I. **MAYOR**

*1. NEWS RELEASE. Mayor Presents June Award of Excellence to Joyce Kubicek of Lincoln Area Agency on Aging.*

*2. Letter to Mayor Beutler from People First of Lincoln Explaining How Housing Unit Built for Individuals with Mobility Issues with Bus Stop in Front of Unit. Concerned with StarTran Transition to New Routes.*

*3. Memo from Trish Owen, Aide to the Mayor, with Documentation for Agenda Items #10 and #11.
   3b. Lower Platte South Natural Resources District Public Hearing on Acquisition of Private Property (Easements) for Construction, Operation and Maintenance of Stream Stability Measures, Known as Deadmans Run CIP Project #5.*

*4. NEWS RELEASE. Turn Lanes at 10th and Van Dorn to Open Wednesday.*


**1. NEWS RELEASE. Grant provides fire safety training for blind and visually impaired citizens.**

**2. NEWS RELEASE. City Council proposes changes to Mayor’s recommended budget.**

**3. NEWS RELEASE. Urban Search and Rescue Team deploys to San Antonio.**

**4. NEWS RELEASE. Construction begins on Mopac Trail Bridge.**

**5. NEWS ADVISORY. Mayor Beutler will hold a news conference on Thursday, July 24, 2008, at the Rail Joiner sculpture at the Justice and Law Center, 575 So. 10th Street to announce plans for City’s celebration of Abraham Lincoln’s 200th birthday. (Delivered to Council Members on 07/23/08)**

**6. NEWS RELEASE. Mayor announces four-day festival to celebrate Abraham Lincoln’s 200th birthday.**

**Received Week of July 28, 2008**

**1. NEWS RELEASE. Federal legislation includes relief for Lincoln Fire and Rescue.** (Delivered to Council Members on 07/28/08 before formal meeting)

**2. NEWS RELEASE. Mayor Beutler calls Fahey “A Great City Leader”.**

**3. NEWS RELEASE. City honored with groundbreaking award at Build Nebraska Housing Summit.**

**4. NEWS ADVISORY. Mayor Beutler at two media events on Thursday, July 31, 2008. First at 9:15 am with Police Chief Casady to release City crime statistics for first six months of 2008 in the City Council Chambers, 555 South 10th Street. The second at 10:30 am to announce plans for annual Kindergarten Kickoff at the Gere Branch Library, 2400 South 56th Street. (Delivered to Council Members on 07/30/08)**

**5. NEWS RELEASE. Crime in Lincoln falls dramatically in first half of 2008. Mayor Beutler and Chief Casady released crime statistics.**

**6. Cable TV Advisory Board Status and Plans, July 29, 2008, from Chair, Arthur Zygielbaum.**

II. DIRECTORS

CITY ATTORNEY
*1. Letter from City Attorney, John Hendry, on Utilizing Funds Other Than, or in Addition to, the General Fund for the Law Department. (Letter distributed to Council Members on Tuesday, July 15, 2008)

Received Week of July 28, 2008

**1. Minutes of Executive Session regarding labor negotiations on Monday, July 18, 2008.

Received Week of August 4, 2008
1. Letter from City Attorney, John Hendry, regarding providing legal services on the new jail construction.

FINANCE OFFICE
1. Correspondence regarding outstanding balance of the ambulance enterprise fund;
   a) Chart of interfund loan;
   b) Underlying data for chart; and
   c) History of fee changes.

FINANCE/BUDGET OFFICE
1. July sales tax reports:
   a) Actual Compared to Projected Sales Tax Collections;
   b) Gross Sales Tax Collections (with refunds added back in) 2002-2003 through 2007-2008;
   c) Sales Tax Refunds 2002-2003 through 2007-2008; and

HEALTH DEPARTMENT
*1. NEWS RELEASE. West Nile Virus found in Mosquitoes in Lancaster County.

Received Week of July 28, 2008

** 1b. Graph of Greenhouse Gas (CO2) Air Pollution Emissions by Sector, 2005 and 1990.

Received Week of August 4, 2008
1. NEWS RELEASE. Ensuring the safety of child swimmers.

LIBRARY
*1. Correspondence from Carol Conner, Director, on Proposed Library Public Service Hours.
   a) Special Board Meeting on Tuesday, July 29, 2008 at 6:00 p.m. at Bennett Martin Library.
   b) Public Notice of Public Service Hours, and Proposed Public Service Hours, at Lincoln City Libraries.

PLANNING DEPARTMENT
*1. Waterford Estates 2nd Addition. Final Plat #07080, Generally Located at North 98th Street and “O” Street.

*2. Memorandum of Understanding Between the City and the Lancaster County Agricultural Society. Bill #08R-160.

Received Week of July 28, 2008

**2. City Board of Zoning Appeals cancellation of July, 2008 meeting.

**PLANNING COMMISSION ACTION**


**PLANNING COMMISSION FINAL ACTION**

**Received Week of July 28, 2008**


**2. Special Permit No. 08031. Off-sale alcohol, 21st and K Streets, U-Stop convenience store. Resolution No. PC-01131.**


**Received Week of August 4, 2008**


3. Use Permit No. 80B. Revise site plan and lot layout. N.W. 1st Street and West Highland Boulevard. Resolution No. PC-01133.


**PUBLIC WORKS AND UTILITIES**

*1. ADVISORY. Sidewalk Curb Ramp Advisory.


**Received Week of July 28, 2008**

**1. ADVISORY. Water main replacement project #700308, 58th Street; Havelock Avenue - Kearney Avenue**

**Received Week of August 4, 2008**

1. ADVISORY. 56th Street and Elkcrest Drive, Project #700846. State Project #STPP-5241 (4).

**PUBLIC WORKS/STAR TRAN**

**Received Week of July 28, 2008**

**1. Memo from Beatty Brasch, Vice Chair, StarTran Advisory Board. Recommendations, Mayor’s Proposed F.Y. 2008-09 Budget, with attachments.**

**2. StarTran Advisory Board Actions**
URBAN DEVELOPMENT/ HOUSING REHAB & REAL ESTATE DIVISION

**1. Street and Alley Vacation No. 08002. Capitol Parkway at South 21st Street.

**2. Street and Alley Vacation No. 08003. North/South Alley north of Seward Avenue between North 60th and North 61st Streets.

III. CITY CLERK

IV. COUNCIL REQUESTS/CORRESPONDENCE

JON CAMP

**1. Request to Jim Weverka, Animal Control - RE: Pit bulls outlawed in Lincoln. (RFI#89-07/09/08) Reply from Bruce Dart, Health Department with community comparison data from Jim Weverka, Animal Control. (07/18/08 sent to Council Members)

*2. Email to Denise Pearce, Aide to the Mayor, after receipt of cover memo on homeowners stimulus plan.


DAN MARVIN

*1. Email from Niki Svik. Concerns on Budget, Closing Elementary School CLC’s. Evaluate Whether to Build Convention Center and Arena In This Time of Rising Financial Costs. Young Families Think of Moving Away from Lincoln.

Received Week of August 4, 2008

1. Email from Glenda Dietrich Moore. Vote NO for a reduction, or elimination, of StarTran bus service from 10 a.m. to 2 p.m.

2. Email from Susan Melcher. Do not cut or eliminate funding for the Stronger, Safer Neighborhoods program.

3. Email from Pam Baker. The Stronger Safer Neighborhoods program is critical, do not eliminate.

4. Email from Maurice Baker. Attest that programs such as the Stronger Safer Neighborhoods program are effective. Do not cut from budget.

V. MISCELLANEOUS

*1. Email from Wilbur Dasenbrock. Appreciates Dedication and Effort. Work Together in the Best Interest of the People of Lincoln.

*2. Email from Michael M. Bartels. Unhappy with Proposed Reduction of Branch Library Hours.

*3. Email from Fred Marks. LES Rate Increases. If Absolutely Necessary Lighten Burden on Older Citizens, People on Disability, Disabled Veterans, Low Income Individuals and Families. LES Needs to be More Creative in Solving the Electricity Problem.

*4. Email from Mark Hupf. Citizens Depend on Bus Service, Do Not Cut Hours Between 11:00 a.m. and 2:00 p.m.

*5. Email from Rachel West. Do Not Reduce Lincoln City Libraries’ Hours of Operations. Recommended Reading of Libraries and Democracy.


*7. Email from Jodi Delozier. Do Not Approve the 12% LES Rate Hike. LES Should Cut Internally with Either Salaries, Salary Increases, or Positions.
*8. Email from Russell Miller. More Efficient to Prevent Crime Before Gangs are Established.

*9. Email from Larry Jabloncki. Do Not Use TIP for the Rosewood Inn Development.

*10. Email from Judd Smith. Words to Live By as a Council Member.

*11. Email from Janet Kosch. Adjustment of Library Public Service Hours.

*12. Email from Mark Hupf. Do Not Make Cuts Proposed to StarTran.

*13. Letter and Newspaper Article Received from Herb Welter. Keep City Vehicles Longer Than the Warranty.


*16. Correspondence through InterLinc from Paul Schack. Opposed to Cutting Public Transportation and Proposed Cuts from 10:00 am to 2:00 pm.

*17. Email from Deb Quinn. Do Not Cut StarTran Bus Routes Midday Trips.

*18. Email from Joyce Schuette. Proposal to Reduce Four Hours of Midday Route Service Adversely Affects Many People.

*19. Correspondence from Judy Schiltz. Appreciate the StarTran Bus New Schedules and Routes.

Received Week of July 28, 2008

**1. Letter from Sharon Aguilera. Do not shut down the Easterday Program permanently.

**2. Letter from Janet Coleman regarding cuts to StarTran service.

**3. Email through InterLinc from Kim Schwaninger. Do not cut back on StarTran. New schedule is wonderful.

**4. Letter from Brian Linderholm. Do not cut mid-day city bus service. Raise revenues by raising the fare. Do not force Lincoln citizens to use pricey alternative private transportation services.

**5. Email from Paula Thomassen. Recommend changing schedule so drivers take a break throughout the day rather than take out the ride on East Avon.


**7. Email from Tracey Hillman, Vocational Rehabilitation. Examples of situations which may occur if StarTran cuts mid-day service.

**8. Letter from Lincoln Electric System (LES). LES Proposed Rate Increase of 10.1%.

**9. Email from Larry Jablonski. Do not approve Tax Incremental Financing (TIF) for the Perot Systems development at Tech Park.

**10. Email from Becky Ferguson. Do not pass the Mayor’s proposed homebuilding stimulus.

**11. Email from Russell Miller, Lincoln Neighborhood Alliance. Chateau properties request for Change of Zone #08033 on Deadman’s Run.

**12. Email from Sandra Pelton. Limiting library hours is not a service to cut.

**13. Correspondence from Pam. Terrible LES is raising rates.

**14. InterLinc correspondence from Pam. What happened to the 10 million found weeks ago? Use to offset City deficit.

**15. InterLinc correspondence from Wayne Cole. Do not change current bus system hours to cut the budget, as it will have a great impact on Lincoln citizens.

Received Week of August 4, 2008

1. Email from Paula Rhian, Everett Neighborhood Association President. Do not cut the Stronger, Safer Neighborhoods Program out of the City budget.
2. Email from Larry Zink, University Place homeowner. Opposed to proposal to cut or eliminate the Stronger, Safer Neighborhood Program and staff.
3. Email from Cindy Huisbus. Opposed to raising property taxes.
4. Email from Jeanette Fanmeyer. Do randomly drug test City employees. Not a problem at other jobs.
5. Email from Brenda E., Jesse, and Caira West. Do not change the Bethany Library hours.
6. Email from Sandra Lab. Do not need traffic signal at 24th and Superior Streets.
7. Email from Susan Klima. Opposed to proposed cut to service hours at Bennett Martin Library.
8. Email from Scott Baird. Continue funding for the Stronger, Safer Neighborhood initiative.
9. Email from Bradley K. Walker. Take opportunity to re-affirm support of neighborhoods and the Stronger, Safer Neighborhoods Initiative.
10. Email from John Baylor. Continue funding for the Stronger, Safer Neighborhood Initiative.
11. Email from Dan Lambe. Continue support for the Stronger, Safe Neighborhoods Initiative.
12a. Email from Marilyn McNabb with Web site.
12b. Web site article. If You Build It, the Jobs Won’t Come.
13. Letter from Michael McCoy, M.D. Strongly encourage the City Council not to close Easterday Adult Day Care. (City Council members received on July 28, 2008)
14. Letter from H. Eugene Cook with budget comments. Congratulations on eliminating the $1,000 Home Stimulus Package. Do not approve package of $3,000. Oppose 20 year financing for the new jail, and not opposed to limited tax hike used for worthy purposes. (City Council members received 07/28/08)
15. Letter from Donna Deitz. Consider financing City’s stray animal problem for having free pets and free, or low cost) spaying. (City Council members received on 07/28/08)
16. Note and newspaper article received from Nancy Russell. Alarming that there is an increase in poverty and disabilities among our children. (City Council members received on 07/28/08)
17. Email from Laura Baker. Reconsider cutting the hours of the Bennett Martin Library.
19. Email from Dr. Al Baker. Reconsider cutting the hours of Bennett Martin.
20. Email from Russell Miller. Urge Council to restore the bus funding with money taken from the $3 million snow removal budget.
21. Correspondence through InterLinc from Lindsay Kruse. Strongly consider keeping The Stronger, Safer Neighborhoods Campaign.
22a. Email from Tracy Corr regarding the Lincoln Neighborhood Alliance (LNA) on The Stronger, Safer Neighborhoods program.
22b. Letter from Lincoln Neighborhood Alliance Chairman, Russell Miller, recommending continuation of The Stronger, Safer Neighborhood Program.
23. Lincoln Airport Authority losing Las Vegas non-stop service.
24. Email from Mary Anne Loos. Mayor Beutler continues to be one of Lincoln’s finest Mayors.
25. Email from Earl Scudder. Approve Mayor Beutler’s budget.
26. Letter, and attachment, received from Nancy Russell. Time to place TIF and West Haymarket Development on the back burner.
27. Email from Richard L. Powell. Do not close more public swimming pools and do not cripple the Parks and Recreation budget further.
28. Letters received from citizens who participate in Easterday Center programs. Easterday members who are disabled stated they want, and need, the involvement of the programs which Easterday offers.

29. Email from Michael P. Molvar. Support for Lincoln Lancaster County Health Department Dental Program.

VI. ADJOURNMENT

*Held Over from July 21, 2008.

**Held Over from July 28, 2008.
FEDERAL LEGISLATION INCLUDES RELIEF FOR LINCOLN FIRE AND RESCUE

Federal legislation recently enacted into law includes a provision that will provide a temporary 2 percent increase in Medicare reimbursement rates for ambulance services in areas such as Lincoln. The provision is in a law that will delay fee reductions for physicians participating in the Medicare program. Mayor Chris Beutler has strongly advocated for the increase in the reimbursement rates, and he said he is pleased Congress chose to act.

“While the City of Lincoln is committed to providing the highest quality ambulance services, we also believe that the federal government has a responsibility to meet the needs of those participating in the Medicare program,” Mayor Beutler said. “This legislation will provide us with some relief as we grapple with the soaring costs of medical care.”

Beutler thanked U.S. Senator Ben Nelson in particular for his role in ensuring that the ambulance language remained in the final version of the physician payment bill. “We are grateful to Senator Nelson for his perseverance on our behalf,” Beutler said. “Negotiations over this legislation were arduous, and his efforts to secure the ambulance language in the bill will prove invaluable not only to Lincoln, but to ambulance providers throughout Nebraska.”

The Medicare Improvements for Patients and Providers Act became law July 15 after both the House and Senate overrode the President’s veto of the measure. It will postpone for 18 months a planned 10.6 percent reduction in Medicare reimbursement fees for doctors, but also includes a host of other provisions relating to the Medicare and Medicaid programs. Among those provisions is a 2 percent increase in the Medicare reimbursement rate for ground ambulance services in urban areas and a 3 percent increase in rural areas. The ambulance provision will be retroactive to July 1, 2008 and will expire on December 31, 2009.

Beutler said the ambulance provision will directly benefit Lincoln Fire and Rescue (LFR), which currently collects from Medicare an average of only 77 percent of the total cost of transporting a Medicare patient by ambulance. The medical guidelines and protocols under which LFR must operate are among the most stringent in the nation. As a result, the City spends about $362 per transport, but may collect only about $280 of that total from Medicare.
BEUTLER CALLS FAHEY “A GREAT CITY LEADER”

Mayor Chris Beutler issued the following statement in response to Omaha Mayor Mike Fahey’s announcement that he will not seek re-election:

“Mayor Fahey has achieved the goal of great City leaders -- to leave the community much better than it was when you took office. He has a record of accomplishment during a time of great growth and change in Omaha. I appreciate his efforts to bring Omaha and Lincoln together to look at regional issues and ways we can cooperate to benefit both cities and the entire state. I have enjoyed my working relationship with him and will continue to count on his counsel. He will continue to be a force for change and improvement in Omaha and Nebraska.”

- 30 -
CITY HONORED WITH GROUNDBREAKING AWARD AT BUILD NEBRASKA HOUSING SUMMIT

Mayor Chris Beutler and the City of Lincoln will be honored today with a Groundbreaking Award from the Nebraska Housing Developers Association at the inaugural Build Nebraska Housing Summit. Lincoln is one of two communities to be honored with a 5 p.m. reception at the Cornhusker Marriott in Lincoln.

Lincoln was recognized for its commitment to community development and the City’s efforts in revitalizing neighborhoods and offering affordable housing. Mayor Beutler said that community collaboration and teamwork has been a key factor in strengthening some of the city’s core neighborhoods.

“Without the involvement of so many stakeholders over so many years, Lincoln wouldn’t be what it is today – a community that values its neighborhoods and is a great place to live and raise a family,” said Mayor Beutler. “Many people and organizations are dedicated to making sure that Lincoln continues to be a great city for future generations.”

Beutler said his recent initiative “Stronger Safer Neighborhoods” is an example of ongoing community collaboration. The program works to improve neighborhoods and revitalize problem areas. It is a partnership of government, non-profit organizations, neighborhoods, schools, and the business and development community.

“Lincoln has a long history of citizen involvement,” said Beutler. “The monthly Mayor’s Neighborhood Roundtable, a forum for issues of concern, began in the 1970s. Strong, active neighborhood associations have been a key factor in strengthening social ties to the community, enhancing the urban environment and representing residents’ views.”

In the 1980s, local landmark districts were created to help preserve historic parts of the community. Neighborhood Housing Services, later renamed NeighborWorks® Lincoln, also was established to build and rehabilitate housing.

-more-
During the 1990s, the City’s Urban Development Department began creating “focus area plans” with neighborhoods to help guide public and private planning and reinvestment. The City and 17 neighborhood associations worked with builders and Realtors to create neighborhood design standards to encourage rehabilitation of existing housing while promoting new construction compatible with the surrounding environment.

In the last decade, a five-year, $1 million grant from the Woods Charitable Fund to NeighborWorks® Lincoln has helped support affordable housing development and drive the continuing collaboration among the City, private non-profits and the business and development community.

The Build Nebraska Housing Summit was created to bring community leaders, legislators and policymakers together to address critical issues affecting housing development in the state. More information is available on the Nebraska Housing Developers Association Web site at www.housingdevelopers.org.

- 30 -
Mayor Chris Beutler has two media events on his schedule for Thursday, July 31:

- At 9:15 a.m., the Mayor and Police Chief Tom Casady will release City crime statistics for the first six months of 2008 in the City Council Chambers, 555 South 10th Street.

- At 10:30 a.m., the Mayor will participate in a news conference to announce plans for the annual Kindergarten Kickoff at the Gere Branch Library, 2400 South 56th Street.
CRIME IN LINCOLN FALLS DRAMATICALLY IN FIRST HALF OF 2008
Mayor says targeted neighborhood efforts must continue

Mayor Chris Beutler and Chief of Police Tom Casady released crime statistics today showing that overall reported crime fell by 19.4 percent during the first six months of 2008, compared to the same period in 2007. The Mayor attributed the good news to smart policing and good collaboration of the Lincoln Police Department (LPD) with the community.

“The men and women of our outstanding Police Department are doing their work smarter and utilizing their resources strategically,” Beutler said. “Our citizens also deserve a great deal of credit for this good news. Police are working closely with neighborhoods. Collaborative efforts like the Stronger Safer Neighborhoods initiative recognize that we can’t simply arrest our way out of crime problems. They are coordinating the resources of neighborhoods, rental property owners, non-profits and police to address root causes of crime. This comprehensive approach recognizes the connections between crime, poverty, blight and social behaviors to create change and stability.”

“This is the largest decline in crime I am aware of during our history,” said Casady, who began his career with LPD in 1974. “If this trend holds through the second half of the year, it will be a remarkable reduction in the actual number of crimes during a year when the population of the City is growing.”

The crime statistics are compiled by the Lincoln Police Department as part of the FBI’s national Uniform Crime Reporting program which tracks murder, rape, robbery, aggravated assault, burglary, auto theft and larceny theft. The overall number of those offenses was 1,286 fewer from January through June than it was for the first six months of 2007. There were 23 more robberies and two more rapes, while the remaining five offenses (murder, aggravated assault, burglary, larceny-theft, and auto theft) all decreased.

Casady said some of the decrease is due to a change in reporting practices concerning drive-offs from self-service gas pumps. He said that change, implemented in August 2007, could account for about 400 cases of the 1,286 total. “Even factoring out the gas drive-offs, crime has decreased by 13.4 percent,” said Casady.

- more -
Crime rates in Lincoln peaked in 1991, and have fallen steadily since that time. Violent crime rates have remained relatively stable since 1991, while property crimes have declined. “Crime is only a small part of the workload of the Police Department,” said Casady, “but it is a critical part of our mission, and I am gratified at the continuation of a very good trend.”

To continue the positive trend, Beutler said the City must take three steps:

- Reaffirm its commitment to targeted neighborhood initiatives. “The Stronger Safer Neighborhoods focus on a block-by-block approach to solving the problems that contribute to crime is critical.”
- Focus efforts on problem areas. “At a time when the City budget is badly constricted, we were still able to make dramatic impacts on the crime rate. The police did it, not by increasing resources, but rather by focusing on the crime problems. A strategic approach is the most cost efficient as well as being the most effective at reducing crime.”
- Maintain other City services. “Pools, libraries, and recreation centers keep young people busy during the peak hours when youth crimes occur. City programs that encourage new housing and new businesses help reduce the blight and disorder that breeds crime.”

Crime data are reported to the FBI by more than 17,000 law enforcement agencies nationwide and serve as the basis for most published crime statistics, crime rate comparisons and historical comparisons of crime reported to the police in the U.S.
The Cable TV Advisory Board has worked to improve our interaction with Time Warner and has set four study goals for the current year.

Planning discussions were held by the Board Chair with TWC’s CEO, Beth Scarborough (along with Assistant City Attorney Steve Huggenburger) and with Ann Shrewsbury. We agreed that maintaining open communications and a good working relationship were in our mutual interest. Although Time Warner expressed reservations about one of our proposed study areas (Competitiveness), they indicated that they would not oppose it. They will cooperate in each area and we agreed to keep them informed on our progress.

Four study areas were developed by the Board. A committee was formed for each area. The four are:

- Competitiveness. We have begun to look at the possibilities and problems related to having one or more additional cable companies in Lincoln. We will also look at emerging technologies and alternative infrastructures and consider their impact as competition.
- Public, Educational, and Government Access Channels. This study focuses on whether PEG channels are well utilized, reaching a significant audience, and appropriately organized. We will also consider the opportunities for bringing in additional users, such as local colleges.
- Complaints Reporting. We will work with the city to provide an online complaint form, to notify citizens about their rights – through the now approved Subscribers Bill of Rights, and to provide a database about complaints and their resolution (protecting the privacy of citizens, of course).
- Digital Conversion. On February 19, 2009, broadcast television will fully convert to digital. While cable companies are not required to convert, there will be pressure to go all-digital. This committee will work with TWC to understand their plans and to work with them to assure that any possible conversion is appropriately presented and orchestrated (to avoid a Navigator-like controversy).

The Board expects that reports will be written within a year for all four areas. We hope to implement the Complaints Reporting website within the year.

Respectfully submitted July 29, 2008,

Arthur I. Zygielbaum
Chair,
Cable TV Advisory Board
HOUSING

Housing and foreclosure bill headed to President. By a vote of 272-152, the House approved a 694-page measure that is designed to rescue Fannie Mae and Freddie Mac and to generally stave off a crisis in the housing market. The Senate is expected to convene tomorrow for a rare weekend session to clear the bill for President Bush’s signature. President Bush this week retreated from his earlier threats to veto the bill because of its inclusion of $3.9 billion in grants to state and local governments and now says that he will sign the bill.

The Administration’s Fannie and Freddie rescue plan, added to HR 3221 prior to this week’s House action, would make a line of credit available to both corporations and would also authorize the Treasury Department to purchase equity shares of both firms if needed. Although both Fannie and Freddie insist that they are on sound footing and in no need of a federal bailout, the Congressional Budget Office and other analysts estimate that the bailout of the two companies could cost taxpayers approximately $25 billion.

The bill would also impose a new federal regulator on Fannie and Freddie. Many critics argue that an in an effort to advance its goal of increased home ownership, HUD not only relaxed its oversight of Fannie and Freddie in recent years but even encouraged them to purchase risky mortgages. The centerpiece provisions of the measure would increase the Federal Housing Administration (FHA) loan limit by $300 billion, with all of the increase specifically targeted towards the refinancing of mortgages facing foreclosure. Under the bill, a bank holding the mortgage would have to agree to a write down of the loan to the current value of the house in exchange for FHA insurance of the mortgage. The program would be limited to mortgages issued on or before January 1, 2008 and to owner-occupied homes that are a primary residence.

HR 3221 would also appropriate $3.9 billion for grants to state and local governments for the purchase and rehabilitation of foreclosed and vacant property. The bill calls for HUD to develop a formula (based on foreclosure rates, percentage of homes financed by a subprime loan, and the number of houses in default or delinquency) for the funds within 60 days and to distribute the funds within another 30 days.

Grantees would have 18 months to spend the funds, which would not require a match, and all funding would be targeted to families at or below 120 percent of area median, with at least 25 percent targeted to families at or below 50 percent of area median income. Although the bill would require that funds be spent in the most troubled localities, it appears that the bill does not include a requirement that HUD directly allocate funds to local governments.

The bill would also create an Affordable Housing Trust Fund administered by HUD. The Trust Fund would be capitalized by a fee paid by Fannie and Freddie of 0.42 percent of all new mortgages they acquire. Until FY 2011, most of the funding would be used to cover expenses and losses arising from the FHA Hope for Homeowners Program referred to above.

Beginning in FY 2012, the bulk of the funding would go to the Trust Fund and would be allocated to the states by formula. The funding would be extremely targeted, with at least 75 percent going to extremely low-income families. The Congressional Budget Office (CBO) estimates that the Trust
Fund will provide $1.6 billion in grants between FY 2010 and FY 2016.

Other provisions of HR 3221 include:

- An increase in the size of individual mortgages that FHA can insure and structural changes to FHA;
- An appropriation of $180 million to the Neighborhood Reinvestment Corporation for housing and credit counseling services;
- Expansion of veteran housing programs to authorize funding for the retrofit of housing to accommodate people with disabilities;
- A $0.20 per capita increase in the Low-Income Housing Tax Credit (LIHTC) cap for 2008 and 2009 and several technical changes to the rules governing the LIHTC;
- A $7,500 tax credit for homebuyers;
- Allowing homeowners who do not itemize their deductions to take a $500 ($1,000 for couples) tax deduction of state and local property taxes;
- A one-year increase in the private activity bond cap of $11 billion for housing construction and the refinancing of subprime loans, and
- A temporary expansion of mortgage revenue bonds insured by Federal Home Loan Banks to allow their use on infrastructure and other non-housing projects.

**TRANSPORTATION**

House approved bridge, highway trust fund measures. The House this week approved two major transportation bills -- HR 3999 would provide an additional $1 billion to states in FY 2009 to repair structurally deficient bridges on the National Highway System, and HR 6532 would infuse $8 billion into the soon-to-be-depleted Highway Trust Fund.

The bridge bill passed by a final vote of 367–55, after a number of minor amendments were approved. Bill sponsors also changed language in the bill of concern to Republicans that prohibited states from transferring the bridge funds to other highway accounts. The measure now allows for a transfer, but only if the state can prove to the Department of Transportation that there are no bridges on the National Highway System that are eligible for replacement.

House Transportation and Infrastructure Committee Chairman James Oberstar (D-MN), introduced HR 3999 in response to the collapse of the I-35W bridge in Minneapolis last summer. The bill now heads to the Senate, where it faces an uncertain future.

The highway trust fund (HTF) measure was approved by a vote of 387 – 37, well over the necessary margin to override a threatened Presidential veto. The HTF is funded by the federal excise tax on gasoline sales, which is set currently at 18.4 cents per gallon sold. Projections by the White House budget office indicate that the HTF will reach a zero balance at the end of the calendar year, and run a $3 billion shortfall through 2009.

Numerous transportation infrastructure projects that are financed with federal highway dollars could face extremely difficult challenges if the HTF goes into the red. Numerous transportation industry representatives appear to have convinced Congress that such a scenario would be detrimental to an already suffering economy.

Back in 1998, the HTF was in a much more stable financial position so $8 billion was transferred out of the HTF and deposited in the general fund and subsequently spent on disaster assistance. Sponsors of HR 6532 maintain the bill simply restores those funds to the HTF.

Earlier this month, the Senate Appropriations Committee approved the $8 billion transfer in its version of the FY 2009 DOT spending bill. A transfer proposal is also expected to be included in a package of popular expired tax breaks that will be introduced next week by Senate Finance Committee Chairman Max Baucus (D-MT).

**HUMAN SERVICES**

Senate to consider increasing FY 2008 funds for LIHEAP. Senate leadership hopes to schedule a procedural vote next week on legislation (S 3186) designed to add $2.5 billion in FY 2008 emergency spending to the Low Income Home Energy Assistance Program (LIHEAP). LIHEAP provides grants to states to assist low-income residents in paying utility bills.

Sponsors of the bill defended the need for such emergency spending, citing the significant increase in prices for electricity that are already causing problems for low-income residents this summer, and spikes in the price of home heating oil that will plague consumers this winter. S 3186 would provide $1.25 billion to the LIHEAP formula account in FY 2008 and another $1.25 billion to a LIHEAP discretionary account.

The LIHEAP formula tends to favor cold-weather states, but when overall funding for the program exceeds $1.98 billion annually, a trigger is enacted in the formula that treats warm weather states more equitably. The current FY 2008 level for LIHEAP formula grants is approximately $2.02 billion, and that level would rise to $3.27 billion under S 3186. The FY 2008 discretionary account – from which the Department of Health and Human Services can distribute funds in emergencies – would rise from $596 million to $1.846 billion.

Next week the Senate plans to hold a cloture vote on S 3186, which requires 60 votes to limit debate on the measure. Given that the Senate intends to adjourn at the end of next week for a summer recess that will last through the first week in September, the measure is likely to be pulled from floor consideration to avoid lengthy debate if the cloture vote fails.

There is no House companion to S 3186 at this time.
TELECOMMUNICATIONS
House bill would prohibit discriminatory taxes on satellite TV. A subcommittee of the House Judiciary Committee approved legislation (HR 3679) this week that would prevent states from taxing satellite television providers differently than their cable and Internet television competitors.

The “State Video Tax Fairness Act” says that “no State shall impose a discriminatory tax on any means of providing multi-channel video programming distribution services, including Internet protocol (or any successor protocol), direct broadcast satellite delivery, and cable television services.” “Discriminatory tax” is defined as any form of direct or indirect tax that results in different net State charges being imposed on substantially equivalent multi-channel video programming services based on the means by which those services are delivered.

Satellite television operators claim that there are a handful of states that charge higher taxes for their services than the other providers. Cable and Internet providers maintain that the higher levies are fair because the satellite providers do not pay a franchise fee. Satellite companies counter that their service does not intrude on public rights-of-way and so there is no basis for them to pay franchise fees. The satellite providers had been having little luck in gaining relief in statehouses, but have found a sympathetic ear in House Judiciary Committee Chairman John Conyers (D-MI).

Conyers hopes to consider the bill in the full Judiciary Committee before the end of the year. There is no Senate companion bill at this time.

HOMELAND SECURITY
DHS announces program allocations. The Department of Homeland Security (DHS) this week announced FY 2008 allocations for its federal grant programs.

A total of $1.69 billion is available for the State Homeland Security Program (SHSP), Urban Areas Security Initiative (UASI), Metropolitan Medical Response System Program, and Citizen Corps Program. There is also $852 million available for the Transit Security Grant Program, Port Security Grant Program, Buffer Zone Protection Program, Trucking Security Program, and Intercity Bus Security Grants.

In comparison to the funding for FY 2007, the total amount of funding for the State Homeland Security Program (SHSP) and the Urban Areas Security Initiatives (UASI) were increased. This increase was made by eliminating funds for the Law Enforcement Terrorism Prevention Program. To make up for the loss of terrorism prevention programs, DHS will require that applicants use 25 percent of funding from both SHSP and UASI towards activities for terrorism prevention.

The DHS overview of each program with allocations for each state may be found at:
July 30, 2008

Mr. Larry Hudkins, Chair
Public Building Commission
920 “O” Street, Suite 203
Lincoln, NE 68508

Honorable Chris Beutler, Mayor
555 South 10th Street
Lincoln, NE 68508

Ms. Robin Eschliman, Chair
Lincoln City Council
555 South 10th Street
Lincoln, NE 68508

RE: Jail Construction

Dear Mr. Hudkins, Mayor Beutler, and Ms. Eschliman:

Pursuant to state law (Neb. Rev. Stat. § 15-322), city ordinance (Lincoln Municipal Code § 2.24.010), and the Lincoln City Charter (Lincoln Charter, Art. IV, § 15), the City Attorney’s office is given responsibility for providing legal services to the mayor, city council, and city officers.

At the same time, under the Public Building Commission Interlocal agreement and Neb. Rev. Stat. § 13-1304(6), the City Attorney’s office serves as legal advisor to the Public Building Commission. This dual representation is troubling as it relates to the potential issues that could arise pertaining to the construction of the proposed new jail and the role of the Public Building Commission.

It is my belief that under Rule 1.7 of the Nebraska Rules of Professional Conduct (copy enclosed), to provide legal services to both the City and the Public Building Commission as it relates to the jail construction issue could result in a concurrent conflict of interest.

I am concerned that as this project proceeds, issues will arise concerning, but not necessarily limited to, the manner of financing, how the City is to “reimburse” the County for
prisoner costs, lease terms, ownership issues, prisoner liability issues, the agency relationship and responsibility of the City and County to “save, defend, and hold harmless the Commission from any and all claims of whatsoever kind or nature for damage to property or bodily injury . . . which may arise out of the Commission’s performance” pursuant to paragraph 8 of the interlocal agreement, the effect that any proposed financing plan might have on the City’s bond rating, and other, as yet undetermined, issues which could impact the City’s decision on whether to approve any agreement with the Public Building Commission for the construction of the new jail.

Given these issues, and the conflicts they could create, I do not believe that the City Attorney’s office can ethically represent both the Public Building Commission and the City of Lincoln.

As a result, I have determined that under Rule 1.7, the City Law Department cannot continue to represent both entities. I have also concluded that even with “informed consent, confirmed in writing” as noted in Rule 1.7(b), such consent from both the City and the Public Building Commission would not eliminate the potential conflict.

As a result, I have determined that I must declare a conflict of interest on behalf of the City Law Department and would respectfully request that the Public Building Commission obtain other counsel pertaining to the jail construction issue.

Finally, since very few of the issues which have led to this decision have been discussed by the City or the Public Building Commission, other than perhaps at a public hearing, and the City Law Department has not been requested, publicly or privately, to give any legal advice to either the City or the Public Building Commission regarding these issues, I do not believe the Nebraska Rules of Professional Conduct would disqualify the City Attorney’s office from continuing to represent the City. However, if either the City or the Public Building Commission believes that under the circumstances the City Law Department should withdraw as attorney for both entities, we will honor that request. Please let me know how you wish to proceed.

Sincerely,

John V. Hendry
City Attorney

JVH/ce

cc:    Public Building Commission Members
       Lincoln City Council Members
RULE 1.7 CONFLICT OF INTEREST: CURRENT CLIENTS

(a) Except as provided in paragraph (b), a lawyer shall not represent a client if the representation involves a concurrent conflict of interest. A concurrent conflict of interest exists if:

(1) the representation of one client will be directly adverse to another client; or

(2) there is a significant risk that the representation of one or more clients will be materially limited by the lawyer's responsibilities to another client, a former client or a third person or by a personal interest of the lawyer.

(b) Notwithstanding the existence of a concurrent conflict of interest under paragraph (a), a lawyer may represent a client if:

(1) the lawyer reasonably believes that the lawyer will be able to provide competent and diligent representation to each affected client;

(2) the representation is not prohibited by law;

(3) the representation does not involve the assertion of a claim by one client against another client represented by the lawyer in the same litigation or other proceeding before a tribunal; and

(4) each affected client gives informed consent, confirmed in writing.
Don,  

Here are three files that has the information you requested:

BF080731A.pdf  BF080731B.pdf  BF080731C.pdf

File A has a chart of the interfund loan, File B has the underlying data for the chart and File C has the history of the fee changes. Let me know if you have questions.

Don Herz  
Finance Director  
City of Lincoln  

Phone:  402-441-7411  
Cell:  402-440-6070  
Fax:  402-441-8325  
E-mail:  dherz@lincoln.ne.gov

Jon:

Would you please provide me with an update as soon as possible on the outstanding balance of the ambulance enterprise fund?

I would like to have a monthly summary for the last 24 months as well as annual balances (August 30th) since its inception.

Please also indicate the dates on which fee increases took effect. As I recall, there have been at least two significant increases in the last two years amounting to 22-28%.

Thanks.

Jon
"Judge a man by his questions rather than by his answers."
- Voltaire
Note: Initial spike in the interfund loan balance in FY 2001 was the result of a delay in bill processing.
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<th>T&amp;R % of Increase</th>
<th>Team Transport % of Increase</th>
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</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>$55,390,453</td>
<td>$50,750,353</td>
<td>$204,978</td>
<td>$1,107,602</td>
<td>2.23%</td>
</tr>
</tbody>
</table>

Actual collections through the first eleven months of the fiscal year are .41% above projected collections.
## CITY OF LINCOLN
### GROSS SALES TAX COLLECTIONS
(With Refunds Added Back In)

<table>
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<tr>
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</tr>
</thead>
<tbody>
<tr>
<td>SEPTEMBER</td>
<td>$4,239,938</td>
<td>$4,453,875</td>
<td>$4,648,160</td>
<td>-0.39%</td>
<td>$4,630,210</td>
<td>$4,573,597</td>
<td>-1.22%</td>
<td>$4,612,020</td>
<td>0.84%</td>
</tr>
<tr>
<td>OCTOBER</td>
<td>$4,464,191</td>
<td>$4,670,587</td>
<td>$4,706,690</td>
<td>2.48%</td>
<td>$4,823,369</td>
<td>$4,712,519</td>
<td>-2.30%</td>
<td>$5,052,950</td>
<td>7.22%</td>
</tr>
<tr>
<td>NOVEMBER</td>
<td>$4,407,744</td>
<td>$4,526,166</td>
<td>$4,687,792</td>
<td>2.38%</td>
<td>$4,799,275</td>
<td>$4,658,480</td>
<td>-2.93%</td>
<td>$4,818,715</td>
<td>3.44%</td>
</tr>
<tr>
<td>DECEMBER</td>
<td>$4,034,958</td>
<td>$4,314,111</td>
<td>$4,500,338</td>
<td>0.25%</td>
<td>$4,511,403</td>
<td>$4,445,761</td>
<td>-1.46%</td>
<td>$4,753,456</td>
<td>6.92%</td>
</tr>
<tr>
<td>JANUARY</td>
<td>$4,046,633</td>
<td>$4,335,924</td>
<td>$4,264,010</td>
<td>1.85%</td>
<td>$4,342,902</td>
<td>$4,554,634</td>
<td>4.88%</td>
<td>$4,617,097</td>
<td>1.37%</td>
</tr>
<tr>
<td>FEBRUARY</td>
<td>$5,224,986</td>
<td>$5,531,405</td>
<td>$6,086,841</td>
<td>-4.75%</td>
<td>$5,797,893</td>
<td>$5,993,653</td>
<td>3.38%</td>
<td>$5,596,617</td>
<td>-6.62%</td>
</tr>
<tr>
<td>MARCH</td>
<td>$4,076,943</td>
<td>$3,980,041</td>
<td>$4,158,874</td>
<td>2.14%</td>
<td>$4,247,908</td>
<td>$4,125,074</td>
<td>-2.89%</td>
<td>$4,421,405</td>
<td>7.18%</td>
</tr>
<tr>
<td>APRIL</td>
<td>$3,711,803</td>
<td>$3,889,388</td>
<td>$4,097,988</td>
<td>-2.61%</td>
<td>$3,991,159</td>
<td>$4,018,709</td>
<td>0.69%</td>
<td>$4,227,476</td>
<td>5.19%</td>
</tr>
<tr>
<td>MAY</td>
<td>$4,184,028</td>
<td>$4,602,788</td>
<td>$4,730,317</td>
<td>-3.95%</td>
<td>$4,543,369</td>
<td>$4,895,921</td>
<td>7.76%</td>
<td>$4,753,366</td>
<td>-2.91%</td>
</tr>
<tr>
<td>JUNE</td>
<td>$4,169,550</td>
<td>$4,599,245</td>
<td>$4,557,735</td>
<td>-0.40%</td>
<td>$4,539,614</td>
<td>$4,664,470</td>
<td>2.75%</td>
<td>$4,859,251</td>
<td>4.18%</td>
</tr>
<tr>
<td>JULY</td>
<td>$4,105,554</td>
<td>$4,391,257</td>
<td>$4,519,466</td>
<td>3.00%</td>
<td>$4,655,061</td>
<td>$4,772,617</td>
<td>2.53%</td>
<td>$4,983,976</td>
<td>4.43%</td>
</tr>
<tr>
<td>AUGUST</td>
<td>$4,402,156</td>
<td>$4,893,438</td>
<td>$4,803,665</td>
<td>3.91%</td>
<td>$4,991,723</td>
<td>$4,887,329</td>
<td>-2.09%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td>$51,068,484</td>
<td>$54,188,225</td>
<td>$55,761,877</td>
<td>0.20%</td>
<td>$55,873,886</td>
<td>$56,302,764</td>
<td>0.77%</td>
<td>$52,696,328</td>
<td>2.49%</td>
</tr>
</tbody>
</table>

Year to date vs. previous year

Page 1
## CITY OF LINCOLN
### SALES TAX REFUNDS

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<tr>
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</tr>
</thead>
<tbody>
<tr>
<td>SEPTEMBER</td>
<td>($48,531)</td>
<td>($69,997)</td>
<td>($135,858)</td>
<td>($80,882)</td>
<td>-40.47%</td>
<td>($27,350)</td>
<td>-66.19%</td>
<td>($90,282)</td>
<td>230.10%</td>
</tr>
<tr>
<td>OCTOBER</td>
<td>($64,605)</td>
<td>($110,193)</td>
<td>($165,219)</td>
<td>($358,866)</td>
<td>117.21%</td>
<td>($166,695)</td>
<td>-53.55%</td>
<td>($79,688)</td>
<td>-52.19%</td>
</tr>
<tr>
<td>NOVEMBER</td>
<td>($134,088)</td>
<td>($219,454)</td>
<td>($101,531)</td>
<td>($173,972)</td>
<td>71.35%</td>
<td>($3,881)</td>
<td>-97.77%</td>
<td>($158,855)</td>
<td>3993.08%</td>
</tr>
<tr>
<td>DECEMBER</td>
<td>($177,459)</td>
<td>($390,445)</td>
<td>($325,510)</td>
<td>($6,319)</td>
<td>-98.06%</td>
<td>($175,440)</td>
<td>2676.56%</td>
<td>($29,848)</td>
<td>-82.99%</td>
</tr>
<tr>
<td>JANUARY</td>
<td>($306,467)</td>
<td>($59,315)</td>
<td>($220,967)</td>
<td>($269,713)</td>
<td>22.06%</td>
<td>($84,287)</td>
<td>-68.75%</td>
<td>($26,308)</td>
<td>-68.79%</td>
</tr>
<tr>
<td>FEBRUARY</td>
<td>($61,404)</td>
<td>($323,218)</td>
<td>($394,324)</td>
<td>($73,395)</td>
<td>-81.39%</td>
<td>($327,119)</td>
<td>345.70%</td>
<td>($489,939)</td>
<td>49.77%</td>
</tr>
<tr>
<td>MARCH</td>
<td>($17,601)</td>
<td>($22,759)</td>
<td>($99,240)</td>
<td>($165,869)</td>
<td>67.14%</td>
<td>($133,574)</td>
<td>-19.47%</td>
<td>($325,269)</td>
<td>143.51%</td>
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<tr>
<td>APRIL</td>
<td>($281,861)</td>
<td>($199,018)</td>
<td>($69,900)</td>
<td>($196,682)</td>
<td>181.38%</td>
<td>($130,611)</td>
<td>-33.59%</td>
<td>($108,764)</td>
<td>-16.73%</td>
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<tr>
<td>MAY</td>
<td>($275,081)</td>
<td>($155,787)</td>
<td>($122,283)</td>
<td>($166,567)</td>
<td>36.21%</td>
<td>($381,653)</td>
<td>129.13%</td>
<td>($22,529)</td>
<td>-94.10%</td>
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<tr>
<td>JUNE</td>
<td>($138,914)</td>
<td>($194,593)</td>
<td>($34,811)</td>
<td>($14,085)</td>
<td>-59.54%</td>
<td>($186,252)</td>
<td>1222.34%</td>
<td>($136,308)</td>
<td>-26.82%</td>
</tr>
<tr>
<td>JULY</td>
<td>($563,339)</td>
<td>($42,086)</td>
<td>($162,998)</td>
<td>($39,492)</td>
<td>-75.77%</td>
<td>($155,825)</td>
<td>294.58%</td>
<td>($478,184)</td>
<td>206.87%</td>
</tr>
<tr>
<td>AUGUST</td>
<td>($341,868)</td>
<td>($531,884)</td>
<td>($148,028)</td>
<td>($57,700)</td>
<td>-61.02%</td>
<td>($569,595)</td>
<td>887.17%</td>
<td>($43,759)</td>
<td>-92.32%</td>
</tr>
<tr>
<td>TOTAL</td>
<td>($2,411,218)</td>
<td>($2,318,751)</td>
<td>($1,980,668)</td>
<td>($1,603,541)</td>
<td>-19.04%</td>
<td>($2,342,280)</td>
<td>46.07%</td>
<td>($1,989,734)</td>
<td>-15.05%</td>
</tr>
</tbody>
</table>

Year to date vs. previous year
### CITY OF LINCOLN
#### NET SALES TAX COLLECTIONS

<table>
<thead>
<tr>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>SEPTEMBER</td>
<td>$4,191,407</td>
<td>$4,383,878</td>
<td>$4,512,303</td>
<td>$4,549,328</td>
<td>0.82%</td>
<td>$4,546,247</td>
<td>-0.07%</td>
<td>$4,521,738</td>
<td>-0.54%</td>
</tr>
<tr>
<td>OCTOBER</td>
<td>$4,399,587</td>
<td>$4,560,394</td>
<td>$4,541,471</td>
<td>$4,464,503</td>
<td>-1.69%</td>
<td>$4,545,825</td>
<td>1.82%</td>
<td>$4,973,261</td>
<td>9.40%</td>
</tr>
<tr>
<td>NOVEMBER</td>
<td>$4,273,655</td>
<td>$4,306,712</td>
<td>$4,586,261</td>
<td>$4,625,303</td>
<td>0.85%</td>
<td>$4,654,599</td>
<td>0.63%</td>
<td>$4,659,859</td>
<td>0.11%</td>
</tr>
<tr>
<td>DECEMBER</td>
<td>$3,857,499</td>
<td>$3,923,666</td>
<td>$4,174,828</td>
<td>$4,505,085</td>
<td>7.91%</td>
<td>$4,270,321</td>
<td>-5.21%</td>
<td>$4,723,609</td>
<td>10.61%</td>
</tr>
<tr>
<td>JANUARY</td>
<td>$3,740,166</td>
<td>$4,276,609</td>
<td>$4,043,044</td>
<td>$4,073,189</td>
<td>0.75%</td>
<td>$4,470,347</td>
<td>9.75%</td>
<td>$4,590,789</td>
<td>2.69%</td>
</tr>
<tr>
<td>FEBRUARY</td>
<td>$5,163,582</td>
<td>$5,208,187</td>
<td>$5,692,517</td>
<td>$5,724,498</td>
<td>0.56%</td>
<td>$5,666,534</td>
<td>-1.01%</td>
<td>$5,106,677</td>
<td>-9.88%</td>
</tr>
<tr>
<td>MARCH</td>
<td>$4,059,342</td>
<td>$3,957,283</td>
<td>$4,059,634</td>
<td>$4,082,038</td>
<td>0.55%</td>
<td>$3,991,501</td>
<td>-2.22%</td>
<td>$4,096,136</td>
<td>2.62%</td>
</tr>
<tr>
<td>APRIL</td>
<td>$3,429,942</td>
<td>$3,690,371</td>
<td>$4,028,088</td>
<td>$3,794,477</td>
<td>-5.80%</td>
<td>$3,888,098</td>
<td>2.47%</td>
<td>$4,118,712</td>
<td>5.93%</td>
</tr>
<tr>
<td>MAY</td>
<td>$3,908,947</td>
<td>$4,447,001</td>
<td>$4,608,034</td>
<td>$4,376,803</td>
<td>-5.02%</td>
<td>$4,514,268</td>
<td>3.14%</td>
<td>$4,730,837</td>
<td>4.80%</td>
</tr>
<tr>
<td>JUNE</td>
<td>$4,030,637</td>
<td>$4,404,651</td>
<td>$4,522,924</td>
<td>$4,525,529</td>
<td>0.06%</td>
<td>$4,478,219</td>
<td>-1.05%</td>
<td>$4,722,943</td>
<td>5.46%</td>
</tr>
<tr>
<td>JULY</td>
<td>$3,542,215</td>
<td>$4,349,171</td>
<td>$4,356,468</td>
<td>$4,615,569</td>
<td>5.95%</td>
<td>$4,616,793</td>
<td>0.03%</td>
<td>$4,505,792</td>
<td>-2.40%</td>
</tr>
<tr>
<td>AUGUST</td>
<td>$4,060,288</td>
<td>$4,361,554</td>
<td>$4,655,637</td>
<td>$4,934,023</td>
<td>5.98%</td>
<td>$4,317,734</td>
<td>-12.49%</td>
<td>$50,750,353</td>
<td>2.23%</td>
</tr>
</tbody>
</table>

**TOTAL**    | $48,657,267      | $51,869,477      | $53,781,209      | $54,270,346      | 0.91%               | $53,960,485      | -0.57%              | $50,750,353      | 2.23%               |

*Year to date vs. previous year*
 Ensuring the Safety of Child Swimmers

The swimming season is in full swing and with August approaching, families will be taking advantage of time to cool off in the pool or area lakes. To ensure the safety of child swimmers, Safe Kids Lincoln-Lancaster County is offering a Water Watcher drowning prevention class on Monday, August 4, 2008 at 5:30 p.m. at the YMCA Cooper Branch, 6767 South 14th Street. This free class is open to all Lincoln/Lancaster County families. There will be interactive educational sessions for all ages, and participants are encouraged to bring swim suits.

The class provides information on proper child supervision techniques, ensuring pools are inaccessible to young children, rescue and emergency practices, and life jacket and pool safety. Please call the Lincoln-Lancaster County Health Department at 441-8045 for more information or to register for the class.
PLANNING COMMISSION FINAL ACTION
NOTIFICATION

TO : Mayor Chris Beutler
Lincoln City Council

FROM : Jean Preister, Planning

DATE : July 31, 2008

RE : Comprehensive Plan Conformance No. 08017
(Permanent Preservation Easement - 700 N. 16th Street)
Resolution No. PC-01132

The Lincoln City-Lancaster County Planning Commission took the following action at their
regular meeting on Wednesday, July 30, 2008:

Motion made by Cornelius, seconded by Larson, to find that the proposed
acquisition of a permanent preservation easement to conserve and protect the
landmark designation of the Lewis-Syford House located at 700 N. 16th Street, is
in conformance with the 2030 Lincoln-Lancaster County Comprehensive Plan.

Motion for a finding of conformance carried 8-0: Cornelius, Esseks, Gaylor Baird,
Larson, Sunderman, Francis, Partington and Carroll voting ‘yes’ (Taylor absent).

This is final action on the finding of conformity unless appealed to the City Council within 14
days of the action by the Planning Commission.

A resolution by the City Council accepting the preservation agreement between the City of
Lincoln and the Nebraska State Historical Society will be scheduled on a future Council agenda.

Attachment

cc: Building & Safety
Rick Peo, Chief Assistant City Attorney
Steve E. Guenzel, P.O. Box 81686, 68501-1686
Nebraska State Historical Society Foundation, 215 S. Centennial Mall, 68508

i:\shared\wpj\fu\2008 cnotice.cpe\CPC.08017
RESOLUTION NO. PC-07732

Comprehensive Plan Conformity No. 08017

WHEREAS, Nebraska State Historical Society Foundation has offered to convey to the City of Lincoln a permanent preservation easement to conserve and protect the landmark designation of the Lewis-Syford House on property generally located at 700 N. 16th Street and legally described as the West Half of Lots J and K, Tuttle et al's Subdivision of Lot 1, Little's Subdivision, Lincoln, Lancaster County, Nebraska; and

WHEREAS, the City of Lincoln is authorized to accept and hold preservation easements under the terms of the Conservation and Preservation Easement Act (Neb. Rev. Stat. §§ 76-2,111 to 76,2,118); and

WHEREAS, Neb. Rev. Stat. § 76-2,112 requires that, in order to minimize conflicts with land use planning, the proposed preservation easement must be submitted to the Lincoln City - Lancaster County Planning Commission for comments regarding the conformity of the proposed preservation easement to the Lincoln City-Lancaster County Comprehensive Plan prior to acceptance of the easement by the City of Lincoln; and

WHEREAS, the Director of Planning has submitted a request designated as Comprehensive Plan Conformity No. 08017 to find the proposed acquisition of permanent preservation easement by the City of Lincoln to be in conformity with the Comprehensive Plan.

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

That the Nebraska State Historical Society Foundation's offer and the City of Lincoln's acceptance of a permanent preservation easement to conserve and protect the designated landmark of the Lewis-Syford House on the property described above be and the
same is hereby found to be in conformance with the Lincoln City/Lancaster County Comprehensive Plan.

The foregoing Resolution was approved by the Lincoln City-Lancaster County Planning Commission on this \underline{30} day of \underline{July}, 2008.

ATTEST:

\underline{Eugene \text{\underline{C}}arroll}
Chair

Approved as to Form & Legality:

\underline{\text{\underline{R}}ichard \text{\underline{C}}arl}
Chief Assistant City Attorney
PLANNING COMMISSION FINAL ACTION
NOTIFICATION

TO : Mayor Chris Beutler
     Lincoln City Council  

FROM : Jean Preister, Planning

DATE : July 31, 2008

RE : Waiver No. 08003
     (Street lights - HiMark Estates 7th Addition - S. 98th Street & Merion Circle)
     Resolution No. PC-01137

The Lincoln City-Lancaster County Planning Commission took the following action at their
regular meeting on Wednesday, July 30, 2008:

Motion made by Cornelius, seconded by Larson, to approve Waiver No. 08003,
requested by Dr. Scott Raber, Mark Weaver, Joseph Engler and Dr. Paul Bajwa,
to modify the provisions of the Land Subdivision Ordinance to waive the
requirement for street lights within the final plat of HiMark Estates 7th Addition, on
property generally located at S. 98th Street and Merion Circle.

Motion for approval carried 8-0: Esseks, Larson, Cornelius, Francis, Gaylor Baird,
Sunderman, Partington and Carroll voting 'yes' (Taylor absent).

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

Attachment

cc: Building & Safety
    Rick Peo, City Attorney
    Public Works
    Dan Muhleisen, D&M Development, 6321 Doe Creek Circle, 68516
    Dru Lammle, HiMark Development, 2620 Jane Lane, 68512
    Kirsten Raber, 9630 Merion Circle, 68526
    Joseph and Renee Engler, 7910 Red Oak Road, 68516
    Dr. Paul and Stacie Bajwa, 9600 Merion Circle, 68526
RESOLUTION NO. PC-01137

WHEREAS, Dr. Scott Raber, Mark Weaver, Joseph Engler, and Dr. Paul Bajwa have requested a modification of the Land Subdivision Ordinance to waive the requirements for street lights within the final plat of HiMark Estates 7th Addition, generally located at S. 98th Street and Merion Circle; and

WHEREAS, the Planning Director has recommended approval of the requested modification to the Subdivision Requirements; and

WHEREAS, the Planning Commission finds that the strict application of the installation of street lights at said location 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 requirements of the Section 26.27.070 of the Land Subdivision Ordinance which provides that street lights be constructed in collector and local streets and private roadways within the subdivision, and on the side of the streets and private roadways which abut the subdivision, be and the same are hereby waived for Merion Circle (Outlot B) within the final plat of HiMark Estates 7th Addition.

The foregoing Resolution was approved by the Lincoln City-Lancaster County Planning Commission on this 30 day of July, 2008.

ATTEST:

[Signature]
Chair

Approved as to Form & Legality:

[Signature]
Chief Assistant City Attorney
Waiver #08003
S 98th St & Old Cheney Rd

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-1 Residential Transition District
R-2 Local Business District
B-2 Planned Neighborhood Business District
B-3 Commercial District
B-4 Lincoln Center Business District
B-6 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. 11 T09N R07E

2007 aerial

Pioneers Blvd

Old Cheney Rd

City Limit Jurisdiction

Zoning Jurisdiction Lines
PLANNING COMMISSION FINAL ACTION
NOTIFICATION

TO: Mayor Chris Beutler
   Lincoln City Council

FROM: Jean Preister, Planning

DATE: July 31, 2008

RE: Use Permit No. 80B
(Revise site plan and lot layout - N.W. 1st Street & W. Highland Blvd.)
Resolution No. PC-01133

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, July 30, 2008:

Motion made by Larson, seconded by Gaylord Baird, to approve Use Permit No. 80B, with conditions, requested by the University of Nebraska Foundation, to revise the site plan by changing the lot layout, deleting N.W. 7th Street and reducing the length of Cattail Road to allow the construction of a building of approximately 150,000 sq. ft., together with a request to waive the Land Subdivision Ordinance to allow block length to exceed 1300 feet between cross streets and to name the suffix of a cul-de-sac as Road rather than as Place, Bay, Circle or Court, on property generally located at N.W. 1st Street and W. Highland Boulevard.

Motion for conditional approval carried 9-0: Cornelius, Taylor, Gaylord Baird, Francis, Larson, Sunderman, Partington, Esseks 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.

Note: On July 30, 2008, the Planning Commission also voted 9-0 to find the associated proposed amendment to the Northwest Corridors Redevelopment Plan to be in conformance with the Comprehensive Plan, which is tentatively scheduled for public hearing before the City Council on Monday, August 25, 2008, at 5:30 p.m.

Attachment

cc: Building & Safety
   Rick Peo, City Attorney
   Public Works
   Tom Huston, 233 S. 13th Street, Suite 1900, 68508
   The University of Nebraska Foundation, 1010 Lincoln Mall, Suite 300, 68508
   Jason Fortik, Highlands Neighborhood Assn., 5461 N.W. Fairway Drive, 68521
   Thomas Taylor, Highland Neighborhood Assn., 808 P Street, Suite 209C, 68508
   David Landis, Urban Development
   Wynn Hjermstad, Urban Development
   Larry Jablonski <larry.jablonski@nifa.org>
RESOLUTION NO. PC-01133

USE PERMIT NO. 80B

WHEREAS, the University of Nebraska Foundation has submitted an application in accordance with Section 27.27.080 of the Lincoln Municipal Code designated as Use Permit No. 80B to revise the site plan by changing the lot layout, deleting N.W. 7th Street and reducing the length of Cattail Road to allow the construction of a building of approximately 150,000 sq. ft., together with a request to waive the Land Subdivision Ordinance to allow block length to exceed 1300 feet between cross streets and to name the suffix of a cul-de-sac as Road rather than as Place, Bay, Circle, or Court, on property generally located at N.W. 1st Street and W. Highland Blvd., legally described to wit:

Lot 78 I.T., Outlots "Q" and "R", Block 6, Highlands Coalition; Lot 1, Block 1, and Lot 1, Block 2, University of Nebraska Technology Park Original Addition; Lots 1, 2, 3, 4, and 5, University of Nebraska Technology Park 1st Addition; Lot 1, Block 1, and Outlots "A" and "B", University of Nebraska Technology Park 2nd Addition, located in the South Half of Section 3, Township 10 North, Range 6 East of the 6th P.M. and the North Half of Section 10, Township 10 North, Range 6 East of the 6th P.M., all in Lincoln, Lancaster County, Nebraska, and more particularly described on Attachment "A" hereto;

WHEREAS, the real property adjacent to the area included within the site plan for these revisions in the site plan of the use permit will not be adversely affected; and

WHEREAS, said site plan together with the terms and conditions hereinafter set forth are consistent with the intent and purpose of Title 27 of the Lincoln Municipal Code to promote the public health, safety, and general welfare.
NOW, THEREFORE, BE IT RESOLVED by the Lincoln City - Lancaster County Planning Commission of Lincoln, Nebraska:

That the application of the University of Nebraska Foundation, hereinafter referred to as "Permittee", to amend Use Permit No. 80 as amended by Use Permit No. 80A in order to revise the site plan by changing the lot layout, deleting N.W. 7th Street and reducing the length of Cattail Road to allow the construction of a building of approximately 150,000 sq. ft., together with a request to waive the Land Subdivision Ordinance requirements to allow block length to exceed 1300 feet between cross streets and to name the suffix of a cul-de-sac as Road, be and the same is hereby granted under the provisions of Section 27.27.080 of the Lincoln Municipal Code upon condition that construction and operation of said technology park be in substantial compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit approves a total of 1,169,350 square feet of floor area with waivers of the requirement in Section 26.23.130 that a block length shall not exceed 1300 feet between cross streets and the requirement in Section 26.23.110 that cul-de-sacs be given the suffix of Place, Bay, Circle or Court.

2. Before a final plat is approved, the Permittee shall:

   a. Cause to be prepared and submitted to the Planning Department a revised and reproducible final site plan including five copies showing the revisions listed below.

      i. Label the lots and blocks.

      ii. Remove "Lot 78 IT" and identify the allowable square feet for this lot.

      iii. Add the waiver of naming a cul-de-sac as road to the waiver list.

      iv. In the legal description add the section, township and range after Lot 78 I.T.

      v. Add the utility easements as requested by the LES report of July 11, 2008.
b. Provide information justifying the change in the runoff coefficient from 0.7 to 0.6.

c. Provide documentation from the Register of Deeds that the letter of acceptance as required by the approval of the special permit has been recorded.

3. Final plats must be approved by the City.

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

Before the approval of a final plat, the public streets, private roadway improvements, sidewalks, public sanitary sewer system, public water system, drainage facilities, land preparation and grading, sediment and erosions control measures, storm water detention/retention facilities, drainageway improvements, street lights, landscaping screens, street trees, temporary turnaround and barricades, and street name signs, must be completed or provisions (bond, escrow or security agreement) to guarantee completion must be approved by the City Law Department. The improvements must be completed in conformance with adopted design standards and within the time period specified in the Land Subdivision Ordinance. A cash contribution to the City in lieu of a bond, escrow, or security agreement may be furnished for sidewalks and street trees along major streets that have not been improved to an urban cross section. A cash contribution to the City in lieu of a bond, escrow, or security agreement may be furnished for street trees on a final plat with 10 or fewer lots.

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

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

b. To complete the installation of sidewalks along both sides of the streets as shown on the final plat within four (4) years following the approval of the final plat.

c. To complete the installation of sidewalks along W. Highland Blvd. and NW 1st St. as shown on the final plat within two (2) years following the approval of this final plat.

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

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

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

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

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

i. To complete the planting of the street trees along streets within this plat within four (4) years following the approval of the final plat.

j. To complete the installation of street trees along the south side of W. Highland Blvd. and the west side of NW 1st St. as shown on the final plat within two (2) years following the approval of this final plat.

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

l. To complete the installation of the street name signs within two (2) years following the approval of the final plat.

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

n. To complete any other public or private improvement or facility required by Chapter 26.23 (Development Standards) of the Land Subdivision Ordinance in a timely manner which inadvertently may have been omitted from the above list of required improvements.
o. To submit to the Director of Public Works a plan showing proposed measures to control sedimentation and erosion and the proposed method to temporarily stabilize all graded land for approval.

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

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

r. To maintain the outlots and private improvements in a condition as near as practical to the original construction on a permanent and continuous basis.

s. To maintain the landscape screens on a permanent and continuous basis.

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

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

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

u. To relinquish the right of direct vehicular access to NW 12th St., W. Highland Blvd. and NW 1st St.

6. Before occupying the buildings all development and construction is to substantially comply with the approved plans.

7. All privately-owned improvements, including landscaping and recreational facilities, are to be permanently maintained by the Permittee or an appropriately established owners association approved by the City.
8. The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters must be in substantial compliance with the location of said items as shown on the approved site plan.

9. The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors and assigns.

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

11. The site plan as approved with this resolution voids and supersedes all previously approved site plans, however all resolutions/ordinances approving previous permits remain in full force and effect except as specifically amended by this resolution.

DATED: July 30, 2008.

ATTEST:

[Signature]
Chair

Approved as to Form & Legality:

[Signature]
Chief Assistant City Attorney
LEGAL DESCRIPTION

A LEGAL DESCRIPTION FOR A TRACT OF LAND COMPOSED OF LOT 79 I.T., OUTLOTS "A" AND "B", BLOCK 0, NEBRASKA TECHNOLOGY PARK 1ST ADDITION, LOT 1, BLOCK 0, BLOCK 2, UNIVERSITY OF NEBRASKA TECHNOLOGY PARK ORIGINAL ADDITION, LOTS 1, 2, 3, 4, AND 5, BLOCK 1, UNIVERSITY OF NEBRASKA TECHNOLOGY PARK 1ST ADDITION, LOT 1, BLOCK 1, OR OUTLOTS "A" AND "B", UNIVERSITY OF NEBRASKA TECHNOLOGY PARK 1ST ADDITION, LOT 1, BLOCK 0, 0 BLOCK 2, UNIVERSITY OF NEBRASKA TECHNOLOGY PARK 1ST ADDITION, LOT 1, BLOCK 0, 0 BLOCK 2, UNIVERSITY OF NEBRASKA TECHNOLOGY PARK 1ST ADDITION, LOT 1, BLOCK 0, AND THE NORTH HALF OF SECTION 10, TOWNSHIP 10 NORTH, RANGE 6 EAST OF THE 6TH P.M., ALL IN THE CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 1, BLOCK 1, UNIVERSITY OF NEBRASKA TECHNOLOGY PARK 2ND ADDITION, SAID POINT BEING ON THE WEST LINE OF SAID LOT 180 FEET RIGHT-OF-WAY, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE SOUTHWESTERLY ALONG THE SOUTHEAST LINE OF SAID LOT 1, SAID LINE BEING A NORTHWEST LINE OF SAID RIGHT-OF-WAY ON AN ASSUMED BEARING OF SOUTH 28 DEGREES 32 MINUTES 22 SECONDS WEST, A DISTANCE OF 165.03 FEET TO A POINT; THENCE SOUTH 37 DEGREES 30 MINUTES 32 SECONDS EAST, A DISTANCE OF 508.58 FEET TO A POINT; THENCE SOUTH 37 DEGREES 30 MINUTES 32 SECONDS EAST, A DISTANCE OF 536.75 FEET TO A POINT; THENCE SOUTH 47 DEGREES 09 MINUTES 42 SECONDS WEST ALONG A SOUTHEAST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 225.47 FEET TO A POINT; THENCE SOUTH 37 DEGREES 30 MINUTES 32 SECONDS EAST, A DISTANCE OF 225.47 FEET TO A POINT; THENCE SOUTH 37 DEGREES 30 MINUTES 32 SECONDS EAST, A DISTANCE OF 70.30 FEET TO A POINT; THENCE SOUTH 37 DEGREES 45 MINUTES 22 SECONDS WEST CONTINUING SO EAST ALONG THE SOUTHEAST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 550.03 FEET TO A POINT; THENCE SOUTH 34 DEGREES 11 MINUTES 45 SECONDS WEST ALONG A SOUTHEAST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 760.26 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1, SAID LINE BEING A NORTHWEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 387.00 FEET TO THE MOST SOUTHERN CORNER OF SAID OUTLOT "B"; THENCE NORTH 52 DEGREES 43 MINUTES 07 SECONDS EAST, A DISTANCE OF 424.32 FEET TO THE SOUTHEAST CORNER OF SAID OUTLOT "B"; THENCE SOUTH 40 DEGREES 57 MINUTES 08 SECONDS EAST, A DISTANCE OF 284.05 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1, SAID LINE BEING A NORTHWEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 352.28 FEET TO THE NORTHWEST CORNER OF SAID LOT 1, SAID POINT BEING THE TRUE POINT OF BEGINNING.

ATTACHMENT "A"
Use Permit #80B  
NW 1st St & W Highland Blvd

Zoning:

R-1 to R-8 Residential District  
AG Agricultural District  
AGR Agricultural Residential District  
R-C Residential Conservation 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 Employment Center District  
P Public Use District

One Square Mile  
N 1/2 Sec. 10 T10N R06E  
S 1/2 Sec. 03 T10N R06E

N 12th St  
Highlands Blvd  
N 1st St

2007 aerial
PLANNING COMMISSION FINAL ACTION
NOTIFICATION

TO : Mayor Chris Beutler
     Lincoln City Council

FROM : Jean Preister, Planning

DATE : July 31, 2008

RE : Special Permit No. 08032
     (Expansion of nonstandard building - 3317 C Street)
     Resolution No. PC-01135

The Lincoln City-Lancaster County Planning Commission took the following action at their
regular meeting on Wednesday, July 30, 2008:

Motion made by Cornelius, seconded by Larson, to approve Special Permit No. 08032, with conditions, requested by Mark Grell, for authority to expand a nonstandard building into the required side yard setback in order to construct a garage and breezeway onto the back side of an existing residence, on property located at 3317 C Street.

Motion for conditional approval carried 8-0: Cornelius, Esseks, Francis, Sunderman, Partington, Larson, Gaylor Baird and Carroll voting ‘yes’ (Taylor absent).

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

The Letter of Acceptance will be mailed to the permittee by the City Clerk at the end of the 14-day appeal period.

Attachment

cc: Building & Safety
    Rick Peo, City Attorney
    Public Works
    Jason Steffen, Steffen Construction, 4817 Meredith Street, 68506
    Mark Grell, 3317 C Street, 68510
    Kevin Bernadt, 40th & A Neighborhood Assn., 4140 Washington Street, 68506
    Tracy Lines, 40th & A Neighborhood Assn., 1001 S. 37th Street, 68510
    Ray Gobber, 40th & A Neighborhood Assn., 1436 Sunburst Lane, 68506
RESOLUTION NO. PC-01135

SPECIAL PERMIT NO. 08032

WHEREAS, Mark Grell has submitted an application designated as Special Permit No. 08032 for authority to expand a nonstandard building into the required side yard setback in order to construct a garage and breezeway onto the back side of an existing residence on property generally located at 3317 C Streets, and legally described as:

Lot 88, Boulevard Heights, Lincoln, Lancaster County, Nebraska;

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

WHEREAS, the community as a whole, the surrounding neighborhood, and the real property adjacent to the area included within the site plan for this expansion of a non-standard single family dwelling will not be adversely affected by granting such a permit; and

WHEREAS, said site plan together with the terms and conditions hereinafter set forth are consistent with the comprehensive plan of the City of Lincoln and with the intent and purpose of Title 27 of the Lincoln Municipal Code to promote the public health, safety, and general welfare.
NOW, THEREFORE, BE IT RESOLVED by the Lincoln City-Lancaster
County Planning Commission of Lincoln, Nebraska:

That the application of Mark Grell, hereinafter referred to as "Permittee",
to expand a nonstandard building into the required side yard setback in order to
construct a garage and breezeway on the back side of an existing residence on the
property described above, be and the same is hereby granted under the provisions of
Section 27.63.540 of the Lincoln Municipal Code upon condition that construction of
said addition be in substantial compliance with said application, the site plan, and the
following additional express terms, conditions, and requirements:

1. This permit approves the expansion of a nonstandard single-family
dwelling into the required side yard along the west side of the property at 3317 C Street
to allow for the construction of a garage and breezeway.

2. Before receiving building permits:

   a. The Permittee shall provide documentation from the
      Register of Deeds that the letter of acceptance as required
      by the approval of the special permit has been recorded.

   b. The expansion shall not extend further into the required side
      yard along the west side of the property than the furthest
      extension of the existing house.

   c. The expansion shall meet all other yard and height
      requirements of the zoning district.

   d. The use of the main structure shall remain a single or two
      family dwelling.

3. Before occupying the building all development and construction
must substantially comply with the approved plans.
4. The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters must be in substantial compliance with the location of said items as shown on the approved site plan.

5. The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, his successors and assigns.

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

The foregoing Resolution was approved by the Lincoln City-Lancaster County Planning Commission on this 30 day of July, 2008.

ATTEST:

[Signature]
Chair

Approved as to Form & Legality:

[Signature]
Chief Assistant City Attorney
Special Permit #08032
3317 C St
Zoning:

One Square Mile
Sec. 30 T10N R07E

2007 aerial
PLANNING COMMISSION FINAL ACTION
NOTIFICATION

TO : Mayor Chris Beutler
     Lincoln City Council

FROM : Jean Preister, Planning

DATE : July 31, 2008

RE : Use Permit No. 132B - Willowbrook
     (Amend land use table - S. 70th & Highway 2)
     Resolution No. PC-01134

The Lincoln City-Lancaster County Planning Commission took the following action at their
regular meeting on Wednesday, July 30, 2008:

Motion made by Cornelius, seconded by Larson, to approve Use Permit No.
132B, with conditions, requested by Livingston Investments, Inc., to amend
the use permit land use table to allow nonprofit, religious, educational and
philanthropic institutions as a permitted use in order for the Capital
Humane Society to build an animal shelter in the shopping center, on property
generally located at the southeast corner of S. 70th Street and Highway 2.

Motion for conditional approval carried 8-0: Cornelius, Esseks, Francis, Sunderman,
Partington, Larson, Gaylor Baird and Carroll voting ‘yes’ (Taylor absent).

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

The Letter of Acceptance will be mailed to the permittee by the City Clerk at the end of the 14-
day appeal period.

Attachment

cc: Building & Safety
    Rick Peo, City Attorney
    Public Works
    Livingston Investments, Inc., 7420 Yankee Hill Road, 68516
    Robert Downey, Capital Humane Society, Inc., 2320 Park Blvd., 68502
    Stephen Nickel, Family Acres Assn., 7941 Portache Lane, 68516
RESOLUTION NO. PC-01134

USE PERMIT NO. 132B

WHEREAS, Livingston Investments, Inc. has submitted an application in accordance with Section 27.31.100 of the Lincoln Municipal Code designated as Use Permit No. 132B to amend the use permit’s land use table to allow nonprofit, religious, educational and philanthropic institutions as a permitted use in order for the Capital Humane Society to build an animal shelter in the shopping center on property generally located at the southeast corner of S. 70th Street and Highway 2, legally described to wit:

Lots 1-6 and Outlots A and B, Willowbrook Addition, Lincoln, Lancaster County, Nebraska;

WHEREAS, the real property adjacent to the area included within the site plan for this construction of the Capital Humane Society, a nonprofit religious, educational, and philanthropic institution as a permitted use in the shopping center will not be adversely affected; and

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

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

That the application of Livingston Investments, Inc., hereinafter referred to as "Permittee", to amend the use permit’s land use table to allow nonprofit, religious, educational
and philanthropic institutions as a permitted use in the shopping center be and the same is hereby granted under the provisions of Section 27.27.100 of the Lincoln Municipal Code upon condition that construction and operation of said nonprofit, religious, educational and philanthropic institutions be in substantial compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit approves a nonprofit religious, educational, and philanthropic institution, as a permitted use within Use Permit No. 132B.

2. Before receiving building permits, the Permittee shall cause to be prepared and submitted to the Planning Department a revised and reproducible full-sized final site plan including 5 copies with all required revisions as listed below:

   a. Add Note A(1)(l) which states: “Nonprofit religious, educational, and philanthropic institution.”

   b. Revise the Land Use Table for Lot 1, Proposed Tenant Types from A through H inclusive, to A through I inclusive.

3. Before receiving building permits the construction plans shall substantially comply with the approved plans.

4. Before occupying the buildings, all development and construction is to substantially comply with the approved plans.

5. All privately-owned improvements, including landscaping, shall be permanently maintained by the owner or an appropriately established association approved by the City Attorney.

6. The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters must be in substantial compliance with the location of said items as shown on the approved site plan.

7. The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors and assigns.
8. The Permittee shall sign and return the letter of acceptance to the City Clerk within 60 days following the approval of the use permit, provided, however, said 60-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the use permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the Permittee.

9. The site plan as approved with this resolution voids and supersedes all previously approved site plans, however all resolutions approving previous permits remain in full force and effect except as specifically amended by this resolution.

DATED: July 30, 2008.

ATTEST:

Eugene Carroll
Chair

Approved as to Form & Legality:

Rick Reo
Chief Assistant City Attorney
Use Permit #132b
S 70th St & Highway 2

Zoning:

R-1 to R-8 Residential District
A-1 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. 15 T09N R07E

2007 aerial

Old Cheney Rd
Pine Lake Rd

Zoning Jurisdiction Lines
City Limit Jurisdiction
PLANNING COMMISSION FINAL ACTION
NOTIFICATION

TO : Mayor Chris Beutler
     Lincoln City Council

FROM : Jean Preister, Planning

DATE : July 31, 2008

RE : Special Permit No. 08034 - Whispering Meadows Community Unit Plan
     (S.W. 27th Street and West A Street)
     Resolution No. PC-01138

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, July 30, 2008:

Motion made by Taylor, seconded by Sunderman, to approve Special Permit No. 08034, with conditions, as amended, requested by Whispering Meadows, LLC, for authority to develop Whispering Meadows Community Unit Plan, for 27 single-family lots and 211 attached single-family lots, together with a waiver of the requirements of the Land Subdivision Ordinance to reduce the minimum lot area requirement, on property generally located at S.W. 27th Street and West A Street.

Motion for conditional approval, with amendment to Condition #2.a.ii., carried 9-0: Cornelius, Esseks, Francis, Sunderman, Partington, Larson, Taylor, Gaylor Baird 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.

The Letter of Acceptance will be mailed to the permittee by the City Clerk at the end of the 14-day appeal period.

Attachment

cc: Building & Safety
    Rick Peo, City Attorney
    Public Works
    Peter Katt, Attorney at Law, 1248 O Street, Suite 600, 68508
    Paula Dicero, 1233 Infinity Court, 68512
    Whispering Meadows, LLC, 1233 Infinity Court, 68512
    Chris Cashmere, West A Neighborhood Assn., 3510 W. Plum, 68522
    Bill Hergott, West A Neighborhood Assn., 1710 W. Washington Street, 68522
    Robert Bowen, West A Neighborhood Assn., 1901 W. South Street, 68522
    William Vocasek, West A Neighborhood Assn., 1903 W. Mulberry Court, 68522
    Paul Carney, Coddington Hills Homeowners Assn., 2301 W. Millstone Road, 68522
    Michelle Furby, Coddington Hills Homeowners Assn., 1350 S.W. 24th Street, 68522
    David P. Lawton, 2201 West Millstone Road, 68522
    Ashley Ross <rossashley@windsream.net>
    JoAnn L. Johnson, 2241 W. Millstone Road, 68522 <joann.l.johnson@nebraska.gov>
    Krystal Gabel, 1208 S.W. 24th Street, 68522
RESOLUTION NO. PC- 01138

SPECIAL PERMIT NO. 08034

WHEREAS, Whispering Meadows LLC has submitted an application designated
as Special Permit No. 08034 for authority to develop Whispering Meadows Community Unit
Plan for 27 single-family lots and 211 attached single-family lots, together with a request to
waive the requirements of the Land Subdivision Ordinance to reduce the minimum lot area
requirement, on property generally located at S.W. 27th Street and West A Street and legally
described as:

Lots 1 through 16, Block 1, Lots 1 through 16, Block 2, and a
portion of Outlot A, Whispering Meadows Addition, located in the
west half of the Southwest Quarter lying southerly of the south low
water channel line of Middle Creek, located in Section 28,
Township 10 North, Range 6 East of the 6th P.M., City of Lincoln,
Lancaster County, Nebraska and more particularly described by
metes and bounds as follows:

Commencing at the southwest corner of the West Half of the
Southwest Quarter, Section 28, Township 10 North, Range 6
East; thence in a northwesterly direction on an assigned bearing
of north 00 degrees 07 minutes 49 seconds west, a distance of
70.00 feet; thence north 89 degrees 55 minutes 33 seconds east,
a distance of 33.00 feet to the point of beginning; thence north 00
degrees 07 minutes 49 seconds west, a distance of 287.71 feet;
thence south 89 degrees 52 minutes 11 seconds west, a distance
of 33.00 feet; thence north 00 degrees 07 minutes 49 seconds
west, a distance of 958.58 feet; thence north 89 degrees 53
minutes 21 seconds east, a distance of 400.00 feet; thence north
00 degrees 07 minutes 56 seconds west, a distance of 690.00
feet; thence south 61 degrees 33 minutes 53 seconds east, a
distance of 162.57 feet; thence north 73 degrees 13 minutes 57
seconds east, a distance of 219.17 feet; thence south 76 degrees
23 minutes 09 seconds east, a distance of 78.18 feet; thence
north 86 degrees 08 minutes 36 seconds east, a distance of
334.40 feet; thence south 00 degrees 00 minutes 36 seconds
east, a distance of 175.02 feet; thence south 89 degrees 59
minutes 24 seconds west, a distance of 47.77 feet; thence south
55 degrees 17 minutes 04 seconds west, a distance of 160.56
feet; thence south 36 degrees 32 minutes 42 seconds west, a
distance of 63.05 feet; thence north 88 degrees 26 minutes 22
seconds west, a distance of 117.12 feet; thence north 78 degrees
42 minutes 05 seconds west, a distance of 59.70 feet; thence
south 77 degrees 12 minutes 31 seconds west, a distance of
96.05 feet; thence south 60 degrees 49 minutes 40 seconds west,
a distance of 165.78 feet; thence south 33 degrees 43 minutes 03
seconds west, a distance of 160.67 feet; thence south 00 degrees
07 minutes 56 seconds east, a distance of 141.87 feet; thence
south 17 degrees 40 minutes 31 seconds east, a distance of
241.22 feet; thence south 46 degrees 48 minutes 38 seconds
east, a distance of 293.35 feet; thence north 89 degrees 58
minutes 33 seconds east, a distance of 599.30 feet; thence south
00 degrees 00 minutes 36 seconds east, a distance of 825.04
feet; thence south 89 degrees 55 minutes 33 seconds west, a
distance of 919.11 feet; thence north 00 degrees 07 minutes 49
seconds west, a distance of 10.00 feet; thence south 89 degrees
55 minutes 33 seconds west, a distance of 372.28 feet; to the
point of beginning and containing 35.66 acres, more or less;

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Lincoln City-Lancaster County
Planning Commission of Lincoln, Nebraska:
That the application of Whispering Meadows LLC, hereinafter referred to as "Permittee", to develop Whispering Meadows Community Unit Plan be and the same is hereby granted under the provisions of Section 27.63.320 and Chapter 27.65 of the Lincoln Municipal Code upon condition that construction of said development be in substantial compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit approves 238 dwelling units (27 single-family lots and 211 attached single-family lots), and grants an adjustment to the Land Subdivision Ordinance to allow the minimum lot area to be less than 6,000 square feet.

2. Before receiving building permits or before a final plat is approved:
   a. Permittee shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including five copies showing the below required revisions.
      i. Revise street names to the satisfaction of Building and Safety and Emergency Communications.
      ii. Eliminate Oxbow Road and provide an access outlot from West C Street to the oxbow.
      iii. Add to the General notes that the 155 Dwelling units on Lot 1 Block 3 will not be developed until a specific site plan has been submitted to the City and the approved special permit has been amended.
      iv. Revise the grading plan to show the grading for future improvements to West A Street.
      v. Add to the General Notes, "Signs need not be shown on this site plan, but need to be in compliance with chapter 27.69 of the Lincoln Zoning Ordinance, and must be approved by Building & Safety Department prior to installation".
      vi. Add to the General Notes that "a landscape (screen) plan will be submitted at the time of final plat."
      vii. Revise grading plan to raise the land elevation 1 foot above the 100 year flood elevation on Lots 2, 6, 7, 8, 18, 20, and 21 Block 3 or revise the lot configuration to show no portion of lots inside the floodplain and expand Outlot C to include this area.
viii. Add Lots 1 thru 16 Block 1 and Lots 1 thru 16 Block 2 Whispering Meadows Addition to the Legal Description.

ix. Show and dimension all building envelope lines.

x. If the proposed detention site does not have physical connection to Middle Creek, show the old Middle Creek oxbow serving as a natural detention area. If the oxbow can not be used as a natural detention area locate the detention cell closer to the development to better facilitate maintenance.

xi. Add a 5’ pedestrian easement over the sanitary sewer easement between Lots 20 and 21 Block 3 and extend Outlot C between Lots 9 and 10 Block 3 for access to Outlot C from Oxbow Court.

xii. Include all LES requests per their July 18, 2008 memo to the Planning Department.

b. The construction plans substantially comply with the approved plans.

c. Permittee shall provide documentation from the Register of Deeds that the letter of acceptance as required by the approval of the special permit has been recorded.

d. Permittee shall provide documentation that an avigation and noise easement to the Lincoln Airport Authority on all or that part of the land located within the Airport Environ Noise District has been received by the Lincoln Airport Authority.

e. Final plats must be approved by the City.

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

Before the approval of a final plat, the public streets, private roadway improvements, sidewalks, public sanitary sewer system, public water system, drainage facilities, land preparation and grading, sediment and erosions control measures, storm water detention/retention facilities, drainageway improvements, street lights, landscaping screens, street trees, temporary turnaround and barricades, and street name signs, must be completed or provisions (bond, escrow or security agreement) to
guarantee completion must be approved by the City Law Department. The improvements must be completed in conformance with adopted design standards and within the time period specified in the Land Subdivision Ordinance. A cash contribution to the City in lieu of a bond, escrow, or security agreement may be furnished for sidewalks and street trees along major streets that have not been improved to an urban cross section. A cash contribution to the City in lieu of a bond, escrow, or security agreement may be furnished for street trees on a final plat with 10 or fewer lots.

f. Permittee shall enter into an agreement with the City wherein Permittee as subdivider agrees:

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

ii. to complete the installation of sidewalks along the north side of W. A Street as shown on the final plat within two (2) years following the approval of this final plat.

iii. to complete the installation of sidewalks along both sides of W. B Street, S.W. 25th Street, Oxbow Road, Oxbow Court, W. C Street and W. C Court and along the east side of S.W. 27th Street as shown on the final plat within four (4) years following the approval of the final plat.

iv. to construct the sidewalk in the pedestrian way easements in Outlot C between Lots 9 and 10 Block 3 and in the sanitary sewer easement between Lots 20 and 21 Block 3 at the same time as the lots are final platted and to agree that no building permit shall be issued for construction on Lots 9, 10, 20 or 23 Block 3 until such time as the sidewalk in the pedestrian way easement is constructed.

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

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

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

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

x. to complete the installation of public street lights along W. B Street, S.W. 25th Street, Oxbow Road, Oxbow Court, W. C Street and W. C Court and along the east side of S.W 27th Street within this plat within two (2) years following the approval of the final plat.

xi. to complete the planting of the street trees along W. B Street, S.W. 25th Street, Oxbow Road, Oxbow Court, W. C Street and W. C Court and along the east side of S.W 27th Street within this plat within four (4) years following the approval of the final plat.

xii. to complete the installation of street trees along the north side of W. A Street as shown on the final plat within two (2) years following the approval of this final plat.

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

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

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

xvi. to complete any other public or private improvement or facility required by Chapter 26.23 (Development Standards) of the Land Subdivision Ordinance in a timely manner which inadvertently may have been omitted from the above list of required improvements.

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

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

xix. to complete the public and private improvements shown on the Community Unit Plan.

xx. to keep taxes and special assessments on the outlots from becoming delinquent.
xxi. to maintain the outlots and private improvements in a condition as near as practical to the original construction on a permanent and continuous basis.

xxii. to maintain the sidewalks in the pedestrian way easements in the sanitary sewer easement between on Lots 21 and 22 block 3 and on Outlot C between Lots 9 and 10, Block 3, in a condition as near as practical to their original condition in order to provide the user with a safe and convenient sidewalk on a permanent and continuous basis.

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

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

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

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

xxv. to inform all purchasers and users that the land is located within the 100 year floodplain and that the grading of the lots and outlots shall be in conformance with the approved grading plan or as amended by the Director of Planning. The volume of fill material brought into each lot and outlot from outside the floodplain shall not exceed that shown on the approved grading plan accompanying the preliminary plat.
xxvi. to protect the trees that are indicated to remain during construction and development.

xxvii. to relinquish the right of direct vehicular access from Lots 1, 5, 19, 20 and 21 Block 3 to W. A Street.

xxviii. to inform all prospective purchasers and users that the land is located within the Airport Environments Noise District, that the land is subject to an avigation and noise easement granted to Lincoln Airport Authority, and that the land is potentially subject to aircraft noise levels which may affect users of the property and interfere with its use.

3. Before occupying the dwelling units / buildings all development and construction must substantially comply with the approved plans.

4. All privately-owned improvements, including landscaping and recreational facilities, are to be permanently maintained by the Permittee or an appropriately established homeowners association approved by the City.

5. The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters must be in substantial compliance with the location of said items as shown on the approved site plan.

6. The terms, conditions, and requirements of this resolution shall run with the land and be binding on the Permittee, its successors and assigns.

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

8. The site plan as approved with this resolution voids and supersedes all previously approved site plans, and voids and supersedes SP #1703 and SP #1728 however all resolutions/ordinances approving other previous permits remain in full force and effect except as specifically amended by this resolution.
The foregoing Resolution was approved by the Lincoln City-Lancaster County Planning Commission on this 30th day of July, 2008.

ATTEST:

[Signature]
Chair

Approved as to Form & Legality:

[Signature]
Chief Assistant City Attorney
Special Permit #08034
Whispering Meadows CUP
SW 27th & W A St

Zoning:

One Square Mile
Sec. 28 T10N R06E

K-1 to R-3 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
PLANNING COMMISSION FINAL ACTION
NOTIFICATION

TO : Mayor Chris Beutler
     Lincoln City Council

FROM : Jean Preister, Planning

DATE : July 31, 2008

RE : Special Permit No. 08033
     (Expansion of nonstandard building - S.W. 56th & W. Claire Streets)
     Resolution No. PC-01136

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, July 30, 2008:

Motion made by Cornelius, seconded by Larson, to approve Special Permit No. 08033, with conditions, requested by Bianca Gonzalez, for authority to expand a nonstandard building into the required front yard setback in order to allow for the conversion of the building to a single family dwelling, on property generally located at S.W. 56th Street and W. Claire Street (5001 S.W. 56th Street).

Motion for conditional approval carried 8-0: Cornelius, Esseks, Francis, Sunderman, Partington, Larson, Gaylord Baird and Carroll voting 'yes' (Taylor absent).

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

The Letter of Acceptance will be mailed to the permittee by the City Clerk at the end of the 14-day appeal period.

Attachment

cc: Building & Safety
    Rick Peo, City Attorney
    Public Works
    Justin Couch, 1121 West C Street, 68522
    Bianca Gonzalez, 1121 West C Street, 68522
RESOLUTION NO. PC-01136

SPECIAL PERMIT NO. 08033

WHEREAS, Bianca Gonzales has submitted an application designated as Special Permit No. 08033 for authority to expand a nonstandard building into the required front yard setback in order to allow for the conversion of the building to a single family dwelling on property generally located at S.W. 56th Street and W. Claire Street, and legally described as:

Lot 16 I.T., located in the Northeast Quarter of Section 12, Township 9 North, Range 5 East of the 6th P.M., Lancaster County, Nebraska;

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

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

WHEREAS, said site plan together with the terms and conditions hereinafter set forth are consistent with the comprehensive plan of the City of Lincoln and with the intent and purpose of Title 27 of the Lincoln Municipal Code to promote the public health, safety, and general welfare.
NOW, THEREFORE, BE IT RESOLVED by the Lincoln City-Lancaster County Planning Commission of Lincoln, Nebraska:

That the application of Bianca Gonzales, hereinafter referred to as "Permittee", to expand a nonstandard building into the required front yard in order to allow for the conversion of the building to a single family dwelling on the property described above, be and the same is hereby granted under the provisions of Section 27.63.280 of the Lincoln Municipal Code upon condition that construction of said addition be in substantial compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit approves the expansion of a nonstandard building into the required front yard along the east side of the property at 5001 S.W. 56th Street to allow for the conversion of the building to a residence, including the construction of the second floor to the east line of the existing building, 41.1 feet from the property line.

2. Before receiving building permits:

a. The Permittee shall cause to be prepared and submitted to the Planning Department a revised and reproducible final site plan including five copies.

b. The Permittee shall provide documentation from the Register of Deeds that the letter of acceptance as required by the approval of the special permit has been recorded.

c. The expansion shall not extend further into the front yard along S.W. 56th Street than the furthest extension of the existing building.

d. The expansion shall meet all other yard and height requirements of the zoning district.
3. Before occupying the building all development and construction must substantially comply with the approved plans.

4. The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters must be in substantial compliance with the location of said items as shown on the approved site plan.

5. The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, her successors and assigns.

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

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

ATTEST:

[Signature]
Chair

Approved as to Form & Legality:

[Signature]
Chief Assistant City Attorney
Special Permit #08033
SW 56th St & W Claire Ave

Zoning:

One Square Mile
Sec. 12 T09N R05E

R-1 to R-4 Residential District
AG Agricultural District
AGR Agricultural Residential District
C-1 Office District
C-2 Suburban Office District
C-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
Survey Of: LOT 16 IRREGULAR TRACT, LOCATED IN THE NORTHEAST QUARTER OF

Section: 12, T 9 N, R 5 E, of the 6th P.M. LANCASTER County, Nebraska

5001 S.W. 56th STREET

Special Permit #08033
SW 56th St & W Claire Ave

Subject property apparently falls within the confines of Zone " " as determined by the FEMA-FIA Flood Rate Map community , panel , revised .

Surveyor's Certificate

I hereby certify that I have accurately surveyed the property in the above plat. Signed this day of 5-14-2008.

All dimensions are in feet and decimals of a foot.

Billy Joe Keefe, L.S.
Weather permitting, 56th Street and Elkcrest Drive will be resurfaced the weekend of August 8, 2008 as part of the 56th and Elkcrest Intersection Safety Improvement Project. This will require 56th Street to be closed to through traffic from south of Quail Ridge to north of Vavak Place. The contractor is allowed to close 56th Street at 9:00 a.m. on Friday, August 8, 2008 and must complete the milling, resurfacing, pavement marking and remaining traffic signal work and re-open 56th Street to through traffic by 3:30 p.m. on Monday, August 11, 2008.

There will be a period of time when the contractor is preparing the area and laying the new asphalt. 56th Street will be fully closed within the work zone to all vehicles except emergency vehicles. Once the asphalt has been placed, it must be allowed to cool and set up sufficiently before traffic can be allowed to travel across it. We expect this time period to be less than a day, weather permitting.

The City of Lincoln realizes this work may temporarily inconvenience tenants, motorists, and pedestrians. Temporary parking will be provided along South 56th Street at various locations for those unable to access their street and/or driveway. Additional parking is also available along Woodland Avenue with pedestrian access to Quail Ridge Drive via the pedestrian trail through Larson Park. Caution should be used when using the areas under construction.

If weather conditions do not allow the resurfacing to be completed the weekend of August 8, 2008, the work will be rescheduled for the weekend of August 15, 2008.

If you have any questions regarding access during the resurfacing or have special access needs, please contact:

Constructors Inc.  
Steve Samuelson, President  
(402) 434-1764

City of Lincoln, Engineering Services  
Elmer Cole, Project Manager  
(402) 441-7581
Please include in directors packet

From: Glenda D Moore [mailto:gmoore@unlnotes.unl.edu]
Sent: Wednesday, July 30, 2008 3:50 PM
To: dmarvin@lincoln.ne.gov
Subject: Star Tran Bus Service

Dear Councilman Marvin:

I work part time in downtown Lincoln and for the past 7 years have used Star Tran for transportation to and from work/home. Every day, I ride the 1:00/1:30 p.m. bus from downtown to near my home and every day there are from 8 to 20 persons on that bus. Many are using the bus for transportation to/from their jobs.

Please do NOT vote for a reduction of or elimination of bus service from 10 a.m. to 2 pm as the Mayor has proposed. Many working persons will be affected, and hence, both jobs and the economy of Lincoln will suffer. If anything, this is a time to provide even better bus service as more people wish to reduce the amount of money they spend on gasoline.

If you should need further information, please feel free to contact me.

Thank you.

Glenda Dietrich Moore
5401 Franklin St.
Lincoln NE 68506
402-483-5308
gmoore3@unl.edu
Please put in the directors packet

From: Susan Melcher [mailto:melcherj5-2@nebraska.com]
Sent: Wednesday, July 30, 2008 2:41 PM
To: dmarvin@lincoln.ne.gov
Subject: Stronger Safer Neighborhoods program

Councilman Marvin,

Please do not vote to cut or eliminate funding for the Stronger Safer Neighborhoods program. With guidance from the SSN program, we are able to maintain our neighborhoods using our own funds and labor. In the long run, funding the SSN program will pay for itself through fewer police calls and other city services that are typically required when an area becomes blighted. Much like preventive care in medicine, programs like SSN ensure healthy inner-city neighborhoods for future generations.

Thank you,

Susan Melcher
Please put in the directors packet

From: Pam Baker [mailto:pbaker@woodscharitable.org]
Sent: Wednesday, July 30, 2008 10:48 AM
To: dmarvin@lincoln.ne.gov
Subject: Stronger Safer Neighborhoods

Dear Dan,

I am writing because I fear that the City might cut support for the Stronger Safer Neighborhoods program. I believe that this program is critical to developing solutions to address the issues that threaten the security and viability of Lincoln’s older neighborhoods. The program provides the focus required to make necessary changes to protect and improve our inner city. And the City of Lincoln needs to be a partner in this work.

Thank you.

Pam Baker

1235 Surfside Court

Lincoln, NE 68528
Please include in the directors packet

-----Original Message-----
From: Maurice Baker [mailto:mbaker35@alltel.net]
Sent: Thursday, July 31, 2008 12:23 PM
To: dmarvin@lincoln.ne.gov
Cc: mayor@lincoln.ne.gov
Subject: City Budget

Councilman Marvin:

I know the council has to search for ways to balance the city budget and even small items are being examined as to their priority. I understand this includes the Safe Neighborhoods program. As an activist in the Clinton Neighborhood, I can attest to the fact that such programs can be effective in preserving and improving our older neighborhoods.

I have worked with the Free to Grow program in the Clinton area and have seen great improvements. These include the eliminating "drug houses", improving the physical facilities by enforcing codes, making residents aware of resources that will help them improve their properties, developing a sense of community so people report situations that need agency attention and the very important development of concern for your neighbors and the neighborhood. During our last community cleanup, we had the least amount of trash that I have ever seen. This reflects the sense of concern and not a failure to bring the trash to the rolloffs. I personally drove the alleys of approximately one-half of the neighborhood that day and could find little to haul to the collection site.

I see the Safe Neighborhoods program as being able to achieve many of the same gains if it is permitted to continue. Therefore, I urge you not to use this program as a way of meeting your very difficult job of balancing the budget.

Maurice Baker
464-1864
3259 Starr Street
Council Members,

I know you are considering cutting the Stronger, Safer Neighborhoods Program out of the City Budget. As a person concerned about the future of our neighborhoods and our community, I hope you will NOT cut this important program. As president of the Everett Neighborhood Association I see every day the severe need for this program. The CORE neighborhoods have been ignored for so many years that they need the extra help from the Stronger, Safer Neighborhoods Program. If the city does not focus on protecting what it has and only looks to the fringes for new construction we will soon have a black hole in the middle of Lincoln that people will be afraid to drive through, let alone live in.

Protecting neighborhoods, strengthening downtown, fighting crime, encouraging home-ownership, and providing safety for residents are goals that we cannot ignore. This proposed cut would eliminate the one city program dedicated entirely to this vision. It is a short-sighted cut that ignores the needs of thousands of neighborhood residents.

The Stronger Safer Neighborhoods project manager reports directly to the Chief of Police and the Mayor. That kind of chain of command ensures attention and action. The CORE neighborhoods need your action to help save our neighborhoods and our community.

Please keep the Stronger Safer Neighborhoods program in the City budget.

Paula Rhian

President

Everett Neighborhood Association
Dear Lincoln City Council Members:

I am writing to express my opposition to current proposals to cut and/or eliminate Mayor Beutler's new Stronger, Safer Neighborhood Program and the staff that supports that effort. If any changes are to be made to this program, I would urge you to provide it with more resources, NOT reduce the resources available to this valuable program.

Many of the older core neighborhoods of Lincoln are under stress (increased crime, deteriorating buildings, low rates of home ownership and increased levels of absentee landlords, deteriorating infrastructure and services, etc.). The Stronger, Safer Neighborhood Program is an innovative effort to make limited public resources available to help coordinate efforts by neighborhoods, public agencies and the private sector to work together to address these issues. If these inner city problems are not addressed in a timely manner, other cities have found that the long-term public costs will be much higher the the relatively modest cost of this program. Efforts to cut this innovative program would be an excellent example of the old saying, "penny wise and pound foolish".

The issue has also been raised as to whether the program is properly placed in the Police Department. Efforts over the last few years to address these types of problems through collaborative efforts (e.g. problem property team) have shown that the active involvement of LPD is frequently a critical component of success. I would urge that this program to left in the LPD, at least for the next few years until it has more of a history and then fine-tuning might occur. Moving a new, limited resources program like this one around between administrative centers will make it much less likely to be successful.

I urge your support of this valuable and innovative program.

--
Larry Zink
University Place homeowner
4926 Leighton Ave
Lincoln, NE 68504
Great job Dan Marvin, pass of the City raising taxes to the County! Raising property taxes to complete the City and County problems of managing money is NOT a good idea. Using property taxes as your money tree has got to stop.

Spread the tax around to ALL people of Lincoln/Lancaster County. Raise sales tax, include a city tax on our payrolls or something other that property taxes! Check your property records and see how many baby boomers and close to retired home owners there are. You are forcing us to leave the state. In my case it’s not a problem, my daughter lives in Omaha and Co. Bluffs is looking pretty good right now.
I work for Crete Carrier and All employees are subjected to random drug testing at any time. If you get the phone call you go. Not a problem. Just part of the job. By the way Acklie is an attorney.

It's time for the city to become part of the 21st century reality of drug usage. If like the fire chief says, city employees are part of the general population then randomly drug test All of them like the general population.
Please do not change the Bethany Library hours! If it were not for the evening hours we wouldn't be able to use the library! Your are going to reduce the number of patrons, then reevaluate in a couple more years (if that) and decide that we don't "need" this library any longer due to the reduced usage. Most of us can not use the library during the 8-5 workday hours.

You tried to shut it down about 10-15 years ago, and we settled with the current hours. Please don't do this.

**Current Bethany Branch Hours:**
1810 No. Cotner Blvd.
Monday - Thursday: 1 p.m. - 9 p.m.
Friday - Saturday: 10 a.m. - 6 p.m.
Sunday: Closed
Total Public Service Hours Per Week: 48

**Threatened Bethany Branch Hours:**
1810 No. Cotner Blvd.
Monday - Saturday: 10 a.m. - 6 p.m.
Sunday: Closed

Total Public Service Hours Per Week: 48

Sincerely,

Brenda E. West, Jesse West, Caira West
Library Patrons
Please distribute copies to all council members except John Spatz.

--- On Sun, 7/27/08, blazingcomet45 <blazingcomet45@yahoo.com> wrote:
From: blazingcomet45 <blazingcomet45@yahoo.com>
Subject: Re: Traffic signal at 24th & Superior
To: JSPATZ@LINCOLN.NE.GOV
Date: Sunday, July 27, 2008, 5:59 PM

The intersection I am at is 19th & Superior. We DONOT need another traffic signal 4 blocks down from the one at 21st. Talk about congestion! All of these streets pose a problem getting onto Superior. If another signal goes in, it should be at 19th & Superior where there is an actual intersection. I have used 24th and know it is a problem trying to turn left. Hey, they installed a traffic light at 27th and Old Dairy rd. Use that. Since that one backs traffic up, take advantage of it. I have. When traffic is heavy, I have seen it so backed up you can hardly turn right onto Superior. We just don't need another signal. If you care to contact me, my phone is 438-1452 and my name is Sandra Lab
Susan Klima  
<susanklima@nebraska.com>

07/28/2008 07:09 AM

To: Mayor Beutler <mayor@lincoln.ne.gov>,
    <council@lincoln.ne.gov>
cc: <libraryboard@lincolnlibraries.com>

Subj ect: Adjustment of Library Public Service Hours

Dear City Council Members and Mayor Beutler,

I think the city’s library system is one of the very best things about living in Lincoln. I use it every single week.

I am especially pleased that the library has recently added the online edition of Value Line. I happened to notice it had been added to the list of Research Databases when I was accessing Morningstar reports.

It is great to know that I can get virtually any book I want through its Interlibrary Loan Services, and the ease of ordering and renewing books through ILL has recently been improved. I have also been pleased that the library has added almost every book I submitted using Suggest-A-Title. Mostly these have been new books about social and political issues.

However, I am very distressed that about the proposed cut to service hours at Bennett Martin. Because my work hours are 9 to 6, and because I live in the Near South and work near downtown, and due to the completeness of the collection there, I prefer to use Bennett Martin over any of the branches. If the hours are reduced as proposed I will never be able to use Bennett Martin during the week because it will be closed by the time I get off.

I strongly urge that Bennett Martin be kept open until at least 7 pm so that there would still be time to get to the library during the week.

I would also like to express my displeasure about the Polley Music Library not being open on Sunday afternoons. It’s a wonderful collection but often it is difficult to locate which folio contains a particular piece of music without the assistance of a librarian, and having to go down to the main desk and wait for assistance from a reference librarian is very frustrating. The reference librarians are always very busy because there aren’t enough people staffing that desk—often only one on Sunday afternoons! Previous cuts to staffing hours have already made a very noticeable and deleterious impact on the services the library provides.

Please keep this in mind as you decide about the budget for the library system.

Sincerely,

Susan M. Klima
2335 A Street
Lincoln, NE 68502
susanklima@nebraska.com
Please continue funding for the Stronger, Safer Neighborhood Initiative. This initiative will help us to focus city, private sector and neighborhood resources to address the problems that we are starting to see in this neighborhood - before they become a significant financial and quality of life burden for our community.

Scott Baird
Dear Council Members:

I want to add my voice and wholehearted support of the Stronger, Safer Neighborhoods Initiative. I grew up in the Near South and have watched it change over the years. While there are some positives there, it has mostly been to the detriment of the area and its residents – my parents still among them. Our responsibility to our entire community requires our attention, vigilance and investment where it is needed. I no longer live in the area, but I have seen enough communities who failed to protect their core neighborhoods. Lincoln has avoided some of the pitfalls of other areas, but this is not one we can afford to take a risk with. There are simply not enough resources in the tank to try to take on a more significant re-development effort down the road, possibly necessitated by your action to remove support for Stronger, Safer Neighborhoods. We need to continue our modest investment in programs that can help today and be an additive force for the future. Please take this opportunity to re-affirm your support of our neighborhoods and this program.

Yours in ensuring a bright future for ALL of Lincoln,

Bradley

--

Bradley K. Walker
President and CEO,
nanonation.inc
301 South 13th Street
Suite 700
Lincoln, Nebraska  68508

(402) 323-6260 direct
(402) 770-6266 cell
(402) 323-6268 fax

bkw@nanonation.net
nanonation
Dear City Council:

I don't profess to have all the details, but at least one intelligent, financially savvy person assigned to coordinate all private, public, and non-profit initiatives in the near-South neighborhood makes sense to me. That area is in decay. If we neglect it any more now, we'll pay even more later.

So where to cut? Boy there seem to be a lot of layers within LFD's management hierarchy. I have plenty of other ideas as well. Contact me if you'd like.

I'm sending this merely to reiterate my support for coordinated, imminent efforts to revive the near-South neighborhood.

Best:

John Baylor
Baylor Test Prep
John@BaylorTestPrep.com
402-475-PREP (7737)
7-28-08

Council members,

Please continue support for the Stronger, Safer Neighborhoods Initiative. Regardless of which neighborhood we live in, we are all impacted by the strength of the city as a whole. I encourage you to continue efforts to build upon the progress and commitment to making our city and all of its neighborhoods safer, cleaner and more inviting.

Thanks for your attention.

Dan Lambe

Vice President, Programs

Arbor Day Foundation

402-473-9573

www.arborday.org
I hope this link works.
Marilyn McNabb
IN THE FRAY

If You Build It, the Jobs Won't Come

By MARK YOST
July 17, 2008; Page B9

Washington

Just a few years ago, the corner of M Street and New Jersey Avenue was not somewhere you wanted to be after dark. It was part of Washington's notorious Southeast neighborhood, rife with drugs, crime and poverty. But today, about 30,000 baseball fans flock here 80 nights a year to watch the Washington Nationals play in their new $611 million stadium.

While the neighborhood is certainly undergoing a renaissance, what's uncertain is how much credit should go to the ballpark. It's a question that has been debated countless times before, over other stadiums, but the historical evidence is pretty clear.

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the data to prove it.

Yes, stadiums do create high-paying construction jobs for a year or two. But the vast majority of long-term employment is low-wage concession jobs. A Congressional Research Service study of the Baltimore Ravens stadium found that each job created cost the state $127,000. By comparison, Maryland's Sunny Day Fund created jobs for about $6,000 each.

"Walk a few blocks away from the stadiums and you'll see the net economic impact of both the Ravens' stadium and Camden Yards," said Neil deMause, author of "Field of Schemes," a book and Web site devoted to the false promises of publicly financed sports stadiums. "Both have produced a plethora of pawn shops and dollar stores." A 1998 report by the New York City Independent Budget Office found no "economic rationale for assuming that building any new stadium would itself spur construction of office towers and hotels. Total output resulting from the presence of the teams in the city amounts to less than one tenth of one percent of the economic activity in New York City."

Even the economic impact of the team's highest-paid employees, the ballplayers, is sometimes muted. Many have off-season homes in another city, where they pay taxes on millions. And cities like Cleveland have sued to force visiting athletes pay local income taxes.

Then there's the fact that only a sliver of the tax base really benefits from a sports stadium with ticket prices rising rapidly, that group is getting much smaller.

Consider the New York Yankees, who have the highest payroll in baseball and take in more than $300 million a year just from their television network. They'll move into a new $1 billion stadium next year, about half of which was covered by the taxpayers. Seats behind home that cost $250 this year will be ten times that next year. The net result is that very few of people who paid for the stadium will be able to afford a seat there.

But perhaps the best argument against publicly financed stadiums is straight out of Econ Opportunity cost.

"What else could the city have invested its money in and what kind of a return would it have produced?" said King Banaian, chairman of the St. Cloud State (Minn.) Economics Dept. Despite reams of evidence to the contrary, the District proceeded with what Councilman Kwame Brown calls "the most controversial project in the history of the city."
It was controversial, he said, because the city had more pressing needs. The city's school shambles; crime is out of control; and unemployment in distressed neighborhoods, like Southeast, is double the national average, if not higher.

The city did put strict conditions on building the stadium. For instance, as much work as possible had to go to local laborers and businesses. For the most part, that happened, but contractors were hampered by a lack of skilled laborers in the District. Today, about 68% stadium workers are D.C. residents, and local companies operate about 25% of the conce

During a walk through the neighborhood on Saturday, Councilman Brown, who was orig against the stadium, proudly pointed to the development that has started to transform the blighted neighborhood. The centerpiece is the new Department of Transportation headqu which brings 7,000 people into the neighborhood every workday. And there are $600,000 condos going up, but some of those projects have been stopped by the nationwide down real estate.

Councilman Brown admits that the stadium doesn't deserve all the credit for the turnarou echoing many of his colleagues says, "Without it we wouldn't be anywhere near where we today."

Walking a few blocks to the leafy green Capitol Hill neighborhood, where townhouses at $1 million or more, Mr. Brown says he hopes that one day Southeast will command such prices. He also points to the once-notorious neighborhood around 8th and I streets, where the Marine barracks used to get robbed. Today, the gentrified neighborhood is known as Barracks Row, abuzz with hip young urbanites strolling between local bars, restaurants a small businesses.

In defending the city's decision, Councilman Brown points out that on the same day the Council approved funding for the stadium, it also earmarked $1 billion to upgrade D.C. schools, including $58 million for a new high school for construction trades and architec design. And under terms of the deal, the city expects to see about $40 million a year in re. The smallest portion will come from the team, which is supposed to pay $5.5 million a ye rent. But just this week the Nationals began withholding payments, saying the city had fe "complete" the stadium.

The vast majority of income is expected to come from the same people who financed the stadium: the taxpayers. An estimated $14 million a year is projected from taxes on ticket concessions and merchandise. Another $24 million will come from a new stadium tax on businesses with gross revenues of $3 million or more. Indeed, with the exception of some housing and small businesses that have moved into the neighborhood, the vast majority of "development" in Southeast is nothing more than taxpayer-funded public works projects.

So in the end, what did the taxpayers get other than a bill for $611 million? The Washing National’s Web site advertises jobs for elevator operators, fan ambassadors and security The pay is $7.50-$8.50 an hour.

Mr. Yost is a writer in Chicago.
July 22, 2008

Lincoln City Council
555 S. 10th
Lincoln, NE 68508

RE: Closing of Easterday Adult Day Care

Dear Council Members,

This letter is in regard to the scheduled closing of Easterday Adult Day Care. I have a number of adult patients who have received a great deal of benefit from being involved in the day care activities at Easter Day. I am saddened to learn that this may indeed be closing, because I do feel it meets the needs of a number of our citizens, many of them my patients.

I would strongly encourage the City Council to reconsider this activity. Please contact me if you have any questions or concerns otherwise.

Sincerely,

Michael McCoy, M.D.

mm/pmt#1
July 26, 2008

TO: Jon Camp, Jonathan Cook, Doug Emery, Robin Eschliman, Dan Marvin, John Spatz and Ken Svoboda.

Dear Council Person;

First, I would like to congratulate you for eliminating Mayor Beutler’s ill-conceived $1,000.00 gift to new homeowners.

Second, I now see where Duane Hartman, President of Heartland Homes is lobbying for $3,000.00 grants to people to buy new homes. In discussing this matter with friends, we perceive this to be nothing more than a back door approach to put money indirectly into the pockets of contractors. It absolutely smacks as nothing more than a request for a political payoff. If you have ever received a political contribution from a contractor or organization representing contractors then in my opinion you have a direct conflict in voting for this proposal or anything of a similar nature.

Third, I am appalled at the gymnastics you are going through to try and evade the will of the people as expressed in the recent election. I specifically voted against the bill to authorize 20 year financing for the new jail because I felt it was too long. I do not oppose the construction of a new jail nor ten year financing. With the population of Lincoln increasing and approaching the size where crime becomes a greater problem, another jail expansion will likely be needed before a longer-term bond would be paid. I do not agree with delaying bond payments for our children or grandchildren to meet. I opposed establishing a separate taxing authority to evade existing taxing ceilings.

Fourth, I am not opposed to a limited tax hike providing funds are used for worthy purposes such as improving street and sidewalks that in some cases are actually dangerous, slightly increasing the staffs of the police and firefighting forces or the staffs of public offices. It is also necessary to provide modest increases in salaries and benefits for these dedicated public servants.

I do not remember a time when your actions are being so closely watched by Lincoln citizens. I trust that you will take actions that will keep your approval rating from dipping to the level that congress enjoys.

Sincerely,

H. Eugene Cook
H. Eugene Cook
2200 Larchdale Drive
Lincoln, Nebraska 68506
Dear City Council Members,

Thank you for all the good work you’ve done for your city. And though you’re most likely faced with so many local problems right now, I hope you consider this one to be deserving enough to tackle with lots of compassion:

Did you folks know that in the cities in England there are NO stray dogs on the streets? If they can do it, we can too. But currently, in New York City alone, there are a million stray dogs and half a million stray cats on the streets.* So many scared, helpless, suffering animals trying to find food and water, many dying every day. All because of selfish, heartless people who dumped them out to starve to death. And one unspayed female dog and her offspring can become 67,000 dogs in 6 years.**

Your city’s stray animal problem is surely much smaller than New York City’s. But no doubt there’s room for improvement. Would you be willing to hire more “animal control people” to collect the animals off the streets, then ADVERTISE them in the “Pets” section of the local papers, and on a local TV station? With the ADVERTISING, many thousands of dogs & cats would have loving homes, rather than being put to death by the animal shelters. Few animal shelters put much effort into ADVERTISING. And they often charge high adoption fees, resulting in few being adopted, and most animals being killed.

I know the ads work. My husband and I have found homes for 60 stray dogs with newspaper & trade paper ads saying “Free to a good home...” Is there any possibility that some city tax money could be used to spay the dogs & cats that people choose to adopt? Free pets and free (or low-cost) spaying!! That’s bound to have good results, with the “kill rate” being reduced quite a bit.

Thank you very much. I’m sending this letter to the city councils in 100 of the largest U.S. cities, in hopes that the council members will respond with acts of kindness for those sweet, precious animals. People who care are depending on you. (If you have a chance to e-mail us about any council action on this in the future, we would be very grateful. Thank you!)

God bless you,

Donna Deitz

*Source: “Rural Arkansas,” (Arkansas Electric Co-op Magazine, February 2007, page 13), P.O. Box 510, Little Rock, AR, 72203, e-mail: ocox@aec.com

**from the Doris Day Animal League/Spay Day USA Participant Information Booklet
Dear City Council:

It is alarming to read that there is an increase in poverty and disabilities among our children. We can read the headlines and say to ourselves, "that's a shame." In certain there are root causes to these problems. Treating the effects without getting to the causes will only add to future difficulties.

Mrs. Nancy Ebbs
3710 E
Lincoln, NE 68510

President
Lincoln City Council
555 N. 10th
Lincoln, NE 68508

[Postmark: 25 JUL 2008 PM 1 T]

RECEIVED
JUL 28 2008
CITY COUNCIL OFFICE
LPS achievement test scores hold steady

That's despite the district having more students living in poverty, more with disabilities and more English Language Learners than 7 years ago, when the test was first was given.

BY MARGARET REIST
Lincoln Journal Star

Harley Elementary fifth-graders had a celebration this year, one prompted by the bubbles they'd so judiciously filled in with their No. 2 pencils.

Really, it was a celebration of a lot of hard work. Of daily timed multiplication and division tests, of learning place values to the billions, of mastering fractions and long division and exponents.

And one of the measures of their success? Metropolitan Achievement Test scores that showed a jump from the 52nd to the 78th percentile.

That means that last year, 52 percent of Harley's fifth-graders performed as well as or better than students tested across the country. This year, 78 percent did.

Inside/5A
A closer look at the numbers.

That's an increase teachers Amy Francis and Kristin Chmelka are happy to see.

"We were thrilled," Francis said.

Unlike Harley's 26-point jump, overall district MAT scores showed little change from last year.

"It's basically level performance," said Marilyn Moore, LPS associate superintendent of instruction.

For instance, in reading, third-graders across the district scored in the 67th percentile last year and in the 88th percentile this year. Fifth-graders remained in the 72nd percentile, and seventh-graders dropped from the 66th to 65th percentile.

Math scores were similar: Third-graders remained in the 91st percentile, fifth-graders in the 79th and seventh-graders increased 1 percentile to 74.

The tests, which cover reading, math, science and social studies, are given to third-, fifth- and seventh-graders.

Moore said she's pleased overall scores have been increasing steadily or remaining constant over the years as the student population grows and becomes more diverse.

Today, LPS has more English Language Learners, more children living in poverty and more children with disabilities than it did seven years ago, when the district began giving the MAT test.

And those are all stiff challenges. For those reasons, schools with manyELL and low-income students generally fall into a lower percentile rank.

But, Moore said, the MAT scores also show progress in lowering the achievement gap with some ethnic minorities.

For instance, the gap between composite math scores for white and Native fifth-graders has...
Dear Library Board and City Council,

I urge you to reconsider cutting the hours of the Bennett Martin branch. I work full-time and have a family and the hours of 6 pm to 9 pm on the weekdays are the times I use the library. I visit the library at least once a week and there are always other patrons using this branch including many youngsters in the youth section. Of course the library is slower in the evening because the downtown office workers have gone home but there are those of us who actually live downtown. It is very sad that Bennett Martin is singled out as the only library to have its hours reduced. Closing the library at 6 pm during the week is just another nail in the coffin of our downtown. We need more than just bars and sandwich shops open in the evening. Please reconsider.

Thank you,

Laura Baker
601 S. 18th St #207
Lincoln,NE 68508

****

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****
I am writing to ask that you continue the Stronger, Safer Neighborhoods Initiative. Keeping neighborhoods in the heart of Lincoln strong is vital to our entire community. These inner neighborhoods need the city’s support in order to thrive, and this program is a great beginning.

Many thanks,

Richard Moberly

2600 Rathbone Road
Lincoln, NE  68502
Dear Library Board and City Council,

I am emailing you to ask that you reconsider cutting the hours of Bennett Martin. We live downtown and incorporate a stop at this location when we take our evening walks. Yes, you will be open on the weekends, but some parents who work cannot wait until that time to check out books for their school children. Furthermore, cutting Bennett's week day hours would continue the decimation of the downtown. I know of no city the size of Lincoln whose hours end at 6:00 on a week day. Please reconsider!

Sincerely,

Dr. Al Baker
601 S. 18th St. #207
Lincoln, NE 68508
From: Russell Miller  
341 S. 52  

To: Lincoln City Council  

Copy to: Mayor Beutler  

Subject: Street snow removal, buses and budget  

Hello,  

It is very obvious that the elimination of midday bus operation will have a major impact on a group of Lincoln citizens that have few or no resources to find alternative modes of transportation.  

I urge the Council to restore the bus funding with money taken from the $3 million snow removal budget.  

The streets would be plowed but allow no overtime. In other words, clear the bus routes and arterials first (which would probably consume the employees’ regular work time) and the side streets would be cleared in the following days (if necessary), using less expensive regular time wages. Start at the City center and work out when doing the side streets.  

Russell Miller
InterLinc: City Council Feedback for
General Council

Name: Lindsay Kruse
Address: 2045 D St
City: Lincoln, NE 68502

Phone: 
Fax: 
Email: lkruse@eyecarespecialties.com

Comment or Question:
To whom this may concern:

I am writing today to ask that you not eliminate the stronger, safer, neighborhoods campaign. As residents of the Near South district my husband and I believe in this neighborhood. However, we are just two people in what often feels like an ocean of slum lords and junkies. This campaign offered help from a higher authority to change codes and create an environment that will encourage this neighborhood to prosper. With the beginning of this campaign approx 350 people joined together in the basement of the First Plymouth Church. Obviously, this matter is important to many! So, again I ask that you strongly consider keeping this campaign alive to help rejuvenate one of Lincoln's original neighborhoods!

Thank you.
City Council Members:

Please read the attached letter from the Lincoln Neighborhood Alliance (LNA) regarding the Stronger, Safer Neighborhoods program.

Thank you,
Tracy Corr

iEMAILING FOR THE GREATER GOOD
Join me

- Stronger, Safer Neighborhoods Budget Letter.pdf
LINCOLN NEIGHBORHOOD ALLIANCE

341 S. 52nd Street
Lincoln, NE 68510

July 29, 2008

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

RE: Stronger, Safer Neighborhoods

Dear City Council Members:

The Lincoln Neighborhood Alliance (LNA) strongly recommends the continuation of the Stronger, Safer Neighborhood Program.

Over the previous years, established neighborhoods of Lincoln have endured a number of adverse economic conditions, confronted aging infrastructure and dealt with evolving social conditions. All of these factors point to the need for a focused effort to assure the health and vitality of established neighborhoods.

The Stronger, Safer Neighborhood Program offers us that hope and we encourage the City Council to help neighborhoods attain that goal.

Regards,

Russell F. Miller
Lincoln Neighborhood Alliance Chairman

cc: Mayor Beutler
July 30, 2008

For Immediate Release

Contact Information:
John Wood, Executive Director
Lincoln Airport Authority
Phone – 402.458.2400
www.lincolnairport.com

Lincoln Airport Losing Las Vegas Non-stop Service

Lincoln, NE — The Lincoln Airport Authority has been informed by Allegiant Air that they will be ending their twice a week Lincoln-Las Vegas service. The last flight arriving from Las Vegas will take place on Thursday, September 4, 2008.

Allegiant Air began the Lincoln-Las Vegas service on February 1st, 2006. Allegiant’s passenger loads on these flights have been exceptionally strong. As of June 30th they were up 8% over the same period in 2007. However, Allegiant has stated to the Authority that because of the competitive pressures from low cost carrier operations in Omaha, it has been unable to achieve fares that compensate for the recent significant increase in fuel prices. So despite high loads, Allegiant’s Lincoln-Las Vegas service has become uneconomic.

“I know that the Lincoln citizens really appreciated their non-stop service to a popular recreational destination. It is very disappointing that the recent, rapid increase in the price of jet fuel eliminated their ability to provide the service at a profit,” said John Wood, Executive Director.
Mayor Beutler:

You have done the very best you can with what you had to work with for the City budget! I am proud of you - you are continuing to be one of Lincoln's finest Mayors! Mary Anne Loos
City Council: Mayor Beutler’s budget makes a lot of sense, and I hope you will share that good sense and approve it. Earl

Earl Scudder
Scudder Law Firm P.C., L.L.O.
411 South 13th Street, Second Floor * Lincoln, NE68508
office: 402.435.3223 * fax: 402.435.4239
www.scudderlaw.com * escudder@scudderlaw.com

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**Notes:**
- All figures are in thousands.
- This table summarizes the financial data for a specific project fund for two consecutive years.
- Expenses and revenues are detailed for each year.
You will be reviewing the new budget soon. I want to offer a couple suggestions. As a 38 yr resident of Lincoln I have seen many budgets and I would hope you will give some thought to NOT closing any more public swimming pools and NOT further crippling the Parks and Rec budget. I noted last year when one of the pools were closed it was in an area where most of the people using it were minorities. For sure, don't close those pools. If you want to cut out a pool, try closing the ones in Meadowlane or Highlands areas before the pools in areas where most of the users are minorities. As far as the parks budget. They have taken enough hits in the past years and Lincoln deserves at least the current level of maintenance and development.

You have a tough job to do and I appreciate all of you for your service to Lincoln.

Personal regards
Dick Powell

Richard L. Powell, O.D., F.A.A.O.
3200 "O" Street, Suite A
Lincoln, NE 68510
phone: 402-475-9113
fax: 402-475-8084
email: dp@eyedrpowell.com
www.eyedrpowell.com
Dear Mayor Biersteg

Easter Day Rec center
adds SO much to my life

Otherwise I'd be roaming the city of Lincoln w/o any
thing to do all day. You don't want that. Take my word for it.

When I am at Easter Day
I am learning to walk again
We have outings that allow us
to have fun & learn new things
We eat together as a family. We do crafts at
Easter Day & other crafts

SLOTS
Sir May  7-7-08
Andrew Knopp

Me myself want to keep Easter Day accessible, not only to get out of my apartment. Always something to do, and have friends (aka. our family) and we the Easterday family does several events playing games, hearing lectures and experiences all kinds of things. I know this doesn’t seem to be anything that you believe to be important. But it is. The Day structure really needs to be. It myself am a TBI patient and Handicapped individual who yes I love the Independence but also enjoy seeing people to talk to and associate with and learned several things about myself and others and have been in these programs since my wreck in 2001 in Fla. I had wrecked my best friends Harley on the Interstate.
Dear Mayor Buttler and Whoever it may concern,

I have been going to Easterday Rec Center at both Adams since it first opened. I was one of the first people to start going there when they were lacking for people to join their program. It grew immensely. I found out that this was sometime in 2008. It’s now 2023 and they have a lot of people (mostly disabled) who need something to do during the day and to also be sociable with people who understand them. There are a lot of people (including me) who have been going to daycare enough that it’s like we’ve built enough support to make a family and would be really saddened if you decide to close it. Another question that has come up is “What are people going to do during the day to replace it, if you decide to close it?” Nothing can replace the family atmosphere that we’ve built throughout the years. Going to daycare at Easterday isn’t just a place to just sit around and talk. We play cards, games (both indoor and outdoor), broaden our horizons, give each other support and have one paid outing a month (the unanimous vote wins of where we go). It’s not usually a very expensive outing, we spend what we can afford and if we need help, one of the staff is always willing to help whether it’s with the outing or something or someone else that we have a problem with. The whole time I’ve been coming to Easterday, I have never really felt like people were against me or didn’t care about me as a person, especially when I was having a hard time with my mental illness or just needed to talk; I always felt part of a family at Easterday for as long as I can remember and you would be taking that away from me and everyone else that goes to Easterday. Before you decide to shut down our daycare, you should come out to our center and see what you would be making a lot of people unhappy. You’ve already changed the bus system.

(over)
which sucks, it is also a way I get around Lincoln and now you want to shut down Easterday Recreation Center, which is a place I go to play during the day, twice a week. Don't take that away from people like me too. You would really have a lot of people upset if you shut down Easterday. Changing the bus routes was bad enough, don't make another bad judgement by closing Easterday. I know this is a long letter, but I hope that you can understand my view as a concerned citizen who wants to be heard.

Sincerely,

Elizabeth McCue.
To whom it may concern,

I find it hard to be in programs that they don't appreciate, you and ask you to come. They say find a program that works for you, that don't live up to your expectations. They say programs are a chance of getting more away from the people that have improved. They try to force out the program that would fit for the people. They act kind of sneaky about trying to make it so that they didn't want to do it, but they see they have to work to look to the people. This is for the people.

Rena Tom Kirk
To the Mayor,

I realize that it's hard to get money enough for the program at the two day here in Lincoln. We'll do our best to help keep this program going and if we have to move to another place it would make very happy to have it going.

Thank you for your time.

Friends and Family,

Wayman Douglas
Rover.
Dear Mr. Mayor Beutler:

I am a client that attends the Adult Day Structure Program at Eastend Rec. Center. I have attended this program since October 10, 2003. I had previously been a client of the Madonna Adult Day Services program until that program had been dissolved by a previous Mayor.

I attend Eastend Rec. because I was injured in a car accident on Christmas of 1999 in Lincoln, NE. I suffer from a TBI, which is Traumatic Brain Injury. This program allows me and the other clients to experience a normal life, like going out into the public and shopping. We have a garden, we have activities that allow me to use my Adult brain exercises like lifting weights, ambulations, otherwise I would sit at home and do nothing and have someone come in and care for me. I have lots of friends at Eastend that are just like my family.
IF there is a medical situation we are taken care of immediately.

Why do you feel it necessary to take our great experience away?

Why are you not allowing me to experience a more social and accepting environment where there are individuals with injuries such as mine?

Don't punish us for our shortcomings.

We need the involvement of this program for self esteem, new life experience, acceptance, fitness, healthy lifestyle, normal life experiences.

Now tell me why you would want to take this program away? Why WHY WHY??
A letter to the city council, to see if you can do anything about this.

My understanding is you want us to shut us down because the budget and the money is getting out of hand.

People in wheelchairs need help. We need staff on board. I come here because we have fun. We talk about fitness, nutrition. We like people to bring the dog here, we learn about respecting friends, listen staff and yourself.

I used to work. It was being so quiet. A Easter day we do activities. We do a hike. Sometimes we socialize, we go to the grocery store. They like us that because they make money.

I don't know how the people will deal with this. And I feel important that a lot of times the stuff that we do is involved with the community in helping ourselves. Please don't shut us down.

Friedrich
Tammy Grammer  
Secretary to the City Council,

Dear Ms. Grammer,

The following are comments in support of the Lincoln Lancaster County Health Department Dental Program. Would you please forward this email to members of the City Council before their August 11 meeting.

Thank You,
Michael P Molvar, DDS, MS

To Members of the Lincoln City Council:

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 by 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.

The College of Dentistry has a statewide service agreement with Medicaid and provides
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 in our community.

I encourage the City Council 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

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Michael P. Molvar, DDS, MS
Assistant Dean, UNMC College of Dentistry
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(402) 472-1339
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I. MAYOR -

1. NEWS ADVISORY - RE: Mayor Beutler’s Public Schedule Week of August 2 through August 8, 2008 - Schedule subject to change.

II. CITY CLERK - NONE

III. CORRESPONDENCE -

A. COUNCIL REQUESTS/CORRESPONDENCE - NONE

B. DIRECTORS AND DEPARTMENT HEADS - HEALTH -


C. MISCELLANEOUS -

DATE: August 1, 2008
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831

Mayor Beutler’s Public Schedule
Week of August 2 through August 8, 2008
Schedule subject to change

Monday, August 4
- International visitor from the Vatican - 4 p.m., Mayor’s Conference Room, County-City Building, 555 S. 10th St.

Tuesday, August 5
- Sunrise Kiwanis Club, remarks - 6:45 a.m., Madonna Rehabilitation Hospital (Sheridan Room), 5401 South St.

Wednesday, August 6
- Lincoln Public Schools New Teacher Breakfast, remarks - 7:30 a.m., Embassy Suites, 1040 “P” St.
- Kick-off lunch or Lancaster County Fair opening day, remarks - noon, Lancaster Event Center, 4100 N. 84th St.

Thursday, August 7
- KFOR Morning Show - 7:45 a.m.
SECOND BAT TESTS POSITIVE FOR RABIES IN LINCOLN

The Animal Control division of the Lincoln-Lancaster County Health Department picked up 80 bats for rabies testing between January 1st and July 31st of this year. Of the 80 tested, two were positive for rabies. There was no known human exposure in either case.

Jim Weverka, Animal Control manager said, “We do want the public to be aware of the health threat bats can pose to humans and animals. All dogs, cats and ferrets must receive their first rabies vaccination at 3 months of age and triennially thereafter. It is the best way to reduce your and your pet’s risk of contacting rabies. If left untreated, rabies is fatal.” Lincoln Animal Control urges pet owners to contact their veterinarian and find out when their pet’s rabies vaccination shot needs to be renewed.

Like all mammals, bats can contract rabies, but less than one percent of rabid bats bite humans or other animals. Bats are essential to controlling the insect population, including mosquitoes that may carry the West Nile Virus. To ensure safety, Lincoln Animal Control reminds citizens to never handle or pick up any bat. Stay away from any bat that is lying on the ground or acting strangely. If you find a bat inside your home, confine it to one room if possible, shut the door, and call Animal Control at 441-7900 for removal. If you have had contact with a bat, or you suspect your pet has had contact, contact Animal Control immediately.

During the late summer and fall, it’s not uncommon for residents to find bats roosting in attics or downspouts or flying in their living space. Many older homes can have bats in the attic; owners should contact a professional wildlife management service for removal or exclusion. These animals can squeeze through holes as small as ½ inch in diameter, so place screens over windows that are frequently open and cover any openings in your home or building where bats could enter.

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Dear Council Members:

Once again, a proposal is before you to allow alcohol for certain events in Lincoln parks. It was a bad idea in the past in reference to beer at Pinewood Bowl. And it is a bad idea for any of our park venues.

Nebraska Game and Parks bans alcohol in all its areas, knowing full well it creates enforcement problems. Past councils have said NO.

I strongly urge each of you to listen carefully to the pros and cons, but to say NO again. Thank you for being attentive to this important issue.

Gilbert M. 'Gil' Savery
3621 So. 35th St.
Lincoln, NE 68506
Phone: 489-7556.