DIRECTORS’ MEETING
MONDAY, DECEMBER 6, 2010
COUNTY-CITY BUILDING
ROOM 113
2:00 P.M.

I. CITY CLERK

II. MAYOR
1. NEWS RELEASE. Mayor Beutler’s public schedule for the week of November 25th through December 3, 2010.
2. NEWS RELEASE. Information available on City tree recycling program. The City has seven tree recycling sites, not eight as previously released.
3. NEWS RELEASE. Separation of grass and leaves ends Wednesday, December 1, 2010.
5. Nominations now accepted for Mayor’s Arts Awards.

SNOW REPORT
1. City of Lincoln street condition update, Tuesday, November 30, 2010, 7:00 a.m.

DIRECTORS:

FINANCE/AUDITING
1. Pre-audit report to the Mayor and Audit Committee of the City of Lincoln, Nebraska.

FINANCE/TREASURER

PLANNING DEPARTMENT
1. Urban Design Committee meeting agenda for Wednesday, December 1, 2010.

PLANNING COMMISSION

PUBLIC WORKS/ENGINEERING
1. Public open house, Project No. 701771, South 56th Street; South Street to Randolph Street. Wednesday, December 15, 2010, 4:30 p.m. to 6:30 p.m., at the Gere Library, 56th and Normal Streets.
2. Public open house. Project No. 701778, Pioneers Boulevard; 32nd to 54th Streets. Thursday, December 16, 2010, 4:30 p.m. to 6:30 p.m. at the Gere Library, 56th and Normal Streets.
III. COUNCIL RFI’S/CITIZEN CORRESPONDENCE TO INDIVIDUAL COUNCIL MEMBERS

JONATHAN COOK
1. Telephone message from Linell Connolly. Thank you for your vote against the rezoning and CVS project at 27th Street and Old Cheney Road.
2. Letter from Wendell and Lucy Olson commending Councilman Cook for his vote against rezoning of the northwest corner of 27th Street and Old Cheney Road.

IV. MISCELLANEOUS

V. CORRESPONDENCE FROM CITIZENS
1. Jean and Earl Visser Thanksgiving message to Council.
2. Russell Miller email regarding Lincoln Electric System rate schedule 10R-314. Supporting and urging approval of LES’s proposed budget and rate schedule.
3. InterLinc correspondence from Pam Fleming regarding neighborhood cats. (Sent to the Health Department - Animal Control)

VI. ADJOURNMENT
Mayor Beutler’s Public Schedule

Week of November 25 through December 3, 2010

Schedule subject to change

Thursday, November 25 and Friday, November 26

CITY OFFICES CLOSED FOR THANKSGIVING HOLIDAY

Sunday, November 28

• C/2-135th General Support Aviation Battallion send-off ceremony (90 members deploying to Iraq), remarks - 9 a.m., Lincoln Southwest High School, 7001 S. 14th St.

Wednesday, December 1

• Chamber of Commerce Community Consensus meeting - 8 a.m., Lincoln Chamber of Commerce, 1135 “M” St.

Friday, December 3

• Trader Joe’s grand opening, remarks - 7:30 a.m., SouthPointe Pavilions, 3120 Pine Lake Road, Suite R
• Meeting with 10 students (K-5th grade) from McPhee Community Learning Center - 4 p.m., Mayor’s Conference Room, County-City Building, 555 S. 10th St.
FOR IMMEDIATE RELEASE: November 24, 2010
FOR MORE INFORMATION: Gene Hanlon, Recycling Coordinator, 441-7043
Linda Stevenson, AmeriCorps Volunteer, 441-8004

INFORMATION AVAILABLE ON CITY TREE RECYCLING PROGRAM

The City Recycling Office reminds residents to pick up a flyer from retailers about the annual tree recycling program while shopping for a tree this holiday season. The flyer contains a map listing the City’s seven tree recycling sites and dates the trees will be accepted for recycling. The collection of trees will end Sunday, January 9.

This is the 24th consecutive year for the City’s tree recycling program. It is the oldest program of its kind in the state. Over the last 23 years, the City has recycled more than 182,217 trees.

The Solid Waste Operations Division of the Public Works and Utilities Department and the Parks and Recreation Department work together to offer this service to residents. Hofeling Enterprises, 2200 South Folsom Court, will be donating grinding services again this year. Residents can obtain tree mulch at no cost from Hofeling Enterprises, on a first-come first-served basis, starting January 10.

More information on the City’s tree recycling program can be found by contacting the recycling hotline at 441-8215 or by visiting the City website, lincoln.ne.gov (keyword: recycle).

-30-
FOR IMMEDIATE RELEASE: November 29, 2010
FOR MORE INFORMATION: Gene Hanlon, Recycling Coordinator, 441-7043

SEPARATION OF GRASS AND LEAVES ENDS WEDNESDAY

Beginning Wednesday December 1, Lincoln and Lancaster County residents will no longer be required to separate grass and leaves from their household trash.

The Nebraska Integrated Solid Waste Management Act requires that grass and leaves be separated from household trash from April 1 through November 30 of each year. During these months, the grass and leaves are diverted to the City’s compost facility, and local waste haulers charge a separate fee for the yard waste collection.

Residents can place their grass and leaves with their household trash from December 1 through March 31, however additional fees may be charged for their regular waste collection based on the volume and weight of the leaves and grass collected.

More information on the City’s recycling program is available on the City website at lincoln.ne.gov (keyword: recycling).

- 30 -
CITY JOINS NATIONAL SUSTAINABILITY ORGANIZATION

Mayor Chris Beutler today announced that the City of Lincoln has joined ICLEI – Local Governments for Sustainability, a nonprofit organization that helps local governments strengthen local energy and sustainability efforts. The Mayor’s Cleaner Greener Lincoln initiative provided funds for the ICLEI USA membership.

Milo Mumgaard, the Mayor’s Senior Policy Aide for Sustainability, says Cleaner Greener Lincoln will use ICLEI USA as a resource in developing an energy efficiency and conservation strategy to reduce City government’s energy use by 20 percent and citywide energy use by 10 percent over the next two years.

As an ICLEI USA member, Lincoln has access to technical tools and support to help with sustainability planning; national training and events; policy and communications assistance; a national network of peer expertise; and planning methodology employed by some of the country’s most innovative local governments.

More than 600 local governments in 49 states are members of ICLEI USA. The organization was founded in 1990 as the International Council for Local Environmental Initiatives, and in 2003, the name was changed ICLEI – Local Governments for Sustainability. Lincoln and Omaha are the only member cities in Nebraska. More information is available at icleiusa.org.

The Mayor’s Cleaner Greener Lincoln initiative is coordinating the use of $2.4 million in stimulus funds through the Energy Efficiency and Conservation Block Grant program. More information is available at green.lincoln.ne.gov.
OFFICE OF THE MAYOR
555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

FOR IMMEDIATE RELEASE: December 1, 2010
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831
Deb Weber, Lincoln Arts Council, 434-2787

NOMINATIONS NOW ACCEPTED FOR MAYOR’S ARTS AWARDS

Nominations are now being accepted for the 33rd annual Mayor’s Arts Awards. The awards will be presented by the Lincoln Arts Council (LAC) in June 2011. The Mayor’s Arts Awards program formally recognizes artistic contributions and achievements in the Lincoln area.

Nomination forms are available by calling the LAC at 434-2787 or printing a form from the LAC website, www.artscene.org. A list of previous winners also is available at that website. The nomination deadline is January 7, 2011

Winner in the following categories will be selected by a panel of arts professionals:

- The Arts Organization Award recognizes an arts group that has made significant contributions to Lincoln’s arts community over a period of years.
- The Artistic Achievement Award - Visual Arts recognizes excellence and accomplishment in any of the visual arts, including film.
- The Artistic Achievement Award - Youth recognizes excellence and accomplishment in any arts discipline by a young person age 18 or younger.
- The Artistic Achievement Award - Performing Arts recognizes excellence and accomplishment in any of the performing arts, including film.
- The Gladys Lux Education Award recognizes special initiatives in or dedication to arts education and is endowed by the Gladys Lux Foundation.
- The Heart of the Arts Award recognizes an individual or organization for outstanding volunteer dedication to the arts or for making a major overall impact on the arts in Lincoln.
- The Outstanding Event Award recognizes a performance, exhibition or project in the previous year (2010) that will be notable in the community memory for years to come because of its content or cultural significance.
- The Halcyon Allsman Benefactor of the Arts Award honors an individual, family, organization or business making significant financial contributions to the arts in Lincoln.
- The Oliva “Arts for Kids” Award honors an individual from outside of the arts professions whose leadership has enhanced arts activities and experiences for children. The award is sponsored by the Oliva Family.

- more -
Three other awards also are presented at the event::

- The **Literary Heritage Award** recognizes a writer or individual who promotes excellence in writing and literature in Nebraska. The winner is chosen by the Nebraska Literary Heritage Association, which also sponsors the awards.
- The **Larry Enersen Award** recognizes outstanding urban design in Lincoln. It is chosen by the Urban Design Committee and sponsored by Clark Enersen Partners.
- Mayor Beutler will select the recipient of the **Mayor’s Choice Award**.

Nominations from the previous year are automatically resubmitted, and updates to the 2010 nominations will be accepted.

The public also is encouraged to submit names of members of the Lincoln arts community who have died since the last awards ceremony in June 2010 for memorial recognition at the event.
Mary M. Meyer

From: Council Packet
Subject: FW: snow report

Subject: snow report

CITY OF LINCOLN STREET CONDITION UPDATE

For more information:
Public Works Snow Center - 441-7644
Diane Gonzolas, work 441-7831

Date: Tuesday, November 30, 2010
Time: 7 a.m.

Lincoln received a dusting of snow overnight and streets may be slick in spots on your morning commute. About 20 material spreaders began salting the main arterials at 5 a.m. The City applied anti-icing materials on bridges and overpasses Monday, and that has kept the snow from sticking to the pavement in those areas. Parking bans are not in effect, and drivers are urged to use caution.

Please stay informed on the status of snow operations in Lincoln. Additional information is available on the City website at lincoln.ne.gov and in your Windstream phone directory. If you have question, you may call the Public Works Snow Center at 441-7644.
City of Lincoln, Nebraska

Pre-audit Report to the Mayor and Audit Committee of the City of Lincoln, Nebraska

August 31, 2010
Contents

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Planned Scope & Timing of Audits .................................. 3

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Consideration of Errors or Fraud .................................. 7

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Questions/Observations/Suggestions .............................. 10
Introductory Matters

In accordance with Statement on Auditing Standards (SAS) No. 114, *The Auditor’s Communication With Those Charged With Governance*, we would like to communicate certain matters to you in connection with our approach for the August 31, 2010 audits of the financial statements of the City of Lincoln, Nebraska and selected funds.

**Audits of Financial Statements**

We will conduct our audits in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States and U.S. Office of Management and Budget (OMB) Circular A-133, *Audits of States, Local Governments and Nonprofit Organizations*.

Those standards require that we plan and perform:

- The audit of the financial statements to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. Our engagement does not include a detailed audit of every transaction.

- The audit of compliance with the types of compliance requirements described in the *U.S. Office of Management and Budget Circular A-133 Compliance Supplement* that are applicable to each major federal award program to obtain reasonable rather than absolute assurance about whether noncompliance having a direct and material effect on a major federal award program occurred.
Our audit of the financial statements is designed to detect misstatements and noncompliance that, in our judgment, could have a material effect on the financial statements taken as a whole. Consequently, our audit will not necessarily detect errors or fraud resulting in an immaterial misstatement of the financial statements. Accordingly, a material misstatement or noncompliance having a direct and material effect may remain undetected.

Likewise, our audit of compliance with the types of compliance requirements applicable to each major federal award program is designed to detect noncompliance having a direct and material effect on a major program. Consequently, our audit will not necessarily detect noncompliance having an indirect and material or an immaterial effect on selected programs.

Our audits will be made for the purpose of rendering opinions on the following financial statements as of and for the year ended August 31, 2010, issuance of reports on compliance based on the audits of the following financial statements, and issuance of reports on internal control over financial reporting based on the audits of the following financial statements:

- City of Lincoln, Nebraska (CAFR)
- Lincoln Parking System
- Emergency Medical Services Fund
- Solid Waste Management Fund
- Lincoln Water and Wastewater Systems
- Community Health Permanent Endowment Fund (separate communication provided to the Fund’s Board of Trustees)
- West Haymarket Joint Public Agency (separate communication provided to the Agency’s Board of Representatives)

The objectives of our audit of the City of Lincoln, Nebraska for the year ended August 31, 2010 also includes the following:

- Expression of an opinion on your compliance, in all material respects, with the types of compliance requirements described in the U. S. Office of Management and Budget Circular A-133 Compliance Supplement that are applicable to each of your major federal award programs.
✓ Issuance of a report on your internal control over compliance based on the audit of your compliance with the types of compliance requirements that are applicable to your major federal award programs.

✓ Issuance of a report on your schedule of expenditures of federal awards

An audit of the financial statements does not relieve management or the governing body of their responsibilities.

Other Services

Other services we will provide include:

✓ Apply agreed-upon procedures as specified in the Title 132-Integrated Solid Waste Management Regulations
✓ Review bond offering documents
✓ Assist management in drafting of the financial statements and related notes of the Solid Waste Management Fund, Emergency Medical Services Fund, Lincoln Parking System, Community Health Permanent Endowment Fund, and West Haymarket Joint Public Agency

The actual terms of our engagement are more fully documented in an engagement letter dated October, 2010 and signed by you and BKD.

Planned Scope & Timing of the Audits

Our audit approach emphasizes the areas of higher risk, focusing on the unique characteristics of the operating environment, the effectiveness of your internal control and your financial statement amounts and disclosures.

Based on our understanding of the above entities and our assessment of your internal control, we plan our audits to achieve the appropriate level of assurance regarding material misstatements.

We have preliminarily identified the following areas as significant risks of material misstatement due to error or fraud and propose to address these areas as described:
### Risk Area Audit Approach

<table>
<thead>
<tr>
<th>Risk Area</th>
<th>Audit Approach</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>All Audits:</strong></td>
<td></td>
</tr>
<tr>
<td>Risk of management override of controls</td>
<td>Review accounting estimates for bias, review of journal entries, evaluate business rationale for unusual transactions</td>
</tr>
<tr>
<td>Improper revenue recognition</td>
<td>Perform analytical procedures, substantive testing, testing reasonableness of recorded allowance</td>
</tr>
<tr>
<td>Investment valuation and disclosure</td>
<td>Confirmation of investments, fair market value testing, obtain SAS 70 reports, and review disclosure requirements</td>
</tr>
<tr>
<td>Capital assets</td>
<td>Test selected additions and dispositions, challenge reasonableness of lives and capitalization, and inquire of management regarding potential impairment issues</td>
</tr>
<tr>
<td>Debt</td>
<td>Confirm the balance and terms of selected outstanding debt agreements, review applicable disclosure requirements and adherence to debt covenants, and test debt transactions entered into by the West Haymarket JPA for the benefit of the City</td>
</tr>
<tr>
<td>Net assets</td>
<td>Review of restrictions and classification of balances</td>
</tr>
</tbody>
</table>
## Risk Area Audit Approach

<table>
<thead>
<tr>
<th>Risk Area</th>
<th>Audit Approach</th>
</tr>
</thead>
<tbody>
<tr>
<td>Federal award programs</td>
<td>Review determination of major federal programs for A-133 compliance testing, test expenditures of federal awards, and review additional testing and disclosure requirements for expenditures of American Recovery and Reinvestment Act of 2009 (ARRA) award monies</td>
</tr>
</tbody>
</table>

### Risks unique to individual audits:

- **Lincoln Parking System – unearned revenue**
  - Review major commercial contracts, test football game reserved parking deposits and perform analytical review

- **Emergency Medical Services Fund – allowance for doubtful accounts and contractual adjustments**
  - Review of subsequent receipts, write-offs and contractual adjustments

- **Solid Waste Management Fund – landfill closure and post-closure care costs**
  - Obtain estimates from independent engineers, review reports and test assumptions and methodologies used

We welcome any input you may have regarding the risk areas identified above, any other significant risk areas in your opinion or other matters you believe warrant particular attention during the audits.

We may develop additional significant risks as we complete risk assessment procedures.
We propose the following timeline:

✓ Planning and Related Risk Assessment procedures – September 2010

✓ Performance of A-133 Procedures in Relation to Compliance with Requirements for Federal Programs – October/November 2010

✓ Final Year-end Procedures – Lincoln Water and Wastewater Systems – Late October, 2010


✓ Final Reports – Lincoln Water and Wastewater Systems – Late November, 2010

✓ Final Year-end Procedures (CAFR) – Begin Week of November 29, 2010 through Week of December 13, 2010


✓ Final Reports – Mid February, 2011

The financial statements and management letter, together with our letter regarding auditor responsibilities, will be furnished to the Audit Committee upon approval by the City of Lincoln's Finance Department. Final reports are expected to be completed in mid-February, 2011

✓ Ongoing Communication

Regular communication between the Audit Committee and the auditors is critical to the success of the audit. Accordingly, the audit team may be available to the Audit Committee at any time throughout the audit, not just the prescribed times identified above. In addition, there may be instances which require communication during the audit (prior to delivery of the financial statements) such as:
Fraud involving senior management
✓ Illegal acts
✓ Significant deficiencies and/or material weaknesses
✓ Material instances of noncompliance for federal award programs

We understand the appropriate individuals in the governance structure with whom to communicate is Mr. Chris Beutler, Mayor and Mr. Don Herz, City Finance Director.

If for any reason, any member of the Audit Committee would need to contact us, please call Jamie Johnson, at (402) 473-7600.

We wish to communicate the following significant matters related to the financial statement audits to you that are, in our judgment, relevant to your responsibilities in overseeing the financial reporting process:

Critical Accounting Policies and Practices
✓ Investment valuation and disclosure
✓ Accounting estimates
✓ Revenue recognition
✓ Presentation of West Haymarket JPA
✓ Refer also to Note 1 of the various financial statements

New Accounting and Auditing Pronouncements
✓ Implementation of GASB 51: Accounting and Financial Reporting for Intangible Assets
✓ Statement on Auditing Standards No. 117, Compliance Audits

One of the most common questions we receive from governing bodies is, “How do you address fraud in a financial statement audit?” Our responsibility, as it relates to fraud, in an audit of financial statements is addressed in Statement on Auditing Standards No. 99, Consideration of Fraud in a Financial Statement Audit.
Statements on Auditing Standards Nos. 104 - 111 address how we are to assess and respond to the risks of material misstatement due to error or fraud in an audit.

Our audit approach includes such procedures as:

- **Engagement Team Brainstorming**
  - Discussions include how and where they believe the entity’s financial statements might be susceptible to material misstatement due to errors or fraud, how management could perpetrate and conceal fraudulent financial reporting and how assets of the entity could be misappropriated.
  - An emphasis is placed on the importance of maintaining the proper state of mind throughout the audit regarding the potential for material misstatement due to errors or fraud.

- **Inquiries of Management and Others**
  - Personnel interviewed include the Mayor, Finance Director, City Controller, individuals responsible for compliance with requirements for federal award programs and others.
  - Inquiries are directed towards the risks of errors or fraud and whether personnel have knowledge of any fraud or suspected fraud affecting the entity.

- **Reviewing Accounting Estimates for Bias**

- **Evaluating Business Rationale for Significant Unusual Transactions**

- **Incorporating an Element of Unpredictability Into the Audit Each Year**

BKD’s #1 asset is our outstanding team of people who strive daily to deliver on our commitment of unmatched client service. They put a face on the BKD Experience. You’ll find the following team members personally committed to delivering results to you in accordance with applicable professional standards.
Questions, Observations or Suggestions

We welcome any questions that the Mayor or Audit Committee may have. As always, you may contact Jamie Johnson at (402) 473-7600 at any time.

Our clients deserve, and to the best of our ability receive unmatched client service. We welcome the opportunity for you to experience the same as we deliver the services outlined above.

Our goal is to deliver results with integrity: results that are unquestionably ethical while also practical, timely and affordable.
OFFICE OF TREASURER, CITY OF LINCOLN, NEBRASKA

November 24, 2010

TO: MAYOR CHRIS BEUTLER & CITY COUNCIL MEMBERS

FROM: FINANCE DEPARTMENT / CITY TREASURER

SUBJECT: MONTHLY CITY CASH REPORT

The records of this office show me to be charged with City cash as follows at the close of business October 31, 2010

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Balance Forward</td>
<td>$167,552,343.83</td>
</tr>
<tr>
<td>Plus Total Debits October 1-31, 2010</td>
<td>$76,082,303.68</td>
</tr>
<tr>
<td>Less Total Credits October 1-31, 2010</td>
<td>($31,501,622.72)</td>
</tr>
<tr>
<td><strong>Cash Balance on October 31, 2010</strong></td>
<td><strong>$212,133,024.79</strong></td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Institution</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>U. S. Bank Nebraska, N.A.</td>
<td>($314,797.04)</td>
</tr>
<tr>
<td>Wells Fargo Bank</td>
<td>($133,734.87)</td>
</tr>
<tr>
<td>Wells Fargo Bank Credit Card Account</td>
<td>($5,493.46)</td>
</tr>
<tr>
<td>Cornhusker Bank</td>
<td>$35,940.32</td>
</tr>
<tr>
<td>Pinnacle Bank</td>
<td>($6,414.96)</td>
</tr>
<tr>
<td>Union Bank &amp; Trust Company</td>
<td>$474,093.96</td>
</tr>
<tr>
<td>West Gate Bank</td>
<td>$30,918.30</td>
</tr>
<tr>
<td>Idle Funds - Short-Term Pool</td>
<td>$103,062,972.35</td>
</tr>
<tr>
<td>Idle Funds - Medium-Term Pool</td>
<td>$108,318,090.55</td>
</tr>
<tr>
<td>Cash, Checks and Warrants</td>
<td>$671,449.64</td>
</tr>
<tr>
<td><strong>Total Cash on Hand October 31, 2010</strong></td>
<td><strong>$212,133,024.79</strong></td>
</tr>
</tbody>
</table>

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

I also hold as City Treasurer, securities in the amount of $72,305,590.35 representing authorized investments of the City's funds.

**ATTEST:**

[Signatures]
<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>CUSIP</th>
<th>MATURITY DATE</th>
<th>ORIGINAL FACE</th>
<th>CURRENT PAR</th>
<th>MARKET PRICE</th>
<th>MARKET VALUE</th>
</tr>
</thead>
<tbody>
<tr>
<td>FHLMC GOLD POOL A61256</td>
<td>3128KRMD3</td>
<td>11/01/2036</td>
<td>$1,318,920.00</td>
<td>$822,832.26</td>
<td>1.09</td>
<td>$895,087.14</td>
</tr>
<tr>
<td>FHLMC GOLD POOL J10321</td>
<td>3128PPLA9</td>
<td>07/01/2024</td>
<td>$5,745,000.00</td>
<td>$4,886,481.68</td>
<td>1.04</td>
<td>$5,100,660.57</td>
</tr>
<tr>
<td>FNMA FNCL 254725</td>
<td>31371K4J7</td>
<td>05/01/2033</td>
<td>$500,000.00</td>
<td>$157,760.04</td>
<td>1.07</td>
<td>$168,841.97</td>
</tr>
<tr>
<td>USBANK NE</td>
<td></td>
<td>TOTAL PLEDGED</td>
<td>$7,563,920.00</td>
<td>$5,867,073.98</td>
<td></td>
<td>$6,164,589.68</td>
</tr>
<tr>
<td>FN AA1079 5.0%</td>
<td>31416JFV8</td>
<td>06/01/2038</td>
<td>$650,000.00</td>
<td>$311,694.68</td>
<td></td>
<td>$332,294.18</td>
</tr>
<tr>
<td>FN AD9564 4.0%</td>
<td>31418XTW8</td>
<td>08/01/2025</td>
<td>$1,877,500.00</td>
<td>$1,811,654.95</td>
<td></td>
<td>$1,904,810.40</td>
</tr>
<tr>
<td>WELLS FARGO</td>
<td></td>
<td>TOTAL PLEDGED</td>
<td>$10,091,420.00</td>
<td>$7,990,423.61</td>
<td></td>
<td>$2,237,104.58</td>
</tr>
<tr>
<td>FHLB BONDS</td>
<td>3133XLGD9</td>
<td>06/29/2017</td>
<td>$500,000.00</td>
<td>$500,000.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>FFCB 5.45%</td>
<td>31331XNG3</td>
<td>02/05/2014</td>
<td>$1,000,000.00</td>
<td>$1,000,000.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>FHLB STEP-UP 2.25%</td>
<td>3133XUM67</td>
<td>08/26/2014</td>
<td>$1,000,000.00</td>
<td>$1,000,000.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>CORNHUSKER BANK</td>
<td></td>
<td>TOTAL PLEDGED</td>
<td>$2,500,000.00</td>
<td>$2,500,000.00</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Notice is hereby given that the URBAN DESIGN COMMITTEE will hold a meeting on Wednesday, December 1, 2010 at 3:00 p.m., County-City Building, 555 S. 10th Street, Lincoln, Nebraska, in Room 214 on the 2nd Floor. For more information, please contact the Lincoln City/Lancaster County Planning Department, 441-7491.

AGENDA
December 1, 2010

1. Approval of meeting notes from the regular meeting of October 6, 2010.
2. Update on "Catalyst" project on Block 38 (Q Street, 13th-14th) - Sinclair Hille & Associates
3. Miscellaneous
4. Staff Report: Draft Annual Report, etc.
**ACTION BY PLANNING COMMISSION**
December 1, 2010

NOTICE: The Lincoln/Lancaster County Planning Commission will hold a public hearing on Wednesday, December 1, 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.

The LPlan Advisory Committee will meet on Wednesday, December 1, 2010, from 11:00 a.m. to 12:45 p.m., in Room 113 of the County-City Building, 555 S. 10th Street, Lincoln, Nebraska.

**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.

The Planning Commission has canceled their meeting scheduled for December 29, 2010.

AGENDA

WEDNESDAY, DECEMBER 1, 2010

[All members present]

Approval of minutes of the regular meeting held November 17, 2010. **APPROVED, 5-0 (Taylor, Lust and Francis abstained; Gaylor Baird absent at time of vote)**
1. CONSENT AGENDA
(Public Hearing and Administrative Action):

CHANGE OF ZONE WITH RELATED ITEMS:
1.1a County Change of Zone No. 10023, amending Article 11 of the Lancaster County Zoning Resolution relating to Zoning by amending Sections 11.001, 11.027 and 11.029 to adopt the February 18, 2011, Flood Insurance Rate Map (FIRM) and the Flood Insurance Study (FIS), as required by the Federal Emergency Management Agency; and repealing Sections 11.001, 11.027 and 11.029 of the Lancaster County Zoning Resolution as hitherto existing.
Staff recommendation: Approval
Staff Planner: Mike DeKalb, 441-6370, mdekalb@lincoln.ne.gov
Planning Commission recommendation: APPROVAL, 9-0.
Public Hearing before Lancaster County Board of Commissioners being requested.

1.1b Change of Zone No. 10022, amending Title 27 of the Lincoln Municipal Code relating to Zoning by amending Sections 27.52.010, 27.52.020, 27.53.010, and 27.53.020 to adopt the February 18, 2011, Flood Insurance Rate Map (FIRM) and the Flood Insurance Study (FIS), as required by the Federal Emergency Management Agency; and repealing Sections 27.52.010, 27.52.020, 27.53.010, and 27.53.020 of the Lincoln Municipal Code as hitherto existing.
Staff recommendation: Approval
Staff Planner: Mike DeKalb, 441-6370, mdekalb@lincoln.ne.gov
Planning Commission recommendation: APPROVAL, 9-0.
Public Hearing before the City Council tentatively scheduled for Monday, January 3, 2011, 3:00 p.m.

Staff recommendation: Approval
Staff Planner: Mike DeKalb, 441-6370, mdekalb@lincoln.ne.gov
Planning Commission recommendation: APPROVAL, 9-0.
Public Hearing before the City Council tentatively scheduled for Monday, January 3, 2011, 3:00 p.m.

2. REQUESTS FOR DEFERRAL: None.

3. ITEMS REMOVED FROM CONSENT AGENDA: None.
4. **PUBLIC HEARING AND ADMINISTRATIVE ACTION:**

**PERMITS:**

4.1 Special Permit No. 531G, to amend the Wilderness View Townhomes subarea of the Salt Valley View Community Unit Plan, to add 4.77 acres and increase the number of dwelling units in the Wilderness View Townhomes subarea from 152 to 174, on property generally located at Creekside Trail and Warlick Boulevard. ***** FINAL ACTION *****

Staff recommendation: Conditional Approval

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

Had public hearing.

Planning Commission 'final action': CONDITIONAL APPROVAL, as set forth in the staff report dated November 18, 2010, 9-0.

Resolution No. PC-01216.

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

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**PENDING LIST: None**

Planning Dept. staff contacts:

Steve Henrichsen, *Development Review Manager* . . . 441-6473 . . shenrichsen@lincoln.ne.gov
Nicole Fleck-Tooze, *Long Range Planning Manager* . . 441-6373 . . ntooze@lincoln.ne.gov
Mike Brienza, *Transportation Planner* . . . . . . . . . . . . . 441-6369 . . mbrienza@lincoln.ne.gov
Tom Cajka, *Planner* . . . . . . . . . . . . . . . . . . . . . . . . . 441-5662 . . tcajka@lincoln.ne.gov
David Cary, *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
Sara Hartzell, *Planner* . . . . . . . . . . . . . . . . . . . . . . . . . . 441-6371 . . shartzell@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* . . . . . . . . . . 441-6370 . . ezimmer@lincoln.ne.gov

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**The Planning Commission has canceled their meeting scheduled for December 29, 2010.**
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
TO : Mayor Chris Beutler
     Lincoln City Council

FROM : Jean Preister, Planning

DATE : December 1, 2010

RE : Notice of final action by Planning Commission: December 1, 2010

Please be advised that on December 1, 2010, the Lincoln City-Lancaster County Planning Commission adopted the following resolutions:

1. **Resolution No. PC-01216**, approving **Special Permit No. 531G**, an amendment to the **Salt Valley View Community Unit Plan**, requested by Wilderness View Townhomes, LLC, for authority to add 4.77 acres and increase the number of dwelling units in the Wilderness View Townhomes subarea from 152 to 174, on property generally located at Creekside Trail and Warlick Boulevard.

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

The Planning Commission Resolutions 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. SP531G). The Resolution and Planning Department staff report are in the “Related Documents” under the application number.
PUBLIC OPEN HOUSE
South 56th Street; South Street to Randolph Street
Project No. 701771

When: Wednesday, December 15, 2010
4:30 PM to 6:30 PM

Where: Gere Library
56th and Normal

The City of Lincoln is hosting an informational open house regarding the South 56th Street rehabilitation project from South Street to Randolph Street. This project includes street rehabilitation (concrete base repair, asphalt mill and overlay, and curb replacement), new pavement markings, some traffic signal/electrical work, and sidewalk and ramp reconstruction. No major intersection work is planned at South Street, “A” Street, or Randolph Street.

Public Works is committed to working in partnership with the neighborhoods and the community on plans for our city streets. South 56th Street is currently 27-feet wide from South Street to “A” Street and 23-feet wide from “A” Street to Randolph Street. The street rehabilitation project will include the addition of a common center turn lane by widening of the street. Two options will be presented at the meeting for accomplishing this. Each option comes with advantages and disadvantages that should be carefully considered as we make this decision.

This meeting will be in open house format with a presentation at 4:45 p.m. and repeated at 5:45 p.m. The public is invited to stop in to hear either presentation and discuss current design options with representatives from the City’s Public Works Department who will be there to answer your questions and provide detail about the pros and cons of each option. The hope is to leave the meeting with a group consensus on the best strategy for the neighborhood and the community.

If you are unable to attend, you can contact the project engineer at the number listed below with questions/concerns.

Project Engineer: Holly Lionberger
Phone: 402 (441) 8400
Email: hlionberger@lincoln.ne.gov
PUBLIC OPEN HOUSE
Pioneers Boulevard; 32nd to 54th Streets
Project No. 701778

When: Thursday, December 16, 2010
4:30 PM to 6:30 PM

Where: Gere Library
56th and Normal

The City of Lincoln is hosting an informational open house regarding the Pioneers Boulevard street rehabilitation project from 32nd to 54th Street. This project includes street rehabilitation (concrete base repair, asphalt mill and overlay, and curb replacement), complete intersection replacement at 33rd, 40th and 48th Streets, new pavement markings, some traffic signal/electrical work, and sidewalk and ramp reconstruction.

Public Works is committed to working in partnership with the neighborhoods and the community on plans for our city streets. Pioneers Boulevard is currently 27-feet wide. The street rehabilitation project will include the addition of a common center turn lane by widening of the street. Two options will be presented at the meeting for accomplishing this. Each option comes with advantages and disadvantages that should be carefully considered as we make this decision.

This meeting will be in open house format with a presentation at 4:45 p.m. and repeated at 5:45 p.m. The public is invited to stop in to hear either presentation and discuss current design options with representatives from the City’s Public Works Department who will be there to answer your questions and provide detail about the pros and cons of each option. The hope is to leave the meeting with a group consensus on the best strategy for the neighborhood and the community.

If you are unable to attend, you can contact the project engineer at the number listed below with questions/concerns.

Project Engineer: Holly Lionberger
Phone: (402) 441-8400
Email: hlionberger@lincoln.ne.gov
To: Jonathan Cook  
Lincoln City Council  
555 So. 10th  
Lincoln, NE 68508

Subject: Letter of commendation

Dear Councilman Cook:

We wish to strongly commend you for your courageous stand against rezoning of the northwest corner of 27th and Old Cheney.

We very much appreciate the fact that you voted for the neighborhood, and against unwise commercial exploitation of the area.

Your principled vote will be remembered when election time rolls around, and we will strongly support you in your future electoral endeavors.

Again, thank you for standing up for our neighborhood.

Sincerely,

Wendell and Lucy Olson  
4643 Tipperary Trail  
Lincoln, NE 68512
Happy Thanksgiving
To You

To my friends,

As the Holidays are upon us, I take time to reflect on the past year and count my blessings.

You are the ones in my life that come to mind immediately. I want only the best of everything in life for you and your families.

Life rushes by so very fast and changes so very quickly. It is important that we do not get caught up in the rush of life, but to take time to pause and give thanks for those who make us smile. I appreciate you more than you will ever know. Thank you for being there and your friendship!

As always,

Jean and Earl Visser
From: Russell Miller [neb31340@windstream.net]
Sent: Tuesday, November 30, 2010 3:51 PM
To: Council Packet
Subject: les rate schedule or 10R-314

From : Russell Miller
341 S. 52
Lincoln, Nebr. 68510

To : Lincoln City Council

Subject : Lincoln Electric System Rate Schedule 10R-314

Dear Council Members,

After attending Lincoln Electric System’s rate hearing open house of 21 October, their Central Reliability Transmission hearing of 19 November, and listening to the Council hearing of 22 November, I am writing in support and urge approval of LES’s proposed budget and rate schedule.

There has been considerable time and testimony devoted to underground versus overhead power lines. The testimony has always centered around the lower cost of overhead.

So we have the same understanding of the terminology, the following definitions are needed:

Transmission lines : 115,000 volts or higher and bring power to the city and the substations in the city

Distribution lines : 7,600 volt lines (newer lines are 12,000) that move power from substations to neighborhoods and through the neighborhoods

Service or home service lines : 240 or 480 volt lines that move power from distribution lines to individual homes

Obviously, there are many, many more miles of distribution and service lines than there are transmission lines. This statement is very significant because Mr. Wailles’ presentation to the Council only briefly mentioned the aging distribution and service infrastructure and most of the conversation centered on transmission line replacement. During the 21 October meeting the answers to the distribution age question pointed out that underground life cycle is 40 years and the original neighborhoods with underground power lines have now reached that age.

If the desire is to have the cheapest system possible, that means the neighborhoods of Wedgewood and Wellington Greens underground systems will have to be replaced with overhead.

We must be consistent for all neighborhoods, but how cheap do we want to be?

To be consistent for all the rate payers the LES budget should be approved as submitted.

Thank you,
Russell Miller
InterLinc: City Council Feedback for General Council

Name: Pam Fleming
Address: 2119 No. 58th Street
City: Lincoln NE 68505
Phone: 402-467-2488
Fax: 402-467-2488
Email: nyorker71@hotmail.com

Comment or Question:
I have lived at this location for 33 years. I have never had the problem that we have had the last 1 to 1 1/2 months. We have new neighbors that have 2 female cats. The father in the house is allergic to cats, and therefore the cats cannot be in the house. As I said they are female and have not been fixed and are drawing all the male cats in area. We now have wild cats and their cats all over our place. We also now have cat poop and pee on both the north & south side of our house and in the front area. I have never had this before. I'm tired of cleaning it up, and tired of buying things trying to discourage the cats from going in our yard. I am a dog person. I do not let my dogs run loose in the neighborhood, I do not let me dogs poop in other peoples yard. If it happens I clean it up, just like I clean up my back yard from my dogs. If someone has a roden problem, they need to buy something to take care of it, not let cats run loose. I've asked them to put them on leashes, but they said they can't do that to them. I asked if they would get a litter box and train them, but they don't want to deal with the mess when it gets wet or snowed on. They don't want to really deal with the animals is what it boils down to me. They want to be able to pet an animal when they want to, and don't take responsibility for it the rest of the time. Well our City ordinances say that is ok. That cats can run wild and not have to be dealt with. My question is why, and who is going to come out and clean up my yard from now on. I'm tired of the smell, tracking stuff in on our shoes from the front that has never been there before. I want to see this law changed. I'm responsible, why does not everyone else? Who is coming to clean up?
DIRECTORS’ AGENDA
ADDENDUM
MONDAY, DECEMBER 6, 2010

I. CITY CLERK

II. CORRESPONDENCE FROM THE MAYOR & DIRECTORS

A. MAYOR
1. NEWS RELEASE. Mayor and local journalists to meet with visitors from India.
2. NEWS RELEASE. Mayor Beutler’s public schedule for week of December 4th through December 10, 2010.

COMMISSION ON HUMAN RIGHTS
1. Meeting Agenda for Thursday, December 9, 2010.

B. DIRECTORS

HEALTH DEPARTMENT
1. Reply from Health Department/Animal Control regarding Pam Fleming and neighborhood cats. (Agenda 12.06.10. Correspondence from Citizens, #3)

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

IV. CORRESPONDENCE FROM CITIZENS TO COUNCIL
1. Correspondence from Steve and Kathy Welton asking for further review of Case # BO-099442.
   a) Letter sent to the City of Lincoln Law Department regarding Case #BO-099442, accident involving two automobiles.
   b) Follow up letter to the City of Lincoln Law Department, Case # BO-099442, on accident repair costs.

V. INVITATIONS

1. Chamber Monthly Small Business Network  
   Nebraska Community Blood Bank  
   2700 Fletcher Avenue  
   Friday  
   December 10, 2010  
   7:30 a.m.

2. 10th Annual Country Christmas  
   For Center for People in Need  
   Uncle Ron’s Wild West Saloon  
   2137 Cornhusker Highway  
   Sunday  
   December 12, 2010  
   6:00 p.m. - 8:00 p.m.
MAYOR AND LOCAL JOURNALISTS TO MEET WITH VISITORS FROM INDIA

A group from India exploring U.S. journalism practices will visit Lincoln from December 3 through 5 as part of a three-week International Visitor Leadership Program (IVLP). The group of three editors, a political reporter and a freelance journalist will meet with Mayor Chris Beutler, State Senator Amanda McGill, staff at the Lincoln Journal Star, the editor of the Waverly News, the news director of KLKN-TV and journalism students at Lincoln East High School.

The Mayor’s Committee for International Friendship (MCIF) has organized their visit under the sponsorship of the International Visitor Leadership Program of the U.S. Department of State’s Bureau of Educational and Cultural Affairs and the World Learning Visitor Exchange Program.

The Indian journalists will explore current trends in journalism and the use of technology in publishing; examine the importance of a free press and the role of investigative journalism in a democracy; and learn about journalistic ethics, training programs and professional development for journalists.

The goal of the IVLP is to increase mutual understanding between the people of the U.S. and other countries. So far this year, the MCIF has hosted 45 visitors from 32 different countries in Lincoln.
Date: December 3, 2010
Contact: Diane Gonzolas, Citizen Information Center, 441-7831

Mayor Beutler’s Public Schedule
Week of December 4 through 10, 2010
Schedule subject to change

Monday, December 6
• Lincoln Community Foundation’s 55th anniversary celebration, remarks - 5:30 p.m.,
  Country Club of Lincoln, 3200 S. 24th St.

Tuesday, December 7
• City-County Common meeting - 8:15 a.m., County-City Building, 555 S. 10th St., room
  113

Wednesday, December 8
• Slumberland “Home for the Holidays” breakfast, remarks - 8:30 a.m., 5420 N. 27th

Thursday, December 9
• KFOR morning show - 7:45 a.m.
• Human Rights Commission meeting, proclamation for Human Rights Day - 4 p.m.,
  Council Chambers, County-City Building
• Speak to Doane College state and local politics class - 6:15 p.m., 303 N. 52nd St.
CITY OF LINCOLN
COMMISSION ON HUMAN RIGHTS
Thursday, December 9, 2010, 4 p.m.
City Council Chambers, 555 South 10th Street

AGENDA

I. Roll Call

II. Mayoral Proclamation

III. Approval of Minutes of October 28, 2010 Commission Meeting

IV. Approval of Agenda for December 9, 2010 Commission Meeting

V. Case Dispositions
   A. Reasonable Cause/No Reasonable Cause
      1. LCHR No.: 10-0312-009-E-R
      2. LCHR No.: 10-0428-019-E-R
      3. LCHR No.: 10-0803-035-E-R
      4. LCHR No.: 10-0827-014-H
      5. LCHR No.: 10-1008-018-H
   B. Pre-Determination Settlements
      6. LCHR No.: 10-0811-013-H
      7. LCHR No.: 10-0910-016-H (To be handed out)
      8. LCHR No.: 10-1026-020-H
      9. LCHR No.: 10-1101-024-H
   C. Successful Conciliation
      10. LCHR No.: 09-1116-058-E-R (To be handed out)

VI. Administrative Closures
   A. Withdrawal
      11. LCHR No.: 10-0713-030-E-R
      12. LCHR No.: 10-0713-031-E-R

VII. Old Business
   A. Election of Officers
   B. Conference Planning Committee
   C. Human Rights Award Nominations
   D. Update on Human Rights Office Space

VIII. New Business

IX. Public Comment**

X. Adjournment

**Public comments are limited to 5 minutes per person. Members of the public may address any item of interest to the LCHR during this open session with the exception of LCHR cases. Also, no member of the public who wishes to address the commission will be allowed to examine any individual commissioner or staff member on any item/question before the commission unless invited to do so by the chairperson.
Subject: InterLinc: Council Feedback

From: Judy A. Halstead
Sent: Friday, December 03, 2010 9:16 AM
To: Mary M. Meyer
Cc: Elaine L. Severe
Subject: FW: InterLinc: Council Feedback

For Council Packet:
Animal Control staff have contacted Ms Fleming and are working with her to resolve this concern.
Judy

Judy Halstead
Health Director
Lincoln-Lancaster County Health Department 3140 N Street Lincoln, NE 68510

From: WebForm [mailto:none@lincoln.ne.gov]
Sent: Wednesday, December 01, 2010 5:05 PM
To: Council Packet
Subject: InterLinc: Council Feedback

InterLinc: City Council Feedback for General Council
Name: Pam Fleming
Address: 2119 No. 58th Street
City: Lincoln NE 68505
Phone: 402-467-2488
Fax: 402-467-2488
Email: nyorker71@hotmail.com

Comment or Question:
I have lived at this location for 33 years. I have never had the problem that we have had the last 1 to 1 1/2 months. We have new neighbors that have 2 female cats. The father in the house is allergic to cats, and therefore the cats cannot be in the house. As I said they are female and have not been fixed and are drawing all the male cats in area. We now have wild cats and their cats all over our place. We also now have cat poop and pee on both the north & south side of our house and in the front area. I have never had this before. I'm tired of cleaning it up, and tired of buying things trying to discourage the cats from going in our yard. I am a dog person. I do not let my dogs run loose in the neighborhood, I do not let me dogs poop in other peoples yard. If it happens I clean it up, just like I clean up my back yard from my dogs. If someone has a roden problem, they need to buy something to take care of it, not let cats run loose. I've asked them to put them on leashes, but they said they can't do that to them. I asked if they would get a litter box and train them, but they don't want to deal with the mess when it gets wet or snowed on. They don't want to really deal with the animals is what it boils down to me. They want to be able to pet an animal when they want to, and don't take responsibility for it the rest of the time. Well our City ordinances say that is ok. That cats can run wild and not have to be dealt with. My question is why, and who is going to come out and clean up my yard from now on. I'm tired of the smell, tracking stuff in on our shoes from the front that has never been there before. I want to see this law changed. I'm responsible, why does not everyone else? Who is coming to clean up?
Mr. John Spatz  
Chair of the City Council  

Dear Mr. Spatz,  

We would appreciate your further review of Case # BO-099442. We did receive a letter from Assistant City Attorney, Marcee Brownlee, indicating that she would recommend denial of the claim requesting payment of damages on the 2002 Cadillac Seville driven by our son, Kelley Welton. However, Officer Johnson stated at the scene of the accident that the screen in his patrol car prevented him from seeing the deer entering the roadway. Kelley DID see the deer entering the roadway and began to brake in order to avoid a collision with the animal. Had the officer's car not catapulted the deer into his car, he most likely could have avoided the deer and all the expenses.  

Therefore, we would appreciate your and the Council's further consideration of all or part of the damages caused to his car, which totaled $4010.67. Copies of our earlier correspondence are attached. The accident reports are listed under the above case number. Thank you for your review.  

Sincerely,  

Steve and Kathy Welton
Re: Case # BO-099442

We are writing this letter on behalf of our son, Kelley Welton, who was involved in the above referenced case occurring 10/3/2010. It was a motor vehicle accident involving two automobiles, one a police patrol car driven by Officer Lane Johnson, and the other a 2002 Cadillac Seville driven by Kelley Welton; and a collision with a deer.

Accident reports from both Officer Johnson and Kelley Welton are enclosed that describe all the details. Kelley saw the deer approaching the road and began to brake. The officer reported he did not see the deer before it jumped in front of his vehicle. The force of that collision caused the deer to be catapulted on to the hood of Kelley Welton’s car, causing an estimated $3800 in damages.

We have the car insured with Farmers Insurance Company through the Greg Duncan Insurance Agency. Because of the age and mileage on the car, we were carrying liability coverage only, so none of the $3800 will be covered under the insurance plan. Had it not been for the deer being catapulted on to the hood of Kelley’s car, he could have avoided the deer resulting in no monetary damage to the Cadillac.

We are enclosing copies of the estimate for the repairs on the Cadillac and are asking for reimbursement of those expenses. We will furnish a final bill when repairs are completed. Thank you for your review and consideration on this case.

Sincerely,

Steve and Kathy Welton

5001 Concord Road
Lincoln, NE 68516

402-421-6799
November 1, 2010

City of Lincoln Law Department  
555 S. 10th Street  
Lincoln, NE  68508

Re: Case # BO-099442

This letter is a follow-up to one we wrote several weeks ago regarding the above case number (copy of letter attached). In the first letter we said we would furnish a final bill when repairs on the Cadillac were completed. The repairs were completed on the Cadillac and a copy showing the amount paid for those repairs made by Beeman Automotive is enclosed.

If there is any additional information needed from us, please let us know. We look forward to hearing from you soon.

Sincerely,

Steve and Kathy Welton  
5001 Concord Rd  
Lincoln, NE  68516

402-421-6799
Present: Gene Carroll, Vice Chair; Doug Emery; Adam Hornung; Jonathan Cook; Jon Camp

Absent: Jayne Snyder; John Spatz

Others: Joan Ross, City Clerk; Rick Hoppe, Chief of Staff; Rod Confer, City Attorney; Lynn Johnson, Parks and Recreation Director; Mary Meyer, City Council Staff

Vice Chair Carroll called the meeting to order at 2:01 p.m. and announced the location of the Open Meetings Act.

I. CITY CLERK
Ross stated which items would be called together; which item has a request to withdraw; and the item with a Motion to Amend. Cook stated Item #26 would be voted on next week. Confer explained the amendment for Item #19, to delay implementation of the occupation tax until 4:00 a.m. on January 1, 2011.

II. MAYOR
1. NEWS RELEASE. Mayor Beutler’s public schedule for the week of November 25th through December 3, 2010.
2. NEWS RELEASE. Information available on City tree recycling program. The City has seven tree recycling sites, not eight as previously released.
3. NEWS RELEASE. Separation of grass and leaves ends Wednesday, December 1, 2010.
5. Nominations now accepted for Mayor’s Arts Awards.
No comments.

DISCUSSION ON FIRE FIGHTERS CONTRACT
John Cripe, Classification and Compensation Manager
Mark Koller, Lincoln-Lancaster County Personnel Director
Rick Hoppe, Chief of Staff

Hoppe stated today they’ll discuss the Fire Fighters contract. The background, contract components, and want the Chair’s opinion on a process to answer questions.

Carroll replied today’s information should update the Council. Received the contract in our weekly packet. If a Council Member needs answers there is time to contact the three of you individually.

Hoppe apologized for confusion on the planned 1:00 p.m. executive session. There were concerns with an executive session after completing negotiations, possibly giving the impression of hidden agendas. We had 4 or 5 executive sessions on the Fire Fighter contract and a group session. One item to bring forward is the
context. A 4.5% raise for fire fighters for 2010 sounds like a lot in the context of what we, citizens, face in individual circumstances with the city base.

Hoppe stated City employees wages/salaries are determined by comparability. It is State law to look at comparable cities, comparable work. This contract is the equivalent of 4.5% this year. Believe comparability indicates could be 10%, or up to 15%. We have a 4.5% contract with other features. For context, making sure the public understands also lets Council know last year fire fighters received a 0% wage increase. Why do fire fighters get a 4.5% increase while others receive 1% or 2%? Last year other City employees got 1% or 2%, and again this year. Over the 2 year cycle, averaging what fire fighters receive amounts to 2.25%, close to other City employees during the period. Remember the requirements to pay an amount based on comparisons with other cities.

People asked if the proposed money for the increase to fire fighters is included in our budget? Not in the Fire Fighters section, but in the line of Future Labor Settlements under General Expense Budget. Was done as when the budget was prepared and presented, we were still in negotiations with two unions, Fire and Page. To preserve our ability to negotiate the budget officer decided to put a lump sum where our last best offer was, or into the line item. The fire contract, for the 2010-2011 budget, will not need additional money.

Camp asked for the category total. Hoppe replied the Council adopted approximately $1.7 million. Camp asked for the additional cost. Hoppe said in the Fire Fighter contract about $1.1 million, and includes the Page contract. Camp questioned if $1.1 million covers the 6% increase? Hoppe replied the entire increase of the contract. The 6% referred to is a 3% for 4 year and 3% at mid-year, 6% in 2011-2012 and 4.5% increase for 2010-2011. We think important for the public to understand there is a cost to what we owe beyond the 4.5%. Every percent given to fire fighters is approximately $185,000. If we argue we should pay less, would have to acknowledge we owe between 10% and 15%. An additional $900,000 to $1.8 million not budgeted in 2010-2011, and would have to be made up with a mid-year budget cut.

Camp asked why do we have to acknowledge? Other than you now stating publically it’s been executive sessions. The fire fighters don’t disclose their percent and we should not be discussing the numbers in public. If we went to the CIR would we wouldn’t disclose the 10% to 15% increase range. Hoppe replied we have to provide what they pay and these are our records. Couldn’t go to court and say, no, we don’t agree. Camp stated he has a real concern. Hoppe asked how will the public understand we owe between 10% and 15%. These things are in negotiations not said in public. Hoppe disagreed saying, we owe the public an explanation for giving this increase. Think it’s important to understand this wasn’t a generous impulse on our end, but what comparability says we have to do.

Cripe stated under the context of 2009 contract the dispute is over. We were roughly 5.81% to 6% under compensating the Fire Union, the year they took zero. Any compensation owed them would have been moved forward to 2010-2011, and also there is the court case status of an Omaha case. Given these two factors the amount of money on the table is significant. As part of the negotiations we settled for 3% in August and 3% in February, giving a 6% credit towards comparability. A savings of about $278,000 if all was given in August, this saved about $278,000. Total cost of 3% on an annualized basis for this fiscal year is $835,000. Camp asked if both are 3%? Cripe replied yes, the total amount, $835,570.08. Cripe stated there is an ongoing thought to change from speciality pay to a paramedics pay in terms of
classification. Hiring as paramedics instead of paying specialities. As we transition there are 10 in the paramedic class, 57 on speciality pay. To keep salaries equitable we had to increase the speciality pay 7¢ in August and 7¢ in February, making sure they earn the same as the paramedics. That cost was $17,428.32.

Longevity was the other expense and in this contract. Based on the Omaha court case it was clear the market for us at this particular time using this array was on the percentage basis, and not on a fixed rate for longevity. We negotiated from a change of fixed to percentage.

Hornung asked if he’s saying the CIR would come back and require us to have a percentage? Cripe replied they think based on the rate. Hornung asked if they would not look at the dollars but would be more concerned about the percent? Cripe answered whether or not it’s delivered in percentage or fixed amount is one of the two items. Without tipping our hand in regard to what may, or may not, happen every year in the array we look at every union and compare whether or not the array we used the previous year is still valid. Part of the concern for 2010-2011 is that Omaha still has a pending court case in the CIR without an outcome. Leaves us with little choice to make any amendments to our array.

Cripe stated they negotiated the change with $339,201.00 additional cost. This brings additional cost to $1,192,200. Most other items are either no cost or are cost neutral to us. That is the extent of the economic portions of the contract. And legitimately if you had this discussion in executive session we could have voted on this contract, or had this contract before you in August or September. We have been thinking of the non-economic pieces since August or September. This is basically the same information presented on a number of occasions.

Cripe added there was a piece, a match to a 457, which we had negotiated. We went through in November from the proposal, from our last best, and then entertained other non-economic proposals to reach agreement.

Hornung asked what the average age of experienced fire fighters? The average longevity category? Camp asked if possibly going by 5, 10, how many years they have longevity payments? Cripe didn’t think he had the information on him at this time. Camp asked for the information to be sent later on what longevity currently costs. Cripe replied affirmatively. Hornung asked if everyone could be sent the longevity increase for the five brackets? Cripe replied it is a moving target, we do the analysis and the senior employee is higher and junior employees don’t collect for the first five years. Significant turnover. Hornung asked with the average fire fighter what is the pay increase? The longevity is results in an increase. Cripe replied the number of employees is 276, but a number don’t collect longevity as they don’t have 5 years of service. Have to look by category, how much is spent in each category, in order to get this. Hornung said the longevity increase appears to be $2,000 a year for a person with 15 years. Possibly aren’t that many? Cripe answered under 3% or so. Hornung said the longevity changes also. Was $1300 and now going to $2700. Camp added it depends on the category, who it is. He had an example of $1300 going to $3400, a $2,000 increase. Cripe said that’s possible. If you look at one of our communities the maximum percentage is 12%. In another community it’s 6%. If you look at those numbers they get $10,000, $12,000 in longevity and we pay $1200 and $1300, so they’re driving the costs.

Hornung stated he would like the actual pay increase of various brackets of longevity. If working 1 to 5 years the pay increase is 6%. If 5 to 10 years a higher amount of longevity pay. The pay increase is not 2%, but much more. Hoppe commented you’re saying 6% and this year it’s 4.5%. Hornung said at the end of this
year, going into next year’s budget, is when we pay for this 6% increase/raise. Don’t care about the 4.5% this year, but care about checks written today that we can’t pay for tomorrow. Cripe replied he can compute the difference between the 4.5%, because it’s mid-year calculation on each, but there’s many variables based on how many people are at 10, 15, 20. Can give rough numbers on the category increases. Hornung said, assume at the end of this year these people will have a 6% raise, and assume an increase in longevity pay, are these people getting a 6% raise, or much higher? Cripe said he could give benchmarks, otherwise would have to calculate 278 employees. Hornung wants to figure how longevity plays out. Numerous people in the 5 year group. Cripe stated as you hire new employees they do not receive coverage for the first five years, but we have some long time employees.

Camp stated personnel has a list of employees, and can see where they’re at in their step and longevity. Possibly do a spreadsheet, plug in longevity, plus the new rate versus the old and see each individual line? Cripe replied sounds easy but the question is, you said by step. Not correct as we would have to use everyone’s actual dollar as of August 17th, not the increases. When we retro-pay it takes a month, or two, to figure out the retro-pay. Can give rough numbers to tell, by class, which would be an indicator of how much they’re going up. To do each person, back to August, taking care of promotions, out of class, and all other issues takes a couple of months. Too much between now and the public hearing.

Camp asked if there’s a way with the employees on a current chart, to put in a spreadsheet? We could take 3% times the amount and 3 times 3 to get the two raises, which at this point is the end of the year. Then the longevity with 5 brackets. We can plug in and take times. On 274 people could see where the range is.

Carroll commented Personnel will produce what they can on the request made by Camp. Cripe added they’ll try to accommodate. Carroll said we have a week before the public hearing. Cripe stated they do have other work. Camp asked if they had a list on people hired, Cripe interjected saying they have a computer listing of every single employee and every single classification and every single pay raise. Sitting there makes it sound like it’s a 10 minute job. It isn’t, but willing to work on part of this to give you some numbers.

Koller stated they would try. Think it is a logical request, but to effectively put into play don’t know what the alternatives will be, or the objectives. We’ll work with you.

Camp asked who receives longevity pay? All fire fighters, the chief on down? Cripe replied it doesn’t apply to the Chief, just fire fighters. Does not apply to the M’s, as they have a different contract. Does apply to everyone prefixed by F and covered by the fire contract. Camp asked how many M’s are in LFR? Cripe thought a dozen, and in this union 276 are covered.

Carroll thanked Cripe for providing the legislative copy. Worked out well.
to keep staffing on a 24 hour basis. If someone left had to fill as soon as possible. With this new contract we make sure our numbers are accurate at 7 a.m. and 7 p.m. Gained considerable flexibility with regard to the exchange. But this was a resolution based on the grievance filed inappropriately.

Camp asked when did the grievance and resolution occur? First time to hear. Cripe replied last winter. Hornung commented to be fair it never went to arbitration. Cripe stated it was an internal resolution. Hornung added the Law Department said we had been interpreting the contract incorrectly. Never went to arbitration.

Hoppe added while the numbers pointed out are different the good news is we should be better on overtime as a result of what we got, the 7 a.m. and 7 p.m. as opposed to making that number last 24 consecutive hours.

Carroll thanked presenters.

SNOW REPORT
1. City of Lincoln street condition update, Tuesday, November 30, 2010, 7:00 a.m.
No comments.

DIRECTORS:

FINANCE/AUDITING
1. Pre-audit report to the Mayor and Audit Committee of the City of Lincoln, Nebraska.
No comments.

FINANCE/TREASURER
No comments.

PARKS AND RECREATION            Lynn Johnson, Director
Johnson stated he has an update on the Community Forester supervisory position. Went through the process, with direction from the City Council to look at leadership positions in the Community Forestry section. Anticipated having the new classification before the City Council in December, but now looking at January as the Personnel Review Board did not meet in November.

In August and September met with the Community Forestry Advisory Board and developed listing of activities we envisioned the leadership within the Community Forestry section be involved with. After looking at the roles found we probably have two positions. One involved in the day to day operations of inspection, the other involved more in Community Outreach. Working with citizens, developers, volunteers, grants, etc. Developed a position classification with the idea of two professional positions within the classification. Shared with the community, the National Arbors Day Foundation and the Nebraska State Forest Service also reviewed. Submitted the classification description to personnel for their review and refinement in October. He stated they anticipated it to be before the Personnel Review Board in November. Now anticipating to be before the Board on December 16th. It would go before the City Council in January. One position is set and will advertise and fill. Both the Nebraska Forest Service and the National Arbor Day Foundation have agreed to help recruit for the position.
PLANNING DEPARTMENT
1. Urban Design Committee meeting agenda for Wednesday, December 1, 2010.
No comments.

PLANNING COMMISSION
No comments.

PUBLIC WORKS/ENGINEERING
1. Public open house, Project No. 701771, South 56th Street; South Street to Randolph Street.
   Wednesday, December 15, 2010, 4:30 p.m. to 6:30 p.m., at the Gere Library, 56th and Normal Streets.
2. Public open house. Project No. 701778, Pioneers Boulevard; 32nd to 54th Streets. Thursday, December
   16, 2010, 4:30 p.m. to 6:30 p.m. at the Gere Library, 56th and Normal Streets.
No comments.

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

JONATHAN COOK
1. Telephone message from Linell Connolly. Thank you for your vote against the rezoning and CVS
   project at 27th Street and Old Cheney Road.
2. Letter from Wendell and Lucy Olson commending Councilman Cook for his vote against rezoning of
   the northwest corner of 27th Street and Old Cheney Road.
No comments.

IV. MISCELLANEOUS

V. CORRESPONDENCE FROM CITIZENS
1. Jean and Earl Visser Thanksgiving message to Council.
2. Russell Miller email regarding Lincoln Electric System rate schedule 10R-314. Supporting and
   urging approval of LES’s proposed budget and rate schedule.
3. InterLinc correspondence from Pam Fleming regarding neighborhood cats. (Sent to the Health
   Department - Animal Control)
No comments.

VI. CITY COUNCIL MEMBERS
No comments.

VII. ADJOURNMENT
Vice Chair Carroll adjourned the meeting at 2:30 p.m.