IN LIEU OF
DIRECTORS’ MEETING
MONDAY, MAY 25, 2009

I. CITY CLERK
   1. Mayor Beutler’s veto message on Ordinance No.19268. Amending Section 4.20-010 of the Lincoln Municipal Code relating to the Board of Directors of the Library Board of the City of Lincoln.

II. CORRESPONDENCE FROM THE MAYOR & DIRECTORS TO COUNCIL

PRESENTATIONS: None

MAYOR
*1. NEWS RELEASE. Mayor Beutler presents April Award of Excellence to Officer Steven Wiese.
*2. NEWS ADVISORY. Mayor Beutler will announce priorities for federal energy stimulus grant at a new conference on Tuesday, May 12th, 1:45 pm at the International Quilt Study Center and Museum, No. 33rd and Holdrege Streets. (Sent to City Council Members on 05/11/09)
*3. NEWS RELEASE. Mayor outlines priorities for energy stimulus funds.
*4. Drinking water samples tested for total Coliform and E. Coli bacteria by the Colilert® method of analysis.
*5. NEWS RELEASE. Public invited to annual zoo event.
*6. NEWS RELEASE. Phoenix Awards to be presented May 19, 2009.
*7. NEWS RELEASE. City receives two awards for workplace safety.
9. NEWS RELEASE. Mayor’s arts awards reservations due May 26, 2009.
10. Lin Quenzer, City Ombudsman, response to Frank Oslzly. (IV. Correspondence to Council, #7. (This was responded to by email, hard copy letter and also the Action Center under the Mayor’s Department and City Council)
11. NEWS ADVISORY. Mayor Beutler and City Parks and Recreation representatives will hold a news conference at 10:00 am, Thursday, May 21, 2009 at the Trago Park shelter, 2032 “U” Street regarding initiatives for the Parks and Recreation Department and a new AmeriCorps project. (Forwarded to Council Members at 8:00 am on 05/21/09)
12. NEWS RELEASE. City awarded major stimulus grant for environmental initiatives.
13. NEWS RELEASE. Parks and Rec unveils new communication and volunteer initiatives.
14. NEWS RELEASE. “Taking Charge” budget discussion now available for viewing.

DIRECTORS

FINANCE/TREASURER
1. Monthly City Cash.
HEALTH DEPARTMENT
*1. NEWS RELEASE. Lincoln and Lancaster County Environmental Leadership Awards Ceremony to be held on Thursday, June 4, 2009.

CITY LIBRARIES
*1. Lincoln events planned at library; Abraham Lincoln: Self-Made in America.
*2. Lincoln City Libraries and the Asian Community and Cultural Center celebrate Asian/Pacific Heritage Month.

PARKS AND RECREATION
1. Director Johnson’s memorandum on the hours of operation of Woods Pool for the summer of 2009.
2. Lynn Johnson’s response to Ms. Donahoo (IV. Correspondence to City Council, May 11, 2009)

PLANNING DEPARTMENT
*1. Corrine Kolm email supporting the proposed comprehensive plan amendment which supports programs to increase the sustainability of Lincoln and promoting public wellness.

PLANNING COMMISSION

PLANNING COMMISSION FINAL ACTION

PUBLIC WORKS/ENGINEERING
*1. Response to Jay Endicott ( IV - Correspondence to Council, #5, May 18, 2009) from Thomas Shafer, Engineering Services Manager, providing information on condition of Fletcher Avenue.
2. Engineering Services Manager Thomas Shafer’s reply to Jay Endictott (IV- Correspondence to Council, #10, May 25, 2009) regarding road conditions of Fletcher Avenue received on Monday, May 18, 2009.

WEED CONTROL AUTHORITY
*1. Combined Weed Program, City of Lincoln, April 2009 monthly report.

III. COUNCIL RFI’S & CITIZENS CORRESPONDENCE TO INDIVIDUAL COUNCIL MEMBERS

JON CAMP
*1. Correspondence to Mayor Beutler regarding EMS, Inc’s Request for Proposal. (RFP)
ROBIN ESCHLIMAN

*1. Request to Fred Hoke, Building & Safety Director - RE: Assist the neighborhoods with problems such as graffiti, snow removal, etc. (RFI#20 - 04/09/09)

*2. Correspondence from Burma Kroger regarding library board terms.

IV. CORRESPONDENCE FROM CITIZENS TO COUNCIL

*1. Letter Derrick Anderson, MD, President, Lancaster County Medical Society Board regarding concerns over decision to consider eliminating EMS, Inc. as the independent organization to provide medical oversight for pre-hospital providers in our community. (City Council Members received individual letters on May 11, 2009)

*2. Faxed letter from Dave Scheffler to Council Members. Do not vote to close the library on 27th and South Streets.

*3. Kathy McKillip’s email on Library Board terms.

*4. Email from Mary Pat Miller, Save the South Branch Library.

*5. InterLinc correspondence from Jay Endicott. Concerned with road condition on Fletcher Avenue from 56th to 70th Streets.

*6. Pamela Starr email regarding keeping the South Branch Library open.

7. InterLinc correspondence from Frank Oslzly of Brooklyn, New York

8. InterLinc correspondence from Carol Thompson on keeping the South Branch Library open.

9. Letter from Kate Dvorak, student, requesting the South Branch Library be kept open.

10. InterLinc correspondence from Jay Endicott requesting attention to Fletcher Avenue from 56th Street to 70th Street.

11. Email from Janis Johnson with concerns that eventually the Meadow Hights pool will be closed.


13. Letter from Shiro Noiri, President of Kawasaki Motors Manufacturing Corporation, U.S.A., informing Council of his acceptance of a new assignment in Akashi and announcing his successor in Lincoln as Mr. M. Asano.

V. ADJOURNMENT

* Held over from May 18, 2009.
May 21, 2009

Doug Emery
Chair
Lincoln City Council
555 S. 10th Street
Lincoln, NE 68508

VETO MESSAGE – Ordinance No. 19268. Amending Section 4.20-010 of the
Lincoln Municipal Code relating to the Board of Directors of the Library Board of the
City of Lincoln.

Dear Chair Emery and Members of the City Council:

I am writing regarding the proposed Library term change Ordinance No. 19268
passed by the City Council on Monday, May 18th. I have chosen to veto the proposal.

I offer my veto reluctantly because I agree with Ms. Eschilman’s intent to limit the
number of years served by Library Board members. Although the Board’s practice is
to allow only one seven-year term, the current ordinance is not clear. I supported the
compromise amendments offered by Mr. Cook that would have clarified the
limitation provision or allowed more time to examine the issue.

The Library Board is unlike other Boards and Commissions of the City. It is given
the responsibility for managing a $7.5 million budget with its own property tax line.
The Library Board implements and oversees library policy, including issues dealing
with content and access. According to several current and former Board members
from whom I have heard, the seven year term is important in protecting the Board’s
independence. The longer term ensures that library issues are not unduly influenced
by political considerations. I believe a one term limitation would bolster that
independence.

I am asking the Library Board to examine immediately the current ordinance and
make recommendations on how the Board term ordinance might be changed to
support the Library Board’s mission on behalf of the citizens of Lincoln and, at the
same time, provide additional opportunity for more people to serve on the Board.

I look forward to working with the City Council on the recommendations that emerge
from the Board’s review.

Sincerely,

Chris Beutler
Mayor of Lincoln
MAYOR'S ARTS AWARDS RESERVATIONS DUE MAY 26

Reservations are due Tuesday, May 26 for the 31st annual Mayor's Arts Awards the evening of Wednesday, June 3 at the Lied Center for Performing Arts. The Lincoln Arts Council (LAC) presents the awards to formally recognize artistic contributions and achievements in the Lincoln area. Event sponsors are Union Bank and Trust Company; Donna Woods; JP and Nelle Woods Jamison; Hank and Cynthia Woods; and Tom and Marcy Woods.

The event begins at 5:30 p.m. with a reception, and the awards begin at 7 p.m. Tickets are $50, and reservations are required. Checks can be sent to LAC, 920 “O” Street, Lincoln, NE 68508. More information is available by calling 434-2787 or on the LAC Web site at www.artscene.org.

The honorees:

- The **Arts Organization Award** will be presented to the **Lux Center for the Arts**. The award recognizes an arts group that has made significant contributions to Lincoln's arts community over a period of years and is sponsored by Runza.

- The **Artistic Achievement Award - Visual Arts** will be presented to wildlife artist **Cliff Hollestelle**. The award recognizes excellence and accomplishment in any of the visual arts and is sponsored by Bob and Marilyn Harris.

- The **Artistic Achievement Award - Performing Arts** will be presented to **Lincoln's Symphony Orchestra**. The award recognizes excellence and accomplishment in any of the performing arts and is sponsored by Farmers Mutual Insurance Company of Nebraska.

- The **Gladys Lux Education Award** will be presented to **Sandra Williams**. The award recognizes special initiatives in or dedication to arts education and is sponsored by the Gladys Lux Foundation.

- Two **Heart of the Arts Awards** will be presented this year to **Anne Pagel** and **Diana Warner**. This award recognizes individuals or organizations for outstanding volunteer dedication to the arts or for making a major overall impact on the arts in Lincoln. The awards are being sponsored by Talent Plus and Lucy Buntain Comine in memory of Anne Buntain.

- The **Halcyon Allsman Benefactor of the Arts Award** will be presented to **Steve Wake and Linda Esterling**. The award honors an individual, family, organization or business making significant financial contributions to the arts in Lincoln and is sponsored by Wells Fargo Bank.
The Oliva “Arts for Kids” Award will be presented to the Malone Center for its “My World, My Dreams” Summer Art Academy. The award honors an individual or organization from outside of the arts professions whose leadership has enhanced arts activities and experiences for children. It is sponsored by the Giacomo and Dorothy Oliva Family.

The Literary Heritage Award will be presented to the late Robert Knoll. The award recognizes a writer or individual who promotes excellence in writing and literature in Nebraska and is sponsored by the Nebraska Literary Heritage Association.

The Larry Enersen Award, which recognizes outstanding urban design in Lincoln, will be presented to two projects. The Harris Overpass is being honored as a public project, and Liberty Village is being honored as a private project. The award is sponsored by Clark Enersen Partners.

The Mayor's Choice Award will be presented to Kiechel Fine Art. The award is sponsored by Cline, Williams, Wright, Johnson and Oldfather, L.L.P.

The Kimmel Foundation Award will be presented to Jenni Brant and Erika Navarrete. The award recognizes visual artists and includes two-week residencies at the Kimmel Harding Nelson Center for the Arts and a $1,000 stipend.

Except for the Literary Heritage, Larry Enersen and Mayor's Choice awards, honorees are selected by a panel of arts professionals. This year's award is a metal sculpture created by Adam Loman of Play Creative.

The public is encouraged to submit names of members of the Lincoln arts community who have died since the last awards ceremony in June 2008 for memorial recognition at the awards event.

(WINNERS' PHOTOGRAPHS ARE AVAILABLE BY CONTACTING LAC AT 434-2787.)
Lin Quenzer  
Ombudsman  
Office of the Mayor  
City of Lincoln, Nebraska  
555 South 10th Street, Suite 208  
Lincoln, NE 68508  
lquenzer@lincoln.ne.gov  
402.441.7511

-----Original Message-----
From: Lin Quenzer  
Sent: Wednesday, May 20, 2009 2:34 PM  
To: 'frank.oslzly@gmail.com'  
Cc: Council Packet; John V. Hendry; Rick D. Hoppe  
Subject: Complaint Response  

5-20-09

Frank Oslzly  
frank.oslzly@gmail.com

Mr. Oslzly:

Neither the Mayor, nor City Ombudsman nor City Attorney nor the City Council has jurisdiction over the issues you presently wish to have addressed.

The City Ombudsman could find no basis to support your allegations that the City of Lincoln did not properly respond to your report of physical abuse by your father in 1994. An abuse report was taken by the Lincoln Police Department (LPD) on May 12, 1994 while you were at the Lancaster County Juvenile Attention Center. LPD made a full investigation and the report was sent to the County Attorney; Case # 94-049883, for prosecution, as appropriate.

When you contacted the Lincoln City Ombudsman on 4-1-2009, you were informed of this and that you must secure a court ordered subpoena to obtain these or other court documents related to your juvenile record. Your demand for an Internal Affairs investigation for events that happened in 1994 was made out of time, as you were informed by LPD.

Sincerely,

Lin Quenzer  
Ombudsman  
Office of the Mayor  
City of Lincoln, Nebraska  
555 South 10th Street, Suite 208  
Lincoln, NE 68508
DATE: May 20, 2009
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831

Mayor Chris Beutler and representatives of the City Parks and Recreation Department will have a news conference at 10 a.m. Thursday, May 21 at the Trago Park shelter south of the Malone Community Center, 2032 “U” Street. There will be two topics:

- New communications and volunteer initiatives for the Parks and Recreation Department.
- A new AmeriCorps environmental project funded with a competitive grant awarded to the City through the American Recovery and Reinvestment Act.
CITY AWARDED MAJOR STIMULUS GRANT FOR ENVIRONMENTAL INITIATIVES

Mayor Chris Beutler announced today that the City has been awarded $261,985 in federal funding to hire 24 AmeriCorps members to work on environmental projects in the community. The Recovery Go Green initiative is led by the Lincoln Parks and Recreation Department and funded through the American Recovery and Reinvestment Act, with program support provided by ServeNebraska, Nebraska Volunteer Service Commission.

“This is the first stimulus grant awarded to our City on a competitive basis,” said Mayor Chris Beutler. “These funds will allow us to provide a variety of programs focusing on energy and the environment – programs that will have a positive long-term impact in our neighborhoods. I want to thank and congratulate Lincoln Parks and Recreation and its partners agencies for developing a successful proposal to put these funds to work in our community.”

City agencies involved in the project are the “F” Street Recreation Center, the City Forestry Division, the Stronger Safer Neighborhoods Initiative, the Recycling Office, the Lincoln Area Agency on Aging and the Lincoln-Lancaster County Health Department. The City's new “Cleaner Greener Initiative also will be involved. Other partners include the Downtown Lincoln Association, Community Learning Centers, the UNL Extension Office, the Red Cross, Special Olympics and Community Crops. Nebraska agencies include State Forestry and the Game and Parks Commission, and ServeNebraska will provide State administration of the federal funds.

The federal funding will be matched with $123,070 in funding and in-kind services from the City and its partners. The funds will be used to hire 16 full-time and eight part-time AmeriCorps members to work at City and partner sites. Projects may include public education on energy and the environment; work on the City's tree canopy and parks; rehabilitation and clean up in Lincoln's core neighborhoods; community gardening; youth programming; and recycling.

For more information on the initiative, contact Deb Buckman, AmeriCorps Grant Coordinator for the Parks and Recreation Department, at 441-4907. More information also will be available on the City Web site at lincoln.ne.gov.
PARKS AND REC UNVEILS NEW COMMUNICATION AND VOLUNTEER INITIATIVES

Mayor Chris Beutler today announced several new initiatives for the Parks and Recreation Department, including a new Web site and logo and enhanced volunteer programs. The Mayor said the changes are a cost-effective way to improve public communication, increase participation in Parks and Rec programs and provide more resources to the department.

“Lincoln residents understand that a healthy parks and recreation system is vital to our community,” Beutler said. “We are fortunate to have dedicated employees who have done a great job of absorbing budget cuts in ways that have the least impact on residents. We believe these new initiatives will strengthen our system, and we encourage the public to let us know how they feel about the changes.”

Parks and Recreation Director Lynn Johnson said the department will no longer provide a printed brochure on its facilities and programs three times a year, which will save about $100,000 annually. That information will be provided on a redesigned Web site at parks.lincoln.ne.gov. Johnson said that by the end of the year, the department hopes to have all facility reservations and program registrations available online to add convenience and save paper. Those without Internet access can use computers at City's libraries and recreation centers. Printed program sheets also are available at park facilities.

“Parks and Rec has a new look, with a new logo and a more user-friendly Web site,” Johnson said. “We also have a new tag line reminding people that parks are ‘fundamental’ to our major City budget outcome areas – youth development, active living, neighborhoods and families, special places and community events and economic development.” Johnson said the new initiative, which includes an awareness campaign, will cost less than mailing one program guide, thanks to a nearly two-for-one match from media partners. The communications initiative was developed with the assistance of a senior advertising class at the UNL College of Journalism.

Johnson said new volunteer initiatives will help expand and solidify opportunities for individuals, businesses and organizations to help the parks and recreation system. A new system will track information about volunteers to keep them active and engaged, and provide an annual recognition event.
The department also is starting a new maintenance program called “Adopt a Lincoln Landscape.” The first corporate partner is State Farm Insurance, which is committing 100 people to give up to two hours a week throughout the growing season for four park areas.

“State Farm has a strong tradition of volunteerism nationwide and here at the local level,” said Tim McCarty, Chairman of State Farm's Good Neighbor Committee. “We are very excited to be part of this new parks initiative as our company and our employees acknowledge that Lincoln's parks and recreation facilities and programs are fundamental to making Lincoln a great place to work and live.”

The City now has 125 parks and 128 miles of trails. About 8.5 cents of each City tax dollar goes to support Parks and Recreation facilities and programs. The cost per capita to support the department is 27 percent less than the national average according to a 2007 study by the Trust for Public Lands.

The Parks and Recreation department is responsible for generating $2.5 million in revenue every year. Johnson said the new initiatives could result in generating closer to $3 million.

“Our goal through these efforts to increase revenue to the department through greater participation from the community in programs, volunteering and support,” he said. “As our City grows, so does demand for beautiful public places. Even with shrinking City budgets, our staff remains committed to being accessible through our new Web site and to providing high quality facilities and recreation programs that everyone can enjoy.”

- 30 -
OFFICE OF THE MAYOR
555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

FOR IMMEDIATE RELEASE: May 21, 2009
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831

“TAKING CHARGE” BUDGET DISCUSSION
NOW AVAILABLE FOR VIEWING

The public budget discussion that took place Saturday May 16 is now airing on 5 CITY-TV and is available through video-on-demand through the City Web site, lincoln.ne.gov. A schedule for 5 CITY-TV (cable channel 5) also is available on the Web site.

The discussion was part of the “Taking Charge” project, that included an online budget survey. More than 2,200 people completed the survey, and results will be available in the next few weeks. The “Taking Charge” survey and discussion focused on programs and services that are in danger of being eliminated or reduced in the 2009-2010 budget. All those taking the survey were invited to sign up for the discussion, and about 110 residents participated.

At the May 16th event, participants were divided into 16 small groups for part of the discussion. 5 CITY-TV taped three large group presentations:

- An overview of the City budget process.
- City department directors responding to budget questions developed during a small group session. These questions will soon be posted on the City Web site with answers from City directors.
- Brief reports from the 16 small groups on how they would handle specific budget issues.

The City worked with the University of Nebraska Public Policy Center (PPC) on the project, and funding was received from an Alfred P. Sloan Foundation grant to the PPC.

The Mayor is scheduled to release his 2009-2010 City budget to the public in June. The City Council votes on tentative changes to the Mayor's budget in July. The public hearing and Council adoption of the budget are scheduled for August.
CONGRESS
House leadership looks to forward health care and climate change prior to the August recess. Spurred on by President Obama, Democrats in the House have pledged an aggressive agenda in the next two and one-half months that would result in floor approval of comprehensive legislation to overhaul the nation’s health care system and impose strict reductions on greenhouse gas emissions.

Obama himself announced the House timetable on health care after a meeting with congressional leadership this week, and he indicated confidence that Congress could produce a bill for his signature before the end of this year. House Democrats have not needed such a push from the President on climate change, as the House Energy and Commerce Committee is likely to take up “cap and trade” legislation next week. (See related story below.)

Of course, Senate rules do not allow for the quick consideration of legislation that House leaders enjoy. While Senate Finance Committee Chairman Max Baucus called health care reform “doable” this year, he stopped short of guaranteeing a final product by the end of 2009.

Meanwhile, the House this week approved a $97 billion FY 2009 supplemental appropriations bill that primarily funds overseas military operations and pandemic flu preparations. In addition, the chamber approved legislation that would:

- Reauthorize the Pre-Disaster Mitigation Grant program at FEMA (HR 1746, see April 3 Washington Report for additional details)

The Senate is expected to take up the supplemental appropriations bill on the floor next week, following completion of legislation (S 627) that would impose new regulations on the credit card industry.

ENERGY
House panel moves close to climate change markup: Senate committee approves electricity transmission provisions. Leaders of the House Energy and Commerce Committee believe that they are close to gaining a consensus among panel Democrats that would allow for consideration next week.

With Energy and Commerce Republicans expected to unanimously oppose the climate change bill presented next week, Chairman Henry Waxman (D-CA) has been working hard to win over his fellow Democrats, including those who represent districts with coal and petroleum interests. The main thrust of the measure is to lower the greenhouse gas emissions that those industries produce, and it would impose a “cap and trade” system that would allow polluting entities to purchase (or in some cases be allocated) emissions credits from the federal government while they seek to reduce their carbon output.

It is believed that Waxman has agreed to language that will ease the transition in such a way that would allow coal-fired plants and oil refineries to increase their efficiency, rather than close down altogether. In addition, Waxman has also reportedly agreed to lower the target for reducing greenhouse gas emissions, changing it from 20 percent to 17 percent below 2005 levels by 2020.
The House Energy and Commerce Committee is expected to begin consideration of the climate change bill on Thursday and Friday.

Meanwhile, the Senate Energy and Natural Resources Committee this week began consideration of a broad-based energy bill. The first item on the agenda was a series of provisions that would allow the federal government to pre-empt state and local zoning laws to hasten the siting of electricity transmission lines that carry power from renewable sources. States would be given a year to site the transmission lines themselves before the Federal Energy Regulatory Commission (FERC) steps in, with the costs associated with siting the lines borne by the regions that would benefit from the electricity.

While the provisions were approved by the panel, there were concerns on both sides of the aisle, and Senator Robert Menendez (D-NJ) indicated he would offer an amendment to strike the provisions once the larger energy bill reaches the Senate floor.

**WATER RESOURCES**

Senate committee approves measure to reauthorize federal revolving loan programs. The Senate Environment and Public Works (EPW) Committee approved legislation (S 1005) this week that would reauthorize the federal Clean Water State Revolving Loan Fund (SRF) and the Safe Drinking Water SRF, each for five years.

It has been 22 years since the Clean Water SRF has been reauthorized, and 13 years since the Safe Drinking Water SRF has been reauthorized. The Clean Water SRF – which received $689 million in FY 2009 -- would be authorized at $3.2 billion in FY 2010, rising to $6 billion by FY 2014, while the Safe Drinking Water SRF – which received $829 million in FY 2009 -- would be authorized at $1.5 billion in 2010, rising to $6 billion in FY 2014.

The bill would also create a program at EPA that would make grants to states and local governments for planning, design, and construction of treatment works to address sewer overflows. The program would be authorized for five years, beginning at $250 million in FY 2010, rising to $500 million in FY 2014. The program also directs states to give additional weight when making awards to proposals that “include actions that increase energy efficiency or reduce energy consumption at a treatment works.”

To the dismay of Republicans on the EPW Committee, an amendment to the bill was approved that would require Davis-Bacon Act prevailing wages be paid to workers on projects that receive funding from all programs in the bill.

The House approved legislation (HR 1262) earlier this year that would reauthorize the Clean Water SRF, but not the Safe Drinking Water SRF. The next step for S 1005 is the Senate floor, but it has not yet been scheduled for debate.

**FINANCE**

House panel to discuss municipal bond market. The House Financial Services Committee will hold a hearing next week on four pieces of draft legislation that are designed to increase the liquidity of the municipal bond market. Copies of the draft bills can be found on the committee website at: http://www.house.gov/apps/list/press/financialsvcs_dem/pressmfb05142009.shtm

The committee describes the four measures as follows:

**Municipal Bond Insurance Enhancement Act:** The downgrades of most bond insurance companies over the past 18 months have made it more difficult and costly for municipalities to issue bonds. The legislation would aid municipal issuers by providing federal reinsurance for municipal-only primary bond insurance. Treasury-provided reinsurance would make it easier for smaller, lesser known issuers to borrow in the capital markets by increasing capacity of municipal bond insurers to insure new risks.

**Municipal Bond Liquidity Enhancement Act:** Variable rate municipal bonds are long-dated securities for which the interest rate resets on a short-term basis. Investors that purchase the bonds at short-term rates as short-term investments have the right to redeem the bond at set periods that can range from daily to several weeks. This function is supported by a liquidity facility, or standby bond purchase agreement provided by banks for a fee. As bank balance sheets have become constrained over the past 2 years, the availability of new liquidity facilities has decreased as their cost has increased. The legislation would provide the Federal Reserve with the authority to fund new liquidity facilities for certain securities.

**Municipal Financial Advisors Regulation Act:** This legislation is intended to regulate financial advisors to municipalities that are not currently regulated under existing securities laws.

**Municipal Bond Fairness Act:** The legislation is intended to address the apparently unequal treatment by National Recognized Statistical Rating Organizations (NRSRO) of municipal and corporate bonds. Tables comparing default rate and credit ratings of the two types of securities by NRSROs consistently show that municipal bonds with equal or lower default rates than corporate bonds nonetheless have lower credit ratings.

Financial Services Committee Republicans have denounced the Liquidity Enhancement Act in particular as another expensive bailout that would set a precedent for other industries looking for similar treatment.

**TRANSPORTATION**

Senate Commerce Committee leaders weigh in on transportation reauthorization. Chairman John J. Rockefeller, IV (D-WV) of the Senate Committee on Commerce, Science, and Transportation, along with Senator Frank Lautenberg (D-NJ) introduced the “Federal Surface Transportation Policy and Planning Act of 2009” (S 1036) this week. The measure is reportedly a vehicle for outlining the Committee’s goals for the upcoming rewrite of surface transportation policy and funding, although the panel’s jurisdiction over the bill is limited.
Key among the goals outlined is a call for a national transportation plan that addresses all modes and includes efficiency, environmental, and trade factors. Other goals include a reduction in annual vehicle miles traveled per capita, a 40 percent reduction in carbon dioxide emissions from surface transportation sources by 2030, and an increased use of public transportation on an annual basis. The goals outlined also closely resemble a proposal issued this week by the trade group Transportation for America, a broad-based coalition of transit agencies, environmental groups, and government entities. Absent from the draft of S 1036 released this week are recommendations for funding these goals.

The Senate Environment and Public Works (highways) and Banking (transit) Committees typically handles the majority of the work on the surface transportation authorizing legislation, but Senator Rockefeller’s Committee has jurisdiction in matters affecting the U.S. Department of Transportation generally (the panel considers the Secretary of Transportation nominee), as well as safety issues and freight rail and trucking concerns.

Meanwhile, this week, the Senate Appropriations Committee approved its draft of the FY 2009 supplemental appropriations bill. Tucked into the Transportation section is language that would allow transit agencies to use up to 10 percent of the formula funding they received from the Recovery Act on operating expenses. Normally a prohibited use of federal funding for agencies serving populations over 200,000, the Senate Appropriations Committee indicates that allowing transit agencies some flexibility in how stimulus funds are spent is in accordance with the goals of the Recovery Act. A similar provision is not included in the version of the supplemental appropriations bill passed by the House of Representatives yesterday.

**STIMULUS WATCH**
Weekly update on stimulus activities.

**Office of the Vice President**
The first progress report covering the implementation of ARRA to President Obama:

**Department of Energy**
The DOE Recovery Act Clearinghouse now provides a toll free information line that is open Monday through Friday, 9 AM to 7 PM EDT at: (888) 363-7289.

**Department of Homeland Security**
FEMA announced this week that the State and Local ARRA Programs guidance, including the Assistance to Firefighters Grant guidance, will be issued in June or July 2009.

**Department of Transportation**
Announced the availability of $1.5 billion in Transportation Investment Generating Economic Recovery (TIGER) discretionary grants for capital investment in surface transportation projects:

TIGER discretionary grants will be awarded to projects that have a significant impact on the nation, a region or metropolitan area, and to projects that create jobs and benefit economically distressed areas. Comments on the program may be submitted by June 1, 2009 and applications are due by September 15, 2009:

**Department of Housing and Urban Development**
HUD announced $995 million of The Public Housing Capital Fund available to public housing authorities. The program is designed to improve the quality of public housing stock, promote energy efficiency, and create jobs. The competitive funding categories are broken into four areas: energy efficiency ($600m); financing stalled projects ($200m); public housing transformation ($100m); and housing for the elderly and disabled ($95m). The June 15, 2009 application deadline applies to all categories except the energy efficiency project, which has a deadline of July 21, 2009:

HUD is sponsoring nine regional training conferences for Homeless Prevention and Rapid Re-Housing grantees and subgrantees. Pre-registration is required:
http://registration.hudhre.info/hprp/training.jsp

**HUD Webcast Summaries:**

**CDBG-R**
In a May 13, 2009 webcast regarding the ARRA Community Development Block Grant program (CDBG-R), HUD urged grantees to consider long-term development projects when submitting amended action plans. Substantial amendments should stress transportation, environmental protection, and other infrastructure-related activities that provide long-term benefits.

HUD officials also stressed the importance of reporting all jobs created and retained by each activity, which includes permanent, temporary, and construction jobs. Officials acknowledged the lack of specific guidance on how to report job creation and retention, and stated that the White House Office of Management and Budget will be issuing clarifying guidance soon.

HUD is asking grantees to submit an Excel spreadsheet both electronically and as part of their hard copy of proposals that will be sent to HUD field offices. The spreadsheet for local governments must include activity name and description, the dollar amount budgeted, what category this activity is eligible under, what national objective the activity meets, other ARRA funding being used in conjunction with CDBG money for the projects, and the total activity budget.

Grantees should remember that the HUD reporting requirements are tying the...
CDBG-R money to the FY 2008 CDBG program, not the FY 2009 money. **HUD officials also warned grantees not to miss the CDBG-R deadlines because the money will be redistributed to other grantees.** The deadline for submitting substantial amendments to the Program Year 2008 action plan is June 8, 2009. To view the CDBG-R NOFA, go to: http://www.hud.gov/recovery/cdbg-r-0504.pdf.

For guidance on Davis-Bacon Act requirements: http://www.hud.gov/offices/olr/

This webcast is archived at: http://ms.istreamplanet.com/hud/?vid=1041_232_NoCat5

**Neighborhood Stabilization Program (NSP2)**

HUD’s May 14, 2009 webcast regarding ARRA Neighborhood Stabilization Program competitive grants detailed the factors that grantees must meet in order to be considered for a grant. HUD will be evaluating applications with a point system and a grantee must score at least 115 points to be considered fundable. The webcast is archived on HUD’s website and has detailed slides outlining how to complete an application: http://ms.istreamplanet.com/hud/?vid=103 7_232_NoCat8.

HUD officials also stressed the importance of starting an environmental review process immediately. Environmental review requirements can be found at: http://www.hud.gov/offices/cpd/environment/index.cfm.

**GRANTS & NOTICES**

**National Endowment of the Arts**

NEA is currently accepting applications for the FY 2010 Arts on the Radio and Television Program. Grants are available to support the development, production, and national distribution of radio and television programs on the arts. Projects may include high profile multi-part television and radio series, single documentaries, performance programs, or arts segments for use within an existing series. Awards will range from $10,000 to $100,000 and all grants require a 1:1 nonfederal match. Applications are due through September 3, 2009: http://www.arts.gov/grants/apply/RadioTV/index.html.
OFFICE OF TREASURER, CITY OF LINCOLN, NEBRASKA

MAY 15, 2009

TO:    MAYOR CHRIS BEUTLER & CITY COUNCIL MEMBERS

FROM:   FINANCE DEPARTMENT / CITY TREASURER

SUBJECT:   MONTHLY CITY CASH REPORT

The records of this office show me to be charged with City cash as follows at the close of business April 30, 2009

<table>
<thead>
<tr>
<th>Description</th>
<th>Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Balance Forward</td>
<td>$164,247,782.09</td>
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<tr>
<td>Plus Total Debits April 1-30, 2009</td>
<td>$40,397,169.75</td>
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<tr>
<td>Less Total Credits April 1-30, 2009</td>
<td>($25,636,193.31)</td>
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<tr>
<td><strong>Cash Balance on April 30, 2009</strong></td>
<td><strong>$179,008,758.53</strong></td>
</tr>
</tbody>
</table>

I desire to report that such City cash was held by me as follows which I will deem satisfactory unless advised and further directed in the matter by you.

<table>
<thead>
<tr>
<th>Account</th>
<th>Balance</th>
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<tbody>
<tr>
<td>U. S. Bank Nebraska, N.A.</td>
<td>($553,118.04)</td>
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<tr>
<td>Wells Fargo Bank</td>
<td>($135,061.33)</td>
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<tr>
<td>Wells Fargo Bank Credit Card Account</td>
<td>($45,502.90)</td>
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<tr>
<td>Cornhusker Bank</td>
<td>$61,610.49</td>
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<tr>
<td>Pinnacle Bank</td>
<td>($18,068.32)</td>
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<tr>
<td>Union Bank &amp; Trust Company</td>
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<tr>
<td>West Gate Bank</td>
<td>$39,038.40</td>
</tr>
<tr>
<td>Idle Funds - Short-Term Pool</td>
<td>$58,130,650.41</td>
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<tr>
<td>Idle Funds - Medium-Term Pool</td>
<td>$121,256,717.96</td>
</tr>
<tr>
<td>Cash, Checks and Warrants</td>
<td>$28,355.03</td>
</tr>
<tr>
<td><strong>Total Cash on Hand April 30, 2009</strong></td>
<td><strong>$179,008,758.53</strong></td>
</tr>
</tbody>
</table>

The negative bank balances shown above do not represent the City as overdrawn in these bank accounts. In order to maximize interest earned on all City funds, deposits have been invested prior to the Departments' notification to the City Treasurer’s office of these deposits; therefore, these deposits are not recorded in the City Treasurer's bank account balances at month end.

I also hold as City Treasurer, securities in the amount of $22,701,940.89 representing authorized investments of the City's funds.

ATTEST:

Jen E. Ross, City Clerk

Melinda J. Jones, City Treasurer
<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>CUSIP</th>
<th>MATURITY DATE</th>
<th>ORIGINAL FACE</th>
<th>CURRENT PAR</th>
<th>MARKET PRICE</th>
<th>MARKET VALUE</th>
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<tr>
<td>FHLMC FGLMC D67795</td>
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<td>1.04</td>
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<td>12/10/2009</td>
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<td><strong>WEST GATE BANK</strong></td>
<td><strong>TOTAL PLEDGED</strong></td>
<td>$2,000,000.00</td>
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</tbody>
</table>
Memorandum

May 15, 2009

TO: City Councilmembers
FR: Lynn Johnson, Parks and Recreation Director
RE: Hours of Operation of Woods Pool for Summer 2009
Cc: Mayor Beutler, Rick Hoppe

The purpose of this message is to provide information about operation of Woods Pool for the upcoming 2009 summer season. Woods Pool is the only outdoor competition pool in the community. The facility includes a 50 meter long-course pool, a 25 meter warm-up pool, a diving well with diving boards and diving platform, and a sprayground. It is used by competitive swim teams, competitive dive teams and the UN-L women’s swim team for practice during the summer swim season. In addition, the pool is generally used for three or four large swim meets each season. Woods Pool is also used for public swimming, Parks and Recreation swim and dive team practice, swim lessons, parks and recreation day camp swimming activities, and facility rentals (pool parties).

Each year Parks and Recreation staff meet with representatives of competitive swim and dive teams to establish a schedule for practices utilizing Woods Pool. During the upcoming 2009 swim season, the facility is scheduled for activities during week days from 5:45 am until 9 pm. During the morning hours the pool will be used by competitive swim teams, competitive dive teams, Parks and Recreation swim team and day camps, and therapeutic recreation programs. Public swimming is scheduled each week day, and on Saturday and Sunday from 1 pm to 6 pm. From 6 pm until 9 pm, Monday through Thursday, competitive swim team practices and swim lessons are scheduled. From 5 pm to 8 pm, Monday through Friday, one lane in the 50 meter pool will be available for public adult lap swimming. We anticipate that the facility will be open for public swimming from 6 to 8 pm on Friday evenings. The pool is generally open for facility rentals (pool parties) from 6 pm to 7:30 on Saturdays and Sundays.

The proposed change in the schedule of Woods Pools for the 2009 season from prior seasons is due to increased demand for competitive swim team practice time, including an additional newly established team. (The change in public swim hours is not the result of budget reductions.) We recognize that the reduction in the number of evenings the facility is open for public swimming will have an impact on some families within the surrounding neighborhoods. There has been limited attendance of evening public swim sessions during past several years. We’ve attempted to balance the interests of residents living in neighborhoods surrounding Woods Pool with broader community interests.

Woods Pool passes are honored at the other nine public pools at any time, including evenings. There is an additional fee for using neighborhood pool passes, including those from Woods Pool, at Highlands Pool, University Place Pool and Star City Shores due to the differential fee structure between facilities.

Please let me know if you have questions, or would like additional information.
Dear Ms. Donahoo: The purpose of this message is to respond to your inquiry regarding Olympic Heights Park, in particular the condition of the playground. The playground in Olympic Heights Park was constructed over a period of years in the mid-1990's. The Parks and Recreation Department worked in cooperation with the Olympic Heights Neighborhood Association to plan and develop the playground. We anticipate playgrounds to have about a 20-year useful life. As such, the Olympic Heights playground would not be scheduled for a major renovation for several years.

The following is a brief discussion of the major play features within the playground:

**Play structure**: The play structure was purchased from Miracle Recreation Equipment. The structure is separated into three use areas with the two lower platforms targeted from younger children’s (primarily preschool age) use, and the tall platform intended for older elementary school age children. As you noted, the platforms are separated by overhead ladders and climbers. By design, this is intended to encourage younger children to use the lower platforms. We’ve replaced slides on the play structure over time. It is not possible to modify or make significant additions to the structure because the square metal tubing style is no longer manufactured.

**Metal slide**: This is one of five slides in the playground. As you noted, the metal slide may often be hot to the touch discouraging use. Current standards recommend that metal slides be shaded. Our recommendation would be that we work with neighborhood to replace this slide with another piece of play equipment adding a new play opportunity to the playground.

**Swings**: The swing structure that incorporates to bucket swings for toddlers and two strap swings for older children is standard to neighborhood playgrounds. The two bucket swings are currently in place. The swivel mechanisms for the strap swings are being replaced and two new strap swings will be installed.

**Gravel play surface**: Approximately half of the play surface of our current standard neighborhood playground design is sand/gravel, and the other portion is resilient rubber tile surfacing. As you noted, the entire play surface of the playground at Olympic Heights Park is sand/gravel. Playgrounds in Lincoln are inspected on at least a weekly basis. Clearing debris from and leveling the sand/gravel play surface is part of this regular inspection. I anticipate that a portion of the play surface will be upgraded to resilient rubber during the future major renovation project.

**Opportunities for additional play equipment**: There is an area in the southeastern portion of the playground that would allow additional play equipment to be installed.

We would be happy to work with and representatives of the Olympic Heights neighborhood to develop a plan to add additional play features to the playground in Olympic Heights Park. The Lincoln Parks Foundation occasionally makes matching funds available for park improvement projects. I will be asking the Parks Foundation Board to approve up to $2,500 in funds that could be matched by the neighborhood association to purchase additional playground equipment for Olympic Heights. I’m certain that the Parks Foundation would also be willing to ask as fiscal agent for donations so that donors can recognize the tax advantages of a charitable donation.

If a group of Olympic Heights residents are interested in discussing possible additional play equipment for the playground in Olympic Heights Park, please contact Bill Weddle, Parks and Recreation Park Planner, at 441-8251 or bweddle@lincoln.ne.gov. Bill can assist in reviewing options and prices for additional playground equipment.

Thank you for your interest in Olympic Heights Park. Please phone me at 441-8265 if I can be of assistance.
Sincerely,

Lynn Johnson, Director
Lincoln Parks and Recreation
2740 A Street
Lincoln, Nebraska 68502
402 441-8265
ljohnson@lincoln.ne.gov
MEMORANDUM

TO: Mayor’s Capital Improvements Advisory Committee
   Mayor Chris Beutler
   Rick Hoppe, Trish Owen
   Marvin Krout, Kent Morgan, David Cary
   Don Herz, Steve Hubka
   Greg MacLean

FROM: Jean Preister, Planning

DATE: May 18, 2009

SUBJECT: FY 2009-2015 Capital Improvements Program

cc: City Council
    Mike Brienza, Planning
    John Hendry, City Attorney
    Lynn Johnson, Parks & Recreation
    Thomas Shafer, Public Works & Utilities

I hereby respectfully submit for your information the excerpt from the Minutes of the Special Public Hearing held by the Lincoln-Lancaster County Planning Commission on May 13, 2009, pertaining to the FY 2009/10 - 2014/15 City of Lincoln Capital Improvements Program and the FY 2010-2015 Transportation Improvement Program.

On May 13, 2009, the Planning Commission agreed with the staff recommendations and voted 7-0 to find the proposed CIP, with the two amendments submitted by staff, to be in full or general conformance with the Comprehensive Plan:

1. Amendment to the Parks & Recreation CIP to add a project that will acquire private property and construct additional parking for the Antelope Park area, including the Children's Zoo, Rock Island Trail and the Shildne Bandshell.

2. Amendment to the Public Works & Utilities, Streets and Highways CIP, to add a project to complete design engineering and begin right-of-way acquisition for 4-lane improvement on Coddington Avenue from Van Dorn Street to West A Street.

On May 13, 2009, the Planning Commission agreed with the staff recommendation and voted 7-0 to find the proposed TIP to be in conformance with the Comprehensive Plan, with the same amendment relating to Coddington Avenue.

These minutes will be approved by the Planning Commission at their regular meeting on June 17, 2009.

If you have any questions or need any additional information, please feel free to contact me at 441-6305.
Q:\pc\minutes\2009\CIPMinutes to CIAC
PLANNING COMMISSION REVIEW EDITION
OF THE CITY OF LINCOLN'S DRAFT SIX-YEAR CAPITAL IMPROVEMENTS PROGRAM
FY 2009/10 - 2014/15
and
THE DRAFT FY2010-2015 TRANSPORTATION IMPROVEMENT PROGRAM FOR THE LINCOLN METROPOLITAN AREA.
PUBLIC HEARING BEFORE PLANNING COMMISSION: May 13, 2009

Members present: Esseks, Partington, Larson, Francis, Taylor, Cornelius and Sunderman; Gaylor Baird and Carroll absent.

Ex Parte Communications: None.

Staff recommendation: A finding of full or general conformance with the Comprehensive Plan, as revised.

Staff presentation: David Cary of Planning Department explained the process for the Capital Improvements Program (CIP) which sets funding strategies for major construction projects and land acquisition. Capital expenditures are viewed in context of the cost and the impact in the City’s operating budget. Capital improvements have useful life of 15 or more years. The CIP is not intended to be an all-inclusive inventory of the City’s capital needs for the upcoming six years. The City Charter assigns the responsibility for assembling the CIP to the Planning Department. Each City Department projects capital needs and creates an improvement program for a six-year period. Each project is evaluated as to conformity with the Comprehensive Plan along with the most recent funding projections and revenue calculations.

The Mayor’s Capital Improvements Advisory Committee (CIAC) with representatives from the Mayor’s office, Finance Department, Public Works & Utilities Department and Planning Department, guides the development of the CIP document. The CIP is reviewed for conformance with the Comprehensive Plan by the Planning Commission, which makes a recommendation to the Mayor and City Council for consideration during their budget deliberations. Year one of the CIP becomes the capital budget for FY2009-10, beginning on 9/01/09.

Cary then submitted two formal amendments to the Parks & Recreation CIP (attached hereto as Exhibit “D”) and the Public Works & Utilities, Streets and Highways CIP (attached hereto as Exhibit “E”) as follows:
1. Amendment to the Parks & Recreation CIP to add a project that will acquire private property and construct additional parking for the Antelope Park area, including the Children’s Zoo, Rock Island Trail and the Shildnek Bandshell. The funding will come from other funds outside of city revenue. This project is located in both the first and second year of the CIP (Exhibit “D” attached hereto). Staff finds this project to be in general conformance with the Comprehensive Plan.

2. Amendment to the Public Works & Utilities, Streets and Highways CIP, to add a project to complete design engineering and begin right-of-way acquisition for 4-lane improvement on Coddington from Van Dorn Street to West A Street. The funding will come from local funds in the first year (Exhibit “E” attached hereto). Staff finds this project to be in conformance with the Comprehensive Plan.

Esseks asked Cary to define the difference between “in general conformance” and “in conformance”. Cary explained that as far as staff review is concerned, all projects included have been found to be “in general conformance” or “in conformance”. “General conformance” indicates that the proposed project or program is something that concurs with the general guidelines of the Plan and/or may be referenced in some way in the Plan and consistent with the Plan. If a project is found to be “in conformance”, there is a much more explicit reference to the project itself or the program in the CIP document.

The Chair then opened public hearing on the individual department/agency Capital Improvements Program:

**Building & Safety**

1. **Bill Moody, Chief of the Bureau of Fire Prevention**, presented the CIP for Building & Safety, which includes the acquisition and construction of a steel Morton building to house the specialized equipment as opposed to leasing space with 4% annual increases in lease payments.

There was no other testimony.

**Finance, Communications**

1. **Julie Righter, Communications Coordinator for Lincoln and Lancaster County**, made the presentation, including four projects, three of which are slated for a public safety bond yet to be scheduled: 1) new emergency communications or 911 center; 2) upgrade to wireless radio system; and 3) communications command post to support communications equipment, e.g. space where radio technicians can program radios, etc. The fourth project is an emergency notification system similar to reverse 911.
providing the ability to make multiple call-outs to wireless telephones for evacuation and other hazardous occurrences.

There was no other testimony.

Finance, Pershing Auditorium

1. **Tom Lorenz, General Manager of Pershing Center**, gave the presentation. Pershing Center still remains an active and very useful building. This year has been more difficult in revenue generation. This CIP request addresses deferred maintenance, upgrade of aging equipment to significantly increase energy efficiency and capital equipment replacement. A lot of times the deferred maintenance has been put off, looking forward to the new arena decision. Regardless of that decision, however, this center will still be needed for 5-10 years so we need to address these issues.

There was no other testimony.

Fire & Rescue

1. **David Cary** gave the presentation on behalf of the Lincoln Fire Department. The Fire Department CIP program involves the use of public safety bond issue in year three, 2011-12, when they will replace one fire station and build two new fire stations as well as develop an education, training and fleet service campus as part of the bond issue.

Esseks inquired as to why Station No. 12 has to be replaced. Cary noted that this station is located at 84th Street near A Street. It was built in the 1970's, and there is need to upgrade the facility for the equipment that is being housed at that station. It has been discussed for a long time.

Larson inquired as to the location of the two new fire stations. Cary indicated that those locations have not yet been determined. Some of the discussion this year has been toward the effort to make sure we are as efficient as possible to make sure we are siting them or collocating them with other public uses.

**Lincoln City Libraries**

1. **Greg Mickells, Assistant Director of Libraries**, gave the presentation. There are three items in the Library program. The first year includes replacement of the roof on the Bethany Branch Library, originally installed in 1989 and the warranty has been expired since 2004.
A project for 2010-11 is to replace The Book Mobile, which was put in service in 1993. It's normal life is approximately 15 years, so it has been in service for 16 years. The repairs are getting expensive. It is a valuable service both in the City and County.

The third project is replacement of Bennet Martin Library in the downtown area. This has been on the CIP agenda for some time and it continues to be pushed back, but they would like to keep it visible.

Essexs believes the roof replacement at Bethany Library conflicts with the serious discussion to close that library branch. Mickells acknowledged that it would be one of the facilities that would close based on the submittal requirements for the 09-10 budget; however, it still needs a roof. Hopefully, it will remain open.

There was no other testimony.

Lincoln Electric System

1. **David Cary of the Planning Department** appeared on behalf of LES. The LES proposal is part of the CIP process, but not necessarily part of the city budget process. LES does provide information on their programs and proposals. The program for LES is significantly lower this year partly due to the fact that the demand for expanding for growth related purposes has been lessened.

There was no other testimony.

Area Agency on Aging

1. **June Pederson, Director of Lincoln Area Agency on Aging**, indicated that the Northeast ActiveAge Center has been pushed back to 2012/13. They are still in the process of retrenching rather than expanding, but hopeful that this can remain on the list and at some point she will come forward to say they are ready.

There was no other testimony.

Police

1. **David Cary of the Planning Department** appeared on behalf of the Police Department. Their CIP includes a canine training facility in year one, using other financing. The remainder of the Police program proposed uses the public safety bond issue in 2011-12, and includes a garage maintenance and repair facility as well as a full service assembly station in multiple phases.

There was no other testimony.
Urban Development

1. **Dallas McGee, Assistant Director**, presented a total of 15 projects, with 13 in the first year, totaling about 12 million dollars. The largest funding source is related to the parking garages and lots, a function transferred to Urban Development from Public Works. There are just over 9 million dollars of revenue bonds and service charges related to parking. Six projects will be funded with TIF funds, including 20th and R (Assurity), 19th & K, Bank of the West or Lincoln Flats in Downtown, North 27th Street, Havelock and 48th & O Streets.

Federal CDBG funding will be used for focus area improvements, economic opportunity fund and low and moderate income area park improvements for Trago Park.

There is also $60,000 in MIRF funds.

There are no general revenue funds identified for the first year; however, there are two projects shown in the second year, i.e. College View streetscape and Downtown street trees.

There was no other testimony.

Parks & Recreation

1. **JJ Yost, Planning and Construction Manager**, stated that it is a real juggling act to meet new growth, upkeep, repairs and replacements with existing infrastructure. Parks is listing approximately 60 projects, half of those being in the first year, the majority of which are annual repair and replacement programs that carry on every year. The primary funding source consists of the Parks & Recreation Fund, which is designated to the Parks CIP that comes in from rental of cell tower space on park properties ($380,000/year); they also receive approximately one million dollars in Keno funds; and then impact fees are used for development of new neighborhood parks and commuter recreational trails associated with new growth areas.

The key projects for next year are building funds for repainting of the Rock Island Trail bridge over S. 27th Street; master planning at Oak Lake Park associated with the West Haymarket development; repair work at F Street Rec Center; as well as the office administration building for ADA improvements. The rest is tied up in the annual repair and replacement program. Three to four playgrounds should be replaced each year, but they have only been able to do one a year now at best. With the lack of general revenue available, they cannot get to the renovations fast enough.
2. **Rick Krueger** submitted a proposed amendment:

Add Porter Park to the project list and allocate $30,000 from impact fees to make a gravel parking lot, picnic tables, and appropriate fencing to allow for the use of the existing soccer pitch.

Porter Park is located south of the wireless tower on South 27th St. The park is there; it was graded when deeded to the City for a soccer pitch. He wants to get it to the point so that the children can use it. There is already an approach off S. 27th Street. All that needs to be done is create the gravel playground and put up the picnic tables and a fence. It is there ready to happen. He proposes $30,000 come out of the impact fee fund. This is a simple construction that will take very little time. It is less money than the interest yielded on impact fees in one year. Krueger was successful in getting this amendment last year but it has disappeared again this year.

**Public Works & Utilities**

**StarTran**

1. **Brian Praeuner, Transit Planner for StarTran**, explained that the 2009-10 program includes funds for ongoing projects, many for replacements that have met their useful life such as supervisor vehicle, upgrade and replacing computer hardware/software, building renovations, and building up funds for bus replacement, twenty to be replaced in 2015. There is no use of general revenues in the first year. Only special reserves are being used.

There was no other testimony.

**Streets and Highways**

1. **Thomas Shafer, Design/Construction Manager**, stated that there are 27 line items totally 35 million dollars, which is very similar to past CIP’s. They are down to the last few projects in Antelope Valley. Shafer requested that the Commission also approve the amendment relating to Coddington Avenue submitted by David Cary at the beginning of today’s meeting (Exhibit “E”).

2. **Rick Krueger** submitted four proposed amendments (Exhibit “F” attached hereto):

   
   - **#0181** Remove $1,000,000 of residual city wheel tax and apply these funds to rehab of existing city streets.
   - **#0472** 56th from Shadow Pines to Old Cheney: Add the new construction wheel tax of 2009/2010 ($5,336,000) to advance construction to 2010 and build this in the 100’ r.o.w. with a 5 lane cross-section (similar to Old Cheney from 60th to 70th).
Old Cheney from 70th to 84th: Add the new construction wheel tax for 2010/2011 ($3,285,000) and advance construction to 2011 and build this in the 100' r.o.w. with a 5 lane cross-section (similar to Old Cheney from 60th to 70th).

New

Add Pine Lake Road from 56th to Hwy 2: Allocate the new construction wheel tax for 2011/2012 ($5,838,000). Build in 2012 with a 5 lane cross-section to minimize rail crossing costs and minimize construction in the floodplain.

Krueger recalled that in 1994, there were various improvements that needed to be done and the decision was made to use wheel tax for a portion of new construction. Krueger then showed a map of the areas that were going to be improved, including Old Cheney Road from 70th to 84th; 56th from Old Cheney to Pine Lake Road; and Pine Lake Road from 56th to Hwy 2 (map attached to Exhibit “F”). In 1994, this was determined to be a ten-year plan in the Comprehensive Plan. This is a plan that was adopted by the community and there was a funding source for these roads to be done. There were enough road projects that they created two environmental impact statements, “South Fringe” and “East Fringe”. The city did pay about 1.4 million for those impact statements. The South Fringe study was done in 1996 and showed a schedule for Pine Lake Road from 56th to Hwy 2 to be constructed in 2004. Krueger does not see Pine Lake Road from 56th to Hwy 2 in the City’s scheduled improvements. It has just disappeared.

Esseks acknowledged that Krueger’s reasoning seems plausible. How should the Planning Commission address these suggestions? Thomas Shafer explained that the CIP goes through a long process, including the Mayor’s Capital Improvement Advisory Committee. He also offered that since those times in 1994, there have been a number of other task forces and other recommendations. All of those things have to go into the decision on the CIP. We need to follow the process and he does not believe Krueger’s amendments would be found to be in conformance.

Esseks inquired whether interested parties like Mr. Krueger were consulted or invited to attend any meetings in this process. In other words, is there a place for interested parties to provide their input? David Cary explained that this public hearing is that opportunity. The Planning Commission can make a recommendation to forward the proposed amendments to the Mayor and City Council along with the CIP. There will also be an opportunity for discussion during the budget process.

Marvin Krout, Director of Planning, offered that the Commission can make recommendations to the Mayor and City Council. With regard to the use of wheel tax for sidewalks, the process of developing this plan is one that is done by a staff committee called the CIAC (Mayor’s Capital Improvements Advisory Committee), including staff from various departments including the Budget office and the Mayor’s office. Priorities are set after a lot of discussion. We do have some requirements for
sidewalks through mandates from the federal government (Department of Justice) to comply with ADA requirements, which is a high priority, and it is a valid purpose for the use of wheel tax funds. Sidewalks are a part of the street and transportation system. The Committee decided that a portion of the funds should be continued to be identified for the sidewalks.

Krout agreed that the 56th and Old Cheney projects are important and they may have been part of a previous plan, but that is why we do annual updates of the Plan every year to review the priorities. In this particular case, the new construction wheel tax would need to come out of The Antelope Valley project if 56th & Old Cheney became a priority project. Antelope Valley does qualify as a new construction wheel tax project.

Krout also stated that Pine Lake Road becomes largely a question of priorities. The last section of Pine Lake Road is one that has less traffic because it ends at Highway 2. We don’t expect it to have substantially more traffic in the future, and it is identified as a project that could remain with minimal improvements for a period of time.

*******

The Clerk then called the FY2010-15 TRANSPORTATION IMPROVEMENT PROGRAM (TIP) FOR THE LINCOLN METROPOLITAN PLANNING AREA (LINCOLN MPO), for public hearing.

Staff presentation: Michael Brienz of Planning Department explained that the TIP is developed as part of a process for applying for federal highway funds and federal transit funds, and includes other funding sources. This report is one of the projects required by federal legislation. It becomes the reference report for the Federal Highway Administration. It includes a list of year-to-year projects and the phasing of projects. Any project intending to seek federal funding must be listed in this six-year schedule of projects. The TIP also includes projects cooperatively developed between the MPO and the Nebraska Department of Roads, County Engineer, and Lincoln Airport Authority, as well as FTA funding programs. It includes a section for pedestrian and trails projects, including projects from Parks, NRD, and on occasion, from UNL and other agencies that are seeking special funding for pedestrian and bicycle projects.

This is a fiscally constrained document and it is considered the implementation tool for the Comprehensive Plan.

Brienzo requested that the Planning Commission find a determination of conformity of this report. From here, the Planning Commission recommendation goes on to the MPO Technical Committee and the MPO Officials Committee. It becomes part of the state TIP by reference. It becomes a federal highway and federal transit tool.

David Cary requested that the Planning Commission consider the proposed amendment relating to Coddington Avenue in the TIP as well as the CIP.
There was no other testimony.

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Public Works & Utilities

Watershed Management

1. **Ben Higgins, Senior Engineer for Watershed Management**, stated that the CIP projects are similar to last year. They are not showing any general revenue for next year. The next set of funding will be GO bonds in November, which is in year two of the CIP.

There was no other testimony.

Street Maintenance Operations

1. **Scott Opfer, Street Traffic Operations Manager**, explained that there are three items identified in the first year, all being replacement of infrastructure and Gasboy systems with fleet maintenance. The replacement of two roofs that are over 20 years old on buildings that are very old will come from MIRF funds.

There was no other testimony.

Water Supply and Distribution

1. **Nick McElvain, Operations Support Manager for Lincoln Water System**, indicated that the project descriptions have not changed much; however, funding for the 09-10 and 10-11 CIP years has been significantly reduced. Over the last year, there has been a significant increase in utility cost/electrical energy from both LES and OPPD. We had a very wet year last year with revenue down from that. They did not realize all of the rate increases that were anticipated in preparation of the CIP a year ago. The combination of those greatly reduces the amount of revenue bonds that can be sold, so you will see a 90% decrease in the number of projects in year one and two. At the end of budget year 2011, we will pay off some of the bonds used to build the expansion project at Ashland, so year three of the CIP jumps up significantly. That is an effort to try to catch up.

Over the course of the six year plan, about 65% of the funds are spent on growth related, and 35% on maintenance of existing infrastructure and replacement. The priorities for the funds remaining are maintaining infrastructure kinds of projects. We have some projects that will not be built so they show up again in 2011 and 2012, such as distribution mains in new growth areas.

There was no other testimony.
Wastewater

1. *Gary Brandt, Division Manager for Wastewater and Solid Waste*, explained that the wastewater program is to treat the wastewater generated and to protect the environment. The CIP program is reduced considerably from the previous year. Major projects are concentrated on infrastructure and replacement projects (over 200 miles of lines that are over 70-100 years old and are requiring additional maintenance).

Other programs include various projects in the Stevens Creek area. There is also a need for improvements at the treatment facilities.

Future projects in future years in new growth areas are limited by the amount of funding available. This will require additional bonding revenue funds and rate increases to support the program.

There was no other testimony.

Solid Waste Operations

1. *Gary Brandt, Division Manager for Wastewater and Solid Waste*, stated that the Solid Waste CIP includes recycling throughout the city and county both at Bluff Road and the N. 48th Street site. There are continued projects for expansion of the liner at Bluff Road and capping projects as the landfill progresses from north to south.

They are showing similar development and expansion at the N. 48th Street site. The first year includes the landfill gas control and utilization system for the methane generated. This program is supported by user fees and revenue bonds. They are also working to close the North 48th Street old landfill location. The City owns land directly east of the existing Bluff Road facility to 70th Street, so the most logical location would be to utilize that land. That project has to go through environmental review, so there will have to be some investigation coming up at some time in future years.

Larson inquired as to the final use of the property at the old landfill operations along Hwy 77. Brandt stated that it is now being considered as a utilization of open space area for public use – environmental type walking areas, trails, etc. They are involved in discussions with the Parks Department.

There was no other testimony.
FY2009/10 - 2014/15
CAPITAL IMPROVEMENTS PROGRAM.
ACTION BY PLANNING COMMISSION:  
May 13, 2009

Cornelius made a motion to approve the staff recommendation for a finding of full or general conformance with the Comprehensive Plan, with the amendments to the Parks & Recreation CIP and the Public Works and Utilities, Streets and Highways CIP, as recommended by staff, seconded by Taylor.

Sunderman commented that the financial resources are limited and must be used wisely. We cannot do everything at once. We have to slow down. The Mayor and City Council have a tough task of incorporating this CIP into the budget.

Larson agreed that this really presents a problem for the Mayor and the City Council. It has been a habit to just keep deferring and deferring, yet we have to live within our means. He believes we should be careful that we don’t defer something that is going to further deteriorate, i.e. streets. We have deferred some of these streets so long that the cost keeps going up and up. It is a real dilemma and he does not know the answer.

Sunderman acknowledged Mr. Krueger’s proposed amendments and indicated that they will be provided to the Mayor and City Council.

Motion carried 7-0: Esseks, Partington, Larson, Francis, Taylor, Cornelius and Sunderman voting ‘yes’; Carroll and Gaylor Baird absent.

FY2010-2015 TRANSPORTATION IMPROVEMENT PROGRAM
ACTION BY PLANNING COMMISSION:  
May 13, 2009

Francis moved to approve the staff recommendation for a finding of conformance with the Comprehensive Plan, with the amendment to Streets and Highways relating to Coddington Avenue, seconded by Esseks and carried 7-0: Esseks, Partington, Larson, Francis, Taylor, Cornelius and Sunderman voting ‘yes’; Carroll and Gaylor Baird absent.
Memorandum

May 12, 2009

TO:    Marvin Krout, Planning
FR:    Lynn Johnson, Parks and Recreation
RE:    Request to Amend the Proposed CIP to Include the Antelope Park Parking Area Project

In 2000, a master plan was prepared for the area of Antelope Park generally bounded by ‘A’ Street, South 27th Street and Capitol Parkway. A recommendation of this plan was to develop additional parking to support the many activities located within this park area including the Lincoln Children’s Zoo, the Rock Island Trail and the Shildneek Bandshell. Acquisition of privately owned property at 2847 ‘A’ Street, demolition of the building and construction of a parking lot and site landscaping were included in the master plan. Recently the property at this address was offered for sale. We have been working with the Lincoln Parks Foundation to develop a strategy for acquisition of the property and development of the proposed parking area. The purpose of this memo is to request an amendment to the proposed Capitol Improvement Program to include acquisition of the subject project, demolition and site clearing, and construction of a parking area and site landscaping. Please let me know if you have questions or need additional information. Thank you for your consideration.

Project Details:

Antelope Park Parking Area
A 2000 master plan for the area of Antelope Park bounded by ‘A’ Street, South 27th Street, and Capitol Park included acquisition of property and development of a new parking area. This parking would serve the many activities in this area of Antelope Park including the Lincoln Children’s Zoo, the Rock Island Trail, and the Shildneek Bandshell. The plan recommended acquisition of four parcels located at 2847 ‘A’ Street. The initial phases of the project involve acquisition of the property, demolition of the building and site clearing. The second phase of the project involves development of a parking lot and site landscaping. Sustainable approaches for managing storm water will be investigated in design of the parking lot and landscaping.

Phase 1: Site Acquisition, demolition and site clearing. $260,000; Funding Source: Other Funds (OF); FY 2009-10
Phase 2: Development of parking lot and site landscaping. $100,000 Funding Source: Other Funds (OF); FY 2010-11

Lynn Johnson, Director
Lincoln Parks and Recreation
2740 A Street
Lincoln, Nebraska 68502
402 441-8265
ljohnson@lincoln.ne.gov
AMENDMENT TO PUBLIC WORKS & UTILITIES, STREETS & HIGHWAYS CIP

CIP Project Description
City funds for the completion of design engineering and beginning right-of-way acquisition to construct four lanes of pavement along Coddington Avenue from south of Van Dorn to north of West "A". The project will construct a center median as well as left and right turn lanes at intersections along the corridor. The project will improve safety and capacity. Project length: 2.2 miles including side street approaches.

Appropriations and Activities:
$500,000 in the first year (2009/2010) of the CIP for the Coddington project for design engineering and right of way acquisition. The $500,000 will be from the City Wheel Tax - Residual funding source. This funding amount of City Wheel Tax - Residual will be deducted from project 0269, Traffic Optimization and Management Program in the first year (2009/2010) of the CIP.

David R. Cary, AICP
Long Range Planner
Lincoln/Lancaster County Planning Department
(402) 441-6364
AMENDMENT TO PUBLIC WORKS AND UTILITIES – STREETS AND HWYS

#0181  REMOVE $1,000,000 OF RESIDUAL CITY WHEEL TAX AND APPLY THESE FUNDS TO REHAB OF EXISTING CITY STREETS

#0472  56TH FROM SHADOW PINES TO OLD CHENEY  ADD THE NEW CONSTRUCTION WHEEL TAX OF 2009/2010 ($5,336,000) TO ADVANCE CONSTRUCTION TO 2010 AND BUILD THIS IN THE 100' R.O.W. WITH A 5 LANE CROSS-SECTION (SIMILAR TO OLD CHENEY FROM 60TH TO 70TH)

#0473  OLD CHENEY FROM 70TH TO 84TH  ADD THE NEW CONSTRUCTION WHEEL TAX FOR 2010/2011 ($3,285,000) AND ADVANCE CONSTRUCTION TO 2011 AND BUILD THIS IN THE 100' R.O.W. WITH A 5 LANE CROSS-SECTION (SIMILAR TO OLD CHENEY FROM 60TH TO 70TH)

#NEW  ADD PINE LAKE ROAD FROM 56TH TO HWY 2 ALLOCATE THE NEW CONSTRUCTION WHEEL TAX FOR 2011/2012 ($5,838,000) BUILD IN 2012 WITH A 5 LANE CROSS-SECTION TO MINIMIZE RAIL CROSSING COSTS AND MINIMIZE CONSTRUCTION IN THE FLOOD PLAIN
*** ACTION BY PLANNING COMMISSION ***
May 20, 2009

NOTICE: The Lincoln/Lancaster County Planning Commission will hold a public hearing on Wednesday, May 20, 2009, at 1:00 p.m., in the City-Council Hearing Room, County-City Building, 555 S. 10th St., Lincoln, Nebraska, on the following items. For more information, call the Planning Department, 441-7491.

**PLEASE NOTE:** The Planning Commission action is final action on any item with a notation of “FINAL ACTION”. Any aggrieved person may appeal Final Action of the Planning Commission to the City Council by filing a Notice of Appeal with the City Clerk within 14 days following the action of the Planning Commission.

The Planning Commission action on all other items is a recommendation to the City Council or County Board.

*** NOTE: The regular Planning Commission meeting scheduled for June 3, 2009, has been canceled due to lack of agenda items ***

AGENDA
WEDNESDAY, MAY 20, 2009

Approval of minutes of the regular meeting held May 6, 2009. **APPROVED, 7-0 (Gaylor-Baird abstained)**

Election of Chair to fulfill the unexpired term of Eugene Carroll until August 26, 2009. **Lynn Sunderman elected Chair and Michael Cornelius elected Vice-Chair**

1. CONSENT AGENDA
   Public Hearing and Action:

   COMPREHENSIVE PLAN:
   1.1 Comprehensive Plan Conformance No. 08025, to review as to conformance with the 2030 Lincoln/Lancaster County Comprehensive Plan, a proposal to declare a portion of Lot 11 and the north 1/2 of Lot 12, Wesleyan Heights Addition, generally located northwest of North 41st Street and Greenwood Street, as surplus property.
   Staff recommendation: Conformance with the Comprehensive Plan
   Staff Planner: Brandon Garrett, 441-6373, bgarrett@lincoln.ne.gov
   Planning Commission recommendation: A FINDING OF CONFORMANCE WITH THE COMPREHENSIVE PLAN, 8-0.
   Public Hearing before City Council is tentatively scheduled for Monday, June 8, 2009, 1:30 p.m.
PERMITS:

1.2 Special Permit No. 09009, to allow outdoor seasonal sales, on property generally located at N. 40th Street and Superior Street.

*** FINAL ACTION ***
Staff recommendation: Conditional Approval
Staff Planner: Rashi Jain, 441-6372, rjain@lincoln.ne.gov
Planning Commission ‘final action’: CONDITIONAL APPROVAL, as set forth in the staff report dated April 29, 2009, 8-0.
Resolution No. PC-01166.

1.3 County Special Permit No. 09011, for a garden center, on property generally located at S. 148th Street and Pine Lake Road.

Staff recommendation: Conditional Approval
Staff Planner: Mike DeKalb, 441-6370, mdekalb@lincoln.ne.gov
Planning Commission recommendation: CONDITIONAL APPROVAL, as set forth in the staff report dated May 7, 2009, 8-0.
Public Hearing before Lancaster County Board of Commissioners being requested.

2. REQUESTS FOR DEFERRAL:

2.1 Change of Zone No. 09002, from AG Agricultural District to AGR Agricultural Residential District, on property generally located at S. 96th Street and Saltillo Road.

Staff recommendation: Applicant has requested to defer public hearing until June 17, 2009
Staff Planner: Mike DeKalb, 441-6370, mdekalb@lincoln.ne.gov
Applicant’s request for DEFERRAL granted, with continued public hearing and action scheduled for Wednesday, June 17, 2009, 1:00 p.m.

4. CONTINUED PUBLIC HEARING AND ACTION:

COMPREHENSIVE PLAN:

4.1 Comprehensive Plan Amendment No. 09003, to amend the 2030 Lincoln/Lancaster County Comprehensive Plan to adopt text changes to the Community Vision chapter to add the general topic of sustainability.

Staff recommendation: Approval
Staff Planner: Brandon Garrett, 441-6373, bgarrett@lincoln.ne.gov
Had continued public hearing.
Planning Commission recommendation: APPROVAL of staff recommendation, 8-0.
Setting Public Hearing date before the Lincoln City Council and Lancaster County Board of Commissioners pending.
4.2 Comprehensive Plan Amendment No. 09004, to amend the 2030 Lincoln/Lancaster County Comprehensive Plan to adjust the text in the Residential Chapter regarding Rural Area/Acreage Policy.

Staff recommendation: Approval
Staff Planner: Mike DeKalb, 441-6370, mdekalb@lincoln.ne.gov
Had continued public hearing.
Planning Commission recommendation: APPROVAL, as revised on May 19, 2009, 8-0.
Setting Public Hearing date before the Lincoln City Council and Lancaster County Board of Commissioners pending.

**********

AT THIS TIME, ANYONE WISHING TO SPEAK ON AN ITEM NOT ON THE AGENDA, MAY DO SO

**********

PENDING LIST: None

Planning Dept. staff contacts:
Steve Henrichsen, Development Review Manager 441-6374 . . shenrichsen@lincoln.ne.gov
Mike Brienzo, Transportation Planner ............ 441-6369 . . mbrienzo@lincoln.ne.gov
Tom Cajka, Planner ........................ . 441-5662 . . tcajka@lincoln.ne.gov
David Cary, Long Range Planner ................. 441-6364 . . dcary@lincoln.ne.gov
Mike DeKalb, Planner ....................... 441-6370 . . mdekalb@lincoln.ne.gov
Christy Eichorn, Planner ..................... 441-7603 . . ceichorn@lincoln.ne.gov
Brandon Garrett, Planner ..................... 441-6373 . . bgarrett@lincoln.ne.gov
Rashi Jain, Planner ........................ 441-6372 . . rjain@lincoln.ne.gov
Brian Will, Planner ........................... 441-6362 . . bwill@lincoln.ne.gov
Ed Zimmer, Historic Preservation Planner ...... 441-6360 . . ezimmer@lincoln.ne.gov

*** NOTE: The regular Planning Commission meeting scheduled for June 3, 2009, has been canceled due to lack of agenda items ***

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The Planning Commission meeting which is broadcast live at 1:00 p.m. every other Wednesday will be rebroadcast on Sundays at 1:00 p.m. on 5 City-TV, Cable Channel 5.

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The Planning Commission agenda may be accessed on the Internet at http://www.lincoln.ne.gov/city/plan/pcagenda/index.htm
PLANNING COMMISSION FINAL ACTION
NOTIFICATION

TO : Mayor Chris Beutler
     Lincoln City Council

FROM : Jean Preister, Planning

DATE : May 21, 2009

RE : Special Permit No. 09009
     (Outdoor seasonal sales - N. 40th & Superior Streets)
     Resolution No. PC-01166

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, May 20, 2009:

Motion made by Cornelius, seconded by Larson, to approve Special Permit No. 09009, with conditions, requested by Crossroads Church, to allow outdoor seasonal sales on property generally located at North 40th Street and Superior Street.

Motion for conditional approval carried 8-0: Gaylor Baird, Taylor, Esseks, Larson, Francis, Cornelius, Partington and Sunderman 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 on the special permit 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
    Gary Rihanek, 1511 Elba Court, 68521
    Daniel Thompson, 920 N. 39th Street, 68503
    Crossroads Church, 4401 N. 40th Street, 68504
    Duane Wendelin, Sunset Acres Neighborhood Assn., 4110 N. 42nd Street, 68504
RESOLUTION NO. PC- 01166

SPECIAL PERMIT NO. 09009

WHEREAS, Crossroads Church has submitted an application designated as Special Permit No. 08003 to allow outdoor seasonal sales on property generally located at N. 40th Street and Superior Street, and legally described as:

Lot 1, Hanson Jordan First Addition, 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 temporary outdoor seasonal sales 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 Crossroads Church, hereinafter referred to as "Permittee", to allow temporary outdoor seasonal sales in a residential district on the property described above be and the same is hereby granted under the provisions of Section 27.63.440 of the Lincoln Municipal Code upon condition that said sales be in substantial compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:
1. This permit approves outdoor seasonal sales in a residential district.

2. The Permittee shall cause to be prepared and submitted to the Planning Department a revised and reproducible final site plan including five copies with all required revisions and documents as listed below before receiving permits.

   a. Clearly show the number of stalls not available for parking due to the tent being in place and the fire code no parking zone within 20 feet of the tent.

   b. The area occupied by the tent and the required open area around the tent shall not reduce the parking for the church below its required parking.

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

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

5. 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.

The foregoing Resolution was approved by the Lincoln City-Lancaster County Planning Commission on this 20th day of May, 2009.

ATTEST:

[Signature]
Chair

Approved as to Form & Legality:

[Signature]
City Attorney
Special Permit #09009
N 40th & Superior St

Zoning:

One Square Mile
Sec. 07 T10N R07E
To Whom It May Concern:

Crossroads Church is applying for a special permit in order to operate a fireworks tent on the 3rd and 4th of July. The fireworks tent will be operated by volunteers from the church and all proceeds will be used for various projects and events within the church. The tent will be located at the northern most section of the parking lot.

If you have any questions or concerns regarding this application please contact Daniel Thompson at (402) 730-6450 or email at husker.dan@hotmail.com.

Thank you,
Crossroads Church
4401 N 40th St.
Lincoln, Ne 68504

Gary Rihansel, Trustee

Daniel Thompson, Event Coordinator
Mr. Endicott,

As I wrote to you last week, we are well aware of the issues you mention with Fletcher Avenue. We will continue to maintain the street with minimum maintenance efforts given the type and standard of the street. A box culvert is currently being designed to help address local street drainage issues. However, the city standard of curb and gutter is also needed. Please work with the adjacent property owners to request a re-paving district for this stretch of roadway. Please follow the link below for more information:


Additionally I have include Nebco one of the largest property owners along this stretch of roadway in this email and include their phone number so that you may contact them directly to work on this request.

NEBCO, Inc.
1815 Y Street
P.O. Box 80268
Lincoln, NE 68501
(402) 434-1212 - Phone

There are many important road needs in this community that cry out to be addressed as well with the limited funds that we have. The street work you mention will cover a little over 19 miles during the next two to three years however the city has over 1190 miles of streets it must maintain. Many factors go into consider before the roads are selected for rehabilitation and improvement, including such things as:

Existing Traffic Counts, Future Projected Traffic Volumes, the type of traffic using the roadway, Existing Pavement Condition, Curb and Gutter Condition, Coordination with Utility Projects, Traffic Signal Conditions, Existing landuse and roadway needs, Future landuse and roadway needs, Economic Development Opportunities, Crashes, bus routes, The Type of Road - Residential, Arterial, Collector, Is the roadway a standard or non-standard roadway (i.e. does it need the current city standards for width, presence of curb and gutter, etc.)

Certainly as the City tries to prioritize the projects it desires, one would desire to pick locations of high traffic volumes both existing and future, where by doing the improvement one can expect to help improve the economic opportunities of the adjacent properties to the benefit of the community as would the best we can.

Non-Arterial City Streets need to be upgraded to current city standards before rehabilitation effort begin, otherwise minimum maintenance efforts are continued. This has been a very long standing policy and has been applied across the city. Property owners adjacent to non-arterial street have paid for their streets to be either constructed or upgraded to city standards. New sub-divisions this cost is part of the cost of the lot, in older parts of town, paving and repaving districts are created and costs assessed to those
adjacent property owners. Fletcher in a not an arterial and is not a standard street therefore the re-paving district process must be followed in order to work beyond the minimum maintenance be established. Once again, if you'd like to work with the adjacent property owners to request a re-paving district please follow the link below for more information:


For more information of the City's Pavement Management Program please use the following link:

http://www.lincoln.ne.gov/city/pworks/projects/pavement

Thomas Shafer, PE
Engineering Services Manager

-----Original Message-----
From: Tammy J. Grammer
Sent: Monday, May 18, 2009 3:30 PM
To: Greg S. MacLean
Cc: Karen K. Sieckmeyer
Subject: FW: InterLinc: Council Feedback

Greg,

Could you please response to the email below. Please send the response to Councilpacket@lincoln.ne.gov and it will be listed on the Directors Agenda. This email will be listed on the Directors Agenda for 05/25/09. Thank-you.

Tammy Grammer
City Council Secretary
555 South 10th Street - Room 111
Lincoln, NE 68508
Phone: 402-441-6867
E-Mail: tgrammer@lincoln.ne.gov

-----Original Message-----
From: WebForm [mailto:none@lincoln.ne.gov]
Sent: Monday, May 18, 2009 1:02 PM
To: General Council
Subject: InterLinc: Council Feedback

InterLinc: City Council Feedback for
General Council

Name:     Jay Endicott
Address:  4641 Old Cheney Rd Apt#10
City:     Lincoln, NE 68516

Phone:    402-369-0144
Fax:       
Email:     J_Birdy@hotmail.com

Comment or Question:
I'm writing again about a street that needs some attention. Fletcher Ave, from 56th street to 70th street. This street needs much work. I've already put $500.00 into my car for suspension work, I drive this street everyday. If this was a residential area it would be fixed no problem. But since this is a Industrial street I see the importance my e-mails mean to you. This street Floods everytime it rains. Please reply to this e-mail on what you will do to fix this problem.

thanks

Jay Endicott
J_Birdy@hotmail.com
Dear Mr. Frank Osly:

Your message has been received in the Council Office and will be forwarded to the Lincoln City Council Members. I will also forward your email to the Mayor, City Ombudsman, and the City Attorney's Office. Thank-you.

Tammy Grammer
City Council Secretary
555 South 10th Street - Room 111
Lincoln, NE 68508
Phone: 402-441-6867
E-Mail: tgrammer@lincoln.ne.gov

-----Original Message-----
From: WebForm [mailto:none@lincoln.ne.gov]
Sent: Friday, May 15, 2009 10:05 AM
To: General Council
Subject: InterLinc: Council Feedback

InterLinc: City Council Feedback for General Council

Name: Frank Osly
Address: 413 Tompkins Avenue #3r
City: Brooklyn, NY, 11216
Phone: (347)787-1606
Fax: 
Email: frank.osly@gmail.com

Comment or Question:
Lincoln Police Departmen refues to file a incident report for failure to report child abuse. State law requires all matters of child abuse to be reported. My name on the Child Abuse Central Register is blank, according to DHHS Legal Counsel, and Assistant Attorney General Dale Comer. Mr. Comer can’t create records that don't exist.

Lincoln Police Departmen's Internal Affairs unit refues to take a complaint against the Family Crimes Unit cop or her suprviser, saying on dictaphone 'Do you think we would really investigate our own? Do you think that?'.

I complained to the Mayors Office who said they could only refer the matter to the City of Lincoln Ombudsman. The Ombudsman got me the case number last month in 2009. I can prove I emailed Dale Comer that same information in November 2008. I obtained the police report myself in 2006.

However, while the investigation was going on, no-one told me. I find this interesting since I was incarcerated in Lincoln as a juvenile.

Also I was sexually assaulted as a minor. LPD refused to take a police report against the individual. It was menioend in documentation ouseide the city. When I tried to inform the
city no-one cared, stating that it happened as a minor and the statute of limitations had expired. That wasn't the case in 2001.

I've kept this up for the better part of 15 years and there are no incident reports of for the 2 lpd officers, the three group homes, the 7 teahcers, the school administratorm, the school nurse, the county attorney who declined to prosecute the case, the public defender, porsecuting county attorney, or juvenile court judge failing to report a instance of child abuse, taken 2 weeks after it occured, while I was in custody of Lincoln Police Department.

I've spent the last 7 years audio and video taping myself dealing with all levels of government including the FBI.

I would like to find out why your city treated my like a second class citizen, and force soemoen with a 144 IQ (Genious) to deal with some of the most self-righteous, ignorant people on the face of the planet. They forget I'm the guy who tapes them, even when I call back and play the tape that just got recorded to the same individual.

Second-Class-Citizenship-Frank-Oslzly Signing out.

I'll probably be suing. Keeping a eye on the administrative procedures act's requirement for a written response.

Thank-you for your time.
InterLinc: City Council Feedback for General Council

Name: Carol Thompson
Address: 2355 Calumet Ct.
City: Lincoln, NE 68502

Phone:  
Fax:  
Email: cthompson1@inebraska.com

Comment or Question:
Just want to throw my support behind keeping the South Branch of the library OPEN. I have a master's degree in library and information science and am appalled at the move to close smaller urban branches. I would much rather see the system as a whole "share the pain" by cutting hours of operation at all branches. Closing branches within walking distance of heavily populated areas works against the fundamental philosophy of PUBLIC libraries--Andrew Carnegie is spinning in his grave!
InterLinc: City Council Feedback for General Council

Name: Jay Endicott
Address: 4641 Old Cheney Rd Apt#10
City: Lincoln, NE 68516

Phone: 402-369-0144
Fax: 
Email: J_Birdy@hotmail.com

Comment or Question:
I'm writing again about a street that needs some attention. Fletcher Ave, from 56th street to 70th street. This street needs much work. I've already put $500.00 into my car for suspension work, I drive this street everyday. If this was a residential area it would be fixed no problem. But since this is a Industrial street I see the importance my e-mails mean to you. This street Floods everytime it rains. Please reply to this e-mail on what you will do to fix this problem.

thanks

Jay Endicott
J_Birdy@hotmail.com
From: LSJJLJ
To: parks@lincoln.ne.gov
Sent: 5/18/2009 10:44:30 A.M. Central Daylight Time
Subj: Meadow Heights Pool

Parks & Recreation Administrators:

I am concerned about the decision to eventually close Meadow Heights Pool. I realize funds are tight, but what will be lost for the residents of this area is of greater concern. The argument surfaces that the pool is in competition with the two private pools in the area. This has always been the case since these pools existed when Meadow Heights was built. Granted, the area had more young families at that time, but the Meadow Lane neighborhood area will flip. There is already evidence of this by increasing numbers in the elementary school. I feel a community as prosperous as Lincoln can save this facility if leaders were truly committed to the cause. I grew up in a community where the pool was built by the WPA. The community is a small Nebraska town that has difficulty funding its needs but still finds a way to keep the swimming pool even though there are fewer young people residing there and many retired citizens paying the taxes. I do not agree that the private pools can provide the same services for families. The cost is greater, the pools smaller (limiting membership), the payment options fewer. This means that some struggling families who were able to use the public pool at some time in some way will not be able to manage the cost of the private pool facilities or be able to swim occasionally. I understand that Meadow Heights Pool loses money each season; however, the purpose is to provide recreation for the community and enhance a healthy lifestyle, not make money. Just like the UNL football program supports other university sports, the more prolific pools will have to help support the remainder. I am grateful that our family has benefited from Meadow Heights Pool for all the years we have since we have lived in our house since 1970, but seeing the pool disappear for future generations seems such a waste of a facility that could continue to serve the recreational needs of this area for years to come. Residents here are not asking for a new, fancy pool-just a serviceable facility to remain available. Please do what you are able to help keep Meadow Heights Pool.

Sincerely,

Janis Johnson

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A Good Credit Score is 700 or Above. See Yours in Just 2 Easy Steps!

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An Excellent Credit Score is 750. See Yours in Just 2 Easy Steps!
May 19, 2009

Councilwoman Robin Eschliman

Thank you for your letter requesting Rotary Club # 14 to undertake a capital fundraising effort to rebuild and endow the 15th Street Centennial Mall.

I have reviewed your request with leaders of our Club Foundation and we find your request to have our Club embark on a fundraising effort to rebuild and provide an endowment for future maintenance does not meet the project parameters set by the Club for the creation of our Centennial project.

We have chosen five finalists to be considered for our Centennial Project, which can be completed or started by June 2010, our 100th Anniversary. The 15th Street Centennial Mall is certainly a worthy project and perhaps as the fund raising campaign is developed the Club 14 can be of assistance.

I apologize you did not receive my response to your 2006 letter. I am enclosing a copy of my response.

Sincerely,

[Signature]

Bill Norris, Chair
Centennial Projects Committee

cc. Doug Emery, Jonathan Cook, Jon Camp, Dan Marvin
John Spatz, Ken Svoboda
Mayor Chris Beutler, Lynn Johnson
April 29, 2009

Bill Norris
7216 Sugar Creek Circle
Lincoln, NE 68516

Dear Bill:

Two years ago, our City Council sent you the attached letter and never received a response. In talking with Bill Schmeekle the other day, he encouraged me to contact you and said your plans for funding the park at 13th & P did not materialize.

Once again we would like to ask the Rotary 14 Club to make this a project. The City is prepared to commit to about $2 million, and we are looking for creative ways to approach the State of Nebraska for some help.

The State Capitol is our biggest tourist attraction. Numerous visitors come to Lincoln and spend their sales tax dollars here, and many stop by the fountains for a picture. We must give them a better impression of our City, and our community will benefit by rallying around this project. It would be a great responsibility but also a great honor for Rotary Club 14 to embark on a capital fundraising and an endowment so that the Mall will never deteriorate like this again.

We would like you to consider this and would love to hear back from you.

Cordially,

Robin Eschliman
Doug Emery

Jon Camp
Dan Marvin

cc: Mayor Chris Beutler
Lynn Johnson, Parks & Recreation Director
March, 15, 2006

Robin Eschliman
City Council Member at Large
555 South 10th Street
Lincoln, NE. 68508

Dear Robin,

Thank you for your letter on behalf of the City Council suggesting the renovation and restoration of Centennial Mall as a possible project for Rotary Club 14’s One Hundredth Anniversary Project. Your letter is timely, as our Club’s Centennial Committee is beginning to discuss the parameters and timetable for recommending a project to our membership. We will add your suggestion to our list of possible projects.

Our committee will be developing a consensus of the membership this next year on the size and scope of the project we wish to develop and will be soliciting ideas from our membership and the community. As you know, Rotary Club #14 and the East Rotary Club made a major contribution by being the lead gift in the development of the Rotary Pavilion at the Sunken Gardens. We have maintained good communication with Lynn Johnson, Director of the Parks and Recreation Department, and he has provided us with some suggested projects, including the Centennial Mall.

We appreciate the Council’s interest in our Club’s effort and will keep you informed as we proceed.

Sincerely,

Bill Norris
Committee Chair, Centennial Committee
Rotary Club #14

cc. Patte Newman, Ken Svoboda,
Annette McRoy, Jon Camp
Dan Marvin, Jonathan Cook
May 19, 2009

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

Dear Councilman Emery,

I am writing this letter to inform you that I will be leaving KMM in the end of May to assume a new assignment at the Kawasaki Heavy Industries, Ltd in Akashi.

I would like take this opportunity to express my sincere appreciation for your generous support and friendship which you have extended to me during my three and half years in Nebraska and Missouri. I will always remember and treasure the memories of my experience here.

My successor, Mr. M. Asano, was formerly the deputy General Manager of Supply Chain Management CP at Kawasaki Heavy Industries, Ltd in Akashi. I am sure that you will find him responsive in his new responsibilities. I hope that you will extend the same cooperation to Mr. Asano as you have given to me.

I am looking forward to seeing you again sometime in the future. In the meantime, please accept my best wishes for your health, happiness and continued success.

Sincerely,

[Signature]

Shiro Noiri
President

Kawasaki Motors Manufacturing Corp., U.S.A.