

**DIRECTORS' MEETING
MONDAY, AUGUST 2, 2004 - 11:00 A.M.
CONFERENCE ROOM 113**

I. MAYOR

- *1. Washington Report - July 16, 2004.
- *2. NEWS RELEASE - RE: Mayor Presents Awards Of Excellence For May and June - (See Release)
- *3. E-Mail from Corrie Kielty/cc to Council - RE: Northeast Constituents Meeting - Thursday, July 22nd - (See E-Mail)
- 4. Washington Report - July 23, 2004.
- 5. Response E-Mail from Mayor Coleen Seng to Ed Schnabel - RE: Where has all the money gone? Second Request - (See E-Mail)
- 6. NEWS ADVISORY - Mayor Seng and the Health Care for the Homeless Task Force will release a set of recommendations at a News Conference at 10:00 a.m. Thursday, July 29th at the Fresh Start Home at 2323 "F" Street. (Council Notified by e-mail on 07-28-04)
- 7. NEWS RELEASE - RE: Report Addresses Health Care for Homeless. News Release lists Seven Recommendations for the community to improve health care for homeless people in Lincoln.

II. CITY CLERK

- 1. Letter from City Clerk forwarding "Questionnaire" to Council Members. (See Attached Letter from Jacob Kahler)

III. CORRESPONDENCE

A. COUNCIL REQUESTS/CORRESPONDENCE

PATTE NEWMAN

- 1. **OUTSTANDING Request to Ernie Castillo, Wynn Hjermsstad, 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). — 1.) SEE RESPONSE FROM TERRY BUNDY, LES RECEIVED ON RFI#20 - 4/12/04.**

2. **OUTSTANDING Request to Nicole Fleck-Tooze, Dennis Bartels, Allan Abbott, Public Works/ Tonya Skinner, Dana Roper, City Law Dept./Marvin Krout, Planning - RE: A resident of the Easthart Neighborhood a problem they had in their development - the commons area between 78th St. & Maxey School - (RFI#21- 4/29/04). — 1.) SEE RESPONSE FROM DENNIS BARTELS, PUBLIC WORKS & UTILITIES DEPARTMENT RECEIVED ON RFI#21 - 5/24/04. – 2.) Response from Dennis Bartels, PW received on RFI#21 - 06/04/04 (Same response as 1.) – 3.) SEE RESPONSE FROM TONYA SKINNER, CITY LAW DEPARTMENT RECEIVED ON RFI#21 - 7/14/04.**
3. **OUTSTANDING Request to Allan Abbott, Public Works & Utilities Director/ Dana Roper, City Law Department - RE: The Infrastructure Financing Meeting on 5/18/04 - subject of wheel tax was raised (RFI#24 - 5/19/04). — 1.) SEE RESPONSE FROM MARGARET BLATCHFORD, CITY LAW DEPARTMENT RECEIVED ON RFI#24 - 7/19/04.**
4. **OUTSTANDING Request to Marc Wullschleger (UD)// Kit Boesch (Human Services) // Dana Roper (Law) RE: A concern that College Students may be usurping Low-Income Public Housing from the Poor. (RFI #25 - 06-23-04). — 1.) SEE RESPONSE FROM KIT BOESCH, HUMAN SERVICES ADMINISTRATOR RECEIVED ON RFI#25 - 7/02/04. — [NOTE: Response from Marc Wullschleger, Urban Development Director to RFI#25 received on 7/16/04 - RE: College Students Usurping Low Income Public Housing from the Poor -Response listed on the Directors' Addendum for 7/19/04.] SEE RESPONSE FROM JOEL D. PEDERSEN, LAW DEPT ON RFI #25 - RECEIVED 07-26-04)**

TERRY WERNER

1. **OUTSTANDING Request to PW/Planning - RE: Inquiry from Jay Petersen on Kajan Drive - Public or Private Roadway, plus Surface Rehabilitation Process (RFI #130- 6-15-04).**
2. **OUTSTANDING Request to Vince Mejer, Purchasing Agent - RE: Notice to Bidders #04-110 – Television Equipment (RFI#132 - 6/16/04).**
3. **OUTSTANDING Request to Marvin Krout, Planning Director - RE: Opening Fletcher Avenue to 14th Street (RFI#133 - 6/16/04). — 1.) SEE RESPONSE FROM DENNIS BARTELS, PUBLIC WORKS & UTILITIES DEPARTMENT RECEIVED ON RFI#133 - 7/01/04.**
4. **Request to Allan Abbott, Public Works & Utilities Director/Larry Worth, StarTran - RE: HandiVan Service to Coaches, 640 W. Prospector Ct. (RFI#134 - 6/21/04). — 1.) SEE RESPONSE FROM LARRY WORTH, STARTRAN RECEIVED ON RFI#134 -6/24/04.**

GLENN FRIENDT

1. OUTSTANDING Request to **Lynn Johnson, Parks & Rec. Director** - RE: South Salt Creek Community Organization concerns (RFI#33-5/25/04).
2. Request to Don Herz, Finance Director/Dana Roper, City Attorney - RE: Constituent inquiry regarding the proposed bond issue (RFI#34 - 7/13/04). — **1.) RESPONSE FROM DON HERZ, FINANCE DIRECTOR RECEIVED ON RFI#34-7/19/04. -(Council received their copies of this RFI Response #34 at the Pre-Council Meeting regarding Council Deliberations on Mayor's Recommended Budget scheduled at 9:00 a.m. on June 19th). SEE RESPONSE FROM DANA ROPER, CITY ATTORNEY ON RFI #34 - RECEIVED 07/26/04**
3. Request to Don Herz, Finance Director/Steve Hubka, City Budget Officer - RE: Fire Equipment Lease-Purchase (RFI#35 - 7/19/04). — **1.) SEE RESPONSE FROM DON HERZ, FINANCE DIRECTOR RECEIVED ON RFI#35 - 7/22/04.**
4. Request to Allan Abbott, Public Works, - RE: Accident Data on Intersection of W. Van Dorn and South Coddington for 5-year period. (RFI #36 - 07-28-04)

JONATHAN COOK

1. OUTSTANDING Request to **Weed Control/Public Works & Utilities Department/ Parks & Recreation Department** - RE: Maintaining of ROW along W Van Dorn - (RFI#114 - 6/14/04).

JON CAMP

- *1. E-Mail from Mike & Carol Laughlin to Jon Camp - RE: Matching bike trails funding - (See E-Mail)
2. E-Mail from Julie Sipp to Jon Camp - Opposed to 100% Smoking Ban
3. E-Mail from Jan Karst w/Response from Jon Camp RE: Smoking Ban and the Lodging Industry.
4. E-Mail from Diane Gonzolas w/Response from Jon Camp - RE: Budget Changes, Inserts & Notifications.
5. E-Mail from David H. Van Winkle w/Response from Jon Camp RE: Favoring re-consideration of “blanket” ban under the Smoking Regulation Act
6. 2 E-Mails to Jon Camp RE: Budget Concerns involving the Purchase of Fire Equipment

B. DIRECTORS AND DEPARTMENT HEADS

COUNTY COMMISSIONERS

- *1. Memo from Cori Beattie to City Clerk Joan Ross & County Clerk Bruce Medcalf - RE: Agenda Item - JBC Recommendations - (See Memo)

FINANCE DEPARTMENT:

- 1.. Response to Informal Request of Glenn Friendt with question concerning the lease-purchase of fire engines as outlined in a Memo from Mike Spadt dated January 14, 2004.

CITY TREASURER

- *1. Material from Don Herz, Finance Director & Melinda J. Jones, City Treasurer - RE: Resolution & Finance Department Treasurer of Lincoln, Nebraska - Investments Purchased July 12, 2004 thru July 16, 2004.

BUDGET OFFICE

- 1. Packet from the Budget Office of Departmental Responses to Council's Proposed Budget Cuts

FIRE

- 2. E-Mail from Fire Chief Mike Spadt in response to Jon Camp's request for written copies of specific recommendations for the proposed purchase of Fire Equipment.
- 3. E-Mail from Fire Chief Mike Spadt to Jon Camp - RE: Follow-up information to above e-mail.

LIBRARY

- *1. NEWS RELEASE - RE: Library Updates Internet Policy - Filtered Internet Access Available - (See Release)

LINCOLN-LANCASTER COUNTY EMERGENCY MANAGEMENT

- *1. NEWS RELEASE - RE: More Disaster Cleanup Volunteers Needed This Weekend - (See Release)

PLANNING

- *1. Annexation by Ordinance - Effective: June 29, 2004 - Ordinance No. 18377 - 24.8 Acres.
- *2. Annexation by Ordinance - Ordinance No. 18388 - Effective: July 6, 2004 - 4.0 Acres.

- *3. Annexation by Ordinance - Ordinance No. 18391 - Effective: July 13, 2004 - 91.7 Acres.
- *4. Annexation by Ordinance - Ordinance No. 18393 - Effective: July 13, 2004 - 60.2 Acres.
- *5. Letter from Becky Horner to Mike Johnson, Olsson Associates - RE: Northern Lights 14th Addition Final Plat #04041.
- *6. Response E-Mail from Brian Will to Patte Newman - RE: Risky's bar - (See E-Mail)
- 7. Letter from Planning Dept to Lyle Loth RE: Vavrina Meadows 19th Addition Final Plat #04050
- 8. Letter from Planning Dept. to Terry Rothanzl RE: Edenton North 13th Addition - Final Plat #04048

PUBLIC WORKS & UTILITIES DEPARTMENT

- *1. Letter from Allan Abbott to Danny Walker, President, South Salt Creek Community Organization - RE: The sanitary sewer project along 4th Street - (See Letter)
- *2. Memo & Material from Steve Masters - RE: Salt Valley Relief Trunk Project - (Phase IIb & IIIa) (See Material)

URBAN DEVELOPMENT DEPARTMENT

- *1. REPORT - RE: The North 48th Street/University Place Redevelopment Plan - A Neighborhood Revitalization and Transportation Analysis - adopted by City Council on 6/7/04. - (Report on file in the City Council Office)
- 2. Memo from Marc Wullschleger - RE: Redevelopment of 24th to 25th, O to P Block - (See Memo)

WEED CONTROL AUTHORITY

- *1. Combined Weed Program - City of Lincoln - June 2004 Monthly Report.

C. MISCELLANEOUS

- *1. Letter from Paul L. Sweene, Mid Atlantic Rep. - RE: Our company has submitted a proposal to city government to purchase all ATV's and dirt bikes held at the city impound - (See Letter)
- *2. E-Mail from Marco Wagner with response from Joan Ray - RE: Greetings from Germany - (See E-Mail)

- *3. E-Mail from David Draus - RE: Please oppose cutting the monies to connect the downtown bike trail - (See E-Mail)
- *4. E-Mail from Keyy Soden - RE: Parks & Recreation Capital Improvement Budget Cut - (See E-Mail)
- *5. E-Mail from Ed Schnabel - RE: Would like to have an answer to my question I sent in three weeks ago, "Where has all the money gone? - (Council received copies of this E-Mail on 7/19/04 during Council Meeting)(See E-Mail)
- *6. E-Mail from Mike Fitzgerald, President, Witherbee Neighborhood Association - RE: Would appreciate your assistance in assuring that park space lost to the Health Dept. expansion in Woods Park is not lost from the general central Lincoln area - (See E-Mail)
- *7. E-Mail from Tim Harris - RE: Proposed P& R Improvement Budget Cut - (See E-Mail)
- *8. 2 Faxed Letters from Steve Pella, Aquila, Vice President, Nebraska Operations to Mayor Coleen Seng and Mark Bowen - RE: Today (July 19, 2004) Aquila announced that it has reached agreement with insurers and is initiating the process to terminate two prepaid natural gas supply contracts that Aquila Merchant Services had entered into with the American Public Energy Agency (APEA) based in Lincoln - (letters are the same, addressed to two different people) (See Letters)
- *9. Letter from Michael James, President, Woods Park Neighborhood Association - RE: Due to the expansion of the Health Department into Woods Park, valuable heart of the city, park land is being lost - brought to our attention that there is vacant land for sale in the adjoining neighborhood, strongly support the purchase of the property at Randolph Square - (See Letter)
- *10. E-Mail from Craig Hoffman - RE: The recent validation of Petition Signatures on smoking ban - (See E-Mail)
- *11. E-Mail from Mark A. Hesser, Pinnacle Bank-Lincoln - RE: \$75 million dollar bond issue and special election - thank-you all for your support - (See E-Mail)
- *12. Letter from Hobert B. Rupe, Executive Director, State of Nebraska Liquor Control Commission to Simera Reynolds, State Executive Director, MADD - RE: To reiterate the Commissions' current position-Requesting legislative changes to Neb. Rev. Stat., Sec. 53-132 are being considered by the Commission. As of yet, no draft is completed.- (See Letter)
- *13. Letter & Material from Dale Michels, MD, EMS, Inc. Board President - RE: Writing on behalf of the EMS, Inc. Board of Directors in reference to Lincoln Fire and Rescue's request to increase their ambulance rates - (See Material)

- *14. Letter & Resolution from Larry D. Maresh, Deputy Director for Administration, Lincoln Airport Authority - RE: Resolution No. 452 stating that no tax levy should be made for airport purposes for the fiscal year beginning July 1, 2004 - (See Material)
- *15. E-Mail from Karl J. Zinnecker - RE: Bike Trails Need More \$\$ Not Less - (See E-Mail)
- *16. E-Mail from Joan Miller - RE: Keep Lincoln smoke free! - (See E-Mail)
- 17. E-Mail from Karin Fuog - RE: Strongly urge the Lincoln City Council to fund the proposed StarTran booster routes between Lux Middle School and neighborhoods south and east of the school. - (See E-Mail)
- 18. Letter from Mona Reed - RE: I 100% agree with the no-smoking ban in the public buildings - (See Letter)
- 19. E-Mail from Gregg Culver - RE: Favor Smoking Ban - (See E-Mail)
- 20. Letter from Stuart Long, Chair of Meeting Place, Inc. - RE: Smoking ban - supports separate smoking rooms.
- 21. Letter from John Schomerus RE: Taxpayers payment of security for Neo-Nazi demonstration (Opposed); Taxpayer payment of security for Vice-President of United States (Opposed); \$75 Million Bond issue w/Special Election expenses (Opposed) - Response Requested.
- 22. Letter to Mayor and Council from Community Mental Health Center RE: Upcoming discussions and proposed action with regard to Bus Passes for low-income Lincolnites.
- 23. E-Mail from Jim Chambers RE: Community Planning and Development
- 24. E-Mail from Jill Rankin - Re: Thanks for passing smoking ban - Opposes any changes to the currently passed ordinance.

IV. DIRECTORS

V. CITY COUNCIL MEMBERS

VI. ADJOURNMENT

***HELD OVER FROM JULY 26, 2004.**

Washington Report

Vol. 10 No. 21
July 23, 2004

City of Lincoln - Washington Office

RECEIVED
JUL 23 2004
CITY COUNCIL
OFFICE

Congress Pauses for Six-Week Recess

INSIDE

Transportation	1
Telecommunications	2
Housing	3
EPA Budget	3
Endangered Species	3
Water Infrastructure	4
Homeland Security	4

Transportation

Transportation conferees consider House and Senate offers on highway, transit bill. House panel approves FY 2005 DOT funding. After a week filled with offers and counteroffers by lawmakers tasked to write the six-year surface transportation bill, the House-Senate conference committee on the federal transportation programs reauthorization (TEA-21) adjourned until after the August recess with the final price tag of the measure still uncertain.

Frustrated by the inability of House conferees to determine a total funding level for the bill, Senate Environment and Public Works Committee Chairman James Inhofe (R-OK) presented to the panel a proposal on Tuesday that would split the difference between the \$284 billion House bill and the Senate's \$318 billion bill. Inhofe's proposal would authorize \$301 billion in highway and transit spending through FY 2009. To reach the \$301 billion figure, Inhofe proposes lowering the minimum guarantee to states for their contributions to the Highway Trust Fund from 95 percent, as written in the Senate bill, to 94 percent. Under existing law, states receive a minimum return of 90.5 percent.

In closing the meeting, Inhofe told conferees that while time was running short on producing a bill during this legislative year, writing a one year extension of existing law was not the answer. Inhofe also remarked that such an extension would not provide for proposed environmental reforms, safety improvements and new programs, such as the Safe Routes to School program, which were included in the House and Senate bills. Conferees were instructed to review the proposal and told they would meet again on Thursday.

Conferees met for the fourth time on Thursday and were immediately greeted by a counteroffer from House Ways and Means Committee Chairman Bill Thomas (R-CA) which would

authorize \$284 billion in guaranteed spending and \$299 billion in contract authority. Thomas commented that while he thought with funding level was "not adequate" it would be a level the President would support if it adhered to his "principles." The White House had previously threatened to veto any bill that exceeded its \$256 billion proposal. Inhofe commented that Senate Conferees would be unlikely to vote for the House proposal; however, he would instruct his staff to review it over the August recess to see if it could be "enhanced."

Given the inability of the Conference Committee to write a final version of the reauthorization bill before the current temporary extension expires on July 31 and with the adjournment for the August recess just hours away, both chambers passed a fifth extension of existing law late last night. The extension will provide funding through September 24 for the highway program and through September 30 for transit programs. House members originally tried to include \$2.2 billion in the extension for Members' projects included in the House reauthorization bill, but the Senate insisted that it would only approve a clean extension.

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**DUE TO THE
CONGRESSIONAL RECESS,
THE NEXT WASHINGTON
REPORT WILL BE SENT ON
SEPTEMBER 10, 2004**

In related news, the House Appropriations Committee this week approved the FY 2005 Department of Transportation Appropriations bill. The measure would provide \$60.1 billion for the Department, including \$34.6 billion for highways and \$7.3 billion for the transit program. Transportation-Treasury Subcommittee

Chairman Ernest Istook (R-OK) pledged to secure additional funding for the highway program, which is already \$1 billion more than the President's request and the FY 2004 enacted level, before the bill reaches the House Floor.

While the highway program received favorable consideration by Chairman Istook, the transit program and Amtrak did not do as well. The New Starts Program, which provides funding for new fixed rail transit projects, would see a \$300 million reduction over FY 2004 enacted levels and \$500 million less than the Administration's request. Transit formula grants would receive \$767.8 million, an increase of about \$4.5 million over FY 2004 levels, while bus and bus facility grants would receive \$607 million, down \$70 million from FY 2004.

The bill would also provide \$900 million (actually \$800 million, as the Committee also requires the railroad to repay a \$100 million loan) for Amtrak, identical to the White House's request and \$325 million less than FY 2004 levels. Officials within Amtrak have commented that the national rail system will have to cut service unless it receives its requested \$1.8 billion amount.

The spending bill would also provide \$14 billion for the Federal Aviation Administration (FAA) including \$3.5 billion for the Airport Improvement Program and \$102 million for the Essential Air Service program. Both amounts are in line with the Administration's budget request.

With the exception of the FAA and New Start sections of the bill, there are no Member projects ("earmarks") in the House DOT bill at this time. However, projects are expected to be added in a House-Senate conference committee on the bill or during the process of developing an "omnibus" measure including a number of FY 2005 spending bills.

It is anticipated that the spending bill will be on the House floor when members return from the August recess.

Telecommunications

Senate panel approves amended VOIP bill after spirited debate. The Senate Commerce Committee approved legislation (S 2281) this week that would preempt state and local regulation of Voice Over Internet Protocol (VOIP). The Committee approved a substitute amendment offered by bill sponsor John Sununu (R-NH) and Senators Maria Cantwell (D-WA) and Ted Stevens (R-AK). Though Sununu claims the amendment addresses most of the concerns of state and local governments and limits the preemption of state and local authority to three years, many Committee members remain unconvinced and the divided Committee approved the bill by a vote of 13-9.

As introduced, S 2881 would have precluded all state and local regulation of VOIP, directly threatening a wide array of consumer protection, universal service and public safety laws and regulations and posing a major threat to state and local revenues related to revenue collected from telecommunications providers for use of public rights-of-way as well as sales and other sales taxes collected from telecommunications providers.

According to Sununu, the substitute approved by the Committee would allow laws and regulations related to consumer protection and universal service, would allow state and local taxation of VOIP and would allow for law enforcement access to VOIP lines for criminal investigations. Sununu also claims that the substitute contains language clarifying that the preemption applies only to VOIP providers and not to traditional telecommunications providers who may use the Internet for a portion of their telephone service, which Sununu dubbed "VOIP in the middle."

Despite Sununu's claims, several Senators argued vehemently against the substitute, saying that it would create two levels of regulation for VOIP and traditional telephone service and skew the market in favor of VOIP. They also argued that even in its revised form, S 2281 is a major attack

on state and local rights that threatens a carefully constructed regulatory regimen that assures a relatively level playing field between providers and provides important consumer and universal service protections.

Despite the vehement opposition of Sununu and Stevens, the Committee approved an amendment offered by that would require VOIP providers to comply with state regulations requiring that they compensate telecommunications providers for the use of their networks and with state universal service requirements.

The Committee also approved, again against the wishes of Sununu and Stevens, an amendment that would require VOIP providers to comply with all state and local E-911 requirements. Sununu hotly argued that the voluntary E-911 system being set up by the industry and endorsed by his original bill adequately addresses this issue.

Given the divisions in the Commerce Committee on this issue and the tight schedule facing the Senate leadership when Congress reconvenes on September 6 for a four-week sprint to consider "must pass" legislation, it appears unlikely that the full Senate will consider S 2281. However, the bill remains a threat and there will be many more like it are expected in the next Congress.

In addition, similar legislation (HR 4129) has been introduced in the House and may be considered when Congress returns in September. Sununu predicts that the House will clear the bill without making changes and remains confident that a pure version of the legislation will eventually reach the President's desk.

Housing

House panel grapples with FY 2005 HUD budget. The House Appropriations Committee cleared its FY 2005 HUD spending bill this week, but floor action will have to wait until September. The committee was forced to reduce funds for most programs within the bill (the measure covers the Veterans' Administration, EPA, and NASA, and a host of smaller agencies in addition to HUD) in order to stay within President Bush's tight spending caps while also providing an additional \$1.2 billion for veterans' health care.

The only other program in the bill to receive an increase of any significance was the HUD Section 8 program. The panel recommended that all expiring Section 8 contracts be renewed at a cost of \$18.6 billion, a figure that constitutes almost half of the suggested \$37.7 billion for the entire agency. As a result of the \$850 million increase for Section 8, most other HUD programs would experience at least a four percent decrease in FY 2005. Funding recommendations for selected programs include (with FY 2004 levels in parentheses):

- ▶ \$4.305 billion for the CDBG formula grants (-\$26 million)
- ▶ \$1.9 billion for the HOME program (-\$100 million)
- ▶ \$3.4 billion for public housing operating subsidies (-\$179 million)
- ▶ \$2.58 for public housing capital improvements (-\$116 million)
- ▶ \$143 million for the HOPE VI program (-\$6 million)
- ▶ \$1.2 billion for homeless assistance (-\$60 million)
- ▶ \$282 million for Housing for Persons with AIDS (-\$13 million)
- ▶ \$741 million for Section 202

elderly housing assistance (-\$48 million)

- ▶ \$238 million for Section 811 disabled housing assistance (-\$16 million)
- ▶ \$24 million for Brownfields redevelopment (-\$1 million)
- ▶ \$14 million for Round II Empowerment Zones (-\$1 million)

Both the EPA and NASA budgets were also subject to reductions in this bill, and House members sensitive to those department's constituencies decried the cuts. Most significantly, House Majority Leader Tom DeLay (R-TX), whose suburban Houston district is home to a number of NASA employees, implied that the bill would not be considered on the House floor until sufficient funds for NASA were included. Although the House may take up the FY 2005 VA, HUD spending bill early in September when the congressional summer recess ends, it is almost certain to be combined with a number of other unfinished appropriations bill into an "omnibus" spending measure in the Senate.

EPA Budget

House panel slashes funding for clean water revolving loan fund. The House Appropriations Committee cleared its version of the FY 2005 Environmental Protection Agency budget this week, recommending \$613 million less for the agency than its FY 2004 level. EPA funding is included in the VA, HUD, and Independent Agencies appropriations bill, which also includes funding for NASA.

Bearing the large brunt of the cut at EPA was the clean water state revolving loan fund (SRF), which was funded at \$850 million, a whopping \$492 million reduction from FY 2004 levels. The committee was kinder to its counterpart, the safe drinking water SRF, recommending the same level as its FY 2004 funding, \$845 million. The Superfund program was also provided level

funding in FY 2005 at \$1.3 billion, as did Brownfields remediation grants at \$120 million.

Other programs of interest:

- ▶ \$123 million for Brownfields grants (- \$48 million)
- ▶ \$1.16 billion for state environmental program grants (- \$40 million)
- ▶ \$74 million for the Leaking Underground Storage Fund (- \$1.5 million)
- ▶ \$228 million for State and local air quality assistance (+ \$1.3 million)

Like other programs in the VA, HUD bill, the EPA cuts were used to offset an increase of \$1.2 billion for veterans' health care in the bill. Sponsors hope to consider the bill on the House floor in September, but it is a strong candidate to be included with a number of other FY 2005 measures in an "omnibus" appropriations bill and is not likely to be considered on its own in the Senate.

Endangered Species

House committee approves changes to the Endangered Species Act. The House Resources Committee approved legislation (HR 2933; HR 1662) this week that would address some controversial provisions of the federal Endangered Species Act (ESA).

HR 2933 would give the Interior Secretary more flexibility in the critical habitat designation process under ESA, and would exclude land that is involved in any other federal, state or local habitat conservation plan from critical habitat consideration. According to bill sponsors, the legislation also gives more weight to landowners and state and local governments in the decision making process. ESA's critical habitat requirements have been a source of contention and lawsuits for years in that the Act mandates that a critical habitat be designated for virtually all federally listed species. Environmental groups maintain

habitat is crucial for species health and have frequently sued the Interior Department to force the designations.

HR 1662 would require the Interior Department to give greater weight to field-tested and peer-reviewed data before listing a species under ESA. The legislation would require federal agencies to gather more information before writing a recovery plan for each proposed species, set minimum standards for scientific or commercial data, and give greater weight to field work that has been peer-reviewed. The measure also mandates consultation with a state's governor. Opponents criticized HR 1662 as adding a political element to the designation process that would result in significant delays in listings.

While the prospects of these bills being approved this year are slim, particularly given expected opposition in the Senate, their journey out of the Resources Committee represents a victory for a number of Members -- predominantly Republicans from districts with large parcels of federal land -- who are eager for ESA reform.

Water Infrastructure

House panel approves measure for sewer overflows. The House Transportation and Infrastructure Committee approved legislation (HR 784) that would authorize \$1.5 billion over five years to aid communities in controlling sewer overflows through upgrades to sewer and wastewater systems.

Bill sponsors noted that over 1,260 gallons of discharge leak every year from combined sewer overflows and sanitary sewer overflows. The bill would authorize EPA to provide local governments with grants totaling \$250 million annually between FY 2005 and 2010 to finance plans, designs, and construction of treatment works in order to reduce overflows of sewer systems. Eligible infrastructure projects would be similar to projects funded through the state revolving funds.

While there is considerable support in the Senate for water infrastructure improvements, there is no companion measure to HR 784 in that chamber. Sponsors hope that the House will consider the bill on the floor in September.

Homeland Security

9/11 Commission report finds first responders in New York lacked standard operating procedures and had inadequate communications equipment. In its report released yesterday, the National Commission on Terrorist Attacks Upon the United States, commonly known as the 9/11 Commission, finds that a lack of standard operating procedures and inadequate communications equipment greatly hampered emergency response to the attacks on the World Trade Center and likely increased casualties from that event.

Among the Commission's specific findings:

- The New York City 9-1-1 system was not adequately integrated into the emergency response system, hampering communications between police officers and firefighters and those trapped in the buildings and preventing emergency personnel from receiving accurate and timely information.
- Limited radio capabilities hurt communications and coordination between units of the fire department and between the fire department, the police department and the Port Authority Police Department, resulting, for example, in a large congregation of firefighters at the Marriott Hotel where none were needed and a lack of firefighters and other emergency personnel at the South Tower, where they were desperately needed.

To address these deficiencies, which the Commission believes are not unique to

New York, the report recommends allocating homeland security assistance strictly according to need, with New York City and Washington at the top of the list. The report argues that although every city and state needs to have some minimum infrastructure for emergency response, "homeland security assistance should not remain a program for general revenue sharing. It should supplement state and local resources based on risks and vulnerabilities that merit support. Congress should not use this money as a pork barrel."

The report also recommends that all emergency responders nationwide should adopt the Incident Command System (ICS) and, where multiple agencies or multiple jurisdictions are involved in emergency response, they should adopt a unified command. In addition, echoing a long-ignored plea of local governments, the report urges Congress to quickly allocate an adequate portion of the radio spectrum for public safety use.

With Congress embarking on a six-week recess and facing a packed schedule in their four week sprint to the October 1 target adjournment date, it is unclear whether they will address these issues. However, several prominent senators are calling for swift congressional action on these recommendations.



Mayor@ci.lincoln.ne.u

To: EDS19495@aol.com

s

cc: council@ci.lincoln.ne.us

Sent by:
MBowen@ci.lincoln.ne.u

Subject: Re: Where has all the money gone? Second request

s

07/23/2004 11:34 AM

RECEIVED
JUL 23 2004
CITY COUNCIL
OFFICE

July 23, 2004
Ed Schnabel
EDS19495@aol.com

Dear Mr. Schnabel:

I received your July 7 and July 19, 2004 emails.

The basic answer to your rhetorical question is that during the last 10-12 years the list of street projects has exceeded the annual funds that have been available. The previous solution was to delay street projects which began the backlog. At the same time projects were being delayed more projects were added, so the list of delayed projects always exceeded the amount of funds available. The lists of street projects of how the funds were spent can be found in the Capital Improvement Program (CIP) for each year.

It is good to keep in mind that the number of street lane miles in Lincoln has increased by 795 miles since 1990. The funds the city receives from the state gas tax distribution formula and the wheel tax did not increase enough to cover the additional projects and maintenance. As a result the City for the past few years has realized that there is a substantial list of projects that need to be caught up. In fact, the state currently collects about \$34 million in state gas taxes in Lincoln, but the City receives back only about \$9.5 million through the State gas tax distribution formula. That's about 29-cents back for every dollar of gas tax collected from Lincoln. We have tried for the last several years to convince the state legislature to either change the gas tax formula so that the City receives a larger return from the gas taxes we pay or adjust the funds in some other manner, but the Legislature has not acted on those ideas. We will continue to seek a more fair share of the funds from the state.

Your letter answered part of your question. The lack of enough funds is why projects like South 14th and some other streets that should have been widened earlier were delayed. To build and widen the roads before developments are approved means the City must have and spend the funds available before the new properties are added to the tax base. Lincoln has historically only widened the streets after the development has occurred. That is in part because the list of projects is longer than the funds available each year which has led to backlog. As with many things, accurate property tax assessments on new property typically lags behind the investment of the infrastructure for the developments.

You suggest the City should be looking ahead on street construction, water and sewer lines and question why the City doesn't do that. That is what the Infrastructure Finance Committee and the Streets, Roads and Trails Committee examined. The SRT proposed ways to help clear up the backlog of street projects and made recommendations on ways to finance projects so

they will be built more efficiently just ahead of new development, rather than behind the new developments. Again, to do that requires spending money earlier. On water and sewer while the City grew, the revenue to build those lines did not because rates for water and wastewater did not change for ten years. The City added 164 miles of water main lines and 160 miles of wastewater mains since 1990 without a rate change. They accomplished that by making changes to be more and more efficient. There aren't very many businesses that kept their price the same for ten years. The City is now to the point where major investments in the treatment plants will need to be made to accommodate future expansion of the city.

My comments that the city property tax rate that has gone down steadily since 1994 is a fact. In 1994 the city property tax rate was 51-cents. Today it is 29-cents per \$100 of assessed value. The amount of dollars collected has gone up because, as you recognize, the value of homes generally increases. If the value of homes had not increased, then property owners would have paid less property tax because the city property tax rate declined.

Based on the comment in your second email that you believe wider right of ways for streets should be purchased by the County and City years ahead of a project you should be supportive of the Streets, Roads and Trails Committee (SRT) recommendation to start a joint City-County program called Rural to Urban Transition Streets (RUTS) to do just that. I hope you will encourage the County Commission to be financially supportive of this proposal. You also wanted to know what street projects would be included for construction if the street bond issue is approved by the voters. A list of the major projects was shown in the July 20, 2004 Lincoln Journal Star. I have also attached a copy of that list.
(See attached file: StreetBondProjectList,07-22-2004.xls)

If you want to be considered for appointment to one of the many boards, commissions or committees within the City you will need to complete a Board Bank application form. This form is available online at the Mayor's page under the tab of "Committees & Task Forces" or you can send me your address and we will mail you an application. In the case of the SRT report, it was largely shaped by the opinion expressed at the Community Solutions meetings that were held last spring. Those meetings were advertised in the newspaper and on radio. In addition, road signs announced each meeting. More than 600 residents attended those meetings and participated in discussing the ideas. I hope you attended one of those meetings. There were very good discussions and residents provided a lot of advice and opinion.

It is rather busy here and I did not know you were on a time schedule for me to respond. I receive many letters and emails each day and it takes time to respond. Have a good day.

Sincerely,
Coleen J. Seng
Mayor of Lincoln

F:\FILES\MAYOR\2004,MayorSeng,Email\Schanbel,Ed,07-23-2004,StreetBond.wpd

EDS19495@aol.com

mayor@ci.lincoln.ne.us

07/19/2004 02:50
PM

money gone? Second request

To:

cc:

Subject: Where has all the

Mayor Seng,

Again I ask the question, "Where has all the money gone that should have been in the street and road building funds?"

I wrote you / your office a long message two to three ago and has of this date have yet to even received a note thanking me for my input to the Mayor's Office.

I have people coming into Lincoln and asking me how I like the Mayor and how she runs the city. How do you think I answer them, "Well, she does not care to answer questions of the citizens of the city. She only wants to here and talk to those who back her run for office, but does not care to talk with those who might want to question her direction she is taking the city."

I really would like to know where all this money has gone? I would much rather have the vote on the bonds be held in Nov. with the city taking the time to inform the public what will be done with the \$75 million dollars. What will be constructed, and WHEN.

I do not want any more money spent on the TRAILS, until the city explains where the money comes from to build and care for them? Why can the city spend so much money on the trails system and not repair the sidewalks that needed to be done years ago.

I have been saying for years that the city and county needed to buy the right-a-way years ahead of time. And get a wider right-a-way, so when you do start to build the road that there is room to build a nice six lane road that does. not one that looks like it was cobbled in.

Second Question, How does one get appoint to one of your citizen input groupgs, or appointed to a city advistory committee? I have lived in Lincoln for many years and am getting tired of the same old methods of doing things or lack of in put from the citizens on what THEY really think should be done and how it might be done.

I am looking foward to your note back to me.

Ed Schnabel
eds19495@aol.com

EDS19495@aol.com

council@ci.lincoln.ne.us
07/07/2004 10:08
AM

To:mayor@ci.lincoln.ne.us,

cc:EDS19495@aol.com
Subject: Where has all the money gone?

Mayor Seng,

I would really like to know, "Where has all the money gone?" I read that you and your staff saids that we are \$135 million dollars behind in street and road construction and need to past a \$75 million dollar bond issues to

start to address these needed road improvements.

Again, I have to ask, "Where has all the money gone?" When I drive around the city and see all these new developments, homes, shopping centers, churches, industrial sites, I have to ask, "Where has all the money gone?" Where has the taxes gone that these developers have paid in the way of fees for road improvement next to their developments? What has become of the money from the increase in taxes that should have come in from these developments?

Then I keep reading and hearing you said that taxes have not gone up. I should go back and see what my taxes were when I bought my home 30 years ago, just to see how much they really have increased. I know that my home has had its value raised many times over the years, thus, as you state, "Your taxes have not been raised," my taxes I pay should be next to nothing. As, if the taxes have not gone up, then as the my value has gone up my taxes paid should have gone down the same percentage.

Sorry to say that has not been the case. I years past, the value has gone up and the taxes have remained the same, thus a tax increase.

"Again, where has all the money gone?" The wheel and gas taxes keep going up, year after year, most were passed as a short term, one time tax. I can never recall a year when we had a press release stating that a given tax has now ended.

I would really like to know where the money has gone? Why haven't the streets been built as the new development were being built? I look at West South Street, West A Street, South 14th street, Adams, Holdredge, etc., why were these streets not built to 4 or 5 lanes before the developers were allowed to turn the land over for development.

South 14th street should have been built to the five lanes, completed, before the new high school was allowed to open, same goes for the new YMCA, Lib. and park.

I do not like to say it, but this has been on going for all the years I have lived in Lincoln, 50 years. I travel to other cities, see that they are building new roads to 4 or 5 lanes before the developers are allowed to open their new developments. Why doesn't Lincoln, why are we always 10 to 20 years behind the developers in getting the roads built? For some improvements we are over 30 to 40 years behind the developments.

Same goes for our water and waste water trunk lines. Why hasn't the city been looking ahead and seeing the needs to bring these systems on line before the developers move into these new areas?

I watch the council week after week approve new developments, talk about the need to pay for the roads and other improvements, the cost to be paid by the developers. But I do not see the roads that should have been built being built as these developments have been built. Again, where has these funds gone that should have been used for the roads around these new developments?

I hear the city said we cannot afford this and that, then we build a new ball park. The funds just happen to be there that were not there just the week before. Again, where did the money go, or in this case, where did it come from? No one has ever said how the city was able to give money for the new ball park a week after it (city) said it was going to have to cut projects from the city budget because the lack of funds to carry them out.

Now you tell me that I cannot vote on more than one issues at a time, thus will spend more funds to have a special election to vote on this bond issues. I see this as a total waste of money that could be better spent, like on sidewalk repair, etc.

I really would like you, Mayor Seng, tell me where the money has gone these past twenty years, as you have been Mayor or on the council? I would hope that you would answer these questions before you even think about having a bond issues for road construction. If I were a member of the press, I would be asking you this question at every meeting with the press or whenever you address the public.

I wish I had the time to attend the meetings and address you face to face on this question, just to get it out in front of the public. My friends all have the same question, "Where has the money gone?"

Well, "Where has it gone?"

I will be looking for you answer.

Sincerely,

Ed Schnabel



StreetBondProjectList,07-22-2004.

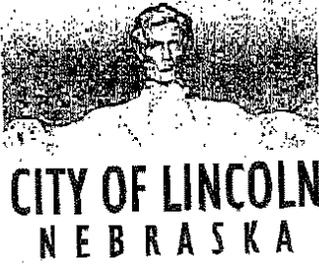
PROJECTS FOR \$75 MILLION GENERAL OBLIGATION BONDS

PROJECT DESCRIPTION

S. 27th St - Yankee Hill Rd to Beltway
S. 27th St -Pine Lake to Yankee Hill Rd
56th Street - Old Cheney Rd. to 1/4 mile north of Pine Lake Rd
Adams St. - 75th to 84th St.
Coddington St - 'A' St to Van Dorn
N. 14th St. - Superior to 1/4 mi. N/O Alvo
Old Cheney - 70th to 84th.
W. 'A' St. - 1/4 mi. W/O SW 40th to Coddington
31st - 'C' to Randolph
48th - Pioneer to Calvert
56th - Randolph to South
70th and Highway 2
98th - Old Cheney to Pine Lake Rd
A' - 63rd to Imperial
Alvo/Arbor - 14th to Telluride
Capital Parkway - 21st east (fiber optics)
Fletcher Ave. - Hwy 6 to 1/4 mi E/O 84th St.
Fletcher Avenue - 14th to Telluride Dr.
Highway 2 and Country Meadows
Holdredge - 33rd to 47th
'N' st. - 9th to Centennial Mall
NW 56th - Partridge to Adams
Peach St - 10th to 14th
Pine Lake Rd. - 56th St. to Highway 2
Pine Lake Road - 84th to east of 98th; S. 98th St.
north of Pine Lake Rd. to HWY #2.
Pioneers Blvd. - Antelope to Pagoda Lane
S. 56th St - 1/4 mi S/O Pine Lake to 1/4 mi.
S/O Yankee Hill
South Street - 8th to 17th
SW 40th - 'O' St to 'A' Street
Van Dorn - 33rd to 48th
W. Adams St. - NW 63rd to NW 48th & NW 56th, so. of Adams
RUTS City / County projects - 98th Street

List not inclusive or by priority order.

*** Under construction by 2007**



NEWS ADVISORY

MAYOR COLEEN J. SENG

lincoln.ne.gov

OFFICE OF THE MAYOR

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

DATE: July 28, 2004

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

Mayor Coleen J. Seng and the Health Care for the Homeless Task Force will release a set of recommendations at a news conference at **10 a.m. Thursday, July 29** at the **Fresh Start Home, 2323 "F" Street**. Fresh Start is south of Lincoln High, just off Randolph. Fresh Start has limited parking, but parking is also available in the Lincoln High lot.

RECEIVED

JUL 28 2004

CITY COUNCIL
OFFICE



NEWS RELEASE

MAYOR COLEEN J. SENG

RECEIVED

JUL 29 2004

CITY COUNCIL
OFFICE

lincoln.ne.gov

OFFICE OF THE MAYOR

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

FOR IMMEDIATE RELEASE: July 29, 2004

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

Steve Beal, Health Department, 441-8042

Captain Joy Citta, Police Department, 441-7751

Janet Coleman, Community Health Endowment, 489-1421

REPORT ADDRESSES HEALTH CARE FOR HOMELESS

The Mayor's Task Force on Health Care for the Homeless today released its report, including seven recommendations for the community to improve health care for homeless people in the community.

"Homeless people face many struggles each day to survive, and health care should not be one of those struggles," said Mayor Seng. "I am impressed with the work this task force completed in a short period of time. We are fortunate to have citizens and agencies who are committed to the health of every person in Lincoln."

Mayor Seng thanked the members of the task force and the chairs – Janet Coleman, Community Health Endowment Board of Trustees; Captain Joy Citta, Lincoln Police Department; and Steve Beal, Assistant Director, Lincoln-Lancaster County Health Department.

The seven recommendations are:

- To create a formalized health care system for the homeless that includes providers, eligibility verification, a co-payment assistance fund, preventive health and other services.
- To develop a case management network.
- To expand health outreach and advocacy services.
- To provide community support and local government assistance in looking at opportunities, including federal funding.
- To provide cross-training for health care and emergency services providers with homeless services providers.
- To develop stronger relationships between homeless services providers and the business sector.
- To encourage health care volunteers.

Mayor Seng appointed the task force last spring and outlined nine discussion questions for the 32 members. Those questions addressed health care accessibility and affordability for people who are homeless. The task force then gathered information and held extensive discussions to reach consensus on seven final recommendations.

Health Care for Homeless
July 29, 2004
Page Two

The recommendations are being provided to health care groups and health and human service funding agencies to assist in the development and implementation of a better health care system for people who are homeless. Last year, the Community Health Endowment (CHE) Board of Trustees decided to dedicate staff support and potential funding to this issue.

"Some of the recommendations are already being addressed," said Christy Chaves, President of the CHE Board of Trustees. "The Health Endowment is working with BryanLGH Health System and St. Elizabeth Regional Medical Center on a strategy to minimize the amount of emergency room care for health concerns that can be met in a local physician or clinic office. We trust that the task force's work will be an ongoing catalyst for creating a community health care system that is appropriate and accessible for persons with no place to call home."

The report of the Health Care for the Homeless Task Force will be available on the City Web site at lincoln.ne.gov and the CHE Web site at chelincoln.org.

July 14, 2004

RECEIVED

JUL 28 2004

CITY COUNCIL
OFFICE

Ms Joan Ross
City clerk
Room 103 City County Bldg.
555 South 10th St.
Lincoln, NE. 68508

Dear Ms. Ross

Please distribute the attached questionnaire to the honorable members of the City Council,
As per our phone conversation.

Thank you !



Jacob L. Kahler
5320 Heumann Dr.
Lincoln, NE. 68504-3315

FILED
CITY CLERK'S OFFICE
2004 JUL 15 A 11: 21
CITY OF LINCOLN
NEBRASKA

July 14, 2004

Honorable Members
Lincoln City Council
555 So. 10th St.
Lincoln, NE. 68508

RECEIVED
JUL 28 2004
CITY COUNCIL
OFFICE

Dear Sirs:

Along with the City and State sales taxes charged on our monthly utility bills we as consumers find a charge called franchise fees. These fees which I understand are charged to the Utility Companies by the City and State are passed on to the consumer. To whom are the Utility firms paying these fees, individual departments or general fund? How is the distribution allotment divided and to which departments are the fees distributed?

Are the collected fees, part of the annual City budget?

We occasionally hear about the distribution of sales taxes collected but never a mention of franchise fees.

My second item of concern is the Antelope creek project. How is this project being funded?

Where are the land acquisition funds, coming from?

If it is to be City funded, why is the city continuing to pursue the unnecessary, expensive, Antelope Creek project, while the City is in a state of financial difficulty? This is just uncovering an unsanitary mosquito hatchery (Ask any one who has participated in any sports at the old Munny field about the mosquito problem in the stagnant water of this creek. It does not have enough water flow to cleanse itself). Also the mosquito borne West Nile Virus has the entire country under siege so why increase our exposure by creating an additional mosquito hatch area?

Which department will absorb the expense of keeping the Creek banks from eroding, and keeping the creek banks from being overgrown with weeds? Which department will be absorbing the expense for the necessary daily trash pickup?

Where are the funds going to come from to build all the bridges that will be required for all the streets intersecting with this creek?

If this creek project falls under the heading of "City beautification" the powers to be should rethink this unnecessary project. I personally think prudent spending should nix this project post haste. Lincoln Nebraska will never be another San Antonio.

Respectfully,



Jacob L. Kahler
5320 Heumann Dr.
Lincoln, NE. 68504-3315

INTER-DEPARTMENT COMMUNICATION

RECEIVED

JUL 26 2004

CITY COUNCIL
OFFICE

TO Patte Newman **DATE** July 23, 2004
DEPARTMENT City Council **FROM** Joel D. Pedersen
ATTENTION **DEPARTMENT** City Law
COPIES TO **SUBJECT** RFI #25

Your request asked for a response to a newspaper article about affordable housing and the ability of the City to either track information or regulate in the area currently covered by a federal affordable housing program. This program is administered nationally by the Department of Housing and Urban Development (HUD) and is commonly called "Section 8" affordable housing. (See: Section Housing Act of 1937, Section 8(o), as amended, 42 U.S.C. 1437(o)).

According to the HUD website:

"Section 8" is an HUD program which provides rental payment assistance to qualifying tenants. To make rents affordable, Section 8 pays any rent which exceeds 30% of a tenants adjusted monthly income. For example, if your landlord charges \$500 per month for rent and you make \$1,000 per month, you would pay \$300 (30% of your monthly income) and Section 8 would pay \$200 (the difference between what you can afford and what your landlord charges).

The Section 8 program is overburdened and it is now difficult to get the subsidy. Many people wait for years to receive the subsidy.

To qualify for Section 8 you must be a low-income person (below 50% of the Area Median Income). The income limit for Lincoln is now listed as \$31,800 for a family of 4 based on median income in the area (\$63,600).

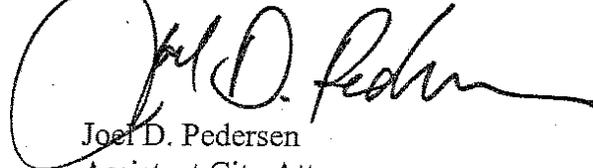
Source: <http://www.affordablehousingonline.com>

Certainly, there are students below that income threshold. It is not clear to me what distinction the article is making when referring to "middle class or affluent students." If students have misrepresented their income or are otherwise obtaining federal benefits by fraud, there are both civil and criminal penalties involved to prohibit that activity.

The City does not have legal authority to provide different qualifications or to place other eligibility restrictions on the Federal Section 8 program.

In addition, the City does not have direct access to program information, as the Lincoln Housing Authority, is the local agency that administers Section 8 housing in Lincoln. Moreover, federal law prohibits an agency from disclosing information regarding persons receiving public assistance unless it is provided to "a recipient who has provided the agency with advance adequate written assurance that the record will be used solely as a statistical research or reporting record, and the record is to be transferred in a form that is not individually identifiable." (See: 5 USCS § 552a (b)(5) (2004)). Finally, it does not appear the applicant's status as a student would be consistently tracked from the information provided to apply for the assistance as that information is not required to establish eligibility.

Sincerely,



Joel D. Pedersen
Assistant City Attorney

JDP/tb

INTER-DEPARTMENT COMMUNICATION

RECEIVED

JUL 26 2004

CITY COUNCIL
OFFICE

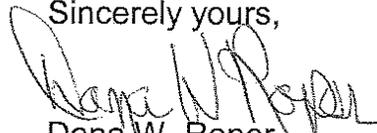
TO Glenn Friendt
DEPARTMENT City Council
ATTENTION
COPIES TO

DATE July 23, 2004
FROM Dana W. Roper
DEPARTMENT City Law
SUBJECT RFI #34

You have received an inquiry regarding the City's ability to provide an exemption for certain real estate with a lower valuation and secondly, to assess property owners progressively based on property value.

It is our opinion that neither would pass muster under the Nebraska State Constitution. The Constitution requires (1) "equality" and (2) "uniformity" in property taxation. Secondly, the City has no ability to exempt property from such taxation. Only the Unicameral may provide for such exemptions. The Homestead Exemption cited by the Finance Director would be an example of such a legislative exemption.

Sincerely yours,



Dana W. Roper
Chief Assistant City Attorney

DWR/tb



CAMPJON@aol.com

07/27/2004 09:04 AM

To: jray@ci.lincoln.ne.us (City Council)

cc:

Subject: Fwd: smoking ban

RECEIVED

JUL 27 2004

CITY COUNCIL
OFFICE

--

Jon Camp
Lincoln City Council
City Council Office: 441-8793
Constituent representative: Darrell Podany

----- Message from "Julie" <julie@midwest-insurance.net> on Thu, 1 Jul 2004 16:30:20 -0500 -----

To: <jcamp@ci.lincoln.ne.u

s>

Subject smoking ban

:

Dear Mr. Camp,

I am writing to ask you to reconsider your vote on the 100% smoking ban. This ban is a serious infringement on the rights of business owners as well as individuals. A person's business their own private property and each person should have the right to decide how to run their own business. Who are you to say what people can and can't do in their own establishments? You don't pay the bills. You don't work hard every day to make the business a successful establishment that runs smoothly and provides you income. I understand that you are trying to do what is right for the people of Lincoln but it shouldn't be done by taking away rights and freedom of choice from some of those people.

It should be each owner's choice as to how they would like to run their establishment and whether or not to permit smoking. If there are that many people who oppose smoking in a certain business then those people should express their concerns to the owner of the business and let the owner decide to ban smoking. Valentino's and Grasanti's both made the decision to go non smoking to appease their customers before the smoking ban was ever introduced. Doesn't this seem more logical and fair then to try and impose your views and opinions on the whole city?

"Discrimination is defined as treating one person [or group] unfairly over another according to factors unrelated to their ability or potential". (legaldefinitions.com) This is basically discrimination against smokers. And you allow it to happen in a country where discrimination is so frowned upon. Why are your views so correct because you are a non-smoker? Is it because smoking is bad for your health? Smoking is unhealthy, but it is each individual's choice as to what they put into their body. And as a non-smoker you can choose to sit in the non-smoking section or to go somewhere smoking is not allowed. There are many places in this city to go where smoking is not allowed by free choice of the business owner: Valentino's, Grasanti's, McDonalds, Wendy's, the Garden Café, Don & Millie's. Why do you need to make the whole city non-smoking to please one group of people when it is unfair to another group?

This ban will hurt the small businesses like bars and create a crowd control and littering problem. Many people are social smokers that only smoke when they drink. Now you will have people going in and out of the building to smoke. This is going to be a lot of people, especially downtown on O Street. That is if the people even go out anymore. Smaller bars that don't get the crowds the downtown bars do will probably go out of business. In fact, I believe someone tried a non-smoking bar downtown and it lasted only a few months before it had to become a smoking establishment. I have worked at a bar for five years now and about 90% of our customers are smokers and all of our employees are smokers. The owner is even a smoker. Now you are going to tell her that she can no longer smoke in her own business that she has worked hard and paid for. Is that fair to her?

What about the businesses that have already complied with the amendments of the last ban? Bob's Gridiron Grill built a whole separately ventilated smoking section and now they are out that money because you have decided to sneak a 100% smoking ban by the public. Personally I think that was a very underhanded thing to do.

Just because you are not a smoker does not mean you are right. People are supposed to have the freedom of choice and you have taken that away from business owners. Not just smokers, but people who work hard to run a successful business. Please give them back the freedom to make their own choices for their own business.

Sincerely,

Julie Sipp

1840 Rusty Lane

Lincoln, NE 68506



CAMPJON@aol.com

07/27/2004 08:22 AM

To: JBDJWK@aol.com

cc: jray@ci.lincoln.ne.us (City Council), dpodany@ci.lincoln.ne.us (Darrell Podany), droper@ci.lincoln.ne.us (City Attorney)

Subject: Re: Monday's Vote on Smoking Ban

Jan:

Regarding your questions:

1. The lodging facility 20% exemption has always been part of the smoking ban. The rationale lies with the convention traffic from other states. This also is left to the discretion of the lodging industry on how many rooms to designate as smoking.

2. Regarding the deletion of the "affirmative defense", I will have to defer to the City Attorney's office (I will copy them on this email).

Thank you for your correspondence.

Jon

--

Jon Camp
Lincoln City Council
City Council Office: 441-8793
Constituent representative: Darrell Podany

In a message dated 7/27/2004 3:33:19 AM Eastern Daylight Time, JBDJWK writes:

>Mr. Camp,

>

>Thank you for your response, and for your rationale on why you moved your position from having voted for the "60-40" compromise to the "100% ban."

>

>In reviewing the revised ban (as provided on the City's website), a couple of questions occurred to me: 1) Can you please tell me why 20% of hotel/lodging rooms in the city were exempted from the ban? and, 2) Why the "affirmative defense" option afforded proprietors under ordinance 04-123 [8.50.220, (c)(b)(1)(2)(3)] was removed in its entirety from the new ban? (page 7, lines 12-22)

>

>Thank you. (I am hoping that, in your next meeting, the Council will vote to return to the compromise ban passed last fall, saving the Council and the community the cost of putting it on a ballot.)

>

>Sincerely,

>

>Jan Karst

>

RECEIVED

JUL 27 2004

CITY COUNCIL
OFFICE



CAMPJON@aol.com

07/27/2004 08:35 AM

To: DGonzolas@lincoln.ne.gov, JCookcc@aol.com,
GFriendt@ci.lincoln.ne.us, AMcRoy@ci.lincoln.ne.us,
newman2003@neb.rr.com, KSvoboda@ci.lincoln.ne.us,
TWerner@ci.lincoln.ne.us
cc: jray@ci.lincoln.ne.us (City Council), dpodany@ci.lincoln.ne.us
Subject: Re: Council changes for budget insert

Diane:

Regarding the budget insert, I was a bit surprised that, for my part, your email was posted at 2:05:55 PM CDT with a requested response by the end of the day, which I assume meant 4:30 or 5:00 pm.

I do not have the luxury of monitoring the internet 24 hours a day. . .thus, I did not read your email until this weekend.

In the future, I would ask that my colleagues have the courtesy of sharing proposed publications of this magnitude with the rest of us, at least more than 2-3 hours before press time.

Thank you

Jon

--

Jon Camp
Lincoln City Council
City Council Office: 441-8793
Constituent representative: Darrell Podany

RECEIVED

JUL 27 2004

CITY COUNCIL
OFFICE

In a message dated 7/23/2004 3:05:55 PM Eastern Daylight Time, DGonzolas@lincoln.ne.gov writes:

>This is the copy submitted by Terry and Jonathan. Don Herz has reviewed.
>Symbols and spacing may change through the e-mail transfer. Let me know if
>you would like a faxed copy. The insert is scheduled to go to the printer
>by the end of the day today.

>

>Diane 441-7831

>

>CITY COUNCIL'S CHANGES TO MAYOR'S RECOMMENDED BUDGET

>

>The City Council's goal was to eliminate any non-voter-approved property
>tax increase while at the same time enhancing public safety by adding
>firefighters and police officers.

>

>Summary:

>City Council total cuts to general fund budget: \$2,077,100

>City Council total additions to general fund budget: \$737,600

>Non-voter-approved property tax increase before cuts: 3.8 percent

>Non-voter-approved property tax increase after cuts: 0.0 percent

>

>All changes are tentative pending the public hearing August 9.

>

>Major cuts:

>? Alternative irrigation source development

>? New Parks positions

>? Delay Star City Shores water slide replacement

>? Jamaica North Trail new equipment

>? Electricity and maintenance for traffic signals and street lights on
 >arterials (transferred to street fund)
 >? Two StarTran supervisors
 >? Pershing Auditorium subsidy
 >? Antelope Valley Trail development and administration (part
 >transferred to general obligation bond)
 >? Hard surface repairs and paving for Parks
 >? New Country View Park
 >
 >Major additions:
 >? Four firefighters
 >? Two police officers
 >? Restored Aging specialist
 >? Job training assistance
 >? StarTran bus drivers
 >? StarTran low-income bus passes
 >
 >Cut details:
 >All departments:
 >? Copying expenses - \$47,900
 >? Information services - \$83,100
 >? New computers - \$19,300
 >? Various small cuts combined - \$222,800
 >Finance:
 >? Replacement chairs - \$6,000
 >? Living wage enforcement consultant - \$20,000
 >City Council:
 >? Travel - \$3,000
 >Miscellaneous budgets:
 >? Contingency fund - \$50,000
 >? Data processing - \$50,000
 >? Minor building improvements - \$25,000
 >? Electricity for traffic signals and arterial street lights - \$208,000
 >(transferred to street fund)
 >? Maintenance of traffic signals and arterial street lights - \$150,000
 >(transferred to street fund)
 >? Pershing Auditorium renovation/subsidy - \$40,000
 >Parks and Recreation:
 >? Jamaica North Trail equipment and one new position - \$133,000
 >? New Parks coordinator - \$33,000
 >? New employees totaling 1.55 FTE - \$25,000
 >? Delay Star City Shores water slide replacement - \$250,000
 >? Alternative irrigation source development - \$87,000
 >? New Country View Park - \$50,000
 >? Hard surface repairs and paving - \$90,000
 >? Antelope Valley phase two channel trail development - \$95,000
 >(transferred to general obligation bond)
 >Public Works and Utilities:
 >? Wall panels and chairs - \$10,400
 >? Two traffic engineering positions, one new - \$102,900 (transferred to
 >street fund)
 >? Antelope Valley Project manager (part was previously in engineering
 >fund) - \$61,000 (transferred to street fund)
 >? Two StarTran supervisor positions - \$101,400
 >? StarTran Lux booster route - \$17,000
 >? Parking fund travel, video recorders, etc. - \$43,900
 >? Antelope Valley administration - \$110,000 (transferred to general
 >obligation bond)
 >
 >This list includes \$57,600 in cuts to non-general revenue funds.
 >

>Addition details:

>? Fire and Rescue: four firefighters - \$224,600
>? Police:
> ? two police officers - \$143,000
> ? one civilian support position - \$35,000
>? Aging: retain existing aging specialist - \$30,000
>? Miscellaneous: job training assistance program for low-income -
>\$20,000
>? Parks and Recreation: increased mowing of medians - \$25,000
>? Planning: Alternative transportation implementation - \$60,000
>? Public Works and Utilities:
> ? StarTran bus drivers - \$100,000
> ? bus passes for low-income riders - 100,000
>

>Other details:

>Public Works:

>? Sidewalks - transfer \$750,000 for three years from general obligation
>bond to street fund
>? Downtown bike lanes - include \$250,000 in general obligation bond for
>voter approval
>? Trail bridges - include \$1.5 million in general obligation bond for
>voter approval
>
>
>



CAMPJON@aol.com
07/27/2004 09:29 AM

To: dvanwinkle@neb.rr.com
cc: jray@ci.lincoln.ne.us (City Council)
Subject: Re: smoking law

RECEIVED
JUL 27 2004
CITY COUNCIL
OFFICE

David:

Thank you for your reflective email. At this point, with the success of the petition drive, I anticipate the voters will have an opportunity to express their wishes on the November ballot.

I do appreciate your comments and will share them with my colleagues. Please also forgive my tardy response, but the email volume has been enormous!

Jon

In a message dated 7/6/2004 6:33:49 PM Eastern Daylight Time, "David Van Winkle" <dvanwinkle@neb.rr.com> writes:

>Dear Council Members,

>

>As a citizen on Lincoln, I urge you to reconsider your decision to pass
>the Smoking Regulation Act. This kind of "blanket" ban is discriminative
>and a violation of smoker's (everyone's) rights. Furthermore, this kind
>of legislation sets precedence for similar regulation of the people's
>rights. Why don't you pass a law that regulates the use of vehicles with
>diesel engines within the city limits? Far more toxicity is exuded from
>such vehicles than all smokers combined. Even if they are running
>outdoors, we have no choice but to breathe in their toxic stench every
>day. Every day I have to follow a seemingly ordinary person like myself
>who for some reason needs a diesel pickup truck, and every day I have to
>roll up my windows and turn off my vents to keep the fumes from my lungs
>(which does no good anyway, since I succeed only in trapping the
>offensive stuff in the passenger compartment!). You won't ever regulate
>this, because you can find no moral grounds to do so (other than the
>destruction of the environment, but Lincoln couldn't possibly give two
>hoots about that right?! Not that morals should dictate law in the
>first place!

>

>I do agree that non-smokers also have rights, but by enforcing
>businesses to designate "smoking areas", non-smoker's rights are being
>duly addressed. If a business's clientele are vocal enough about their
>disapproval of the allowance of smoking within that business's domain,
>then it should be the business's decision ALONE to ban smoking within
>their premises. Government regulations of such matters assume that we
>are all too stupid to make decisions for ourselves, and "big brother"
>needs to step in to assert their dictatorial rulings to protect their
>"helpless" subjects. As a free human being, it is MY decision whether I
>choose to voice my complaints or not and MY decision to frequent an
>establishment or not. If I am a smoker or a non-smoker and a bar or
>restaurant does or doesn't allow smoking, then I can decide whether or
>not to stay or go someplace else. Why should any of you decide this for
>me? I am not a child, and neither are any of the registered voters in
>this or any other American city.

>

>Though I believe my efforts to be in vain, and my request fruitless, I
>still implore you to reply with some sort of acceptable justification
>for your decision that takes my preceding arguments into account. Please
>forward this to your fellow council members and their staff.

>

>Thank You,
>David H. Van Winkle
>
>

--
Jon Camp
Lincoln City Council
City Council Office: 441-8793
Constituent representative: Darrell Podany



CAMPJON@aol.com

07/27/2004 07:26 PM

To: jray@ci.lincoln.ne.us (City Council)

cc:

Subject: Fwd: New Fire Dept. Equipment

RECEIVED

JUL 28 2004

CITY COUNCIL
OFFICE

For Distribution.

----- Message from Rainwoodint@aol.com on Tue, 27 Jul 2004 11:50:36 EDT -----

To: pnewman@ci.lincoln.ne.us, jcamp@ci.lincoln.ne.us, jcook@ci.lincoln.ne.us,
amcroy@ci.lincoln.ne.us, gfriendt@ci.lincoln.ne.us, ksvoboda@ci.lincoln.ne.us

Subject New Fire Dept. Equipment

:

Council person,

A well known Democrat once said, " Ask not what your country can do for you, ask what you can do for your country." Chief Spadt has made a request for new equipment for the Fire Dept. Questions have been raised as to the affordability of this equipment at this time. I ask this question of you and Chief Spadt. In an effort to procur the needed equipment, would Chief Spadt and his firefighters be willing to accept less in the way of city funded benefits? Namely, health and dental insurance coverage. The City pays 98.5% for single coverage and 84% for 2/4 or family coverage on health insurance. The City pays 97.5% for single coverage and 85.5% for 2/4 or family coverage on dental insurance. I find it absolutely appalling that a great many Lincoln taxpayers are forced to pay for such benefits when they themselves can not afford even basic coverage for health insurance, much less dental insurance. We all have had to SACRIFICE at times to get what we want or need, the taxpayers have done their part. It is time that the various bargaining units recognize that it is now time for them to do their part. Please give this serious consideration.

Sincerely,
Steve Woltemath
2910 S. 27th St.
420-2875



CAMPJON@aol.com
07/27/2004 07:26 PM

To: jray@ci.lincoln.ne.us (City Council)
cc:
Subject: Fwd: New Fire Dept. Equipment

RECEIVED
JUL 28 2004
CITY COUNCIL
OFFICE

For Distribution.

----- Message from Rainwoodint@aol.com on Tue, 27 Jul 2004 11:50:36 EDT -----

To: pnwman@ci.lincoln.ne.us, jcamp@ci.lincoln.ne.us, jcook@ci.lincoln.ne.us,
amcroy@ci.lincoln.ne.us, gfriendt@ci.lincoln.ne.us, ksvoboda@ci.lincoln.ne.us

Subject New Fire Dept. Equipment

:

Council person,

A well known Democrat once said, " Ask not what your country can do for you, ask what you can do for your country." Chief Spadt has made a request for new equipment for the Fire Dept. Questions have been raised as to the affordability of this equipment at this time. I ask this question of you and Chief Spadt. In an effort to procur the needed equipment, would Chief Spadt and his firefighters be willing to accept less in the way of city funded benefits? Namely, health and dental insurance coverage. The City pays 98.5% for single coverage and 84% for 2/4 or family coverage on health insurance. The City pays 97.5% for single coverage and 85.5% for 2/4 or family coverage on dental insurance. I find it absolutely appalling that a great many Lincoln taxpayers are forced to pay for such benefits when they themselves can not afford even basic coverage for health insurance, much less dental insurance. We all have had to SACRIFICE at times to get what we want or need, the taxpayers have done their part. It is time that the various bargaining units recognize that it is now time for them to do their part. Please give this serious consideration.

Sincerely,
Steve Woltemath
2910 S. 27th St.
420-2875

Memo

To: Glenn Friendt, City Council
From: Don Herz, Finance Director *9/21*
CC: City Council Office
Mayor's Office
Date: July 29, 2004
Re: Fire Engines

RECEIVED
JUL 29 2004
CITY COUNCIL
OFFICE

This is in response to your request at last week's public hearing on Ordinance 04-133, regarding the lease purchase of fire engines. You requested that I provide another copy of the analysis that the Fire Department and Finance Department provided to the Council on January 14, 2004.

The January 14, 2004 analysis was in response to the Council's request from a prior pre-council meeting to develop justification and recommendations on a replacement policy of the Fire Department's pumper fleet.

Most of the justification dealt with the Lifecycle Cost Analysis, but it also provided recommendations on financing and the lease/purchase methodology we were planning to pursue (see attachment C).

We believe we are being consistent with the recommendations in that memo.

Memo

To: City Council
From: Mike Spadt, Lincoln Fire Chief
CC: Mayor's Office
Date: January 14, 2004
Re: Fire Engine Replacement

Attached to this memo is information requested by the Council regarding a proposal to establish a replacement program for the Fire Department pumper fleet.

The primary focus of this report is the Lifecycle Cost Analysis (Attachment E).

Attachments are as follows:

Attachment A - A summary of the Fire Department fleet of vehicles

Attachment B – Recommendations for a replacement policy of the Pumper fleet

Attachment C – Financing Recommendations

Attachment D – Graphical Lifecycle Cost Analysis

Attachment E – Detailed Lifecycle Cost Analysis

Attachment F – Cash Flow Analysis

Attachment G – Depreciation Analysis

Attachment H – Lease/Purchase Analysis

We would be willing to meet at another pre-council meeting to discuss this information in more detail and answer any questions you may have. We believe that it is becoming critical to replace some of our aging pumper fleet

Summary of Fire Department Pumper Fleet

The current fleet of emergency response vehicles is composed of 14 first line pumper vehicles, and 2 reserve pumpers (used for substitutes during repair and maintenance of first line vehicles and staffed during larger scale emergency operations). This is less than before 2003 due to a pumper accident involving a front line unit damaged beyond repair and resulted in the loss of a reserve rig.

In addition to the Pumper Fleet, the Fire Department's fleet also includes, three (3) 75' first line aerial pumper vehicles, one (1) 105' first line aerial pumper and one (1) 105' reserve aerial pumper. The fleet also includes one (1) Haz/Mat response vehicle, one (1) breathing air resupply unit, two (2) light command vehicles, one (1) off road grass fire units, one (1) rehabilitation vehicle and fifteen (15) support vehicles. In addition eleven (11) ambulance vehicles were added to the fleet in January of 2001.

LF&R Fleet Age

	<u>Unit ID</u>	<u>Year</u>	<u>Current Age</u>
1	ENG 1	1997	7
2	ENG 2	1995	9
3	ENG 3	1999	5
4	ENG 4	1992	12
5	ENG 5	1992	12
6	ENG 6	1994	10
7	ENG 7	1996	8
8	ENG 8	1990	14
9	ENG 9	1995	9
10	ENG 10	1993	11
11	ENG 11	1980	24
12	ENG 12	1989	15
13	ENG 13	2000	4
14	ENG 14	1988	16
15	ENG 22	1986	18
16	ENG 34	1984	<u>20</u>
Average age			12.125

Replacement Recommendations

Based on the analysis and applying the method used in the industry by the National Association of Fleet Administrators, it appears it would be more economical for the City of Lincoln to move to a replacement period of approximately 10 years for its front line pumper equipment.

The analysis of the data indicates that the lowest cost for the annual operation of a fire truck in Lincoln, Nebraska typically occurs in the 10th year. After the 10th year of service of a fire truck, a typical fire rig's maintenance costs begin to significantly increase. The Fire Department then must address the question of whether to conduct a major overhaul of the truck. The major overhaul would cost between 50 and 60 percent of the cost of a new truck and result in a fire truck that would not extend the life much beyond an additional 5 or 6 years. Additionally, the truck would be left with some components that are becoming outdated.

Around the 10th year of a vehicles life, due to increasing maintenance and repairs, the out of service time for a fire vehicle begins to escalate more quickly. Similarly, if a fire vehicle is overhauled from the frame up, the out of service time for the vehicle can be as much as three months during the rebuild. The more units that are out of service because of the age of the rig will result in the need to have more reserve units in the fleet or to lease a replacement vehicle at additional costs.

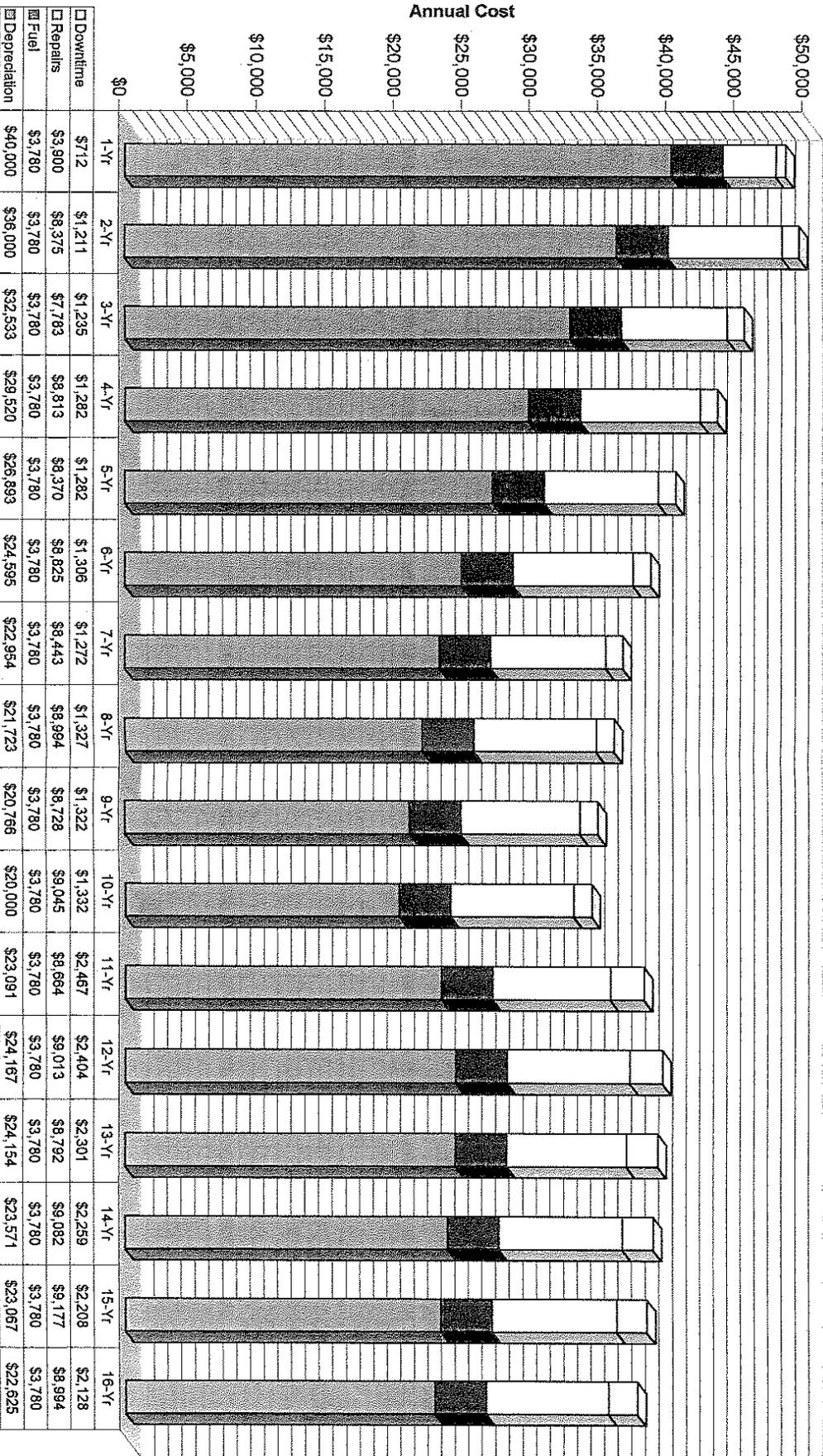
It is our recommendation that the City adopt the policy, as supported by the Lifecycle Analysis at Attachment D and Attachment E, to replace the City of Lincoln Fire Engines at the point of their lowest annual life cycle cost. Currently, this is estimated to be at the conclusion of 10 years of service. This analysis should be updated periodically to determine any change in this policy.

Financing Recommendations

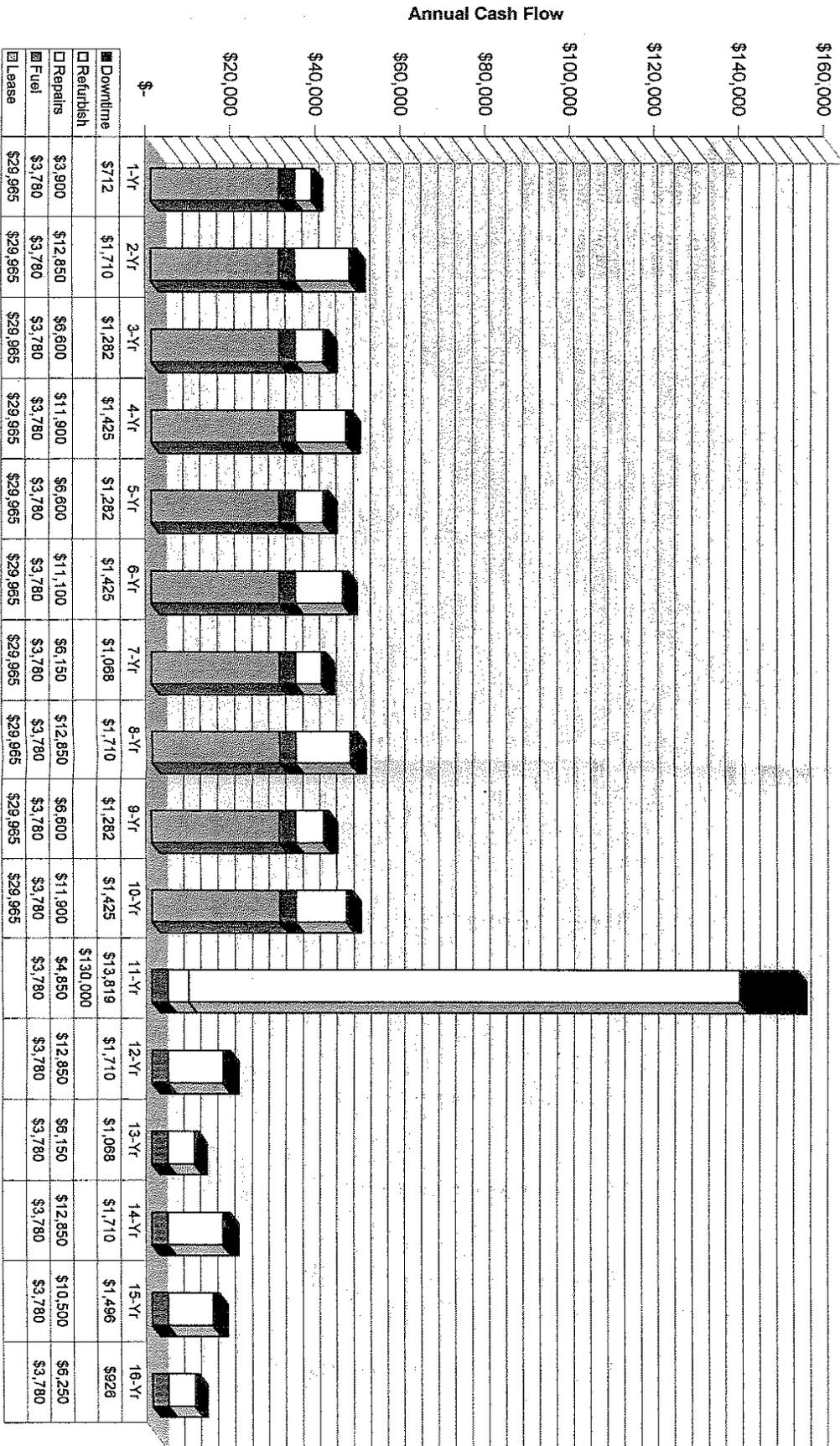
The Fire Department has 10 units that are 10 years of age or older. The cost to replace that number of units would be prohibitive to absorb in the current or next fiscal year. The City is proposing to address this by recommending that as many of the units as possible be replaced through a lease/purchase program. The number will be determined by the interest rates in effect at the time that the lease is entered into, the unit cost for a fire engine, any unexpended funds available in the current budget, and the base amount in the current budget for leasing fire engines. The unit cost will be determined through a competitive bid process.

The Fire Department has a current year appropriation and a carryover appropriation from last year of approximately \$400,000 to apply toward this lease/purchase. That amount in conjunction with a base appropriation of approximately \$216,000 should allow for the replacement of between 7 and 9 of the units. Additional appropriations will need to be added periodically to this base to reach a point in which the units can be replaced at their optimum replacement age.

Lifecycle Cost Analysis - Optimum Replacement



Cash Flow Analysis



LF&R DEPRECIATION ANALYSIS

Assumptions for New Vehicle:

Cost	250,000
Residual Percent	20%
Depreciation Method	200% DDB, then SL
Life	10

Year	Start	Annual Deprecation	Cumulative	
1	0	40,000	40,000	
2	40,000	32,000	72,000	
3	72,000	25,600	97,600	
4	97,600	20,480	118,080	
5	118,080	16,384	134,464	
6	134,464	13,107	147,571	
7	147,571	13,107	160,678	
8	160,678	13,107	173,785	
9	173,785	13,107	186,892	
10	186,892	13,108	200,000	50,000

Assumptions for Refurbished Vehicle:

Residual	50,000
Refurbish	130,000
Cost	180,000
Residual Percent	10%
Depreciation Method	200% DDB, then SL
Life	6

Year	Start	Annual Deprecation	Cumulative	
1	-	54,000	54,000	
2	54,000	36,000	90,000	
3	90,000	24,000	114,000	
4	114,000	16,000	130,000	
5	130,000	16,000	146,000	
6	146,000	16,000	162,000	18,000

LF&R FINANCING ANALYSIS

Unit ID	Year	Age	Replacement priority	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
ENG 34	1984	20	1	20	1	2	3	4	5	6	7	8	9	10	1
ENG 22	1986	18	2	18	1	2	3	4	5	6	7	8	9	10	1
ENG 11	1987	17	3	17	1	2	3	4	5	6	7	8	9	10	1
ENG 14	1988	16	4	16	1	2	3	4	5	6	7	8	9	10	1
ENG 12	1989	15	5	15	1	2	3	4	5	6	7	8	9	10	1
ENG 8	1990	14	6	14	1	2	3	4	5	6	7	8	9	10	1
ENG 5	1992	12	7	12	1	2	3	4	5	6	7	8	9	10	1
ENG 4	1992	12	8	12	1	2	3	4	5	6	7	8	9	10	1
ENG 10	1993	11	9	11	1	2	3	4	5	6	7	8	9	10	1
ENG 6	1994	10	10	10	1	2	3	4	5	6	7	8	9	10	1
ENG 9	1995	9	11	9	1	2	3	4	5	6	7	8	9	10	1
ENG 2	1995	9	12	9	1	2	3	4	5	6	7	8	9	10	1
ENG 7	1996	8	13	8	1	2	3	4	5	6	7	8	9	10	1
ENG 1	1997	7	14	7	1	2	3	4	5	6	7	8	9	10	1
ENG 3	1999	5	15	5	1	2	3	4	5	6	7	8	9	10	1
ENG 13	2000	4	16	4	1	2	3	4	5	6	7	8	9	10	1
Average Age		11.00		11.00	5.00	5.88	3.41	3.76	4.12	5.06	5.41	5.76	6.71	7.65	4.47
UNITS REPLACED				0	7	0	5	1	1	0	1	1	0	0	7
UNIT COST				\$240,000	\$247,200	\$254,616	\$262,254	\$270,122	\$278,226	\$286,573	\$295,170	\$304,025	\$313,146	\$322,540	\$332,216
ANNUAL INFLATION				3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%
TOTAL COST				\$0	\$1,730,400	\$0	\$1,311,272	\$270,122	\$278,226	\$0	\$298,170	\$304,025	\$0	\$0	\$2,328,513
PER UNIT TRADE IN VALUE				\$5,000	\$5,000	\$5,000	\$10,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000
TRADE IN ALLOWANCE				\$35,000	\$0	\$0	\$50,000	\$50,000	\$50,000	\$0	\$50,000	\$50,000	\$0	\$0	\$525,000
Amount to be Financed				\$1,695,400	\$0	\$1,261,272	\$220,122	\$228,226	\$0	\$245,170	\$254,025	\$0	\$0	\$0	\$1,800,513

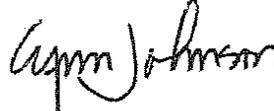
Debt Service Schedule	Financing Rate	Years to Pay	Cost of Insurance	Amount to Finance	Annual Payment	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	4.25%	10	1.50%	1,720,831	0	\$214,811.54	\$214,811.54	\$214,811.54	\$214,811.54	\$214,811.54	\$214,811.54	\$214,811.54	\$214,811.54	\$214,811.54	\$214,811.54	\$214,811.54	\$214,811.54	\$214,811.54
	4.25%	10	1.50%	0	1,280,191	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	4.25%	10	1.50%	0	1,280,191	\$159,806.46	\$159,806.46	\$159,806.46	\$159,806.46	\$159,806.46	\$159,806.46	\$159,806.46	\$159,806.46	\$159,806.46	\$159,806.46	\$159,806.46	\$159,806.46	\$159,806.46
	4.25%	10	1.50%	0	1,280,191	\$27,890.04	\$27,890.04	\$27,890.04	\$27,890.04	\$27,890.04	\$27,890.04	\$27,890.04	\$27,890.04	\$27,890.04	\$27,890.04	\$27,890.04	\$27,890.04	\$27,890.04
	4.25%	10	1.50%	0	1,280,191	\$28,916.79	\$28,916.79	\$28,916.79	\$28,916.79	\$28,916.79	\$28,916.79	\$28,916.79	\$28,916.79	\$28,916.79	\$28,916.79	\$28,916.79	\$28,916.79	\$28,916.79
	4.25%	10	1.50%	0	1,280,191	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	4.25%	10	1.50%	0	1,280,191	\$31,063.64	\$31,063.64	\$31,063.64	\$31,063.64	\$31,063.64	\$31,063.64	\$31,063.64	\$31,063.64	\$31,063.64	\$31,063.64	\$31,063.64	\$31,063.64	\$31,063.64
	4.25%	10	1.50%	0	1,280,191	\$32,185.60	\$32,185.60	\$32,185.60	\$32,185.60	\$32,185.60	\$32,185.60	\$32,185.60	\$32,185.60	\$32,185.60	\$32,185.60	\$32,185.60	\$32,185.60	\$32,185.60
	4.25%	10	1.50%	0	1,280,191	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	4.25%	10	1.50%	0	1,280,191	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	4.25%	10	1.50%	0	1,280,191	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	4.25%	10	1.50%	0	1,280,191	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	4.25%	10	1.50%	0	1,280,191	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	4.25%	10	1.50%	0	1,280,191	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	4.25%	10	1.50%	0	1,280,191	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	4.25%	10	1.50%	0	1,280,191	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	4.25%	10	1.50%	0	1,280,191	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	4.25%	10	1.50%	0	1,280,191	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	4.25%	10	1.50%	0	1,280,191	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
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	4.25%	10	1.50%	0	1,280,191	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	4.25%	10	1.50%	0	1,280,1													

Memorandum

July 29, 2004

TO: City Council Members

FR: Lynn Johnson, Parks and Recreation



RE: Proposed reductions to the FY 2004-05 Budget

Cc: Mayor Coleen Seng
Don Herz, Finance
Steve Hubka, Finance

RECEIVED

JUL 29 2004

CITY COUNCIL
OFFICE

The purpose of this memo is to respond to the proposed reductions to the Parks and Recreation Department operating budget and capital improvement program (CIP) for FY 2004-05 identified by the City Council on July 19:

Reduce copying by \$3,200

This is approximately a 10 percent reduction in appropriations for copying expenses for the Department. This will be accommodated by reducing the copying budget within each section.

Reduce data processing charges by \$20,000.

This inter-departmental funding to Information Services provides for access to the network for processing payroll, payment of invoices, receipt of revenues, maintenance of computers and routers, e-mail, and procession recreation program registrations on-line. These are essential departmental functions and alternative budget reductions will need to be determined.

Reduce Parks Maintenance Material and Supplies by \$5,000

Funding for materials and supplies associated with grounds maintenance has been reduced through the budget development process where possible. Examples of products include toilet paper and cleaning supplies for restrooms, trash can liners, sand playgrounds, broadleaf week killer, fertilizers, hand tools for grounds maintenance, hardware for repairing equipment and facilities, etc. This reduction would reduce the Department's ability to implement already limited weed control programs in park areas. The number of complaints regarding dandelions and other weeds would increase.

Eliminate Parks Operations Coordinator position (\$36,650)

Re-establishing funding for this position was the Department's highest priority in preparation of the proposed budget for FY 2004-05. (The position was "frozen" in FY 2002-03, and funding was not re-established in FY 2003-04) This position will:

- assist with administration of the increasing number of maintenance contracts,

- coordinate special projects (e.g., mosquito spray program),
- assist with administration of construction contracts (e.g., landscaping contracts for new street construction, Antelope Valley projects),
- coordinate and manage construction projects,
- respond to complaints and concerns of citizens,
- coordinate volunteer program enhancing the Department's ability to recruit and utilize volunteer labor,
- coordinate restitution and community service projects with Lancaster County Corrections.

I strongly urge the City Council to consider alternative budget reductions.

Reduce expenditures for Computers by \$1,500

Replacement of one computer for park maintenance sections will be deferred until the following fiscal year.

Eliminate funding for 3rd Street / Jamaica North Corridor (\$96,112 for new equipment, \$37,030 for labor)

- The 3rd and 'F' Street pedestrian underpass is a connection under the BNSF Railroad tracks to Park Middle School. Maintenance of the underpass involves daily inspection of the area to remove trash and debris and to inspect for vandalism and graffiti, regular inspection and maintenance of the storm water sump pump, snow removal, and detailed landscape maintenance of the ornamental planting areas on either side of the underpass. The current contract for maintenance expires on September 1, and will not be renewed due to lack of continued funding.
- Tree, shrub and turf landscape plantings were installed along the west side of 3rd Street from 'A' to 'G' Streets in response to adding a second set tracks within the adjoining BNSF right-of-way. Maintenance involves mowing the turf, weed control, trimming trees and shrubs, and watering landscape plantings as needed. The current contract for maintenance expires on September 1, and will not be renewed due to lack of continued funding.
- Irrigated turf areas and park amenities, extensive landscape plantings, and a trail connection to the Salt Creek levee trail was installed in conjunction with the new 3rd and 'A' Streets bridge. The area is five blocks long and approximately 150 feet wide. There are no provisions for maintenance of these landscape areas and facilities.

The Jamaica North Trail Corridor extends from ½ mile south of Saltillo Road to 'J' Street. Construction of the portion of the trail south of Calvert Street through Wilderness Park is anticipated to occur in the Spring and Summer of 2005. Construction of the northern portion between Calvert Street and 'J' Street is projected to occur in 2006. In the interim there is a 100-foot corridor extending through the South

Salt Creek Neighborhood that will require regular mowing to keep weeds and other vegetation under control.

Reduce funding for Centers computer by \$1,000

This funding is for the program supervisor's computer at the new Park Middle School Teen Center, and is essential.

Retain 5% of the Director's salary in the Golf fund (\$4,000)

Reductions in the Golf Fund will be identified to offset this expense.

Upgrade Athletics vehicle replacement to pick-up (\$3,000)

This vehicle is used to transport materials and supplies to various athletic field sites. A small pick-up is better suited to this use than a compact car.

Eliminate funding for 1.55 FTE Intermediate Level Workers for new park and trail maintenance

- **Horticulture – Lincoln Mall Intermediate Level Worker (\$5,512)**
New landscape plantings in the boulevards, at intersections, and in planters will not be maintained.
- **NW District – Oak Lake Trail Intermediate Level Worker (\$2,153)**
Reduces litter and debris removal, and mowing and weed control.
- **NE District – 84th & Leighton Greenway Intermediate Level Worker (\$2,868)**
Mowing, tree trimming, and weed control will not be accomplished.
- **NE District - Burns Park Intermediate Level Worker (\$2,868)**
Eliminates debris and litter pick up, weed and vegetation management, and regular inspections of site.
- **NE District - Warner Wetland Intermediate Level Worker (\$2,868)**
Eliminates debris and litter pickup at parking lot and interpretive trail, weed and vegetation management, and regular inspections of site.
- **SE District – Country View Park Intermediate Level Worker (\$2,868)**
Funding for development of Country View was proposed to be removed from the CIP by the City Council. Funding for maintenance of park amenities will not be needed until such time as the park is developed.
- **SE District – Mendoza Park Intermediate Level Worker (\$2,868)**
Eliminates bi-weekly inspections and maintenance of large playground, litter and debris pickup, emptying trash receptacle, and maintenance of play court.
- **SE District – Billy Wolff/Antelope Creek Trail Phase 1 Intermediate Level Worker (\$1,791)**
The City Council approved a resolution on March 8, 2004 approving an agreement for grant funds to be used for trail development, and committing the City to ongoing maintenance of the trail.
- **SE District – South 84th Street Trail Intermediate Level Worker (\$1,610)**
Reduces litter and debris removal, and mowing and weed control.
- **SW District – Summer Employee Intermediate Level Worker (\$2,506)**
Eliminates funding for one seasonal park laborer position reducing mowing, litter and debris pickup, and restroom and picnic facility maintenance.

Add increase mowing for all City medians/boulevards (+\$25,000)

Provides continued funding of 26 mowings of medians and boulevards in the Country Club area (approx. 15 acres), and increases the number by approximately 10 mowings on other medians and boulevards (approx. 43 acres) above the current standard for park areas. Will require authorization of over-time pay for full-time employees in the spring and fall, when seasonal employees are not available.

Between the years of 1991-92 and 2003-04 the number of FTE's involved in parks maintenance activities has increase 0.25 FTE, while the acres of parkland maintained has increased by 870 acres. The ratio of parkland maintained per FTE has increased 23 percent from 58 acres per FTE to 71 acres per FTE. This has resulted in increased time between mowings in parks and medians, and reduced weed control. I do not believe that it is wise to suggest that added maintenance can be absorbed within existing resources, and would strongly recommend against this proposal.

Parks and Recreation CIP**Delay Replacement of Star City Shores Water Slides (\$250,000 KF)**

Staff propose resurfacing existing slides at a cost of \$26,000 KF from lower priority projects, rather than delaying replacement of slides. Resurfacing includes a ten-year warranty. Alternatively, the facility would open with the slides closed resulting in a projected loss of revenue of approximately \$28,000 due to reduce admissions fees and attendance.

Delay Park Area Alternative Irrigation Source Development (\$87,000 KF)

We have the opportunity to convert an abandoned Lincoln Water System well for use to irrigate Sunken Gardens, in conjunction with renovation of the display gardens. This would reduce ongoing operation costs. Staff recommend shifting \$76,000 KF from lower priority projects.

Delay Admin Office Building Roof Repair (Reduce \$10,000 KF)

The shingles are deteriorating and cupping. The roof needs to be replaced to avoid water damage to the building. Staff recommend shifting \$10,000 KF from lower priority projects.

Peter Pan Soccer Field Improvements (Shift \$17,000 GR to KF)

Staff recommend delaying this project and shifting funds to higher priority projects.

Mahoney Ballfield Renovation (Shift and Reduce \$95,000 GR to \$79,000 KF)

Staff recommend reducing to \$30,000 KF, and increasing athletic fee contribution to the project to offset the total reduction.

Delay development of Country View Park (Reduce \$50,000 GR)
Delay project to FY 2005-06.

New Park Land Acquisition and Development – Zone 7 (Shift and Reduce \$16,000 to \$8,000 KF)
Staff propose shifting entire \$16,000 to KF to maintain ongoing matching fund commitment to impact fees.

New Park Land Acquisition and Development – Zone 6 (Reduce \$8,000 GR)
Staff propose shifting \$8,000 to KF to maintain ongoing matching fund commitment to impact fees.

Park and Open Space Plan Feasibility Study (Shift \$10,000 GR to KF)

ADA Compliance (Shift \$5,000 GR to KF)

Defer Backflow Prevention Compliance (Reduce \$10,000 GR)

Defer Hard Surface Repairs (Shift and Reduce \$100,000 GR to \$10,000 KF)
Repair of walks, parking lots, and roads has been deferred for two years due to budget constraints. Staff recommend shifting \$45,000 KF from lower priority projects to fund needed repairs.

Park Area Lighting Repair and Replacement (Shift \$10,000 GR to KF)
Staff recommend reducing funding to \$5,000 KF, and transferring \$5,000 KF to higher priority projects.

Park Property Channel Stabilization (Shift \$10,000 GR to KF)
Staff recommend transferring \$10,000 KF to a higher priority project.

Playground Safety Program (Shift \$10,000 GR to KF)

Playground Renovations (Increase \$39,000 KF)
Grant funding is uncertain at this time. Staff recommend increasing KF funding to assure that two needed playground renovation projects are completed.

Self-Help Program (Shift \$45,000 to KF)
Staff recommend reducing funding to \$25,000 KF, and transferring \$20,000 KF to a higher priority project.

Trail Maintenance and Repairs (Cut \$25,000 GR)
Staff recommend shifting \$10,000 KF from a lower priority project.

Master Street Tree Program (Shift \$45,000 GR to KF)
Staff recommend transferring funds to a higher priority project.

Park Landscape Program (Shift \$20,000 GR to KF)
Staff recommend transferring \$14,000 KF to a higher priority project.

AV Channel Phase 1 (Shift \$70,000 GR to KF)

AV Channel Phase 2 (Shift \$95,000 GR to GO)
Staff and the Bicycle Pedestrian Advisory Committee recommend delaying project until FY 05/06, rather than including in SRT Bond.

To Steve Hubka

From Allan Abbott

Subject Council Budget Revisions

Following are the impacts of the budget revisions proposed and approved by the City Council at their July 12 2004 Budget Meeting.

General Comments:

1. The equipment budget cut of \$25,000 in General Funds.—Only \$10,550 of these are general funds the remainder are Street Construction dollars.
2. The \$10,400 reduction in Wall Panels and Chairs for Engineering Services is not a General Fund cut it is a reduction in Street Construction Funding.
3. Returning the Antelope Valley Manager to the revolving fund will actually increase the general fund needs of Parks and Urban Development because the overhead rate of the operation will be added to their costs.

Comments by Operation;

Watershed Management

1. The reduction of funding for equipment will not allow the purchase of equipment for the new position that is included in the Budget.

Parking

1. The reductions proposed for repairs (\$9000) and replacement of non functioning video equipment (\$18,000) will not result in any reduction in fees or savings to the citizens using the garages. Rather it will reduce the level of service being provided today. We simply will not be allowed to spend the money we have to make necessary repairs and maintain the security at the garages that currently exist.
2. A reduction of \$6,000 was approved for schools and conferences, only \$4500 was budgeted for this item. This simply means that we will be unable to have our Parking Manager receive the training needed to become a certified Parking Manager and become more competent in his job. Again this reduction does not result in any reduction of fees only a reduction in services.
3. A reduction of \$5000 in mileage means that we will no longer be able to allow individuals to use their own vehicles in traveling between garages in the performance of their duties and will need to provide city vehicles which will actually increase the cost of the operation.

Streets

1. \$1,271,900 was added to the Street Construction Fund budget by actions taken on July 12. This will require a corresponding cut in CIP projects because there are no additional SO funds.
 - A. The CIP will be revised to eliminate the \$ 250,000 previously programed for sidewalks. This

will mean the total sidewalk program for 2005 will be the \$750,000 added by the Council on July 12.

B. Also the Arterial Residential Resurfacing program will be reduced by \$1,000,000 in the Residential portion of the program. This program will still meet the City Council Mandated \$1,000,000 Residential Resurfacing Program.

C. CIP Project # 8 Landscaping will be reduced from \$105,000 to \$0.

Star Tran

1. Deletion of the Lux Bus Route which was included as a result of Citizen requests through the City Council will mean no reduction in the traffic problems being experienced at Lux .

2. Elimination of a Field Supervisor (\$47,537) will result in elimination of Handivan service beyond the normal hours of operation of Star Tran. This means there will be no handivan service between 7:15 PM and 10 PM that exists today.

The position of Field Supervisor includes both dispatchers and field operation supervisors. Currently the ATU contract requires that a dispatcher be on duty during all hours of operation of Star Tran. Federal Law requires that we have the ability to investigate all accidents to determine if there was a potential of drug or alcohol use by the bus operator.

With the elimination of a field supervisor as approved by the Council we will have 5 people to cover all the times of operation. One position is assigned for a full 8 hours to Handivan operations and performs both dispatcher and field review functions. This is possible only because of the number of Handivans in service. Since the normal operating hours for Star Tran is 4:30PM to 7:30PM Monday through Friday and 8 hour shifts are the working schedules this means it takes the remaining four people to cover this time frame. This leaves Saturday service uncovered as well as Handivan after 7:15 M-F. Attached is summary of some of the activities last year of the field reviews required. An elimination of a field supervisor will also effect Saturday Service as these hours can not be covered with only 5 positions.

Elimination of a Garage Supervisor will result in zero people in this position. I am unaware of maintenance operation public or private that has 21 mechanics that do not have a garage supervisor. It is unclear how the Council believed we could operate under these conditions.

* Documentation of accident/drug responsibilities, and other essential FS responsibilities...

- ▶ Accident/drug & alcohol investigations - ***In 1 year, 94 accidents were investigated, 4 resulting in drug testing***
- ▶ Maintain surveillance of StarTran operations, insuring operator compliance with published routes and schedules, and with StarTran policies. ***Daily***
- ▶ Adjust routes/schedules in response to scheduled and emergency street closures/detours which insure minimal effect on drivers and passengers. ***288 hrs/yr***
- ▶ Respond to all accidents involving StarTran vehicles, supervising all on-site associated actions by the StarTran driver and passengers, in cooperation with LPD. Carry passengers to destinations, if needed. ***50 hrs/yr***
- ▶ Investigate/follow through on passenger complaints, compliments, and recommendations, including time checks, speed/radar checks, etc. ***100 hrs/yr***
- ▶ Conduct delivery of fare devices to outlets, and insure that route/schedule information is current/available at the many locations where such is available. This responsibility was added in F.Y. 2002-03 when the delivery clerk position was deleted from StarTran. ***Daily 3-4 hrs***
- ▶ Assist drivers and passengers in maintenance of schedules by carrying passengers and/or revising route in unforeseen situations. ***80 hrs/yr running portions of routes – approximately 150 passengers carried***
- ▶ Assist drivers with unruly passengers, as the on-site representative of StarTran. Respond to on-board security issues in cooperation with LPD. ***40 hrs/yr***
- ▶ Conduct inspections and supervise cleaning of StarTran shelters. ***80 hrs/yr***
- ▶ Direct snow/ice removal operations and during other such emergency situations on StarTran routes and field facilities. ***40 hrs/yr***
- ▶ Design routes/schedules for non-fleet services (i.e., Light tours, Football Expresses, concert shuttles, etc), and supervise conduct of such services. ***80 hrs/yr***
- ▶ Assist in design of fleet routes/schedules. ***25 hrs/yr***

DATE: July 19, 2004
TO: City Council
FROM: Diane Gonzolas, Manager, Citizen Information Center
RE: Reduction in amount budget for CIC rent

The budget changes approved by the City Council this morning include a \$6,500 decrease in rent for CIC (Mayor's Division).

Councilman Werner mentioned the large increase in space rental from the 2002-03 fiscal year to the 2003-04 and 2004-05 budgets. There is no increase in rental expense. The situation is the loss of a funding source.

As I explained in my budget hearings with the City Council last year and this year, this "increase" is the amount of rent associated with 5 CITY-TV, an expense which was previously covered by the cable access fund. That fund has been depleted due to the lack of a new cable television franchise agreement. The agreement expired in August 2000.

The rental increase from 2002-03 to 2004-05 is \$20,285. This includes \$17,070 for 5 CITY-TV's space in the County-City Building and the cost of rental space for the television production truck. It is not feasible to give up any square footage in the County-City Building due to the configuration of the space. To protect the investment in the production van, it must be stored indoors, and its size of the van prohibits storage in many locations. We have been able to "borrow" space from other departments, but that option is no longer available, and we were able to find appropriate storage at a reasonable fee.

The space rental amounts are set by the Public Building Commission. An option would be to request a temporary reduction in rental rates from the Public Building Commission for the 5 CITY-TV space in the County City Building until a franchise agreement is reached.

Current - 1,707 square feet @ \$10/square foot - \$17,070

Proposed - 1,707 square feet @ \$6.192/square foot - \$10,570

A rate decrease could be justified on the basis of the large number of departments which benefit from 5 CITY-TV services.

Another option would be to decrease the \$32,000 budgeted for equipment replacement and maintenance for 5 CITY-TV. Again, these are expenses that have been covered by the cable access fund. We have been able to delay purchases as long as possible. A 20 percent cut in the budgeted amount would impact programming on 5 CITY-TV. As indicated, the \$32,000 is to be reimbursed to the general fund when a cable franchise agreement is reached and new cable access funds are received.

I am available to discuss these options with City Council members.

Memo

To: Mayor Coleen Seng
From: Marc Wullschleger, Director
Urban Development
CC: City Council
Date: July 28, 2004
Re: Proposed Budget Cut

We would like to propose an alternative General Fund budget cut. Instead of reducing the General Fund Information Services and Community Development staffing, we would suggest postponing a portion of the Antelope Valley Catalyst Projects until FY 05/06. Our suggestion would be to reduce the \$460,000 budget as follows:

Urban Development CIP Budget

Project #15, Antelope Valley Community Revitalization
Catalyst Projects General Fund (\$40,800)
and to restore the original budgeted funds for:

Urban Development Operating Budget

Information Services	\$10,800
Community Development Manager	\$15,000
Community Development Program Specialist	\$15,000

The amounts originally budgeted for Information Services are the annual charges for network access, e-mail accounts, anti-virus software, and mainframe usage fees. The staff relying on these funds would not be able to conduct their daily business without these services.

The Community Development Program Specialist and Manager's salary transfer from General Fund to CDBG translated to a total of \$44,058 with fringes (grant funds are required to include fringes in the budget). This transfer would have resulted in the CDBG planning & administration costs to be at 20.59%. CDBG regulations limit us to no more than 20% for planning & administration. The formula to calculate the planning and administration costs includes unliquidated obligations in the current year. The current unliquidated obligations are a contract with UN-L for the development and implementation of a homeless management information computer tracking system and a contract with Heartland Center for facilitating the Affordable Housing Needs Assessment committee. Both of these projects are requirements from HUD to continue to receive funding for the homeless providers' operations/services in Lincoln and to develop the next 5-Year Consolidated Plan that is due next summer. In addition to this, CDBG funds are not an eligible funding source to pay staff salaries for TIF redevelopment projects (48th & "O" Redevelopment, No. 48th Streetscape project, Antelope Valley Redevelopment Projects that will not benefit low-mod income households, etc.) nor the non-CDBG economic development meetings and projects (LPED, impact fee evaluations, etc.). As requests for these types of projects come to our Department, it continues to be a challenge to justify them as CDBG eligible.

The Council also approved the suggested budget change to transfer project #19 Antelope Valley Community Revitalization, subproject A - Administrative Costs (shown under Public Works, Streets & Highways) in the amount of \$110,000 from General Fund to GO. This project is Urban Development's share of the Parsons Brinckerhoff Quade & Douglas contract to continue the Final Design. Per Don Herz conversation with the City's bond counsel, since the Antelope Valley project itself is not bond funded it would not be legal to charge these costs to the bond issue. In addition, we concur with the Finance Department that it would not be a good policy to assume costs we know we will incur to be funded by a bond issue which may not be approved by the voters.

Memo

To: Mayor Seng
From: Marvin Krout
CC: City Council
Date: July 27, 2004

1. Cut copying by \$1,000. Our proposed budget for 04-05 did offer a reduction of \$5,000 from the approved \$35,000 for this current year. That was based on our actual expense in 02-03 and projected expense for this current year. We are able to afford that reduction because we project that we do not have a massive update of the Comprehensive Plan planned for this year or next, like the \$40,000+ actual cost in 01-02, and because we have tried in the past two years to rely more on email and internet access as a substitute for paper copies. If this line item is reduced by \$1,000, I would not plan to immediately stop making paper copies for the City Council, as others have suggested -- unless the Mayor's office directed all departments to do that. Our printing budget is not completely controllable -- it is dependent on the number and type of applications that are submitted to our office. We would just monitor our expenses during the course of the year, as always, and look to transfer money from another line, like printing or training, if necessary.
2. Cut IS budget by \$10,000. This account includes about \$33,000 that is sent to IS for staffing (specifically Jim Anderson) to provide Planning with technical support. I don't know how IS is responding to this cut. From our perspective, Jim's assistance is critical to our functioning. I am told that we are being asked to absorb a considerable increase from last year's support level due to a new accounting system based on the number of GIS layers that departments maintain. Since we maintain a considerable number of layers, we get a big charge even though Jim's time spent assisting various departments is not likely proportional to that system. If IS did not absorb any part of the \$10,000 reduction, we would probably eliminate our financial support (\$4,500 estimated) to purchasing new aerial photographs, and hope that other departments could make up the difference or bids came in lower -- if not, the City would have to cut back on how much of the City would be covered with photos in the purchase. I would not say that the reduction would stop our current "basic" efforts on implementing the Permits Plus application tracking system. But it probably would mean that we would need to defer the purchase of GIS software and licenses that would give us more advanced capabilities.
3. Add \$60,000 to "implement the Multi-Modal Transportation Plan." We are just speculating here, and I have a call in to Terry Werner to confirm what he intended. We can see a couple of different options:
 - a) Consultant assistance to do a comprehensive analysis of different service scenarios for the bus transit system. The final recommendations of the Mayor's task force did recommend this type of study. However, the task force also identified a particular scenario to be implemented in the short term, and the task force generally had a "bias for action" as opposed to additional studies. So we think this particular study could be deferred to a future year. OR,
 - b) Undertake a series of small-scale activities: wayfinding signs for the biketrail system; leveraging funds for additional private grants for planning, education, and small construction projects; and making several low cost pedestrian/bicycle improvements as will be recommended in a plan for a "model" neighborhood (likely Union College area) that we hope to do later this year.

Marvin S. Krout, Director
Lincoln-Lancaster County Planning Department
tel 402.441.6366/fax 402.441.6377



**PUBLIC BUILDING COMMISSION
COUNTY-CITY PROPERTY MANAGEMENT**



Don Killeen, Building Commission Administrator
920 "O" Street, Suite 203, Lincoln, NE 68508

402-441-7355
402-441-7386
FAX: 402-441-8101

MEMORANDUM

TO: Sherry Wolf-Drbal, City Finance
FROM: Don Killeen, County/City Property Management
DATE: July 27, 2004

In reviewing the budget for the City owned buildings relative to the request to reduce this budget by \$25,000 I have identified the following items:

- 1) Eliminate the Old City Hall re-glazing project - \$11,550 savings**
- 2) Reduce the scope on the Old Carnegie Library project - \$4,00 savings**
- 3) Direct bill projects such as Antelope Valley, Urban Development projects and other special projects by agencies for time and materials - \$9,450 savings**

Commission Members

Larry Hudkins

Jonathan Cook

Bob Workman

Jon Camp

Linda Wilson

INTERDEPARTMENTAL MEMO

TO: Mayor Seng

FROM: Bruce Dart,
Health Director

BD

RE: Reductions in Budget
requested by Council

DATE: July 27, 2004

CC: City Council
Steve Hubka

Based on the City Council vote on July 19, 2004, the Health Department has identified line item reductions to equal a cut of \$33,200 in City General Fund.

Because of the way that the County share of the budget is calculated and provided, this is a total cut of **\$46,825**. The County share of the budget is calculated as 37% of the total general tax funds needed. If we cut the city general fund revenue, we also lose the proportionate county general fund revenue.

The reduction of \$16,000 out of contractual/miscellaneous services would be a reduction in Occupation Tax on Refuse Haulers revenue not City General Fund. This is based on the actual revenue received without any increase in rates. **Therefore, in the spirit of the intent of the Council, I have identified line items which will reduce City General Fund dollars.**

The reductions proposed will impact our services. We have tried to minimize the effect as much as possible. A description of the impact of each reduction is listed below. This is followed by a table showing the actual line item reductions.

- Reductions in photocopying impacts education and information materials for distribution to the public and to our clients. This reduction represents 13% of the total budgeted.
- Reductions in data processing will primarily impact our ability to get meaningful reports and data from our information applications. The Health Department did not reduce the total recommended by the Council from this line item. Many of our direct services depend heavily on information technology. The amount reduced represents 3% of the total budgeted.
- Reductions in consultant services reduces the Department's ability to hire consultants with expertise in hazardous materials and toxic exposure and other very specialized technical areas. This reduction represents 50% of the amount budgeted for this purpose.
- Miscellaneous contractual services reductions include \$2000 used in the past for more regular cleaning of carpets and floors; \$3,000 for environmental testing and \$1,000 for changes in computer or telephone cabling. The projections were based on experience over a number of years. This reduction will impact the flexibility of the department to respond to changes in demand in the community. It represents 40% of the amounts budgeted for environmental testing and computer cabling and 100% of amount budgeted for carpet/floor cleaning.

- Reductions in the intern line item impact the departments ability to use interns to extend the staff resources, especially support staff without adding new FTEs. This reduction represents 4% of the total budgeted.
- Equipment maintenance was reduced by \$6,000. It is our hope that the timing of payment for the contracts will allow some of the anticipated costs to come out of FY 2006.
- The Department has been working to reduce the total cost for interpreters by recruiting and hiring bilingual staff. The reduction represents 4% of the amount budgeted.
- Money was budgeted for moving expenses, used primarily to reduce the potential for staff injury by having equipment and files moved to storage by local professionals. This was increased by \$1225 over the amount budgeted for FY 2004. We are reducing the increase to \$400.
- Delay in the purchase of tablet computers for the Animal Control Officers will impact the full implementation of measures to increase the efficiency of field staff and improve the documentation and reporting from the field. The tablet computers are being paid using fund balance. Shifting the \$5,000 of fund balance to cover normal operational costs will increase the amount needed from general fund in FY 2006. Fund balance is normally used only to cover one-time expenses.
- The amount budgeted for mileage in Animal Control was based on costs estimates from the Police Garage and the projected number of miles. In FY 2003 and FY 2004, Animal Control experienced 14.1% and 12.9% increases in calls. If this rate of increase slows, the division will be able to achieve this savings. The reduction represents 8% of the total amount budgeted. The increase in this line item also included increases in insurance as well as the increase in number of miles.

Amount reduction	Line Item		Reduction in City General Fund	Reduction in County General Fund
\$10,500	Photocopying		\$6,615	\$3,885
	\$4,000	Community Health Services		
	\$4,000	Environmental Public Health		
	\$1,000	Director's Office		
	\$750	Health Promotion & Outreach		
	\$750	Information & Fiscal Management		
\$6,000	Data Processing		\$3,780	\$2,220
	\$2,000	Community Health Services		
	\$2,000	Environmental Public Health		

Amount reduction	Line Item		Reduction in City General Fund	Reduction in County General Fund
	\$2,000	Information & Fiscal Management		
\$3,500	Consultant Services		\$2,205	\$1,295
\$7,000	\$2,500	Environmental Public Health	\$4,410	\$2,590
	\$1,000	Director's Office		
	Miscellaneous Contractual Services: carpet & floor cleaning, changes in cabling; environmental testing			
	\$500	Health Promotion & Outreach		
	\$4,500	Environmental Public Health		
	\$2,000	Information & Fiscal Management		
\$2,000	Intern / Work study		\$1,260	\$740
	\$1,000	Environmental Public Health		
	\$1,000	Information & Fiscal Management		
\$6,000	Equipment Maintenance		\$3,780	\$2,220
	\$3,000	Community Health Services		
	\$3,000	Environmental Public Health		
\$1,000	Interpreters: Community Health Services		\$630	\$370
\$825	Moving Expenses		\$520	\$305
	\$600	Information & Fiscal Management		
	\$225	Health Promotion & Outreach		
\$5,000	Animal Control: Data Processing Equipment—tablet pc's		\$5,000	
\$5,000	Animal Control: City Vehicle mileage		\$5,000	
\$46,825			\$33,200	\$13,625

INTER-DEPARTMENT COMMUNICATION

TO: City Council Members
DEPARTMENT: City Council
ATTENTION:
COPIES TO: Mayor Seng
Mark Bowen
Ann Harrell
Corrie Kielty
Don Herz

DATE: July 29, 2004
FROM: Steve Hubka *SH*
DEPARTMENT: Finance/Budget
SUBJECT: Information on impact of
budget reductions

I wanted to provide you some information on some items related to the budget.

Reduction to Minor Building Improvements

The Council reduced \$25,000 from Minor Building Improvements in Miscellaneous Budgets/General Expense on page 9 of that section of the budget book. This budget is primarily to pay the building commission for the maintenance services provided to city buildings by Building Commission staff. The cut made by the Council seemed to be in response to the increase in that budget from \$314,111 to \$359,000. Much of the increase (\$25,000) was for two projects above and beyond normal maintenance. Those projects are the painting and re-glazing of the windows at Old City Hall and resetting the steps at the Carnegie Library building on North 27th Street (pictures attached). Since these were items mentioned in the budget hearing as causes of the increase in the budget and the amount of the cut made by the Council, I will inform Don Killeen to not proceed with these projects and not incur this cost during the next fiscal year. However, since the increased budget was a target for the cuts, those projects causing most of the increase will not be done. It should also be noted that these budget reductions would be most accurately characterized as a cost deferral rather than a cost savings.

Election Expense

When final changes are made to the budget, it will be necessary to increase the amount budgeted for election expense by about \$25,000. This would be to cover the cost of a ballot question regarding the smoking ban on the November ballot, assuming the Council does not repeal the most recent version passed upon reconsideration.

Planning Multi-Modal Study

Attached are the minutes of the County Board meeting from last week relating to their consideration of sharing in the funding of a multi-modal study in the Planning Department amended into the City budget on July 19th. The interlocal states "In sharing the expense of the mutually approved commission budget, the city shall pay eighty (80) percent and the county, twenty (20) percent..." I presume since the Board did not approve the budget with this item in it, we cannot expect them to pay 20% of this \$60,000 item. It should also be noted that the item as passed by the Council did not require any contribution from the County.

MOTION: Hudkins moved and Heier seconded to have two members of the County Board, the Chief Administrative Officer and two Personnel Officers form a Personnel Committee and figure out how to handle Director Evaluations. Schorr, Stevens, Heier and Hudkins voted aye. Motion carried.

9 SALARIES FOR UNREPRESENTED, CLASSIFIED EMPLOYEES - Don Taute, Personnel Director

MOTION: Hudkins moved and Schorr seconded to enter into Executive Session at 10:45 a.m. Hudkins and Schorr voted aye. Stevens and Heier voted no. Motion failed.

MOTION: Hudkins moved and Heier seconded to schedule Executive Sessions for Labor Negotiations on each agenda beginning April 1st and ending August 31st or while negotiations are going on. Schorr, Stevens, Hudkins and Heier voted aye. Motion carried.

The Board agreed to set an Executive Session for next Thursday to discuss labor negotiations.

10 QUESTIONABLE CLAIM FROM MENTAL HEALTH CENTER, PAYMENT VOUCHER 784-9294 (\$125.27) - Kristy Mundt, Deputy County Attorney

Eagan indicated Dean Settle has withdrawn his claim of \$125.27 (Exhibit E) and Eagan suggested approving the other items on the voucher. The Board agreed to cover the Gift Policy during the next Management Team Meeting. The Board directed Eagan to respond to Settle's email regarding the withdrawal.

11 BUDGET WORKING SESSION - Dave Kroeker, Budget and Fiscal Officer

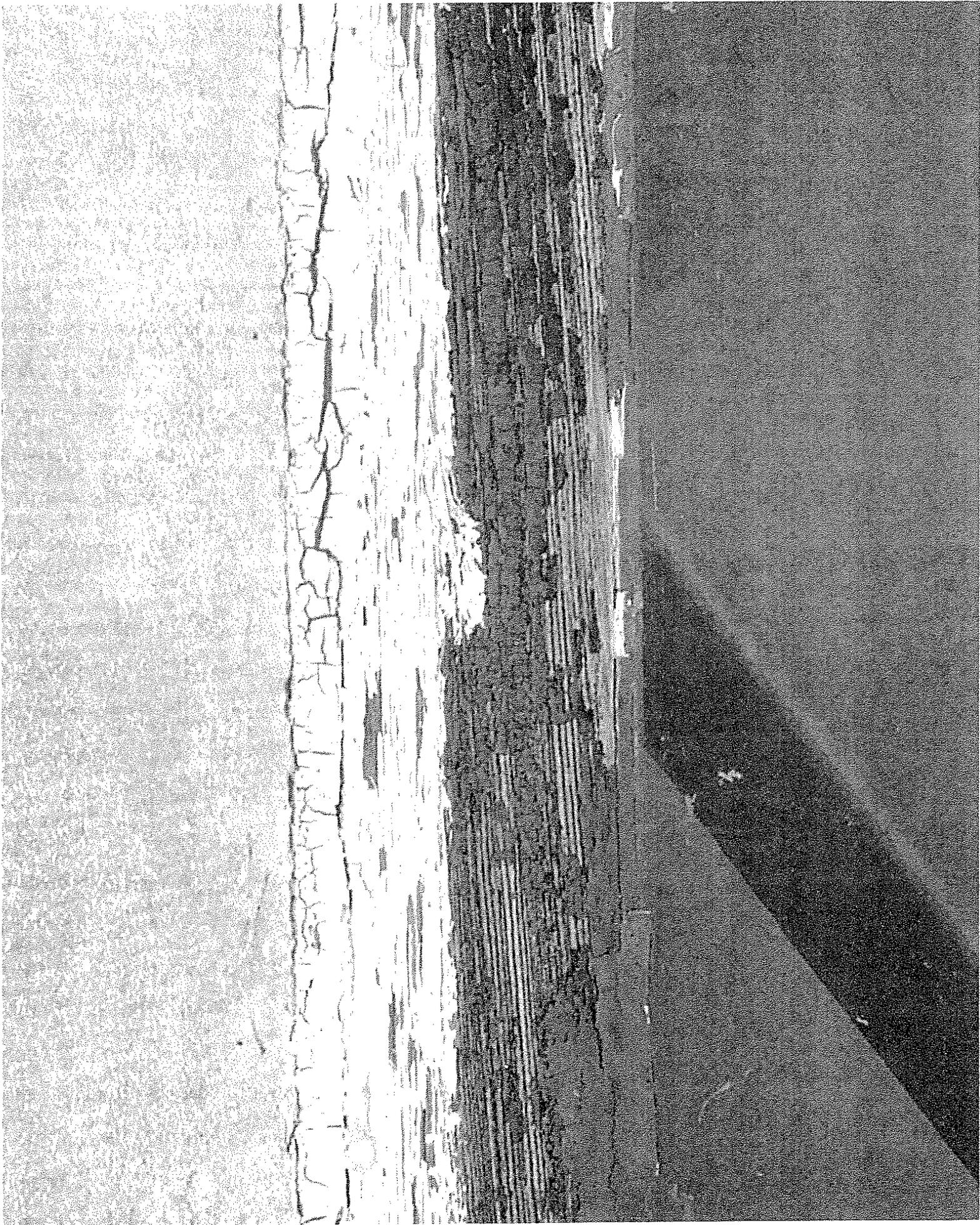
Dave Kroeker, Budget and Fiscal Officer, appeared and distributed documentation regarding the FY04 Budget (Exhibit F).

MOTION: Hudkins moved and Heier seconded to authorize Dave Kroeker to draft a letter for the Board's signature to Department Heads thanking them for their help in the budget process this year. Schorr, Heier, Hudkins and Stevens voted aye. Motion carried.

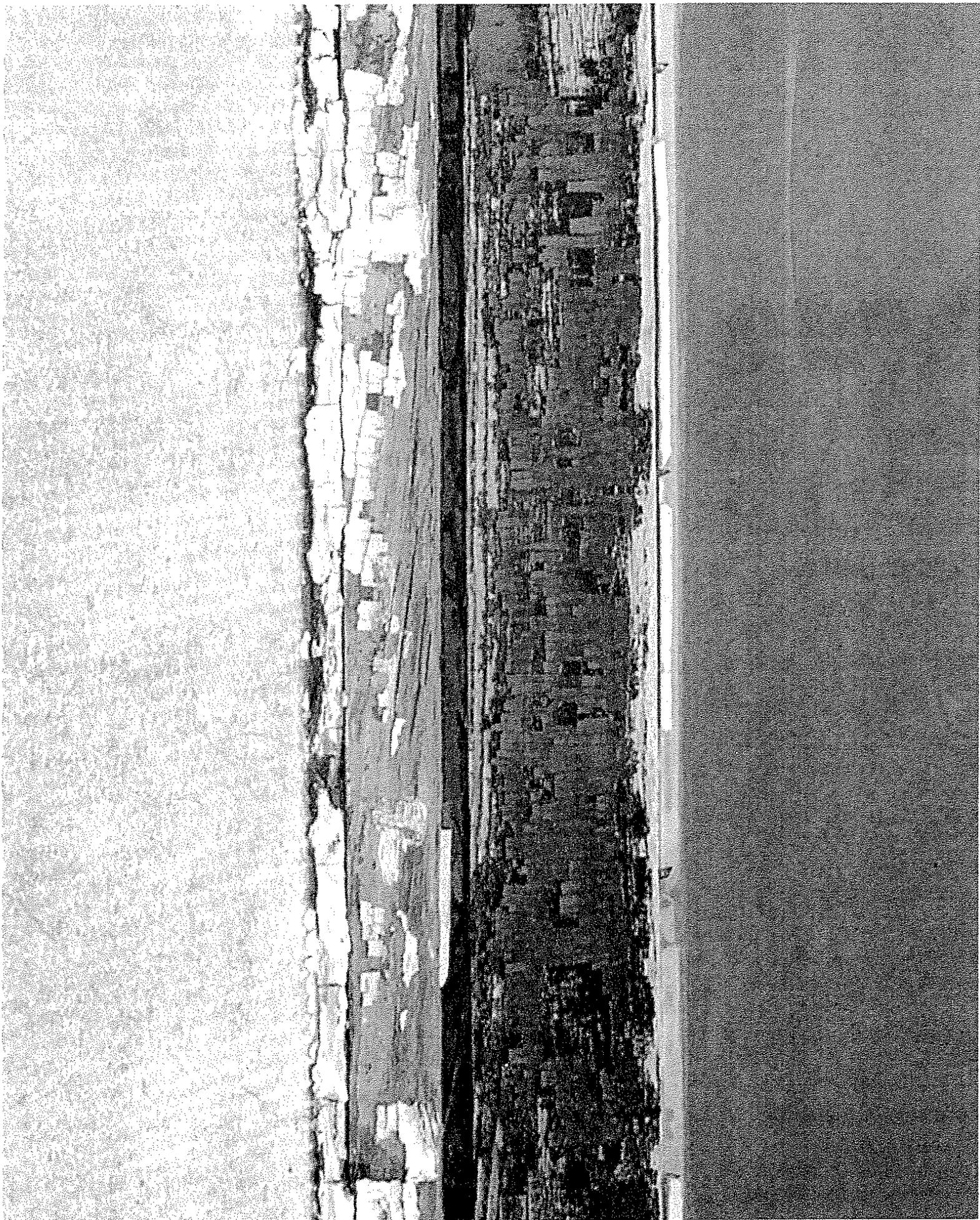
Stevens reported at the Pre-Council meeting Ken Svoboda asked to hire a Deputy Emergency Director and they also approved \$60,000 for Planning for the Multi-Mobile Transportation Study.

MOTION: Hudkins moved and Heier seconded to not fund the Multi-Mobile Transportation Study for Planning. Hudkins, Heier, Stevens and Schorr voted aye. Motion carried.

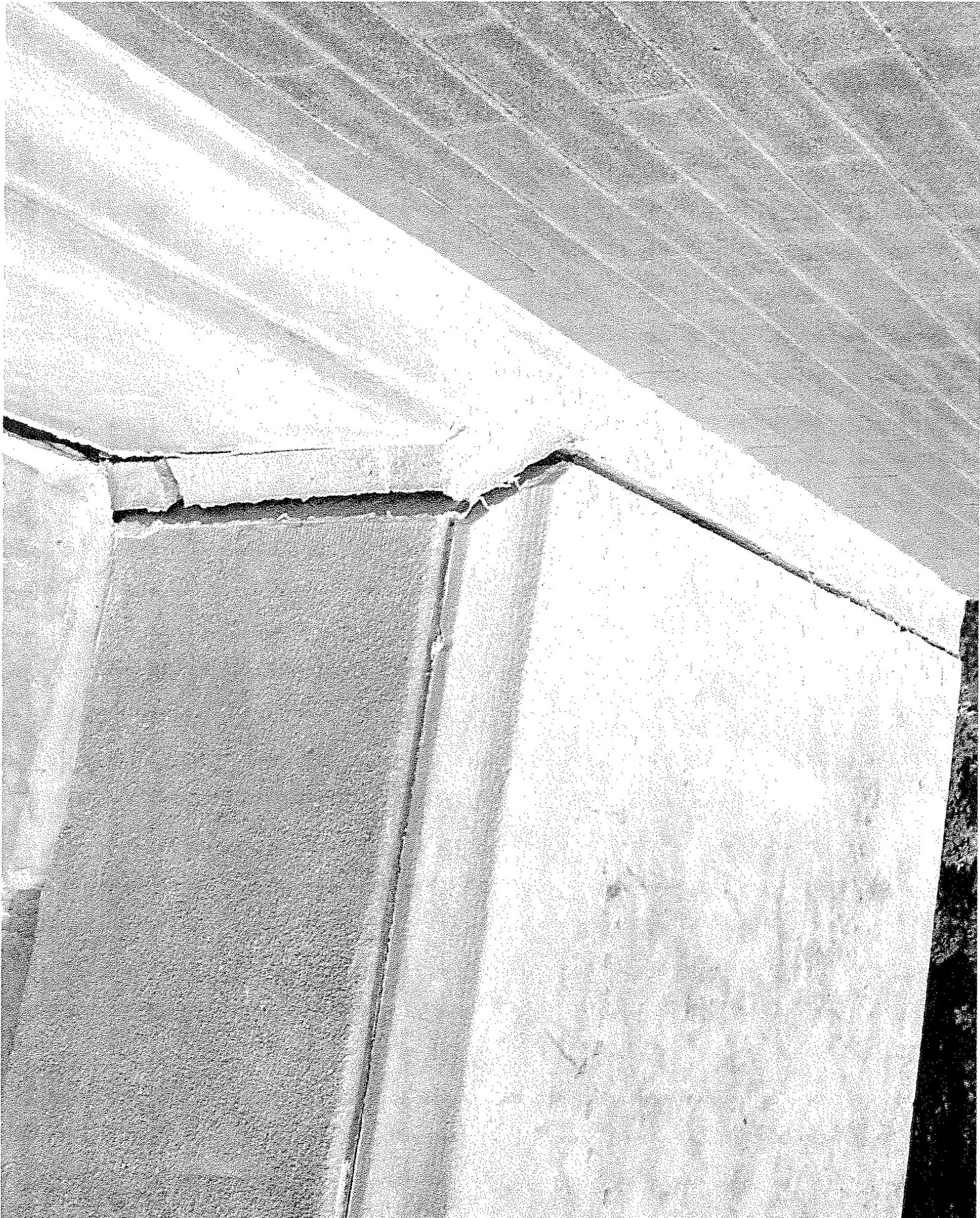














Memo

To: Mayor Coleen Seng
From: Don Herz, Finance Director
CC: City Council
Date: July 28, 2004
Re: Council Budgetary Actions

You have requested comments on the effects of the Council Actions on July 19th to reduce FY 2004-05 appropriations by approximately \$1.34 million.

There were ten line item amounts reduced; however, I will comment only on the three major reductions.

Pershing Auditorium

Item: CIP reduction of \$15,000

Issue: This represents approximately a 40% reduction in the CIP line item for Pershing that has been used to address ongoing miscellaneous capital improvements. Amounts appropriated have been used to replace broken concrete, repair water main leaks, install handi-cap accessible doors, replace stage ropes, replace chairs, etc. Pershing is an aging building and there will continue to be needs of this nature. The reduction of \$15,000 represents a shifting of these types of repairs/replacements to future years.

Item: Operating subsidy reductions of \$25,000

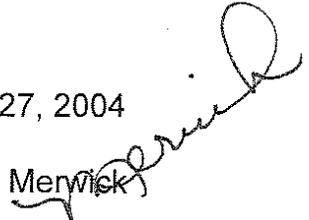
Issue: Pershing management is forecasting an operating deficit of approximately \$615,000 for the next fiscal year as the result of recent changes in the market. Some of this is the result of the opening of new venues in the area as well as changes in the overall concert business in the US. Pershing had requested an increase in the subsidy from the City by \$150,000. The Mayor had reduced that amount by \$50,000 and the Council's tentative reduction calls for an additional reduction of \$25,000. This will place the subsidy at \$525,000, or approximately \$85,000 short of forecast. Since it appears there will not be much if any carryover in the Pershing fund balance, Pershing is faced with some fairly significant cuts in operations. Pershing was working on a budget that could address the Mayor's reductions without any staff reductions. These reductions were hoped to be one-time deferrals. It does not appear that further deferrals can be made to cover the additional \$25,000 reduction and this may necessitate some form of staff reduction. The concern is that this could result in a reduction in services to the remaining events at Pershing and could further exacerbate the downward spiral in events and the resulting lost revenues from those events.

Purchasing

Item: Living Wage complaint reduction of \$20,000

Issue: The City Purchasing Department will continue to include requirements in its service contracts that vendors comply with the Living Wage Ordinance. The Finance Department will continue to implement the Council's requirements to the extent that there are no significant investigative requests. If there is a need to investigate any significant complaint(s), these will not be done.

INTER-DEPARTMENT COMMUNICATION
Building & Safety Department

TO	Steve Hubka	DATE	July 27, 2004
DEPARTMENT	Finance Dept	FROM	Mike Merwick 
COPIES TO	File	DEPARTMENT	Building & Safety
		SUBJECT	Budget Reduction 2004-05

Attached is the proposed budget reductions submitted by Councilperson Werner. Building & Safety will absorb these reductions as submitted. Cost Savings are broken out by general fund and by fees collected.

If you need additional information or discussion please contact me.

BUILDING & SAFETY DEPT.
Proposed Budget Reductions

Copy Expenses	\$	Gen.Fund	Fees
Administration	\$1,000	\$125	\$875
Building Services	\$1,000	\$87	\$913
Inspection Services	\$1,200	\$261	\$939
Information Services			
Administration	\$1,000	\$125	\$875
Building Services	\$1,000	\$56	\$944
Inspection Services	\$4,000	\$897	\$3,103

Laptop Replacement	\$6,800	\$0	\$6,800
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Total	\$16,000	\$1,551	\$14,449
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budrevise

RECEIVED

JUL 28 2004

CITY COUNCIL
OFFICE

Michael Spadt

07/28/2004 09:36 AM

To: JonCampCC@aol.com

cc: dpodany@ci.lincoln.ne.us (Darrell Podany), jray@ci.lincoln.ne.us (City Council), Mark D Bowen/Notes@Notes, Donald R Herz/Notes, Corrie Kieley/Notes@Notes

Subject: Re: Recommendations for new fire pumpers

Jon, I feel that your recollection of what I said might be incorrect. I recall making the statement surrounding your inquiry about an overall Fire Department study.

I will attempt to paraphrase what my comments were;

We study ourselves daily as a department, we have even had independent analysis of our department which all suggest that the Fire Department needs additional resources to keep pace with our growing community.

These entities include, the ISO Insurance Services Office, Hometown Security Committee, and the Commission on Fire Accreditation International.

These entities suggest/ recommend adding resources to our department to keep pace with growth and maintain service.

I hope that this satisfies your request, if not feel free to call or write.

Mike

"I dont know the key to success, but the key to failure is trying to please everybody"

Mike Spadt, Fire Chief
Lincoln Fire & Rescue
1801 Q st.
Lincoln, NE 68508
(402) 441-8350 off.
(402) 441-7098 fax
JonCampCC@aol.com



JonCampCC@aol.com

07/27/2004 01:43 PM

To: mspadt@ci.lincoln.ne.us

cc: jray@ci.lincoln.ne.us (City Council), dpodany@ci.lincoln.ne.us (Darrell Podany)

Subject: Recommendations for new fire pumpers

Mike:

At yesterday's public hearing on the proposed purchase of 7 pumpers, you cited three different sources that recommended the purchase: (1) ISO, (2) the Homelands Security Task Force, and (3) Fire service principles.

Would you please provide written copies of the specific recommendations?

I would appreciate having these in the Council office in time to go in our "Thursday green bags". You are welcome to check with either Joan or Tammy to coordinate getting your information in our packets.

Thank you.

Jon

Jon Camp

Office: 402-474-1838

Home: 402-489-1001

Cell: 402-560-1001

Email: JonCampCC@aol.com

Michael Spadt

07/28/2004 04:12 PM

To: JonCampCC@aol.com

cc: dpodany@ci.lincoln.ne.us (Darrell Podany), jray@ci.lincoln.ne.us (City Council), Mark D Bowen/Notes@Notes, Corrie Kielty/Notes@Notes, Donald R Herz/Notes

Subject: Re: Recommendations for new fire pumpers

Jon, If you desire to review the documents that you cited in your previous e-mail they do exist electronically. As a means to reduce paper, anyone can view the following reports online,

Accreditation Report Lincoln Fire & Rescue website

Hometown Security Report Mayors website

ISO Report Lincoln Fire & Rescue website

REC'D

JUL 28 2004

CITY COUNCIL
OFFICE

All of these documents make reference to resources, and this is where my statement was derived, however none made reference to any specific number of vehicles.

The decision of (7) was developed by us based on the condition of our incumbent fleet

Mike

"I dont know the key to success, but the key to failure is trying to please everybody"

Mike Spadt, Fire Chief
Lincoln Fire & Rescue
1801 Q st.
Lincoln, NE 68508
(402) 441-8350 off.
(402) 441-7098 fax
JonCampCC@aol.com



JonCampCC@aol.com

07/27/2004 01:43 PM

To: mspadt@ci.lincoln.ne.us

cc: jray@ci.lincoln.ne.us (City Council), dpodany@ci.lincoln.ne.us (Darrell Podany)

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Thank you.

Jon

--

Jon Camp

Office: 402-474-1838

Home: 402-489-1001

Cell: 402-560-1001



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

July 28, 2004

Lyle Loth
ESP
601 Old Cheney Rd. Suite "A"
Lincoln, NE 68512

RECEIVED

JUL 29 2004

CITY COUNCIL
OFFICE

RE: Vavrina Meadows 19th Addition Final Plat #04050

Dear Mr. Loth:

Vavrina Meadows 19th Addition was approved by the Planning Director on July 28, 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: Richard Krueger
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



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

July 28, 2004

Terry Rothanzl
Engineering Design Consultants
2200 Fletcher Ave. Suite 102
Lincoln, NE 68521

RECEIVED

JUL 29 2004

CITY COUNCIL
OFFICE

RE: Edenton North 13th Addition Final Plat #04048

Dear Mr. Rothanzl:

Edenton North 13th Addition was approved by the Planning Director on July 28, 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: Leo Schumacher, Lincoln Federal Bancorp
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

MEMORANDUM

To: Ken Svoboda
From: Marc Wullschleger *MW*
Date: July 20, 2004
Subject: Redevelopment of 24th to 25th, O to P Block

Urban Development staff has met with three of the five property owners on the block bounded by 24th, 25th, O and P Streets on several occasions. We have verbally assured them that the Urban Development Department has no intention of pursuing a redevelopment project for this block which was initially identified as a possible redevelopment concept in the Antelope Valley community redevelopment process. We continue to work on two of the 31 redevelopment concepts identified in the process, one of which is north and west of the aforementioned block. This residential two block project is bounded by 23rd, 24th, P and R Streets. The other project is located in the 18th & P area.

It is not our intention to push out good local business on this block and we were pleased to hear about the ongoing investment and planned future investment. I have suggested that these businesses follow the Antelope Valley Redevelopment Plan which will be in Planning Commission and City Council this fall. While I cannot preclude interest from private developers on this block, I can submit to you that the Urban Development Department is not planning to pursue a redevelopment project with respect to this block.

RECEIVED
JUL 23 2004
CITY COUNCIL
OFFICE



"Fuog, Karin"
 <Karin.Fuog@nelnet.net>
 et>
 07/22/2004 03:42 PM

To: "council@ci.lincoln.ne.us" <council@ci.lincoln.ne.us>,
 "mayor@ci.lincoln.ne.us" <mayor@ci.lincoln.ne.us>
 cc: "Home (E-mail)" <karinanderic9397@earthlink.net>
 Subject: letters to council members

Handwritten signature

Attached please find letters sent to council members Jonathan Cook, Annette McRoy, Patte Newman, Ken Svoboda, and Terry Werner.

I strongly urge Lincoln City Council to fund the proposed StarTran booster routes between Lux Middle School and neighborhoods south and east of the school.

<<Cook bus ltr 072204.doc>> <<McRoy bus ltr 072204.doc>> <<Newman bus ltr 072204.doc>> <<Svoboda bus ltr 072204.doc>> <<Werner bus ltr 072204.doc>>

Karin Fuog
 402.458.3031
 Nelnet

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Cook bus ltr 072204.doc McRoy bus ltr 072204.doc Newman bus ltr 072204.doc Svoboda bus ltr 072204.doc



Werner bus ltr 072204.doc

RECEIVED
 JUL 23 2004
 CITY COUNCIL
 OFFICE

RECEIVED
JUL 23 2004
CITY COUNCIL
OFFICE

Karin Fuog
9200 Foxen Circle
Lincoln NE 68526
402.486.0386
July 22, 2004

Terry Werner
3483 Anaheim Drive
Lincoln NE 68506

Dear Terry:

I am writing to urge you to reinstate in the 2004-2005 Lincoln city budget the proposed StarTran bus routes between Lux Middle School and neighborhoods south and east of the school. For a minimal cost, these additional bus routes will help solve citywide problems and improve overall quality of life.

Since school buses were removed from the Lincoln Public School budget, adding StarTran routes has proven to be an efficacious alternative. Existing routes between Lux Middle School and neighborhoods north, Lincoln North Star High School and Arnold Heights, and Scott Middle School and neighborhoods north and east demonstrate the usefulness and need for some kind of public transportation to and from schools. As there are no StarTran routes to Vintage Heights and South Edenton at all, currently school children do not have the option of catching a bus that gets them within even a few blocks of their destination. The proposed StarTran booster routes for Lux would serve a need that is not being met in any other manner.

Public transport in general serves to alleviate traffic congestion. That Lincoln requires better traffic management is clear not only from the September 14 special vote on a bond issue for our roadways, but also simply from driving! When Lux Middle School was designed and built, Lincoln Public Schools still had school buses. The school and neighborhood were not designed to accommodate 400 parents in cars picking up their children. As well, the existing traffic congestion represents a potential safety hazard to the school children. While two more buses will not completely remove either the traffic congestion or the safety hazard, they will reduce both problems significantly.

Families in which both parents work and single-parent families usually do not have the flexibility to schedule working hours around getting children to and from school. At the middle school age children may be responsible enough to stay home alone after school; however, they still need a safe and reliable method of getting home.

In these fiscally tight times I can understand the desire to cut items from the budget. I can even understand how these additional bus routes for Lux Middle School might appear to be prime candidates for elimination: they would be a new service and therefore less likely to be missed. However, this thinking is very shortsighted. The long-term benefits of public transport are self-justifying. While the fares paid by passengers on public transport may never cover the cost of that transportation, the reduced costs in terms of traffic

congestion, road construction, safety, parking, and reduced pollution all benefit the city. Lincoln needs to lay the groundwork for public transportation expansion now. In the future many of the country's fuel problems will be answered not so much by energy-efficient cars as by public transportation. We need to get people enthusiastic about the benefits of public busing and create life-long users. Let's start with school children in southeast Lincoln getting to Lux Middle School and back.

If you would like to discuss this issue further, please feel free to contact me at home in the evenings.

Sincerely,

Karin E. C. Fuog

cc. Mayor Coleen Seng
Lincoln City Council

Karin Fuog
9200 Foxen Circle
Lincoln NE 68526
402.486.0386
July 22, 2004

RECEIVED
JUL 23 2004
CITY COUNCIL
OFFICE

Jonathan Cook
2701 Stratford Avenue
Lincoln NE 68502

Dear Jonathan:

I am writing to urge you to reinstate in the 2004-2005 Lincoln city budget the proposed StarTran bus routes between Lux Middle School and neighborhoods south and east of the school. For a minimal cost, these additional bus routes will help solve citywide problems and improve overall quality of life.

Since school buses were removed from the Lincoln Public School budget, adding StarTran routes has proven to be an efficacious alternative. Existing booster routes, such as the one in your own district between Scott Middle School and neighborhoods north and east, demonstrate the usefulness and need for some kind of public transportation to and from schools. As there are no StarTran routes to Vintage Heights and South Edenton at all, currently school children do not have the option of catching a bus that gets them within even a few blocks of their destination. The proposed StarTran booster routes for Lux would serve a need that is not being met in any other manner. Just as city council funds the booster routes to and from Scott Middle School, so should you fund additional booster routes to and from Lux Middle School.

As you know from serving on the Congestion Management Task Force, public transport in general serves to alleviate traffic congestion. That Lincoln requires better traffic management is clear not only from the September 14 special vote on a bond issue for our roadways, but also simply from driving! When Lux Middle School was designed and built, Lincoln Public Schools still had school buses. The school and neighborhood were not designed to accommodate 400 parents in cars picking up their children. As well, the existing traffic congestion represents a potential safety hazard to the school children. While two more buses will not completely remove either the traffic congestion or the safety hazard, they will reduce both problems significantly.

Families in which both parents work and single-parent families usually do not have the flexibility to schedule working hours around getting children to and from school. At the middle school age children may be responsible enough to stay home alone after school; however, they still need a safe and reliable method of getting home.

In these fiscally tight times I can understand the desire to cut items from the budget. I can even understand how these additional bus routes for Lux Middle School might appear to be prime candidates for elimination: they would be a new service and therefore less likely to be missed. However, this thinking is very shortsighted. The long-term benefits of

public transport are self-justifying. While the fares paid by passengers on public transport may never cover the cost of that transportation, the reduced costs in terms of traffic congestion, road construction, safety, parking, and reduced pollution all benefit the city. Lincoln needs to lay the groundwork for public transportation expansion now. In the future many of the country's fuel problems will be answered not so much by energy-efficient cars as by public transportation. We need to get people enthusiastic about the benefits of public busing and create life-long users. Let's start with school children in southeast Lincoln getting to Lux Middle School and back.

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Sincerely,

Karin E. C. Fuog

cc. Mayor Coleen Seng
Lincoln City Council

RECEIVED
JUL 23 2004
CITY COUNCIL
OFFICE

Karin Fuog
9200 Foxen Circle
Lincoln NE 68526
402.486.0386
July 22, 2004

RECEIVED
JUL 23 2004
CITY COUNCIL
OFFICE

Patte Newman
935 Robert Road
Lincoln NE 68510

Dear Patte:

I am writing to urge you to reinstate in the 2004-2005 Lincoln city budget the proposed StarTran bus routes between Lux Middle School and neighborhoods south and east of the school. For a minimal cost, these additional bus routes will help solve citywide problems and improve overall quality of life.

Since school buses were removed from the Lincoln Public School budget, adding StarTran routes has proven to be an efficacious alternative. Existing routes between Lux Middle School and neighborhoods north, Lincoln North Star High School and Arnold Heights, and Scott Middle School and neighborhoods north and east demonstrate the usefulness and need for some kind of public transportation to and from schools. As there are no StarTran routes to Vintage Heights and South Edenton at all, currently school children do not have the option of catching a bus that gets them within even a few blocks of their destination. The proposed StarTran booster routes for Lux would serve a need that is not being met in any other manner.

As you know from your volunteer service on the Mobility and Transportation Task Force for the 2001 Comprehensive Plan and on the Long Range Transportation Plan Committee, as well as your current work on the Multimodal Transportation Task Force, public transport in general serves to alleviate traffic congestion. That Lincoln requires better traffic management is clear not only from the September 14 special vote on a bond issue for our roadways, but also simply from driving!

When Lux Middle School was designed and built, Lincoln Public Schools still had school buses. The school and neighborhood were not designed to accommodate 400 parents in cars picking up their children. As well, the existing traffic congestion represents a potential safety hazard to the school children. While two more buses will not completely remove either the traffic congestion or the safety hazard, they will reduce both problems significantly.

Families in which both parents work and single-parent families usually do not have the flexibility to schedule working hours around getting children to and from school. At the middle school age children may be responsible enough to stay home alone after school; however, they still need a safe and reliable method of getting home.

In these fiscally tight times I can understand the desire to cut items from the budget. I can

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Sincerely,

Karin E. C. Fuog

cc. Mayor Coleen Seng
Lincoln City Council

Karin Fuog
9200 Foxen Circle
Lincoln NE 68526
402.486.0386
July 22, 2004

RECEIVED
JUL 23 2004
CITY COUNCIL
OFFICE

Annette McRoy
2619 "R" Street (#2)
Lincoln NE 68503

Dear Annette:

I am writing to urge you to reinstate in the 2004-2005 Lincoln city budget the proposed StarTran bus routes between Lux Middle School and neighborhoods south and east of the school. For a minimal cost, these additional bus routes will help solve citywide problems and improve overall quality of life.

Since school buses were removed from the Lincoln Public School budget, adding StarTran routes has proven to be an efficacious alternative. Existing booster routes, such as the one in your own district between Lincoln North Star High School and Arnold Heights, demonstrate the usefulness and need for some kind of public transportation to and from schools. As there are no StarTran routes to Vintage Heights and South Edenton at all, currently school children do not have the option of catching a bus that gets them within even a few blocks of their destination. The proposed StarTran booster routes for Lux would serve a need that is not being met in any other manner. Just as city council funds the booster route to and from Lincoln North Star High School, so should you fund additional booster routes to and from Lux Middle School.

Public transport in general serves to alleviate traffic congestion. That Lincoln requires better traffic management is clear not only from the September 14 special vote on a bond issue for our roadways, but also simply from driving! When Lux Middle School was designed and built, Lincoln Public Schools still had school buses. The school and neighborhood were not designed to accommodate 400 parents in cars picking up their children. As well, the existing traffic congestion represents a potential safety hazard to the school children. While two more buses will not completely remove either the traffic congestion or the safety hazard, they will reduce both problems significantly.

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Sincerely,

Karin E. C. Fuog

cc. Mayor Coleen Seng
Lincoln City Council

RECEIVED
JUL 23 2004
CITY COUNCIL
OFFICE

Karin Fuog
9200 Foxen Circle
Lincoln NE 68526
402.486.0386
July 22, 2004

Ken Svoboda
7309 Skyhawk Circle
Lincoln NE 68506

Dear Ken:

I am writing to urge you to reinstate in the 2004-2005 Lincoln city budget the proposed StarTran bus routes between Lux Middle School and neighborhoods south and east of the school. For a minimal cost, these additional bus routes will help solve citywide problems and improve overall quality of life.

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If you would like to discuss this issue further, please feel free to contact me at home in the evenings.

Sincerely,

Karin E. C. Fuog

cc. Mayor Coleen Seng
Lincoln City Council

Dear City Council Members,

RECEIVED
JUL 23 2004
CITY COUNCIL
OFFICE

I just want to let you know that I 100% agree with the no-smoking ban in the public buildings. I love the fact that I won't have to get my food to go, or that I won't have to smell or taste the smoke while I am trying to enjoy my meal. I always ask for non-smoking when I go to restaurants, but I can still smell the smoke. It isn't like there is this magic net that catches the smoke and stops it from coming over to the non-smoking areas. Also, when someone has to use the restroom at a restaurant they must get up and walk to the restroom, so why is it such a big deal for someone to get up and walk to the door and smoke outside? If a smoker feels that it is too much work for them to get off their butt and walk outside to smoke, then they are just purely being lazy. If it is too much work for them to get up and smoke, then they really didn't need that cigarette anyway. Right now I can't go to many places that don't allow smoking and I have to live with that. Now that it might all change the smokers don't like the fact that they won't have much of a choice now. Smokers don't like the fact that the roles are changing now. Right now almost any restaurant I go to has smoking, and yes I can smell it all the time—even in non-smoking areas. If the law does change then they will have to live with it; at least we will all have clean air while enjoying our meal. Personally I feel that everyone whining about this whole damn thing are just a bunch of frickin' babies. Is it really going to be that difficult to get of their butts and go smoke? I mean damn, if they want to smoke that bad then why is it such an issue to them. They are still allowed to smoke, just not everywhere. I work with smokers and they must go outside to smoke. They go outside to smoke all the time. It doesn't matter to them if it is 101 degrees out or if it is 29 below zero, they still go out and smoke. If people want to smoke, then they will smoke; just hopefully it will have to be outside. I personally cannot wait for the law to be put into 100% effect. I love the idea! I believe that this decision is in the best interest of everyone. I wish you all luck in getting this thing rolling. This will truly help with the health of us non-smokers.

Thanks for your time.

Sincerely,

Mona Reed

Mona Reed



Joan V Ray
07/21/2004 08:44 AM

To: Gregg Culver <greggc62@alltel.net>
cc: council@ci.lincoln.ne.us
Subject: Re: Favor Smoking Ban

Dear Mr. Culver: 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

Gregg Culver <greggc62@alltel.net>



Gregg Culver
<greggc62@alltel.net>
07/20/2004 10:03 PM

To: council@ci.lincoln.ne.us
cc:
Subject: Favor Smoking Ban

Hooray to the City Council!

Eventhough the the smokers have gotten enough petitions to stop the smoking ban I think it was a great idea. Please don't change your ban. Let the voters decide, I am sure the voters will do the right thing. Smoking aggrevates my sinuses and allergies. It can harm children and adult nonsmokers. Thanks again for the smoking ban!

Gregg Culver
2146 Sandstone Road
Lincoln, Nebraska

RECEIVED
JUL 23 2004
CITY COUNCIL
OFFICE

THE MEETING PLACE, INC., 2748 "S" STREET, LINCOLN, NE 68524

July 21, 2004 RECEIVED

Councilman Terry Werner
City Council Office
555 South 10th St., Room 111
Lincoln, NE 68508

JUL 26 2004
CITY COUNCIL
OFFICE

Dear Sir:

I am writing on behalf of The Meeting Place, a nonprofit corporation which operates the former church at 28th and S streets to provide space for alcoholism recovery meetings.

To comply with the first city smoking ordinance, our Board of Directors banned smoking on the lower two floors but kept smoking as an option on the top floor. This floor has two meeting rooms, is isolated by automatically closing doors and is separately ventilated.

We hoped to get Health Department approval for this arrangement under the law's provision for smoking rooms. But the new law passed June 28 has no such provisions.

This is a serious setback for those attempting to quit drinking. Newcomers to our recovery groups are often jittery smokers. Those of us with longterm sobriety have always felt that it was too much to require kicking two habits at once. I would hate to see anyone give up on alcoholism recovery because of a total indoor smoking ban.

So as chair of The Meeting Place board, I urge you to reconsider. Surely there must be some way to allow smokers and nonsmokers to coexist indoors.

The issue, after all, is protecting nonsmokers from the health hazard of secondhand smoke, nothing more. Smoking itself is a legal practice. If the law would focus on exposure to tobacco smoke, you could leave it to the owners of different buildings to devise their own solutions.

At The Meeting Place, 23% of our attendance voted to meet in the smoking rooms. This appears to reflect the proportion of the general public who smoke. If a quarter of Lincoln's bars or restaurants made provisions for smokers, who would be hurt? Likewise, if an employer determined that enough of his employees smoked to justify a smoking room, why not allow it?

I know that you on the City Council must be tired of this debate and reluctant to reopen any part of it, but if you reflect I think you will agree that it is more important that you get this right than that you get it done.

Sincerely,



Stuart Long, chair
The Meeting Place, Inc.
(402) 470-3834

July 24, 2004

RECEIVED

JUL 27 2004

CITY COUNCIL
OFFICE

Dear Lincoln City Council Members;

I'd like to find out why us taxpayers should pay for the Neo-Nazi demonstration, who asked them here in the first place, or who accepted there invitation. If they want to put on a demonstration, then they should find there own security, or pay us-The City of Lincoln- for doing it. I feel that they should be sent a bill for the cost. I don't feel that I should pay for it, if I do, I'd like to be informed next time of such a disgrace to our city. I agree with one of the ladies I saw on TV,--"There is no room for hate in our state".

Also, I believe that the political rally at the Embassy Suites, regardless of party, should be billed for the security, that the City of Lincoln provided.

How can you expect the people of Lincoln to pass a \$75 Million bond issue, which costs extra money, again, to put on the ballot. I was willing to vote for such a bond, finding out it would only raise my property taxes \$10. But now, I find that we have people in the city offices that don't have common sense about good spending.

I sincerely hope you can find it in your heart and best interest, in sending the above mentioned a bill, and expect payment for such expenditures and a good job well done, by the city. And, also reconsider such outlandish expenses in the near future.

I'd like to hear from you in this regard. Thank you.

Sincerely,



John Schomerus

7049 Colfax Ave.

Lincoln, Ne 68507

Home ph #. 402-465-8338

COMMUNITY MENTAL
HEALTH CENTER
of Lancaster County

Dean B. Settle, M.A.
Executive Director

Paulo R. Bahr, M.D., F.A.P.A.
Medical Director

2200 St. Mary's Avenue ~ Lincoln, Nebraska 68502 ~ Phone: 402/441-7940 ~ Fax: 402/441-8625

July 27, 2004

Mayor Colleen Seng
County-City Building
555 South 10th Street
Suite 208
Lincoln, NE 68508

RECEIVED

JUL 28 2004

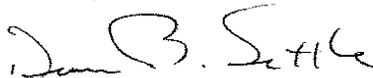
CITY COUNCIL
OFFICE

Dear Mayor Seng,

I am writing because of the upcoming discussions and action proposed with regard to bus passes for low income Lincolniters. The one thing that is certain in working with persons with mental illness is that they almost all here at the Community Mental Health Center are persons with low income and are way below the poverty line. Any assistance in providing less costly transportation which would enable them to move more freely, participate in wellness activities, make their doctor's appointments and therapy appointments, would be an advantage for the community as a whole.

We support your proposed low income bus pass and on behalf of the over 4,000 people we serve annually, we want you to know that this would be an advantage for them and we applaud your efforts on behalf of low income transportation accessibility.

Sincerely,



Dean B. Settle, M.A.
Executive Director
Community Mental Health Center
of Lancaster County

DBS:pd

pc: City Council Members ✓
Lancaster County Board of Commissioners



DO NOT REPLY to this-
InterLinc
<none@lincoln.ne.gov
>

To: General Council <council@lincoln.ne.gov>
cc:
Subject: InterLinc: Council Feedback

07/29/2004 10:13 AM

InterLinc: City Council Feedback for
General Council

Name: james l chambers
Address: 6061 s 74th.
City: Lincoln, NE 68516

Phone: 4024653806
Fax: 4024653870
Email: jim.l.chambers@rbcdain.com

RECEIVED

JUL 29 2004

CITY COUNCIL
OFFICE

Comment or Question:

I couldn't help but wonder how Pac Life would have responded to a community that encouraged growth. If the south bypass was a reality, complete with city water and sewer, wouldn't that be a wonderful location for them? If our planning department and planning commission had offered a growth insight over the years, instead of working so hard to stifel growth (my opinion, but obvious to anyone with any knowledge of Lincoln's history), where would we be now?

I listened to Gary Sadlemyer, on KFAB, recently wherein he literally laughed at Lincoln and suggested that Lincoln's "ma and pa mentality makes a great neighbor for Omaha, because we (Omaha) can steal business from them anytime we like".

We can't change the past, but we can affect the future. Impact fees, zoning restrictions, and a nationally ranked impossible city works department, don't make up the recipe for positive growth. It is time Lincoln grows up, wakes up, and joins the rest of the world.

This town is ready to become a city! You can't stop it. You can only slow it down, and you have done a fine job of that so far. It is time to forget your personal political agendas. Quit the bickering. Quit trying to protect everybody's backyard. Quit trying to protect their front yard! 27th should be four lane from Saltillo to I-80! We need a bypass long before we need the Antelope Creek expenditure!

I really don't know why I am bothering to write this. It appears to be a waste of your and my time. It just makes me mad when we lose another company, another family, another possibility because of short sighted, closed minded, self serving decisions that have been made over and over in your offices. I give up. Maybe I will live long enough to see changes made, or maybe I will just do like Pac Life, and Gallup, and so many others; take the easy route.

I'm frustrated.

Jim Chambers



Joan V Ray

07/29/2004 11:07 AM

To: jill.rankin@cancer.org
cc: council@ci.lincoln.ne.us
Subject: Re: Thank you for bringing smokefree air to Lincoln!

Dear Ms. Rankin: 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

RECEIVED

JUL 29 2004

CITY COUNCIL
OFFICE

jill.rankin@cancer.org



jill.rankin@cancer.org

07/29/2004 10:15 AM

To: council@ci.lincoln.ne.us
cc:
Subject: Thank you for bringing smokefree air to Lincoln!

Lincoln City Council
555 S. 10th Street
Lincoln, NE 68508

Dear Lincoln City Council,

I am writing to thank the City Council for choosing to protect the health of all workers, residents, and visitors of Lincoln.

Please be vigilant in safeguarding the new law from any opposition attempts to weaken or repeal the law.

Lincoln residents, especially those working in smoke-filled environments, can now look forward to fewer heart attacks, fewer asthma attacks, and lower cancer rates. They will have you to thank for their improved health and quality of life.

Experience in hundreds of other communities around the country shows that smokefree laws, once in effect, are not only popular, but also good for health, and good for business.

Thank you again for you commitment to a healthier Lincoln.

Sincerely,

Jill Rankin
435 South Broadway
Suite 100
Wichita, Kansas 67202

**ADDENDUM
TO
DIRECTORS' AGENDA
MONDAY, AUGUST 2, 2004**

I. MAYOR - NONE

II. CITY CLERK - NONE

III. CORRESPONDENCE

A. COUNCIL REQUESTS/CORRESPONDENCE

GLENN FRIENDT

1. Message noting positive facts regarding the Patriot Act.

JON CAMP

1. E-Mail from Stan Dinges to Jon Camp - RE: Smoking What Else! - (See E-Mail)
2. E-Mail from Bernice Goemann to Jon Camp - RE: Purchase of Fire Equipment. - (See E-Mail)

B. DIRECTORS AND DEPARTMENT HEADS

HUMAN SERVICES

1. Letter from Human Services Department RE: Health Department Response to Operating Latino Program and the Budget Response from HS that the Keno Advisory Board's Recommendations for Round 21 be placed on the City Council and County Board's Agendas for Approval - As submitted.
2. Letter from Kit Boesch RE: Low Income Bus Program 2004-05.

STARTRAN

1. Memorandum from Larry Worth, StarTran Director RE: StarTran Advisory Board Recommendations and the Mayor's Recommended 2004-05 Budget regarding the Lux Route Deviation Service.

C. MISCELLANEOUS

1. E-Mail from Richard Longacre - RE: Beals Slough - West of 27th to Southwood Drive - (See E-Mail)
2. E-Mail from Christine Aguirre - RE: Don't Axe our park! - (See E-Mail)
3. E-Mail from Dean Cole/Cindy Rutan - RE: Oppose Proposed Budget cut. -(See E-Mail)
4. Memo from Tad McDowell, Chair StarTran Advisory Board - RE: Low Income Program - (See Memo)



from the July 29, 2004 edition - <http://www.csmonitor.com/2004/0729/p09s02-coop.html>

RECEIVED

JUL 30 2004

CITY COUNCIL
OFFICE

Face facts: Patriot Act aids security, not abuse

By Paul Rosenzweig

WASHINGTON - Falsehood, according to Mark Twain's famous dictum, gets halfway around the world before the truth even gets its shoes on. Time and again, outlandish stories seem to grow legs and find wide distribution before the truth can catch up.

A good example is the USA Patriot Act. It's so broadly demonized now, you'd never know it passed with overwhelming support in the days immediately after Sept. 11, 2001.

Critics paint the Patriot Act as a caldron of abuse and a threat to civil liberties. Advocacy groups run ads depicting anonymous hands tearing up the Constitution and a tearful old man fearful to enter a bookstore. Prominent politicians who voted for the act call for a complete overhaul, if not outright repeal.

But the truth is catching up. And the first truth is that the Patriot Act was absolutely vital to protect America's security.

Before 9/11, US law enforcement and intelligence agencies were limited by law in what information they could share with each other. The Patriot Act tore down that wall - and officials have praised the act's value.

As former Attorney General Janet Reno told the 9/11 commission, "Generally, everything that's been done in the Patriot Act has been helpful ... while at the same time maintaining the balance with respect to civil liberties."

And as Attorney General John Ashcroft's recent report to Congress makes clear, this change in the law has real, practical consequences. Information-sharing facilitated by the Patriot Act, for example, was critical to dismantling terror cells in Portland, Ore.; Lackawanna, N.Y.; and Virginia. Likewise, the act's information-sharing provisions assisted the prosecution in San Diego of those involved with an Al Qaeda drugs-for-weapons plot involving "Stinger" antiaircraft missiles.

It also aided in the prosecution of Enaam Arnaout, who had a longstanding relationship with Osama bin Laden and who used his charity organization to obtain funds illicitly from unsuspecting Americans for terrorist groups and to serve as a channel for people to contribute knowingly to such groups.

These are not trivial successes. They're part of an enormous, ongoing effort to protect America from further terrorist attacks.

We cannot, of course, say that the Patriot Act alone can stop terrorism. But every time we successfully use the new tools at our disposal to thwart a terrorist organization, that's a victory.

Yet remarkably, some of these vital provisions allowing the exchange of information between law enforcement and intelligence agencies will expire at the end of next year. So here's a second truth: If Congress does nothing, then parts of the law will return to where they were on the day before 9/11 - to a time when our government couldn't, by law, connect all the dots. Nobody wants a return to those days, but that is where we are headed if Congress does not set aside its partisan debates.

But what of the abuses? Time for a third truth: There is no abuse of the Patriot Act. None. The Justice Department's inspector general (who is required by the Patriot Act to examine its use and report any abuse twice a year) reported that there have been no instances in which the act has been invoked to infringe on civil rights or civil liberties. Others agree. For example, at a Judiciary Committee hearing on the Patriot Act, Sen. Dianne Feinstein (D) of California said: "I have never had a single abuse of the Patriot Act reported to me. My staff ... asked [the ACLU] for instances of actual abuses. They ... said they had none."

So the fiction of abuse can be laid to rest. The government is not, to take but one popular myth, invading libraries and scouring your book records. It's a convenient fiction that calls to mind, as Joseph Bottum, a contributor to *The Weekly Standard*, has written, the appealing image of "white-haired and apple-cheeked [librarians] resisting as best they can the terrible forces of McCarthyism, evangelical Christian bookburning, middle-class hypocrisy, and Big Brother government." But no matter how appealing the image, it has no more reality than a good Hollywood movie.

Government's obligation is a dual one: to provide security against violence and to preserve civil liberty. This is not a zero-sum game. We can achieve both goals if we empower government to do sensible things while exercising oversight to prevent any real abuses of authority. The Patriot Act, with its reasonable extension of authority to allow the government to act effectively with appropriate oversight rules, meets this goal.

And the truth eventually catches up to the fiction.

• *Paul Rosenzweig, an adjunct professor of law at George Mason University, is a senior legal research fellow at the Heritage Foundation. ©The Baltimore Sun.*

[Full HTML version of this story which may include photos, graphics, and related links](#)

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CAMPJON@aol.com

08/01/2004 11:38 AM

To: jray@ci.lincoln.ne.us (City Council)

cc:

Subject: Fwd: SMOKING WHAT ELSE

--

Jon Camp
Lincoln City Council
City Council Office: 441-8793
Constituent representative: Darrell Podany

RECEIVED
AUG 02 2004
CITY COUNCIL
OFFICE

----- Message from stan dinges <jukebox67@juno.com> on Sun, 1 Aug 2004 10:01:44 -0500 -----

To: jcamp@ci.lincoln.ne.us

Subject SMOKING WHAT
: ELSE

STAN DINGES
NEIGHBORS LOUNGE 7010 O ST
LINCOLN, NE 68510

COUNCILMAN CAMP:

I AM SURE THAT YOU HAVE BEEN BOMBARDED WITH REQUESTS TO CHANGE YOUR VOTE ON THE SMOKING ORDINANCE. HAVING WATCHED THE COUNCIL OVER THE LAST FEW YEARS AND ESPECIALLY YOU I HAVE FELT THAT YOU TOOK THE SMALL BUSINESS OWNERS CONCERNS TO HEART AND DID THE BEST FOR THEM. WE AS SMALL BUSINESS OWNERS HAVE DONE THE POLITICAL PROCESS THE PROPER WAY. I DON'T THINK THAT THE CITY COUNCIL HAS RESPECTED THAT PROCESS. I FEEL THAT BRUCE DART HAS INFLUENCED SOME DECISIONS WITH OUT REGARD TO BUSINESS RIGHTS. I FEEL THAT THE SIMPLEST WAY TO HANDLE THIS FAIRLY FOR ALL CONCERNED IS FOR THE CITY TO PUT THIS OUT TO THE STATE AND LET THE PLAYERS IN THE NONSMOKING AND SMOKING SIDE 'AIR' THEIR ARGUMENTS. THIS WOULD PUT EVERYBODY ON THE SAME PLAYING FIELD. NO COMELINESS WITH NEARBY COMMUNITIES AND A STATE LAW TO BE ENFORCED. IF THIS IS SOMETHING THAT COULD BE INTRODUCED IN COUNCIL PLEASE CONSIDER THIS. IT WAS SAVE A LOT OF MONEY ON BOTH SIDES RATHER THAN GO TO THE CITY VOTING PROCESS.

SINCERELY
STAN DINGES

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CAMPJON@aol.com

07/29/2004 10:30 PM

To: jray@ci.lincoln.ne.us (City Council)

cc:

Subject: Fwd: new fire department equipment

For distribution.

--

Jon Camp
Lincoln City Council
City Council Office: 441-8793
Constituent representative: Darrell Podany

----- Message from "Bernice Goemann" <bgoemann@calmit.unl.edu> on Thu, 29 Jul 2004 15:00:23 -0500

To: <jcamp@ci.lincoln.ne.us>

cc: <dpodany@ci.lincoln.ne.us>

Subject new fire department
: equipment

It was recently brought up by the fire chief, that the department needed new equipment, at a cost of over \$2 million. Here are some of my thoughts on why that would be a bad idea. Don't get me wrong, employees should have safe vehicles to use, but the Chief has not shown any paperwork or studies to substantiate why this purchase is necessary.

The trucks are regularly maintained and are driven only locally – such as answering a service call (fire, or rescue etc.), hence they should not have a lot of mileage on them, even if the trucks are 24 years old. That should be the case, but when I see the local engine company driving the truck to the local super market, eating at McDonalds, or even stopping at the neighborhood video store, while on duty, this is an abuse of city equipment and personnel time. All of these things should be done before going on the clock... Those trucks are not models of economy and efficiency as far as gas goes, and it really burns (excuse the pun) me up to see this abuse going on.

Apparently, the firefighters as well as a few other city departments are ignorant of the rule, that you do not use a government vehicle for personal business (procuring lunch etc.) unless it is on the way to a job site, and it would be a great inconvenience to go back to the departmental office. In that case, most people bring their own lunch, or use their own personal vehicle. The Police Department is and should be exempt since they have to stay in their area.

On another note, as a taxpayer, I don't see too many other city departments cutting their budgets either. We all could get by on less services, if we had to, if it meant cutting taxes, which are getting out of sight. Another example of government excess -- I just checked the Lincoln Telephone Book Blue Pages, where there is a whole column dealing with Aging Services. Are all of these social programs being paid for by the taxpayer – I hope not! Many of these programs seem to serve a very small percentage of people, not enough in my book to justify their existence.

Just my thoughts

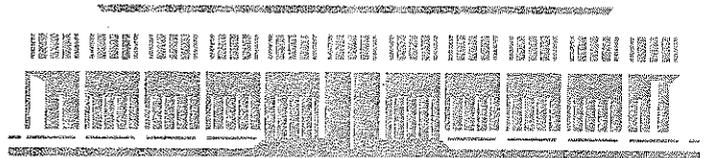
Sincerely,

Bernice Goemann
3720 Lewis Ave, 68521
(402) 476-6484

City of *Lincoln*
Lancaster County

HUMAN SERVICES DEPARTMENT

555 South 9th Street Lincoln, Nebraska 68508
E-mail kboesch@co.lancaster.ne.us



Telephone (402) 441-4944 Fax (402) 441-6805

TO : Lancaster County Board
✓ Lincoln City Council

FROM : Kit Boesch, Human Services

DATE : July 29, 2004

RE : Health Department Response to Operating Latino Program

RECEIVED
JUL 30 2004
CITY COUNCIL
OFFICE

This year Planned Parenthood of Nebraska and Council Bluffs submitted a Keno grant to continue a project training Latino mentors in the areas of primary health care (prevention). They requested \$7,500 and, due to limited funds, were recommended for \$3,000. The question asked by County Commissioners Heir and Hudkins was:

Is this a project the Lincoln/Lancaster County Health Department can and/or should do?

In discussions with Bruce Dart, the Health Department does not feel they could begin a program of this magnitude for only \$3,000. Bruce is very supportive of the Planned Parenthood existing project and recognizes the mentors and families already engaged are tremendous assets. He would recommend the program stays at Planned Parenthood.

Based on this response I would now like to request the Keno Advisory Board's recommendations for Round 21 be placed on both the City Council and County Board's agenda for approval, as submitted.

KB/vdg

Enclosure

cc: Mayor Coleen Seng
Bruce Dart, Director, Lincoln/Lancaster County Health Department
Joel McChesney, Chair, Keno Human Service Prevention Advisory Board
Kerry Eagan, Chief Administrative Office, County Board
Joan Ross, City Clerk

JBC Approved
Common Approved
City Council Approved _____
County Board Approved _____

**Proposed Keno Human Services Prevention Fund Allocations
Round 21**

Date: July 12, 2004

Amount Requested: \$89,000 (16 agencies)

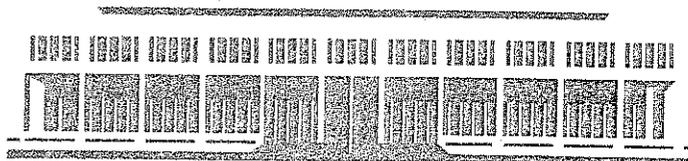
Amount Recommended: \$38,800 (nine agencies)

<u>Agency/Program Description</u>	<u>Amount</u>
1. <u>MilkWorks, Inc.</u> (continuation grant) Provides lactation assistance to 75 low income mothers and their babies. MilkWorks provides all supplies.	\$1,250
2. <u>YWCA – Try Another Way</u> (continuation grant) Provides training to 20 female offenders ages 14-18, as part of survival skills training.	\$3,750
3. <u>Kiwanis Club of Lincoln – Teddy Bear Cottage</u> Offers a year round incentive program to minority pregnant teen/women (diapers, clothes, supplies) who seek healthier lifestyle practices.	\$3,750
4. <u>Lincoln Action Program – CHIRP</u> CHIRP language helpline is now receiving 1,200 calls a year. This will enhance the number of phone lines available.	\$4,500
5. <u>Lincoln Interfaith Council – Faces of the Middle East</u> Stop gap funding to maintain case management for Middle Easter clients. Over three months they have served 720 adults, 15 seniors, and 225 youth.	\$7,500
6. <u>Lincoln Literacy Council</u> This will add cultural sensitivity to the Lincoln Literacy Council training packets, upgrade the ESL curriculum, and enhance retention rates for volunteers.	\$5,000
7. <u>People’s City Mission</u> To assist feeding over 3,000 guests due to a 26% increase in clients last year.	\$6,500
8. <u>Planned Parenthood of Lincoln</u> To train 10 community Latino advocates to work with 240 Latino families on primary prevention health education. Planned Parenthood of Lincoln works with the UNL Family and Consumer Science Department.	\$3,000
9. <u>KZUM – Sunrise Communications</u> Provides public radio series on children’s health and community health in six different languages. KZUM reaches 250,000 listeners.	\$3,500
TOTAL	\$38,800

City of *Lincoln*
Lancaster County

HUMAN SERVICES DEPARTMENT

555 South 9th Street Lincoln, Nebraska 68508
E-mail kboesch@co.lancaster.ne.us



Telephone (402) 441-4944 Fax (402) 441-6805

TO : Terry Werner, Chairman
Lincoln City Council

FROM: Kit Boesch *KWB*
Human Services Administrator

DATE : July 29, 2004

RE : Low Income Bus Program 2004-05

RECEIVED
JUL 30 2004
CITY COUNCIL
OFFICE

This office is proposing a \$5 per month unlimited ride free for low income people. Councilman Werner has proposed a \$5 per year ride plan for low income. While I applaud the intent, I think there are two problems with this approach.

1. Life situations for people change. Once low income doesn't have to mean always low income. If a person gets a job and they no longer qualify because they have financial means, then they should pay full fare.
2. Fraud will occur. That is, if a regular pass costs \$24 and a "special" pass is \$5 there will be those who sell their passes (say for \$10 or \$15) for the money. I'm not sure how you stop that.

However, if this happens for an all year pass, that person now rides on a reduced fare all year and low income person has no more pass opportunity.

As I said, I applaud the intent. However, I still believe \$5 per month pass is more appropriate.

KB/vdg

cc: Mayor Coleen Seng
Larry Worth, Star Tran

interoffice
MEMORANDUM

RECEIVED

JUL 30 2004

CITY COUNCIL
OFFICE

To: Members of the Lincoln City Council
From: Larry Worth - StarTran
Date: July 29, 2004
Subject: StarTran Advisory Board Recommendations
cc: Coleen Seng - Mayor, Allan Abbott - PW/U, Jan Bolin - Budget, Scott Tharnish - StarTran

The Mayor Recommended 2004-05 City of Lincoln Annual Operating Budget includes funding to operate Lux Route Deviation service for students residing in the currently unserved area south and southeast of Lux Middle School.

Per Chapter 2.38.100 of the Lincoln Municipal code, the StarTran Advisory Board must review and submit a recommendation to the City Council prior to City Council action on the subject proposed transit service. On July 29, 2004, the StarTran Advisory Board reviewed the proposed Lux Route Deviation transit service, and recommended that the subject service be implemented as a permanent StarTran route, effective August 24, 2004.

Also, at the July 29, 2004 StarTran Advisory Board meeting, Ms. Kit Boesch, Director of Human Services, made a proposal that all low income eligible riders could buy a monthly pass for \$5/month (HandiVan \$10/month). Eligibility would be in accordance with the federal poverty level guidelines. In the past the City of Lincoln allocated \$55,000 through Ms. Boesch's office in which she distributed to three agencies (Lincoln Action Program, Community Alternatives and HHSS) for purchasing bus fare devices. Of the \$55,000 granted, \$50,000 would be returned to StarTran, \$2,500 would be distributed to Matt Talbot Kitchen and \$2,500 would be retained by the Human Services office to maintain accountability records for the proposed project. The Advisory Board voted unanimously in favor of recommending the Low Income Program as proposed by Kit Boesch.



Joan V Ray

08/02/2004 08:55 AM

To: "Richard and Joan Longacre" <longacre@inetnebr.com>
cc: <council@lincoln.ne.gov>
Subject: Re: Beals Slough - West of 27th to Southwood Drive

Dear Mr. & Ms. Longacre: 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

"Richard and Joan Longacre" <longacre@inetnebr.com>



"Richard and Joan
Longacre"
<longacre@inetnebr.com>

To: <council@lincoln.ne.gov>
cc:
Subject: Beals Slough - West of 27th to Southwood Drive

07/31/2004 11:17 AM

RECEIVED
AUG 02 2004
CITY COUNCIL
OFFICE

Dear Council Members:

As President of the Southwood Place Association, I would like to see the new budget include monies for this project. I have correspondence dating back to 1990 regarding this, but nothing seems to happen. We are looking at extensive erosion, standing water, and damage to the sewer pipes. Time for preventive measures has passed. This project needs to be completed. I would suggest a visit to the site so you can view for yourself how extensive this problem is.

Your records will show the area from 48th to 27th completed very quickly and then the project seems to be on hold. The NRD advised us the city has the responsibility for the area so no action is being implemented by them. Our Association would appreciate your looking into this request and advising us of your decisions.

Thank you, in advance, for your cooperation.

Sincerely,

Richard Longacre
2108 Southwood Place
Lincoln, NE 68512
(402) 423-2318

e-mail: longacre@inetnebr.com



Joan V Ray
08/02/2004 08:58 AM

To: "Christine Aguirre" <christine@neb.rr.com>
cc: <council@ci.lincoln.ne.us>
Subject: Re: Don't axe our park!

Dear Ms. Aguirre: 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

RECEIVED
AUG 02 2004
CITY COUNCIL
OFFICE

"Christine Aguirre" <christine@neb.rr.com>



"Christine Aguirre"
<christine@neb.rr.com>
>

To: <council@ci.lincoln.ne.us>
cc:
Subject: Don't axe our park!

08/01/2004 04:01 PM

I just heard from our neighborhood park committee that the city council is planning to cut our park out of the budget next week. We are a newer neighborhood with no parks within walking distance and have been working with the Lincoln Parks and Recreation department for more than three years to plan and design our park. The park was already pushed back one budget year and now we may never have it?!

Please put the funding for the Country View Park back into the budget! We have a very active homeowner's association and we've been trying to work together to attract funds to augment what the city provides for a park, please don't leave us without a starting point!

We are also located right next a Lincoln Housing Authority project and many, many children living there and in our neighborhood need a park nearby to keep them from finding other less community-friendly activities to occupy their time.

PLEASE DON'T AXE OUR PARK!

Thank you,

Christine Aguirre
7409 S. 48th Street
Lincoln, NE 68516
402-420-7227

Christine Aguirre
christine@neb.rr.com



Joan V Ray
08/02/2004 09:01 AM

To: "Dean Cole" <deancole1970@msn.com>
cc: council@ci.lincoln.ne.us
Subject: Re: Oppose Proposed Budget cut

Dear Mr. Cole and Ms. Rutan: 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

"Dean Cole" <deancole1970@msn.com>

RECEIVED
AUG 02 2004
CITY COUNCIL
OFFICE



"Dean Cole"
<deancole1970@msn.com>
08/01/2004 06:41 PM

To: council@ci.lincoln.ne.us
cc:
Subject: Oppose Proposed Budget cut

City Council:

Please oppose the \$160,000 proposed budget cut to the City Parks and Recreation Capital Improvement Budget for city trails improvement and development. Our city trails network is an asset to the city of Lincoln. It provides transportation, recreation and a nature corridor for our city.

My job requires a lot of travel. When I tell people that I live in Lincoln, Nebraska, the most common comment from them is "Lincoln has a great trails system." I never hear them say Lincoln has a great street system! Lincoln is becoming more and more congested and noisy as it grows. The trails provide a peaceful escape from all of this plus it provides alternative transportation for those of us who do not drive to work. Instead of cutting the trail's budget the city should be increasing the budget to support trails.

Sincerely,

Dean Cole/Cindy Rutan
2644 Washington
Lincoln, NE
476-0654

Take Care,

Dean Cole

Is your PC infected? Get a FREE online computer virus scan from McAfee® Security. <http://clinic.mcafee.com/clinic/ibuy/campaign.asp?cid=3963>

M E M O R A N D U M

To: Mayor Coleen Seng and Members of the Lincoln City Council
From: Tad McDowell, Chair StarTran Advisory Board
Date: July 29, 2004
Subject: Low Income Program
cc: Allan Abbott - PW/U, Larry Worth - StarTran

On July 29, 2004, the StarTran Advisory Board reviewed the "Low Income Program" proposed by Kit Boesch, Director of Human Services. This proposal would afford all low-income eligible riders a StarTran monthly passport for \$5 (HandiVan \$10/month). The City of Lincoln grant of \$55,000, which is currently distributed to Lincoln Action Program, Community Alternatives and HHSS, is proposed to return \$50,000 to StarTran, \$2,500 to Matt Talbot Kitchen to purchase passes for the homeless, and \$2,500 to the Human Services office to maintain accountability records for the proposed project.

The StarTran Advisory Board expresses concern with the City Council proposal for a \$5.00 annual StarTran passport. The Board noted the annual passport could afford a significant opportunity for fraud as the value of the passport is \$360. Another concern is the assumption that a "low-income" person remains in that low-income status for a year.

The StarTran Advisory Board is fully supportive of, and recommends, the "Low Income Program" as proposed by Ms. Boesch, with a \$5 monthly passport for low-income eligible patrons.

FY04-05recommendations

RECEIVED
AUG 02 2004
CITY COUNCIL
OFFICE

**DIRECTORS' MEETING
MINUTES
MONDAY, AUGUST 2, 2004
CONFERENCE ROOM 113**

Council Members Present: Terry Werner, Chair; Ken Svoboda, Vice-Chair; Jon Camp, Jonathan Cook, Patte Newman, Glenn Friendt, Annette McRoy.

Others Present: Mayor Coleen Seng, Mark Bowen, Darl Naumann, Corrie Kielty, Lin Quenzer, Mayor's Office; City Clerk, Joan Ross; Rick Peo, Chief Assistant 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.

Mr. Werner suggested to his colleagues when this meeting is over that they go right into their "Noon" Meeting, since they've taken a break already, any objections to it. No objections.

I. MAYOR

Mayor Coleen Seng 'thanked' Council, she knows this morning was a grueling morning for everyone, it was for them and it was for our staff. She wants them to remember they've just got the best City staff any where around and when she goes to other conferences like U.S. Conference of Mayors, she comes back just reassured knowing that they have it here. So, she wants them to keep remembering that and they had worked very hard to bring down their budgets, they did before they got them and she knows that they can do what's best.

Mayor Seng stated to Council the one thing that she really has of importance that needs to get handed out are the minutes and recommendations of the Independent City Council Compensation Committee that the voters of this community passed at the last ballot issue the last time it was around. [Mayor Seng handed out material to Council -RE: Minutes and Recommendation of The Independent City Council Compensation Committee.] Mayor Seng noted they will find the recommendations listed there, they will find towns that they looked at and they will find the members of the committee. They worked very hard, but they did it all in one meeting, they were very frugal of their time. [Copy of this Material on file in the City Council Office.]

*1. Washington Report - July 16, 2004. — NO COMMENTS

- *2. NEWS RELEASE - RE: Mayor Presents Awards Of Excellence For May and June. — NO COMMENTS
- *3. E-Mail from Corrie Kielty/cc to Council - RE: Northeast Constituents Meeting - Thursday, July 22nd . — NO COMMENTS
- 4. Washington Report - July 23, 2004. — NO COMMENTS
- 5. Response E-Mail from Mayor Coleen Seng to Ed Schnabel - RE: Where has all the money gone? Second Request. — NO COMMENTS
- 6. NEWS ADVISORY - Mayor Seng and the Health Care for the Homeless Task Force will release a set of recommendations at a News Conference at 10:00 a.m. Thursday, July 29th at the Fresh Start Home at 2323 “F” Street. (Council Notified by E-Mail on 07-28-04). — NO COMMENTS
- 7. NEWS RELEASE - RE: Report Addresses Health Care for Homeless. News Release lists Seven Recommendations for the community to improve health care for homeless people in Lincoln. — NO COMMENTS

II. CITY CLERK

City Clerk Joan Ross stated to Council on their Agenda, she'd like to call Items 2, 3 & 4 together and just a little reminder to all that on Items 3 & 4 they'll probably delay action one week because they are Resolutions. *[04-137, Change of Zone 04039-Application of Eiger Corporation for a change of zone from H-4 General Commercial District to B-5 Planned Regional Business District on property generally located southeast of the intersection of South 84th Street and Highway 2; 04R-183, Special Permit 2046A-Application of Eiger Corporation to develop 32,500 sq. ft. of commercial and retail floor area with waivers to the preliminary plat process, to allow a cul-de-sac in excess of 1,000 feet, to reduce setbacks from 20 feet to 0 feet adjacent to outlots, to not require a sidewalk along Highway 2 and S. 87th Street, to allow the transfer of sewage from one drainage basin to another, and to allow lot lines not at right angles to street, on property generally located southeast of the intersection of S. 84th Street and Highway 2; and 04R-184, Use Permit 150A-Application of Eiger Corporation to develop 325,000 sq. ft. of commercial and retail floor area, with waivers to the preliminary plat process, to allow a cul-de-sac in excess of 1,000 feet, to reduce setbacks from 20 feet to 0 feet adjacent to outlots, to not require a sidewalk along Highway 2 and S. 87th Street, to allow the transfer of sewage from one drainage basin to another, and to allow lot lines not at right angles to street, on property generally located southeast of the intersection of S. 84th Street and Highway 2.]*

If she may, call Items 6 through 9 together, which are all relating to pay schedules. Mr. Werner stated he thinks that will be alright. *[04-139, Amending the pay schedule for the employee group whose classifications are assigned to the pay range prefixed by the letter E to adjust the schedules of annual, monthly, biweekly and hourly pay range equivalents; 04-140, Amending the pay schedule for a certain employee group prefixed by the letter A and the letter C by creating the job classifications of EMS Management Support Specialist and Urban Search and Rescue Specialist; 04-141, Amending Section 2.76.200 of the Lincoln Municipal Code, Compensation Plan, to clarify the procedure for temporary assignment in a higher classification as it relates to employees with a pay range prefixed by the letter N; and 04-142, Amending the pay schedule for the employee group whose classifications are assigned to the pay range prefixed by the letter X to adjust the schedules of annual, monthly, biweekly and hourly pay range equivalents.]*

She'd like to call Items 10 & 11 together, since they are related because of the alcohol. Mr. Werner commented he's a little less comfortable with that. City Clerk Joan Ross stated she thinks one belongs to the other. Mr. Werner stated okay. *[04-143, Amending Chapter 5.14 of the Lincoln Municipal Code relating to Bowling Alleys to define "public bowling centers" and to require a permit for a teen night event at a public bowling center, to change the reference from public bowling alley to public bowling center, to provide the permit procedure and fee for teen night events, to revise conditions for issuance of permits, to provide that permits for bowling centers shall expire one year after date of issuance, to change references to bowling "alleys" to "lanes", to change references to bowling alley to public bowling center, to clarify grounds for revocation of permits, to change a reference to "license" to "permit", to add new sections to provide permit requirements for teen night events, to prohibit the use of tobacco and alcoholic liquor at all teen night events, to establish closing hours for teen night events, to establish a minimum age of teen night event participants, to make it unlawful to falsely present age at a teen night event, to limit the use of facilities, to require maintenance and one year retention of a roster of participants at each teen night event, to require a certificate of insurance coverage, to provide an exception regarding violations, and to provide penalties; and 04-144, Amending Section 5.04.120 of the Lincoln Municipal Code to allow minors to be on premises licensed to sell alcohol after 9:00 p.m. only during times and places properly permitted for a particular teen night event.]*

She's been asked to call, if they would allow Items 13 & 14 to be called together. Mr. Werner stated he thinks that would be okay. City Clerk Joan Ross stated okay. *[04R-185, Approving a three-year services contract for Downtown Business Improvement District; and 04R-186, Approving the Budget and Program of Work for the Downtown Lincoln Association Management and Maintenance Districts for Fiscal Year 2004-2005.]*

For Item 15, she heard through Public Works that "Vincenzo's" is intending to withdraw this request, but she doesn't have anything official from them. City Clerk Joan Ross indicated that she got it from Public Works because they do start there on this area way, so if she doesn't get anything official maybe they should delay it a week and see if they're really meaning to withdraw. But, all she's hearing so far is a phone call from Kim, it's up to Council, she's just letting them know. *[04R-187, Authorizing Vincenzo's Inc. to occupy a portion of the public right-of-way at 808 P Street to provide outdoor seating for Vincenzo's Restaurant]*

Nicole Fleck-Tooze stated she has one comment on that, they got a call from the owner this morning saying he had intended to withdrawal it. Ms. Tooze indicated if he were not withdrawing it they had been planning to propose a Motion-To-Amend to include the condition that they had suggested, which wasn't in the Resolution. So, as they understand now that's not necessary because he's going to withdraw it, but as Joan [Ross] said they haven't gotten the letter yet. Mr. Werner commented have you asked him to provide that in writing or some method. City Clerk Joan Ross indicated that she did call back and she did tell him that she would like to have it in writing and gave her fax number, phone number and E-Mail so he could get a hold of her. Ms. Tooze commented so if they just haven't received it they can just put it on Pending. City Clerk Joan Ross commented maybe delay it at least a week, so they can maybe get something. Mr. Werner stated okay.

On the 'Miscellaneous Referral Sheet' the last item, she has received an Appeal on Impact Fee determination on Larry Elders for Alodium, LLC, which came in on July 29th. She's been in communication with McKayla Hansen and September 13th is the date that she had suggested due to other things that she's working on, so she just thought that she would point that out, it's a ways down the line. Mr. Svoboda asked City Clerk Joan Ross what did the applicant request? City Clerk Joan Ross stated he hasn't, he simply filed this and the ordinance requires that she set the hearing date or Council does the next meeting which would be today. Mr. Svoboda commented a month seems awful lengthily. City Clerk Joan Ross indicated that McKayla had asked for the first available Monday in September and she thinks the 6th is a holiday, Labor Day, so that bumps them to the 13th that's why she's kind of pointing that out. Mr. Svoboda commented he

thinks 45 days seems a little unreasonable, so he thinks they should check with McKayla and find out what the reason is. City Clerk Joan Ross stated she thinks she's out of town is the problem, a death in the family. Mr. Svoboda stated okay. Mr. Werner asked Darl [Naumann] or Marvin [Krout] if they have any comments on it. They had no comments. City Clerk Joan Ross indicated that she couldn't see a time-line in the ordinance that requires when to set the hearings. She can contact Larry Elders to see what his feeling is, if he's willing to go along with that and she can let Council know by 1:30 p.m. Mr. Svoboda replied okay that would be appreciated. City Clerk Joan Ross stated okay.

1. Letter from City Clerk forwarding "Questionnaire" to Council Members. (See Attached Letter from Jacob Kahler). – NO COMMENTS

[Mr. Werner mentioned at this time that they had an Addendum.]

ADDENDUM - (For August 2nd)

I. MAYOR - NONE

II. CITY CLERK - NONE

III. CORRESPONDENCE

A. COUNCIL REQUESTS/CORRESPONDENCE

GLENN FRIENDT

1. Message noting positive facts regarding the Patriot Act. — NO COMMENTS

JON CAMP

1. E-Mail from Stan Dinges to Jon Camp - RE: Smoking What Else! — NO COMMENTS
2. E-Mail from Bernice Goemann to Jon Camp - RE: Purchase of Fire Equipment. — NO COMMENTS

B. DIRECTORS AND DEPARTMENT HEADS

HUMAN SERVICES

1. Letter from Human Services Department RE: Health Department Response to Operating Latino Program and the Budget Response from HS that the Keno Advisory Board's Recommendations for Round 21 be placed on the City Council and County Board's Agendas for Approval - As submitted. — NO COMMENTS

2. Letter from Kit Boesch RE: Low Income Bus Program 2004-05. — NO COMMENTS

STARTRAN

1. Memorandum from Larry Worth, StarTran Director RE: StarTran Advisory Board Recommendations and the Mayor's Recommended 2004-05 Budget regarding the Lux Route Deviation Service. — NO COMMENTS

C. MISCELLANEOUS

1. E-Mail from Richard Longacre - RE: Beals Slough - West of 27th to Southwood Drive. — NO COMMENTS
2. E-Mail from Christine Aguirre - RE: Don't Axe our park! — NO COMMENTS
3. E-Mail from Dean Cole/Cindy Rutan - RE: Oppose Proposed Budget cut. — NO COMMENTS
4. Memo from Tad McDowell, Chair StarTran Advisory Board - RE: Low Income Program. — NO COMMENTS

[End of the Addendum]

III. CORRESPONDENCE

A. COUNCIL REQUESTS/CORRESPONDENCE

PATTE NEWMAN

1. **OUTSTANDING Request to Ernie Castillo, Wynn Hjermsstad, 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). — 1.) SEE RESPONSE FROM TERRY BUNDY, LES RECEIVED ON RFI#20 - 4/12/04.** — Ms. Newman stated this item needs to stay on. Tammy Grammer stated to Ms. Newman okay.
2. **OUTSTANDING Request to Nicole Fleck-Tooze, Dennis Bartels, Allan Abbott, Public Works/ Tonya Skinner, Dana Roper, City Law Dept./Marvin Krout, Planning - RE: A resident of the Easthart Neighborhood a problem they had in their development - the commons area**

between 78th St. & Maxey School - (RFI#21- 4/29/04). — **1.) SEE RESPONSE FROM DENNIS BARTELS, PUBLIC WORKS & UTILITIES DEPARTMENT RECEIVED ON RFI#21 - 5/24/04.** – 2.) Response from Dennis Bartels, PW received on RFI#21 - 06/04/04 (Same response as 1.) – 3.) **SEE RESPONSE FROM TONYA SKINNER, CITY LAW DEPARTMENT RECEIVED ON RFI#21 - 7/14/04.** — Ms. Newman stated this item can be removed from the Agenda. Tammy Grammer stated to Ms. Newman okay.

3. **OUTSTANDING Request to Allan Abbott, Public Works & Utilities Director/ Dana Roper, City Law Department - RE: The Infrastructure Financing Meeting on 5/18/04 - subject of wheel tax was raised (RFI#24 - 5/19/04).** — **1.) SEE RESPONSE FROM MARGARET BLATCHFORD, CITY LAW DEPARTMENT RECEIVED ON RFI#24 - 7/19/04.** — Ms. Newman stated this item can be removed from the Agenda. Tammy Grammer stated to Ms. Newman okay.
4. **OUTSTANDING Request to Marc Wullschleger (UD)// Kit Boesch (Human Services) // Dana Roper (Law) RE: A concern that College Students may be usurping Low-Income Public Housing from the Poor. (RFI #25 - 06-23-04).** — **1.) SEE RESPONSE FROM KIT BOESCH, HUMAN SERVICES ADMINISTRATOR RECEIVED ON RFI#25 - 7/02/04.** — **[NOTE: Response from Marc Wullschleger, Urban Development Director to RFI#25 received on 7/16/04 - RE: College Students Usurping Low Income Public Housing from the Poor - Response listed on the Directors' Addendum for 7/19/04.] SEE RESPONSE FROM JOEL D. PEDERSEN, LAW DEPT ON RFI #25 - RECEIVED 07-26-04).** — Ms. Newman stated this item can be removed from the Agenda. Tammy Grammer stated to Ms. Newman okay.

TERRY WERNER

1. **OUTSTANDING Request to PW/Planning - RE: Inquiry from Jay Petersen on Kajan Drive - Public or Private Roadway, plus Surface Rehabilitation Process (RFI #130-6-15-04).** — **NO COMMENTS**
2. **OUTSTANDING Request to Vince Mejer, Purchasing Agent - RE: Notice to Bidders #04-110 – Television Equipment (RFI#132 - 6/16/04).** — **NO COMMENTS**

3. OUTSTANDING Request to **Marvin Krout, Planning Director** - RE: Opening Fletcher Avenue to 14th Street (RFI#133 - 6/16/04). — **1.) SEE RESPONSE FROM DENNIS BARTELS, PUBLIC WORKS & UTILITIES DEPARTMENT RECEIVED ON RFI#133 - 7/01/04.** — Mr. Werner stated to Tammy Grammer this item can be removed from the Agenda. Ms. Grammer stated to Mr. Werner okay.
4. Request to Allan Abbott, Public Works & Utilities Director/Larry Worth, StarTran - RE: HandiVan Service to Coaches, 640 W. Prospector Ct. (RFI#134 - 6/21/04). — **1.) SEE RESPONSE FROM LARRY WORTH, STARTRAN RECEIVED ON RFI#134 -6/24/04.** — Mr. Werner stated to Tammy Grammer this item can be removed from the Agenda. Ms. Grammer stated to Mr. Werner okay.

GLENN FRIENDT

1. OUTSTANDING Request to **Lynn Johnson, Parks & Rec. Director** - RE: South Salt Creek Community Organization concerns (RFI#33-5/25/04). — NO COMMENTS
2. Request to Don Herz, Finance Director/Dana Roper, City Attorney - RE: Constituent inquiry regarding the proposed bond issue (RFI#34 - 7/13/04). — **1.) RESPONSE FROM DON HERZ, FINANCE DIRECTOR RECEIVED ON RFI#34-7/19/04. -(Council received their copies of this RFI Response #34 at the Pre-Council Meeting regarding Council Deliberations on Mayor's Recommended Budget scheduled at 9:00 a.m. on June 19th). SEE RESPONSE FROM DANA ROPER, CITY ATTORNEY ON RFI #34 - RECEIVED 07/26/04.** — NO COMMENTS
3. Request to Don Herz, Finance Director/Steve Hubka, City Budget Officer - RE: Fire Equipment Lease-Purchase (RFI#35 - 7/19/04). — **1.) SEE RESPONSE FROM DON HERZ, FINANCE DIRECTOR RECEIVED ON RFI#35 - 7/22/04.** — NO COMMENTS
4. Request to Allan Abbott, Public Works, - RE: Accident Data on Intersection of W. Van Dorn and South Coddington for 5-year period. (RFI #36 - 07-28-04). — NO COMMENTS

JONATHAN COOK

1. **OUTSTANDING Request to Weed Control/Public Works & Utilities Department/ Parks & Recreation Department** - RE: Maintaining of ROW along W Van Dorn - (RFI#114 - 6/14/04). — Mr. Cook commented ‘well’ just wondering it’s been a month and a half is he ever going to get a reply to this RFI. He’s already had this individual write him back by E-Mail a couple of times asking if someone could follow up on it, so he’d really like to get an answer some time soon. Nicole Fleck-Tooze stated she’ll follow up on it and see if they can get him something within the next week. Mr. Cook ‘thanked’ Ms. Tooze.

JON CAMP

- *1. E-Mail from Mike & Carol Laughlin to Jon Camp - RE: Matching bike trails funding. — NO COMMENTS
2. E-Mail from Julie Sipp to Jon Camp - Opposed to 100% Smoking Ban. — NO COMMENTS
3. E-Mail from Jan Karst w/Response from Jon Camp RE: Smoking Ban and the Lodging Industry. — NO COMMENTS
4. E-Mail from Diane Gonzolas w/Response from Jon Camp - RE: Budget Changes, Inserts & Notifications. — NO COMMENTS
5. E-Mail from David H. Van Winkle w/Response from Jon Camp RE: Favoring re-consideration of “blanket” ban under the Smoking Regulation Act. – NO COMMENTS
6. 2 E-Mails to Jon Camp RE: Budget Concerns involving the Purchase of Fire Equipment. — NO COMMENTS

B. DIRECTORS AND DEPARTMENT HEADS

Ms. Newman stated they had an Airport Environs thing, they had public hearing last week and asked Marvin [Krout] if he had some additional information on notification. Marvin Krout stated ‘well, he thinks your question to Duncan was about any additional notification besides the filing of the [inaudible] easement. Now, he wasn’t sure your memo said that you wanted to get it to the original lock buyer as opposed to a future lock buyer or home buyer. Ms. Newman replied if

there's a possibility to do that just to let people know as early as possible. Mr. Krout commented when your buying a vacant lot, he would think that's the ... as opposed to the home and all that's entailed with the [inaudible] of the home, it seems to them that your more than likely to notice all of the restrictions on the land that go with the lot. So, the [inaudible] easement that will go with that he thinks certainly will be made known to the original lot buyer in a case like that, when your buying a house you intend to forget all of the little details about the title restrictions and things because you're worried about what color is the hallway, etc. When they discussed this they thought it wasn't a real issue, they did discuss the idea of a possible brochure and working on an informal basis education with Realtors in that area like they do with historic districts for example. But, it also did occur to them that in this particular case they are backing up the maximum noise level at which you can build homes in there, so they're not going to have homes built in the 65 to 70 decibel range. They do have homes in other areas that aren't under the Airport Zone that are in heavy noise areas that you could say why don't they notify property owners and respective buyers about those sort of situations to. All that discussion led them to the fact that maybe the Health Department as part of an Educational Program should be the ones who are talking to property owners about this. Mr. Krout indicated that at one time there was an early recommendation about placing signs in subdivisions [inaudible], but they thought that really is not a good idea especially since they're really backing up. They're making more restrictive where you can build in this area, so they don't have really severe noise problems that they anticipate under this. Mr. Krout commented so that's a long way around of saying that they think probably there could be an Education Program, if you tell Realtors if there's an issue they're required to disclose it, but then not all homes are sold by Realtors. But, if there's an easement an owner is supposed to disclose it as part of their sale, so basically they thought that an Education Program and probably from the Health Department which is responsible for noise and the Noise Ordinance is probably the way it should go. Rick Peo commented he'd say the same thing, Patte [Newman], they really didn't see a place to put it in the ordinance, it's really a condition of development that they prevent subdivision [inaudible]. Mr. Peo commented respective people are going to come in and find out [inaudible] so it's only pre-existing areas that might not have it. They couldn't see really a feasible way of getting that out other than what they've done on publication of the notice and the map will be available for people to look at. Ms. Newman asked if both departments are comfortable with it. Rick Peo and Marvin Krout replied 'yes'. Ms. Newman thanked them.

COUNTY COMMISSIONERS

- *1. Memo from Cori Beattie to City Clerk Joan Ross & County Clerk Bruce Medcalf - RE: Agenda Item - JBC Recommendations - (See Memo). — NO COMMENTS

FINANCE DEPARTMENT:

- 1.. Response to Informal Request of Glenn Friendt with question concerning the lease-purchase of fire engines as outlined in a Memo from Mike Spadt dated January 14, 2004. — NO COMMENTS

CITY TREASURER

- *1. Material from Don Herz, Finance Director & Melinda J. Jones, City Treasurer - RE: Resolution & Finance Department Treasurer of Lincoln, Nebraska - Investments Purchased July 12, 2004 thru July 16, 2004. — NO COMMENTS

BUDGET OFFICE

- 1. Packet from the Budget Office of Departmental Responses to Council's Proposed Budget Cuts. — NO COMMENTS

FIRE

- 2. E-Mail from Fire Chief Mike Spadt in response to Jon Camp's request for written copies of specific recommendations for the proposed purchase of Fire Equipment. — NO COMMENTS
- 3. E-Mail from Fire Chief Mike Spadt to Jon Camp - RE: Follow-up information to above e-mail. — NO COMMENTS

LIBRARY

- *1. NEWS RELEASE - RE: Library Updates Internet Policy - Filtered Internet Access Available. — NO COMMENTS

LINCOLN-LANCASTER COUNTY EMERGENCY MANAGEMENT

- *1. NEWS RELEASE - RE: More Disaster Cleanup Volunteers Needed This Weekend. — NO COMMENTS

PLANNING

- *1. Annexation by Ordinance - Effective: June 29, 2004 - Ordinance No. 18377 - 24.8 Acres. — NO COMMENTS
- *2. Annexation by Ordinance - Ordinance No. 18388 - Effective: July 6, 2004 - 4.0 Acres. — NO COMMENTS
- *3. Annexation by Ordinance - Ordinance No. 18391 - Effective: July 13, 2004 - 91.7 Acres. — NO COMMENTS
- *4. Annexation by Ordinance - Ordinance No. 18393 - Effective: July 13, 2004 - 60.2 Acres. — NO COMMENTS
- *5. Letter from Becky Horner to Mike Johnson, Olsson Associates - RE: Northern Lights 14th Addition Final Plat #04041. — NO COMMENTS
- *6. Response E-Mail from Brian Will to Patte Newman - RE: Risky's bar. — NO COMMENTS
- 7. Letter from Planning Dept to Lyle Loth RE: Vavrina Meadows 19th Addition Final Plat #04050. — NO COMMENTS
- 8. Letter from Planning Dept. to Terry Rothanzl RE: Edenton North 13th Addition - Final Plat #04048. — NO COMMENTS

PUBLIC WORKS & UTILITIES DEPARTMENT

- *1. Letter from Allan Abbott to Danny Walker, President, South Salt Creek Community Organization - RE: The sanitary sewer project along 4th Street. — NO COMMENTS
- *2. Memo & Material from Steve Masters - RE: Salt Valley Relief Trunk Project -(Phase IIb & IIIa) (See Material). — NO COMMENTS

URBAN DEVELOPMENT DEPARTMENT

- *1. REPORT - RE: The North 48th Street/University Place Redevelopment Plan - A Neighborhood Revitalization and Transportation Analysis - adopted by City Council on 6/7/04. - (Report on file in the City Council Office). — NO COMMENTS
- 2. Memo from Marc Wullschleger - RE: Redevelopment of 24th to 25th, O to P Block. — NO COMMENTS

WEED CONTROL AUTHORITY

- *1. Combined Weed Program - City of Lincoln - June 2004 Monthly Report. — NO COMMENTS

C. MISCELLANEOUS

- *1. Letter from Paul L. Sweeney, Mid Atlantic Rep. - RE: Our company has submitted a proposal to city government to purchase all ATV's and dirt bikes held at the city impound. — NO COMMENTS
- *2. E-Mail from Marco Wagner with response from Joan Ray - RE: Greetings from Germany. — NO COMMENTS
- *3. E-Mail from David Draus - RE: Please oppose cutting the monies to connect the downtown bike trail. — NO COMMENTS
- *4. E-Mail from Keyy Soden - RE: Parks & Recreation Capital Improvement Budget Cut. — NO COMMENTS
- *5. E-Mail from Ed Schnabel - RE: Would like to have an answer to my question I sent in three weeks ago, "Where has all the money gone? - (Council received copies of this E-Mail on 7/19/04 during Council Meeting). — NO COMMENTS
- *6. E-Mail from Mike Fitzgerald, President, Witherbee Neighborhood Association - RE: Would appreciate your assistance in assuring that park space lost to the Health Dept. expansion in Woods Park is not lost from the general central Lincoln area. — NO COMMENTS

- *7. E-Mail from Tim Harris - RE: Proposed P& R Improvement Budget Cut. — NO COMMENTS
- *8. 2 Faxed Letters from Steve Pella, Aquila, Vice President, Nebraska Operations to Mayor Coleen Seng and Mark Bowen - RE: Today (July 19, 2004) Aquila announced that it has reached agreement with insurers and is initiating the process to terminate two prepaid natural gas supply contracts that Aquila Merchant Services had entered into with the American Public Energy Agency (APEA) based in Lincoln - (letters are the same, addressed to two different people) (See Letters). — NO COMMENTS
- *9. Letter from Michael James, President, Woods Park Neighborhood Association - RE: Due to the expansion of the Health Department into Woods Park, valuable heart of the city, park land is being lost - brought to our attention that there is vacant land for sale in the adjoining neighborhood, strongly support the purchase of the property at Randolph Square. — NO COMMENTS
- *10. E-Mail from Craig Hoffman - RE: The recent validation of Petition Signatures on smoking ban. — NO COMMENTS
- *11. E-Mail from Mark A. Hesser, Pinnacle Bank-Lincoln - RE: \$75 million dollar bond issue and special election - thank-you all for your support. — NO COMMENTS
- *12. Letter from Hobert B. Rupe, Executive Director, State of Nebraska Liquor Control Commission to Simera Reynolds, State Executive Director, MADD - RE: To reiterate the Commissions' current position-Requesting legislative changes to Neb. Rev. Stat., Sec. 53-132 are being considered by the Commission. As of yet, no draft is completed. — NO COMMENTS
- *13. Letter & Material from Dale Michels, MD, EMS, Inc. Board President - RE: Writing on behalf of the EMS, Inc. Board of Directors in reference to Lincoln Fire and Rescue's request to increase their ambulance rates - (See Material). — NO COMMENTS
- *14. Letter & Resolution from Larry D. Maresh, Deputy Director for Administration, Lincoln Airport Authority - RE: Resolution No. 452 stating that no tax levy should be made for airport purposes for the fiscal year beginning July 1, 2004 -(See Material). — NO COMMENTS

- *15. E-Mail from Karl J. Zinnecker - RE: Bike Trails Need More \$\$ Not Less. — NO COMMENTS
- *16. E-Mail from Joan Miller - RE: Keep Lincoln smoke free! — NO COMMENTS
- 17. E-Mail from Karin Fuog - RE: Strongly urge the Lincoln City Council to fund the proposed StarTran booster routes between Lux Middle School and neighborhoods south and east of the school. — NO COMMENTS
- 18. Letter from Mona Reed - RE: I 100% agree with the no-smoking ban in the public buildings. — NO COMMENTS
- 19. E-Mail from Gregg Culver - RE: Favor Smoking Ban. — NO COMMENTS
- 20. Letter from Stuart Long, Chair of Meeting Place, Inc. - RE: Smoking ban - supports separate smoking rooms. — NO COMMENTS
- 21. Letter from John Schomerus RE: Taxpayers payment of security for Neo-Nazi demonstration (Opposed); Taxpayer payment of security for Vice-President of United States (Opposed); \$75 Million Bond issue w/Special Election expenses (Opposed) - Response Requested. — NO COMMENTS
- 22. Letter to Mayor and Council from Community Mental Health Center RE: Upcoming discussions and proposed action with regard to Bus Passes for low-income Lincolniters. — NO COMMENTS
- 23. E-Mail from Jim Chambers RE: Community Planning and Development. — NO COMMENTS
- 24. E-Mail from Jill Rankin - Re: Thanks for passing smoking ban - Opposes any changes to the currently passed ordinance. — NO COMMENTS

IV. DIRECTORS - NO COMMENTS

V. CITY COUNCIL MEMBERS

ANNETTE McROY - NO COMMENTS

JON CAMP - NO COMMENTS

KEN SVOBODA - NO COMMENTS

GLENN FRIENDT - NO COMMENTS

JONATHAN COOK

[Mr. Cook held up a poster] Mr. Cook stated he would like to know who is responsible for these posters being placed on utility poles up and down 27th Street, which says hosted by The Clark Enersen Partners, Archrival and the City of Lincoln-Urban Development. Diane Gonzolas stated she got that in an E-Mail from JoAnne Kissel who wanted them to put it on Channel 5. Mr. Cook commented okay, 'well' somebody is out there stapling them up, they're putting two on every pole one on each side all the way up and down and it's illegal for people to put signs on poles normally and he doesn't think that these signs are anymore appropriate. Mr. Cook stated to Ms. Gonzolas that he'll leave the sign with her, but he thinks it might be wise to check with somebody here to see if someone is being a little aggressive about their advertising. Ms. Gonzolas commented our tribal is known for being a little aggressive. Mr. Cook commented you might want to talk to them. Mayor Seng asked Mr. Cook what's it about? Mr. Cook stated that it is about the Haymarket Town Meeting. Mr. Friendt commented since it involves a City group, you'd think maybe they'd follow the laws. Mr. Cook commented he thinks they should follow the law and Mayor Seng agreed. Mr. Cook commented to Ms. Gonzolas so if she could check on it. Marc Wullschleger stated to Mr. Cook that he will follow up on it to. Mr. Cook 'thanked' Ms. Gonzolas and Mr. Wullschleger.

PATTE NEWMAN - NO COMMENTS

TERRY WERNER

Mr. Werner stated okay, they'll adjourn and go right into their "Noon" Meeting.

VI. MEETING ADJOURNED - Approximately at 11:39 a.m.

***HELD OVER FROM JULY 26, 2004.**

dm080204/tjg