I. CITY CLERK

II. CORRESPONDENCE FROM THE MAYOR & DIRECTORS TO COUNCIL

MAYOR

*1. NEWS ADVISORY. Mayor Beutler will join other City Organizations at a news conference, Thursday, June 25, at 10:00 a.m. in the Council Chambers to discuss Uncle Sam jam 2009 and other Independence Day weekend activities. (Forwarded to Council Members)

*2. NEWS RELEASE. Mayor welcomes visitors to Lincoln for Independence Day weekend. Uncle Sam Jam 2009 schedule of events, Lincoln’s Symphony Orchestra presentation and traffic and parking locations included in release.

*3. Drinking water samples tested for Total Coliform and E. Coli bacteria by the Colilert® method of analysis.

*4. NEWS RELEASE. Open house set for section of Antelope Valley roadway, Monday, June 29, 2009, 4:30 pm to 6:30 pm at 2143 “O” Street.

*5. NEWS ADVISORY. Lincoln Fire and Rescue. Members of the media invited to cover Friday’s culminating exercise of a national Urban Search and Rescue (US&R) training course.


7. NEWS ADVISORY. Mayor Beutler will discuss proposed budget cuts for 2009-2010 at a news conference on Tuesday, June 30th, 1 pm in the Mayor’s conference room at the County-City Building, 555 So. 10th. (Forwarded to Council Members on 06/29/09)

8. NEWS RELEASE. Mayor’s budget proposed $5.6 million in cuts.

9. NEWS ADVISORY. Mayor Beutler will have a news conference on July 2nd, 10 a.m. at 555 S. 10th in the Chambers with details of the budget and a briefing, same day, at 1 p.m. at 555 S. 10th in the Mayor’s Conference Room on the entire budget.

10. NEWS RELEASE. Mayor proposed lower City retirement match for new employees.


DIRECTORS

COMMISSION ON HUMAN RIGHTS

FINANCE/TREASURER
2. Memo from Steve Hubka, Budget Officer, with June sales tax reports reflecting April sales:
   a) Actual compared to projected sales tax collections;
   b) Gross sales tax collections, with refunds added back in, 2003-2004 through 2008-2009; and

HEALTH
1. NEWS RELEASE. Clean up your fireworks.
2. NEWS RELEASE. Air quality health advisory for sensitive individuals, fireworks and air pollution.
   a) Air pollution particle graph for Lincoln, July 3-5, 2008.

CITY LIBRARIES
1. NEWS RELEASE. Library Board of Trustees vacancy announced.

PLANNING
1. Urban Design Committee meeting agenda for July 1, 2009.

PLANNING COMMISSION

PLANNING COMMISSION FINAL ACTION
2. Special Permit No. 500B. Add adult evening component to private school, 2615 Austin Drive. Resolution No. PC-01172.

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

JON CAMP
1. Correspondence from Mark Kurtenbach regarding safety and traffic flow on Old Cheney Road between 70th Street and 84th Street.

JONATHAN COOK
1. Request to Greg MacLean, Public Works & Utilities Director - RE: Road at 1st & Fletcher (RFI#136 - 06/18/09) SEE RESPONSE FROM DENNIS BARTELS, ENGINEERING SERVICES.
2. Letter from Dave Scheffler asking for the vote in August to be preserving the Lincoln libraries.
DOUG EMERY
*1. Letter from Dave Scheffler asking for the vote in August to be preserving the Lincoln libraries.

IV. CORRESPONDENCE FROM CITIZENS TO COUNCIL
*1. Don and Diane Crouch email stating that money needs to go to infrastructure first, repair the roads.
*4. Letter, with attachments, from Lois Hartzell, Vistar Homes, Inc. asking the City of Lincoln to reduce the amount of impact fees to help relieve the burden of costs on home buyers in this difficult economy. (Each Council Member received individual letter)
5. Email from Sara Boldt. Consider the responsible people who take good care of their pets, including pitbulls.
6. Letter from Mark Faatz. Consider all aspects when thinking of closing the South Branch Library. (Council members received on 06/29/09)
7. Lincoln Airport Authority Resolution No. 518 stating no tax levy should be made for airport purposes for the fiscal year beginning July 1, 2009.

V. ADJOURNMENT

* Carried Over from June 29, 2009.
OFFICE OF THE MAYOR
555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

DATE: June 29, 2009
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831

Mayor Chris Beutler will discuss proposed City budget cuts for 2009-2010 at a news conference at 1 p.m. Tuesday, June 30 in the Mayor's Conference Room, County-City Building, 555 S. 10th St.
Mayor Chris Beutler today announced that his proposed budget for the 2009-2010 fiscal year will include about $5.6 million in cuts, including 28 FTEs (full-time equivalent positions). That brings the total cuts since Mayor Beutler took office in May 2007 to nearly $10 million and 143 FTEs.

“This budget again demonstrates my Administration's commitment to doing more with less and to evaluating every program with an eye toward being more effective and less burdensome to taxpayers,” Mayor Beutler said. “For the third year running, we've squeezed the bottom line and found innovative solutions to preserving services at less cost.”

Specific cuts in the Mayor's proposed budget include the following:

- The Lincoln Area Agency on Aging will consolidate office space and save $179,000.
- Parks and Recreation will hire fewer part-time summer workers by re-organizing tasks.
- Re-bidding the health insurance contract has resulted in savings of $1.6 million over last year.

At the same time, the Mayor said Lincoln has reached the “tipping point” where further cuts damage the City's ability to effectively address community needs. “If you cut expenses to the point at which the remaining funds can't get the job done, then you've wasted money in the name of political expediency,” Beutler said. “I cannot in good conscience allow our community to become second rate because the City's elected leaders cared more about their re-election than your future. We cannot cut our way to prosperity.”

Mayor Beutler pointed out that Lincoln remains one of the best “tax bargains” in the State:

- Lincoln uses only 50 percent of its property tax levy authority. The other local governmental entities that levy property taxes in Lincoln use 80 percent or more of their levy authority.
- Of the ten largest cities in Nebraska, Lincoln's property tax levy ranks seventh. Two of the cities that rank lower receive millions of dollars in payments from the Nebraska Public Power District. Lincoln Electric System customers do not subsidize City of Lincoln services in the same manner.

The Mayor will present his budget to the City Council at 10 a.m. Monday, July 6. The presentation will be carried live on 5 CITY-TV, government access cable channel 5. The City Council votes on tentative changes to the Mayor's budget in July. The public hearing on the budget is scheduled for August 10.
DATE: July 1, 2009
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831

Mayor Chris Beutler will have two events for the media Thursday, July 2 in connection with his proposed budget for the 2009-2010 fiscal year:

- The Mayor will release more details on the budget at a news conference at **10 a.m. in the City Council Chambers, County-City Building, 555 S. 10th St.**

  Members of the media are invited to a briefing on the entire budget at **1 p.m. in the Mayor's Conference Room. Those attending this briefing must agree to delay reporting the information until Sunday, July 5.**

The Mayor will make his budget presentation to the City Council at 10 a.m. Monday, July 6.
Mayor Chris Beutler today announced that his budget proposal for 2009-2010 includes a change in the City employee retirement plan to a $1 to $1 match for new employees. The City currently contributes $2 for every $1 contributed by employees to the pension plan. The City Council will consider an ordinance to change the match effective January 1. Beutler made the announcement with City Council Chair Doug Emery and Vice Chair John Spatz.

Beutler said the two-for-one match has created a divide between City employees and many residents who receive a much lower retirement match from their employers. And the Mayor said it's difficult for the City to move forward in unity if residents believe the City's priorities are misplaced.

"Many ask why their tax dollars are financing retirements they themselves cannot hope to attain," Beutler said. "It is difficult for citizens to understand why we must cut the services they depend on during a budget shortfall but still maintain the two-to-one match. The generosity of our retirement program is inhibiting Lincolnites' willingness to invest in our future. Without that investment, we cannot achieve our vision of tomorrow."

Beutler said the proposed match reduction does not reflect the value placed on City employees. "As Mayor, I have set a very high standard and demanded a new level of accountability," he said. "As budget realities have led to program reductions they have done more work with fewer resources. Many are putting in longer hours and expanding their to-do lists because they care about this community and the people they serve."

The Mayor said the cost savings of the proposed change will be limited because the City cannot legally change the retirement match for current employees. The City also does not anticipate a large increase in hiring in the near future. The budget office estimates that the change to a one-to-one match would save $2.2 million over the next five years if hiring follows the same pattern as the last five years.

The Mayor will present his budget to the City Council at 10 a.m. Monday, July 6. The presentation will be carried live on 5 CITY-TV, government access cable channel 5. The City Council votes on tentative changes to the Mayor's budget in July. The public hearing on the budget is scheduled for August 10.
House working to clear cap-and-trade bill. After weeks of negotiations with rural lawmakers and other fence-sitting Democrats and a full scale lobbying blitz by the White House, the House was poised to vote on legislation (HR 2996) to create a cap-and-trade regime to regulate and reduce greenhouse gas emissions. Weighing in at 1201 pages, versus 963 pages for the bill approved the Energy and Commerce Committee, the bill considered by the House reflects concessions that the bill’s authors made, mostly to rural interests and farmers, in an attempt to secure enough votes for its passage.

The overarching goal of the bill is to reduce greenhouse gas emissions to 97 percent of 2005 levels by 2012, 83 percent of 2005 levels by 2020, 58 percent of 2005 levels by 2030 and 17 percent of 2005 levels by 2050. The bill would set up a specific allocation of emissions allowances, with the bulk going to protecting electricity and natural gas consumers from retail price increases. Ten percent of all allowances would be allocated to states to fund renewable energy and energy efficiency programs.

Despite the efforts of local governments, the bill does not allocate any allowances towards funding the Energy Efficiency and Conservation Block Grant (EECBG). Local governments argued unsuccessfully that the bill imposes considerable mandates on local governments in the areas of building codes, land use planning and transportation planning and that it should provide at least some of the resources that local governments will need to meet the bill’s mandates.

The bill also has a strong focus on reducing transportation greenhouse gas emissions. It includes a number of provisions designed to increase investment in and use of cars powered by electricity such as plug-in hybrid and other electric vehicles, including investments in the infrastructure needed to support such vehicles. In addition, the bill would require states and metropolitan planning organizations (MPOs) serving a population of over 200,000 to include goals for reductions in transportation-related greenhouse gas emissions as part of both their clean air and transportation plans.

The metropolitan planning requirements in the House-passed bill are not as specific or as stringent as those included in the Committee-approved bill. (See the May 22, 2009 Washington Report for details.) Another last-minute change to the bill would allow for the expenditure of one percent of the funding from HR 2454 to be used for transportation projects that reduce greenhouse gases.

In a last-minute manager’s amendment, the House includes language allowing the Federal Energy Regulatory Commission (FERC) to preempt state and local land use and zoning authority for the siting of electric transmission lines related to the Western Interconnection, which renewable energy advocates argue is crucial to delivering electricity generated by renewable resources to population centers. The bill as passed by the House also includes a provision that would mandate that local governments limit building permit fees for the installation of solar power facilities to $500 or less for residential permits and $10,000 or less for commercial permits. Local governments
failing to meet that mandate would forfeit their Community Development Block Grant.

The bill also includes development of a national standard for building codes, with a goal of reducing the energy consumption of residential and commercial by 50 percent below 2006 level by the middle of the next decade and by an additional 5 percent every three years after that through 2030. The bill as passed by the House would authorize $20 million a year through FY 2014 for grants of up to $1 million to local governments to help them update their building codes. The grants would require a local match of 50 percent for cities over 50,000 in population and 25 percent for cities under 50,000 in population.

A key part of the bill is its renewable electricity mandate. Under the bill, most electric utilities would have to derive 6 percent of their total electricity load from renewable resources or from electricity savings in 2012. That percentage would increase gradually each year to 20 percent by 2020. In a nod to the difficulty of building sufficient renewable energy projects and the transmission lines needed to meet that goal, electric utilities would be allowed to meet as much as one-fourth of the mandate through electricity savings.

The debate on climate change now moves to the Senate. The Energy and Natural Resources Committee has approved a comprehensive energy bill that includes a renewable electricity mandate but does not include a cap-and-trade regime for greenhouse gas emissions.

CONGRESS

Members break for week-long recess but face major issues upon their return. Both the House and Senate adjourned for an Independence Day recess at the end of the week, hoping to get some rest before tackling a number of high-profile issues over the summer.

The House took on a difficult issue today, narrowly approving sweeping climate change legislation (see related story below). In the Senate, the Finance Committee began consideration of health care reform. Both matters are of the highest priority of the Obama Administration, and the President spent much of the week urging lawmakers on the fence about both issues to move with haste while public opinion appears to favor significant change in both areas.

Meanwhile, both chambers continue FY 2010 budget activity in committee and on the floor. Plans for swift consideration of the annual spending bills have been derailed somewhat in the House and Senate, where Republicans have begun parliamentary tactics that will not result in the defeat of any budget bills, will slow the process considerably. Thus far, the House has approved three of the 12 FY 2010 spending bills, including the Homeland Security measure this week, but not without staving off dozens of time-consuming amendments from Republicans.

Senators have approved four spending bills in committee, including the Commerce, Justice and Interior Department bills this week, but floor activity on many is up in the air, as Republicans in that chamber have signaled their intention to slow the pace there as well.

Meanwhile, the President signed into law this week the FY 2009 supplemental appropriations bill for overseas military operations and pandemic flu preparations.

Both the House and Senate will return from the recess on Monday, July 6.

TRANSPORTATION

House subcommittee approves draft authorization bill. The Highways and Transit Subcommittee of the House Transportation and Infrastructure (T&I) Committee met this week to consider draft surface transportation authorization legislation. The panel approved the six-year, $500 billion bill by unanimous voice vote after a full day of member statements and amendments.

Approval of the bill in the subcommittee paves the way for consideration by the full Committee, which T&I Chairman James Oberstar (D-MN.) would like to schedule in mid-to-late July. Oberstar appears determined to move forward on the measure despite opposition from the Obama Administration and the Senate, each of which have proposed an 18-month extension of current law to allow time to consider the fundamental question of how to pay for all the various transportation programs.

Over the course of the markup, subcommittee members expressed their concerns about 18-month extension proposal, and every member of the panel who spoke, Republican or Democrat, voiced support for following Oberstar’s timeline to move a six-year authorization by the end of September, when the current authorization expires. All but two of the 45 Democratic members of the full Committee signed a letter to President Obama expressing their opposition to his extension proposal.

Though many issues were raised during the markup, chief among them was the distribution of federal gas tax dollars among states, a familiar debate from the last few reauthorization cycles. The “donor-donee” state issue, as it is called, describes the rate of return on the federal gas taxes each state pays into the Highway Trust Fund. Some states receive more in road and transit funding than they contribute via the gas tax, while others receive less. As the issue was raised during the markup, Oberstar indicated that the section addressing the issue was left blank in the committee print on purpose, so that the issue could be discussed prior to markup in the full committee.

The larger question remains of how the proposed programs in the draft authorization bill will be financed. The Chairman of the Highways and Transit Subcommittee, Rep. Peter DeFazio (D-OR), indicated after the markup that he has made certain financing suggestions to the House Ways and Means Committee, including an oil futures trading tax, specific bond initiatives, and a per-barrel oil tax. The Ways and Means Committee held a hearing this week to consider the financial needs of the Highway Trust Fund, and will meet again in July to consider financing proposals for the surface transportation authorization, according to Oberstar.

Republican members of the
the Senate would provide $100 million for FY 2010 by the House. Of that amount, $144 million less than was suggested for committee recommended $658 million, an increase of $1.29 billion from the FY 2009 level. Of particular note is the COPS program, for which the measure, an increase of $108 million over FY 2009, but $144 million less than was suggested for FY 2010 by the House. Of that amount, the Senate would provide $100 million for Hiring Grants, as opposed to the $296 million recommended for the program by the House.

The full committee report was not available at press time, but some funding levels for other selected programs at Justice include (with difference from FY 2009 and House FY 2010 levels in parentheses):

- $510 million for the Byrne Justice Assistance Grant Program (-$9m FY 2009; -$19m House)
- $435 million for Violence Against Women Act programs (+$46m; +$35m)
- $407 million for Juvenile Justice programs (+$33m; +$22m)

The Senate is hoping to consider the FY 2010 Departments of Commerce, Justice, and Science bill on the floor after the recess. The House approved its version on June 18.

ARTS, ENVIRONMENT & RECREATION
Interior-EPA spending measure advances; includes big spending increases for infrastructure. By a vote of 254-173, the House passed legislation (HR 2996) to fund the Department of Interior, the Environmental Protection Agency (EPA) and federal arts, humanities and museum agencies in FY 2010. On the other side of Capitol Hill, the Senate Appropriations Committee unanimously approved its version of the bill.

As passed by the House, the bill would provide significant increases for the State Clean Water Revolving Loan Fund and the State Drinking Water Revolving Loan Fund. Funding for the first would increase 334 percent over the FY 2009 level to $1.618 billion and for the latter 174 percent to $1.443 billion. The bill approved by the Senate Appropriations Committee would provide an even larger increase for Clean Water, funding it at $2.1 billion, and a similar increase for Drinking Water, funding it at $1.39 billion. The House bill includes language that would require the states to use at least 30 percent of the Clean Water and Drinking Water allocations for grants or negative interest loans and 20 percent of all funds for “green” projects.

Other highlights of the House and Senate bills include (with FY 2009 levels in parentheses):

- Brownfields - $100 million House & Senate ($97 million)
- Diesel Emission Reduction Grants - $60 million House & Senate ($60 million)
- Land & Water Conservation Fund State Grants - $30 million House, $35 million Senate ($20 million)
- National Endowment for the Arts - $170 million House, $161 million Senate ($155 million)
- National Endowment for the Humanities - $170 million House, $161 million Senate ($155 million).

The Senate may take up the bill before the August recess, making it a prime candidate for Conference Committee and final passage before the end of fiscal year.

STIMULUS WATCH
Weekly update on stimulus activities:

Department of Energy
DOE released the final Funding Opportunity Announcements (FOA) for the $3.3 billion Smart Grid Investment Grant Program and the $615 million Smart Grid Demonstrations Projects. The maximum award for the Smart Grid Investment Grants will be $200 million and the maximum award for the Smart Grid Demonstrations will be $100 million:

DOE issued an amendment on June 25, 2009 that extended the deadline for applying for formula funds under the Energy Efficiency Conservation Block Grant Program to August 10, 2009.

Department of Labor
DOL announced the availability of $5 million in grant funds for the Green Capacity Building Grants. Only active DOL-funded grantees are eligible to apply. The Department expects to award between 50 and 100 grants that will...
range from $50,000 to $100,000. The deadline for applications is August 5:

Congress provided $500 million for competitive grants for green jobs training as part of the American Recovery and Reinvestment Act (ARRA):

Department of Transportation
ARRA programs will now allow operating expenses as eligible program costs for Transit Capital Assistance Urbanized Area Program funds and Transit Capital Assistance Non-urbanized Area Program funds. Up to 10 percent of ARRA funds apportioned for the urbanized and non urbanized formula programs can be used for operating assistance. Apportionment Tables illustrating the 10 percent available for operating assistance have been posted:
http://www.fta.dot.gov/index_9440.html
Information and instructions for applying for operating assistance under ARRA have been posted on the FTA website:

Office of Management and Budget
OMB issued new implementing guidance for the American Recovery and Reinvestment Act of 2009 on June 22, 2009. Detailed information about job reporting requirements and compliance can be found in Section 5 of the guidance:
http://www.whitehouse.gov/omb/recovery_default/

Stimulus Webinar
The National League of Cities is hosting a webinar entitled “Implementation of the Economic Recovery Act: Purchasing Programs to Support Economic Recovery” on June 29, 2009 from 1:00 – 2:30 PM EDT. The webinar will highlight the U.S. Communities Government Purchasing Alliance and their “Recovery Toolbox.” Registration for the webinar will be open on Monday, June 29th at 11:00 AM EDT. The session has limited space for participation. All webinar presentations will be made available on following the webinar:

GRANTS & NOTICES

Federal Transit Administration
FTA is withdrawing a notice of proposed rulemaking (NPRM) from November 2008 regarding amending school bus operations. FTA received over 200 written comments to the NPRM, many of which expressed concern that the rule would unfairly restrict public transportation operators from providing vital transportation services to local schools. FTA plans to revisit the issues addressed in the NPRM in the near future:

National Archives and Records Administration
The National Historical Publications and Records Commission is seeking proposals to publish historical records of national significance. Grants ranging from $20,000 to $250,000 will be awarded for collecting, describing, preserving, compiling, editing, and publishing historical documentary source materials. Applications for the second round of 2009 funding are due at www.grants.gov on October 6, 2009. Notice:

National Endowment for the Humanities
NEH is currently accepting applications for America’s Historical and Cultural Organizations: Planning and Implementation Grants. The purpose of these grants is to support the development of content that “excite, inform and stir thoughtful reflection upon culture, identity and history in creative and new ways.” Maximum awards are $75,000 for planning grants and $100,000 for implementation grants. There is no required match for either grant. Applications are due at www.grants.gov on August 26, 2009. Planning Grants Notice:
Implementation Grants Notice:
Hello County and City Employees:

Come and join us for our Food Bank Kickoff Picnic on Friday, July 10th from 11am-1pm on the mezzanine level of the County/City Building.

We will be serving Sloppy Joes, chips, baked beans, pasta salad, cookies, pop, water and iced tea. The cost will be $5.00. Veggie hoagies will be available. Please contact Minette, County Food Bank Coordinator, at 1-7449 to order a hoagie.

Your Food Bank Departmental Coordinator will collect your $5 and get your ticket to you. There will be a limited number of tickets available at the door, however, it is best to purchase beforehand. Tickets are available now.

WE HOPE TO SEE all of you there to support THE FOOD BANK of LINCOLN.

Thanks...

Minette Genuchi
County Food Bank Coordinator
1-7449

Larry Williams
City Food Bank Drive Coordinator
1-8691
Attached are the June sales tax reports reflecting April sales. Like we expected, it was not a good month, in large part due to the refund amounts.

Also, at the pre-Council on Monday, I promised to provide the documents we use to reconcile KENO receipts including interest earnings, with KENO appropriations. If you have any questions on these please call myself at 441-7698 or Sherry Wolf-Drbal at 441-7805.
(See attached file: BFb090629-3.pdf)


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### Actual Compared to Projected Sales Tax Collections

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<tr>
<th></th>
<th>2008-09 PROJECTED</th>
<th>2008-09 ACTUAL</th>
<th>VARIANCE FROM PROJECTED</th>
<th>$ CHANGE FR. 07-08</th>
<th>% CHANGE FR. 07-08</th>
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<tbody>
<tr>
<td>SEPTEMBER</td>
<td>$4,648,330</td>
<td>$4,377,476</td>
<td>($270,854)</td>
<td>($144,262)</td>
<td>-3.19%</td>
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<tr>
<td>OCTOBER</td>
<td>$4,842,011</td>
<td>$4,736,074</td>
<td>($105,937)</td>
<td>($237,187)</td>
<td>-4.77%</td>
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<tr>
<td>NOVEMBER</td>
<td>$4,836,314</td>
<td>$4,851,237</td>
<td>$14,923</td>
<td>$191,378</td>
<td>4.11%</td>
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<tr>
<td>DECEMBER</td>
<td>$4,534,401</td>
<td>$4,336,273</td>
<td>($198,128)</td>
<td>($387,336)</td>
<td>-8.20%</td>
</tr>
<tr>
<td>JANUARY</td>
<td>$4,654,027</td>
<td>$4,209,000</td>
<td>($445,027)</td>
<td>($381,789)</td>
<td>-8.32%</td>
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<td>FEBRUARY</td>
<td>$5,930,039</td>
<td>$5,691,880</td>
<td>($238,159)</td>
<td>$585,203</td>
<td>11.46%</td>
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<tr>
<td>MARCH</td>
<td>$4,312,238</td>
<td>$4,184,988</td>
<td>($127,250)</td>
<td>$88,852</td>
<td>2.17%</td>
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<tr>
<td>APRIL</td>
<td>$4,101,468</td>
<td>$4,048,629</td>
<td>($52,839)</td>
<td>($70,083)</td>
<td>-1.70%</td>
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<tr>
<td>MAY</td>
<td>$4,785,046</td>
<td>$4,626,889</td>
<td>($158,157)</td>
<td>($103,949)</td>
<td>-2.20%</td>
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<tr>
<td>JUNE</td>
<td>$4,631,241</td>
<td>$4,179,081</td>
<td>($452,160)</td>
<td>($543,861)</td>
<td>-11.52%</td>
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<td>JULY</td>
<td>$4,699,599</td>
<td>$4,990,120</td>
<td></td>
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<tr>
<td>AUGUST</td>
<td>$4,990,120</td>
<td>$4,524,128</td>
<td></td>
<td>($1,003,033)</td>
<td>-21.7%</td>
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Actual collections through June are 4.30% below projections for the year.
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<tr>
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</thead>
<tbody>
<tr>
<td>September</td>
<td>$4,453,875</td>
<td>$4,648,160</td>
<td>$4,630,210</td>
<td>$4,573,597</td>
<td>-1.22%</td>
<td>$4,612,020</td>
<td>0.84%</td>
<td>$4,812,555</td>
<td>4.35%</td>
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<tr>
<td>October</td>
<td>$4,670,587</td>
<td>$4,706,690</td>
<td>$4,823,369</td>
<td>$4,712,519</td>
<td>-2.30%</td>
<td>$5,052,950</td>
<td>7.22%</td>
<td>$4,845,000</td>
<td>-4.12%</td>
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<tr>
<td>November</td>
<td>$4,526,166</td>
<td>$4,687,792</td>
<td>$4,799,275</td>
<td>$4,658,480</td>
<td>-2.93%</td>
<td>$4,818,715</td>
<td>3.44%</td>
<td>$4,937,998</td>
<td>2.48%</td>
</tr>
<tr>
<td>December</td>
<td>$4,314,111</td>
<td>$4,500,338</td>
<td>$4,511,403</td>
<td>$4,445,761</td>
<td>-1.46%</td>
<td>$4,753,456</td>
<td>6.92%</td>
<td>$4,545,947</td>
<td>-4.37%</td>
</tr>
<tr>
<td>January</td>
<td>$4,335,924</td>
<td>$4,264,010</td>
<td>$4,342,902</td>
<td>$4,554,634</td>
<td>4.88%</td>
<td>$4,617,097</td>
<td>1.37%</td>
<td>$4,465,270</td>
<td>-3.29%</td>
</tr>
<tr>
<td>February</td>
<td>$5,531,405</td>
<td>$6,086,841</td>
<td>$5,797,893</td>
<td>$5,993,653</td>
<td>3.38%</td>
<td>$5,596,617</td>
<td>-6.62%</td>
<td>$5,775,594</td>
<td>3.20%</td>
</tr>
<tr>
<td>March</td>
<td>$3,980,041</td>
<td>$4,158,874</td>
<td>$4,247,908</td>
<td>$4,125,074</td>
<td>-2.89%</td>
<td>$4,421,405</td>
<td>7.18%</td>
<td>$4,258,773</td>
<td>-3.68%</td>
</tr>
<tr>
<td>April</td>
<td>$3,889,388</td>
<td>$4,097,988</td>
<td>$3,991,159</td>
<td>$4,018,709</td>
<td>0.69%</td>
<td>$4,227,476</td>
<td>5.19%</td>
<td>$4,119,617</td>
<td>-2.55%</td>
</tr>
<tr>
<td>May</td>
<td>$4,602,788</td>
<td>$4,730,317</td>
<td>$4,543,369</td>
<td>$4,895,921</td>
<td>7.76%</td>
<td>$4,753,366</td>
<td>-2.91%</td>
<td>$4,744,089</td>
<td>-0.20%</td>
</tr>
<tr>
<td>June</td>
<td>$4,599,245</td>
<td>$4,557,735</td>
<td>$4,539,614</td>
<td>$4,664,470</td>
<td>2.75%</td>
<td>$4,859,251</td>
<td>4.18%</td>
<td>$4,624,054</td>
<td>-4.84%</td>
</tr>
<tr>
<td>July</td>
<td>$4,391,257</td>
<td>$4,519,466</td>
<td>$4,655,061</td>
<td>$4,772,617</td>
<td>2.53%</td>
<td>$4,983,976</td>
<td>4.43%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>August</td>
<td>$4,893,438</td>
<td>$4,803,665</td>
<td>$4,991,723</td>
<td>$4,887,329</td>
<td>-2.09%</td>
<td>$5,026,702</td>
<td>2.85%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>$54,188,225</td>
<td>$55,761,877</td>
<td>$55,873,886</td>
<td>$56,302,764</td>
<td>0.77%</td>
<td>$57,723,030</td>
<td>2.52%</td>
<td>$47,128,896</td>
<td>-1.22%</td>
</tr>
<tr>
<td>-----------</td>
<td>------------------</td>
<td>------------------</td>
<td>------------------</td>
<td>------------------------</td>
<td>------------------</td>
<td>------------------</td>
<td>------------------------</td>
<td>------------------</td>
<td>------------------------</td>
</tr>
<tr>
<td>September</td>
<td>($69,997)</td>
<td>($135,858)</td>
<td>($80,882)</td>
<td>-40.47%</td>
<td>($27,350)</td>
<td>($90,282)</td>
<td>230.10%</td>
<td>($435,079)</td>
<td>381.91%</td>
</tr>
<tr>
<td>October</td>
<td>($110,193)</td>
<td>($165,219)</td>
<td>($358,866)</td>
<td>117.21%</td>
<td>($166,695)</td>
<td>($79,688)</td>
<td>-52.19%</td>
<td>($108,925)</td>
<td>36.69%</td>
</tr>
<tr>
<td>November</td>
<td>($219,454)</td>
<td>($101,531)</td>
<td>($173,972)</td>
<td>71.35%</td>
<td>($3,881)</td>
<td>($158,855)</td>
<td>3993.08%</td>
<td>($86,760)</td>
<td>-45.38%</td>
</tr>
<tr>
<td>December</td>
<td>($390,445)</td>
<td>($325,510)</td>
<td>($6,319)</td>
<td>-98.06%</td>
<td>($175,440)</td>
<td>($29,848)</td>
<td>-82.99%</td>
<td>($209,674)</td>
<td>602.47%</td>
</tr>
<tr>
<td>January</td>
<td>($59,315)</td>
<td>($220,967)</td>
<td>($269,713)</td>
<td>22.06%</td>
<td>($84,287)</td>
<td>($26,308)</td>
<td>-68.79%</td>
<td>($256,270)</td>
<td>874.13%</td>
</tr>
<tr>
<td>February</td>
<td>($323,218)</td>
<td>($394,324)</td>
<td>($73,395)</td>
<td>-81.39%</td>
<td>($327,119)</td>
<td>($489,939)</td>
<td>49.77%</td>
<td>($83,713)</td>
<td>-82.91%</td>
</tr>
<tr>
<td>March</td>
<td>($22,759)</td>
<td>($99,240)</td>
<td>($165,869)</td>
<td>67.14%</td>
<td>($133,574)</td>
<td>($325,269)</td>
<td>143.51%</td>
<td>($73,785)</td>
<td>-77.32%</td>
</tr>
<tr>
<td>April</td>
<td>($199,018)</td>
<td>($69,900)</td>
<td>($196,682)</td>
<td>181.38%</td>
<td>($130,611)</td>
<td>($108,764)</td>
<td>-16.73%</td>
<td>($70,988)</td>
<td>-34.73%</td>
</tr>
<tr>
<td>May</td>
<td>($155,787)</td>
<td>($122,283)</td>
<td>($166,567)</td>
<td>36.21%</td>
<td>($381,653)</td>
<td>($22,529)</td>
<td>-94.10%</td>
<td>($117,201)</td>
<td>420.23%</td>
</tr>
<tr>
<td>June</td>
<td>($194,593)</td>
<td>($34,811)</td>
<td>($14,085)</td>
<td>-59.54%</td>
<td>($186,252)</td>
<td>($136,308)</td>
<td>-26.82%</td>
<td>($444,973)</td>
<td>226.45%</td>
</tr>
<tr>
<td>July</td>
<td>($42,086)</td>
<td>($162,998)</td>
<td>($39,492)</td>
<td>-75.77%</td>
<td>($155,825)</td>
<td>($478,184)</td>
<td>206.87%</td>
<td>($331,804)</td>
<td>-30.61%</td>
</tr>
<tr>
<td>August</td>
<td>($531,884)</td>
<td>($148,028)</td>
<td>($57,700)</td>
<td>-61.02%</td>
<td>($569,595)</td>
<td>($43,759)</td>
<td>-92.32%</td>
<td>($2,219,172)</td>
<td>14.04%</td>
</tr>
<tr>
<td>Total</td>
<td>($2,318,751)</td>
<td>($1,980,668)</td>
<td>($1,603,541)</td>
<td>-19.04%</td>
<td>($2,342,280)</td>
<td>($1,989,734)</td>
<td>-15.05%</td>
<td>($2,219,172)</td>
<td>14.04%</td>
</tr>
</tbody>
</table>

Year to date vs. previous year
FOR IMMEDIATE RELEASE:  June 30, 2009
FOR MORE INFORMATION: Laurel Erickson, KLLCB Coordinator, 441-8035 or lerickson@lincoln.ne.gov

CLEAN UP YOUR FIREWORKS!

Keep Lincoln & Lancaster County Beautiful reminds residents to pick up their fireworks debris after enjoying their displays on July 4th. A good sweep or thorough pick-up of the area should be done as soon as safely possible, before wind or water turns the fireworks leftovers into litter. Besides being unsightly, the leftover debris gets washed down storm drains, polluting our streams and lakes.

Safety precautions are a prime concern. Allow duds to sit for several minutes and consider wetting them with water to ensure they are completely extinguished before picking them up. A metal bucket or a bucket with sand or water works well as a temporary trash can. Be sure all fireworks are completely out before putting them with your regular trash.

Along with the fireworks debris, sweep or pick up any cigarette butt litter that may be found in the street, driveways, or sidewalks. Cigarette butts take years to break down. Left in the street and washed by rain into the storm drains, the toxins trapped in the butts endanger wildlife and threaten water quality.

Have a fun, safe and clean 4th of July and help keep America clean and beautiful. It’s the patriotic thing to do.

###
Air Quality Health Advisory for Sensitive Individuals

Fireworks and Air Pollution

The Lincoln Lancaster County Health Department (LLCHD) would like to help residents celebrate the 4th of July safely by reminding sensitive individuals of the potential for high concentrations of smoke that could impact their health. This smoke is made up of very small particles created by fireworks. In recent years, the Health Department has found very high levels of particle pollution on the night of July 3rd through early morning on July 4th, and the night of July 4th through mid-day July 5th, increasing the Air Quality Index level to the status of “Unhealthy for Sensitive Groups”.

“It is very likely that there will be a high concentration of fine particle pollution due to fireworks. Those most affected are the young, the elderly, and those sensitive individuals with respiratory conditions,” said Scott Holmes, Environmental Public Health Manager, with the LLCHD.

Fine particle pollution is so small that it can get deep into the lungs and cause serious health problems. Exposure to high levels of particles, even for a few hours, can aggravate lung disease, cause asthma attacks and acute bronchitis, and may increase the chance to get a respiratory infection. In people with heart disease, short-term exposures to high levels of particle pollution have been linked to angina, heart attacks and arrhythmias.

The majority of people will not be affected; however, LLCHD is recommending that individuals with asthma, allergies, lung disorders, or other respiratory conditions and those with heart conditions take extra precautions during the peak hours of air pollution, which will likely be July 4th near dusk and through mid-day on July 5th. Precautions might include avoiding extensive physical activity outdoors or choosing to remain indoors, keeping windows and doors closed. If health effects are experienced, consult your doctor.
NOTICE: The Lincoln/Lancaster County Planning Commission will hold a public hearing on Wednesday, July 1, 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.

AGENDA

WEDNESDAY, JULY 1, 2009

[Commissioner Partington absent]

Approval of minutes of the regular meeting held June 17, 2009. **APPROVED, 7-0 (Partington absent)**

1. **CONSENT AGENDA**
   Public Hearing and Action:

   **COMPREHENSIVE PLAN:**

   1.1 Comprehensive Plan Conformance No. 09007, to review a proposed conservation easement as to conformance with the 2030 Lincoln/Lancaster County Comprehensive Plan, on property generally located at N. 9th Street and Claremont Street. **FINAL ACTION**
   Staff recommendation: Conformance with the Comprehensive Plan
   Staff Planner: Tom Cajka, 441-5662, tcajka@lincoln.ne.gov
   Planning Commission ‘final action’: A FINDING OF CONFORMANCE WITH THE COMPREHENSIVE PLAN, 7-0 (Partington absent).
   Resolution No. PC-01171.
PERMITS:

1.2 Special Permit No. 500B, an amendment to the special permit for a private school to include an evening adult component, on property generally located at Austin Drive and Antelope Creek Road.

*** FINAL ACTION ***

Staff recommendation: Conditional Approval
Staff Planner:  Brian Will, 441-6362, bwill@lincoln.ne.gov
Planning Commission ‘final action’: CONDITIONAL APPROVAL, as set forth in the staff report dated June 17, 2009, 7-0 (Partington absent). Resolution No. PC-01172.

1.3 Special Permit No. 09013, for the authority to sell alcoholic beverages for consumption on the premises, on property generally located at N. 27th Street and Y Street.

*** FINAL ACTION ***

Staff recommendation: Conditional Approval
Staff Planner:  Brian Will, 441-6362, bwill@lincoln.ne.gov

2. REQUESTS FOR DEFERRAL: None.

3. ITEMS REMOVED FROM CONSENT AGENDA: None.

4. CONTINUED PUBLIC HEARING AND ACTION:
(See 6-17-09 agenda for staff report on the following item.)

CHANGE OF ZONE:

4.1 Change of Zone No. 09009, amending Chapter 27.69 of the Lincoln Municipal Code relating to signs by amending Section 27.69.020 to revise and add definitions; by adding a new Section 27.69.021 to add a Figure 1, General Sign Types; by adding a new Section 27.69.022 to provide methods to calculate the sign area of various signs; by amending Section 27.69.030 to provide general requirements for signs including location, height, sign area, illumination, and additional provisions for certain specific types of signs; by amending Section 27.69.040 to adopt Sign Tables setting forth the sign requirements for various types of signs; by repealing Sections 27.69.041, 27.69.042, 27.69.043, 27.69.044, 27.69.045, 27.69.046, 27.69.047, 27.69.048, 27.69.049, 27.69.050, 27.69.050, 27.69.060, 27.69.070, 27.69.075, 27.69.080, 27.69.081, 27.69.083, and 27.69.210; by amending Sections 27.69.090, 27.69.220, 27.69.240, 27.69.260, and 27.69.330 to change a reference from ground sign to freestanding sign; by amending Sections 27.69.100, 27.69.110, 27.69.130, 27.69.140, 27.69.150, 27.69.180, 27.69.230, 27.69.240, and 27.69.260 to clarify that a reference to area is referring to "sign area" of a sign; by amending Section 27.69.160 to delete a
requirement that the location, size and illumination of a sign for a special permitted use in a residential district must be specifically approved as part of the special permit approval; by amending Section 27.69.170 to eliminate provisions regarding when a temporary sign may be erected and why such sign must be removed; by amending Section 27.69.250 to modify provisions regarding the display of flags; by amending Section 27.69.310 to modify provisions regarding roof signs as an alternative to a freestanding sign and to change a reference from pole sign to freestanding sign; by amending Section 27.69.340 to revise provisions for signs in Planned Unit Developments; and repealing Sections 27.69.020, 27.69.030, 27.69.040, 27.69.090, 27.69.100, 27.69.110, 27.69.130, 27.69.140, 27.69.150, 27.69.160, 27.69.170, 27.69.180, 27.69.220, 27.69.230, 27.69.240, 27.69.250, 27.69.260, 27.69.310, 27.69.330, and 27.69.340 of the Lincoln Municipal Code as hitherto existing.

Staff recommendation: Approval, as revised

Staff Planner: Christy Eichorn, 441-7603, ceichorn@lincoln.ne.gov

Had continued public hearing.

Planning Commission recommendation: APPROVAL, as revised on June 30, 2009, 7-0 (Partington absent).

Public hearing before City Council tentatively scheduled for Monday, July 20, 2009, 1:30 p.m.

*

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

* * * * *

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.

* * * * *

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 : July 1, 2009

RE : Special Permit No. 09013
     (On-sale alcohol - 2702 Y Street)
     Resolution No. PC-01173

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, July 1, 2009:

Motion made by Larson, seconded by Gaylor Baird, to approve Special Permit No. 09013, with conditions, requested by Fred Barry, for authority to sell alcoholic beverages for consumption on the premises generally located at 2702 Y Street.

Motion for conditional approval carried 7-0: Esseks, Cornelius, Larson, Gaylor Baird, Taylor, Francis and Sunderman voting 'yes'; Partington absent.

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

The Letter of Acceptance 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
    Chien and Tuyet Nguyen, 2704 Y Street, 68503
    Fred Barry, 5560 Blackpool Road, 68516
    Renee Malone, Clinton Neighborhood Assn., 1408 N. 26th Street, 68503
    Gloria Eddins, Clinton Neighborhood, 1700 N. 29th Street, 68503
    Peggy Struwe, Hawley Area Assn., 2121 N. 27th Street, 68503
    Tim Francis, Hawley Area Assn., 2511 T Street, 68503
    Vicki Cover, Hawley Neighborhood Assn., 2610 S Street, 68503
    Ed Patterson, Malone Neighborhood Assn., 700 N. 24th Street, 68503
    Barb Morley, Malone Neighborhood Assn., 700 N. 24th Street, 68503

i:\shared\wp\Ju\2009 ccnotice.sp\SP.09013
RESOLUTION NO. PC-01173

SPECIAL PERMIT NO. 09013

WHEREAS, Fred Barry has submitted an application designated as Special Permit No. 09013 for authority to sell alcoholic beverages for consumption on the premises generally located at 2702 Y Street, on property legally described as:

Lots 7-9, except the west 8 feet, Block 7, East Park Second Addition, Lincoln, Lancaster County, Nebraska; and

WHEREAS, the real property adjacent to the area included within the site plan for this permit to sell alcoholic beverages on the premises will not be adversely affected; and

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

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

That the application of Fred Barry, hereinafter referred to as "Permittee", to sell alcoholic beverages for consumption on the premises of the property legally described above be and the same is hereby granted under the provisions of Section 27.63.680 of the Lincoln Municipal Code upon condition that operation of said licensed premises be in strict compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:
1. This permit approves the sale of alcohol for consumption on the premises of a sports bar in the area designated as the licensed premises on the site plan.

2. Before commencing the sale of alcohol for consumption on the premises:
   a. The development and construction plans must substantially comply with the approved plans.
   b. A parking lease for the off-premises parking stalls needed to satisfy the required parking requirements shall be recorded with the Lancaster County Register of Deeds.

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

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

5. The Permittee shall sign and return the City's letter of acceptance to the City Clerk within 60 days following 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.

   The foregoing Resolution was approved by the Lincoln City-Lancaster County Planning Commission on this 1st day of July, 2009.

   ATTEST:
   
   Chair

Approved as to Form & Legality:

Chief Assistant City Attorney
Special Permit #09013
N 27th & Y St

Zoning:

One Square Mile
Sec. 19 T10N R07E

2007 aerial

N 27th St
Holdrege St
N 40th St
O St
PLANNING COMMISSION FINAL ACTION
NOTIFICATION

TO : Mayor Chris Beutler
     Lincoln City Council

FROM : Jean Preister, Planning

DATE : July 1, 2009

RE : Special Permit No. 500B
     (Add adult evening component to private school - 2615 Austin Drive)
     Resolution No. PC-01172

The Lincoln City-Lancaster County Planning Commission took the following action at their
regular meeting on Wednesday, July 1, 2009:

Motion made by Larson, seconded by Gaylord Baird, to approve Special Permit
No. 500B, with conditions, requested by Montessori School, to amend the
existing special permit for a private school to allow adult evening classes, on
property generally located at 2615 Austin Drive.

Motion for conditional approval carried 7-0: Esseks, Cornelius, Larson, Gaylord Baird,
Taylor, Francis and Sunderman voting 'yes'; Partington absent.

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

The Letter of Acceptance 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
    Larry Verschuur, Director, Montessori School, 2715 Austin Drive, 68506
    Educational Environments, Inc., d/b/a Montessori Schools of Omaha, P.O. Box 24211
    Omaha, NE 68124
    Mike Dennis, South 48th Street Neighborhood Assn., 1845 S. 48th Street, 68506
    Virginia Loomis Lipham, South 48th Street Neighborhood Assn., 3412 S. 48th Street, 68506
RESOLUTION NO. PC-01172

SPECIAL PERMIT NO. 500B

WHEREAS, Montessori School has submitted an application designated as Special Permit No. 500B to amend the existing special permit for a private school to allow adult evening classes on property generally located at 2615 Austin Drive and legally described as:

Lots 1 and 2, Block 3, Antelope Creek 1st Addition, and Outlot A, Schicks Subdivision, 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 private school 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 Montessori School, hereinafter referred to as "Permittee", to amend the existing special permit for a private school to allow adult evening classes, be and
the same is hereby granted under the provisions of Section 27.63.075 of the Lincoln Municipal
Code upon condition that operation of said school be in substantial compliance with said
application, the site plan, and the following additional express terms, conditions, and require-
ments:

1. This approval extends the evening hours of operation from 6:00 a.m. to
10:00 p.m., to allow adult evening classes for up to two staff members and 10 adults, provided
that the adult classes shall occur no more than three times per week.

2. Child and adult classes shall not operate concurrently.

3. There shall be no less than a 30-minute separation between the child and
adult class sessions.

4. Before conducting adult classes on the premises, the Permittee shall
submit to the Planning Department a revised and reproducible final site plan, including five
copies, with all required revisions and documents as listed below:

a. Revise the site plan to make all information legible.

b. Revise the site plan to include the following notes:

i. Adult classes limited to a maximum of two staff and 10 adults.

ii. Adult classes shall occur no more than three times per week.

iii. Child and adult classes shall not operate concurrently.

iv. There shall be a minimum 30-minute separation between
the child and adult sessions.

v. Facility hours of operation are limited to 6:00 a.m. to 10:00
p.m.

5. Before occupying buildings all development and construction must
substantially comply with the approved plans.
6. All privately-owned improvements, including landscaping, must be permanently maintained by the Permittee.

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

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

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

10. The site plan, as approved with this resolution, voids and supersedes all previously approved site plans, however the terms, conditions and requirements of all resolutions approving prior versions remain in full force and effect except as specifically amended by this Resolution.

The foregoing Resolution was approved by the Lincoln City-Lancaster County Planning Commission on this ___day of ___July___, 2009.

ATTEST:

[Signature]

Chief

Approved as to Form & Legality:

[Signature]

Chief Assistant City Attorney
Special Permit #500B
Austin Dr & Antelope Creek Rd

Zoning:

One Square Mile
Sec. 32 T10N R07E

R-1 to R-8 Residential District
AG Agricultural District
AGR Agricultural Residential District
O-1 Office District
O-2 Suburban Office District
O-3 Office Park District
R-7 Residential Transition District
B-1 Local Business District
B-2 Planned Neighborhood Business District
B-3 Commercial District
B-4 Lincoln Center Business District
B-5 Planned Regional Business District
H-1 Interstate Commercial District
H-2 Highway Business District
H-3 Highway Commercial District
H-4 General Commercial District
I-1 Industrial District
I-2 Industrial Park District
I-3 Employment Center District
P Public Use District

2007 aerial

Van Dorn St
S 40th St
A St
S 56th St
PLANNING COMMISSION FINAL ACTION
NOTIFICATION

TO : Mayor Chris Beutler
     Lincoln City Council

FROM : Jean Preister, Planning

DATE : July 1, 2009

RE : Comprehensive Plan Conformance No. 09007
     (Permanent Conservation Easement - North 10th Street and Military Road)
     Resolution No. PC-01171

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, July 1, 2009:

Motion made by Larson, seconded by Gaylor Baird, to find the proposed conveyance of permanent conservation easements to the Lower Platte South Natural Resources District over approximately 8.38 acres of floodplain area, on property generally located at North 10th Street and Military Road, to be in conformance with the 2030 Lincoln/Lancaster County Comprehensive Plan.

Motion for a finding of conformance with the Comprehensive Plan carried 7-0: Esseks, Cornelius, Larson, Gaylor Baird, Taylor, Francis and Sunderman voting 'yes' (Partington absent).

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

A resolution by the City Council accepting the conservation easement agreement between the City of Lincoln and the Lower Platte South Natural Resources District will be scheduled on a future Council agenda.

Attachment

cc: Building & Safety
   Rick Peo, Chief Assistant City Attorney
   Ben Higgins, Watershed Management
   Glenn Johnson, Lower Platte South NRD, P.O. Box 83581, 68521
RESOLUTION NO. PC- 09007

Comprehensive Plan Conformity No. 09007

WHEREAS, the Director of Public Works & Utilities has proposed that the City of Lincoln convey permanent conservation easements over approximately 8.38 acres of floodplain area to the Lower Platte South Natural Resources District ("NRD") on property generally located at North 10th Street and Military Road, and more particularly described and shown in Attachment "A" attached hereto, to protect the floodplain, delineated wetlands, drainageways, and tree masses; and

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

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

WHEREAS, the Director of Planning has submitted a request designated as Comprehensive Plan Conformity No. 09007 to find the proposed acquisition of permanent conservation easements by the NRD to be in conformity with the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED by the Lincoln City-Lancaster County Planning Commission of Lincoln, Nebraska:
That the proposal of the Director of Public Works & Utilities Department that the City of Lincoln convey to the NRD and the NRD accept permanent conservation easements to protect the floodplain, delineated wetlands, drainageways, and tree masses over approximately 8.38 acres generally located at North 10th Street and Military Road as described and shown in Attachment “A”, is found to be in conformance with the Lincoln City Comprehensive Plan.

The foregoing Resolution was approved by the Lincoln City-Lancaster County Planning Commission on this 1st day of July, 2009.

ATTEST:

[Signature]
Chair

Approved as to Form & Legality:

[Signature]
Chief Assistant City Attorney
ATTACHMENT A

CONSERVATION EASEMENT 'A'

A PARCEL OF LAND COMPRISED OF PORTIONS OF LOT 58 AND LOT 77, IRREGULAR TRACTS LOCATED IN THE SOUTH HALF OF SECTION 14, AND A PORTION OF LOT 54, IRREGULAR TRACT LOCATED IN THE NORTHWEST QUARTER OF SECTION 23, ALL IN TOWNSHIP 10 NORTH, RANGE 6 EAST OF THE 6TH PRINCIPAL MERIDIAN, LINCOLN, LANCASTER COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 58 I.T., THENCE ON THE SOUTH LINE OF SAID LOT 58 I.T. ON AN ASSUMED BEARING OF NORTH 89 DEGREES 07 MINUTES 21 SECONDS WEST FOR A DISTANCE OF 360.06 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING NORTH 89 DEGREES 07 MINUTES 21 SECONDS WEST ON THE SOUTH LINE OF SAID LOT 58 I.T. FOR A DISTANCE OF 675.21 FEET TO THE NORTHEAST CORNER OF SAID LOT 54 I.T.;

THENCE SOUTH 00 DEGREES 05 MINUTES 44 SECONDS EAST FOR A DISTANCE OF 443.32 FEET TO THE SOUTHEAST CORNER OF SAID LOT 54 I.T.;

THENCE SOUTH 89 DEGREES 55 MINUTES 28 SECONDS WEST FOR A DISTANCE OF 180.15 FEET TO THE SOUTHWEST CORNER OF SAID LOT 54 I.T.;

THENCE NORTH 00 DEGREES 04 MINUTES 32 SECONDS WEST ON THE WEST LINE OF SAID LOT 54 I.T. FOR A DISTANCE OF 344.29 FEET TO A POINT ON THE SALTCREEK SOUTH RIGHT-OF-WAY;

THENCE NORTH 47 DEGREES 36 MINUTES 35 SECONDS EAST ON THE SALTCREEK SOUTH RIGHT-OF-WAY FOR A DISTANCE OF 148.77 FEET TO A POINT ON THE SALTCREEK SOUTH RIGHT-OF-WAY;

THENCE NORTH 48 DEGREES 37 MINUTES 15 SECONDS EAST ON THE SALTCREEK SOUTH RIGHT-OF-WAY FOR A DISTANCE OF 740.97 FEET TO A POINT ON THE SALTCREEK SOUTH RIGHT-OF-WAY;

THENCE SOUTH 42 DEGREES 18 MINUTES 36 SECONDS EAST FOR A DISTANCE OF 176.14 FEET;

THENCE ON A CURVE TO THE RIGHT WITH A RADIUS OF 270.00 FEET FOR AN ARC LENGTH OF 199.05 FEET WITH A TANGENT LENGTH OF 104.29 FEET AND A DELTA OF 42 DEGREES 14 MINUTES 20 SECONDS AND A CHORD LENGTH OF 194.57 FEET AND A CHORD BEARING OF SOUTH 21 DEGREES 11 MINUTES 26 SECONDS EAST;

THENCE SOUTH 00 DEGREES 4 MINUTES 18 SECONDS EAST FOR A DISTANCE OF 189.51 FEET;

TO THE POINT OF BEGINNING.

PARCEL CONTAINS 6.578 ACRES MORE OR LESS.
ATTACHMENT A (continued)

CONSERVATION EASEMENT 'B'

A PARCEL OF LAND THAT IS A PORTION OF OUTLOT A, BEANE'S ADDITION LOCATED IN THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 10 NORTH, RANGE 6 EAST OF THE 6TH PRINCIPAL MERIDIAN, LINCOLN, LANCASTER COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID OUTLOT A, THENCE ON THE WEST LINE OF SAID OUTLOT A ON AN ASSUMED BEARING OF NORTH 00 DEGREES 23 MINUTES 15 SECONDS EAST FOR A DISTANCE OF 57.22 FEET TO A POINT ON THE SALT CREEK SOUTH RIGHT-OF-WAY;

THENCE NORTH 65 DEGREES 28 MINUTES 58 SECONDS EAST ON THE SALT CREEK SOUTH RIGHT-OF-WAY FOR A DISTANCE OF 755.16 FEET TO A POINT ON THE NORTH LINE OF SAID OUTLOT A;

THENCE NORTH 89 DEGREES 59 MINUTES 55 SECONDS EAST FOR A DISTANCE OF 35.30 FEET TO THE NORTHEAST CORNER OF SAID OUTLOT A;

THENCE SOUTH 00 DEGREES 03 MINUTES 27 SECONDS EAST FOR A DISTANCE OF 230.58 FEET TO THE SOUTHEAST CORNER OF SAID OUTLOT A;

THENCE NORTH 89 DEGREES 59 MINUTES 45 SECONDS WEST ON THE SOUTH LINE OF SAID OUTLOT A FOR A DISTANCE OF 441.90 FEET;

THENCE CONTINUING ON THE SOUTH LINE OF SAID OUTLOT A SOUTH 63 DEGREES 31 MINUTES 06 SECONDS FOR A DISTANCE OF 314.05 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 1.803 ACRES MORE OR LESS.
I live in Omaha and own two pitbulls. My mother lives in Lincoln and owns one. Dealing with the new restrictions in Omaha is difficult as a responsible pitbull owner. I have done volunteer work with the pitbull rescues when I lived in KC and love the breed but also understand the response of the people who are concerned about pitbulls. What I have found in Omaha is that I have to abide by all these new rules for my dog and I do because I am responsible owner but it doesn’t solve the problem. The problem we have here in Omaha is that if your dog is licensed then animal control can track everything but if they are not then they do nothing. Most of the troubled dogs with bad owners in Omaha do not license them so there for the laws do not really help out. The people who abide by the rules are people like me who own pitbulls who are trained and not a status symbol that makes them look tough. I do not think that banning the breed is the answer either. I think what it takes is man power, I agree with the Omaha rules but they do not have the man power to enforce the animals who are not licensed. If you would have the staff to do a door to door inspection or something like that to catch the owners who are not responsible and make them deal with the consequences of having a animal who needs training and socialization to be a good pet and not harm anyone. There is no perfect solution to this but please take time to consider the people who are responsible and take good care of their pets.

Thank you
Sara Boldt
June 24, 2009

Mayor Beutler
555 South 10th 2nd Floor Suite 208
Lincoln, NE 68508

Dear Mayor Beutler,

Lincoln has been my home for the past year and I find what makes our community so special is the harmony of its citizens. I purchased a home last year and have found my neighbors to be some of the friendliest that I have encountered in all of the locations I have lived in America!

It has come to my attention that the South Branch Library may be in danger of closing, therefore, I am asking for you and The Lincoln City Council’s consideration of the following:

- Proximity to lower income families that may be most in need
- The size of the library and maintenance is considered the most economically viable.
- Historic value and harmony of citizens

Once again, I appreciate your consideration as you battle difficult decisions with our budget, but please know that I will support your decision either way. I appreciate our city and value our public official’s service to make it a great place to live!

Sincerely,

[Signature]

Mark Faatz

CC: Lincoln City Council
June 26, 2009

Lincoln City Council
County-City Building
555 South 10th Street
Lincoln, NE 68508

RE: Resolution No. 518

Enclosed is Lincoln Airport Authority Resolution No. 518 stating that no tax levy should be made for airport purposes for the fiscal year beginning July 1, 2009.

Sincerely,

AIRPORT AUTHORITY

John Wood
Executive Director

JW/lb

Enc.
RESOLUTION NO. 518

A RESOLUTION CERTIFYING TO THE CITY COUNCIL THE REQUIRED LEVY FOR AIRPORT PURPOSES FOR THE FISCAL YEAR BEGINNING JULY 1, 2009.

WHEREAS, current airport revenues appear adequate to fund airport operations, including debt service and required reserves, during the 2009 – 2010 fiscal year; and

NOW, THEREFORE, BE IT RESOLVED by the Board of the Airport Authority of the City of Lincoln, Nebraska:

Section 1. That the Chairperson is hereby authorized and directed to certify to the City Council of the City of Lincoln, Nebraska, that no levy should be made for airport purposes for the fiscal year beginning July 1, 2009, this being the 23rd consecutive year no levy is required for the coming year.

Section 2. The Secretary shall attest the foregoing certificate and request, and cause the same to be transmitted to the City Clerk of the City of Lincoln, Nebraska.

PASSED AND ADOPTED on the 25th day of June, 2009.

ATTEST:

[Signature]
Secretary

[Signature]
Chairperson

APPROVED AS TO FORM:

[Signature]
Airport Authority Counsel