I. CITY CLERK
   1. Letter from Michael Hollon regarding Notice of Assessment and Equalization of the University Place Maintenance Business Improvement District/Board of Equalization Meeting immediately preceding Council Meeting.

II. CORRESPONDENCE FROM THE MAYOR & DIRECTORS TO COUNCIL

MAYOR
   1. NEWS ADVISORY. Nebraska Task Force 1, the Urban Search and Rescue team based at Lincoln Fire and Rescue, will conduct an all-team mobilization drill Saturday, April 24th at the Lincoln Airport.
   2. NEWS ADVISORY. Mayor Beutler will announce plans for the “Taking Charge” public budget discussion at a news conference at 1:30 pm, April 19th, at the County-City Building, 555 S. 10th, Room 303.
   3. NEWS RELEASE. City budget discussion set for May 15, 2010.
   4. NEWS RELEASE. Mayor presents March Award of Excellence to Officer Robert Hurley, Lincoln Police Department.
   5. NEWS ADVISORY. Mayor Beutler will hold a news conference Thursday, April 22nd, 10 a.m., room 303, at 555 S. 10th Street to discuss the Environmental Protection Agency’s Phase II test results for the proposed arena. (Sent to Council Members on 04.21.10)
   6. NEWS RELEASE. EPA tests confirm previous studies at arena site.

DIRECTORS

FINANCE/BUDGET
   1. Memo from Steve Hubka, Budget Officer, on April sales tax reports reflecting February activity:
      a) Actual Compared to projected Sales Tax Collections;
      b) Gross Sales Tax Collections (With Refunds added Back In) 2004-2005 through 2009-2010;
      c) Sales Tax Refunds 2004-2005 through 2009-2010; and
HEALTH DEPARTMENT
1. NEWS RELEASE. Help keep Lincoln and Lancaster County clean.

PERSONNEL DEPARTMENT
1. Reply to Mr. Nason on city policy directing the personal use of county vehicles.
   *(InterLinc correspondence from Scott Nason regarding use of city and county vehicles for personal reasons, March, 2010)*

PLANNING DEPARTMENT
1. Administrative Amendment No. 10015 to Change of Zone No. 2463D, Highpointe Planned Unit Development, approved by the Planning Director on April 15, 2010.

PLANNING COMMISSION
1. Action by the Planning Commission on April 21, 2010.
2. Final Action on April 21, 2010. Resolution No. PC-01205 - Special permit No. 10017, and Resolution No. PC-01206 - Special Permit No. 10019, both approved with conditions.

PUBLIC WORKS AND UTILITIES
1. ADVISORY. O Street; Wedgewood Drive - 84th Street stimulus project to start. Project No. LCLC-34-6 (140), Control No. 13037, City Project No. 701812.

URBAN DEVELOPMENT
1. Street and alley vacation No. 10002, a portion of north/south alley between S. 15th Street and S. 16th Street, from South Street north approximately 210 feet.

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

IV. CORRESPONDENCE FROM CITIZENS TO COUNCIL
1. InterLinc correspondence from Pat Ciochetto expressing various points.
2. Letter from Dennis and Beni Cooper regarding water damage claim to their home.
3. Correspondence from Kim Jordan asking for her car damage claim from potholes be considered by the Council after being denied by the City Attorney’s office.

V. ADJOURNMENT
April 19th, 2010

RE: Notice of Assessment and Equalization of the University Place Maintenance Business Improvement District

Attn: City Clerks Office

This letter will serve as my written objection of the $126.51 Special Assessment Tax being placed on my property. The Parcel ID number is 17-17-207-006-000 (48th & Madison St).

As stated in the Assessment Resolution the tax provides for...

1. The cost of providing for the maintenance of certain public facilities in the University Place Maintenance Business Improvement District including:
   a. Litter and refuse removal from sidewalks, planting areas, and beautification areas within the public right-of-way;
   b. Care and Maintenance, including replacement, of all landscaping, including watering, fertilizing, weeding, pruning, spraying, and removal and replacement of dead plantings.
   c. Maintenance (excluding repair) of sidewalks;
   d. General maintenance of median signs including repair and repainting....

After paying this tax for the last two years and not seeing one single action taken that is listed above, I object to this tax.

Not once has a single piece of trash, litter, refuse, road sand, etc. been removed from the sidewalk in front of my property.

There is not a single landscaping action listed above ever taken place on the frontage of my property.

What does “Maintenance (excluding repair) of sidewalks” mean? What is this maintenance? What is the difference between 1a. and 1c? Where do the curbs that need to be repaired fall into this? Or is that part of the street maintenance that I already pay taxes for.

After paying this tax for two years straight, the crooked Stop sign on the corner was finally straightened. Not new or brightened, just bent back into place.

I believe this tax to be unfair. It takes the street frontage and levies an “equal” tax based on total foot frontage. Not based on if you receive any benefit from it or not. There is a very small amount of Uni-Place that actually receives any sort of flowers or plants that need to be watered, fertilized, weeded, pruned, or sprayed. However, the tax charges
someone that receives none of the benefits that are stated above, the same amount as a property owner that does.

I have heard the argument that we (the property owners with frontage) receive residual benefit from having these pretty flowers three blocks away. If that’s the case then all of Uni-Place receives this benefit as well as the 20,000+ cars that drive through each day - not just a several select property owners who already pay property taxes.

Thank-you very much for your consideration.

Sincerely,

Michael Hollon

428 No 37
Lincoln NE 68503
ASSESSMENT RESOLUTION NO. A-___________

Business Improvement District Act
University Place Maintenance Business Improvement District

BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska, that:

1. The cost of providing for the maintenance of certain public facilities in the
   University Place Maintenance Business Improvement District including:
   a. Litter and refuse removal from sidewalks, planting areas, and
      beautification areas within the public right-of-way;
   b. Care and maintenance, including replacement, of all landscaping,
      including watering, fertilizing, weeding, pruning, spraying, and removal
      and replacement of dead plantings;
   c. Maintenance (excluding repair) of sidewalks;
   d. General maintenance of median signs including repair and repainting;

   including the employment of or contracting for personnel, to provide for any service as may be
   necessary or proper to carry out the purposes of the Business Improvements District Act and cost
   incidental thereto, be and the same is hereby assessed upon the property in said district described
   in the proposed Distribution of Assessment attached to this resolution, marked "Proposed
   Distribution of Assessment of the University Place Maintenance Improvement District" and
   made a part hereof;

2. The cost of said activities is the sum of $14,298.94.

3. The property set forth in the proposed Distribution of Assessment is
   specially benefitted by such activities and improvement.
4. Each piece and parcel of property described is specially benefitted in the amount set forth therein, and no property is taxed more than the special benefits accruing thereto by reason of said activities and improvements.

5. The cost of said activities and improvements is hereby apportioned and assessed upon the several pieces and parcels of property in said district in the manner and amount set forth in the proposed Distribution of Assessment of the University Place Maintenance Improvement District.

BE IT FURTHER RESOLVED that the City Clerk be and is hereby directed to record this resolution in the minutes of the City Council with the vote thereon by yeas and nays.

BE IT FURTHER RESOLVED that the City Council sit as a Board of Equalization for the purpose of equalizing said assessments on the 26th day of April, 2010, at 5:30 p.m., with adjournments from day to day until the work of equalizing said assessments shall be completed.

Approved this ____ day of __________________, 2010.

Introducted by:

______________________________

Approved:

______________________________

Urban Development Director

Approved this____ day of______, 2010.

______________________________

Mayor Chris Beutler
LINCOLN FIRE AND RESCUE
1801 “Q” Street, Lincoln, NE 68508, 441-8350, fax 441-7098

DATE: April 19, 2010
FOR MORE INFORMATION: Stacy Schneider, Lincoln Fire and Rescue, 441-9291

Nebraska Task Force 1, the Urban Search and Rescue team based at Lincoln Fire and Rescue, will conduct an all-team mobilization drill Saturday, April 24 at the Lincoln Airport. Members of the media are invited to cover the exercise, Mobex 2010, which is designed to prepare the team to respond to large-scale manmade or natural disasters.

Media are required to check in between 11 a.m. to 1 p.m. at a former hangar at 4521 N.W. 34th St., and the exercise will be under way until 3 p.m. Team members will practice building and shoring techniques and demonstrate the management, communication and logistical skills needed to operate during a disaster. Guests will have the opportunity to view technical search operations using the team search dogs.
Mayor Chris Beutler will announce plans for the “Taking Charge” public budget discussion May 15 at a news conference at 1:30 p.m. TODAY, Monday, April 19 in Room 303, third floor of the County City Building, 555 South 10th St.

The Mayor’s schedule today also includes two presentations at the beginning of today’s City Council meeting at 3 p.m. in the City Council Chambers:

- Beutler will present the Mayor’s Award of Excellence for March to Police Officer Robert Hurley.

- The Mayor will present a proclamation to members of the Lincoln Amateur Radio Club to thank them for their assistance during the telephone outage April 1.
OFFICE OF THE MAYOR
555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

FOR IMMEDIATE RELEASE: April 19, 2010
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831

CITY BUDGET DISCUSSION SET FOR MAY 15
All residents can participate online

Mayor Chris Beutler today invited Lincoln residents to participate in the next Taking Charge discussion on the City budget Saturday May 15. Those who took last winter’s survey either by phone or online will be invited to attend the all-day program at the County-City Building. And, for the first time, all residents will be able to participate in an online discussion on the City’s Facebook page. The Mayor said the City is in the initial stages of preparing the City budget for the 2010-2011 fiscal year, which begins September 1.

“For the past two budgets, we have asked for the participation of Lincoln citizens to help us as we prioritize services and make decisions,” Beutler said. “Citizens across the community gave us their thoughts on how we should pay for the services that matter to them. It has given us important insights, made for a more inclusive budget process and most importantly, helped build the consensus we need to make progress.”

The City is again partnering with the University of Nebraska Public Policy Center, which also helped with the PRIORITY LINCOLN project and earlier “Taking Charge” efforts.

The Mayor asked all those who took the recent survey to watch for an e-mail invitation to the May 15 discussion. Those interested in attending are urged to respond quickly because space is limited. About 80 people are expected to gather at the event to learn about the City budget and address several specific budget questions.

To participate in the online discussion, residents can send an e-mail to mayor@lincoln.ne.gov. In addition to the on-site meeting and the online Facebook discussion, portions of the May 15 event will be carried live on 5 CITY-TV, the government access cable channel, and streamed live on the City Web site at lincoln.ne.gov (click on the 5 CITY-TV logo).
**TIMELINE - OUTCOME BASED BUDGETING IMPLEMENTATION**

- February 12, 2008 - Mayor announces PRIORITY LINCOLN effort to solicit public opinion on how City spends tax dollars. City partners on project with University of Nebraska Public Policy Center with funding from the Lincoln Community Foundation.
- March 2008 - Phone survey of 600 randomly selected residents.
- April 12 - Follow up meeting with about 50 phone survey participants. Portions aired on 5 CITY-TV.
- April 21 - Phone survey results show residents rank safety and security and economic opportunity high.
- April and May 2008 - About 1,300 residents complete online survey or printed copy. About 200 residents participate in series of town hall meetings.
- Summer 2008 - Mayor and City Directors use PRIORITY LINCOLN results to shape budget.
- February 5, 2009 - City releases “Taking Charge: Progress Measures and Program Prioritization” and asks for public input on budget planning document.
- April and May 2009 - About 1,800 participate in “Taking Charge” online educational survey focusing on programs and services in danger of being cut or eliminated.
- May 16, 2009 - Day-long in-depth discussion with about 100 residents on City budget. Portions aired on 5 CITY-TV.
- Summer and Fall 2009 - Mayor works with City Directors and private citizens on indicators for goal areas.
- November 19, 2009 - Mayor announces City Stat meetings, random phone and online survey.
- December 2009 - City Stat meetings held, phone survey completed, and online survey begins.
- January 2010 - Phone survey results show high citizen satisfaction.
OFFICE OF THE MAYOR
555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

FOR IMMEDIATE RELEASE: April 19, 2010
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831

MAYOR PRESENTS MARCH AWARD OF EXCELLENCE

Mayor Chris Beutler today presented the Mayor’s Award of Excellence for March to Officer Robert Hurley, an investigator with the Criminal Investigations Division of the Lincoln Police Department. 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 the beginning of today’s City Council meeting.

Hurley has worked for the City since 1991. Sergeant Larry Barksdale nominated him in the categories of customer relations and productivity, citing several 2009 cases in which he served as lead investigator. One resulted in an arrest and the recovery of an estimated $50,000 in stolen property. In that case, Hurley spent hours communicating with other agencies, often traveling to do crime scene processing they were unable to do. After receiving massive files of information he could not analyze by hand, Hurley purchased a specialized computer program out of his own pocket to do the analysis. That provided him with information for an arrest warrant, which had previously been denied for probable cause.

Barksdale said Officer Hurley also has purchased his own digital camera and editing software as well as textbooks to allow him to better process crime scenes. He is one of two officers who respond most frequently to process crime scenes, and he’s been called to process many major crime scenes when he was off duty. Hurley is the only Nebraskan certified as both a Traffic Accident Reconstructionist and a Senior Crime Scene Analyst. He also is the President of the Nebraska International Association for Identification.

The other categories in which employees can be nominated are loss prevention, safety and 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. Individuals or teams can be nominated by supervisors, peers, subordinates and the general public. Nomination forms are available 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.
DATE: April 21, 2010
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831

Mayor Chris Beutler will hold a news conference at 10 a.m. Thursday, April 22 in Room 303, third floor of the County-City Building, 555 S. 10th St.

The Mayor will discuss the Environmental Protection Agency’s Phase II test results for the proposed arena site on Burlington Northern property.

A preliminary media briefing will be held prior to the news conference at 9:30 a.m. in the Mayor’s Conference Room, third floor, County-City Building.
OFFICE OF THE MAYOR
555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

FOR IMMEDIATE RELEASE: April 22, 2010
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831
Miki Esposito, Aide to the Mayor, 441-7511
Jim Linderholm, HWS, 479-2200

EPA TESTS CONFIRM PREVIOUS STUDIES AT ARENA SITE

Mayor Chris Beutler today said further environmental testing on the site of the proposed Lincoln Haymarket Arena shows no new or unexpected contamination. HWS Consulting Group Inc. of Lincoln conducted previous tests on the Burlington Northern Santa Fe (BNSF) property and estimated the maximum cleanup cost at $7.5 million. The more extensive “phase II” tests by the Environmental Protection Agency (EPA) confirmed the earlier findings by HWS.

“The EPA investigation found similar contaminants to those found by HWS,” Mayor Beutler said. “As a result, I asked HWS to examine the EPA test results and review their estimate. They confirmed our initial conclusion - the Arena project site environmental cleanup is manageable and well within the City’s original cost estimate. We can affordably and responsibly clean up the Arena area, while creating a new entertainment and commercial district for Lincoln.” HWS was founded in 1944 and has conducted environmental testing across the nation since the 1970s.

Beutler said the cleanup that would be conducted for the proposed Arena project is very similar to the process used for Haymarket Park, a cleanup project that cost the City about $300,000. He said the process is routinely used in cities to reclaim underutilized property and restore it to its highest and best use.

The Mayor said he has demanded answers and accountability on the cleanup projections because of his long time environmental convictions. “I have insisted that science, not speculation, be our guiding principle in determining the extent of the West Haymarket environmental clean-up,” he said. “Two scientific studies and a review of current BNSF records covered data from 81 sampling and monitoring points on the railroad’s property. The science is clear – the Arena area cleanup is both manageable and affordable.”

If voters approved the Arena project May 11, Beutler said the City would participate in the Nebraska Department of Environmental Quality’s voluntary cleanup program that would protect the City from future federal or state environmental enforcement and reduce the City’s liability.

Information on the potential cleanup of the site is available on the Arena education link on the City website, lincoln.ne.gov.
Congress returns from two-week spring recess. Members of the House and Senate returned to Washington this week and while there was little legislative activity, there were signs that the partisan tensions that existed before the break have not receded.

Both Democrats and Republicans continue to see the vote last month to approve comprehensive health care reform as a watershed moment for the November elections. As such, Democrats have pledged to move ahead on issues on which they believe voters want to see action, such as a financial regulatory overhaul, immigration reform, and climate change. On the other hand, GOP leaders will wage high profile battles to stop consideration of these items that they consider to be unwanted federal intrusions.

Spending items will also be highlighted over the next several weeks, as Democratic leaders look to make progress on the FY 2011 budget. Congressional appropriations committees are currently holding hearings on individual agency budgets under their jurisdiction, and the House is likely to consider appropriations bills individually on the floor in June and July. However, their work may be in vain, as the Senate is not expected to move as quickly on annual spending bills and most observers expect the budget to be finalized in one or two large-scale omnibus measures after the November elections.

Next week, the Senate will attempt to take up a financial overhaul bill, but Republicans have threatened to block consideration, meaning supporters will need 60 votes to bring the bill up for debate. All 41 Senate Republicans signed a letter to Senate Majority Leader Harry Reid (D-NV) today indicating their opposition to the bill, leaving its consideration in doubt.

The House is scheduled to consider legislation that would make the District of Columbia delegate to Congress a House member with full voting rights. The measure includes provisions from the Senate that would roll back many of Washington, DC’s gun control laws, including a repeal of restrictions on semiautomatic weapons.

Jobs Bill
Local government jobs measure draws 139 cosponsors; Harkin introduces education jobs measure in Senate. Legislation (HR 4812) that would provide fiscal assistance to local governments and school districts has garnered 139 cosponsors in the House of Representatives, all of them Democrats. Introduced by House Education and Labor Committee Chairman George Miller (D-CA) and dubbed the Local Jobs for America Act, the bill has emerged as a top priority for local government organizations.

HR 4812 would appropriate $1.179 billion for COPS Hiring Grants, $500 million for Firefighter Hiring Grants and $23 billion to help school districts retain teachers. The last item would be modeled on the State Fiscal Stabilization Fund that was part of the American Recovery and Reinvestment Act (PL 111-5).

The Miller Jobs Bill would also authorize a new program, dubbed the Local Community Jobs Program, that would distribute money to states and local governments to help them retain employees, hire new employees and to help community-based organizations retain employees. Unlike the COPS, firefighter, and teacher hiring funds mentioned above, funds for the Local Community Jobs Program would have to also be appropriated by
Congress for each of the two years that it is authorized.

Funds would be allocated by a formula based on population, poverty and unemployment, with 70 percent going directly to entitlement cities and urban counties and 30 percent going to the states for suballocation to non-entitlement local governments, with the definition of entitlement cities and urban counties the same as that for Community Development Block Grants (CDBG).

Each community could use up to 50 percent of its allocation to retain employees that might otherwise have to be let go because of budget shortfalls; up to 25 percent of its allocation could be given to local community based organizations that help provide needed services to hire people, and up to 25 percent could be used for hiring new employees, or rehiring those recently let go. This program would not have a local match requirement and there would be no requirement to keep employees once the money ends.

Supporters of the Miller bill – which had 141 cosponsors as of today -- are aiming to attract 211 cosponsors in an effort to encourage the House leadership to bring it to the floor. However, many rank-and-file House members are wary of voting for another round of deficit spending and there is no indication that the bill could garner the 60-vote supermajority it would need to overcome procedural obstacles in the Senate.

Senate Health, Education, Labor and Pensions Committee Chairman Tom Harkin (D-IA) introduced a similar but less ambitious bill (S 3062) this week that includes only the $23 billion for school districts modeled on the State Fiscal Stabilization Fund. That bill has garnered 16 cosponsors and Harkin believes that his scaled-down proposal can garner the supermajority it needs to clear the Senate.

**FINANCE**

House approves measure regarding employer-provided cell phones. The House approved legislation (HR 4994) this week that includes a provision to remove cellular telephones provided to employees from classification as “listed property” under Internal Revenue Service (IRS) regulations.

This “listed property” category was established to require employees to distinguish between personal and business use of employer-provided items such as automobiles. Cellular phones were added to the category in 1989, when the units were expensive and somewhat rare. With the proliferation of cell phones, the rules resulted in a significant administrative burden for local governments, which had to complete paperwork required to avoid consideration of the phone as employee income for tax purposes.

Current treatment of employee cell can be found on the IRS website here: http://tinyurl.com/yxsdh2

The cell phone provision was part of legislation that made other minor changes to the tax code, and was designed to be considered on “Tax Day,” April 15. Among the other provisions of HR 4994 are:

- Strike a section of a 2006 tax law that requires individuals who cannot afford to pay their taxes in a lump sum to include a partial payment of what they owe when applying for a payment plan
- Require the IRS to provide written notice to taxpayers who were eligible, but did not receive, the earned-income tax credit
- Allow IRS employees to refer taxpayers to qualified low-income taxpayer clinics – they are currently limited by agency rules from making such referrals
- Authorize $20 million per year in matching grants for volunteer income-tax assistance programs for the benefit of low- and moderate-income taxpayers

To offset the costs of HR 4994, the legislation would increase penalties for filing incorrect information on tax returns to $100, up from $50.

The next step for this legislation is consideration in the Senate, where no companion legislation had been introduced.

**GRANTS & NOTICES**

ARRA Reporting Enforcement
A Presidential Memorandum directing agencies to improve enforcement of Recovery Act reporting compliance was issued on April 6, 2010. This Memorandum requires agencies to intensify their efforts by terminating awards, reclaiming misused funds or pursuing suspension and disbarment of non-reporting grant recipients and contractors. It also instructs the Director of the Office of Management and Budget to review and update the current reporting guidance within 30 days of publication of this memo: http://tinyurl.com/y4twzqy

Department Of Housing And Urban Development
HUD published a Notice regarding the FY 2010 Sustainable Communities Planning Grant Program that provides instruction to potential applicants. While the actual Notice of Funding Availability (NOFA) is not expected to be published before May 2010, potential applicants must notify HUD of their intent to apply no later than May 14, 2010 by calling the HUD Information Center at 1-800-HUD-8929. Notice online: http://tinyurl.com/y6sxnba

HUD, in partnership with the Department of Transportation and the Environmental Protection Agency, is currently reviewing the 900 comments it received in response to the February 2010 Advanced NOFA for the FY 2010 Sustainable Communities Planning Grant Program.

To increase scope of the Neighborhood Stabilization Program, HUD expanded the definitions of “abandoned” and “foreclosed” to include properties in mortgage default and uninhabitable

http://tinyurl.com/ysxdhb
homes with lingering code violations. The new definitions are effective immediately: http://tinyurl.com/y5pcwoc

**Federal Transit Administration**
FTA issued a joint notice of funding availability for the FY 2010 Transportation Investments for Greenhouse Gas & Energy Reduction (TIGGER) Program and for the Section 5308 Clean Fuels Grant Program. There is $75 million available for TIGGER and $81.2 million for the Section 5308 Clean Fuels Grant Program. Public transportation agencies are eligible to apply for both programs. TIGGER applications are due June 14, 2010 and Clean Fuels applications are due August 11, 2010: http://tinyurl.com/y558lof

FTA, in cooperation with the Department of Housing and Urban Development, contributed to the development of the MITOD Action Guide, an online tool designed to help local jurisdictions and planners develop strategies to create mixed income transit oriented development around planned transit stations. This interactive site is available at: http://tinyurl.com/y2agsd9

**National Institute of Standards and Technology**
NIST published comments received on the October 2009 original draft publication of the Smart Grid Cyber Security Strategy and Requirements and is seeking comments on the updated and expanded second draft. Sections on research and development, standards assessment, and an overall logical functional architecture have been added. The final version is scheduled to be posted in the spring of 2010. Comments on the second draft are due June 2, 2010: http://tinyurl.com/y77ybg4

**Postal Regulatory Commission**
The United States Postal Service filed a request to nationally end carrier street address delivery, collection at blue collection boxes and incoming mail processing on Saturdays. The Postal Service bases the request on volume and revenue decline. This change will not take place before October 1, 2010, but the Postal Service Commission is inviting public comments. Formal interventions must be filed by April 26, 2010. Instructions on how to do so, as well as the request and all supporting public materials, can be found at: http://tinyurl.com/cxa7zw

**Department of Justice**
The Office of Juvenile Justice and Delinquency Prevention (OJJDP) is accepting applications for the FY 2010 Juvenile Drug Courts Mentoring and Support Services Initiative. This program has been designed to address service gaps in juvenile drug courts. OJJDP will offer grants to existing juvenile drug courts to develop or expand mentoring programs and support services to serve current or incoming participants. Awards will be made for up to $300,000 for an award period of three years. Applications are due May 19, 2010: http://tinyurl.com/y28dvox

OJJDP is also accepting applications for the FY 2010 Youth Gang Prevention program, which provides funding for localities to replicate selected secondary gang prevention and intervention programs that are considered promising or effective. These programs must be a part of an existing community based anti-gang initiative. OJJDP expects to make 10 awards of up to $325,000 to support an 18-month project. All applications must be submitted by May 20, 2010. http://tinyurl.com/y4e375d

**National Endowment for the Humanities**
NEH is currently accepting applications for the Humanities Collections and Reference Resources program. This program supports projects that provide an essential foundation for scholarship, education, and public programming in the humanities. Grants should strengthen efforts to extend the life of such materials and make their intellectual content widely accessible, often through the use of digital technology. The maximum award is $350,000. Applications are due on July 15, 2010: http://tinyurl.com/dy2vax
Attached are the April sales tax reports reflecting February activity. A better month than many recent months.

(See attached file: BFB100421-1.pdf) (See attached file: BFB100421-2.pdf) (See attached file: BFB100421-3.pdf) (See attached file: BFB100421-4.pdf)

CONFIDENTIALITY NOTICE: This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.
## Actual Compared to Projected Sales Tax Collections

<table>
<thead>
<tr>
<th></th>
<th>2009-10 PROJECTED</th>
<th>2009-10 ACTUAL</th>
<th>VARIANCE FROM PROJECTED</th>
<th>$ CHANGE FR. 08-09</th>
<th>% CHANGE FR. 08-09</th>
</tr>
</thead>
<tbody>
<tr>
<td>SEPTEMBER</td>
<td>$4,549,255</td>
<td>$4,603,417</td>
<td>$54,162</td>
<td>$225,941</td>
<td>5.16%</td>
</tr>
<tr>
<td>OCTOBER</td>
<td>$4,721,659</td>
<td>$4,592,069</td>
<td>($129,590)</td>
<td>($144,005)</td>
<td>-3.04%</td>
</tr>
<tr>
<td>NOVEMBER</td>
<td>$4,716,098</td>
<td>$4,773,592</td>
<td>$57,494</td>
<td>($77,645)</td>
<td>-1.60%</td>
</tr>
<tr>
<td>DECEMBER</td>
<td>$4,449,149</td>
<td>$4,299,735</td>
<td>($149,414)</td>
<td>($36,538)</td>
<td>-0.84%</td>
</tr>
<tr>
<td>JANUARY</td>
<td>$4,554,816</td>
<td>$4,097,252</td>
<td>($457,564)</td>
<td>($111,748)</td>
<td>-2.65%</td>
</tr>
<tr>
<td>FEBRUARY</td>
<td>$5,672,665</td>
<td>$5,322,243</td>
<td>($350,422)</td>
<td>($369,637)</td>
<td>-6.49%</td>
</tr>
<tr>
<td>MARCH</td>
<td>$4,248,937</td>
<td>$4,212,234</td>
<td>($36,703)</td>
<td>$27,245</td>
<td>0.65%</td>
</tr>
<tr>
<td>APRIL</td>
<td>$4,059,848</td>
<td>$4,218,305</td>
<td>$158,457</td>
<td>$169,675</td>
<td>4.19%</td>
</tr>
<tr>
<td>MAY</td>
<td>$4,666,045</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>JUNE</td>
<td>$4,532,571</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>JULY</td>
<td>$4,593,746</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>AUGUST</td>
<td>$4,849,573</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>$55,614,362</td>
<td>$36,118,847</td>
<td>($853,580)</td>
<td>($316,711)</td>
<td>-0.87%</td>
</tr>
</tbody>
</table>

Actual collections through April are 2.31% below projections for the year.
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>SEPTEMBER</td>
<td>$4,648,160</td>
<td>$4,630,210</td>
<td>$4,573,597</td>
<td>$4,612,020</td>
<td>0.84%</td>
<td>$4,812,555</td>
<td>4.35%</td>
<td>$4,703,478</td>
<td>-2.27%</td>
</tr>
<tr>
<td>OCTOBER</td>
<td>$4,706,690</td>
<td>$4,823,369</td>
<td>$4,712,519</td>
<td>$5,052,950</td>
<td>7.22%</td>
<td>$4,845,000</td>
<td>-4.12%</td>
<td>$4,687,315</td>
<td>-3.25%</td>
</tr>
<tr>
<td>NOVEMBER</td>
<td>$4,687,792</td>
<td>$4,799,275</td>
<td>$4,658,480</td>
<td>$4,818,715</td>
<td>3.44%</td>
<td>$4,937,998</td>
<td>2.48%</td>
<td>$4,922,939</td>
<td>-0.30%</td>
</tr>
<tr>
<td>DECEMBER</td>
<td>$4,500,338</td>
<td>$4,511,403</td>
<td>$4,445,761</td>
<td>$4,753,456</td>
<td>6.92%</td>
<td>$4,545,947</td>
<td>-4.37%</td>
<td>$4,502,684</td>
<td>-0.95%</td>
</tr>
<tr>
<td>JANUARY</td>
<td>$4,264,010</td>
<td>$4,342,902</td>
<td>$4,554,634</td>
<td>$4,617,097</td>
<td>1.37%</td>
<td>$4,465,270</td>
<td>-3.29%</td>
<td>$4,354,458</td>
<td>-2.48%</td>
</tr>
<tr>
<td>FEBRUARY</td>
<td>$6,086,841</td>
<td>$5,797,893</td>
<td>$5,993,653</td>
<td>$5,596,617</td>
<td>-6.62%</td>
<td>$5,775,594</td>
<td>3.20%</td>
<td>$5,426,478</td>
<td>-6.04%</td>
</tr>
<tr>
<td>MARCH</td>
<td>$4,158,874</td>
<td>$4,247,908</td>
<td>$4,125,074</td>
<td>$4,421,405</td>
<td>7.18%</td>
<td>$4,258,773</td>
<td>-3.68%</td>
<td>$4,226,466</td>
<td>-0.76%</td>
</tr>
<tr>
<td>APRIL</td>
<td>$4,097,988</td>
<td>$3,991,159</td>
<td>$4,018,709</td>
<td>$4,227,476</td>
<td>5.19%</td>
<td>$4,119,617</td>
<td>-2.55%</td>
<td>$4,294,043</td>
<td>4.23%</td>
</tr>
<tr>
<td>MAY</td>
<td>$4,730,317</td>
<td>$4,543,369</td>
<td>$4,895,921</td>
<td>$4,753,366</td>
<td>-2.91%</td>
<td>$4,744,089</td>
<td>-0.20%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>JUNE</td>
<td>$4,557,735</td>
<td>$4,539,614</td>
<td>$4,664,470</td>
<td>$4,859,251</td>
<td>4.18%</td>
<td>$4,624,054</td>
<td>-4.84%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>JULY</td>
<td>$4,519,466</td>
<td>$4,655,061</td>
<td>$4,772,617</td>
<td>$4,983,976</td>
<td>4.43%</td>
<td>$4,501,197</td>
<td>-9.69%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>AUGUST</td>
<td>$4,803,665</td>
<td>$4,991,723</td>
<td>$4,887,329</td>
<td>$5,026,702</td>
<td>2.85%</td>
<td>$4,856,331</td>
<td>-3.39%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td>$55,761,877</td>
<td>$55,873,886</td>
<td>$56,302,764</td>
<td>$57,723,030</td>
<td>2.52%</td>
<td>$56,486,425</td>
<td>-2.14%</td>
<td>$37,117,862</td>
<td>-1.70%</td>
</tr>
</tbody>
</table>
## CITY OF LINCOLN
### SALES TAX REFUNDS
#### 2004-2005 THROUGH 2009-2010

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>SEPTEMBER</td>
<td>($135,858)</td>
<td>($80,882)</td>
<td>($27,350)</td>
<td>($90,282)</td>
<td>230.10%</td>
<td>($435,079)</td>
<td>381.91%</td>
<td>($100,061)</td>
<td>-77.00%</td>
</tr>
<tr>
<td>OCTOBER</td>
<td>($165,219)</td>
<td>($358,866)</td>
<td>($166,695)</td>
<td>($79,688)</td>
<td>-52.19%</td>
<td>($108,925)</td>
<td>36.69%</td>
<td>($95,246)</td>
<td>-12.56%</td>
</tr>
<tr>
<td>NOVEMBER</td>
<td>($101,531)</td>
<td>($173,972)</td>
<td>($3,881)</td>
<td>($158,855)</td>
<td>3993.08%</td>
<td>($86,760)</td>
<td>-45.38%</td>
<td>($149,347)</td>
<td>72.14%</td>
</tr>
<tr>
<td>DECEMBER</td>
<td>($325,510)</td>
<td>($6,319)</td>
<td>($175,440)</td>
<td>($29,848)</td>
<td>-82.99%</td>
<td>($209,674)</td>
<td>602.47%</td>
<td>($202,950)</td>
<td>-3.21%</td>
</tr>
<tr>
<td>JANUARY</td>
<td>($220,967)</td>
<td>($269,713)</td>
<td>($84,287)</td>
<td>($26,308)</td>
<td>-68.79%</td>
<td>($256,270)</td>
<td>874.13%</td>
<td>($257,206)</td>
<td>0.37%</td>
</tr>
<tr>
<td>FEBRUARY</td>
<td>($394,324)</td>
<td>($73,395)</td>
<td>($327,119)</td>
<td>($489,939)</td>
<td>49.77%</td>
<td>($83,713)</td>
<td>-82.91%</td>
<td>($104,235)</td>
<td>24.51%</td>
</tr>
<tr>
<td>MARCH</td>
<td>($99,240)</td>
<td>($165,869)</td>
<td>($133,574)</td>
<td>($325,269)</td>
<td>143.51%</td>
<td>($73,785)</td>
<td>-77.32%</td>
<td>($14,233)</td>
<td>-80.71%</td>
</tr>
<tr>
<td>APRIL</td>
<td>($69,900)</td>
<td>($196,682)</td>
<td>($130,611)</td>
<td>($108,764)</td>
<td>-16.73%</td>
<td>($70,988)</td>
<td>-34.73%</td>
<td>($75,738)</td>
<td>6.69%</td>
</tr>
<tr>
<td>MAY</td>
<td>($122,283)</td>
<td>($166,567)</td>
<td>($381,653)</td>
<td>($22,529)</td>
<td>-94.10%</td>
<td>($117,201)</td>
<td>420.23%</td>
<td>($68,551)</td>
<td>-41.51%</td>
</tr>
<tr>
<td>JUNE</td>
<td>($34,811)</td>
<td>($14,085)</td>
<td>($186,252)</td>
<td>($136,308)</td>
<td>-26.82%</td>
<td>($444,973)</td>
<td>226.45%</td>
<td>(</td>
<td></td>
</tr>
<tr>
<td>JULY</td>
<td>($162,998)</td>
<td>($39,492)</td>
<td>($155,825)</td>
<td>($478,184)</td>
<td>206.87%</td>
<td>($331,804)</td>
<td>-30.61%</td>
<td>(</td>
<td></td>
</tr>
<tr>
<td>AUGUST</td>
<td>($148,028)</td>
<td>($57,700)</td>
<td>($569,595)</td>
<td>($43,759)</td>
<td>-92.32%</td>
<td>($11,878)</td>
<td>-72.86%</td>
<td>(</td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td>($1,980,668)</td>
<td>($1,603,541)</td>
<td>($2,342,280)</td>
<td>($1,989,734)</td>
<td>-15.05%</td>
<td>($2,231,050)</td>
<td>12.13%</td>
<td>($1,067,566)</td>
<td>-25.99%</td>
</tr>
</tbody>
</table>

*Year to date vs. previous year*
# CITY OF LINCOLN
## NET SALES TAX COLLECTIONS
### 2004-2005 THROUGH 2009-2010

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>SEPTEMBER</td>
<td>$4,512,303</td>
<td>$4,549,328</td>
<td>$4,546,247</td>
<td>$4,521,738</td>
<td>-0.54%</td>
<td>$4,377,476</td>
<td>-3.19%</td>
<td>$4,603,417</td>
<td>5.16%</td>
</tr>
<tr>
<td>OCTOBER</td>
<td>$4,541,471</td>
<td>$4,464,503</td>
<td>$4,545,825</td>
<td>$4,973,261</td>
<td>9.40%</td>
<td>$4,736,074</td>
<td>-4.77%</td>
<td>$4,592,069</td>
<td>-3.04%</td>
</tr>
<tr>
<td>NOVEMBER</td>
<td>$4,586,261</td>
<td>$4,625,303</td>
<td>$4,654,599</td>
<td>$4,659,859</td>
<td>0.11%</td>
<td>$4,851,237</td>
<td>4.11%</td>
<td>$4,773,592</td>
<td>-1.60%</td>
</tr>
<tr>
<td>DECEMBER</td>
<td>$4,174,828</td>
<td>$4,505,085</td>
<td>$4,270,321</td>
<td>$4,723,609</td>
<td>10.61%</td>
<td>$4,336,273</td>
<td>-8.20%</td>
<td>$4,299,735</td>
<td>-0.84%</td>
</tr>
<tr>
<td>JANUARY</td>
<td>$4,043,044</td>
<td>$4,073,189</td>
<td>$4,470,347</td>
<td>$4,590,789</td>
<td>2.69%</td>
<td>$4,209,000</td>
<td>-8.32%</td>
<td>$4,097,252</td>
<td>-2.65%</td>
</tr>
<tr>
<td>FEBRUARY</td>
<td>$5,692,517</td>
<td>$5,724,498</td>
<td>$5,666,534</td>
<td>$5,106,677</td>
<td>-9.88%</td>
<td>$5,691,881</td>
<td>11.46%</td>
<td>$5,322,243</td>
<td>-6.49%</td>
</tr>
<tr>
<td>MARCH</td>
<td>$4,059,634</td>
<td>$4,082,038</td>
<td>$3,991,501</td>
<td>$4,096,136</td>
<td>2.62%</td>
<td>$4,184,988</td>
<td>2.17%</td>
<td>$4,212,234</td>
<td>0.65%</td>
</tr>
<tr>
<td>APRIL</td>
<td>$4,028,088</td>
<td>$3,794,477</td>
<td>$3,888,098</td>
<td>$4,118,712</td>
<td>5.93%</td>
<td>$4,048,629</td>
<td>-1.70%</td>
<td>$4,218,305</td>
<td>4.19%</td>
</tr>
<tr>
<td>MAY</td>
<td>$4,608,034</td>
<td>$4,376,803</td>
<td>$4,514,268</td>
<td>$4,730,837</td>
<td>4.80%</td>
<td>$4,626,889</td>
<td>-2.20%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>JUNE</td>
<td>$4,522,924</td>
<td>$4,525,529</td>
<td>$4,478,219</td>
<td>$4,722,943</td>
<td>5.46%</td>
<td>$4,179,081</td>
<td>-11.52%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>JULY</td>
<td>$4,356,468</td>
<td>$4,615,569</td>
<td>$4,616,793</td>
<td>$4,505,792</td>
<td>-2.40%</td>
<td>$4,169,394</td>
<td>-7.47%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>AUGUST</td>
<td>$4,655,637</td>
<td>$4,934,023</td>
<td>$4,317,734</td>
<td>$4,982,944</td>
<td>15.41%</td>
<td>$4,844,454</td>
<td>-2.78%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td>$53,781,209</td>
<td>$54,270,346</td>
<td>$53,960,485</td>
<td>$55,733,297</td>
<td>3.29%</td>
<td>$54,255,376</td>
<td>-2.65%</td>
<td>$36,118,847</td>
<td>-0.87%</td>
</tr>
</tbody>
</table>

*Year to date vs. previous year*
HELP KEEP LINCOLN & LANCASTER COUNTY CLEAN

Cleanup mini-grants available

Keep Lincoln & Lancaster County Beautiful (KLLCB) is offering a limited number of mini-grants as an incentive for cleaning up litter in Lincoln and Lancaster County. Organizations of all kinds, businesses, families, and rural communities may apply.

Cleanup mini-grants ranging from $25 -$250 are available for the cleanup of litter on public land areas including waterways, shorelines, roadsides, community streets and alleyways in Lincoln and Lancaster County. Applicants must identify and propose a specific area for cleanup, and indicate why that area was selected.

Those interested in applying for a cleanup mini-grant should apply on-line at http://www.lincoln.ne.gov (keyword: KLLCB, then click on “cleanup grants”). Applications must be submitted and approved prior to conducting a cleanup, must include litter pickup and recycling components, and may not be on State or County Adopt-A-Highway miles. A final report, with photos, will be required.

Mini-grants are available on a first-come, first-served basis. Deadline for project completion is November 1, 2010. Mini-grants are awarded based on the size of the area and amount of litter to be cleaned up. Trash bags are provided and safety vests are available for loan.

Cleanups completed in May will be part of Keep America Beautiful’s Great American Cleanup, the nation’s largest organized annual community improvement program, in which millions of volunteers across the nation work to create healthier, safer and more livable community environments.

Cleanup mini-grants are funded by a grant from the Litter Reduction and Recycling Fund administered by the Nebraska Department of Environmental Quality. For more information, contact KLLCB: lerickson@lincoln.ne.gov or 441-8035.
Mr. Nason

My apologies for not responding sooner – your request arrived in my mailbox while I was on vacation and inadvertently went unanswered until today.

There is no specific policy directing the personal use of county vehicles. There is the understanding that county vehicles are reserved for official use only and should not be used for personal purposes. Exceptions are made for employees in a 24/7 status such as the Sherriff’s office and Emergency Services.

The city has an Administrative Regulation that strictly limits the use of official City vehicles to conducting only the official business of the City. There are some circumstances where an employee may be allowed to drive a city vehicle home such as when the employee is required by a Department Director to perform after hours work with specially equipped vehicles or for a specific scheduled event.

I hope this answers your question. If not, please contact me for clarification.

Mark A. Koller
Lincoln/Lancaster County Personnel Director
Memorandum

Date:  ♦  April 20, 2010

To:  ♦  City Clerk

From:  ♦  Teresa McKinstry, Planning Dept.

Re:  ♦  Administrative Amendment approvals

cc:  ♦  Jean Preister

This is a list of the Administrative Amendments that were approved by the Planning Director from April 13, 2010 thru April 19, 2010:

**Administrative Amendment No. 10015** to Change of Zone No. 2463D, Highpointe Planned Unit Development, approved by the Planning Director on April 15, 2010, requested by Thompson, Dreesen & Dorner, Inc., to adjust the setback along the east lot line from 30 feet to 25 feet, and to replace the six and fourteen-stall garages with a ten-car garage and nine surface parking spaces on property generally located on the southeast corner of S. 45th Street and Old Cheney Road.
NOTICE: The Lincoln/Lancaster County Planning Commission will hold a public hearing on Wednesday, April 21, 2010, 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, APRIL 21, 2010

[Commissioner Lust absent]

Approval of minutes of the regular meeting held April 7, 2010. **APPROVED, 7-0 (Partington abstained; Lust absent)**

1. CONSENT AGENDA
   (Public hearing and Administrative Action):

   CHANGE OF ZONE:

   1.1 Change of Zone No. 10009, from O-3 Office Park District to B-2 Planned Neighborhood Business District, on property generally located at Pioneers Boulevard and Pioneer Woods Drive.
   Staff recommendation: Approval
   Staff Planner: Brian Will, 441-6362, bwill@lincoln.ne.gov
   Planning Commission recommendation: APPROVAL, 8-0 (Lust absent).
   Public Hearing before City Council tentatively scheduled for Monday, May 10, 2010, 3:00 p.m.
PERMIT:

1.2 Special Permit No. 10017, for expansion of a nonstandard dwelling unit, to enlarge the garage that encroaches into the front yard setback, on property generally located at N. 67th Street and Logan Avenue (6640 Logan Avenue). *** FINAL ACTION ***
Staff recommendation: Conditional Approval
Staff Planner: Tom Cajka, 441-5662, tcajka@lincoln.ne.gov
Planning Commission ‘final action’: CONDITIONAL APPROVAL, as set forth in the staff report dated April 8, 2010, 8-0 (Lust absent). Resolution No. PC-01205.

1.3 Special Permit No. 10019, to operate a scrap processing and salvage yard, on property generally located at N. 70th Street and Fletcher Avenue. *** FINAL ACTION ***
Staff recommendation: Conditional Approval
Staff Planner: Christy Eichorn, 441-7603, ceichorn@lincoln.ne.gov
Planning Commission ‘final action’: CONDITIONAL APPROVAL, as set forth in the staff report dated April 8, 2010, 8-0 (Lust absent). Resolution No. PC-01206.

2. REQUESTS FOR DEFERRAL: None.

3. ITEMS REMOVED FROM CONSENT AGENDA: None.

4. Discussion on Ex Parte Communication Policy
Held public discussion.
Public comment portion closed.
Planning Commission discussion to be continued at a pre-meeting workshop on Wednesday, June 2, 2010, 11:45 a.m., in Room 113 of the County-City Building.

***********
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
Nicole Fleck-Tooze, Long Range Planning Manager . 441-6363 . . ntooze@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
On April 21, 2010, the Lincoln City-Lancaster County Planning Commission adopted resolutions as follows:

**Resolution No. PC-01205,** approving **Special Permit No. 10017,** with conditions, requested by Trent Young, for authority to expand a nonstandard building, located upon the premises of a single-family dwelling which constitutes a nonstandard use, into the required front yard for the purpose of enlarging a detached garage that encroaches into the front yard setback and covers more than 40% of the rear yard setback, on property located a 6640 Logan Avenue.

**Resolution No. PC-01206,** approving **Special Permit No. 10019,** with conditions, requested by Recycling Enterprises of NE, Inc., for authority to operate a scrap processing operation and salvage yard on approximately 18.7 acres of property generally located at the northeast corner of N. 70th Street and Fletcher Avenue.

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 Resolution may be accessed on the internet at [www.lincoln.ne.gov](http://www.lincoln.ne.gov) (Keyword = PATS). Use the “Search Selection” screen and search by application number (i.e. SP10017, SP10019). The Resolution and Planning Department staff report are in the “Related Documents” under the application number.
April 26, 2010

O STREET; WEDGEWOOD DRIVE - 84TH STREET
STIMULUS PROJECT TO START
PROJECT NO. LCLC-34-6 (140)  CONTROL NO. 13037
CITY PROJECT NO. 701812

As part of the American Recovery and Reinvestment Act, the City of Lincoln Public Works and Utilities Department is planning to resurface/rehabilitate O Street from Wedgewood Drive to 84th Street. This work will be completed by a private contractor and will include milling off and replacing the existing driving surface with concrete base repair, curb repair and sidewalk repair as needed. The majority of the work will be completed in the evening/nighttime hours between 7:00 p.m. and 7:00 a.m. in which the direction of travel will be under total closure. There is also the possibility of some daytime lane closures during non-peak times. Detours will be required during periods of total closure, but at no time will both directions of travel on O Street be closed at the same time. Access to adjacent businesses and residences will be restricted at times, but the contractor will coordinate those restrictions with the abutting properties.

The contractor for this project is Constructors Inc. They are scheduled to begin work on May 3, 2010 and be completed on or before July 16, 2010.

If you have any questions, please contact one of the following people:

Constructors Inc.                                             City of Lincoln, Engineering Services
Steve Samuelson                                            Brian Dittmann
(402) 430-8314                                               (402) 525-5646
April 22, 2010

SIDEWALK REPAIR ADVISORY
Priority Sidewalk Repair - Downtown Business District
Project #702181

The City of Lincoln has awarded a contract for sidewalk repair at various locations in the Downtown Lincoln Business District. This contract includes sidewalk repair adjacent to your property. The contract for this work has been awarded to Midwest Paving Inc. of Omaha, Nebraska.

The contractor is expected to start work in association with this contract by April 28, 2010. The repair work will involve removal and replacement of marked sections of sidewalk. There will be some inconvenience to residents in this area as sidewalk sections are removed and replaced and sidewalk locations are closed and barricaded to complete this work. Driveways may also be closed for short durations to complete work on sidewalk through the drive. The work will also include reconstruction of curb ramps.

We request the patience and cooperation of pedestrians in this area as the contractor progresses with this work. The contractor is required to coordinate and provide temporary access to businesses while sidewalk construction is ongoing. This project is funded with funds budgeted in the City’s Street Construction Funds. The Public Works and Utilities Department will administer this contract. If you have any questions, please contact one of the following:

Harry Kroos
Sidewalk Services Manager
Public Works & Utilities
(402) 441-7541

Ron Edson
Project Manager
Public Works & Utilities
(402) 525-9294

Corey Woods
Project Manager
Midwest Paving Inc.
(402) 537-3077
A request has been made to vacate a portion of the north/south alley between South 15th Street and South 16th Street north of South Street approximately 210 feet. The area was viewed and is a rock-surfaced alley running north from South Street. Overhead electric transmission and distribution lines, cable, and telephone lines were located in the alley. No other utilities were apparent in the alley. A request has been made to retain easements over the entire area for these utilities.

Public Works has also asked that the existing alley return on South Street be removed and a turn around be built at the north end of the vacated alley; or, that a public access easement be granted to alleviate the dead-end situation that will be created by the vacation of a portion of this alley.

It is estimated that the easements being retained plus the cost of removing the alley access, installing a curb and gutter, and a turn around would exceed the value of a narrow strip of land such as this. As such, a nominal amount of $0.15 per square foot is considered appropriate. The area to be vacated is 3,255 square feet. The calculations are as follows:

\[
3,255 \text{ sq. ft.} \times 0.15/\text{sq. ft.} = 488.25 \text{ Called } 490
\]

Therefore, it is recommended if the area be vacated it be deed to the abutting land owner for $490 with the retention of the appropriate easements.

Respectfully submitted,

Clinton W. Thomas
Certified General Appraiser #990023
April 19th, 2010

RE: Notice of Assessment and Equalization of the University Place Maintenance
Business Improvement District

Attn: City Clerks Office

This letter will serve as my written objection of the $126.51 Special Assessment Tax
being placed on my property. The Parcel ID number is 17-17-207-006-000 (48th &
Madison St).

As stated in the Assessment Resolution the tax provides for...

1. The cost of providing for the maintenance of certain public facilities in the
   University Place Maintenance Business Improvement District including:
   a. Litter and refuse removal from sidewalks, planting areas, and beautification areas
      within the public right-of-way;
   b. Care and Maintenance, including replacement, of all landscaping, including
      watering, fertilizing, weeding, pruning, spraying, and removal and replacement of
      dead plantings.
   c. Maintenance (excluding repair) of sidewalks;
   d. General maintenance of median signs including repair and repainting....

After paying this tax for the last two years and not seeing one single action taken that is
listed above, I object to this tax.

Not once has a single piece of trash, litter, refuse, road sand, etc. been removed from the
sidewalk in front of my property.

There is not a single landscaping action listed above ever taken place on the frontage of
my property.

What does “Maintenance (excluding repair) of sidewalks” mean? What is this
maintenance? What is the difference between 1a. and 1c? Where do the curbs that need
to be repaired fall into this? Or is that part of the street maintenance that I already pay
taxes for.

After paying this tax for two years straight, the crooked Stop sign on the corner was
finally straightened. Not new or brightened, just bent back into place.

I believe this tax to be unfair. It takes the street frontage and levies an “equal” tax based
on total foot frontage. Not based on if you receive any benefit from it or not. There is a
very small amount of Uni-Place that actually receives any sort of flowers or plants that
need to be watered, fertilized, weeded, pruned, or sprayed. However, the tax charges
someone that receives none of the benefits that are stated above, the same amount as a property owner that does.

I have heard the argument that we (the property owners with frontage) receive residual benefit from having these pretty flowers three blocks away. If that’s the case then all of Uni-Place receives this benefit as well as the 20,000+ cars that drive through each day - not just a several select property owners who already pay property taxes.

Thank-you very much for your consideration.

Sincerely,

Michael Hollon

928 N 37
Lincoln NE 68503
ASSESSMENT RESOLUTION NO. A-

Business Improvement District Act
University Place Maintenance Business Improvement District

BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska, that:

1. The cost of providing for the maintenance of certain public facilities in the University Place Maintenance Business Improvement District including:
   a. Litter and refuse removal from sidewalks, planting areas, and beautification areas within the public right-of-way;
   b. Care and maintenance, including replacement, of all landscaping, including watering, fertilizing, weeding, pruning, spraying, and removal and replacement of dead plantings;
   c. Maintenance (excluding repair) of sidewalks;
   d. General maintenance of median signs including repair and repainting;

including the employment of or contracting for personnel, to provide for any service as may be necessary or proper to carry out the purposes of the Business Improvements District Act and cost incidental thereto, be and the same is hereby assessed upon the property in said district described in the proposed Distribution of Assessment attached to this resolution, marked “Proposed Distribution of Assessment of the University Place Maintenance Improvement District” and made a part hereof;

2. The cost of said activities is the sum of $14,298.94.

3. The property set forth in the proposed Distribution of Assessment is specially benefitted by such activities and improvement.
4. Each piece and parcel of property described is specially benefitted in the amount set forth therein, and no property is taxed more than the special benefits accruing thereto by reason of said activities and improvements.

5. The cost of said activities and improvements is hereby apportioned and assessed upon the several pieces and parcels of property in said district in the manner and amount set forth in the proposed Distribution of Assessment of the University Place Maintenance Improvement District.

BE IT FURTHER RESOLVED that the City Clerk be and is hereby directed to record this resolution in the minutes of the City Council with the vote thereon by yeas and nays.

BE IT FURTHER RESOLVED that the City Council sit as a Board of Equalization for the purpose of equalizing said assessments on the 26th day of April, 2010, at 5:30 p.m., with adjournments from day to day until the work of equalizing said assessments shall be completed.

Approved this ___ day of ______________, 2010.

Introduced by:

______________________________

Approved:

______________________________

Urban Development Director

Approved this ___ day of __________, 2010.

______________________________

Mayor Chris Beutler
InterLinc: City Council Feedback for
General Council

Name: pat ciochetto
Address: 714 s myrtle ave
City: tempe, az 85281

Phone: 
Fax: 
Email: orestespeechless@live.com

Comment or Question:
everytime i write to get something done anywhere in this country, i get refered to somewhere else. i am very disgusted with the laziness of government. i'm from nebraska; and mccain isnt going to retire anytime soon. what i want is to eliminate many of the subburb governments. the people like to have their own mayors and such. are we now all senile in our thirties. why two houses in washington. the need for them is not there. it is hype to think good about it. they reduce welfare; but vote for prisons; which cost twice as much. gay is good
April 18, 2010

Doug Emery  
Chair of Lincoln City Council  
Chris Beutler  
Mayor  
Rodney Confer  
City Attorney

On January 19, 2010 there was a rainstorm that occurred here in Lincoln. That night my wife discovered there was four to six inches of water in our basement. I went to check and discovered water flowing heavily from the floor drain. It was coming through the opening as if you stuck a hose from inside the drain and turned it on full force. I was trying to find some way to stop the flow while my wife began calling for help.

I managed to stop most of the flow from continuing by filling a freezer storage bag with kitty liter and standing on the bag over the drain for over forty-five minutes. Two City workers finally arrived (Carey Foerster and Tim Watts) and cleared the blockage. Water started receding and they came in our home and took pictures of the damage. They told us that the blockage was due to roots, grease, oil and other trash forming the blockage on the City side of the sewer. This blockage diverted the water into our home. They told us how we should proceed with in making our claim to the City.

From that point we started to incur cost for the cleanup of all contaminated carpet, walls and personal items. My wife talked to Roger Krull about the blockage the next day about what occurred and why did this happen. He stated that this sewer was last looked at in 2008.

The letter we received from Marcee Brownlee, Assistant City Attorney, dated April 12, 2010 denied our claim for damages. It stated we need to prove negligence by the City or it’s workers. It stated that the sewer was maintained. It also stated that we would have to appear before the City Council now to get this claim approved.

If the sewer was maintained as she stated then why would there be a blockage in the sewer system that night with tree roots and built grease involved? If the sewer were maintained and clear then water would not have come into our house. It stopped coming in when the City workers cleared the blockage. Was Roger lying when he said the last service was done in 2008?

The negligence is on the City for not maintaining the sewer in this area as stated and causing considerable damage to our home and personal property. We should not have to prove the obvious before the City Council that the sewer backup was the City’s fault. We didn’t cause the backup. There would not have been a backup on a cleared system.

Please respond before the City Council date of April 26th. We want a fair settlement for the damage that was done and so we can restore our home and get on with our lives.

Thank You,

Dennis and Beni Cooper  
1919 Fairfield ST  
402-435-5577
I am writing in response to a letter I received from the City Attorneys office. I submitted a claim with them in Feb regarding 2 not 1 very large potholes I hit on my way to work Jan 27th of this year. They were 5 to 10 feet apart both very deep as soon as you hit one going 32 to 35 mph you hit the second. It broke the axle on the passenger side of my car. My car just rolled to a stop I could do NOTHING!! I had to be towed and was without my car for over a week. I filed a claim with my insurance and I did receive a rental car but it cost me $500 for the claim to get the axle fixed. The response I received back from the City Attorneys office was basically the tax payers money does cover this but they don't feel my claim applies. They feel they needed time to fix the problem stating that it was reported Jan 25th and as the date of my run in with the pothole crews were working in my area. Well I'm here to tell you that is not true at all .If it was reported Jan 25th and I hit it Jan 27th they were not fixing any potholes in that area then, as of Feb 3rd it still wasn't filled. I usually take Adams to work but the side roads are slick and I was VERY upset that this happened to me so I traveled this road EVERY DAY after it untill it was filled to see just how long it would take. I was off work Feb 4th & 5th but by the 6th it was filled. I DO NOT believe as the City Attorney told me that this was fixed in a timely manner and I feel I should be compensated. I am aware of the time of your meeting on April 26th but I am scheduled to work. I support a household of people and just cant afford to take off. I feel I have a geniune claim, my car had to be towed it was totally disabled if this isnt covered by the many taxes I pay to this state then I ask you just what would be covered? Honestly, I work hard for my money and I pay my taxes, this isn't a little bump in the road and it was 10 days before it was fixed at the minimum. I seem to recall our govenor on Tv saying he was making sure these potholes were fixed PERIOD! there was a LARGE pothole on Adams for a month and I reported this the same day that I saw it, really it was there unfilled for a month. I ask you please to consider my claim that will be comming before you on April 26 in my absence as I have to work and can't get away.

Sincerely yours
Kim Jordan
kimjo_04@yahoo.com
402-601-2765