I. CITY CLERK

II. MAYOR
1. NEWS RELEASE. StarTran’s 31-consecutive day passes now less expensive.
2. Executive Order. Administrative Regulation No. 34 establishing a system and procedure for reviewing and annually making technical and minor, non-controversial substantive revisions to City ordinances to insure City ordinances are current and accurate.
3. NEWS RELEASE. Hispanic heritage read-in set for October 9th.
4. NEWS RELEASE. Recycling site temporarily relocates.
5. NEWS RELEASE. ARRR! Pirate to visit Lincoln City Libraries.

CITY OMBUDSMAN
1. City Ombudsman’s reply to Fred and Marilyonne Bergman (Directors’ agenda October 1, 2012, under Correspondence from Citizens, Number 1) regarding the City Dividend for Utility Ownership.

III. DIRECTORS

PLANNING COMMISSION

PLANNING DEPARTMENT
1. Administrative approvals by the Planning Director from September 25, 2012 through October 1, 2012.

PUBLIC WORKS AND UTILITIES
1. Letter from Miki Esposito, Director of Public Works and Utilities, to Scott Sullivan, Erickson Sullivan Architects, giving detailed explanation of the newly constructed N Street right-of-way.
   (Scott Sullivan letter listed in Directors’ Agenda of September 24, 2012, under Correspondence from Citizens, No. 1)

PUBLIC WORKS AND UTILITIES/ENGINEERING
1. ADVISORY. Asphalt Lay Down. Yolande Avenue; Cornhusker Highway - 20th Street. 20th Street; Yolande Avenue - Cornhusker Highway. Project No. 540619.
2. ADVISORY. Water main replacement project, No. 702743. Havelock Avenue - Touzalin Avenue to 61st Street and Morrill Avenue.

IV. COUNCIL MEMBERS

JON CAMP
1. Correspondence from Councilman Camp on modifications to legislation regarding the uniform ordinance. Included is letter from Bruce Stahl raising the question of solicitation in uniform.
2. Reply from Safety Director Tom Casady stating no ordinance would be needed to authorize off-duty police or firefighters to wear personal t-shirts to solicit a donation.
   a) Reply to Director Casady.
3. Email from Councilman Camp to City Attorney Rod Confer stating his interest in amending pending legislation regarding City personnel wearing uniforms on off-duty solicitations.
4. Reply from City Attorney Rod Confer offering ideas of what could be implemented on the uniform ordinance, if requested.

V. MISCELLANEOUS

VI. CORRESPONDENCE FROM CITIZENS
1. InterLinc correspondence from Karen de Alba on their positive, and negative, views of their college visit to Lincoln.
2. Community Health Endowment elects officers and welcomes new trustees.
3. John Condon letter. Attends Nebraska football games for last 50 years. All meters around 12th and P streets either capped or have busses parked. Free up the meters for the Nebraska home games.

VII. ADJOURNMENT
FOR IMMEDIATE RELEASE: October 1, 2012
FOR MORE INFORMATION: Kitty Elliott, StarTran, 402-441-8469

STARTRAN’S 31-CONSECUTIVE DAY PASSES
NOW LESS EXPENSIVE

The reduced rate for StarTran’s 31-consecutive day passes went into effect today. The price for regular 31-consecutive day passes has dropped from $45 to $17, and the price for 31-consecutive day Handi-Van passes has dropped from $90 to $34. Prices for the low-income 31 consecutive day passes remain the same.

The 31-consecutive day passes can be purchased at the StarTran office, 710 “J” St., during regular business hours, 8 a.m. to 4 p.m. weekdays. StarTran accepts only cash or checks. The regular 31-consecutive day passes also can be purchased at the following locations:
- Hy-Vee, Russ’s Markets, IGA Marketplace, Save Mart and Sun Mart stores
- League of Human Dignity, 1701 “P” Street
- Lincoln Electric System, 1040 “O” Street
- Water office, County City Building, 555 S. 10th St
- Downtown branches of Bank of the West and Wells Fargo
- Union Bank, 3643 S. 48th and 121 S. 13th

31-consecutive day Handi-Van passes also are available at the League of Human Dignity, Save Mart, Russ’s Markets and the Hy-Vee at 27th and Superior.

For a complete list of bus pass outlets, visit startran.lincoln.ne.gov and click on “routes and fares” or call 402-476-1234.

The lower fares for the 31-consecutive day passes were included in the City budget in an effort to increase ridership and offer savings to residents who choose public transit. Another effort to increase StarTran ridership by six percent this fiscal year is student service through a new contract with UNL. As part of the contract, StarTran will increase service on the #24 Holdrege route from four to eight buses starting in January 2013.

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CITY OF LINCOLN
EXECUTIVE ORDER
NO. 085411

BY VIRTUE OF THE AUTHORITY VESTED IN ME by the Charter of the City of Lincoln, Nebraska:

I hereby accept and approve on behalf of the City, the attached Administrative Regulation No. 34 establishing a system and procedure for reviewing and annually making technical and minor, non-controversial substantive revisions to City ordinances to insure that City ordinances are current and accurate.

The City Clerk is directed to return an executed copy of this Executive Order and Administrative Regulation No. 34 to the Mayor’s Office.

Dated this 3rd day of October, 2012.

Chris Beutler, Mayor of Lincoln

Approved as to Form & Legality:

Rod Cooper
City Law Department
PURPOSE:

To insure that City ordinances are current and accurate by establishing a system and procedure for reviewing and annually making technical and minor, non-controversial substantive revisions to City ordinances.

POLICY:

City ordinances affect or govern many procedures, functions and actions carried out by city government. As times change and the City adapts to new or evolving issues and problems, it often becomes necessary or advisable to change practices, either to meet conditions that did not exist when ordinances addressing those conditions were originally drafted, or simply to adopt more efficient or better ways of doing things. When changes in procedure are adopted the applicable ordinance may no longer reflect the practices that are followed, or which should be established. In other cases, the ordinance that was originally enacted may have contained an error or omission that has never been corrected. In order that the public and City officers and employees will be properly and fully informed and be able to rely upon City ordinances it is necessary that those ordinances be continuously reviewed and revised to insure their accuracy and that they reflect current practices and procedures followed by the City of Lincoln. The City of Lincoln therefore adopts this Administrative Regulation to insure that necessary, continuous review and revision of ordinances is carried out and implemented systematically and properly.

All departments within the executive branch shall notify the City Attorney's Office of proposed technical or minor, non-controversial substantive amendments to City ordinances, regardless of whether such ordinances appear in the Lincoln Municipal Code, at the time the department becomes aware of the need for such revisions. City Council Members are also encouraged to notify the City Attorney's office of necessary or desirable amendments that may come to their attention. At least annually, after consultation with the Mayor's Office, the City Attorney shall prepare a technical amendments ordinance or ordinances to propose needed or desirable technical amendments, and a consent amendments ordinance or ordinances to propose additional required or advisable, minor, noncontroversial substantive amendments to City ordinances or sections thereof.

PROCEDURE:

A. For purposes of this Administrative Regulation:

1. "Technical amendments" may include "clean-up" provisions, clarifications of ordinance language or provisions to accord with existing procedures, corrections of errors or omissions, and similar, non-substantive matters which are considered apparent or non-controversial, and not reasonably subject to serious debate or question.
2. "Consent amendments" may include minor procedural or substantive changes that are considered to be generally accepted or noncontroversial and not likely to be reasonably subject to serious debate or objection.

B. Departments shall, with the approval of their Director, make suggestions for technical or consent amendments in writing, which may be by e-mail, to an Assistant City Attorney that works with their Department, or to the City Attorney.

1. The Law Department will be responsible for periodically reminding City departments of the procedures for suggesting technical or consent ordinance amendments as provided by this Regulation.

2. Attorneys in the Law Department shall also make suggestions for technical or consent ordinance amendments after consultation with any Department Director or Directors whose Department may be affected by such suggestions.

C. Mayor's Office Personnel shall make suggestions for technical or consent ordinance amendments to the City Attorney.

D. Council Members may make suggestions for amendments to be included as technical amendments or consent amendments to any attorney in the City Attorney's Office.

1. Any amendment proposed by a Council Member as a technical or consent amendment will not be subject to review by the Mayor but shall be included in either a technical amendments ordinance or a consent amendments ordinance, as appropriate, that will be introduced to the Council.

E. It shall not be necessary to identify the nature of any suggested amendment as technical or consent; that determination will be made by the City Attorney's Office in consultation with the Mayor's Office.

ADMINISTRATION:

A. The Law Department shall be responsible for collecting and maintaining all suggestions for amendments, and the organization and drafting of any necessary amendments and ordinances.

B. The City Attorney's Office and the Mayor's Office shall review Department suggestions received by September 15 of each year and determine suitability for inclusion in the technical amendments ordinance or ordinances or the consent amendments ordinance or ordinances.
1. Suggestions for amendments which represent significant substantive changes or which are likely to engender opposition or extensive debate rather than being technical or noncontroversial, or which are deemed unsuitable for inclusion in the technical amendments or consent amendments ordinances for any other reason may be introduced as separate ordinances or resolutions if appropriate.

2. Department Directors shall be informed of any determination not to include an amendment proposed by, or which would have affected, her or his Department, and whether the suggested amendment may be introduced as separate legislation.

C. By November 15 of each year the City Attorney shall submit a proposed technical amendments ordinance or ordinances and a consent amendments ordinance or ordinances to the Mayor for review.

1. All subjects contained in the ordinance shall be clearly expressed in its title in accordance with Neb. Rev. Stat. § 15-404, or any revision thereof, and Lincoln Charter, Art. V, § 3, or any revision thereof.

2. Proposed ordinances shall be submitted to the Mayor in legislative format.

3. Ordinances shall be accompanied by a summary of each change proposed in the ordinance.

4. Submissions of the City Attorney to the Mayor hereunder shall be confidential and are communications for the purpose of providing legal advice to the Mayor and the City, protected by the Attorney-Client Privilege, Neb. Rev. Stat. § 27-503.

D. After consultation with the Mayor's Office the Law Department shall prepare a technical amendments ordinance or ordinances and a consent amendments ordinance or ordinances, such ordinances to be introduced in sufficient time to allow three readings before January of the succeeding year.

1. The Law Department will prepare the fact sheet and ordinance requests with assistance from the affected departments.

2. In the event that one or more Council Members objects to the inclusion of any amendment or matter proposed in a consent amendments ordinance before action is taken on such ordinance the City Attorney is authorized to withdraw such proposed amendment or matter from consideration by the Council as part of the consent
amendments ordinance. Withdrawal from consideration as part of a consent amendments ordinance will not preclude its subsequent re-introduction in another ordinance or section thereof.

E. When circumstances warrant, technical amendments and consent amendments ordinances may be introduced at other times during the year.

The foregoing Administrative Regulation is hereby APPROVED.

Administrative Aide to the Mayor

Chris Beutler, Mayor of Lincoln
HISPANIC HERITAGE READ-IN SET FOR OCTOBER 9

The public is invited to celebrate Hispanic Heritage Month at Lincoln City Libraries with a Read-In at 6:30 p.m. Tuesday, October 9 at Walt Branch Library, 6701 So. 14th Street. Lincoln residents from a variety of Hispanic backgrounds are volunteering to share part of their culture by reading stories and poems.

The observance of Hispanic Heritage Week started in 1968 under President Lyndon Johnson and was expanded by President Ronald Reagan in 1988 to cover the period from September 15 through October 15. The observance celebrates the histories, cultures and contributions of Americans whose ancestors came from Spain, Mexico, the Caribbean and Central and South America.

More information is available at lincolnlibraries.org.
FOR IMMEDIATE RELEASE: October 2, 2012
FOR MORE INFORMATION: Gene Hanlon, Recycling Coordinator, 402-441-7043

RECYCLING SITE TEMPORARILY RELOCATES

The recycling drop-off site at 21st and Monroe Avenue (south of Randolph Car Wash) has temporarily moved to the southeast corner of 21st and “N” streets, behind the former Peoples City Mission Distribution Center. The relocation was necessary because of construction on 21st Street.

Access to the temporary site is available off of “N” Street just west of the Antelope Creek Bridge. The site will remain at this location until 21st Street construction is completed and access to the permanent site is restored.

More information on the City’s recycling drop-off program is available at lincoln.ne.gov (keyword: recycle) and by calling the recycling hotline at 402-441-8215.

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FOR IMMEDIATE RELEASE: October 2, 2012
FOR MORE INFORMATION: Vicki Wood, Lincoln City Libraries, 402-441-8565

ARRR! PIRATE TO VISIT LINCOLN CITY LIBRARIES

Children are encouraged to “get their pirate on” and meet a deck hand of the deep at Lincoln City Libraries from October 22 through November 1. The libraries are hosting pirate visits in partnership with the Lincoln Community Playhouse and its production of “How I Became a Pirate.” The pirate storytimes are scheduled for the following time:

- **Monday, October 22** - Family Storytime from 6:30 to 7:30 p.m. at Gere Branch Library, 2400 S. 56th Street, 402-441-8560
- **Tuesday, October 23 and Wednesday, October 24** - Preschool Storytime from 10:30 to 11 a.m. at Anderson Branch Library, 3635 Touzalin Avenue, 402-441-8540
- **Wednesday, October 24** - Preschool Storytime from 2 to 2:30 p.m. at South Branch Library, 2675 South Street, 402-441-8570
- **Thursday, October 25** - Preschool Storytime from 10:15 to 10:45 a.m. at Bennett Martin Public Library, 136 S. 14th Street, 402-441-8566
- **Monday, October 29** - Family Storytime from 4 to 4:45 p.m. at Williams Branch Library, 5000 Mike Scholl Street, 402-441-8581
- **Tuesday, October 30** - Preschool Storytime from 10:30 to 11 a.m. at Gere Branch Library, 2400 S. 56th Street, 402-441-8560
- **Tuesday, October 30** - Preschool Storytime from 7 to 7:30 p.m. at Eiseley Branch Library, 1530 Superior Street, 402-441-4250
- **Wednesday, October 31** - Preschool Storytime from 10:30 to 11 a.m. at Walt Branch Library, 6701 S. 14th Street, 402-441-4460
- **Thursday, November 1** - Preschool Storytime from 10:30 to 11 a.m. at Bethany Branch Library, 1810 N. Cotner Blvd, 402-441-8550

More information on Lincoln City Libraries is available at lincolnlibraries.org. More information on “How I Became a Pirate” and the Lincoln Community Playhouse is available at lincolnplayhouse.com.

- 30 -
Dear Mr. and Mrs. Bergman:

Thank you for writing Mayor Beutler in regard to the line item on your Lincoln Electric System bill regarding the “City Dividend for Utility Ownership”. I understand your frustration with increasing costs, but your estimation of the LES dividend is misplaced.

The dividend payment ensures that the City is receiving a fair and reasonable return on its ownership of LES—a $1.2 billion asset. Private utilities typically pay property taxes and a franchise fee to a city where they provide service and a dividend to the shareholders of the utility. By contrast, publicly-owned LES makes “in lieu of tax” payments to the City and other local government units (i.e., the school, county, and others) on an annual basis.

Other communities across the nation charge similar types of utility payments. LES administration noted that compared to what other cities receive from their electric utilities, the City of Lincoln’s return on LES has been very low.

It is important to note that historically, Lincolnnites have enjoyed some of the lowest electric rates in the country. In a recent national survey based on January 1, 2012 rates (that does include the dividend), LES remains near the bottom of these national “rate rankings:” eleventh lowest of 106 cities. LES residential rates are seventh lowest and the commercial/industrial rate classes are 13th lowest.

The City does not directly control LES business operations. However, your email comes at a good time as LES is currently seeking customer input on their 2013 proposed budget, rate adjustment. LES will hold a public meeting Oct. 23 on the proposed budget and retail electric rate adjustment. It will be held at LES’ Walter A Canney Service Center (2620 Fairfield) at 7 p.m. If customers are unable to attend, an online open house and additional info will be available Oct. 8 on the LES website at http://www.les.com. This will give you an opportunity to express your concerns directly to LES on the issues you have raised.

You may also wish to take advantage of the financial incentives offered through LES’ Sustainable Energy Program to purchase energy-efficient equipment or by following simple energy-saving tips to use energy more efficiently and help reduce LES’ overall demand for energy and efforts to keep rates reasonable. To learn more about LES’ Sustainable Energy Program, go to their website or call 402.473.3270.

Your time in bringing your concerns to the attention of Mayor Beutler’s office is greatly appreciated. Please feel free to contact us with questions or concerns about Lincoln City government at any time.

Sincerely,

Lin Quenzer
Ombudsman
Office of the Mayor
City of Lincoln, Nebraska
555 South 10th Street, Suite 301
Lincoln, NE 68508
From: Fred and Marilynne Bergman [mailto:maribergman@windstream.net]
Sent: Friday, September 28, 2012 12:03 PM
To: Mayor
Subject: Living in Lincoln costs too much

I am angry that LES continues to increase rates. In addition to the latest rate increase, we are now paying the city dividend which in my opinion is just another name for a tax.
other taxes on my bill are:
facility charge
and sales tax. My bill this month is $120 +. I really cannot afford any more of your 'CHEAP' rates.
We are on Social Security with a small part-time job by my husband, and cannot afford the constant fees, rate increases and dividends that LES and the City are constantly piling on.
PLEASE STOP!!!
** ACTION BY PLANNING COMMISSION **
October 3, 2012

NOTICE: The Lincoln/Lancaster County Planning Commission will hold a public hearing on Wednesday, October 3, 2012, at 1:00 p.m., in Hearing Room 112 on the first floor of the County-City Building, 555 S. 10th St., Lincoln, Nebraska, on the following items. For more information, call the Planning Department, (402) 441-7491.

**PLEASE NOTE:** The Planning Commission action is final action on any item with a notation of “FINAL ACTION”. Any aggrieved person may appeal Final Action of the Planning Commission to the City Council or County Board by filing a Notice of Appeal with the City Clerk or County Clerk within 14 days following the action of the Planning Commission.

The Planning Commission action on all other items is a recommendation to the City Council or County Board.

AGENDA

WEDNESDAY, OCTOBER 3, 2012

[Commissioner Butcher absent]

Approval of minutes of the regular meeting held September 19, 2012. **APPROVED, 5-0 (Lust abstained; Butcher absent; Sunderman absent at time of vote)**

1. **CONSENT AGENDA:**
   (Public Hearing and Administrative Action)

   **COMPREHENSIVE PLAN:**
   1.1 Comprehensive Plan Conformance No. 12013, to review a proposed conservation easement as to conformance with the 2040 Lincoln/Lancaster County Comprehensive Plan, on property generally bounded by N. 5th to N. 3rd Streets and O to T Streets.
   **FINAL ACTION**
   Staff recommendation: Conformance with the Comprehensive Plan
   Staff Planner: Sara Hartzell, 402-441-6371, shartzell@lincoln.ne.gov
   Planning Commission ‘final action’: A FINDING OF CONFORMANCE WITH THE COMPREHENSIVE PLAN, 6-0 (Butcher and Sunderman absent).
   Resolution No. PC-01304.
   Resolution being submitted to West Haymarket JPA.
MISCELLANEOUS:

1.2 Street & Alley Vacation No. 12007, to vacate the east-west alley between South 1st Street and South 2nd Street and between N Street and O Street; to vacate N Street right-of-way between the east line of South 1st Street and the west line of South 2nd Street, and to vacate the west 14' of S. 2nd Street from the south line of “O” Street to the north line of M Street.

Staff recommendation: Conformance with the Comprehensive Plan
Staff Planner: Tom Cajka, 402-441-5662, tcajka@lincoln.ne.gov
Planning Commission recommendation: A FINDING OF CONFORMANCE WITH THE COMPREHENSIVE PLAN, 6-0 (Butcher and Sunderman absent).

Public Hearing before the City Council will be scheduled when the provisions of Chapter 14.20 have been satisfied and the completion of a final plat creating lots that front on and have access to public streets or private roadways.

2. REQUESTS FOR DEFERRAL: None.

3. ITEMS REMOVED FROM CONSENT AGENDA: None.

4. PUBLIC HEARING AND ADMINISTRATIVE ACTION:

ANNEXATION WITH RELATED ITEMS:

4.1a Annexation No. 12004, to annex approximately 5 acres, more or less, generally located at S. 84th Street and Amber Hill Road.

Staff recommendation: Approval
Staff Planner: Brian Will, 402-441-6362, bwill@lincoln.ne.gov
Applicant’s request for two-week deferral granted, with CONTINUED PUBLIC HEARING AND ACTION scheduled for Wednesday, October 17, 2012, 1:00 p.m.

4.1b Change of Zone No. 12027, from AGR Agricultural Residential District to R-3 Residential District, on property generally located at S. 84th Street and Amber Hill Road.

Staff recommendation: Approval
Staff Planner: Brian Will, 402-441-6362, bwill@lincoln.ne.gov
Applicant’s request for two-week deferral granted, with CONTINUED PUBLIC HEARING AND ACTION scheduled for Wednesday, October 17, 2012, 1:00 p.m.
4.1c Special Permit No. 06001B, an amendment to the Grand Terrace
Community Unit Plan, to expand the boundaries by adding a five acre lot to
allow approximately 31 additional dwelling units, with a waiver request to cul-
de-sac radius, on property generally located at S. 84th Street and Amber Hill
Road. *** FINAL ACTION ***
Staff recommendation: Conditional Approval
Staff Planner: Brian Will, 402-441-6362, bwill@lincoln.ne.gov
Applicant’s request for two-week deferral granted, with CONTINUED
PUBLIC HEARING AND ACTION scheduled for Wednesday, October 17,
2012, 1:00 p.m.

MISCELLANEOUS:
4.2 Miscellaneous No. 12008, to review the proposed determination that the 1st
& Cornhusker Highway Redevelopment Area as set forth in the “1st &
Cornhusker Highway Redevelopment Area Blight & Substandard
Determination Study” be declared a blighted and substandard area as
defined in the Nebraska Community Development Law. The study area
consists of an estimated 78 acres, more or less, comprised of mobile home
residential land use, generally bounded by Cornhusker Highway on the
south, North 4th Street on the east, Adams Street on the north and North 1st
Street on the west, Lincoln, Lancaster County, Nebraska.
Staff recommendation: Finding that there is a reasonable presence of
substandard and blighted conditions
Staff Planner: Brandon Garrett, 402-441-6373, bgarrett@lincoln.ne.gov
Had public hearing.
Planning Commission recommendation: A FINDING THAT THERE IS A
REASONABLE PRESENCE OF SUBSTANDARD AND BLIGHTED
CONDITIONS, 7-0 (Butcher absent).
Public Hearing before City Council tentatively scheduled for Monday,
October 29, 2012, 5:30 p.m.

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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:

Stephen Henrichsen, Development Review Manager . 402-441-6374 . shenrichsen@lincoln.ne.gov
David Cary, Long Range Planning Manager ........ 402-441-6364 . dcary@lincoln.ne.gov
Michael Brienzo, Transportation Planner ........ 402-441-6369 . mbrienzo@lincoln.ne.gov
Tom Cajka, Planner . 402-441-5662 . tcajka@lincoln.ne.gov
Christy Eichorn, Planner ................. 402-441-7603 . ceichorn@lincoln.ne.gov
Brandon Garrett, Planner .................. 402-441-6373 . bgarrett@lincoln.ne.gov
Stacey Groshong Hageman, Planner .... 402-441-6361 . slhageman@lincoln.ne.gov
Sara Hartzell, Planner ..................... 402-441-6371 . shartzell@lincoln.ne.gov
Brian Will, Planner ......................... 402-441-6362 . bwill@lincoln.ne.gov
Ed Zimmer, Historic Preservation Planner .... 402-441-6360 . ezimmer@lincoln.ne.gov

* * * * * *
The Planning Commission meeting
which is broadcast live at 1:00 p.m. every other Wednesday
will be rebroadcast on Sundays at 1:00 p.m. on 5 City TV, Cable Channel 5.

* * * * *
The Planning Commission agenda may be accessed on the Internet at
http://www.lincoln.ne.gov/city/plan/pcagenda/index.htm
Memorandum

Date:  October 2, 2012
To:  City Clerk
From:  Teresa McKinstry, Planning Dept.
Re:  Administrative Approvals
cc:  Jean Preister, Planning Dept.

This is a list of the administrative approvals by the Planning Director from September 25, 2012 thru October 1, 2012:

**Administrative Amendment No. 12040** to Pre-Existing Special Permit No. 40, approved by the Planning Director on September 25, 2012, requested by Edward’s Stone, to add buildings for a stone cutting operation to process stone quarried onsite and initial construction of 9,000 square feet, with future expansion to a total of 25,000 square feet with associated paved parking stalls, on property generally located at S. 54th St. and Wittstruck Rd.

**Waiver No. 12015**, approved by the Planning Director on September 27, 2012, requested by Geanine Bordogna, to extend the time for two years to install sidewalks for Park Place Estates 5th Addition. The improvements shall be completed by September 27, 2014. Property is generally located near Van Dorn St. and Normal Blvd.

**Administrative Amendment No. 12050** to Use Permit No. 64A, Kensington Office Park, approved by the Planning Director on September 28, 2012, requested by Kensington Corporation, to increase the square footage from 5,400 to 7,200 square feet and to reduce the square footage on Lot 5 by 1,800 square feet, on property generally located at S. 14th St. and Old Cheney Rd.

**Administrative Amendment No. 12043** to Use Permit No. 97A, Aspen Commercial Center, approved by the Planning Director on October 1, 2012, requested by Olsson Associates, to amend the site plan to show a revised lot layout for Lots 1-4 with a reallocation of approved floor area as reflected in the revised land use table, but with no increase in the overall total amount of floor area or trip generation, on property generally located near S. 56th St. and Pine Lake Rd.

- continued on next page
Administrative Amendment No. 12045 to Pre-Existing Use Permit No. 9S, Edgewood/Vandervoort, approved by the Planning Director on October 1, 2012, requested by Olsson Associates, to show a revised lot layout for Lot 9; to adjust the setback between Lot 9 and the boundary of the use permit from 50 feet to 45 feet; to revise the language so it more clearly states that signs are as allowed by the zoning code; and to note that the restriction on building footprint does not apply to decks, patios and loading docks, on property generally located near S. 56th St. and Highway 2.
October 2, 2012

Scott Sullivan
Erickson Sullivan Architects
209 S. 9th Street
Lincoln, NE 68508-2214

RE: N Street Project

Dear Mr. Sullivan:

I am in receipt of your letter dated September 17, 2012 wherein you express disappointment in the newly constructed N Street right-of-way (attached). It is my understanding that Dan Marvin and Chad Blahak have been in communication with you to clarify roles and explain the project. However, since Public Works’ engineering was referenced as a source of regret in your letter, it was important for the Department to provide additional clarification as well.

The current vehicular lane configuration for N Street between 7th and 10th Streets substantially complies with the recommendations stated in the West Haymarket Integrated Development Plan (IDP). This document was produced through the initial West Haymarket planning process. The Lincoln/Lancaster County Planning Department selected and managed a consultant team to produce the IDP.

After a positive city-wide vote to move forward with the West Haymarket Arena Development, a Program Manager was selected by the West Haymarket Joint Public Agency (JPA) to manage the project. The JPA also selected a team of (mostly local) consultants to produce construction design plans for the N Street project.

With respect to your enumerated comments, we coordinated with the JPA to provide the answers below:

1. **It eliminated numerous parking stalls, despite the public’s desire to maintain as much on-street parking as possible in the downtown area. I don’t believe parking along the south side must be parallel, given N Street is not intended to be a major exit from the arena.**

Pursuant to the IDP, N Street is the primary point of ingress and egress to the West Haymarket development from the south. The West Haymarket Arena Event Traffic Study indicated the need for two lanes of traffic in each direction to accommodate pre-event (west bound) and post-event (east bound) traffic volumes.

2. **It created a public right-of-way that is void of trees and planting beds. Although I have heard rumors that the landscaping will eventually be installed, I have seen no current plans reflecting the intention to beautify the area anytime soon.**

The JPA would intend to follow up with some streetscape improvements through this area. A master streetscape plan is currently under design and discussions with LES are ongoing to address the north side of N between 7th and 8th Streets. Moreover, the completion of the protected bikeway along the south side of N Street leaves potential for inclusion of additional streetscape components.
3. It created sidewalks that are wider than necessary, at the expense of parking and the potential larger planting beds.

The current sidewalk widths are consistent the widths provided prior to the construction and other urban downtown sidewalks.

4. It created a bike path that is wider than necessary, and only protected from traffic by unsightly reflector posts.

The white tubular markers that were installed are not the final design for the bike facility. A brief inspection would show that no bike lanes have been created. The markers were intended to “save the space” for the bike facility until installed in the spring/summer of 2013. However, at the request of other property owners, the markers will be removed to accommodate temporary parking with meters until such time the bike lanes are constructed.

5. It created a confusing perception for motorists. I have personally witnessed motorists continuing eastward at 9th Street despite the one-way west street pattern east of 9th Street.

Prior to the recent construction there was a divider island in east bound N Street at 9th Street with one right turn only approach lane. There is currently a divider island in east bound N Street at 9th Street with one right turn only approach lane after the recent construction. Any confusion with whether N Street was one-way west bound would have existed prior to the current project. However, the location will be evaluated to see if modifications to the median are warranted.

As previously stated, a consultant design team was selected by and contracted with the West Haymarket Joint Public Agency for design services for the development. Any person or persons wishing to contribute to the future design of West Haymarket related projects should contact Dan Marvin, West Haymarket Project Administrator or Paula Yancey, West Haymarket Program Manager.

I hope our responses are helpful and provide you with the clarification needed. Should you have any questions or need for additional information, feel free to reach me at (402) 441-6173 or via email at mesposito@lincoln.ne.gov.

Kindest regards,

Miki Esposito
Director of Public Works & Utilities
September 17, 2012

Chairman, Lincoln City Council  
Lincoln City Council  
555 South 10th Street  
Lincoln, Nebraska 68508  
Councilpacket@lincoln.ne.gov  
Mayor@lincoln.ne.gov

I am writing to express my extreme disappointment in the newly constructed N Street right-of-way, from 7th to 9th Street. As an architect that has been involved in several streetscape beautification projects in Lincoln over the past 20 years, as well as a Lincoln native, I consider the results along N Street an eyesore for our community, and a hindrance to the success of local businesses!

Our business, Erickson Sullivan Architects, is located adjacent to this N Street development, at the southwest corner of 9th and N. Although I appreciate the City’s desire to provide ample drive lanes for the upcoming opening of the arena, it is very disappointing that the result we see today was obviously completed without adequate public and design professional input. Regrettably, I believe this is the result of Public Works’ engineering focused only on moving traffic, and political pressures focused only on the goal to have an open roadway to the arena, regardless of the results.

In my professional design opinion, the current solution failed in several aspects, as follows:

1. It eliminated numerous parking stalls, despite the public’s desire to maintain as much on-street parking as possible in the downtown area. I don’t believe parking along the south side must be parallel, given N Street is not intended to be a major exit from the arena.
2. It created a public right-of-way that is void of trees and planting beds. Although I have heard rumors that the landscaping will eventually be installed, I have seen no current plans reflecting the intention to beautify the area anytime soon.
3. It created sidewalks that are wider than necessary, at the expense of parking and the potential larger planting beds.
4. It created a bike path that is wider than necessary, and only protected from traffic by unsightly reflector posts.
5. It created a confusing perception for motorists. I have personally witnessed motorists continuing eastward at 9th Street despite the one-way west street pattern east of 9th Street.

Although I have not been involved in planning meetings for this project, except for one public presentation regarding bike routes in general, I have included a preliminary drawing concept for an alternative design solution which I hope raises discussion for what “could have been”. I think this proposal improves several aspects of the current design, as follows:

1. Given N Street is not intended to be a major exit from the arena, it provides diagonal parking on the south side of N, thereby maintaining more parking stalls in the area.
2. Given pedestrian traffic is not as intense in this area as compared to other downtown areas, it reduces the sidewalk width to provide additional area for the bike path, planting beds and diagonal parking.
3. This scheme provides the room for a raised median between the parking and bike lane, providing better safety and room for parking meters, regardless of the type of meters. This is more consistent with what Crandall Aramubla presented in a public meeting.
4. Consistent with typical Parks Department bike lanes, it reduces the bike lane width to 8’, which allows more room for the median and parking areas.
Although this concept is certainly subject to further discussion regarding specific details, I believe this is an example of a solution that considers all aspects of design; including merchant needs, bicycle safety, street beautification, traffic, pedestrian and parking needs. I only hope that the City Council and City officials will take a second look at the current results and consider alternative solutions. I strongly feel the current solution only considers the movement of motorists, and fails to consider many other design aspects that can make our downtown streets and businesses more successful.

Thank you,

Scott Sullivan
Erickson Sullivan Architects
October 1, 2012

ASPHALT LAY DOWN
Yolande Avenue; Cornhusker Highway - 20th Street
20th Street; Yolande Avenue - Cornhusker Highway
Project No. 540619

The Public Works & Utilities Department will be in this area on Saturday, October 13, 2012 laying down asphalt. The work will begin at 7:00 a.m. and will continue until the work is completed (approximately 6 - 8 hours).

In the course of completing this work, there will be periods of time when you will not be able to access your driveway (i.e. after placement of asphalt until it’s rolled, etc.).

If you have any questions, please contact the project manager at the number listed below.

Project Manager: Ron Edson
Phone: 402-525-9294
Email: redson@lincoln.ne.gov
October 3, 2012

Water Main Replacement Project No. 702743
Havelock Avenue – Touzalin Avenue to 61st Street and Morrill Avenue

Next week the City of Lincoln Public Works and Utilities Department will begin construction of a new water main to replace the existing water main that has fallen into a state of disrepair. The new main will be located in the street just south of the north curb of Havelock Avenue from Touzalin Avenue to 61st Street, then turn south in 61st just west of the east curb to Ballard Avenue where it will continue south shifting to behind the curb on the east side of 61st Street from Ballard Avenue to Morrill Avenue.

Contractor and Schedule:
The Contractor for this project is Valley Corporation. They are scheduled to begin work October 8, 2012 at Touzalin Avenue and Havelock Avenue and proceed east then south along the proposed route. The entire project is scheduled to be completed by November 30, 2012 weather permitting and barring any unforeseen conditions.

Project Operation:
The majority of the work will be open trench. Once the new main is installed, it will be tested, disinfected, and private services will be transferred to the new main. There will be a temporary disruption to your water service during this transfer, and you will be notified when that is scheduled to occur.

Temporary Inconvenience:
We are not anticipating the need to close any streets with this construction. However there will be lane closures, and parking will be affected. The Contractor will work with the adjacent property owners to maintain access as much as possible. If you have any questions, please contact the individuals listed below.

Contacts for the Project:
Valley Corporation
Rob Wells
402-957-7063

City of Lincoln Engineering Services
Brian Dittmann
402-525-5646
Mary M. Meyer

Subject: FW: uniform ordinance

From: Jon Camp  
Sent: Wednesday, October 03, 2012 1:55 PM  
To: Tom K. Casady  
Cc: John Huff; James W Peschong; Rick D. Hoppe; joncamp@lincolnhaymarket.com; Mary M. Meyer  
Subject: FW: uniform ordinance

Gentlemen:
The email below reinforces the need to rethink the pending legislation. Interestingly, Mr. Stahl suggested the "t-shirt" approach which I mentioned earlier today.

I will touch base with Rick Hoppe, my City Council colleagues, and the Law Department to inquire about some modifications to the legislation including

(1) restriction to "informal attire such as a t-shirt",
(2) any solicitation done on City time must not cause "overtime" due to a lack of personnel, e.g. mandatory fire apparatus staffing,
(3) possibly limitation to certain causes, and
(4) possibly providing for two (2) individuals to authorize the wearing of apparel (which might not be necessary depending on the wording of #1).

Jon

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

From: Bruce Stahl [bgstahlis@yahoo.com]  
Sent: Tuesday, October 02, 2012 10:24 AM  
To: Jon Camp  
Subject: uniform ordinance

Jon, a police officer coming into a business in uniform typically will cause a rise in blood pressure and the question "what's wrong?" That the officer was there soliciting for Santa Cop may seem like a relief but an abuse of the uniform. There is nothing to separate a police officer's uniform from his/her official duties.

A firefighter standing on a corner in uniform may imply a hazardous spill close by and elicit concern by those passing by.

I think the present arrangement to solicit funds by wearing an unoffical t-shirt, etc., tells the public the person is not there on an official duty and is being a good citizen supporting what is probably a worthy cause. There is an endorsement, not by the city but by the union, which is probably sufficient to encourage donations.

It may be too strong to say wearing the public uniform to support a private cause is an abuse of office but I think it has some of that effect. I see no reason to change the present practice.

Take care.
Bruce Stahl
Subject: FW: uniform ordinance

Tom:

Thanks for the clarification. Will greatly simplify matters.

Jon

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

Office: 402.474.1838/402.474.1812
Fax: 402.474.1838
Cell: 402.560.1001

Email: joncamp@lincolnhaymarket.com
Website: www.lincolnhaymarket.com

“The American Republic will endure until the day Congress discovers that it can bribe the public with the public's money”

~ Alexis de Tocqueville (French Historian and Political scientist, 1805-1859)

Check our reception and event venues at:

http://www.facebook.com/pages/Apothecary-Lofts-Ridnour-Room/173175799380032

From: Tom K. Casady [mailto:TCasady@lincoln.ne.gov]
Sent: Wednesday, October 03, 2012 2:23 PM
To: Jon Camp
Cc: John Huff; James W Peschong; Rick D. Hoppe; Jon Camp; Mary M. Meyer
Subject: Re: uniform ordinance

Councilman Camp,

You won't need any ordinance to authorize off-duty police officers or firefighters to wear a personal t-shirt to solicit a donation on behalf of MDA or Special Olympics, or any other charitable cause.

Tom Casady
Mary M. Meyer

Subject: Uniform ordinance

Rod:

I am interested in amending the pending legislation authorizing City personnel to wear City uniforms on off-duty solicitations. The following concepts come to mind:

(1) restriction to "informal attire such as a t-shirt",

(2) any solicitation done on City time must not cause "overtime" due to a lack of personnel, e.g. mandatory fire apparatus staffing,

(3) possibly limitation to certain causes, and

(4) possibly providing for two (2) individuals to authorize the wearing of apparel (which might not be necessary depending on the wording of #1).

If #1 is the amended language for off-duty solicitation, then #4 would not be necessary. This also might preclude the need for item #3.

Item #2 is aimed to ensure no overtime results in City time is used for solicitations.

Your thoughts, please.

Jon

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Jon:

Any of these ideas could be implemented if you would like us to draft them. My own thoughts on these concepts are as follows:

1. The idea of allowing off-duty uniformed personnel to wear their uniforms to participate in worthy causes came from Chief Huff and Director Casady. I think they would like to permit these activities to continue because they build goodwill among the public for the police and fire departments. As I said at the Council meeting, I don’t think that wearing uniforms for a few hours once or twice a year while off-duty is a significant use of public resources, since the wear and tear is negligible. I’ve copied the chiefs and Director Casady on this response in case they want to provide additional input, since they are really the ones who are affected and wanted this provision.

2. I would certainly expect that a director wouldn’t allow on-duty solicitation that would cause overtime. We could draft an amendment to make certain of that, however, if you feel it’s necessary.

3. It’s difficult to draft a limitation that isn’t over or under inclusive, without knowing what might come up. The solution in the bill is to trust the judgment of the department director or the Mayor to decide whether a request was in the public interest. That would be my preference instead of getting into a laundry list of acceptable charities or types of charities, which might in turn cause other charities to object that they weren’t included.

4. I would think the director of the department, which would be the Police Chief or Fire Chief, would be best able to make this determination, but we could add the Director of Public Safety or the Mayor if the Council felt that an additional level of permission should be required.

I hope these comments are helpful. I will be out of the office on Friday, so if you could let me know if you want something drafted tomorrow that would be helpful, but I’ll make sure Don Taute or someone else is available Friday in case I don’t hear from you.

Rod.

Rodney M. Confer
City Attorney

CITY OF LINCOLN
NEBRASKA
October 1, 2012

I would like to let you know that my daughter and I came to Lincoln last weekend for a college visit. We traveled from McKinney, Texas to see the University of Nebraska. Our campus visit on Friday was excellent. The University does a great job of promoting their campus. It left a very positive impression on both my daughter and I.

The next day, we went to the Nebraska-Wisconsin game. I’m sure you are aware that it was a fantastic game. The spirit in the stadium was amazing. This, also, left a positive impression on us.

Before the game, we were able to attend a tailgate with a group of high school friends. While tailgating, three members of our party were ticketed for public consumption. Our party consisted of ages 4 through 75. There was not a single underage drinker in our group. There was not a single intoxicated person in our group. The officers informed us that there were some problems in the neighborhood due to the tailgating. The idea that ticketing three 48 year old, calm, sober men standing six inches over a sidewalk line would be a logical solution to a tailgating problem is ridiculous. I would suggest that they address the thousands of underage drinkers parading past our tailgate tent carrying 18 packs of beer. Or, if they really feel tailgating is an issue, prevent the owners from renting out their parking lots for tailgaters.

While the rest of the weekend was a big success, this experience was not. It left us with a very negative impression of the city of Lincoln and their ability to handle problems that might arise by having such a big football program in the city.

With so many positives going for the University of Nebraska, I just thought you’d like to know that your police force is not doing their part to contribute to that positive impression.

Sincerely,

Karen de Alba
Media Release

To: Media
CC: Mayor's Office, Lincoln City Council
From: Lori Seibel, President/CEO, 402-436-5516
Date: 09/28/12
Re: Community Health Endowment Announces New Trustees and Election of 2012-2013 Officers

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Community Health Endowment Elects Officers and Welcomes New Trustees

The Community Health Endowment of Lincoln (CHE) is pleased to announce new officers and Trustees for FY2012-13. They are:

Chair: Michael J. Tavlin
Chief Financial Officer
Speedway Motors, Inc.

Vice-Chair: Kim Russel
President and CEO
BryanLGH Health System

Secretary: Doug Ganz
Vice President
Pinnacle Bank

Treasurer: Britt Miller
Ferris Financial

New Trustees: Georgia Blobaum, Advanced Medical Imaging, Carole Burt, Community Volunteer.

Returning Trustees: Charlene Gondring, Nebraska Department of Health And Human Services; Judy Halstead; Director, Lincoln-Lancaster County Health Department; Kim Moore, President & CEO, St. Elizabeth Regional Medical Center; Rick Poore, DesignWear, Inc.; Tina Udell, Summit Investment Partners; Tom Beckius, McCombs Commercial Realty, LLC; Loren Mestre-Roberts, Diversity Outreach Specialist; Michael Molvar, D.D.S., UNMC College of Dentistry, Retired; and Charles Wilson, M.D., Cardiologist, Retired.

CHE was created in 1999 as a result of the sale of Lincoln General Hospital. As a grant-making organization, CHE supports non-profit agencies in achieving the vision of making Lincoln, Nebraska the healthiest community in the nation. During the past 13 years, CHE has returned nearly $16 million to the community. For more information, contact CHE at 402.436.5516 or visit www.che.lincoln.org.
Dear Council Members:

I am one of 85 thousand football fans that come to your city 7 days out of the year to attend the games. Millions are spent in your city, so I think we can ask for a break—7 days!

I am a 50 year season ticket holder that has parked on the street (as I leave early from Omaha) for years. In the past I've parked within 2 blocks west of the Student Union around 12th and P I think. I'm 88 years old and need to park as close to the stadium as I can. Now that is no longer possible as you have capped all those meters around that area or have busses parked in front of them.

You have stymied me for the past home games but we have three left. Can you give me or us a break and open those meters for those and future home games next year? Think of us diehard fans. There are only 7 home games. That isn't too much to ask for three games. But keep it in mind for next year also as there are only 7 days out of the year! I don't want to quit going to games after 50 years, but at 88 I can only walk so far.

Thank you.

Sincerely,

John D. Condon
402-895-3699
I. CITY CLERK

II. MAYOR & DIRECTORS CORRESPONDENCE

MAYOR
1. NEWS RELEASE. Library to host discussion and voter registration.
2. NEWS ADVISORY. Mayor Beutler’s public schedule for the week of October 6th through October 12, 2012.
3. NEWS RELEASE. City developing Solid Waste Management plan.
4. NEWS RELEASE. Fire Prevention Week is October 7th through October 13, 2012.
5. NEWS RELEASE. Lincoln Fire and Rescue Task Force to conduct training exercise.

CHIEF OF STAFF - Rick Hoppe
1. Response letter to the Lincoln City Council regarding letter received from County Sheriff Wagner (Below - Lancaster County Sheriff, No. 1), addressing the proposed interlocal agreement with regard to the 911 Communications Center and certain of the Sheriff’s statements.

LANCASTER COUNTY SHERIFF
1. Letter from Sheriff Wagner regarding changes to the interlocal agreement between the City of Lincoln and Lancaster County with regard to the 911 Communications Center.

III. DIRECTORS

PARKS AND RECREATION
1. Parks and Recreation Advisory Board meeting agenda for October 11, 2012. Minutes of September 13, 2012 meeting.

IV. COUNCIL MEMBERS

JON CAMP
1. Email to Rick Hoppe, Mayor’s Chief of Staff, regarding legislation on solicitation of City staff for charities. Suggesting public hearing, and solicitations policy, to be discussed by Council.
2. Councilman Camp’s recognition of editorial in Lincoln Journal Star written by Jim Hansbrough listing concerns of neighborhood/citizens on safety of children when Wal Mart moves to 27th and Grainger, and Councilman Camp’s goal to set meeting with Stone-Ridge representatives, City staff, and Wal Mart representatives.
3. Michaela Maglalang. Neighborhood Stone Ridge meeting, Thursday, October 18th, 7 p.m. at Adams Elementary School. Suggest meeting an hour before.

DIANNA SCHIMEK
1. Letter from Michael Draper on city personnel wearing uniforms while soliciting. (Refer to Jon Camp, No. 1, above)

V. CORRESPONDENCE FROM CITIZENS
LIBRARY TO HOST DISCUSSION AND VOTER REGISTRATION

Lincoln City Libraries is hosting a roundtable discussion on politics at noon on Wednesday, October 10 at the Bennett Martin Public Library, 136 So. 14th Street. The discussion is part of Campaign Connection 2012: Voter Voices, an NET News election-year project. The Lancaster County Election Commission also will register voters at the library from 11:30 a.m. to 1 p.m.

The roundtable featuring a panel of eight community members will be hosted by Bill Kelly of NET News. After the discussion, the public is invited to record their thoughts or questions as part of the Voter Voices project. NET has been gathering comments at libraries and other locations throughout the state to share with the candidates and on television, radio, the Internet and social media.

For information on Lincoln City Libraries, visit lincolnlibraries.org.

For more information on Voter Voices, visit votervoices.blogspot.com.

For more information on voter registration, visit lancaster.ne.gov or call 402-441-7311. If you have changed your name or your address, you must complete a new voter registration application.

- 30 -
Date: October 5, 2012
Contact: Diane Gonzolas, Citizen Information Center, 402-441-7831

Mayor Beutler’s Public Schedule
Week of October 6 through 12, 2012
Schedule subject to change

Monday, October 8
• Mayor’s Neighborhood Roundtable Meeting - 5:30 p.m., Mayor’s Conference Room, County-City Building, 555 S. 10th St.

Wednesday, October 10
• Snyder Industries groundbreaking ceremony, remarks - 3:30 p.m., 6401 N. 63rd St.
• Lincoln Police Department Academy graduation, remarks - 7 p.m., Cornhusker Hotel, 333 S. 13th St. (Lancaster Room - lower level)
CITY DEVELOPING SOLID WASTE MANAGEMENT PLAN

The City of Lincoln has begun efforts to develop a Solid Waste Management Plan for Lincoln and Lancaster County. The Solid Waste Plan 2040 will provide a guide for policy decisions regarding solid waste management systems, facilities and programs for the next 30 years. The development of a comprehensive, integrated solid waste management plan was identified as a key strategy in the Lincoln-Lancaster County 2040 Comprehensive Plan (LPlan 2040), adopted in October 2011.

The Solid Waste Plan 2040 is being guided by the Public Works and Utilities Department, the Lincoln-Lancaster County Health Department and a 20-member Advisory Committee. The Advisory Committee will review the components of the plan, evaluate community input, provide guidance and feedback and propose changes.

Miki Esposito, Director of the City Public Works and Utilities Department, said the average solid waste generation rate in the City and County averages more than seven pounds per person per day. “Most of us recycle at home and work, and all of us need to get rid of garbage, so this plan will have an impact on our everyday lives,” Esposito said. “The plan will address waste reduction, reuse and recycling in addition to collection, handling and disposal capacity.”

More information on the plan is available on the project website at lincoln.ne.gov (keyword: solid waste plan) or by calling the project phone number, 402-441-7738. Esposito said public participation will be encouraged at every step in the process. The public can be involved by:
• Providing comments online or by phone.
• Following the planning effort on Facebook and Twitter at Solid Waste Plan 2040.
• Joining the mailing list online or by phone to receive additional information.
• Attending an in-person or online public open house. They will be scheduled at key milestones in the planning process, including the Needs Assessment and the System Definition and Refinement.
• Attending an Advisory Committee meeting. A schedule will be available online.

Esposito said a draft Solid Waste Management Plan is scheduled to be completed by late summer 2013. The plan will be submitted to the City-County Planning Commission, the County Board and the City Council for adoption as a subarea plan in LPlan 2040.

- 30 -
FOR IMMEDIATE RELEASE: October 8, 2012
FOR MORE INFORMATION: Fire Chief John Huff, Lincoln Fire and Rescue, 402-441-8350

FIRE PREVENTION WEEK IS OCTOBER 7 THROUGH 13

Lincoln Fire and Rescue (LFR) invites the public to participate in activities planned in conjunction with “Fire Prevention Week” October 7 through 13.

Two events are planned for Wednesday, October 10:

- Fire Chief John Huff will recognize Anna Cooper, a fourth-grader at Maxey Elementary School, as the winner of the annual “Learn Not to Burn” poster contest. Chief Huff will present the first place ribbon to her at 9:15 a.m. at the school, 5200 S. 75th St. The winning poster will be on display at the County-City Building, 555 S. 10th, for two weeks and also on the City website at fire.lincoln.ne.gov.

- LFR urges Lincoln families to participate in an all-city fire drill at 6 p.m. Fire companies across the city will be stationed in front of fire stations sounding their air horns as a call for all residents to test their smoke alarms and practice their fire escape plans.

Fire Prevention Week was established to commemorate the Great Chicago Fire in 1871 that killed more than 250 people, left 100,000 homeless, destroyed more than 17,400 structures and burned more than 2,000 acres.

In addition to the City website, more information on Fire Prevention Week can be found by visiting the NFPA website at www.firepreventionweek.org.
LINCOLN FIRE AND RESCUE
1801 “Q” Street, Lincoln, NE  68508, 402-441-8350

FOR IMMEDIATE RELEASE: October 8, 2012
FOR MORE INFORMATION:  Dan Wright, NE-TF1 Program Manager, 402-441-8799

LINCOLN FIRE AND RESCUE TASK FORCE
TO CONDUCT TRAINING EXERCISE

Nebraska Task Force 1 (NETF1), the Urban Search and Rescue team based at Lincoln Fire and Rescue, will conduct a training exercise Sunday, October 14 at the Fire Protection Building at Southeast Community College, 8800 “O” Street. The exercise is based on a building collapse in a contaminated environment.

The task force will be engaged in operations to assess, identify and locate the source of the contamination; to search for and rescue simulated victims using specialized tools and equipment for operating in a contaminated environment; and to follow appropriate decontamination procedures. About 70 people will be involved with various components of the task force, including task force command, communications, medical, search, rescue, hazardous materials and logistics.

More information on NETF1 is available at lincoln.ne.gov (keyword: usar).

- 30 -

Members of the media are invited to attend the training exercise between 11 a.m. and 3:30 p.m. For more information, contact NE-TF1 Program Manager Danny Wright at 402-441-8799.
October 7th, 2012

Adam Hornung, Chair
Lincoln City Council
555 So. 10th Street
Lincoln, NE 68508

Dear Chairman Hornung,

We are writing in response to a letter sent to Council by Sheriff Wagner. We thought it was important for the City Council to understand what we hoped to accomplish with the proposed interlocal agreement between the City of Lincoln and Lancaster County with regard to the 911 Communications Center and to address some of the Sheriff’s statements.

Under the current operating agreement, 911 calls that originate outside of Lincoln are about 8% of the total calls. The County pays only 4% of the center’s operating costs. As a result County residents only contribute about half of the cost they generate for 911 service.

We hoped to find a more fair and equitable means of funding the 911 center that allowed the costs to be split more accurately between users.

The City Public Safety Director met the County’s Administrative Officer, on May 13, 2012 to explain the City’s intention seek a more equitable contribution from the County and offered to meet with the County Board chair or the full board.

Mayor Beutler and Chief of Staff Rick Hoppe proposed a change in funding when they met with the County Board Chair and Vice-Chair on July 10th, 2012. The Board members indicated they understood that costs should be fairly assigned to users and asked the City to contribute more toward the cost of those law violators that needed counsel from the Public Defender’s Office. Mayor Beutler and Mr. Hoppe agreed and left the meeting with the impression that both issues could be solved in the 2012-13 budget year.

On July 18th, Steve Hubka, the City Finance Director and Mr. Hoppe met with the Public Defender and the County Budget Officer to discuss the two funding issues. The City agreed to the $100,000 increase being sought by the Public Defender. Mr. Hoppe believed that the County had agreed to increase the amount paid for 911 operating costs at 8% with details to be determined.

When the specifics of the Interlocal Agreement changes were put into draft form, City Attorney Rod Confer and the County Deputy Chief Administrative Officer met and corresponded on several occasions on behalf of the City and County respectively.
A number of meetings on the issue took place between the City and with the County. The City’s representatives met with the County Board on two occasions: at the Commons meeting on July 10, 2012, and at the County Board’s staff meeting on September 6, 2012. The Public Safety Director and the Communications Coordinator also met personally with the Sheriff on July 23, 2012, corresponded or met with his Chief Deputy on August 28, September 6, and September 10, 2012 and offered to either consider any suggestions or counter proposals the Sheriff wished to present, and to provide any additional information he sought. The City Finance Department Director also provided the County’s Budget and Fiscal Officer with information that he sought, and offered to provide any additional information he wanted.

The City has been open to compromise on the issue. We communicated that if Lancaster County desired some other formula for determining County costs or for phasing in an increase, they should propose a plan. A number of counter proposals contained in the Sheriff’s letter were not presented during the various City-County negotiations. We understand that the Sheriff wants some kind of phased increase, but it seems unfair to the City to be asked for a phased approach for the Emergency Communications Center while the County accepts a $100,000 increase for the Public Defender that represents an immediate ramp up to full cost recovery.

In his letter Sheriff Wagner proposes that Wireless E911 surcharge funds be used to reduce the County’s contribution. Again, this was not proposed to the City at any of the various meetings.

The 911 surcharge on wireless phones is used primarily for capital improvement projects that are not in the Emergency Communications Center’s operating budget, and hence not part of the base upon which the Sheriff’s percentage calculation is figured. If the County wants “credit” for 911 surcharge funds that are being used for capital improvements outside of the operating budget, then perhaps they should also be paying the same percentage of those capital costs. As an example, PSC funds paid for a replacement of the 911 telephone system this year, a capital improvement project that costs hundreds of thousands of dollars, and for which no funding was sought from or provided by Lancaster County.

Sheriff Wagner stated his dissatisfaction with the Emergency Center’s place in the City’s organizational structure, writing that its placement in City’s Police Department could lead to unfair influence over day to day operations. He maintains that the Emergency Center should be a division of the Finance Department.

Because the 911 Center was in Finance for 20 years does not mean that it was best from an organizational standpoint. The City has decided it makes more sense for the Center to be administratively assigned to the police department, where the function has considerably more in common with the overall mission than with the Finance Department. The police department is by far the largest user of the Emergency Communications Center, has by far the greatest interest in the Center’s efficient and effective operation, and shares or can share a great deal of practical functionality, such as training, equipment maintenance, technical support, accounting, and fleet operations, to name a few. The Emergency Communications Center continues to be an autonomous division within the police department, just as it is within the Finance Department. The 911 center’s move to the police department has created greater efficiency and effectiveness and should not be abandoned over “turf” issues.

The Sheriff also expressed his concern that the County could be unfairly treated in the 911 Users Committee as a result of the location of 911 in the Police Department. He writes, “I can foresee any controversy between the three agencies similar to two wolves and a lamb voting on what to have for dinner.”

Whether the Emergency Communications Center is administratively within the Finance or Police Department really doesn’t make any difference on this issue. Whether the box on the organizational chart is under Police, Finance, or Parks & Recreation, the Emergency Communications Center is still a City division, and the User’s Committee still consists of two City directors and the Sheriff. If the County is dissatisfied with the Center’s
operations and unable to resolve its issues through the User’s Committee, the option provided in both the existing and proposed Interlocal Agreement it to terminate the agreement.

Sheriff Wagner is also concerned about the Lincoln Police Department’s planned transfer of 12-14 Police Service Desk personnel to the Communications Center. He states that the move will force the County to pay for employees from which the County receives no service.

We understand the Sheriff’s concern with this issue, and are perfectly amenable to some kind of language that would reasonably address this concern. City Attorney Rod Confer has drafted proposed language to do so, and this is in the hands of the County. The reason this clause does not appear in the attachment to the item on the City Council’s pending agenda is that the County has simply not yet agreed to it. We are still waiting for the County to accept the proposed amendment, in which case the amended agreement will be the one presented to the City Council for action.

Sheriff Wagner’s letter expresses unease about the process in revising the 911 interlocal. He states, “There was quite a bit of back-channel contact between a number of people before the proposed changes ever came to me. I should have been the first person contacted with regard to any operational changes. Now at the eleventh hour, I am not in agreement with the proposed changes and have suggested different language which has been totally ignored. None of my concerns or proposed compromises are included in the Communications Center agreement you have before you. From my perspective, this has not been a negotiating process; the terms of this agreement are being dictated to the county without any effort at compromise.”

We strongly disagree with this assessment. Earlier in this letter we detailed numerous meetings and correspondence between City and County representatives. It was not unreasonable for the City to assume that the County’s representatives were communicating with the Sheriff. The City should not be tasked with determining who represents the County. That is an internal responsibility of the County. The fact that the Sheriff feels he has not been fully-informed of the negotiations, or that the Sheriff believes he should have been the County’s representative, is not the fault of the City.

As to the statement that the terms are being dictated to the County “without any effort at compromise,” several revisions to the original draft were offered by the County and agreed to by the City. The City has made repeated offers to work with County on developing an acceptable solution. Unfortunately, those offers have not been met with the same spirit with which the City met the County’s request for more equitable funding of the Public Defender’s Office.

The City strongly urges the City Council to relieve Lincoln taxpayers from funding the entire costs for half of the 911 calls made by people outside of Lincoln. The County paying its fair share is a matter of fundamental fairness.

Sincerely,

Rick Hoppe
Chief of Staff
Mayor Chris Beutler

Tom Casady
Public Safety Director
City of Lincoln
October 4, 2012

Adam Hornung, Chair
Lincoln City Council
555 So. 10th Street
Lincoln, NE 68508

Dear Chairman Hornung,

I am writing to urge the Lincoln City Council to indefinitely postpone or vote against the changes in the interlocal agreement between the City of Lincoln and Lancaster County with regard to the 911 Communications Center.

Below are those areas I oppose and the reasoning therefore:

Section 1.a. “Such Center shall be ... administratively assigned to the City’s Police Department.” In 1992, the City Council unanimously passed A-74965 assigning the Communications Center to City Finance. As I understand the reasoning, none of the users wanted another of the users to have administrative control over the Communications Center, so as to not exert unfair influence over the day to day operations. I’m not sure how Finance was selected as the administrative oversight agency, but the arrangement has worked for 20 years. What’s changed? The Police and Fire Departments now answer to the Public Safety Director. All the more reason the Communications Center should remain under an uninvolved 3rd party.

Section 1.c. “... a Users Committee, composed of the Lincoln Police Chief, the Lincoln Fire Chief and the Lancaster County Sheriff...” I can foresee any controversy between the three agencies similar to two wolves and a lamb voting on what to have for dinner. Having Administrative Control of the Communications Center under the Police Department renders the Users Committee ineffective.

Section 4.a. “Lancaster County shall contribute 8% of the total operating budget...” Doubling the amount the Sheriff’s Office pays for the Communications Center in one year is unreasonable. While I do agree there should be an increase in the Sheriff’s Office fees; that increase should be phased in over a 2-3 year period and the method of calculating LSO’s percentage should be discounted by the revenue the Center takes in. In the beginning Lancaster County contributed the equivalent of one FTE and some hardware to the Communications Center. In 1992 that amount went to 8% (9/92 Resolution A-75008), but was reduced by the revenue the City received from the County portion of the E911 surcharge. In March 1993, the funding percentage was revised (A-75309) to 4% of the Center’s budget but did not discount the E911 surcharge amount and has remained the same since that time. The Public Service Commission administers the Wireless E911 surcharge and disperses the funds according to a model developed for each Public Service Answering Point (PSAP). 76% of the calls received by the Communications Center are wireless.
I have been told, the PSC will make available $377,805 for FY 2012-13, which can be used for 76% of equipment, GIS software and hardware and personnel costs to enhance wireless E911 service. The E911 surcharge and the Wireless E911 surcharge needs to be discounted from the amount the Sheriff’s Office pays for the Communication services.

The Lincoln Police Department is in the process of transferring 12-14 of their Service Desk personnel to the Communications Center. My concern is these employees will increase the Communications Center Budget of which my Office has a percentage responsibility for. These employees provide no service to Lancaster County that is not already in place and I don’t believe the Sheriff’s Office should pay for that increase in their budget. In the last draft of this interlocal a clause was added to address this concern. That clause has been left out of the copy before you today.

My last concern has to do with the process by which the changes in this interlocal came about. There was quite a bit of back-channel contact between a number of people before the proposed changes ever came to me. I should have been the first person contacted with regard to any operational changes. Now at the eleventh hour, I am not in agreement with the proposed changes and have suggested different language which has been totally ignored. None of my concerns or proposed compromises are included in the Communications Center agreement you have before you. From my perspective, this has not been a negotiating process; the terms of this agreement are being dictated to the county without any effort at compromise.

Until the issues in this interlocal are agreed upon, I would urge the City Council to indefinitely postpone or vote against the Amended Interlocal Agreement. I will strongly urge the County Board to do likewise.

Sincerely,

Terry T. Wagner
Lancaster County Sheriff

Cc: Deb Schorr
City Council
AGENDA

1. Call to Order and Recognition of ‘Open Meetings Act’

2. Approval of Minutes: * September 13, 2012, meeting

3. Comments from the Public for Items not Listed on the Agenda

4. Committee Reports
   A. Fees & Facilities Committee - Susan Deitchler (Chair) - 488-4224
      * Recommendation re: renaming of Iron Horse Park in recognition of the late Mayor Bill Harris.
   B. Futures Committee - Bob Ripley (Chair) 471-0419 or 488-5131
      * Adoption of Golf Advisory Committee By-Laws
   C. Golf Report
      * FY 2011-12 Year-end Report
      * Construction of Holmes Golf Course Clubhouse initiated.
   D. Executive Committee - Anne Pagel (Chair) - 402-570-9194
      * No report

7. Staff Report:
   * Neighbors Park Community Garden Proposal Update
   * Idylwild Park Endowment and Renaming
   * Civic Plaza Design Update
   * Open Studio Program review - request for a PRAB member to participate
   * Lincoln Parks Foundation Strategic Plan

8. Announcements:

* Denotes Action Items
MINUTES
Parks & Recreation Advisory Board Meeting
Parks & Recreation Conference Room 1
Thursday, September 13, 2012

Members Present:
Justin Carlson  Jonathan lCook  Jim Crook  Susan Deitchler
Caitlyn Do  Todd Fitzgerald  Peter Levitov  Cleo Mullison
Anne Pagel  Jane Raybould  Bob Ripley  Jeff Schwebke
Joe Tidball

Members Absent:
Molly Brummond  Karen Hand  Dennis Scheer

Anne Pagel asked the two new student members, Caitlin Do and Cleo Mullison, to introduce themselves and the Board members to introduce themselves.

Recognition of ‘Open Meetings Act’: As per law, Chairperson Anne Pagel announced that the Board follows the regulations of this Act, as posted.

* APPROVAL OF MINUTES: It was moved (Deitchler) and seconded (Tidball) to approve the minutes of the May 10, 2012, meeting as mailed. Motion carried by unanimous vote of members present.

PUBLIC COMMENTS FOR ITEMS (other than those listed on the current Agenda): Jo Tetherow introduced herself and stated she was in attendance if anyone had questions re: the agenda item pertaining to the community garden in Neighbor’s Park.

COMMITTEE REPORTS

Fees & Facilities Committee - Susan Deitchler, Chair - 488-4224

- * Recommendation re: exploring development of a community garden in Neighbors Park, So. 37th & “C” Streets: Susan Deitchler introduced this agenda item and Lynn Johnson said the department had met with the Woods Park Neighborhood Association and several of the Occupy Lincoln representatives were also there. If the Board approves this agenda item, the Department will work with the PRAB to develop guidelines, policies and procedures regarding development/management of community gardens in public park areas. The issue of access to water was discussed briefly and Lynn Johnson said the Department is getting a cost estimate of what it would cost to establish water service with a backflow venter and a meter. It was moved by the Committee, seconded by Carlson, to approve exploring development of a community garden in Neighbors Park at So. 37th & C Streets. Motion carried by unanimous vote of members present.

- * Recommendation re: declaring the former RI Trail Corridor between ‘M’ and ‘Q’ Street, westerly of So. 21st St. as surplus property: Development of the Antelope Valley project included development of a new trail system along the east side of the new Antelope Creek channel. Upon completion, the Billy Wolff Antelope Valley Trail serves
as a replacement of the section of the RI Trail between ‘J’ and ‘O’ Streets. The section of the trail corridor between Capital Parkway and ‘M’ Street has been declared surplus as part of a current redevelopment effort. There is interest in initiating redevelopment efforts in the area between ‘M’ and ‘O’ Streets, westerly of 21st St. Therefore, a proposal is brought forward to declare the sections of the former RI Trail corridor as surplus property. It was moved by the Committee, seconded by Levitov to approve declaring the former RI Trail corridor between ‘M’ and ‘O’ street westerly of 21st St. as surplus property. Motion carried by unanimous vote of members present.

Futures Committee - Bob Ripley (Chair) 471-0419 or 488-5131
- No report

Golf Report:
- Dale Hardy, Golf Administrator, distributed a two-part Rounds & Revenue report and a graph report comparing the last 20 years of rounds played.

* Discussion of proposed Lincoln Municipal Golf Advisory Committee, including possible designation of a Parks & Recreation Advisory Board representative to the committee; Lynn Johnson stated that the department has been working with an ad-hoc golf committee this summer and one of the things he would like to do is to formalize that committee. At one time the golf committee was a sub-committee of the PRAB but when he proposed that to the ad-hoc committee, they were not in favor of being under the Board. They want to be an independent, advisory committee - they were concerned that their recommendations may get diluted working through the process. Lynn explained that this would not be an issue, but, at this point, they are not interested in being a sub-committee. Lynn is now proposing that a new Lincoln Municipal Golf Advisory Committee (LMGAC) be formed. There would be seven members: one member would be selected from the LMGCA, the Lincoln Women’s Golf Association and the Senior Men’s Golf League; the other four members would be selected at-large. Johnson asked if the Board felt it would also be beneficial to have a member from the PRAB represented on the committee (Todd Fitzgerald was later appointed to serve on the committee).

The committee will be form by Executive Order, which means they will have one-year terms and may or may not be reappointed by the Mayor. The Department is currently working on a set of By-Laws for the committee. Johnson would like to see the committee be actively engaged in the budgeting process over the next couple years. In the next year the City will be bringing in an outside independent consultant to take a look at the golf program and help develop a sustainability strategy. The committee would also be involved in recommendations regarding rules and regulations and serve as a liaison between Parks Dept. staff, the golf professionals, and the golfing community.

Johnson said this issue was before the Board with two questions: (1) would the Board like to propose that they have a representative on the LMGAC, and (2) if so, is anyone willing to serve in that capacity? Johnson said the committee definitely will be formed and some of the things they could handle would be setting the golf fees, and facility development issues. Johnson said the other option would be that if there is a Board representative on the committee, they could report back to the PRAB on a regular basis. He said he would definitely like to have a connection between the Board and the new committee and feels that once the committee felt ‘comfortable’ working with the Board, they may also be comfortable becoming a sub-committee of the board. There was discussion (from the committee) that they would like to be more of an administrative group rather than an advisory group but that was never an option considered by the Department. Johnson said he now feels they know that they will be an advisory committee. He also said that if the Board feels strongly that the group should once again be a sub-committee under the PRAB, that’s the message he will take back to the group. After lengthy discussion among Board members, it was moved (Ripley) and seconded (Cook?) to reinstate the golf committee as a sub-committee of the Parks & Recreation Advisory Board. The Advisory Board would like staff to bring forward a set of by-laws for this
committee for the Board's review and approval. Motion carried by unanimous vote of members present.

It was reinforced that the committee be set up by executive order and the rules as to how the members are chosen needs to come back to the Board for their approval. The group would serve as an advisory committee and it was suggested that the at-large members be chosen from the list of people submitted by the three main groups (LMGA, LWMGA and Senior Golf League).

This committee is currently meeting on the first Wednesday of the month at 4:00 p.m. at the Parks Admin Office.

Lynn Johnson reported that an appeal meeting had been conducted regarding banning of five members of a recreational softball league pursuant to the recently adopted behavior policy. The banning action was taken in response to aggressive and threatening verbal and physical actions that occurred during a Parks & Recreation softball league tournament in July. Johnson thanked PRAB member Susan Deitchler for participating in the appeal meeting.

Executive Committee - Anne Pagel (Chair) - 570-9194

- No report.

Staff Report:

- Lynn Johnson distributed copies of the new tobacco policy for designated park facilities that will go into effect November 1, 2012.

Announcements:

- Union Plaza Grand Opening Community Celebration, Sept. 13th, 5:00 - 7:30 p.m. at Union Plaza.

There being no further business, the meeting adjourned at 4:50 p.m.
Parks & Recreation Advisory Board Action Item Fact Sheet

Meeting Date: October 11, 2012

Request: Recommend renaming of Iron Horse Park at 7th and Q Streets as Bill Harris Park

Discussion: A proposal has been received by the Parks and Recreation Department to rename Iron Horse Park at 7th and Q Streets as Bill Harris Park in recognition of the late Mayor Bill Harris. Mayor Harris died in January, 2011. He served as Mayor of Lincoln between 1987 and 1991. As Mayor, he was actively involved in promoting early development of Lincoln Historic Haymarket as a retail and entertainment district. Harris also served as a State senator from 1983 to 1987. (Please see attached Lincoln Journal Star article.)

Conformance with Adopted Plans and Guidelines: The guidelines for naming of park facilities state that a facility may be named in recognition of significant civic accomplishments related to Department activities, and that a marker or monument should be placed explaining the significance of the naming.

Staff Recommendation: Recommend renaming of Iron Horse Park as Bill Harris Park, and placement of a marker on the site recognizing Mayor Bill Harris’ service to the community and promotion of development of Lincoln’s Historic Haymarket.

Committee Discussion and Recommendation: Recommend renaming of Iron Horse Park as Bill Harris Park, and placement of a marker on the site recognizing Mayor Bill Harris’ service to the community and promotion of development of Lincoln’s Historic Haymarket.

Committee: Chair:

Date: ________________

Parks & Recreation Advisory Board Action:
Former Lincoln Mayor Bill Harris dies

JANUARY 04, 2011 4:35 PM • BY NANCY HICKS / LINCOLN JOURNAL STAR

Former Lincoln Mayor Bill Harris died unexpectedly early Tuesday morning, according to family members.

Harris, 71, was mayor in the late 1980s and did the early work on the development in the Haymarket. He persuaded some of the early restaurants to move into the Haymarket area, said Harris' brother, Jim Harris.

"When Bill took office there wasn’t much in the Haymarket," said Deane Finnegan, who was part of his mayoral team. "He really had a strong belief in the Haymarket. "The Burkholder project and the Haymarket in general were important to him," she said.

Harris was also mayor when the Highlands subdivision in north Lincoln was annexed and the golf course and University of Nebraska technology park developed.

The Harris administration also expanded the city's environmental efforts and educational program.

Harris was also a state senator from 1983 to 1987, resigning when he was elected Lincoln's mayor.

The cause of death is unknown pending an autopsy, Jim Harris said.

Roper and Sons will be responsible for funeral arrangements.
Parks & Recreation Advisory Board Action Item Fact Sheet

Meeting Date: October 11, 2012

**Request:** Adoption of a purpose and intent statement and by-laws for a re-organized Lincoln Municipal Golf Advisory Committee (LMGAC) as a committee of the Parks and Recreation Advisory Board.

**Discussion:** The proposed purpose and intent statement and by-laws for the LMGAC establish a seven member advisory committee as follows:
- one representative of the Parks and Recreation Advisory Board
- one representative of the Lincoln Municipal Golf Association (LMGA)
- one representative of the Lincoln Women’s Golf Association (LWMGA)
- one representative of the Men’s Senior Golf League
- three at-large members

The LMGAC will meet monthly. A chair and vice-chair will be elected annually from and by members of the committee. Parks and Recreation Department Golf Division staff and the three contracted golf professionals will participate in monthly meetings.

Recommendations regarding fees, rules and regulations, policies, and strategic planning will be forwarded to the Parks and Recreation Advisory Board for review and action.

**Conformance with Adopted Plans and Guidelines:** Section 12.04.030 of the Lincoln Municipal Code states that the Parks and Recreation Advisory Board may “appoint committees and subcommittees to assist in the planning and carrying out of the park and recreational program in an efficient manner”.

**Staff Recommendation:** Adopt the proposed purpose and intent statement and by-laws re-establishing the Lincoln Municipal Golf Advisory Committee as a committee of the Parks and Recreation Advisory Board.

**Committee Discussion and Recommendation:** Adopt the proposed purpose and intent statement and by-laws re-establishing the Lincoln Municipal Golf Advisory Committee as a committee of the Parks and Recreation Advisory Board.

**Committee:**

**Chair:**

**Date:** ________________

**Parks & Recreation Advisory Board Action:**
Lincoln Municipal Golf Advisory Committee  
**Purpose and Intent Statement**  
Adopted by the Parks and Recreation Advisory Board: DATE

**Purpose and Intent**  
The Lincoln Municipal Golf Advisory Committee (LMGAC), a working committee of the Parks and Recreation Advisory Board, is organized pursuant to Lincoln Municipal Code Section 12.04.030 to gain cost efficiencies and financial sustainability for Lincoln’s golf program, to create opportunities to improve the program, and to foster effective communication between Lincoln City Golf program staff, contracted PGA golf professionals, organized golf associations in Lincoln, and the general golfing public.

The LMGAC is comprised of a working committee of community volunteers who will provide review and advice regarding operation of the Lincoln municipal golf program; provide review and advice to the Lincoln municipal golf program contracted PGA professionals and course superintendent’s; and recommend golf policies and budget matters to the Golf Administrator and the Director of the Lincoln Parks and Recreation Department for consideration and action within Lincoln city government, as appropriate. As appropriate, the LMGAC will forward their recommendations to the Parks and Recreation Advisory Board for consideration and action.

Membership for the LMGAC will draw on skills, talents and experience from the following organizations and at-large members. They include:  
1. Representative of the Parks and Recreation Advisory Board;  
2. Representative of the Lincoln Municipal Golf Association (LMGA);  
3. Lincoln Women Municipal Golf Association (LWMGA)  
4. Lincoln Senior Men’s Golf League;  
5. Three (3) at-large Lincoln Golfers ;  
6. Lincoln PGA Professionals **(non-voting)**;  

The Director of the Parks and Recreation Department, Golf Administrator, contracted Golf Professionals, and the Golf Course Superintendents will be invited to attend and participate in LMGAC committee meetings.
Bylaws

Lincoln Municipal Golf Advisory Committee,
a working committee of the Parks and Recreation Advisory Board
Adopted by the Parks and Recreation Advisory Board:

Article I. Name
The name of this working committee is the Lincoln Municipal Golf Advisory Committee, hereafter referred to as the LMGAC. The LMGAC is a working committee of the Parks and Recreation Advisory Board pursuant to Lincoln Municipal Code Section 12.04.030.

Article II. Goals, Purpose, Authority, Duties.
A. The goal of the LMGAC will be:

1. To foster and promote the interest and participation in the Lincoln municipal golf program, and to seek ongoing financial viability and sustainability of the program.

2. The purpose of the LMGAC is to act as an advisory group to the Lincoln City Golf Program staff including the Parks and Recreation Director, the Golf Manager, and the Superintendents, and to the contract PGA Golf Professionals and through the Parks and Recreation Advisory Board to the Mayor and the City Council. The LMGAC is responsible for review and recommendations regarding matters related to managing, operating, and maintaining all aspects of the Lincoln municipal golf program.

D. Specific duties of the LMGAC include:

1. Provide review and recommendations regarding the annual operating budget and the capital improvement program (CIP) for Lincoln municipal golf program to ensure adequate golf facilities exist and are maintained for the citizens of the Lincoln community.

2. Provide review and advice regarding the management of Lincoln municipal golf courses, clubhouse and pro-shop facilities, and any private-sector contracts which may help manage and, otherwise, support the golf facilities, pro-shops, links and its patrons.

3. Annually review the Lincoln municipal golf program rules and regulations and recommend changes as needed.

4. Receive reports of infractions of Lincoln municipal golf program rules and regulations. Review and recommend revisions to rules and regulations. Designate a committee representative to participate in appeal meetings when an individual who has been banned from Lincoln municipal golf courses under the Parks and Recreation Department behavior policy and has appealed the banning.
5. Review monthly information regarding the number of rounds played, revenue generated, and expenditures. Make recommendations regarding opportunities to increase play and participation in the Lincoln municipal golf program.

6. Annually review and recommend fees for use of Lincoln municipal golf facilities. The recommendation of the LMGAC will be forwarded to the Parks and Recreation Advisory Board for review and action.

7. Assist the Director of the Department of Parks and Recreation with the creation of a Lincoln Golf Trust Fund in cooperation with the Lincoln Parks Foundation.
   a. Provide review and guidance regarding use of golf memorials and/or gifts directed to the Lincoln Golf Trust Fund.

8. Serve as a liaison between the Lincoln municipal golf program and the golfing community.

**Article III. Membership, Term, Vacancy and Termination.**

A. The Lincoln Municipal Golf Advisory Committee will consist of seven (7) members. The Director of the Parks and Recreation shall make recommendations to the Mayor and he or she will appoint the seven (7) members to the LMGAC by Executive Order.
   1. Representative of the Parks and Recreation Advisory Board;
   2. Representative of the Lincoln Municipal Golfers Association (LMGA);
   3. Representative of the Lincoln Women’s Municipal Golf Association (LWMGA);
   4. Representative of the Lincoln Seniors Men’s Golf League; and
   5. Three (3) at-large members from the Lincoln golf community.

B. Representatives for the three golf organizations will be appointed annually. The initial term for the at-large members will be from one (1), two (2) and three (3) years with subsequent appointments being for three (3) years.

C. Appointments to fill vacancies shall be as in the case of other appointments for the unexpired term of the member whose term became vacant.

D. Upon the failure of any member to attend three consecutive meetings, the LMGAC may recommend termination of that member’s appointment to the Director of the Department of Parks and Recreation, and the Director will solicit nominations from the members of the LMGAC for the Mayor to appoint a new member from the organizations listed above to be filled in the manner of a regular appointment.

**Article IV. Officers and Staffing**

A. Officers. The officers of the LMGAC will consist of a Chair, Vice-Chair and Secretary. The Chair and the Vice-Chair will be elected by the LMGAC membership at the August meeting of the committee. The Director of the Department of Parks and Recreation or designee will serve as secretary to the LMGAC and will distribute meeting agendas and prepare meeting summaries of committee meetings.
B. Chair. The chair shall have general supervisory and directional powers over the LMGAC. The chair shall preside at all LMGAC meetings and, in consultation with support staff (i.e., Golf Manager in consultation with the contracted PGA Golf Professionals and Golf Superintendents), set the agendas. The chair may appoint subcommittees to review and make recommendations regarding special topics or projects.

C. Vice Chair. The vice chair will execute all powers of the chair in the absence of the chair.

D. Secretary. The secretary will distribute agendas seven (7) days in advance of LMGAC meeting and will prepare and keep meeting summaries of said meetings. Following approval by the LMGAC, meeting summaries will be posted on the City of Lincoln, Department of Parks and Recreation official golf website.

E. Staff. The City of Lincoln will provide necessary staff support to the LMGAC to the extent that the Golf Division’s budget permits and/or is allowed by law. The Director of the Department of Parks and Recreation, Golf Manager, Golf Course Superintendents, and contracted PGA Golf Professionals will be invited to attend and participated in monthly LMGAC meetings.

**Article V. Organizational Procedures, Meetings.**

A. The LMGAC, as soon as practical after the initial appointments, will organize by election of a Vice-Chair, and will adopt rules and regulations governing its proceedings.

B. Meetings will be held on the first Wednesday of the month at the Parks and Recreation Department Administration Office, 2740 A Street. All meetings shall be open to the public. The agenda and meeting summary of the prior monthly meeting of the committee will be posted on the City of Lincoln, Department of Parks and Recreation’s official golf website.

C. Five (5) members of the LMGAC will constitute a quorum. A quorum is needed to conduct official business of the Commission.

D. These bylaws may be repealed or amended, or new bylaws may be adopted by a majority vote of the LMGAC, with consent and approval of the Director of the Department of Parks and Recreation and the Parks and Recreation Advisory Board.

E. The parliamentary authority for the Commission is *Robert’s Rules of Order Revised*, except where superseded by these bylaws or local, state, or federal law.

Chair, Parks and Recreation Advisory Board
Rick:

As you have observed the past few days in email exchanges, I have relayed some concerns from citizens on the pending legislation regarding solicitation by City employees.

I just left a telephone message for you (3:00 pm Friday—sorry for late afternoon call) in which I asked to have this matter put on pending for a week or two. I am not sure whether public hearing should be reopened.

This short delay will allow Staff and Council members to discuss some modifications to the language for both “city time” and the “uniform” for off-duty solicitations. It may also be helpful to get some input from organizations like the United Way, which has traditionally worked with employers to solicit through their organizations.

The issues that have been presented to me include

(1) solicitation on City time (one suggestion was for the employee to take vacation time) and the potential pressure on other employees to contribute
  a. Some have suggested that due to the large number of holidays, vacation and sick time, funeral leave and other benefits, that City employees could use personal time
     i. This was contrasted to the lesser paid time off in the private sector, even where an employer might allow “paid time” solicitation
  b. Another concept was to have groups like United Way make presentations at an early breakfast meeting so that City staff time is not used
(2) wearing of uniforms during solicitation, especially off-duty and the intimidation effect many citizens have raised

Because I have received so many communications on this matter, I feel it is important to constructively address the concerns. At the same time, I want to be cognizant of the generosity of our City employees for charitable endeavors like the United Way and Food Bank, to name two.

Simultaneously, we could address a “policy” on solicitations that could be issued by the Mayor to give more concrete direction.

I will have Mary Meyer share this email with my City Council colleagues.
Thank you in advance for considering my request.

Jon

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

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Fax: 402.474.1838
Cell: 402.560.1001
Email: joncamp@lincolnhaymarket.com
Website: www.lincolnhaymarket.com
Jim and David:

Congratulations to Jim on his Op-Ed piece in today’s LJS.

I will be interested in any further developments/communication with Wal-Mart.

My goal is to get a meeting schedule with Stone-Ridge Estates representatives, W-M representatives, key City staff (Mayor’s office, City Council, Public Works) to discuss together the safety issue and other concerns of SRE. There appears to be confusion on communications between W-M and SRE and the extent of concessions by W-M.

To facilitate such a meeting, I am copying a number of individuals on this email with the hope that this meeting can be arranged. Perhaps Rick Hoppe, Chief of Staff to Mayor Beutler, will be able to coordinate the meeting.

Best regards,

Jon

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Website: www.lincolnhaymarket.com

“The American Republic will endure until the day Congress discovers that it can bribe the public with the public's money”

~ Alexis de Tocqueville  (French Historian and Political scientist, 1805-1859)

Check our reception and event venues at:

http://www.facebook.com/pages/Apothecary-Lofts-Ridnour-Room/173175799380032
Hi Jim,

I have just read your thoughtful piece in today's Lincoln Journalstar:


Nice job, Jim – well written!

We in the SRE neighborhood really appreciate all of the effort that you have put into researching and presenting this issue in a persuasive, factual, yet very balanced manner.

One thing that I have learned through the petition drive, the well-attended town hall meetings, and many subsequent discussions/meetings is that we have some of the most thoughtful citizens in Lincoln living in our neighborhood, and that certainly cuts across party lines. This group has done a beautiful job of presenting its views to the Mayor, the City Council, Wal-Mart and the public. **The ball is in the court of our elected leaders** to balance the apparent desire for tax revenue and commercial development with much bigger issues of safety and City planning for the next generation! Their actions or inactions will speak volumes!

Obviously, we are looking for bold leadership, those who seek to do the right thing, even if it means not conforming, deviating from cookie-cutter planning. George Norris certainly taught us this well - the uniqueness and effectiveness of our Unicameral is a testament to Nebraska ingenuity, leadership, independence and practicality. In the case at hand, such leadership might mean correcting or modifying past mistakes, and standing up to outside corporate interests and their lawyers, where big issues (e.g. safety (!) and long-view planning) demand this. That is certainly what we expect! And Lincoln is after all, a great city, and very important for this state.

Best wishes,

David

P.S. Had the chance to see Harvey Perlman and JB Milliken in Columbus yesterday – Had a good discussion about planning in Lincoln around the University and the City, and the need to plan well!

Had a great visit to the OSU Chemistry Department all day Friday. Hope your business trip is going well!

David Berkowitz
8051 Tropp Ridge Drive

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Willa Cather Professor of Chemistry
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Phone: (703)-292-8171  
Internet: http://www.nsf.gov/mps/che/about.jsp
Mary M. Meyer

Subject: LJS Op-Ed

From: Michaela Maglalang [mailto:michaela.maglalang.qfml@statefarm.com]
Sent: Monday, October 08, 2012 10:04 AM
To: Jon Camp; David Berkowitz; Jim Hansbrough
Cc: Mayor; Rick D. Hoppe; Mary M. Meyer; Miki Esposito; m hunzeker@baylorevnen.com; Thomas Zimmerman (tom@jhhz.net) (tom@jhhz.net)
Subject: RE: LJS Op-Ed

We are having a neighborhood Stone Ridge meeting on Thursday, Oct. 18th @ 7:00 pm at Adams Elementary School. I realize that is about 10 days away, but if nothing takes shape before the 18th, we can meeting an hour prior to the neighborhood meeting.

From: Jon Camp [mailto:joncamp@lincolnhaymarket.com]
Sent: Sunday, October 07, 2012 6:56 PM
To: David Berkowitz; Jim Hansbrough
Cc: Michaela Maglalang; Mayor (mayor@lincoln.ne.gov); Rick D. Hoppe; ‘Mary M. Meyer (mmmeyer@lincoln.ne.gov)’; mesposito@lincoln.ne.gov; m hunzeker@baylorevnen.com; Thomas Zimmerman (tom@jhhz.net) (tom@jhhz.net)
Subject: LJS Op-Ed

Jim and David:
Congratulations to Jim on his Op-Ed piece in today’s LJS.
I will be interested in any further developments/communication with Wal-Mart.
My goal is to get a meeting schedule with Stone-Ridge Estates representatives, W-M representatives, key City staff (Mayor’s office, City Council, Public Works) to discuss together the safety issue and other concerns of SRE. There appears to be confusion on communications between W-M and SRE and the extent of concessions by W-M.

To facilitate such a meeting, I am copying a number of individuals on this email with the hope that this meeting can be arranged. Perhaps Rick Hoppe, Chief of Staff to Mayor Beutler, will be able to coordinate the meeting.
Best regards,
Jon

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“The American Republic will endure until the day Congress discovers that it can bribe the public with the public's money”

~ Alexis de Tocqueville (French Historian and Political scientist. 1805-1859)
Check our reception and event venues at: http://www.facebook.com/pages/Apothecary-Lofts-Ridnour-Room/173175799380032
Some Council members said they are uncomfortable with allowing City employees to wear uniforms while soliciting donations from the public - AKA For the Less Fortunate & Hungry!

Mr. Camp says some members feel intimidated when Fire-Fighters seek donations in uniform! Intimidated I always did when a OFF-Duty Police Officer - moon lighting as a security guard in full uniform at Kings in the 80's & 90's.

P.S.

Intimidated Gee one in Uniform is carrying a GUN but as no Bias is ever present in Mr. Camp's comments! It's not the Fireman Sir!