I. CITY CLERK

II. MAYOR & DIRECTORS CORRESPONDENCE TO COUNCIL

MAYOR
1. NEWS RELEASE. West Van Dorn pedestrian bridge closed.
2. NEWS RELEASE. Mayor presents May Award of Excellence to Terry Gustafson.
3. NEWS ADVISORY. Mayor Beutler will release the “Taking Charge” program prioritization used to develop the 2010-2011 City budget at 10:00 a.m., Tuesday, June 22, 2010.
4. NEWS RELEASE. Public urged to comment on priority list of city programs. City using list to develop budget.
5. NEWS RELEASE. Park Boulevard bridge to close.
6. NEWS RELEASE. Historic Hudson Cabin moved to new home.
7. NEWS RELEASE. City making progress on street rehab projects.

DIRECTORS

FINANCE/BUDGET
1. June sales tax reports reflecting April 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

PARKS AND RECREATION
1. Hudson Cabin being moved to the Pioneers Park Nature Center photo.

PUBLIC WORK AND UTILITIES
1. Letter to Dale Gardner from Harry Kroos, Sidewalk Services, regarding bidding four contracts for significant sidewalk repair throughout the community. Included is a map highlighting repair locations in the College View area. (Distributed to Council Members before meeting on June 21, 2010)
III. COUNCIL RFI’S AND CITIZEN CORRESPONDENCE TO INDIVIDUAL COUNCIL MEMBERS

JON CAMP
1. Letter to Jayne Snyder, West Haymarket JPA Chair, on the JPA budget considerations.  
   a) West Haymarket Joint Public Agency Proposed Total Project Budget; and  
   b) West Haymarket Joint Public Agency Proposed Operating Budget, June 11 to  
      August 31, 2010.

DOUG EMERY
1. Reply from City Attorney Rodney Confer to questions submitted on local ordinances and  
   legal opinion on damage from snow plows.

IV. CORRESPONDENCE FROM CITIZENS TO COUNCIL
1. Email from Sara Friedman on purchasing land for the arena before testing for toxicity.  
2. Email from Sara Friedman urging support for the Lincoln Arts Council in budget.  
3. Correspondence from Bob Downey, Capital Humane Society, regarding Bald Eagles at  
   the Zoo.  
4. Letter from Dick Campbell on the issuance of occupation taxes for pay for arena.  
   (Distributed to Council Members on July 23, 2010)  
5. Email from Russell Miller, Lincoln Neighborhood Alliance, supporting the Change of  
   Zone 10012 regarding sale of alcoholic beverages as proposed.

V. ADJOURNMENT

W:\FILES\CITYCOUN\WP\DA062810.wpd
NEWS RELEASE

PUBLIC WORKS AND UTILITIES DEPARTMENT
Engineering Services, 531 Westgate Blvd., Lincoln, NE 68528, 441-7711, fax 441-6576

FOR IMMEDIATE RELEASE: June 21, 2010
FOR MORE INFORMATION: Erika Nunes, Engineering Services, 441-5675
Terry Genrich, Parks and Recreation, 441-7939

WEST VAN DORN PEDESTRIAN BRIDGE CLOSED

The West Van Dorn Pedestrian Bridge over the Haines Branch of Salt Creek closed today. Continued deterioration of the structure since the 2009 inspection has made it unsuitable for use as a pedestrian bridge. This section of the Bison Trail, which runs between Pioneers Park and Van Dorn Park, will remain closed until funding is available to remove and replace the structure. No trail detour is available.

The West Van Dorn bridge was built in 1936 and carried vehicular traffic until the late 1990s when the new Homestead Expressway interchange shifted the street to the north. The bridge and part of the abandoned street were converted for trail use in 2002.

The City Public Works and Utilities Department inspects bridges in the City every two years on a rotating basis.

For more information, contact Erika Nunes, Public Works and Utilities Department, 441-5675 or Terry Genrich, Parks and Recreation Department, 441-7939.

- 30 -
FOR IMMEDIATE RELEASE: June 21, 2010
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831

MAYOR PRESENTS MAY AWARD OF EXCELLENCE

Mayor Chris Beutler today presented the Mayor’s Award of Excellence for May to Terry Gustafson, a Labor Supervisor 1 with the Street Maintenance Operations Division of Public Works and Utilities. 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.

Gustafson has worked for the City since 1991 and was nominated in the categories of customer relations, productivity and safety for his work during this winter’s snow removal operations. He was nominated by all 23 people in his crew at the Northeast District shop. They said Gustafson’s positive interaction with citizens, contractors and the people he led set an example for his co-workers.

The nominators said Gustafson repaired equipment during snow blowing operations, saving the City money and keeping City crews and contractors on the street. He identified the safest locations for equipment refueling and repair to protect the workers and the public. He showed his dedication by working nights, holidays and even during his son’s basketball games.

The other categories in which employees can be nominated are loss prevention 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 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.
OFFICE OF THE MAYOR
555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

DATE: June 21, 2010
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831

Mayor Chris Beutler will release the “Taking Charge” program prioritization list being used to develop the 2010-2011 City budget at 10 a.m. Tuesday, June 22 in the Mayor’s Conference Room, third floor of County-City Building, 555 S. 10th St. (Media should enter through the Mayor’s Office reception area.)
OFFICE OF THE MAYOR
555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

FOR IMMEDIATE RELEASE: June 22, 2010
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831

PUBLIC URGED TO COMMENT ON PRIORITY LIST OF CITY PROGRAMS
City using list to develop budget

Mayor Chris Beutler today released a prioritized list of 244 City programs developed through the “Taking Charge” outcome-based budgeting process. And he encouraged residents to look at the list on the City website at lincoln.ne.gov and give him their input.

“This important piece of the Taking Charge effort will have a major impact on the 2010-2011 budget,” Mayor Beutler said. “The City’s programs are listed in order based on their importance in achieving our goals. In preparing the proposed budget, we start at the top of the list and keep funding until that funding is depleted. What that means is the programs prioritized at the bottom of the list are less likely to be funded when the budget is tight.”

The Mayor said the goal of outcome-based budgeting is to match funding with the public’s priorities. The prioritized program list was developed from public meetings, where residents discussed the City’s goals as well as the performance indicators that measure progress. The City website also lists those performance indicators. “The indicators tell us whether we are meeting our goals for the type of community we want to be,” Beutler said. “They help us shape a budget to reach those goals.”

The Mayor said the presentation of the prioritized list and performance indicators is “unprecedented.” He said the public has access to the same information he is using to shape the City budget he will release July 12th.

“With outcome-based budgeting, we have moved beyond using the previous year’s budget as a starting point,” Beutler said. “We have moved beyond the days when City Hall gave you a budget without explanation on how we got there. The Taking Charge program prioritization is the most transparent means possible to help citizens shape, view and understand our budget choices.”

In his first three budgets, Mayor Beutler cut millions of dollars in spending and nearly 10 percent of the non-public safety workforce. He said the City has reached a point at which additional large cuts to services would damage the community’s future.

“The program prioritization list is a great tool to assess what Lincoln stands to gain or lose as we debate the 2010-2011 budget,” he said. “Taking Charge is all about developing consensus around a set of priorities for this community. It’s based on a simple philosophy – when we establish where we are going, we can build a budget to get us there.”

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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.
- May 2010 - Residents participate in Taking Charge budget discussion at City Hall and online.
- June 2010 - City’s program prioritization list released.
PARK BOULEVARD BRIDGE TO CLOSE

The Park Boulevard Bridge over Salt Creek near S. 1st Street will close to vehicular traffic Monday, June 28 but will remain open to pedestrians and bicyclists. The bridge currently connects the Bison, Salt Creek Levee and Jamaica North trails.

The Park Boulevard Bridge was built as a three-span bridge in 1946 and was extended to a five-span, 195-foot bridge in 1963. A 2009 traffic count shows it carries about 550 vehicles per day.

The City reduced the bridge’s load limits in January 2010 to extend its useful life while determining its future. The City evaluated options for the removal, replacement and rehabilitation of the bridge. In making its decision, the City considered the current and proposed street network, emergency access, and access to area residences, businesses, parks and trails. Closing the bridge to vehicles will allow it to serve as a trail bridge for another 15 years. At that time the bridge will need to be replaced.

The City Public Works and Utilities Department inspects bridges in the City every two years on a rotating basis.

For more information, contact Erika Nunes, Public Works and Utilities Department, 441-5675 or Terry Genrich, Parks and Recreation Department, 441-7939.
FOR IMMEDIATE RELEASE: June 22, 2010
FOR MORE INFORMATION: Terry Genrich, Parks and Recreation, 441-7939
Becky Seth, Pioneers Park Nature Center, 441-8708

HISTORIC HUDSON CABIN MOVED TO NEW HOME

The Hudson Cabin, built in 1863, was moved today from the former State Fair Park to Pioneers Park Nature Center. It is being placed northwest of Heritage School, which was moved from the fairgrounds to the Nature Center in November.

The Hudson Cabin was built by Thomas Jefferson Hudson south of the village of Lancaster, which later became Lincoln. Heritage School was built during the Great Depression as the District 113 Cunningham School. Both buildings are now owned by the City.

Moving services for the Hudson Cabin were donated by Williams Midwest Housemovers of Hastings, Nebraska. Embury Construction donated the foundation and will replace the roof.

Heritage School was opened the end of November for the Heritage School Program offered to all 4th-grade students through Lincoln Public Schools. Heritage School and the Hudson Cabin will be open on special occasions, for programming and upon request (call 441-7895). A dedication ceremony for both facilities is being planned for this fall.

- 30 -

(Photos available on request.)
OFFICE OF THE MAYOR
555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

FOR IMMEDIATE RELEASE: June 24, 2010
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831
Chad Blahak, City Stimulus Coordinator, 309-4608
Greg MacLean, Public Works and Utilities Director, 441-7566

CITY MAKING PROGRESS ON STREET REHAB PROJECTS
Projects funded with combination of stimulus and City funds

Mayor Chris Beutler announced today that two-thirds of the City’s street rehabilitation projects are expected to be finished by this fall. Eight of the 29 projects have been completed and 11 more are scheduled to be completed by the end of September. (An updated list of projects follows this release.)

In February, the City was awarded about $9.3 million in American Recovery and Reinvestment Act funding for streets and roads. Beutler directed the City Public Works and Utilities Department to add $6.9 million in local street funds for a combined roads package of about $16.2 million. The funds are being used to rehabilitate about 20 miles of arterial streets throughout the community. The City uses a pavement management analysis system to determine the condition of City roads and help prioritize repairs.

More information on the City’s street projects is available at lincoln.ne.gov (keywords: projects or stimulus).
Projects completed:
- Old Cheney Road from Salt Valley View to Hunts (fall 2009) - City funds
- S. 27th Street from Alpha to “A” streets (fall 2009) - City funds
- Van Dorn from Normal to 70th streets (spring 2010) - stimulus funds
- Adams Street from I-180 to 14th Street (spring 2010) - stimulus funds
- N.W. 1st Street from Highland Blvd. to Fletcher Ave. (spring 2010) - stimulus funds
- 40th and Superior bridge deck (spring 2010) - stimulus funds
- “Y” Street from 18th to 27th streets (June 2010) - stimulus funds
- “A” Street from 63rd to 70th streets (nearing completion) - stimulus funds

Under construction, completion planned for July:
- Adams Street from 57th to 62nd streets - stimulus funds
- “O” Street From Wedgewood to 84th streets - stimulus funds
- “P” Street from 17th to 27th streets - stimulus funds

Construction planned for July and August:
- “A” Street from 70th to Imperial streets - stimulus funds
- Vine Street from 70th to Sierra streets - stimulus funds
- “A” Street from 17th to 27th streets - City funds
- “A” Street from 27th Street to Capitol Parkway - City funds
- S. 27th Street from “A” to South streets - City funds

Construction planned for July through September:
- “O” Street from 29th to 44th streets - stimulus funds

Construction planned for August:
- N. 70th Street from Aylesworth to Adams streets - stimulus funds

Construction planned for August through September:
- Cornhusker Highway from Russell to 70th streets - stimulus funds

Construction planned for 2011:
- Holdrege Street from 19th to 25th streets - stimulus funds
- Holdrege Street from N. 33rd to 47th streets - stimulus funds
- Holdrege Street from N. 70th to N. 79th streets - stimulus funds
- “O” Street from 15th to 25th streets - stimulus funds
- Pioneers Blvd from 32nd to 54th streets - City funds
- Sheridan Blvd. from South to Calvert streets - City funds
- S. 56th Street from South to Randolph streets - City funds
- N. 70th Street from Adams to Vine streets - stimulus funds

Construction planned for 2012:
- Van Dorn Street from 33rd to 48th streets - City funds
- N. 33rd Street from “P” to Holdrege streets - City funds
CONGRESS

No break in the stalemate over a jobs/tax bill. The Senate continues to debate legislation (HR 4213) that would extend a series of tax breaks, as well as a number of job-creation initiatives. Republicans, as well as a few Democrats, are holding out for additional offsets to pay for the full pricetag of the $118 billion measure.

While Senate leaders have trimmed the cost of the bill over the last several days, the provisions of the bill that would be of most interest to local governments remain:

- An extension of the Build America Bonds (BABs) program through 2012 at a reimbursement rate of 32% in 2011 and 30% in 2012 (current rate of 35%)
- A one-year extension, $25 billion in additional authority, and a change in the formula for the Recovery Zone Bond program to provide authority to communities with high unemployment that did not receive allocations in the first round
- $1 billion for a summer youth jobs program in 2010

Democratic leaders continue to reach out to Republicans that may be amendable to the bill, but do not want to compromise too much on their plans, as they fear that the GOP members never had any intention of supporting the bill. At least one Republican is needed to vote to end debate of the bill (which needs 60 votes) and bring it to a final vote (which would only need 50 votes to pass).

The Senate did defeat an amendment to the bill this week that would have provided $10 billion to the Energy Efficiency and Conservation Block Grant, to be paid for by eliminating tax breaks for oil companies.

In other news, the Obama Administration last weekend made a lukewarm endorsement of federal assistance to local governments to help address layoffs, but stopped short of formally asking for the funds. Attempts thus far to move a $75 billion “Local Jobs for America Act” (HR 4812), as well as a separate measure to provide states with $23 billion to prevent teacher layoffs, have been unsuccessful.

The Senate will continue to debate amendments to HR 4213 next week. The House, meanwhile, may consider a campaign finance reform bill (HR 5175) that would set stricter requirements for campaign advertising and funding. The bill has come under fire in recent days because of a provision in the bill that would exempt the National Rifle Association (NRA) from disclosing its donors.

BUDGET

House subcommittees to begin consideration of FY 2011 budget. House leadership has reportedly given the green light for the Appropriations Committee to begin markups of some of the twelve FY 2011 spending bills on the subcommittee level.

The Subcommittee on Energy and Water Development is tentatively scheduled to consider its measure on June 24, and the Commerce-Justice-Science; Military Construction, and Agriculture subcommittees could follow shortly thereafter. These four measures are traditionally among the least controversial, and House leadership is hoping to use consideration of the bills to gauge the level of rancor that will accompany them. For the last several years, partisan differences have delayed final approval of an annual...
budget until well past the October 1 start of the new fiscal year.

Even if the House manages to meet its annual goal of floor approval of each of the 12 appropriations bills prior to the month-long August recess, there is little hope that the Senate could even come close to meeting that pace. As a result, most observers believe that the FY 2011 budget will not be completed until after the November elections, and likely through an omnibus measure that combines multiple spending bills in order to speed passage.

While the omnibus route helps secure passage of the budget, it makes it much more difficult to advocate for funding for individual programs and projects because most of the decisions are being made by a few top appropriators at the last minute. Even more frustrating could be the path taken in FY 2007, when Congress approved a year-long Continuing Resolution that funded programs at the FY 2006 levels and left out all earmarks for specific projects.

One indicator of the problems ahead is that the House continues to struggle with consideration of a FY 2010 supplemental appropriations bill for overseas military activities and disaster relief. The Defense Department has indicated that it will have to be scaling back its activities if funding is not approved prior to July 1.

For FY 2011, House Republicans decided as a group not to request earmarks, and House Democrats have imposed a one-year moratorium on earmarks to for-profit organizations. In addition, the White House has proposed a process they call “enhanced rescissions,” which would give the President the ability to propose a package of specific cuts to Congressionally-approved spending bills that Congress could accept or reject.

SMALL BUSINESS

House approves small business lending program. The House approved legislation (HR 5297) this week that would create three small business lending programs.

The most significant of the three is a $30 billion “Small Business Lending Fund” that would direct the Department of the Treasury to make grants to small financial institutions such as community banks, which would in turn make loans to small businesses. The purpose of the program is to increase lending to small businesses, which have had trouble establishing credit as larger banks tighten their lending policies in the wake of the financial crisis. Only institutions with assets of less than $10 billion would be eligible.

The measure also includes $2 billion for a “State Small Business Credit Initiative,” which would provide formula grants to states, based on unemployment data, to establish and enhance small business lending programs. The loans may not exceed $5 million and the businesses receiving the loans may not exceed 500 employees.

While states are not required to pass any funding through to local lending programs, local governments may apply for a state’s share of the fund if the state chooses not to apply.

HR 5297 also includes $1 billion for a “Small Business Early Stage Investment Program.” The program would be administered by the Small Business Administration, which would make investments in “early stage” businesses, defined as those which have not generated more than $15 million in revenues for any of the previous three years.

The legislation is a priority for the Obama Administration, which urged the Senate to take up the bill as soon as possible. Senate consideration could come as early as next week, particularly if a tax/jobs bill pending in that chamber continues to stall.

TELECOMMUNICATIONS

Congress looking for ways to regulate broadband services. Democrats and Republicans in Congress have expressed reservations about a plan by the Federal Communications Commission (FCC) that would place stricter regulation on broadband services than currently exist.

The FCC had been treating broadband as an “information service,” rather than the more heavily regulated “telecommunications service,” but an April court decision invalidated the rationale for the agency’s stance. As a result, the FCC this week indicated its intention to begin to regulate broadband as a telecommunications service. That decision was met with opposition by most Republicans in Congress, and some Democrats as well. However, leaders of the key House and Senate committees with jurisdiction over telecommunications expressed support for the effort and have even talked of the FCC action as an impetus to clarify congressional intent in the area through a rewrite of the 1996 Telecommunications Act. No formal activity is expected to occur on that front until next year at the earliest.

In a related event, legislation (HR 4829) was introduced this week to direct the FCC to establish a nationwide broadband communications network for public safety agencies. The network would be established in the 700 MHz D-Block band of spectrum, and proceeds from the auction of the D-Block would be used for operations and maintenance of the network. The FCC has held unsuccessful auctions of the D-Block in recent years, and no commercial entities have bid on the spectrum because of FCC requirements that successful bidders contribute to the public safety network.

The House Energy and Commerce Committee held a hearing on the legislation this week, and testimony and other details can be found here: http://bit.ly/a95SPm

GRANTS & NOTICES

Administration for Children and Families

ACF is accepting applications for the Mentoring Children of Prisoners Program. This program supports the creation and maintenance of one-on-one mentoring relationships between children (ages 4-18) of incarcerated parents and caring, supportive adult volunteer mentors. A total of $21.5 million will be granted through up to 80 awards and the application deadline is July 30, 2010: http://bit.ly/c3Gag7.
Department of Health and Human Services
The Agency for Toxic Substances and Disease Registry (ATSDR) at HHS announced the availability of funding for Community Health Projects Related to Brownfield and Land Reuse. Projects must identify health issues prior to redevelopment and/or assess changes in community health associated with reuse plans and redevelopment. ATSDR expects to award 3 grants of $75,000 - $125,000. No cost-sharing is required. Applications must be submitted by July 7, 2010: http://bit.ly/9N07G9.

Department of Housing and Urban Development
HUD issued a Notice of Funding Availability for $8.1 million in carry-over funding from the FY 2009 Brownfields Economic Development Initiative (BEDI) program. HUD encourages projects “that propose the redevelopment of a brownfield site through new investments by identified private sector parties in addition to BEDI/Section 108 financing and projects that will directly result in new business or job creation, increases in the local tax base or other near-term, measurable economic benefits.” All BEDI grant awards must be used in conjunction with a new Section 108-guaranteed loan commitment. The application deadline is July 6, 2010: http://bit.ly/csY4S8.

Environmental Protection Agency
EPA is currently accepting applications for the Climate Showcase Communities Grant Program. This program will assist local and tribal governments in developing plans, conducting demonstrations, and implementing projects that reduce greenhouse gas emissions while achieving additional environmental, economic, public health, and/or community benefits. A total of $10 million will be granted through up to 30 awards. A 50 percent non-federal match is required. The deadline for applications is July 26, 2010: http://bit.ly/aXd7jc.

Food and Nutrition Service
The Food and Nutrition Service (FNS) at the Department of Agriculture (USDA) is accepting applications for the FY 2010 Hunger-Free Communities grant competition. Funding may be used for “initiatives that address the immediate food and nutrition needs of people experiencing hunger, improve access to food as part of a comprehensive service, develop new resources and strategies to help reduce hunger in the community, prevent hunger, assess the extent and causes of hunger in the community, and/or develop a comprehensive plan to end hunger and food insecurity in the community.” FNS will award $1 million in assessment and planning grants and an additional $4 million in implementation grants. Projects must involve partnerships among multiple private and public organizations within a community and 20 percent cost-share is required. Applications are due September 1, 2010: http://bit.ly/9HTeUE.

Federal Transit Administration
FTA is holding public outreach sessions in Chicago, San Francisco, Dallas and Washington, D.C. over the next several weeks regarding the New Starts and Small Starts programs. Presentations delivered will cover provisions of the Advance Notice of Proposed Rulemaking for these programs (http://bit.ly/cSS32w) and attendees will be given an opportunity to ask questions: http://bit.ly/bB3uAW.
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<th>Month</th>
<th>2009-10 PROJECTED</th>
<th>2009-10 ACTUAL</th>
<th>VARIANCE FROM PROJECTED</th>
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<td>AUGUST</td>
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Actual collections through June are .83% below projections for the year.
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<td>$4,658,480</td>
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<td>3.44%</td>
<td>$4,937,998</td>
<td>2.48%</td>
<td>$4,922,939</td>
<td>-0.30%</td>
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<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>
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<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>
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<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>
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<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>$5,186,573</td>
<td>9.33%</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>$4,662,293</td>
<td>0.83%</td>
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<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>
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<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>
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<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>$46,966,728</td>
<td>-0.34%</td>
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## CITY OF LINCOLN
### SALES TAX REFUNDS
#### 2004-2005 THROUGH 2009-2010

<table>
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<tr>
<th></th>
<th></th>
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<th></th>
<th></th>
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<tbody>
<tr>
<td><strong>SEPTEMBER</strong></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>
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<tr>
<td><strong>OCTOBER</strong></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>
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<tr>
<td><strong>NOVEMBER</strong></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><strong>DECEMBER</strong></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><strong>JANUARY</strong></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><strong>FEBRUARY</strong></td>
<td>($394,324)</td>
<td>($73,935)</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><strong>MARCH</strong></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>
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<tr>
<td><strong>APRIL</strong></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><strong>MAY</strong></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><strong>JUNE</strong></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>($110,343)</td>
<td>-75.20%</td>
</tr>
<tr>
<td><strong>JULY</strong></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>($251,505)</td>
<td>-24.20%</td>
</tr>
<tr>
<td><strong>AUGUST</strong></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>($1,429,414)</td>
<td>-35.59%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></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>($1,429,414)</td>
<td>-35.59%</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>
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<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>
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<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>
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<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>
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<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>
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<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>
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<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>
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<tr>
<td>APRIL</td>
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<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>
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<td>MAY</td>
<td>$4,608,034</td>
<td>$4,376,803</td>
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<td>$4,730,837</td>
<td>4.80%</td>
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<td>$5,118,022</td>
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<td>JUNE</td>
<td>$4,522,924</td>
<td>$4,525,529</td>
<td>$4,478,219</td>
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<td>$4,179,081</td>
<td>-11.52%</td>
<td>$4,551,950</td>
<td>8.92%</td>
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<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>
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<td>1.21%</td>
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<td>AUGUST</td>
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<td>$4,934,023</td>
<td>$4,317,734</td>
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<td>15.41%</td>
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<td>-2.78%</td>
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<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>$45,788,819</td>
<td>1.21%</td>
</tr>
</tbody>
</table>

Year to date vs. previous year
The Hudson Cabin was moved from the former State Fairgrounds to the Pioneers Park Nature Center today. The new location of the cabin will be along a draw north of the Prairie Building.
June 21, 2010

Dale Gardner
4415 Calvert Street
Lincoln, NE 68506

Dear Mr. Gardner:

The Public Works and Utilities Department has bid four contracts for sidewalk repair throughout the community this spring. These contracts include repair of significant sidewalk defects in the Central Business District, priority repair contract for locations south of O Street, priority repair contract for locations north of O Street, and a contract for overall sidewalk repair and curb ramp construction in the Near South Neighborhood within the area from 24th to 27th Streets between South Street and A Street. We have one additional contract for construction of accessible curb ramps and sidewalk reconstruction to provide ADA accessible routes. This final contract for 2010 will be bid and awarded in July and is for locations throughout the City.

I have included a map highlighting the locations identified for repair in the College View area. These locations were included with the repair contracts a result of the concerns you expressed to the City Council last fall. The repair of the locations along South 40th Street, South 44th Street and South 46th Street are included in the South Priority Repair Contract. Walton Construction has started repair work on this contract and is on schedule to complete repairs in the area from South 56th Street to the east city limits by the end of August with the completion date for the overall contract by October 31, 2010.

The repairs along South 47th Street and Stockwell Street from 47th Street to 46th Street are included with the curb ramp contract. The curb ramp contract is focused on the extensive sidewalk reconstruction necessary when curb ramps are constructed. The completion of this contract will be late this year, but the work in the College View area will be completed by October 15, 2010.

The repairs identified for the College View area in 2010 do not include all the locations you have reported. This repair work is based upon our assessment of the repair needs in this neighborhood as well as the repair needs throughout the community. The repair of the public sidewalks within the College View area from 40th to 56th Street between Calvert Street and Pioneers Boulevard is still targeted for 2011 to 2012. This work is contingent upon the necessary funding required to maintain the repair schedule.

The repair work scheduled in your neighborhood this summer will provide several alternatives for you to walk in your neighborhood. Work is also in progress for reconstruction of the street and all the sidewalks along South 48th Street from Calvert Street to Pioneers Boulevard. The completion of this work is anticipated by mid-October. We continue to request your patience and understanding of the constraints the City encounters in meeting the needs of the community in all types of infrastructure repair. Please contact the Sidewalk Office at 441-7541 or my office by e-mail hkoos@lincoln.ne.gov with any additional questions. I have also included a copy of the provisions of the grievance procedure included in Lincoln’s Transition Plan for ADA accessibility.

Sincerely,

Harry Kroos
Sidewalk Services

cc:   Trish Owen, City Council, Greg MacLean, Rod Confer, Roger Figard, Thomas Shafer
Gardner Ltr tdq.wpd
Attachment B

Grievance Procedure under
The Americans with Disabilities Act

The City of Lincoln has adopted a grievance procedure providing prompt and equitable resolution of complaints alleging noncompliance with the Americans with Disabilities Act of 1990.

A complaint may be filed in writing or, when requested as an accommodation, in another format (such as personal interviews or a tape recording of the complaint) that accommodates the complainant’s disability. The complaint should provide the complainant’s name, address and phone number, a detailed description of the incident or condition, the location, date and time of the incident.

The complaint should be submitted by the grievant as soon as possible but no later than 60 calendar days after the alleged violation.

I. City Facilities, Programs, Service or Activities

Complaints concerning access to City facilities, programs, services or activities should be addressed to:

ADA Coordinator
City Attorney’s Office
575 S. 10th Street, Suite #4201
Lincoln, NE 68508
Voice: (402) 441-7281
Fax: (402) 441-8812

A. Upon receipt of a complaint, the Mayor’s Office will provide the appropriate department ADA Coordinator with a copy of the complaint. The department ADA Coordinator will then conduct an investigation. The departmental ADA Coordinator may seek assistance of the Mayor’s Office and the City Attorney in investigating and responding to the complaint.

B. Within thirty calendar (30) days of the receipt of the complaint, the department ADA Coordinator and department head will respond in writing or in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the City, and, where appropriate, offer options for substantive resolution of the complaint.

10-2-07
C. If the response by the department ADA Coordinator and department head does not satisfactorily resolve the issue, the complainant may appeal the decision within fifteen (15) calendar days after receipt of the response to the Mayor or his designee. Within fifteen (15) calendar days after receipt of the appeal, the Mayor or his designee will respond in writing or in a format accessible to the complainant, with a final resolution of the complaint.

D. All written complaints received by the ADA Coordinator, appeals to the Mayor, and responses from these two offices will be retained by the City for at least three years.

II. Employment

Complaints alleging discrimination against applicants or employees on the basis of disability should be addressed to:

City Attorney’s Office
575 South 10th Street, Suite #4201
Lincoln, NE 68508
Voice: (402) 441-7281
Fax: (402) 441-8812
Jayne:

I have seen the proposed budget for adoption. Much of it is what has been publicized previously.

My concerns focus on stewardship and monitoring each area very carefully. There are substantial amounts detailed for design and engineering services, for example, that are a flat 20%, as well as the contingency/inflation. For example, the dynamic sign has $1.1 million for design/engineering and the inflation/contingency, which is 50% more than the base estimate. These are BIG numbers and need to be managed and scrutinized.

In a similar fashion, as expenses are developed for staff and related costs, please question all items. Would you please provide a breakdown of compensation and benefit arrangements for the project manager? Also, please explain the role Dan Marvin will fulfill in this endeavor and his contractual/employment arrangements.

I understand that Regent Tim Clare provided the information the Mayor’s office requested on the language for a Project Labor Agreement (PLA) last Friday, June 18, 2010. At our Monday meeting, June 21, 2010, Rick Hoppe indicated all of you were waiting for a response from Mr. Clare. I have read Mr. Clare’s proposed PLA and ask that you adopt his language for the benefit of the citizens and taxpayers of Lincoln.

Please feel free to contact me as the Arena project proceeds. My goal is to assist in bringing the Arena project in on time and substantially under budget. Based upon my own experience, I foresee many areas that large savings can be achieved, but it will require the fortitude of the three members of the JPA to insist upon fiscal responsibility.

Thank you,

Jon

Cc: Lincoln City Council

JON A. CAMP
Haymarket Square/CH, Ltd.
200 Haymarket Square
808 P Street
P.O. Box 82307
Lincoln, NE 68501-2307

Office: 402.474.1838 or 402.474-1812
Fax: 402.474-1838
Cell: 402.560.1001

Email: joncamp@lincolnhaymarket.com

If past history was all there was to the game, the richest people would be librarians.
## West Haymarket Joint Public Agency
### Proposed Total Project Budget

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>USE</th>
<th>Construction Cost Estimate</th>
<th>20% Engr./Design</th>
<th>Total Const. Cost Estimate</th>
<th>Inflation plus Contingency</th>
<th>Total</th>
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<tr>
<td><strong>USE OF FUNDS:</strong></td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Arena</td>
<td>Construction costs</td>
<td></td>
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<td>$27,982,600</td>
<td>$167,895,600</td>
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<td>Preoccupancy expense</td>
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<tr>
<td>Total Arena</td>
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<td>$140,913,000</td>
<td>$27,982,600</td>
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<td>Parking</td>
<td>Surface - Northwest of Tracks</td>
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<td>Surface - South of Ice Rink</td>
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<td></td>
<td>Surface - Train Station</td>
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<td>-</td>
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<td>1,131,340</td>
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<td></td>
<td>Garages - South of Arena</td>
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<td>2,254,582</td>
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<td>15,344,582</td>
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<tr>
<td></td>
<td>Garage - Arena</td>
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<td>9,411,000</td>
<td>941,100</td>
<td>965,805</td>
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<td>11,317,905</td>
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<td>Total Parking</td>
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<td>Sun Valley - Charleston and Bridge</td>
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<td>3,850,600</td>
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<td>$8,434,788</td>
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<td>Budget 2</td>
<td>Budget 3</td>
<td>Budget 4</td>
<td>Budget 5</td>
<td></td>
<td></td>
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<td>----------</td>
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<td>1,750,000</td>
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<td>360,000</td>
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<td>Wetlands, Seeding and Removals</td>
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<td>38,310</td>
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<td><strong>Total Environmental</strong></td>
<td>5,003,000</td>
<td>1,000,600</td>
<td>6,003,600</td>
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<td>Dirt Moving</td>
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<tr>
<td>Site Purchase</td>
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<td>BNSF Land Acquisition</td>
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<td>BNSF Construction, Rehab, &amp; Reloc.</td>
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<td>Canopy Rehabilitation</td>
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<td>UP Track Modifications W of Bridge</td>
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<td><strong>Subtotal Railroad Site Purchase</strong></td>
<td>49,407,000</td>
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<td>Other Costs</td>
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<td>Dynamic Message Signage</td>
<td>2,250,000</td>
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<td>2,700,000</td>
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<td>1,500,000</td>
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<td><strong>Total Other</strong></td>
<td>3,750,000</td>
<td>450,000</td>
<td>4,200,000</td>
<td>624,618</td>
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<td><strong>SUBTOTAL</strong></td>
<td>275,635,681</td>
<td>40,675,898</td>
<td>316,311,579</td>
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<td>334,593,630</td>
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<td>Miscellaneous Costs</td>
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<td>PLUS: Additional Contingencies</td>
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<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
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<td>PLUS: Cost of Bond Issuance, 1.50%</td>
<td>5,160,000</td>
<td>5,160,000</td>
<td>5,160,000</td>
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<td>-</td>
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<td><strong>TOTAL ARENA COSTS</strong></td>
<td>280,795,681</td>
<td>40,675,898</td>
<td>321,471,579</td>
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<td>339,753,630</td>
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**SOURCE OF FUNDS:**

- Bonded Debt: $316,953,630
- Private Donations: 22,000,000
- Federal Grants: 800,000
- **Total**: $339,753,630
West Haymarket Joint Public Agency
Proposed Operating Budget
June 11, 2010 to August 31, 2010

Proposed Expenditure Budget

Transfer to the City of Lincoln for:

Personel Costs:
  Assistant City Controller      $16,225
  Assistant City Attorney       18,617
  Assistant Purchasing Agent    13,366

Services:
  Project Manager              23,200
  Temporary Services           5,000
  Outside Legal/Consulting     20,000
  Public Officials Liability Insurance 20,000
  Furniture, Fixtures and Equipment 15,500

Total Expenditure Operating Budget $131,908

Proposed Source of Funds

Revenue Anticipation Notes $131,908
Mary M. Meyer

Subject: FW: Requests

From: Rodney M. Confer
Sent: Tuesday, June 22, 2010 10:28 AM
To: Mary M. Meyer
Subject: RE: Requests

Mary,
Here are my responses to the questions raised by Councilman Emery.

1. Jane Svoboda: I’m not aware of any ordinance that speaks to the issue of conflict between state and local legislation, although there are numerous cases decided by the Nebraska Supreme Court which hold that a municipality cannot enact any ordinance that would conflict with a state statute. The City only has the powers that are given to it by the State and it is not given any conflicting authority.
   Having listened to Ms. Svoboda numerous times, I believe that it would be accurate to say that the measures she would like enacted are not within the City Council’s authority or jurisdiction.

2. Libby Raetz: The City (or any other party who contracts with an independent contractor) is not liable for the acts of an independent contractor it hires unless it exercises immediate control over the contractor’s work, which is not the case with plowing snow. The City also does not have any legal responsibility or authority to determine whether the independent contractor is liable to Ms. Raetz. She is responsible for following up with the contractor herself.
   I don’t know for sure what the contracts with the snow removal contractors provide (if there is a written contract), but I will find out. The standard indemnification language in most City contracts provides that the contractor will indemnify the City, but doesn’t require the contractor to assume any other responsibility to third parties. Under this type of arrangement, if Ms. Raetz sued the City for her mailbox damage, the City would expect the contractor to defend the suit and pay any damages for which the City was found liable, if it was caused by the contractor’s negligence.
   Like the City, a contractor is not liable for damage to Ms. Raetz’s property unless the contractor has been guilty of negligence which proximately causes the damage.
   I will let you know what I find out about the snow removal contract provisions.

Please let me know whether there are additional questions.

Rodney M. Confer
City Attorney

From: Mary M. Meyer
Sent: Monday, June 14, 2010 4:02 PM
To: Rodney M. Confer
Subject: Requests

Rod, 
Attached is a Ordinance proposal from Jane Svoboda. Doug Emery is requesting your reply on whether there is a local ordinance which states we cannot be in violation of a State ordinance.

We request a legal opinion on the second, the correspondence from Libby Raetz, regarding damage to property from City snow plows.

Thank you,
How can we purchase land for the arena before testing for toxicity of the land? If the land is toxic, an estimate of how much it will cost to rectify the situation should be made, and then the high estimate should be subtracted from the purchase price for the land. The present price was negotiated without all the facts or even approval by the community.

Respectfully

Sara Friedman
1990 Ryons Street
Lincoln, NE  68502-3863
I urge you to make the arts a priority in the City budget by continuing support for the Lincoln Arts Council.

The arts are woven into many of the outcomes and goals that are being prioritized by the City of Lincoln. Before and after school youth programming, neighborhood beautification, economic development, healthcare/recreation, generating tax revenue and cultural tourism, to name a few, are all made stronger through the arts.

The arts are an irreplaceable piece of our community's social fabric. Lack of support for the arts in Lincoln risks the loss of this invaluable resource.

The Lincoln Arts Council is committed to making the arts community stronger knowing that a strong arts community helps to attract businesses to Lincoln, and enriches the lives of residents. To do this, the Lincoln Arts Council coordinates projects that enrich our community such as the National Arts Program, the Lincoln Arts Festival, and the Mayors Arts Awards. They also provide support for local arts organizations and artists through funding, training, and collaboration.

The community has access to resources about the arts through the Arts Council's comprehensive website, artscene.org. The website features an events calendar that holds over 2,000 arts and cultural events each year and an interactive artist registry of nonprofit arts organizations and artists in Lincoln.

Arts play a vital role in the development of children, and the Lincoln Arts Council is committed to providing arts education opportunities. The Lincoln Arts Council advocates for arts education through artist residency programs at Lincoln Public Schools. In the past two years, four residencies were conducted spanning many artistic disciplines such as modern dance, drumming, encaustic, and digital media.

I thank you for your continued support of the arts in the city of Lincoln and for all else you do for the people of Lincoln.

Respectfully,

Sara Friedman
1990 Ryons St
Lincoln, NE 68502-3863
Dear Council Members,

This email was forwarded to me last week by one of my staff, Donna Bode.

When I read it I was surprised given the high level of respect I have for John Chapo and his staff. It is not uncommon for us to have interactions. I therefore got in contact with the zoo regarding the content.

Long story short there was a short delay in John contacting the author because he was on vacation. He has since contacted that person and explained the care of the Bald Eagles which are non releasable birds due to injuries they sustained in the wild. The author of the letter is going to be making a visit to zoo to meet with John and learn more about the care of the animals they are entrusted with and why things are done in the manner they are. I think this is a very proactive approach on John’s part.

I want you to know that I have always felt that the Children’s Zoo is a top notch operation under John’s leadership and the staff who work for him. I have always felt the welfare of the animals at the zoo is a priority for them.

Sincerely,

Bob Downey

Capital Humane Society
I recently visited the Lincoln children's zoo and was appalled by the condition in which the Bald Eagles were kept. Anyone who knows anything about birds, knows that birds are clean animals and need fresh water and sunlight. These eagles, the symbol of our country and freedom, are being kept in a dark, overgrown space with only a dog dish for a fresh water source. These eagles should have clean running water. They need to be able to bath and preen. I am disgusted that Lincoln is allowing this kind of treatment to any animal, mush less the symbol of our nation. I wrote a letter to the zoo expressing my concern which to date has remained unanswered.

Today I have sent a complaint to PETA, who has informed me they will be happy to help arrange protests at the zoo if I choose. I sent an email to the AZA who answered that the complaint will be looked into. However, I would like to see our own community take responsibility for this. I don't want to be forced to protest our own children's zoo. I will if necessary of course, but isn't there something that the City Council could do to help? A letter to the zoo indicating you would like to see better conditions for these beautiful birds.

Our zoo spends a lot of money getting new displays every year. I believe the big one this year is the new penguin display. I want you to encourage the zoo to take care of the animals they already have. I am appalled that Eagles could be treated so inhumanly in Lincoln Nebraska, I always thought we were better than that.

I am sending a copy of this letter to the capital humane society in hopes they also are willing to help with this horrible circumstance.

Please note my new fax number

Elizabeth (Biff) Van Haverbeke  
Sr. Licensing Rep.  
Licensing Department  
Allstate Insurance Company  
2940 S. 84th Street column 22F10  
Lincoln, NE  68508

Phone: 800-525-2799 ext 88470  
Fax: 877-261-9218  
<mailto:emeek@allstate.com> emeek@allstate.com

The information contained in this e-mail and any accompanying documents may contain information that is confidential or otherwise protected from disclosure. If you are not the intended recipient of this message, or if this message has been addressed to you in error, please immediately alert the sender by reply e-mail and then delete this message, including any attachments. Any dissemination, distribution or other use of the contents of this message by anyone other than the intended recipient is strictly prohibited.
June 22, 2010

Lincoln City Council
555 S 10th Street
2417 Cottonwood Rd
Lincoln, NE 68508

Dear Members of the City Council,

I am unable to be at the public hearing on the issue of occupation taxes to pay for our new arena, thus I write to you today as the Chair of the citizen campaign that supported passage of the recent bond issue to provide funding for construction of the Lincoln Haymarket Arena. During the recent campaign, I led a large outreach effort to educate the Lincoln citizenry about the proposed finance plan to support construction of the Arena project.

As part of those presentations, I reviewed the pie chart provided by Dan Marvin, Arena Project Coordinator, that identified the finance amounts and percentages that the city would rely on to complete the project. That chart indicated that a large percentage of the financing — nearly 25% of the project — would rely on the implementation of a 2% occupation tax on bars and restaurants. Additional financing was to be provided through taxes on rental cars, hotel rooms, through private investment, donations and revenue generated at the facility.

It is my firm belief that our outreach efforts provided a clear overview of why we needed a new arena, what it will look like and how we plan to pay for it. The information we provided gave Lincoln citizens the information they needed to make an informed decision at the ballot box and they supported the project by a large margin.

Now, the hard work of actually building the project has begun. I hope you will adopt the proposed occupation taxes as we described during the campaign and continue the process of building the Lincoln Haymarket Arena. Thank you for your consideration.

Sincerely,

Dick Campbell
President
Campbell's Nurseries
& Garden Centers, Inc.
Lincoln Neighborhood Alliance supports the Change of Zone 10012 regarding the sale of alcoholic beverages as it is proposed.

Russell Miller for Lincoln Neighborhood Alliance
I. CITY CLERK

II. CORRESPONDENCE FROM THE MAYOR & DIRECTORS

MAYOR
1. NEWS RELEASE. Public invited to “Uncle Same Jam 2010”.
2. NEWS ADVISORY. Mayor Beutler’s public schedule for week of June 26th through July 2, 2010.

DIRECTORS:

PLANNING DEPARTMENT

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

JONATHAN COOK
1. Email from Chuck Braithwaite in support of Ordinance 10-70, Change of Zone #10012, to close the alcohol sales buffer loophole.

IV. CORRESPONDENCE FROM CITIZENS TO COUNCIL

1. Email from Brian Corr. Support of the change to Ordinance 10-70. The ordinance change would close the Loophole which undermines the 100 foot buffer.
2. Mary Rachael. Support Ordinance 10-70, Change of Zone #10012, to close the alcohol sales buffer loophole.
3. Edward Patterson, Malone Neighborhood Association President. Vote to support Ordinance 10-70, Change of Zone #10012, to close the alcohol sales buffer loophole.
4. Alene Swinehart, Irvingdale Neighborhood Association Issues Chair, in support of Ordinance 10-70.
5. Lynne Ireland. Council support of Ordinance 10-70 to close alcohol sales buffer loophole is most needed.
6. Dawn Braithwaite. Asking Council to support Ordinance 10-70, requiring alcohol sales be at least 100 feet from any first-floor residential property.
7. Sara and Robert Friedman. Vote to close the alcohol sales buffer loophole by supporting Ordinance 10-70.
8. Amy Johnson, Irvingdale Neighborhood Resident, in support of Ordinance 10-70, Change of Zone #10012.
9. Kathie Starkweather. Vote to support Ordinance 10-70, change of Zone #10012, to close the alcohol sales buffer loophole.
11. Email from Jayne Sebby, Attorney for Ace Financial Services, Inc., regarding the trade name of Haymarket Hotel. (Sent to City Attorney Confer and City Clerk Ross on June 28, 2010)
12. Karrie and Bruce Dvorak email in support of proposed Ordinance 10-70 which would close the Alcohol sales buffer loophole.
14. Steve and Nancy Green. Email stating no more alcohol sales in our neighborhoods.
15. Joe Dorenbach email requesting Council vote in favor of ordinance 10-70, which will close the loophole concerning buffer zones and alcohol sales.
16. Susan Melcher email supporting Ordinance 10-70 to close the alcohol sales buffer loophole.

V. INVITATIONS

W:\FILES\CITYCOUN\WP\Addendums 2010\June\Addendum 062810.wpd
OFFICE OF THE MAYOR  
555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

FOR IMMEDIATE RELEASE: June 25, 2010
FOR MORE INFORMATION:  David Norris, Citizen Information Center, 441-7547
                        Jerry Shorney, Parks and Recreation, 441-8259

PUBLIC INVITED TO “UNCLE SAM JAM 2010”

Mayor Chris Beutler today invited area residents to the City’s annual Uncle Sam Jam Fourth of July celebration at Oak Lake Park Sunday, July 4. A full day of events is planned, including a Lincoln Saltdogs baseball game at 6:05 p.m. at Haymarket Park vs. the Pensacola Pelicans. The fireworks show will begin promptly at 10 p.m.

Pepsi-Cola is the sponsor of the fireworks, presented again by Zambelli Internationale. A soundtrack will be furnished by Broadcast House/NRG Media and broadcast on all four of its radio stations (B107.3 FM, Froggy 98.1 FM, 105.3 Wow FM and KLIN 1400 AM). The Lincoln Journal Star also is a partner in the celebration.

The City Parks and Recreation Department will provide free family activities and kids games from 1 to 8 p.m. Among the attractions will be an inflatable slide, obstacle course and bounce house. The Ashanti Band will perform from 6 to 9 p.m., and VFW Post 3606 will conduct a flag-lowering ceremony at 8:30 p.m. (A complete schedule is attached.)

“I want to thank our sponsors for helping us provide such a fun, family-oriented celebration for the entire Lincoln area to enjoy,” said Mayor Beutler. “The activities and games were very popular last year, and we know families will really enjoy them. We also look forward to a great performance from the popular Lincoln band Ashanti. One of the area’s best fireworks shows is a great way to cap off a patriotic celebration.”

The Lincoln Saltdogs have a weekend home series against the Pensacola Pelicans at Haymarket Park. Games Friday, July 2 and Saturday, July 3 begin at 7:05 p.m. and include post-game fireworks displays. The game Sunday, July 4 begins at 6:05 p.m. More information is available at www.saltdogs.com.

The Haymarket Garage at 9th and “Q” streets and the Que Place Garage at 11th and “Q” streets are offering a special $3 event fee beginning at 4 p.m. Sunday, July 4. Handi-Van service is available for eligible individuals, and reservations can be made through the normal procedure by calling StarTran at 441-7109.

-more-
StarTran will provide free public shuttle bus service from 5 to 11 p.m. between the main entrance at Oak Lake Park and these locations:

- Haymarket Parking Garage, 9th and “Q”
- Gold’s bus stop, 11th and “O”
- County-City building complex - northeast corner of 9th and “H” and southeast corner of 9th and “K” (free parking in City lot bounded by 9th, 10th, “H” and “G” streets)
- State Fairgrounds lot #9 (west of Devaney, enter off of Court Street between 14th and 15th)
- State Fairgrounds lot #6 (west of Devaney, enter off of North Antelope Valley Parkway just north of Military Road)

In case of inclement weather, the radio broadcasts and the fireworks display will be rescheduled to Monday, July 5. No other events will be rescheduled.

More information on the day’s events is available on the City website at lincoln.ne.gov (keyword: uncle sam jam).

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UNCLE SAM JAM 2010
Sunday, July 4, Oak Lake Park, 1st and Charleston
Schedule of Events

Food and concessions will be available beginning at 1 p.m. in the main parking lot. The Red Cross will have first aid available.

- 1 to 8 p.m. - Family activities and kids games. City-sponsored activities include canoeing, disk golf, volleyball, bocce ball, croquet, horseshoes, carnival games, inflatable bounce and climbers, bingo, drum circles, three-legged and gunnysack races, tire throwing contest, water balloon toss and Simon Says.
- 6 p.m. - The Ashanti Band performs (AshantiAfricanRoots.com)
- 8:30 p.m. - Flag-lowering ceremony conducted by VFW Post 3606
- 10 p.m. - Fireworks display by Zambelli Internationale (Sponsored by Pepsi-Cola); fireworks soundtrack broadcast live on B107.3 FM, Froggy 98.1 FM, 105.3 Wow FM and KLIN 1400 AM.

IMPORTANT REMINDERS:
- Fireworks other than those used in the Zambelli show are prohibited in the park.
- Alcohol is prohibited in the park.
- All pets are required to wear a leash in the park. Residents are discouraged from bringing pets to the park during the fireworks display.
Date: June 25, 2010
Contact: Diane Gonzolas, Citizen Information Center, 441-7831

Mayor Beutler’s Public Schedule
June 26 - July 2, 2010
Schedule subject to change

Tuesday, June 29
- Lancaster County Correctional Facility Joint Public Agency - 9 a.m., City Council Chambers, County-City Building, 555 S. 10th St.

Thursday, July 1
- KFOR call-in - 7:45 a.m.
- Environmental Advisory Task Force - noon, Mayor’s Conference Room, County-City Building
The Living and Working in 2040 Report has been posted on the lplan2040.lincoln.ne.gov website, under the “Background” tab. The report is organized into two major components. First, global changes that are likely to affect Lincoln are presented. Included in this material are demographics, technology trends, transportation, climate change and energy. Then local projections covering population, housing, employment and land use are provided.

The topics in this report will be the subject of our July 13 Living and Working in 2040 Workshop to be held from 7 – 9 pm in the City Council Chambers, County City Building, 555 S. 10th St. You can find more information about this workshop on the website under the “Events” tab.

Please check the lplan2040 website frequently for updated information, meeting announcements and materials, and upcoming events.

Michele Abendroth
Lincoln/Lancaster County Planning Department
555 South 10th Street, Suite 213
Lincoln, NE 68508
402-441-6164
Dear Councilman Cook,

I am writing to ask you to support Ordinance 10-70 (Change of Zone #10012) to close the alcohol sales buffer “loophole.” The intent of the buffer zones was to protect children and residential neighborhoods from the problems caused by alcohol sales. Please consider that when voting.

Sincerely,
Charles Braithwaite
2112 Harrison Ave.
Lincoln 68502
I am writing to ask your support of the change to Ordinance 10-70. This ordinance change would close the "loophole" which undermines the 100 foot buffer meant to protect nearby homes and the surrounding neighborhood. I feel this change is fair to both neighborhoods and business/developers alike.

Brian Corr
1001 S 37th St
From: Mary Rachael [mrachael@neb.rr.com]
Sent: Friday, June 25, 2010 5:36 PM
To: Mary M. Meyer
Subject: re: Ordinance 10-70

I'm writing to request that the City Council vote to support Ordinance 10-70 (Change of Zone #10012) to close the alcohol sales buffer “loophole.”
Sincerely,
Mary Rachael
1910 Harrison Avenue
Lincoln, NE 68502
402-477-3927
The Malone Neighborhood Association would appreciate your vote to support Ordinance 10-70 (Change of Zone #10012) to close the alcohol sales buffer “loophole.”

The Malone Neighborhood Association has worked for decades to prevent, by all legal means at its disposal, the type of “booze joint, or check cashing store on every corner” environmental influences that have been so characteristic of many other core city areas in the USA:

- Certainly the private sector, buying up and attractively redeveloping properties that could otherwise slip into such uses, is an option. The City of Houston for example does not even have a zoning code. In relative contrast, Lincoln’s Malone Neighborhood has HIGH PROPERTY TAXES and INTENSE, PRIVATE SECTOR AVERSE, GOVERNMENT AND PHILANTHROPIC ACTIVITY.

This has so thoroughly displaced the private sector, that there needs to be a government ‘fix’ to the publicly and privately administered government ‘fixes’ ‘packed’ into our area.

- The existing zoning code is/was a coherent approach to controlling the problem, in lieu of a healthy and proactive private sector. One key use we have made of the existing code is to keep the Kabredlos gas station/convenience store on the South East Corner of 23rd and R from engaging in alcohol sales (there is a small single family home adjacent to it on the east, leaving it with less than the 100’ clearance required by the code.)

You will recall that, until very recent (and again very heavily public sector slanted) changes made with Antelope Valley Redevelopment, this Kabrdlos store was part of the following volatile brew:

- Matt Talbott Kitchen inserted by the St. Vincent DePaul society at the SE corner of 19th & R.
- Day Watch inserted on the SW corner of 23rd & R, right across the street west from Kabredlos.
- A well cared for and well attended Church, on the NW corner of 23rd & R, haplessly submerged in this milieu.
- Trago Park between 21st and 22nd, with its picnic tables and toddler play areas, running north/south through the area.
- Mum’s Liquor Store at the NE corner of 22nd & ‘O’.
- Various sexual novelty stores and strip joints on ‘O’ Street in the immediate area.
- A very dense (certainly the most dense in the state of Nebraska) concentration of privately administered, government funded halfway houses for the incarcerated, and drug addicted or mentally handicapped.
- Check cashing stores at the SW corner of 21st & O and NW corner of 27th & O.

So one of the most common routines was,
1. Panhandle or cash the SSI (etc) check to keep money in the pockets aimed at collectively purchased alcohol and cigarettes.
2. eat breakfast/lunch/dinner free, and with no ID required, at Matt Talbot (19th & R).
3. walk up to Day Watch, or some other money pooling point.
4. Organize the pooling of resources and decision of what was to be bought.
5. Walk to Mum’s for alcohol and cigarettes.
6. Walk to one of the Trago Park picnic tables, drinking four or five at a table until passing out on one of the tables.
7. Sleep on the table, or in some Malone Neighborhood resident’s garage until the next morning.
8. Jump back to 1

As you can imagine, there were a lot of ‘person hours’ put into getting, or keeping, Matt Talbot Kitchen, Day Watch, and off sale liquor out of the interior residential areas of the Malone Neighborhood, especially with regard to the Kabredlos location. We would all very much appreciate not having to repeat that effort again anytime soon.

Thank you for your attention in this matter,

Ed Patterson
President Malone Neighborhood Association
Dear City Council,

The Board of the Irvingdale Neighborhood Association would like to register our support of Ordinance 10-70.

We feel that this ordinance is necessary to protect the integrity of our existing residential neighborhoods.

The loophole must be closed!

Thank you for your consideration,

Alene Swinehart, Issues Chair
Irvingdale Neighborhood Association
Your support of ordinance 10-70 (Change of Zone 10012) to close alcohol sales buffer "loophole" is most needed! To keep Lincoln a vibrant family-friendly city that encourages continued maintenance of historic neighborhoods, this loophole must be closed. Zoning changes for the profit of business interests must be balanced with the needs of residents and families, and buffers provide that balance in support of quality of life. Thanks for your positive response and vote!

Lynne Ireland
2111 Park Ave.
Sent from my Verizon Wireless BlackBerry
I am writing to ask members of the Lincoln City Council to support Ordinance 10-70 (Change of Zone #10012) that will require alcohol sales to be at least 100 feet from any first-floor residential property and close the loophole that allows exceptions to the law. This ordinance would help protect residential owners and renters from alcohol sales next to their homes. Thank you.

Dawn O. Braithwaite
2112 Harrison Avenue
Lincoln NE 68502
We are asking you to vote to close the alcohol sales buffer “loophole.” by supporting Ordinance 10-70 (Change of Zone #10012).

Respectfully,

Sara & Robert Friedman
1990 Ryons Street
Lincoln, NE, 68502-3863
I would like to request that you vote to support Ordinance 10-70 (Change of Zone #10012) to close the alcohol sales buffer “loophole.”

Thank you,

--

Amy Johnson
Irvingdale Neighborhood Resident
You will be making an important vote Monday that will impact children in our town. Please vote to SUPPORT Ordinance 10-70 (Change of Zone #10012) to close the alcohol sales buffer “loophole.”

thank you.

Kathie Starkweather
2414 B Street
Lincoln, NE 68502
Please support ordiance 10-70
thanks kelly
Rod:
Please address the message from Jayne Sebby, Attorney for Ace Financial Services, Inc.

Joan:
Please see email, particularly the last paragraph.

Thank you,
Mary

-----Original Message-----
From: WebForm [mailto:none@lincoln.ne.gov]
Sent: Monday, June 28, 2010 9:29 AM
To: Mary M. Meyer
Subject: InterLinc: Council Feedback

InterLinc: City Council Feedback for General Council

Name: Jayne L. Sebby
Address: 320 south 29th Street
City: Lincoln, NE 68510

Phone: (402) 474-3059
Fax: 
Email: jsebby@cornhusker.net

Comment or Question:
Jayne L. Sebby
Attorney at Law
320 South 29th Street
Lincoln, Nebraska 68510
Ph: 402.474.3059

June 27, 2010

Members of the City Council of Lincoln, Nebraska
555 South 10th Street
Lincoln, Nebraska 68508

Dear Council Members:
The agenda for the regular City Council meeting to be held Monday, June 28, 2010 includes Third Readings for three ordinances: 19) 10-68; 20) 10R-138; and 21) 10R-139. All of these items refer to Haymarket Hotel.
My client, Ace Financial Services, Inc. owns the trade name, “Haymarket Hotel.” This trade name was lawfully registered with and granted by the Secretary of State’s office for the State of Nebraska. Use of that trade name is reserved solely to my client or to those to whom it grants permission. Therefore, the use of said name by the City of Lincoln and/or B & J Partnership, Ltd. in reference to redevelopment activities or for any other purpose violates Ace’s rights to the name.

Demand is made for the City of Lincoln to immediately cease and desist from all further uses of the trade name. Further demand is made for the above listed ordinances to be immediately placed on the Pending List until all references to said trade name are removed from the ordinances.

Sincerely,
Jayne L. Sebby

Cc: Mayor Chris Beutler
    B & J Partnership, Ltd.
Dear Council Members:

We are writing to support the proposed Ordinance 10-70 that would close the alcohol sales buffer loophole. We live in central Lincoln and frequently shop at businesses along South St. from 10th-33rd, especially where there are some businesses literally right next door to residential houses. This ordinance makes sense to us to ensure the quality of life in our older neighborhoods without unduly restricting business.

We urge you to vote "yes" to this proposed ordinance.

Thank you,
Karrie & Bruce Dvorak
3000 Stratford Ave.
Lincoln, NE  68502
402/438-7717 (h)
Good morning, and Happy Monday. I wanted to take a moment to send out an email to voice my support of Ordinance 10-70, upon which I understand you will be voting tonight.

I am a homeowner, registered voter, elected board member of the Irvingdale Neighborhood Association, and active member of the community in District 3. I believe that Ordinance 10-70 would go a long way towards protecting our home values, maintain and hopefully lead to the improvement of our neighborhoods. I would very much appreciate your support on this measure.

Thank you for your time and for your consideration.

Denise Boline
NO MORE ALCOHOL SALES IN OUR NEIGHBORHOODS—THANKYOU
Dear Council Members,

This is a request that you vote in favor of Ordinance 10-70 which will close the loophole concerning buffer zones and alcohol sales.

I don't see a compelling need for more establishments selling alcohol.

Let's maintain those buffer zones.

Thanks,
Joe Dorenbach
As a resident of the Near South neighborhood, I respectfully request that you vote to support Ordinance 10-70 to close the alcohol sales buffer loophole. This is very important to our neighborhood and every other neighborhood in the city as we fight to keep our neighborhoods family friendly.

Thank you,
Susan Melcher
2401 Garfield St.