DIRECTORS’ MEETING
MONDAY, OCTOBER 19, 2009
COUNTY-CITY BUILDING
555 SO. 10TH STREET
ROOM 113, 2:00 P.M.

I. CITY CLERK

II. CORRESPONDENCE FROM THE MAYOR & DIRECTORS TO COUNCIL

MAYOR
1. NEWS RELEASE. City encourages public to participate in America Recycles Day events.
2. NEWS RELEASE. Mayor presents September Award of Excellence to an arborist team from Parks and Recreation Forestry section.
3. NEWS ADVISORY. Mayor Beutler will announce 48th and O Street developments at a news conference, Wednesday, October 14, 2009, 10:00 am, in the Mayor’s Conference Room, 555 So. 10th Street. (Delivered to Council Members on 10/13/09)
4. NEWS RELEASE. Game day recycling effort collects more than four tons in three games.
5. NEWS RELEASE. CVS and Staples to build at 48th and O Streets.

DIRECTORS

CITY ATTORNEY
1. Marcee Brownlee’s, Assistant City Attorney, response to Anthony Scognamiglio regarding his request for public records regarding outdoor advertising structures; City land with outdoor advertising/the lease or other agreement; and a list of private properties/owners who have outdoor advertising permits with the City.
2. Legal document on Public records; denial of rights; remedies.
3. Anthony Scognamiglio’s request for public records.

CITY LIBRARIES
1. Firefighters with Lincoln Fire and Rescue will be special guest readers at preschool storytimes at Lincoln City Libraries this fall. October schedule listed.
2. Teen events at the libraries. October and November schedule listed.
3. Puppet show at Bethany Library, Wednesday, October 28, 2009, 10:30 a.m.

III. COUNCIL RFI’S AND CITIZEN CORRESPONDENCE TO INDIVIDUAL COUNCIL MEMBERS

JON CAMP
1. Reply to Kenneth Smith, City Parking Manager regarding meter options.
2. Email from Milo Cress regarding reducing the 401k match and eliminating minimum staffing levels in public agencies, with reply from Councilman Camp.
3. Email from Eric Foster on issues in the union contracts possibly being excessive with reply from Councilman Camp.
4. Email from Stephen Witt expressing opposition to the proposed arena project, expecting higher taxes if approved, and stating the South and East Beltway must be completed, with reply from Councilman Camp.

IV. CORRESPONDENCE FROM CITIZENS TO COUNCIL
1. Letter from Teri Pope-Gonalez. (Distributed to Council Members on October 9, 2009)
2. LIBA position statement sent to Lincoln Electric System Board on the LES rate increase, October 2009.
3. Email from Peggy Struwe writing in support of the City Council coming up with a way to deal with problem properties.
4. Letter from the Hartley Neighborhood Association encouraging Council to give problem properties high priority.
5. Copy of letter with documentation from Ed Svendsen sent to Earthlink, Inc. regarding high speed internet service through Time Warner Cable.

V. ADJOURNMENT
PUBLIC WORKS AND UTILITIES DEPARTMENT
Recycling Office, 2400 Theresa Street, Lincoln, NE 68521, 441-7043, fax 441-8735

FOR IMMEDIATE RELEASE: October 12, 2009
FOR MORE INFORMATION: Gene Hanlon, Recycling Coordinator, 441-7043

CITY ENCOURAGES PUBLIC TO PARTICIPATE IN AMERICA RECYCLES DAY EVENTS

The City Recycling Office encourages the public to participate in America Recycles Day November 15, an effort to encourage recycling and the purchasing of recycled products. Residents have the opportunity to make a pledge to improve their recycling efforts and to participate in several special events.

“America Recycles Day is an opportunity for people to shape part of the environmental impact they have on our community and the world,” said City Recycling Coordinator Gene Hanlon. “By making a pledge, residents have an opportunity to make a commitment to increase their recycling efforts and help reduce their greenhouse gas emissions.”

Those who fill out a pledge form are entered into a drawing to win prizes, including
- a computer system valued at $1,300, donated by Schrock Innovations;
- a one-year curbside recycling subscription, donated by the Lincoln Journal Star, Midwest Refuge, Recycling Enterprises and Star City Recycling;
- $100 gift cards donated by Russ’s Market and Wal-Mart;
- free Panera Bread for one year.

The pledge drive runs through Sunday, November 8. Prizes will be awarded at noon Saturday, November 14 at EcoStores Nebraska, 530 W. “P” St. Pledge boxes are located at Russ’s Markets, Lincoln City Libraries and select recyclers. Pledge forms and more information about America Recycles Day also are available online at lincoln.ne.gov (keyword: ARD).

Several other recycling-related events will take place in Lincoln next month:
- A free tire collection will take place from 7 a.m. to 8 p.m. Saturday, November 7 and Sunday, November 8 at N.W. 38th Street and West Webster Road. The collection is sponsored by the Emerald Sanitary Improvement District and funded by the Nebraska Department of Environmental Quality.
- EcoStores Nebraska will host a usable latex paint exchange from 8 a.m. to noon Saturday, November 14. Usable paint is free, and $2 is charged for disposal of unusable paint.
- Paper shredding and electronic equipment recycling events are also being planned. Locations, times and fees will be announced at a later date.
OFFICE OF THE MAYOR  
555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

FOR IMMEDIATE RELEASE: October 12, 2009
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831

MAYOR PRESENTS SEPTEMBER AWARD OF EXCELLENCE

Mayor Chris Beutler today presented the Mayor’s Award of Excellence for September to a team of arborists from the Forestry section of the Parks and Recreation Department – Dennis Gartner, Jeffrey Gruber, Allen Keen, Joseph Pett and Andrew Walker. The monthly award recognizes City employees who consistently provide exemplary service and work that demonstrates personal commitment to the City. The award was presented at today’s City Council meeting.

The team members have worked for the City for an average of about 20 years. Forestry Operations Supervisor Bob Weyhrich nominated them in the categories of productivity, customer relations, loss prevention and safety after receiving a letter from resident Houghton Furr. Furr called Forestry after a storm left a large branch from a City tree hanging over the street.

Weyhrich checked the limb and assigned arborists, who removed the limb the same day. While the arborists were there, Furr also brought to their attention that the remainder of the tree and two others nearby were probably dead and could cause further problems. Weyhrich marked three very large elm trees for removal.

Within two weeks, a full crew arrived and removed the three huge trees in less than five hours. Because he is retired, Furr watched the arborists in action. He said the clean-up was thorough and complete, the crew was friendly and helpful, and the whole job first rate. He wrote the team was “the most professional, knowledgeable and hard-working group I have had the pleasure of observing in recent memory! They are all true professionals and represent not only the Forestry Section but the City of Lincoln in the best light.”

Weyhrich said the Forestry section is very team oriented, and the arborists who responded to Furr’s call actually came from two separate crews. “Due to their cross-training and ability to perform any forestry related assignment and operate any forestry equipment, these individuals fit into any of the five crews we have.”

The other category in which employees can be nominated is valor. Consideration also may be given to nominations that demonstrate self-initiated accomplishments or those completed outside of the nominee’s job description. All City employees are eligible for the Mayor’s Award of Excellence except for elected and appointed officials.

- more -
Individuals or teams can be nominated by supervisors, peers, subordinates and the general public. Nomination forms are available on the City Web site at lincoln.ne.gov (keyword: personnel) or from department heads, employee bulletin boards or the Personnel Department, which oversees the awards program.

All nominations are reviewed by the Mayor’s Award of Excellence Committee, which includes a representative with each union and a non-union representative appointed by the Mayor. Award winners receive a $100 U.S. savings bond, a day off with pay and a plaque. Monthly winners are eligible to receive the annual award, which comes with a $500 U.S. savings bond, two days off with pay and a plaque.
DATE: October 13, 2009
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831

Mayor Chris Beutler will announce new developments at 48th and “O” streets at a news conference at 10 a.m. Wednesday, October 14 in the Mayor’s Conference Room, County-City Building, 555 S. 10th St.
FOR IMMEDIATE RELEASE: October 14, 2009
FOR MORE INFORMATION: Gene Hanlon, Recycling Coordinator, 441-7043
Kelly Heavey, AmeriCorps Volunteer, 441-6845

GAME DAY RECYCLING EFFORT COLLECTS MORE THAN FOUR TONS IN THREE GAMES

The City Recycling Office says about 8,920 pounds of recyclables were collected during the first three Nebraska home football games. That includes more than three tons collected inside Memorial Stadium and more than one ton collected through the “Go Green for Big Red” volunteer effort in UNL parking lots and walkways. In previous years, the University collected recyclables only in and around the stadium. This year’s total represents a 36-percent increase in the amount of game day recycling so far this year.

“We are pleased that we’ve been able to expand the recycling services outside the stadium,” said Rich Wahl, Construction Manager for UNL Landscape Services. “The fans seem to appreciate the opportunity to recycle. We encourage fans to continue to improve their recycling efforts and to ‘Go Green for Big Red.’”

Three hours prior to kickoff, 34 volunteers wearing green sling bags distributed recycling bags along with a list of items that can be recycled. Volunteers collected the bags of aluminum cans and plastic bottles and cups shortly before kickoff and took them to the Recycling Enterprises drop-off site. The company donates revenue back to organizers on a per-pound basis to support future recycling efforts.

The “Go Green for Big Red” effort is seeking volunteers for the remaining four home games. Volunteers meet at Gate 15 of the stadium 3½ hours prior to kickoff. The meeting time for Saturday’s game against Texas Tech is 11 a.m. For more information, contact AmeriCorps volunteer Kelly Heavey at 441-6845 or kheavey@lincoln.ne.gov.

“Go Green for Big Red” is a joint venture of the City of Lincoln, UNL Landscape Services, AmeriCorps and Recycling Enterprises. More information on recycling is available at lincoln.ne.gov (keyword: recycling).
FOR IMMEDIATE RELEASE: October 14, 2009
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831
Dallas McGee, Urban Development, 441-7857
Mike DeAngelis, CVS, 401-770-2645
Bob Kurylo, Lerner Co. (Staples), 402-502-4707

CVS AND STAPLES TO BUILD AT 48TH AND “O” STREETS

Mayor Chris Beutler today announced that CVS Pharmacy and Staples, an office supply retailer, will build new stores on the northeast corner of 48th and “O” streets. The Mayor said all outstanding legal claims on the site have been settled, and the development is occurring without the City’s use of tax increment financing or eminent domain.

“This corner has sat vacant too long without being back on the tax rolls, and now it will be bustling with activity once again,” Mayor Beutler said. “Today’s announcement is the culmination of many, many hours of hard work by our City staff, the developers and the two companies. The confidence of these two fine retailers in our City is greatly appreciated, and we are ready to assist them immediately.”

The City is declaring its two lots at the intersection surplus and selling them to the Sup family for $1.335 million. The buyers will add a public art project valued at $100,000 on the corner, making their total investment $1.435 million. The sale also allows for further redevelopment to the north.

The Mayor thanked the members of the MOVE (Mayor’s Opportunities for a Vibrant Economy) Council for reviewing the redevelopment area. The Council recommended that an access off of “O” Street was necessary to make the corner commercially viable, and the City pursued a joint access option. Mayor Beutler said the road safety project at 48th and “O” also was key to the redevelopment. He said the project allowed for the closing of seven of nine access points in the area and led to better traffic flow and fewer accidents.

The new CVS Pharmacy store will be the retailer’s fifth location in the City. The company started in Massachusetts in 1963. The new Staples store will be the company’s first in Lincoln. The office supplier opened its first store in 1986 in Massachusetts.

In the last few years, the formerly blighted area near the 48th and “O” intersection has seen the development of new Westgate Bank, Braeda and Runza restaurants, and Walgreen’s and Hy-Vee stores.
FY 2010 Budget Moves Forward

CONGRESS

Chambers continue to march through annual spending bills. Activity on the House and Senate floor continues to revolve around approval of the 12 FY 2010 appropriations bills, although only one has become law more than a week into the new fiscal year.

The House of Representatives, which approved all 12 of its bills prior to August, was able to clear the House-Senate conference report to the Agriculture Department spending measure this week. The Senate, on the other hand, completed action on its version of a Defense Department measure and was looking to clear the Commerce-Justice-Science bill this week as well.

The Senate leaders had hoped to consider the House-Senate conference report on the FY 2020 Energy and Water Development appropriations bill this week (the House approved it last week), but were blocked by Senator Tom Coburn (R-OK). The Energy and Water bill funds programs at the Energy Department as well as water resources and flood control projects at the U.S. Army Corps of Engineers and Department of Interior.

The House will likely take up the conference report to the Homeland Security Department spending bill next week (see related story below).

The House this week also cleared a House-Senate conference report to legislation that authorizes programs at the Department of Defense, which includes language to expand federal hate crime laws to include sexual orientation. Meanwhile, the Senate approved a measure to expand unemployment benefits for an additional 14 weeks in all states, and an additional 20 weeks in states with unemployment rates of at least 8.5 percent.

Finally, the Senate Finance Committee is expected to vote next week on the health care reform package that has been pending in the panel for over two weeks. The bill, which does not include a government-run health plan to compete with private insurers, will be combined with a health care plan approved earlier by the Senate Health Education Labor, and Pensions Committee for floor consideration in the next month. The Finance bill also received a boost this week when the Congressional Budget Office found that the measure would increase health care coverage to 94 percent of Americans under age 65 while also reducing the deficit by $81 billion over the next ten years.

Senate Majority Leader Harry Reid (D-NV) is taking on the delicate job of crafting that measure.

ENVIRONMENT

White House sets targets for federal agencies to reduce greenhouse gas emissions; develop sustainability plans. President Obama issued an Executive Order this week to require each federal agency to measure its greenhouse gas emissions and then subsequently take steps to significantly reduce those emissions by 2020.

According to the White House, the federal government is the largest consumer of energy in the United States and occupies nearly 500,000 buildings, operates more than 600,000 vehicles, employs more than 1.8 million civilians, and purchases more than $500 billion annually in goods and services.

The wide-ranging Executive Order creates a process by which each federal agency will have to create its own set of target greenhouse gas reductions within 90 days, in addition to goals such as a 30 percent reduction in fleet petroleum use by 2020; a 26 percent improvement in water efficiency by
2020, and a 50 percent recycling and waste diversion by 2015. Sections of the Executive Order include guidance for the federal government to:

- Conserve and protect water resources through efficiency, reuse, and storm water management
- Eliminate waste, recycle, and prevent pollution
- Leverage agency acquisitions to foster markets for sustainable technologies and environmentally preferable materials, products, and services
- Design, construct, maintain, and operate high performance sustainable buildings in sustainable locations
- Strengthen the vitality and livability of the communities in which Federal facilities are located

According to the Executive Order, federal agencies will report to the White House within six months with recommendations for sustainable locations for federal facilities that should be:

“...consistent with principles of sustainable development including prioritizing central business district and rural town center locations, prioritizing sites well served by transit, including site design elements that ensure safe and convenient pedestrian access, consideration of transit access and proximity to housing affordable to a wide range of Federal employees, adaptive reuse or renovation of buildings, avoidance of development of sensitive land resources, and evaluation of parking management strategies.”

The Executive Order appears to build on a previous Order from the White House that required consideration of centralized, urban areas for federal facilities. Local governments with federal facilities may want to review this Order to determine how it would relate to sustainability efforts within the community.

The Executive Order can be found on the White House website at: [http://www.whitehouse.gov/assets/documents/2009fedleader_eo_rel.pdf](http://www.whitehouse.gov/assets/documents/2009fedleader_eo_rel.pdf)

**HOMELAND SECURITY**

Conference report on FY 2010 DHS spending is complete. The House-Senate conference committee on the FY 2010 Department of Homeland Security (DHS) appropriations bill completed its negotiations this week. The $42.776 billion measure represents a $2.648 billion increase over FY 2009 levels.

Funding levels for selected programs include (with differences between FY 2009 levels in parentheses):

- $950 million for the State Homeland Security Grant Program (same as FY09)
- $887 million for the Urban Area Security Initiative (+$50m)
- $300 million for rail security (-$100m)
- $300 million for port security (-$100m)
- $340 million for Emergency Management Performance Grants (+$25m)
- $420 million for SAFER firefighter hiring grants (+$210m)
- $390 million for Firefighter Assistance grants (-$175m)
- $41 million for Metropolitan Medical Response System (same)

The House is expected to take up the conference report next week.

**TOURISM**

House passes travel promotion measure. The House this week approved legislation to create a non-profit organization that would promote overseas travel to the United States. The bill, which has already been approved by the House, was attached to non-controversial legislation to speed its ultimate passage.

The Corporation for Travel Promotion would serve as an independent, non-profit corporation and would exist to “provide useful information to people interested in traveling to the United States, counter and correct misperceptions regarding U.S. entry policy, and promote U.S. travel.” The Corporation would be governed by an 11-member Board of Directors appointed by the Secretary of Commerce, and would be funded through a fee on foreign visitors to the United States.

Supporters of the measure cited research shows that there were 600,000 fewer visitors to the United States in 2008 than there were in 2000, and it has the strong support of the travel and tourism industry. Opponents argue that the bill duplicates programs already in place at the Commerce Department.

House leaders attached the travel bill to non-controversial legislation that would make technical changes to the Morris K. Udall Foundation Scholarship Grants program. The package will now be sent to the Senate, where consideration cannot be blocked, and it is expected to pass easily. The Senate approved a similar, stand-alone bill earlier this year.

The travel measure has been a priority for Senate Majority Leader Harry Reid.

**STIMULUS WATCH**

Weekly update on stimulus activities.

**Department of Energy**

DOE announced $100 million in funding for the Workforce Training for the Electric Power Sector program. The program seeks projects to expand job creation and career advancement opportunities within the utility industry and the electric power system equipment manufacturing sector. A total of 45 awards are expected to be made and required matching percentages are based on what type of award is granted. The deadline for applications is November 30, 2009: [http://www.capitaledge.com/doe-work.doc](http://www.capitaledge.com/doe-work.doc)

DOE also announced the creation of the Financial Institution Partnership Program (FIPP) that will provide up to $750 million to accelerate renewable energy generation projects such as wind, solar, biomass, geothermal and hydropower. Proposed borrowers and project sponsors must work with financial institutions who will then apply to DOE for a loan guarantee: [http://www.energy.gov/news2009/8108.htm](http://www.energy.gov/news2009/8108.htm)
Office of Management and Budget
All recipient reporting at www.federalreporting.gov must be completed by Saturday, October 10 at midnight (Pacific Time). Phase 2 of the reporting process will take place October 11-21. During this time, the following will occur: Prime recipients review data submitted by their sub-recipients; prime and sub-recipients work together through any potential report corrections; and awarding agencies have access to view reports submitted by recipients.

Office of the Vice President
Late last week, Vice President Biden announced Recovery Act program targets for federal agencies to complete before the end of 2009. The nine targets can be found at: http://tiny.cc/Fj3Zu.

GRANTS AND NOTICES
Corporation for National and Community Service
The Corporation announced the anticipated availability of $363 million for AmeriCorps State and National grants. Organizations that propose to operate in one state only must apply through the State Commission in the state they plan to operate. Organizations that propose to operate in more than one state are eligible to apply directly to the Corporation. Applications are due January 26, 2010: http://tiny.cc/tgSAs

Environmental Protection Agency
EPA’s National Clean Diesel Funding Assistance Program is soliciting applications for projects that reduce diesel emissions. Eligible projects must include at least one diesel emissions reduction solution. Eligible applicants are state and local agencies with jurisdiction over transportation or air quality. EPA anticipates awarding approximately $64 million under this announcement. Proposals are due December 8, 2009: http://tiny.cc/jfWEE.

National Endowment for the Humanities
NEH is accepting applications for America’s Historical and Cultural Organizations program – both planning and implementation grants. Projects should encourage dialogue, discussion, and civic engagement among people of all ages. Awards typically do not exceed $400,000. Cost-sharing is not required but NEH grants usually cover no more than 50-60 percent of project costs. Applications are due January 13, 2010: http://www.neh.gov/grants/guidelines/AHCO_ImplementationGuidelines.html.

National Institute of Standards and Technology
NIST is seeking comments on their draft Framework and Roadmap for Smart Grid Interoperability Standards document. The report is a result of NIST’s approach to expediting the development of key standards and requirements necessary for Smart Grid interoperability. Comments are due November 9, 2009: http://edocket.access.gpo.gov/2009/pdf/E9-24429.pdf.

NIST is also seeking comments on their draft Smart Grid Cyber Security Strategy and Requirements document. This initial draft contains the overall security strategy for the Smart Grid. NIST plans to post a subsequent draft of this report for additional public comments. Comments are due December 1, 2009: http://edocket.access.gpo.gov/2009/pdf/E9-24430.pdf.
Subject: City of Lincoln, Nebraska Billboard Sign Request

To: 'scoggs1@gmail.com'

From: Marcee Brownlee

Sent: Wednesday, October 14, 2009 3:15 PM

Denial Info.PDF

Mr. Scognamiglio:

My name is Marcee Brownlee, and I am one of the Assistant City Attorney's for the City of Lincoln. Your request for public records regarding outdoor advertising structures was forwarded to me for response. The City of Lincoln has no centralized data base for records relating to City property that have outdoor advertising structures, therefore I cannot provide a list of these properties, as you request. Under Nebraska law, the City is required to allow examination of existing public records, but is not required to produce or generate documents in a new or different form to fulfill a public record request. However, I have contacted each City Department and inquired as to whether or not billboards are located on any of the City property that is associated with their department. Although I cannot provide you with a list, or a public record, I hope to be able to provide you with the information that you are requesting. At this time, I have not received responses from all of the City Departments, however, as soon as I have responses from each department I will be in contact with you with this information.

In response to the second part of your request, in which you ask for a list of private property and owners who have outdoor advertising permits, the Building and Safety Department of the City of Lincoln processes permit requests. The City only requires a permit when an individual or company requests to erect the billboard structure, therefore, our records consist of permits issued for that purpose. We would not have a public record of any of the current advertisers of each billboard, nor of the leases that control those billboards. In addition, our permits would only reflect ownership at the time of the initial installation of the structure, not the current ownership of these properties. These records are contained within a database in which we can generate a list of permits that have been issued since 1991. As allowed by Nebraska Law, there is a fee for processing this list. The Building and Safety Department estimates that it will take approximately 3 to 5 hours of time to process this type of request. The Department's hourly rate for processing requests of this type is $36 per hour. You should also be advised that the City does not distinguish between permits issued for "billboards" and other outdoor signage, therefore, you will receive a list of all sign permits issued by the City of Lincoln. Any permits that were issued prior to 1991 are not kept in a central data base, but are kept as an individual record of each property located in the City of Lincoln. We can provide a copy of any permit issued prior to 1991 if you can provide a specific address.

Finally, if, after receiving this information, you wish to modify the scope of your request, you may do so. For instance, it is my understanding that permit records since 1999 can be sorted by whether the structure is free standing or not, which would limit the search to some degree, and reduce the cost to you. In addition, I understand that the permit records can also be sorted to only provide certain years of records. If after receiving this e-mail, you wish to obtain those records as originally requested, or in a modified form, you may contact Rita Cox at (402) 441-6454 or at rcox@lincoln.ne.gov and she can make arrangements regarding payment and processing of the request.

Because I cannot provide some of the records that you request, it is my responsibility to inform you of the reason that I am not providing those records to you. With reference to the list of City property, that record is not being provided to you, because the City of Lincoln does not have a public record of a listing of City property with billboard or outdoor signage. Under Nebraska Revised Statute Section 84-712 (e) the public body or custodian of the public records are not required to produce or generate any public record in a new or different form or format which is modified from a public record. While ownership information regarding any property is public record, we cannot provide to you the record that you request. I am also required to provide you information regarding administrative or judicial rights that you have if you believe that the City has wrongfully denied you access to a public record. A copy of Nebraska Statute 84-712.03 is attached to this e-mail, which outlines your rights.
If you have any questions regarding this e-mail or any of the information provided to you, please feel free to contact me. In addition, I will also be contacting you in the near future regarding any information that I am able to gather and provide to you.

Sincerely,

Marcee A. Brownlee  
Assistant City Attorney  
555 So. 10th Street  
Lincoln, NE 68508  
(402) 441-6605
This document has been updated. Use KEYCITE.

West's Revised Statutes of Nebraska Annotated Currentness
Chapter 84. State Officers
  § 84-712.03. Public records: denial of rights; remedies

Any person denied any rights granted by sections 84-712 to 84-712.03 may elect to:

1. File for speedy relief by a writ of mandamus in the district court within whose jurisdiction the state, county, or political subdivision officer who has custody of the public record can be served; or

2. Petition the Attorney General to review the matter to determine whether a record may be withheld from public inspection or whether the public body that is custodian of such record has otherwise failed to comply with such sections. This determination shall be made within fifteen calendar days of the submission of the petition. If the Attorney General determines that the record may not be withheld or that the public body is otherwise not in compliance, the public body shall be ordered to disclose the record immediately or otherwise comply. If the public body continues to withhold the record or remain in noncompliance, the person seeking disclosure or compliance may (a) bring suit in the trial court of general jurisdiction or (b) demand in writing that the Attorney General bring suit in the name of the state in the trial court of general jurisdiction for the same purpose. If such demand is made, the Attorney General shall bring suit within fifteen calendar days of its receipt. The requester shall have an absolute right to intervene as a full party in the suit at any time.

In any suit filed under this section, the court has jurisdiction to enjoin the public body from withholding records, to order the disclosure, and to grant such other equitable relief as may be proper. The court shall determine the matter de novo and the burden is on the public body to sustain its action. The court may view the records in camera before reaching a decision, and in the discretion of the court other persons, including the requester, counsel, and necessary expert witnesses may be permitted to view the records, subject to necessary protective orders.

Proceedings arising under this section, except as to the cases the court considers of greater importance, shall take precedence on the docket over all other cases and shall be assigned for hearing, trial, or argument at the earliest practicable date and expedited in every way.


LIBRARY REFERENCES

Records <http://web2.westlaw.com/...>63, 67;
Westlaw Topic Nos. 326k62; 326k63; 326k67.

NOTES OF DECISIONS

Burden of proof
From: Jean Preister <jpreister@lincoln.ne.gov>
Sent: Friday, October 09, 2009 9:31 AM
To: 'Anthony Scognamiglio' <scoggs1@gmail.com>; Tammy J. Grammer <tgrammer@lincoln.ne.gov>
Cc: Rick R. Peo <rpeo@lincoln.ne.gov>; Chuck A. Zimmerman <czimmerman@lincoln.ne.gov>; Marvin S. Krout <mkrout@lincoln.ne.gov>
Subject: RE: Records Request

I am forwarding this Records Request to Rick Peo, Chuck Zimmerman, Marvin Krout and Mike DeKalb -- let me know if I need to do anything further, please.

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

From: Anthony Scognamiglio [mailto:scoggs1@gmail.com]
Sent: Thursday, October 08, 2009 2:25 PM
To: Tammy J. Grammer; Jean Preister
Subject: Records Request

To Whom it may Concern

Unless otherwise directed, this shall serve as a formal public records request for the following:

1. A list of all City owned land which has an outdoor advertising structure(s) (ie billboards) on it.
2. If City owned land does have outdoor advertising structure(s) on it, please provide the lease or other agreement by 
   and between the City and the tenant. The front page of the lease agreement is all that will be required.
3. On private land, any other information which includes a list of properties (by property address) and property owners who have outdoor advertising/billboard permits with the City. The front page of the lease agreement is all that will be required.

Thank you in advance for your consideration and cooperation. I am hopeful this is not too difficult a task, and
welcome a phone call to discuss any questions you may have in this regard. Certainly, if there are any costs associated with this request, please advise. Thank you.

Anthony Scognamiglio
19 Beechwood Rd
Summit, NJ 07901
201 306 7968
Fire Fighters to Visit Library Storytime

Fire Fighters
Visit Libraries!

Firefighters with Lincoln Fire and Rescue will be special guest readers at preschool storytimes at Lincoln City Libraries this fall.

Battalion Chief, Jeanne Pashalek, says, “A large part of our job is the interactions we have with the community at various levels, not just emergency services. We take pride in our commitment to public education and this is just an example of how we can reach out and impact people of all ages in the community. We are looking forward to the opportunity to read to the preschoolers at our local libraries.”

In honor of the visits, the preschool storytime will feature a firefighter theme.

Lincoln City Libraries’ preschool storytime is a half-hour of books and activities for children ages three, four and five, presented free of charge. It supports early literacy by offering vocabulary development, experiences with a variety of literature, and participation in language-related activities. Pre-registration is not required for preschool storytime. Newcomers are always welcome!

The schedule of firefighter visits in October is:
Bennett Martin Public Library
Thursday, October 22 at 10:15 am

Anderson Branch Library
Tuesday, October 20 at 10:30 am

Bethany Branch Library
Thursday, October 15 at 10:30 am

Eiseley Branch Library
Thursday, October 29 at 10:30 am

South Branch Library
Wednesday, October 28 at 10:30 am

Walt Branch Library
Wednesday, October 21 at 10:30 am

Williams Branch Library
Thursday, October 29 at 7:00 pm

The full schedule of preschool storytimes is available at the library’s Web site, www.lincolnlibraries.org

Barbara Hansen
Administrative Aide
Lincoln City Libraries
402-441-8512

Have you read the 2009 One Book - One Lincoln title "People of the Book" by Geraldine Brooks? Pick your copy up at the library today.
Teen events at the Library

Teen Read Week is October 18-24. Special events have been planned for Teens at Lincoln City Libraries during October and November.

Monday, October 19, 2009
3:30-5:00 p.m.
Walt Branch Library
For grades 6-12
Ghost Hunting 101 - a "Read Beyond Reality" Teen Read Week Event: Come meet two real ghost hunters who will share information, stories, and the instruments they use to communicate with the paranormal.

Friday, October 23, 2009
6:30 - 8:00 PM
Eiseley Branch Library
For ages 10-16
Jinkies! It’s a Zombie! The gang and our favorite canine hero are back! Scooby and his friends visit Zombie Island, where they find themselves menaced by a ghost and zombies! Come dressed as your favorite Scooby character or as a zombie or if you’re feeling really creative, your favorite zombified Scooby character. Pre-registration is necessary; call 441-4250 or stop by the Eiseley Youth Services desk.

Thursday, November 5, 2009
4:00 - 5:30 PM
Eiseley Branch Library
For ages 10-15
Make a Monster at the Library! November spawned a monster! Now is your chance to make your own little monster. Come to Eiseley Branch Library to create your creature! All materials will be provided and all participants will make something to bring home. Please call 441-4250 or stop by the Eiseley Youth Desk to
Sunday, November 15, 2009
2:00 - 3:00 PM
Eiseley Branch Library
For all ages
*Pride and Prejudice and Zombies* Book Group: First published in 1813, Jane Austen’s novel, *Pride and Prejudice*, has remained ever popular, spawning several adaptations in both book and movie. In its most recent adaptation, zombies are added into the mix. Join us as we analyze *Pride and Prejudice and Zombies* by Jane Austen and Seth Grahame-Smith. This discussion is open to anyone who has read the book; pick up your copy at your local Lincoln City Library branch.

Saturday, November 21, 2009
12:30 - 5:30 PM
Gere Branch Library
For teens and young adults (anyone is welcome, but those under 12 should be accompanied by a parent)
Teen Read Week Movie Party! Dress as your favorite *out of this world* character. Vampire? Werewolf? Zombie? Anything goes. Come and celebrate Teen Read Week 2009 "Read Beyond Reality" with a scary movie marathon!
Call Gere Branch Library 441-8560 for more information.

Barbara Hansen
Administrative Aide
Lincoln City Libraries
402-441-8512

*Have you read the 2009 One Book - One Lincoln title "People of the Book" by Geraldine Brooks? Pick your copy up at the library today.*
FOR RELEASE: October 14, 2009

CONTACT: Vicki Wood, Youth Services Supervisor

PHONE: 402-441-8565

EMAIL: v.wood@lincolnlibraries.org

Puppet Show at Bethany Library

Molly Esseks, a local storyteller, will tell classic children’s stories with the help of her puppets at Bethany Branch Library, 1810 N. Cotner Blvd on Wednesday, October 28, 2009 at 10:30 a.m.

This presentation is for children from preschool age to third grade and is free and open to the public. For more information, please call Bethany Branch at 441-8550.

###

Barbara Hansen
Administrative Aide
Lincoln City Libraries
402-441-8512

Have you read the 2009 One Book - One Lincoln title "People of the Book" by Geraldine Brooks?
Pick your copy up at the library today.
Ken:

Thank you... I was out of town. I did, however, in my journeys last week, get some photos of interesting meter configurations in Ithaca, New York. My daughter, in particular, reminded me that I was there to visit her. ...not on City business... I reminded her that it is very difficult for me to "leave business at home"!

I will forward those photos when I bring my camera to work. Undoubtedly no new information for you, but just want to share.

Regarding the information you sent on the Parking Enterprise Fund, would it be possible to explain how this would fit with the proposed West Haymarket Arena project?

Thank you,

Jon

---

**Ken D. Smith**  
City Parking Manager  
Urban Development Department  

Phone 402.441.4617  
Fax 402.441.6476  

---

Ken and and David:
Thanks for your response. I would appreciate several courtesies:

1. Can you share in advance your "variety of options"?
2. Put this on a fast track?
3. Comment on my two suggestions?

Thank you,

Jon
Imagine one's frustration in encountering these parking challenges in downtown Lincoln, which only add to the hesitancy to venture downtown.

Therefore, I respectfully ask that one of two solutions be implemented:

(1) return to the former color coding system and paint the entire meter pole a single color, coded to the time limit, or
(2) Create a larger sticker, perhaps 18 inches tall, that is also color coded using the old color system, and affixed to the parking meter pole immediately below the meter head.

Either method creates a simple visual for the motorist to observe at a reasonable distance and therefore allow the driver to determine whether that particular meter has sufficient time limits for his/her needs.

This simple measure will further the friendliness and parking availability in downtown Lincoln and increase parking revenues which will in turn fund future parking expansions.

Thank you in advance for responding with the news of which of these two alternatives you will implement.

Jon

Jon Camp
Lincoln City Council
Mr. Cress

Thank you for your observations on the retirement plan and required staffing. Both are on target.

Best regards,

Jon Camp

From: Milo Cress [cressmilo@gmail.com]
Sent: Tuesday, October 13, 2009 8:51 AM
To: Doug Emery; Jon Camp; Jonathan A. Cook; John Spatz; Eugene W. Carroll; Adam A. Hornung; Jayne L. Snyder
Subject: Reduce 401-k match and eliminate minimum staffing levels in public agencies. Milo Cress, Eagle

Honorable Council Members,

You have a tough job and my thoughts are of you.

It will be ultimately necessary to reduce the 2-to-1 match for City of Lincoln employees, to something more reasonable, such as 1-to-1 match up to 3% or 5% of wage (or no match). As an employee of the Federal Highway Administration, and now of a private consultant firm, these levels of match for 401k plans seem reasonable and consistent. Just get it done. City taxpayers cannot afford any more excess.

Also, you should consider withdrawal of the minimum staffing requirements for any public agency. Support lower taxes and free market principles wherever you can.

And do have another great day.

Mdc

Milo D. Cress
901 Maple Drive
Eagle, NE 68347
402-430-4499
CressMilo@gmail.com
Eric:

Thank you for your email and comments. In our union negotiations, there needs to be a "balance" on the part of the City and the Union. In this particular situation, the scales are balanced to the degree that common sense management of the fire department's operations is being restricted or eliminated.

Best regards,

Jon

---

From: Eric Foster [ericfos@yahoo.com]
Sent: Monday, October 12, 2009 8:54 AM
To: Jon Camp
Subject: Union Contracts

Dear Mr. Camp:

I am writing to thank you for your careful reading of union contracts before voting on them. I was at the City Council meeting on Sept. 28 and appreciated your questioning of several of the provisions contained in the firefighters' union contract. I can't say I know much about union negotiations, but it does seem that some of what unions are demanding - and getting - is excessive. Especially the issue you brought up having to do with fire department employees still being able to drive department vehicles if they have lost their driver's licenses - that seems to fly in the face of common sense, if you ask me.

Thank you again for your fine work.

Eric Foster
1910 J St. # 209
Lincoln, NE 68510
Stephen:

Thank you for your email. I appreciate the time and interest you expended to compose your thoughts.

I agree that Lincoln must look not only at "promises made but promises kept".

The Arena is a project that will be a long-term center and must be approached with fiscal responsibility. Please be assured that I will continue my role on the City Council as the "inquisitor" and ask many questions. In the end, I look forward to a good discussion and thoughtful process to evaluate this project. I encourage you and other citizens to also ask questions, which will help all citizens and taxpayers understand the benefits and the costs of this proposal.

Lincoln has a great future and can enhance it with careful thought, discussion and planning. . .in a fiscally responsible manner.

Best regards,

Jon

---

Stephen L. Witt [stvtoti@windstream.net]
From: Stephen L. Witt [stvtoti@windstream.net]
Sent: Friday, October 09, 2009 2:28 PM
To: Jon Camp
Cc: Jonathan A. Cook
Subject: Today's Arena Article

Honorable Gentlemen,

I send you this email regarding what is finally a look at the arena project that is currently being proposed. I've lived in Lincoln all but 6 years of my life. I am definitely against the city getting involved with this magnitude and scope. My reasons are as follows. (Incidentally I’m only writing you two at this time because you represent the SE and SW district where I live.)

I do not believe that Mayor Chris Beutler’s continual claim that city taxes will not be affected. That just doesn’t stand up when common logic is applied. Someway, somehow it will cost Lincoln tax dollars. Remember the 250 million dollar school bond issue and that it wasn’t going to cost any added taxes. Bull: they didn’t increase the levy but they added to the length of the existing ones. Any body that pays even the slightest attention can figure that little move was pure smoke and mirrors put out by Dr Gourley and her “independent” school board. Had they not told that little white lie voters, likely would not of passed the issue. By the way they also mostly lied about the need for education space for children and then closed two well populated schools forcing many to be well beyond reasonable walking distance.

Also remember the Centrum project? City officials and private business supported that including bonds to pay for it. It was going to save downtown. Right! As you know it was a total failure and now the taxpayers are not only paying the building costs bond of but also helping to support Southeast Community Collage as well for rents on it. You must agree that these projects do not always do the miraculous things that supporters promise.

This City has huge infrastructure problems. Traffic through the two lane tree lined nice home arterials cannot continue to support growth to the east and south. Want proof? Drive north down south 27th, 13th, 40th, and now the mess at Cotner and “O”. Take a look at what happens to a neighbor hood when the city widens these streets to 4 lanes, (the area that I grew up in). All of it ruined as decent habitat. We must complete a South and East beltway before it becomes impossible to accomplish it due to ongoing growth in spite of a recession.
I’m sorry to ramble on this but what I’m trying to say is let private industry, the ones who will directly benefit from a scaled back arena project pay for it. Do not force (by what ever means) the taxpayers of Lincoln poorer while the directly benefiting get rich. Two things to keep in mind; 1) Pershing Auditorium when built in 1955 should have been at 33rd and “O” street so their was room for updating and rebuild; 2) Omaha’s Quest Center has not been a financial success. It has cost the city millions to support it and I believe they are asking for a 10% tax increase. Publicly we don’t have any more money that they do. Lincolns Haymarket is just fine the way it is. Send the dreamer of becoming wealthy at the cost of the taxpayer back into their burros

Respectfully,
Stephen L. Witt
3621 Holmes Park Road
Lincoln NE 68506
402/483-483-6818
stvtoti@windstream.net
Hi! My Name is Teri Pope-Gonzalez or Teri Gonzalez. My Family owns 349 S. 1st Street, Lincoln, Neb. 68508 which is our family home. My family has owned that property for over 50 years! I would like a return phone call—please!

Thank you!

Teri Pope-Gonzalez
402.499.5716

"In Memory of Joe Gonzalez"
"This property is located at South 1st and L Streets."
To: Media  
Lincoln City Council  
Mayor Chris Beutler

Early this week, LIBA sent the attached statement to the Lincoln Electric System Board. This is a very timely issue and the information is realistically presented to save the rate payers of Lincoln.

If you have questions, you may direct them to me, or to Connie Hilligoss - LIBA Chair of the Board. connie@signprolincoln.com or 421-6600

To: LES Board Members
From: LIBA Board of Directors
Date: 12 October 2009
Re: LES Rate Increase October 2009

LES has gone to great lengths to have an open budget process. Thank you! We want to thank the LES staff which has gone through a tremendous loss of its leader and yet continued to meet the needs of its customers and community.

This year, LIBA encourages the LES Board to eliminate as much of the rate increase as possible. Some would say that times are tough. We will tell you, that for many Lincolnnites, times are horrible. Sure we are optimistic, but businesses in Lincoln are closing. Businesses in Lincoln are laying off workers. Most people with jobs are not seeing an increase in pay; many are seeing decreases. Homeowners are struggling!

Today, LES still has the same number of employees as a year ago. We are not advocating eliminating employees, but even the city has eliminated positions through attrition. Why isn't LES tightening its budget and leaving open spots to be filled at a later time?

This coming year we must focus on necessities!

Last year we thought the Sustainable Energy program was a fine investment. However, it is not a necessity during these times. Setting the program aside for a year would save $2 Million.

Additionally, the new LES budget adds $2 Million to the reserve account. In the past 10 years, LES had only one year with a shortage that reached $4 Million. This was in 2007 due to costs incurred because of the Nebraska ice storm. LES currently has $4 Million in reserve and LES is forecast to add another $4 Million this budget year. All added together, this would give LES a $10 Million reserve.

If the LES Board were to stop collecting $4 Million in funds for these two areas, they could lower the rate increase from 3.9% to 1.9%.\[1\]

During these difficult economic times, we believe LES should not replenish these important, but non-critical funds. LES's main goal should be to defer any rate increase until economic times improve.
Coby Mach  
President & CEO  
Lincoln Independent Business Association  
620 No. 48th St., Suite 205  
Lincoln, NE 68504  
402-466-3419 - Office  
402-430-5554 - Cell  
402-466-7926 - Fax  
www.liba.org  

The salvation of the state is the watchfulness in the citizen.

[1] Source: A $1 Million reduction in expense will reduce the rate increase by and estimated .5%. Conversation on 10/12/09 with Todd Hall, LES Vice President of Consumer Services.
Dear Council members,

I am writing in support of the city council coming up with a way to deal with problem properties (housing that becomes run down, eye sores of the neighborhoods and housing rented to drug dealers to deal drugs in our neighborhoods).

Please look into what the city can do to strengthen the consequences to problem property owners. Our older neighborhoods seem to have more trouble with the problem properties and we appreciate anything you can do to help the city help us.

Thank you,

Peggy Struwe
530 North 25th Street
Lincoln, NE 68503
Hawley Historic district in the Malone area

Hotmail: Powerful Free email with security by Microsoft. Get it now.
The Hartley Neighborhood Association would like to encouraging you to give problem properties high priority on the city counsel’s agenda. We would like you to consider an ordinance or other tools to crack down on owners of neglected, dilapidated, vacant properties. We have been successful in dealing with one of our problem properties at 3401 R Street, but there are many other vacant properties in our neighborhood. Each of them affects the property values of neighboring properties and the general quality of life in our neighborhood.

I want to thank Councilperson Jon Camp for wanting to tackle this issue and find effective options for dealing with problem property owners.

Sincerely,

Serena Reeves
Hartley Neighborhood Association President
426 N. 35th Street
Lincoln, NE 68503
October 14, 2009

2318 N 80th Street
Lincoln, NE  68507-3339

Dottie's Cell 402-202-5595
Ed's Cell   402-202-5489
Mesa        480-380-5368

Earthlink, Inc.
PO Box 790216
St. Louis, MO  63179-0216

Re: High Speed Internet Service
   thru Time Warner Cable
   Account No.: 27675686

Lady or gentleman,

I contacted your company on July 8, 2009 and talked to Anthony. He and I discussed high speed internet service with your company, but since I was already using Time Warner Cable, he said I would have to cancel the service with Time Warner before I could sign up with Earthlink. Anthony quoted me a rate of $29.95 for the first 6 months and $41.95 thereafter. Anthony said there would be no installation fee for a standard installation.

I canceled my service with Time Warner Cable about July 25, 2009. I contacted Earthlink on July 30, 2009 to sign up with your company. I talked first to Hazel who referred me to Susan. I was quoted 7.0 mbs of service for $29.95 for 6 months and $41.95 thereafter with no charge for standard installation, no cancellation fee, and no contract.

My notes show that I also talked with Jeff. Either Susan or Jeff contacted Time Warner Cable. Once their representative was on the line, your representative was no longer involved. I got the run around from Time Warner as they denied knowing anything about Earthlink and said there would be a $39.99. I protested this and told the Time Warner rep that is not what Earthlink had quoted me.

The next day, I received a telephone call from Kim of the Time Warner Cable Lincoln office. She said she is the Earthlink rep for Lincoln. I explained what rate and program had been offered to me and she agreed to all except the waiver of the installation fee. I said that I could only proceed if there was no installation fee charged. Kim said that it would initially be charged and show up on one monthly statement and then it would be reversed on the next month’s statement. I agreed to proceed.

My August 7, 2009 statement has the charge of $39.99 for high speed internet. It was a
standard installation as no wires had to be installed nor was there anything unusual compared to any prior installations.

My September 7, 2009 statement from Time Warner arrived and there was no credit given for the $39.99 installation fee. I called Earthlink twice to complain about being charged for a standard installation. Both times your rep contacted Time Warner and one of their reps came on the line. Your rep then discontinued being involved.

The first time that I talked to the Time Warner rep, I was told that there was nothing that they could do. That is exactly why I called Earthlink the second time to complain.

The second time that I talked to the Time Warner rep, I was told that she would have to listen to the recording of the telephone conversation that I initially had with Kim of Time Warner on July 30, 2009 and she would get back to me.

I have attempted to contact Kim direct at the Time Warner Cable Lincoln, NE office, but I have been told that they do not give out that number.

I received my October 7, 2009 statement from Time Warner on October 12, 2009. There was no credit for the $39.99 installation fee. I am still waiting for a return call form the Time Warner rep.

I contacted Earthlink to sign up with your company to provide high speed internet service. Your rep quoted me $29.95 for the first 6 months, with no contract, no cancellation fees and no installation fees. I do not owe this $39.99 installation fee. If Time Warner Cable has a charge for the installation, they should be collecting same from Earthlink, not me.

Please reimburse me the $39.99 fee.

I am copying the City Council of the City of Lincoln, NE because Time Warner Cable is not consumer friendly. They promised me to look into this matter and return my call. No one has called me and it has been over one month. One of the problems is that Time Warner Cable has no competition. The City Council of the City of Lincoln, NE needs to address this issue when Time Warner's agreement comes up for further discussion.

Time Warner Cable reps frequently end their conversations with the phrase, “Thanks for choosing Time Warner Cable”. When I talk to Time Warner Cable, I say to them that I do not want to hear their parting comment because if I had a choice, I would not be with Time Warner Cable. Unfortunately, there is no other choice in Lincoln, NE.

Our daughter lives in Rapid City, SD, a city of about 50,000 people. I am told that there are three cable companies competing for cable service, in addition to satellite companies. The City of Lincoln is about 250,000 people and yet we have only one cable company.

The City Council of the City of Lincoln will tell me that I do indeed have a choice. They
tell me there is Dish Network and Direct TV. However, comparing Time Warner Cable to a satellite dish network is like comparing apples and oranges.

I will also investigate using wireless internet from cell phone companies. At least that service is portable.

I provide a copy of my July, August, September, and October Time Warner statements.

Finally, if there is no refund by either Earthlink or Time Warner Cable, there will be repercussions. I will reduce my services provided by Time Warner Cable until I recoup the $39.99 to which I am entitled.

Thank you.

Sincerely yours,

Ed Svendsen

cc: City Council, City of Lincoln
    Time Warner Cable, Lincoln
Account Summary

Payments received after 07/07/09 will appear on your next bill.

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Amount of Last Bill</td>
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<tr>
<td>Payments</td>
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<td>Monthly Charges</td>
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<td>Fees &amp; Taxes</td>
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<td>Balance Due</td>
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<tr>
<td>Payment Due Date</td>
<td>AUTOPAY</td>
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</tbody>
</table>

Auto Credit Card Pmt Will Be Made 07/25/09

What's New At Time Warner Cable

Thank you for choosing Time Warner.

Check out our web site at www.timewarnercable.com

Payment Coupon

Please detach and enclose this portion with your payment. Do not send cash. Make checks payable to TIME WARNER CABLE.

Allow 4-5 days for your mailed payment to be credited.
# Account Details

This bill is for service from 07/17/09 to 08/16/09.

## Payments

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<th>Type</th>
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## Monthly Charges

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<td>07/17 - 08/16</td>
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<td>07/17 - 08/16</td>
<td>HDTV Converter</td>
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<td>07/17 - 08/16</td>
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<td>07/17 - 08/16</td>
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## Fees & Taxes

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<td>07/07</td>
<td>Edu &amp; Gov't Access Channel Fee</td>
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For information on any upcoming programming changes please consult the Legal Notices published in the Lincoln Journal Star on the 1st and 3rd Mondays each month.

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**OFFICE LOCATIONS**

- **Lincoln/Denton/Crete/Seward**
  5400 So. 16th Street, Lincoln
  402-421-0300
  1-800-248-9823 Toll Free

- **Columbus/David City**
  2453 39th Avenue, Columbus
  402-563-4511
  1-888-564-3504 Toll Free

- **Fairbury**
  506 C Street, Fairbury
  402-729-6494
  1-800-742-7313 Toll Free

- **Falls City/Humboldt/Table Rock/Pawnee City**
  1816 Stone Street, Falls City
  402-245-2863
  1-866-611-3142 Toll Free

- **Fremont**
  1780 East 23rd Street

- **Nebraska City**
  512 Central Avenue

- **York**
  114 West 6th St.
Bill for Service

Billing Date: August 07, 2009
Account Number: 8347 10 001 1120311
Customer Code: 3109

Account Summary

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<td>Partial Month Charges</td>
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<td>Payment Due Date</td>
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What's New At Time Warner Cable

Catch HUSKER GAMES LIVE on Pay Per View in September! Watch the Huskers first three home games September 5, 12, and 26 for only $29.95 per game. To order, tune to channel 102 and use your Digital remote. A Digital box is necessary to receive the game.

Effective with your next billing statement, the fee assessed on your residential account for late payment will be $7.00. This fee is only applied to accounts in delinquent status.

Thank you for choosing Time Warner.

Payment Coupon

Please detach and enclose this portion with your payment. Do not send cash. Make checks payable to TIME WARNER CABLE.

Allow 4-5 days for your mailed payment to be credited.

EDWARD SVENDESEN
Billing Date: August 07, 2009
Account Number: 8347 10 001 1120311
Balance Due: $167.74
Payment Due Date: AUTOPAY
Amount Enclosed: 

TIME WARNER CABLE
PAYXPRESS
Pay your bill online!
www.timewarnercable.com/nebraska
### Monthly Charges

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<tr>
<th>Date</th>
<th>Description</th>
<th>Amount</th>
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<td>HDTV DVR Converter</td>
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<td>08/17 - 09/16</td>
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<td>08/17 - 09/16</td>
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<td>08/17 - 09/16</td>
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<td><em>The Digital Tier, The Navigator, Music Choice, &amp; 7 Channels Of ENCORE</em></td>
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### Partial Month Charges

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<tr>
<td>07/17</td>
<td>Basic Services</td>
<td>59.99</td>
</tr>
<tr>
<td>07/17</td>
<td>7 Channels Of ENCORE</td>
<td>3.00</td>
</tr>
<tr>
<td>07/17</td>
<td>Digital Movie</td>
<td>11.95</td>
</tr>
<tr>
<td>07/17</td>
<td>Price Lock Guarantee</td>
<td>-109.19</td>
</tr>
<tr>
<td>07/17</td>
<td>Service Discount</td>
<td>19.22</td>
</tr>
<tr>
<td>07/17</td>
<td>Roadrunner SVC</td>
<td>45.99</td>
</tr>
<tr>
<td>07/24</td>
<td>Roadrunner SVC</td>
<td>-35.60</td>
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<tr>
<td>08/03</td>
<td>HDTV DVR Converter</td>
<td>3.25</td>
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<tr>
<td>08/03</td>
<td>HDTV Converter</td>
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<tr>
<td>08/03</td>
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<td>3.60</td>
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<td>08/03</td>
<td>Service Discount</td>
<td>-3.60</td>
</tr>
<tr>
<td>08/03</td>
<td>Remote</td>
<td>-1.17</td>
</tr>
<tr>
<td>08/03</td>
<td>Remote</td>
<td>-1.13</td>
</tr>
<tr>
<td>08/07</td>
<td>EarthLink High Speed</td>
<td>12.17</td>
</tr>
<tr>
<td>08/07</td>
<td>Service Discount</td>
<td>-3.48</td>
</tr>
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</table>

### Installs & Other Charges

<table>
<thead>
<tr>
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<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>08/07</td>
<td>Install Fee HSD</td>
<td>39.99</td>
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Account Summary

Payments received after 09/07/09 will appear on your next bill.

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>Amount of Last Bill</td>
<td>$167.74</td>
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<tr>
<td>Payments</td>
<td>-$167.74</td>
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<tr>
<td>Monthly Charges</td>
<td>109.39</td>
</tr>
<tr>
<td>Fees &amp; Taxes</td>
<td>10.77</td>
</tr>
<tr>
<td>Ending Balance</td>
<td>$120.16</td>
</tr>
<tr>
<td>Balance Due</td>
<td>$120.16</td>
</tr>
<tr>
<td>Payment Due Date</td>
<td>AUTOPAY</td>
</tr>
</tbody>
</table>

What's New At Time Warner Cable

Catch HUSKER GAMES LIVE on Pay Per View in September! Watch the Huskers first three home games September 5, 12, and 26 for only $29.95 per game. To order, tune to channel 102 and use your Digital remote. A Digital box is necessary to receive the game.

Thank you for choosing Time Warner.

Check out our web site at www.timewarnercable.com

Payment Coupon

Please detach and enclose this portion with your payment. Do not send cash. Make checks payable to TIME WARNER CABLE.

Allow 4-5 days for your mailed payment to be credited.

EDWARD SVENDSEN
Billing Date: September 07, 2009
Account Number: 8347 10 001 1120311

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Balance Due</td>
<td>$120.16</td>
</tr>
<tr>
<td>Payment Due Date</td>
<td>AUTOPAY</td>
</tr>
<tr>
<td>Amount Enclosed</td>
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</tr>
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TIME WARNER CABLE
DEPT 0061
PALATINE IL 60065-0061

834710001112031100120162
<table>
<thead>
<tr>
<th>Date</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>09/17</td>
<td>HDTV DVR Converter</td>
<td>7.20</td>
</tr>
<tr>
<td>09/17</td>
<td>EarthLink High Speed</td>
<td>41.85</td>
</tr>
<tr>
<td>09/17</td>
<td>Service Discount</td>
<td>-12.00</td>
</tr>
<tr>
<td>09/17</td>
<td>Additional Outlet</td>
<td>0.00</td>
</tr>
<tr>
<td>09/17</td>
<td>Additional Outlet</td>
<td>0.00</td>
</tr>
<tr>
<td>09/17</td>
<td>Basic Services</td>
<td>59.99</td>
</tr>
<tr>
<td></td>
<td>Includes: Limited Basic Cable Service</td>
<td></td>
</tr>
<tr>
<td>09/17</td>
<td>DVR Service</td>
<td>7.99</td>
</tr>
<tr>
<td>09/17</td>
<td>Service Discount</td>
<td>-7.99</td>
</tr>
<tr>
<td>09/17</td>
<td>Digital Movie</td>
<td>11.55</td>
</tr>
<tr>
<td></td>
<td>The Digital Tier, The Navigator, Music Choice, &amp;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>7 Channels Of ENCORE</td>
<td></td>
</tr>
<tr>
<td>09/17</td>
<td>Remote</td>
<td>0.30</td>
</tr>
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</table>

**Fees & Taxes**

<table>
<thead>
<tr>
<th>Date</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>09/07</td>
<td>Franchise Fee</td>
<td>4.40</td>
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<td>09/07</td>
<td>Sales Tax</td>
<td>5.89</td>
</tr>
<tr>
<td>09/07</td>
<td>FCC Regulatory Fee</td>
<td>0.07</td>
</tr>
<tr>
<td>09/07</td>
<td>Edu &amp; Gov’t Access Channel Fee</td>
<td>0.41</td>
</tr>
</tbody>
</table>

**CLOSED CAPTIONING:** To report a technical issue, call (402) 421-0300, fax (402) 421-0310, or email nat.tso.nebraska@twcable.com. Send written complaints to Monique Crawford, Administrator, Legal Affairs, 13820 Sunrise Valley Drive, Herndon, VA 20171; (704) 697-4935 (fax); or twc.clossedcaptioningissues@twcable.com. For questions about written complaints ONLY, call (877) 276-7432.

**OFFICE LOCATIONS**

- **Lincoln/Denton/Crete/Seward**
  - 5400 So. 16th Street, Lincoln
  - (402) 421-0300
  - 1-800-248-6823 Toll Free

- **Auburn/Tecumseh**
  - 1304 Courthouse Avenue, Auburn
  - (402) 274-5072
  - 1-800-742-7310 Toll Free

- **Columbus/David City**
  - 2453 39th Avenue, Columbus
  - (402) 563-4511
  - 1-888-564-3504 Toll Free

- **Fairbury**
  - 506 C Street, Fairbury
  - (402) 729-6494
  - 1-800-742-7313 Toll Free

- **Falls City/Humboldt/Table Rock/Pawnee City**
  - 1816 Stone Street, Falls City
  - (402) 745-2863
  - 1-866-611-3142 Toll Free

- **Fremont**
  - 1780 East 23rd Street
  - (402) 727-1271

- **Nebraska City**
  - 512 Central Avenue
  - (402) 873-9396

- **York**
  - 114 West 6th St.
  - (402) 362-6397

**TIME WARNER CABLE**
## Account Summary

Payments received after 10/07/09 will appear on your next bill.

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amount of Last Bill</td>
<td>$120.16</td>
</tr>
<tr>
<td>Payments</td>
<td>-120.16</td>
</tr>
<tr>
<td>Monthly Charges</td>
<td>109.39</td>
</tr>
<tr>
<td>Fees &amp; Taxes</td>
<td>10.77</td>
</tr>
<tr>
<td>Ending Balance</td>
<td>$120.16</td>
</tr>
<tr>
<td>Balance Due</td>
<td>$120.16</td>
</tr>
<tr>
<td>Payment Due Date</td>
<td>AUTOPAY</td>
</tr>
</tbody>
</table>

Auto Credit Card Pay Will Be Made 10/25/09

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## What's New At Time Warner Cable

EFFECTIVE OCTOBER 1, 2009, THE FUSF RATE WILL DECREASE FROM 12.9% TO 12.3%. EFFECTIVE OCTOBER 1, 2009, THE FCC REGULATORY FEE VOICE HAS DECREASED FROM 0.0361% TO 0.0324%

Thank you for choosing Time Warner.

Check out our web site at www.timewarnercable.com

---

## Payment Coupon

Please detach and enclose this portion with your payment. Do not send cash. Make checks payable to TIME WARNER CABLE.

Allow 4-5 days for your mailed payment to be credited.

EDWARD SVENDSEN
Billing Date: October 07, 2009
Account Number: 8347 10 001 1120311
Balance Due: $120.16
Payment Due Date: AUTOPAY
Amount Enclosed

---

TIME WARNER CABLE
DEPT 0061
PALATINE IL 60065-0061

---

834710001112031100120162
## Account Details

This bill is for service from 10/17/09 To 11/16/09.

### Payments

<table>
<thead>
<tr>
<th>Date</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>09/26</td>
<td>Credit Card Payment</td>
<td>-120.16</td>
</tr>
</tbody>
</table>

### Monthly Charges

<table>
<thead>
<tr>
<th>Date</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>10/17</td>
<td>HDTV DVR Converter</td>
<td>7.20</td>
</tr>
<tr>
<td>10/17</td>
<td>EarthLink High Speed</td>
<td>41.95</td>
</tr>
<tr>
<td>10/17</td>
<td>Service Discount</td>
<td>-12.00</td>
</tr>
<tr>
<td>10/17</td>
<td>Additional Outlet</td>
<td>.00</td>
</tr>
<tr>
<td>10/17</td>
<td>Additional Outlet</td>
<td>.00</td>
</tr>
<tr>
<td>10/17</td>
<td>Additional Outlet</td>
<td>.00</td>
</tr>
<tr>
<td>10/17</td>
<td>Basic Services</td>
<td>59.99</td>
</tr>
<tr>
<td>10/17</td>
<td>DVR Service</td>
<td>7.99</td>
</tr>
<tr>
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<td>Service Discount</td>
<td>-7.99</td>
</tr>
<tr>
<td>10/17</td>
<td>Digital Movie</td>
<td>11.95</td>
</tr>
<tr>
<td>10/17</td>
<td>Remote</td>
<td>.30</td>
</tr>
</tbody>
</table>

**Includes: Limited Basic And Cable Service**

### Fees & Taxes

<table>
<thead>
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Basic Service At $59.99 includes: Limited Basic At $16.60 And Cable Service At $43.39.

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### OFFICE LOCATIONS

- **Lincoln/Denton/Crete/Seward**
  - 5400 So. 16th Street, Lincoln
  - 402-421-6300
  - 1-800-246-8823 Toll Free

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  - 1-888-564-3504 Toll Free

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  - 402-729-6494
  - 1-800-742-7313 Toll Free

- **Falls City/Humboldt/Table Rock/Pawnee City**
  - 1816 Stone Street, Falls City
  - 402-245-2863
  - 1-866-611-3142 Toll Free

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  - 402-727-1271

- **Nebraska City**
  - 512 Central Avenue
  - 402-879-8196

- **YORK**
  - 114 West 6th St.
  - 402-362-6397

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**TIME WARNER CABLE**
ADDENDUM
TO
DIRECTORS’ AGENDA
MONDAY, OCTOBER 19, 2009

I. CITY CLERK - None

II. CORRESPONDENCE FROM THE MAYOR & DIRECTORS TO COUNCIL -

MAYOR -

1. NEWS RELEASE - RE: Mayor Beutler’s Public Schedule for Week of October 17, 2009 through October 23, 2009 - Schedule subject to change.

DIRECTORS -

HEALTH -


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

JON CAMP -

1. E-Mail from Robert Bonk with response from Councilman Camp - RE: Roads Priorities.

2. E-Mail from Scott Wendt with response from Councilman Camp - RE: Arena Study.

IV. CORRESPONDENCE FROM CITIZENS TO COUNCIL - None
Mayor Beutler’s Public Schedule
Week of October 17 through 23, 2009
Schedule subject to change

Saturday, October 17
• 313th Medical Company farewell (departing to Iraq), remarks - 9 a.m., Lincoln North Star High School, 5801 N. 33rd St.
• Perot Systems tailgate party, remarks and photos with Perot and Dell executives - noon, June and Paul Schorr III Center, 1100 “T” Street (South Stadium)

Tuesday, October 20
• KFOR “Lincoln Live” show - 11 a.m., Three Eagles Communications, 3800 Cornhusker Hwy.

Wednesday, October 21
• Economic development business trip to Dallas, TX

Friday, October 23
• Return from Dallas economic development business trip
Last Household Hazardous Waste Collection for 2009

The Lincoln-Lancaster County Health Department (LLCHD) announces the last Household Hazardous Waste Collection of 2009, to be held on Saturday, October 24, 2009, from 9 a.m. to 1 p.m. at 31st & J Streets. The collection will take place in the parking lot at the south end of Woods Park, and is for Lincoln and Lancaster County households only, not businesses. The next collection will not be until spring of 2010, so residents are encouraged to take advantage of this opportunity.

This is a good time to check garages and basements for excess or unwanted pesticides or lawn chemicals, burned out fluorescent bulbs (CFLs) and tubes, paint thinners, stains, polishes and waxes, turpentine, oil-based paint, pool cleaning chemicals, flea and tick powders, rodent poison, charcoal starter fluids, mixed or old gasoline, mercury-containing items including thermometers, upholstery cleaners, grease removers and brake and power steering fluids.

Items that can be recycled or safely disposed of locally will not be accepted at the HHW collection: latex paint, motor oil, gas grill cylinders, pharmaceutical waste, electronics, and batteries. For more information, call 441-8021 or check on-line at www.lincoln.ne.gov (Keyword: household).

###
Mr. Bonk:

Thank you for your email. . .you are correct in that we do need to prioritize road infrastructure. Several years ago we attempted a bond that was defeated by the voters. That particular bond also included some bells and whistles to appeal to many constituencies, which, in my opinion, probably caused it to go down in defeat.

We not only need to construct ahead of time the necessary road infrastructure, but also need to maintain in a responsible way our existing roads and curbs. This Friday, I am participating in a 2-hour ride with Public Works officials to specifically address the deteriorating curbs and sewer inlets due to snow plows. I find it objectionable to "destroy" many of our new curbs and inlets with errant snow plows. I know this duty, i.e. snow removal, is important and demanded by citizens, but it must be conducted in a manner that does not create millions of dollars of future maintenance, especially when we cannot maintain what we already have.

Sorry to mention so much, but I want to reassure you I am an advocate of responsible road infrastructure and feel it needs to be prioritized immediately behind police and fire protection.

Best regards,

Jon

Jon A. Camp
Lincoln City Council
402.474.1838 (personal office)

Comment or Question:
As a newer citizen to Lincoln (2007) I would like to give my opinion why the transportation /roads should take priority. It?s the face of our community and is the first thing that a new person sees and most of all experiences when they come to see if this is the place to start a business or call home. I don?t understand why there is not more resources going to road repair/ widening of roads. Can you help me understand what the dynamics of the situation are for this problem? And what if anything can be done?
Thank you!

Robert Bonk
Mr. Wendt:

Thank you for your email. Please be assured that I have been asking questions and am participating in upcoming reviews of the projections. We need to have "reality checks" of these projections by a variety of experts. At this stage, while I have been assured the projections are "conservative", I cannot comment other than to continue to ask questions.

Keep in touch.

Jon

Jon A. Camp
Lincoln City Council
402.474.1838 (personal office)

Comment or Question:

Dear Jon,
I have read the Leib arena study and I'm stunned by the retail projections. Somehow the arena is going to fill 100,000 square feet of new retail at 95% occupancy and generate $238,000 per employee? There are similar projections for the office space and the hotel rooms. These are the same developers who are having a difficult time filling any of their retail spaces on P and Q Street (even with $100,000 of help from the city).

The decision to built should be made with projections that make sense, not these kind of numbers.

Regards,
Scott Wendt
Bluestem Books