IN LIEU OF
AGENDA FOR
DIRECTORS’ MEETING
MONDAY, DECEMBER 29, 2008

I. MAYOR -

*1. NEWS RELEASE - RE: Mayor Beutler Presents Awards of Excellence to Greg Topil and Michael Heyl.

*2. NEWS RELEASE - RE: Tickets Available Friday For City’s Abraham Lincoln Bicentennial Celebration.

*3. NEWS RELEASE - RE: Fallbrook, Highlands Areas To Have Lower Water Pressure For One Week.

*4. City of Lincoln Snow/Traffic Conditions Report - 12/16/08, 6:30 a.m.

*5. City of Lincoln Snow/Traffic Conditions Report - 12/16/08, 8:00 a.m.

*6. City of Lincoln Snow/Traffic Conditions Report - 12/16/08, 10:15 a.m.

*7. NEWS RELEASE - RE: Water Main Break Affecting Goodrich Middle School - South 40th to reopen Thursday after Tuesday break.

**8. NEWS RELEASE - RE: Mayor Beutler’s Public Schedule for Week of December 20 through 26, 2008 - Schedule subject to change (Sent to Council on 12/19/08).

**9. Response Letter from Mayor Beutler to Chair Robin Eschliman - RE: To an anonymous letter on the Lincoln Housing Authority (LHA).

**10. NEWS RELEASE - RE: Mayor’s Statement on LES Deferring March Rate Increase.

**11. City of Lincoln Snow/Traffic Conditions Report - 12/19/08, 5:00 a.m. (Sent to Council on 12/19/08).

**12. City of Lincoln Snow Operations Update for 12/19/08, 8:30 a.m. (Sent to Council on 12/19/08).

**13. City of Lincoln Snow/Traffic Conditions Report - 12/19/08, 4:30 p.m. (Sent to Council on 12/19/08).

**14. NEWS RELEASE - RE: City To Recycle Trees For 22nd Year.

**15. NEWS RELEASE - RE: Lower Water Pressure To Continue In Fallbrook, Highlands Areas.

**17. NEWS RELEASE - RE: Mayor Beutler’s Holiday Message.

II. DIRECTORS -

**HEALTH -


*2. Wind Chill Chart.


**PLANNING -


**PLANNING COMMISSION FINAL ACTION . . . .

**1. Special Permit #08049 - Expansion of nonstandard dwelling (5401 LaSalle Street) Resolution No. PC-01151.

**2. Memo from Jean Preister - RE: Change of Zone #08062.

**3. Special Permit #05046A - Expand area of special permit (Lighthouse - South 26th Street & N Street) Resolution No. PC-01150.

**URBAN DEVELOPMENT/
HOUSING REHABILITATION & REAL ESTATE DIVISION
*1. Plat Vacation #8014 - First addition to Hyde Park.

III. CITY CLERK -

IV. COUNCIL REQUESTS/CORRESPONDENCE -

**ROBIN ESCHLIMAN -

*1. Request to Steve Hubka, City Budget Officer / John Hendry, City Attorney - RE: Public notices costs - RFI#17, 12/01/08. - - 1.) SEE RESPONSE RECEIVED FROM JOHN HENDRY, CITY ATTORNEY ON RFI#17-12/03/08. - - 2.) SEE RESPONSE RECEIVED FROM STEVE HUBKA, CITY BUDGET OFFICER ON RFI#17-12/05/08. (Note: #2 Response listed on Directors’ Addendum 12/08/08.)
V. MISCELLANEOUS -

*1. E-Mail from Gregory S. Nielsen - RE: Lincoln North Creek, requesting response to his questions to Public Works and Planning.

**2. Material from Sonny Emerson, Omni View™ Innovations L.L.C. - RE: Jail designs and financial opportunities. The coming flood of inmates and the permanent financial opportunity the current devastating economic downturn will provide Lincoln the next two years.


**4. E-Mail from Darla Darnell - RE: Growing businesses and the City of Lincoln. Read the City is looking to help people start businesses downtown and do not want other areas overlooked.

**5. E-Mail from Coby Mach, LIBA - RE: Proposing the City implement a hiring freeze immediately.


**7. E-Mail from Jim Cardwell - RE: The ultra-brite led advertising signs.


VI. ADJOURNMENT

*HELD OVER FROM DECEMBER 22, 2008.  
ALL HELD OVER UNTIL JANUARY 5, 2009.
DATE: December 19, 2008
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831

Mayor Beutler’s Public Schedule
Week of December 20 through December 26, 2008
Schedule subject to change

Tuesday, December 23
• KFOR “Lincoln Live” - 11 a.m., Three Eagles Communications, 3800 Cornhusker Highway

Thursday, December 25
CITY AND COUNTY OFFICES CLOSED - CHRISTMAS HOLIDAY

Friday, December 26
CITY AND COUNTY OFFICES OPEN
December 19, 2008

Robin Eschliman
Chairperson
Lincoln City Council
555 South 10th Street
Lincoln, NE 68508

Dear Madam Chair:

The City Council has received a letter dated December 9, 2008 from an anonymous sender concerning the Lincoln Housing Authority (LHA). The letter contains many false assumptions about the Lincoln Housing Authority. As background, LHA is a governmental body created by the City of Lincoln as allowed by state statutes for the purpose of providing affordable housing opportunities for the City’s lower-income citizens. As a governmental subdivision, property owned by LHA is property tax exempt as long as it meets a public purpose.

LHA owns 1,180 units and manages an additional 270 units owned by various non-profit entities with ties to LHA, for a total of 1,450 units owned and/or managed by LHA.

LHA is also responsible for the operation of the HUD Section 8 Housing Choice Voucher program. LHA successfully competed for the various allocations of Section 8 funding allowing LHA to provide rental assistance to over 2,900 very low-income families. LHA does this in partnership with 866 private landlords who are willing to participate in the Section 8 voucher programs. Overall, the Lincoln Housing Authority is responsible for securing and injecting over $14 million dollars of federal funds annually into Lincoln’s economy.

The Lincoln Housing Authority has been a highly successful organization in its provision of decent, safe, sanitary, affordable housing since its inception in 1946. In addition, the Housing Authority has been the recipient of various local, state and national awards and recognition for its many housing accomplishments. The LHA continues to play an important role in making the City of Lincoln a great place to live.

After reviewing the December 9, 2008 letter sent anonymously to the City Council, I wanted to assure the members of the City Council that the assumptions contained in the letter are completely false. Primary among them was the statement that “LHA does not pay a dime of property tax...”. LHA has, since 1998, paid property tax on units it has managed under contract. For 2009, the Lincoln Housing Authority will pay $133,137.78 in property taxes for the 270 mixed-income units they manage. These units (Wood Bridge, Summer Hill, Prairie Crossing, and Crossroads House) were developed under the federal IRS Low Income Housing Tax Credit program. A total of 169 of the 270 units are restricted in their occupancy to families that make less than 60 percent of the area’s median income. The remaining 101 units are rented to “market rate” tenants.

In addition, this past year, the Lincoln Housing Authority made a payment in lieu of taxes of $81,694.05 to the County Treasurer for the 320 HUD Low Rent Public Housing Units owned by LHA. This is in accordance with the Public Housing Cooperation Agreement signed between the City of Lincoln and LHA in June of 1973. Since the start of the public housing program in 1973, LHA has always made an annual payment in lieu of taxes.

For the 466 units currently owned by LHA in the Arnold Heights neighborhood, the Lincoln Housing Authority performs many neighborhood-wide public services in lieu of taxes. The services were agreed to between the City and LHA as a part of the LHA purchase of the former Lincoln Air Base Housing in 1970:

- LHA mows, on a regular basis, 65 acres of public green space.
- LHA mows, on a regular basis, 3.5 acres of public street right-of-way along the west side of NW 48th Street starting at Adams and north to Douglas.
- LHA mows, on a regular basis, a one-half mile long creekbed in the southern portion of the neighborhood.
- During winter, LHA is responsible for snow removal from approximately 9.5 miles of City streets in the Arnold Heights neighborhood.
Outside of the agreement to perform the above services, LHA also financially assists the City and School District with the following activities in the Arnold Heights area:

- LHA provides rent-free use of a converted handicapped-accessible duplex for use as a City library branch.
- LHA provides rent-free space in the Carol Yoakum Family Resource Center for use as a Police Department substation.
- LHA provided $10,000 this past year towards the Parks and Recreation Department’s expanded gym at the new Arnold School.
- LHA financially supports and provides the staff for the Arnold School Community Learning Center.
- LHA provides free space in the Carol Yoakum Family Resource Center to implement various social service activities such as:
  - the Food Distribution program
  - Summer youth programs
  - WIC program
  - Clothing exchange program
  - GED classes
  - Low-income bus passes
  - Cedars Youth Services day care program

As an added note, the 1970 purchase of Arnold Heights by LHA included the Arnold School. LHA deeded the Arnold School and grounds to the Lincoln Public School District at no cost to the School District.

The listing of the many Lincoln Housing Authority partnerships, accomplishments, and contributions to the City of Lincoln outside of the Arnold Heights area are too numerous to state in this communication.

For more information, I encourage you to take advantage of the LHA website at www.L-housing.com. I also encourage the author of the December 9, 2009 letter to openly discuss the concerns with LHA’s Executive Director.

I am sure Larry Potratz, Executive Director of the Lincoln Housing Authority, would be more than willing to address your questions about LHA’s operations directly.

Sincerely,

Chris Beutler
Mayor of Lincoln

c: Michael Nelson
   Gordon Winters
   Larry Potratz
   Jan Gauger
MAYOR’S STATEMENT ON LES DEFERRING MARCH RATE INCREASE

“In August, I called on LES to look closely at all the factors that determine electricity rates before seeking the March rate increase. I want to thank the LES board and administration for their hard work to reexamine expenditures and look for efficiencies. I am very pleased that circumstances and increased internal scrutiny have allowed LES to defer the March increase and ease the burden on ratepayers at a time when many families are struggling because of the economy.”

- 30 -
Council,

FYI - Please see email below. Thanks.

Tammy Grammer
City Council Secretary

----- Forwarded by Tammy J Grammer/Notes on 12/19/2008 08:09 AM -----

Diane K Gonzolas/Notes
To CIC Snow Notification
cc
Subject snow report 5 am

CITY OF LINCOLN SNOW/TRAFFIC CONDITIONS REPORT

A complete voice report is available at 441-7783. This number is for news media use only.

For more information:
Public Works Snow Center - 441-7644
Diane Gonzolas, cell 525-1520, work 441-7831

Date: Friday, December 19, 2008
Time: 5 a.m.

Lincoln woke up to about two inches of ice and icy snow this morning. City street crews have been out plowing since Thursday evening. About 54 units are on the streets now, with two plows and one material spreader on every route. Parking bans are not in effect at this time.

Lincoln Police say roads are passable, but you will need to drive very slowly this morning. Only one accident has been reported since 7:15 last night, and police say the public has done a good job of staying off the roads and staying safe.

Please stay informed on the status of snow operations in Lincoln. Additional information is available on the City Web site at lincoln.ne.gov and in your Windstream phone directory. If you have question, you may call the Public Works Snow Center at 441-7644.
Council,

FYI - Thanks.

Tammy Grammer
City Council Secretary

----- Forwarded by Tammy J Grammer/Notes on 12/19/2008 08:24 AM -----

Diane K Gonzolas/Notes
12/19/2008 08:23 AM

To CIC Snow Notification
cc

Subject 8:30 snow operations update

City crews will begin moving into the residential areas about 9 a.m. Parking bans are not in effect, but residents are asked to move their cars off the streets if possible.

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CITY OF LINCOLN
SNOW/TRAFFIC CONDITION REPORT

A COMPLETE VOICE REPORT IS AVAILABLE AT 441-7783. THIS NUMBER IS FOR NEWS MEDIA USE ONLY.

For more information:
Public Works Snow Center -- 441-7644
Citizen Information Center -- 441-7547

Date: Friday, December 19, 2008
Time: 4:30 p.m.

City Street crews continue their snow removal efforts this afternoon with plowing in residential areas to continue until about 8 or 9 p.m. Plowing in the residential areas will pick-up again at 8 a.m. Saturday morning. From 11 p.m. tonight to 8 a.m. Saturday morning, street crews will engage in a snow blowing operation – the actual removal of accumulated plowed snow – in the downtown area and various small business districts throughout the city.

Parking bans are not in effect at this time.

Lincoln Police Department reports that there have been 26 weather-related accidents as of 4 p.m.

StarTran reports that buses are running about ten minutes late.

Please stay informed on the status of snow operations in Lincoln. Additional information is available on the City Web site at lincoln.ne.gov and on pages 48 and 49 in the blue pages of your Windstream phone directory. If you have questions, you may call the Public Works Snow Center at 441-7644.

- 30 -
CITY TO RECYCLE TREES FOR 22ND YEAR

The City will accept holiday trees for recycling at seven sites through Sunday, January 11. The tree collection sites are:

- Ballard Park, 3901 N. 66th St.
- Oak Lake Park, 1st and Cornhusker Highway, three blocks south of Cornhusker on 1st Street
- University Place Park, 50th and Garland streets
- Holmes Lake Park, parking lot west of the north softball field
- Sawyer-Snell Park, 2nd and South streets, west of the Fire Department Building
- Tierra Park, 29th and Tierra Drive
- Woods Park, 31st and “J” streets, southeast corner of the parking lot

The trees will be chipped, and the chipped material will be made available free of charge to Lincoln residents in late January at the sites listed above. The Public Works and Utilities Department will use any remaining wood chips in its composting operation.

The City Recycling Office reminds residents recycling their trees to remove plastic bags used to transport and put them in trash cans at the recycling sites. All nails, wires and tree stands must be removed.

The City of Lincoln began offering the tree recycling program in 1987 to keep large quantities of trees from going to the landfill. Lincoln’s tree recycling program is the oldest of its kind in Nebraska. In the last 21 years, the City has recycled more than 173,935 trees (about 2,600 tons).

Those with questions regarding the tree recycling program or the City’s recycling program in general, are urged to call the City Recycling Information Hotline at 441-8215 or visit the City Web site, lincoln.ne.gov (keyword: recycle).

- 30 -
LOWER WATER PRESSURE TO CONTINUE
IN FALLBROOK, HIGHLANDS AREAS

Lincoln Water System (LWS) officials today reported that lower than normal water pressure will continue to be noticeable a few more days in the Fallbrook and Highlands areas in northwest Lincoln. Repair and disinfection of a large water main in the area was completed last week on schedule, and officials hoped to restore normal pressure by December 24. However, LWS is still testing the main to make sure it is clean and safe to be placed back into service.

If confirmation is received this week that samples are acceptable, the water main could be back in service with normal water pressure restored before the weekend. If further testing is required, it may be next week until normal pressure is restored.
21 EDUCATIONAL ACCESS TO AIR LONDON PARADE
FEATURING LINCOLN EAST HIGH SCHOOL BAND

When the Lincoln East High School marching band is parading through the streets of London, England New Year’s Day, family and friends back home will be able to watch it live on 21 Educational Access (Time Warner Cable channel 21 in Lincoln). The 23rd annual parade will be sent via satellite beginning at 6 a.m., Thursday, January 1, 2009. The parade will be re-airred on channel 21 numerous times during the month of January.

Bill Luxford, operations manager for 21 Educational Access and 5 CITY-TV, said the channel carried the Lincoln Southwest High performance at the same parade three years ago and the Lincoln High performance last year. He said Nebraska Educational Telecommunications (NET) is again helping with the satellite feed.

The Lincoln East High Band Directors are Lance D. Nielsen and Tom Thorpe. Nielsen said 140 students will march in the parade, and 40 others will accompany the band on the week-long trip.

“Marching in the New Year’s Day Parade is a great honor for our students,” Nielsen said. “We are excited to be representing not only Lincoln East High School, but being ambassadors of Nebraska in this prestigious event. Besides our performance, the students will have the opportunity to visit and learn about many of the historical aspects of London, Windsor and Oxford.”

Beginning Friday, KFOR 1240 AM will provide daily trip updates at about 7:45 a.m. Lincoln residents also can follow the students’ experiences by visiting the Lincoln East Band trip blog at http://eastmarchingband.blogspot.com/.

The parade features more than 10,000 performers from many nations, and about 450,000 spectators turn out in London to watch it. The parade route includes such landmarks as the Parliament building, Westminster Abbey, 10 Downing Street and the National Gallery.

For a channel 21 program guide, visit the City Web site at lincoln.ne.gov and click on the 5 CITY-TV icon.

- 30 -
MAYOR BEUTLER’S HOLIDAY MESSAGE

As Mayor of Lincoln I hereby proclaim
that wonders be counted and blessings be named.
Generosity of spirit and hope still abound
in this caring city, great people are found.

We give thanks for each other, for values we share --
Opportunity, fairness, compassion and care.
In this joyous season, I wish you good cheer.
May you stay safe and warm, with your loved ones near.

Happy Holidays from my family to yours.
PLANNING COMMISSION FINAL ACTION
NOTIFICATION

TO : Mayor Chris Beutler
Lincoln City Council

FROM : Jean Preister, Planning

DATE : December 19, 2008

RE : Special Permit No. 08049 - Expansion of nonstandard dwelling
(5401 LaSalle Street)
Resolution No. PC-01151

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, December 17, 2008:

Motion made by Larson, seconded by Francis, to approve Special Permit No. 08049, with conditions, requested by J. Matt Carlson, for authority to expand a nonstandard single-family dwelling into the required front yard setbacks in order to construct an addition onto the residence, on property located at 5401 LaSalle Street.

Motion for conditional approval carried 7-0: Esseks, Francis, Sunderman, Larson, Partington, Gaylord Baird and Carroll voting 'yes' (Cornelius and 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
J. Matt Carlson, 3400 Crown Pointe Road, 68506
RESOLUTION NO. PC-01751

SPECIAL PERMIT NO. 08049

WHEREAS, J. Matt Carlson has submitted an application designated as Special Permit No. 08049 for authority to expand a nonstandard single-family dwelling into the required front yard setbacks in order to construct an addition onto the residence on property generally located at 5401 La Salle Street, and legally described as:

Lot 12, Block 1, Berge's Addition to College View, Lincoln, Lancaster County, Nebraska; together with the East 30 feet of vacated 54th Street from the South line of La Salle Street extended East for the West line of 54th Street, South for a distance of 172 feet; and the North Half of the vacated East-West Alley abutting thereon;

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 nonstandard 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 J. Matt Carlson, hereinafter referred to as "Permittee", to expand a nonstandard single-family dwelling into the required front yard setback in order to construct an addition to the existing residence 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 permits approves the expansion of a nonstandard single-family dwelling into the required front yards along La Salle Street and South 54th Street as shown on the site plan.

2. Before receiving building permits:
   a. The Permittee shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plat plan including five copies with all required revisions as listed below:
      i. Show the proposed dormers and setback to them from the lot line.
      ii. Show the front setback from the lot line to the existing dwelling.
      iii. Show the setback to the existing dwelling from the west lot line.
      iv. Delete the proposed garage.
      v. Revise the legal description to match the one provided with the special permit application.
   b. Provide documentation from the Register of Deeds that the letter of acceptance as required by the approval of the special permit has been recorded.
The expansion shall meet all other yard and heights requirements of the zoning district.

Before occupying the expansion of the dwelling all development and construction is to substantially comply with the approved plans.

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.

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

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

The foregoing Resolution was approved by the Lincoln City-Lancaster County Planning Commission on this 17th day of December, 2008.

ATTEST:

/S/ Original signed by

Eugene Carroll

Chair

Approved as to Form & Legality:

Chief Assistant City Attorney
Special Permit #08049
S 54th & LaSalle St

Zoning:

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

One Square Mile
Sec. 08 T09N R07E

2007 aerial
Please Note: The associated Change of Zone No. 08062, from R-4 Residential to R-6 Residential, will be scheduled for introduction on the Council Agenda on January 5, 2009, with public hearing January 12, 2009, 1:30 p.m.

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

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PLANNING COMMISSION FINAL ACTION
NOTIFICATION

TO : Mayor Chris Beutler
Lincoln City Council

FROM : Jean Preister, Planning

DATE : December 19, 2008

RE : Special Permit No. 05046A - expand area of special permit
(Lighthouse - S. 26th Street and N Street)
Resolution No. PC-01150

The Lincoln City-Lancaster County Planning Commission took the following action at their
regular meeting on Wednesday, December 17, 2008:

Motion made by Larson, seconded by Francis, to approve Special Permit No.
05046A, with conditions, requested by Lighthouse, for authority to expand the
area of the special permit for Nonprofit Religious, Educational and Philanthropic
Institutions to include the adjacent lot, on property generally located at the
southeast corner of South 26th Street and N Street.

Motion for conditional approval carried 7-0: Esseks, Francis, Sunderman, Larson,
Partington, Gaylor Baird and Carroll voting 'yes' (Cornelius and 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
William Michener, Lighthouse, 2501 N Street, 68510
Richard and Donna McClain, 3235 W. Pershing Road, 68502
Woods Park Neighborhood Association
RESOLUTION NO. PC- 03150

SPECIAL PERMIT NO. 05046A

1 WHEREAS, Lighthouse has submitted an application designated as
2 Special Permit No. 05046A for authority to expand the area of the special permit for
3 Nonprofit Religious Education and Philanthropic Institutions to include the adjacent lot on
4 property generally located at the southeast corner of South 26th Street and N Street, and
5 legally described as:
6
7 Lots 104, 105, 106, and 107 I.T., Lot 4, Cadwallader Place
8 Subdivision, Lincoln, Lancaster County, Nebraska;
9
10 WHEREAS, the Lincoln City-Lancaster County Planning Commission has
11 held a public hearing on said application; and
12
13 WHEREAS, the community as a whole, the surrounding neighborhood, and
14 the real property adjacent to the area included within the site plan for this expansion of the
15 area of the special permit will not be adversely affected by granting such a permit; and
16
17 WHEREAS, said site plan together with the terms and conditions hereinafter
18 set forth are consistent with the comprehensive plan of the City of Lincoln and with the
19 intent and purpose of Title 27 of the Lincoln Municipal Code to promote the public health,
20 safety, and general welfare.
NOW, THEREFORE, BE IT RESOLVED by the Lincoln City-Lancaster County Planning Commission of Lincoln, Nebraska:

That the application of Lighthouse, hereinafter referred to as "Permittee", to expand the area of the special permit for Nonprofit Religious Education and Philanthropic Institutions to include the adjacent lot 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 expansion of said area be in substantial compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permits approves the addition of Lot 4, Cadwallader Place Subdivision to be added to the existing special permit for the Lighthouse. Uses on Lot 4 must be accessory to the Lighthouse.

2. The City Council must approves the associated request Change of Zone 08062.

3. Before receiving building permits:
   a. The Permittee shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plat plan including five copies with all required revisions as listed below:
      i. 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 the Building and Safety Department prior to installation."
      ii. Identify the line shown east of the existing, eastern property line.
Add the General Notes as shown on the original site plan.

iv. Show screening along the south and east lot lines of Lot 4 consistent with the screening shown along the south lot line of the existing special permit.

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

4. Prior to the issuance of a building permit the construction plans must substantially comply with the approved plans.

5. All privately-owned improvements, including landscaping, must be permanently maintained by the Permittee.

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 special permit, provided, however, said 60-day period may be extended up to six months by administrative amendment. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the applicant.
9. The site plan as approved with this resolution voids and supersedes all previously approved site plans, however all resolutions approving previous permits shall 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 17th day of December, 2008.

ATTEST:

/S/ Original signed by Eugene Carroll

Chair

Approved as to Form & Legality:

[Signature]

Chief Assistant City Attorney
Special Permit #05046A
S 26th St & N St

Zoning:

One Square Mile
Sec. 25 T10N R06E

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

Thank you for visiting my web site www.RadialOmniView.com today!

On January 21st, 2009 I will submit a Federal Acquisition Regulations (FAR) 15.6 unsolicited proposal, sole source request to President Barack Obama for a series of four, safe, green, patented, revolutionary and futuristic $377M - 4,250 bedspace industrial federal prisons to be built with zero tax dollars, 100% insured, Taxable and Tax Exempt, IRS Approved, Industrial Development Revenue Bond (IDRB) private funds.

I am aware of what the annual estimated 100% net revenue ($7M - $23M) to each city for twenty years could mean to the quality of life in these great cities and also that the 5,000 high paying Davis Bacon wages jobs in each project will instantly deliver significant economic relief.

Just wanted you to see the difference between Omni View™ PREA Standards Suggestion One (Adult Prisons and Jails) PDF Omni View Innovations (OVI) and Corrections Corporation of America (CCA). Please view the score sheet (see attachment EloyQuartzsite2.PDF) where in 1992 the U.S. Department of Justice, Federal Bureau of Prisons, Office of Procurement & Property Evaluation Team's open competition, PPATHI (my firm) scored 345 points and CCA scored 238.8. Please note under PHYSICAL PLANT, SECURITY AND CONTROL my firm received the maximum of 100 points while CCA received 40 points and Cornell received 60 points for the same category.

My firm was, of course, eliminated by powerful Washington lobbyists as it was too good and thus not within the mediocre competitive range of the CCA and Cornell. Susan K. McAuliffe, Esq. of GAO holds the only remaining information on RFP 200-048-W and Contract Award J200c-097. Under the same RFP award location at Eloy---CCA went on to get a ten year contract with bonuses of one third of a billion dollars ($314,993,831.00). My firm was precluded as it was not in the "Competitive Range".

The proposal I just completed for the Gadiiahi/Navajo Nation showing a Navajo (or other government entity 100% Net 20 year Income) estimated at $23M annually for 4,250 juveniles @ $150 per inmate per day or $7M annually for 4,250 adults @ $50 per inmate per day is available also to any federal agency, city, state, county, parish, town, province or North American Indian Tribe willing to put up just a twenty year contract for 256 Navajo (or other local) inmates only.

As, Leasing Agent/Consultant I arrange 4,000 Lease Inmates needing vocational training and real world paid employment experience from all over North America. Inmates pay victim compensation; $10 per day recidivism reduction retention desistance deposit (R3D2 where if they go three years without any arrest, anywhere for anything they receive double their Trustee escrowed money back as a thank you for not recidivating and thus become stakeholders); rent of $10 per day; medical insurance; family upkeep; savings; commissary, taxes and restitution. Best of all they are bone tired at the end of the day. Tired inmates are, in fact, good inmates!

Available is a $2,500 plus travel and housing, refundable to your City at 100% insured, Tax Exempt, IRS Approved, Industrial Development Revenue Bond Closing advance fee to demonstrate the revolutionary and patented 48 inch working prototype Omni View invention with 8 miniature cameras showing 100% inmate surveillance (modesty in shower, toilet, wash basin combination by frosted glass) zero structural blind-spot inmate...
access areas. I provide sample funding documents and an explanation of how the zero tax dollar, capital construction funding works. At the end of the tax exempt industrial development revenue bond repayment, twenty year schedule, the $377M facility is sold to the City of Lincoln for one dollar. After the twenty year payout for the bond the cities annual incomes will spike by the amount of the former semi-annual IDRB bond repayment amount.

I need a show home facility operated by your Police/Corrections Department, completed and on the ground is why I am willing to share the millions of dollars in Lease Revenue annually for the First Few, First Nation Tribes, or Cities where the economic need is the greatest, to demonstrate the revolutionary zero structural blind-spot Omni View incarceration design's significant cash flow potential and recidivism reducing employment design (5,000 high paying jobs) where both staff and inmates are trained, tested and then paid age appropriate, Davis Bacon wages to manufacture Omni View concrete and steel cells for sale internationally. Your City will also receive a negotiated portion of each Omni View cell's sales price.

Please contact me directly and let us prepare for the coming flood of inmates the current devastating economic problems will inevitably generate. "Give a man a fish, feed him for a day. Teach a man to fish, feed him for a lifetime." Lao Tzu

Thanks,

Carl Sonny Emerson Inventor, Developer, Consultant 303.857.4837 or 303.880.1432

Omni View™ Innovations L.L.C.
720 South Broadway Avenue
Fort Lupton, Colorado 80621

Bad Behaviors Are Virtually Eliminated
By Known 100% TOTAL SUPERVISION™ With Archive
www.RadialOmniView.com
Please visit our web site!

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Never doubt that a small group of thoughtful, committed citizens can change the world. Indeed, it’s the only thing that ever has.- Margaret Mead

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- CorComArticle.pdf
- EloyQuartzsite2.pdf
This Week's Corrections Connection
Thursday | February 7, 2008

EDITOR'S CORNER

There's not a corrections practitioner in the world who wants to be faced with any unknowns in their facility. To be safe they need to know, and see, just about everything that's going on at all times. That was the inspiration behind this week's subject about a facility design that eliminates blind spots. If it can be built, it might be the next great idea whose time has come.

Jim
Editor, Corrections.com

FEATURED STORY

Out, out blind spot
By Ann Coppola
Eliminating the unknown

Somewhere along the way, the word "inventor" lost its cutting edge. What once implied someone imagining futuristic new ideas now brings to mind Thomas Edison hunched over his desk by light of a single burning candle inventing these days might seem like nothing more than a romantic notion, but all it really takes is seeing a need for change and having the guts to do something about it.

"People think that in most jails, inmates are constantly supervised, either by an officer or security camera, but that's just not the case," says Sonny Emerson, a modern American inventor and corrections veteran.

The reason for this, he explains, are "blind spots," or places where inmate activity can take place outside of the view of a security camera or officer. Blind spots can allow suicide attempts, rapes, and other attacks to go unnoticed and undocumented. But Emerson's OmniView jail design, which allows for the filming and archiving of every movement and square inch inside a facility, could be the first invention to eliminate these structural hideaways.

Full Story

READER FEEDBACK

See what readers are talking about.
Let's hear what you have to say.

LOOKING AHEAD

Developing Stories
Upcoming stories on Corrections.com and the Corrections Connection ezine:
- Screening at Intake
- Getting stuck with getting stuck
- U.V.E.M.

Focus Issues 2008

February
Innovative programs and performers in corrections

March
Architecture/Facility Highlights

April
International Flair - Corrections programs around the world
Somewhere along the way, the word “inventor” lost its cutting edge. What once implied someone imagining futuristic new ideas now brings to mind Thomas Edison hunched over his desk by light of a single burning candle. Inventing these days might seem like nothing more than a romantic notion, but all it really takes is seeing a need for change and having the guts to do something about it.

“People think that in most jails, inmates are constantly supervised, either by an officer or security camera, but that’s just not the case,” says Sonny Emerson, a modern American inventor and corrections veteran. The reason for this, he explains, are “blind spots,” or places where inmate activity can take place outside the view of a security camera or officer. Blind spots can allow suicide attempts, rapes, and other attacks to go unwitnessed and undocumented. Emerson’s new OmniView incarceration design, a jail where every movement and square inch is filmed and archived on camera, could be the first invention to eliminate these structural hideaways.

“I’ve invented the only jail that has zero blind spots and constant monitoring of staff and the inmate,” Emerson says. “It is literally 100 percent. For the first time, it allows a continuous record on closed-captioned TV and DVD of what happens to the inmate from the day they arrive until the day they leave. I believe it’s the safest design ever made.”

The origin of the OmniView goes back two decades, when Emerson was running Emerson House in Denver, Colorado, the first minimum security private prison in the United States. That’s when what he calls his “lifelong mission” began.

“Twenty years ago I lost an inmate to suicide,” he explains. “It just crushed me. He was an 18-year old Sioux person that was about to head back to live on the reservation. In his suicide note to me he wrote, ‘I know what life is going to be like when I go back and I can’t face it.’ That just ruined me. I knew a jail with even one blind spot was not a safe jail.”

To completely eliminate blind spots, Emerson started with a simple concept: a circle. Instead of a labyrinth of hallways with turns and corners you can’t see around, the OmniView is a circular jail. If you imagine yourself standing at the center of a circle and turning 360 degrees, you’d be able to see everything around you. That’s where the jail’s “100 percent surveillance” claim begins.

“There is a single control room placed in the center that provides the panoramic “360 degree views” of the entire interior,” Emerson adds. “Six fixed CCTV cameras record the 100 percent surveillance and everything is permanently DVD archived.”


2/10/2008
Circular jails have been built before and exist today, but that is not where Emerson’s claim begins and ends. Looking out from the control center, the officer would see a circular row of cells surrounding him, each one facing the center. In traditional jails, an officer typically has to walk up to the cell and peer into it to see the inmate. In Emerson’s jail, the cells have transparent, glass walls facing the control center, allowing the cameras to capture every move inside.

“All of the walls facing the control center are made from commercial grade glass and are transparent,” he explains. “They get their required security level strength by being fortified by embedded stainless steel aircraft cable.”

Inside the cells there are no blind spots created by furniture or other objects. The beds are vertically arranged in columns of one, two, three, or four, and face the cameras so that even an inmate attempting to hide under his bed will be filmed. The OmniView can hold up to 256 beds for a medium custody facility and 68 beds for maximum custody.

The remainder of the jail’s interior is divided into multipurpose, exercise, dining, and visitation rooms. They are divided by opaque, concrete and steel walls. However, the walls are aligned to the control center in such a way that security camera views into the cells or other rooms are unobstructed. The walls are not seen by the security cameras.
"With all the blind spots gone, if someone tried to commit suicide or harm themselves, what you’d have is an instant response in less than ten or twenty seconds," Emerson says. "I think this design will make it thundertingly clear that in any other facility, people are at risk for a large number of harmful situations."

Emerson debuted the model at the American Correctional Association 2008 Winter Conference, and the presentation was a resounding success.

"The working prototype performed flawlessly and was quite a show and tell, with onlookers up to five-deep sometimes," Emerson says. "We had to borrow some Windex window cleaner to clear the fingerprints off the prototype as visitors were getting so up close and personal."

Among the interested parties were the National Institute of Corrections (NIC), the Federal Bureau of Prisons, and representatives from a Mexico construction firm. The American Jail Association has asked Emerson to bring his model to its May conference in Sacramento. Emerson says the twenty years of blueprints, models, and computer drawings will all be worthwhile if he can see his lifelong dream come true.

"If the day is here when we can actually put an inmate in a facility and know in our hearts he’s not going to be raped or commit suicide," Emerson says, "that will be a life’s work that’s worth it."

Similar to what Edison did in his time with the light bulb, Emerson hopes his OmniView will bring the dark, hidden corners of today’s prisons into the light.

Photography credit: Joshua Tapia

Related Resources:
Watch a video explaining how the jail works
See a comparison of traditional jail designs and the OmniView
Read the latest PREA report

What did you think about this article?
> post a comment
> email the editor

On June 16, 1992 the Federal Bureau Of Prisons (FBOP) awarded an $85,000,000 contract to Private Prisons of America Transitional Housing Incorporated (PPATHI). This contract was the largest single contract ever awarded in private corrections history.

The magnitude of difference/superiority between PPATHI's RFP answer and other offerer's RFP answers is described, in FBOP's own words:

"...... the technical scoring took into consideration seven non-price related factors for this evaluation. Staff Qualifications, Training, Capability and Experience was one of the seven factors and it was valued as the second highest criterion..... PPATHI was ranked very high in this area..... it appears that on the evaluation grid that PPATHI may have received award even if it had gotten no points for this criterion......."

FBOP's own words, taken from a letter dated June 16, 1992 to losing RFP offerors, (Including Corrections Corporation of America Inc.) states:

"The RFP was provided to 154 contractors and resulted in eight offers being received ... PPATHI offered a technically superior program at a lower man day rate."
U.S. Department of Justice
Federal Bureau of Prisons
Office of Procurement & Property
320 First Street, N.W.
Washington, D.C. 20534

Frank B. Powell, President

Attn: Frank B. Powell, President
915/682-6852

PPATHI (Private Prisons of America, LTD, Inc.
& Transitional Housing, Inc.)
731 West Wadley, Building M
Midland, Texas 79705

Bonnie Sinsel, Contracting Officer
(202) 514-5439

10. SUBMIT INVOICES
[See Block 20c]

15A. ITEM NO. 15B. SUPPLIES/SERVICES

1. Provide detention services for male Federal offenders (BOP prisoners & INS detainees) in accordance with RFP 200-048-W; Amendments 1, 2, 3, 4, 5, 6, & 7; May 1991 SOW; Proposal dated September 17, 1991; (Cont’d on Attach. OP-336)

15G. TOTAL AMOUNT OF CONTRACT $42,726,900.

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**TOTAL SCORE:** 345
NOTICE OF CONTRACT AWARD FOR THE MANAGEMENT AND OPERATION OF THE SOUTHWEST DETENTION FACILITY

The Federal Bureau of Prisons (FBOP) has awarded a contract for the management and operation of a contractor-owned/contractor-operated secure corrections/detention facility in the Southwestern United States. The contract has been awarded to Corrections Corporation of America (CCA) for performance in Eloy, Arizona.

The Request for Proposal (RFP), issued in October 1997, called for a facility to accommodate 500 FBOP sentenced inmates and 750 Immigration and Naturalization Service (INS) non-sentenced detainees. The contract contains a provision to increase the INS population up to 1,000 detainees. The facility was required to be located within a 25 mile radius of Interstate Highway 10 in the state of Arizona. The facility is a designated hearing and release site for offenders participating in the Institution Hearing Program (IHP). The IHP is a coordinated effort between the FBOP, INS and the Executive Office for Immigration Review to provide deportation, exclusion or removal proceedings for alien offenders.

The potential term of the contract is 10 years encompassing a three year base period and 7 one-year options. The contract price for the 10 year period is $314,993,831.00, excluding the potential award fee.

A total of 37 prospective offerors were solicited. Three proposals were reviewed. However, one proposal was excluded from the competitive range.

# # #

REL: 98-4
CCA Spent $2.5 million on Lobbying Federal Government in 2007
Mon, 03/03/2008 - 17:03 — Bob

Via the T. Don Hutto blog, Forbes has an article detailing that Corrections Corporation of America, operator of many private prisons in Texas including the T. Don Hutto family prison, spent a whopping $2.5 million lobbying the federal government in 2007. This amount is on top of the $180,000-$235,000 that CCA spent lobbying in Texas in 2007.

According to the article, the lobbying came in three major areas: 1) lobbying to privatize the Bureau of Indian Affairs prison system, 2) lobbying against the Public Safety Act which would outlaw private prisons, and 3) lobbying against the Private Prison Information Act which would give the public the same access to private prison information as public prisons.

In addition to lobbying Congress, CCA lobbied the Bureau of Indian Affairs, the Department of Homeland Security, the Department of Justice and other federal agencies. Homeland Security and DOJ are big targets for private prison corporations because they hand out lucrative federal detention contracts, which have become a boom industry for private prisons as the immigration law becomes more punitive.

The article goes on to list some of CCA's lobbyists who include such well-heeled folks as:

- Bart VerHulst, previously chief of staff for former Senate Majority Leader Bill Frist, R-Tenn.;
- Mike Quinlan, former director of the Federal Bureau of Prisons; and
- Gus Puryear, previously counsel to Frist and an adviser to Vice President Dick Cheney.
Dear Mayor: RE: 30th and Stephanos Proposal

I am writing about a situation that could definitely have resulted in my hitting 1 and possibly 2 young men who were parked along the curve of 30th and Stephanos last fall.

I was driving at around 15 mph around the curve, because both sides of the street had parked cars (these young men play some game, Frisbee Golf I believe, and do not park in the parking lot that is at the other end of the park and walk to this area). If I had not been driving so slowly, someone would have surely died.

First, a young man dashed out between two cars parked on the left right in front of me, saw me, and dashed back as I swerved to nearly hit the cars parked on the right side of the street, while hitting the break. Then, just as I was starting up again, completely freaked out over what had almost happened, a car door flew open right in front of me on the right side of the street!!!! This time I was just starting up again and slammed on my breaks to stop before hitting the boy who was flying out of the car right in front of me!!!!

Needless to say, every time I drive around that curve in good weather I feel such a dread of something like that happening again with all the cars parked on both sides around the curve.

I understand that there is a request to prevent parking on either side of the street around that curve. Since the city never maintains this area in bad weather, and it is a solid ice rink for these last few days and no doubt continuing for the rest of the week at least, that would be a good way to prevent accidents and deaths at this spot, summer and winter.
Another way to prevent what almost happened to me would be to put a curb cut and drive to a newly created parking area. This was the area that had a dirt road in to the work area when the flood control work was being done a short time ago, and there would be space for a smaller parking area at this point that should not interfere with park usage. I doubt whether these young men will stop parking as near to their game area as they can, so hopefully any area of no parking will cover quite a large part of this curved street.

In any event, something must be done if anyone cares about a most hazardous area such as this.

Sincerely,

[Signature]

Mrs. Robert Mercier
RMercier2283@yahoo.com

[cc: City Council]
InterLinc: City Council Feedback for General Council

Name: Darla Darnell
Address: 2010 S 13th St #4
City: Lincoln, NE 68502
Phone: 402-601-0904
Fax:
Email: ddarnell_2000@yahoo.com

Comment or Question:
My name is Darla Darnell, my boyfriend and I opened a new business at the Indian Village Shopping Center at 13th and Arapaho. Shortly after we opened our doors in August, we were informed of the possibility of Open Harvest moving into the spaces next to our shop. A real boon to this location, it would draw in other businesses that would present an opportunity for new jobs for businesses including ourselves.
We were able to start this business due to an unfortunate accident, and a settlement was made available. While we are not in debt, we are finding ourselves in a position of concern, basically, it took a lot more than projected to make this happen.
Now we find out Open Harvest may not be able to proceed with plans, as they are finding it very difficult to find funding for a much needed move. They hope to have more space, better parking and much needed visibility to improve and grow their business. This would not only help them, but the city of Lincoln to maintain a good outlook on the economic situation at present. Truthfully, while this will help us personally, overall, it will enhance the well-being of Lincoln as a whole.
Our business will grow, other business owners will see a growth as well, and thereby enabling them to possibly offer more employment opportunities.
In the Journal Star newspaper, I read the city is looking to help people to start new businesses downtown and help them to grow. While this is a very good thing, I only hope and pray other areas are not overlooked especially in situations such as myself.
Honestly, had I known some of the things I was made aware of after signing a two year agreement, I wonder if I could have made a more informed decision. The owner of this location hasn't been the most forthright about the conditions and maintenance. The roof is in sad repair, he told us, "not to my knowledge", when asked, he also shakes his head, and claims "he just doesn't understand it." Frankly, it takes call after call to get him to even return calls. Now we are informed,(not by him) that the strip mall is for sale, has several leans, and he is going through a divorce. To even "forget" to tell a person these things is reprehensible. I was told by an attorney, which I cannot at this time afford, that even though some of the claims are in writing there isn't a lot I can do. Because it would be his word against ours, and they conflict with the written!
Several thousand dollars were put into this business, and now it may be for naught! This is my dream, to help out our city, to help the community by being a role model for people who want to dream, dare to hope and need encouragement to reach for the stars in their endeavors to live life as they think just might be possible.
To help bring people together, one person at a time, hopefully bringing back a sense of community. I wasn't counting on Open Harvest to be here, I just figured it was an added bonus. I hope to continue on, no matter what. At the least, this whole area should be renovated, updated, and Open Harvest should have help with moving and remodeling. Please, help them find a way to grow.

Sincerely,
Darla Darnell
Owner, Operator
Here and Back Again
3219 S 13th St
Lincoln, NE 68502
To: Mayor Chris Beutler
   Lincoln City Council Members
   Lancaster County Commissioners
   LES Administrative Board
   Lincoln Board of Education

From: LIBA Board of Directors

Date: December 23, 2008

Re: Mid-year Budget

Thank you for doing all that you can to hold the line on taxes.

We would like to propose, well before your budget discussions, that each of you—Mayor Beutler, City Council Members, County Commissioners, LES Administrative Board, and Lincoln Board of Education—implement a hiring freeze, effective immediately.

Our public employees are valuable members of the community. To protect them, and prevent possible future lay-offs or job elimination in an uncertain economy, we encourage the proactive consideration of a hiring freeze. Mayor Beutler had successfully used a hiring freeze the past two years to help control the city budget.

The current economic climate suggests that taking care of our current employees, while serving tax-paying constituents by minimizing labor costs, would be sound policy. We do recognize however, that if an extenuating circumstance arose where you must fill a key position, such an exception would be understandable.
We hope all public managing bodies will choose to implement a hiring freeze. We also hope that such a freeze, if affected, would not signal a growth in consulting costs. This is a time for austerity. Relying on our ample expertise found within our current public staff seems a sound approach.

Thank you for your consideration. As always, we appreciate your efforts toward finding government efficiencies.

Coby Mach
For the Board
City Council Members:

LES will not be seeking the 4% rate increase we had previously forecast for March 1, 2009. We have had several positive things occur on the financial side, both in 2008 and in our 2009 financial forecast. Last Friday, the LES Administrative Board approved a transfer of up to $1.5 million from 2008 net revenues into the Rate Stabilization Fund. This will put the year-end balance in the fund at slightly less than $4 million. This is possible due to softening of the natural gas and wholesale energy markets, Administrative and General expense reductions of about $1.2 million, and a short term increase in income from a fuel transportation capacity release (natural gas) equaling $1 million. With the transfer into the rate stabilization fund, LES will maintain debt coverage of 1.82 for 2008.

Lincoln Electric System 2009 forecasts have been updated (as is done every year) to include more current information regarding anticipated 2009 power and operating costs. The modeled forecast indicates that LES should be able to maintain a Debt Coverage of 1.84, assuming that no significant changes occur. This level of performance can be achieved by reducing the planned rate stabilization injection from $4 million to $2 million (due to the 2008 injection of $1.5 million) and defer the planned 4% rate adjustment scheduled for March 1, 2009. Contributing factors include:

- A continued short term increase in income ($1.6 Million) from fuel transportation capacity release;
- Reduction of planned expenditures ($2 million) for energy purchased and produced due to shortened maintenance schedules;
- Reduction of planned rate stabilization by $2 million due to injection in 2008 (retaining $2 million injection in 2009 plan); and
- Administrative Board directed reduction in 2009 salary allocations of $225,000.

The impact on the revenue and expense statement, based on the financial model run, illustrates the net change. The variance in City Council approved 2009 Budget and the updated financial model shows a reduction in forecast revenues of $6.9 million, expense reduction of $4.3 million, a net variance of $2.5 million. By reducing the rate stabilization by $2 million, the balance can be managed within the reduction of debt coverage from the planned 1.86 to a new forecast of 1.84.

These financial management efforts are in alignment and compliance with LES’ three primary financial goals of maintaining debt coverage, reducing debt equity ratios and building the rate stabilization fund levels which protect LES’ financial integrity and liquidity levels.

While the current forecast does not indicate the need for a 2009 rate increase, the possibility of a rate increase in 2009 cannot be completely eliminated. The LES Administrative Board acknowledges that significant changes in the assumptions outlined above or other contingencies could necessitate the need for some increase in 2009. The LES Administrative Board will closely monitor costs and market trends throughout the year to
evaluate the adherence to the plan. We will provide quarterly updates on our financial status to the Mayor and City Council.

If you have any questions, please contact me.

The LES Administrative Board and staff wish you all a happy holiday season!

Sincerely,

Shelley R. Sahling-Zart
Vice President & Assistant Counsel
Lincoln Electric System
Ph. (402) 473-3204
Fax (402) 475-9759

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InterLinc: City Council Feedback for General Council

Name:     Jim Cardwell
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City:     Lincoln, NE 68526
Phone:    402-488-8664
Fax:
Email:    thecardwells@windstream.net

Comment or Question:
Is anything being done to control the ultra-brite led advertising signs that are starting to show up? We had problems with huge billboards before, and now this. Can you watch what problems cities on the coasts are dealing with and be pro-active?
December 23, 2008

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

RE: Request for creation of special assessment districts

Dear Robin & Council Members:

On behalf of numerous property owners in the area lying east of North 56th Street, from salt Creek to I-80, we request the creation of five special assessment districts for installation of water lines and one special assessment district for installation of sanitary sewer lines. Many of the property owners in the area have been working toward annexation and obtaining city utility services for nearly 15 years.

Now that the trunk sewer has been extended, and water mains constructed (or under contract for construction) which are capable of serving this area, we believe that the area is ideally suited for special assessment district financing. We have discussed the matter with the Public Works Department, and there is agreement that the special assessment districts would be the appropriate means of accomplishing utility service to this area. We have also requested, pursuant to the existing Redevelopment Agreement, that to the extent Tax Increment Financing is available, it be used to pay off assessments which are outstanding when (and if) sufficient tax increment is available, in accordance with the priorities for such fund set forth in the Redevelopment Agreement.

Enclosed are aerial photographs of the area to be served pursuant to the proposed special assessment districts. Engineers employed by the property owners have laid out the proposed alignment and size of the lines. If additional information necessary to formal creation of the districts, such as parcel ownership, existing easements, easements which will be voluntarily conveyed, etc. is needed or desirable by Publics Works, we will provide it. The owners who attended the most recent meeting to discuss this request were in general agreement that the costs should be assessed based upon the acreage of individual parcels served.

Please expedite this request. This area with its excellent accessibility and visibility, has the potential to attract new investment to Lincoln. Thank you for your consideration.

Sincerely,

Mark A. Hunzeker
For the Firm
mhunzeker@baylorevnen.com

cc: Steve Masters
Dennis Bartels
All Property owners

058384-000010/letter/266374/D2/12.23.08/ame