

**DIRECTORS' MEETING
MONDAY, APRIL 12, 2004 - 11:00 A.M.
CONFERENCE ROOM 113**

I. MAYOR

1. Washington Report - April 2, 2004.
2. NEWS RELEASE - RE: Fifth Annual Clean Your Files Week Set For April 19 Through 23 - (See Release)
3. NEWS RELEASE - RE: Mayor Presents March Award Of Excellence - (See Release)
4. NEWS RELEASE - RE: Public Meeting Set On Intersection Improvements - (See Release)
5. NEWS ADVISORY - RE: Mayor Coleen Seng will have a news conference at 10:00 a.m., Thursday, April 8th - to discuss water conservation and preparations for the spring football game April 17th - (See Release)
6. NEWS RELEASE - RE: Mayor Asks For Voluntary Water Conservation - (See Release)
7. NEWS RELEASE - RE: City Prepared For Spring Game Traffic - StarTran running Big Red Express from three locations - (See Release)

II. CITY CLERK

III. CORRESPONDENCE

A. COUNCIL REQUESTS/CORRESPONDENCE

JONATHAN COOK

1. Request to Public Works & Utilities Department/Urban Development Department/LES - RE: C Street rehab, burying lines (RFI#111 - 3/24/04).

ANNETTE McROY

1. Request to Public Works & Utilities Department/Lancaster County Engineering - RE: Future plans for NW 4th 48th Street (RFI#147 - 3/18/04) - **(Sent Corrected Copy out on 3/22/04). — 1.) SEE RESPONSE FROM RANDY HOSKINS, PUBLIC WORKS & UTILITIES DEPARTMENT RECEIVED ON RFI#147 - 3/26/04**
2. Request to Public Works - Water – RE: Problem: Town Home with 1 water meter (RFI#148 - 4/07/04)

PATTE NEWMAN

1. Request to Larry Worth, StarTran/Allan Abbott, Public Works & Utilities Director - RE: Bus Service to Lux Middle School (RFI#19 - 3/17/04). — **1.) SEE RESPONSE FROM LARRY WORTH, STARTRAN RECEIVED ON RFI#19 - 3/24/04. – 2.) SEE RESPONSE FROM LARRY WORTH, STARTRAN RECEIVED ON RFI#19 - 4/08/04.**
2. Request to Ernie Castillo, Wynn Hjernstad, Marc Wullschleger, Urban Development Department/Terry Bundy, LES/Allan Abbott, Public Works & Utilities Director/Mike DeKalb, Marvin Krout, Planning Department/Lynn Johnson, Parks & Recreation Director - RE: Signs or banners identifying individual neighborhoods - (For Witherbee and Eastridge area) - (RFI#20 - 3/24/04).

GLENN FRIENDT

1. Request to Allan Abbott, Public Works & Utilities Director - RE: Haymarket crosswalk - (RFI#29 - 3/29/04).

B. DIRECTORS AND DEPARTMENT HEADS

FINANCE DEPARTMENT/CITY TREASURER

1. Material from Don Herz, Finance Director & Melinda J. Jones, City Treasurer - RE: Resolution & Finance Department Treasurer of Lincoln, Nebraska - Investments Purchased March 29, 2004 thru April 2, 2004.

HEALTH

1. NEWS RELEASE - RE: Yes, Binge Drinking Is A Problem That Is Being Addressed In Our Community - (See Release)
2. NEWS RELEASE - RE: Festival Of Health Kicks Off National Public Health Week - (See Release)
3. NEWS RELEASE - RE: Board Of Health Award Winners Announced - (See Release)

PLANNING

1. Letter from Tom Cajka to Brian D. Carstens, Brian D. Carstens & Associates - RE: Tabitha New Community 5th Addition Final Plat #04007. - (See Letter)
2. Letter from Tom Cajka to Richard P. Onnen, EDC - RE: Vintage Heights 18th Addition Final Plat #03046. - (See Letter)
3. Annexation by Ordinance - Ordinance No. 18322 - Effective Date: March 30, 2004 - 61.3 Acres.
4. Letter from Tom Cajka to Lyle Loth, ESP Inc. - RE: Hartland Homes SW 2nd Addition Final Plat #03071. - (See Letter)
5. Planning Department Newsletter - Issue #8 - April 2004.
6. Letter from Tom Cajka to J.D. Burt, Design Associates - RE: Saline Plaza 2nd Addition Final Plat #04031. - (See Letter)

PUBLIC WORKS & UTILITIES DEPARTMENT

1. Public Works & Utilities ADVISORY - RE: The City's contractors, Hawkins and Lanoha Landscaping, will be starting work in the West "A" area on the viaduct project and the bike path on the Salt Creek project starting the week of April 5th - (See Advisory)

2. Letter from Allan Abbott to Old Mill Custom Woodworking; J & B Construction; & Marv Schwab, Ace Plumbing & Heating - RE: Public Works & LPD have been in previous contact with the businesses adjacent to the overpass at 1st & “H” Street, in response to the storing and placement of vehicles and materials under the Capital Parkway West overpass - (See Letter)
3. Material - RE: Lincoln Wastewater System Capital Improvement Projects Status Update - (Material for the Pre-Council Meeting scheduled for 4/12/04 - RE: Treatment Plant Improvements on Trunk Sewer Lines) (See Material)
4. Public Works & Utilities ADVISORY - RE: South 14th Street Improvements - Old Cheney - Pine Lake - Project No. 701306. - (See Advisory)

C. MISCELLANEOUS

1. Letter from the Nebraska Liquor Control Commission - RE: Hereby notified that a hearing will be held upon the application of “Coaches Sports Bar & Grill” on Friday, April 23, 2004 at 9:00 a.m. - due to denial. - (See Letter)

IV. DIRECTORS

V. CITY COUNCIL MEMBERS

VI. ADJOURNMENT

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Washington Report

Vol. 10 No. 9
April 2, 2004

City of Lincoln -- Washington Office

House Approves T-21 Bill Under Veto Threat

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Transportation

House passes six-year surface transportation bill 357-65. The House today passed their version of the six-year surface transportation reauthorization measure (HR 3550), which would provide \$275 billion in highway and transit funding through FY 2009. While the bill provides program funding through FY 2009, a "reopener" clause was included in the measure to address additional funding sources and potential increases in funding as early as 2005. Funding levels for programs in the bill can be found in last week's *Washington Report*.

Of the \$275 billion, 84 percent of the total funding will be dispersed through formulas, with the other 16 percent in funding used to pay for Members' high priority projects. Under existing law, 93 percent of the funding was made available in formula spending. Opposition to the bill was primarily from members representing donor states, or states that contribute more to the highway trust fund than they receive back, who argued that lowering the percentage of funding distributed through formulas would only further the divide between donor and donee states. An amendment by Rep. John Isakson (R-GA) to increase the formula funding in the bill to 93 percent was defeated by a vote of 170-254.

The donor-donee issue will be another point of contention as the bill goes to a House-Senate Conference Committee. As written, HR 3550 would guarantee 90.5 percent return to states for contributions to the highway trust fund, the same as existing law, while the \$318 billion Senate bill (S 1072) would give all states a 95 percent return by FY 2009. House Transportation Committee Chairman Don Young (R-AK) promised to readdress the donor-donee issue when the House reconsiders funding mechanisms in the bill through the two-year reopener clause.

Facing the April 30 expiration of current law, Senate leaders are pushing to convene the House-Senate Conference Committee as soon as possible to submit a final version of the bill to the President before the deadline. This may be overly optimistic, since in 1998, the TEA-21 Conference Committee met for eight weeks to reconcile differences between the House and Senate bills.

Also complicating final passage of this legislation is the looming veto threat issued by the President. Administration officials have stated the President will veto any legislation that raises the gas tax or uses alternative financing mechanisms. The Administration has also announced its opposition to the reopener provision in HR 3550, stating that the bill does not guarantee highway funding after FY 2005 and could pave the way for a gas tax increase. According to transportation industry officials, the reopener clause will become the center point of contention in trying to get the bill out of Conference.

With the House adjourning until April 18, the Conference Committee will only have 10 legislative days to produce a final version of the bill or Congress will need to approve another extension of the current law. Senate Minority leader Tom Daschle (D-SD) stated this week that he did not believe the Senate would support another short-term extension of current law.

Budget

Final action on FY 2005 budget resolution will have to wait until after the recess. House and Senate negotiators on the FY 2005 budget resolution failed to come to an agreement this week on a final version of the measure, delaying its completion until after the two-week House recess that is scheduled to begin today.

The budget resolution sets the broad parameters for spending in FY 2005 under which the House

and Senate Appropriations Committees must operate when funding federal programs. At issue with House and Senate negotiators is a proposal to reinstate budget rules that would require offsetting spending reductions for increases in mandatory spending and tax cuts. Such "pay-as-you-go" rules only apply to discretionary spending increases at this time. The Senate budget resolution includes the proposal, while the House does not. House leadership believes that the language would make it very difficult to make the Bush tax cuts of 2001 and 2003 permanent and so they oppose the plan. However, there are a number of moderate Republicans and deficit "hawks" that are insisting on the language.

House and Senate negotiators had hoped to complete their business this week and pass the budget resolution before the mandated April 15 deadline. They will not meet that deadline, however, as the House will not return from recess until the week of April 19. The Senate will be in session next week, and then will recess for one week.

Telecommunications

Ninth Circuit spurns FCC, requires open access for cable modem lines. In a move hailed by consumer groups and small Internet service providers but criticized by the cable television industry and Federal Communications Commission (FCC) Chairman Michael Powell, the Ninth Circuit Court of Appeals refused to hear an appeal (*Brand X Internet Services v. FCC*, Ninth Circuit, No. 02-70518) of an earlier decision (*AT&T v. City of Portland*) finding that cable modem services are a "telecommunications service" as well as an "information service." The FCC had classified cable modem services as an "information service" only, thereby exempting it from most regulations under Title II of the Communications Act, including providing open access to their infrastructure to competing service providers, paying fees to local governments for use of rights-of-way and submitting to local regulation of access to public rights-of-way similar to telephone companies.

For local governments, the full impact of the decision remains unclear. While local governments would have preferred that the Court classify cable modem service as a "cable service," the decision opens the door for local governments to negotiate compensation for access to public rights-of-way by cable modem providers. In the broader policy debate over taxation of Internet access, the decision takes away a major argument of the telephone companies in favor of legislation (S 150) to bar state and local governments from collecting compensation for the use of public rights-of-way. With state and local governments now presumably free to collect similar fees from cable modem providers, the argument that DSL Internet service is forced to compete on an unlevel playing field is eliminated. Response from the sponsors of S 150 and from the sponsors of competing legislation (S 2084) friendly to local governments are not yet available.

Powell issued a statement saying he was disappointed in the decision but did not say whether he would seek an appeal to the Supreme Court. The National Cable & Telecommunications Association (NCTA), expecting a victory, was stunned by the decision and urged Powell to appeal to the Supreme Court.

Consumer groups, joined by FCC Commissioner Michael Copps, countered that the decision will benefit consumers and encourage competition in the industry. In his press release Copps said, "This is a good day for consumers and for Internet entrepreneurs. I look forward to the start of a fresh dialogue on broadband service at the FCC." However, consumer groups cautioned that the FCC will be slow to implement new regulations and is unlikely to impose the full spectrum of common carrier regulations on cable modem services. In addition, despite Powell's refusal to commit to a future course of action, the strong influence that the cable industry has at the FCC will likely lead to an appeal of the decision to the Supreme Court.

In a related event, the FCC adopted new regulations regarding political advertisements on satellite television. Under the regulations, satellite television providers will have to abide by the same rules for political advertising as over-the-air broadcasters and cable television providers. The rules require satellite television providers to allow political candidates to buy advertising time on their systems and to sell it to them at the lowest rates they offer to commercial customers. The regulations also limit the amount of commercial time during children's programming to 12 minutes per hour on weekdays and 10.5 minutes per hour on weekends.

Welfare

Senate approves increased child care funding; disagreements over other issues stymie underlying bill. During debate on legislation (HR 4) to reauthorize the Temporary Assistance for Needy Families Program (TANF), the Senate overwhelmingly approved (78-20) an amendment offered by Senator Olympia Snowe (R-ME) that would provide \$2.917 billion a year in mandatory child care funding for TANF recipients over five years and authorize an additional \$6 billion in supplemental funding for child care over those same five years. The original Senate bill did not authorize the supplemental funding.

After approving the Snowe amendment, the Senate failed to limit debate on the bill, leading Senate Majority Leader Bill Frist (R-TN) to pull the bill from the floor and declare it dead for the year. The vote to limit debate was 51-47, with 60 votes needed to limit debate. Democrats refused to limit debate unless they were allowed votes on two amendments by Senator Barbara Boxer (D-CA) to gradually increase the minimum wage from \$5.15 per hour to \$7.00 per hour and another by Senator Tom Harkin (D-IA) to bar the Administration from implementing its new overtime pay rules. Republicans accused Democrats of holding up important legislation; Democrats countered it was the only way

they could get votes on their priorities. Even if the bill were to move forward and pass the Senate, it would create a contentious conference with the House, which has passed a version of HR 4 with less child care funding and significantly more stringent work requirements for TANF recipients.

With HR 4 dead for the year, Congress will have to turn its attention to a temporary extension of TANF so that the states continue to receive funding. TANF expired September 30, 2002 and Congress has passed six temporary extensions of the program, the latest of which expires on June 30. In the meantime, Senate Democrats have vowed to continue to stop major legislation until they are allowed votes on the minimum wage and overtime pay amendments, which they are confident would prevail if subject to a Senate vote.

Parks and Recreation

House members look to resurrect CARA bill. Reps. Don Young (R-AK) and George Miller (D-CA) unveiled legislation this week that would dedicate over \$3 billion annually to federal conservation and preservation programs. The measure is similar to the Conservation and Reinvestment Act (CARA), which was approved in the House in 2001 but never became law.

While CARA had strong bipartisan support in the House and Senate, its progress was stopped by the slowing economy, as well as Senators concerned that it would erode private property rights. Young and Miller made few references to CARA this week, instead choosing to use the legislation to promote public health and fight obesity. Now known as the Get Outdoors Act, or "GO Act," sponsors are essentially promoting land conservation as a way to curb rising health costs. According to Miller, obesity-related health problems cost over \$100 billion annually and the Centers for Disease Control recently predicted that obesity will soon overtake tobacco as the leading cause of preventable death in the country.

As was the case with CARA, the GO Act would use receipts from federal oil and gas drilling leases to provide \$3.125 billion annually to the following federal programs:

- ▶ \$900 million for the Land and Water Conservation Fund
- ▶ \$350 million for wildlife conservation and restoration
- ▶ \$350 million for Payments in Lieu of Taxes and Refuge Sharing programs
- ▶ \$200 million for federal and American Indian lands restoration
- ▶ \$150 million for the Historic Preservation Fund
- ▶ \$125 million for the Urban Park and Recreation Recovery program
- ▶ \$50 million for endangered and threatened species recovery
- ▶ \$10 million for the National Maritime Heritage Act
- ▶ \$1 billion to coastal states to remediate the effects of oil and gas drilling

Supporters of the GO Act will have a more difficult time than they did with CARA, as the bill sponsors are no longer the leaders of the House Resources Committee, which has jurisdiction over the bill. Young is now Chairman of the Transportation and Infrastructure Committee while Miller is ranking Democrat on the Education and Labor Committee. Meanwhile, the new Chairman of the Resources Committee is Rep. Richard Pombo (R-CA), one of the most ardent foes of CARA who has consistently argued for less federal land acquisition.

A spokesman for Pombo remarked, "It would cost American taxpayers less to get a membership to Gold's Gym and actually work out than to acquire millions of acres of land in the name of health."

Flood Insurance

Flood Insurance Reauthorization Bill approved in Senate Committee. The Senate Banking, Housing and Urban Affairs Committee approved legislation (S 2238) this week to reauthorize and reform the National Flood Insurance Program, which covers 4.4 million homeowners. The program, which is set to expire on June 30, would be extended through 2008. Similar legislation, HR 253, was passed in the House on November 20, 2003.

The call for reforms to the program came after Hurricane Isabel complications, where many flood victims did not receive adequate repair estimates or price guidelines and found the process of trying to recover claims confusing and time-consuming. Therefore, part of the reforms to the bill include FEMA developing and distributing a flood insurance claims handbook to aid future flood victims in procedures for filing claims. FEMA would also be required to train and educate all insurance agents selling flood insurance policies. In addition, the legislation states that the General Accounting Office must study the payments to flood victims, ensuring that they are restored to pre-flood conditions.

The bill introduces a new pilot mitigation program, which authorizes \$200 million to states and localities to address those policyholders with a record of "repeated losses" -- a property that has had at least three insurance claim payments each over \$3,000 and with a combined total of more than \$15,000, or two or more claim payments that exceed the value of the property.

Senator Jim Bunning (R-KY) introduced the bipartisan bill. The Senate and House versions differ on their definitions of repeated losses, as the House definition has a broader scope.

Environment

House Committee passes legislation that would address windstorm hazards. This week, the House Science Committee approved legislation (HR 3980) by a voice vote that would address the vulnerability that states face from the threat of windstorms.

The National Windstorm Impact Reduction Act of 2004, introduced by Representative Randy Neugebauer (R-TX), would create the National Windstorm Impact Reduction Program in order to bring together federal efforts to find ways to reduce the loss of life and property from windstorms. The program would focus on ways to better understand damaging wind events, assess the effects on structures, and reduce those effects. The bill also directs the Office of Science and Technology Policy to establish an interagency working group to plan, manage, and coordinate activities to improve the understanding of windstorms and their impacts. The working group would include representatives from the National Science Foundation (NSF), Federal Emergency Management Agency (FEMA), National Institute of Standards and Technology (NIST), and National Oceanic and Atmospheric Administration (NOAA).

Damaging windstorms, such as tornadoes, hurricanes, and tropical storms, cause several billions of dollars in property and economic losses each year across the nation and until now federal efforts to address windstorm impacts have been relatively limited. The bill would address that issue by authorizing funding for three years, including \$8 million in FY 2005 for FEMA and the NSF, \$2 million for NIST and \$3 million for NOAA.

Similar legislation (HR 2020) has been introduced by Rep. Dennis Moore (D-KS). However, the price tag for Rep. Moore's bill is significantly higher than Representative Neugebauer's bill. HR 2020 would authorize \$50 million in total spending for FY 2005 and \$100 million in FY 2006.

The bill must be passed by the House Transportation and Infrastructure Committee before it can be considered by the full House.

Federal Register

The following notices were printed in the Federal Register this week. Further information may be obtained from this office.

Department of Agriculture, March 29: The Commodity Credit Cooperation, Natural Resources Administration, has announced the availability of \$15 million in FY 2004 funds for Conservation Innovation Grants. The purpose of this program is to provide funding for projects that target on-the-ground conservation, including pilot projects and field demonstrations. Projects may be watershed-based, regional, multi-State or nationwide in scope. Funding will be provided for a three year period. Applications are due May 28, 2004 and may be obtained online at: http://www.ncrs.usda.gov/programs/farm_bill/2002. Pages 16400-16405.

Department of Health and Human Services, March 29: The Substance Abuse and Mental Health Administration has announced the availability of FY 2004 funds for Targeted Capacity Expansion Grants. The purpose of this program is to provide funding to expand or enhance a community's ability to provide quality health care services. Applications are due May 25, 2004 and may be obtained online at: <http://www.samhsa.gov>. Pages 16276-16279.

Department of Health and Human Services, March 30: The Centers for Disease Control and Prevention have announced the availability of \$1.4 million in FY 2004 funds to be used by state and local health departments to implement or expand, and evaluate their environmental public health activities. Approximately 14 grant awards will be made, with the average award being \$100,000-\$200,000. There is no match requirement for this grant program. Applications are due June 1, 2004 and may

be obtained online at: <http://www.cdc.gov/od/ogp/forminfo.htm>. Pages 16549-16551.

Department of Health and Human Services, March 30: The Centers for Disease Control and Prevention have announced the availability of funding for the two grant programs entitled HIV Prevention Integration (Part A) and Adolescent Reproductive Health (Part B). The overall purpose of the cooperative agreement is to support HIV and other prevention services in reproductive health and community settings to extend beyond their current efforts to prevent STD and HIV transmission and unintended teen pregnancy. The application deadline is May 14, 2004. Additional information about this program can be found online at: <http://www.cdc.gov>. Pages 16553-16559.

Department of Housing and Urban Development, March 30: The HOME Investment Partnership Program has announced an interim rule, effective April 29, 2004, to establish regulations for the American Dream Downpayment Initiative (ADDI), a new downpayment assistance component of their program. Please see <http://www.hud.gov> for the full interim rule. Pages 16757-16768.

Department of Justice, April 2: The Office of Community Oriented Policing Services has announced that it is accepting applications for the FY 2004 COPS in Schools program. The purpose of this program is to provide funding for local law enforcement agencies to assist in the hiring of new School Resource Officers (SROs). Applications are due on May 17, 2004 and may be obtained online at: <http://www.cops.usdoj.gov>. Pages 17451-17453.



NEWS RELEASE

MAYOR COLEEN J. SENG

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PUBLIC WORKS AND UTILITIES DEPARTMENT

Recycling Office, 2400 Theresa Street, Lincoln, NE 68521, 441-7043, fax 441-8735

FOR IMMEDIATE RELEASE: April 5, 2004

FOR MORE INFORMATION: Kristi Wamstad-Evans, Recycling Specialist, 441-8215

FIFTH ANNUAL CLEAN YOUR FILES WEEK SET FOR APRIL 19 THROUGH 23

The fifth annual "Clean Your Files Week" in Lincoln begins Monday, April 19. The program supports Earth Day by encouraging office workers to empty file drawers and fill recycling bins through April 25. Recyclable items include computer paper, letterhead, white and colored ledger paper, phone books, cards and envelopes.

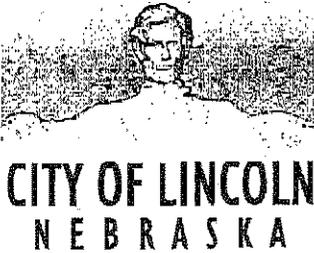
City Recycling Coordinator Gene Hanlon said in the first four years of "Clean Your Files Week," businesses, government, office buildings and educational institutions have recycled more than 130,000 pounds of paper.

"This is also an opportunity to increase awareness about recycling and the need to conserve valuable resources by recycling more office paper," Hanlon said. "Those with home businesses are also encouraged to participate by depositing their old files in the residential mixed paper recycling containers at drop-off sites throughout the City."

"Clean Your Files Week" is organized by Recycling at Work, a campaign of the National Office Paper Recycling Project, a public-private partnership managed by the U.S. Conference of Mayors, with the help of Clean Your Files national sponsors. Local sponsors include; City of Lincoln, Midland Recycling, Lincoln Public Schools, the University of Nebraska-Lincoln, and WasteCap of Lincoln. By encouraging employees to purge old files, the event hopes to increase recovery of office paper and teach people how to recycle at work every day.

To learn more about "Clean Your Files Week", call 441-8215

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NEWS RELEASE

MAYOR COLEEN J. SENG

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OFFICE OF THE MAYOR

555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

FOR IMMEDIATE RELEASE: April 5, 2004

FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831

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CITY COUNCIL
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MAYOR PRESENTS MARCH AWARD OF EXCELLENCE

Mayor Coleen J. Seng today presented the Mayor's Award of Excellence for March to Firefighter/Paramedic Dave Kluthe of Lincoln Fire and Rescue. The monthly award recognizes City employees who consistently provide exemplary service and work that demonstrates personal commitment to the City. The award was presented at the beginning of today's City Council meeting.

Kluthe was nominated in the category of productivity, by Fire Captain William Moser. Kluthe joined the City in 1999 and is now assigned to Medic #1 and Engine #1, the busiest fire apparatus unit in the Department. His duties include a large number of patient contacts, working with medical personnel in emergency rooms and extensive documenting of a patient's condition and care. In addition to his firefighter training and responsibilities, Kluthe checks, cleans and stocks the ambulance. He also helps with ordering and stocking Station #1 medical supplies, which includes supplies for Engine #1, Medic #1 and Medic #21.

Kluthe was recognized in February 2003 by the Sons of the American Revolution as Firefighter of the Year. Chief Mike Spadt nominated Kluthe for this award because of his "leadership abilities, extremely skilled patient care, compassion, and his active participation in Lincoln Fire and Rescue's Urban Search and Rescue Team (USAR) and Nebraska Task Force 1."

Kluthe has been involved with USAR since 1998. He assisted with ordering and organizing the initial supply inventory and is still responsible for ordering and tracking supplies and drugs. He also organizes medic training, which includes annual drills designed to have a medical staff ready for prompt deployment to an area disaster. To enhance his USAR and Fire Department activities, Kluthe has participated in many additional training opportunities.

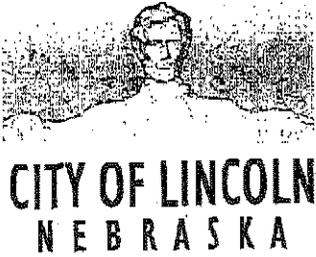
Kluthe's involvement as a Preceptor requires spending additional time instructing, and monitoring medics. Being a Preceptor involves a thorough knowledge of protocols, assessments, charting, drugs, team leadership safety, and all medical skills needed to be proficient. "Dave's leadership role as a Preceptor puts him in the key position of shaping the work habits of future medics and in this endeavor, he excels," wrote Moser. "Dave is able to think on his feet, and his thorough, intelligent observations are always valued at emergency calls and for making better routine daily decisions."

- more -

Award of Excellence**April 5, 2004****Page Two**

The other categories in which employees can be nominated are customer relations, loss prevention, safety and valor. All City employees are eligible for the Mayor's Award of Excellence except for elected officials and some managers. Individuals or teams can be nominated by supervisors, peers, subordinates and the general public. Nomination forms are available from department heads, employee bulletin boards or the Personnel Department, which oversees the awards program.

All nominations are reviewed by the Mayor's Award of Excellence Committee, which includes a representative with each union and a non-union representative appointed by the Mayor. Award winners receive a \$100 U.S. savings bond, a day off with pay and a plaque. Monthly winners are eligible to receive the annual award, which comes with a \$500 U.S. savings bond, two days off with pay and a plaque.



NEWS RELEASE

MAYOR COLEEN J. SENG

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PUBLIC WORKS AND UTILITIES DEPARTMENT

Engineering Services, 531 Westgate Blvd., Lincoln, NE 68528, 441-7711, fax 441-6576

FOR IMMEDIATE RELEASE: April 6, 2004

FOR MORE INFORMATION: Thomas Shafer, Engineering Services, 441-7711

Mike Malone, Olsson Associates, 458-5687

Karen Jensen, Olsson Associates, 458-5972

PUBLIC MEETING SET ON INTERSECTION IMPROVEMENTS

The public is invited to review and comment on plans for improvements at the intersection of South 14th Street, Old Cheney Road and Warlick Boulevard from 5:30 to 7:30 p.m., Tuesday, April 13 at Christ's Place Church, 1111 Old Cheney Road.

Thomas Shafer of the City Public Works and Utilities Department said the three streets now come together to form two complex, closely spaced intersections. Both intersections have had accidents in recent years with a higher than average frequency of injuries and fatalities compared to other similar intersections.

"As development along 14th Street has grown, traffic volumes have increased substantially," said Shafer. "During rush hours in particular, traffic is often slow and difficult. The two major goals of this project are to improve traffic operations and safety."

Olsson Associates in Lincoln has been hired to re-design the intersection and will present its initial concept plans at the public meeting.

The redesign of the intersection is an important part of the development of a comprehensive transportation system for southwest Lincoln.

- 30 -

RECEIVED

APR 06 2004

CITY COUNCIL
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NEWS ADVISORY

MAYOR COLEEN J. SENG

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OFFICE OF THE MAYOR

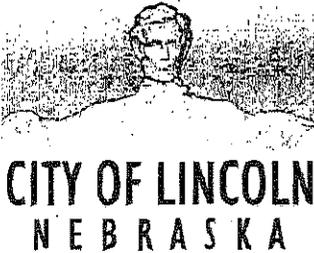
555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

DATE: April 7, 2004

FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831

Mayor Coleen J. Seng will have a news conference at **10 a.m. Thursday, April 8** in the **City Council Chambers, first floor of the County-City Building, 555 S. 10th Street.** She will discuss water conservation and preparations for the spring football game April 17.

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NEWS RELEASE

RECEIVED

APR 08 2004

CITY COUNCIL
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MAYOR COLEEN J. SENG

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OFFICE OF THE MAYOR

555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

FOR IMMEDIATE RELEASE: April 8, 2004

FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831
Jerry Obrist, Lincoln Water System, 441-7571

MAYOR ASKS FOR VOLUNTARY WATER CONSERVATION

Mayor Coleen J. Seng today asked citizens to continue voluntary water conservation measures due to continuing drought-like conditions. Those with addresses ending in even numbers are asked to water lawns on Wednesdays, Fridays and Sundays. Those with addresses ending in odd numbers are asked to water on Tuesdays, Thursdays and Saturdays.

Jerry Obrist, Chief Engineer with the Lincoln Water System, says precipitation in the Lincoln area is several inches below normal over the last 12 months. The sources of the City water supply also received below normal precipitation over the past year, and the severe drought continues in western Nebraska and in the mountain states.

"Conservation is necessary in order for us to maintain an adequate water supply," said Mayor Seng. "By continuing the voluntary water conservation efforts last year, we were able to avoid any mandatory water restrictions like we saw in 2002. We also made some changes to the water management plan last year to add some restrictions for local government's water use and to make it easier for residents to comply."

Citizens are asked to wash vehicles on the same schedule as lawn watering. Mondays are reserved for watering golf course fairways and other special needs. The Lincoln Water System recommends the following conservation tips:

- Water during the cool part of the day, and avoid watering on windy days.
- Adjust sprinklers to water only the lawn, not the sidewalk or street.
- Use a broom, not a hose and water, for outdoor cleaning.
- Wash your vehicles with a pail of soapy water, using the hose only to rinse the car.

If the voluntary restrictions become mandatory, residents will be required to follow the watering schedule. Customers who violate the restrictions are subject to fines and can have their water service terminated. Violators would be liable for all costs of enforcement.

If mandatory restrictions are needed later, the following provisions would also go into effect:

- Washing paved areas is prohibited.
- Refilling public and private fountains with capacities of greater than 20,000 gallons is prohibited.

Water Conservation

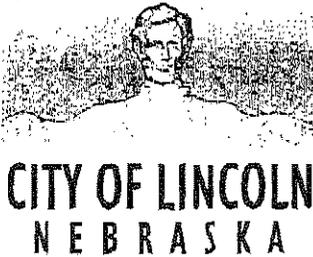
April 8, 2004

Page Two

- Permits can be obtained free of charge from the City Building and Safety Department for those with private wells and to water newly seeded lawns (less than 30 days for cool season grasses and less than 45 days for warm season grasses); to install new automatic sprinkler systems; and to operate water-cooled air conditioners.
- The refilling of private and public swimming pools is restricted to the hours of midnight to 6 a.m. Draining pools is prohibited except for emergency maintenance or season closure. Small wading pools are exempted.
- Commercial car washes and power washer businesses are allowed to operate, but power washer businesses must comply with the designated day schedule.
- The City will flush hydrants only to enhance water quality.
- The use of water for private and public sanitary sewer cleaning and for private and public street cleaning and sweeping is limited to 6,000 gallons of potable water per day.
- The watering of sand-based athletic fields and ballfield infields is permitted every day for safety.

To help residents reduce their outdoor water use, the Mayor's Water Conservation Task Force has published a new brochure called "**A Guide to Planting Waterwise.**" The brochure is available on the City web site at lincoln.ne.gov and at the County-City Building, local nurseries and retailers carrying lawn and garden stock and supplies.

City residents are also reminded that water fees are structure to encourage conservation – the more water used, the higher the rate. Information on water rates can be found on the City web site under Public Works and Utilities.



NEWS RELEASE

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APR 08 2004

CITY COUNCIL
OFFICE

MAYOR COLEEN J. SENG

www.ci.lincoln.ne.us

OFFICE OF THE MAYOR

555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

FOR IMMEDIATE RELEASE: April 8, 2004

FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831
 Captain Joy Citta, Police Department, 441-7751
 Scott Opfer, Public Works and Utilities, 441-7851

CITY PREPARED FOR SPRING GAME TRAFFIC

StarTran running Big Red Express from three locations

Mayor Coleen J. Seng today said the Police and Public Works and Utilities Departments have made plans to accommodate traffic and pedestrians attending the UNL spring football game at 12:30 p.m. Saturday, April 17 at Memorial Stadium. Stadium Drive will close at 7 a.m., and the Husker Pavilion will open on that street at 9:30 a.m. The stadium will open at 11 a.m. for general admission seating.

"We expect up to 60,000 Husker fans to stream into our downtown area for the spring game this year," said Mayor Seng. "At the same time, traffic in the area is being affected by construction, including the Antelope Valley Project. We welcome fans to our downtown, and we are taking extra steps to make sure they remain safe."

The Lincoln Police Department has assigned 22 officers to direct traffic before and after the game. Those coming from out of town who plan to park west of the stadium, including the Haymarket Park parking areas, are encouraged to use the airport or West "O" Street exits. Those parking downtown are urged to use the downtown exit. The West Bypass to Capitol Parkway West is also recommended as a route into and out of downtown Lincoln.

StarTran will offer its Big Red Express service from three locations:

- Westfield Shoppingtown (Gateway), 61st and "O"
- Home Depot, 27th and Cornhusker
- SouthPointe Pavilions, 27th and Pine Lake Road.

Buses will run from 10:30 a.m. to noon from these locations to the stadium. They will leave from the east side of the stadium immediately following the game. The cost is \$3 each way for adults and \$1 each way for children age 12 and under.

Downtown parking meters are enforced until 6 p.m. Saturdays. The parking section of the City Public Works and Utilities Department is offering \$5 pre-paid parking at three of its garages:

- Que Place Garage, 1111 "Q" Street
- Market Place Garage, 935 "Q" Street
- Haymarket Garage, 840 "Q" Street

Spring Game
April 8, 2004
Page Two

All other City parking facilities will be open, and normal parking rates will apply. Attendants at the three garages offering pre-paid parking will have information about on-line parking reservations, season parking passes, parking locations and other information for the 2004 Husker football season. Maps and other parking information are available at lincoln.ne.gov or www.parkitdowntown.org or by calling the parking office at 402-441-6472.

Parking will be available in the University facility at 17th and "R" streets at normal rates. The INS lot at 8th and "S" streets will charge \$5 for cars and \$10 for RVs.

Handicapped parking is available on the surface lot at 19th and "R" streets with a University shuttle service beginning at 11 a.m. Handicapped parking also is available at the City parking facilities, 14th and Vine streets, and the UNL lot at 10th and Holdrege.

The Antelope Valley Project has resulted in these closures:

- North 17th Street from "Y" to Holdrege streets is closed to through traffic. "Y" Street is also closed between 16th and 17th streets. All northbound and southbound traffic is using 16th Street (now two-way) from the Holdrege intersection to the new "Y" Connector (about one block south of the existing "Y" Street).
- Two lanes of Vine Street from North 22nd to North 27th streets are closed for improvements. Two traffic lanes in the area remain open for two-way traffic. The intersection of North 26th and Vine streets is open, but left turns are not permitted from any direction.
- North 14th Street is closed just west of State Fair Park from Bessie Street to Saunders Avenue.

The speed limit has been lowered to 25 miles per hour in construction areas.

The fans will include about 7,500 elementary and junior high students from the region who will take a drug-free pledge at half time of the spring game. The buses carrying the students will be routed to the lot at University lot at 14th and Holdrege streets.

Other events happening in Lincoln on April 17 include the Novartis Run with two-mile and 10K events beginning at 9 a.m. in the Holmes Lake area; University track meet at 2:30 p.m.; and a Husker softball game at 3:30 p.m.

RFI#19

interoffice
MEMORANDUM

RECEIVED

APR 08 2004

CITY COUNCIL
OFFICE

To: Council Member Patte Newman
From: Larry Worth - StarTran *Larry Worth/ck*
Date: April 7, 2004
Subject: Proposed Lux Route Deviation Services
cc: Mayor Coleen Seng, City Council Members, Allan Abbott & Nicole Fleck-Tooze - PW/U

This memo responds to your April 5, 2004 request for information regarding potential StarTran route deviation service between Lux Middle School and residential areas south and east of the school. As you know, such before and after-school service has been requested by several residents of that area.

StarTran has for some time operated three such routes serving residential areas north of Lux Middle School, with service provided only before and after school times. These three routes are highly-utilized – the following is current average daily ridership by route, both prior to and after school:

	<u>Before School</u>	<u>After School</u>
Lux Route A	30	35
Lux Route B	25	30
Lux Route C	25	35

(Seated capacity of StarTran bus = 35)

Information has been received from Lux Middle School officials which indicate that over 360 students reside in the residential areas south and east of Lux Middle School currently unserved by StarTran before/after-school service. This is somewhat smaller than the area currently served by StarTran. As such, two before/after-school routes are proposed to serve the subject area, with comparable student ridership per route anticipated.

Please advise if additional information is needed.

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APR 05 2004
CITY COUNCIL
OFFICE

RESOLUTION NO. A-_____

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

That the attached list of investments be confirmed and approved, and the City
Treasurer is hereby directed to hold said investments until maturity unless
otherwise directed by the City Council.

INTRODUCED BY:

Approved:

Don Herz, Finance Director

Approved this ____ day of _____, 2004

Mayor

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CITY COUNCIL
OFFICE

FINANCE DEPARTMENT
TREASURER OF LINCOLN, NEBRASKA
INVESTMENTS PURCHASED
MARCH 29 THRU APRIL 2, 2004

March 29, 2004, a \$2,000,000 FNMA investment, yielding 3.03%, due March 29, 2007, was called. We then invested that same amount in a FHLB, discounted 99.974%, costing \$1,999,483.33, yielding .945744%, maturing April 8, 2004.

An investment of \$5,000,000 matured March 30, 2004, and we immediately cashed and reinvested that same amount in a FHLB, discounted 99.875%, costing \$4,993,750, yielding 2.653317%, maturing March 30, 2007, for the Mid-Term Pool.

An investment of \$4,000,000 matured March 30, 2004, and we immediately cashed and reinvested \$5,000,000 in a FHLB, discounted 99.8906%, costing \$4,994,531.25, yielding 2.438030, maturing March 30, 2007, for the Mid-Term Pool.

March 31, 2004, we cashed a \$80,000 First American Government Obligation Fund at US Bank out of the Short Term Pool. We then invested in a \$400,000 Dreyfus Government Fund at Wells Fargo Bank.

A \$1,500,000 T Note matured for the Wastewater Surplus Fund on March 31, 2004, and we immediately cashed. We then invested in a \$1,525,000 Nebraska Public Agency Investment Trust at Union Bank in the Short Term Pool.

April 1, 2004, we cashed a \$2,000,000 Nebraska Public Agency Investment Trust at Union Bank out of the Short Term Pool. We then reinvested this \$2,000,000 in a FHLB, purchased at a premium of 100.104059%, costing \$2,002,081.17, yielding 1.205%, maturing April 1, 2005, in the Medium Term Pool.

An investment of \$2,500,000 matured April 1, 2004 in the Short Term Pool and we immediately cashed and reinvested that same amount in a CD, purchased at par, rate of 1.03%, maturing June 17, 2004.

April 2, 2004, an investment of \$2,000,000 matured and we immediately cashed out of the Medium Term Pool. We also cashed a \$647,000 First American Government Obligation Fund at US Bank out of the Short Term Pool. We then reinvested \$1,085,000 in the Short Term Pool as follows:

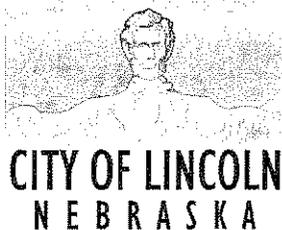
\$1,050,000	Dreyfus Government Fund at Wells Fargo Bank
\$35,000	Nebraska Public Agency Investment Trust at Union Bank

A \$2,000,000 FHLB, yielding 3%, due April 2, 2007, was called April 2, 2004. We then invested \$2,000,000 in a FHLB, discounted 99.944875%, costing \$1,998,897.50, yielding .96128%, maturing April 23, 2004.

We respectfully request approval of our actions.

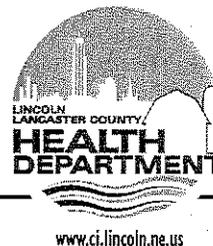
Don Herz, Finance Director

Melinda J. Jones, City Treasurer



NEWS RELEASE

MAYOR COLEEN J. SENG



LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT

3140 N Street, Lincoln NE 68510 • Phone: 441-8000

Fax: 441-8323 or 441-6229

FOR IMMEDIATE RELEASE: April 2, 2004
FOR MORE INFORMATION: Charlotte Burke, 441-8011

YES, BINGE DRINKING IS A PROBLEM THAT IS BEING ADDRESSED IN OUR COMMUNITY

On Tuesday, April 1, the Lincoln Journal Star featured a report by the Centers for Disease Control and Prevention (CDC) that cited Lincoln as having the ninth highest percentage of binge drinkers in the nation. Binge drinking is defined as having 5 or more alcoholic drinks on one occasion, one or more times during the past month. The recently released report by the CDC used a weighted average of 1997 and 1999 Adult Behavioral Risk Factor Surveillance System (BRFSS) statistics to determine that slightly more than 20 percent of adults in Lincoln and Lancaster County fit the binge drinking criteria. This report concurs with the Lincoln-Lancaster County Health Department's own statistics that show a weighted average estimate of the years 1996-1999 to be 20.8% of adults reporting binge drinking.

Efforts to reverse this trend have been aggressive in the City and have involved citizen groups, alcohol retailers, the University of Nebraska, students, law enforcement, drug/alcohol prevention agencies, City and County government, and others. These combined efforts may be making a difference. In 2001, the Lincoln-Lancaster County BRFSS survey reported the binge drinking rate among adults to be 16%. While a trend cannot be established based on just the 2001 data, the reduced rate is certainly promising.

Binge drinking is not just an adult problem. It is significant among teenagers. The Health Department has been collecting Youth Risk Behavior Surveillance System (YRBS) statistics for youth in 9th through 12th grade since 1991. In four of six surveys done from 1991 to 2001, more than 35% of the youth reported binge drinking (two surveys reported 31.2% and 32.6%).

As with adults, there are continuing efforts among agencies, schools, parents, and students to reduce the youth drinking rate. Again, these efforts may be having a positive impact. The 2003 YRBS statistics for Lincoln and Lancaster County show the binge drinking rate down to 28.5%.

Binge drinking among both adults and youth is a dangerous problem that must continue to be addressed through on-going prevention efforts and through recognition that this kind of drinking behavior is dangerous and not acceptable in today's culture.

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APR 05 2004

CITY COUNCIL
OFFICE

-more-



NEWS RELEASE

MAYOR COLEEN J. SENG



LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT
3140 N Street, Lincoln NE 68510 • Phone: 441-8000
Fax: 441-8323 or 441-6229

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APR 05 2004
CITY COUNCIL
OFFICE

FOR IMMEDIATE RELEASE: April 2, 2004
FOR MORE INFORMATION: Steve Beal, Assistant Health Director, 441-8042

FESTIVAL OF HEALTH KICKS OFF NATIONAL PUBLIC HEALTH WEEK

The Lincoln-Lancaster County Health Department will be kicking off National Public Health Week (April 5-11) tomorrow with a Festival of Health. Saturday, April 3rd from 9:00 a.m. - 12:00 noon at 3140 N Street, the Health Department will be providing several health related activities. Some of the main events include:

- ◆ free health screenings on the Mobile Health Clinic (cholesterol, blood pressure, and lead testing)
- ◆ Immunizations for Children
- ◆ Bike Helmet sales and fitting
- ◆ Mascot appearances and children's games

A special highlight will be the "Dress Up Your Pet Contest" at 10:00 a.m. Animals (mostly dogs) will be in costumes and will compete with each other for trophies.

Mayor Coleen Seng will declare April 5-11 as Public Health Week with a proclamation signing at approximately 9:45 a.m. The Health Department will announce a new public health campaign logo and slogan.



PUBLIC Every One.
HEALTH Every Day.
Every Where.

The first 50 people will receive a free gift and refreshments will be served throughout the morning.



2003 Dress Up Your Pet Contest Winner





NEWS RELEASE

MAYOR COLEEN J. SENG



LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT

3140 N Street, Lincoln NE 68510 • Phone: 441-8000

Fax: 441-8323 or 441-6229

FOR IMMEDIATE RELEASE: April 2, 2004
FOR MORE INFORMATION: Steve Beal, Assistant Health Director, 441-8042

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BOARD OF HEALTH AWARD WINNERS ANNOUNCED

The Lincoln-Lancaster County Health Department Annual Awards Banquet will be held Tuesday, April 6, 2004, from 6:00 p.m. - 8:00 p.m. at the University of Nebraska -Lincoln, East Campus Union, Great Plains Room. A special highlight of the Awards ceremony will be the Carole Douglas Public Health Achievement Award. Carole Douglas worked over 20 years as the Division Manager, Community Health Services, until her recent death on March 18, 2004. The Award will be presented posthumously with her parents John and Betty Douglas accepting.

Other awards to be given will be:

- ▶ **Community Health Award** to **Alice Henneman** for outstanding public health work as an extension educator and registered dietitian with the UN-L Cooperative Extension in Lancaster County.
- ▶ **Excellence in Food Sanitation Award** to **The Cornhusker Hotel** for exceptional inspection scores and compliance with the Food Handler Permit Program.
- ▶ **The John J. Hanigan Distinguished Service Award** will go to **Glen Lau, M.D.** for his work as a volunteer physician on numerous community projects and serving in the Health Department's Primary Care Clinic.
- ▶ **The Public Health Leadership Award** is being presented to two individuals this year. **Larry Hudkins** for over 11 years of service on the Lincoln Lancaster County Board of Health and Regional Trustee for the National Association of Local Boards of Health; **Ken Svoboda** for his work on the Smoke-free Workplace Ordinance and his cooperation with several Tularemia (Rabbit Fever) cases this past summer.
- ▶ **Carole Douglas Public Health Achievement Award** will be presented posthumously to **Carole Douglas** for outstanding service in public health.

Hugh Tilson, MD, Dr. PH; Clinical Professor of Epidemiology and Health Policy; Senior Advisor to the Dean, University of North Carolina, School of Public Health will be the keynote speaker Tuesday evening. Dr. Tilson will be talking about "Doing The Right Thing For The Public's Health Is Not Always The Most Popular Thing To Do."

For more information about the Award winners call Steve Beal at 441-8042.



CITY OF LINCOLN
NEBRASKA

MAYOR COLEEN J. SENG

www.ci.lincoln.ne.us

Lincoln-Lancaster County
Planning Department
Marvin S. Krout, Director

Mary F. Bills-Strand, Chair
City-County Planning Commission

555 South 10th Street
Suite 213

Lincoln, Nebraska 68508
402-441-7491
fax: 402-441-6377

April 1, 2004

Brian D. Carstens
Brian D. Carstens & Associates
601 Old Cheney Rd. Suite C
Lincoln, NE 68512

RE: Tabitha New Community 5th Addition Final Plat #04007

Dear Mr. Carstens:

Tabitha New Community 5th Addition was approved by the Planning Director on March 26, 2004. The plat and the subdivision agreement must be recorded in the Register of Deeds. The fee is determined at \$.50 per **existing** lot and per **new** lot and \$20.00 per plat sheet for the plat, and \$.50 per **new** lot and \$5.00 per page for associated documents such as the subdivision agreement. If you have a question about the fees, please contact the Register of Deeds. Please make check payable to the Lancaster County Register of Deeds. The Register of Deeds requests a list of all new lots and blocks created by the plat be attached to the subdivision agreement so the agreement can be recorded on each new lot.

Pursuant to § 26.11.060(d) of the Lincoln Municipal Code, this approval may be appealed to the Planning Commission and any decision of the Planning Commission to the City Council by filing a letter of appeal within 14 days of the action being appealed. The plat will be recorded with the Register of Deeds after the appeal period has lapsed (date + 14 days), and the recording fee and signed subdivision agreement have been received.

Sincerely,

Tom Cajka
Planner

CC: Southview Inc.
Joan Ray, City Council (14)
Dennis Bartels, Public Works & Utilities
Terry Kathe, Building & Safety
Sharon Theobald, Lincoln Electric
Jean Walker, Planning
File

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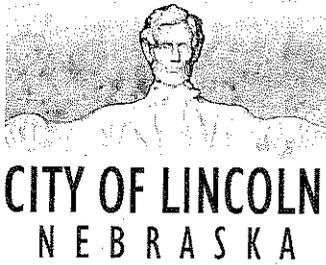
APR 02 2004

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LINCOLN

The Community of Opportunity



MAYOR COLEEN J. SENG

www.ci.lincoln.ne.us

Lincoln-Lancaster County
Planning Department
Marvin S. Krout, Director

Mary F. Bills-Strand, Chair
City-County Planning Commission

555 South 10th Street
Suite 213

Lincoln, Nebraska 68508

402-441-7491

fax: 402-441-6377

April 1, 2004

Richard P. Onnen
EDC
2200 Fletcher Ave. Suite 102
Lincoln, NE 68521

RE: Vintage Heights 18th Addition Final Plat #03046

Dear Mr. Onnen:

Vintage Heights 18th Addition was approved by the Planning Director on April 1, 2004. The plat and the subdivision agreement must be recorded in the Register of Deeds. The fee is determined at \$.50 per **existing** lot and per **new** lot and \$20.00 per plat sheet for the plat, and \$.50 per **new** lot and \$5.00 per page for associated documents such as the subdivision agreement. If you have a question about the fees, please contact the Register of Deeds. Please make check payable to the Lancaster County Register of Deeds. The Register of Deeds requests a list of all new lots and blocks created by the plat be attached to the subdivision agreement so the agreement can be recorded on each new lot.

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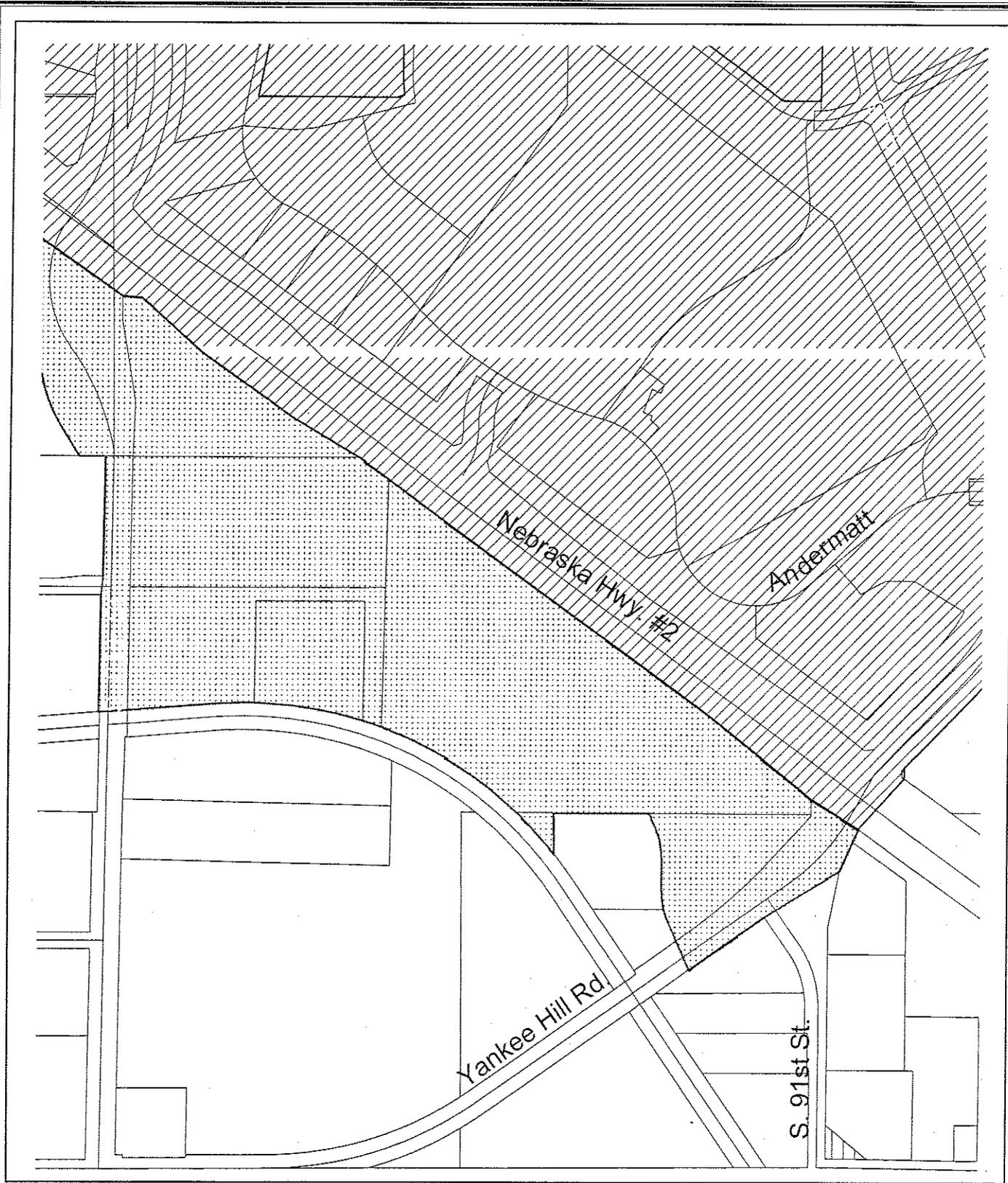
Sincerely,

Tom Cajka
Planner

CC: Hoegemeyer Palmer Const.
Joan Ray, City Council (14)
Dennis Bartels, Public Works & Utilities
Terry Kathe, Building & Safety
Sharon Theobald, Lincoln Electric
Jean Walker, Planning
File

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APR 02 2004
CITY COUNCIL
OFFICE

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Annexation by Ordinance
Ordinance No. 18322
Effective Date: March 30, 2004
61.3 Acres



City Limits Before Annexation

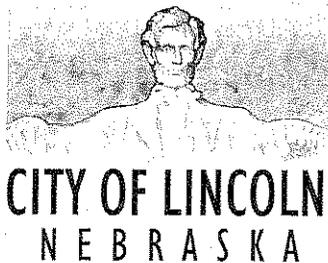


Area of Annexation



1" = 500'

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 APR 05 2004
 CITY COUNCIL
 OFFICE



MAYOR COLEEN J. SENG

www.ci.lincoln.ne.us

Lincoln-Lancaster County
Planning Department
Marvin S. Krout, Director

Mary F. Bills-Strand, Chair
City-County Planning Commission

555 South 10th Street
Suite 213

Lincoln, Nebraska 68508
402-441-7491
fax: 402-441-6377

April 5, 2004

Lyle Loth
ESP Inc.
601 Old Cheney rd. Suite A
Lincoln, NE 68512

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APR 06 2004

CITY COUNCIL
OFFICE

RE: Hartland Homes SW 2nd Addition Final Plat #03071

Dear Mr. Loth:

Hartland Homes SW 2nd Addition was approved by the Planning Director on April 5, 2004. The plat and the subdivision agreement must be recorded in the Register of Deeds. The fee is determined at \$.50 per **existing** lot and per **new** lot and \$20.00 per plat sheet for the plat, and \$.50 per **new** lot and \$5.00 per page for associated documents such as the subdivision agreement. If you have a question about the fees, please contact the Register of Deeds. Please make check payable to the Lancaster County Register of Deeds. The Register of Deeds requests a list of all new lots and blocks created by the plat be attached to the subdivision agreement so the agreement can be recorded on each new lot.

Pursuant to § 26.11.060(d) of the Lincoln Municipal Code, this approval may be appealed to the Planning Commission and any decision of the Planning Commission to the City Council by filing a letter of appeal within 14 days of the action being appealed. The plat will be recorded with the Register of Deeds after the appeal period has lapsed (date + 14 days), and the recording fee and signed subdivision agreement have been received.

Sincerely,

Tom Cajka
Planner

CC: Duane Hartman
Joan Ray, City Council (14)
Dennis Bartels, Public Works & Utilities
Terry Kathe, Building & Safety
Sharon Theobald, Lincoln Electric
Jean Walker, Planning
File

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MAYOR'S STREAMLINING COMMITTEE REPORTS

CITY OF LINCOLN
NEBRASKA

MAYOR COLEEN J. SENG
www.ci.lincoln.ne.us

PLANNING DEPARTMENT NEWSLETTER

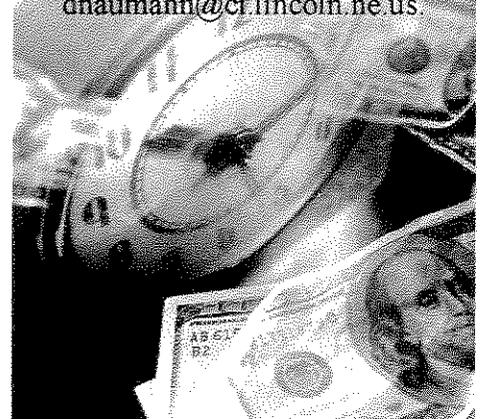
Last fall, the Mayor appointed a committee to consider new ways to make the City's development review processes less cumbersome and time-consuming. They divided into three subcommittees: Zoning and Process, Subdivision and Engineering, and Building Permits, to study the current processes in depth. Each subcommittee developed a set of recommendations for consideration by the Mayor and the other committee members. The committee then met twice as a whole and agreed on a final package of recommendations. The City Council is scheduled to have a briefing on the Committee's recommendations on April 5th.

Some of the tentative recommendations affecting the Planning Department include:

- Eliminating the requirement for Use Permits that is now a provision in several zoning classifications. Use permits must be approved by the Planning Commission through a public hearing process. They commit developers to specific site plans and uses, often before they know exactly how the property will be developed. This means that the use permits are often amended numerous times as developments are financed and constructed. The committee proposes to replace this requirement with an improved and expanded set of design standards, which can be handled by administrative review when building permits are submitted.

- Simplifying the very complicated Planned Unit Development provisions in the zoning code to make it a more attractive option for developers considering "mixed-use" projects.
- Eliminating the requirement for a Director's Review of preliminary plats in the subdivision regulations. Currently, City staff reviews and comments on the application, and the applicant makes modifications based on those comments. The applicant then resubmits the plat for a second staff review and Planning Commission hearing. Eliminating the first review step and going directly to the Planning Commission could reduce the timeframe for approving preliminary plats by two months or more.

If you have questions about the Mayor's streamlining initiative, contact Darl Naumann, the City's Economic Development Coordinator, at 441-5414, or you may e-mail him at dnaumann@ci.lincoln.ne.us.



LINCOLN

The Community of Opportunity

New Floodplain Rules Endorsed

After a four-hour hearing, the Planning Commission voted to endorse proposed new regulations on modifying flood-prone land in the three-mile area beyond Lincoln's City limits, where most of the City's future growth is expected. The proposed rules prohibit filling flood-prone land if it would cause a rise in flood elevations, and require any fill to be compensated by providing an equal volume of additional storage volume. The Planning Commission asked staff to work with the state roads department on language for bridge structures and to develop language allowing the minimum flood corridors along creeks to be narrower in the upper portions of drainage basins. The City Council is expected to consider the proposed amendments at their 5:30 p.m. meeting on Monday, May 3.

Drinking Bout is Mostly Over

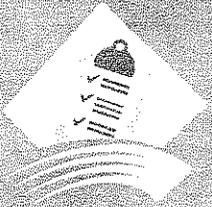
Last month, the City Council voted 5 to 2 to adopt Mayor Seng's proposed amendments to the special permit requirements in the City zoning code that govern the sale of alcoholic beverages for on- and off-site consumption. The new rules include the previous requirement for a minimum distance requirement of 100 feet from the nearest point of the licensed establishment to the nearest point of a residential district. But the new ordinance removed the discretion for the City Council to waive this and other standards on a case-by-case basis.

The new ordinance adds new distance requirements from churches and parks, but removes a previous measurement to a residential use in a non-residential district.

An additional amendment has been filed by an attorney representing developers of commercial properties in the City's newly developing areas where B2 and B5 are the predominant zoning categories. This proposed amendment would set a different set of distance requirements for alcohol sales establishments proposed for these two zoning districts. This amendment was considered and approved by the Planning Commission on March 31st. The City Council will consider this proposal on April 19.



NEW FEATURES



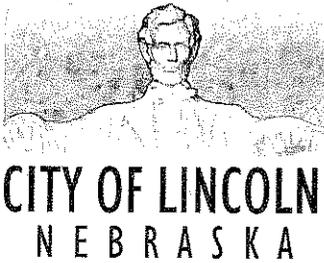
The Planning Department web page has new additions that you may find helpful:

- ✓ A table of key development standards, summarizing the lot size, lot width, yard requirements and height limits in each of the City's zoning districts.
- ✓ A table summarizing the City's landscaping and screening requirements: what the standards are, when they are applicable, and when plans are submitted.
- ✓ A log of "New and Pending Cases" that will eventually be considered by the Planning Commission is updated weekly, which will give interested citizens much earlier notice of upcoming development requests.

AND COMING SOON --

- ✓ Answers to a set of Frequently Asked Questions about zoning, subdivisions, vacating rights-of-way, the Comprehensive Plan and other planning topics.

Marvin Krout, Planning Director ♦ Lincoln/Lancaster County Planning Department
555 South 10th Street, Suite 213 ♦ Lincoln, NE 68508 ♦ 402-441-7491



MAYOR COLEEN J. SENG

www.ci.lincoln.ne.us

Lincoln-Lancaster County
Planning Department
Marvin S. Krout, Director

Mary F. Bills-Strand, Chair
City-County Planning Commission

555 South 10th Street
Suite 213

Lincoln, Nebraska 68508
402-441-7491
fax: 402-441-6377

April 8, 2004

J. D. Burt
Design Associates
1609 "N" St.
Lincoln, NE 68508

RECEIVED

APR 08 2004

CITY COUNCIL
OFFICE

RE: Saline Plaza 2nd Addition Final Plat #04031

Dear Mr. Burt:

Saline Plaza 2nd Addition was approved by the Planning Director on April 8, 2004. The plat and the subdivision agreement must be recorded in the Register of Deeds. The fee is determined at \$.50 per **existing** lot and per **new** lot and \$20.00 per plat sheet for the plat, and \$.50 per **new** lot and \$5.00 per page for associated documents such as the subdivision agreement. If you have a question about the fees, please contact the Register of Deeds. Please make check payable to the Lancaster County Register of Deeds. The Register of Deeds requests a list of all new lots and blocks created by the plat be attached to the subdivision agreement so the agreement can be recorded on each new lot.

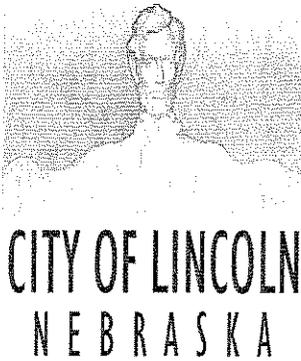
Pursuant to § 26.11.060(d) of the Lincoln Municipal Code, this approval may be appealed to the Planning Commission and any decision of the Planning Commission to the City Council by filing a letter of appeal within 14 days of the action being appealed. The plat will be recorded with the Register of Deeds after the appeal period has lapsed (date + 14 days), and the recording fee and signed subdivision agreement have been received.

Sincerely,

Tom Cajka
Planner

CC: Nicholas Triantafillou
Joan Ray, City Council (14)
Dennis Bartels, Public Works & Utilities
Terry Kathe, Building & Safety
Sharon Theobald, Lincoln Electric
Jean Walker, Planning
File

I:\PC\FP\Approval.wpd



PUBLIC WORKS & UTILITIES ADVISORY

MAYOR COLEEN J. SENG

www.ci.lincoln.ne.us

April 2, 2004

Spring has sprung and the areas are starting to green up around Lincoln. You're probably wondering when we will be finishing your lawns. The City's contractors, Hawkins and Lanoha Landscaping, will be starting work in the West "A" area on the viaduct project and the bike path on the Salt Creek project starting the week of April 5th. The work of seeding and sodding will follow after the grading of the areas are completed. We expect the work to be completed by mid June weather permitting. The contractor will water the sod for 14 days after it is placed. After that, it will be up to the property owner to maintain. The seeding will not be watered by the contractor so your cooperation on the seeding is greatly appreciated.

If you have any questions, please call me at 441-7532. Thank you.

Charlie Wilcox
Engineering Services

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APR 05 2004
CITY COUNCIL
OFFICE



**CITY OF LINCOLN
NEBRASKA**

MAYOR COLEEN J. SENG

www.ci.lincoln.ne.us

Public Works and Utilities Department
Allan Abbott, Director
555 South 10th Street
Suite 203
Lincoln, Nebraska 68508
402-441-7548
fax: 402-441-8609

April 1, 2004

Old Mill Custom Woodworking
650 South 1st Street
Lincoln, NE 68508

J & B Construction
115 H Street
Lincoln, NE 68508

Marv Schwab
Ace Plumbing & Heating
650 South 1st Street
Lincoln, NE 68508

RECEIVED

APR 05 2004

CITY COUNCIL
OFFICE

Dear Business Owner:

The Public Works and Utilities and Lincoln Police Department have been in previous contact with the businesses adjacent to the overpass at 1st and 'H' Street, in response to the storing and placement of vehicles and materials under the Capital Parkway West overpass. As stated in previous correspondence, the placement of these materials is a violation of Chapter 14.40 of the Lincoln Municipal Code. Several of you have responded that you wish the City to consider leasing this space for private use. After consideration and discussion within the City, it has been determined that this use of space is not in the best interest of the neighborhood or community as a whole.

For this reason the City is requiring that all materials and vehicles be removed from the public right-of-way under and adjacent to the Capital Parkway West Viaduct. This material must be removed by April 29, 2004 or the City will initiate action to remove any material or vehicles remaining. This action will include removal, seizure and disposal of all items or material removed. The cost of this action will be billed and assessed against all responsible parties.

The Public Works and Utilities Street Operations Division has been instructed to mow and maintain this area on a regular basis. If you have any question on the maintenance of this area, please contact their office at 441-7701. If you have any questions regarding this order to remove to clear this area, please contact Harry Kroos in the Public Works and Utilities Engineering Services Division at 441-7541 or e-mail at hkroos@ci.lincoln.ne.us.

Your immediate attention to this issue is appreciated.

Sincerely,

Allan Abbott
Director of Public Works/Utilities

Copies: Mayor's Office, City Council Office, John McQuinn, Mike Merwick, Roger Figard, Karl Fredrickson, Char Estes, Bill Nass, Harry Kroos

J:\FILES\WPOFFICE\ch\Allan\1st and H_Cleanup_040104.wpd



RECEIVED

APR 08 2004

CITY COUNCIL
OFFICE

Lincoln Wastewater System Capital Improvement Projects Status Update

**Pre - Council
April 12, 2004**

Purpose

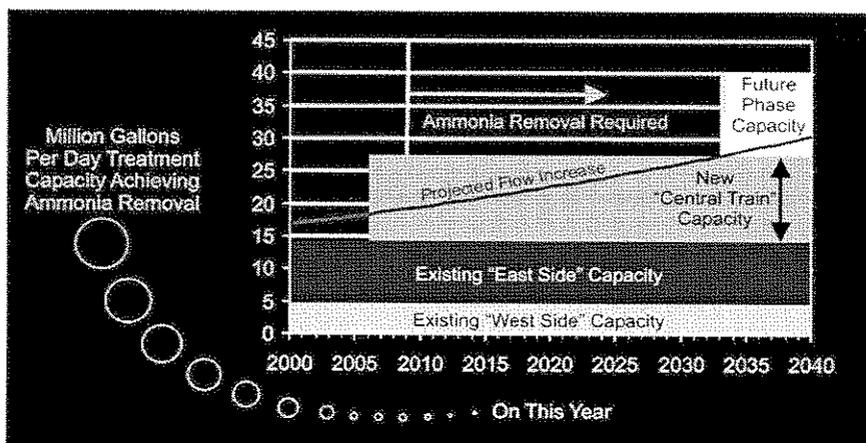
- **Status Update -Capital Projects**
- **Treatment Capacity Improvements**
 - **Theresa St.**
 - **Northeast**
- **Trunk Lines**
- **Multi-year Contracts & Funding**

Treatment Facilities Reasons for Improvements

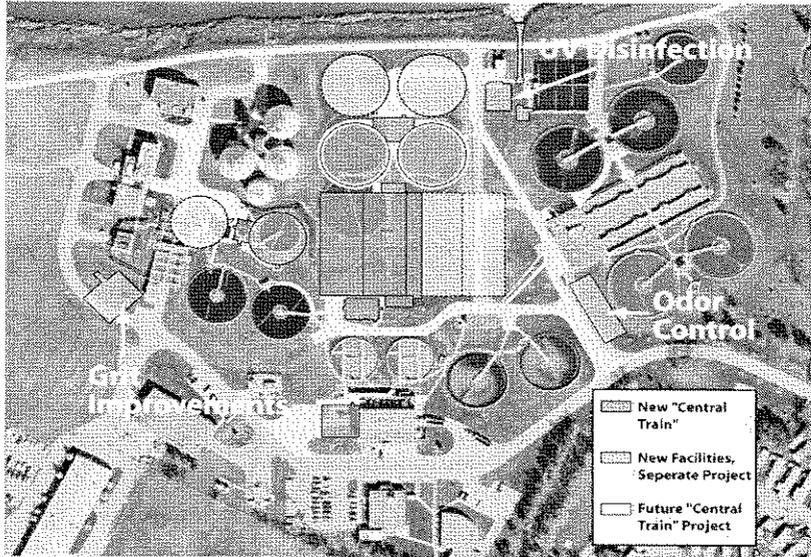
- **New NPDES Effluent Discharge Permits**
 - Received Jan., 2004
 - Effluent Ammonia Removal Req'd
 - Permit Length -5 ye ars
 - Compliance Schedules Included
 - Requires Compliance w/New Limits - Jan., 2009

- **Additional Capacity Needs - Future Growth**

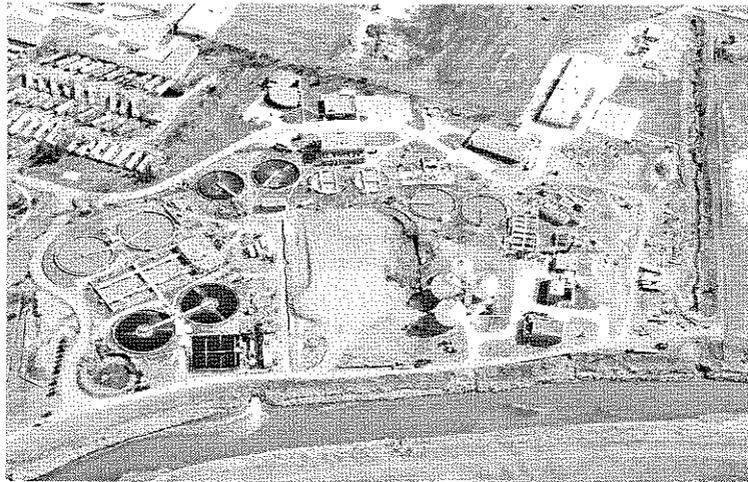
Treatment Improvements Theresa St.



Treatment Improvements Theresa St



Treatment Improvements Theresa St - Mar. 2004



Treatment Improvements Theresa St.

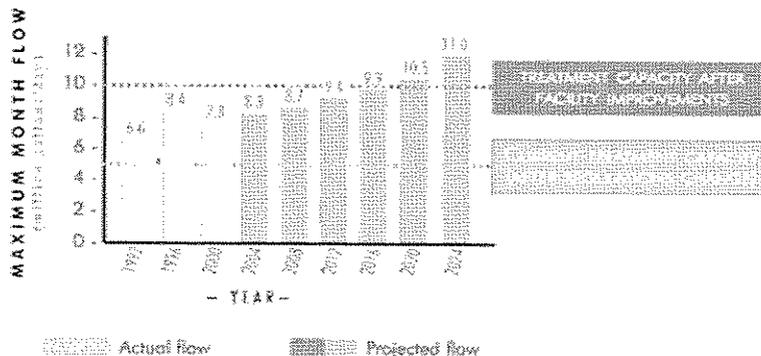
Status – Nitrification/Capacity Imp's

- **Site Preparation Contract -Underway**
 - Contractual Completion **May 26, 2004**
 - Contractor Schedule **April 30, 2004**
- **New Central Train**
 - Submission to NDEQ **March 17, 2004**
 - Advertise **April 19, 2004**
 - Receive Bids **June 16, 2004**
- **Total Project Cost Estimate \$30.6 million***

* -Assume s bidding in June 2004
 -Includ es allowance for steel price escalation

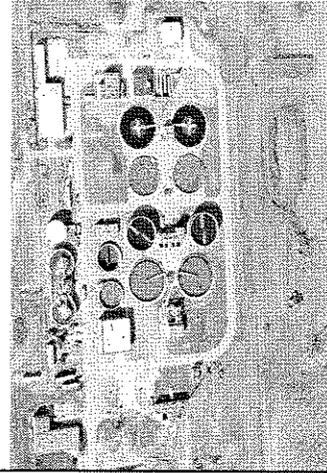
Treatment Improvements Northeast Facility

NORTHEAST WWTF FLOWS AND NITRIFICATION CAPACITY

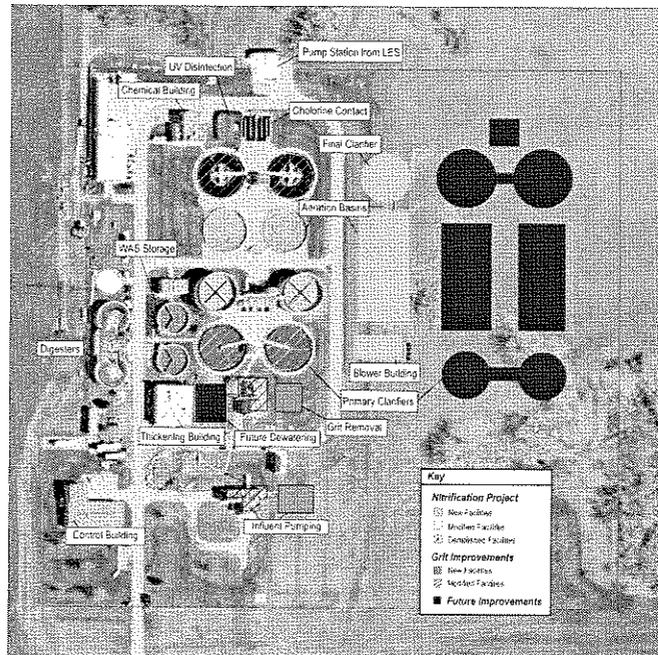


Treatment Improvements Northeast Facility

- Operational in 1981
- Treatment Capacity
 - Original: 8.0 mgd
 - Nitrification: 4.5 mgd
- Recent/current projects
 - LES Flow Pump Station
 - UV Improvements
 - Solids Process Improvements
 - Screen Replacement



Treatment Improvements Northeast Facility



Treatment Improvements Northeast Facility

Status – Nitrification/Capacity Imp's

- **Site Pre -Load Contract - Underway**
 - **Contractual Completion May 26, 2004**

- **New Nitrification Project**
 - **Advertised April 7, 2004**
 - **Receive Bids May 19, 2004**

- **Total Project Cost Estimate \$16.7 million***

* -Escalati on of Steel Prices of Concern

Trunk Sewers

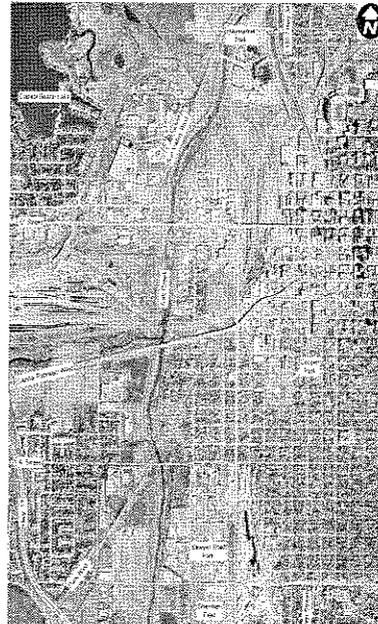
- **Needs – Meet Tier 1A Growth**
- **Current Projects**

Trunk Sewer -Needs Meet Tier 1A

- **Salt Valley Phases I -V**
- **Upper Salt Valley**
- **Beal Slough Phases I & II**
- **Oak Creek, West "O" St., Little Salt Creek, Northeast Salt Creek Basins**
- **Antelope Creek**
- **Stevens Creek**
- **Review Current Salt Valley Relief Project**

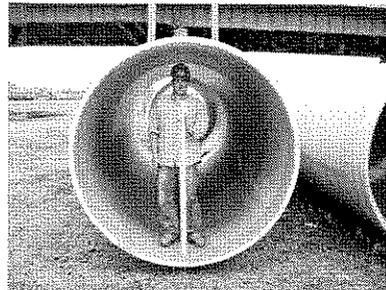
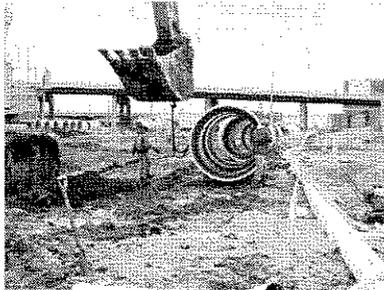
Current Salt Valley Relief Trunk Sewer Project Phase II.b. & III.a.

- **Alignment**
- **Haymarket Park to 4th & Rose**
- **Unique Issues**



Current Salt Valley Relief Trunk Sewer Project – Overview

- **3,729 linear feet of 78 inch sanitary sewer**
- **5,763 linear feet of 60 inch sanitary sewer**



Current Salt Valley Relief Trunk Sewer Project – Overview (Con't)

- **8 Tunnel Crossings at 2,060 linear feet**
- **A 930 ft. long tunnel east of ConAgra**



**Current Salt Valley Relief Trunk Sewer
Project – Overview (Con't)
Challenges/Opportunities**

- **Groundwater**
- **Environmental Issues**
- **Depth of Sewer/Working Space**



**Current Salt Valley Relief Trunk Sewer
Project – Overview (Con't)
Progress Status To Date**

- **43% of Pipeline has been Installed**
- **6 of 8 Tunnel Crossings Complete**
- **\$2.6M Paid on \$6.8M Contract**
- **Total Project Value \$8.8M**
- **Expected Completion – December 2004**
- **ConAgra Tunnel to Commence this Month**

**Current Salt Valley Relief Trunk Sewer
Project – Overview (Con't)**

Unique Issues

- **Coordination with South Salt Creek
Neighborhood Association**
 - **3rd & “A” Overpass Project**
 - **On-going Neighborhood Meetings**
 - **Door Hangers**
- **Additional Public Information & Outreach**

Capital Improvement Projects

Bidding Issues

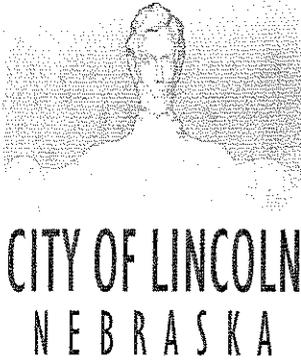
- **Material Costs (i.e. steel, diesel)**
- **Regional Market**
- **Intangibles**

**•Capital Improvement Projects
Multi – Year Contracts/Funding**

- **Projects to Bid This Summer**
 - **Theresa Street Facility**
 - **Northeast Facility**
 - **Salt Valley Relief Trunk – Phase IV**
 - **4th & Rose to West of State Penitentiary**
 - **Total Project Cost Est. -\$9.0 million**
 - **Future Projects**

**Lincoln Wastewater System
Capital Improvement Projects
Status Update**

- **Questions & Comments**
- **Handouts**



PUBLIC WORKS & UTILITIES ADVISORY

MAYOR COLEEN J. SENG

www.ci.lincoln.ne.us

April 9, 2004

RECEIVED
APR 08 2004
CITY COUNCIL
OFFICE

South 14th Street Improvements Old Cheney - Pine Lake Project No. 701306

Spring has sprung and again it is getting harder to get around Lincoln. But, the City's contractor Paver's Inc. is starting work in your area of South 14th on the widening project. With this in mind, the items that property owners agreed to move and were paid for such as fences and other related items need to be moved or relocated. I know the weather doesn't look the best today, but the work is continuing and proceeding to the south so your cooperation is asked in doing this work. We expect that you should be able to complete this work in approximately 2 weeks. The contractor will remove these items, but they might not be in the shape needed to be replaced as intended.

If you have any questions, please call Paver's Supt. Jeff at 450-0939 or myself at 441-7532. Thanks.

Charlie Wilcox
Senior Engineering Specialist
Engineering Services
Public Works & Utilities Department
531 Westgate Blvd., Suite 100
Lincoln, NE 68528
(402) 441-7532
cwilcox@ci.lincoln.ne.us

STATE OF NEBRASKA



Mike Johanns
Governor

April 6, 2004

NEBRASKA LIQUOR CONTROL COMMISSION
Robert B. Rupe
Executive Director

301 Centennial Mall South, 5th Floor
P.O. Box 95046
Lincoln, Nebraska 68509-5046
Phone (402) 471-2571
Fax (402) 471-2814

TRS USER 800 833-7352 (TTY)
web address: <http://www.nol.org/home/NLCC/>

RECEIVED

APR 07 2004

**CITY COUNCIL
OFFICE**

CERTIFIED

The City Council
of the City of Lincoln
County/City Building
555 South 10th Street
Lincoln NE 68508

Dear Councilmembers,

You are hereby notified that a hearing will be held upon the application of DLH, INC. "Coaches Sports Bar & Grill" for a Class I Liquor License at 640 W. Prospector Court, Lincoln, Nebraska, for the following reason(s):

1. Due to the local governing body having recommended denial of the application.

You are further notified that said hearing has been scheduled for Friday, April 23, 2004 at 9:00 a.m., or as soon thereafter as it may be heard, before the Nebraska Liquor Control Commission at its offices on the 5th floor of the State Office Building, located at 301 Centennial Mall, South, Lincoln, Nebraska.

Sincerely yours,

Margaret (Tim) Frankforter
Administrator/Legal Division
NEBRASKA LIQUOR CONTROL COMMISSION

/tf

c: Dana Roper, City Attorney
Lincoln Police Dept
file copy

Rhonda R. Flower
Commissioner

Bob Logsdon
Chairman

R.L. (Dick) Coyne
Commissioner

An Equal Opportunity/Affirmative Action Employer

**ADDENDUM
TO
DIRECTORS' AGENDA
MONDAY, APRIL 12, 2004**

I. MAYOR - NONE

II. CITY CLERK - NONE

III. CORRESPONDENCE

A. COUNCIL REQUESTS - NONE

B. DIRECTORS AND DEPARTMENT HEADS

CITY LAW DEPARTMENT

1. Inter-Department Communication from Rick Peo - RE: Whether E-Mails to City Council Members are Public Records - (See Memo)

FINANCE DEPARTMENT/CITY TREASURER

1. Material from Don Herz, Finance Director & Melinda J. Jones, City Treasurer - RE: Resolution & Finance Department Treasurer of Lincoln, Nebraska - Investments Purchased April 5, 2004 thru April 9, 2004.

PLANNING

1. Memo from Marvin Krout - RE: Comprehensive Plan Amendment No. 03007 - (See Memo)

C. MISCELLANEOUS

1. 2 - E-Mail's: One from Jason Shank and one from Dave Shank - RE: Coaches Bar & Grill - (See E-Mail's)
2. Letter, as required in the CHE By-laws, from Christi Chaves, President of the Community Health Endowment (CHE) serving as notification to Council of a change in the by-laws of the Organization (See letter and adopted revision).
3. Letter from Tom Duden, Human Resources and Building Manager, Design Data Corporation - RE: The expansion of roads and the rerouting of traffic patterns are choices in any community - Safety and the ensuing environmental impact are of primary concern, as well as the long-term dynamics, or ripple effects, which are often hard to envision - 14th Street and Old Cheney Road - (See Letter)

4. Faxed Letter from Gil Goldsmith, On Premise Sales Manager, Double Eagle Beverage - RE: Coaches Bar & Grill - (See Letter)
5. 7 E-Mail's from David L. Turner, Sr; Sunni & Colby Harper; Kevin Hesson; James R. Joy; Amy Swearingen; Tim Svara; Sue Torrence; - RE: Coaches Bar & Grill - (See E-Mail's)
6. E-Mail from Mike & Deb Eckery - RE: Special assessment voting - The Lazy Acres Improvements - (See E-Mail)

INTER-DEPARTMENT COMMUNICATION

TO City Council
DEPARTMENT
ATTENTION
COPIES TO

DATE April 7, 2004
FROM Rick Peo
DEPARTMENT City Law
SUBJECT Whether E-Mails to City Council Members are Public Records

RECEIVED
APR 09 2004
CITY COUNCIL
OFFICE

The starting point for addressing whether or not an e-mail is a public record is the definition of public record as defined in the Nebraska Public Records Act, Neb. Rev. Stat. § 84-712.01(1). That section provides that:

Except when any other statute expressly provides that particular information or records should not be made public, public records shall include all records and documents, regardless of physical form of or belonging to the state, any county, city, village, political subdivision, or tax-supported district in this state, or any agency, branch, department, board, bureau, commission, council, sub-unit, or committee of any of the foregoing. Data which is public record in its original form shall remain a public record when maintained in computer files.

The above definition of public record is very broad and pretty much all-encompassing.

Opinions issued by the Attorney General of the State of Nebraska which deal with § 84-712.01(1) all indicate that the e-mails in questions are public records. Specifically, in Neb. Op. Atty. Gen. 46 the Attorney General stated that:

It may be said that all records generated by state officers or agencies are public except where made private, confidential or privilege by law.

The Opinion went on to state that:

From our examination of the legislative history of the above statutes [Nebraska Public Records Act] we do not find any attempt to make documents generated by any state employee the property of the employee or to be exempt from examination by the public.

Finally, in summary, the opinion stated:

It is our conclusion that all documents in possession of a member of the legislature which are generated or received in the course of their exercising their duties as members of the legislature, are a public record subject by examination unless they are developed or received under a legislature's powers of "investigation and examination".

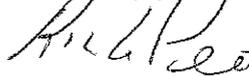
And in Neb. Op. Atty. Gen. 04007 the Attorney General stated:

Under the definition of public record in § 84-712.01(1) and the public records statutes generally, we believe that e-mails, faxes, or records of other electronic communications between elected officials and between elected officials and governmental staff are public records which are subject to disclosure to the general public, unless there is a specific statute in each instance which allows particular electronic materials to be kept confidential.

This office concurs with the opinions of the Attorney General and believes that the Attorney General's conclusions regarding what constitutes public records of the legislature and state employees would be equally applicable to City Council members and employees of the City of Lincoln. Therefore, this office is of the opinion that e-mails to City Council members which are generated or received in the course of exercising their duties as members of the City Council are public records.

You are urged to contact this office to discuss any specific questions or concerns you may have relating to disclosure of e-mails which you receive and/or generate.

Sincerely yours,



Rick Peo
Chief Assistant City Attorney

ERP/tb

RECEIVED
APR 09 2004
CITY COUNCIL
OFFICE

RESOLUTION NO. A-_____

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

That the attached list of investments be confirmed and approved, and the City
Treasurer is hereby directed to hold said investments until maturity unless
otherwise directed by the City Council.

INTRODUCED BY:

Approved:

Don Herz, Finance Director

Approved this ____ day of _____, 2004

Mayor

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APR 09 2004
CITY COUNCIL
OFFICE

**FINANCE DEPARTMENT
TREASURER OF LINCOLN, NEBRASKA
INVESTMENTS PURCHASED
APRIL 5 THRU APRIL 9, 2004**

April 5, 2004, we cashed a \$192,000 First American Government Obligation Fund at US Bank in the Short Term Pool. We then invested in a \$75,000 Nebraska Public Agency Investment Trust at Union Bank.

April 5, 2004, we cashed funds from the Short Term Pool and then reinvested \$2,000,000 in a FHLB, purchased at par, yielding 2.5%, maturing April 5, 2007, in the Medium Term Pool.

April 6, 2004, we cashed a \$360,000 First American Government Obligation Fund at US Bank out of the Short Term Pool. We then reinvested \$45,000 as follows:

\$35,000	Dreyfus Government Fund at Wells Fargo Bank
\$10,000	Nebraska Public Agency Investment Trust at Union Bank

A \$2,000,000 investment matured April 6, 2004, and we immediately cashed and reinvested that same amount in a FHLB, purchased at par, yielding 3.09%, maturing October 6, 2008, in the Medium Term Pool.

A \$5,000,000 investment matured April 6, 2004, and we immediately cashed and reinvested that same amount in a FHLB, purchased at par, yielding 3.25%, maturing October 6, 2008, in the Medium Term Pool.

Due to a surplus of funds in the Short Term Pool April 7, 2004, we invested \$170,000 as follows:

\$125,000	Dreyfus Government Fund at Wells Fargo Bank
\$45,000	Nebraska Public Agency Investment Trust at Union Bank

April 7, 2004, a \$5,000,000 investment matured and we immediately cashed and reinvested that same amount in a FNMA, purchased at par, yielding 1.8%, maturing April 7, 2006, in the Medium Term Pool.

April 8, 2004, a \$2,500,000 investment matured and we immediately cashed, added to that amount and reinvested \$2,660,000 as followed in the Short Term Pool:

\$2,500,000	CD, purchased at par, rate of 1.04%, maturing June 24, 2004
\$160,000	Dreyfus Government Fund at Wells Fargo Bank

A \$4,000,000 investment matured April 8, 2004, and we immediately cashed and reinvested \$3,850,000 in a FHLB, discounted 99.9375%, costing \$3,847,593.75, yielding 2.838385%, maturing January 8, 2008, in the Medium Term Pool.

We respectfully request approval of our actions.

Don Herz, Finance Director

Melinda J. Jones, City Treasurer

RECEIVED
APR 09 2004
CITY COUNCIL
OFFICE

MEMORANDUM

TO: City-County Common
Planning Commission

FROM: Marvin Krout, Director of Planning 

SUBJECT: Comprehensive Plan Amendment No. 03007

DATE: April 8, 2004

cc: Kerry Eagan, County Commissioners
Mike DeKalb, Planning

RECEIVED
APR 09 2004
CITY COUNCIL
OFFICE

On April 14, 2004, the Planning Commission is scheduled to hold continued public hearing on Comprehensive Plan Amendment No. 03007 regarding determination of impact fees in the county. The County Board has indicated that they are requesting that the entire last paragraph of Guiding Principles for Rural Areas on page F71 of the Comprehensive Plan be deleted.

~~“When the independent study to quantify and qualify the positive and negative economics of acreage development is completed, the county should determine if an impact fee or other development exactions are needed to be sure acreage development is paying its fair share of costs. The study should include a review of policy issues and options such as the build-through concept, lot size, acreage standards, acreages and town relationships, acreages and sensitive areas, agriculture, acreage clusters, desired acreage population, acreage size and land use consumption and AGR zoning.”~~

The Planning staff has previously provided the following alternative language for the Planning Commission's consideration:

“The study on the economics of acreage development has been completed. The County Board should proceed with cost-reducing policies as suggested in the study: controlling densities, focusing most new development along existing paved roads, and declining to pave road segments in perimeter areas that have low volumes and serve mostly out of county residents. However, until the legality of impact fees in Nebraska is determined by the courts or by new legislation, the County Board should not proceed with debating their merits or enacting them.”

After discussion with Commons and Planning Commission members at the April 5 Commons meeting, and in the spirit of compromise, staff would offer the following additional alternative for consideration;

As called for in the adopted Comprehensive Plan, an independent study to quantify the economic impacts of acreage development has been completed. The study's conclusions and the subsequent public dialogue suggests the County and City continue to look at ways to contain public costs and coordinate public resource allocation, especially in the area of road construction. A variety of management techniques could be used, including the shared engineering and funding of road projects that aid urban expansion and adoption of rural land use policies that minimize future capital and operating costs.

F:\FILES\PLANNING\PC\CPA\2025 Plan\cpa.03007 memo to common2.wpd



Joan V Ray

04/09/2004 01:16 PM

To: "JASON SHANK" <jdshank@msn.com>
cc: council@ci.lincoln.ne.us
Subject: Re: Coaches Bar and Grill

Dear Mr. Shank: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray
City Council Office
555 South 10th Street
Lincoln, NE - 68508
Phone: 402-441-6866
Fax: 402-441-6533
e-mail: jray@ci.lincoln.ne.us

"JASON SHANK" <jdshank@msn.com>



"JASON SHANK"
<jdshank@msn.com>

04/09/2004 01:16 PM

To: council@ci.lincoln.ne.us
cc:
Subject: Coaches Bar and Grill

I was infomed today that Coaches Bar and Grill, located on West Prospector Ct., may loose there liquor license. I live at 2710 S. Folsom witch is direcly across the street from Coaches. I do not belive that there would be any reason to revoke their liquor license. I have never in the 5 years that I have lived on Folsom had any problems with costomers or the owners of Coaches Bar and Grill. Thanks for you time.

Jason Shank

Watch LIVE baseball games on your computer with MLB.TV, included with MSN Premium!
<http://join.msn.com/?page=features/mlb&pgmarket=en-us/go/onm00200439ave/direct/01/>

RECEIVED
APR 09 2004
CITY COUNCIL
OFFICE



Joan V Ray

04/09/2004 04:22 PM

To: Dshank56@aol.com
cc: council@ci.lincoln.ne.us
Subject: Re: Coaches Bar & Grill

Dear Mr. Shank: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray

City Council Office

555 South 10th Street

Lincoln, NE - 68508

Phone: 402-441-6866

Fax: 402-441-6533

e-mail: jray@ci.lincoln.ne.us

Dshank56@aol.com

RECEIVED

APR 09 2004

CITY COUNCIL
OFFICE



Dshank56@aol.com

04/09/2004 04:22 PM

To: council@ci.lincoln.ne.us
cc:
Subject: Coaches Bar & Grill

Dear Council Members:

I own a business across the street from Coaches Bar & Grill and wish you would reconsider your decision about renewing their liquor license. I have been told that if their license is not renewed they will have to close the place down due to the lack of generated revenue. This would be a sad thing.

Coaches is patronized by several of my customers weekly for lunch. Several of my employees also eat at Coaches. Just the people traffic that Coaches generates during their meal times, sand volley ball and Big Red tail gate activities, benefits my walk in business weekly.

Please reconsider your decision.

Sincerely,

Dave Shank

Dynamic Fusion Inc.



TO: Jon Camp, Chair, Lincoln City Council
FROM: Christi Chaves, President, Community Health Endowment
CC: Joan Ross, City Clerk
Joel Pedersen, City Attorney
DATE: April 9, 2004
SUBJECT: Revision to the CHE Bylaws

Christi Chaves /vs

According to the bylaws of the Community Health Endowment (CHE), "bylaws may be amended by the affirmative vote of two-thirds of the members of the Board of Trustees. Notice of a proposed amendment to the bylaws shall be given at the last regular meeting of the Board of Trustees prior to the meeting at which the amendment is considered and the proposed amendment shall be placed on file with the Secretary. No amendment shall be effective until reported to the City Council and a copy placed on file with the City Clerk."

The purpose of this memo is to report to the Lincoln City Council the approved revision to the CHE Bylaws (*attached*). This revision was considered at the regular meeting of the CHE Board of Trustees on February 25, 2004. The revision was unanimously approved at the regular meeting of the Board of Trustees on March 24, 2004.

This memo will serve as official notification of the bylaw revision to the Lincoln City Council and the revision will be in effect on April 15, 2004.

If you have any questions, please feel free to contact Lori Seibel, Executive Director, or me.

RECEIVED
APR 09 2004
CITY COUNCIL
OFFICE

ARTICLE IV

COMMITTEES

Section 2. Committee on Finance

The Treasurer shall be the Chair of the Committee on Finance. The Committee on Finance shall have the responsibility for making recommendations to the Board of Trustees on fiscal matters, including review and payment of claims, review and approval of investments, the annual audit, allocation of expenditures and review of budget performance.

The Committee Chair, subject to a two-thirds majority approval of the members of the Board of Trustees, may appoint no more than three (3) other persons to the Committee on Finance to act in an advisory capacity to the Committee as to finance and investment matters related to CHE. The Committee members are not Board Members, shall serve voluntarily at the pleasure of the Board or until resignation, and may be removed or replaced at any time by a two-thirds majority vote of the Board. To the extent possible, the Committee members who are not Board Members shall consist of persons whose integrity, capability, experience, and finance/investment knowledge will assist the Board in carrying out its functions.

Committee members who are not Board members shall serve, as is likewise the Board members, without pay. The Committee members shall serve in an advisory capacity only and have no voting privileges or administrative/managerial authority.

April 9, 2004

Mayor Coleen Seng
555 South 10th Street
Lincoln, NE 68508

RECEIVED
APR 09 2004
CITY COUNCIL
OFFICE



Dear Mayor Seng:

The expansion of roads and the rerouting of traffic patterns are choices in any community. Safety and the ensuing environmental impact are of primary concern, as well as the long-term dynamics, or ripple effects, which are often hard to envision.

At 14th Street and Old Cheney Road it is apparent that some expansion is necessary, which is already underway. It is a known fact that heavy flow-through traffic entering or leaving the city does not use the intersection currently. This traffic will be forced to under the current proposal outlined to us by Olsson & Associates (please see attached diagram).

Design Data and Information Technology Inc. have heavily invested in landscaping aesthetics — to both preserve the natural beauty of the area and to enhance the serene qualities of the land adjacent to our buildings. The nature of our business at Design Data is similar to that of ITI in that we hire personnel for software development. The work is complex and tedious, requiring a stable and quiet work environment. Such an environment has proven to be an excellent recruitment and retention tool to attract and maintain employees, which in turn has positively affected Lincoln's economy.

The creation of one large intersection at 14th and Old Cheney will:

- alter the dynamics of the area immensely.
- increase traffic and noise dramatically.
- create tractor-trailer traffic through densely populated neighborhoods; a safety concern.

When all Highway 77 traffic is forced through the proposed 14th Street and Old Cheney Road intersection, it will be much easier for trucks to continue eastbound down Old Cheney to join Highway 2. Presently they avoid Old Cheney due to the sharp turns required. Needless to say, Old Cheney is adjacent to neighborhoods on both sides for much of its length, whereas Highway 2 is not.

The proposed design of the roadway has obvious advantages with the history of safety problems in the intersection to the west of 14th and Old Cheney Road, but any redesign should be concentrated and focused there. By moving the intersection to the north to develop two T-intersections, the flow of traffic will be split, thus:

- preserving the integrity of the adjacent neighborhoods.
- promoting safety, preventing heavy truck traffic from infiltrating neighborhoods.
- limiting noise pollution and controlling the environmental impact.

Please consider both the long and short-term effects of the current design plans. We would appreciate your assistance and attendance at a meeting outlining the proposed plans on Tuesday, April 13th, 2004 at Christ's Place Church, 1111 Old Cheney Road, from 5:30-7:30 p.m. Thank you.

Sincerely,

Tom Duden, Human Resources and Building Manager
DESIGN DATA CORPORATION

CC: Jon Camp Jonathan Cook Glenn Friendt Annette McRoy
Patte Newman Ken Svoboda Terry Werner Audobon Society
Jim Haas – Lincoln Tree Service Mike Young, ITI Chuck Fricke, ITI
Bill Kubley – Landscapes Unlimited Friends of Wilderness Park



RECEIVED

DOUBLE EAGLE BEVERAGE, LLC.

APR 12 2004

CITY COUNCIL
OFFICE

To Whom It May Concern:

This is a letter of recommendation from Gil Goldsmith On Premise Sales Manager with Double Eagle Beverage in regards to Duane and Betty Hartman Owner and Operator of Coach's Bar. As an Anheuser Busch wholesaler we have had the pleasure of working with Betty since her involvement in Yankee Doodle Convenience Store back in 1997 up to 2000 and now with Coach's Bar 2000 until the present. As a wholesale beer provider we have found Betty to be competent in many areas of business, we sell our product on a C.O.D. basis, we have not had any problems in the duration. We have also been involved in numerous night time promotions and have observed Betty working her patrons – from my observation she does a very fine job of handling herself in all situations – Betty is creative in her promotions, from pool leagues to sand volleyball – she keeps a very clean establishment and environment with their restaurant, Betty and her staff are very competent in working difficult projects from start to finish.

Any additional questions feel free to call me.

Gil Goldsmith
On Premise Sales Manager
Double Eagle Beverage
(402) 467-3573
Lincoln Nebraska
ggoldsmith@debeverage.com



**Hartland
Homes**

P.O. Box 22787, Lincoln, NE 68542
Phone 402 477-6668 Fax 402 477-6746

TO: _____ Date: 4-9-04

From: Diane Hartman

Number of Pages including cover sheet 2

RECEIVED
APR 12 2004
CITY COUNCIL
OFFICE



Joan V Ray

04/12/2004 08:45 AM

To: "David L. Turner, Sr" <agognrff@hotmail.com>
cc: council@ci.lincoln.ne.us
Subject: Re: Coaches Bar on Folsom

Dear Mr. Turner: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray
City Council Office
555 South 10th Street
Lincoln, NE - 68508
Phone: 402-441-6866
Fax: 402-441-6533
e-mail: jray@ci.lincoln.ne.us
"David L. Turner, Sr" <agognrff@hotmail.com>

RECEIVED
APR 12 2004
CITY COUNCIL
OFFICE



"David L. Turner, Sr"
<agognrff@hotmail.co
m>

04/09/2004 07:44 PM

To: council@ci.lincoln.ne.us
cc:
Subject: Coaches Bar on Folsom

Dear Councilman Jonathan Cook,

I'm writing you today as a customer and long time patron of Coaches Bar & Grill located on Folsom. This establishment is currently owned and operated by Duane Hartland.

I have been a resident of the neighborhood here for over 20 years and have patronage this establishment and it's numerous name and ownership changes. Only since Mr.. Hartland has operated the facility have I found it to be a enjoyable, comfortable, safe and relaxing environment.

I do not have all the facts as to why his license is in question. But what I want the council to know is that I do support Mr.. Hartland, Coaches and his ability to operate the establishment in the high standards in which he does.

In closing, I want to make it clear that I support Coaches and Mr.. Hartland and wish his continued success in all his business endeavors.

But what I do know is that I have always been treated well as a customer and most of all with respect.

Check out MSN PC Safety & Security to help ensure your PC is protected and safe. <http://specials.msn.com/msn/security.asp>



Joan V Ray

04/12/2004 09:15 AM

To: "Sunni Harper" <sharper@neb.rr.com>
cc: <council@ci.lincoln.ne.us>
Subject: Re: For Coaches Liquor License

Dear Ms. Harper: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray

City Council Office

555 South 10th Street

Lincoln, NE - 68508

Phone: 402-441-6866

Fax: 402-441-6533

e-mail: jray@ci.lincoln.ne.us

"Sunni Harper" <sharper@neb.rr.com>



"Sunni Harper"
<sharper@neb.rr.com>

04/11/2004 09:13 PM

To: <council@ci.lincoln.ne.us>
cc:
Subject: For Coaches Liquor License

We want Coaches to continue it's business including serving alcohol. This is our neighborhood bar, we have dinner, play volleyball and sing karaoke and want them to stay open.

Thank you.

Sunni and Colby Harper 402.438.1597

Julie and Jeff Scheitel 402.435.6096

Jammie and Don Harms 402.435.4614

Mary Molina 402.435.3521

RECEIVED
APR 12 2004
CITY COUNCIL
OFFICE



Joan V Ray
04/12/2004 08:50 AM

To: Kdjhhesson@aol.com
cc: COUNCIL@ci.lincoln.ne.us
Subject: Re: COACHES BAR & GRILL

Dear Mr. Hesson: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray
City Council Office
555 South 10th Street
Lincoln, NE - 68508
Phone: 402-441-6866
Fax: 402-441-6533
e-mail: jray@ci.lincoln.ne.us
Kdjhhesson@aol.com



Kdjhhesson@aol.com
04/10/2004 12:51 PM

To: COUNCIL@ci.lincoln.ne.us
cc:
Subject: COACHES BAR & GRILL

I understand that Coaches Sports Bar & Grill located at 640 W Prospector is in jeopardy of losing their liquor license. As a frequent diner at that establishment, I would truly hate to see that happen. Please reconsider this decision.

Thank you.

Kevin Hesson

RECEIVED
APR 12 2004
CITY COUNCIL
OFFICE



Joan V Ray
04/12/2004 09:09 AM

To: Judy Joy <jjoy@nebraska.edu>
cc: council@ci.lincoln.ne.us
Subject: Re: Coach's Bar and Grill Liquor License

Dear Mr Joy: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray
City Council Office
555 South 10th Street
Lincoln, NE - 68508
Phone: 402-441-6866
Fax: 402-441-6533
e-mail: jray@ci.lincoln.ne.us

Judy Joy <jjoy@nebraska.edu>



Judy Joy
<jjoy@nebraska.edu>
04/11/2004 07:41 PM

To: council@ci.lincoln.ne.us
cc:
Subject: Coach's Bar and Grill Liquor License

I work in the neighborhood of Coach's Bar and Grill. I eat lunch there everyday. I play the pool leagues as a member of Coach's team. It has come to my attention that Coach's liquor license may be revoked, and I would like to voice my opposition to that proposal.

James R. Joy

RECEIVED
APR 12 2004
CITY COUNCIL
OFFICE



Joan V Ray

04/12/2004 09:12 AM

To: "Amy Swearingen" <ASwearingen@ameritas.com>
cc: council@ci.lincoln.ne.us
Subject: Re:

Dear Ms. Swearingen: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray

City Council Office

555 South 10th Street

Lincoln, NE - 68508

Phone: 402-441-6866

Fax: 402-441-6533

e-mail: jray@ci.lincoln.ne.us

"Amy Swearingen" <ASwearingen@ameritas.com>



"Amy Swearingen"
<ASwearingen@amerit
as.com>

04/12/2004 08:17 AM

To: council@ci.lincoln.ne.us
cc:
Subject:

I am emailing to request the Coaches Bar get to keep their liquor license. This is our neighborhood bar and we want them to keep their license.

thanks, Amy Swearingen

Senior Sales Support Secretary

Ameritas Investment Corp.

402-467-6965

RECEIVED
APR 12 2004
CITY COUNCIL
OFFICE



Joan V Ray

04/12/2004 09:14 AM

To: "Patty Svara" <psvara@charter.net>
cc: <council@ci.lincoln.ne.us>
Subject: Re: LETS KEEP COACHES OPEN

Dear Ms. Svara: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray
City Council Office
555 South 10th Street
Lincoln, NE - 68508
Phone: 402-441-6866
Fax: 402-441-6533
e-mail: jray@ci.lincoln.ne.us

"Patty Svara" <psvara@charter.net>



"Patty Svara"
<psvara@charter.net>
04/11/2004 08:47 PM

To: <council@ci.lincoln.ne.us>
cc:
Subject: LETS KEEP COACHES OPEN

- OCCASIONALLY I STOP FOR DRINK AFTER WORK, IENJOY THE OWNERS THEY ARE VERY FRIENDLY. ALWAYS NICE TO THE CUSTOMERS. I AM CONCERNED AND WANT TO HAVE THEM GIVE COACHES A LIQUOR LICIENCE,I
- AM A CONCERNED CUSTOMER.I
- EAT T HEIR EVERY NOON GOOD CONFORTABLE ATMOSPHER, GOOD FOOD, THANKS FOR GIVING ME A CHANCE TO SPEAK OUT ON THI CONCERN. THANKS AGAIN TIM SVARA LINCOLN NEBRASKA
-
-

RECEIVED
APR 12 2004
CITY COUNCIL
OFFICE



Joan V Ray

04/12/2004 09:16 AM

To: <susant@lincolnplating.com>
cc: <council@ci.lincoln.ne.us>
Subject: Re: Coaches Bar & Grill

Dear Ms. Torrence: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray

City Council Office

555 South 10th Street

Lincoln, NE - 68508

Phone: 402-441-6866

Fax: 402-441-6533

e-mail: jray@ci.lincoln.ne.us

"Susan Torrence" <susant@lincolnplating.com>



"Susan Torrence"

<susant@lincolnplating.com>

04/12/2004 09:15 AM

Please respond to
susant

To: <council@ci.lincoln.ne.us>
cc:
Subject: Coaches Bar & Grill

To whom this may concern;

Coaches Bar is a terrific place for those of us at Lincoln Plating. It is nice to be able to go in and have a relaxing lunch for an hour. It is also a great meeting place after work, so we do not have to fight traffic downtown and find a parking place.

Sue Torrence

Lincoln Plating

402-473-3717 EX 2231

RECEIVED
APR 12 2004
CITY COUNCIL
OFFICE

Joan V Ray

04/12/2004 08:55 AM

To: "Mike Eckery" <meckery@alltel.net>
cc: <jray@ci.lincoln.ne.us>
Subject: Re: special assessment voting

Dear Mr. Eckery: The Lazy Acres Improvements were withdrawn at the March 29th meeting

The Action Agenda with links can be found at

<http://www.ci.lincoln.ne.us/city/council/agenda/2004/032904/a032904.htm>

Here is the entry on those improvements from the Action Sheet of March 29th: (without links):

Creating Sewer District No. 1179 in Lazy Acres
Subdivision, Mockingbird Lane North, South, East,
and West, and assessing the cost thereof against
the benefitted property. (WITHDRAWN, 7-0; #38-4464)
Fact Sheet (59K)

8) 04-32 Creating Water District No. 1191 in Lazy
Acres Subdivision, Mockingbird Lane South,
East, and West, and assessing the cost
thereof against the benefitted property.
(WITHDRAWN, 7-0; #38-4465)
Fact Sheet (57K)

9) 04-33 Creating Paving District No. 2627 in Lazy
Acres Subdivision, Mockingbird Lane North,
South, East, and West, and assessing the cost
thereof against the benefitted property.
(WITHDRAWN, 7-0; #38-4466)
Fact Sheet (59K)

If you have further questions, you may want to contact the Public Works Department at 441-7548.
I hope this information proves helpful.

Joan V. Ray
City Council Office
555 South 10th Street
Lincoln, NE - 68508
Phone: 402-441-6866
Fax: 402-441-6533
e-mail: jray@ci.lincoln.ne.us

"Mike Eckery" <meckery@alltel.net>

RECEIVED
APR 12 2004
CITY COUNCIL
OFFICE



"Mike Eckery"
<meckery@alltel.net>
04/10/2004 09:00 PM

To: <jray@ci.lincoln.ne.us>
cc:
Subject: special assessment voting

We are curious to the outcome of the City Council vote regarding
Lazy Acres
improvements. The vote was scheduled for April 5. Thank you for your time.

Sincerely,
Mike and Deb Eckery

**DIRECTORS' MEETING
MINUTES
MONDAY, APRIL 12, 2004
CONFERENCE ROOM 113**

Council Members Present: Terry Werner, Vice-Chair; Jonathan Cook, Ken Svoboda, Patte Newman, Glenn Friendt

Council Member Absent: Jon Camp, Chair; Annette McRoy

Others Present: Mayor Coleen Seng, Mark Bowen, Ann Harrell, Darl Naumann, Mayor's Office; City Clerk, Joan Ross, Deputy City Clerk, Teresa Meier-Brock; Dana Roper, City Attorney; Directors and Department Heads; Darrell Podany, Aide to Council Members Camp, Friendt, & Svoboda; Tammy Grammer, City Council Staff and Nate Jenkins, Lincoln Journal Star Representative.

I. MAYOR

Mayor Coleen Seng stated to Council what she really has to tell them about she's going to let some of the Directors talk about because there was a fairly hefty meeting on Friday evening out around the Capital Beach area and Jonathan [Cook] and Terry [Werner] were there. But, she thinks Police Chief Casady needs to report on it for everyone's sake and Fire Chief Spadt needs to tell them about a good grant they came through with and then maybe a little bit from Parks and Police on the break in out at the Northwest place.

Police Chief Casady stated to Council as they know last week they had a serious assault that happened at 424 N. Coddington, it's a Group Home operated by Active Community Treatments Inc. There are two side-by-side duplexes there and so the total of four units in each of those units houses have people with developmental disabilities and some of those people are dual diagnosed, they have both developmental disabilities and suffer from mental illnesses. Chief Casady commented what happened is one of the employees at the Group Home made a mistake, there were three employees on duty, two of those employees had left the other clients to run errands the remaining employee thought that he was supervising two men and he was actually supervising three unbeknown to him and one of those men is alleged to have grabbed a 5 year old out on the sidewalk and took him down into the basement of one of the duplex units where there were no staff members present and wounded him rather seriously with a knife. The meeting Friday was attended by Brian Canter, who's the Administrator of Active Community Treatments that operates 25 Group Homes state wide-several here in Lincoln. They also had three State Senators there, Chris Beutler, DiAnna Schimek

and Jim Jensen and Senator Jensen is the sponsor of LB 1083 the Behavioral Healthcare Reform Act, which will be debated beginning tomorrow. There were probably 60 maybe 75 citizens there including a couple of people who had come down from Omaha because as they probably know Omaha has been doing the same thing the Council had been doing looking at their ordinances. Chief Casady said it was a bite of a heated meeting as you might expect, but it was started off by Virginia Lecock who is the 5 year old victims grandmother and she made a very reasonable statement, he thinks just about anyone could agree with. They talked about the need for group homes and the importance of having them in the community and the need for a good criteria on classifying and placing people into those group homes and good procedures and cautions for operating those group homes. Chief Casady stated that Brian Canter the Administrator of the Group Homes did not say very much, he expressed his concern and told everyone that he too was a member of the community and concerned about what had happen, but was not able to answer much in ways of specific questions. Chief Casady commented a lot of frustration expressed by the people who live nearby and he in response to their questions let them know that there are two remaining registered sex offenders who are living in the group home where this incident occurred and he thinks there's four residents total that are remaining there. Mr. Friendt asked Chief Casady if they have any data about how many Group Homes they have and how many residents they have in these Group Homes in the community of Lincoln? Chief Casady stated that he does not have any data about that, he believes the Building & Safety Department may have records of where Group Homes are located. However, he needs to point out that they don't have Group Home status because there are only three people residing in each unit and so they do not have to have any kind of a license or certificate to operate it, they're bidding by the ordinance that requires no more than three people unrelated. So, he doesn't think that there would be any source for that information, but he does have a list of all the ACT Group Home locations in Lincoln. He can tell them that they have experienced quite a few Police calls for service at this particular duplex this duplex was at 424 & 426 N. Coddington, they've had 38 Police dispatches there since they've opened in late 2002 most of those for missing persons. There had been three what he would call serious incidents that have happened there, a stabbing in which a box cutter was used by one client to slice the arm of another and several of the staff members were threatened; there was an incident on May 20th of last year where a very large client got a hold of a very large butcher knife barricaded himself in a bedroom, threatened Police Officers, threatened the staff and they ultimately had to subdue him by using the electronic weapon, but they did so without any injury and then this most recent incident. Mr. Cook stated a couple of things came up at the meeting, one was about the State licensing and how many people it applies to four or more or if it could be applied to homes of any size,

even if it's one or two people they have that they meet certain criteria and that's something he knows Senator Schimek said she wanted to talk about a little bit more. The other thing is about what Chief Casady brought up that some of these offenders or some of these group home members apparently have some violate tendencies and whether or not the evaluation process in determining who could be in a Group Home vs. in the Regional Center is working well. Chief Casady commented that he can certainly tell them other Group Homes have similar numbers in scope of Police calls. They've had three homicides in Group Homes in the past few years, so this does not stand out to be a problem location when you consider in terms of other Group Homes. Although, there are many Group Homes where they don't have any Police dispatch at all, he's sure. Mr. Cook commented to Chief Casady what's his experience with the staffing at these Group Homes. Chief Casady stated that basically they're being operated on a day-to-day basis by part-time and on call staff and some full-time people who are young people being paid about \$9.00 a hour to start and they get a couple weeks training before they go on the job. Chief Casady stated to Mr. Cook that he thinks Virginia Lecock put it really well when she said there needs to be good procedures, good training and good staffing. Mr. Cook 'thanked' Chief Casady for being the one person there who was actually able to provide straight forward answers to some questions. It's very tough because of on-going investigations of the Group Home the Director didn't want to give any information to the folks who were there. Mayor Seng stated for everybody's sake just so they understand, they do have regulations dealing with Group Homes and their closeness together, but that does not apply for this particular type of Group Home. Mayor Seng stated that ACT and the Developmental Services of Nebraska are operating under some Federal guidelines. Discussion continued with Council and Police Chief Casady on this issue.

Mayor Seng stated that Police Chief Casady will also talk about the break in at Parks. Chief Casady stated that Beavis and friend were arrested [laughter], they got a tip as they may have read in the newspaper from Beavis's mom and it's a 15 year old and a 17 year old. Chief Casady commented I wouldn't hold your breath hoping to get restitution just from my own knowledge of how these things generally work. They're probably looking at somewhere in the neighborhood of \$500,000 in total damages done by this pair. They're responsible for a large \$60,000-\$70,000 vandalism that occurred at "Good Life Coaches" at 14th & Saunders, several other smaller ones and about \$300,000 damage at the Drywall business at 20th & Cornhusker. So, they have been reasonably active and he's glad that they got them off the streets at least for a little bit. Mr. Werner asked if they were responsible for the Parks & Rec.? Chief Casady replied 'yes'.

Mayor Seng stated to Council that Mike Spadt has a nice announcement for them. Fire Chief Spadt said first of all, he wants to start with a public and sincere 'thanks' to Barbara Baier for her involvement with this particular process over the last year. She's probably assisted them with getting pretty close to \$1 million in grants from the Federal Government. This particular grant is from the United States Fire Administration in the category of Fire Prevention and Safety. What it does is replace their fire safe house, which is a prop for educating the youth in the community on how to get out of a fire safely and [inaudible] full-time position to coordinate this activity, smoke detectors to give to new American families in the community and coordination of this project and a translation of all our public communication materials in different languages to share with the new community. It's \$153,000 from the Federal and about \$60,000 that they have to come up with and he thinks much of that they can do [inaudible]. Mr. Werner 'congratulated' Fire Chief Spadt.

1. Washington Report - April 2, 2004. — NO COMMENTS
2. NEWS RELEASE - RE: Fifth Annual Clean Your Files Week Set For April 19 Through 23. — NO COMMENTS
3. NEWS RELEASE - RE: Mayor Presents March Award Of Excellence. — NO COMMENTS
4. NEWS RELEASE - RE: Public Meeting Set On Intersection Improvements. — NO COMMENTS
5. NEWS ADVISORY - RE: Mayor Coleen Seng will have a news conference at 10:00 a.m., Thursday, April 8th - to discuss water conservation and preparations for the spring football game April 17th. — NO COMMENTS
6. NEWS RELEASE - RE: Mayor Asks For Voluntary Water Conservation. — NO COMMENTS
7. NEWS RELEASE - RE: City Prepared For Spring Game Traffic - StarTran running Big Red Express from three locations. — NO COMMENTS

II. CITY CLERK

City Clerk Joan Ross stated to Council that Teresa [Meier-Brock] is going to do the meeting for them today.

City Clerk Joan Ross stated that Items 1 & 2 [*Application of Burnsy's Inc. dba Catering on the Blvd. for a Class I liquor license at 2602 Park Blvd.; and Manager application of Michael F. Burns for Burnsy's Inc. dba Catering on the Blvd. at 2602 Park Blvd.*] will be called together.

City Clerk Joan Ross stated that Items 3 & 4 [*Application of Robot Venus, Inc. dba Baciamei for a Class C (Spirits, Wine, & Beer, On- & Off-Sale) liquor license at 301 N. 8th Street; and Manager application of Shannon M. Raymer for Robot Venus, Inc. dba Baciamei at 301 N. 8th Street*] will be called together.

City Clerk Joan Ross stated that Items 5 & 6 [*Application of CCW, LLC dba Huhot Mongolian Grill for a Class J (Wine & Beer, On-Sale) liquor license at 201 N. 66th Street; and Manager application of Luke E. Wilson for CCW, LLC dba Huhot Mongolian Grill at 201 N. 66th Street*] will be called together.

City Clerk Joan Ross stated that for Item 7 [*Application of Nash Finch Company dba Sunmart #025 for a liquor catering license at 1340 West O Street*] they received a fax from the manager at "Sunmart", he was also scheduled to than go out of town and so he would request a delay on the public hearing to April 19th.

City Clerk Joan Ross stated that Items 8 & 9 [*Application of Salem Oil Company dba Yankee Hill Amoco for a Class B (Beer, Off-Sale) and Class K (Wine, Off-Sale) liquor license at 630 W. Prospector Court; and Manager application of Jeffery J. Scott for Salem Oil Company dba Yankee Hill Amoco at 630 W. Prospector Court*] will be called together.

City Clerk Joan Ross stated to Council that Items 10 & 11 [*Approving a contract between the City and the Downtown Lincoln Association to operate and regulate a mid-week public market in the area located at 12th Street from Q to R Street and R Street from 12th to 13th Streets from June 1, 2004 through June 29, 2004; and Approving a contract between the City and Lincoln Haymarket Development Corp. to operate and regulate a Saturday public market in the Haymarket area, 7th Street from P to Q Streets and P*] will be called together, if that's alright with them. Mr. Werner replied 'yes'.

City Clerk Joan Ross stated to Council that Items 12 & 13 [*Accepting and approving City's certifications as landlord in the Estoppel Certificate and consenting to the Assignment and Assumption of the First Amended and Restated Lease and Operating Agreement - Burnham Yates Conference Center from Cornhusker Square Limited Partnership to SHUBH Hotels Lincoln, L.L.C. or it's affiliates; and Approving the Second Amendment to the First Amended and*

Restated Lease and Operating Agreement - Burnham Yates Conference Center] will be called together, if that's alright. Mr. Werner replied 'yes' and they may have a motion to waive the rules as well. City Clerk Joan Ross commented 'yes' on all four of those items that's a possibility.

City Clerk Joan Ross noted that Items 25 & 26 [*Application of DLH, Inc. dba Coaches Sports Bar & Grill for a Class I (spirits, wine, beer, on sale) liquor license at 640 W. Prospector Court; and Manager application of Duane L. Hartman for DLH, Inc. dba Coaches Sports Bar & Grill at 640 W. Prospector Court]* are "Reconsideration with Public Hearing".

Mr. Cook stated on Item 24 [*Amending Title 12 of the Lincoln Municipal Code relating to Parks by adding a new Chapter 12.22, Enhanced Median, Roundabout, and Cul-de-sac Center Island Landscaping, to provide conditions for the placement of enhanced landscaping in median roundabout and cul-de-sac center island area by an abutting property owner]* they're still working on the new Amendment. City Clerk Joan Ross commented so you're wanting a request. Mr. Cook replied 'yes', he thinks they can complete it in one more week, he doesn't know if they need to continue the public hearing. Mr. Cook commented they may have people testifying today, there was a couple of people who were interested in it who had said they might come down. Mr. Cook asked Lynn Johnson if he will be at the meeting today in case there are questions. Lynn Johnson replied 'yes'.

City Clerk Joan Ross stated that in regards to Items 14, 15 & 16 [*Reappointing Terry Werner to the Utility Billing Check-Off Program Board (Lincoln Cares Program) for a one-year term expiring August 31, 2004; Reappointing Terry Werner to the Joint Budget Committee for a two-year term expiring August 31, 2005; and Reappointing Glenn Friendt, Jonathan Cook, and Ken Svoboda to the Railroad Transportation Safety District for one-year terms expiring August 31, 2004]* because these all deal with reappointments of Council could they call these up for Public Hearing all together. Council agreed that these items can be called all together.

City Clerk Joan Ross stated in regards to Item 37 [*Change of Zone 04008 - Amending Section 27.28.080 of the Lincoln Municipal Code to revise the parking requirements in the R-T Residential Transition District to allow parking lots closer than 20 feet to a residential district when abutting a non-residential use]* there's a Motion-To-Amend that they had requested.

Mr. Cook stated he has a question on Items 25 & 26 the Duane Hartman's items. He sees that they have something in their Directors' packet from the Liquor Commission saying that basically they consider their denial to be the thing they're acting on. So, he suppose if they change their minds today they will send them a different recommendation, otherwise, they've scheduled it based upon their previous denial. City Clerk Joan Ross stated that she would probably recertify their action regardless of what they do today, so that would reconfirm them. Mr. Werner commented the letter that they received wouldn't reflect the reconsideration. City Clerk Joan Ross commented that just sets the hearing for them on their previous denial. Mr. Cook commented so they're calling these items together. City Clerk Joan Ross replied 'yes'.

City Clerk Joan Ross stated that she handed out the 'Miscellaneous Referral Sheet' to Council, which is pretty routine. The Annual Report from the Law Department is just the yearly thing, nothing unusual.

Mr. Werner commented to Police Chief Casady that he doesn't remember, if he will make a presentation on that or not is this the time he comes before Council for their annual report. City Clerk Joan Ross replied 'no', she thinks that is in September. Police Chief Casady commented 'yes' the Local Law Enforcement Block Grants and they normally would do that in late September.

Allan Abbott stated to Mr. Werner if at all possible, he'd like to get an Emergency Resolution. Mr. Abbott stated they had a sanitary storm collapse all around Wedgewood Lake on Glenwood Circle repaired and unfortunately it didn't schedule itself with a Council Meeting, so he made the call that they would do an emergency repair. They've got the contractor out there working, but he's going to need their approval to make a payment, it was one of those deals that really didn't feel they should wait to get it done. So, if they could get the Resolution added some how to the Agenda today as an Emergency Resolution, he'd appreciate it. Mr. Abbott said the work will be done by the end of the week, but again they really didn't have a choice. City Clerk Joan Ross asked Dana Roper if they could add it to the 'Miscellaneous Referral' or how do they want to do it? Mr. Roper commented however the Council wants to do it, they'd have to waive the rules to put it on. Mr. Abbott stated the total cost is going to be about \$65,000 for the replacement of the sewer line. Council agreed that they would add the Emergency Resolution to their Agenda today. [Note: The Emergency Resolution was added to the 'Miscellaneous Referral'.]

III. CORRESPONDENCE

A. COUNCIL REQUESTS/CORRESPONDENCE

JONATHAN COOK

1. Request to Public Works & Utilities Department/Urban Development Department/LES - RE: C Street rehab, burying lines (RFI#111 - 3/24/04). — NO COMMENTS

ANNETTE McROY

1. Request to Public Works & Utilities Department/Lancaster County Engineering - RE: Future plans for NW 4th 48th Street (RFI#147 - 3/18/04) - **(Sent Corrected Copy out on 3/22/04). — 1.) SEE RESPONSE FROM RANDY HOSKINS, PUBLIC WORKS & UTILITIES DEPARTMENT RECEIVED ON RFI#147 - 3/26/04. — ANNETTE McROY ABSENT - NO COMMENTS**
2. Request to Public Works - Water – RE: Problem: Town Home with 1 water meter (RFI#148 - 4/07/04). — ANNETTE McROY ABSENT - NO COMMENTS

PATTE NEWMAN

1. Request to Larry Worth, StarTran/Allan Abbott, Public Works & Utilities Director - RE: Bus Service to Lux Middle School (RFI#19 - 3/17/04). — **1.) SEE RESPONSE FROM LARRY WORTH, STARTRAN RECEIVED ON RFI#19 - 3/24/04. – 2.) SEE RESPONSE FROM LARRY WORTH, STARTRAN RECEIVED ON RFI#19 - 4/08/04.** — Ms. Newman stated this RFI (#19) can be removed from the Agenda. Tammy Grammer stated to Ms. Newman okay.
2. Request to Ernie Castillo, Wynn Hjermstad, Marc Wullschleger, Urban Development Department/Terry Bundy, LES/Allan Abbott, Public Works & Utilities Director/Mike DeKalb, Marvin Krout, Planning Department/Lynn Johnson, Parks & Recreation Director - RE: Signs or banners identifying individual neighborhoods - (For Witherbee and Eastridge area) - (RFI#20 - 3/24/04). — NO COMMENTS

GLENN FRIENDT

1. Request to Allan Abbott, Public Works & Utilities Director - RE: Haymarket crosswalk - (RFI#29 - 3/29/04). — NO COMMENTS

B. DIRECTORS AND DEPARTMENT HEADS

FINANCE DEPARTMENT/CITY TREASURER

1. Material from Don Herz, Finance Director & Melinda J. Jones, City Treasurer - RE: Resolution & Finance Department Treasurer of Lincoln, Nebraska - Investments Purchased March 29, 2004 thru April 2, 2004. — NO COMMENTS

HEALTH

1. NEWS RELEASE - RE: Yes, Binge Drinking Is A Problem That Is Being Addressed In Our Community. — NO COMMENTS
2. NEWS RELEASE - RE: Festival Of Health Kicks Off National Public Health Week. — NO COMMENTS
3. NEWS RELEASE - RE: Board Of Health Award Winners Announced. — NO COMMENTS

PLANNING

1. Letter from Tom Cajka to Brian D. Carstens, Brian D. Carstens & Associates - RE: Tabitha New Community 5th Addition Final Plat #04007. — NO COMMENTS
2. Letter from Tom Cajka to Richard P. Onnen, EDC - RE: Vintage Heights 18th Addition Final Plat #03046. — NO COMMENTS
3. Annexation by Ordinance - Ordinance No. 18322 - Effective Date: March 30, 2004 - 61.3 Acres. — NO COMMENTS
4. Letter from Tom Cajka to Lyle Loth, ESP Inc. - RE: Hartland Homes SW 2nd Addition Final Plat #03071. — NO COMMENTS
5. Planning Department Newsletter - Issue #8 - April 2004. — NO COMMENTS
6. Letter from Tom Cajka to J.D. Burt, Design Associates - RE: Saline Plaza 2nd Addition Final Plat #04031. — NO COMMENTS

PUBLIC WORKS & UTILITIES DEPARTMENT

1. Public Works & Utilities ADVISORY - RE: The City's contractors, Hawkins and Lanoha Landscaping, will be starting work in the West "A" area on the viaduct project and the bike path on the Salt Creek project starting the week of April 5th. — NO COMMENTS
2. Letter from Allan Abbott to Old Mill Custom Woodworking; J & B Construction; & Marv Schwab, Ace Plumbing & Heating - RE: Public Works & LPD have been in previous contact with the businesses adjacent to the overpass at 1st & "H" Street, in response to the storing and placement of vehicles and materials under the Capital Parkway West overpass. — NO COMMENTS
3. Material - RE: Lincoln Wastewater System Capital Improvement Projects Status Update - (Material for the Pre-Council Meeting scheduled for 4/12/04 - RE: Treatment Plant Improvements on Trunk Sewer Lines). — NO COMMENTS
4. Public Works & Utilities ADVISORY - RE: South 14th Street Improvements - Old Cheney - Pine Lake - Project No. 701306. — NO COMMENTS

C. MISCELLANEOUS

1. Letter from the Nebraska Liquor Control Commission - RE: Hereby notified that a hearing will be held upon the application of "Coaches Sports Bar & Grill" on Friday, April 23, 2004 at 9:00 a.m. - due to denial. — Mr. Cook mentioned this letter earlier under "II. City Clerk". (See that discussion)

IV. DIRECTORS

FINANCE DEPARTMENT - Don Herz stated to Council that they issued both of their TIF Bonds last week and they got some good rates, one for the Lincoln Mall and the other for the Mega Plex. The Mega Plex was a \$5.5 million transaction and the Lincoln Mall was \$1 million, he thinks that went very well. The rate for the Lincoln Mall was relatively 5 years at 2.5% and the Mega Plex was about 10 years at about 4.4%, it was a taxable transaction.

[Mr. Cook went through the Directors' Addendum.]

ADDENDUM - (For April 12th)

I. MAYOR - NONE

II. CITY CLERK - NONE

III. CORRESPONDENCE

A. COUNCIL REQUESTS - NONE

B. DIRECTORS AND DEPARTMENT HEADS

CITY LAW DEPARTMENT

1. Inter-Department Communication from Rick Peo - RE: Whether E-Mails to City Council Members are Public Records. — Mr. Cook stated they'll discuss this memo at the "Noon" Meeting.

FINANCE DEPARTMENT/CITY TREASURER

1. Material from Don Herz, Finance Director & Melinda J. Jones, City Treasurer - RE: Resolution & Finance Department Treasurer of Lincoln, Nebraska - Investments Purchased April 5, 2004 thru April 9, 2004. — NO COMMENTS

PLANNING

1. Memo from Marvin Krout - RE: Comprehensive Plan Amendment No. 03007. — Marvin Krout went over the memo for Council.] [Copy of this memo is on file in the City Council Office.]

C. MISCELLANEOUS

1. 2 - E-Mail's: One from Jason Shank and one from Dave Shank - RE: Coaches Bar & Grill. — NO COMMENTS
2. Letter, as required in the CHE By-laws, from Christi Chaves, President of the Community Health Endowment (CHE) serving as notification to Council of a change in the by-laws of the Organization (See letter and adopted revision). — NO COMMENTS

3. Letter from Tom Duden, Human Resources and Building Manager, Design Data Corporation - RE: The expansion of roads and the rerouting of traffic patterns are choices in any community - Safety and the ensuing environmental impact are of primary concern, as well as the long-term dynamics, or ripple effects, which are often hard to envision - 14th Street and Old Cheney Road. — Mr. Cook stated that there's a public meeting on this issue tomorrow night. Allan Abbott replied 'right'. Mr. Abbott stated he has responded to Design Data and ITI, he signed a letter on Friday explaining to them, it's the traffic that's causing the intersection to be redone, it's not the intersection that's going to attract the traffic. The traffic is going to be there regardless and reminding them of the meeting, so he answered this letter already.
4. Faxed Letter from Gil Goldsmith, On Premise Sales Manager, Double Eagle Beverage - RE: Coaches Bar & Grill. — NO COMMENTS
5. 7 E-Mail's from David L. Turner, Sr; Sunni & Colby Harper; Kevin Hesson; James R. Joy; Amy Swearingen; Tim Svava; Sue Torrence; - RE: Coaches Bar & Grill. — NO COMMENTS
6. E-Mail from Mike & Deb Eckery - RE: Special assessment voting - The Lazy Acres Improvements. — NO COMMENTS

V. CITY COUNCIL MEMBERS

JON CAMP - ABSENT

ANNETTE McROY - ABSENT

PATTE NEWMAN - NO COMMENTS

JONATHAN COOK - NO COMMENTS

GLENN FRIENDT - NO COMMENTS

KEN SVOBODA - NO COMMENTS

TERRY WERNER - NO COMMENTS

VI. MEETING ADJOURNED - Approximately at 11:36 a.m.