor's Conference Room
March 14, 2008

Joan Ross  
City Clerk  
City of Lincoln  
555 South 10th Street  
Lincoln, NE 68508-3993

Dear Ms. Ross:

Enclosed is a certified copy of Resolution 389, adopted by the Omaha City Council on March 11, 2008, supporting a proposal to amend Article XI, Section 1 of the Constitution of the State of Nebraska. The City Council requested that this copy be sent to you.

Please contact me if you have any questions.

Sincerely,

Buster Brown  
City Clerk

Enclosure
Honorable President

and Members of the City Council,

The purpose of the attached Resolution, prepared at the request of Council President Dan Welch, is to express support for Amendment 1, a proposed amendment to the Constitution of Nebraska, which will appear on the May 13, 2008, statewide primary election ballot. Such amendment will permit greater flexibility in making investments of public funds.

Respectfully Submitted,

Jo A. Cavel
Deputy City Attorney
RESOLVED BY THE CITY COUNCIL OF THE CITY OF OMAHA:

WHEREAS, on May 13, 2008, at the statewide primary election, the voters of the State of Nebraska will be voting on Amendment 1, a proposal to amend Article XI, Section 1. of the Constitution of the State of Nebraska which was placed on the ballot by a 42 to 2 vote of the Nebraska Legislature; and,

WHEREAS, such Amendment 1 will remove restrictions on cities, counties, towns, municipalities or other subdivisions of the state from purchasing capital stock in railroads, private corporations or associations and allow such governmental entities to invest in broader and more diversified portfolios while safeguarding such public funds through prudent investor requirements and limitations on trustees; and,

WHEREAS, the City of Omaha desires to express its support for Amendment 1.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OMAHA:

THAT, the City Council of the City of Omaha hereby expresses its support for Amendment 1, a proposal to amend Article XI, Section 1. of the Constitution of the State of Nebraska to remove restrictions on cities, counties, towns, municipalities or other subdivisions of the state from purchasing capital stock in railroads, private corporations or associations.

FURTHER THAT, upon passage, the City Clerk is directed to provide a certified copy of this Resolution to the City Clerk of the City of Lincoln, Nebraska.

APPROVED AS TO FORM:

[Signature]
DEPUTY CITY ATTORNEY DATE

By....................................................... Councilmember
Adopted........................................... 6-0

[Signature]
City Clerk

[Signature]
Approved........................................... 3/13/08

Mayor

I hereby certify that the foregoing is a true and correct copy of the original document now on file in the City Clerk's Office.

Buster Brown, City Clerk, City of Omaha
Please see email below. I will list this on the Directors Addendum for Monday. Thanks.

Tammy Grammer
City Council Office
441-6867

----- Forwarded by Tammy J Grammer/Notes on 03/14/2008 03:00 PM -----

"Duden, Steve"
<Steve.Duden@ssa.gov>
03/14/2008 02:16 PM

To <council@lincoln.ne.gov>
cc "Duden, Steve" <Steve.Duden@ssa.gov>

Subject Claim for Damages

Dear Mr. Marvin:

This message is a response to the letter dated 03/11/08 that I received from the City Attorney's office. I had submitted a claim for damages to my pickup which I believe were caused by a City snow plow. The City Attorney's office has denied my request and stated that to pursue it further I must appear before the City Council on March 17 or contact your office before then. Because of the short notice and other commitments I am unable to appear at the City Council meeting so I am sending this to you for your consideration.

The details of the situation are:

My pickup was parked on the street at 4341 N. 60 here in Lincoln. Sometime between 10 PM on Friday, December 21, 2007 and 6 AM on Saturday, December 22 it was sideswiped resulting in over $3100 damage to the side of it. My belief that it was a snow plow is based on the following:

The pickup is a Dodge Ram 4-wheel drive that sits quite high off the ground and the gouges, that run from the front door to the front of the truck, are too high to have been caused by a normal-sized vehicle. The lowest scrape is 18" off the ground and the top one is 52" from the ground (34" between them) and run parallel to each other.

The top gouge had orange paint in it as does the door handle. (Probably the most tell-tale sign).

The body shop owner that gave us the estimate for damages stated that it was consistent with other repairs he had made for snow plow damage.
The City Attorney's office does acknowledge there were City trucks out spreading materials that night.

The police report file # is A7-135871 if you wish to reference it.

--------------------------------------------------------------------------------

The estimate of damages is $3124.84 & it was obtained from Wayne's Body Shop, 4721 Cooper, Lincoln NE.

I realize there is no way for me to conclusively prove that the damage was caused by a snow plow but I feel the circumstantial evidence warrants consideration. Thank you for your attention to this matter. I know you have many other important issues to consider and I apologize for having to take your time for this.

If you have any questions you or your representative can call. My direct number at work is 437-5616 ext. 3311. I am usually there from 7 AM to 4:30 PM. During non-work hours the number you can reach me at is 560-4856.

Steve Duden
7130 S. 31 Pl.
Lincoln NE 68516
March 16, 2008

Lincoln City Council
555 South 10th Street
Lincoln, NE68508

Council Members:

RE: removal of Appendix N from the Wastewater Facility Master Plan

Friends of Wilderness Park recommends that Appendix N, the Southwest Wastewater Siting Study Report (SWWWSSR) of the draft Wastewater Facility Master Plan, be removed.

In August 2006 and again in August 2007, the City Council directed that the comprehensive study of sewage management options be conducted free of any bias. Yet this study recommends construction of a new sewage plant without any comprehensive studies supporting its recommendations. Its statements directly contradict statements and recommendations contained in the draft Wastewater Facilities Master Plan.

Appendix N, the SWWWSSR, is premised on the notion that a new sewage plant and associated facilities should be constructed in southwest Lincoln. The SWWWSSR recommends a specific site in southwest Lincoln and urges that steps be taken now to secure that site. By contrast, the draft Wastewater Facility Master Plan states that of four alternatives identified for Tier III (one of which is a new southwest treatment plant), Alternative 4, with amendment recommended by City Staff, recommends increased storage as the preferred alternative and the basis for all improvements and calculations.

This contradiction will become even more confusing and potentially contentious in the years to come if the long-range recommendations of the WWFMP are attempted. This Appendix is not merely an historical document but rather one with specific recommendations and guidelines. Presented as an Appendix to the WWFMP, the SWWWSSR is anointed with a degree of implied acceptance and concurrence that it clearly does not warrant. The SWWWSSR should be removed as an Appendix to the WWFMP. If it is used at all, it should be as a stand-alone document, not as a part of the WWFMP.

Sincerely,
Mary Roseberry-Brown
President, Friends of Wilderness Park
1423 F Street
Lincoln, NE68508