

**THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD
MONDAY, OCTOBER 30, 2000 AT 5:30 P.M.**

The Meeting was called to order at 1:30 p.m. Present: Council Chairperson Shoecraft; Council Members: Camp, Cook, Johnson, McRoy, Seng, Shoecraft, Joan Ross, Deputy City Clerk; Absent: Shoecraft.

The Council stood for a moment of silent meditation.

READING OF THE MINUTES

CAMP Having been appointed to read the minutes of the City Council proceedings of Oct. 23, 2000, reported having done so, found same correct.

Seconded by Cook & carried by the following vote: AYES: Camp, Cook, Johnson, McRoy, Seng, Shoecraft; NAYS: None; ABSENT: Fortenberry.

PUBLIC HEARING

COMP. PLAN AMENDMENT 94-60 - AMENDING THE FUTURE LAND USE, LONG RANGE TRANSPORTATION, STORMWATER, COMMUNITY FACILITIES, & OTHER APPROPRIATE PORTIONS OF THE COMPREHENSIVE PLAN TO REFLECT THE ELEMENTS OF THE ANTELOPE VALLEY PROJECT;

AUTHORIZING THE MAYOR TO EXECUTE AN EXHIBIT TO THE INTERLOCAL AGRMT., WHICH CREATED THE JOINT ANTELOPE VALLEY AUTHORITY, TO INCORPORATE EXHIBIT "B" INITIATING THE IMPLEMENTATION PERIOD OF THE AGREEMENT UPON RECEIPT OF THE RECORD OF DECISION APPROVING THE ANTELOPE VALLEY ENVIRONMENTAL IMPACT STATEMENT - Roger Figard, Public Works Dept.: Jennifer Dam and Roger Figard representing the City of Lincoln Public Works and Planning tonight. As we present information we want to briefly let you know, we're going to give you a quick overview, and those that are watching, of the process and how we got here tonight with the Antelope Valley Study and the proposed Comp. Plan process. We will also quickly review the actual amendments that are being proposed in the Comp. Plan process then at that point and time we will have, also, a short presentation or comments from the two other partners in this process, the Lower Platte South Natural Resource Dist. and the University of Nebraska Lincoln. We have a representative from the Federal Highway Administration here that can say a couple of brief words about the NEPA Report and it's efficiency. And, we also have a couple of words on the cost benefit ratio and then with your indulgence we have a two minute tape that would show some of the before and after picture computer simulations. So, with that we'll get started. Antelope Valley Study, how did we get here? Tonight I want to talk about three P's. The three P's really are partners, parts, and process. The partners are the Lower Platte South Natural Resource Dist., University of Nebraska Lincoln, and the City of Lincoln. And, for those people that are listening, when we talk about the City of Lincoln I think what's unique about this process is this wasn't one individual isolated department within the City. Five major efforts from the City under the leadership of the Mayor's office came together; Public Works and Utilities, Planning, Parks, and Urban Development. This truly is the City in it's broadest cross section. What are the parts. The parts that we've come to know and what we're trying to deal with over time were flood control and storm water and in the area, community revitalization, and transportation as they would relate to Antelope Valley. The other P, part of all of this is the process. We were committed to trying to do something differently with this. This was to be a bottoms up not someone in the community or someone in a City department or business telling the community what was good for them. We wanted to work with the idea this would be a consensus building process. That we would bring forward one set of solutions. Consensus would mean that we would generally have enough people buying in that they would be satisfied. It didn't mean that everyone was happy. And, we also were looking for wins for each of the partners, wins for the community, and wins for each piece of the process. Why have we not been able to get where we are today prior to this. In the 60's, the 70's, and the 80's each of the partners were challenged with some of the same problems. The City of Lincoln struggling with issues. We each, I think, over those 30 years tried to go our own direction. We each tried to solve our own problems, we had our own plans, and in each case as we headed out to solve our problem it was a conflict for one of the other partners of the community. The City was concerned about stormwater, a flood plain, and a flood way that really didn't exist in Antelope Creek. Transportation issues as we had arterial streets going through a downtown business area

and a University campus. And, also an older neighborhood that seemed to be deteriorating and we were losing home ownership and folks just simply weren't able to rebuild and reinvest. The Lower Platte South Natural Resource Dist. was also concerned about flood control and protecting the environment. And, the University of Nebraska Lincoln certainly in this area of east downtown concerned about growth, concerned about a flood plain that kept them from doing that and also concerned about student safety in the area. A new idea came forward in the early 1990's. The City, the Chancellor, the President of the NRD got together and said we've been unsuccessful individually why don't we put our heads together. Let's work together. The three partners formed a partnership. The thing that was different, each of us had brought strategies the things that we really had to have for our own entity to be successful and we let go of some of the other smaller issues. We really were looking for a win in each of the partnership areas. Between December of 1994 and August of 1995 we said we need a study team that's different than what we've done in the past. This isn't a project about just engineering. So, we brought together a broad cross section of people within the community and across the country that understood revitalizing older neighborhoods and businesses, dealing with floods and stormwater, and transportation issues and we said we're going to work together and we're going to do this as a package. And, then between August of 1995 and spring of 1996 after we put together a study team we said it's also going to be important that we develop some type of a process, a public process, and have a work plan for this and we spent nearly six months coming up with a process that we thought would be inclusive, it would be fair, and where everyone would have an opportunity to participate.

Jennifer Dam, Planning Dept.: In June of 1996 the Antelope Valley Advisory Committee was formed. The Advisory Committee consisted of individuals from the City Departments, from the Lower Platte South, from the University as well as individuals from the Clinton, Malone, East Campus, University Place, and Hartley neighborhoods, Woods Park Neighborhood Assn. other interested citizens and businesses in the area. In September of 1996 the community identified the eight purposes and needs of the study that identified over 100 community revitalization, transportation, and stormwater alternatives. Between March of 1997 and July 1997 the Advisory Committee narrowed the 100 alternatives to four alternate packages. From July of 1997 to November of 1997 a preferred package of alternatives of community revitalization, stormwater, and transportation elements was developed. The draft single package was then proposed for review. In November of 1997 the Advisory Committee recommended that the Comprehensive Plan should be amended to show the preferred package for additional study in the Draft Environmental Impact Statement and environmental impact statement. In December of 1997 the Super Commons and representatives from the University and Lower Platte South unanimously accepted that recommendation. In March of 1998 the Planning Commission approved the Comprehensive Plan Amendment to show the preferred package for further study in the Draft Environmental Impact Statement environmental impact statement. In May of 1998 the City Council took two actions: they approved the Comprehensive Plan Amendment that showed the preferred alternative for additional review, but they also asked for additional review of 5 issue areas. Those issues areas were whether there should be a single two-way road corridor or a combination of one-way pairs, the east-west downtown intersections at N, P, Q and the new roadway, whether the stream should be an open channel or a limited closed conduit. They asked the Study Team to look at the Cornhusker Highway and North 33rd area. And, they also asked to look at the road and water conveyance between the Beadle Center and the Malone Center. In August of 1998 the Advisory Committee reached consensus on the five issue areas. The consensus included a single two-way road corridor at the intersections of N, P, Q, and the new roadway should remain open at least initially. That there should be an open channel that would be landscaped with additional park land and recreational amenities. That the intersections at North 33rd Street and Cornhusker would remain open as a three lane underpass of the railroad crossing and the intersection at North 35th, Adams, & Cornhusker would be closed. And, finally that the road and waterway would follow the proposed route between the Beadle and Malone Centers through Trago Park. That the Study Team, however, would continue to work with the neighborhood and other interested citizens on the design details, on housing issues and on relocation and acquisition issues. In August of 1998 the Super Commons unanimously accepted the consensus summary and requested that a comp plan Amendment be forward to reflect those items of consensus. In October of 1998 the Planning Commission approved the Comprehensive Plan Amendment incorporating those five items

of consensus into the Comprehensive Plan. And, in November of 1998 the City Council unanimously approved the Comprehensive Plan Amendment for incorporating the five consensus areas. Between December of 1998 and June of 2000 the Study Team worked on and completed the Draft Environmental Impact Statement environmental impact statement. In the Spring of 2000 the joint Antelope Valley Authority was created which is a further partnership of the City of Lincoln, the University of Nebraska, and the Lower Platte South NRD.

Mr. Figard: In late July of 2000 the draft, I'm sorry that's not right. The 1st of July the Draft Environmental Impact Statement and environmental impact statement was released for public review and comment. About three or four weeks into that process on July 24, 25, 26, & 27th Study Team and the partners held open houses in the study area and outside of the study area to allow people to come in in an open house format and become familiar with the environmental document and it's components and ask questions to be better prepared to respond to a public hearing on the document. There was also a bus tour scheduled for Saturday, July 29th. On August 1st and 2nd there were two additional town hall meetings held in the afternoon for people to come in and be further briefed on the Draft Environmental Statement followed later that evening or throughout the same time period the formal public hearing on the NEPA Draft Environmental Impact Statement environmental impact statement itself. Comment period on that document was closed on the 29th of August after being extended two weeks for additional people to comment and to respond.

Ms. Dam: In response to the comments and the public hearing on the environmental impact statement the Partnership requested a Comprehensive Plan Amendment be forward to incorporate the community revitalization, stormwater and transportation elements of Antelope Valley into the Comprehensive Plan. And, that gets us to where we are tonight which is the proposed Comprehensive Plan Amendment. Roger and I will go back and forth a little bit here so you can see these maps in a little bit more detail and that our viewers can see them also. The Comprehensive Plan Amendment amends the future land use map to show the area of the open water way and expanded Trago Park as parks and open space and to show the area of the proposed new Northeast Park as parks and open space. It amends the future road network map to show the new roadway. If Roger could point that out. (showing map) It amends the functional classification map to show changes in the street and road classifications due to the new roadway. It amends the current and future trails map to show the new trails that are proposed as part of the Antelope Valley Project. And it incorporates text into the Comprehensive Plan that include community revitalization strategies, a description of the project and the roadway, projects relating to the railroad grate crossing, separations, and eliminations. The stormwater management and flood control strategy and strategies for the development of trails and parks that are associated with the project. The Comprehensive Plan Amendment would allow the City Council to authorize annual funding for the Antelope Valley project in the Capital Budget. It allows the joint Antelope Valley authority, also known as JAVA, to complete the preparation period which includes public information and review, project design to receive grants, gifts, bequests, and appropriations and to allow the contracting or purchasing authority of each partners be used. The next steps include the Urban Development Department will prepare a Community Revitalization Plan. There will be a general plan of the strategies that have been developed to date by the advisory committee, by neighborhood residents, by Staff, and also an implementation plan for those strategies. The Urban Development Dept. has also been authorized to prepare a blight study of the impacted area and if this area is indeed found to be blighted to go forward with a redevelopment plan that will detail actions for specific projects.

Mr. Figard: Additional JAVA will complete the preparation phase which includes laying out construction phasing, finishing functional design and construction drawings for Phase 1 projects and finalizing any funding agreements. Also, on your agenda tonight resolution 00R-295 also lays the ground work for moving from the implementation phase of JAVA into, I'm sorry, from finishing the preparation phase into implementation phase upon receiving a record of decision on the need to document from the Federal Highway Administration and also, upon appropriate approvals from the partners governing bodies, University of Nebraska Lincoln Board of Regents and the Lower Platte South Natural Resource Dist. With that implementation phase then we would be ready to move ahead with acquisition of property, relocation of residences, residences, businesses and structures and start construction activities within the authority of each partners capital improvement program. That would complete our formal part of the presentation. We would ask that the partners would come forward

and make their remarks at this time. We do have at least one letter that we would like to submit in support of the Comp Plan Amendment and City Staff as well as Study Team Staff is here and available to answer questions at any time in the process both during or after the public has testified. So with that we would ask the Mayor to come forward.

Mayor Don Wesley: Mr. Chairman and the City Council. Thank you for the opportunity to speak to you this evening. I'm here along with my partners from the University of Nebraska Lincoln, Lower Platte South NRD and other community organizations to speak on behalf of the proposed Antelope Valley Project before you today. This project initiated under, was initiated under the Johanns administration and after four and half years of thoughtful study, intensive community outreach and careful planning we stand before you as partners eager to begin an ambitious project with tremendous potential and far reaching consequences. The Antelope Valley partners undertook the Antelope Valley effort to find consensus on community concerns about the stormwater, transportation, community development issues we face in the Antelope Creek Basin. For many reasons it's not been easy. For one thing the issues are deeply intertwined so that any solution for one problem has implications for all the others. Furthermore, the Antelope Valley area encompasses some of Lincoln's historic core neighborhoods and oldest business districts. It's imperative that we be sensitive to their past as well as their future. Finally, we were approaching residents who would be greatly affected by whatever it was to be proposed and frankly many of those residents past experiences with public process left lingering doubts about how the Antelope Valley Study would be handled. We are here to proudly tell you that those hurdles have been overcome. The project before you now is the distillation of more than 500 public meetings, thousands of hours of analysis and many, many balanced choices designed to produce the best package of solutions for stormwater protection, transportation enhancement, and neighborhood revitalization. I want to stress the issue of balance. The elements of Antelope Valley work together in harmony for the best possible outcome on all fronts. It does not ease flooding at the expense of traffic flow nor does it move cars at the expense of neighborhood redevelopment. I'm proud to be a part of the Antelope Valley project and I look forward with eager anticipation the day work begins and we breath new life into this important area and the heart of our community. I encourage you to enthusiastically support the Antelope Valley project as it has been presented to you by a dedicated study team knowing that in the future we have flexibility with some of the details of this project. I also want to indicate that federal funding, state funding, and city funding as well as private investment are all poised to move forward awaiting your vote. So, thank you for your careful consideration of this historic project.

Michele Wait, Assistant to Chancellor for Community Relations: Thank you Chairman Shoecraft and members of the City Council. I am pleased to be able to join you this evening. My name is Michele Wait and I am the assistant to the Chancellor for Community Relations speaking on behalf of the Chancellor for the University of Nebraska Lincoln. Hopefully, by now you've received a copy of Chancellor Pearlman's letter of support for the Antelope Valley Project and he extends his regrets that he cannot be here in person tonight and provide testimony. For purposes of placing into the public record for the City Council I will be reading basically the same public statement that many of you have heard before. At the conclusion I'd be happy to try to answer any questions. One of UNL's prime goals is to increase it's research productivity. This will enhance a graduate and undergraduate academic programs and provide a substantial boost to the economy of Lincoln and the State of Nebraska. Strong research universities attract new industries and business and with that comes economic expansion, population growth, and an increased tax base. Freeing the southeast quadrant of City campus from the 100 year flood plain designation will allow UNL to support its research initiative in the appropriate location next to the Beadle Center and the Engineering Complex. When UNL revised it's campus master plan in 1998 the flood control and transportation proposals from the Antelope Valley Study were incorporated in the plan because of the positive impacts they would have on City Campus, it's surrounding neighborhood and downtown Lincoln. We are pleased with the (inaudible) of the new Antelope Creek Channel. The green space, hiking and biking trails and recreation sites proposed for this park like environment will benefit those who learn and work on our campus, adjoining neighborhoods, others who enjoy Lincoln's network of trails and new businesses will be attracted to the area east and south of City Campus. The location of the proposed north south roadway and stream channel east of the Beadle Center make sense. UNL land holdings located

south of the Beadle Center where the stream channel and roadway separate to form a Delta shaped land parcel east of 19th Street can then be used for private development and or expansion of Trago Park. With construction of the proposed roadways along the north and east edges of City Campus, traffic that now cuts through the campus on 14th, Vine, 16th & 17th Streets will be diverted around campus. Removal of this disruptive and dangerous volume of traffic from the campus core has been the goal of the University since the 1960's and will result in a safer and more attractive environment for our students, faculty and staff and the visitors that we serve. The proposed east, west roadway will permit the elimination of two railroad crossings on the north edge of the City campus. These crossings at 14th & 17th Streets are frequently blocked resulting in motorists and pedestrians taking dangerous risks in order to avoid long delays. I'm sure most of you have been frustrated as you have waited for the coal trains that frequently stop traffic south of Devaney Center at the most inconvenient times. We believe the Antelope Valley proposal is good for the City, good for the University, and good for the State of Nebraska and we urge your support for this project. Thank you.

Glen Johnson, General Manger of the Lower Platte South Natural Resource District: The third local partner in this project in this study and activity. The Lower Platte South Natural Resource Dist. and it's partners have worked long and hard with the public, with Federal agencies and other local governmental agencies and organizations to reach this point. The draft single package of the Antelope Study offers a great opportunity not only to the local communities, to the local neighborhoods but also to the greater City and to the State of Nebraska. It offers things to each of those particular entities. I'll address particularly the stormwater flood control component. That will provide a high level of flood protection to a large chunk of the historical City core. Approximately, 1003 structures are currently at flood risk from the 100 year flood in the Antelope Creek flood plain. That flood plain reached out approximately five blocks in width. The study proposes reducing that flood plain, that 100 year flood plain to the width of a new open water way running from approximately N Street all the way north and west to where it enters Salt Creek northwest of the Devaney Center and the State Fair Park. This open water way is very different from the what the other open channels are in the City of Lincoln. It is designed to be a more multipurpose type of open channel that not only does provide flood protection, but it is also an open space corridor and a connecting green way from park system all the way from Antelope Park all the way down Antelope Creek to tie in eventually with crests of green running along Salt Creek. The Antelope Creek flood control component has been developed through a Corp of Engineers feasibility study process going on at the same time as the whole Antelope Valley major investment study was underway. They worked hand in hand, the Corp, the Study Team together. The feasibility study has been completed. It is now before Congress as of tonight or tomorrow to be voted upon, we think, in the Water Resources Development Act authorization. The committee put together the conference report from the House and the Senate. Antelope Valley is in that report and that will be offered tomorrow under the floor of the Senate. This project has a cost benefit ratio of 1.25 to 1. It's a good cost ratio for any Corp of Engineer flood control project. That project through it, though is in interlink connected to the other parts of this particular study. The transportation and the community revitalization, they really cannot be separated from each other because they're so interwoven. The NRD urges the City Council to approve the Comp Plan Amendments and to authorize moving forward into the implementation period. Thank you.

Bruce Lind: I'm the Nebraska Division Administrator for the Federal Highway Administration. Normally, Ed Fusollo would be here tonight, but he is out of town and he asked me to fill in for him. The lead in was that where are we going from here? A draft and environmental impact statement was issued and was circulated. Among those circulated to was the Environmental Protection Agency, the Corp of Engineers and a number of other federal and state agencies. The document has been reviewed and comments have been received. Probably one of the most telling ones is one dated August 23 from the Environmental Protection Agency and in their comments they gave it their highest rating which is a lack of objections. And, they also, in their final paragraph said the EPA commends the work of all those persons and agencies involved with the public process leading to the development of the EIS. To proceed with the development of the final EIS the consultants and City will addressing comments on the draft. They will develop a memoranda of agreement on those historic properties affected. They will develop a final 4-F statement. They will publish a notice of availability, or rather we will publish a notice of availability

in the Federal Register which will involve a 30 day comment period. We will evaluate any comments received on the final EIS and as a final act issue a record of the decision.

Jon Camp, Council Member: Mr. Lind I had a question for you if I may. Thank you, since you're with Federal Highway and all. I worked there a number of years ago. One of the concerns I've had different constituents express to me the flexibility of the Antelope Valley as it unfolds. You know potentially we're looking at a 10 to 20 year project and some of the features there where they were presented in one form in the Environmental Impact Statement what is the ability of Lincoln to make some modifications down the road if say some of the economic development goes a little bit direction as what's anticipated. Do we have, I guess, local control without a lot of re-application to Federal Highway or whatever?

Mr. Lind: I'm sorry I just don't understand your question could you ...

Mr. Camp: Let's take one example. There's one of the five areas that consensus was reached on was the large two way boulevard and there's still some concern by some constituents as to whether that's the best approach or perhaps as this unfolds if some of our development adjacent to that would go a different direction that the paired one way alternative would be better. Maybe I'm catching you off guard and I apologize, that let's say down the road that may be 3 or 4 years into the project. If there is a little bit different evolution than what we're anticipating what flexibility does Lincoln have to look again at paired one-ways as an example?

Mr. Lind: Well, probably we'd have to go back and look at that specifically then. 3 or 4 years down the road is 3 or 4 years down the road so it's difficult to say and you really have to judge if it's a change at that point in time. You'd have to judge it on it's merits at that time.

Mr. Camp: What would be the process to do that?

Mr. Lind: A supplemental Environmental Impact Statement potentially. But, first you have to evaluate does this materially change the environmental impacts. If it does then we would have to examine them. If it doesn't then we could probably go on with it, but we would have to evaluate it at that time.

Mr. Camp: What type of time frame would be in that re-evaluation?

Mr. Lind: It's very difficult to say. It depends upon the issues. It might run 6 months or more. It's really hard to say off hand. Anything else?

Mark Arter, The Arter Group in Lincoln, NE: I'm in with The Arter Group of Companies in Lincoln Nebraska. I've been a local real estate developer, construction, and lately consulting for 25 years. Been involved in redevelopment projects involving historic and heritage housing so I have a wide range of experience. My company was hired to do a benefit study of the Phase 1 improvements for Antelope Valley. We contracted with John Layman, Layman & Assoc., and Professor David Rosenbaum, a professor in Economics to assist me in that effort. We have completed a preliminary report. You should have received an executive summary previously. What I have on the screen here is a summary of the potential economic benefits. To make this very brief we summarized these into the transportation elements primarily involving the impact of the at grade railroad crossings being eliminated and the delays in traffic that causes. stormwater protection is examining the Corp of Engineer study and providing additional information regarding that study. Community revitalization was the biggest topic we took out on and you can see various benefits. Trail and park enhance property evaluations. We see quite a positive impact on properties that are adjacent to the water way improvements in the new 19th Street roadway. We've demonstrated a substantial savings to property owners in the City of Lincoln regarding flood insurance. On a present value basis we believe that ranges from 7 to 10 million dollars in savings to our local property owners. We also estimate that in terms of property redevelopment there will be a substantial increase in private investment that will come from the reduction of that flood plain. That's a primary issue that has stifled investment in that area. We projected a 20 year time frame starting in the year 2008 and we show a range of 50 to 64 million dollars in new private investment coming into housing and commercial redevelopment as a result of this project. We estimated 64½ million and then we took a 20% haircut down to 51½ million to try to provide a conservative level of economic benefit estimates. We believe a substantial portion of that will come from new housing. We think the market for downtown housing has been demonstrated. We think that there's various examples of new projects.

Malone Village was a good example of private investment that attracted new residents and homeownership into that area. And, to try to keep this brief we tried to estimate those again in a conservative manner and we also then took a look at the total lost property tax revenues from the properties that are acquired for each of these three elements and subtracted those from the benefits that are projected. Redevelopment activity multiplier impact is taking a look at the economic impact of construction dollars primarily coming into the local economy. In terms of those private investments in community revitalization that's a substantial benefit primarily involving Lincoln Nebraska because we estimate a lot of these projects for housing and new commercial development will involve local contractors. There is a ripple effect even if it is a Lincoln contractor that goes into the State economy and so those benefits are broken apart separately. Other benefits would include the construction activity multiplier regarding the Phase 1 project improvements. These are the public improvements in terms of streets, waterway improvements, and community revit projects. So that's a separate large number. Of course, that relates to almost any expenditure that you make (inaudible) thought that had to be considered here to have a total picture. That turns out to be almost 229 million. Last element we looked at was the impact in terms of the R&D expansion potential with the University of Nebraska. They have a current deficit right now in economic research and labs. They're trying to address that. They've stipulated in their master plan that's a major focus. And, this looks at the impact of additional Beadle Center type expansions which are made available by the reduction and flood plain from 17th East in between R and Vine Streets. Total benefits total up to 745 million dollars. Again we think that's been a somewhat conservative estimate. I have a bar chart just to give you a little bit of a flavor for sometime visual aides are helpful. Antelope Valley Phase 1 project costs 175 million are shown in the red on the right hand side. Some of the things that we could not reasonably estimate with any reliable degree of accuracy is, I have listed, Downtown Core Vitality. We think this doesn't detract from the central core of Downtown Lincoln, in fact enhances it particularly with the emphasis on new housing. We think that's a major plus for the downtown area as well as the surrounding neighborhoods. Neighborhood vitality, we took a look at the wrap around centers and some of the other aspects of the project and while we think that those are substantial enhancements it was very difficult to draw a direct relationship with dollar expended to a dollar benefit and we decided to leave those off and just note that those are not included in terms of estimated economic benefit. Quality of life, safety, I guess everybody looks at safety after the fact more carefully if there was a tragedy involving the rail car, railroad conflict with cars and pedestrians. If there was a conflict with or fatality with University students and faculty on 16th & 17th Street then those would be a very obvious tangible benefit, but we have not tried to estimate the economic benefits of those safety enhancements. We just note that those are very substantial. I have the other two members of my team here tonight if you have questions and I just ask if you have any questions at this time?

Annette McRoy, Council Member: Mark you said these are projected over 50 years and then backs 6% at todays rate? What would have been the projected (inaudible)?

Mr. Arter: Without discounting?

Ms. McRoy: Because that 6% is pretty conservative.

Mr. Arter: Well, we took that approach, quite frankly, we didn't even look at the total gross benefits. It would get to the point where it'd almost be hard to calculate, but it's a tremendous haircut to benefits to take it back to a present value basis. And, so when you look at everything on a present value the cost structure was evaluated and presented to you on a present value basis and we thought the benefits ought to be as well.

Ms. McRoy: \$2,000?

Mr. Arter: For \$2,000 uh-huh. I could try to give you supplemental information regarding those gross total benefits if that would be helpful.

Mr. Figard. I would ask Channel 5 we have a two minute tape showing computer simulations and then Joel Pedersen has a motion to amend on Resolution 295 and would like to say a couple words and that'll finish our presentation. So, Channel 5 please run that tape. (showing tape)

Joel Pedersen, Asst. City Attorney: I have taken the liberty of drafting a motion to amend. In part this will address one of the questions that Council Member Camp. I've got several copies here. There's room for it to be introduced by any one of you who would feel so moved. The basic things that it looks at are the concerns primarily about public process and I'll just go through the whereas's there. The first

one talks about contingencies which would basically cover emergency and other contingencies and respect your ability under your governing laws and the budget processes that the City follows. The second whereas talks about the budget process and the improvements based upon more detailed program design and engineering. The third one follows up and says that there is a possibility for new approaches based on that more extensive analysis. And, finally the last one is to reassure the City Council and impacted property owners and the public at large about the continued public process at the City Council level. My involvement with Antelope Valley has been primarily in the formation, creation, and operation of the Joint Antelope Valley Authority. And, I did want to remind you that the resolution before you tonight will implement the implementation period under that agreement. I talked a little earlier about that, but that's based on the partners consensus, the federal funding and state funding. It was perceived best to do that now that the commitment for implementation at the local level was the most important part of aligning that support. And, you will recall that after this point it does get difficult to get out, so the implementation period is real and I just wanted to remind you of that. Any questions.

Mr. Camp: Thank you Joel. I appreciate your coming forth with these clauses and so forth. Perhaps, just talking out loud and for the benefit of our viewer, too, when we talk about flexibility and prioritization and you use the word priorities in which I appreciate could you talk through a scenario, let's say one would be an economic scenario where we have some down turn or do we just have some other priorities that come up and as a result the City or the University or the NRD had some difficulty on those funds. Or say a funding source in Federal government falls through or is delayed how do we without hurting the project, what mechanisms do we have available to prioritize and do things as they should be and still maintain the quality of the project?

Mr. Pedersen: If I understand your question, the commitment you're making to JAVA to implement is real. I mean the obligations of implementation period are clear. We are committing to do the project, but we are a local subdivision among other things we live with State imposed levy limitations. As you mentioned there may be federal funding problems. There may be other contingencies that we may need to handle on a fiscal basis. I think the job agreement addresses that in two ways, there is a range of time for implementation so that some of this can be accommodated by perhaps spreading out the obligation over a number or an additional period of time. We have the ability to phase in, if you will, the Phase 1 improvements. So, while the implementation period talks about the Phase 1 improvements as a whole it is over a relatively long period of time so that we can have some flexibility in the timing and sequencing of those.

Mr. Camp: Now where we're making commitments to our partners under the JAVA agreement, how much, obviously we wouldn't have unilateral choices in those matters, or at least I'm assuming that that we'd have to work on a cooperative basis and again I'm not saying that the University or the NRD is not going to be cooperative, how do we use that range of time for example and working in a cooperative spirit so that we still accomplish the overall objective.

Mr. Pedersen: Well, the JAVA agreement is clear on that. It requires the unanimous approval of all three members. And, really that's the protection. So, you're appointing our Public Works Director as the voting authority in JAVA so essentially it has to be a consensus between the three partners on how that would be phased in. The timing part of it we talked about this and how this would work with the respective obligation that each of the partners has for budgetary, fiscal, and legal restraints and it was determined that they all kind of needed to live together, but that the governing body should act first and then JAVA would then follow with their activities. So, that's kind of respecting the process the Capital Budget Improvement process that the City Council goes through as well as the other governing bodies.

Mr. Camp: When you mentioned the unanimous approval is that a unanimous approval to modify the time frame or is that as we go along in Phase 1 for this 175 million projected expenditure to say this is how we will expend it?

Mr. Pedersen: Yeah, conceptually JAVA has to work with things becoming aligned and the consensus has to be there with unanimous agreement so if for whatever reason contingencies develop that things have to be phased a different way we're forced by the agreement to come to a consensus on that. I don't know that it will work perfectly, but I can assure you to date that the partners have been very responsive to each others legal and fiscal constraints and respecting those.

Mr. Camp: Maybe to give you an example, too, let's say the

University has some difficulty we obviously don't want to impair it's participation here so you're saying then that under this unanimous approval that it would come forward and say we've got this challenge here what can we do together work it out or ...?

Mr. Pedersen: Yeah, correct, and we're comprehending that there's going to be more program design and engineering to inform those decisions. Any other questions?

Coleen Seng, Council Member: Joel, I think Annette has something.

Mr. Pedersen: Annette.

Ms. McRoy: I didn't see your chair down there. I just want to expand a little bit on what Jon was saying on the third Whereas, and the second part of the sentence, may incorporate existing approaches or develop newer approaches, that so gives us flexibility within the Phase 1 as we nail down the actual blue prints that if something comes up that we can still give us, the City Council, as authority, local authority to make changes and then take it back to JAVA.

Mr. Pedersen: Yeah, there is some flexibility there.

Ms. McRoy: So there's a little bit of flexibility there.

Mr. Pedersen: As your legal advisor I'm going to remind you there may be consequences of that, but yes there will be flexibility there.

Ms. McRoy: Job well done.

Ms. Seng: Just a minute, Joel, Joel I think Jon has a question.

Mr. Camp: That raised another question, you know what can I say and I'm glad she did bring it up, but on this flexibility because that goes back to what I was asking Mr. Lint, Federal Highway, about implicit I think in this process is we also have some strings from the Federal Government and Federal Highway Administration and because of the Environmental Impact Statement other processes we've had to follow to this date or steps we've had to follow to date. Our hands are tied to a certain extent is that not correct?

Mr. Pedersen: Yeah, that's why I referenced the consequences there. I wouldn't necessarily phrase it your hands are tied, but there may be consequences determining the Environmental Impact Statements and the impacts of that are very real in terms of how you time and phase these. The commitment we're asking for tonight is also clear though that we're committing to do this as it's embodied in the draft single package to this point, so ...

Mr. Camp: And if I may because you're our legal counsel in this process for the City I think my greatest concern, I should say, my greatest positive concern as is probably all of my colleagues is that we do the right thing for Lincoln and as we go along this 10, 20 possibly longer period of time situations can change and I just want to make sure that we can still keep in mind the best objective for Lincoln Nebraska and that we can work within these commitments we're making up front and so that there may be future Councils or Administrations and want to make sure up front we know the commitments we're making and what the consequences may be, for example it sounds like there could be a potential six month or longer delay if we wanted to do a roadway change. Again, I'm not saying I'm going into with it that idea if I were to support it, but depending on what this body does, but it's more or less giving ourselves flexibility so that whatever the end product is that's it's the best for Lincoln.

Mr. Pedersen: Yeah we don't have a crystal ball. We can't say that every facet of the plan is going to work as planned. But, as was testified to there's countless numbers of public input meetings and professional review. What we have right now, I mean, we've done smartly and want to continue to do that I guess.

Mr. Camp: Thank you.

Shirley Done, no address given: And, I'm here to this evening to speak in opposition to the Antelope Valley Project. I just want to establish this as record for my family. Our interest in several parcels of property in this area is with the partnership of the Rose family. We're directly affected by this concept. Properties that we're talking about were acquired over a long time. Mr. Rose and Mr. Done, my husband, for forty years built a business and through sacrifice and taking risks as many of you have done to build your business eventually got to a place where they had a thriving business and they were able to purchase the property on which to place this business. Now, we find ourselves in a position having all this time planned for our retirement years to be enjoying this privilege of owning that property and the income from it find ourselves in the path a development for Lincoln. And, on the surface I have to say for many, many people this will be lovely, but if you happen to be in the pathway of the river or your building is. It isn't reasonable at all. Further it isn't pretty if you happen to have land beside it. For a number of years if it is an open channel way (inaudible)

storm sewer it isn't a very pretty thing to be looking at. And, also I wonder if I've been misinformed you can tell me, but I've heard that to keep the water flowing we're going to be pumping water from our City wells for the 99 years out of a 100 that this will be not a flood plain. So, I'm not sure about some of the figures of saving money, but I would like to say I'm very happy to hear that you are thinking about flexibility and planning and each time a new plan came forth I was hopeful that there would be some consideration for some of the businesses in that area and I'm still hopeful because of some of things you've said this evening Mr. Camp. I'm a long term tax payer and a proud citizen of Lincoln. As you know I volunteer and I've listened to your plans and I think I must be brave to talk in opposition to the University, NRD, the City Parks, Roads, but I'm here to say that there are some small people who need your consideration, too. And, I particularly charge you who have also devoted your life to building Lincoln put yourselves in our place and wonder how you would feel should you find your efforts swept away.

Brad Korell, President of Wells Fargo Bank: I'm appearing tonight in my role as Chairman of the Downtown Lincoln Assn. Mr. Arter articulated very well our chief concerns on this project and that is would this project compete and detract from downtown or would it compliment and enhance downtown. Because of that concern we got involved from the very beginning. We've studied this very carefully, we've worked very hard with the different constituencies in mailing our property owners and stakeholders downtown to understand what this plan means for our community. We formed a committee in 1997 to monitor and participate in the process. Chairing that committee was Bob Campbell initially and Tim Thietje succeeded Bob and has chaired that committee the last 14 months. Both of them will follow me in my testimony. Since October 1997 the DLA Board of Directors has been on record as unanimously endorsing the Antelope Valley Major Investment Study. Our earliest position expressed general support for the study as well as for the inclusive process that has been under way to develop consensus on the details of this project. As the Antelope Valley Project moves into the final approval stage it's important for us to recap our position and underscore those points we feel are of particular importance. Number one DLA continues to maintain strong overall support for Antelope Valley Project as well as three separate components of flood control, transportation improvements and community revitalization. All three are very important and essential that this project is to reach the potential that is designed to reach. Number two we continue to support alternative options for east west access to and from downtown both during and after the construction period. We believe that access is essential for businesses in downtown and Haymarket as well as for those east of 17th Street. We commend and thank the policy makers for amending the draft to single package to reflect this access on both P and N Streets. Number three, as always, we are concerned about parking. We urge the City and JAVA to adopt a parking policy that clearly states that if City sponsored development in the Antelope Valley area results in removal of existing parking that now supports downtown properties and businesses then new parking should be provided to replace what was lost to meet the new parking demands created through this development. Number four we support the concept of a single roadway at the 19th Street corridor versus the one way pairs which we had previously advocated for with the understanding that the initial build out will be a four lane roadway rather than a six lane and will include acquisition of a 150 ft. right-of-way to include future expansion as well as extensive landscaping, grassy medians, and greenscape in the boulevard type setting. Finally, we continue to have a very strong sense of urgency in wishing to see the approval process completed and final decisions made. The years of uncertainty for businesses and property owners in the area have been very difficult and have limited investment and improvements in that area. It is also time to move forward to begin to implement the plan that we think has thoroughly prepared and reviewed. As Mayor Wesley said this is a bold project. We think it has the benefits that the community needs and we think it's time to move forward. With that I'd like to ask Tim Thietje to come forward and to continue with the testimony.

Ms. Seng: Brad, talk a little bit more about the parking policy right at the beginning you were talking about.

Mr. Korell: We just think, Coleen, that if there is property, if there is parking in that area that is eliminated as a result of building out this plan that is currently supporting downtown it needs to be replaced.

Tim Thietje: I'm with the University of Nebraska Foundation, but I'm here representing the DLA as Brad was tonight and Bob Campbell is here with me. Bob & I, as Brad indicated, were chairs of the Study Committee

that the DLA formed to study the impact of this project on the downtown area. It obviously is a very important issue to the DLA. Bob & I can both attest to the fact that we had numerous and lengthy committee meetings trying to understand this very complex project and thanks to the study team and the consultants I think we were able to accomplish that. Through the process we, in some cases, supported what the study team was recommending at that point and what was in the draft single package. And, in other cases we took positions that were contrary to that based on what we thought was the best for the downtown area as well as the adjoining areas. So, with that I'd ask if Bob has any other comments and we're here to answer questions if you have any.

Bob Campbell: Only to say that we did include the property owners from the study area because the study area is outside of the downtown BID area itself. So it did include property owners who would have interest and we think the process was exhaustive and comprehensive and we did discuss some of these issues at length and got concurrence of the Downtown Lincoln Assn. Board of Directors before we made our recommendations. And I think that Brad has fairly well represented that particular position of the Downtown Lincoln Assn.

Mr. Camp: Brad may want to help on this too. I appreciate your making the comment of Council Member Seng highlighting the one on the parking where if there's supporting parking lost for the downtown to be replaced something tells me that's not within the 175 million phase one or 227 million total project if that would occur. In the various committee meetings you've had and have attended have you seen any potential areas where there could be parking loss that would otherwise support downtown that might need to be replaced?

Mr. Korell: I don't think that we have seen a threat to existing parking Jon that would concern us. There are still pieces of the project that are not answered and I would defer to Tim or Bob if you have identified anything that you're concerned about.

Mr. Thietje: I think my recollection, Jon, is that the, we did not identify specific parcels of property, but it was a concern because parking is at a premium as I'm sure you're all aware in the downtown area. And, we wanted to make sure that as this projected proceeded that at least that issue was considered.

Mr. Campbell: I might say, Jon, that one of the concerns that we had in the one way pair that discussion was because where the pair joined north of O Street we may in fact have lost the potential of some parking that was planned in that particular area so there was some concern there of future parking that might be impacted by the choices we were examining between the one way pair and the single roadway system.

Mr. Camp: And, speaking of the one way pairs and the single boulevard Brad brought up that it's now phased at four lanes versus the six, at least initially, ultimately aren't we looking really at a six lane thoroughfare and what do you think that has as far as ramifications on downtown.

Mr. Campbell: Yes, that is part of the plan ultimately it could be six lane and we determined that we still like the single roadway particularly with four lanes, but be sure we had adequate right-of-way for the planning to go to the six lanes. Take the property from one side, adequately, be sure we could expand to the six lanes if that became necessary and still have an attractive roadway that is also is functional both pedestrian wise and for traffic in and out of the area that was created for redevelop.

Mr. Camp: One final question for you three gentlemen and this goes to what Shirley Done was testifying about where they've had a family business over the years and of course all three of you have been well involved with downtown Lincoln and economic development, how do we work with businesses like Done Rose and others if this proceeds that are in that path way so that we encourage building upon current economic development rather than just stripping the land and starting anew?

Mr. Korell: Tough question, Jon. On the other side of the concern is that, if I understand the flood plain issues, there are a number of businesses that are at risk and reasonable risk in the event of a major kind of rain fall, but which is well within estimates that could happen and so balancing what could be a risk to wiping out businesses in doing a lot of damage in that area because of all the development that has occurred outside the downtown that forces water down through there I think is a big risk and one that our community has to address. It's always a trade off, but I think the tradeoff is providing for land within the development that can help accommodate to those businesses for relocation and the City needs to be very sensitive to them. Shirley's comments are very real and ones that affect a number of businesses, but I think we've

got to work with them to find alternate locations because there is risk to businesses that exist there today because of the flood plain and I think that's a very real risk.

Jerry Shoecraft, Council Member: Brad and Michelle, University, I'm in support of Antelope Valley, but I would be remiss if I didn't bring up concern. What about the surrounding neighborhoods that support downtown Lincoln, Clinton, Hartley, Malone, some of the others and what about the students that are also living in those neighborhoods that go to downtown, go to the University, don't you feel that that major proposed new roadway will isolate them now and create them in their own pocket and that support for downtown Lincoln will be eliminated and safety factors also for the students who have, who are in housing over in those neighborhoods, too. Could you both comment on that please?

Mr. Korell: Chairman Shoecraft, my feeling is that those neighborhoods are at risk today and are becoming, the risk is that the investment that can occur in those areas is somewhat restricted by the uses that are there and the uncertainty of this project that hangs over it, but it seems to me that most of those things have been addressed in the plan. The things that have been done to involve neighborhood groups to create the environment and the integration of the plan. It seems to me to have been included. Yes, there are some tradeoffs there, but my opinion based on the things that I've seen and how the plan is integrated not only with the roadway but also with neighborhood use and development activity for real estate and the protection of land for neighborhood purposes has helped assure that we will have neighborhoods moving forward in those areas.

Ms. Waite: Chairman, as far as the students being potentially isolated part of an academic environment is having the students, faculty and staff and the buildings in close proximity. I understand what you're saying about the roadway potentially segregating the students. I guess I don't believe that's a factor, in fact I think it provides more security for that neighborhood on what has happened in years past with the University encroaching in that neighborhood. But, I just think part of the academic environment is bringing all those individuals in close proximity of each other.

Mr. Thietje: I think as we looked at the issue, and this is one that we've spent quite a bit of time on at the committee level at DLA, we talked to the designers about how they envisioned that single roadway and as I understand it there is a provision for a substantial boulevard in between which shortens the length that you have to walk across and intersection. So, you can go part way and then there's plenty of room to stand. It's not like on O Street where you have a small median to stand. So, there's actually a grassy quite wide space there which shortens each of those distances. So, that was a very important issue to us. Another important issue was the opening of P & N Streets which we felt would do exactly what you had mentioned, that is to isolate what was to the east. It would not only isolate downtown, but it would isolate those neighborhoods to the east and that's why the DLA did support bridges at both P & N Streets.

Jolene Clymer: I'm the president of the Lincoln YMCA and I'm here today as a person who has been involved, kind of on the edges, of the Antelope Valley project for many years. And, I believe it was more than a coincidence that at the same time the YMCA was looking to embrace a particular neighborhood in the inner city that the Antelope Valley study began. It was kind of like a cosmic aligning of stars we kind of called it. But the YMCA supported the work of the Antelope Valley process and gave input into the community revitalization part of this plan. We did sort or jump out ahead of the project to some extent due to the readiness and obvious need of the kids in the Elliot neighborhood. You have to know a little bit about Elliot. One of the reasons that we're there as an organization is we're kind of an icon provider of, let's say, youth sports in the community. We did a study and found that there was not one child from Elliot School involved in YMCA youth sports. Now that's not community revitalization, but when you go in and look at that community then you go to the Principal and ask what you can do to make a stronger community to help kids to become more involved in the community and you find that what you do so well is way down the chain of needs and that the bottom line is help our kids stay in this school so we can teach them, so that they can be involved in the community, and so we can build a sense of community. So, our eyes were opened when we found out that there were 26 languages spoken in Elliot School, 100% free and reduced lunch, no kids involved in Y program and so we kind of said we have a place and a role and at the same time that the Antelope Valley Study kind of identified Elliot as one of the neighborhoods for revitalization you also know it's

a neighborhood that doesn't, we didn't feel had an anchor. It doesn't have a community center like Malone or Salvation Army or the Indian Center. It doesn't have really, it took me a long time to find out it doesn't even have a neighborhood association. It's more like the Elliot School neighborhood. It doesn't have a formal neighborhood association identified to it. We are now serving over 200 kids at that school and our goal is to stop the mobilization rate, or slow the mobilization rate down in that community. Now, we know recreation and after school activities and educational enhancement, we know all those things help, but that, those are not all of the answers. We know that we need to do more and right now we are putting all of our mission efforts into the Elliot neighborhood to the degree that we have a full time staff person now. We just got a grant from Lincoln Public Schools Foundation to match staff to put what we call, and the name has changed it went from Wrap Around Center to Community Learning Center. I don't care what you call it, but these neighborhoods need to have services provided to them to become stabilized once this entire plan moves forward. And, we support it, but it needs to be housing, it needs to be health care, it needs to be education, it needs to be employment, and we as an organization are committed to being one of those champions in one of those neighborhoods and I think there are a lot in the community, I know Cedars are standing ready and are serving part of a community. But, I also know that there are a lot of challenges to being, going into an inner city community or the heart of the city as we call it and just say we'll put our arms around you as a community and help you build a sense of community and we know that takes money. And, we'll be in line if there's any grants or bequests. I kind of wrote down all those words up there, bequests, grants, you know, federal funding, but the YMCA is committed in another way and you know that we have, the reason I didn't make all of the Antelope Valley meetings is I might have been trying to raise some money in the community, but that new Cooper YMCA is going to be a center that will produce revenue to go in and put into that inner city community. So, that 's just one way of community revitalization. We support it as an organization and we know that kids need strong communities and we hope you support this.

Jean Chicoine: Chairman Shoecraft, City Council Members, Jolene I just want to make one comment to you. The Woods Park Neighborhood Association (inaudible) support the Antelope Valley Project. As a member of the Steering Committee over the past four plus years I have observed the involvement of the public in the process of developing this plan. And, the Antelope Valley has sought and received community input from the beginning of the planning process. The implementation of this plan is very important to the City of Lincoln so neighborhoods in the heart of the City will continue to be integral and vibrant districts of the City of Lincoln. The Antelope Valley Project offers us the opportunity to help inner city neighborhoods revitalize housing, enhance landscaping, protect the integrity of Antelope Creek and improve the quality of the environment. As a resident of Woods Park I value the community revitalization benefits of this project. The Antelope Valley Project will enhance the intensive efforts the neighborhoods, Neighborhood, Inc. and the City of Lincoln have been involved in the past nine plus years in rehabilitation housing and reducing blighting factors in the heart of Lincoln. Antelope Valley provides us with an opportunity to bring the heart of Lincoln back to it's former charm and glory. My great aunt and uncle had photographs of South 27th Street flooded in the 1950's. Employees at Ideal still talk about how they sandbagged around the store when Antelope Creek flooded. Holmes Lake provided relief from that flooding and created a great recreation area in far east Lincoln. The enhancement of the Antelope Creek waterway not only reduces the threat of future flood damage in the area, but also creates recreational green space in downtown Lincoln for people to enjoy. Any who are familiar with the Antelope Park already know that all areas of the park are well utilized. As someone who takes advantage of Lincoln's wonderful bike trails through Antelope Park and beyond it's pleasing to see all the activity both on the trails and in the parks that line the trails. We once had a wonderful landmark on O Street with the entrance to Antelope Park and the beautiful municipal pool nearby. We now have the opportunity to once again create a gentle and pleasing environment. The City, the University, the Natural Resource District, and the community have worked together on this project to help ensure it's success. I urge you to support the Antelope Valley project and help make it a reality and turn Antelope Creek into a real asset for the community.

Mr. Shoecraft: Joan, I'm going to take a 30 second Antelope Valley break and recognize there's some Boy Scouts here and never let it be said I kept you here forever. Is any of their leaders here that can state the

purpose of them being here real quick and what they're working on so they can be recognized?

Larry Holmes: I'm the Scout Master of Troop 8 here in Lincoln Nebraska. We're part of the Cornhusker Council and the Arborland District and I think we have about 35 boys here and several adults, probably about 10 or 12 adults. I believe there's another troop outside as well, from another troop.

Mr. Shoecraft: But the ones here tonight can you be, stand to be recognize and ...

Mr. Holmes: All the boys?

Mr. Shoecraft: Well, how many are there?

Mr. Holmes: You can tell they're all in uniforms.

Mr. Shoecraft: You said there's another group outside? Could you stand to be recognized please? (applause)

Mr. Holmes: We're actually down here for our citizenship in the community and communication merit badge.

Kent Wolf: I'm the Scout Master for Troop 12. We're chartered by St. Paul United Methodist Church down here. And, much like Troop 12 we're here for both communication merit badge and the citizenship in the community merit badge and we have about 20 scouts with us tonight.

Mr. Shoecraft: Anyone want to be future Councilman or women? Tell them they'll be dealing with Antelope Valley. I had to throw that in. OK, can we continue please.

Susan Larson Rodenburg: I'm a lifelong Lincoln resident. About 10 years ago my husband Rich and I were asked to become charter board members for a new trails organization called the Great Plains Trails Network. And, we've been board members ever since. I'm here to represent GPTN support as well as my own personal support for the Antelope Valley project. There will be another representative of GPTN to talk a little bit more extensively about our organization support of the project so I want to take this time to talk a little bit about why I support the project. To put it simply Antelope Valley is vital to the future of Lincoln. As you well know this project is being called the most ambitious, public works, and redevelopment plan ever to face our city even though it will cost 100's of millions of dollars over the next 20 years it is money well spent. It is an investment in the community, our citizens, and our future. Especially, in terms of critical improvements to our infrastructure, neighborhood revitalization, and enhancements to Lincoln's quality of life. In addition to these improvements Antelope Valley includes important recreation and transportation assets. The trail corridors planned in this project will allow our citizens important access to downtown and other areas. Linking these corridors to our existing trail system makes sense not only from a recreational viewpoint, but from a transportation angle as well. The additional corridors will also create a greater sense of community as people will find it easier to walk or bicycle to school, shopping parks or other neighborhoods. I want Lincoln to be a pedestrian friendly community as well as one that provides it's citizens with transportation options other than a single passenger motorized vehicle. This may be one of the most important decisions in your public service career. I urge you to vote for the Antelope Valley Project. I believe it is the best decision for Lincoln's future. Thank you.

Ross Greathouse: I am also representing the GPTN. I'm a member of the Board of Directors of the GPTN. First of all the Great Plains Trail Network is an organization of about 800 members. Part of those are family members and part of them are individuals, but it represents about 2000 individuals that live in Lincoln Nebraska. We have to date raised over a million dollars to support the trails here in the City and the surrounding communities. All of the matching funds that are currently going into build the Bison Trail from Van Dorn Park out to Pioneer Park were provided by a fund raising effort of the Great Plains Trail Network. And, I think some of you Council members even contributed and we thank you very much for that. And, we'll expect you to contribute when we start raising funds for the Antelope Valley as well. And, we are committed to do that. Currently we are raising funds to extend the Mopac Trail through the neighborhoods to the University and it's a big connection that's really needed badly. And, of course, connecting the two campuses of the University with a bicycle route, a safe bicycle route. Eventually there'll be a bridge, a pedestrian way over 27th Street so that's part of this project. We're in the process of raising funds for that now, some \$150,000 has been raised to date. You know, I always say that the State of Nebraska, there's only a 1,600,000 of us here. It takes, it takes 5 Nebraska's to make Chicago. There aren't very many of us to pay for this \$300,000,000 project or whatever it ends up being. So, we have to be real

careful with the money we spend, and so some of the amenities that we design into projects, trails being one of those, the citizens need to help pay for those. And, so we are committed to do that and there are some federal funds and other funds available, but we are committed to do that. This is a tremendous project. It will benefit the citizens and the City and the businesses in Lincoln tremendously. And, I will echo what Susan says, this is a huge decision. It's a huge economic decision that you have to make, but it's a, it will affect the City and the quality of the life in this City for the next two centuries not just the next 20 years. It's going to be hard to pay for in the next 20 years, but so was the Interstate Highway System and so were the school system, is the school system in the City of Lincoln and that's painfully hard to pay for sometimes also. But, we also have an excellent one and that's our future and so is this project. This is our future. And, we urge you to support it. Thank you very much.

Ed Paquette: I'm the Executive Director of the Nebraska Alumni Association. I live at 5929 Fieldcrest Way in Lincoln. I'm here tonight, however, to speak about the private development opportunities within the Antelope Valley Project. The Nebraska Alumni Association is a 126 year old self governing independent organization. I mention this fact to you because often the public assumes we are a unit within the University. It is important for you to know that is not the case. We are independent of the University. Obviously, we work cooperatively with the University, in fact, our primary mission is to advance the University of Nebraska by serving it's Alumni and it's friends. The Nebraska Alumni Association is currently considering a number of projects. Two of them in the Antelope Valley area. I want to point out that these projects in no way utilize State funds or University funds at all. And if developed they all will pay real estate taxes. The projects involved the Alumni Associations ability to attract private capital and partnership with the Association. We are able to accomplish this as an alumni association because of the great affinity our alumni and friends have for our University and the recognition of partner developers to want to be part of this Nebraska spirit. We have entered into a letter of intent with a developer to build a significant project within the Antelope Valley plan. That is in what is called the east downtown area. The scope of this project would be congruent with the mixed use scope of Antelope Valley. We are excited about the Antelope Valley project as it has been designed, especially the concept of the Antelope Creek Channel to the east and the two way boulevard to the west. While I'm not at liberty at this time to name our partner or the current configuration of what we have in mind for the project, I can assure you they are a highly successful firm who will not only produce quality workmanship, but will have a significant community conscience. And, they will assist in other ways to make the economic aspects of the Antelope Valley project robust and successful. One of the great but often overlooked assets of the great University like Nebraska is it's role as an economic engine for it's sister city and the state. My experiences from other Universities I have served have proven this to be true. Here in Lincoln there is even more potential than I found, for example, at Northwestern University because here the town gown relationships are truly positive. Our Alumni Association which represents over 20,000 alumni living in Lincoln is eager to continue to serve as a catalyst for investing in our community. I will be happy to answer any questions to the extent that I am able. Thank you.

Cheryl Snider: Part of the business community at 33rd & Cornhusker. This business community will be impacted in a later phase of the Antelope Valley project. This impact will involve two railroad crossings, Adam Street at approximately 35th Street and 33rd Street just south of Cornhusker Highway. To quickly review this situation the early draft package specified closing both of these crossings which would divert traffic to 27th Street, 44th Street, and 48th Street. Streets that are already heavily traveled. There are approximately 100 businesses within a four or five block radius of these two crossings. Closing both of these crossings would be detrimental to the traffic to and within this business community. We have not been involved in this draft process probably because we did not have a formal community or neighborhood organization. We were afforded the opportunity to make our position known to the study team in early 1998 and became one of the five hot button issues that received a second look in the study and drafting process. The result of this was a change in the draft single package to include an underpass at the railroad at 33rd Street. While this solution does not meet everyone's desires it is certainly a compromise that preserves this business communities traffic access. One comment to be made in connection with this Phase II which may be 10 or more years in the future. The railroad

crossing at 44th Street just south of Cornhusker Highway is not addressed in this plan at this time. We've been told that it is outside the scope of the present study. This crossing and the residential character of 44th Street south of Cornhusker must be addressed in connection with the plans for the crossings at Adams and at 33rd Street. And, like I said that's a ways in the future. While this process has been lengthy, cumbersome, and expensive the community as a whole has had the benefit of working through this concept for major improvements in the center of the City. The improvements to flood control, the better definition of campus growth, the elimination of several at grade railroad crossings and the enhancements for the City are worthwhile endeavors. We appreciate the opportunity that we were granted to make our concerns known and while we do not have a direct interest in the Phase I it is time for the City of Lincoln, the University of Nebraska, and the NRD to move forward with the Antelope Valley Project. Any questions? Thank you.

Keith Parker: I'm one of the tri-chairs of the Antelope Valley Study Team and I'm very pleased to say that at the outset a major concern for me was process. Tonight I'm pleased to say with, to you that it has been an open process. We, the members of the tri-chair and members of Study Team did everything we could to incorporate the sentiments of the general public. Not every meeting was one in which we agreed wholeheartedly, but that was part of the process. And, as a tri-chair I just want to convey to the City Council I do believe it was a process in which individuals were afforded the right to voice their opinions and I do believe you, the members of the Council, have looked at the drafting the packages up to this point and therein you find the concerns, the issues, and the opinions of individuals who care very much about the Antelope Valley Project and the poor of the City of Lincoln. And, it is, it has been a process in which I am very pleased to have been a part of. Thank you.

Bruce Boyer: Good evening, Chairman Shoecraft, Members of the City Council. For the record my name is Bruce Boyer appearing on behalf of the Lincoln Chamber of Commerce. I'm the Governmental Affairs Council for the Chamber and I might also add a former Boy Scout. I'm very proud of that fact. And, I'm here tonight to convey the Chamber support for the Antelope Valley Project and I'm not going to repeat all the comments that have been made earlier regarding the benefits of the package. We did receive several briefings on the different aspects of the package and I want to express my compliments and thanks to the members of the administration and also, members of the Antelope Valley Advisory Team and the different consultants that gave us a, the briefings and were very open and responsive to our questions. We had some of the major concerns regarding the funding on this project and in the end we decided that the benefits would outweigh the cost and that it was important for us to show support for this. And, we believe that the lack of our support would hinder both State and Federal funding participation so that's what led us to support the Antelope Valley Project. And, I would just also comment on some of, one of the, obviously there's several benefits to the project. One of the things that really stuck in our minds is the benefit to the University and the business community. I think Chancellor Pearlman had a comment in the paper, recently, about the University is a hub around which businesses grow and I think our Technology Park out in the Highlands provides an example of that and possibly if we can open up the 50 acres and take it out of the flood plain I think we can have more opportunities for that in the future. So, with that I would urge your support of the Antelope Valley Project and would be happy to answer any questions. Thank you.

Tim Francis, 2511 T Street: As well as that I own property in the redevelop area in the flood plain. And, I've been following this planning process for a number of years and I've always found it to be very inclusive, very broad, a very open process. And, having participated in the Northeast Radial issue 20 years ago I have a pretty good standard of comparison for how a planning process can or cannot work. I've always been impressed after the thousands of hours of meetings and testimony I have every confidence in the skill and integrity of the team that we chose to assist us in the process. And, I want to note that we've got two of three tri-chairs who have 30 or 35 years of community involvement serving us as well. When many of us were still in Junior High School these women were out front organizing and strategizing and serving our purposes so I've a lot of confidence in their judgement and their integrity and their leadership with the process. I can't help to think that the broad support of such diverse groups as the Chamber of Commerce, the older neighborhoods, the development community, the business community indicates that it's been a very inclusive, legitimate process that the voices have

been heard that the dissension is minimized because of the long-term planning and the full access that the communities had to the information. If we need to address flood control, if we want to be wise and invest in infrastructure, if we think it's appropriate to deal with the future transportation issues we're going to spend money sooner or later so wouldn't it behoove us to spend money efficiently and strategically and cooperatively with all the different entities involved in this as to a piece meal, haphazard, planning process and kick ourselves 10 and 15 and 20 years down the line when we've not seized some opportunities that are before us right now. I understand that the proposals that come before this body every week are very taxing and there's lots of give and take and pros and cons and a lot of people who come before you aren't very well informed. Issues come up, they're very quickly dealt with and brought before you and requires lots of give and take and that's a lot of work and I think it's a very taxing experience for any public servant. That's not the case with this. Your constituencies are so well informed. They've been involved so long. I think your job on this issue is very elementary and you ask good questions and in response to Chairman Shoecraft's question about a street separating the neighborhood from the University and isolating the students, I want you to understand that my neighborhood association is very much in favor of that isolation that we have one more well defined, well planned, well landscaped barrier between us and the student population that we're able to promote our neighborhood to someone beside a student or investor population. So, we see that as a very appropriate thing to be happening. I can't think of a valid reason for a no vote on this. I can think of lots of poor reasons and I'd be very embarrassed for any of you who said no because of individual issues that would jeopardize the whole body of work that we have done.

Ms. McRoy: In the beginning of your remarks you said that you participated in the Northeast Radial 20 years ago?

Mr. Francis: Yes.

Ms. McRoy: What's the biggest difference with Antelope Valley and the Northeast Radial, I mean outside of the number of meetings, but what's the biggest thing that sets this project apart?

Mr. Francis: Later will you test me on the answer? That was topped down. The decision was made someplace downtown by six old white guys and then it was up to the neighborhood to respond and negotiate and study it. This is just exactly the opposite and I've had wind of this since about 1985 or '86 when we were negotiating our Malone Village development. We've known for a long time that we needed to deal with flood control. So, the information's been there for anybody who was just a little bit alert.

Ms. McRoy: You know, I always like to take, you know, history from the people who are there as opposed ...

Mr. Francis: There's lots and lots of knowledgeable people.

Ms. McRoy: I know I've heard lots of stories.

Mr. Francis: Thanks Annette.

Jan Gauger: And Tim it might have been as many 25 white guys. As one of the tri-chairs of the Antelope Valley Project, 4 ½ years ago I was asked to be one of the three chairs of this project. And, there were three elements that persuaded me to join the effort. The first was the uniqueness of a cooperative effort among the City of Lincoln, The University of Nebraska, and the Lower Platte South Natural Resource Dist. There have been many independent planning efforts among the three entities, but never a joint effort approaching the magnitude of this endeavor. The second was the scope of the project. In the past we've seen major transportation project planning, major stormwater project planning, redevelopment and community revitalization planning, but done too often in isolation from each other. In this effort all three were given equal priority so that none would suffer because of the emphasis on the others. The third reason was the process. Having experiences the fiasco of the Northeast Diagonal the promise of a genuine bottom up planning process endorsed by all three sponsors was exciting. All interested organizations and individuals would be included. Over the past 30 years I've probably participated on dozens of commissions, committees and appointed dozens others. I have never before been as impressed or proud of a process as I am in this project. I have never experienced the free give and take among strong minded citizens representatives of the three partners and federal, state, and local technical staff. All participating in committee discussions. Decision making was accomplished through consensus whenever possible. While none of us as participants have seen all of our first choices embodied in the final package the process has worked and I believe that 99% of the participants would agree. We are extremely proud of our accomplishments confident that JAVA and the

technical team are not only committed to the physical changes that will take place, but also committed to the community revitalization developments, I'm sorry, components which are so hard to itemize and delineate until the project is further under way. I do pledge to you and to the members of the Advisory Committee that we will not forget our commitment to all parts of this project and we will continue to monitor its progress to assure its successful completion. I'd be happy to answer any questions.

Kent Winston: I'm here appearing on behalf of the Near South Neighborhood Association. Near South Neighborhood Association passed a resolution in support of the Antelope Valley Project with a couple of additions. One thing that they wanted to indicate was, in particular they're interested in neighborhood revitalization and in that context they'd like to ask the revitalization be extended to include the area around Lincoln High because they believe that's an area that's impacted by this project. And, so we'd like to ask that that area also be considered very east of the Capitol and west of Lincoln High. We'd also like to suggest that the revitalization of the waterway continue on south from the current ending point on down to the point of Capital Parkway where the landscaping of the creek begins in that area. And so, those are really the two things that we'd like to suggest and we're very interested and concerned about the ideas of community revitalization. We believe that this is a once in a life time project and we're in support of it. We believe if it's going to be done, and we're assuming that it will be done, that it ought to be done right and we believe that this is a great opportunity for the City of Lincoln and we're encouraging you to go forward with it. One comment on a personal level that I'd like to make, I have had a long conversation with Councilman Cook about some of the issues that he's concerned about and I know that he has some concerns about the pedestrian traffic at the main crossing, I believe it would be at 19th & O Street and I believe, we'd like to, I would like to personally encourage you to listen to Councilman Cook's concerns in that area. I'd be glad to respond to any questions if there are any.

Mark Hunzeker, 530 S. 13th St., Suite B: Mr. Chairman, members of the Council, Mark Hunzeker appearing on behalf of the Nebraska State Board of Agriculture. The Board manages State Fair Park and we are very familiar with the problems that are being addressed by the Antelope Valley study. The flood plain, the traffic problems, the concerns that the University of Nebraska has with its boundaries and potential expansion. We've worked with the City and the NRD and the University in the past dealing with traffic through State Fair Park, the sewer line that is being built, or was built through the track at State Fair Park. The University of Nebraska with parking and Devaney Center, educational testing service, NRD with channel projects and so forth. So, we're very familiar with the problems that exist. We have worked with the three entities involved previously with various pieces of those problems. We think the process that we've gone through in arriving at this draft single package has been a good one. It's been very inclusive and the result, although not perfect, no project of this scope ever is. We're going to have some right-of-way along, we're going to lose some land for right-of-way. We're going to have some impact on our buildings and parking lots, but we're also going to end up, I think, as a result of this project with better access, better flood control, better circulation, and the new plan for State Fair Park has basically been built around the Antelope Valley Project. So, we're in favor of this project. We urge you to support it and get on with it. Thank you.

Mr. Shoecraft: State Fair Park is sort of like an island within itself and I do see some benefits for that as far as the access.

Mr. Hunzeker: We think it will definitely improve access to the Park and will have, there will be some disruption that goes with it, obviously, but that's true of any project of this size and we hope that we can work out those problems as we go along. Thank you.

Charlie Humble: I'm representing Chris and Julie Sonderup who are here with me tonight who are property owners within the confines of the project. And, they are supportive of the project, but as property owners they have some concerns and those are the concerns that I'd like to address tonight. As I will show you they own two buildings multi-family dwelling units at 17th & Holdrege just west of 17th Street. One is a 21 unit apartment complex that they acquired in 1983, built before that time. And, the other is an 8 unit apartment complex that they built and this is where it gets very interesting in relation to the process. They went through and monitored this process and based upon the plan that you heard talked about in 1997, sought and obtained building permits for the 8 unit apartment complex in the spring of '98. And it's there now. Now these

units both provide student housing to the University of Nebraska. So, it's very important from that aspect as well as providing income and they plan to have retirement income for Chris and Julie. Now, you're probably asking yourself what am I doing up here talking about individual properties in a comprehensive planning context and the reason I am is because we did talk to City officials, including Jennifer, about where we could access the process and basically this is the time and this is the place because we're going to be in Phase I and we're going to be the target pretty darn fast. And, so we need to express our concerns to you particularly since we participated. It isn't like we we're just sitting there we did participate. You'll have to, this is a low tech approach after what the City put out. Over here would be 17th Street and it would just cross the track and go on into the Fair Grounds. Here is the 21 unit complex I talked about. Then here is the new two year old 8 unit right there. Eight unit complex. The existing channel is over here. They're talking about the new channel here, but the bank coming right between, or right in to our existing 8 unit complex. And, then the overpass will pass within 40 feet or so of this larger unit. So, you can see the tremendous impact that we will be faced as a result of the project. Now, it may seem very insignificant in light of such a large project what I'm talking about. But, for people like the Sonderup's it's a tremendous investment and it is a very significant impact. And, so what we're asking tonight, while in favor of the project and make no mistake about that, we're asking you to work with us, work with property owners like the Sonderups, the small people who were already there who invested their money to provide a good service, I mean they're all filled up with students, work with us so that maybe we can retain those buildings, provide the student housing that's been so beneficial and not just cast us aside because the project is so big and immense and we could be lost in the shuffle. And, I'm asking you not to let us get lost in the shuffle.

Mr. Shoecraft: Charlie, those are, I mean, we've raised concerns all along through this process as far as maybe some of the concerns that Jonathan's had or others are brought up in regards to this Antelope Valley Project. I don't know if at this stage in the process if changes can be made that, what I've been told, that will delay a particular project overall and potentially affect the funding since we're so far along. But, you've been told that this is the place to come at this point and time regarding to your issues and maybe for other issues that people have.

Mr. Humble: Right Jerry, and what I was told and if I understood correctly, I think I did, that what I'm really asking for is what's called maybe tweeks to the project and that there would be room to do that kind of thing and to stay involved from this point forward. Stay involved with Olssons and everybody as we go forward and I think I also got that impression in talking to Roger Figard this morning about this very issue. And, he asked me to write a letter and become identified with what we would like to see happen and to stay involved. We will do that I promise you, but the thing is we've been involved for a number of years, so I hope that what I'm saying is not falling on deaf ears or that your hands are tied and that you can't do anything. And, if I've got it wrong I'm sure Roger will correct me.

Mr. Shoecraft: Roger, can we tweek the project? Don't tell Jonathan Cook this, but can we?

Mr. Figard: Yes. Tweeking simply is within the general purpose of the project as we get into final design that we have an opportunity. First of all we laid out the project we think to reduce the impacts to the extent possible to as many properties and individuals. As we go into final design now we can get right down to measuring where the curbs would be and the driveways and again try to preserve to the extent possible. We're not going to be able to save every building, we don't intend to tell you that, but within the context of the best we can if we can move things slightly one way or the other and still meet the general purpose we'll do that, Jerry, and we would do that in the final design process working with each individual property owner which we've not been able to do until such time as this project had status could we even contact property owners and talk to them about a possible acquisition. Couldn't do that.

Mr. Camp: If you'd stay up Roger I'd appreciate it and Charlie you bring up a good point that again ties into the Done's concern earlier. And, I just kind of assuming that the Sonderup's probably have a situation where they've done a lot of sweat equity and as a result they probably have a potential taxable gain here and so even if they're bought out under a eminent domain they would have current tax consequences versus deferred retirement income. Roger, I guess from the City's standpoint, JAVA's standpoint, and when we talk about tweeking some how when I visualize the major thoroughfare that's going to be going up in this area I just don't

see tweeking room. I mean a foot to me is probably a million dollars more concrete or something. So, some how I just, I don't know that you're going to tweek it. What can we offer Mr. Humble and his clients tonight as, let's be realistic and communicate affirmatively, you know, are there other elements for example say the 8-plex has to go that we can work a land swap to defer the taxable gain so we help, and I'm just hypothesizing here, would help the Sonderup's get into another income producing property yet not occur a current income tax consequence. I think these are very real situations that as I think Bran Korell or someone else mentioned earlier there are tradeoffs unfortunately. But whether it's a large business or a small business we do need to be cognizant of their needs and fit that into the process.

Mr. Figard: And, I think another uniqueness of this project and the process has been that we aren't saying that we're tied into old past process of appraisals and buying something and going on. We've talked about relocation. Certainly within the business opportunity there's a thing to do that with in the residential area. I think working with Urban Development and working with the City we are open to lots of strategies to try to keep successful businesses in the area to enhance that opportunity and not take away what they've worked their lives for. I'm not qualified to speak to some of the financial issues on capital gains and some of those, but I know that we're open to that any type of discussion for those kinds of things for anybody affected in this project as we move forward in the rest of the process.

Mr. Camp: Before Kent speaks I guess I just want to be really up front in our discussion this evening that we're not just patronizing one another and saying what we want to hear or whatever. We are at a point as Joel Pedersen said earlier that we've got to make a commitment if we're going to and proceed and so we should understand what those ground rules are going to be and somehow I don't know if we can tweek federal environmental impact statements and so forth affecting us. Because if we tweek a foot maybe we could tweek 300'.

Mr. Figard: And, I guess to be fair to everyone tweeking means moving a road or the channel within the corridor that's defined. It's not taking that corridor and moving it a block away. We're not at that point.

Mr. Camp: The difference is less than 300'.

Mr. Figard: Yes.

Mr. Shoecraft: Careful Roger.

Seacrest & Kalkowski, 1111 Lincoln Mall, Suite 350: The question on the capital gains issue, when you have, if you designate this as a project and the state relocation laws get triggered in one of the issues that you would also be triggering in is the threat of condemnation as part of the acquisition. When there is the threat of condemnation the federal tax laws basically allow that property owner to go find a replacement property and they have 24 months to do so and if they do find a replacement property in that 24 month period there basis and the old property rolls into the new property so they do not pay any capital gains if they find a replacement property within that two year period.

Mr. Camp: Is that different than a Section 10.35 exchange or is that the ...

Mr. Seacrest: 10.31 exchange.

Mr. Camp: 10.31.

Mr. Seacrest: That is different. Basically though, the principals are the same in that you defer the gain so if they find a replacement investment property in a 24 month period then they would not have to pay capital gains until they go sell the second property someday.

John Harris, 1701 N. 22nd Court: And, I'm here representing, I guess, a number of constituencies, the first of which are my children who I brought here with me because my sense is as I've been introduced to this project and the various intricacies, if you will, of it in it's totality I may not be alive to enjoy the fruits of it. And, as I look around this room maybe some of the other people won't be as well. But, there are a lot of young people here who need to understand what's going on. As a person who was a part of the University Community for a number of years now a person working in the North Lincoln community with an organization called City Impact with the young people in that community and knowing particularly the parents of those young people that I work with specifically really have no clue as to what's going on here. It is incumbent on us to try to impress upon them the seriousness, enormity, the financial significance of what's happening. But these people are people who are living life. They're going about the business of survival in north Lincoln and so they have no sense of what's happening here and so as I, I have to come now first of all to get my kids home to bed for school tomorrow, but to say to you in no uncertain terms the beauty of the

project is tremendous, the waterway. I'm coming to grips even as a member of Leadership Lincoln some years ago we were given an introduction to the Antelope Valley Project and so forth at the University again more and more information. But again, the challenges of a community that's totally clueless relative to this whole project troubles me. And, you're saying John you're suppose to be here speaking for the project, well I'm speaking on behalf of people who I know don't understand what's going on here. As I peruse a document that was sent to me, and I don't know if you've ever seen this maybe you have, it's called white paper, key community economic development issues for Lincoln Partnership for Economic Development 95. This document speaks of progress in Lincoln. It talks of economic expansion. It talks about technology. It talks about biotechnology, manufacturing, on and on and on and on. It never talks about the people. It doesn't talk about the people. In the long run this is about people, so as we continue to bandy about who's driveway is going to be run into or how many pieces of railroad track and how many bits of concrete make up so much mileage or whatever I pray that we not lose site of fact that this community, as it grows into this new millennium, will desire workers who are competent, who are skilled. And, if the wrap around centers are not only job training centers are not, and community, let me talk just a second about community revitalization. It's more than trails. It's more than parks. It's, we're talking about uplifting people. We're talking about overcoming the poverty mind sets. We're talking about kids who now help their brothers and sisters, young brothers and sisters to get them off to school because the parents are working at night. They're home alone. These are the kids I work with. These are the kids for whom Antelope Valley ultimately will be for, I guess, who are voiceless, who are faceless, who live in this fair city with the rest of us. And, so the challenge of this whole project apart, along with, if you will, all the beauty, all the water thoroughfares and so forth, all the nice roadways, all the challenges that it presents on the upside, I pray that we don't leave out the key elements for the future of this City and that's the people. Particularly in the place where I live. In the Clinton Neighborhood Organization of which I'm a part of as well. And, again the whole issue of trust. I worked at the University for several years. I understand as my father-in-law and my late mother-in-law JoAnn Maxey used to tell me about the Northeast Radial Project, I used to cringe at the challenge of rebuilding trust because people don't believe that this for them. This is for those, like the man said, those guys who were in the white suits who decided they, the white guys who decided the Northeast Radial, it's the same the people. The same people talking about these issues not people like me who are going to be living here, who are going to be surviving here, who's going to be concerned about, not a trail, I need a ride. They don't have a bike. They need a grocery store. Some place where they don't have to walk down to Super Saver with two kids and a cart. So we're talking about really subsistence stuff here. And, I know the people who enjoy, have the nice flowery language about what this really mean. They need to come where I live. They need to talk to the people that I know. They'd say what do you think about Antelope Valley and they'll say what? Antelope Valley? What do you think about giving me a ride to work? What do you think about helping me live my life. What do you think about helping me raise these kids who I'm struggling with? Every day. I'm going to tell you the truth. Every day I get a call from somebody saying, John, can you help me with an 8th or 9th grade boy. A call from Goodrich, a call from Dawes, from Culler. These are the challenges of Lincoln. How do we help these young people be prepared for life in Lincoln in the 21st Century? And if Antelope Valley does not substantively address these issues then it's no good. To the end that it does then we should do it, but we have to substantively address the people, their lives and where they're going to be and where their children will going to be and their grandchildren will be. As we continue with this project those are the decisions we're talking about today, not driveways, running over somebodies flower bed. We're talking about people.

Break 8:10 P.M.

RECONVENED 8:30 P.M.

Delores Lintel: Remarks on file.

Mr. Camp: Delores, I had a question. I'm really pleased that you used the example of showing the extreme amount of study that was on this one single roadway versus the paired one ways. If you were in our shoes, the City Council, and we have the broad package here and again we're looking at a 10 to 20 year time frame at least to have the construction, what would you question as the ability to look into that crystal ball and

what do you think protects the community the most down the road if for some reason the concerns that, again using your example here advocates of the paired one ways have brought forth, you know say the grocery store does materialize, multi-plex goes downtown and so forth.

Ms. Lintel: Well, I think the creation of the JAVA and the Citizens Advisory Committee that will be working with those people and I think under the community revitalization portion of the JAVA process will seek to have input from, you know, a wide variety of the community so that if anyone becomes aware of any part of the process that it isn't being done properly or they recognized a problem that should be addressed it gives them an avenue to present that for discussion. And, you know, anything that should be identified should be discussed. And, I think it's built into the process as I see it. If the people are involved and interested they can bring it forward to the Citizen Advisory Committee under JAVA for a resolution.

Mr. Camp: Do you feel comfortable the way the process has worked that should conditions, economic or otherwise, make another approach or modification necessary? Do you think the process will, in fact, embody that or is it going to get confined to its current course and say we're just not going to change it?

Ms. Lintel: Well, it's hard to say what would happen between now and the time the entire thing is completed, but I think there's enough community awareness and enough broad interest that it would be supported and any kind of modification that would be necessary. If input came from the community and we addressed it properly, you know, we worked through all of this in the four years I don't see why we couldn't handle a modification or clarification of something that wasn't identified in the past four years.

Mr. Camp: Thank you for your help.

Ms. Lintel: We did a good job.

Mr. Camp: You did. We appreciate that.

Terry Uland, 4210 S 37th Street: But I work at 2121 N. 27th Street where I'm Executive Director of Neighborhoods Inc. As you know Neighborhoods Inc. is a private not for profit neighborhood based community organization working to revitalize Lincoln's older neighborhoods. I have participated in the Antelope Valley Investment Study Committee as a member of the Advisory Committee from it's inception. The action that our board has taken concerns it's support of a willingness to provide leadership for the non-profit leg of the community revitalization triad. Beginning a little more than a year ago the Study Team began to raise the question of rather an existing or a new community development corporation should be founded specifically to meet the need for a non-profit leader for the community revitalization of the project. The Neighborhood Inc.'s Board of Directors embarked on a month long process to consider that question. Neighborhoods Inc. has voted, the Board of Neighborhood's Inc. has voted unanimously to begin planning with the goal in mind to participate with JAVA as a lead community development corporation for community revitalization. What exactly that partnership will look like remains to develop, but Neighborhoods Inc. is clearly dedicated to the success of the Community Revitalization efforts of Antelope Valley. Additionally, I as an individual support the single draft package as a reasonable product of the consensus process. I would acknowledge that not every participant is satisfied with the product, but that is the nature of a consensus process. In my mind there is no major adjustment to the package that can appreciably improve the level of consensus while still balancing the diverse goals of flood control, transportation and community revitalization. I would make two final observations on the overall process that are significant from the point of view of all community revitalization efforts in this community. The Antelope Valley Study has promoted and focused discussion of revitalization issues like nothing that has gone before it. If we go forward, I believe Neighborhoods Inc., other existing entities, and individuals committed to revitalization will have the best opportunity to make significant improvements in our neighborhoods. My second and last observation is to remind you that a vote for Antelope Valley, in my mind, accepts the community expectation that the quality of infrastructure improvements will be roughly as planned. The improvements will drive private investment that will in turn drive improvements and conditions in the neighborhoods and the quality of life for the residents.

Arthur McWilliams: Chairman Shoecraft, and members of the City Council. My name is Arthur McWilliams and I like to share on behalf of my family and members of the community our position on Antelope Valley. I want to let everyone know that we are for the Antelope Valley. We feel it's a project that it's going to contribute some parts of life that the

Lincoln, the City of Lincoln has not known and that the City of Lincoln and the State of Nebraska should know. And, it goes back several generations. I'm fifth generation. My father lived in Lincoln, his father lived in Lincoln, and their father lived in Lincoln. So, this goes on. It's just not a present issue that we're addressing here. It's an issue that has probably been in the mills for years. Excuse me if I sound a little nervous because I'm not used to speaking in front of such a large group of people, but my parents used to live behind the coliseum back in the early days and they were moved from that area. Then they were moved from that area to 2015th & U Street. They lived in that area. We grew up in this area. My father's uncle was a photographer. He has grown to know national prominence in the City of Lincoln. His name is Earl McWilliams and you're going to be reading about him because he's done some marvelous work. My uncle who was Trago McWilliams which I believe the park is named after has gone on to do some wonderful things in the City of Lincoln here. And, I guess what I really want to share is that I want to preserve some of this because we've had some wonderful community developments for people of the City of Lincoln. Nathan Golds is part of our community. He helps support that community. Billy Wolf, I know that you know Billy Wolf he was supportive in that neighborhood. He supported the families and he supported the Malone Community Center which at that time was the Urban League and it was developed by Millard Wood who was prominent in the community by developing things that helped the community grow. And, we feel that it's important that we preserve this and I think the Antelope Valley will help us move this forward and I feel that if my plans are correct and the way that we look at this we'd like to see a wall mounted in the Antelope Valley area recognizing these people who have contributed to the quality of life for the City of Lincoln. They participated in building the football stadium. They participated in putting the steps in the State Capitol and helped them build that. They participated in Mrs. Burkhardt I'm sure, and Mr. Burkhardt, I'm sure you've heard of those great people. The teachers here in the City of Lincoln were not recognized for what the quality that they presented here. We have a Dr. Malz who was a black, black doctor back in the 20's. No one has recognized his name and I think these are the kind of people that should be recognized for their quality and the things that they have done for this City. Not only that, I think it was a community that was not only black but white and black and I think it shows that people can work together and accomplish goals that no other force can. And, I think that preserving this and following up on this is going to help the community to grow more. Thank you.

Mr. Shoecraft: Thank you very much for coming. And, I've known a number of your family members over the years and they are great contributions to Lincoln. I want to ask you the same questions, I was having a conversation with Councilman Cook today on the phone, I said one of the things that Lincoln prides itself on, or one of our jewels, is as we grow as one community and our Comprehensive Plan helps us to do that. We all have that sense of being one community, you know, and I asked the question of Brad Korell and Michelle who's here representing the University. You know, when we have that major roadway, and again I'm in support of Antelope Valley it's going to do a number of wonderful things, do you fear, though, that, I know some of the people in Clinton, Hartley, Malone area are happy that that roadway is going to be there because it will stop further encroachment of the University going in that direction and that could be a very positive thing, but don't you fear then that you may lose that sense of community, you know, of being one community that now you're sort of isolated? I think of Northeast Lincoln years ago, and Coleen's done an excellent job representing Northeast Lincoln, and now they feel like they're part of Lincoln. I know many years ago Northeast Lincoln didn't feel like they were part of Lincoln. They were stuck out there isolated. They didn't have much infrastructure resources and over the course of 20 years Northeast Lincoln and Havelock area is part of Lincoln, you know, one community and, that's the only thing that bothers me a little bit about Antelope Valley.

Mr. McWilliams: Jerry, let me share this with you. Antelope Valley has probably helped put that back together and the reason why I say that is based on the fact that my family and a number other members were very upset when the Northeast Diagonal was going through that area. What happened at that time they were Realtors, people who have money came out and pitched a big story to the community at that time, hey we'll buy your property, we'll, they probably paid two or three thousand dollars or four thousand dollars for their property at that time. They gave them \$8,000 dollars. Down the road they probably made \$25, \$30,000 on those peoples property. OK? Very bitter about that. Can't go back and correct that.

The only thing that can correct that is this Antelope Valley Project and by remembering these people that lived in that area and I did a testimonial on that and I think we need to follow through on that. Can't go back and correct the past. Look at Whittier School sitting there. That's a perfectly good school. That school should have never been closed and that was because of the Northeast Diagonal. This can amend that and I'm hoping that we can move forward.

Mr. Shoecraft: And, I'm asking and I asked this question again as I said of Michelle and Brad because as an elected official I want you, I want to be objective in this process, I want you to tell me this is going to benefit your community, our community and if people tell me that I'm going to support that and obviously I am, but I'm going to ask that question just for that reason for you to tell me that this is what you want so I listen.

Mr. McWilliams: Jerry, I think to support that program number one is getting out and educating people. Like people participating in such programs as being here at the City Council here tonight. By having structure set up where Realtors do not move in and move other families out. This project is what I'm hoping for can help prevent that type of thing. Stealing property is what happened with the Northeast Diagonal. We do not need that that tears up the community. We have a chance to rebuild. Lincoln is a great place, we must remember that. It takes everyone to make it work not just the very few who are rich.

Mr. Shoecraft: I'm listening. Thank you.

Ms. Seng: Do you have a list prepared already who ought to be listed on a wall?

Mr. McWilliams: I have a list. I'm working on a major project with the City Planning Board upstairs and we are in the process of writing some books and because of the Earl McWilliams photos which has gained national prominence and we will be coming out. Ed Zimmer has quite a bit of this history that we like to share with everyone.

Ms. Seng: I think I really encourage you to keep working on that list so that when the time comes we will know where to turn to get that wall erected.

Mr. McWilliams: Thank you. I appreciate that.

John McWilliams: My name is John McWilliams and I'm 6th generation here in Lincoln Nebraska and just over the weekend I did a presentation at the Nebraska Center for Continuing Education and my presentation was preserving the history of Lincoln. And, getting the story told which my father is talking about as well and we are working on that. We have various projects going on with Ed Zimmer, the Planning Dept. and the State Historical Society. So, and the University of Nebraska so we are trying to get the link together between the community and trying to make this one community. Thank you.

Anthony Vinelli: I'm on the North 27th Street Business and Civic Association. I own a business in the area. I've championed the area with private funds. I grew up in the Dawes area. You will not find me up here very often talking about using federal funds, city funds, tax dollars to support something. But, even if you're libertarian you believe that there's certain things that the local government needs to supply and one of those is flood control. A few years ago I was in Des Moines, Iowa at a car race, a Grand Prix Can Amerex. And, I was staying at the Holiday Inn over there and it started raining and it didn't stop raining. And, I spent the weekend sand bagging. They had a 100 year flood and it absolutely destroyed the City of Des Moines. There were almost two months where many of the City had no drinking water, but more importantly it destroyed the Court Avenue area which is like our Haymarket area. Many of those businesses never recovered. And, it's something we need to take a serious look at when you're in the middle of a drought it's hard to believe that we could have a 100 year flood. It's very possible. I will give you one caveat and that is people like the Sonderup's and the people that live in the inner city this project needs to help those people and you need to be more than fair to those people. Any questions?

Barbara Bauer, 2018 Lake Street: I just have a few comments to make. First I want to say that personally I'm just a little disappointed.

Mr. Shoecraft: Say your name and address.

Ms. Bauer: OK, Barbara Bauer, 2118 Lake Street: I'm just a little disappointed that the best vision for this City's future consists of one four lane highway, one six lane highway and a drainage ditch. It's a very nicely landscaped drainage ditch, but nevertheless it's a drainage ditch. I don't see anything innovative about this plan. And, next I'd like to say something about all this talk about inclusion and reaching out to the community for input. It's true, but only up to a point. They did hold all those meetings, but I was at one of the very first meetings where this

project was presented over four years ago and it was in one of the school libraries. I think it was Everett and you were there Jonathan and you were not on the City Council then. Anyway, at that meeting several people brought up several ideas and suggestions for this and almost every time the answer was pretty much the same. We've already discussed that, we've already thought about it and we pretty much rejected it. I mean by the end of that meeting it was obvious they had a plan, they were going to go with it. Now, they were willing to make changes. I'm not going to say that because I remember in the original plan more of the downtown streets were closed and some other thing. No major changes were done to this project that I can see in this map from the map that was presented that night to us. I think it was obvious that nothing was or is going to stop this project. It's backed by three 800 pound gorillas, the University, the City, the NRD and if that weren't enough the RSDT and the Railroad really, really want those at cross gradings closed and they're going to get them closed no matter what. But, I do have some specific concerns about the project as it stands. First the new highways. Any of you guys ever driven to California. I'm sure you have. You know why their freeways are so jammed? Because there's no other way to get there. You have a traffic jam, something happens and you're stuck because there's no other road to take. Older cities, New York, Connecticut, Pennsylvania, I'm sorry states, you can actually get off the Interstates and use the roads that were built parallel to it before they built their Interstate system, or their roadway system. They don't close their old streets when they build new highways because they're still alternative routes. The stated purpose of this new roadway is to move traffic, I quote from this, "center City to northern and northeastern Lincoln", not to disrupt the local traffic patterns. You could redesign the roadway to keep the crossings open for local traffic and as an alternative route when that roadway is under construction or there's a major accident on that highway. That's going to jam up that road for hours on end. You don't solve traffic problems by reducing the number or routes available for people to travel on. That actually increases the traffic problem. My second objection is, at least to me, this seems like another piece meal road project. Everyone agrees that the City is expanding and growing and we need new road system. Yet, I see no comprehensive, long term study of future traffic patterns to homes and businesses. Why are we still concentrating on moving traffic downtown if all your new shopping centers are being built and your new industrial parks are being built to the north and the south and that's where all the new housing is being built? How is this new roadway going to connect with the proposed Beltway that's under study. You guys don't even know where that's going to be yet. And if it's not, why isn't it? How will the proposed development in the Stevens Creek area affect the general traffic flow through the City? Where are those people going to work? What are their traffic patterns going to be? Where are they going to shop? I think you need answers to some very basic questions about growth and traffic patterns, where people are going to live. I don't understand this and it was five minutes. Could I have a couple more minutes please? OK. Next is the cost of the total project is \$222,000,000. The time frame 10 to 15 years. I want to know what the projected cost in those in the year 2015 dollars is going to be. What's the estimated yearly cost of maintaining all the new open park land and who's going to be responsible for that maintenance? Is it the City? If so where's that money coming from? Parks and Recreation Dept. is under funded now. It can't maintain the land it has. Wilderness Park's a mess. The Country Club neighborhood has to help maintain the median on Sheridan Blvd. The trees and bushes the Salt Creek Neighborhood planted in Cooper Park are mostly dead from lack of care. The wave pool and the Lazy River that were part of the original design of Star City Shores will never be built for lack of funding among other reasons. And, just last week there was a half page article in the paper about how the Parks Dept. needed volunteer citizens to come down to the Sunken Gardens and help mulch because they don't have the money to do it themselves. Are these parks going to wind up looking like the open water way that cuts through Irving Dale Park filled with trash and debris due to lack of maintenance. Or are you going to eventually give the joint Antelope Valley Authority to tax us to take care and maintain this linear park and all these trails you guys have planned for this. I mean the trails are nice, but again who's going to maintain this after they're built. You guys have the funds to build them, you're getting that, but where's the money going to come from the City budget to maintain this? I would say that unless you know where this funding for maintenance is coming from you hold off your approval on the project and if you intend to get the money from increased taxes how much of the yearly budget is going to be needed to maintain these 50, 60, 70

years down the road. I would really like some answers before this is approved. Thank you.

Danny Walker, 427 E Street: The first items I'm going to discuss is testimony that was given at the Planning Commission meeting by advocates of the trails. They stood up there and harped and harped about how much money they were spending on trails. Here's an article, Friday, Oct. 20, 2000 Lincoln Journal Star. South Bend Platte River Bridge, the total cost of this bridge is \$2.3 million to upgrade and make into a trail. Here's where it gets real interesting, each district meaning the Lower South NRD and the other NRD district will contribute \$300,000 towards the project. Trail groups will also contribute \$300,000. About \$1,000,000 will come from the federal government. 90% of this money is taxpayers money. It's not trail peoples money, it's taxpayers money and keep in mind these trails are used by a minority. I'm not against trails, but facts are facts. If you're really interested in how much money is dumped in these trail projects call Glen Johnson. Get him up here and ask him how much out of their budgeted (inaudible) every year by the trail advocates. It's not pennies. Secondly, I set out in the audience and I hear these supposedly educated individuals compliment the Antelope Valley Group for bypassing the railroad intersection at 16th & 17th Street in front of the Fair Grounds to expedite traffic. I've got an area in my neighborhood, here we go again on this, I've got an area in my neighborhood that gets totally isolated from any access at all and you haven't done a darn thing about it. Three of you people are on that Railway Transportation Safety Dist. including Mr. Figard. What have you done? You've done absolutely nothing. And, then I sit out in this audience and people wonder why I get upset and call some people some names that I shouldn't call because of inaction and inability on people that set some priorities. And, I don't see where 16th & 17th intersection, railroad intersection had a priority over the 50 residential properties in that area west of 1st Street. And, Coleen I've heard you call Mr. Figard up and say Mr. Figard do you think it's unreasonable or reasonable to divert some of the third street overpass money over into this to help that problem. No, Mr. Figard, absolutely not. Well, I wonder how Mr. Figard would feel if he lived in that neighborhood couldn't have emergency services. I'll be it would be a different song and dance. Flood plain, 1,300, you've got to be kidding me. The flood plain I live in has over 3,000 residents living in it. What's the big issue? What's the big issue on 1,300. Remember the storm Saturday night how spotted. Beal Slough flooding not Antelope Valley (inaudible) What if Bereuter gets beat in the election? I haven't heard anyone mention that, isn't that strange. Hey stranger things have happened. I'll finish up by needlessly I speak in opposition and part of that reason is detention ponds. I was an after the fact witness of a very bad accident on 27th & I-80. In fact the evening that it happened, the afternoon and evening and next day I was there with OSHA and that's bad. And, some of you people participated in approving development in that area. Over 500,000 yards of fill went into that area. The majority of that fill, sand base. NRD supports this. This Antelope Valley Study, why is the NRD building right on top Lynn Creek? Mr. (inaudible) makes previous speeches and discussed Mr. (inaudible) some various statements he's made. Here's one of his statements, Sept. 27 Lincoln Journal Star which quotes, " I think Antelope Valley may be an essential and critical to the economic development of this community." I think that's a totally misleading statement, it has no depth at all. You're telling me that the way Lincoln is growing and prospering is Antelope Valley going to make that much difference? Get serious. If the City of Lincoln was so concerned about the flood plain in that area why did they go in and build on it? Why did they throw people out of their homes, long time residents down there, so they can build new homes right in the middle of the flood plain. Previous speaker was up here harping about Des Moines, well you know what?, I was in Des Moines at that same time with my children. Yeah now ain't that something. Where was all that property damage from? Right in the middle of the flood plain. Well there you go, who is responsible and who isn't. Thank you Jerry for the additional time I appreciate it. Are there any questions?

Mr. Camp: Roger I had a question for you that sort of relates to what Danny said, Terry I'll just take a second thank you, over the weekend a gentleman approached me and was asking about the proposed two underpasses in the more northern route that would be used for railroad overpassing and expressed concerns similar to the 3rd and F Streets that the RTSD has continuing pumping difficulties on and I promised him I would ask how this will be different and we won't end up with annual maintenance contract like we have under the 3rd and F Street?

Mr. Figard: Well, I'm not going to promise you we won't have

maintenance on an underpass. There's always maintenance on the underpass. In the best of all worlds overpasses are probably are superior just from a maintenance and a flooding issue when you're talking about trains and cars. But, for all the reasons that were mentioned earlier either additional impact to abutting property or taking them or just available room and space and cost the underpass alternatives fit best with the overall package. I think 3rd and F is an example of a project that had a rough start and we made some mistakes, perhaps, in the design. I'm not generally familiar that we are having any ongoing flooding problems or severe problems with the 48th Street underpass near Cornhusker Highway now. I would simply like to suggest to you that the pump stations and the provisions for stormwater in those underpasses will have redundancy and they will be designed to the highest Type 2 to generally assure that they work well and that they're generally open. There may be some occasional failures, but in the scope of all three components and the best for the whole community those things fit better as underpasses within the plan than an overpass. We did look at overpasses in the area, and they just didn't measure up as they came through the process.

Terry Kubicek, 1800 S 53rd Street: Let me say as an opening remark that I support smart growth and development for the City of Lincoln. I support a vibrant, creative UNL. I want to see quality housing for all members of Lincoln regardless of economic means. I certainly support strong neighborhoods and transportation that is efficient and effective. I support a strong business community and flood protection. I support all of these things with wise expenditures of public funds in the public interest, however, this project is too big, too costly, and too disruptive of the social and economic fabric of the City of Lincoln. Should not go forward as it is proposed. It is in fact a Northeast Radial in rework form. It will require, excuse me, it will disrupt traditional traffic flows to downtown Lincoln. It will require and increase in local tax dollars from the County, the RTSD, the NRD, and as the Mayor said the City, and the State. Those are all tax dollars. Yes, the infusion of federal money is welcomed, but it will require local contribution and that will affect property taxes. This project will not provide 100 year flood protection as Salt Creek needs to be remapped first to know where the 100 year flood, in fact, will be under a fully urbanized future condition. We know the Salt Creek is urbanizing, we know that will have more flood discharge and stage more volume and height of the flood waters and that will back up in Antelope Creek. This flood modeling has taken Antelope Creek in isolation not in conjunction with Salt Creek flooding. That is a major engineering hydraulic and hydraulologic flaw in this study. This project will require the removal of 40+ or minus existing businesses with speculative support for relocation. And, if you could remember the Arturo's relocation in downtown Lincoln where the new hotel now stands there were about 7 businesses that were relocated. Five years later only one of those survives and that's Arturo's and to survive it had to relocate back downtown. If the ratio's are correct six of the 40 businesses five years later will survive. That is a major economic impact to the City of Lincoln. That's long standing and endearing. This project will require significant homeowner relocation, again, with speculative support for relocation or infill. The expansion of UNL can take place without this project. In fact, UNL right now can apply for a flood plain permit, put in fill, elevate, provide a no rise certification and build a Beadle Center 2, 3 or 4. Upstream or across stream. The University owns approximately 50 acres in this flood plain and can develop on nearly all of it. It is suspicious argument that they cannot develop without this program and this project. Economic redevelopment as it has been forecast to the east will, in fact, add cost to future UNL expansion. Economic redevelopment to the south towards Lincoln High is truly speculative. The waterway maintenance cost will be prohibitively expensive and I estimate it's going to be about \$170,000 a year for this size of project. You can't afford maintenance right now on Antelope Creek in the Antelope Creek Park area. The six lane roadway will create a significant barrier to public access and integration of UNL and the neighborhoods to the east. The Clinton, Malone, and Hartley neighborhoods will in fact be negatively impacted. The P Street bridge remaining open is an on again off again never ending flip flop. I have been at meetings where it's said it will be open and the map shows it's closed. I've been at meetings where they've said P Street will be closed and it's later said to be open. The public hearing on the draft EIS, the flood plain management plan and the economic development plan had at my count approximately 20 people up here with 19 in opposition. Now that was public participation. I haven't heard that mentioned at all tonight. Those concerns were detailed and have not been responded to. If I may a couple more minutes this is

important. I would submit to the City Council, respectfully, that the City Council in the City of Lincoln would be better served to defer action until the final environmental impact statement is in fact presented. Current responses and refinements to the draft EIS are still in progress so a decision by this City Council would, in fact be precipitous and prejudging the EIS. In summary, the benefits of this project are too speculative and are inflated. The costs are artificially minimized. The social and economic disruption will be negative, significant and long lasting. The transportation plan is too expensive and won't deliver the projected benefits and it has serious negative consequences for the City of Lincoln. The flood control plan privatizes gain and socializes loss and provides a full sense of public security and safety. The project is fatally flawed and should be submitted to the tax payers for their consent. Once again, there will be little if any flexibility once begun this project will have little, if any flexibility. Any changes would require a supplemental EIS. The changes might jeopardize a cost benefit analysis to make unity and would cost additional expensive delays. So, once you start this process you're really going to be locked into it. Those conclude my comments, thank you for the extra time, I'd be pleased to answer any questions.

Lynn Darling, 2601 SW 23rd Street: Interesting the TV cameras left on the second response isn't it? I can only thank Barb Bauer for taking most of my notes. Over the years the Council, so many people have come before the Council and participated in this program and I too am a fifth generation member of this community and I am watching my community being torn asunder by a City Council that, for whatever reason, seems to enjoy rubber stamping any of the big rollers that come up here. And, I mean some mighty big rollers. And, I'm asking each one of you what's in it for you to say yes. Because this is inexcusably flawed. There is no overall vision for the City of Lincoln. There is no overall plan. I am assuming, dirty word that it is, that you all have a copy of the Countywide Green Print Analysis Plan Formulation for Lincoln and Lancaster County. There is no earthly reason that you cannot wait for this plan for the ability of you to sit there and say and all of you who are for it that this is a dire need of flood control. Salt Creek floods. Beal Slough floods. Deadman Run floods and all of the other tributaries flood, to my knowledge, at the same time. Anybody, and I will say this again, any of you who are for it have not studied this well. Have not understood the facts. Have not understood the glib tongue and the manipulation of the financial support of this. This is all on flood water. I'm asking you for a moratorium until we can have a total plan. I am very concerned about the treatment that Mr. Bordeux, the native Three Eagles man is getting. I must say it is sad that he is getting the same treatment that you've given the people in the ball park area in north Lincoln. And, when I did the petition drive for Wilderness Park it was so sad that in one small area and a very well to do area that so many of these people said good luck. I used to do that. I used to go before the City Council. I used to care about my community, but I don't anymore because nobody cares about us. And, when that beautiful man got up here and talked about this is people, oh God I hope you hear that. And, I'm sorry I need to address it's about people! And, it's still my home town and if it keeps going this way I will move regretfully leave my home town that my ancestors built. It's up to you and how you can vote for this is beyond my comprehension.

Rick Lesbriance, 1926 Q Street: and even though we can tweek a foot here that one foot affects my property. The right-of-way is right at the front of my property right now. And, I bought this with the foresight of building a business, as a lot of people, for my retirement, for my family, for something that 20 years from now, hopefully I'll live that long, but my family will have something to sell to have for investments, whatever. And, now I'm starting to feel a little unsure again just due to the fact that I heard a gentleman from the Nebraska Alumni Assn. mention tonight that they are interested in property on the east side of the roadway. And, I have heard through the grapevine and I'm not a name slinger, but the area that I'm in is where they're looking. Now, granted nobody can purchase anything down there and build until this comes out of the flood plain. But, I'm in the process of developing now and I'm going to have my project done here within just a matter of a couple years. After this Phase I is finished it brings my property out of the flood plain and open for anybody to come in and acquire this property, be it private, whatever the individual may be. I don't think it's fair. I just want it known that I plan on developing this property and I plan on being here for a long time. I've lived here all my life. I'm not against this at all. I think it's really going to enhance my business. I think it's going to be a tremendous growth for me. I just want it known that I still have my

doubts. The big fear was P Street being closed, but I think we've dealt with issue enough that it doesn't need to be brought up. I am the only business in this area that is affected by P Street being closed off. That's all I have to say. Thank you.

Barbara Morley: There isn't time for me to tell you everything that's on my mind in five minutes so I'm just going to address three points. I've lived in a lot of areas in this country predominantly urban areas, but I have had the opportunity to live on the east coast where I could see snow capped mountains from my front door. And, on the west coast where I could see the Pacific Ocean from my back door. And, I don't consider either of these views to be any better than the peace and tranquility of Trago Park on a fall day, like today, with colorful stately trees, children laughing, people walking their dogs, and college students playing kick ball. It really doesn't get any better than this because the community there really is connected. If you make this into a linear park you're going to lose the essence of that community in that neighborhood. I urge you to require the re-evaluation of putting this conduit underground. Lincoln's parks cannot be maintained now and will not be maintained in the future unless nearby residents take up the task. We've heard two people testify to that and I will tell you now that I have mowed parks, I have picked up the garbage, I have picked up the trash, and everyone who lives along the linear park, everyone who lives along Trago Park has done the same because there just isn't the money there. Linear parks are the most difficult to maintain because they are transportation routes for the transients, for the crime. And, I think it is a tremendous mistake to take away this family park. I don't think it's necessary. There are many who look out into the Malone Neighborhood and they see opportunities and I see different opportunities than they do. There cannot be realistically a hard wall, border to separate the University from the neighborhood. East of the road, planned road and planned conduit will access recreational fields for the University, Student Housing, existing University owned buildings much of all took place by this plan taking out existing private housing and businesses. The parking problems will simply be displaced eastward where the University shuttle already takes students to park their cars along the neighborhood streets. Walling off isn't going to do anything for protecting the neighborhood. I think the University should be continuance with and supportive of the neighborhood. Pedestrian and bike transportation should be more important considerations than they are now in this plan. The opportunity I see is for children growing up in this neighborhood to believe that they might someday work at the Beadle Center and not that they are left out from a Universe on the other side of the highway as is so common in so many cities. I have lived most of my life in neighborhoods adjacent to one University or another somewhere in this country and I've seen some good projects and I've seen some disasters. Done incorrectly this project could create a wasteland surrounded by more blight than any of you may imagine. The second thing I want to talk about which is kind of changing the subject is simply that I would like you to reenforce the community revitalization aspects of this. And, the third is some economic considerations. I don't know if any of you saw today's Daily Nebraskan which called into question the funding, the federal funding for this plan. There's no one who would be more supportive than a research investment in researching increased at the University than I am. However, I think the Daily Nebraskan today did something that other people haven't done and they asked how realistic is it that the federal government will pay for 85% of building research buildings and the answer to that is that is not at all realistic. It isn't realistic to think the federal government will pay the salaries of those people in those buildings. And, so we stand the chance of having pretty pictures that can't be realistically brought about. And, the fourth point I want to make which some people have touched on in somewhat different words is this, What I think truly is missing in this project is what some people call social capital and that is not socialism, actually it's capitalism as very basis and that it is missing the people that will make this work. And, there are too many people, too many throw away people in this project, too many residents who will be displaced, too many businesses that will be displaced. We have asked repeatedly that property which is for sale be purchased so that residents can be relocated into it. It's about two blocks from where the ditch will displace people. I think we deserve a response. I think the business people who have paid their taxes and put in their hours, their sweat equity should have a part in being relocated into this plan. I do not think they should be displaced. I think Terry Kubicek in his estimate that we will be unnecessarily looking at some bankruptcies and I hear the beeper so my time must be long up. Thank you for your time.

Ed Patterson, 2108 Q Street: I thought that lady did a pretty good job. My name is Ed Patterson. I live at 2108 Q and I'm this years president of the Malone Neighborhood Association. The City of Lincoln's traffic, flood water management, and in addition to the neighborhood revitalization and economic development has been subjugated to, in my opinion, land acquisition and control for UNL. And, to helping UNL do that with dollars that are off it's state allocated budget and coming from federal and local sources. It is purported to be officially removing UNL lands east of the campus from flood plain, from the flood plain making it possible to develop the area with federal government money and to state owned R&D facilities paying no taxes. But, the first time water in Salt Creek reached the top of the levy where Antelope Creek flows in and that top of the levy now is 1151 feet above sea level and there are cities in the process of raising it another four feet. Even at 1151 the first time the water reaches there, and it will be soon, all of this land that the ditch is being dug through will flood. So, even if they have managed to get themselves reclassified as being out of the flood plain, as soon as that happens reality being often ignored in Lincoln, I think nevertheless they'll find themselves forced to reclassify it as being back into the flood plain even though they've spent a \$100 million or \$30 million on digging this ditch and a few other things associated in the current lay out. The proposed UNL R&D buildings cited as economic development benefit of the project will not likely be a fate a completed by the time this flood occurs because as you just heard in this Daily Nebraskan article today quoting Marcia Torres former Vice Chancellor for Research and Development at the University, I believe. The drafters of the economic study assume that the federal government should pay 85% of the construction costs and the state would cover the other 15. They based that model on the construction of the Beadle Center where Federal money covered 85% but the State paid only 7%. Torres said it was, said it would no longer be feasible to get federal government to cover that much cost. Well, in that case if she's right, and that's her job to be right on this subject, these buildings are going to be slow if ever coming. And where people visualize them being built in the future will be vacant land when this flood comes and you have to re-zone everything back to being in the flood plain that the Antelope Valley ditch, supposedly, took out of the flood plain. Economic development in the area east of the campus has been vigorously opposed, contrary to some of the speakers for this project, and stymied by the Antelope Valley Partners. They, not in danger of flooding in the area, have held back private development. Writing on their coattails have been some efforts from downtown and DLA, as you have heard this evening, to suppress competition from the area. Well, that's sad when you've got an area that needs jobs, skilled wages, tax based support the way the Malone Neighborhood is needing it and then to have an adjacent neighborhood getting on the coattails of people at UNL to beat it down and keep it down that's sad. And, as president of the Malone Neighborhood Assn. I doubly think it's sad. And, one last point here, home and business owners in the area have consistently done better, road, water, and economic development planning than that brought forward by the government. And, that's just a fact after \$6½ million and we didn't spend a nickel that's just a fact. They, those people should be the guiding force through assistance possibly of Neighborhood Inc. for example, which is a neighborhood based organization, buying economic develop and neighborhood restoration. Thank you very much. I appreciate your time.

Mr. Shoecraft: One thing that's puzzling me and as I said to Mr. McWilliams I'm listening as well and I said I support the concept of Antelope Valley, but I am listening to the people's concerns regarding Antelope Valley and I'm looking to the people to tell me how you feel about this because I'll change my mind in a heartbeat if I'm convinced. So, I'm not going to rubberstamp anything, that's why I said I'm going to listen. But, I listened to Barb Bauer. I listened to Barb Morley. I listened to Lynn Darling. It's just the most people that I see affected by Antelope Valley there's not consensus. That concerns me.

Mr. Patterson: Well, let me make my own biases comment about that. Trails, we can get the trails con-activity without Antelope Valley in it's current form, and by the way we are not against redevelopment or neighborhood restoration in the Antelope Valley. We just think the current plan stinks period. It's a disaster to turn a nice round, almost square, whatever 8 acre family park in Malone, best darn park in the old City of Lincoln. It is an affront to the neighborhood to turn that into a linear park, a strip park along the edge of a bike path and a ditch. That's an affront. But, we get people from the suburbs that don't know a thing about that neighborhood or that park and we get these folks waving some money in their face for some trails and they sure, where do I go to

testify for this thing. They can't run down here fast enough. We get Art McWilliams, wonderful man that he is, manager of the Food Services for training tables at UNL who justifiably so wants some documentation, public documentation, something that kids in the neighborhood in the future can walk down and see about the contribution of prior generations who got bulldozed out, pushed out on the front blade of a bulldozer and robbed by the University the last time it went through the neighborhood. But, Art, sir that wall can be put up and we can get you the money to build that wall and we can be out there helping you build that wall without the University slicing off the back third of Trago Park and turning it into a linear park. But there again these folks went and waived that money in Art's face and he's down here saying I want that wall built. That's how things like this work. The technology of public opinion, manipulation by Universities is down to the point where they have seminars about it now and books written on it, because Universities in this country are flush with money thanks to 20 years of sustained, bull market economy and they're all wanting to build and expand. They're no where to go except into neighborhoods like Malone. And, to put a pretty smiley face on the front blade of that bull dozer for most of the people that are going to have to vote this project in is a public relations exercise. In this town the bill for it was \$6½ million for public relations. That's my answer to why it appears, in my neighborhood we've got a neighborhood association that goes back 20 years. I happen to be president of it. More than 20 years. Each time the University has wanted something out of that neighborhood, Tim Francis has been called up to this Council, him and his cronies to make a statement about how wonderful whatever the University wanted was and it stinks.

Mr. Shoecraft: I think I get your point. Thank you. You can't come back up Barb, I'm sorry. No I'm sorry. No, I apologize but you can't. You can't that's the rules. Thank you.

Mike Morosin: Past president of the Malone Neighborhood Association. And, I sat here and I put this one page together just sit here and writing. And, I said as the empire building of the University continues to proceed onward those who already inhabit the encroached upon lands and remember of these have also been subject to oppressive forces and labeling with such words as those people. We cannot go forward with economic development while we still have those people and that's been said. Such distinctions have continued to apply to people by virtue of their place and condition within the life altering human encounter set in motion by UNL's colonialism. In Lincoln for years the Malone Neighborhood has been forced to go through a period of warfare and forced assimilation. The only term that truly fits this period is neighborhood Genesis. The possible relocating of residents to less accommodating properties than they had before (inaudible) to be some of the future for some of the people. You now have an opportunity for unprecedented human freedom and democracy all over Lincoln by taking a very serious look at this project. As we enter into UNL's new world order and the City's new world order the question we are left with is what do we do about the people who live there and what is their place in this new world order. Now I saw the Alumni Association come up here and I'm an Alumni from teachers college. I graduated out of the University. The Alumni had all the graduates over to their building. I was barred from going into that building. As a graduate of teachers college, all my other graduates were allowed in. I was not allowed in. The Alumni Association does discriminate on a basis because I was a different person. I was a convicted felon. We can't have you regardless of whether you graduated. Sad, but they do. I have also taken a look at while I was digging around on my property these here, these I found on my property here. These are two arrow heads that were obviously left by the indigenous people that lived here before any of us Europeans and Africans and Asians ever came to this area. They were pushed out. Their land was stolen. They were shot and killed, but these obviously belonged to some very knowledgeable people and the skill to put these together. I found those and I hope the Anthropology Department will take more time in looking in that area. It has been said that our neighborhood has nothing of value. I think there is value there and it's attention to the details, Mr. Seacrest, the word that you coined. The devils is in the details. Well that's one of the details we want to make sure and I'll place beside that right there, show that again right there, get down here to it. A fellow got up here and said he's a former Boy Scout, you're a Boy Scout all your life. There's mine, I carry it with me it's from the 1967 World Jamboree, so any of the Boy Scouts should remember you're a Boy Scout always. Not a former Boy Scout. So in closing, take a look at this, there are some flaws. The flaws started from the very beginning when those who inception of this study put

together and our neighborhood, two people were chosen from our neighborhood Mr. Tim Francis and Ms. Barb Layman. The Neighborhood Organization was not even asked for us to send representatives. During my tenure I asked Mr. Francis and Ms. Layman has any information been given to you? Would you address that information? They told us nothing has been passed out. Well, I got leery of that and Ed and I started going and there had been a stack of information passed out. So, there was a flaw from the beginning on how our neighborhood was included. And, I think that needs to be, you were asking Jerry, there were some flaws. But, I still support the project, but there's many, many things that need to be done and it's taking care of those people that live there. We now are the indigenous people that live in that neighborhood and we wish to benefit from the economic benefit. I'm a small entrepreneur of a business. Will my business survive? For years I built that business with sweat equity, but will my business survive. It may not survive so I am denied life, liberty, and the pursuit of happiness as the constitution guarantees. Thank you. Any questions?

Glen Cekal, 1420 C Street: I'm sure glad I come down tonight and got to view first hand the people who are taking enough time to come down here, they care enough to come down here. Some of the people aren't very good people. Some of them are wonderful people, but at least they are fighting for something. I remember when we first started this little discussion on this thing and we had a meeting down at Lincoln High the first time and I said, at the time I was kind of scared to say anything, but I felt like I am right now kind of forced to say something. And, I said I don't see what all the big deal about so as to help you get your mind and psychologically an appropriate position and attitude or whatever. What's the big deal. I don't understand what the big deal is. As I was sitting in the front row and stood up and said this I said look we've had a flooding problem down there around 23rd and O or wherever for quite a while and if we'd have been on the ball we'd have fixed it 20 or 30 years ago. Because it's a blighted area and because, we are causing and infectious, sick problem down there and it isn't because of the people that live there it's because the basic foundational aspects are not equal and appropriate for good, healthy quality of life, economic activity and so forth. So, big deal. I said fine, you've got a little flooding problem you take care of it. I used to peddle real estate, sometimes people would call up and say hey my basement leaks. I said, "are your down spout extensions on?" No, well maybe you forgot when you bought the house that I told you this, but make sure that you have your down spout extensions on so the water runs away from the foundation and one way to help insure that is to put a screw in the down spout extension where it connects the down spout, so the wind and when you go to mow the yard don't, make sure you don't mess that connection up and it took care of the problem. We have a little drainage problem down there. We need to fix it. It seems like we need a little better road system. Like some others said, Ms. Bauer, or whatever it seems like we do kind of a lousy job of planning our traffic setup in the City of Lincoln and the County and incidently I think we should start to get, even though it might cause some politicians difficulty and I don't mean to be taking a potshot at anybody when I say this, but I think we need to get our City and County much more closely together and, for example it's so obvious it stinks, but we're playing political football here. It's obvious the Register of Deeds and the Assessor's Office should be together. OK. This is not a big deal as Mr. Morosin said the devils in the details and frankly I'm ashamed to say this it hurts me because it reflects on some things that I've been proud of and the only thing that ables me to maintain myself is a few words that I heard that hardships are the pathway to peace and I actually believe in that. So, I think I've said here before to you. I truly believe that. I stake my life on it, I live by it. I try to learn from it. I try to put my actions where my mouth is. So, I'm going to say this now as much as I hate to say it, I think the University of Nebraska is a lousy neighbor. I think there's a lot of things they do wrong. I'm ashamed of people be it Chancellors or others that now and then say certain and do certain things. When I, I am a mid-century graduate. I only happens 100 years from the University of Nebraska. Well, I'm very proud of that that I had enough sense to, while I was trying to grow up, that maybe I could get a little more education and it put me in a fairly safe place and I certainly did enjoy the football team, the girls and so forth, but seriously speaking the University has been real sneaky about their plans.

Mr. Shoecraft: You're time is up, you have a couple seconds.

Mr. Cekal: One more minute? They've been very sneaky about their plains.

Mr. Shoecraft: Could you finish up in about 30 seconds?

Mr. Cekal: Sure. And, they by their sneakiness and tweeking, that seems to be a pretty good term tonight, tweeking certain things, temptations thrown out to various people that couldn't say, they didn't have the courage and the visions and the wisdom to say no. They've got us into trouble and we've got to say when to say no. We need a road. We needed some drainage fixed, but as Mr. Kubicek said, and this is it, as Mr. Kubicek said if we're going to take care of, it's kind of like your body, you can't take care of one part of it and say I can forget about the rest of it. You know the front doors closed, but the back doors open the crook comes in, I get slaughtered it makes no sense. So we shouldn't feel bad the fact that we've got a problem is the best thing in the world because it's stirring up the people, be they Republicans, Democrats, Independents, or lazy people who don't do anything. This is not a negative problem. Thank you. I appreciate it.

Richard Halvorsen, 6311 Inverness Rd.: What (inaudible)said they had a consensus they like Trago Park the way it is now and they were afraid they were going to be walking their dogs on a six lane highway if this goes through which brings up one of my points, too. At the Planning Commission there were concerns expressed this is all north south. There is not adequate east west traffic flow. And, some of the Commissioners seemed to be receptive to that idea and asked the City Planning well can we address that and basically Planning said it's too late. You know, the funding's in. So, I think when we talk about changes later I think they're on a momentum now that if you pass this now you might address the east west low, you know, egress into the neighborhood, but that's probably going to be 10 years down the road if you don't stop the process now and you might delay the funding a year I think you might be ahead by, if you have concerns about, again, the east west traffic flow or the four lane highway to like I say put a moratorium on it now whether than try to correct it later on. Thank you.

Kent Seacrest: Good evening my name is Kent Seacrest a member of the Antelope Valley Study Team. With me tonight to help answer any questions you have Ted vonBriesen who is project manager, Rick Herrick who led the transportation effort, Bob Wolf who has done the stormwater effort on behalf of the Study Team. Also, I think he's still here, Bob Mattson from the Army Corp of Engineer is also resource person along with some of the other people you have already spoken with tonight. We've been in charge of trying to gear and steer a fair and open process throughout this effort and we don't have any specific rebuttal other than to try to answer your questions at this stage.

Ms. Seng: Well, this one probably is for Glen Johnson because there was a question raised about if we're starting to do anything on the other creeks and other waterways. Someone needs to address that. I know what might be happening on Dead Man's Run, but someone needs to speak to that.

Mr. Johnson: I guess your question is what's happening in the rest of the community in terms of the other flood plains? How much time do you want to take on this, Coleen?

Ms. Seng: Just briefly.

Mr. Johnson: There are, there are if you look at the large map of the City of Lincoln there's a lot of blue area which shows us in the 100 year flood plain. That maps a little bit deceptive while all those areas are in the 100 year flood plain, there are significant areas of those blue areas, blue blotches that are only flooded when you exceed a 50 year event. There are other areas along certain tributaries that greater than a 25 year event will cause flooding. And, for Antelope Creek anything greater than a four year event will cause flooding. So, blue is blue, but blue is not all created in terms of an equal threat to the area in terms of its frequency of flooding. It's all subject to the 100 year, but in Antelope Creek it's subject to at least, you know, anything greater than a four year is going to go out of banks and the 8 year is going to start causing damages to buildings and structures. Salt Creek flood plain, it takes a 50 year flood event anywhere along Salt Creek to put water over the banks and cause over bank flooding on Salt Creek. Dead Man Run is somewhere in between. There are sections of Dean Man's Run where it's over a 100 year is contained within the channel. Other areas where it's as low a 15 to 25 year flood will go out of banks. There have been studies, we just completed with the City on Beal Slough looking at that stormwater basin plan. There is a \$15,000,000 plan that has been proposed. As ways to address some of the flooding problems return it back to the existing, the conditions that were existing in 1987 when the flood insurance study was done. Salt Creek, the Corp of Engineers conducted a feasibility study for many years concluding that about two years ago determining that there was not a feasibly economically feasible project that could increase the level of flood protection from the 50 to the 100

year or something greater than the 100 year. They did recommend a number of other things, other avenues of non-structural flood warning. They did identify some upstream detention structures that have some feasibility, technical feasible, not economically feasible at this point, but technically feasible that would help reduce the flooding. Dead Man's Run, the Corp of Engineers has studied that. I think we can begin a process of looking at Dead Man's Run again. There may some things that may be done to reduce the flood threat on Dead Man's Run. Steven's Creek, the District, the Natural Resource District is in the process of carrying out a project there, so there are things going on on every single stream and tributary. In addition the wholestormwater planning and the ordinances that this City Council has adopted in the last two years go a long ways to addressing the additional impact from future land use changes from land that is now agricultural being developed. The detention, retention requirements basically are a no net change downstream so there's a lot of different things going on.

Kathleen Sellman, Director of Planning Dept.: If I could add to that from a policy level, the Mayor has identified flood prevention and neighborhood protection as issues of very high priority to his administration and he has directed his departments to find new ways whether regulatory or structural types of solutions as we do our Comprehensive planning and area planning. And, we will be bringing forward to City Council a number of initiatives to address these.

Ms. Seng: And I had one other question that I, Barb Morley referred to a certain house that was for sale and she had repeatedly asked assistance in being able to buy something or move something, someone, did you get that?

Mr. Seacrest: I'm not sure I new the exact fact pattern she was referring to.

Ms. Seng: Barb Morley referred to someone.

Ms. Morley: I didn't refer to anyone. There was land for sale on Q where there were car dealerships where the neighborhood had asked that be purchased (inaudible).

Ms. Seng: That was what I was referring to.

Mr. Seacrest: The way this process works is we have done a lot of pre-planning. We have had a subcommittee process look at the relocation policies of the City and the University and the NRD to recommend improvements and strengthen any of those policies to be more fair to the people that are "in the pathway" that you hear about. There's a lot of federal law, state law, and city law already does protection of property or interest, but the subcommittee came up with five additional policy areas to strengthen along the way. What gets real confusing while everybody thinks we could be talking to people, federal law's very clear in this area, until there's an environmental impact statement or record of decision we're not allowed to get specific and talk with people about their specific fact patterns because the federal law deems it premature because there is not a project. So, as a result we probably have frustrated people because we can only talk in the generic and explain what the policies are, but we're not able to get a specific, have to talk specifically about can we move them, can we swap properties and we need the record of decision. There has been some preplanning as I think you will see that if you decide to go forward that those dialogs will occur because that's been the whole spirit of this effort is to be inclusive. We've just got to comply with the federal law and the Federal Highway Administration at times they've told hold your horses we cannot be talking on these types of issues quite yet.

Cindy Johnson, Council Member: Kent are we pumping city water into the ditch to keep water in that ditch? That has been a concern by a lot of people that it's a dry ditch that won't be maintained and now I hear that we're going to be pumping water into it.

Mr. Seacrest: Well, Glen Johnson might want to comment, but according to the NRD records the creek has never gone dry and what we're talking about, I'm sure it's gone dry sometime, but in the record period of government it hasn't gone dry so what we do is we do little check structures which create the pooling affect so you don't need, I don't know if any of you have been down to Brush Creek, but basically the water volume, the que on the daily water basis of Brush Creek is the same. Now, they recycle and pump their water back and forth to even create the mass of water features that they have done down there. We do not anticipate that re-pumping so we think the daily water is adequate to keep it fresh and current and flowing. However, Public Works has also indicated that there's the Antelope Valley well field which used to be the major source of drinking water for the community. When we completed the Ashland project it became what you would call the stand-by emergency well field.

The thought would be that if that rare year came along that they could turn on the Antelope Well fields and pump a volume of water in that is necessary to keep it fresh and pleasant for the community.

Ms. Johnson: If we did that would we have to pay for it?

Mr. Seacrest: Well, I guess the question is is there a cost to turning on the existing backup wells? I'm sure there is a cost to that. One of the question is the whole area of maintenance and, you know, that probably is what you would call a maintenance cost. One of the thoughts and tools that we've been looking at is whether or not we should create a special assessment district along the water feature so that while there will be general community benefits to that creek there will also be some very specific abutting property owner benefits and some people have encouraged us to look at a special assessment technique so that some of the maintenance cost, not all, would be paid for by those abutting property owners because they get a special extra benefit that the general community does not get.

Mr. Camp: Kent I would like to address a few questions with you and some of these follow the general theme that we've discussed before on the economic/budgetary constraints. I guess first of all on that, this is a major project for Lincoln and it's a little worrisome where we talk about we can't do this until the Feds say we can and I understand that those strings do get attached to projects. I just want us to be realistic about what control we have and I recognize when you get money from someone else you lose a degree of control. And, so I'm just having the ability to exercise control isn't always important, but again the bottom line is we need to do what's right for Lincoln. And, how will this economic stream, that's my first question, how will that work if we run into budgetary constraints? We heard Glen Johnson just talk about other water shed, you know, Beal Slough, other area's that we're going to be doing it. I mean that starts conjuring up all this money in my mind that we're going to need for our Capital Improvement program and so forth and there is a limit on how much this community can afford.

Mr Seacrest: You're absolutely right and yet there is a community need, stormwater, I think, historically wasn't handled properly in this community, I think that's non-disputed by many people at this stage. We've gotten the new laws and it's helping in the new areas, but we've still got the retrofit problems of our older areas. There's a related community process going on called Impact Fee Study or Public Finance Study and one of their recommendations is a utility fee that would be paid as a portion like a water bill and help pay for some extra funds to help address the flooding issue. So, that is one of the sources that, of potential new funds. But again it's money. And, the question is how do we balance the communities interest. We've shown in Antelope Valley that the reason why the Corp of Engineers likes this project is it has a very good public positive benefit so it's a good investment from the federal point of view. Well, we obviously have local matches to make that happen and as you just heard the big federal dollars on the creek is in it's final stages in Congress being approved, but it cannot come forward to Lincoln without local approval. So that's why your decision is so key to this. We will have to match it, though, with NRD money, State money, and so that needs to happen, but again those other partners with us have been programing along and the City's share of this project that we have budgeted to date is in your one and six year CIP, Capital Improvement Plan. Now again the new whereas clauses that were handed out today are very important because they reiterate that while it's in the plan, it's in your CIP to find your local share. Emergencies or changes do come up and you have protected yourself. That's specifically those whereas clauses are the same language that in the Joint Antelope Valley Authority Agreement to protect each of the three governmental partners entities budgeting process because you've got to keep your independence in that process.

Mr. Camp: I think one thing, too, I'd like to follow up on that thought is that if this proceeds we also need to understand that we're making a commitment and it's not just one foot in and one foot out that you really have to do that unless dire consequences come about. And so that's why a lot of my questions are the what if's that we learn about in law school. Secondary, I'd like to address again is the flexibility and there's a number of things on flexibility both prioritization which I think has been addressed in the economics, but the flexibility if for example we we're talking about one of the advantages, one of the three legs of this stool of a project is the economic development and some of that is to create these larger land masses two, four block areas and with the idea that we may get future Lincoln Benefit Life, Security Mutuals and so forth that would locate urban campus environments and that very well

may come to pass and I think we're going into it with the idea that, hopefully, that would occur. But if it doesn't what hoops do we have to go through, what hurdles do we have to jump over to back off/

Mr. Seacrest: Well, first of all the whole view is that this not be a Block 35 situation where governments actively acquiring land ahead of time without knowing what's to happen. We have been indicating all along that it has to be private sector driven. If the market is interested in large blocks then large blocks probably will occur. If the market's not interested in these big land users our thought is great that will work because the alternatives is small land users and that's what the area has and what the economic studies have shown us is that we will improve the value of those people that are there today significantly. When you remove flood plain from their backs it increases their value. Now, the bad news is they could (inaudible) in property taxes. The good news is they, hopefully, have a better nest egg for their next generation or for their business that's ongoing so that we increase the value. When you improve circulation in that east downtown area you will increase market value. So, what we have seen is the private sector, developers, there's national ones that are already talking about this area, but you know, the proof to us was Tech, talking with our own local developers in this process. And, we have talked with them and they are telling us the concepts are viable, feasible, they are interested themselves. Again, they are not going to act or do anything unless they see that the flood plain and the road and the other community revised strategies are at least going to be seriously contemplated. So, the market seems to suggest it, but it's the chicken or the egg somebody's got to blink and start this effort.

Mr. Camp: You know the testimony of Ed Patterson and John Harris, Art McWilliams and others, if you've got this new expensive turf here and even if I'm one of those adjacent property owners and my value goes up I've still got to pay the taxes and the operational costs. If I've got a huge megaplex here what's happened to the people element that John Harris was asking about?

Mr. Seacrest: Obviously, this whole thing is done for people. I mean that's why we've gone through the process we have and the 500 some meetings is try to reach out to people to be sure they comprehend and react and give us their thoughts, ideas, concerns, etc. There is a big footprint in Antelope Valley. We're talking over 600 square blocks. The parts you're talking about are not even a significant minority area. The whole purpose of this community revit is to go way beyond the banks of the creek, way beyond the roadway edges and reach out and strike the 600 blocks and improve the livelihood and the quality of life for all citizens. I think the issue, you know, people have asked me several times, you know, explain this Antelope Valley. I say, do you have 6 hours and they say, of course not. Boil it down to one thought and I said well here's my thought; communities larger than Lincoln the vast, vast majority of them have a certain pattern that develops because of capitalism or planning or poor planning and that is what I call a blight. The core areas get tougher as cities get bigger has been the pattern we've seen time and time again. Not, there's a few exceptions, but the majority of larger cities as they grow, and Lincoln is definitely growing, the core gets tougher. What happens is you get a split in the community, the have's are able to move out into the new areas and the have nots generally do not have the same opportunities to move out. You get a segmented community, the gap between the have's and the have nots increases. We say it in the Lincoln census data in '80, we saw it in '90 and I'm afraid you're going to see the gap even be bigger in the 2000. What this whole process to me is all about is consciously asking our community, unlike those bigger cities that didn't ask their community what do you want the picture to be? Do you like that view or do want to try to do techniques to try to reverse the flight and to keep a good population base in the core. A mixed population base between have's and have nots of all different types of people. And, that in a nut shell is Antelope Valley because when flight occurs and if certain population goes the edge guess what you have to do as government. You've got to build a new set of water lines, park, sewer, roads, and theoretically those people, you haven't added anybody new to your community, they've just moved. We have a wonderful infrastructure in the core today and we keep reinvesting. I mean you've spent a lot of money of your budget to keep that core vivaciously going, but there needs to be an extra push to keep it going even more and we think in the end it will be the cheapest technique for purposes of the public's investment and keeping the community healthy and enjoying each others prosperity.

Mr. Cook: I have a question about the job implementation process. If we approve the resolution that authorizes the Mayor to sign Exhibit B

and go forward implementation process with the partners, will the partners be approving that same Exhibit B before or after the Mayor signs.

Mr. Seacrest: Well, first of all implementation under the JAVA agreement cannot go forward unless all three approve it, so you approving it does not trigger implementation without the other two partners approving it. It's my understanding the NRD is scheduled for November. The University is somewhere in that time period as well so they're all gearing up towards getting that approval. But if you read your resolution carefully it doesn't, even your approval is not affective unless there's a final decision on the environmental impact statement. Exhibit B is basically a two sentence statement that we hereby trigger the implementation period that's in the 15 page or so JAVA agreement. And, the implementation period is that part where you can go forward with completion of the detailed design. You can go forward with property acquisition and the relocation. You can go forward with utility, work. You can go forward with the actual construction.

Mr. Cook: What were the dates again the NRD will be considering the Exhibit B?

Mr. Johnson: Our Board meeting is November 15th.

Mr. Cook: And the Regents?

Mr. Seacrest: It's going to get scheduled. The whole thought was that, again, the detail construction is scheduled for the, those implementation activities are not scheduled until 2001. Really, I think some are period and so the Regents theoretically have until then to get signed up.

Mr. Cook: So, all of the partners are likely to approve the implementation, but then it just sits until we get the statement back from the Federal Highway Administration saying that in fact they have approved the final VIS.

Mr. Seacrest: Right. And as you heard the Federal Highway Administrator he would not predict how long it takes for an amendment. I don't think we can put words in their mouth on this final decision. But, we are guardly optimistic that we have responded to the comments of the hearing process and that they will, they are already starting to review those comments and that we will then resubmit some corrective language in the environmental impact statement and be circulating it for federal review for the final approval. When that happens, if you want me to go out on a limb and just guess I would say it's going to be after the first of the year.

This matter was taken under advisement.

MISCELLANEOUS BUSINESS

Danny Walker, 427 E Street: Came forward about the fill in the flood plains. He cited the trench cave in at 27th & I-80 that claimed the lives of two men & stated that Tim Stewart, former Planning Director, had advised against building on this property. Mr. Walker gave OSHA 3 years of information he has logged concerning the flood plains.

Mike Morosin, Past President Malone Neighborhood Assoc., 2055 S St.: Came forward to state his request to not change the time limit for parking in the neighborhoods to 72 hours and instead keep it at 24 hours. He stated there already is a lack of parking in these neighborhoods.

Glen Cekal, 1420 C Street: Stated that the Police Dept. needs the help of the people to maintain quality of life. Sidewalks in the older neighborhoods need to be maintained. NRD needs to check conduits because many of them are blocked & if they don't have time to maintain the conduits how are they going to be able to maintain the Antelope Creek project. The City needs to spend their money carefully.

This matter was taken under advisement.

ORDINANCES - 3RD READING

AMENDING TITLE 5 OF THE LMC BY ADDING A NEW CHAPTER 5.17 PERTAINING TO TELECOMMUNICATIONS PROVIDERS USING THE CITY'S RIGHTS-OF-WAY TO ESTABLISH DEFINITIONS, STANDARDS, & PERMIT FEES FOR THE USE OF RIGHTS-OF-WAY; TO PROVIDE FOR INSURANCE, BONDING, & CONSTRUCTION STANDARDS FOR TELECOMMUNICATIONS FACILITIES LOCATED IN RIGHTS-OF-WAY; TO ESTABLISH PROCEDURES FOR REVIEWS OF DECISIONS REGARDING TELECOMMUNICATIONS FACILITIES; & TO PROVIDE FOR ENFORCEMENT OF THIS ORDINANCE - PRIOR to reading:

COOK Moved to delay action on Bill 00-100 for one week to 11/6/00.

Seconded by Camp & carried by the following vote: AYES: Camp, Cook, Johnson, McRoy, Seng, Shoecraft; NAYS: None; ABSENT: Fortenberry.

DEPUTY CLERK Read an ordinance, introduced by Jon Camp, amending Title 5 of the LMC by adding a new Chapter 5.17 pertaining to telecommunications providers using the City's right-of-way to establish definitions, standards, & permit fees for the use of right-of-way; to provide for insurance, bonding & construction standards for telecommunications facilities located in the right-of-way; to establish procedures for reviews of decisions regarding telecommunications facilities; & to provide for enforcement of this ordinance, the third time.

VACATING THE NORTH-SOUTH ALLEY NORTH OF "N" ST. BETWEEN 13TH & 14TH STS. -DEPUTY CLERK read an ordinance, introduced by Annette McRoy, vacating north-south alley north of "N" Street between 13th & 14th Streets, and retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, the third time.

MCROY Moved to pass ordinance as read.
Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Johnson, McRoy, Seng, Shoecraft; NAYS: None; ABSENT: Fortenberry.
The ordinance, being numbered #17751, is recorded in Ordinance Book 24, Page

CHANGE OF ZONE 3284 - AMENDING CHAPTER 27.58 OF THE LMC TO DELETE ALL REFERENCES TO THE "AIRPORT ENVIRONS NOISE DISTRICT 2" BY AMENDING SECTIONS 27.58.010, 27.58.020, 27.58.030, 27.58.050, 27.58.060, 27.58.080, & 27.58.100 TO ALLOW CERTAIN PROPERTIES BETWEEN LDN 65 & LDN 70 TO BE USED FOR RESIDENTIAL PURPOSES - DEPUTY CLERK read & ordinance, introduced by Coleen Seng, amending Sections 27.58.010, 27.58.020, 27.58.030, 27.58.050, 27.58.060, 27.58.080, & 27.58.100 of the LMC & repealing Section 27.58.070 of the LMC to delete all references to & provisions regarding airport environs noise district 2; & repealing Sections 27.58.010, 27.58.020, 27.58.030, 27.58.050, 27.58.080, & 27.58.100 of the LMC as hitherto existing, the third time.

SENG Moved to pass ordinance as read.
Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Johnson, McRoy, Seng, Shoecraft; NAYS: None; ABSENT: Fortenberry.
The ordinance, being numbered #17752, is recorded in Ordinance Book 24, Page

CHANGE OF ZONE 3271 - AMENDING CHAPTER 27.67 OF THE LMC BY ADDING SEC. 27.67.085 TO EXPAND THE REGULATION OF THE PARKING OF UNREGISTERED, WRECKED, NON-OPERATING, JUNKED OR PARTIALLY DISMANTLED VEHICLES TO THE THREE-MILE JURISDICTION OF THE CITY - DEPUTY CLERK read an ordinance, introduced by Coleen Seng, amending Chapter 27.67 of the LMC relating to parking by adding a new section numbered 27.67.085 to restrict the storage or parking of unregistered, wrecked, non-operating, junked, or partially dismantled vehicles, the third time.

SENG Moved to pass ordinance as read.
Seconded by Camp & carried by the following vote: AYES: Camp, Cook, Johnson, McRoy, Seng, Shoecraft; NAYS: None; ABSENT: Fortenberry.
The ordinance, being numbered #17753, is recorded in Ordinance Book 24, Page

RENAMING BOX CANYON DR. & BOX CANYON CIRCLE AS "WILDERNESS WOODS PLACE" GENERALLY LOCATED AT WILDERNESS RIDGE DR. & YANKEE HILL RD. - DEPUTY CLERK read an ordinance, introduced by Coleen Seng, changing the name of Box Canyon Dr. & Box Canyon Cir. to "Wilderness Woods Place" located at Wilderness Ridge Dr. & Yankee Hill Rd., as recommended by the Street Name Committee, the third time.

SENG Moved to pass ordinance as read.
Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Johnson, McRoy, Seng, Shoecraft; NAYS: None; ABSENT: Fortenberry.
The ordinance, being numbered #17754, is recorded in Ordinance Book 24, Page

RENAMING BIG SKY CIRCLE AS "STONE CREEK LOOP NORTH" & MOON LIGHT CIRCLE AS "STONE CREEK LOOP SOUTH" GENERALLY LOCATED AT WILDERNESS RIDGE DR. & YANKEE HILL RD. - DEPUTY CLERK read an ordinance, introduced by Coleen Seng, changing the name of Big Sky Cir. to "Stone Creek Loop North" & the name of Moon Light Cir. to "Stone Creek Loop South" located at Wilderness Ridge Dr. & Yankee Hill Rd., as recommended by the Street Name Committee, the third time.

SENG Moved to pass ordinance as read.
Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Johnson, McRoy, Seng, Shoecraft; NAYS: None; ABSENT: Fortenberry.
The ordinance, being numbered #17755, is recorded in Ordinance Book 24, Page

PETITIONS & COMMUNICATIONS

THE FOLLOWING WERE REFERRED TO THE PLANNING DEPT.:

Change of Zone 3289 - App. of Ridge Development Co. from R2 to R3 at N. 21st & Folkways.
Special Permit No. 1875 - App. of Union College (Incorporated) of College View to build a communications facility at 3800 S. 48th St.
Special Permit no. 1878 - App. of Concord Enterprises, Inc. to build a communications facility at 1701 Windhoek.
Special Permit No. 1885 - App. of Lincoln Airport Authority for a scrap processing facility at 5510 NW 39th St.

PETITION TO VACATE PUBLIC WAY IN OLD CHANNEL OF SALT CREEK FROM THE NORTH LINE OF LOT 4, CRESCENT GLEN INDUSTRIAL PARK TO THE EAST R-O-W. OF N. 33RD ST. SUBMITTED BY NORMA OLSTON, GLEN MANSKE & ROLLIE JOHNSON - DEPUTY CLERK presented said petition which was referred to the Law Dept.

PETITION TO VACATE PUBLIC WAY IN OLD CHANNEL OF SALT CREEK FROM THE SOUTH R-O-W. OF EDISON ST. TO THE EAST R-O-W. OF NORTH 33RD ST. SUBMITTED BY NORMA OLSTON, GLEN MANSKE, & ROLLIE JOHNSON - DEPUTY CLERK presented said petition which was referred to the Law Dept.

PETITION TO VACATE PUBLIC WAY IN OLD CHANNEL OF SALT CREEK FROM THE SOUTH R-O-W LINE OF EDISON ST. TO THE SOUTH LINE OF LOT 140 I.T. IN THE SE 1/4 OF SEC. 7, 110N, R7E SUBMITTED BY NORMA OLSTON, GLEN MANSKE & ROLLIE JOHNSON - DEPUTY CLERK presented said petition which was referred to the Law Dept.

PETITION TO VACATE PUBLIC WAY IN THE EAST 5' OF 2ND ST. BETWEEN THE SOUTH LINE OF F ST. & THE NORTH LINE OF THE ALLEY BETWEEN F & E STREETS SUBMITTED BY CARL MATTHEWS - DEPUTY CLERK presented said petition which was referred to the Law Dept.

REPORTS TO CITY OFFICERS

CLERK'S LETTER & MAYOR'S APPROVAL OF ORDINANCES & RESOLUTIONS PASSED ON OCT. 16, 2000 - DEPUTY CLERK presented said report which was placed on file in the Office of the City Clerk.

INVESTMENT OF FUNDS - DEPUTY CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-80514 BE IT HEREBY RESOLVED BY THE CITY COUNCIL of the City of Lincoln, Nebraska:

That the attached list of investments be confirmed & approved, & the City Treasurer is hereby directed to hold said investments until maturity unless otherwise directed by the City Council. (Investments beginning 10/20/00)

Introduced by Jonathan Cook

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Johnson, McRoy, Seng, Shoecraft; NAYS: None; ABSENT: Fortenberry.

REPORTS FROM CITY TREASURER OF TELECOMM. OCC. TAX DUE FOR JULY THRU SEPT., 2000 FROM CLARICOM, ZENEX, AMERIVISION; SEPT., 2000: D & D, USA PAGING, LONG DISTANCE OF MICHIGAN, NEXTLINK, ASSN. ADMINISTRATORS, BIG PLANET, I-LINK, BUSINESS TELECOM., TELCO, LIGHTYEAR, GTC, RSL COM USA, COMDATA, GLYPHICS, NOSVA, TRI-M, TELIGENT, INCOMNET, SINGLE BILLING SERVICES, EQUALITY, LDM, NOS COMM., GST NET, GLOBALCOM, GLOBAL TELEPHONE, LCI, WORKING ASSETS, CINCINNATI BELL LONG DISTANCE, TOUCH AMERICA, QWEST, VIATEL, PRIMUS, TRANS NAT'L., PHOENIX, TOPP TELECOM., OPEX, ATLAS - DEPUTY CLERK presented said report which was placed on file in the Office of the City Clerk. (20)

REPORT OF LINCOLN WATER & WASTEWATER SYSTEM RECAPITULATION OF DAILY CASH RECEIPTS FOR SEPT., 2000 - DEPUTY CLERK presented said report which was placed on file in the Office of the City Clerk. (8-71)

REQUEST OF PUBLIC WORKS TO SET THE HEARING DATE OF MONDAY, NOV. 27, 2000 AT 5:30 P.M. & PLACE ON THE FORMAL CITY COUNCIL AGENDA THE FOLLOWING:

- 00-192 To provide authority to create a Water District to construct an 8-inch water main in Gladstone St., 35th to 36th St. Gladstone to Hartley Sts.
- 00-193 To provide authority to create a Paving Dist. in Gladstone, 35th to 36th Sts. & 35th St., Gladstone to Hartley.
- 00-194 To provide authority to create a Paving Dist. in Northwest 10th St., West Dawes to West Belmont Sts.
- 00-195 To provide authority to create an Alley Paving Dist. to construct concrete pavement in the East/West alley, 47th St. to 48th St., Lowell Ave. to Prescott Ave.

00-296 To provide authority to order the construction of sidewalks at various locations throughout the City. The general boundary being from SW 27th & West O St. on the west, 27th & Whitehead Dr. on the north, 80th & Leighton on the east & 40th & Eagle Ridge Road on the south.

DEPUTY CITY CLERK requested a motion to set the hearing date of Mon., Nov. 27, 2000 at 5:30.

JOHNSON So moved.

Seconded by McRoy & carried by the following vote: AYES: Camp, Cook, Johnson, McRoy, Seng, Shoecraft; NAYS: None; ABSENT: Fortenberry.

SETTING HEARING DATE OF MON., NOV. 20, 2000, AT 10:00 A.M. ON THE BOARD OF EQUALIZATION MEETING FOR DOWNTOWN MAINTENANCE DIST., DOWNTOWN BUSINESS IMPROVEMENT DIST., & CORE BUSINESS IMPROVEMENT DIST. OVERLAY - DEPUTY CLERK requested to set hearing date of Mon., Nov. 20, 2000, at 10:00 A.M.

COOK So moved.

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Johnson, McRoy, Seng, Shoecraft; NAYS: None; ABSENT: Fortenberry.

ACCEPTING THE REPORT OF NEW & PENDING CLAIMS AGAINST THE CITY & APPROVING DISPOSITION OF CLAIMS SET FORTH THEREIN FOR THE PERIOD OF OCTOBER 1-15, 2000 - DEPUTY CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-80512 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the claims listed in the attached report, marked as Exhibit "A", dated October 16, 2000, of various new and pending tort claims filed against the City of Lincoln with the Office of the City Attorney or the Office of the City Clerk, as well as claims which have been disposed of, are hereby received as required by Neb. Rev. Stat. § 13-905 (Reissue 1997). The dispositions of claims by the Office of the City Attorney, as shown by the attached report, are hereby approved:

	<u>DENIED</u>	<u>ALLOWED</u>
Megan Dickson	\$197.72	None
Josie Younkin	671.00	
Wilfred Decker	70.00	

The City Attorney is hereby directed to mail to the various claimants listed herein a copy of this resolution which shows the final disposition of their claim.

Introduced by Jonathan Cook

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Johnson, McRoy, Seng, Shoecraft; NAYS: None; ABSENT: Fortenberry.

OTHER RESOLUTIONS

SETTING HEARING DATE OF NOV. 13, 2000 AT 1:30 ON THE APP. OF O'FOURTEEN, INC. DBA WOODY'S PUB FOR A RETAIL CLASS C LIQUOR LICENSE AT 101 N. 14TH STREET - DEPUTY CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-80515 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby fixed for Mon., Nov. 13, 2000, at 1:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE, for the purpose of considering the following App. of Fourteen, Inc. dba Woody's Pub for a Retail "Class C" Liquor License located at 101 N. 14th Street.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Jonathan Cook

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Johnson, McCoy, Seng, Shoecraft; NAYS: None; ABSENT: Fortenberry.

SETTING HEARING DATE OF NOV. 13, 2000 ON THE APP. OF PEARL'S INC. DBA PEARL'S CAFÉ FOR A RETAIL CLASS I LIQUOR LICENSE AT 311 N. 8TH STREET, STE. 102 - DEPUTY CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-80516 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby fixed for Mon., Nov. 13, 2000, at 1:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE, for the purpose of considering the following App. of Pearl's Inc. dba Pearl's Café' for a Retail "Class I" Liquor License located at 311 N. 8th Street, Ste. 102.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Jonathan Cook

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Johnson, McCoy, Seng, Shoecraft; NAYS: None; ABSENT: Fortenberry.

SETTING HEARING DATE OF NOV. 13, 2000 ON THE APP. OF MIP TWO, INC. DBA MICKEY'S IRISH PUB FOR A RETAIL CLASS I LIQUOR LICENSE AT 1409 O STREET - DEPUTY CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-80517 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby fixed for Mon., Nov. 13, 2000, at 1:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE, for the purpose of considering the following App. of M.P. Two, Inc. dba Mickey's Irish Pub for a Retail "Class I" Liquor License located at 1409 O Street.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Jonathan Cook

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Johnson, McCoy, Seng, Shoecraft; NAYS: None; ABSENT: Fortenberry.

APPOINTING BRUCE HELWIG TO THE HISTORIC PRESERVATION COMMISSION TO FILL AN UNEXPIRED TERM EXPIRING APRIL 15, 2002 -DEPUTY CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-80509 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That the appointment of Bruce Helwig to the Historic Preservation Commission filling an unexpired term expiring April 15, 2002 is hereby approved.

Introduced by Jonathan Cook

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Johnson, McCoy, Seng, Shoecraft; NAYS: None; ABSENT: Fortenberry.

REAPPOINTING LAURIE YOAKUM, KATHY MCKILLIP & DIANA PASCO TO THE COMMUNITY DEVELOPMENT TASK FORCE FOR THREE-YEAR TERMS EXPIRING AUG. 31, 2003 - DEPUTY CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-80510 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That the reappointment of Laurie Yoakum, Kathy McKillip, and Diana Pasco to the Community Development Task Force for a three-year term expiring August 31, 2003 is hereby approved.

Introduced by Jonathan Cook

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Johnson, McCoy, Seng, Shoecraft; NAYS: None; ABSENT: Fortenberry.

APPOINTING MARY JANE STEWARD, JOHN CARTER, TONY NGUYEN, LORI LOPEZ URDIALES, GARY HEJL, & KENETTA WALLACE TO THE COMMUNITY DEVELOPMENT TASK FORCE FOR 3-YR. TERMS EXPIRING AUG. 31, 2003 - DEPUTY CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-80511 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That the appointment of Mary Jane Steward, John Carter, Tony Nguyen, Lori Lopez Urdiales, Gary Hejl, and Kenetta Wallace to the Community Development Task Force for a three-year term expiring August 31, 2003 is hereby approved.

Introduced by Jonathan Cook

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Johnson, McCoy, Seng, Shoecraft; NAYS: None; ABSENT: Fortenberry.

APPROVING A MANAGEMENT AGRMT. BETWEEN THE CITY & SMG TO PROVIDE FOR MANAGEMENT, MARKETING, ENTERTAINMENT, ADMINISTRATION, & PROCUREMENT SERVICES FOR PERSHING MUNICIPAL AUDITORIUM - DEPUTY CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-80513 WHEREAS, the City owns and holds Pershing Municipal Auditorium for the benefit of the citizens of the City of Lincoln; and

WHEREAS, the Auditorium is a significant asset and is an integral part of the City's efforts to provide services in the public interest for the betterment of the community; and

WHEREAS, the Auditorium has operated with a significant historical deficit requiring outlays of public funds to subsidize its operations; and

WHEREAS, the Auditorium's overall usage and efficiency could be improved by an infusion of private resources including capital, management services, marketing services, entertainment services, administration services, and procurement services; and

WHEREAS, SMG, a Pennsylvania general partnership, which is indirectly and jointly owned by Hyatt Hotels (FMG Partners) and ARAMARK Corporation (ARA Facilities Management), 701 Market Street, Philadelphia, PA, has extensive skill, expertise and experience in management services,

marketing services, entertainment services, administration services, and procurement services, and is willing to capitalize a concessions improvement fund and a study to identify limited aesthetic improvements of the Auditorium; and

WHEREAS, SMG has represented that it believes it can improve the historical subsidy and lessen the City's subsidy required for the operation of the Auditorium; and

WHEREAS, the City desires to engage SMG to manage and operate Pershing Auditorium and SMG desires to accept such engagement.

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

1. The Mayor is authorized to enter into a management agreement with SMG to provide for management, marketing, entertainment, administration, and procurement services for the Pershing Municipal Auditorium upon terms and conditions as provided in the attached agreement.

2. The City shall pay the expenses of operating the Auditorium as provided in the agreement.

3. SMG shall establish and fund a concessions improvement fund of \$150,000, a marketing fund of \$25,000, and a limited aesthetic improvements study for not to exceed \$20,000 as provided in the agreement.

Introduced by Jonathan Cook

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Johnson, McCoy, Seng, Shoecraft; NAYS: None; ABSENT: Fortenberry.

COMP. PLAN AMENDMENT 94-60 - AMENDING THE FUTURE LAND USE, LONG RANGE TRANSPORTATION, STORMWATER, COMMUNITY FACILITIES, & OTHER APPROPRIATE PORTIONS OF THE COMPREHENSIVE PLAN TO REFLECT THE ELEMENTS OF THE ANTELOPE VALLEY PROJECT - PRIOR to reading:

MCCOY Moved to delay action on Bill 00R-291 for one week to 11/6/00.

Seconded by Cook & carried by the following vote: AYES: Camp, Cook, Johnson, McCoy, Seng, Shoecraft; NAYS: None; ABSENT: Fortenberry.

AUTHORIZING THE MAYOR TO EXECUTE AN EXHIBIT TO THE INTERLOCAL AGRMT., WHICH CREATED THE JOINT ANTELOPE VALLEY AUTHORITY, TO INCORPORATE EXHIBIT "B" INITIATING THE IMPLEMENTATION PERIOD OF THE AGREEMENT UPON RECEIPT OF THE RECORD OF DECISION APPROVING THE ANTELOPE VALLEY ENVIRONMENTAL IMPACT STATEMENT - PRIOR to reading:

MCCOY Moved to delay action on Bill 00R-295 for one week to 11/6/00.

Seconded by Cook & carried by the following vote: AYES: Camp, Cook, Johnson, McCoy, Seng, Shoecraft; NAYS: None; ABSENT: Fortenberry.

ORDINANCES - 1ST & 2ND READING

AMENDING ORDINANCE NO. 17595, PASSED JANUARY 24, 2000, TO INCLUDE ADDITIONAL PROPERTIES FROM WHICH RIGHT-OF-WAY IS TO BE ACQUIRED FOR THE IMPROVEMENT OF EAST O STREET FROM 52ND STREET TO WEDGEWOOD DRIVE - DEPUTY CLERK read an ordinance, introduced by Jonathan Cook, amending Section 2 of Ordinance No. 17595, passed January 24, 2000, by including additional properties from which right-of-way is to be acquired for the improvement of East O Street from 52nd Street to Wedgewood Drive, and repealing Section 2 of Ordinance No. 17595 as hitherto existing, the first time.

CHANGE OF ZONE 3286 - APPLICATION OF ELLIOTT AND LYNNE RUSTAD FOR A CHANGE OF ZONE FROM R-3 RESIDENTIAL TO B-2 PLANNED NEIGHBORHOOD BUSINESS DISTRICT ON PROPERTY GENERALLY LOCATED AT NORTH 27TH STREET AND FOLKWAYS BOULEVARD - DEPUTY CLERK read an ordinance, introduced by Jonathan Cook, amending the Lincoln Zoning District Maps attached to and made a part of Title 27 of the Lincoln Municipal Code, as provided by Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the first time.

VACATING NORTH 40TH STREET FROM THE JOHN DIETRICH TRAIL NORTH TO THE TERMINUS OF NORTH 40TH STREET, GENERALLY LOCATED AT THE NORTH END OF 40TH STREET, NORTH OF ADAMS STREET - DEPUTY CLERK read an ordinance vacating North 40th Street from the John Dietrich Trail, north to the terminus of North 40th Street, generally located at the north end of 40th Street, north of Adams Street, and retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, the first time.

VACATING WEST N STREET FROM THE WEST LINE OF SOUTH CODDINGTON TO A POINT APPROXIMATELY 300 FEET WEST THEREOF - DEPUTY CLERK read an ordinance, introduced by Jonathan Cook, vacating West "N" Street from the west line

of South Coddington, west approximately 300 feet, and retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, the first time.

AMENDING THE PAY SCHEDULES OF EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGE PREFIXED BY THE LETTER "M" BY CREATING THE CLASSIFICATION OF "PUBLIC WORKS SPECIAL PROJECT ADMINISTRATOR" - DEPUTY CLERK read an ordinance, introduced by Jonathan Cook, amending Section 5 of Ordinance No. 17704 relating to the pay schedules of employees whose classifications are assigned to the pay range which is prefixed by the letter "M" by creating the job classification of "Public Works Special Project Administrator", the first time.

AMENDING THE PAY SCHEDULES OF EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGE PREFIXED BY THE LETTER "A" BY CREATING THE CLASSIFICATION OF "EMS BUSINESS MANAGER" - DEPUTY CLERK read an ordinance, introduced by Jonathan Cook, amending Section 1 of Ordinance No. 17705 relating to the pay schedules of employees whose classifications are assigned to the pay range which is prefixed by the letter "A" by creating the job classification of "EMS Business Manager", the first time.

AMENDING CHAPTER 10.42 OF THE LINCOLN MUNICIPAL CODE RELATING TO ABANDONED VEHICLES BY AMENDING SECTION 10.42.110 TO ADD AN EXCEPTION FOR THE KEEPING OF WRECKED OR JUNKED VEHICLES LOCATED ON A FARMSTEAD AND BY AMENDING SECTION 10.42.115 TO CLARIFY THAT A HOBBYIST PERMIT ONLY COVERS THE STORAGE OF VEHICLES AND DOES NOT AUTHORIZE THE STORAGE OF MISCELLANEOUS VEHICLE PARTS OR JUNK CONTAINED IN, ON, OR NEAR THE VEHICLE AND TO LIMIT THE HOBBYIST PERMITS TO ONE RENEWAL - DEPUTY CLERK read an ordinance, introduced by Jonathan Cook, amending Chapter 10.42 of the Lincoln Municipal Code relating to Abandoned Vehicles by amending Section 10.42.110 to add an exception for vehicles located on the premises of a farmstead; amending Section 10.42.115 relating to hobbyist permits to provide that such permits shall be renewed or extended for one 180-day period only and to provide that the permit shall cover the vehicle only and not miscellaneous junk contained in, on, or near the vehicle; and repealing Section 10.42.115 of the Lincoln Municipal Code as hitherto existing, the first time.

AMENDING SEC. 10.12.020 OF THE LMC TO PROVIDE A MINIMUM PENALTY FOR VIOLATING A TRAFFIC CONTROL DEVICE IN THE MINIMUM AMOUNT OF \$75.00 - DEPUTY CLERK read an ordinance, introduced by Jon Camp, amending Sec. 10.12.020, Obedience to Official Traffic-Control Devices, of the LMC, to provide a minimum penalty for violating a traffic control device in the minimum amount of \$75.00; & repealing Sec. 10.12.020 of the LMC as hitherto existing, the second time.

AMENDING SEC. 9.16.230 OF THE LMC REGARDING PUBLIC NUDITY TO MAKE LANGUAGE CONSISTENT BY REQUIRING A FULLY OPAQUE COVERING OVER THE AREOLA - DEPUTY CLERK read an ordinance, introduced by Jon Camp, amending Sec. 9.16.230(b) of the LMC to bring the ordinance into compliance with the legislative

intent expressed in passage of Ord. 17730, which amended Sec. 9.16.230 as it previously existed by requiring the areola & nipple to be covered with a fully opaque covering, the second time.

AMENDING SEC. 5.04.230 OF THE LMC TO MAKE THE DEFINITION OF NUDITY CONSISTENT WITHIN THE LMC - DEPUTY CLERK read an ordinance, introduced by Jon Camp, amending Sec. 5.04.230 of the LMC relating to Nude Entertainment by amending the language to be consistent with the nudity law & the defined term of nudity, the second time.

MISCELLANEOUS BUSINESS

PENDING LIST -

CAMP Moved to extend the Pending List for 1 week.
Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Johnson, McCoy, Seng, Shoecraft; NAYS: None; ABSENT: Fortenberry.

UPCOMING RESOLUTIONS

REGULAR MEETING
OCT. 30, 2000
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CAMP Moved to approve the resolutions to have Public Hearing on Nov. 6,
2000. Seconded by Seng & carried by the following vote: AYES: Camp, Cook,
Johnson, McCoy, Seng, Shoecraft; NAYS: None; ABSENT: Fortenberry.

ADJOURNMENT

10:08 P.M.

CAMP Moved to adjourn the City Council Meeting of Oct. 30, 2000.
 Seconded by Seng & carried by the following vote: AYES: Camp, Cook,
Johnson, McCoy, Seng, Shoecraft; NAYS: None; ABSENT: Fortenberry.

 So ordered.

Joan E. Ross, Deputy City Clerk

Judy Roscoe, Office Assistant III

