

**CORRESPONDENCE
IN LIEU OF
DIRECTORS' MEETING
MONDAY, DECEMBER 27, 2004**

I. MAYOR

- *1. NEWS RELEASE - RE: Mayor Seng Pledges To Explore Proposed New Convention Center - (See Release)
- *2. NEWS RELEASE - RE: Mayor Seng And Hammons Announce New Hotel Project - Downtown's Embassy Suites also set for remodeling - (See Release)
- *3. NEWS RELEASE - RE: Cable Channel 21 Airing Nebraska Wesleyan Basketball - (See Release)
- *4. NEWS RELEASE - RE: Nominations for Arts Awards (See Release)
- *5. NEWS RELEASE - RE: December 25th and January 1st are Parking Meter Holidays (See Release)
- *6. NEWS RELEASE - RE: Pavement Marking to Close Lanes at 27th & "O" Streets (See Release)

II. DIRECTORS

FINANCE DEPARTMENT

BUDGET

- *1. Actual Compared to Projected Sales Tax Collections 04-05
- *2. Gross Sales Tax Collections w/Refunds Added Back In) 1999-2000 through 2004-2005
- *3. City of Lincoln Sales Tax Refunds - 1999-2000 through 2004-2005
- *4. City of Lincoln Net Sales Tax Collections 1999-2000 through 2004-2005

CITY TREASURER

- *1. Material from Don Herz, Finance Director & Melinda J. Jones, City Treasurer - RE: Resolution & Finance Department, Treasurer of Lincoln, Nebraska - Investments Purchased December 6 thru December 17, 2004.

PLANNING

- *1. Letter from Brian Will to Michael Johnson, Olsson Associates - RE: Big Thompson Creek 1st Addition - Final Plat #04107 -Generally located at South 56th Street and Bridle Lane - (See Letter)
- *2. Material from Marvin Krout - RE: Planning Department goals for 2005 - (See Material)
- *3. Letter from Tom Cajka to Lyle Loth, ESP - RE: Vavrina Meadows 22nd Addition #04115-Generally located at S. 14th Street & Dahlberg Drive - (See Letter)
- *4. Letter RE: Pine Lake Heights South 10th Addition - Final Plat #04092 - Generally Located at South 30th Street and Yankee Hill Road. (See letter)
- *5. Letter from Becky Horner to M. Johnson RE: Hub Hall Heights 1st Addition - Final Plat No. 04087 Generally located at NW 48th Street and W. Gary Gately Street (See Letter)

PUBIC WORKS

- *1. Lincoln Water & Wastewater Systems Fiscal Year 2003-04 Audits (Copy on file in Council Office)

III. CITY CLERK

IV. COUNCIL

A. COUNCIL REQUESTS/CORRESPONDENCE

JON CAMP

- *1. E-mail from Bob Goemann RE: Bill Boards (See e-mail)
- *2. Fax'd Letter from Edenton South Homeowners Association President, Cheryl Stubbendieck RE: Thanks for Supporting Sidewalk Waiver Request. (See letter)

JONATHAN COOK

- *1. Response Letter & Material from Al Lee, Public Works & Utilities Department to Ann Brandt on RFI#121 - RE: Stop signs at 30th & Calvert - (See Material)

TERRY WERNER

1. Request to Law Department - RE: 45th & "O" Streets (RFI#141-11/30/04).

V. MISCELLANEOUS

- *1 Greeting card from Nancy Russell RE: Convention Center, and an alternative use of tax dollars.
- *2 E-mail from David Kilgore RE: Replacement of the Pershing Center with New Convention Center (See e-mail)
- *3. E-mail from Jerald Utter RE: Response from T. Shafer on Inquiry regarding closing of 84th Street. (See e-mail)
- *3a E-mail from T. Shafer RE: Reply to above concern. (See e-mail)
- *4 E-mail from Jim Johnson RE: Monday, December 13th "Noon" discussion on Open Mike sessions at Council's Formal Council Meetings. (See e-mail)

VI. ADJOURNMENT

***ALL HELD OVER UNTIL JANUARY 10, 2005.**

da122704/tjg/jvr



NEWS RELEASE

MAYOR COLEEN J. SENG

lincoln.ne.gov

OFFICE OF THE MAYOR

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

FOR IMMEDIATE RELEASE: December 16, 2004

FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831
Dallas McGee, Urban Development, 441-7857

MAYOR SENG PLEDGES TO EXPLORE PROPOSED NEW CONVENTION CENTER

Mayor Coleen J. Seng today expressed strong interest in working with John Q. Hammons to explore a possible convention center and arena in the area west of the Historic Haymarket near downtown Lincoln. Hammons, a hotel developer from Springfield, Missouri, has approached the City with an interest in the project.

A study released jointly by the Lincoln Chamber of Commerce and the Downtown Lincoln Association Wednesday indicated a need for additional convention space in Lincoln, as well as a need to begin planning for a new arena.

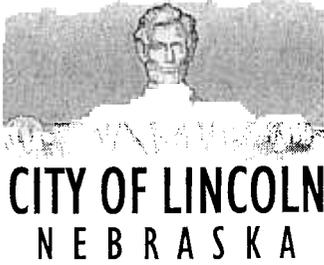
“We have experience with Mr. Hammons and know he is a great partner,” Mayor Seng said. “With his vision and commitment to Lincoln, I believe we may have an opportunity to create a project that could serve the community for generations to come.”

Convention, Sports & Leisure International, the consulting firm that authored the study released Wednesday, recommended that the best locations for new convention space or a new arena are in the downtown. The proposed Downtown Master Plan suggests placing them near the Haymarket.

“The study indicates a site close to the Haymarket appears to be a logical location,” said Mayor Seng. “It is exciting that we have now been approached by a private investor with experience in convention centers and arenas throughout the United States. But this proposed project is in its very early stages. The project could face many challenges, and we must have more information before we’ll know if we are in a position to take advantage of the opportunity to partner with Mr. Hammons.”

The City of Lincoln will identify those challenges and determine what would be required to move ahead, Mayor Seng said.

“The community must come together to fully discuss this thrilling possibility,” she said. “This may be an opportunity to do something very significant for the future of our community.”



NEWS RELEASE

MAYOR COLEEN J. SENG

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OFFICE OF THE MAYOR

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

FOR IMMEDIATE RELEASE: December 16, 2004

FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831
Dallas McGee, Urban Development, 441-7857

MAYOR SENG AND HAMMONS ANNOUNCE NEW HOTEL PROJECT

Downtown's Embassy Suites also set for remodeling

Mayor Coleen J. Seng today welcomed hotel developer John Q. Hammons of Springfield, Missouri to Lincoln and committed to work with him on his investment of nearly \$20 million in launching a new hotel in the Antelope Valley area and updating the downtown Embassy Suites.

Hammons is proposing the construction of a \$16 million Residence Inn by Marriott®, a four-story, 150-room hotel, on the block bounded by 17th, 18th, "P" and "Q" streets. Hammons also plans to spend \$3 million to update and improve the Embassy Suites, a \$30 million 250-room hotel that opened at 1040 "P" Street in 2000.

"Mr. Hammons once again has demonstrated his commitment to Lincoln by announcing his intention to reinvest in the Embassy Suites and by proposing the first major investment in the Antelope Valley redevelopment area," Mayor Seng said. "This is very exciting news on projects that will benefit downtown, Antelope Valley and the entire community."

On November 29, the Lincoln City Council approved a plan for the Antelope Valley redevelopment area, which allows the City of Lincoln to work with private investors to build new projects in the area.

"As a longtime downtown supporter, and one of Antelope Valley's earliest advocates, I am pleased to see private business making plans to invest in one of Lincoln's oldest areas," Seng said. "With regard to Antelope Valley, I have believed from the beginning that a commitment to remove 50 acres of land from the floodplain and providing new infrastructure in this part of the City would prompt the type of reinvestment Mr. Hammons announced today."

Seng praised Hammons for his vision of five years ago, when he saw the potential for a major hotel on what had been a surface parking lot downtown. Hammons was chosen for the project in 1997 through a competitive, open public process. Today, Seng said, Mr. Hammons is again demonstrating his vision for the future.

- more -

Hotel Projects
December 16, 2004
Page Two

“Redevelopment of older areas can be a tremendous challenge,” she said. “The Embassy Suites has been a great success in Lincoln, and we have every reason to believe the Residence Inn Mr. Hammons has proposed would have the same success in the Antelope Valley area.”

Next month, the City Urban Development Department will prepare an amendment to the Antelope Valley Redevelopment Plan to reflect the project Hammons has proposed. The amendment will be presented to the Lincoln-Lancaster County Planning Commission and the Lincoln City Council for approval.

If the amendment is approved, John Q. Hammons Hotels will submit more detailed plans for the Residence Inn by Marriott® in response to a City request for proposals. Other developers could submit competing proposals for the same site, and the Mayor said the selection process must be open and competitive. Once a redevelopment agreement is negotiated with a developer and approved by the City Council, the City’s role likely would be to assemble the land and assist businesses now on the block to relocate.

If the Hammons proposal is selected, he said he intends to break ground for the Residence Inn by July 2005. Remodeling the Embassy Suites will begin immediately.

“Expecting private investors to recognize the strategic importance of the downtown and Antelope Valley areas is one thing. Seeing it happen is quite another,” said Mayor Seng. “I am confident that the vision Mr. Hammons has for this area will generate more interest from local, regional and national developers wanting to invest in Lincoln.”

Proposed Hotel Project

Project Description:

This proposed project consists of a 150 room hotel on the block bounded by 17th, 18th, P and Q Streets.

Proposed Project Budget:

Estimated Developer investment	\$16 million
Estimated TIF and Land Sale Proceeds*	<u>\$2.4 million</u>
Estimated Total Budget	\$18.4 million

*Estimated Tax increment financing (TIF) and land sale proceeds are generated from the redevelopment project. City involvement likely will include assembly of site: acquisition, relocation, demolition and public improvements related to the project.

Proposed next steps:

- City Council is asked to amend Antelope Valley redevelopment plan to create redevelopment project
- City advertises and selects developer
- City Council is asked to approve redevelopment agreement between City and developer
- City begins assembly of site
- Developer begins construction of site
- Hotel opens

Community benefits:

- Significant private investment in Antelope Valley/East Downtown.
- Provides additional hotel rooms in proximity to Downtown and University of Nebraska-Lincoln.



NEWS RELEASE

MAYOR COLEEN J. SENG

lincoln.ne.gov

OFFICE OF THE MAYOR

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

FOR IMMEDIATE RELEASE: December 17, 2004

FOR MORE INFORMATION: Bill Luxford, Director of Operations, 21 Educational Access
and 5 CITY-TV, 441-6688

CABLE CHANNEL 21 AIRING NEBRASKA WESLEYAN BASKETBALL

Four additional Nebraska Wesleyan University (NWU) men's basketball games will be televised on a tape-delay basis this winter on 21 Educational Access (Time Warner cable channel 21). The games to be shown are:

Tuesday, December 21 vs. Midland
Wednesday, January 5 vs. Concordia
Wednesday, January 26 vs. Doane
Saturday, February 19 vs. Hastings

Dates and times for the re-broadcasts can be found on the City Web site at lincoln.ne.gov (click on the 5 CITY-TV logo). Students from the University of Nebraska-Lincoln sports broadcasting class have gained experience helping to produce the games.

NWU's December 8th basketball game with Morningside was the first to be carried on the channel. This fall, three NWU football games were carried on 21, and officials say the response has been very positive.

"It has been a terrific partnership among the City of Lincoln, the University of Nebraska sports broadcasting class and Nebraska Wesleyan University," said Bill Luxford of the Citizen Information Center who is Director of Operations for 21 Educational Access and 5 CITY-TV. "We've received some great feedback from viewers since the launch of our sports programming on Channel 21 this fall. It's all been made possible by the generous sponsorship of Lincoln Electric System."

"The Nebraska Wesleyan Athletic Department is very excited about its partnership with Channel 21," said NWU Athletic Director Dr. Ira Zeff. "Our student-athletes, coaches and supporters are thrilled to receive the exposure this opportunity presents. Our athletic tradition of excellence is one that we are very proud of and we appreciate the opportunity to share our programs with the Lincoln community."

Luxford said that he anticipates continued growth for sports programming on Channel 21, provided that interest remains high and sponsorship can be obtained.



NEWS RELEASE

MAYOR COLEEN J. SENG

lincoln.ne.gov

OFFICE OF THE MAYOR

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

FOR IMMEDIATE RELEASE: December 21, 2004

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

NOMINATIONS NOW ACCEPTED FOR ARTS AWARDS

Nominations are now being accepted for the 27th annual Mayor's Arts Awards. The awards will be presented by the Lincoln Arts Council (LAC) the evening of Wednesday, June 1, 2005 at the Lied Center for Performing Arts.

The Mayor's Arts Awards program formally recognizes artistic contributions and achievements in the Lincoln area. Those wishing to nominate a project, organization or person may request a nomination form by calling the LAC at 434-2787 or print a form from the LAC Web site: www.artscene.org. The nomination deadline is February 18, 2005.

Nominations are being accepted for the following awards:

- The Halcyon Allsman Benefactor of the Arts Award honors an individual or family who has made significant financial contributions to the arts in Lincoln.
- The Arts Organization Award recognizes an arts group that has made significant contributions to Lincoln's arts community over a period of years.
- The Leadership Award recognizes an individual or organization for making a major overall impact on the arts in Lincoln.
- The Support of the Arts Award recognizes an organization or business for significant financial support for the arts.
- The Cultural Celebration Award recognizes artistic work that has fostered an appreciation of a specific culture or cultures through the arts.
- The Literary Heritage Award recognizes a writer or individual who promotes excellence in writing and literature in Nebraska.
- The Larry Enersen Award recognizes outstanding urban design in Lincoln.
- The Sam Davidson Award recognizes excellence in theatre arts.
- The Artistic Achievement Award recognizes professional accomplishments in any arts discipline.
- The Heart of the Arts Award recognizes outstanding volunteer efforts on behalf of the arts.
- The Event of the Year Award recognizes a performance, exhibition, event or project in 2004 that will be notable in the community memory for years to come
- The Gladys Lux Education Award recognizes special initiatives or dedication to arts education.

The public is also encouraged to submit names of members of the Lincoln arts community who have died since the last awards ceremony in June 2004 for memorial recognition at the event.



NEWS RELEASE

MAYOR COLEEN J. SENG

lincoln.ne.gov

FINANCE DEPARTMENT

555 South 10th Street, Lincoln, NE 68508, 441-7411, fax 441-8325

FOR IMMEDIATE RELEASE: December 20, 2004

FOR MORE INFORMATION: Patricia Waegli, Violations Bureau, 441-7277

Margaret Remmenga, Public Works and Utilities, 441-7550

DECEMBER 25 AND JANUARY 1 ARE PARKING METER HOLIDAYS

Drivers will not need to pay for parking meters in downtown Lincoln on Saturday, December 25 and Saturday, January 1. However, meters will be enforced on Friday, December 24 and Saturday, December 31, even though government observes the holidays on these dates. City ordinance provides that meters are exempted only on the calendar dates of Christmas and New Year's Day.

Parking meters are enforced from 8 a.m. to 6 p.m. Monday through Saturday. In addition to Christmas Day and New Year's Day, parking is free on all Sundays and the calendar dates of Memorial Day, the Fourth of July, Labor Day and Thanksgiving Day.

Parking is 50 cents an hour at meters. The fine for an expired meter is \$10.

Meters not operating properly can be reported to 441-7701. More information on public parking is available on the City Web site at lincoln.ne.gov.



NEWS RELEASE

MAYOR COLEEN J. SENG

lincoln.ne.gov

PUBLIC WORKS AND UTILITIES DEPARTMENT

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

FOR IMMEDIATE RELEASE: December 20, 2004

FOR MORE INFORMATION: Larry Duensing, Public Works and Utilities, 441-8401

PAVEMENT MARKING TO CLOSE LANES AT 27TH AND "O"

Beginning at 9 a.m. tomorrow, December 21, crews will install pavement markings on all crosswalks at the intersection of 27th and "O" streets, weather permitting. Lane closures will occur as the work progresses. The work is expected to be done by 3 p.m. Motorists are encouraged to use alternate routes during these hours.

If the work is unable to be done because of the weather, the project will be postponed until the beginning of January, and the public will be alerted at that time.

**Actual Compared to
Projected Sales Tax Collections**

	VARIANCE				
	2004-05 PROJECTED	2004-05 ACTUAL	FROM PROJECTED	\$ CHANGE FR. 03-04	% CHANGE FR. 03-04
SEPTEMBER	\$4,515,734	\$4,512,303	(\$3,431)	\$128,424	2.93%
OCTOBER	\$4,727,381	\$4,541,471	(\$185,910)	(\$18,923)	-0.41%
NOVEMBER	\$4,759,942	\$4,586,261	(\$173,681)	\$279,549	6.49%
DECEMBER	\$4,303,478	\$4,174,828	(\$128,650)	\$251,162	6.40%
JANUARY	\$4,547,686				
FEBRUARY	\$5,600,491				
MARCH	\$4,156,954				
APRIL	\$3,907,319				
MAY	\$4,536,832				
JUNE	\$4,357,746				
JULY	\$4,477,137				
AUGUST	\$4,737,625				
TOTAL	\$54,628,325	\$17,814,863	(\$491,672)	\$640,213	3.73%

**GROSS SALES TAX COLLECTIONS
(WITH REFUNDS ADDED BACK IN)
1999-2000 THROUGH 2004-2005**

	ACTUAL 1999-2000	ACTUAL 2000-2001	ACTUAL 2001-2002	ACTUAL 2002-2003	% CHG. FR. PRIOR YEAR	ACTUAL 2003-2004	% CHG. FR. PRIOR YEAR	ACTUAL 2004-2005	% CHG. FR. PRIOR YEAR
SEPTEMBER	\$3,592,214	\$3,758,935	\$3,844,150	\$4,239,938	10.30%	\$4,453,875	5.05%	\$4,648,160	4.36%
OCTOBER	\$3,831,639	\$4,273,028	\$4,116,763	\$4,464,191	8.44%	\$4,670,587	4.62%	\$4,706,690	0.77%
NOVEMBER	\$4,067,052	\$4,060,765	\$4,125,824	\$4,407,744	6.83%	\$4,526,166	2.69%	\$4,687,792	3.57%
DECEMBER	\$3,668,154	\$3,824,569	\$3,855,906	\$4,034,958	4.64%	\$4,314,111	6.92%	\$4,500,338	4.32%
JANUARY	\$3,896,477	\$3,968,572	\$4,140,990	\$4,046,633	-2.28%	\$4,335,924	7.15%		
FEBRUARY	\$4,917,238	\$4,895,886	\$4,982,568	\$5,224,986	4.87%	\$5,531,405	5.86%		
MARCH	\$3,259,926	\$3,731,090	\$3,908,567	\$4,076,943	4.31%	\$3,980,041	-2.38%		
APRIL	\$3,454,776	\$3,126,694	\$3,641,403	\$3,711,803	1.93%	\$3,889,388	4.78%		
MAY	\$4,098,255	\$4,061,857	\$3,949,873	\$4,184,028	5.93%	\$4,602,788	10.01%		
JUNE	\$3,619,721	\$3,741,325	\$3,856,119	\$4,169,550	8.13%	\$4,599,245	10.31%		
JULY	\$3,948,039	\$3,804,895	\$4,033,350	\$4,105,554	1.79%	\$4,391,257	6.96%		
AUGUST	\$4,062,654	\$4,093,476	\$4,231,174	\$4,402,156	4.04%	\$4,893,438	11.16%		
TOTAL	\$46,416,145	\$47,341,091	\$48,686,688	\$51,068,484	4.89%	\$54,188,225	6.11%	\$18,542,980	3.22%

Year to date vs.
previous year

**CITY OF LINCOLN
SALES TAX REFUNDS
1999-2000 THROUGH 2004-2005**

	ACTUAL 1999-00	ACTUAL 2000-2001	ACTUAL 2001-2002	ACTUAL 2002-2003	% CHG. FR. PRIOR YEAR	ACTUAL 2003-2004	% CHG. FR. PRIOR YEAR	ACTUAL 2004-2005	% CHG. FR. PRIOR YEAR
SEPTEMBER	(107,766)	(\$472,215)	(\$646,545)	(\$48,531)	-92.49%	(\$69,997)	44.23%	(\$135,858)	94.09%
OCTOBER	(375,346)	(\$127,363)	(\$379,290)	(\$64,605)	-82.97%	(\$110,193)	70.56%	(\$165,219)	49.94%
NOVEMBER	(123,176)	(\$448,872)	(\$132,336)	(\$134,088)	1.32%	(\$219,454)	63.66%	(\$101,531)	-53.73%
DECEMBER	(36,049)	(\$193,085)	(\$240,014)	(\$177,459)	-26.06%	(\$390,445)	120.02%	(\$325,510)	-16.63%
JANUARY	(1,145,096)	(\$352,999)	(\$74,082)	(\$306,467)	313.68%	(\$59,315)	-80.65%	(\$220,967)	272.53%
FEBRUARY	(8,072)	(\$115,206)	(\$509,277)	(\$61,404)	-87.94%	(\$323,218)	426.38%		
MARCH	(196,501)	(\$303,779)	(\$428,507)	(\$17,601)	-95.89%	(\$22,759)	29.30%		
APRIL	(219,339)	(\$478,438)	(\$333,878)	(\$281,861)	-15.58%	(\$199,018)	-29.39%		
MAY	(200,539)	(\$79,461)	(\$176,292)	(\$275,081)	56.04%	(\$155,787)	-43.37%		
JUNE	(108,185)	(\$47,618)	(\$127,168)	(\$138,914)	9.24%	(\$194,593)	40.08%		
JULY	(193,310)	(\$235,932)	(\$181,863)	(\$563,339)	209.76%	(\$42,086)	-92.53%		
AUGUST	(155,756)	\$0	(\$63,949)	(\$341,868)	434.60%	(\$531,884)	55.58%		
TOTAL	(2,869,134)	(\$2,854,968)	(\$3,293,201)	(\$2,411,218)	-26.78%	(\$2,318,751)	-3.83%	(\$949,084)	11.74%

Year to date vs.
previous year

**CITY OF LINCOLN
NET SALES TAX COLLECTIONS
1999-2000 THROUGH 2004-2005**

	ACTUAL 1999-00	ACTUAL 2000-2001	ACTUAL 2001-2002	ACTUAL 2002-2003	% CHG. FROM PR. YEAR	ACTUAL 2003-2004	% CHG. FROM PR. YEAR	ACTUAL 2004-2005	% CHG. FROM PR. YEAR
SEPTEMBER	\$3,484,448	\$3,286,720	\$3,197,606	\$4,191,407	31.08%	\$4,383,878	4.59%	\$4,512,303	2.93%
OCTOBER	\$3,456,293	\$4,145,665	\$3,737,474	\$4,399,587	17.72%	\$4,560,394	3.66%	\$4,541,471	-0.41%
NOVEMBER	\$3,982,687	\$3,611,894	\$3,993,488	\$4,273,655	7.02%	\$4,306,712	0.77%	\$4,586,261	6.49%
DECEMBER	\$3,668,154	\$3,631,485	\$3,615,893	\$3,857,499	6.68%	\$3,923,666	1.72%	\$4,174,828	6.40%
JANUARY	\$2,751,381	\$3,615,574	\$4,066,908	\$3,740,166	-8.03%	\$4,276,609	14.34%		
FEBRUARY	\$4,909,166	\$4,780,680	\$4,473,291	\$5,163,582	15.43%	\$5,208,187	0.86%		
MARCH	\$3,063,425	\$3,427,311	\$3,480,060	\$4,059,342	16.65%	\$3,957,283	-2.51%		
APRIL	\$3,235,437	\$2,648,256	\$3,307,525	\$3,429,942	3.70%	\$3,690,371	7.59%		
MAY	\$3,897,718	\$3,982,395	\$3,773,581	\$3,908,947	3.59%	\$4,447,001	13.76%		
JUNE	\$3,497,973	\$3,693,707	\$3,728,951	\$4,030,637	8.09%	\$4,404,651	9.28%		
JULY	\$3,948,039	\$3,568,964	\$3,851,488	\$3,542,215	-8.03%	\$4,349,171	22.78%		
AUGUST	\$3,906,898	\$4,093,476	\$4,167,224	\$4,060,288	-2.57%	\$4,361,554	7.42%		
TOTAL	\$43,801,620	\$44,486,126	\$45,393,489	\$48,657,267	7.19%	\$51,869,477	6.60%	\$17,814,863	3.73%

Year to date vs.
previous year

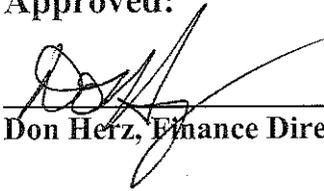
RESOLUTION NO. A-_____

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

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

INTRODUCED BY:

Approved:



Don Herz, Finance Director

Approved this ____ day of _____, 2004

Mayor

**FINANCE DEPARTMENT
TREASURER OF LINCOLN, NEBRASKA
INVESTMENTS PURCHASED
DECEMBER 6 thru DECEMBER 17, 2004**

December 7, 2004, we cashed a \$14,900 First American Government Obligation Fund at US Bank out of the Short Term Pool. We then invested in a \$125,000 Repurchase Agreement at Wells Fargo Bank.

December 8, 2004, we used new funds to invest \$467,400 in the Short Term Pool as follows:

\$317,400	First American Government Obligation Fund at US Bank
\$125,000	Repurchase Agreement at Wells Fargo Bank
\$25,000	Nebraska Public Agency Investment Trust at Union Bank

December 9, 2004, we cashed a \$17,120 First American Government Obligation Fund at US Bank in the Short Term Pool. We then invested \$11,000,000 in CD's as follows:

\$3,000,000	CD, purchased at par, rate of 2.34%, maturing January 13, 2005
\$5,000,000	CD, purchased at par, rate of 2.34%, maturing January 20, 2005
\$3,000,000	CD, purchased at par, rate of 2.34%, maturing January 27, 2005

Due to new funds available December 13, 2004, we invested \$2,056,000 in the Short Term Pool as follows:

\$1,856,000	First American Government Obligation Fund at US Bank
\$200,000	Repurchase Agreement at Wells Fargo Bank

December 14, 2005, we cashed a \$8,262,000 First American Government Obligation Fund at US Bank out of the Short Term Pool. We then invested \$8,000,000 as follows:

\$5,000,000	CD, purchased at par, rate of 2.33%, maturing February 3, 2005
\$3,000,000	FNMA, discounted 99.631%, costing \$2,988,931.67, yielding 2.336788%, maturing February 10, 2005.

December 15, 2004, we cashed a \$50,000 Repurchase Agreement at Wells Fargo Bank in the Short Term Pool. We then invested in a \$25,000 Nebraska Public Agency Investment Trust at Union Bank.

December 16, 2004, we cashed a \$423,700 First American Government Obligation Fund at US Bank out of the Short Term Pool. We then invested in a \$2,425,000 Repurchase Agreement at Wells Fargo Bank.

After cashing a \$4,650,000 Repurchase Agreement at Wells Fargo Bank out of the Short Term Pool December 17, 2004, we invested \$5,791,000 as follows:

\$791,000	First American Government Obligation Fund at US Bank
\$5,000,000	CD, purchased at par, rate of 2.4%, maturing February 17, 2005

We respectfully request approval of our actions.



Don Herz, Finance Director



Melinda J. Jones, City Treasurer



**CITY OF LINCOLN
NEBRASKA**

MAYOR COLEEN J. SENG

www.ci.lincoln.ne.us

Lincoln-Lancaster County

Planning Department

Marvin S. Krout, Director

Mary E. Bills-Strand, Chair

City-County Planning Commission

555 South 10th Street

Suite 213

Lincoln, Nebraska 68508

402-441-7491

fax: 402-441-6377

December 15, 2004

Michael Johnson
Olsson Associates
1111 Lincoln Mall
Lincoln, NE 68508

RE: Big Thompson Creek 1st Addition - Final Plat #04107
Generally located at South 56th Street and Bridle Lane

Dear Mike:

Big Thompson Creek 1st Addition, generally located at South 56th Street and Bridle Lane was approved by the Planning Director on December 15, 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 the 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.

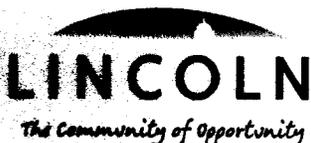
Pursuant to § 26.11.060(d) of the Lincoln Municipal Code, this approval may be appealed to the Planning Commission and any decision of the Planning Commission to the City Council by filing a letter of appeal within 14 days of the action being appealed. The plat will be recorded with the Register of Deeds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

Sincerely,

Brian Will
Planner

xc: Ridge Development, 2001 Pine Lake Road, Suite 100, Lincoln, NE 68516
Southview, Inc., 8644 Executive Woods Drive, Lincoln, NE 68512
Joan Ray, City Council
Dennis Bartels, Public Works & Utilities
Terry Kathe, Building & Safety
Sharon Theobald, Lincoln Electric
[Redacted] Planning
File

F:\FILES\PLANNING\PC\FP\Approval.wpd



Marvin S Krout

12/17/2004 03:32 PM

To: City Council Members, Ray A Stevens/Notes@Notes,
cbeattie@netinfo.ci.lincoln.ne.us, Bernard E Heier/Notes@Notes,
DebSchorr@aol.com, workbob@msn.com
cc: Planning_PC Members, Mayor/Notes@Notes, City Directors,
Planning_Senior_Staff, mbowen@ci.lincoln.ne.us,
aharrell@ci.lincoln.ne.us, nadinecon@aol.com, jfram@lcoc.com,
coby@liba.org, dnaumann@ci.lincoln.ne.us,
dougr@lincolnrealtors.com, Don Thomas
Subject: Planning Department goals for 2005

I am sending you the key new goals (attached) that were developed by the Planning Department for calendar year 2005 and shared with the Mayor. These include goals carried over from the current year that were deferred or are continuing, plus new goals. We recognize that priorities will change over the next year in response to various circumstances, including requests that come from all the boards that we serve. Also included is a summary of major accomplishments that were achieved in this past year.

We will be reviewing these goals with the Planning Commission in January, and welcome your comments



and suggestions as well. From the Planning Department to all: best wishes for Key goals for 2005.wpa
happy holiday season.

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

Key goals for the Planning Department in calendar year 2005:

Continuing tasks from 2004:

- Develop/adopt a new downtown master plan
- Develop/adopt new standards to further simplify subdivision review process and installation of improvements
- Develop/adopt new design standards to improve appearance of city gateways and major streets
- Develop/adopt design standards for more pedestrian- and transit-friendly new developments
- Develop/adopt new concepts for rural lot subdivisions (simplified cluster and Development Rights Transfer provisions)
- Work with Park Department to implement open space recommendations in Comp Plan
- Work with Urban Development in developing design standards and launching projects for downtown, Antelope Valley, and other redevelopment areas
- Work with Public Works in defining new federally-mandated policies for operations and public involvement in transportation planning
- Work with other GIS users in developing a strategic plan and data/technology migration plan
- Complete inventory of county historic resources
- Implement digital plat submissions
- Continue developing Permits Plus database and applications, including online access for applicants to permit information

Tasks beginning in 2005 (some of which were postponed from 2004):

- Work with Public Works to convert and calibrate traffic model
- Begin process for major update to the Comprehensive Plan/Long Range Transportation Plan
- Work with Public Works in comprehensive review of Startran financing, operations and management
- Work with UNL on update of their master plan
- Begin developing a Southwest Subarea Plan
- Process/adopt code amendments for regulating Group Homes
- Develop/adopt new design standards for signage and lighting
- Work with Public Works to review objectives and standards for arterial access and collector streets
- Develop a pilot neighborhood plan for improving multi-modal transportation options
- Work with Public Works and Urban Development to establish "smart mortgages" for homebuyers living near transit services
- Expand Urban Design Committee review of public projects
- Provide technical assistance to candidates for new state historic rehab incentive program, in city and county
- Work with Health Board and its staff in their review of development policies and standards relating to their jurisdiction of public health and safety

Annual continuing tasks:

- Provide thoughtful, accurate, timely review/processing of development applications
- Review/process Comp Plan amendment requests
- Coordinate preparation of the Capital Improvement Program

- Benchmark Indicators report, with further refinements

“Back-burner” items:

- Relationships between Comp Plan and Human Services goals
- Regional planning initiatives
- Tiger Beetle habitat management plan

Major accomplishments in calendar year 2004:

- Assisted Mayor’s SRT Committee’s work on new revenue sources for transportation funding
- Completed Multi-Modal Transportation Plan through Mayor’s task force
- Adopted new “build-through” regulations for rural subdivisions in 3-mile zoning jurisdiction
- Assisted Mayor’s Development Streamlining Committee in identifying potential areas to simplify processes and reduce timeframes; drafted code amendments for review with development community/scheduled for Planning Commission review in January
- Adopted amendments that strengthen the Neighborhood Design Standards
- Adopted new airport noise study and associated code amendments
- Adopted new regulations for on-site and off-site alcohol sales
- Adopted streamlining amendments to PUD; similar provisions for CUPs scheduled for City Council approval in December
- Drafted code amendments to improve appearance of entryways and major streetscapes, scheduled for Planning Commission review in January
- Completed review and report by Mayor’s Group Homes Task Force
- Developed policies for considering private sewage pump station/force main facilities, approved by Council
- Completed Airport West Subarea Plan; scheduled for Council approval in January
- Launched Permits Plus application tracking system



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Planning Department
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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

December 17, 2004

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

RE: Vavrina Meadows 22nd Addition #04115 Generally located at S.
14th St. & Dahlberg Dr.

Dear Lyle:

Vavrina Meadows 22nd Addition generally located southeast of S. 14th St. & Dahlberg Dr. was approved by the Planning Director on December 17, 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.

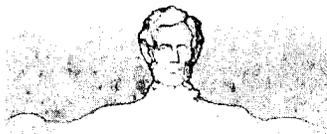
Pursuant to § 26.11.060(d) of the Lincoln Municipal Code, this approval may be appealed to the Planning Commission and any decision of the Planning Commission to the City Council by filing a letter of appeal within 14 days of the action being appealed. The plat will be recorded with the Register of Deeds 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: David Stamper
Richard Krueger
Joan Ray, City Council
Dennis Bartels, Public Works & Utilities
Terry Kathe, Building & Safety
Sharon Theobald, Lincoln Electric
Jean Walker, Planning
File

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NEBRASKA

MAYOR COLEEN J. SENG

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Planning Department
Marvin S. Krout, Director
Mary F. Bills-Strand, Chair
City-County Planning Commission

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Suite 213

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

December 21, 2004

Mike Johnson
Olsson Associates
1111 Lincoln Mall
Lincoln, NE 68508

RE: Pine Lake Heights South 10th Addition - Final Plat #04092
Generally located at South 30th Street and Yankee Hill Road

Dear Mike,

Pine Lake Heights South 10th Addition, generally located at South 30th Street and Yankee Hill Road was approved by the Planning Director on December 20, 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,

Brian Will
Planner

xc: John Schleich, 8644 Executive Drive, Lincoln, NE, 68512
John Brager and Thomas White, 2001 Pine Lake Road, Suite 100,
Lincoln, NE 68516
Joan Ray, City Council
Dennis Bartels, Public Works & Utilities
Terry Kathe, Building & Safety
Sharon Theobald, Lincoln Electric
Jean Walker, Planning
File



**CITY OF LINCOLN
NEBRASKA**

MAYOR COLEEN J. SENG

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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

December 21, 2004

Michael R. Johnson
Olsson Associates
1111 Lincoln Mall
Lincoln, NE 68505

RE: Hub Hall Heights 1st Addition, Final Plat No. 04087 generally located at NW 48th and W. Gary Gately Street

Dear Mr. Johnson

Hub Hall Heights 1st Addition, Final Plat No. 04087 generally located at NW 48th and W. Gary Gately Street was approved by the Planning Director on December 20, 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,


Becky Horner, 441-6373, thomer@lincoln.ne.gov
Planner

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

F:\FILES\PLANNING\PC\FP\Approval.wpd

M e m o r a n d u m

To: City Council Members
From: Margaret Remmenga^{mc}
Public Works & Utilities Business Manager
Subject: Lincoln Water & Wastewater Systems Fiscal Year 2003-04 Audits
Date: December 20, 2004
cc: Mayor Coleen J. Seng, Allan Abbott, Don Herz, Fran Mejer, Peggy Watchorn,
Joan Ray, Joan Ross

BKD LLP has completed their audit of the Lincoln Water and Wastewater Systems for Fiscal Year 2003-04, and the final documents were submitted to me on November 30, 2004, per contract. We have since printed the reports and copies of the audit reports are available at both the City Clerk's office and City Council secretary's office for your review. Should you personally wish to have a copy of the audit reports, Joan Ray can obtain additional copies from my office.

Attached are copies of the Independent Accountants' Report on Compliance and Internal Control Over Financial Reporting Based on the Audit of the Financial Statements Performed in Accordance with Government Auditing Standards for the Water and Wastewater Systems. BKD stated in those reports they noted no matters involving the internal control over financial reporting and its operation that they would consider to be material weaknesses. They did note several matters involving internal control over financial reporting and its operation that they addressed in more detail in their System's management letter.

Also attached is a copy of BKD's management letter for both the Water and Wastewater Systems. There were three areas addressed as follows:

Area No. 1 – Establishing an Allowance for Doubtful Accounts

Currently there is no allowance for doubtful accounts for either the Water or Wastewater Systems, for either regular customer utility billings or other charges and surcharges. Because circumstances do arise that result in charge-offs, we suggest you consider establishing an allowance that is evaluated on a regular basis.

Reply: At this time we have discussed with BKD and do not think it is necessary to have an allowance for doubtful accounts for Water and Wastewater as all delinquent accounts automatically become a lien on the property and we eventually collect the amount due. This is not true for other utilities in the City who are having to keep track of the tenant of a property who has incurred the bill. It is the rare exception that an account is written off with the Water and Wastewater Systems.

Area No. 2 – Tracking Capital Assets

Your investment in capital assets is extensive and the accounting and recordkeeping for these assets are complex. To improve tracking of capital assets we recommend the following:

- Assets that are no longer in use could be removed from the detail asset listings.

Reply: Assets that are fully depreciated and disposed of will be removed from the detail asset listing by the end of each fiscal year, as recommended by the auditors.

- At least for annual financial statement accruals, review contractor statements and payments after the end of the year and include amounts for work completed before year-end as construction in progress and accounts payable.

Reply: We do review contractor payments at the end of the fiscal year to ensure all costs are recorded in the correct year; however, we cannot force a vendor to bill timely which was the case in a couple instances. We have and will continue to ask the engineers in water and wastewater to assist us in getting their vendors to bill us in a timely fashion.

Area No. 3 – Recent Accounting Pronouncements

The following Governmental Accounting Standards Board (GASB) pronouncements will effect the Water and Wastewater operations and financial statement disclosure:

- GASB Statement No. 40, *Deposit and Investment Risk Disclosures*, amends the custodial risk disclosure provisions of GASBS 3 and makes conforming amendments to GASBS 25 and 28, and is effective for periods beginning on or after June 15, 2004. It also adds numerous additional required report disclosures about deposit and investment risks.
- GASB Statement No. 42, *Accounting and Financial Reporting for Impairment of Capital Assets and for Insurance Recoveries*, establishes accounting and financial reporting standards for impairment of capital assets and clarifies and establishes accounting requirements for insurance recoveries. This statement is effective for periods beginning after December 15, 2004.
- GASB Statement No. 45, *Accounting and Financial Reporting by Employers for Postemployment Benefits Other Than Pensions*, addresses how state and local governments should account for the report their costs and obligations related to postemployment healthcare and other nonpension benefits. Collectively, these benefits are commonly referred to as other postemployment benefits, or OPEB.

The statement generally requires that state and local governmental employers account for and report the annual cost of OPEB and the outstanding obligations and commitments related to OPEB in essentially the same manner as they currently do for pensions. Annual OPEB cost for most employers will be based on actuarially determined amounts. Statement 45 is effective for your financial reporting period beginning after December 15, 2006.

Reply: We will implement said GASB Statements as required.

Should you have questions regarding the audit, please do not hesitate to contact Fran Mejer at 441-7537 or myself at 441-7550.



1221 N Street, Suite 600
Lincoln, NE 68508-2030
402 473-7600 Fax 402 473-7698

1120 South 101st Street, Suite 410
Omaha, NE 68124-1088
402 392-1040 Fax 402 392-1772

bkd.com

Independent Accountants' Report on Compliance and Internal Control Over Financial Reporting Based on the Audit of the Financial Statements Performed in Accordance with *Government Auditing Standards*

The Honorable Mayor and City Council
Lincoln Water System
Lincoln, Nebraska

We have audited the financial statements of Lincoln Water System as of and for the years ended August 31, 2004 and 2003, and have issued our report thereon dated November 3, 2004. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States.

Compliance

As part of obtaining reasonable assurance about whether the System's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grants, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance that are required to be reported under *Government Auditing Standards*.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the System's internal control over financial reporting in order to determine our auditing procedures for the purpose of expressing our opinion on the financial statements and not to provide assurance on the internal control over financial reporting. Our consideration of the internal control over financial reporting would not necessarily disclose all matters in the internal control over financial reporting that might be material weaknesses. A material weakness is a condition in which the design or operation of one or more of the internal control components does not reduce to a relatively low level the risk that misstatements in amounts that would be material in relation to the financial statements being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions. We noted no matters involving the internal control over financial reporting and its operation that we consider to be material weaknesses. However, we noted other matters involving internal control over financial reporting and its operation that we have reported to the System's management in a separate letter dated November 3, 2004.

This report is intended solely for the information and use of the governing body, management and federal awarding agencies and pass-through entities and is not intended to be and should not be used by anyone other than these specified parties.

BKD, LLP

November 3, 2004



1221 N Street, Suite 600
Lincoln, NE 68508-2030
402 473-7600 Fax 402 473-7698

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Omaha, NE 68124-1088
402 392-1040 Fax 402 392-1772

bkd.com

Independent Accountants' Report on Compliance and Internal Control Over Financial Reporting Based on the Audit of the Financial Statements Performed in Accordance with *Government Auditing Standards*

The Honorable Mayor and City Council
Lincoln Wastewater System
Lincoln, Nebraska

We have audited the financial statements of Lincoln Wastewater System as of and for the years ended August 31, 2004 and 2003, and have issued our report thereon dated November 3, 2004. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States.

Compliance

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BKD, LLP

November 3, 2004



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bkd.com

The Honorable Mayor and City Council
City of Lincoln
Lincoln, Nebraska

As part of our audits of the financial statements of the Lincoln Water System and Lincoln Wastewater System (collectively, the "Systems") for the year ended August 31, 2004, we studied and evaluated the Systems' internal control structure. Because the study and evaluation was only part of the overall audit plan regarding the financial statements, it was not intended to be a complete review of all your accounting procedures and, therefore, would not necessarily disclose all opportunities for improvement. We observed the following matters and offer these comments and suggestions. Previously we made observations as a result of our 2003 audit engagement in a letter dated November 3, 2003.

Establishing an Allowance for Doubtful Accounts

Currently there is no allowance for doubtful accounts for either the Water or Wastewater Systems, for either regular customer utility billings or other charges and surcharges. Because circumstances do arise that result in charge-offs, we suggest you consider establishing an allowance that is evaluated on a regular basis.

Tracking Capital Assets

Your investment in capital assets is extensive and the accounting and record keeping for these assets are complex. To improve tracking of capital assets we recommend the following:

- Assets that are no longer in use could be removed from the detail asset listings.
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Recent Accounting Pronouncements

The following Governmental Accounting Standards Board (GASB) pronouncements will effect the Water and Wastewater operations and financial statement disclosure:

- GASB Statement No. 40, *Deposit and Investment Risk Disclosures*, amends the custodial risk disclosure provisions of GASBS 3 and makes conforming amendments to GASBS 25 and 28, and is effective for periods beginning on or after June 15, 2004. It also adds numerous additional required report disclosures about deposit and investment risks.

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The statement generally requires that state and local governmental employers account for and report the annual cost of OPEB and the outstanding obligations and commitments related to OPEB in essentially the same manner as they currently do for pensions. Annual OPEB cost for most employers will be based on actuarially determined amounts. Statement 45 is effective for your financial reporting period beginning after December 15, 2006.

* * * * *

We appreciate the opportunity to present these comments and suggestions. This letter does not express an opinion on the Systems' overall internal control structure; it does, however, include items which we believe merit your consideration. We can discuss these matters further at your convenience and provide any implementation assistance for changes or improvements you may require.

This letter is intended solely for the information and use of the Mayor, City Council and management and is not intended to be and should not be used by anyone other than these specified parties.

BKD, LLP

November 3, 2004



CAMPJON@aol.com

12/21/2004 03:05 PM

To: jray@ci.lincoln.ne.us

cc:

Subject: Fwd: Bill Boards and Budget

For Council packet.

--

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

----- Message from "Bob Goemann" <bobgo24@catholic.org> on Tue, 21 Dec 2004 12:32:05 -0600 -----

To: <CAMPJON@aol.com>

cc: <newman2003@neb.rr.com>, <KSvoboda@ci.lincoln.ne.us>,
<TWernerLNK@aol.com>

Subject Bill Boards and Budget

:

Ok will someone please explain things to me. Why are we talking about Bill boards again. I thought the matter was settled last year with council person cook ordinance that was passed. Now we are spending time and money to debate this all over again, come on.

Why are we spending time on cutting peoples rights to one own the property the sign would be placed on. Two their right to have a business that is perfectly in the law guidelines. And Three take funds out of their pockets of both advertisers and sign owners just because of supposed sight pollution. I mean really come on I think we have much more important things for the city to discuss.

Now on to the city budget. Here is the reason why the city is in so much of the red. CUT SPENDING!!! I can not put this in any shape, size or language. I mean we as citizens can not keep paying out for stupid spending hikes to programs that matter to the minority.

**Edenton South Homeowners Association
C/O 7651 Kennelley Dr.
Lincoln, Nebraska 68516**

Dec. 19, 2004

Mr. Jon Camp
Lincoln City Council Member
P.O. Box 82307
Lincoln, Nebraska 68501-2307

Dear Jon:

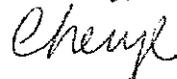
Thank you – very much – for supporting the sidewalk waiver request brought to the City Council last week by the Edenton South Townhomes Association. The townhomes residents are thrilled to have the issue resolved, and in their favor. Although they raised many issues in their testimony, I believe their primary concern was the one you especially noted: to feel secure in their homes. Most of the residents of the area are retired and many are elderly. Ginny Parker, especially, feels relieved that she will not have to consider moving somewhere else.

I appreciate your advice on how to approach the City Council regarding this issue and the information that your aide Darrell Podany provided. I shared it with Craig Larabee of the Townhomes Association. I think the videotape he showed was important in informing Council members about this issue.

I was impressed with the amount of time the Council gave this issue. There were certainly weightier issues on your agenda and I appreciate that Council members took time to listen to our concerns. I also gained a new respect for the job Council members do – I haven't sat through so much of a City Council meeting since journalism school and I had forgotten that they can become very tedious. I was impressed with the respect extended to everyone who testified, including those who spoke on issues about which they were not well-informed.

Jon, thank you for the work you do on behalf of our area of the city.

Sincerely,



Cheryl Stubbendieck
President



CITY OF LINCOLN
NEBRASKA

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

Engineering Services
Public Works and Utilities Department
Allan Abbott, Director
531 Westgate Blvd.
Suite 100
Lincoln, Nebraska 68528
402-441-7711
fax: 402-441-6576

November 29, 2004

Ann Brandt
3435 South 30th Street
Lincoln, NE 68502

Dear Ms. Brandt:

This is in response to Councilman's Cook's request for "Stop" control at 30th & Calvert

We have reviewed the request for "Stop" traffic control at the above intersection. Our review, which considered the accident experience, sight distance and general conditions at the intersection and the nearby area, has determined that stop or yield signs are not warranted at this time. A review of the reported accidents reveals that there has been one reported accident in the last three years at this intersection. This particular accident was a 1-vehicle in which the driver lost control. Therefore it was not susceptible to correction if traffic control had been installed. Field observations revealed that traffic operations were normal for this type of observation although there was a slight sight obstruction on the NE corner which will be eliminated.

The evaluation of the need for traffic control signs at an intersection must consider the effect of the traffic control on the speed and operation of traffic on the street system as well as the above conditions at this intersection. When there are no traffic control signs at an intersection; the "right-hand rule" applies and it is necessary that all drivers slow down and exercise caution when traveling on streets. When traffic control signs are installed and right-of-way is given to a particular street, drivers on the protected street are not as cautious, vehicular speeds tend to increase and additional traffic could be attracted to this protected street. Which in some cases creates a traffic problem at adjacent intersections. In this request, it was requested that the "Stop" signs be installed on 30th, thereby giving the right-of-way to Calvert Street. A street, that citizens have already expressed concern about the speeding between 27th & 33rd on a 25 mph road.

Reference is made in the request that 30th St. is the only 4-legged intersection on Calvert St. between 27th & 33rd St. The lack of right-angle accidents would seem to suggest that drivers are aware of this and adjust accordingly. An example was also made that Lake St. is a collector with traffic control on the side streets. We

Ann Brandt
November 29, 2004
Page 2

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Our last study showed that the average accidents per year at a controlled intersection is 1.6/yr versus a non-controlled intersection which is 1.3/yr. Which is an interesting phenomena for at least the last 20 yrs the average accident rate per year is lower at non-controlled intersections than controlled intersections.

If we can be of any further service on this matter, please let us know.

Sincerely,



Allan Lee
Engineering Services

cc: City Council
Allan Abbott
Roger Figard
Scott Opfer
Randy Hoskins
Nicole Fleck-Tooze
Karen Sieckmeyer
File



Al K Lee

11/12/2004 03:38 PM

To: Maggie Kellner/Notes@Notes

cc:

Subject: CookRF1#121-Stop signs at 30th & Calvert

This is in response to Councilman's Cook's request for "Stop" control at 30th & Calvert

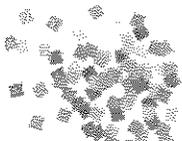
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If we can be of any further service on this matter, please let us know.



Karen K Sieckmeyer

11/03/2004 09:29 AM

To: Scott A Opfer/Notes@Notes
cc: Allan L Abbott/Notes@Notes, Roger A Figard/Notes@Notes, Randy W
Hoskins/Notes@Notes, Nicole Tooze/Notes@Notes, Maggie
Kelliner/Notes@Notes
Subject: CookRFI#121-Stop Signs at 30th & Calvert

Attached, please find Request for Information #121 from Jonathan Cook. If you will send your responses to the Council Office at CouncilPacket@lincoln.ne.gov, in a pdf format, we will distribute your responses in the usual manner on the Directors' Agenda. The Subject line need only read CookRFI#121. Thank-you. (Please, open attachment below)

Tammy Grammer
City Council Office
555 South 10th Street
Lincoln, NE - 68508
Phone: 402-441-6867
Fax: 402-441-6533
e-mail: tgrammer@ci.lincoln.ne.us

----- Forwarded by Tammy J Grammer/Notes on 11/03/04 09:19 AM -----



JCookCC@aol.com

11/02/04 04:18 PM

To: JRay@ci.lincoln.ne.us, tgrammer@ci.lincoln.ne.us
cc:
Subject:

Attached is an RFI for Public Works.

Jonathan



- Cook RFI 2004-11-02.pdf



CITY COUNCIL OF LINCOLN NEBRASKA

555 South 10th Street • Lincoln, NE 68508 • 402-441-7515

FAX: 402-441-6533 • E-MAIL: council@ci.lincoln.ne.us

JONATHAN COOK
City Council Member
Southwest District

REQUEST FOR INFORMATION

November 2, 2004

To: Allan Abbott, Director of Public Works

Re: Stop Signs at 30th and Calvert

Reply to:

Ann Brandt
3435 S 30th St
68502

Allan,

Could you please look into placing stop signs for north- and south-bound 30th St traffic at Calvert? 30th is the only street that crosses Calvert along the stretch from 27th to 33rd St, and since Calvert is a collector street the traffic on it never stops for 30th. Lake St, also a collector, has stop signs for every cross street between 17th and Sheridan, I believe.

Attached is a petition from the nearby neighbors as well as a letter in support of this request from the Country Club Neighborhood Association.

Thank you.

Jonathan

September 9, 2004

Anne Brandt
3435 South 30th
Lincoln, NE 68502

Dear Johnathan,

I attended the August 17th Country Club Neighborhood Association meeting to get support for a stop sign at the intersection of 30th and Calvert. I appreciate the board's support and your willingness to submit the petition. Please let me know what else I can do to further the process.

Thank you,

Anne Brandt

STOP SIGN PETITION FORM For the intersection of 30th + Calvert

Reason for requesting stop signs:

30th street is a thru street to Bannockburn and has no stop sign on either side of Calvert. Cars have been seen going through the intersection going both south + north. A school crossing exists at this intersection due to Maude Rousseau located three blocks east of the intersection. Calvert street is busy and cars that do not stop at this intersection when heading north or south are bound to cause an accident either with another vehicle or a person.

#	Printed Name	Address	Signature
1.	Anne Brandt	3435 South 30 th	Anne Brandt
2.	Terry "Troy" Stentz	3425 S. 20 th St.	Terry Stentz
3.	Don Hennings	3345 So 30 th	Don Hennings
4.	Nancy Rakas	3337 So 30 th	Nancy Rakas
5.	Wesley D. Kelly	3319 S. 30 th	Wesley D. Kelly
6.	Maude Rousseau	3333 So 30 th	Maude Rousseau
7.	Maude Rousseau	3307 S 30 th	Maude Rousseau
8.	Paula Olson	3310 So 30	Paula Olson
9.	Crystal Sato	3320 So. 30 th	Crystal Sato
10.	ED STIBAL	3320 So. 30 th	Ed Stibal
11.	Lyn Goering	3300 S. 30 th	Lyn Goering
12.	Lothy Hize	3330 S. 30 th	Lothy Hize
13.	Barbara Cole	3400 S. 30	Barbara Cole
14.	Katherine F. Starace	3414 S. 30 th	Katherine F. Starace
15.	Susan Nale	3424 S 30 th	Susan Nale
16.	Cheryl Wang	3424 So 30 th	Cheryl Wang
17.	Cheryl Wang	3600 S. 30 th St	Cheryl Wang
18.	Helen Schulte	3601 So 30 th	Helen Schulte
19.	Stanley M. Rosenbaum	3600 S 30 th St.	Stanley M. Rosenbaum
20.	Amy Hesse	3416 S. 30 th St.	Amy Hesse
21.	Julie M. Stone	3510 S. 30 th St.	Julie M. Stone
22.	Jon Hesse	3415 S. 30 th St.	Jon Hesse
23.	Burford Grosscup	3344 So	Burford Grosscup
24.	Carl Eskridge	3401 South 30 th	Carl Eskridge
25.	Lynn Ross	3425 S. 30 th	Lynn Ross
26.	Harry Pat Eblberg	3434 S. 30 th	Harry Pat Eblberg
27.	Robert H. Kawamoto	2940 CALVERT	Robert H. Kawamoto
28.			
29.			
30.			



Jonathan Cook
Lincoln City Council
2701 Stratford Ave
Lincoln, NE 68502

Dear Jonathan,

At a board meeting of the Country Club Neighborhood Association (CCNA) held August 17th, 2004 it was brought to our attention by one of our members that a stop sign on 30th Street that stopped traffic for both north and south bound traffic was warranted. At that meeting the following resolution was unanimously passed by the Board of Directors:

"CCNA endorses the placement of a stop sign at the corner of 30th and Calvert. Said stop sign would be used to stop traffic on 30th street in both north and southbound directions."

Please facilitate the placement of this stop sign at your earliest convenience.

Sincerely,

Mary Lynn W. Schaffer
President
Country Club Neighborhood Association

Scott O.

Allan L Abbott
To: JCookCC@aol.com, Randy W Hoskins/Notes@Notes, Scott A
Opfer/Notes@Notes
11/29/2004 08:41 AM cc:
Subject: Re: Who wrote this?(Document link: Scott A Opfer)

Scott did you or Randy write this please inform Jonathan and did it go to the inquirer. I assume the answer to Jonathan's question about who made the decision the answer is Randy but please confirm this with the Councilman too.

JCookCC@aol.com
To: AAbbott@ci.lincoln.ne.us
11/25/2004 01:23 AM cc:
Subject: Who wrote this?

Allan,

I forgot to ask you about this before the holiday. This appeared in the 11-22-04 council packet. It is not signed or on letterhead, so I can't tell who wrote it or for sure whether it went to the woman who requested the stop sign in the first place. Also, who made this decision if it was not the same person as who wrote the reply.

Can you check on those things for me?

Thanks.

Jonathan

This is in response to Councilman's Cook's request for "Stop" control at 30th & Calvert

We have reviewed the request for "Stop" traffic control at the above intersection. Our review, which

considered the accident experience, sight distance and general conditions at the intersection and the nearby area, has determined that stop or yield signs are not warranted at this time. A review of the reported accidents reveals that there has been one reported accident in the last three years at this intersection. This particular accident was a 1-vehicle in which the driver lost control. Therefore it was not susceptible to correction if traffic control had been installed. Field observations revealed that traffic operations were normal for this type of observation although there was a slight sight obstruction on the NE corner which will be eliminated.

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If we can be of any further service on this matter, please let us know.



JCookCC@aol.com
11/29/2004 11:36 AM

To: SOpfer@ci.lincoln.ne.us
cc: aabbott@ci.lincoln.ne.us, rfigard@ci.lincoln.ne.us,
RHoskins@ci.lincoln.ne.us
Subject: Re: Who wrote this? - RFI re: 30th & Calvert Stop Signs

The response needs to be sent to Ms. Brandt on letterhead. I did say in my RFI to reply to her. Here is the header from my RFI:

November 2, 2004

To: Allan Abbott, Director of Public Works

Re: Stop Signs at 30th and Calvert

Reply to:
Ann Brandt
3435 S 30th St
68502

If you could get a letter out to Ms. Brandt that would be much appreciated. You could even update it with the latest crash information. Please send me a copy of the letter for my records (a PDF is fine).

Thanks.

Jonathan

In a message dated 11/29/04 11:14:17 AM, SOpfer@ci.lincoln.ne.us writes:

Jonathan,

I apologize. The PDF sent to you was not clear as to whom it was from or to whom it was sent. First, the response was written by Allen Lee and approved by Randy & myself and it was not sent to the inquirer, Ms. Brandt. I'm not sure why, but that's what was done. I'm not sure if because your request didn't specifically state to send the response to Ms. Brandt, was the reason why it wasn't. Anyway, as I stated above, the response was just sent to you.

Also, so you know, we are typically about a month behind on getting crash information into our database. Since this response was written, a crash which occurred at 30th & Calvert on 10-21-04, was coded into our database. I tell you this so that in the case that Ms. Brandt based her request on this recent crash and our official response states that there has only been 1 crash in the past three years. Well, now there have been 2 crashes, but, we continue to support leaving this intersection as it is, for the reasons stated in the official response. Please let me know if you have any further questions.

Thanks,



The more you give, the more you get —

The more you laugh,

the less you fret

The more you do Unselfishly,

The more you live Abundantly . . .

The more of everything you share,

The more you'll always

have to spare

The more you love, the more you'll find

That life is good

and friends are kind . . .

For only What We Give Away,

Enriches Us from Day to Day . . .

So let's live Christmas through the year

And fill the world

with Love and Cheer.

RECEIVED

DEC 21 2004

CITY COUNCIL
OFFICE

Blessed are they who

see Christmas

through the eyes of a child.

May this be your gift

at Christmas
Convention Center?

Please consider giving
us affordable homes.
property taxes are too high.

Thank you

Mary Russell



**DO NOT REPLY to this-
InterLinc**

<none@lincoln.ne.gov

>

12/17/2004 08:26 AM

To: General Council <council@lincoln.ne.gov>

cc:

Subject: InterLinc: Council Feedback

InterLinc: City Council Feedback for
General Council

Name: Dave Kilgore
Address: 4301 N. 1st St. Apt. #281
City: Lincoln, NE 68521

Phone: 402-479-0596
Fax:
Email: david.kilgore@tieronebank.com

Comment or Question:

Honorable Council Members: I am a formal resident, who will be moving back to Lincoln in January, 2005. For the past 12 years I have reside in Rock Rapids, IA, just 30 miles east of Sioux Falls, SD.

I think it is very exciting that Lincoln is considering the replacement of the Pershing Center with a new 12,000 seat arena and a convention center. I will preface my comments in that I have only read the announcement of the proposed siting of the facility in the Journal-Star and do not have a background as to the criteria the city is considering relative to choosing a location.

Here are my concerns with the siting proposals made by the Twin Cities consultant. 1) Is a 4 square block site (approx. 10 acres) sufficient space for all of the possible uses (and possible expansion) of a combined arena / convention center. It appears that the Pershing Center was land locked for the past 50 years. 2) The siting near the University, entertainment district, Haymarket and business/government districts of downtown may be desirable, but we people walk more than 3 or 4 blocks to restarants, etc. to the facility. The center of downtown is being redeveloped on its own inertia, it is the fringes to the east and west that need assistance. 3) Daytime parking in downtown is already limited. How will parking be supported for daytime or late afternoon events. 4) Anything along 'O' street is a mistake. This is already an antiquated, overburdended roadway. Then if you eliminate either 'P' or 'N' street the problem worsens--more traffic will flow to 'O' and easy access to the new Antelope Roadway is limited. 5) It may be asthetically nice to locate south or north of the Haymarket, but where will people park and how is traffic controlled. '9th' and '10th' streets already each carry 30,000 vehicles a day and act as the freeway between Hwy 2 and I-180. The future freeway along the Homestead Expwy. will not alleviate this problem. Closing 10th street would be a mistake, the closure of a single lane today backs traffic up for several blocks.

I dislike removing parkland and recreational areas, but the best sites lie northwest of downtown in the Antelope and Salt Creek flood plains, either between Haymarket Park and Cornhusker Hwy. or west of Haymarket along the Sun Valley Blvd. This area could be elevated above the flood plain creating small lakes, it would provide visually pleasing views of downtown and Oak park lake and could be accessed from an improved Salt Valley Blvd. connecting to 'O' and Cornhusker Hwy (at 1st and 10th St), this in turn would connect the area to I-80 and I-180, so out of town folks would avoid the already congested inter city routes. The land base in the area would allow for future expansion and

parking could be handled via an elevated garage and surface parking. A new route could be completed to connect back to downtown. Expensive-yes. But you can figure that the project will cost \$50-100MM anyway and must last 40-50 years, so it should be done right.

Not in downtown-well Sioux Falls is disconnected by 2 miles, Council Bluffs is along the freeway, the Qwest Center is only loosely connected to downtown (a long walk to the city center and Old markt). Only the Veteran's Auditorium in Des Moines is connected via an extensive skywalk system. And, it is located just off of I-235 to handle traffic.

In conclusion, while siting the project in the concentrated downtown area seems most desirable, it would overburden the existing traffic network, take away from the eclectic feel of the Haymarket and not allow for future growth. Thank you for considering my comments.

Dave Kilgore, new resident

P.S. Since my residence is currently > 50 miles out of town, I can be considered an expert. HA! HA! Good luck with seeing this project to completion.



Joan V Ray

12/22/2004 09:04 AM

To: LJI55@aol.com

cc:

Subject: RE: 84th and Pioneers Information 

Dear Sir: Your message and the correspondence your referenced below will be forwarded to the Council for their review. Thank you for your input on these concerns.

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

LJI55@aol.com



LJI55@aol.com

12/21/2004 07:50 PM

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

TShafer@ci.lincoln.ne.us

cc:

Subject: RE: 84th and Pioneers Information

If that is the case why was this not indicated in the attached announcement? This is a very good example of poor communication and planning that has damaged the integrity of the project from the beginning and makes resident question whether you are making decisions in our best interest. An unprofessional sniped response typically does not bode well either.

-----Original Message-----

From: TShafer@ci.lincoln.ne.us [mailto:TShafer@ci.lincoln.ne.us]

Sent: Tuesday, December 21, 2004 9:13 AM

To: Jerald Utter

Subject: RE: 84th and Pioneers Information

Is this section going to remain closed? - YES

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

cc:

Subject: RE: 84th and Pioneers Information

I would appreciate a little clarification of the 84th Street closing. Based on the highlighted section it would appear as though residents would be able to go north on 84th Street from Augusta Drive and access Mandarin Drive. However there are barricades across the road just south of Kathy lane preventing this.

Thanks, Jerry

-----Original Message-----

From: TShafer@ci.lincoln.ne.us [mailto:TShafer@ci.lincoln.ne.us]

Sent: Thursday, December 16, 2004 10:28 AM

To: TShafer@ci.lincoln.ne.us

Cc: BDittmann@ci.lincoln.ne.us; RFigard@ci.lincoln.ne.us; KFredrickson@ci.lincoln.ne.us;

BSweney@ci.lincoln.ne.us

Subject: 84th and Pioneers Information

PUBLIC WORKS AND UTILITIES DEPARTMENT

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

FOR IMMEDIATE RELEASE: December 15, 2004

FOR MORE INFORMATION: Brian Dittmann, Public Works and Utilities Dept., 441-8326

PIONEERS BOULEVARD TO OPEN TO TRAFFIC AT 84TH STREET

Beginning Friday, December 17, Pioneers Boulevard at 84th Street will reopen to traffic in three directions. Motorists will still be unable to go south at the intersection because 84th Street will remain closed from just south of Pioneers Boulevard to just north of Mandarin Drive/Mandarin Circle. The 84th and Pioneers area has been closed since October 19 as part of the ongoing traffic safety and storm sewer improvements in the area.

Beginning Saturday, December 18, Old Cheney Road will be closed from just east of 84th Street to 88th Street. This section of Old Cheney will be reopened in a week to ten days with temporary pavement and will remain open to traffic throughout the winter. When that section is reopened, 84th Street from just north of Old Cheney to Augusta Drive will be closed. These closures are necessary to for soil compression, in which large piles of dirt are consolidated with the spongy Antelope Creek soils to ensure a sturdy roadbed.

"We appreciate the patience of motorists and residents in this area as this important project has moved forward," said Roger Figard, City Engineer in the Public Works and Engineering Department. "Our contractors have been finding ways to overcome challenges like the weather by working weekends and implementing unconventional techniques. We are very pleased that we are able to open this intersections for the winter."

Figard said construction crews used a special soil additive at Pioneers Boulevard to dry out the soil after rain showers. He said soil compression can take up to ten weeks, so it is important to begin the process now to save valuable time during the peak construction season in the warmer months.

The 84th and Pioneers intersection is scheduled to be completed by late spring 2005. The remaining water main and paving work for the entire 84th Street project, from Kathy Lane to Cheney Ridge Road, is tentatively scheduled for completion by the end of 2005.

More information is available on the City Web site at lincoln.ne.gov (search for "84th").



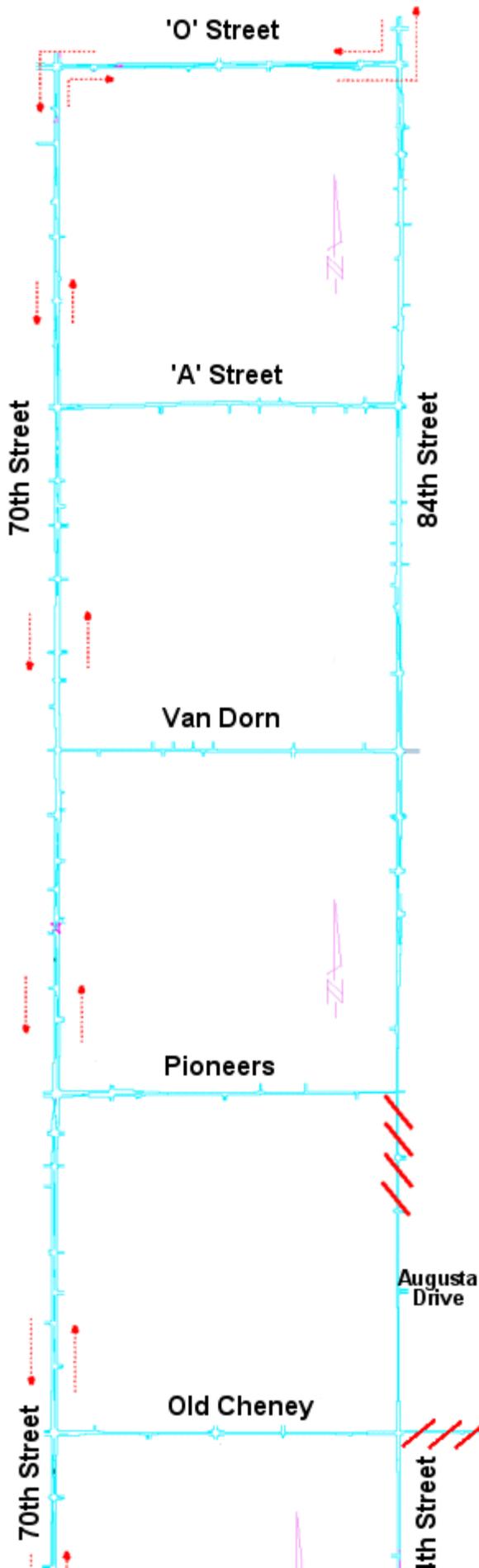
TShafer@ci.lincoln.ne.us

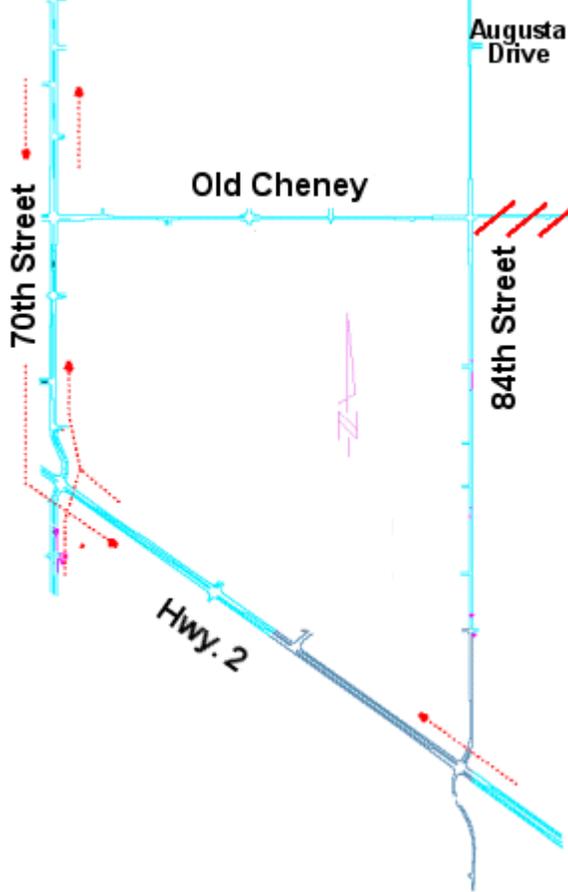
12/22/2004 08:00 AM

To: LJI55@aol.com

cc: council@ci.lincoln.ne.us, Mayor@ci.lincoln.ne.us,
aabbott@ci.lincoln.ne.us, RFigard@ci.lincoln.ne.us,
KFredrickson@ci.lincoln.ne.us, BSweney@ci.lincoln.ne.us,
BDittmann@ci.lincoln.ne.us, GFrench@ci.lincoln.ne.us,
JWragge@ci.lincoln.ne.us, "Bopp, Andrea" <abopp@schemmer.com>,
WBurcham@ci.lincoln.ne.us, MZuhlke@ci.lincoln.ne.us

Subject: RE: 84th and Pioneers Information





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Joan V Ray

12/22/2004 09:10 AM

To: Jim Johnson <jjohnson@cornhusker.net>

cc:

Subject: Re: Comment on "Open Mike" session 

Dear Mr. Johnson: 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

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Subject: Comment on "Open Mike" session

Council members:

As a citizen interested in public discourse, I'm watched with interest to see how the Council's cutting back on the number of monthly "open mike" sessions is received by the public.

I think the Journal Star overplayed the decision to some extent; from the headline in their news story one would think that the Council slashed the open mike completely, instead of just cutting it back to a couple of sessions per month. But those of us who're familiar with the Journal Star know that's just the way they operate; they can't ever just report the facts, always have to make a big production out of the thing. (And next thing you know they'll probably go the other way and write an editorial giving the Council a pat on the back for sharpening your focus on city issues, something like that.)

Regarding the Council decision itself, my first impulse (this time and every time this kind of thing has come up in the past) was to flinch and think that it's overkill to cut back on everybody's time just because a few people abuse the privilege. But after reflection, this time as always, I've come to the belief that it's not that big of a deal; the current Council is as open and reachable as any that's served since I've been living in Lincoln, some 20 years ago. And in terms of priorities, I'd lots rather let you go home a half hour earlier on a Monday so you can respond to your constituents on the City's business instead of forcing you to spend that half hour sitting in Council chambers and having people read to you from ancient law books or tell you all about the Crimean War. (The cynic in me always suspects that you're not really taking very careful notes during most of the open mike discussion anyway.) So I'm fine for giving you a month or two with the new policy to see how the decision plays out.

However, as an interested citizen, I did read through the minutes of your discussion on the matter at your December 13 meeting (minutes from the December 20 meeting not yet being available on the City's website).

I have some comments on the portions of the discussion in which 5CityTV was made. However first, I need to clarify: I'm writing this note as an individual and not as a member of any organization. However I do happen to be a member of the Mayor's Cable Advisory Board, and as such I thought it necessary to make a couple of comments on your discussion of last week. In both cases my comments are irrelevant to your current policy, but they might be helpful if the issue arises again at a later date.

First, I think the City Attorney (or possibly the secretary who transcribed his comments) used somewhat unfortunate terminology in his quoted statement that "If you were to take it off TV, we'd have to change the franchise agreement with Channel 5 because it calls for gavel to gavel coverage." The term "franchise agreement" is the unfortunate part. To the unknowing reader (and to myself on first reading) it might suggest that the City would have to get together with the franchise holder, Time Warner Cable, to work out the policy. (And I'll say no more about this at this time, but you-all no doubt know that now would probably not be the ideal time to be asking Time Warner for new stuff). In reality that's not necessary; channel 5 is operated by the City, and the rules for Channel 5 are created by the City. And possibly Mr. Roper didn't mean to imply that it was discussions with Time Warner would be necessary anyway; however since it momentarily confused me and made me think that he was implying that the franchise holder needed to approve it, (and since on cable issues I've recently become somewhat smarter than the average bear), I thought I should clarify, at least to make sure that you as Council members get it straight.

The typical "politically correct" way of changing the access rules is to take changes to the Cable Advisory Board, get agreement on the changes, then (if the Board approves) have the changes sent to the Council for ratification, but having to get the Cable Board's approval is different, and hopefully lots easier, than having to get Time Warner's approval. (If it came right down to it, the Council probably COULD go "over our heads" and do your own changes WITHOUT running it by the Cable Board; there might be, and probably should be, POLITICAL ramifications to going that route but I suspect that you'd be on pretty firm LEGAL grounds.) Specifically the "gavel to gavel" coverage comes from Section 8.3 of the Government Access rules, at:

<http://www.lincoln.ne.gov/city/mayor/cic/govtv/chptr3.htm#pro>

Looking through past Cable Board minutes (not a problem, because I happen to have been the Secretary for the past couple of years) I note that the Cable Board has discussed this very issue in the past. The relevant portion of our minutes for January 23, 2003, is as follows:

"Steve [Huggenberger, from the City Attorney's office,] also mentioned that in conjunction with rule 8.3, which requires that meetings which are televised be covered gavel-to-gavel, that the Council is pondering removing the open microphone portion of the meeting, which is held at the end of the meetings, from the official gavel-to-gavel coverage. At this time such

decision hasn't been made; if it is we may want to consider if changes are needed in rule 8.3. Stuart Long expressed his opinion that such a move by the Council would not be in the best interests of the public; he feels that the decision of whether to view the people who use the open mike section should be left in the hands of the citizen watching the broadcast, who can change the station or turn off the TV if he or she feels that anything inappropriate is said."

My second comment is on Mr. Roper's additional thought, from your minutes, that "the last time we visited this issue, the Cable TV Board felt strongly that they wanted to telecast the open mike" is somewhat closer to the mark, however I think "last time" would have been that January 2003 meeting, and my recollection is that the Board didn't really discuss open mike in detail, nor do I recall any other detailed discussions on the matter since my having joined the Cable Board in 2001. If the Council chose to bring the issue before the Cable Board, I'm not prepared to hazard a guess as to which way the vote would go. The "Stuart Long" mentioned above is now a Cable Board member (wasn't at the time those minutes were taken; he was speaking at that time only on behalf of the public) and I'm guessing that his vote would be a likely "no," but if it came to a need for six of our eleven votes (or maybe eight votes, I think Access Rules changes need only a simple majority but it might be a 2/3 majority), I'm really not sure how the vote would go. (Hint: A bipartisan request might be helpful.)

So anyway, carry on with the current policy, see if the problem goes away, and if you decide later that a consideration of changes to the "gavel to gavel" rule might be warranted, feel free to approach the Cable Board with a request, and we'll be glad to discuss the issue. (And we'll either give you what you ask for or we'll send you packing, but if the latter we'll at least do it with dignity.)

Thanks.

Sincerely,

Jim Johnson
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