

**DIRECTORS' MEETING
MONDAY, MARCH 7, 2005 - 11:00 A.M.
CONFERENCE ROOM 113**

I. MAYOR

- *1. NEWS RELEASE - RE: Open House Planned For Improvements In South 27th And Yankee Hill Area-(See Release)
- *2. Washington Report - February 11, 2005.
- **3. NEWS ADVISORY- RE: Members of the media are invited to cover all the Abraham Lincoln Celebration events from Noon to 6:00 p.m. on Sunday, February 20th at North Star High School - (See Advisory)
- **4. NEWS ADVISORY - RE: Mayor Seng's Public Schedule Week of February 19-25, 2005-Schedule subject to change-(See Advisory)
- **5. Washington Report - February 18, 2005.
- 6. NEWS RELEASE -RE: Mayor's Town Hall Set For March 14th -(See Release)
- 7. NEWS RELEASE - RE: City Council Candidate Debate Set For March 7th- Debate to air on 5 CITY-TV-(See Release)

II. DIRECTORS

FINANCE

- 1. 2004 Comprehensive Annual Financial Report (CAFR) (Council hard copies of this Report placed in their file folders on 3/02/05)(NOTE: This Report is on line at the Finance Department's website, pgs. 166)
- 2. BKD Letter to Management following their audit -(See Letter)

FINANCE/BUDGET

- 1. Reports from Steve Hubka - RE: February Sales Tax Reports-(See Reports)

FINANCE DEPARTMENT/CITY TREASURER

- *1. Monthly City Cash Report - City of Lincoln-Pledged Collateral Statement - January 31, 2005.
- **2. EMS Cash Receipts/Expenditure Data - FY 2004-05.
- **3. Material from Don Herz, Finance Director & Melinda J. Jones, City Treasurer - RE: Resolution & Finance Department, Treasurer of Lincoln, Nebraska - Investments Purchased February 7 thru February 18, 2005.

PARKS & RECREATION

- **1. Material - RE: Tree Easements -(See Material)

PERSONNEL

- **1. Memo from Don Taute - RE: Bill #05-10 - response to the Action from the February 14, 2005 meeting, Item #22 on the Agenda -(See Memo)

PLANNING

- *1. Letter from Brian Will to Kent Braasch, Essex Corporation - RE: The Preserve on Antelope Creek 7th Addition-Final Plat #04094 generally located at South 80th Street and Pioneers Blvd. - (See Letter)
- **2. Message from Jean Walker RE: Wal-Mart Public Hearing Postponement Notice (See Notice)
- 3. Response E-Mail from Marvin Krout to Terry Werner - RE: Hwy 34 Apartment Development -(See E-Mail)

PLANNING COMMISSION FINAL ACTION

- *1. Special Permit No. 1816A (Continuation of soil excavation operation-N.W. 40th & West Vine Streets) Resolution No. PC-00902.
- 2. Use Permit No. 145A (Adjustment to O-3 Office Park District sign requirements-Pine Lake Plaza, South 84th Street and Highway 2) Resolution No. PC-00903.

PUBLIC WORKS & UTILITIES

- *1. Public Works & Utilities ADVISORY - RE: Pre-Construction Open House-South 27th Street and Yankee Hill Road Improvements-Project Numbers 701668, 701662, 701596B-(See Advisory)
- **2. Letter & Motion-To-Amend #1 from Michael Brienzo, Transportation Planning, Public Works Dept. to Marvin Krout, Planning Director-RE: Transportation Amendments for the US-77 Highway Improvements: Lincoln West Beltway -(See Material)
- **3. Memo & Map from Nicole Fleck-Tooze - RE: Item #4 - 05-19 on City Council Agenda-Proposed 2005 Storm Sewer & Drainage System-GO Bond Issue-General Project Locations -(See Material)
- 4. Memo from Steve Masters & Gary Brandt - RE: Multi-Year Funding of Wastewater Capital Improvement Projects -(See Memo)

WEED CONTROL AUTHORITY

- *1. Combined Weed Program-City of Lincoln-January 2005 Monthly Report.

WOMEN'S COMMISSION

- 1. Director's Report from Bonnie Coffey - February 2005.

III. CITY CLERK

- *1. Letter from Deputy City Clerk Teresa J. Meier to D.O. & J.O., Inc., DBA O'Rourke's Tavern - RE: Please be advised that the Lincoln City Council, on 2/14/05, continued the public hearing & action on the application of O'Rourke's Tavern to Feb. 28th - City Council requires your attendance at the meeting & requests a computerized mock-up of the design of the 6 ft. fence to be used-(See Letter)

IV. COUNCIL

A. COUNCIL REQUESTS/CORRESPONDENCE

JON CAMP

1. Request to Finance Department RE: Storm Sewer Bond Issue Project Expenses (RFI #88 - 02-18-05). — **1.) SEE RESPONSE FROM PUBLIC WORKS & UTILITIES DEPARTMENT RECEIVED ON RFI#88-02/23/05.**
- **2. E-mail correspondence to Jon Camp from Rob Simon RE: Eminent Domain Process. (See e-mail)
- **3. E-mail to Jon Camp from John Hornyak - RE: 24 Hour Lighting on the Livingston Property -(See E-Mail)

JONATHAN COOK

1. **OUTSTANDING** Request to **Public Works & Utilities Department** - RE: Snow plowed onto sidewalks repeatedly (RFI#122 - 01/11/05)

GLENN FRIENDT

1. Request to ~~Marc Wullschleger, Urban Development Director~~ /Lynn Johnson, Parks & Recreation Director - RE: Next steps for the University Place property vacation (RFI#41-02/02/05). — **1.) SEE RESPONSE FROM MARC WULLSCHLEGER, URBAN DEVELOPMENT DIRECTOR RECEIVED ON RFI#41-02/09/05.**

ANNETTE McROY

1. Request to Don Taute, Personnel Director RE: Breakdown for Each Department for specifically requested information on M-Class Employees for Years 1995, 2000 and 2003 (**RFI #164 - 02-18-05** - Joint Request w/P.Newman)

PATTE NEWMAN

1. Request to Ann Harrell, Acting Public Works Director/~~Larry Worth, StarTran~~ - RE: Larry Worth's memo summarizing the StarTran Town Hall Meeting on Jan. 22nd (RFI#29-02/08/05). — **1.) SEE RESPONSE FROM LARRY WORTH, STARTRAN RECEIVED ON RFI#29-02/10/05.**

2. Request to Don Taute, Personnel Director RE: Breakdown for Each Department for specifically requested information on M-Class Employees for Years 1995, 2000 and 2003 (**RFI #30 - 02-18-05** - Joint Request w/A.McRoy)
- **3. E-mail to Patte Newman from Paul Marxhausen with response from Joan Ray -
- RE: Note on Wal-Mart, 84th & Adams-(See E-Mail)
- **4. E-mail to Patte Newman from Todd Wicken, R.O.W. Division, Property Management - RE: The proposed Wal-Mart at 84th & Adams-(See E-Mail)
- **5. E-mail to Patte Newman from Brandon Koll & Shelley Longsine - RE: Woods Park Master Plan-(See E-Mail)

V. MISCELLANEOUS

- *1. E-mail from Melissa Landis - RE: Support Change of Zone #05003 & Miscellaneous #05001(Council received a copy of this E-Mail on 2/14/05) (See E-Mail)
- *2. E-mail from Fernando Pages - RE: 405 S. 26th Street (Council received on 2/14/05) (See E-Mail)
- *3. E-mail from Fernando Pages - RE: 405 S. 26th Street (Council received on 2/14/05)(See E-Mail)
- *4. E-mail from Congressman Emanuel Cleaver, II - RE: Regional Mayors' Summit on Friday, February 18, 2005 - (Council received on 2/14/05)(See E-Mail)
- *5. E-mail from Tim & Ellen Kraft - RE: Smoking Ordinance -(See E-Mail)
- **6. E-mail from Peggy Struwe, President of the Hawley Area Neighborhood Association RE: COZ #05003 & Miscellaneous #05001 (Lighting Standards for Businesses that abut residential zoning districts.
- **7. E-mail from Mary Roseberry-Brown - RE: Proposed Hotel Development- Eminent domain for hotel -(See E-Mail)
- **8. E-mail from John Ewald, Senior, Palmyra High School- RE: 'Thank you' was present at the Jan. 31st Council meeting- voting to waive the impact fee for the veterinary office-(See E-Mail)

- **9. E-mail from Jay Edmiston - RE: Wal-Mart at 84th & Adams -(See E-Mail)
- **10. E-mail from Nancy Thyparambil, Faith Lutheran School - RE: Wal-Mart at 84th & Adams-(See E-Mail)
- **11. E-mail from Larry Giebelhaus-RE: Smoking Ban-(See E-Mail)
- **12. E-mail from Joseph W. Johnson, Jr.-RE: Eminent Domain-(See E-Mail)
- **13. Letter from Brian & Dana Meves - RE: The proposed Wal-Mart at 84th & Adams -(See Letter)
- **14. E-mail from David Oenbring - RE: Eminent Domain-(See E-Mail)
- **15. Letter from Polly McMullen, President, Downtown Lincoln Association; & Michelle Waite, Chair, Downtown Lincoln Association to Mark Hunzeker, Pierson Fitchett Law Firm - RE: On behalf of the DLA Executive Committee, we thank you for joining us at our February 15th meeting to discuss proposed changes to the downtown theater policy which your client, Dr. Greg Sutton, intends to submit to the City-(See Letter)
- **16. E-mail from Jim Johnson - RE: Don't water down the Living Wage ordinance! - (See E-Mail)
- **17. E-mail from Michael & Shari Luft - RE: The proposed Wal-Mart Super Center - (See E-Mail)
- **18. E-mail from Jo Forbes - RE: Woods Park Tennis Courts-(See E-Mail)
- **19. E-Mail from Mel Meister - RE: Against the City putting another hotel downtown and destroying many small businesses that are located on that block-(See E-Mail)
- **20. E-mail from Kenneth & Ada Bishop - RE: Eminent Domain-(See E-Mail)
- **21. Letter from Rick Meyer - RE: The Capital Humane Society contract-(See Letter)
- **22. E-mail from Janelle Lamb - RE: Proposed Hotel Site and Eminent Domain-(See E-Mail)

- **23. E-mail from David Lamb - RE: Eminent Domain - (See E-Mail)
- **24. E-mail from Jessica A. Swift, RD, LMNT - RE: Opposed to Hotel Project-(See E-Mail)
- **25. E-mail from Joseph W. Johnson, Jr. - RE: Eminent Domain -(See E-Mail)
- **26. E-mail from Roger Yant - RE: Eminent Domain - (See E-Mail)
- **27. E-mail from Jack Graziano - RE: Eminent Domain BBR -(See E-Mail)
- **28. E-mail from Joe Durante - RE: Hotel Development -(See E-Mail)
- **29. E-mail from Karon Harris - RE: Wal-Mart Proposal at 84th & Adams-(See E-Mail)
- **30. E-mail from Doyle Adams - RE: The proposed Wal-Mart at 84th & Adams-(See E-Mail)
- **31. Letter from Michael McDannel - RE: Opposed-Woods Park Master Plan-(See Letter)
- **32. Letter from Richard Kimbrough - RE: Eminent Domain -(See Material)
- 33. Letter from Danny Walker, President, South Salt Creek Community Organization - RE: SSCCO response to memo dated February 11, 2005-4th Street Corridor-(See Letter)
- 34. Letter & Material from Ron Davis - RE: Bellyaching About the Costs of Providing Treatment For Heart Patients and about a Severe Drop In Revenue Due to Competition-(See Material)
- 35. E-Mail from Fred Freytag - RE: Woods Park Master Plan -(Council received on 2/28/05 before evening Council Meeting)(See E-Mail)
- 36. 4 -E-Mail's from Paul Haith; Lois Wenzl; Sherry Freytag; Jeff Jacoby;- RE: Eminent Domain -(Council received on 2/28/05 before evening Council Meeting (See E-Mail's)
- 37. E-Mail from JD Burt - RE: Woods Park Tennis Courts -(Council received on 2/28/05 during the evening Council Meeting) (See E-Mail)

38. E-Mail from Jarod & Stacey Mundt - RE: Eminent Domain -(Council received on 2/28/05 during the evening Council Meeting)(See E-Mail)
39. E-Mail from Sandra Johnson, Woods Park resident - RE: 'Thank you' for your unanimous vote to amend the Woods Park Comprehensive Plan to eliminate the 3 tennis courts-(See E-Mail)
40. E-Mail from Ed Schnabel - RE: Tennis Courts-(See E-Mail)
41. E-Mail from Ed Schnabel - RE: John Q. and 17th & P-Q -(See E-Mail)
42. Letter from Sharon Welch - RE: The ride for five program has been a great benefit for me -(See Letter)
43. Letter from Linda Fischer - RE: The Wal-Mart proposal at 84th & Adams -(See Letter)
44. Letter from John Dlouhy - RE: The Wal-Mart proposal at 84th & Adams-(See Letter)
45. Letter from Sandra Jane Remus - RE: Proposed Wal-Mart Supercenter at 84th & Adams -(See Letter)
46. Letter from Dr. David L. & Patricia R. Steffens - RE: Proposed Wal-Mart at 84th & Adams-(See Letter)
47. Letter from Ruby Augustine -RE: Eminent Domain-(See Letter)
48. Letter from Dorothy Kreick - RE: Wal-Mart proposed building at 84th & Adams St.- (See Letter)
49. Letter from Wynne L. Summers - RE: The proposed Wal-Mart at 84th & Adams St. -(See Letter)
50. Letter from Brad & Mary Parker - RE: The proposed Wal-Mart at 84th & Adams St. - (See Letter)
51. E-Mail from Ron Cerny - RE: Woods Park Master Plan-(See E-Mail)
52. E-Mail from Citizen of Nebraska - RE: New hotel downtown -(See E-Mail)

53. E-Mail from Michael & Carol James - RE: Woods Park Master Plan-(See E-Mail)
54. E-Mail from Mary Hawk - RE: 'Thank You' for your vote on the Woods Park Master Plan -(See E-Mail)
55. E-Mail from Linda Stringham - RE: The proposed Wal-Mart-(See E-Mail)
56. Letter from Michael Soyward - RE: The Ride for Five Program has helped me a lot -(See Letter)
57. Letter from Charles Carlson - RE: The Ride for Five Program has helped me a lot - (See Letter)
58. 3 Letters from Jan Karst; Linda Mueller; Katie Kohl; - RE: The Smoking Ban-'hard' copies of 3 of the testimonies presented to you during the "open mic" session of the 2/28 City Council Meeting- (See Material)
59. Letter from Henrietta Hartman RE: Walmart Super Center on 84th & Adams - Opposed.
60. Letters from Mary B. Hilt, Jody Pavlish, Norma Goodteacher and Elizabeth J. Hogrefe, - each supporting the "Ride for Five" program (See the letters)

VI. ADJOURNMENT

***HELD OVER FROM FEBRUARY 21, 2005.**

****HELD OVER FROM FEBRUARY 28, 2005.**



CITY OF LINCOLN
NEBRASKA

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: March 1, 2005

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

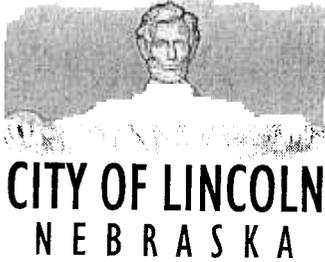
MAYOR'S TOWN HALL SET FOR MARCH 14

Mayor Coleen J. Seng invites the public to a Town Hall meeting the evening of Monday, March 14 at Scott Middle School, 2200 Pine Lake Road. A reception will begin at 7 p.m., and the Town Hall meeting is scheduled for 7:30 to 8:30 p.m. All City departments will be represented at the meeting.

“Our City is facing many important issues including infrastructure funding and the City budget,” said Mayor Seng. “It is very important to offer citizens an opportunity for to talk directly to City officials on these and other issues.”

At 7:30 p.m., the Mayor will make brief remarks and introduce representatives of the City departments. The public will then have an opportunity to ask questions on any topic relating to City government. At 8:30 p.m., there will be an opportunity for informal follow-up discussion.

The City's government access channel, 5 CITY-TV, will tape the 7:30 to 8:30 portion of the meeting to be aired at later dates on cable channel 5.



NEWS RELEASE

MAYOR COLEEN J. SENG

lincoln.ne.gov

OFFICE OF THE MAYOR

Citizen Information Center, 555 South 10th Street, Lincoln, NE 68508, 441-7375, fax 441-8653

FOR IMMEDIATE RELEASE: March 1, 2005

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

Sharon Nemeth, League of Women Voters, 472-2333, 489-3571

CITY COUNCIL CANDIDATE DEBATE SET FOR MARCH 7

Debate to air on 5 CITY-TV

The public is invited to a March 7th candidate debate among those seeking the three open seats on the Lincoln City Council. The debate is from 7 to 9 p.m. at Saint Paul United Methodist Church, 1144 "M" Street. The government access cable channel, 5 CITY-TV, will tape the debate for airing until April 5, the date of the primary election. Six candidates will advance to the general election May 3.

City Council candidates who have filed or announced their candidacy are Robin Eschliman, Mike Floyd, Bob Ihrig, Mark Koller, Dan Marvin, Charles Thomas, Dan Thompson, Shawn Traudt, Ken Svoboda, Terry Werner and Roger Yant. The filing deadline is March 4.

Sponsors of the debate are the League of Women Voters of Lincoln-Lancaster County; Saint Paul United Methodist Church; the Lincoln-Lancaster Women's Commission (LLWC); Aging Services/Lincoln Area Agency on Aging; the North 27th Business and Civic Association; and the NAACP.

According to Sharon Nemeth, Debate Coordinator with the League of Women Voters, the League will provide the first question on solutions on balancing the City budget. Each candidate will have one minute to answer. Candidates also are permitted to provide informational handouts on this issue. After all candidates have answered, they will each have 30 seconds to rebut each other's responses. If 10 or fewer candidates participate in the debate, the rebuttal time will be extended to 90 seconds. For the rest of the debate questions, candidates will have one minute to answer and 30 seconds for rebuttal. A one- or two-minute closing statement by each candidate will end the debate.

Moderators will be Nancy Intermill, LLWC, and Marge Ambrosius, Saint Paul UMC. Timers will be Danja Pegram-Siders, LLWC, and Leroy Stokes, NAACP. In addition to the League of Women Voters, questions will be asked by Kathie Uhrmacher, LLWC President; June Pederson, Director, Aging Services/Lincoln Area Agency on Aging; Jan Gauger, North 27th Business and Civic Association; and Lela Shanks, NAACP.

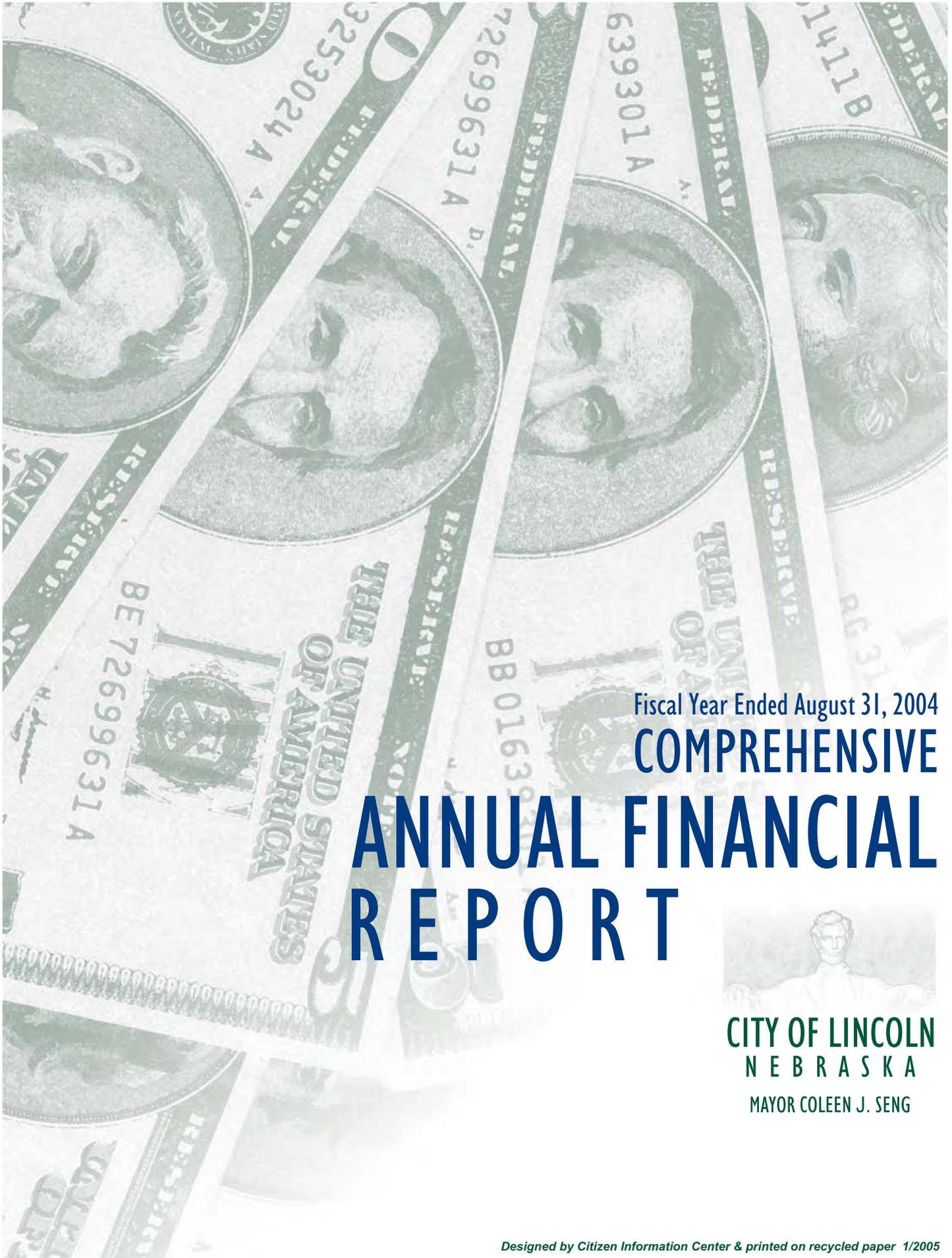
- more -

Debate
March 1, 2005
Page Two

The debate will take place in the church's Family Life Center on the main floor. Free parking is available in the church garage (enter on 11th Street) and on the street. Parking also is available for \$1 per car in the lot across 11th Street from the church (enter on "N" Street).

Audience members are asked to not wear or display items indicating support of specific candidates while in the debate room. The candidates will distribute campaign materials and handouts in rooms 155/157 across the hall from the Family Life Center. Candidates for the Lincoln Public Schools Board and the Lincoln Airport Authority also have been invited to distribute their campaign information.

The League of Women Voters of Lincoln-Lancaster County Education Fund is providing funding for the taping by 5 CITY-TV. For a schedule of air times, see the City Web site at lincoln.ne.gov. The debate also will be available through video-on-demand through the Web site.



Fiscal Year Ended August 31, 2004

COMPREHENSIVE ANNUAL FINANCIAL REPORT



CITY OF LINCOLN
NEBRASKA

MAYOR COLEEN J. SENG

**COMPREHENSIVE
ANNUAL FINANCIAL REPORT**

**OF THE
CITY OF LINCOLN, NEBRASKA**

FOR THE FISCAL YEAR ENDED AUGUST 31, 2004

Prepared by:

The Accounting Division of the Finance Department



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

As part of our audit of the financial statements of the City of Lincoln, Nebraska for the year ended August 31, 2004, we studied and evaluated the City's 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.

Franchise Fees

Franchise fees are remitted to the City based on negotiated arrangements. The City was unable to provide supporting documentation showing how the Time Warner franchise fees remitted were calculated. We recommend that the City implement procedures to "audit" the franchise fees received for accuracy. The City should consider requiring that the documentation to support the calculated fees, be submitted with each remittance. The calculations would then be reviewed monthly for consistency and agreement with the negotiated arrangement.

Requests for Project Reimbursement

We noted during testing of Street Fund receivables that the billings to the State of Nebraska related to the JAVA project were current through November 30, 2004 on invoices dated primarily in late December 2004 or early January 2005. The City is implementing procedures to ensure the documentation provided with the invoice allows for timely review and payment by the State of Nebraska. However, due to possible cash flow restraints related to the JAVA projects, we recommend that the City continue to evaluate the timeliness of reimbursement requests.

Emergency Medical Service Accounts Receivable

The third party billing/collection servicer is able to provide various reports of billed calls and accounts receivable aging reports. The reports of billed calls are used by City personnel to ensure that all logged calls are billed in a timely manner. The reports also provide support for the accounts receivable balance related to calls logged but unbilled. In addition, the aging reports provide information which is helpful in evaluating the adequacy of the allowance for doubtful accounts. We recommend that City finance and accounting personnel, with responsibility for EMS financial reporting, be familiar with and have access to these reports.

New Auditing and Accounting Pronouncements

Governmental Accounting Standards Board Statement No. 40, *Deposit and Investment Risk Disclosure*

GASB Statement No. 40 (GASB 40) amends the custodial credit risk disclosure provisions of GASB 3 and makes conforming amendments to GASB 25 and 28. It also prescribes numerous additional required disclosures about deposit and investment risks.

The most significant changes and additions made by GASB 40 are:

- The previous requirement of GASB 3 to disclose deposits and investments by custodial credit risk category is deleted and replaced by expanded disclosures of those previously included in Category 3
- Disclosures are added for credit risk, concentrations of credit risk, interest rate risk and foreign currency risk
- The government's policy for addressing each of the five types of risk to which the government is exposed, or the fact that the policy does not address the particular risk, must be disclosed

The City is planning to adopt GASB 40 in the year ending August 31, 2005.

Governmental Accounting Standards Board Statement No. 42, *Accounting and Financial Reporting for Impairment of Capital Assets and for Insurance Recoveries*

The Governmental Accounting Standards Board (GASB) has published Statement No. 42, *Accounting and Financial Reporting for Impairment of Capital Assets and for Insurance Recoveries*, that requires governments to report the effects of capital asset impairment in their financial statements when it occurs. The guidance also enhances comparability of financial statements by requiring all governments to account for insurance recoveries in the same manner.

The Statement requires governments to evaluate major events affecting capital assets to determine whether they are impaired. Those events include physical damage, changes in legal or environmental factors, technological changes or obsolescence, changes in manner or duration of use and construction stoppage.

Impairment will be measured using methods that are designed to isolate the cost of the capital asset's service capacity that has been rendered unusable by impairment.

The Statement includes several disclosure requirements that will assist users of financial statements in understanding the nature and impact of impairment of capital assets. Disclosures are required for impairment losses that are not evident from the face of the financial statements, for impaired capital assets that are idle and for insurance recoveries that are not evident from the face of the financial statements.

Statement 42 is effective in the year ending August 31, 2005.

Governmental Accounting Standards Board Statement No. 44, *Economic Condition Reporting: The Statistical Section – an amendment of NCGA Statement 1*

GASB Statement No. 44 (GASB 44) amends the portions of NCGA Statement 1, *Governmental Accounting and Financial Reporting Principles*, that guide the preparation of the statistical section.

GASB 44 is intended to improve consistency and comparability in reporting and to provide clearer guidance regarding the applicability of the standards for the statistical section to all types of governmental entities.

The most significant changes and additions by GASB 44 are:

- The government-wide accrual-based information required by GASB Statement 34 is added to the statistical section.
- Notes are added to the statistical section regarding the sources, methodologies, and assumptions, and to provide narrative explanations of (a) the objectives of statistical section information, (b) unfamiliar concepts, (c) relationships between information in the statistical section and elsewhere in the financial report, and (d) atypical trends and anomalous data that users would not otherwise understand.

Statement 44 is effective for your year ending August 31, 2006.

Governmental Accounting Standards Board Statement No. 45, *Accounting and Financial Reporting by Employers for Postemployment Benefits Other Than Pensions*

The Governmental Accounting Standards Board has published Statement No. 45, *Accounting and Financial Reporting by Employers for Postemployment Benefits Other Than Pensions* to establish standards for the measurement, recognition, and display of *other postemployment benefits* (OPEB) expense and related liabilities (assets), note disclosures, and, if applicable, required supplementary information in the financial report.

This Statement improves the relevance and usefulness of financial reporting by requiring systematic, accrual-basis measurement and recognition of OPEB expense over a period that approximates employees' years of service and providing information about actuarial accrued liabilities associated with OPEB and whether and to what extent progress is being made in funding the plan.

This Statement also includes several disclosure requirements that will assist users of financial statements in understanding the nature and impact of the OPEB plan.

Statement 45 is effective for your year ending August 31, 2007.

* * * *

We appreciate the opportunity to present these comments and suggestions. This letter does not express an opinion on the City's 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 implementation assistance for changes or improvements you may require within the constraints of applicable professional standards on independence.

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

January 19, 2005

**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%	\$4,264,010	-1.66%
FEBRUARY	\$4,917,238	\$4,895,886	\$4,982,568	\$5,224,986	4.87%	\$5,531,405	5.86%	\$6,086,841	10.04%
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%	\$28,893,831	3.81%

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%	(\$394,324)	22.00%
MARCH	(196,501)	(\$303,779)	(\$428,507)	(\$17,601)	-95.89%	(\$22,759)	29.30%	(\$99,240)	336.05%
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%	(\$1,442,648)	20.69%

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%	\$4,043,044	-5.46%
FEBRUARY	\$4,909,166	\$4,780,680	\$4,473,291	\$5,163,582	15.43%	\$5,208,187	0.86%	\$5,692,517	9.30%
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%	\$27,550,423	3.34%

Year to date vs.
previous year

**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	\$4,043,044	(\$504,642)	(\$233,565)	-5.46%
FEBRUARY	\$5,600,491	\$5,692,517	\$92,026	\$484,330	9.30%
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	\$27,550,424	(\$904,288)	\$890,978	3.34%

Marvin S Krout

02/28/2005 01:34 PM

To: TWernerLNK@aol.com, bmikkel@nsea.org
cc: jwalker@ci.lincoln.ne.us, rhorer@ci.lincoln.ne.us
Subject: Re: Fwd: Hwy 34 Apartment Development 📧

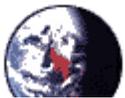
The Planning Commission voted to recommend approval of this request at their last meeting, on February 16. We have not set a date for City Council yet, because the applicant needs to modify the plan as per recommendations of staff and Planning Commission, and the annexation agreement has not been finalized. The issues regarding the annexation agreement for this property are less complicated than some others, so I do not think it will be tied up for months, as is sometimes the case recently. If I had to guess, I would guess this will be ready for a hearing in mid-April.

At the Planning Commission hearing, we realized that the PUD conditions did not have all the specifications that were intended for the small commercial tract that is part of this proposal. So when this does get sent forward to the City Council, we will be recommending that the commercial tract be tied to the zoning and design standards of the B-2 neighborhood business district, and that a specific plan for the property be approved through a public hearing process as with "use permits" in the B-2 district. We have communicated this to the applicant already.

Becky Horner is the staff planner assigned to this project -- feel free to contact her directly if you have any further questions.

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

TWernerLNK@aol.com



TWernerLNK@aol.com

02/28/2005 12:46 PM

To: mkrou@ci.lincoln.ne.us
cc:
Subject: Fwd: Hwy 34 Apartment Development

Marvin, can you update Brian and myself on the timing for the following? Thanks, Terry

In a message dated 2/28/2005 9:38:07 AM Central Standard Time, bmikkel@nsea.org writes:

Terry:

If you have time, I'd like to talk with you about the apartment and commercial development the planning commission just approved for Highway 34 and Fletcher. Our neighborhood has some concerns, especially about the commercial elements of that project.

Do you know when this will be scheduled before the council? Is there a good time I can call to chat with you about this? Thanks,

Brian Mikkelsen

----- Message from "Mikkelsen, Brian [NE]" <bmikkel@nsea.org> on Mon, 28 Feb 2005 09:37:55 -0600 -----

To: <twernerlnk@aol.com>

Subject Hwy 34 Apartment
: Development

Terry:

If you have time, I'd like to talk with you about the apartment and commercial development the planning commission just approved for Highway 34 and Fletcher. Our neighborhood has some concerns, especially about the commercial elements of that project.

Do you know when this will be scheduled before the council? Is there a good time I can call to chat with you about this? Thanks,

Brian Mikkelsen
NSEA Government Relations

(O) 402-475-7611 (O) 800-742-0047 (C) 402-432-3397

**PLANNING COMMISSION FINAL ACTION
NOTIFICATION**

TO : Mayor Coleen Seng
Lincoln City Council

FROM : Jean Walker, Planning 

DATE : February 28, 2005

RE : **Use Permit No. 145A**
(Adjustment to O-3 Office Park District sign requirements - Pine Lake Plaza,
South 84th Street and Highway 2)
Resolution No. PC-00903

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, February 16, 2005:

Motion made by Taylor, seconded by Carroll, to approve **Use Permit No. 145A**, with conditions, requested by Pine Lake Development, L.L.C., to adjust the O-3 Office Park District sign requirements to allow signs near driveways instead of at building entrances, on property generally located northwest of the intersection of South 84th Street and Highway 2. Motion for conditional approval carried 6-1 (Marvin, Carroll, Taylor, Krieser, Sunderman and Carlson voting 'yes'; Pearson voting 'no'; Larson and Bills-Strand absent).

The Planning Commission's action is final, unless appealed to the City Council by filing a Letter of Appeal with the City Clerk within 14 days of the date of the action by the Planning Commission.

Attachment

cc: Building & Safety
Rick Peo, City Attorney
Public Works
Jason Thiellen, EDC, 2200 Fletcher Ave., #102, 68504
Family Acres Assn.
Pine Lake Assn.
Pine Lake Heights Assn.

RESOLUTION NO. PC- 00903

USE PERMIT NO.145A

1 WHEREAS, Pine Lake Development, LLC has submitted an application in
2 accordance with Section 27.69.044(e) of the Lincoln Municipal Code designated as Use Permit
3 No. 145A to adjust the O-3 district sign requirements to allow signs near driveways instead of at
4 building entrances on property generally located northwest of the intersection of S. 84th Street
5 and Highway 2, legally described as:

6 Lots 1, 6, and 7, Block 1, Lots 6 through 8, Block 2, Lots 1
7 through 6, Block 3, and Outlots A, B, and C, Pine Lake Plaza
8 Addition located in the Northeast Quarter of Section 22, Township
9 9 North, Range 7 East of the 6th P.M., Lincoln, Lancaster County,
10 Nebraska and more full described as follows:

11 Referring to the northeast corner of said Northeast Quarter;
12 thence north 90 degrees 00 minutes 00 seconds west (an
13 assumed bearing) on the north line of said Northeast Quarter, a
14 distance of 50.00 feet; thence south 00 degrees 49 minutes 15
15 seconds east, a distance of 33.00 feet to a point on the west right-
16 of-way line of South 84th Street; thence continuing south 00
17 degrees 49 minutes 15 seconds east, on said line, a distance of
18 357.24 feet to the point of beginning; thence continuing south 00
19 degrees 49 minutes 15 seconds east, on said line, a distance of
20 419.58 feet; thence south 89 degrees 10 minutes 45 seconds
21 west, a distance of 290.40 feet; thence south 00 degrees 49
22 minutes 15 seconds east, a distance of 150.00 feet; thence north
23 89 degrees 10 minutes 45 seconds east, a distance of 290.40 feet
24 to a point on said west right-of-way line; thence south 00 degrees
25 49 minutes 15 seconds east on said line, a distance of 143.94
26 feet; thence south 07 degrees 41 minutes 34 seconds west on
27 said line, a distance of 141.50 feet; thence south 04 degrees 54
28 minutes 04 seconds east on said line, a distance of 71.70 feet;
29 thence south 06 degrees 39 minutes 36 seconds west on said
30 line, a distance of 92.43 feet; thence south 18 degrees 00 minutes

1 22 seconds west on said line, a distance of 177.89 feet; thence
2 south 71 degrees 59 minutes 18 seconds west, a distance of
3 41.95 feet; thence north 49 degrees 58 minutes 12 seconds west,
4 on the northerly right-of-way line of Highway 2, a distance of
5 371.21 feet; thence north 63 degrees 29 minutes 11 seconds west
6 on said line, a distance of 323.87 feet; thence north 47 degrees
7 28 minutes 49 seconds west on said line, a distance of 403.11
8 feet; thence north 67 degrees 17 minutes 09 seconds west on
9 said line, a distance of 205.00 feet; thence north 49 degrees 22
10 minutes 04 seconds west on said line, a distance of 602.52 feet;
11 thence north 56 degrees 53 minutes 20 seconds west on said
12 line, a distance of 500.38 feet; thence north 53 degrees 50
13 minutes 27 seconds east on the southerly right-of-way line of Pine
14 Lake Road, a distance of 168.93 feet; thence north 82 degrees 00
15 minutes 32 seconds east on said line, a distance of 402.47 feet;
16 thence north 90 degrees 00 minutes 00 seconds east on said line,
17 a distance of 550.68 feet; thence south 00 degrees 14 minutes 46
18 seconds east, a distance of 142.56 feet; thence north 89 degrees
19 19 minutes 18 seconds east, a distance of 216.03 feet; thence
20 south 87 degrees 53 minutes 55 seconds east, a distance of
21 66.08 feet; thence north 89 degrees 19 minutes 18 seconds east,
22 a distance of 198.44 feet; thence south 00 degrees 49 minutes 15
23 seconds east, a distance of 214.03 feet; thence south 89 degrees
24 37 minutes 25 seconds east, a distance of 475.0-7 feet to the
25 point of beginning, and containing 12 lots, 3 outlots, and
26 calculated area of 34.542 acres more or less;

27 WHEREAS, the real property adjacent to the area included within the site plan
28 for this change in sign requirements for this development will not be adversely affected; and

29 WHEREAS, said site plan together with the terms and conditions hereinafter set
30 forth are consistent with the intent and purpose of Title 27 of the Lincoln Municipal Code to
31 promote the public health, safety, and general welfare.

32 NOW, THEREFORE, BE IT RESOLVED by the Lincoln City - Lancaster County
33 Planning Commission of Lincoln, Nebraska:

34 That the application of Pine Lake Development, LLC, hereinafter referred to as
35 "Permittee", to adjust the O-3 district sign requirements to allow signs near driveways instead of
36 at building entrances be and the same is hereby granted under the provisions of Section
37 27.69.044(e) of the Lincoln Municipal Code upon condition that construction and operation of

1 said commercial space be in strict compliance with said application, the site plan, and the
2 following additional express terms, conditions, and requirements:

3 1. This permit approves adjustments to the sign requirements for the O-3
4 District to allow building identification ground signs at locations other than near the building
5 entrance.

6 2. Before receiving building permits:

7 a. The Permittee shall revise the site plan as follows and submit six
8 copies of the documents and plans to the Planning Department
9 for review and approval.

10 i. Revise General Site Note #24 to read as follows: SIGNS
11 SHALL BE PERMITTED AND LOCATED IN
12 ACCORDANCE WITH LINCOLN MUNICIPAL CODE
13 SECTION 27.69.044 WITH THE FOLLOWING
14 MODIFICATION: ONE GROUND SIGN NOT EXCEEDING
15 15 SQUARE FEET IN AREA AND 5 FEET IN HEIGHT
16 SHALL BE PERMITTED AT EITHER EACH BUILDING
17 ENTRANCE OR AT EACH VEHICULAR ENTRANCE PER
18 LOT PROVIDED THE SIGN DOES NOT OBSTRUCT
19 SIGHT DISTANCE.

20 ii. Delete General Site Note #25.

21 iii. Revise General Site Note #26 to read as follows: DETAILS
22 OF ALL SIGNS, INCLUDING TYPE, LOCATION, HEIGHT
23 AND SIZE WILL BE SUBMITTED SEPARATELY FOR
24 REVIEW FOR SIGN PERMITS. SIGNS WHICH MEET
25 THE REQUIREMENTS OF THE ZONING ORDINANCE
26 AND THE REQUIREMENTS OF GENERAL SITE NOTE
27 #24 ARE NOT REQUIRED TO BE SHOWN ON THE SITE
28 PLAN AND NO ADMINISTRATIVE AMENDMENT IS
29 REQUIRED.

30 iv. Revise the landscape plan to include the subdivision area
31 signs as allowed by, and in accordance with LMC Section
32 27.69.220.

33 b. The construction plans comply with the approved plans.

34 3. All development and construction is to comply with the approved plans.

1 4. All privately-owned improvements, including landscaping, are to be
2 permanently maintained by the owner or an appropriately established property owners
3 association approved by the City.

4 5. The site plan approved by this permit shall be the basis for all
5 interpretations of setbacks, yards, locations of buildings, location of parking and circulation
6 elements, and similar matters.

7 6. This resolution's terms, conditions, and requirements bind and obligate
8 the Permittee, their successors and assigns.

9 7. The Permittee shall sign and return the letter of acceptance to the City
10 Clerk within 30 days following the approval of the use permit, provided, however, said 30-day
11 period may be extended up to six months by administrative amendment. The clerk shall file a
12 copy of the resolution approving the use permit and the letter of acceptance with the Register of
13 Deeds, filling fees therefor to be paid in advance by the Permittee.

14 8. The site plan as approved with this resolution voids and supersedes all
15 previously approved site plans, however all resolutions approving previous permits remain in
16 force unless specifically amended by this resolution.

DATED this 16th day of February, 2005.

ATTEST:


Vice- Chair

Approved as to Form & Legality:


Chief Assistant City Attorney

Memorandum

To: City Council
From: Steve Masters & Gary Brandt, Public Works & Utilities
Subject: Multi-Year Funding of Wastewater Capital Improvement Projects
Date: March 2, 2005
cc: Ann Harrell, Margaret Remmenga, Marvin Krout

INTRODUCTION

This memo will provide an update on the following questions.

1. What is has been our experience with recent trunk sewer bids?
2. Which projects are now under construction that required multi-year funding?
3. Which trunk sewer projects are needing multi-year funding approval by Council, yet this year?
4. What are the rate implications of the Wastewater CIP?

1. RECENT BIDS

Bids have been recently taken for two projects: (1)Beal Slough I and (2) West 'O' trunk sewers. Because of the magnitude of these two projects, multi-year funding legislation allowing bid award is in preparation for your consideration.

Beal Slough Trunk; Phase I **Bid Feb. 16, 2005**

Recommended adjustments to fund bids on Beal Slough I.

Beal Slough Phases I & II allow growth within the basin, eventually to the ridge near 84th & Hwy. 2. These projects were anticipated to proceed as outlined in the current CIP, allowing the developments of Thompson Creek, Big Thompson Creek and Village Gardens. The project has funding this year to begin the project. Additional will be needed in FY 2005/06 to complete the multi-year project. While this project did come within the engineer's estimate on final design, the costs exceed our program budget.

Bids for Phase I were opened on February 16, 2005. Total expenditures for the design of Beal Slough I, combined with right of way acquisition exceed the budget for this project as listed in the FY 04/05 CIP by approximately \$3.375 million. The original project scope anticipated construction from west to east, from Salt Creek (south of Pioneer Blvd.), extending along Hwy 2 on the south side, and crossing 27th St. With the higher than expected bids, Wastewater is evaluating the 27th St. crossing, which would reduce the construction contract by more than \$900,000 to \$7.8 million. To pay the higher cost of the bid, below are the revisions that are necessary to accept the bid received on Beal Slough, Phase I.

• Postpone engineering design of Stevens Creek Phases 2,3 &4	\$ 900,000
• Delay Antelope Valley P&Q from 05/06 to 06/07	\$1,050,000
• Delay Oak Creek & Extension under Hwy 34	<u>\$1,470,000</u>
	\$3,420,000

West 'O' Trunk
Bid Feb. 23, 2005

Recommended adjustments to fund bids on West 'O'.

Extension of the trunk from SW 40th along the BNSF railroad west and then following the sub-basin north of 'O' to I-80, between Crete Carriers and Shoemaker's provides service to areas that have been annexed consistent with agreements and the Comprehensive Plan. Conclusion of this work will eventually allow extension of the trunk line, permitting future annexation of industrial land west of SW 56th, between 'O' and I-80. Additional funding is shown in Year 2 (FY 05/06) of the CIP. Contractor bids for the construction of this project are within the final engineer's estimate.

Bids for this project were opened on February 23, 2005. Total bids for West 'O' exceed the remaining amount shown in the FY 04/04 CIP by approximately \$300,000. Postponing the selected main projects to Fall 2005, is recommended in order to proceed with awarding the total contract at this time. An available option that has been considered is to complete acquisition of all needed easements and terminating the construction contract at 'O' Street.

Priority projects as shown in the current program that would receive consideration in the event that future project budgets are inadequate are (from high to low priority): Upper SE Salt Creek; Oak Creek Relief; Upper Beal Slough; Stevens Creek Ph. I; Salt Valley Ph V Design ; & Little Salt Creek Basin. Projects not listed from the current program are considered to have lower priority than those listed.

2. CURRENT PROJECTS UNDER CONTRACT (MULTI-YEAR FUNDED)

During 2004, we met with Council to discuss wastewater treatment and trunk sewer construction projects. Included in that presentation were construction activities that the Wastewater Division planned to bid for FY 2003/2004, where multi-year funding was to be utilized. By Ordinance, City Council approval is needed before projects that require future year appropriations can be awarded. The benefit of projects completed at an earlier date are considerable.

Table 1. "Projects Under Contract", summarizes those capital improvements projects (CIP) that have already received Council approval for multi-year funding. Work is advancing for each of those projects. Our ability to award these bids resulted in cost savings, taking advantage of favorable market timing. For those projects that are under contract requiring multi-year funding (Table 1), you will see listed the future appropriations as shown in the current CIP .

Table 1. Projects Under Contract

<u>Project</u>	<u>Project Amount</u>	<u>Appropriations (\$x million, rounded)</u>		
		<u>FY 2004/05</u>	<u>FY 2005/06</u>	<u>FY 2006/07</u>
Treatment Process Capacity Improvements. & Upgrades				
Theresa St.*	\$26.0	4.1	11.8	3.0
Northeast*	\$15.1	10.1	4.2	
31 st. Lift Station* Outfall Improvements.	\$2.2	1.6	0.4	

3. PROJECTS TO REQUIRE MULTI-YEAR FUNDING.

Three additional Wastewater Division projects, shown in year one of our FY 2004/05 CIP, are scheduled for multi-year appropriations and Council consideration and action. Table 2. "Projects Intended to Bid This Year", lists each of these projects. We have received bids for the Beal Slough Ph. I project (2/16/05) and the West 'O' Trunk (2/23/05). Bids for the Beal Slough Trunk did exceed our budget by approximately \$3.4 million and contracts for the West 'O' project requires an additional \$300,000. We are intending to bring requests for multi-year funding approval for each.

Table 2. Projects Intended to Bid This Year

<u>Project</u>	<u>Project Budget</u>	<u>Appropriations (in \$ x million, rounded)</u>		<u>Bid Opening</u>
		<u>FY 2004/05</u>	<u>FY 2005/06</u>	
Beal Slough Phase I *	\$6.8	3.6	1.5	2/16/05
Stevens Creek Trunk Ph. I*	\$7.5	3.5	1.6	4/?/05
West 'O' Trunk*	\$1.9	1.1	0.7	2/23/05

* These projects have prior year funding.
The "project amount" includes construction, engineering, ROW acquisition, advertising, and applicable permit filing costs.

4. RATE CONSIDERATIONS

The Capital Improvements Program for 2005/06 is being prepared. It includes more detailed estimates for design and costs available. Given the need for these projects, the Wastewater Division anticipates requesting a rate increase of 10% later this summer.

Observations

1. The amounts listed in Table 2 are those provided in the FY 04/05 CIP.
2. Adjustments to the budgeted amounts (up or down) will be provided within the upcoming FY 05/06 program.
3. In the bidding documents for trunk sewer projects, construction is divided into segments, seeking to provide a means of adjusting the scope of a contract when bids exceed estimates.
4. Bids are tracked by the Engineering News Record. Increases as recorded in the Central U.S. are outlined in Table 3.

Table 3. ENR % Construction Cost Increases--Central U.S.

<u>YEAR</u>	<u>PER CENT</u>
2002	4.7
2003	2.8
2004	15.1

TO: LLWC Commissioners
Mayor Coleen J.Seng
Lincoln City Council Members
Lancaster County Board of Commissioners
Lancaster County Towns/Villages/Boards

FROM: Bonnie Coffey/Lincoln-Lancaster Women's Commission

DATE: 2/28/05

SUBJECT: Director's Report – February 2005

*Diane Mullins was on vacation 1/31 through 2/4. LLWC offices were closed on 2/21. I was on vacation 2/18 through 2/27.

Community Learning Center (CLC) Initiative

Background: The City of Lincoln was one of eight cities nationwide to receive a thirty-month technical assistance grant to engage the city in CLCs; I served as point person for that grant, and continue to serve on the management team for the CLC initiative in Lincoln. Community Learning Centers are partnerships that provide opportunities and support services that lead to improved student learning, stronger families and stronger communities. There are currently 15 CLCs in Lincoln funded by a blended stream of 21st Century, PEN and grant monies.

- A CLC Community Engagement/Communications committee meeting was held on 2/18.
- A CLC Management Team Meeting was held on 2/28.

Community Services Initiative (CSI)

Background: CSI is the implementation of plans developed through a community-wide survey of gaps in human services needs; due to a reconfiguration, oversight and clerical support of CSI was awarded to the Human Services Federation (HSF). This restructure combines the seven original coalitions into four (with two others being folded under Urban Development and the Health Department). The restructure provides for paid staffing of the coalitions and dissolution of the Steering Cabinet. Paid staff will now comprise the steering Committee, removing the need for chairs and co-chairs. The "Success by 6®" and Youth Development Coalitions have been re-combined and, awaiting a paid staff member, is being staffed by Rick Carter, executive director of HSF.

- The "Success by 6®" and Youth Development Coalition are working on a Mayor's Summit on early care & education and youth development called, "One Vision, One Voice." The summit is slated for Friday, June 17 and will focus on creating a community shared vision of what we want for our children and youth. Planning meetings were held on 2/11 and 2/17 to hear from task forces and to designate committees.

Women's Leadership

Background: During LLWC's strategic planning following the "Women's Voices" project that surveyed women in Lincoln and Lancaster County, focus is being placed on two areas, "Women's Leadership & Public Policy" and "Women's Health."

●Several years ago at a National Association of Commissions for Women (NACW) convention, I co-presented a workshop on women in elected office. Also presenting at that session was a representative of the Center of American Women in Politics (CAWP) at Rutgers University. She provided an overview of their popular non-partisan "Ready to Run" workshop that provides New Jersey women vital information and contacts needed to consider running for elected office. I have long wanted to bring a similar program to Lincoln; in mid-January, I contacted CAWP for their information, and received permission to move forward in presenting a similar program in Nebraska. On 2/1, talked at length with Ellie Archer, Executive Director of the Women's Fund of Greater Omaha. Together, we felt this was an excellent collaborative effort between WFGO and LLWC, and have made plans to bring this program to the Lincoln/Omaha area. A steering committee of women from Omaha and Lincoln met on 2/16 to work with the curriculum provided by CAWP, adjust it for our use and contact presenters. The "Ready to Run" workshop will be given on Saturday, October 15 at Mahoney State Park. Steering Committee members from LLWC and Lincoln include LLWC president Kathie Uhrmacher, LLWC immediate past president Nancy Intermill, LLWC commissioner Danja Pegram Siders, Kim Roback and Kathy Campbell.

●Efforts continue with collaborative efforts with The Lincoln Agency in presenting the "Women and Money" conference in September. A planning meeting was held on 2/3; I have crafted an "ask" letter for financial support and am awaiting approval from The Lincoln Agency.

Women's Health

Background: During LLWC's strategic planning following the "Women's Voices" project that surveyed women in Lincoln and Lancaster County, focus is being placed on two areas, "Women's Leadership & Public Policy" and "Women's Health." LLWC Director Bonnie Coffey serves as a liaison to the Family Violence Council and Co-Chair of the Changing Attitudes Committee (a subcommittee formed to implement part of the FVC strategic plan to address community attitudes concerning violence).

●A final committee meeting for the "Go Red for Women" luncheon was held on 2/8; the luncheon was on Saturday, 2/12 to focus on women's heart health. LLWC's president Kathie Uhrmacher and I attended to help set up, attended both pre- and post-lunch workshops and the luncheon itself. This is the first such event, and LLWC hopes to assist again next year. Heart attacks and strokes are the #1 and #3 killers of women, surely a women's health issue.

Lincoln-Lancaster Teenage Pregnancy Prevention Coalition (TPPC).

Background: For several years, LLWC has been an active member of TPPC. LLWC's director serves as the president for 2003/04.

- TPPC met on 2/8. The group is a bit closer to completing its fiscal impact model to gauge the financial impact of teen births on our county and state. TPPC is also planning a community workshop for parents entitled, "Sex, Drugs and Rock & Roll: What Every Parent Needs to Know," to provide information on how parents can become good teachers of sex and sexuality to their children. The event is slated for Thursday, May 19 from 7-9 pm at BryanLGH West. A forum will be moderated and parents will have the opportunity to ask questions. Statistics indicate teens want to hear about such issues from their parents. A separate planning committee for this event was held on 2/15.

Media/PR/Speaking

- In response to the increase in reports from teen workers both in Lincoln and Lancaster County and the U.S., LLWC has collaborated with the Lincoln Commission on Human Rights (LCHR) to produce informational sessions to educate high school students. LCHR and LLWC are presenting these through the Career Classes in all high schools; during February, sessions were presented to four classes at Lincoln East High School.
- LLWC collaborates with the Lincoln Commission on Human Rights and the Affirmative Action office in presenting a Brown Bag Film Series. On 2/4, a film on the issue of alcohol and White Clay was presented; next month's event will focus on women's suffrage for Women's History Month.
- On 2/7, I participated in a forum for Nebraska Wesleyan's nurse honor society at St. Elizabeth Hospital. The forum provided information on career planning and job searches.
- During the bi-weekly information sharing on My 106.3, I spoke about The "Go Red for Women" luncheon on 2/9 and about
- On 2/17, I spoke to sociology classes at Southeast Community College on the issues impacting women in Lincoln, Lancaster County, Nebraska and the nation.

Meetings/Public Contacts

- Judith Hart, last year's recipient of LLWC's Woman Artist of the Year Award, is working on a project around women's suffrage. She met with Diane Mullins and I for information, contacts and ideas on 2/7. She hopes to have the project ready for September 2005; LLWC will assist in media/PR efforts.
- At their invitation, I participated in a community issues interview for KLKN-TV/Channel 8

WomenTalk

Background: This unique television series addressing the issues that impact women was inaugurated in January 2000, and is the only one of its kind in the city/county; all of the programs since its inception have been underwritten by the Lincoln Journal Star and are at no cost to LLWC.

- Upcoming programs include:
March 2005 – Perspectives: Muslim Women"

May 2005 – “Overexposed: Dangers of Tanning”
July 2005 – “Invited In: Internet Predators”
September 2005 – “How to Get Ahead Without Going to the Golf Course”
November 2005 – “Crystal Catastrophe: Women and Meth”

Regularly Attended Meetings

- LLWC Staff Meetings are held each Monday at 9 a.m. to review the week, touch base and coordinate schedules and activities.
- Each Monday at 10:45 a.m., I attend the Directors Meeting held with City Council.
- Each Wednesday from 9-11 a.m., I attend the Mayor's Cabinet meeting. Weekly reports are e-mailed to the Mayor each Monday morning.
- The LLWC monthly meeting was held 2/9; minutes are provided separately.
- LLWC offices were closed on 2/21 in observation of Presidents Day.



Danny Walker
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To: LINCOLN CITY COUNCIL

Cc: Ann Harrell, Interim Director, Public Works & Utilities
Roger Figard, City Engineer, Public Works & Utilities
Ernie Castillo, Urban Development
Steve Masters, Public Works & Utilities

From: Danny E. Walker
President: South Salt Creek Community Organization

Date: February 22, 2005

Subject: SSSCO response to Memo Dated February 11, 2005
4th Street Corridor

RECEIVED
FEB 25 2005
CITY COUNCIL
OFFICE

My response to the Memo dated February 11, 2005 will be done in an orderly manner.

DRAINAGE: Be advised, the old storm water drainage system was in fact **BETTER** along the entire 4th street corridor **PRIOR** to construction. Factually, very little drainage takes place with the new system and the water stagnates. This is the very reason the drainage system was in fact complained about several times during the 2004 construction period. To resolve the problem, the construction company removed the standing water with portable suction pumps. **Rest assured**, the South Salt Creek Neighborhood will not tolerate standing water. Therefore, every time this problem occurs, the City of Lincoln Health Department will be contacted and if the problem happens to be repetitious other sources will be contacted. **In essence your design your maintenance problem**

CORRIDOR & CENTER ALIGNMENT, STREET AND BIKE PATH: The actual intent and desire of the SSSCO neighborhood was in fact two roads and a park like (benches, trees and lighting) center corridor. The City of Lincoln Urban Development Department was **FULLY AWARE** of this fact. Looking at the results of the new road it would seem that **BETTER** results could have been obtained if the South Salt Creek Neighborhood would have been allowed to design the roadways **BE REMINDED**, neighborhood intervention is what it took to **FINALLY** get the "F" street pedestrian underpass in a useable condition. **REMEMBER THE MUD HOLE** Let us not forget the **Peter Principle**

ROAD SURFACE: Very poor workmanship is in fact prevalent along the entire length of the new 4th street corridor. In fact portions of the corridor are nothing

more than mud holes. As an example, the area from "G" street to "J" street is nothing more than a ONE LANE ROAD. In addition, it seems very strange that the City of Lincoln uses 1&½ inch rock on rock roads throughout the City of Lincoln and a very much smaller size rock (?) was used on the 4th street corridor. Incidentally, under heavy use or wet conditions the material that was used on the 4th street corridor generally turns to powder. AGAIN, the neighborhood was misled by the City of Lincoln and it's Urban Development Department regarding the paving (time factor) of 4th street

GRADING & TURF: The neighborhood will take a wait and see position on these two (2) items.

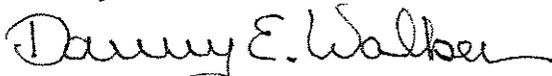
SIDEWALKS: Be advised, the City of Lincoln and the project contractor is in fact responsible for ALL DAMAGES done to the new sidewalks. Therefore there should be no budget excuse for repairs. In addition, sidewalks should be installed on BOTH SIDES of the street, NOT pick and choose which side gets a sidewalk by someone not residing in the neighborhood.

PUBLIC ABUSE OF THE 4th STREET CORRIDOR: Those contracted for the project and City of Lincoln staff along with Urban Development supposedly designed the new 4th street corridor. Again supposedly, the City of Lincoln has no legal provisions such as barricades and or signage to protect the sides of the corridor. It is unfortunate that during the design stage that someone did not have enough intelligence to think of the problem that was being created. Therefore, The City of Lincoln and the design team created this problem so it is up to the City of Lincoln and said design team to RESOLVE the problem.

BIKE TRAIL & CORRIDOR MAINTENANCE: Since the majority of funds are derived from tax payers monies the public should be made aware of the fact that a very nice bike trail is located within a mile of the 4th street corridor. The fact should also be disclosed that actually trails only benefit a very minor portion of the population of the City of Lincoln.

STILL UNANSWERED: What authority does the City of Lincoln have to remove a paved street and not be liable for replacement? It also seems that the City of Lincoln is discriminating against the family residing at 404 "E" street in regards to garage driveway repair and not providing proper DIRECT access to their garage to and from 4th street as was provided to others. BE ADVISED, there are two (2) handicaps residing at this address. **Respectfully submitted**

Danny E. Walker



President SSSCO

427 "E" St., Lincoln, Nebr. 68508

February 24, 2005

3405 Holdrege Street-Unit #102
Lincoln, NE 68503
(402) 465-8501

President Lynn Wilson
Bryan LGH System
2300 South 16th Street
Lincoln, NE 68502-3780

RECEIVED

FEB 25 2005

CITY COUNCIL
OFFICE

Copies sent to my friends at the NIH, to Secretary Leavitt, to U.S. Senator Bill Frist, MD and especially to Nebraska's local, state & federal politicians, (as well as a few others)

Re: Bellyaching About the Costs of Providing Treatment For Heart Patients and about a Severe Drop In Revenue Due to Competition

Dear President Lynn Wilson:

As you can clearly tell from the way that I have written what this letter is about, I am not one who thinks that you really have a "leg to stand on" as far as complaining about BryanLGH's drop in revenue being caused by some other more competitive-minded people coming into this area and doing various kinds of similar heart treatment work by using an unfair advantage against you. For in my evaluation of this matter, I do not think that it is anybody else's problem but your own and your fellow management members' problem to solve. Of course sometimes I can come across a little too bluntly when I write about such things as this to someone. So please excuse me if I am having the same type of problem within this letter. However, being the kind of person that I am, I would also like to suggest some constructive ways that you might be able to enhance BryanLGH's future revenue and profitability, (since it is obvious that you did not like the \$10 million drop in revenues that BryanLGH has experienced lately). And here I am referring to information that is contained within the news story that was run on Pages 1A and 2A of the Lincoln Journal Star's Saturday, February 19, 2005 edition, (which I have attached a copy of this particular article entitled ***BryanLGH Takes Hit On Hearts*** at the end of this letter). Now I know that U.S. Senator Bill Frist, MD and Director Claude Lenfant, MD of the National Heart, Lung, and Blood Institute at the National Institutes of Health, (NIH), may or may not agree with my thinking in this letter. But the reason that I am enclosing copies of letters that I have received from these two people as an attachment to this letter is in order to let you know that I am not some idle *busybody* writing to you just because I have some particular gripe or vendetta that I am wanting to air out against Bryan-LGH or because I have nothing better to do. For nothing could be farther from the truth, (which is why I am also writing about how I think you can improve your hospitals' revenues, BryanLGH's future reputation, and its future outlook within this letter too). But be that as it may, let first tell you from more of a businessman's point of view why I think you and your fellow management there need to change the way that you do business in Lincoln. For as a past President, Sr. Vice President, and Vice President of several different companies over the last decade of my life before I was so badly injured in an auto accident on April 23, 1996, (that left my short term memory severely impaired for a number of months and my eyesight, physical coordination, and back permanently damaged), I would have never allowed any business(es) that I was in charge of to steadily decline in revenue and profitability as much as BryanLGH has these last 4-5 years. But if that ever would have happened, (for some unknown reason), then I certainly would not be seeking a "bail-out" from either Congress or from this City or State. Therefore, I do not approve of BryanLGH, (or any other publicly funded hospital for that matter), to seek getting legislation extended in order to limit others from competing against them in a fair manner, (or from getting any special type of funding from others), ***as long as I was requiring the public to pay a much higher cost to get the same kind of medical treatment that others within this same area could provide this patient.*** Now the reason that I put the last phrase of the sentence before this one in bold and italic print is because this is the only reason that I am not more sympathetic or helpful to the type of plight that you company is now facing. For once I read that it costs an average of \$7,214 less to get a pacemaker implant at Nebraska Heart versus at Bryan LGH in 2003 and that on average it costs 25-46% less at Nebraska Heart to get a similar type of service and work as it does at Bryan LGH, (which this financial data can be found on Page 2A of the Lincoln Journal Star article copied at the end of this letter), any sympathy or consideration that a public hospital should warrant receiving any special help with solving this type of problem just disappeared. *But this does not mean that perhaps a new form of medical treatment and R&D work at BryanLGH and/or St. Elizabeth's, (coupled with a few Lincoln or Omaha universities helping them and perhaps a few other medical facilities too), should be denied if one was trying to obtain this type of financial help or grant money.* For you see, as much as a public hospital or clinic might be hurt at times in respect to having to compete against a privately funded institution or facility, it also has distinct advantages associated with it that private hospitals, clinics, and/or other facilities do not have associated with them. Now although I could list a handful of these type of advantages and disadvantages, the easiest one to write about in such a short letter as this is the one which was highlighted in the Lincoln Journal Star article. And that is the fact that your company's profitability has dropped from a historical number of 5% to 3.5%. For obviously a privately funded operation could not function for very long having to live with these type of numbers if it wanted to stay in operation!

However, now that I have stated what my biggest problem with publicly funded work is when compared to private work of the same nature, let me also tell you where I sympathize with you, your management team, and BryanLGH as a whole. For I have to ride the StarTran bus each day because I can not drive, (nor do I have any family members or friends who live with me that can drive me around). So obviously I am not opposed to those services which public institutions or facilities like yours has to provide for people like myself. In fact, if the reason that you needed more help or special legislation to be passed by our Congress was for services like this by you or for that matter like StarTran provides for me and others, I would be writing this letter in almost exactly the opposite way that I am now. For you see, I can not help that I have to depend upon public services at times for the type of help that I need. And that is why I have to come in to emergency rooms like the ones that BryanLGH has at times in order to seek emergency medical treatment. But on the same hand, your "beef" with National Heart and other privately funded operations like theirs has nothing to do with "emergency rooms". For if it did, then the company who did the \$100,000 study for the American Hospital Association and hospitals like yours would have been comparing the emergency treatment room services at Nebraska Heart with yours. So lets stick with comparing "apples with apples", O.K.? Because that is what I think the extension of the 18 month moratorium by Congress is about, right?

Now if certain services which are provided by your hospitals can NOT be provided at a similar cost as private companies can provide them, then I really do not see why this causes BryanLGH much heartburn. For what private hospitals, private clinics, and/or private treatment facilities are NOT able to do as economically and as good, (quality-wise), as BryanLGH can do, this should leave your company with an awful lot of alternatives in order to get you back into the 5% range of profitability. And believe me, there are many things that you can do better than a private company, such as Nebraska Heart, can do, (especially when it comes to matters that deal with a more comprehensive and/or specialized form of healthcare and medical treatment). But instead of private companies making pacts with a group of physicians, this would require you to make pacts or written binding agreements with other people, healthcare agencies, medical institutions, and/or university R&D teams. In other words, I do not now, nor have I ever bought into this idea that just because a particular company, operation, service, and/or product is being sold, performed, and/or supplied through a publicly-supported means of funding that it then has to automatically become: (1) a more inefficient service or product being offered than is available through its privately-funded competitors; (2) a worse type of product or service being delivered or offered than by its competitors; or (3) any other type of less attractive service, product, or operation when it is being compared to a privately-funded type of business. But even as I write this, I also have to tell you that services such as the one that StarTran provides for myself and other poor and/or handicapped people like me may indeed have to be publicly supported in order for it to exist and do what they need to do, (which is to get handicapped and poor people like myself around town). And the same thing may be true for some of the type of services that you provide at BryanLGH for others, (such as through your treatment of patients that are entering your emergency rooms daily). But one of the reasons that I write encouraging letters to people at StarTran or to other government or publicly funded agencies or operations is to help make up for the type of time and expenses that it costs for these public services to be provided to people like myself. And if you would like to know the actual reason that I am writing this letter to you, it is because if I can help ByranLGH operate in either a more profitable or optimum manner, (i.e. efficiency or quality-wise), then in my way of thinking, I help to offset the type of expense that this same city has to pay in order to allow people like myself to ride its public transportation system or visit its public hospitals' emergency rooms when I need to. In other words, when I see a piece of litter in a public place, normally I take the time to pick it up and put it in an acceptable trash container, (as long as one is nearby). If I see our local elderly people needing a new type of improved medical care which can hopefully be done at a more economical cost, once again I try to help become involved in this type of work . For I do not feel now, (nor have I ever felt), that anything which happens to me or against me should prevent me from **trying** to do my best. Of course, when I type this, I also know that **trying** to do my best also mean that at times I mess up too. For I often get myself into messes, (usually because I have made one or more mistakes), even as I am trying to do my best. And I get into messes because I am **NOT** perfect too. For I really do not know anyone, (especially myself), who thinks I am perfect, (if you did not count how often my father and mother felt about me before they died). But the reason that I think you are in a mess now is because of what I read in the attached newspaper article about it costing more to care for or treat someone at BryanLGH for heart problems than it costs at National Heart. And it also is stated that the number of heart patients who come to BryanLGH has dropped significantly from 1,484 patients/year in 2000 to 60 patients/year in 2004. Now even though St. Elizabeth's Hospital is having a similar type of problem, still going from less than 200 patients/year in 2000 to almost 600 patients/year in 2002 and then back to slightly over 200 patients/year in 2004 is not the same type of a problem that BryanLGH is struggling with, right?

Now it just so happens that I have also been writing many of the same people that I am copying this letter to about my concerns of how much it is costing our nation, (via local, state, and federal government funding), to keep an elderly person in the latter stages of a neurodegenerative illness, (such as Alzheimer's disease or Parkinson's disease), at a decent rest home, nursing home, rehabilitation facility, hospital, or whatever else you might want to call where this poor elderly person needs to stay. So that is why I decided to send you a copy of a recent e-mail that I sent the Vice President and a group of other people about my own mother's cost of staying at Tabitha Healthcare. Because from what my sister told me recently, it cost our government somewhere between \$6,000-\$8,000/month

for my mother to stay at Tabitha between the time that she was 86 years old until she died when she was 91½ years old on August 15, 2004. Now as a separate work that I have been doing ever since my mother entered Tabitha, I have also been trying to find ways to cure people who have come down with either Alzheimer's disease or Parkinson's disease within the latter years of one's life. Of course a brief summary of some of the notes that I took while visiting my mother at Tabitha can be found within **Appendix B** of my Alzheimer's paper, (which I am enclosing a copy of this **Appendix B** at the end of this letter). But the reason that I am bringing up this **Appendix B** and a recent e-mail that I sent the Vice President is because this also identifies a present need within the medical field which I do not think is being met currently. And I also think that both BryanLGH and Tabitha could potentially establish a better working arrangement with one another in this regards too. So since you have \$10,000,000 less revenue coming into your company because of the reduced amount of heart work being done there, I thought that perhaps I should give you this tip of needing to provide a different type of service for our nation's elderly, (especially within Lincoln). Then along with this new way that I see we need to help our more elderly citizens maintain a better state of mental health within their latter years, I also have been working very hard on a new way to help cause a better form of recovery within people who have significant heart, lung, and/or liver problems. So please allow me to write a little more on this matter before I end this letter. For my way of helping people who have been or are suffering from a serious heart ailment or lung illness, (like idiopathic pulmonary fibrosis), is to repair these organs by causing new growth to be formed within them in ways that I really do not believe others within the medical profession have been attempting to do. So if you would ever like to have someone less important than yourself at BryanLGH to hear more about my detailed thinking on this matter, I would be more than happy to meet with this person or persons as long as you would give me a few weeks to prepare for this type of meeting. Because right now, I am still too busy trying to finish several papers that Director Claude Lenfant, MD highlighted that I was working on back in his June 17, 2002 letter that he sent me. Of course to be fair to those at St. Elizabeth's hospital, I am also forwarding a copy of this letter to Charlotte Liggett too, (who is quoted within the same Lincoln Journal Star newspaper article that their open-heart surgeries have dropped from 600 to a little over 200 recently). And besides, Ms. Liggett is listed as being Saint Elizabeth's Vice President of Strategic Planning and Business Development.

So the area that I would like to encourage BryanLGH to spend more time becoming involved in lies within the area that I have also spent the most time working on these past few years, (as far as the type of medical R&D work that I have been doing). So that is why I am enclosing a copy within the attachments to this letter of the first 10 pages from the latest letter that I plan to send to Vice President Dick Cheney soon, (who as you and I both know grew up here in Lincoln). By the way, my latest letter to Vice President Dick Cheney begins to explain the different, (and what I believe to be more optimum), way that we can medically treat and help to rehabilitate that group of people who I consider myself to be a member of too. And here I am referring to people who are or who have been suffering from such neurodegenerative illnesses as Alzheimer's or Parkinson's disease, or from such mental disorders as autism, epilepsy, and/or severe migraine headaches, (as well as even from brain trauma caused by some serious head injuries). Of course I call myself a member of this group for I have had a major problem with having some fairly frequent migraine headaches for the past 28 years that not only leave me incapacitated for several days at a time, but also have played a major, major role in where I live, what I eat and drink, my sleeping habits and lifestyle, as well as what type of work that I can do. Then on top of this, from 1996 to almost 1998 I was declared by the Social Security Administration as being officially "mentally disabled" and therefore started drawing disability pay off and on since then. And as you will quickly note in the **Appendix B** work from my *How to Cure Alzheimer's Disease* paper that I have almost finished, my dear mother died of Alzheimer's disease on August 15, 2004 at Tabitha. So with two of my nephews having problems with epileptic seizures, my mother dying recently of Alzheimer's disease, and myself having severe migraines and past mental disabilities, (which still includes a group of permanent mental handicaps that I am having to deal and live with continuously and probably always will), I decided to spend more of my time these last few years in writing about how the medical profession can actually cause neurogenesis, synaptogenesis, and other forms of neurological growth to occur within an elderly person's brain with Alzheimer's or Parkinson's disease. Now as I begin to explain more about how my approach differs so much from the approach that the medical community has been taking, I think that it would be best to summarize how what I do differs so much from what others do. For you see, I have a B.S. in Nuclear Metallurgical Engineering. And with over 35 years of actual experience working on many different types of engineering projects at the atomic, subatomic, and even nanometer and sub-nanometer energy wavelength ranges, this has allowed me to learn more about how virtual energy waves behave than most others would know. So that is why I am enclosing several copies of a few letters from people within the EPA, the DOE, and even from the Pentagon. For this will allow you to realize that my knowledge of virtual energy matters extends into other areas of science than just within the medical field. Then I thought that you would be interested to know that I have been working on curing more diseases than just Alzheimer's or Parkinson's disease. So I am enclosing a few letters from both Director Lenfant, MD and a few other Directors at the NIH which better illustrates the range of the subject matters or diseases that I have been working on recently. For example, twice within the last 15 months the National Institute of Neurological Disorders and Stroke has written me and expressed their opinions that they think I should consider getting the right academic, medical, and other biomedical research institution to submit a proposal to them for a government grant related to the new

approach that I have of stimulating a person's brain that has been damaged. And this can be easily read within the June 28, 2004 and November 26, 2003 letters that they sent me. So it is not like these 3 Directors are just trying to placate me by sending me a letter every now and then. Of course the letter from Director Claude Lenfant, MD on June 4, 2004 is about my work on pulmonary fibrosis, (which he thanks me for providing my insight to him in that letter).

Therefore, please allow me to make a few final remarks about why the way that I am recommending to stimulate the human brain in the future will provide a patient with a much better form of medical treatment than they can now receive. For you see, while others may not be that concerned about creating the right type of enhanced magnetic stimulation treatments that I have been writing about recently, (since in my opinion, most people within the medical community just want to medicate, surgically remove, and/or try to find ways to add new stem cells to a person's brain that is injured), I am of the opinion that even within elderly people, the human brain can be caused to produce in its own way new forms of neuronal cell bodies, new dendrites, new axons, new synapses, new astrocytes or glia cells, and many other new kinds of neurological fibers or cells by simply enhancing a person's long term potentiation (LTP) system at a high enough frequency and energy state so that this type of neurogenesis and other forms of new growth can take place. But because my way of stimulating the human brain differs so much from how others attempt to do this same thing presently, it has taken me literally the last 3-4 years in order to develop the right way to explain these matters to others within the medical community. And because I have had the same type of problem with respect to explaining similar matters to those within the White House, within the U.S. Congress, within the EPA, within the DOE, and within the Pentagon on other projects that I have been working on, I even began to try and introduce how you have to use a different type of mathematical system when one is wanting to work with both a very specific area of one's brain and the stimulation of it through the use of virtual photons. So that is why I began to introduce the way that Professor Tsutomu Nakada has developed a new and different way of thinking about how forms of virtual energy act within one's brain in many of the papers that I have written ever since 2002. And it is also why I began to write the DOE on how I do math differently than others do when working with virtual energy waves. Therefore, a copy of the letter that Program Manager David Goodwin sent me on September 18, 2002 from the DOE's Office of High Energy and Nuclear Physics is included at the end of this letter to you.

Now please allow me to make the following statements. Although I really liked the way that Professor Nakada explains within the book entitled *Integrated Human Brain Science: Theory, Method, Application (Music)* how the electron dense layer that is formed by the primary processes of astrocytes and dendrites working together in the pyramidal and fusiform neurons of one's cortex constitute a kind of "energy effect" similar to a synapse, (which he calls the *Electron-dense Layer* and *DEndritic Ramification*, or *ELDER* for short), still with Professor Nakada's early background working primarily as an electrical engineer and physicist before he then became a neurologist, it is easy to see why he has come up with this different "electrical" way that the human brain acts using a virtual form of energy. But because I am a nuclear metallurgical engineer, I tend to view the manner that the brain functions in a different way than Professor Nakada does. So when I began to study how the human brain works, I viewed these type of virtual energy waves and how they act more from a nuclear physicist-engineer's viewpoint. For my education came more from the type of R&D work and commercial projects that I have been involved in during the past 35 years than it did from any classroom or lecture hall. Thus, whether I was involved in the nuclear metallurgical R&D work at Case Institute of Technology in 1968 or the innovative R&D pollution control work that I did in Copenhagen in the early 1980s or the type of work that I did when running my own group companies in 1994-1996, I was always working around or with virtual forms of energy similar to what I am working on now. But my work with the virtual energy waves within steam, (which is called the latent heat of vaporization energy), during some of these years and projects never really played a major factor in how the new type of transcranial magnetic stimulation equipment should be designed. For I have been concentrating more on how virtual energy waves function within such specific areas of the brain as "*the post-synaptic density (PSD), an electron-dense and highly differentiated structure associated with the postsynaptic membrane*", than I have gaseous forms of virtual energy that Professor Nakada has been working with. By the way the words in italics come directly from the book published in 2004 entitled *Excitotoxicity in Neurological Diseases*, (see Page 54). Of course one of the first things that I began to do when I started working with enhancing one's LTP is to find out if anyone else had done much work on explaining how the longer lasting forms of LTP energy can only occur as a result that this type of energy is being carried within specific "virtual energy configurations" within a given atom, ion, or molecule. But since I could not find anybody writing about this matter, naturally this caused me to begin to explore how the more virtual parts of an electron's make-up occurs in such a way that this virtual energy is stored within the human brain in very specific areas of it. And when I make this kind of statement or conclusion, I am obviously referring to the quantum angular momentum formation that exists within an electron as being where this kind of massive amount of virtual energy is released from, (which is where we also see many electron-neutrinos flickering in and out of visibility within the different electron cloud formations within an electron). But this virtual energy is only being released from the virtual-real quantum angular momentum energy lattices that are located there. Because it is actually being stored in the virtual quantum angular momentum energy wave configuration or higher configurations within an electron's most inner energy structure.

Now other people may be able to explain how dendrites grow much better than I can. However, unless they are using the strong nuclear forces that exist only below the nanometer energy wavelength range in order to deliver the massive amounts of virtual energy that are required to form a new dendrite's mass, (and here I am referring to slow or fast dendritic growth), they are kidding not only themselves, but also you and me. And although the medical field has done a pretty good job of explaining enzyme kinetics from a kinetic energy transfer standpoint, these type of biological ways of working with kinetic energy are being worked with mainly from a chemical or electrical engineering standpoint within the medical field. And thus, these type of explanations do not address how this virtual energy gets converted into kinetic energy. But as you can tell from what I have just written, I see potential energy within the electromagnetic energy field as being nothing more than but kinetic forms of energy within the virtual energy level that has not yet been released to the lower energy configurations that we are use to working with. So now do you see why I have had so many people from various businesses, governmental agencies, and Congress writing me about these matters? Thus, my recommendation to you is that you make more of an effort at getting involved in this developing area of the medical field where there is currently not that much competition yet. Or you might want to think about what you need to do in order to become more competitive against those who are able to gain a significant part of an existing segment of your business. But then, probably doing both would be a better strategy than just doing one or the other. Of course I believe that the way which I think this new type of stimulation technique should be used in the future for enhancing a new kind of cellular growth within the tissue found in one's more critical organs, (such as within one's heart and lung), is a good area for your hospitals to begin to become more involved in too. By the way, I call this new type of enhanced cellular stimulation design that I have been working on the **adTcMS** or **advanced Transcellular Magnetic Stimulation** design. Of course you should not get **adTcMS** mixed up with what I call the **adTMS** design. For the **adTMS** type of design that I have been working on stands for **advanced Transcranial Magnetic Stimulation** equipment! And I use the **adTMS** equipment for enhancing the brain instead of the heart or lung. If it helps you feel better, you should know that I have visited people who were recovering at BryanLGH West and have found that when I was there, I think your staff was doing a good job helping my friends get better. So it is not like that I think BryanLGH as a whole has any major flaws or shortcomings existing within it that prevent you from turning this current problem around. But that is why I believe the solution to your current problems lie more within your own ability to solve them and not through some act of Congress or financial handout, (unless you are developing a new type of medical treatment plan.

Sincerely,

Ronald A. Davis

P.S. There is no charge for this letter, (or mini-study), of your hospitals' operations and/or financial condition by me, (even though one was partially paid for by the American Hospital Association to McManis Consulting of Greenwood Village, Colorado which totaled, with other forms of support to them, of \$100,000). However, I would be willing to bet you that they did NOT write their study up in such a "frank" way as I have done here. But if it might help, for \$50-\$100 I could also tone down this letter, (i.e. revise it), and as a bonus feature write you a 21-page formal case study report like McManis Consulting did while telling you the same very conclusions that I arrived at within this letter, but this time in a more tactful and gentler way if you want me to! See there, I have already come up with one way for hospitals like yours to save a lot of money. For where and when I grew up, the difference between \$50-\$100 and \$100,000 was considered a lot of money.

Please Note: I am now in the process of explaining in a more detail way how virtual forms of energy exist within the various electron-nucleon interfaces in the subnanometer energy wavelengths and how we can remove this form of energy by the way *f*MRI's are designed by making some extensive, (but not that much more expensive), design changes to an *f*MRI piece of equipment. But do not expect me to tell you enough about how to do this so that I would uncover some of the more latent design features of these changes so that I could not patent these things with others' help later! For regardless how it might seem, I am NOT a "big profit for a few at the expense of hurting a lot of people" type of person.

NOTE:

These are some of the reduced copies of a few of the many letters that I have received back from people in Washington, D.C., Bethesda, Maryland, and a few other locations within the United States by those who I think are a lot more important people than I am. What I am trying to show by including the reduced copies of these letters from them to me over a period of 3-4 years is that not only have I showed a consistent level of commitment in doing this type of work during this period, but I also, (with God's help), have managed to gain a good group of people who became interested enough in what I have been doing that at least they would write me back and either encourage me or point me in what they thought was the right direction for me to be going in, (especially from the letters that I received from the NIH and U.S. Senator Bill Frist, MD). By the way, I want to encourage you and others there at BryanLGH to show a similar commitment and determination to turn around some of the negative aspects that the Lincoln Journal Star wrote about within the February 19, 2005 article concerning the current types of problems that BryanLGH has been having too over this same 3-4 years. For I have found that often the solutions to these type of problems can not be found and/or accomplished within just a few days, few weeks, or even few months.

THE WHITE HOUSE
WASHINGTON
May 31, 2001



THE VICE PRESIDENT
WASHINGTON
July 19, 2001

Dear Mr. Davis,

Thanks for the recent letters regarding your views on a national defense system and energy policy. I appreciate that you took the time to share your opinions.

Mr. Ron Davis
3405 Holdrege Street #101
Lincoln, Neb.
KR:spl
September 28, 2001

Sincerely,

Karl Rove
Senior Advisor to the President

Dear Mr. Davis:

Lynne and I were touched by your kind expression of support. We greatly appreciate your taking the time to write.

Please accept our thanks, as well as our very best wishes for the years ahead.

Sincerely,



OFFICE OF THE VICE PRESIDENT
WASHINGTON

August 11, 2004

Dear Mr. Davis:

Thank you for your letter to Vice President Cheney concerning campaign issues. He has asked me to respond to you on his behalf.

I am forwarding your correspondence to the Bush Cheney '04 Headquarters for review. The Vice President appreciated hearing from you and sends you his warmest good wishes.

Sincerely,

Cecelia Boyer
Special Assistant to the Vice President
For Correspondence

Mr. Ron Davis
3405 Holdrege Street # 101
Lincoln, Nebraska 68503-1471

Mr. Ron Davis
3405 Holdrege Street # 101
Lincoln, Nebraska 68503-1471

THE WHITE HOUSE
December 3, 2003

Mr. Ron Davis
Apartment 101 -
3405 Holdrege Street
Lincoln, Nebraska 68503-1471

Dear Mr. Davis,

How nice of you to remember me on my birthday! Thank you for sending the lovely card.

President Bush and I appreciate your kind thoughts and your words of support.

With best wishes,

OFFICE OF THE VICE PRESIDENT
WASHINGTON

October 15, 2004

Sincerely,

Karl Rove
Senior Advisor to the President



OFFICE OF THE VICE PRESIDENT
WASHINGTON

Dear Ron:

I was sorry to learn of your mother's passing. I know how hard it is to lose a mother.

Lynne and I send you our heartfelt sympathy.

Sincerely,

Mr. Ron Davis
3405 Holdrege Street # 101
Lincoln, Nebraska 68503-1471

THE WHITE HOUSE
WASHINGTON

August 7, 2002

Mr. Ron Davis
3405 Holdrege Street, Apartment 101
Lincoln, Nebraska 68503-1471

Dear Mr. Davis:

On behalf of President Bush, thank you for your letter about the conflict in the Middle East. The President appreciates hearing from you and welcomes your views and suggestions.

The tragic cycle of incitement, provocation, and violence has gone on far too long. On June 24, 2002, the President outlined an approach to peace based on his vision of two states, Israel and Palestine, living side by side in peace and security.

The idea of a Palestinian state has always been part of the President's vision for peace in the Middle East, as long as Israel's right to exist is respected. Israelis and Palestinians themselves have identified the creation of a Palestinian state as the likely outcome of a negotiated settlement. To reach this goal it is essential for new Palestinian leaders to turn decisively against terror and to build the institutions for democratic statehood. The Administration is intensively engaged in helping Palestinians do this with the support of our regional and international partners.

Thank you again for writing, and best wishes.

Sincerely,

Desiree Thompson
Special Assistant to the President
and Director of Presidential Correspondence

DEPARTMENT OF DEFENSE
MISSILE DEFENSE AGENCY
7100 DEFENSE PENTAGON
WASHINGTON DC 20301 7100



OFFICE OF THE VICE PRESIDENT
WASHINGTON

October 16, 2001

Dear Mr. Davis:

The Vice President has asked me to reply to your letter regarding the brutal terrorist acts carried out against our country.

There are no words to describe the shock of the despicable murder of innocent civilians perpetrated by suicide terrorists. These atrocities represent an assault equating to an act of war on the United States and the civilized world - and will be resisted. To that end, an international coalition is fighting terrorism to punish those responsible for these terrible attacks. Please know that our government will use every necessary resource to defeat and destroy this new enemy.

Federal authorities continue to work around the clock with New York City and Pentagon officials to assist in recovery efforts. Also, the President has signed into law a bill that immediately provides up to 40 billion dollars in emergency aid for recovery efforts, law enforcement, and current military operations. Just as important, our government continues to function without interruption, and our country has not, nor will not, cower in the face of attack.

Finally during this difficult period, we must remember that our Arab and Muslim American citizens love our Nation and must be treated with dignity and respect. As we have done in the past, Americans of every creed, ethnicity, and national origin must unite against our common enemies.

Thank you for taking the time to write.

Sincerely,

Eric S. Edelman
Principal Deputy Assistant to the Vice President
For National Security Affairs

Mr. Ron Davis
3405 Holdrege Street # 101
Lincoln, Nebraska 68503-1471

John Kerry
PRESIDENT

SEP 22 2004

CT

Mr. Ron Davis
3405 Holdrege Street, #102
Lincoln, NE 68503

Dear Mr. Davis:

Your letter and interest in the Missile Defense Agency mission is greatly appreciated. The appropriate office has been provided a copy of your August 23, 2004 letter to the President, Vice President and Secretary of Defense. Should you have any questions you may call Ms. Nancy Roop at (703) 882-6632 or e-mail nancy.roop@mda.mil.

Thank you again for your interest in the Missile Defense Agency mission.

Sincerely,

ANNE F. TERRY
Director, Business Operations

May 1, 2004

Dear Mr. Davis,

Thank you for your interesting paper about the National Defense System you recommend with respect to "energy shields", sent to the Kerry Campaign HQ.

We will pass on your vision to John Kerry, and forward him with his own plan for a secured and independent Energy future

Sincerely,
J. Collins
Volunteer

THE WHITE HOUSE
WASHINGTON

August 15, 2002

Mr. Ron Davis
3405 Holdrege Street #101
Lincoln, Nebraska 68503-1471

Dear Mr. Davis:

Thank you for the letter expressing your views. We welcome the perspective of people who, like you, obviously care a great deal about important issues and have taken the time to write.

We have noted your comments and shared your letter with the appropriate members of the White House staff.

Sincerely,

Sydney Johnson
Director of Correspondence
for Mrs. Bush



National Institutes of Health
Bethesda, Maryland 20892

WILLIAM H. FRIST, M.D.
TENNESSEE
FEDERAL SENATOR

United States Senate
WASHINGTON, DC 20510-4205

COMMITTEE
ON
HEALTH, EDUCATION, LABOR AND PENSIONS
SUBCOMMITTEE ON
PUBLIC ADMINISTRATION

August 28, 2002

Mr. Ron Davis
Colorado Environmental Company
3405 Holdrege Street #101
Lincoln, NE 68503

Dear Mr. Davis:

Your FAX of August 14, 2002 to Secretary Tommy Thompson was forwarded to the National Institute on Aging (NIA) at the National Institutes of Health (NIH) for a response. As the Director of the NIA, which leads the Federal research effort on Alzheimer's disease (AD), I am happy to respond to the issues you raised regarding brain neurotransmitters and enzymes and their relationship to Alzheimer's disease.

The NIA supports a broad spectrum of research on Alzheimer's disease (AD) and other dementias commonly associated with aging. We have a long-standing commitment to the investigation of cholinergic mechanisms important for normal memory function and the cholinergic deficits associated with loss of memory in AD. The cholinergic hypothesis for AD states that the decline in cognitive functions in dementia is predominantly related to a decrease in cholinergic neurotransmission. This hypothesis has led to great interest in the putative involvement of the cholinergic neurotransmission in learning and memory processes. There is marked loss of choline acetyltransferase activity, especially in the hippocampus. This alteration parallels the intensity of neuropathological damage and relates to cognitive impairment. AD involves neuronal degeneration with impaired cholinergic transmission in the cerebral cortex and hippocampus, the areas of the brain particularly associated with memory and higher intellectual functioning.

Other neurotransmitter deficits also occur, but the mechanisms underlying the widespread impairment of synaptic functions remain uncertain. Research on the molecular basis of AD has elucidated a number of pathogenic pathways from which a range of potential pharmacological interventions has emerged. Based on the cholinergic hypothesis, at least 3 cholinesterase enzyme inhibitors (tacrine hydrochloride, donepezil, and rivastigmine tartrate) are now available and provide patients with modest relief. However, many scientists believe that the most promising strategies to treat AD involve approaches to retarding, halting, or preventing the formation or accumulation of beta-amyloid (Abeta) in the neuritic plaques, a prominent feature of AD. Strategies to limit or eliminate deposition production or accumulation of Abeta are being hotly pursued by academic scientists and pharmaceutical companies.

Mr. Ron Davis - Page 2

Among the hormones, estrogen is believed to have antioxidant or other effects, as hormonal replacement therapy in women with menopause is associated with a reduced risk or delayed onset of AD. However recent studies have indicated some risks with the use of estrogen and these studies are being reevaluated. The association between nonsteroidal anti-inflammatory drugs and a reduced risk of AD has not yet been confirmed, but these agents may protect the brain from the reactive glial and microglial responses associated with Abeta deposition. Also, studies have suggested that antioxidants, such as vitamin E taken alone or in combination with selegiline hydrochloride, can delay the progression of AD.

Despite initial encouraging results, no current therapy has been shown to halt or reverse the underlying disease process. The proof of the principle that anti-Abeta drugs will work in animal models of AD is eagerly awaited, and if positive effects are seen in these animal models, translation to clinical trials in humans will follow. Research in all of these areas is rapidly progressing and broad approaches to the neurodegenerative diseases such as AD and Parkinson's disease are likely to yield a better understanding of the underlying pathobiology and suggest new strategies for therapeutic intervention.

Once again, thank you for bringing your concerns to our attention. The NIA shares your belief in the importance of research on Alzheimer's disease and agrees with you that a broad research approach is the best strategy. For additional information about AD research at the NIH, I have enclosed a copy of the most recent Alzheimer's Disease Progress Report.

Sincerely,

Richard J. Hodes
Richard J. Hodes, M.D.
Director
National Institute on Aging

Enclosure

Mr. Ron Davis
3405 Holdrege Street
Unit Number 101
Lincoln, NE 68503

Dear Mr. Davis:

Thank you for contacting me to share your thoughts about issues facing the nation. As Majority Leader of the United States Senate, I take a special interest in the opinions and values of all Americans. I will keep your perspective in mind as I work with my Senate colleagues to help keep America safe and prosperous.

Thank you for your contribution to that effort.

With warm regards, I am

Sincerely yours,

William H. Frist
William H. Frist, M.D.
Majority Leader
United States Senate

P.S. Please visit <http://frist.senate.gov> to register for my e-mail newsletter.



October 1, 2001

Mr. Ron Davis
3405 Hadrege Street, #101
Lincoln, NE 68503

Dear Mr. Davis,

Thank you for your recent letter to U.S. Department of Health and Human Services Secretary Tommy Thompson about your theories on the causes and cure for Alzheimer's disease (AD). Your letter has been forwarded to the Alzheimer's Disease Education and Referral (ADEAR) Center, a service of the National Institute on Aging that provides information about AD to health professionals, patients and their families, and the public. I am sorry to hear that your mother suffers from AD and understand your interest in this terrible disease.

In your letter, you expressed concerns about the role of free radical formation in the deterioration of the brain, the negative impact of excess cytokines, and finding a way to encourage neuronal regeneration within the limbic system. NIA-supported investigators in a number of laboratories have made significant progress in these areas, resulting in clinical trials. Both past and present studies are adding to scientists' understanding of the mechanisms of AD.

Other issues you addressed are in the preclinical phase, and scientists are making advances daily toward finding new and innovative ways of diagnosing, treating, and even preventing AD. A summary of this research and highlights of current knowledge about AD is described in the enclosed, most recent edition of NIA's publication, the *Progress Report on Alzheimer's Disease, 2000*.

If you have access to the Internet, you may find out more about AD research by looking at the Alzheimer's Disease Clinical Trials Database, a joint project

WILLIAM H. FRIST, M.D.
TENNESSEE
FEDERAL SENATOR

United States Senate
WASHINGTON, DC 20510-4205

COMMITTEE
ON
HEALTH, EDUCATION, LABOR AND PENSIONS
SUBCOMMITTEE ON
PUBLIC ADMINISTRATION

April 05, 2004

Mr. Ron Davis
3405 Holdrege Street, Apartment 101
Lincoln, NE 68503

Dear Mr. Davis:

Thank you for recently contacting me and for taking the time to share your thoughts. It is an honor to serve as Majority Leader of the United States Senate, and I appreciate you keeping me informed on those issues which interest you. I am continually touched by the thoughtfulness of so many Americans who take the time to send me informative, first-hand information and opinions regarding issues that are significant to us all.

Again, thank you for your comments.

With warm regards, I am

Sincerely,

William H. Frist
William H. Frist, M.D.
Majority Leader
United States Senate

P.S. If you would like to receive my e-mail newsletter, please contact me at frist@senate.gov



Department of Energy
Washington, DC 20585
September 18, 2002

Mr. Ronald A. Davis
3405 Holdrege Street, Apt. 101
Lincoln, NE 68503-1471

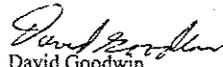
Dear Mr. Davis:

This is in response to your fax to the Secretary of the U.S. Department of Energy concerning your matrix math concept.

The usual method for review is to write a paper and send it to a peer-reviewed scientific publication. A more informal way to start would be to visit the physics department of a nearby university and discuss your ideas.

Acceptance of new theoretical ideas depends upon their ability to quantitatively explain past experiment results and to accurately predict new, testable ones.

Sincerely,


David Goodwin
Program Manager
Office of High Energy and Nuclear Physics
Office of Science

WILLIAM H. FRIST, M.D.
TENNESSEE
MED. PROFESSIONAL

COMMITTEES
FRIST
HEALTH EDUCATION LABOR AND PERSONS
PANEL AND ADMINISTRATION

United States Senate
WASHINGTON, DC 20510-4205

June 25, 2004

Mr. Ron Davis
3405 Holdrege Street, Apartment 101
Lincoln, NE 68503

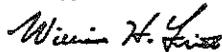
Dear Mr. Davis:

Thank you for contacting me to share your thoughts about issues facing the nation. As Majority Leader of the United States Senate, I take a special interest in the opinions and values of all Americans. I will keep your perspective in mind as I work with my Senate colleagues to help keep America safe and prosperous.

Thank you for your contribution to that effort.

With warm regards, I am

Sincerely yours,


William H. Frist, M.D.
Majority Leader
United States Senate

P. S. Please visit <http://frist.senate.gov>

Mr. Ron Davis
P.O. Box 5431
Lincoln, NE 68505

Dear Ron:

Thanks for contacting me to share your thoughts about national security issues. I appreciated hearing from you about these important issues, and I apologize for the delay in my response.

It was kind of you to take the time to share this information with me. I will certainly take this information under consideration.

I am sorry to hear that you have suffered permanent injuries, but congratulate you on your attempt to become self-sufficient by leaving the Social Security Administration's Disability Pass Program.

Again, thank you for contacting me.

Best Wishes,


TOM OSBORNE
Member of Congress



DEPARTMENT OF HEALTH & HUMAN SERVICES

National Institutes of Health
National Institute of Neurological
Disorders and Stroke

Bldg. 31, Room 8A-87
31 Center Drive MSC 2540
Bethesda, Maryland 20892-2540
Phone: (301) 496-5751
Fax: (301) 492-2186

November 26, 2003

Mr. Ron Davis
3405 Holdrege Street, Apartment #101
Lincoln, Nebraska 68503

Dear Mr. Davis:

Department of Health and Human Services (DHHS) Secretary Tommy Thompson has asked me to thank you for your letters and to respond directly to you. The National Institute of Neurological Disorders and Stroke (NINDS), a component of the National Institutes of Health (NIH), is the DHHS agency with primary responsibility for research on disorders of the brain and nervous system.

In your letters, you wrote about your research on Parkinson's disease and also referred to your work aimed at finding cures for epilepsy and Alzheimer's disease. You have clearly spent considerable time and effort in developing your theories, and your desire to share information that may contribute to a greater understanding of and a cure for Parkinson's disease is certainly understandable. Many people write to the NIH with their ideas about a variety of medical topics. While the NINDS appreciates the willingness of people to share their concepts and findings, the Institute is not able to evaluate such material except under very specific circumstances, such as when it is contained in a grant application.

It may interest you to learn that research supported through the NIH grant system is primarily investigator-initiated. Individual scientists working at academic, medical, and other biomedical research institutions submit detailed proposals on a broad range of neurological research to the NINDS, depending on the individual scientist's own area of interest. If you can identify scientists affiliated with one of these types of institutions who have an interest in conducting research on your theories, they are welcome to apply for a research grant. The enclosed booklet, *Extramural Research and Training Awards*, outlines areas of NINDS research interest and the procedure for applying for funding.

If you or another member of your family has access to the Internet at home, work, or a public library, you can search for research articles on Parkinson's disease and identify researchers in this field by using PubMed, which provides free access to an online bibliographic database of published biomedical literature from the National Library of Medicine (NLM). You can access PubMed at <http://www.ncbi.nlm.nih.gov/pubmed>. The search strategy "Parkinson disease AND Lewy bodies" is just one possible starting point to find articles. To obtain copies of any articles identified by your search, you may need the assistance of a librarian at the nearest university or medical library. Alternatively, the NLM offers a service called Loansome Doc that allows PubMed users to order a copy of any article they locate in the database directly from the Internet. General information about PubMed is enclosed.

We have also enclosed materials that provide an overview of NINDS research on Parkinson's disease. Information on autism and encephalitis is included because you mentioned these topics as well.

Page 2 - Mr. Ron Davis

You explained that migraine headaches frequently interfere with your work. Earlier this year, we sent you a selection of NINDS materials on this topic. If you have not already done so, you may wish to contact the voluntary health agencies concerned with headache for any additional information they can provide. Such groups are listed on page 52 of the enclosed directory, *Neurological Disorders: Voluntary Health Agencies and Other Patient Resources*. You also mentioned having a bad back; in case it would be relevant, we have included a fact sheet on low back pain. Health agencies that can provide additional information are listed in the fact sheet.

In addition, you referred to poor vision and weight gain. If you would like to receive materials on a specific vision problem, you may wish to contact the National Eye Institute (NEI). To request any available materials on weight loss, you can contact the National Heart, Lung, and Blood Institute (NHLBI) and the National Institute of Diabetes and Digestive and Kidney Diseases (NIDDK). Contact information for the NEI, NHLBI, and NIDDK, respectively, is provided on pages 150, 151, and 153 of the enclosed directory.

You believe that your mother, who has Alzheimer's disease, is too far along to be helped with her disease. In case it would be of interest, we have enclosed a recent Food and Drug Administration press release about a treatment approved for moderate to severe Alzheimer's disease. Agencies that can offer you materials on coping with a loved one who has Alzheimer's disease are listed on the enclosed resource sheet.

You wrote at length about the NINDS pamphlet, *Seizures and Epilepsy: Hope Through Research*, which you received from us in January. Because you mentioned that your nephew has epilepsy, we have enclosed a copy of the pamphlet for him.

Finally, you may wish to visit the NLM's MEDLINEplus web site, which is designed to assist people in identifying resources that will help them with their health concerns or questions. Materials on migraine, Alzheimer's disease, and epilepsy that may interest you or other family members can be found at the following MEDLINEplus sites: <http://www.nlm.nih.gov/medlineplus/migraine.html>, <http://www.nlm.nih.gov/medlineplus/alzheimersdisease.html>, and <http://www.nlm.nih.gov/medlineplus/epilepsy.html>. The MEDLINEplus search engine can help you identify materials on other topics that concern you.

We hope this information is helpful.

Sincerely,

Office of Communications and Public Liaison



United States Senate
WASHINGTON, DC 20510-4205

National Institutes of Health
National Heart, Lung, and
Blood Institute
Bethesda, Maryland 20892

August 27, 2004

Mr. Ron Davis
3405 Holdrege Street, Apartment 101
Lincoln, NE 68503

Dear Mr. Davis:

Thank you for contacting me regarding health issues. It is an honor to serve you as Majority Leader of the United States Senate and a privilege to respond to your concerns.

As a heart and lung transplant surgeon, my life has been dedicated to improving individuals' lives through advances in health care. As Majority Leader of the United States Senate, I am able to take the principles I learned as a physician—themes such as "First, do no harm" and the principle that the foremost concern is the health of one's patient and apply them to my work on health care reform. While I continue to treat patients on an individual basis, I now have the privilege of being able to treat the collective health of the nation.

Communicating with Americans is extremely important to me, and therefore I greatly appreciate you taking the time to share your thoughts. As a member of the Senate Committee on Health, Education, Labor, and Pensions (HELP), I closely monitor all health-related legislation. As a member of the Senate Committee on Finance, I continue to deal with Medicare and making health insurance affordable for more Americans. As we continue to examine these important issues, I will certainly keep your thoughts in mind.

Again, thank you for taking the time to contact me. I appreciate hearing your thoughts on this important issue and I hope you will continue to share your thoughts and concerns with me throughout my tenure in the United States Senate.

Sincerely,

William H. Frist

William H. Frist, M.D.
Majority Leader
United States Senate

DEPARTMENT OF HEALTH & HUMAN SERVICES

National Institutes of Health
National Institute of Neurological
Disorders and Stroke

Bldg. 31, Room 8A-18
31 Center Drive MSC 2540
Bethesda, Maryland 20892-2540
Phone: (301) 496-5751
Fax: (301) 492-2186

January 10, 2003

Mr. Ron Davis
3405 Holdrege Street, #101
Lincoln, Nebraska 68503

Dear Mr. Davis:

Department of Health and Human Services (DHHS) Secretary Tommy Thompson has asked us to thank you for your letter and to respond directly to you. The National Institute of Neurological Disorders and Stroke (NINDS), a component of the National Institutes of Health (NIH), is the DHHS agency with primary responsibility for research on disorders of the brain and nervous system.

Thank you for taking the time to write and share your theories with us. You have clearly spent considerable time and effort in exploring these concepts. While we cannot comment on your ideas, we can provide general information about the neurological diseases and disorders you mention in your manuscript and the research being conducted on these conditions.

Because you have been experiencing migraine headaches for almost 27 years, we have enclosed the pamphlet, *Headache: Hope Through Research*, and other materials that discuss migraines. If you have not already done so, you may find it helpful to contact the voluntary health agencies concerned with headache to learn about any additional materials or referrals they can provide. A card in the back pocket of the pamphlet lists the names and addresses of these agencies.

Your document also mentions that your mother has Alzheimer's disease. We have included a resource sheet on this topic that we hope will be useful. A variety of publications on pain, Parkinson's disease, epilepsy, and the other neurological conditions you discussed are enclosed.

The National Center for Complementary and Alternative Medicine (NCCAM) is the NIH component with primary responsibility for conducting and supporting basic and applied research on complementary and alternative medicine. The NCCAM also disseminates reliable information about the safety and effectiveness of complementary and alternative medicine practices to the public and health professionals. Because of your reference to acupuncture, biofeedback, transcranial magnetic stimulation, and other alternative treatments, you may wish to contact the NCCAM Clearinghouse. Contact information is provided on page 136 of the enclosed directory, *Neurological Disorders. Voluntary Health Agencies and Other Patient Resources*.

Mr. Ron Davis
3405 Holdrege Street
#101
Lincoln, Nebraska 68503

Dear Mr. Davis:

This is to acknowledge receipt of the paper titled "How to Cure the Dreaded Parkinson's and Alzheimer's Diseases Within Elderly People."

I have referred it to the Institute concerned with these diseases. I am sure you will be contacted if needed.

Sincerely yours,

C. Lenfant

Claude Lenfant, M.D.
Director

JUN 04 2002

Mr. Ron Davis
CEO
Colorado Environmental Company, Inc.
P.O. Box 5431
Lincoln, Nebraska 68505-5431

Dear Mr. Davis:

Your letter of May 1 to Secretary Thompson concerning pulmonary fibrosis was forwarded to me as Director of the National Heart, Lung, and Blood Institute (NHLBI). I want to thank you for your insights into pulmonary fibrosis. The NHLBI supports an extensive research program on the pathogenesis and treatment of pulmonary fibrosis, including the role of inflammation and oxidants. We also support a large program of basic and clinical research related to nitric oxide, and the application of nanotechnology. Enclosed are three publications from our programs that may be of interest to you:

1. Crapo, J. D., Harnson, A. G., and Sherman, M. P., Pulmonary Immunobiology and Inflammation in Pulmonary Diseases; *Am J Respir Crit Care Med* 2000; 162, 1983-1986.
2. Mason, R. J., Schwartz, M. L., Hunninghake, G. W., and Mussori, R. A., Pharmacological Therapy for Idiopathic Pulmonary Fibrosis; *Am J Respir Crit Care Med* 1999; 160, 1771-1777.
3. Fact Sheet on Idiopathic Pulmonary Fibrosis, NIH Publication No. 93-2997, 1993.

We are also attempting to stimulate new research in this area with the recent release of a new program on molecular targets and interventions for pulmonary fibrosis. We are hopeful that this program will provide a better understanding and new approaches to treating this devastating disease. Again, thank you for your comments on this topic.

Sincerely yours,

C. Lenfant
Claude Lenfant, M.D.
Director

Enclosures

DEPARTMENT OF HEALTH & HUMAN SERVICES

National Institutes of Health
National Institute of Neurological
Disorders and Stroke

Bldg. 31, Room 8A-07
31 Center Drive MSC 2540
Bethesda, Maryland 20892-2540
Phone: (301) 496-5751
Fax: (301) 492-2186

June 28, 2004

Mr. Ron Davis
3405 Holdrege Street, Apartment #102
Lincoln, Nebraska 68503

Dear Mr. Davis:

This letter is in response to your correspondence of June 23 to Dr. Audrey S. Penn, Deputy Director of the National Institute of Neurological Disorders and Stroke (NINDS), and others concerning your theories about a cure for Alzheimer's and Parkinson's disease.

Many people write to us with their theories about cures for a variety of medical topics but, while the NINDS appreciates the willingness of people to share their concepts and findings, we are not able to evaluate such material *except* under very specific circumstances, such as when it is contained in a grant application. As we mentioned in our November 26, 2003, letter to you, the NIH grant system is primarily investigator-initiated; that is, individual scientists working at academic, medical, and other biomedical research institutions submit detailed proposals on a broad range of neurological research to the NINDS, depending on the individual scientist's own area of interest. (However, the grant is actually awarded to the institution, not to an individual.) As we indicated in our earlier response, if you can identify scientists affiliated with one of these types of institutions who have an interest in conducting research on your theories, they are welcome to apply for a research grant. The enclosed booklet, *Extramural Research and Training Awards*, outlines areas of NINDS research interest and the procedure for applying for funding. Application forms are available on the Internet at <http://grants.nih.gov/grants/funding/nhs298/nhs298.html#toc>.

We hope this information is helpful.

Sincerely,

June 17, 2002

Office of Communications and Public Liaison

Mr. Ron Davis
3405 Holdrege Street
#101
Lincoln, Nebraska 68503

Dear Mr. Davis:

PH: 301-496-5166
FAX: 301-492-0818
E-mail: terentz@nih.gov

This is to acknowledge receipt of the paper titled "How to Cure the Dreaded Parkinson's and Alzheimer's Diseases Within Elderly People."

I have referred it to the Institute concerned with these diseases. I am sure you will be contacted if needed.

Sincerely yours,

C. Lenfant

Claude Lenfant, M.D.
Director



One Bowdoin Square
Tenth Floor
Boston, MA 02114
(617) 565-8519
December 6, 2004

Mr. Ron Davis
3405 Holdrege St.
Unit 102
Lincoln, NE 68503

Ron Davis
3405 Holdrege Street
Unit #102
Lincoln, NE 68503

Dear Mr. Davis:

Thank you for taking the time to write my office with your concerns about the Alzheimer's and Parkinson's disease. I appreciate hearing from you.

Researching treatment and ultimately a cure for Alzheimer's and Parkinson's disease is a concern to all of us. I will continue to keep your thoughts and ideas in mind as I handle this topic in the future.

I appreciate hearing from you on this very delicate matter. Please feel free to cite my office in the future on any other matter that is of importance to you.

Sincerely,

John F. Kerry
United States Senator

JFK/tbc

This was my nicest and last letter that I got directly from U.S. Senator John Kerry. But on December 23, 2004, his Boston Office sent me a "get lost" letter. So-o-o, I guess someone decided to do a flop-flip, flip-flip, or whatever you call that thing that others have accused Senator Kerry of doing!



Thank you very much for taking the time to write to Senators Kerry and Edwards. Your thoughts are interesting and worth considering.

Many people from across the country have written to express support for John Kerry and John Edwards in their efforts to win back the White House. We hope you will join the many Americans who are supporting the Kerry/Edwards ticket.

You can express your support by becoming a volunteer or helping us organize online. Please visit our website, <http://johnkerry.com> to learn more about Senators Kerry and Edwards and their positions on issues of importance to you.

The Kerry/Edwards Team

Dear Ron,
Thank you for writing to Senator Kerry. Your view on Obesity is an interesting one. Thank you voting for Kerry and Edwards. We do wish you good luck on your research on Alzheimer and Parkinson's diseases. We wish the best for your mom.
Stephanie + Kerry-Team

Dear Mr. Davis,

Thank you for sharing your business plan with us. "Saving the Latent Heat of Vaporization Within the Steam Leaving a Turbine-Generator" seems like an important project with very positive environmental and financial benefits associated with it.

We have passed your designs on to the relevant ministries and should they be interested in your designs they will contact you.

Thank you again for thinking of the State of Israel.

Shalom.

Department of Media and Public Affairs.
Consulate General of Israel in New York
800 Second Avenue, New York, NY 10017 • (212) 499-3410 20
www.newyork.israel.org

This letter from the Consulate General in New York almost instantly transformed my one man U.S. company into an international company, (although it is still just a one man company at present).

Ron Davis' Resume With Respect to Previous R&D and State-of-the-Art Work

- Sectional Background:**
- B.S. in Metallurgical (Nuclear Option) Engineering from the University of Missouri at Rolla. Participated in an honorary undergraduate training program at the then Case Institute of Technology. Served as the resident Nuclear Engineer on Northern Indiana Public Service Company's Nuclear Staff and met with ACRS risk Experiences:
 - Case Western Reserve University-Honorary Government Grant Undergraduate Recipient
Honorary Government Grant Recipient to do R&D work associated with aluminum-zinc alloy materials.
 - University of Missouri at Rolla-Undergraduate College Student
Participated in R&D tests involving the use of the nuclear reactor at Rolla with respect to the properties of various materials.
 - Continental Pipe Line Company (CONOCO)-Engineer Trainee at their R&D Test Facility
Worked as an engineer trainee in their Ponca City R&D slurry pipeline testing facilities while participating as a co-op student at the University of Missouri at Rolla with CONOCO.
 - Northern Indiana Public Service Company (NIPSCO)-Nuclear Staff Engineer
Worked on Nuclear Staff for NIPSCO with respect to their Bailey Generating Station-Nuclear 1 Project. Also participated in that company's engineer trainee program at the existing Bailey Generating Station's fossil units simultaneously.
 - Public Service Company of Oklahoma-Results & Water Treatment Supervisor
Worked as Results and Water Treatment Supervisor over a small staff of engineers and manual laborers. During this time specific tests were run on the existing gas-fired units at Tulsa Power Station in order to minimize the NOx emissions that were resulting from running these steam generators at less than optimum conditions. During this timeframe, testing for the correct burner temperature ranges and air to fuel combinations in order to reduce the resultant NOx emissions from this large power plant was something that had not been done much before. An extensive operator training program and a new Results and Water Treatment Training Program was developed for the company under my supervision while I worked at the Tulsa Power Plant.
 - Stearns-Roger Engineers-Lead Mechanical Engineer and Assistant Project Engineer
Initially I started out as the lead process engineer for a group of new power plant projects that were using state-of-the-art wet scrubbing systems. Then as I was promoted to Lead Mechanical Engineer and to Assistant Project Engineer, I worked on several unique projects having to do with the Mohave coal slurry project, the Great Plains Gasification Project, and the zero discharge San Juan Power Station.
 - Basin Electric Power Cooperative-Project Engineer & Project Coordinator
Initially I worked as the Project Engineer on the combined 1,000 Mw. Antelope Valley Station, the lignite mine, and Great Plains Coal Gasification Project complex for Basin Electric. Then after the first large scale commercial bid project for Dry Scrubbing was used at this project, I was promoted to become the Project Coordinator for the entire project for Basin Electric Power Cooperative. Besides having the first bid dry scrubber-baghouse configuration within the power industry, the Antelope Valley Station also had the largest lignite fired boilers ever built and utilized state-of-the-art designs to exchange various resources between the power plant, the large lignite mine, and the coal gasification project.
 - Stone & Webster Engineering Company (SWEC)-Sr. Power Engineer, Sr. Consultant, Project Engineer, & Project Manager
Worked in several senior management roles as the lead consultant or the project engineer/project manager on various state-of-the-art fuel optimization computer program projects, dry scrubbing retrofit projects, of shale, and renewable energy projects, as well as on several more conventional fossil-fired power plant projects.
 - Mission Power Engineering Company (Subsidiary of SCE)-Sr. Project Manager & Vice President
In charge of several geothermal power projects within California. Also helped to develop a significant engineering, construction and start-up staff for this subsidiary of SCE. The major project that I supervised was an 8 geothermal unit project called the Coso Geothermal Project that also included a 230 kV transmission line project and one of the largest brine gathering and injection systems at any geothermal project within the U.S. Also helped to market the company's capabilities to others and help obtain the Aifdia Geothermal Project for Mission Power.
 - Diamond Energy (Mitsubishi Corp. subsidiary)-Vice President
Obtained power contracts and supervised EPC and operation work on several large gas turbine projects and a biomass project.
 - Calithness Corporation-Sr. Vice President
In charge of all energy and recycling projects for Calithness Corporation and electric utility partners in US and Canada. This involved the use of new renewable energy technologies in order to obtain the proper permits for several biomass, geothermal and coal projects. The recycling companies that I was in charge of also used advanced technologies in order to recycle various plastic products, as well as certain paper and biomass products.
 - Coloratus Environmental Company, Inc.-Chairman and CEO-President
Developed a group of diverse biomass related companies and continued to work as a Sr. Consultant for several large energy companies. Began effort to develop a new type of steam cycle for any fossil-fuel power plant in 1999. After recovering from a serious auto accident that I was involved in during 1996, I briefly worked for Stone & Webster indirectly in Houston as a Fluids Engineer and I worked on an evaluation of a large renewable energy project for another large energy company that I used to work with before my auto accident. I has also begun an R&D program on biomass gasification prior to my auto accident.

NOTE:

These are some other letters that I have received about the various non-medical type of work that I have been doing. So I am including these letters so that you can see that it is possible to keep doing your normal work, (which in my case is the work in finalizing the cures for Alzheimer's and Parkinson's disease), even as I was beginning to develop and work on some new ideas within fields other than from within the medical field. So please let me encourage you to do the same, (assuming that you are not in a worse financial condition personally than I am and you do not have worse disabilities that you have to live with such as my double vision, poor lines of vision, and basically ever changing overall eyesight as well as my bad back and poor coordination problems that I have. Of course my basketball coaches in basketball during my junior high and high school years may have thought that I had poor coordination and eyesight by how I played that game back then!



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
RESEARCH TRIANGLE PARK, NC 27711

MAR -1 2002

Mr. Ron Davis
3405 Holdrege Street, #101
Lincoln, Nebraska 68503

OFFICE OF
AIR QUALITY PLANNING
AND STANDARDS

OFFICE OF
AIR AND RADIATION

Ronald Davis
3405 Holdrege St. # 101
Lincoln, NE 68503-1471

Dear Mr. Davis:

Thank you for your facsimile of December 25, 2001 to Christine Todd Whitman, Administrator of the U.S. Environmental Protection Agency (EPA), regarding the process for recovering the latent heat of vaporization from the steam exiting a steam turbine within any given power plant. We share your concern regarding improving energy efficiency at power plants since it would potentially result in reducing pollution from the generation of electricity.

The EPA's Office of Air Quality Planning and Standards (OAQPS) is not aware of any regulations that would preclude the development or sale of the RFI#1 system. Our mission involves the evaluation of commercially available control technologies rather than the development or marketing of new ones. However, EPA, in general and OAQPS in particular, promote innovative air pollution control strategies. In that capacity, we would be interested in obtaining additional information on the process and its application in commercial practice. You may send this information to Dr. Robert J. Wayland at the following address:

U.S. Environmental Protection Agency
OAQPS/Emission Standards Division/Combustion Group
MD-C439-01
Research Triangle Park, NC 27711

In addition, you may find information on EPA's "Energy Star" and "Green Lights" programs at <<http://www.energystar.gov/>>.

Again, thank you for your letter. I appreciate this opportunity to be of service and trust that this information will be helpful to you.

Sincerely,

Henry Thomas
John Seitz
Director
Office of Air Quality Planning
and Standards

JOHN MCCAIN
ARIZONA

COMMITTEE ON COMMERCE,
SCIENCE, AND TRANSPORTATION
COMMITTEE ON ARMED SERVICES
COMMITTEE ON INDIAN AFFAIRS

United States Senate

241 RUSSELL SENATE OFFICE BUILDING
WASHINGTON, DC 20510-0202
(202) 224-2236

8456 SOUTH RURAL ROAD
SUITE 1100
TAMPA, AZ 85782
(480) 937-6299

2402 EAST ARIZONA
BULMORSE CIRCLE
SUITE 1150
PHOENIX, AZ 85016
(602) 952-2410

450 WEST PABLO REDONDO
SUITE 200
TULSON, AZ 85701
(602) 870-6334

TELEPHONE FOR HEARING IMPAIRED
(202) 224-7132
(800) 955-0770

August 27, 2003

Ron Davis
Colorado Environmental Company, Inc.
3405 Holdrege St. #101
Lincoln, NE 68503

Dear Ron:

Thank you for contacting me regarding your concerns. I would very much like to be of assistance.

However, it is the customary practice of the U.S. Senate to allow a Senator from the constituent's home state to assist him or her. Therefore, I have forwarded your correspondence to Senator Tom Daschle. I am confident that he will provide you with the appropriate assistance.

Again, thank you for contacting me. I hope your situation can be favorably resolved.

Sincerely,

John McCain
John McCain
United States Senator

JM/xsh

Dear Mr. Davis:

Thank you for your March 2002 letter to Environmental Protection Agency (EPA) Administrator Christine Todd Whitman. EPA appreciates your sharing information on a strategy for recovering the latent heat of vaporization from water.

EPA recognizes the importance of energy efficiency, and currently manages several programs that are designed to break the link between increased energy use and air pollution. Energy savings not only reduce pollutant emissions, but also assist in providing a secure supply of energy to the nation. EPA currently manages a Combined Heat and Power Partnership program in an effort to promote and facilitate greater energy efficiency in the energy supply sector. Please visit our website at www.epa.gov/ehp for more information. You may also find of interest the Department of Energy's Office of Distributed Energy Resources (DER). The DER program provides financial assistance to technology demonstrations and other projects; all proposals are reviewed by a scientific panel and are given the appropriate level of review and attention.

Thank you again for your contribution of ideas.

Sincerely,
Tom Kerr
Tom Kerr, Chief
Energy Supply and Industry Branch

Congress of the United States
House of Representatives
Washington, DC 20515-4309

COMMITTEE ON
TRANSPORTATION AND
INFRASTRUCTURE

COMMITTEE ON SCIENCE

CHAIRMAN AND FOLLOWS:
EDUCATIONAL,
AGRICULTURE AND FORESTRY,
CHILDREN'S CAUCUS

NICK LAMPSON
1110 OLNEY, TEXAS

September 12, 2003

Ron Davis
3405 Holdrege Street Apt.101
Lincoln, Nebraska 68503

Dear Mr. Davis:

Thank you for your recent letter. I am honored that you have the confidence in me to assist you with a federal matter. There is a longstanding tradition of courtesy in Congress to allow each member the honor of assisting his or her constituents. Unfortunately, since you do not reside within my district, I have taken the liberty of forwarding your correspondence to Sen Tom Daschle.

You may wish to contact Senator Tom Daschle at the following address:

U. S. Senator Tom Daschle
320 N. Main Ave, Suite B
Sioux Falls, SD 57101-1274

Again, thank you for writing and please accept my best wishes for a successful resolution to your concern.

Sincerely,

Nick Lampson

Nick Lampson
Member of Congress

NVL/meh

cc: Representative Jim Turner

TOM OSBORNE
3-DISTRICT, NEBRASKA
COMMITTEE ON AGRICULTURE
COMMITTEE ON EDUCATION
AND THE WORKFORCE
COMMITTEE ON RESOURCES



Congress of the United States
House of Representatives
Washington, DC 20515-2703
June 18, 2002

907 CANNON HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-4626
FAX (202) 225-1285
DISTRICT OFFICES:
918 ONE AVENUE, SUITE 3
GRAND ISLAND, NE 68803
(408) 381-9188
FAX (408) 381-5587
21 EAST 25TH STREET
SCOTTSBLUFF, NE 68981
(308) 432-3222
FAX (308) 432-3048



Department of Energy
Washington, DC 20585

JAN 23 2002

Mr. Ron Davis
3405 Holdrege Street Apartment 101
Lincoln, NE 68503

Mr. Ron Davis
3405 Holdrege St. #101
Lincoln, NE 68503

Dear Mr. Davis:

Thank for your letter of December 25, 2001, to Vice President Cheney regarding your invention. Your letter has been forwarded to my office, the Office of Industrial Technologies, for reply.

There are several potential opportunities for you to explain how your inventions work and their economic benefits. One such opportunity is the Department of Energy's Inventions and Innovation (I&I) Program within the Office of Industrial Technologies. This grant program is designed to evaluate and support energy-related concepts and inventions, and selections for financial assistance under the I&I Program are made on a competitive basis. You may visit the I&I web-site at www.oit.doe.gov/inventions for further program information. Please contact Melissa Wise, at (303) 275-4907 should you have additional questions.

Another possible source of support may be the Department of Energy's Small Business Innovation Research Program (SBIR) which provides funds to support technical innovation, research, and development by small research companies. You may visit the SBIR web-site at <http://sbir.st.gov/sbir> or call the SBIR hotline, at (301) 903-5707 for further information.

We encourage you to participate in one of the Department of Energy's competitive solicitations, and be a part of the development of energy-saving technologies. Thank you for your interest.

Sincerely,

Denise F. Swisk
Deputy Assistant Secretary
for Industrial Technologies
Energy Efficiency and Renewable Energy

Dear Ron:

Thank you for sharing with me a copy of the letter you sent to other elected officials and health care professionals. I appreciated you sharing this information with me, and I look forward to reading your additional thoughts about Alzheimer's disease.

As you may know, mail service was delayed for all Members of Congress following anthrax exposure on Capitol Hill. Mail received after October 15th was held for the purpose of testing for biological contamination, while a new system for handling and distributing mail sent to Capitol Hill was put into place. There has been a gradual resumption of mail delivery to Member offices, but it will take some time for mail to be distributed on a regular basis and for the mail that has been held since October to be processed through the new system. Therefore, I apologize for the delay in my response. Thank you for your patience during this unprecedented time in our nation's history.

While I found a number of your ideas quite interesting, I would like to comment on two ideas in particular. First, I agree with your assessment of the unique culture that our young people are growing up in and the difficult decisions they are forced to make during these formative years. I have some strong feelings about the decline in our culture, which I consider to be one of the most serious threats to our nation. During my 36 years of coaching, I have seen many changes in the culture, where children no longer have a strong family structure, and youth violence, teen pregnancy and suicide have all become more prevalent. While I realize that a government program is unable to resolve these issues, I do believe that mentoring through a one-on-one relationship with a caring adult is a good first step to providing our youth with the guidance they need to grow up to be healthy and productive citizens.

I also agree with your thoughts about the importance of seniors staying active. In December 2001, I joined Representative Harold Ford in introducing the Call to Service Act, which would provide seniors with unique opportunities to get involved in their communities. I believe that we have a tremendous resource in our senior citizens. This is the fastest growing segment of our population and the Call to Service Act recognizes the role that senior citizens could play in serving our nation at a time when there is less family connection with extended family, more broken homes, and more dysfunctional situations for young people. We have correspondingly more retired people who can make a difference.

The Call to Service Act would recognize those who are over 65 as being qualified for the senior corps. These people can tutor in schools and also serve as mentors, which is very

important to me. Having been involved in a mentoring program personally for a number of years, I realized that having a caring adult in a young person's life will reduce absenteeism from school significantly, will cause dropout rates to fall, and will reduce teenage pregnancy, drug abuse, and violent behavior. The Call to Service Act provides a \$1,000 academic scholarship for every 500 hours of service that a senior citizen provides. This scholarship can be used for a grandchild or possibly for a young person in school who is being tutored or mentored by the senior citizen.

Thanks again for contacting me. It was good to hear from you.

Best Wishes,

TOM OSBORNE
Member of Congress

DOUG BEREUTER
1ST DISTRICT, NEBRASKA

1788 BULLOCK HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-2703
(202) 225-4806

DISTRICT ADDRESS:
CONGRESSMAN PLAZA
301 SOUTH 13TH STREET
SUITE 100
LINCOLN, NE 68508
(402) 438-1138

825 NORTH BRIDGE STREET
FREMONT, NE 68603
(402) 721-0888



Congress of the United States
House of Representatives

January 9, 2004

COMMITTEE ON FINANCIAL SERVICES
SUBCOMMITTEE
FINANCIAL INSTITUTIONS AND
CONSUMER CREDIT
HOUSING AND COMMUNITY DEVELOPMENT
COMMITTEE ON
INTERNATIONAL RELATIONS
SUBCOMMITTEE
EUROPE, COUNTRIES
AND THE PACIFIC
COMMITTEE ON TRANSPORTATION
AND INFRASTRUCTURE
SUBCOMMITTEE ON HIGHWAYS,
TRANSIT AND PIPELINES
PERMANENT SELECT COMMITTEE
ON INTELLIGENCE
VICE CHAIRMAN

Mr. Ron Davis
3405 Holdrege Street, #101
Lincoln, Nebraska 68503

Dear Mr. Davis:

Thank you for your recent correspondence regarding Medicare, the Energy Bill as well as your interesting turbine proposal and other energy proposals. I appreciate receiving your comments and your reaction to my recent letter.

As you know, the House has approved the conference report for H.R. 6, the omnibus energy bill on November 18, 2003, with my support. However, the prospects for further action on the Energy Bill conference report remain uncertain. Enclosed is an excerpt from a Congressional Research Service report regarding the continuing debate about the legislation.

Again, thank you for contacting me.

Best wishes,

DOUG BEREUTER
Member of Congress

DB/af
Enclosure

February 21, 2005

Re: The CEMENT* Medical Treatment Plan In Order to Cure Parkinson's Disease

Ron Davis
3405 Holdrege Street--Unit #102
Lincoln, NE 68503
(402)-465-8501 [home phone]

Vice President Dick Cheney
Office of the Vice President
Eisenhower Executive Office Building
17th Street & Pennsylvania Ave., N. W.
Washington, D.C. 20501

*CEMENT stands for a counseling, exercise, medication, evaluation, nutrition and TMS treatment plan, (using a new and unique type of TMS)

Dear Mr. Vice President:

The major topic that I wanted to discuss with you herein relates to the subject matter of an improved form of *mental enhancement* through the use of a type of neuroimaging scanner like fMRI, (but that has been converted or coupled with a way to also stimulate select areas of one's brain in a more effective manner than the current types of TMS equipment being used). For I do not think that many people have fully appreciated what I am trying to communicate with them in either my *How to Cure Alzheimer's Disease* or my *How to Cure Parkinson's Disease* papers. However, I would really like to see this kind of thinking being explained in this letter developed to a greater extent within: (1) the field of education; (2) the Department of Defense; (3) the telecommunication industry; and (4) the medical field. Because these are the 4 major fields that I believe will benefit the most from what I have been working on.

Brief Synopsis About Some of the Good Work That People Within the NIH Are Doing

First of all I would like to comment on some of the excellent work that certain individuals are doing within the National Institutes of Health. For I still marvel today at the fine book that was edited by four people in 1996 entitled *Developmental Neuroimaging—Mapping the Development of Brain and Behavior*, (see Reference 1). Thus, please allow me to explain that G. Reid Lyon and N. Krasnegor of the National Institute of Child Health and Human Development within the National Institutes of Health, (NIH), and J. Rumsey of the National Institutes of Mental Health within the NIH all coauthored this book, (along with Robert W. Thatcher from the College of Medicine at the University of South Florida). And although it was several years ago that I read this book for the first time, still I find it more applicable to be commenting on this fine book with you now instead of when I first read it.

So, let me get to the heart of the matter here. The book entitled *Developmental Neuroimaging—Mapping the Development of Brain and Behavior* is really all about the topic of developmental neuroimaging or monitoring of a younger person's brain as it is forming or being changed, (which includes coverage of MRI, EEG, PET, and ERP). And since one of the main themes which comes across loud and clear within the latest issue of my paper entitled *How to Cure Parkinson's Disease* centers around this idea of conducting periodic examinations/reviews of the type of development, (or growth), that certain keys areas of the adult human brain has within it, [especially within the limbic-entorhinal, cerebral cortex, and subthalamus nucleus, (STN), structures of a person's brain], I couldn't resist the temptation of trying to draw the appropriate parallels behind what the authors of this aforementioned book are writing about versus the type of adult level developmental analysis that I am writing about. For after all, my idea of better monitoring the type of energy metabolism taking place within the adult human brain is nothing more than "a copy" of what these fine authors have written about, [with a few adaptations or minor changes being made to it because of the increased effectiveness expected from the type of transcranial magnetic stimulation (TMS) treatments being given within the unique and new *adTMS* kind of treatment equipment which plays such a major part in the *CEMENT* plan]. Thus, please let me highlight for you where the *CEMENT* plan for repairing a person's brain suffering from Parkinson's Disease differs so much from what most people within the medical field are trying to use today.

[Summary of Major Differences Between the *adTMS* equipment versus the current types of TMS being used.]

If you will remember, my past education and degree was in the field of metallurgical (nuclear option) engineering, (which I prefer to think of as a B.S. in Nuclear Metallurgical Engineering since I was offered the choice of receiving a B.S. in Nuclear Engineering or a B.S. in Metallurgical Engineering in 1970). But as you might know, since I could not decide on which degree I wanted to have, the university's administration decided to call my degree a B.S. in Metallurgical (Nuclear Option) Engineering, (which just means that I could not make up my mind which field I wanted to graduate in all the way up to my graduation date)! But be that as it may, if you also remember when I told you about the undergraduate (grunt) work that I did at what was then called Case Institute of Technology during the summer of 1968, I was involved in R&D work having to do with better quantifying the inherent energy properties of aluminum and zinc alloys. Of course when I write about "inherent energy properties", what I am really writing about are the virtual energy properties of these two metals' electrons in a more crystalline state under both liquid and solid phase conditions. Now most undergraduates who are only a sophomore in college and working at Case in 1968, (due to an honorary R&D government grant), would just bide their time, sweep the floors, run grunt errands, clean the measurement/testing equipment and then pick up their paychecks when appropriate. But as I think you know by now, I am not most people. So as I would finish my work each day at Case Institute of Technology and then go to work that night for 8 hours as a motel clerk down the street, I would take certain textbooks with me and read them most of the night. And that is how I learned about the way that certain metals had a gas of electrons completely free to move within them. However, back then I was more interested in the way quantum mechanics allowed for the general properties of simple metals such as sodium, magnesium, and aluminum, (which have one free electron, two free electrons, and three free electrons within them respectively), behave. Of course little did I know back in 1968 that in 2005 this past education and work experience would play such a key role in how I understand how such metal ions behave within the human brain. And I might add that by working with both the gaseous and liquid phases of H₂O molecules within the energy field over the past 35 years, (as well as with calcium, copper, iron, and potassium atoms/ions), I never dreamed that I would once again be using this type of knowledge that I learned back then about the virtual energy properties of these metallic ions, atoms, and molecules in order to come up with the *adTMS* enhanced-more advanced form of TMS.

Thus, when I read the neat way that the authors of **Reference 1** were telling its readers about the value of magnetic resonance spectroscopy (MRS) being used to directly assay the higher energy phosphate and membrane phospholipid metabolism within a developing brain, I couldn't help but think that this is the right track that we should be on in order to more correctly monitor how well somebody is doing within the **CEMENT** type of medical treatment plan. But you see, the difference behind how I want to stimulate the adult human brain versus how the neuroimaging of the developing brain is written about in **Reference 1** is that I want to also make certain key changes to a *fTMS* type of scanner while also concentrating on a type of new way to stimulate the human brain particularly in and around such metal ions that are contained within it such as the magnesium, iron, and copper ions are. For example, I would doubt if many neurologists, neuroscience majors, or microbiologists would dispute the fact that some of the higher forms of long term potentiation, (LTP), occur around or in the NMDA receptors near the CA1 pyramidal cells in the hippocampal formation. Thus, the unique way that I am targeting stimulating the hydrogen atoms within this particular area of the brain relies more on the hydrogen-magnesium electron energy lattices, (or interfaces), than it does any phosphate or phosphorous-related ion or molecular interface. Although the purpose for stimulating the hydrogen atoms in the way that they will be energized is to make sure that the magnesium ions are transferring this virtual form of energy to the right phosphate group within ATP and in the two methylene carbon atoms in L-glutamate, still it is the specific operating virtual energy lattices within the hydrogen atom that I am targeting in order to cause its inner most types of virtual energy to increase a lot. In other words, what is being written about within **Reference 1** is very applicable to what

I am wanting to do in my work too. But where I am wanting to accomplish a slightly higher form of neuroimaging, and then also a new type of transcranial magnetic stimulation ability, lies a few energy steps beyond the higher energy phosphate and membrane phospholipid metabolism neuro-imaging methods that both Nancy J. Minshew and Jay W. Pettegrew are writing about in Chapter 8 of **Reference 1**. Now does this make me smarter than them when I write these things, (for I think you know that I am not)? No it does not. But what it does make me is a person who has some very relevant past educational and work experience with regards to the matters that I have been writing about, (which I believe most people would be surprised that I would know)! But you see, it is kind of like me writing about the virtual energy properties of ozone in our atmosphere too, (at least from my way of thinking). For within the atmosphere, only small amounts of ozone are available within both the troposphere and the stratosphere.

Because within the troposphere, ozone is available in $\sim 10^{-8}$ concentration. Yet even in the more abundant stratosphere where it is present and protects the earth so much from harmful forms of ultraviolet radiation from striking it, still ozone is only present within an $\sim 10^{-6}$ to 10^{-5} concentration level. So the point that I am making here is that even though the various metallic ions that I will be writing about within the rest of this letter are only within one's brain in fairly minor concentrations too, still it is the way that they serve to allow certain wavelength forms of LTP energy to be passed down from the hydrogen ions in it to the methylene ions within L-glutamate, to phosphate ions within adenosine triphosphate, (i.e., ATP), and/or on to a family of enzymes such as phospholipase A₂, (PLA₂), that I am wanting to address within this letter. Of course the phospholipids that we find within certain membranes in one's brain are enriched with polyunsaturated fatty acids, (also known as PUFA). And PLA₂ happens to be a key enzyme which helps to control the metabolism of PUFA, (as well as acyltransferase does too). But one can find out more about these matters by reading the fine article that Grace Y. Sun, Jianfeng Xu, Michael D. Jensen, and Agnes Simonyi wrote within the **Journal of Lipid Research** publication, Volume 45, 2004, beginning on Page 205, (see **Reference 2**).

Now my main interest in what these authors stated about the way the "deacylation-reacylation cycle" type-of-energy exchanges take place in the human brain is centered more around the manner that free fatty acids, (or FFAs), "*are rapidly taken up by membrane phospholipids through an energy dependent process involving CoA and ATP.*" And although I write about this more within the remainder of the **How to Cure Parkinson's Disease** paper that I have almost completed, still I wanted to bring this subject up within this letter ahead of time so that I might highlight the fact that the amount of potential energy, (or kinetic energy being held within a virtual energy state), which exists within ATP varies significantly between the many locations where ATP molecules are found depending upon whether ATP exists as a nucleotide, as part of an enzyme in a nerve cell's nucleolus, or within a host of a number of other ways that ATP can be used within the human brain in order to help supply the more immediate energy needs within it. Thus, within publications like **Reference 3**, we find on Page 7 of the book entitled **The Neurobiological Basis of Memory and Behavior**, (by Hinrich Rahmann and Mathilde Rahmann), that within the nucleus of a nerve cell's nucleolus "*which consists of one part fibrous r-RNA (pars fibrosa) and one part granulosa proteins with special enzyme functions, [phosphatases, dehydrogenases, adenosinetriphosphatases (ATPases)]*" that all these factors play a key role in how the nucleus of a nerve cell behaves. Therefore it is not uncommon for those within the medical field to discuss the very specific ways that such molecules as ATP can behave, (from purely an "energy perspective"), when it is at work within the human brain. So from the standpoint of someone like myself, (who has spent most of his life working with how energy exchanges occur within the near nanometer to sub-nanometer energy wavelength ranges for both metallic atoms and for atoms like hydrogen and oxygen that are found in H₂O molecules, (or for carbon), which are all found existing within the extracellular fluids and in the blood plasma of a person's brain, I take particular pride in making sure that what I am writing about and working on relates more to very specific ways that energy is being transferred or stored within the human brain.

Another example that I might mention in how a metabolic molecule such as ATP might be used is in how the sensory neurons within us can have their synaptic potentials modulated in a very specific way through a cascade of molecular events as follows. For example, within **Reference 4**, (which is a book entitled *The Cognitive Neuroscience of Memory* by the very intelligent Dr. Howard Eichenbaum located at the Laboratory of Cognitive Neurobiology at Boston University), he stated on Page 44 and 45 that “*Thus, when a neurotransmitter binds onto a metabotropic receptor, an enzyme is activated which in turn alters the concentration of an intracellular signaling molecule called a second messenger (distinguishing it from the neurotransmitter as the “first” messenger). In this and many other situations the second messenger is cyclic adenosine monophosphate (cAMP), which is synthesized by the enzyme from the common metabolic molecule adenosine triphosphate (ATP).*” So once again what I am trying to do within this letter is to demonstrate that the way certain molecules, (such as ATP), behaves even within the same overall energy structure of the brain, (such as within a neuron’s, or nerve cell’s, nucleolus or within this same neuron’s synaptic potential areas of it), all boils down to addressing the way that these type of energy exchanges are taking place by how the subatomic parts of various atoms, ions, and/or molecules all interact with one another. In other words, as I have told you on numerous occasions before, I am what many might call a “nitpicker of the 3rd degree”. Or, I tend to zero in on certain matters in such a degree or manner that it often exhausts or over-frustrates those that I am working with, [which has sometimes resulted in me getting kicked out of my own meetings that I would call with others who were working with me when I voluntarily left these meetings, (at their request), at times for the overall good of the project(s) that I was involved in]. And as I use to tell you in previous letters that I have sent you about how my project staff at Southern California Edison’s Mission Power Engineering would kick me out of the project meetings that I would call on the Coso Geothermal Projects, (in which I was the Vice President and Sr. Project Manager), so that the rest of the project team could make more progress on several other general topics or tasks that they wanted to discuss within that same meeting, what I did not tell you though is the following. For sometimes when I would voluntarily get kicked out of my own meetings at SCE, I also had more important things to do myself! Thus, I found it more convenient to get kicked out of these meetings at times by my friends who worked with me back then, (but this was done only after everyone knew what kind of “more detailed” work performance that I was expecting from each of them on those combined 9 energy projects that we were designing, building, and starting-up at such an incredibly fast schedule and low budget)!

During the remainder of this letter I would like to discuss the way that I see we need to stimulate a person’s brain from what is being done today. However in order to do this, I need to begin gradually explaining how that I see both magnetic energy waves at the nanometer wavelength range and lower ones, (i.e. in the subnanometer wavelength ranges play such a key part in how the human brain functions. And even more specifically, I need to get into a more in depth discussion of the way that both short term and long term forms of bonding in the area of what is known as strong nuclear forces behave within select areas of the human brain. So one more example that I want to give you, (which deals with working with energy waves in a much more exact way which a microbiologist or neurologist might understand better), has to do with how an astrocyte, (or glial cell), instead of a neuron behaves. And it deals more with how such monoamines as norepinephrine, dopamine, and serotonin within an astrocyte, (that is found occurring within the human brain in almost ten times the number as the neurons that exist within one’s brain does). Now beta glycine, (Gly), “*is a high-affinity co-agonist with GLU, (glucose), on NMDA receptors, found at glutamatergic synapses.*” This quote comes from **Reference 5**, (which is entitled *The Neuronal Environment-Brain Homeostasis in Health and Disease* as edited by Dr. Wolfgang Walz who works within the Department of Physiology at the University of Saskatchewan in Canada). For one of the most important energy configurations that I am wanting to energize by the way that I stimulate the neurons within the hippocampal and entorhinal regions is the glutamatergic synapse found on a NMDA receptor.

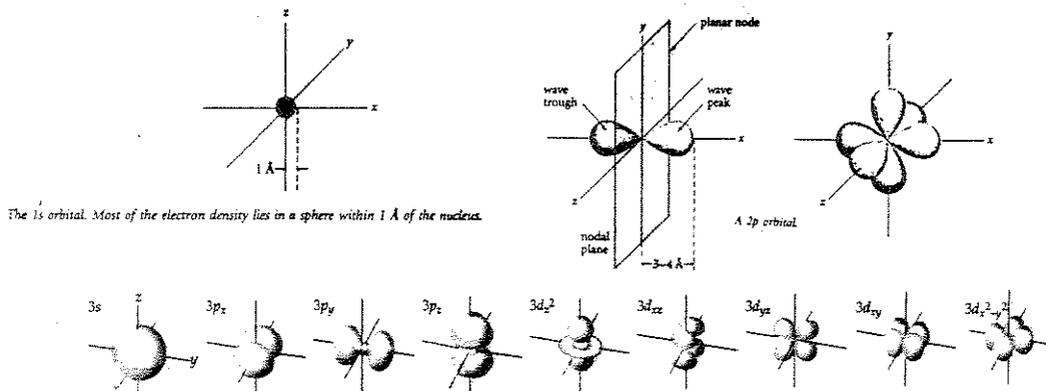
But here I am wanting to concentrate on those things which might cause these type of monoamines, (like dopamine), to not accumulate or be released again from this area. For on Page 166 of **Reference 5**, the authors of Chapter 6, (who are Dr. Wolfgang Walz and Dr. Bernard H.J. Juurlink), tell us that norepinephrine, dopamine, and serotonin “*are rapidly degraded in astrocytes to a variety of oxidized, deaminated, methylated, and sulfated products; hence, accumulations and subsequent release of these monoamines are not to be expected, if the transporter’s driving force changes.*” Now the reason that I wanted to bring up these quotes and more common ways that people within the medical field understand how energy is being exchanged within the human brain is because I am about to write about things which I do not believe many people within the medical profession either currently do or would comprehend without my help. At least it does not appear that many people within the medical profession understand these things to me or else I believe they would be trying to cure Parkinson’s disease in a much different way than they currently are! Of course now I am getting back to the original purpose behind why I am sending this paper to you. For as much as you have helped me to try and convey my way of thinking on other almost equally complex matters to various people within the U.S. government that I consider to be a lot more intelligent than I am, (such as by forwarding my letters to you on to others within the DOE or EPA who might understand how I am able to save the latent energy within the steam leaving the turbine-generators of power plants or other industrial facilities better), I would like your help once again. But instead of forwarding this letter on to either the EPA or DOE, where I need your help this time is forwarding my letter on to Secretary Mike Leavitt at the Department of Health and Human Services, as well as on to Secretary Donald Rumsfeld at the Department of Defense, (DOD). Now I know that you have at least had some hand in making sure Secretary Donald Rumsfeld at the DOD has gotten one of my letters that I sent to only three of you, (i.e. the President, yourself and Secretary Rumsfeld). For if you will remember, the Director of Business Operations at the DOD’s Missile Defense Agency, Anne F. Terry, wrote me back on September 22, 2004 and told me that she had received my August 23, 2004 letter to you three and thus was assigning poor Ms. Nancy Roop as being my contact there! And although my more detailed ideas about how to actually create these different kind of **ENERGY SHIELDS** for a national defense system is a lot more complex to explain to others than either the **adTMS** stimulation system is or the way to use an atomization process in order to save the latent heat within saturated steam leaving a T-G is, still all three of these ways to stimulate virtual parts of hydrogen, oxygen, and other atoms starts off with how one first approaches mathematically the way that the virtual quantum angular momentum waves will cause the electron cloud formations, (shown on the next page), to take on the geometric arrangements and sizes that they do. So this is that small part of the field of energy in which our most creative and compassionate Creator made where it seems that I might know slightly more about these matters than most other people do. But you see, by working on various new ways to reduce nitrous oxide emissions in the higher flame temperatures of certain oil and gas-fired boilers while I was at Public Service Company of Oklahoma in the early 1970s, or by contributing to the development of the dry scrubber technology within the power industry in a small way while living in Denver and Bismarck, or even trying to better understand how lignite, oil shale, and/or biomass gasification and liquidization processes work while in several cities and firms in the 1980s, (as well as trying to comprehend how a few other “cutting-edge” technologies work during the 1990s), all of these experiences and especially by my asking God to honor what He told us would happen with the ones who would pursue wisdom within the manner described in the early passages of Proverbs, all these things have resulted in my eventually becoming wiser and wiser about virtual energy waves---with God’s help. So this is the real reason that I know these things. And let me assure you, it is not because I am some super intelligent person on my own. For without God’s help and leading, I am really a much dumber “nerd” than most people would think I am! Thus, I have a list of names that I am attaching to the last part of this letter in which I would like you to consider sending this letter on to too, (if someone on your staff has the time to do this and if you think that this might be a good idea to do).

For you see, whether someone like me sends this kind of letter to people directly or someone as important and intelligent as you sends a copy of this letter directly to someone makes a world of difference in respect to who I hear back from, how soon I receive a response from someone, and how far up the chain of command the one that writes me back is at. Really! For it seems that most people in important enough positions to influence who I might work with and when are not all that impressed getting a letter directly from a “mental retard” like me who has been out of work longer than I can remember and thus only receives a partially garnished disability check from the Social Security Administration in order to do this type of work, (not that I am not very, very appreciative of the fact that I get this disability check—for I am). But having written these things, (and hopefully “battered you up” enough), please allow me to tell you of the 3rd phase of TMS work that I will be recommending to the right people within the medical field to do, (and which is probably the most important area of the brain to stimulate from a perspective of helping to repair or cure the damage caused by Parkinson’s disease). But also please remember that I am only furnishing you a very small part of my thinking on these matters, (and which is contained within the summary portions of the paper entitled *How to Cure Parkinson’s Disease* that I will be sending out soon). And then remember that this summary paper on Parkinson’s disease that I will be sending out soon has a lot less detail that is contained within it than the paper entitled *How to Cure Alzheimer’s Disease* has within it, (which I hope to send out soon after the Parkinson’s paper is done). And then this more detailed summary paper on Alzheimer’s has a lot of things missing from it which the book that I am working on, (*How to Cure Alzheimer’s Disease*), will have soon within it. So while all that I am trying to do within this letter is to impress upon you the way that the medical profession, the energy field, various telecommunication companies, and the Department of Defense need to engage in working with virtual energy configurations and virtual energy waves in a wiser manner than they have been doing, still even what I am sending you within this letter, (as well as what I will be sending you in the final summary paper on *How to Cure Parkinson’s Disease*), barely scratches the surface with respect to how I truly think that we should go about working with virtual energy configurations and virtual energy waves that exist within God’s creation. For even though the last 10 years before my bad auto accident I was doing a lot of the more senior management work on the projects and companies that I worked with or in, (in which I carried the title of President, Sr. Vice President, or Vice President), I never stopped working with the more detailed kind of energy calculations that one has to do in order to learn more about virtual energy waves and the virtual energy level. So just because I am now an unemployed person drawing disability pay from the Social Security Administration with various handicaps in life that I have to deal with, no one should expect that I would ever stop doing the type of work that I use to do with virtual energy waves just because of these types of disadvantages or challenges that I have to live with.

However having stated these things, please allow me to tell you why I am tackling this problem of repairing such areas of a person’s basal ganglia within the brains of those who have been suffering from Parkinson’s disease in the way that I am. But to better appreciate the problem of understanding how the dendrites associated with the dopaminergic neurons within the substantia nigra area of the human brain need to be repaired, I need to quote several other good medical articles or books that are written by people that I have the highest respect for, (from an intellectual standpoint). Because if I didn’t, I wouldn’t be using their work in order to do my work! At any rate, within a neat article that was published in Science magazine, Volume 293, on 28 September 2001 entitled **Dendrodendritic Inhibition Through Reversal of Dopamine Transport**, (see Reference 6), we find that the authors Bjorn H. Falkenburger, Karen L. Barstow, and Isabelle M. Mintz from the Boston University Medical Center tell us at the beginning that *“Dopaminergic neurons of the substantia nigra are important modulators of basal ganglia function. Their degeneration leads to severe motor and cognitive deficits in Parkinson’s disease (1, 2). They exert their influence distally, in the striatum, globus pallidum, and subthalamus (3) through the release of dopamine at axon terminals, and locally, in the substantia nigra, through the dendritic release of dopamine (4, 6).*

Because dopamine hyperpolarizes dopaminergic neurons (7), it is widely accepted that the dendritic release of dopamine primarily leads to the autoinhibition of dopaminergic neurons (8), yet this has never been shown." However, despite the fact that this last statement is made, (from my way of thinking), if one understands how a particular energy exchange or reaction occurs within the brain from a scientific point of view, then I think that this is as good as "showing" something. For whenever I am working with virtual energy waves, inevitably the only way that I can truly prove that they behave as they do is not by "showing" how they work in a more direct way. For the fact that they are called virtual energy waves tells us right off the bat that their actions within space, time, and magnitude can not really be directly proven. But instead the only thing that we can do is to both understand the way that they exist from a mathematical and scientific perspective while at the same time see the indirect effects of their actions by what is occurring in the visible or more proven areas of mathematics and physics, (such as through the type of latent or hidden effects that virtual energy waves have upon the way that electromagnetic, radiation, and/or other light forms of energy waves behave and can be measured or detected). So this is really how I have went about coming up with the important ways that the *Cement* medical plan will work, (and more specifically how the *adTMS* treatment system will function).

Thus, with keeping these things in mind, the best way that I have determined for one to repair a patient's existing neurons within the substantia nigra area of the basal ganglia region of a person's brain with Parkinson's disease, [or else cause new growth (sprouting) of dendrites to form from the neurogenesis that might begin to re-crystalize there or even due to transferring some of the more important energy functions of the substantia nigra dopamine neurons to the ventral striatal-nucleus accumbens region of the basal forebrain circuitry], will be done by beginning to stimulate the subthalamus nucleus (STN) area of the basal ganglia region with a different kind of high frequency form of virtual energy wave stimulation that will in many ways have the same type of positive effects that previous high frequency kind of stimulation tests have had on the STN, (but will at the same time not have the same type of negative impacts that these high frequency stimulation tests had at times in this area). Here I am referring to the helpful information that we can find about high frequency *electrical* stimulation of the subthalamic nucleus starting on Page 333 within **Reference 7** entitled *Basal Ganglia and Thalamus in Health and Movement Disorders*, (as edited by Kristy Kultas-Ilinsky and Igor A. Ilinsky). However the type of high frequency tests that are written about within **Reference 7** under Part IV of this book are much different from the kind of high frequency forms of stimulation that the *adTMS* equipment will be administering. Because it is by how the new type of TMS system, (i.e. the *adTMS* equipment), will stimulate the STN by producing more of a magnetic form of high frequency virtual (light) kind of photon which is expected to then help and induce the best kinds of neuronal repair and/or neurogenesis to take place within the STN and substantia nigra areas, [as well as even help to transfer some of these key mental functions of the basal ganglia to the ventral striatal-nucleus accumbens area of the basal forebrain circuitry, (if need be)], that well then cause so many to love this form of TMS treatment. Below I am showing a handful of different electron orbitals that I need to begin to discuss more with respect to virtual forms of energy before I explain how, why, and what ways the STN will be stimulated within Phase 3 of the *CEMENT* medical treatment plan's stimulation techniques for a patient who has been suffering from Parkinson's disease.



The figure showing electron cloud formations at the different quantum orbitals at the bottom of Page 7, as well as the quote that I am about to use, both come directly from a textbook that was being used at the University of Nebraska in Lincoln, (UNL), back when I bought it several years ago. The name of this book is *Organic Chemistry-3rd Edition*, (see Reference 8), and is written by Dr. G. Marc Loudon who also was a Professor at Purdue when this 3rd edition was published in 1995. But I hope that by using information that is normally found within a physics book, but instead is coming from an organic chemistry textbook, will help to make others within the medical field feel more comfortable with respect to reminding themselves of the principles that I am writing about concerning how the 3rd phase of the *adTMS* treatment methods should be conducted under the solid *CEMENT* plan.

So please allow me to begin to explain more fully how the STN part of a patient's brain with Parkinson's disease will need to be stimulated by the new type of *adTMS* equipment design that I have been working on for the last few years. One of the best places to start explaining how this 3rd phase of stimulation treatments will work is by starting at the beginning of this treatment phase. For Dr. G. Marc Loudon reminds us at the beginning of his textbook what Plato once said. And that was "*The beginning is the most important part of the work.*". And since the beginning of Phase 3 is really the most important part of the three phases of stimulation treatments that I have planned for helping a person with Parkinson's disease to get better, I thought that perhaps I should get into a little more detail about this matter within this short letter to you. Now on Page 22 from Reference 8 we are reminded that "*An orbital is a description of the wave properties of the electron in an atom.*" And as it can clearly be seen, the virtual energy waves that exist within the electron clouds in the various orbitals shown, (as well as in a host of other orbitals not shown), relies more on the magnetic and gravitational forms of bonding than it does electrical energy forces. And the reasons that I wanted to write this are basically two-fold in nature. For first, if these type of longer bonding energy lattices and energy fields were driven by forms of electrical energy, they would be taking the form of lines proceeding outward from the center of an electrical charge, (such as how an electron behaves above the nanometer wavelength range). Now I am not planning on discussing the strong nuclear forces at the nanometer and subnanometer wavelength range all that much within this paper. But I would like to point out that when we get into the types of virtual energy lattices and energy fields that cause the gluons and quarks in such atoms as a hydrogen's proton to interact with its lone electron, then instead of discussing electrical charges as we are use to thinking about this energy, we instead begin to use other terms, (such as color), in order to discuss how the electron and proton within a hydrogen atom share energy, (or interacts), with one another at the subnanometer wavelength range. But since so much of a hydrogen atom's spatial characteristics relies more on the electron energy cloud than it does anything else, I wanted to make sure that everyone appreciates the fact that it is the magnetic and gravitational energy forces at work within these electron clouds, (that we can see and somewhat measure), which causes many of the spatial interrelationships to exist within very select areas of the human brain, [such as within those pyramidal neurons and their associated neurological fibers, (i.e. dendrites and axons), that are so important within the CA1 area of the hippocampus].

Now due to the fact that it is primarily these magnetic and gravitational energy fields, (as well as their associated virtual energy lattices), which control the most basic features of an electron cloud by the way that the brain is initially formed, these same things will also be responsible for determining how the human brain will carry the higher forms of LTP energy waves within it through both the prenatal and early "post-birth" years of a young child's life. For example, of all the books that I have had the opportunity of reading these last 4 years by different authors, the book entitled *Integrated Human Brain Science: Theory, Method, Application (Music)*, see Reference 9, (as edited and partially written by Professor Tsutomu Nakada in 2000), has been one of the more educational and inspiring books that I have read. And in my opinion, this is probably because of Professor Nakada's fine past education and work experience that he had before he then became a neurologist. For example, on Page 67 of Reference 9 we learn that

Professor Tsutomu Nakada had a background in physics and electrical engineering prior to becoming a neurologist. And then within the field of neurology, he chose the biomedical application of nuclear magnetic resonance (NMR) as his area of speciality, (which included MRI). Thus, that is probably why I have taken such an interest within what he has written within **Reference 9**. And it is also why I believe he expresses his thinking that the communication and distance between such disciplines as biologists and physicists should be improved and lessened, (respectively), on Page 19. For I am hopeful that those who read this paper will also understand how important that I think this type of thinking is too, (from both my past work background and educational perspective), as a nuclear metallurgical engineer with over 35 years of “energy” experience, (especially within the area of working with virtual energy waves).

For example, within the paper entitled *Echogenicity of the Substantia Nigra*, (see **Reference 10**), which a host of 12 coauthors from Germany wrote, (with 8 of them having medical degrees, 2 of them having a Ph.D. and the other 2 having very good educational credentials and/or experience), they collectively came to the conclusion that the “*Substantia nigra hyperechogenicity is related to higher tissue iron level, which is known to enhance the cells’ generation of reactive oxygen specimens.*” Now this is one of the major conclusions that we can find that these 12 authors arrived at by the kind of studies they did which supplied them with the material for their article, and that can be found within the **Archives of Neurology**, Vol. 59, June 2002 issue, starting on Page 999. And the fact that these same coauthors also stated at the beginning of the Conclusions section of this paper that “*Increased echogenicity of the SN, (substantia nigra), characteristically seen in Parkinson’s disease, is related to a functional impairment of the nigrastriatal system (even in young healthy adults) that can be revealed by [¹⁸F]-dopa PET studies.*” just helps to confirm what I believe one of the leading causes of Parkinson’s disease is. Thus, what I will be writing about shortly in this brief letter is related to how the copper ions play such a key role in the energy functions of the subthalamus nucleus (STN). Because I am wanting once again to highlight the fact that it is these type of redox-active transition metals that play such a key role in how so many people within the medical field think that the human brain begins to deteriorate in more neurodegenerative diseases than just Parkinson’s disease, (especially within the elderly). For example, within the book entitled **Metal Ions and Neurodegenerative Disorders**, (see **Reference 10**), we find that the co-authors of Chapter 1 from this book tell us that “*Past studies have already implicated a number of trace metals whose imbalances can contribute to AD, (Alzheimer’s Disease), including aluminum, lead, mercury, zinc, copper, and iron, (Lovell et al., 1998).* Now they go on to write on Page 3 that “*disruptions in iron and copper levels, in particular, have quite a substantial effect on levels of oxidative stress markers such as lipid peroxidation, as well as damage related to NFT, senile plaque deposition, and nucleic acid oxidation, (Smith et al., 2000a).*” Of course the reason that I am wanting to draw these parallels between how Alzheimer’s disease is impacted by metal ions and Parkinson’s disease is impacted by many of the same type of metal ions, (although there are a few different ones between these two neurodegenerative diseases), has more to do with the fact that the way in which I intend to stimulate one’s “longer acting” LTP within an elderly person’s brain will be able to then directly impact, (in a very favorable way), which metal ions and how many of them get back into a more soluble form and then begin to start performing the same type of functions within this elderly person’s brain as they once did when this same person was years younger and did not have any symptoms of Parkinson’s or Alzheimer’s disease.

Now along with sending this letter to you, I am also planning to send this letter to several people in Japan. For I am hopeful that some of the people within Japan will begin to understand that doing this type of work without gaining the proper input from a “nuclear metallurgical” type of engineer who understands how many areas of the human brain works is a real mistake, (if you ask me). And if you ask Professor Nakada about this kind of thinking at the same time that you remind him of what he has already went on record writing on Page 19 of **Reference 9**, (which I wrote about at the top of this page), then I think that he will agree with my way of thinking! But having stated these things, please allow me to now get back to

another very important point that Professor Nakada made within **Reference 9** as he was discussing the excellent way that he arrived at the type of conclusions that he did when he came up with the Electron-dense Layer and DEndritic Ramification, (or **ELDER**), theory. For within many ways, I am using the same kind of logic that he did, but instead of looking at the brain from a pseudo-electrical engineer, physicist, and neurologist's point of view, I am looking at the brain from more of a nuclear metallurgical engineer's point of view and from the perspective of one who has worked with virtual energy waves for many years. Because one of the stronger points that Professor Nakada makes with regards to the argument that certain "principal rules", (rather than actual genetic factors), play a key part in helping to shape and determine how the human brain is formed initially is told to us by him when he states "*the human cortex contains more than 10^{14} synapses*". Then he follows up this statement with the comment that "*Even without regard to the size of the genome, one can easily deduce that a deterministic blueprint for the connectivity of such an enormous number of networks is totally unrealistic, if not ridiculous.*" Now from purely an "energy analysis" view-point, it is my thinking that when one is about to stimulate an area of a person's brain through the use of the type of TMS technology that is existing today, one needs to do a lot more than just stimulate a very generalized area of the brain without using a very defined and well thought out plan in which to do that. And thus, this is why I am going to explain how I approach these matters of TMS from a completely different perspective than others do. Because, I think that it is a ridiculous goal to go about stimulating a person's brain if a lot of care and thought have not gone beforehand with respect to what one is going to do and expect from this type of stimulation technique, (i.e. TMS). Thus from the way that I see we need to enhance an elderly person's brain who has been suffering from Parkinson's disease, this type of task rests more on one's ability to discern exactly what atoms within a very specific area of the brain that should be stimulated. And then within this atom's or atoms' electrons and nucleons that we are wanting to stimulate, we need to figure out exactly what parts of a brain wave's "major energy configuration" and "associated virtual energy lattices" that it is traveling over. For by beginning to narrow down exactly where within the brain that one is wanting to stimulate, (as well as what atoms within this area and what parts of an atom's energy configuration that we are wanting to focus on), this allows us to begin to systematically narrow down the type of transcranial magnetic stimulation (TMS) treatment methods that should be used on a patient's brain who has been suffering from Parkinson's disease. Now while I am about to begin to explain some of the more elementary features of how I see that this type of stimulation process needs to take place within the STN, please realize that this is only one of three major areas within the brain that I believe this 3-phase type of approach to building up one's long term potentiation, (or LTP), system needs to be conducted.

Of course the paper that I use in order to better explain how the subthalamus nucleus area of the brain interacts with the limbic loop and how the hippocampus area within the limbic area tends to enhance the right cerebral cortex areas of the brain, (which then supports the forms of stimulation that we should see taking place within the subthalamus nucleus in order to help the substantia nigra area of the basal ganglia region of the brain to function as it use to), is all being addressed within the summary paper entitled ***How to Cure Parkinson's Disease*** that I will send you soon. However within this letter I am wanting to write a few more things about the role that the copper ion plays within the subthalamus nucleus (STN) before I end it. For this is one area of the brain that much work and study has been done by many people within the medical field in order to help minimize the type of erratic brain waves that we see occurring within it, (which then helps to damage one's substantia nigra area). So it is not like I have some wild idea about how the STN plays a major role in causing Parkinson's disease. For many within the medical field have already been looking at the STN area of the brain as being an important factor why Parkinson's disease causes the type of damage that it does. However, as you will also soon find out, instead of trying to eliminate or minimize the erratic behavior of the STN within a person's brain through the use of surgery and/or drugs, my preferred method of accomplishing basically the same thing comes

Note: This is from my Alzheimer's Paper that I am also trying to complete. But it applies to people who have Parkinson's disease too.

APPENDIX B

Issue Date: February 3, 2005 [slightly corrected version]

By Ron Davis

A Brief Summary of Some of the More Important Things That I Learned From Meeting With People Who Had Alzheimer's or Had Other Neurodegenerative Illnesses As They Aged Versus What I learned From Those Who Did Not Have This Type of Problem

Perhaps the best way for me to start to explain some of the things that I have learned by the various notes that I would take as I would visit my mother, (back when my mother was located on the 4th floor of the assisted-living place where she was staying), is to tell of my meeting a mountain of a man who was staying there too, (and when I write "mountain of a man", what I am writing about is this very large person, stature-wise, who was black in skin color and had a heart that was pure gold in color). In other words, once you got to know Henry, who could be a very intimidating person "appearance-wise" whenever he had a scowl on his face and you looked at his big size, (which was due more to his height than his weight), you instantly began to realize that even though he looked like a "grizzly bear" outwardly, inwardly he was really nothing but a "teady bear". At any rate, as we use to talk together many times when I would go up there, I noticed this "light" that would seem to gleam through the pupils in his eyes whenever he and I got talking about things like barbeque ribs, construction work, or riding around Lincoln in a car. For he use to love to do these things. Thus, when either he or I would bring up one of these subjects that he liked to think about, it was almost like he and I were good friends from way back. Because many of these past thoughts and events that he had in his life would start reentering his more active memory circuits within his brain whenever we began to discuss things that were pleasant memories to him. So this is when he would start discussing these events with me as if I would know what he was talking about. Now this is when I began to realize that many times when an older person's brain was being stimulated in the right way through the type of discussions that a person would have with this elderly person, (which in this case was when Henry and I would start discussing something that he use to love to do), this is when it was much easier for Henry to remember his past. Now eventually I began to associate this kind of behavior with what happened between Henry and I on the fourth floor, and then happened again, (but several years later), between Ralph and I when my mother was living on the 3rd floor, (and Ralph and I would talk with each other about either the Chicago Cubs or the St. Louis Cardinals baseball teams). For these were the type of subject matters that would trigger, (increase), Henry's or Ralph's operating LTP brain waves. {By the way, Ralph's skin color was white and he had a heart that was gold in color too. But when compared to Henry's---perhaps he had a few other less precious metals mixed in with the gold.} In other words, what I found out through these type of discussions was that at one stage of the mental illness called Alzheimer's that the people had who I was talking to had, if any of these people that I was talking to became irritated or overly-agitated enough about something, then I could pretty well forget about having any extended vocabulary-good memory "type of discussion" with this person, (white, black, yellow, brown, or red)! It made no difference. For until they got this irritating thing off of their minds, it was like "talking to a brick wall that did not want to budge".

Now along with this type of education that I was receiving back in 2000-2004, I began to realize that not only could a person with Alzheimer's disease be enabled to have their LTP stimulated within a "higher manner" by how I talked to them and what I would talk to them about, but I also began to comprehend something else too. For you see, when I would have extended discussions with some of these people that I got to know about things that they liked to talk about or liked to do, (such as with Noreen, Maxine, Henry, Helen, Eula, Ralph, Marge, Polly, Bob, and then of course with my own mother), it seemed that regardless of how much

this person's brain began to become stimulated by what I was talking with him or her about that it took no time at all before many of these people would begin to literally run out of energy. And here I am writing about the fact that even when I was in the middle of having fruitful discussions with my mother, (or one of these other men or women who were living on the same floor as my mother), I could be right in the middle of a sentence with them when all of a sudden I noticed that they had dozed off. So it came to my mind as I observed these things that not only did people who had Alzheimer's have a harder time keeping a "happy mood" or "merry spirit" about them, but they also had a much harder time maintaining this higher operating level in the LTP system within their brains for any length of time. Thus, as I would read such books as the good one edited and partially written by Dr. Perminder S. Sachdev entitled *The Ageing Brain—The Neurobiology and Neuropsychiatry of Ageing*, (see Reference 8), I suddenly realized how he could write about the fact that elderly people would still have the ability to have a LTP system within one's brain hitting a similar "maximal potentiated operating level" as this individual use to have when he or she was much younger. But then when he stated that many of these elderly people would have their "maximal potentiated operating level" of LTP fall back quicker to a pre-potentiated operating "baseline" level as they grew older, it suddenly came to me that even at this pre-potentiated baseline level of LTP operation within an elderly person's brain, the ones who had mental illnesses such as Alzheimer's would also quickly reach a point where they could no longer maintain a form of consciousness about them after they had become overly excited for any period of time, (which I found was usually an hour or less). So this is when I began to realize that there was more to keeping an elderly person functioning better, (mentally-speaking), than just keeping this individual in a good mood or excited within a pleasant manner about something. Now some of the ideas that I am expressing within this Appendix B might seem like a couple of the more obvious things that I should have understood about elderly people long before all of these events happened to my mother and me with respect to her bout with Alzheimer's disease. But you see, I have had close relationships before with people who were in their 90s, (such as with Mrs. Arvilla Newman when I met her at 93 years old and then helped her celebrate her 100th birthday 7 years later). For when I first met Arvilla when I was living in Denver in the early 1970s, she could keep me so busy "mentally" listening to her tell me of her past, (which I found most fascinating to hear about at the time), so that often I found myself hardly being able to keep up with her, (mentally-speaking), with respect to what she was telling me over a couple hour period each week whenever I would see her—I kid you not. Thus, I knew from my past experience of spending several years visiting with this dear woman in her 90s what people who were mentally intact could do at such an advanced age. But you see, Arvilla never came down with Alzheimer's disease either. And, by the way she would always try to eat healthy and fresh foods, (even as she lived by herself until she was close to 100 years old and then had to move into an assisted-living place). So it was easy to see in hindsight why she never had a problem with the wrong kind of chemistry occurring within her brain as she got older, (such as happens to many elderly people who get all entangled with plaques, Lewy bodies, or neurofibrillary tangles blocking their brain waves whenever they come down with such mental illnesses as Alzheimer's or Parkinson's disease). Of course the experience that I had with Mrs. Arvilla Newman, (as well as the other experiences that I had visiting with other elderly people staying in nursing homes all the way back to the 1960s), taught me that old age does not have to equal limited thinking abilities, (at least it does not if one takes care of his or her brain as this person ages). But then this is just another reason why I believe so strongly that an elderly person's mental faculties can be restored within them if we persist in stimulating an elderly person's brain in the right manner, (and then give them the right type of medications during this same time period).

The following is a news clipping from Page 7B of the Lincoln Journal Star which helps to substantiate what I have written about our elderly people within their 90s in this nation being able to think and function so well, (both mentally and physically), if they take care of themselves. The letter from Joyce Ebmeier from Tabitha dated February 13, 2004 helps to confirm that I have really spent a great deal of time visiting my mother and others at Tabitha Nursing and Rehabilitation Center during the last 5½ years of my mother's life. And although there is much about the kind of medical services and treatment that I like very much about Tabitha, the one area which I can not say anything good about is the type of hospice care that this facility provided my mother, (or didn't provide her), while she was on the 1st floor during her final days on this earth. So I will say nothing about it at all. As far as the type of medications that my mother with Alzheimer's disease received during the last 5½ years of her life at Tabitha, generally I found this form of medical treatment fair or acceptable. But it was certainly not what I would consider good or excellent. But the rest of the care that she got from the staff and workers at Tabitha, (which is the majority of the help that she received while there), I would rate above average or even excellent. And the "beacons of light" that my mother and the other residents staying on the 3rd floor were able to experience/receive while there, (and here I am referring to the nurses' aides and the rest of the staff who would do so many of the harder type of tasks for the residents staying there day in and day out), these dear people were really the best workers that I have ever met. And from the many previous hospitals, nursing homes, mental institution, rehabilitation facilities, orphanage, drug clinics, and/or other kinds of medical treatment facilities that I have visited for the last 35-40 years in Denver, New York City, Bismarck, Lincoln, Houston, Omaha, Tulsa, Ponca City, and Tampa, Tabitha would rank #1 in my heart and mind. And I have visited an awful lot of these places too. Trust me. In fact, over the years I have even had a roommate or two who lived with me for awhile that were undergoing mental treatment for a given mental disorder, mental illness, or some other kind of significant brain damage! So when I write that Joyce and Ken Fickenschner, (as well as the other day-to-day workers at Tabitha), rank #1 within my way of thinking for providing the very best medical healthcare for people with severe physical or mental illnesses or disorders-injuries, in my opinion, I am saying a lot.



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Adult Day Services
Home Health Care
Case Management
Meals on Wheels
Intergenerational Center
Rehabilitation
Pastoral Care
Hospice
Tabitha Foundation
Tabitha Housing Corporation

February 13, 2004

Ron Davis
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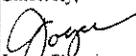
Dear Mr. Davis,

Thank you for your letter of February 6, 2004. I have spent a lot of time reviewing the insight and guidance you provided. It is always a gift to hear from family members on these matters, particularly from someone as involved in their loved one's care, as you are.

Staffing the Nursing Center is a complex and sometimes vexing endeavor. As you have stated, the staff work so hard, and mean so much to the residents and family members.

As we move through 2004, I will keep your words in my heart and in our planning as we consider any staffing changes.

Sincerely,


Joyce Ebmeier, Administrator
Tabitha Nursing & Rehabilitation Center

Copy: Fickenschner
file

LOCAL

Lincoln Journal Star
Saturday, February 19, 2006 7B

94-year-old teaches memory class

The former nurse emphasizes nutrition and attitude.

BY AMY SCHWEITZER

KEARNEY — To learn how to keep your mind in good shape as you age, it's best to go to someone with experience.

Lynette Butler, a former nurse, is 94 years old and for 13 years has been teaching how nutrition and attitude are key to keeping you and your brain healthy.

She said she has lived almost everything she teaches and is proud that she takes no prescription drugs.

In a class at Central Community College in Kearney that began earlier this month, Butler discussed memory power and the sensory system, which supplies knowledge to the brain.

Butler said the information comes from one of the first classes she taught at the University of Arizona. She also taught at senior centers in Arizona.

In her Creating Optimum Health for the 55 Plus Generation class, she discussed how people can acquire and maintain a healthy body and mind at any age. She said she likes to provide handouts on nutritious foods and vitamins, as well as relaxation and visualization exercises to reduce stress.

Butler said memory is made up

of the five senses.

"Our brain takes all these pieces of sensory that come in and makes a memory out of it," she said, adding that the eyes send the most information to the brain, which is why it is important to keep eyes healthy.

One way to use that is to remember where you parked by taking a mental picture of what you are parked near, but don't remember by looking at the car next to you because it could move, Butler said.

She said that people in their 80s sometimes think they are getting old because they can't remember a name, but it's because they hadn't used that part of their brain much in high school.

If you have always said cars or

insurance and used that part of your brain, it would be no problem," she said.

"The brain is the any part of your body," she said. "If you broke your arm and didn't use it, it would get weak."

To exercise all parts of her body, Butler likes to walk about three miles a day, and she reads a lot of books.

Butler decided to continue teaching after she moved to Kearney from Arizona about two years ago to live closer to her daughter.

Butler said she likes to quote Galileo about teaching.

"You cannot teach anyone anything; you can only help them find it within themselves," she said.

For my mother who just died of Alzheimer's disease on August 15, 2004



Lorene (Coats) Davis

Page B-3

APPENDIX C

The Use Of "LOW" Levels of Synthetic Opioids In Order To Both Prevent Over Anxiety Condition Within an Elderly Person's Brain During Neurogenesis and A Group of Over-Excitation Type of Energy Conditions During *adTMS* Treatments

This paper to be issued on February 3, 2005 as a part of the Final "*Summary Paper On How to Cure Alzheimer's Disease*"

By Ron Davis

PLEASE NOTE: THERE IS STILL MUCH MORE DATA THAT I NEED TO ADD TO THIS MEMO BEFORE I WILL SEND IT OUT OFFICIALLY ON 2/3/05

During the last few years that my mother was alive and struggling with the neurodegenerative effects of Alzheimer's disease, often during periods of sleeplessness, high anxiety, hypertension, and/or other signs of stress she would be given such medications as Ativan, Xanax, hydrocodone, or even Roxanol. Then I heard of others where she was staying being given medications like Ambien at times too. Now the reason that I am bringing these type of medications up within this memo is because each of these class of medications, whether they are benzodiazepine tranquilizers like Ativan and Xanax are or it is a medication like zolpidem, (which Ambien is and that in many ways acts like a benzodiazepine tranquilizer but has little muscle-relaxing or antiseizure effects associated with it), or whether they are just being given a narcotic-analgesic type of pain medication, (such as hydrocodone bitartrate as in medications like Vicodin or morphine sulfate compounds in such medicines as Roxanol), they all have different ways that they work within the brain and help to relieve various symptoms of stress. However, what I would like to do in this paper is focus in on the medication called Roxanol. For I do not think that many people really appreciate how this drug works within the brain and some of the *more beneficial* latent effects which help to relieve periods of overexcitatory conditions related to too much glutamate and other potentially harmful molecular-production in the limbic-parahippocampal regions of the brain during neurogenesis.

Now as with any medication, (especially a synthetic opioid medication), there certainly can be periods of abuse which might surface when giving a patient a medication like this, (especially if it is not being given in a very regulatory and/or supervised manner). And there can also occur a period in time where this type of medication may no longer contribute to its more positive effects with regard to the type of interactions within the brain that I will be writing about. In other words, the human brain can build-up a tolerance as to how this type of medication either works or doesn't work within a person's brain over a given period of time. However, still there exists a class of patients who can benefit greatly by taking a low-dose of this kind of medication, (especially as a regular inhibitor, or prevent mechanism, against an over anxiety type of energy condition within the hippocampal-parahippocampal areas of the brain). And one of these type of patients that can benefit greatly from receiving this kind of medication is a person who is suffering from Alzheimer's disease. Of course the way that I am wanting to introduce a little recognized group of benefits in keeping Alzheimer's patients on a low, but steady, dose of a "Roxanol-like" compound, (although the specific chemical structure of this type of medication may need to be changed slightly once it is determined to be used on a more regular basis for about a **6 month period**), is different than how most pain and/or stress management personnel within the medical field are use to administering this type of drug. Thus, while these type of Alzheimer's patients are undergoing the new advanced form of TMS treatment that I am writing about within the attached paper on *adTMS*, it is recommended that they be given this kind of synthetic opioid medication probably via a patch on the skin.

Under the right chemical structure, one of the benefits of the release of a similar compound to a naturally occurring opioid within a person's brain is that it is thought that these type of opioids help to activate phospholipase A₂, (PLA₂), and protein kinase C. These are enzymes which help to regulate various cellular activities within the brain of an Alzheimer's patient. Now the subject matter of why the activation of the PLA₂ enzyme is so important discussed more in the remaining part of this paper. However, during periods of a TMS-type of stimulation to the limbic-parahippocampal regions of a person's brain, it is a known fact that at times naturally-occurring opioids, (and/or the administration of

the right kind of synthetic opioid compound), can help to produce an inhibition of the release of the γ -aminobutyric acid, (GABA), which is a good thing when one is trying to create an environment within the limbic-parahippocampal areas of the brain in which to cause neurogenesis to take place there. But along with this type of desensitization of the cells within this area to the over-release of GABA, synthetic medications like morphine will cause the excitatory neurotransmitter N-methyl-D-aspartate, (NMDA), to act in an improved manner too, (which is a helpful thing). Now the naturally occurring opioid receptors that I am writing about here belong to the G-protein superfamily. And, of course, these type of proteins play a prominent role within the internal functions of the cells within this region. For example, as the opioid-induced activation of the enzyme PLA₂ occurs, (especially in the areas like the periaqueductal gray region), this increases voltage sensitive potassium conduction. And the opioid receptors within the limbic-parahippocampal areas of the brain interact with the G₁ and G₀ proteins, that helps to inhibit adenylate cyclase, which is an enzyme that causes the formation of the intracellular messenger cyclic adenosine 3',5'-monophosphate, (i.e. cyclic AMP). And G proteins act as a mediator with respect to the inhibitory effects that naturally occurring opioids have on voltage-gated calcium channels. They also help to activate the inwardly rectifying effects of potassium channels. Now until I explain the significance of these different type of interactions that begin to take place within the brain of an Alzheimer's patient more within the body of the summary paper telling how to cure Alzheimer's disease, I doubt if you will appreciate the value that such types of opioid molecules can have on a person's brain with Alzheimer's disease.

Of course from a standpoint of helping to reduce the anxiety that normally occurs within an elderly person's brain as he or she is having it artificially stimulated, the exposure to the right kind of opioids for the neurons within the locus ceruleus causes the deactivation of the norepinephrine neurons within this area. For as opioids are administered in the locus ceruleus, the excitability of these cells are decreased by both the opening of the potassium channels in the cell membrane and by the blocking of the sodium channels. Thus, in summary, opioids like Roxanol, (which is a morphine-type of compound), results in decreased levels of adenylate cyclase, (which then helps to decrease the levels of cyclic AMP). This reduction in cyclic AMP then leads to a reduction in the activity of sodium channels, (which is a good thing if one is trying to increase the likelihood of neurogenesis to take place at the same time that this person is also trying to minimize the amount of anxiety that an Alzheimer's patient may be experiencing throughout this whole TMS-like stimulation process. Now most of what I have just written can be found within **Reference 2**, Volume 3 on Opiates, page 729-739, (although the author of this chapter was not writing this material with the same degree of intent towards using opioids in order to encourage the right kind of artificial stimulation to take place within an elderly person's brain at the same time that it is also helping to induce an enhanced form of neurogenesis). For within this chapter of **Reference 2**, many different pros and cons are given with respect to administering a patient with a synthetically produced opioid. But nowhere will you see a medication like Roxanol being mentioned within the chapter on Opioids as being both an anti-anxiety type-of-medication while at the same time acting as a neurogenesis-enabling type-of- medication. But it is. The following material has been taken from several other references which helps to support the basis for the type of conclusions that I have made within this paper.

Within **Reference 3**, one of the first things that we read in the Abstract of this article from the *Journals of Lipid Reserach*, Volume 45, 2004 is that arachidonic acid, (AA), and PLA₂ are released in neural cells, (especially in astrocytes and neurons). And as these authors state on Page 205, "*because many neurodegenerative diseases are associated with increased oxidative and inflammatory responses, an attempt was made to include studies on PLA₂ in cerebral ischemia, Alzheimer's disease, and neuronal injury due to excitotoxic agents.*" Thus, it was from reading this article entitled **Phospholipase A₂ In the Central Nervous System: Implications For Neurodegenerative Diseases** that got me interested in how such medications as Roxanol might help enhance the right type of neuronal plasticity actions within an Alzheimer's patient's brain without creating a harmful environment within it at the same time. Now

among the important points that are made within this article is the statement “*PLA₂ is thought to have a role in neuronal plasticity.*” But then within this article it states that “*neuronal excitation resulting from depolarization with high concentrations of potassium and stimulation with excitatory neurotransmitter agonists such as α -amino-3-hydroxy-5-methyl-4-isoxazole propionic acid (AMPA), N-methyl-D-aspartic acid (NMDA) and glutamate, as well as muscarinic cholinergic agonists, can stimulate AA release in neurons.*” Then it goes on to tell us that oxidant compounds like H₂O₂ can further enhance this type of dangerous environment. Now among the various harmful impacts of having these type of reactions taking place within the same general area of the brain, a special point was made with respect to the fact that sPLA₂ seemed to contribute to increases in Ca²⁺ influx through the stimulation of an L-type voltage-sensitive Ca²⁺ channel that was then thought to at least partially contribute to certain acts of neuronal apoptosis, epileptic seizures, and/or glutamate overexcitation.

One of the reasons that I am highlighting the way that such synthetic opioids as the morphine-based Roxanol can have on causing the inhibitory effects of voltage-gated calcium channels occur within an Alzheimer patient’s brain is because this is one of the reasons that I believe my mother was in a much better state-of-mind when she was taking the proper doses of Roxanol and not being either overdosed or denied it entirely. For when she was not given too much or deprived of her regular doses of Roxanol for too long, not only could she speak to me better under these type of conditions, but she could also remember more of her past when she was communicating with me than she could before. Of course one of the reasons that I believe she was able to do this is because the ATP that is stored at high concentrations within the synaptic vesicles within the hippocampal area of the brain is not able to cause as much of an increase in intracellular Ca²⁺ concentrations in the astrocytes when these proper opioid-type molecules are present there too. The fact that the point is made that a decrease in PLA₂ activity has been found in several studies within the parietal and temporal cortex, as well as the prefrontal cortex of the brains of Alzheimer’s patients seems to help confirm my thinking that the lack of a proper operating LTP level within an elderly person’s brain with Alzheimer’s is at least one of the major factors contributing to this type of condition. Then within **Reference 3** it is also pointed out that there is evidence for negative changes in membrane phospholipids in the Alzheimer patient’s brain too, (such as decreases in the number of plasmemyl phospholipids within the white matter of an Alzheimer patient’s brain during the early stages of this disease—when only mild cognitive impairments were noticeable). And a decrease in specifically the PE_{pi} phospholipid has also been found within various Alzheimer patients’ brains.

Within **Reference 4** entitled *Cell and Molecular Biology-Concepts and Experiments-2nd Edition*, we find on Page 686 that Dr. Gerald Karp tells us of the way that cAMP and Ca²⁺ are messengers that can have profound effects on one another’s pathways. For he points out how “*Ca²⁺ in (conjunction with calmodulin) can activate both adenylyl cyclase (which synthesizes cAMP) and cAMP phosphodiesterase (which degrades cAMP). Conversely, cAMP-dependent protein kinase can phosphorylate calcium ion channels, altering their ability to release Ca²⁺ into the cytosol.*” Thus, from my way of thinking, this all winds up getting back to how LTP-ATP-Phosphorous atoms interact with one another, (as a person gets older)---which then begins to cause a mild form of cognitive impairment to set in within certain people’s brains---which then leads eventually to some elderly people coming down with a full blown case of Alzheimer’s disease. Now the one thing that I find amazingly absent from all of these write-ups that I have read about over-excitotoxicity problems within a person’s brain and such other harmful effects occurring there, [as the presence of reactive oxygen species (ROS) more and more within an elderly person’s brain], is that none of these papers, articles or books seem to want to even address this question of what is happening to the high concentration of naturally occurring opioids that were present within our brains when we were much younger, but are no longer there in such concentrations as we get

older. In other words, once I mention the word “opioid”, everybody seems to want to “clam-up”, shut their eyes, or talk about something else. For I still get back to the one verse that is found within Proverbs 17:22 within the Jewish people’s Holy Kethuvim---which tells us that “**A joyful heart makes for good health; despondency dries up the bones.**” whenever I am trying to focus on making a comprehensive list about the many things that we need to change from what is taking place within the current forms of TMS being administered to mentally ill people today. Because through this one verse and a lot of prayer over these last 4-5 years, these things led me down the path to more closely examine how such parts of our mental make-up as the naturally occurring opioids within us, (which helps us to be joyful in spirit), dwindles in concentration as we get older. And thus the lack of the proper energy interactions associated with the reduced form of operating LTP energy waves within us, (accompanied by the phosphorous atoms and naturally occurring opioids within us not all interfacing with one another and with other molecules in the right manner), eventually leads us to a point of no return! For the unfortunate amount of pollution that our poor bodies and brains take in over an average person’s lifetime results in so many contaminants accumulating within us due to what we breathe in, consume through the food that we eat, or through the liquid that we drink that we really don’t have a chance to live that healthy of a life for that long, do we? And then these problems only cause the abundance of metal ions within us to accumulate to higher and higher dangerous operating levels within us until eventually we face this dire prospect of coming down with a neurodegenerative illness such as Alzheimer’s or Parkinson’s disease during our last few years of our lives. So my question is this. Who can reverse this trend? For I never started getting that better from my terrible car accident, (at least mentally-speaking), until I decided that I would not allow these past very negative events that had happened to mt to drag me down. In other words, until I purposed within my heart to be happy regardless of my circumstances, I did not start to get that much better mentally. So I know for a fact that by the way that a person’s spirit views his or her life, this ultimately results in how he or she will live the rest of this person’s life. In other words, do not worry—be happy. Of course we still have to get rid of those darn pollutants that have filled our brains and bodies too much, regardless of how happy we are as we continue to pollute our own bodies and help pollute other people’s bodies and brains too!

Note to Mr. Norm Braaten: Because I am beginning to worry about the potential inability of an older person to be able to process the amount of new thought patterns that I see the *adTMS* stimulation system can enable these people to do, (based upon my own method of calculations and modeling work that I have done on this matter), I thought that I better introduce this type of medication theory to the other ones that I am currently working on too. For it would be wrong in my way of thinking not to approach both the development and early uses of the *adTMS* technology without having a well-coordinated and thought out comprehensive medical approach to these matters regards to curing people who are suffering from either Alzheimer’s or Parkinson’s disease.

Partial List of References Used Since I Still Have Much More to Type On These Matters:

1. George, M.S., *Stimulating the Brain*, pages 67-74, Scientific American, September 2003, Vol. 289, Issue 3.
2. Ramachandran, V.S., (editor-in-chief), *Encyclopedia of the Human Brain*, Volume 3, *Opiates* by C.M. Knapp, Pages 729-739, published by Academic Press, 2002.
3. Sun, G.Y., Jianfeng Xu, Jensen, M.D., Simonyi, A., *Phospholipase A₂ In the Central Nervous System: Implications for Neurodegenerative Diseases*, Pages 205-212, *Journal of Lipid Research*, Volume 45, 2004 published originally by JLR Papers in Press, December 1, 2003.
4. Karp, G., *Cell and Molecular Biology—Concepts and Experiments 2nd Edition*, Page 686, published by John Wiley & Sons, Inc., 1999

Note: Remaining material in the paper to be added by 2-3-05

"The study of complexity brings all of our disciplines together."

DENIS HOCHSTRASSER, M.D. ON INTEGRATED SCIENCE
 PROFESSOR OF CLINICAL CHEMISTRY,
 DEPARTMENT OF CLINICAL PATHOLOGY,
 FACULTY OF MEDICINE, AND PHARMACY SECTION,
 FACULTY OF SCIENCES, UNIVERSITY OF GENEVA



"When you set out to understand something as complex as a living cell, you have to be able to look at the entire system in an integrated way. You can't count on just a single technology. The future will involve a mix of genomics, proteomics, metabolomics, bioinformatics, and other new disciplines, some of which currently lack even a name. Bioinformatics is critical. To answer the kinds of biological and medical questions we're asking, we need to look at many events at the same time—and over time—and then be clever enough to connect them."

PROFESSOR DENIS HOCHSTRASSER, M.D.
 Dr. Denis Hochstrasser is a practicing internist and clinical chemist. In addition to his duties at Geneva University, he directs an internationally renowned proteomics research group.



To better understand the complex interaction of biological systems, life scientists are developing revolutionary approaches to discovery that unite technology, informatics, and traditional laboratory research. In partnership with our customers, Applied Biosystems provides the innovative products, services, and knowledge resources that make this new, integrated Science possible.

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Ronald A. Davis
 Vice president

Mr. Davis is in charge of West Coast Operations and has principal responsibility for engineering, cogeneration and interfacing with the utility companies. Mr. Davis has a B.S. degree in Nuclear Engineering and Metallurgical Engineering from the University of Missouri and did postgraduate work in Nuclear Engineering at Purdue. His experience includes senior positions with utilities and engineering-construction firms for power projects. He was Project Manager for four of the Coso geothermal plants on behalf of Mission Power Engineering Company.

← SEE, I USE TO LEAD PEOPLE TO THINK I WAS AN IMPORTANT AND INTELLIGENT PERSON WHEN I HAD A COMPANY CONDOMINIUM TO LIVE IN WHEREVER I VISITED NEW YORK CITY "PART TIME." BUT THE REASON THAT I COULD FOOL THESE PEOPLE ^{WAS} BECAUSE NEW YORK CITY WAS MORE THAN 50 MILES FROM WHERE MY REAL HOME WAS, (WHICH WAS IN DENVER IN THE LATE 1980S).



Joan V Ray
02/28/05 04:03 PM

To: CouncilPacket/Notes@Notes
cc:
Subject: Woods Park Master Plan

----- Forwarded by Joan V Ray/Notes on 02/28/2005 04:06 PM -----



Fred Freytag
<fredfreytag@binary.net>
02/28/2005 02:58 PM

To: City Council <council@ci.lincoln.ne.us>
cc: Annette McRoy <amcroy@ci.lincoln.ne.us>, "Glenn A. Friendt" <gfriendt@ci.lincoln.ne.us>, Jon Camp <jcamp@ci.lincoln.ne.us>, Jonathan Cook <jcook@ci.lincoln.ne.us>, "Ken R. Svoboda" <ksvoboda@ci.lincoln.ne.us>, Patte Newman <pnewman@ci.lincoln.ne.us>, Terry Werner <twerner@ci.lincoln.ne.us>
Subject: Woods Park Master Plan

Dear Lincoln City Council Member:

I am writing to you to ask you to amend the new 10 year master plan for Woods Park and remove the wording in regard to reserving space for three more tennis courts in the south east corner of the park. I am not against Tennis or any other sport. I am for recreation areas that can be used by many in various ways.

What I am opposed to is the fact that more and more area of the park is lost to special interest groups and the general public is excluded from the free use of park land and open space in their own neighborhood. Woods Park has lost areas open to the public by closing off the baseball field, more tennis courts to the west of the bubbles and an acre of land permanently gone due to the sale to the Health Department. It is not fair to the neighbors to burden them with large sports complexes that should be built in places where they do not have a negative impact on the surrounding area. A good example is Abbot Sports Complex.

Parks & Rec. is working on a proposal for a Mini Park at about 41st & J Street, which falls in the category of a neighborhood park, and is 98 feet wide and 150 feet deep for a total of 14,700 square feet. This is in connection with the land exchange for the Health Department. The area reserved for the proposed Tennis Courts is larger than that and measures 190 feet from side walk to sidewalk east to west and 150 feet south from the walk to the bath house, for a total area of 28,500 square feet. The area is almost twice than what is proposed to create a new park. That by itself shows the significance of that open area.

A picnic shelter instead of more tennis courts that could serve all participants to swim meets and tennis meets as well as regular use by neighbors and park visitors would only take a fraction of the space and serve a lot more people.

Please stop the taking of public land by private organizations.

Please vote for amending the 10 Year Master Plan for Woods Park.

--

Fred Freytag
38th & J

----- Forwarded by Joan V Ray/Notes on 02/28/2005 04:06 PM -----



Paul Haith
<phaith@alltel.net>

02/28/2005 03:16 PM

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

I would urge you to not use the City's emanate domain authority to purchase the land that has been identified for a new hotel. If Mr. Hammond wants this land, let him negotiate with the owners for its sale. According to Webster, emanate domain is a right of government to take private property for public use. Taking this land for use by a private entity is not what emanate domain was established for and should not be used in this instance.

----- Forwarded by Joan V Ray/Notes on 02/28/2005 04:06 PM -----



Lois Wenzl
<lwenzl@inebraska.com>

02/28/2005 03:22 PM

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

I am against you using Eminent Domain on the downtown property for the purpose of making that property available to build a hotel. That is not the purpose of Eminent Domain.

Lois Wenzl

----- Forwarded by Joan V Ray/Notes on 02/28/2005 04:06 PM -----



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

02/28/2005 03:38 PM

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

InterLinc: City Council Feedback for
General Council

Name: Sherry Freytag
Address: 6120 Gladstone St.
City: Lincoln, NE 68507

Phone:
Fax:
Email: sfreytag@binary.net

Comment or Question:

I am against the building of three more tennis courts at Woods Park. Even though I do not live in that general area presently, I think that it would be of poor judgement to grant the construction of three more courts. The woods park area is a nice area to live (as I use to live in that area). I think that cluttering the park even more with additional courts would make more trash, unbearable parking during tournaments, additional unnecessary lighting for residents around the park and finally additional noise. I do not think that the council should approve the additional courts for those reasons. Before you know it there will be no place for the kids to even play, if the council continues to allow bits and pieces of the park to be used for whatever reason.



Joan V Ray

02/28/05 04:16 PM

To: CouncilPacket/Notes@Notes
cc:
Subject: Jeff Jacoby Piece

----- Forwarded by Joan V Ray/Notes on 02/28/2005 04:19 PM -----



Dave O
<daoco@yahoo.com>

02/28/2005 04:17 PM

To: Dave O <daoco@yahoo.com>
cc:
Subject: Jeff Jacoby Piece

The pirates of eminent domain

Jeff Jacoby ([archive](#))



February 28, 2005 | [Print](#) | [Send](#)



Beginning his oral argument in *Kelo v. City of New London*, the Connecticut eminent-domain case the Supreme Court took up last week, Scott Bullock of the [Institute for Justice](#) puts the stakes bluntly:

“Every home, church, or corner store would produce more jobs and tax revenue if it were a Costco or a shopping mall,” he says. If state and local governments can force a property owner to surrender his land so it can be given to a new owner who will put it to more lucrative use, no home or shop in America will ever be safe again.

That’s just what New London wants to do to Bullock’s clients, the seven remaining homeowners in the city’s working-class section of Fort Trumbull. When Pfizer, the big pharmaceutical firm, announced in 1998 that it would build a \$300 million research facility nearby, the city decided to raze Fort Trumbull’s modest homes and shops so they could be replaced with more expensive properties: offices, upscale condos, a luxury hotel. Its master plan called for turning the land over to a private developer, in the expectation that it would “complement the facility that Pfizer was planning to build, create jobs, [and] increase tax and other revenues.”

But can the government kick people out of their homes or businesses simply to make way for new development?

Under the Bill of Rights, the power of eminent domain may be used only when land is needed for a public use. “Nor shall private property be taken for public use without just compensation,” the Fifth Amendment commands. A school, a post office, a right of way

for a railroad -- those are the kinds of public uses for which property owners have traditionally been made to relinquish their land.

But that isn't why New London wants to tear down the 112-year-old Victorian that Susette Kelo worked so hard to renovate, or the house at Walbach and East streets where Wilhelmina Dery has lived for all of her 87 years. The city doesn't want their land for a public facility or a new road. It simply wants the expanded tax base and economic growth that will come with new development. Can that be what the Constitution means by "public use" -- the trickle-down benefits of private use?

Once, Supreme Court justices would have given short shrift to such a claim.

"The despotic power . . . of taking private property when state necessity requires, exists in every government," Justice William Paterson wrote in a 1795 case, *Vanhorn's Lessee v. Dorrance*, but the state must not invoke that power "except in urgent cases." He could not imagine any situation that would justify "the seizing of landed property belonging to one citizen, and giving it to another citizen. . . . Where is the security, where the inviolability of property, if the legislature . . . can take land from one citizen, who acquired it legally, and vest it in another?"

But there is no echo of Paterson's spirited defense of property rights as the justices consider Fort Trumbull.

When Bullock argues that New London wants to throw people out of their homes for the sake of ordinary economic development, Justice Ruth Bader Ginsburg asks why that's a problem. New London is depressed, she says; what's wrong with trying to "build it up and get more jobs?" If the city could buy property on the open market and turn it over to a developer, wonders Justice David Souter, why can't it use eminent domain to achieve the same end? Justice Stephen Breyer notes that there is bound to be some public benefit from almost any land taking. Isn't that enough to satisfy the Constitution's "public use" requirement?

It is a depressing colloquy for anyone who believes that property rights are fundamental to liberty. But there is worse to come. Justice Sandra Day O'Connor presses Wesley Horton, the lawyer for New London, on whether eminent domain can really be deployed to condemn any property that could be put to better use.

"For example, a Motel 6," O'Connor says. "A city thinks, 'If we had a Ritz-Carlton, we'd get higher taxes.' Is that OK?"

"Yes, that's OK," Horton replies.

Justice Antonin Scalia: "You can take from A and give it to B, if B pays more in taxes?"

Horton: "Yes, if it's a significant amount."

Got that? Anyone's property can be taken by eminent domain if the government believes another owner would use it to earn a higher profit. New London isn't alone in making such an outrageous claim. In planning commissions and redevelopment authorities nationwide, the Fifth Amendment's "public use" requirement has been ignored for years. The question now is whether five Supreme Court justices will agree to kill off this piece of the Bill of Rights for good, or to bring it back to life. The fate of more than just seven Connecticut homeowners is riding on their decision.

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Joan V Ray
02/28/05 04:54 PM

To: Tammy J Grammer/Notes@Notes
cc:
Subject: Woods Park Tennis Courts

----- Forwarded by Joan V Ray/Notes on 02/28/2005 04:57 PM -----



"JD Burt"
<jdburt@inebraska.com>
m>
02/28/2005 04:37 PM
Please respond to jdburt

To: "city council" <council@ci.lincoln.ne.us>
cc:
Subject: Woods Park Tennis Courts

I wanted to take just a moment to share a couple of observations with you regarding the proposed expansion of the Woods Park tennis facility. I would believe the Parks Department has adequately researched the market needs of their proposed expansion and would accept their findings regarding the cost-benefit aspect of this expansion.

I would, however, take exception to the location of the additional courts. Currently, events at Woods Park require patrons to park outside of the paved parking areas and in the public right-of-way adjacent to the Park. This lack of parking also causes vehicles to park along both sides of adjacent residential streets, in particular Woods Avenue and "M" Street where the block length is approximately 900 feet between 33rd and 35th Streets. During those times when the parking demand exceeds the parking supply, vehicles are forced to the residential streets making conditions nearly impossible for vehicles traveling in opposite directions to maneuver without backing up or using a residential driveway for refuge.

Review of the Woods Park plan shows the existing parking deficiency could be lessened with installation of additional parking stalls in vicinity to the proposed tennis court expansion. This area could be connected to the existing parking lot that is parallel to 33rd Street with a westerly expansion along "J" Street to provide a continuous parking lot to better serve the present needs of the Park. Implementation of an expanded parking lot would also allow relocation of the existing Park driveway on "J" Street that is located immediately west of 33rd Street. Relocation of this driveway would also reduce conflicts between eastbound vehicles in queue on "J" Street and driveway users by providing a greater separation between the signalized intersection of "J" Street at 33rd Street.

It is my opinion that existing issues should be addressed prior to expanded features that will only increase the demand of this city park.

Respectfully submitted,

JD Burt



Joan V Ray
02/28/05 04:55 PM

To: Tammy J Grammer/Notes@Notes
cc:
Subject: Eminent Domain

----- Forwarded by Joan V Ray/Notes on 02/28/2005 04:58 PM -----



"Jarod D. Mundt"
<jarod@endeem.com>
02/28/2005 05:02 PM

To: <council@ci.lincoln.ne.us>
cc:
Subject: Eminent Domain

Lincoln City Council and Mayor-
02/28/05

Greetings:

This email represents a notice to you as a group and individually that citizens of Lincoln are listening and talking about the taking of private property for a hotel. Last Sunday after church, our couples group went out to lunch as usual. We represent all walks of life in Lincoln, and the topic of discussion was the taking of private property. For once, the Republicans, Democrats, and Independents in our group were in full agreement. We found no reason that if someone wants to build a hotel that the city should get involved. If the owners of the property want to sell to the developer, so be it. If they don't want to sell, the developer could offer a higher price or look elsewhere. People at both my workplace and my wife's workplace were also unanimous in opposing city involvement in this issue.

Everyone is watching what the mayor and council will do. If you approve this taking by condemnation you can be sure that this issue will be remembered the next time there is an election. One phrase used in our discussions is "The Antelope Creek Massacre of the Natives." To us it intervention by the city represents a government running amok.

Antelope Creek is already a tremendous sore spot with the Lincoln citizen. We were not allowed to vote on it, there have been more than a few cases of heavy handed action, and because the "expected" funding is not coming from outside, basic city operations are

suffering. You shouldn't have to call meetings to find out why bond issues are failing.

There is a well known saying- "When you find you are digging yourself into a hole the first thing you should do is stop digging." This would be a good time to stop digging. The citizens of Lincoln will be watching to see who keeps on digging and who stops.

From:

Jarod and Stacey Mundt
3300 Ridge Park Dr. #110
Lincoln NE 68504



Joan V Ray

03/01/2005 09:23 AM

To: "jon morris/sandra johnson" <sjohnson5@neb.rr.com>

cc:

Subject: Re: thank you 📄

Dear Ms. Johnson: Your message has been received in the Council Office and will be forwarded to the Council Members. Thank you for taking the time to offer what I feel is a much deserved word of encouragement to our Council Members.

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

"jon morris/sandra johnson" <sjohnson5@neb.rr.com>



**"jon morris/sandra
johnson"**

**<sjohnson5@neb.rr.co
m>**

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

cc:

Subject: thank you

03/01/2005 06:45 AM

To the members of the City Council:

Thank you for your unanimous vote to amend the Woods Park Comprehensive Plan to eliminate the three tennis courts. After many years of losing pieces of the park this victory is especially sweet.

Thanks, too, for your good questions to Lynn Johnson and the other folks who testified. It became very clear to me how prepared you all were about this issue and the even more difficult Antelope Valley proposal, and how hard you work to do a good job. It is easy to diss our government officials whether they agree or disagree with our own views but I came away last night with a permanent respect for your commitment and hard work for nearly no pay. Your patience in the face of hours of testimony for two important issues was inspiring, especially considering the disrespectful manner of some of the citizen testimony.

Thank you all for taking on such hard work most of us can't imagine doing.

Sandra Johnson
Woods Park resident



Joan V Ray

03/01/2005 09:26 AM

To: EDS19495@aol.com

cc:

Subject: Re: Tennis Courts 

Dear Mr. Schnabel: 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

EDS19495@aol.com



EDS19495@aol.com

02/28/2005 07:14 PM

To: council@ci.lincoln.ne.us

cc:

Subject: Tennis Courts

Members,

About a year and a half ago the city OKed the building of a tennis complex at 84th and South street. What has become of it? I have not seen any dirt work done on the site.

It was my understanding that this site was to be for major tennis meets.

I would hope the city would hold off on building new courts at the Woods center until these at 84th and South are completed.

Question to members, does it cost me to play on the courts at Woods? I pay taxes to use the city parks and the Woods tennis complex is a city park. I should be able to play on these courts just like I do when I go to the courts at East High.

Sincerely

Ed Schnabel



Joan V Ray

03/01/2005 09:30 AM

To: EDS19495@aol.com

cc:

Subject: Re: John Q. and 17th and P - Q 

Dear Mr. Schnabel: Your message has been received in the Council Office and will be given to the Council Members for their review. Thank you for your continued interest and input in our community issues.

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

EDS19495@aol.com



EDS19495@aol.com

02/28/2005 07:31 PM

To: council@ci.lincoln.ne.us

cc:

Subject: John Q. and 17th and P - Q

Dear Members,

I would hope that you would support and welcome John Q. to build a new complex here in Lincoln. But I do not feel that the city should be in the business of taking private land and giving it to a Millionaire so he can build himself a new hotel.

1. If John Q. wants to build on this site he should talk directly with the current land owners and buy the land if he can.
2. If the city does take the land, then I feel that John Q should be made to make the current business hole. That is, he should pay the full cost of moving a business to a new location, Turn Key, that is, when the move is made, the business just has to open the door and he/she is own for business. The current business owner / renter should not have to bear the cost of building a new business site just so John Q. can build his hotel.
3. What guarantee does the city have that John Q. will follow through with building the hotel? What happens if the city takes the land and John Q. does not follow through with his plans? Will the city give back the land and rebuild the buildings? This is only fair.

48th and O street is one thing, the current owner has not taken care of the land or tried to find someone to rent or build on the site. But this is not what is happening at 17th and P - Q streets.

I will be watching to see if any of my questions are asked by members.

Sincerely

Ed Schnabel

RECEIVED
MAR 01 2005
CITY COUNCIL
OFFICE

City Council Members
555 So 10th Street
Lincoln, NE 68508

The ride for five program has
been a great benefit for me for
getting to my Dr appointments
and I had a back operation in
November and Dr said I must go
to Madonna for Water Therapy
at least 3 days a week for 6-8 months
at least - I have to wear a back brace
and walk with a cane so the Handi-van
was the only way I could do this
and would not have been able to

~~I~~ have afford the regular
price tickets to have taken the
Hand Van this often- They have to
use the Lift as I am unable
to go down the stairs yet.

Thank you for this
opportunity to have used the
hand van for the physical therapy
that I couldn't have afford before

Sincerely

Sharon Welch
2338 E Street apt 7
Lincoln, NE 68510

February 25, 2005

Terry Werner
City Council Office
555 S. 10th St.
Lincoln, NE 68508

Dear Mr. Werner:

My husband and I attended a community informational meeting last night at Faith Lutheran Church Family Life Center. This was to provide information regarding the Wal-Mart proposal to build a super center at 84th & Adams.

We have been northeast Lincoln residents for the past 40 years and have been a member of Faith Lutheran Church for almost the same amount of time. We have purchased cemetery plots at Fairview Cemetery. Some of our grandchildren attended the pre-school program at Faith Church. Needless to say, we are proud of our community and we **do not** support the Wal-Mart proposal.

There are many areas of concern with a facility of this size being placed in a residential area immediately next to a church and elementary school and preschool. Several hundred children attend this school which will be across the street from a facility that sells alcohol, tobacco and firearms, along with their other merchandise. It is open 24 hours, 7 days a week and the traffic and parking problems will be huge. This would be better suited to be placed farther north, maybe closer to the Event Center where there are, as yet, no single family homes.

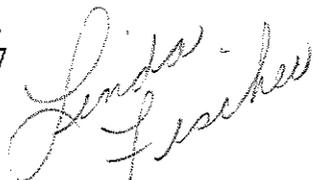
I feel that if this had been a Lincoln Public School facility, and not a church and school, a great deal of consideration would have been given to building this type of structure that close and it would **not** have been proposed.

The streets in that area, especially Adams Street, are not designed to accommodate the amount of traffic that will be experienced. Parking will be another problem. Will the Church be forced to hire security in order to make certain the students and parents will have parking available and assure them that these students will have a safe and secure place to play and cross the streets? Will the Church parking lot need guards to make certain the congregation will have easy access and parking for various Church and school activities? What about traffic for funerals and burials at Fairview? What about vandalism and crime which will occur near a facility that is open 24 hours a day?

Safety, security and accidents are a serious concern, not to mention the noise, litter, lights, drainage & run-off, potential for increased crime, and I could go on and on.

I certainly hope you will listen to the concerns of the residents and look for a more suitable location. I'm sure you will find out that there are very few, if any, residents that feel this is an appropriate location. My husband, Dick, and/or I would be most happy to visit with you further on this matter. My home number is 466-9506 and my work number is 475-6741. You can also reach me by email at work at lfischer@lincolnzoo.org.

Linda Fischer
6320 Kearney Ave.
Lincoln, NE 68507



Feb. 28, 2005

Councilman Jerry Werner

I am a member of Faith Lutheran Church at 87th and Adams St. I want to express my opposition to Walmart building on the southeast corner of 84th and Adams. I have no opposition to Walmart as I do shop there on occasion. The problem is the traffic that it will generate on 87th street. There would be 3 enterances on this side street for their customers and delivery trucks. This street is the one that most of our members use to get to our parking lot. With 1400 members and 300 school children the traffic and safety would be unacceptable. During the Christmas season Walmarts parking lot would probably overflow into our parking lot while we are having Advent services and childrens Christmas programs.

There is an option for Walmart to be built on the northeast corner of 84th and Adams street. That would be better but it would be better yet to go farther north by the Lancaster Event Center.

I would appreciate your consideration of these options.

Respectfully

Helen L. Dlouhy *John F. Dlouhy*

John F. Dlouhy
5321 Colby St.
Lincoln, NE 68504

RECEIVED
MAR 01 2005
CITY COUNCIL
OFFICE

**Sandra Jane Remus
6710 Park Crest Court
Lincoln, NE 68506
402 484-7031**

February 27, 2005

The Honorable Terry Werner, Councilman
City Council Office
555 South 10th Street
Lincoln, NE 68508

RECEIVED
MAR 01 2005
CITY COUNCIL
OFFICE

Dear Councilman Werner:

Re: Proposed Wal-Mart Supercenter at 84th and Adams

I write to you to express my extreme objection to the building of a Wal-Mart Supercenter on the south side of Adams Street east of 84th Street. My son is a student at Faith Lutheran School, which is situated just east of the site of the proposed Wal-Mart Supercenter. Even if my son were not attending that school, I would object to the building of such a retail establishment next to *ANY SCHOOL* or *ANY CHURCH*. It simply is not appropriate.

Having a business such as a Wal-Mart Supercenter, which is open 24 hours a day, seven days a week, next to Faith Lutheran School raises several concerns for those of us who bring our children to that school every day. The first and foremost concern is the safety and security of our children, the teaching staff, and the building itself. We are concerned about an increase in crime that might accompany such a store. The increased traffic will be not simply unpleasant but also a safety issue for those of us who travel to 84th and Adams twice daily carrying our most precious cargo — our children.

Pollution is another concern — noise pollution, light pollution, and litter. Just this past weekend, I visited another of Lincoln's Wal-Mart Supercenters, and I saw a sizable pile of filthy snow with all sorts of paper litter stuck in it. If the Supercenter is built at the proposed site, drainage and run-off could be serious problems for Faith Lutheran, which is downhill from the proposed Supercenter.

It is *very* troubling that an establishment selling alcohol, tobacco, and/or firearms could be located so near a school. The proposed Supercenter generates aesthetic concerns as well. Stores such as Wal-Mart Supercenters have their place in our culture, but let's be honest, beautiful architecture they are not.

I urge you to do all in your power to oppose the proposed Wal-Mart Supercenter at 84th and Adams.

Sincerely,


Sandra Jane Remus

12/2

2621 N. 75th Street
Lincoln, NE 68507
February 26, 2005

RECEIVED
MAR 01 2005
CITY COUNCIL
OFFICE

Mr. Terry Werner
City Council Office
555 S. 10th Street
Lincoln, NE 68508

Dear Mr. Werner:

We are writing in regard to the proposed Wal-Mart Supercenter at 84th and Adams Streets. We are **strongly opposed** to locating this immediately adjacent to Faith Lutheran School and Preschool. Our daughter attends school there and we have many concerns about the safety of this situation. Traffic would increase, thus increasing the chance of an accident involving a small child. Also, there would be much activity around the Wal-Mart and its parking lot, and it would be much easier to snatch a child from the playground, give kids something they shouldn't have, or cause other problems with the operation of the school.

Currently there are no large retail facilities immediately adjacent to a public school. We ask that you consider the safety aspects of this arrangement and work to oppose building a Wal-Mart directly adjacent to Faith Lutheran School. Please note that we are not opposed to a Wal-Mart in this part of town, but feel that a much better location would be somewhere around the Lancaster Event Center, or even further north up 84th Street towards Waverly.

Thank you for your time and consideration of our concerns.

Sincerely,



Dr. David L. Steffens



Patricia R. Steffens

[Faint, illegible text at the bottom of the page, likely bleed-through from the reverse side.]

RECEIVED
MAR 01 2005
CITY COUNCIL
OFFICE



Mrs. R. L. Augustine
2435 S. 60th St.
Lincoln, NE 68506-3500

Feb. 27, 2005

Members of Lincoln City Council,

Dear Council,

Please do not misuse eminent domain. Do you want or would you like for the rest of us to take your homes or business for the sake of making a poor billionaire richer? Think about this — also the fact he will be cutting profits of other places of lodging.

We do not need the Arkansas firm building apartments in N.W. Lincoln. Haven't you noticed or do you care that there are many vacant apartments in Lincoln — and respectable ones.

Why don't you concentrate on incentives for low income people to clean up & improve their homes? That could be called progress also, and make our city more attractive.

Sincerely,
Ruby Augustine

February 28, 2005

City Council Office
County-City Building
555 South 10th Street
Lincoln, NE 68508

RECEIVED
MAR 01 2005
CITY COUNCIL
OFFICE

Re: Wal-Mart Proposed building at 84th and Adams Street.

City Council Members:

As a member of Faith Lutheran Church, I am concerned about this proposal especially to the effect it will have on Faith's School. The sale of alcohol and firearms could be a potential for increased crime and vandalism in the area of our school.

The after hours parking lot activity along with the sale of alcohol and firearms would make our parking lots less safe for members and their automobiles especially during and after evening Services and Meetings.

It would seem a better plan for a large Wal-Mart store to locate further North on 84th Street where there would be room for other businesses as well like the store at 8700 Andermatt Dr.

I hope you will take into consideration the concerns of Faith Lutheran Church and School when you vote on this proposal.

Sincerely,



Dorothy Kreick
920 North 68th St.
Lincoln, NE 68505

RECEIVED
MAR 01 2005
CITY COUNCIL
OFFICE

Wynne Summers

3836 Dudley Street
Lincoln, NE 68503
Home: 402-466-9015
Work: 402-472-1880
wynne49@msn.com

February 25, 2005

*City Council Members
County-City Building
555 S. 10th St.
Lincoln, NE 68508*

Dear Council Members,

This letter is in regards to the proposed Walmart at 84th and Adams. I attended the community meeting regards this on February 25th at 7:00 in the evening and was encouraged by the determined responses against the proposal. I have STRONG objections to this for the following reasons:

- My parents, Dr. and Mrs. Guy Matson, have lived on 82nd and Adams for 52 years. I grew up there and enjoyed that area when it was country and rolling farmland. Steven's Creek, in particular, was a place I liked to frequent. At the meeting, I questioned how the proposed development area/Walmart would affect the Steven's Creek watershed. According to information from the Lower Platte South/Natural Resources District, "the Stevens Creek Watershed Plan was adopted by the NRD Boards in 1997, after six years of study and planning. The goal is to aid orderly urban growth" (not rampant) "in the watershed area...the watershed has a history of significant flooding." According to this report, plans for the watershed are in the second of four phases. I specifically asked a city representative if this would be completely done by the time Walmart intends to build. The response was that some aspects of this would be done, but not all would be finished by that time. I question the feasibility of ANY development in this area until the Stevens Creek multi-year plan is finished. Shouldn't this be a priority instead of seeing how much development can be squeezed in while the Creek project still looms as unfinished.*

- *Adams street is inadequate already in terms of accommodating traffic. If Walmart were to be in place, Adams street would turn into an accident nightmare. Vine street and Holdrege are also wholly inadequate to accommodate 24/7 Walmart traffic. How many neighborhoods would be disrupted when the city begins to widen streets, bringing in multi-lateral construction crews and equipment?*
- *The noise level, associated with Walmart and the continuous hours of operation, would substantially reduce the quality of life and add constant and unabated stress to those who live along Adams, Holdrege, and Vine streets. Ongoing truck and construction traffic would cause even more damage, noise, and add to an already lethal traffic situation.*
- *The cemetery on the corner of 84th and Adams would be difficult to navigate and the aesthetic and spiritual quality of the site greatly reduced!*
- *There are currently two Walmarts in Lincoln and numerous Shopco's, Target, and other stores that offer reduced prices. WE DO NOT NEED ANOTHER WALMART! At the meeting last night, one gentleman asked a representative of Walmart what it would take to make them go away. There was no answer. In other words, are citizens in this community powerless against corporate America, aka "Walmart?" Will the smaller businesses in Havelock and Uni Place be jeopardized to the point where they will have to close doors when Big Brother Walmart takes over the retail business? Isn't it time we thought about the quality of life here in Lincoln and not just whether or not we need more material possessions.*
- *My parents are approaching 89 and navigating Adams, even getting in/out of their driveway would be nearly impossible. The neighborhoods to the west of their home would also be compromised in this manner, not to mention new housing developments east of 84th. The cost of improving traffic flow could be put to better use in the Lincoln community, such as education and creating urban renewal in the smaller historic areas in northeast Lincoln, such as Havelock and Uni Place.*
- *This list does not even include the disruptions to the new Lutheran Church/Lutheran School east of 84th and Adams. As was argued in the meeting, Walmart would disrupt and inhibit the safety of students. Firearms/alcohol are sold at Walmart. How would this impact safety issues across the board for these students, teachers, and families.*

I feel the City Council has a responsibility to this community to sustain it as a viable and aesthetic place to live and that they should be concerned with long-term

consequences of unchecked growth that is too rapid and should not be influenced by corporate money and power. Walmart, according to a recent NPTV documentary, has turned into a gigantic corporate giant that consumes land and communities. It appears the average citizen simply does not have enough power to combat them. Will this be the state of affairs in Lincoln which initially was a rural/agricultural community built on mutually sustainable resources.

I appreciate the time any one of you has taken to read this letter. I plan on attending the next meeting on this in March and hope for some resolution of this matter.

Thank you for your time.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Wynne L. Summers', with a long, sweeping horizontal flourish extending to the right.

Wynne L. Summers

February 27, 1005

City Council Office
County-City Building
555 S. 10th St.
Lincoln, NE 68508

RECEIVED
MAR 01 2005
CITY COUNCIL
OFFICE

Dear Lincoln City Council:

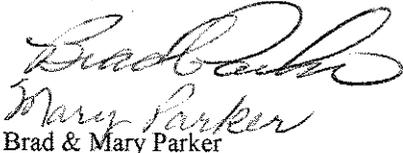
I am a new home owner in the Prairie Village development at 90th and Adams. We have spent the last year planning and building our dream home only to hear that Wal-Mart would like to squeeze into the southeast corner near us at 84th and Adams. When we look out our deck we imagine how horrible it will be to have Wal-Mart's front doors staring back at us. When we drive west on Adams Street to 84th Street we imagine how impossible the traffic could be with a Wal-Mart tucked into the southeast corner with only 2 lanes going to its location and only 2 entrances to the facility. When we listen to the children play at recess at Faith Lutheran School we imagine watching out for transients sitting in the Wal-Mart parking lot begging for donations or worse. We imagine large semi-trucks delivering tons of merchandise many times a day and worry about those children's safety and my property value.

Please consider these things when you decide the fate of Northeast Lincoln. We do need a grocery store out here but we don't need a superstore. We chose to live in northeast Lincoln because there is less traffic congestion, but that sounds as if it is about to change soon. The city of Lincoln suddenly seems to be more concerned about pleasing the large companies and bending over backwards for them. Please consider the lowly homeowner who is not loaded with resources but just wants a safe place to raise our families. Please consider also the many teens that cross the 84th and Adams intersection on their way to Northeast High School. Add to the regular heavy traffic that 84th street already has and students of all ages on their ways to the schools in the neighborhood this could become a deadly intersection. The infrastructure needed to accommodate a larger superstore is years down the road. In the mean time northeast residents would have to struggle with getting around an unnecessary superstore with impossible traffic congestion.

As our city's growth continues we realize the agricultural area on the southeast corner of 84th & Adams was destined to be developed. We strongly request that the city of Lincoln not zone this corner to accommodate a superstore. If zoning must be changed allow it to be for an office park as opposed to a huge commercial area. Also please consider this question: Does Lincoln really need or can they support a third Wal-Mart Superstore?

Thank you for your consideration, and don't forget what has made Lincoln great for many years; the small town atmosphere and concern for your neighbor.

Sincerely,



Brad & Mary Parker
8900 Prairie Village Drive
Lincoln, NE 68507



Joan V Ray

03/01/2005 12:27 PM

To: Ron Cerny <rcerny@unlserve.unl.edu>

cc:

Subject: Re: Woods Park Master Plan 

Dear Mr. Cerny: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for what I believe to be well-deserved words of encouragement to our Council.

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

Ron Cerny <rcerny@unlserve.unl.edu>



Ron Cerny

<rcerny@unlserve.unl.edu>

03/01/2005 11:55 AM

To: council@ci.lincoln.ne.us

cc:

Subject: Woods Park Master Plan

I would like to thank the members of the council for taking the time to listen to the concerns of those of us residing near Woods Park. I know we made a long night even longer, but as you can ascertain, the character of the park is very important to us. I am very grateful that the "yes" vote on the amendment to remove the three tennis courts was unanimous. I believe it will reinforce the message to the Parks and Recreation Department that I was trying to address last night. That is, process matters. Public interests and input should not be marginalized by the wants and desires of special interest groups.

Thanks again.

Ron Cerny



Joan V Ray

03/01/2005 12:30 PM

To: "jp50903" <jp50903@alltel.net>
cc: <council@ci.lincoln.ne.us>
Subject: Re: new hotel downtown

Dear Citizen of Nebraska: 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

"jp50903" <jp50903@alltel.net>



"jp50903"
<jp50903@alltel.net>

03/01/2005 12:31 PM

To: <council@ci.lincoln.ne.us>
cc:
Subject: new hotel downtown

Hello,

I would like to make a comment about the new hotel issue in downtown Lincoln. I am a Nebraska resident and have been all my life of 43 years. I was raised in the Omaha area and now live in rural Saunders county.

I have been traveling to Lincoln more frequently and took a small get away trip last weekend to Lincoln. My spouse and I attended a comedy show at the Pershing Center Saturday evening and spent the night at a downtown hotel. We spent the day of Saturday visiting the downtown area and stores. We anticipated staying the day of Sunday and then travel on to Hastings.

We had hopes of obtaining a hotel room close to the downtown area wanting to park our vehicle and walk. We ended up a couple of blocks from the Pershing Center due to the high cost of the hotels closer to the downtown area. My opinion on the new hotel is that it should be a more conservative hotel and cost less to stay than the current hotels in the area.

We feel that the downtown hotels are too expensive already. Most of them wanting very close to \$100.00 or more for a room. The one we stayed at cost \$55.00 and was rather dingy and dirty, but close to the Pershing center. Which by the way needs a sign stating it is the Pershing Center, we had to inquire at the visitors center as to where it was after driving past it numerous times.

I believe that you could entice more weekend visitors to the area and business's and events if there were a decent priced hotel downtown, you already have enough high end hotels there.

Thanks for listening, think about it.

FREE Emoticons for your email! [Click Here!](#)





Joan V Ray

03/02/2005 11:10 AM

To: MDJ14528@aol.com

cc:

Subject: Re: Woods Park Master Plan 

Dear Mr. & Ms. James: 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

MDJ14528@aol.com



MDJ14528@aol.com

03/01/2005 11:30 PM

To: council@ci.lincoln.ne.us

cc:

Subject: Woods Park Master Plan

City Council Members:

Thank you for your support of Woods Park. We were proud to be citizens of Lincoln, Ne last night. It was great to hear the residents of the city speak. Not only on Woods Park, but on the issue of eminent domain.

It was wonderful that you listened and heard. I agree that City Council's moral compass was finely tuned.

We know your job isn't easy. There are many view points to consider. We thank you for your time and all your efforts.

Patte Newman suggested that, perhaps, there might be a way to forever insure that Woods Park be kept green and natural. We hope you will find a way.

Thanks for the good work! You have earned new respect.

Michael & Carol James



Joan V Ray

03/02/2005 01:23 PM

To: Mary Hawk <mhawk@NebrWesleyan.edu>
cc:
Subject: Re: THANK YOU! 📧

Dear Ms. Hawk: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your words of encouragement.

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

Mary Hawk <mhawk@NebrWesleyan.edu>



Mary Hawk
<mhawk@NebrWesleyan.edu>

03/01/2005 06:15 PM

To: council@ci.lincoln.ne.us
cc:
Subject: THANK YOU!

Thank you for your vote on the Woods Park Master Plan. Members of the Woods Park and Witherbee neighborhoods are celebrating. It was clear to all of us that you did your research on this matter and listened to the community.

We appreciate your vote, your patience and your endurance.

Mary Hawk

641 South 30th



Joan V Ray

03/02/2005 02:04 PM

To: "Linda Stringham" <nlstring@inebraska.com>

cc:

Subject: Re: Proposed Wal-Mart at 86th & Adams

Dear Ms. Stringham: 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

"Linda Stringham" <nlstring@inebraska.com>



"Linda Stringham"

<nlstring@inebraska.com>

03/02/2005 02:03 PM

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

cc: <plan@lincoln.ne.gov>

Subject: Proposed Wal-Mart at 86th & Adams

I do hope you will address the concerns expressed by a crowd of over 200 people at the informational meeting on

Febr. 24, 2005 at Faith Lutheran School regarding the proposed Wal-Mart at 86th & Adams. I totally agree that a place that sells firearms and has such a high volume of traffic should not be located next to an elementary school and preschool.

The traffic will affect Adams Street west as well and will be a problem for children who cross Adams to attend Kahoa and there is a great deal of Northeast High School traffic on Adams already.

As a former employee of Lincoln Transportation Department, I know how traffic counts are conducted in this city and it

gives me **no confidence** that the concerns of parent-citizens will be properly addressed.

Traffic Engineering will conduct traffic counts only at the intersections it has been assigned and it will do so at the

division's convenience--**not necessarily at the times or locations that are of greatest concern to parents**. This was the case when one of our son's elementary classmates

was struck by a car while crossing on foot near Saratoga School. That traffic count was done in the summer when school was not in session.

Comparability is also in question. What are the current traffic counts at the N. 27th St. Wal-Mart?

Drainage issues are also a concern with the vast amount of paving for parking in addition to the huge 225,000Sq. foot store. I have no confidence in reports that were paid for by Wal-Mart.

Citizens of Northeast Lincoln would really like to know what it would take to get Wal-Mart to withdraw. If there is an

approved procedure that you would all listen to and heed

I would certainly like to know what it is.

Linda Stringham nlstring@inebraska.com

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

2-28-05

RECEIVED
MAR 02 2005
CITY COUNCIL
OFFICE

Dear City Council Members:

The Ride for Five program has helped me a lot mainly by getting me to the Midtown Center and home each day I go there. It has helped me financially by saving me a lot of money in bus fare - I have a small income and it is hard to always have a \$1 bill with me for each ride. Without Ride for Five, on average, I would be spending at least \$24 a month for bus rides. (I attend Midtown Center three times a week regularly.)

Ride for Five has also helped me get elsewhere - for example: to Edgewood shopping center at S. 56th and Hwy. 2, and Westfield Shoppingtown. Therefore, I would like Ride for Five to continue.

Yours sincerely,
Michael J. Soyward
3886 Lake St.
Lincoln, NE 68506

RECEIVED

MAR 02 2005

CITY COUNCIL
OFFICE

Dear City Council,

My name is Charles Alan ^{Carlson}

I use the ride for five bus program. I have a low budget ~~and~~ this program helps me to get me to my job, ~~and~~ counseling aft

People's first board & other meetings,

Parks & Rec bowling on Friday afternoon, & also on Saturday schedule, special Olympics events, & many ~~other~~ other P's aft's. Please continue this program. It would be hard for me to ~~afford~~ afford it if it did not continue.

Thank you for your help.

Charles Alan Carlson

Mr. Cook
Ms. McCroy
Mr. Camp
Mr. Werner
Mr. Svoboda
Mr. Friendt
Ms. Newman

RECEIVED
MAR 02 2005
CITY COUNCIL
OFFICE

Council Members:

Please find attached "hard" copies of three of the testimonies presented you during the "open microphone" session of the 2/28 City Council meeting.

Good evening. My name is Jan Karst, and I live at [REDACTED]

Two weeks ago, the City Attorney disclosed that there is nothing in Lincoln's City Charter which prevents you from altering Lincoln's new smoking ban. He did, however, recommend that you wait a "year or so" before "tweaking" the ban, citing as his rationale the fact that the voters made a clear choice when they voted, (62-38%), in favor of Ordinance 18396.

I hope to demonstrate here that the voters did not express a clear choice, and thus eliminate any objections from the legal department to Council's taking action to modify the ban.

The proponents of 18396 argued that a total ban won't hurt business. The voting public read that and heard that many times, beginning with an article in our local newspaper on 11/2/03. They were even assured that affected businesses would be financially enhanced with the passage of the ban, as more non-smoking customers would patronize those establishments.

That has not happened. Livelihoods of small bar owners and their employees have been profoundly and negatively impacted. The voting public, I believe, did not intend to cause financial harm to any of Lincoln's businesses or workers.

Prior to the November election, proponents of the total ban distributed a mailer to thousands of Lincoln voters and placed a local newspaper ad the day prior to the election on the same theme: It shows a restaurant setting, (complete with ketchup and mustard and salt and pepper), in which a gentleman is seated at a table, smoking a cigarette. At a nearby table, a mother and young daughter are seated. QUESTION: What is wrong with this picture? ANSWER: Under the 60/40 ban, smoking would not have been allowed in "restaurants" (businesses deriving more than 60% of their income from food sales). Under the 60/40 ban, this picture could never have been taken, as children would have been prohibited from businesses in which smoking is permitted.

More damning than the visual impact of this piece is its message, in which it urged voters to vote FOR the total ban to "*preserve out right to be free from smoke in restaurants and indoor public places.*" Once again, restaurants were already going to be smoke-free under the existing 60/40 ban.

The last piece of evidence I'm offering as to why the voters did not make a "clear choice" is the ballot, itself. Mr. Friendt, several of us watched that morning meeting so many months ago in which you fought valiantly and eloquently for clear language of the choice before the voters. I know that several others of you were also very concerned about the vagueness of the ballot language. Thanks to each of you who strived for clarity here.

Note that it does not mention that 18396 also has "additional exceptions thereto" (20% hotel rooms and smoking research facilities). And that those 20% of hotel rooms were not required to have separate ventilation from the rest of the hotel.

18396 was originally presented as a "workplace ban" for the protection of employees, and came to include the protection of children from SHS in public places. Do any of you know that the minimum age to apply for a maid position at one of our premier hotels is just 16? --Even if these children are not assigned to clean and service smoking rooms, they are exposed to the SHS circulating throughout the hotel. (I find it ironic that, under 18396, a place like Square D, which has constructed a smoking room which has its own ventilation system, and employs only adults, is forbidden to use it.)

A final look at the 62-38% split: more than 1/3 of Lincoln's voters, despite all of the above, understood what they were voting for, and chose to uphold your carefully-crafted 60/40 compromise ban.

Further evidence of the public's true view on smoking in bars and taverns can be found in Tobacco Free Nebraska's 2003 survey, in which only 34.2% of those surveyed objected to smoking being permitted in bars. (That's even lower than the 34.5% who objected to smoking in --of all places-- outdoor parks!!)



Which should we protect?

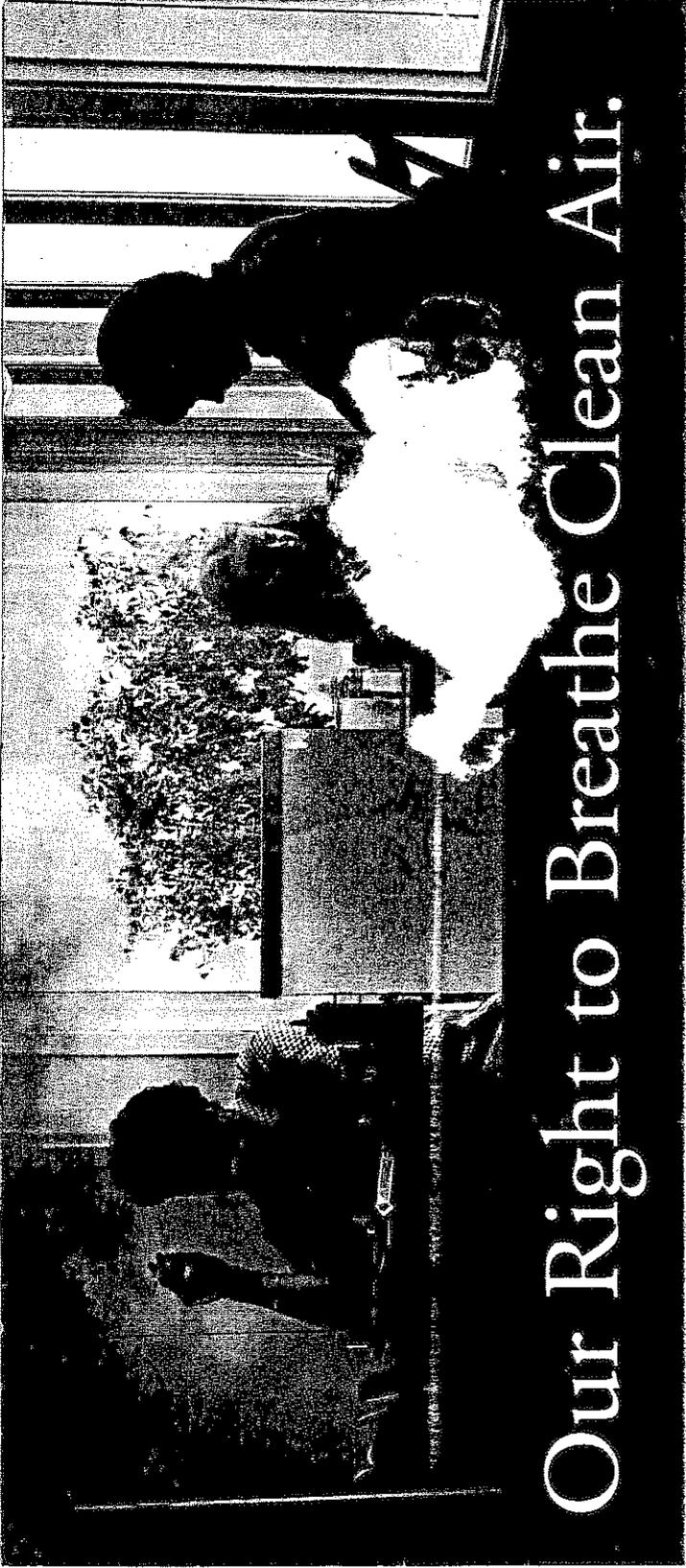
His Right to Smoke or...

Paid for by
Yes FOR Smoke Free Air Committee
5733 S. 34th St. Suite 500
Lincoln, NE 68516



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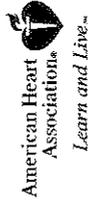


Our Right to Breathe Clean Air.

Please remember to vote 'Yes' FOR Ordinance No. 18396 to preserve our right to breathe clean air, free from smoke in restaurants and indoor public places.

Yes FOR Smoke-Free Air.
For more information please visit

www.ClearNebraskaAir.org.



...that be
...thon-
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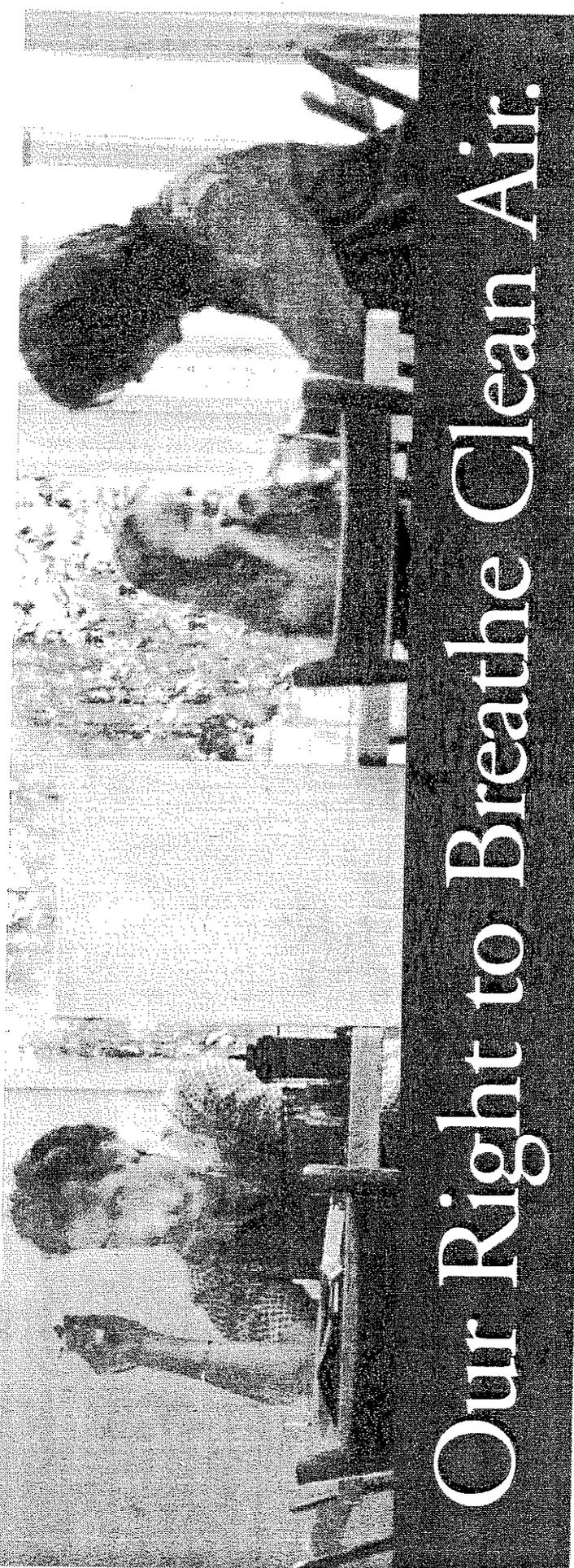
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...said. "Some
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...out of Fallujah
...by these
...terrorists."



Our Right to Breathe Clean Air.

Vote FOR Ordinance No. 18396
on your ballot tomorrow
 to preserve our right to be free from smoke
 in restaurants and indoor public places.



American Heart Association
 Learn and Live.

Paid for by Yes FOR Smoke Free Air Committee, 5753 South 34 Street, Suite 500, Lincoln, NE 68516

TOTAL SMOKING BAN referendum language

CITY OF LINCOLN Referendum on Ordinance

Referendum on Ordinance No. 18396 which created a new Chapter 8.50, which makes it unlawful for any person to smoke inside a place of employment or a public place and makes it unlawful for a proprietor to allow smoking in a place of employment or public place* and which repealed Lincoln Municipal Code Chapter 8.48, in its entirety, which also prohibits smoking in indoor public places and places of employment but provided additional exceptions thereto.

* THIS ALSO PROVIDES
"ADDITIONAL EXCEPTIONS
THERE TO" IE. 20%
HOTEL ROOMS AND
SMOKING RESEARCH
FACILITIES

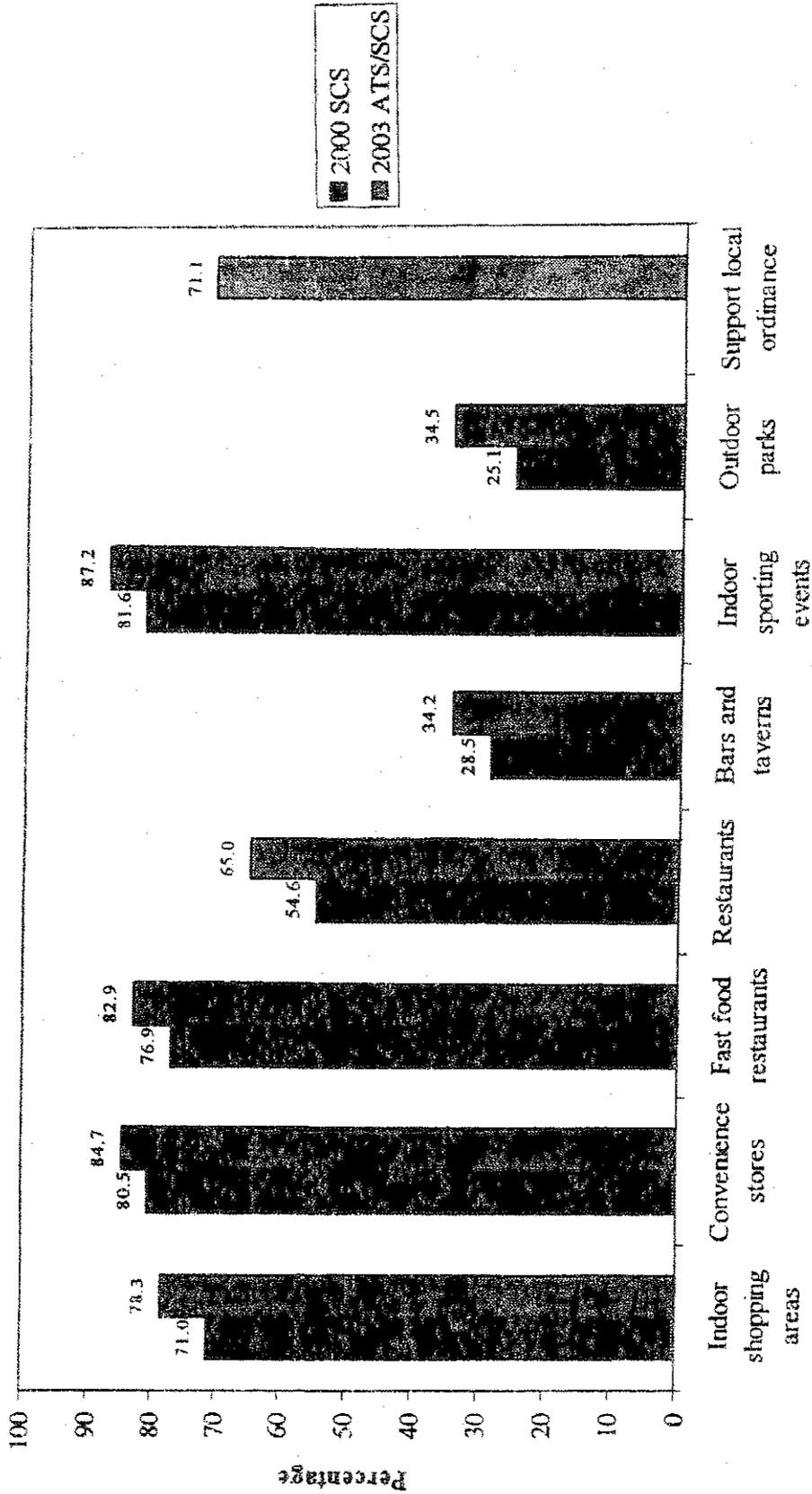


I vote FOR adopting Ordinance No. 18396 which prohibits smoking in indoor public places and places of employment.



I vote AGAINST adopting Ordinance No. 18396 which prohibits smoking in indoor public places and places of employment.

Table 2. Percent of Nebraskans who think that smoking should not be allowed in the following public areas



Nebraskans' Attitudes Toward Secondhand Smoke and Their Support for Smoking Restrictions in Public Places

Summary: Two separate studies conducted by Tobacco Free Nebraska in 2000 and 2003 show that Nebraskans are increasingly aware of the health risks associated with second-hand tobacco smoke and willing to support restrictions on smoking in public places, such as restaurants.

My name is Linda Mueller, and I reside at _____ in Lincoln. I am a bartender at Critters, and my tips are down over 40%, compared to the first two months of last year. What I want to talk about is why, if you wait a year before re-addressing the current smoking ban, it will be too late for many small, "mom & pop" bar owners and the workers they employ.

According to the Lincoln Journal Star's source in Eugene, Oregon:

PLACE "EUGENE" PAGE ON OVERHEAD, and read out loud.

A study of the first-year effects of New York's smoking ban on bars only was conducted by Ridgewood Economic Associates. Brian O'Connor is its founder and president, and has impeccable credentials. He holds a Ph.D. in Economics from the Univ. of Maryland. He has served as a technical consultant to the Federal Trade Commission, and was IBM's Director of US Economics. This is the only study I could find in my internet search which quantitatively looks at the impact of a total ban on bars only.

PUT "NEW YORK" PAGE ON OVERHEAD, and read out loud.

The impact of a total smoking ban in bars in these two cases clearly demonstrates why, for many small businesses, you cannot wait a year before addressing this issue. And, I would even go so far as to say that, if you choose not to address it (now that you have updated information), you are in effect causing the business closings which will surely follow, *and* are accepting, with advance knowledge, responsibility for the loss of their employees' jobs.

Other cities across the country are modifying their "total" smoking bans to exempt some or all of the following business categories: bars, private clubs, tobacco shops, casinos and some alcohol-serving restaurants.

As of April, 2004, only eight states had adopted statewide bans. Of these:

- one modified its ban to exempt bars in 2003, *and*
- four allow exemptions for one or more of the following categories: bars, private clubs, casinos, some alcohol-serving restaurants, and tobacco stores.

I hope that you will re-visit the 60/40 compromise on which you worked so hard. In the six months between passage of the 60/40 ban and its sudden reversal, several businesses began modifying their business plans and buildings in good faith. Three of these businesses spent a total of over \$100,000 toward compliance with the compromise ban. Then, at the end of June 2004, it took only fifteen minutes for you to undo all of this by reverting to the originally-proposed "total" ban. Please give at *least* that amount of time to publicly reconsider the issue, and let the community know where you now stand.

Thank you. Are there any questions?

In the first year of Eugene, OR's smoking ban:

- 13 bars went out of business
- Revenues in surviving businesses went down *and have stayed down* an average of 28%
- Over 180 employees lost their jobs
- Revenues from video lottery machines went down *and have stayed down* over 25%.

(Sources: Claude Matteson, mgr. Embers Restaurant in Eugene, and Lou Torres of the Oregon Lottery.)

In the first year of New York's smoking ban, the direct economic losses to bars and their workers were:

- 2000 jobs lost (11% of bar/tavern employment)
- \$28.5 million lost in wages
- \$37 million lost in sales of gross state product

The economic impact on businesses that just *supply and service* bars was:

- 650 jobs lost
- \$21.5 million lost in earnings
- \$34.5 million lost in sales of gross state product

Source: *The Economic Impact of the New York State Smoking Ban on New York's Bars* [study conducted by Ridgewood Economic Associates (REA); analysis based on data collected by New York State Department of Labor, the U.S. Census Bureau and the U.S. Department of Labor].

My name is Katie Kohl , and I am a part-time cocktail waitress at Critters Bar. I am also a single mother of a 6-old son.

As an employee, my tips are down an average of 50% from what they were for the first two months of 2004, and I am occasionally sent home early or called and told not to come in at all because of the decrease in business since the total ban went into effect. I am fortunate to have a boyfriend who has been helping me make up for the lost income. Not every single mom is so lucky.

Part of why I chose part-time cocktailing is it gave me more time with my son than a traditional, 40-hours/week job. The other part is that I have no formal education, and only limited experience outside my present occupation. I'm worried about being able to find a job that will equal my income prior to the ban.

As a mother, I am also concerned about which Parks and Recreation programs and activities are going to be impacted by the drop in Big Red Keno revenue. Are any neighborhood pools going to be closed?

On behalf of all the single moms working in this field, please consider returning to the 60/40 compromise ban.

City of Lincoln
Planning Department
555 S. 10th Street, Room 213
Lincoln, NE 68508

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

RECEIVED
MAR 03 2005
CITY COUNCIL
OFFICE

As a Registered Voter of the City of Lincoln and as a concerned member of Faith Lutheran Church and School, I am writing to protest the proposed building of a Walmart Super Center on 84th & Adams St., right next to our Church and School and Touching Hearts Early Child Center.

I am especially concerned about the safety and security of our nearly 300 children because such a large business will attract added traffic and possible crime.

I'm not sure I would be too happy to see an auto lube center directly in front of our future sanctuary every time I came out of a church service.

My concerns are many: Drainage toward our property, Lights 24/7, Litter, Parking which could overflow to our lots, Much truck traffic, Noise, Etc.

Besides the unfavorable impact on our ministry, I'm wondering what impact Walmart would have on other small businesses in this area.

I am not opposed to Walmart in general but I wonder about their wanting to build next to my church and school.

Therefore I emphatically protest.

Sincerely,



Henrietta Hartman
3142 N. 72 Street
Lincoln, NE 68507

RECEIVED

MAR 03 2005

CITY COUNCIL
OFFICE

city council
Keep the Ride for five going. please dont
stop it. I use the Ride for five ticket
alot. It helps me get to alot of places.
"for example" downtown. Its a long way
from my house, as you can see.

Sincerely yours
Mary B. Hilt
3-1-005

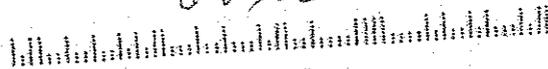
Mary Hilt
2949 Q St.
Lincoln, NE
68503



city council members
555 S. 10th St.
Lincoln, NE
68508

RECEIVED
MAR 03 2005
CITY COUNCIL
OFFICE

6850842810



RECEIVED
MAR 03 2005
CITY COUNCIL
OFFICE

3-2-05

Dear City Council Members,

My name is JOY PAVLISH. I use the ride for five program. I ride the bus to get to work and to access the community. This program is very important. It allows me to afford transportation. It would be difficult for me if this program did not continue. Star Trans Passes are very expensive for me. Please keep this program going. I know many people that it helps a lot. I ride the bus every day. I am thankful for this program because I don't have very much money. If this ended I would have to make some hard choices of what to cut out of my budget.

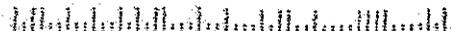
3105 North Hill Rd apt 308
Lincoln Ne 68504

Thank You

Joy Pavlish



City Council Member
555 So 10th St
Lincoln Ne 685



MARCH 2nd 2005

RECEIVED

MAR 03 2005

CITY COUNCIL
OFFICE

TO: CITY COUNCIL MEMBERS,

I LIKE TO SAY THE RIDE FOR FIVE PROGRAM HAS HELPED ME ALOT. TO GET TO MY APPOINTMENTS AND TO PLACES THAT ARE IN NEED FOR MY SELF SUCH AS EVEN TO GET MY GROCERIES AT THE STORE. I DO THINK ALOT OF PEOPLE DO BENEFIT FROM THIS PROGRAM ESPECIALLY THE PEOPLE WHO HAVE LOW INCOME GUIDELINES IN THERE LIVES. WITHOUT THIS PROGRAM THERE WOULD BE A LOT OF INDIVIDUALS EVEN FAMILYS NOT BEING ABLE TO GET TO THERE PLACES OF IMPORTANTS FOR THERE LIVES OF DAILY LIVING SITUATIONS IT WOULD BE REALLY SAD TO SEE A GOOD PROGRAM TO BE DROPPED. I HOPE THAT THE PROGRAM WILL STAY A SUCCESS OF GOODNESS FOR ALOT OF PEOPLE DO USE THIS PROGRAM.

Date 3-2-05 Signed NORMA J. Goodteacher (A BUS RIDER)
A Concerned person who believes this program
will be missed if its dropped.

My Address: OF Contact if needed

NORMA J. Goodteacher

2612 1/2 S. 9th

Lincoln, NE. 68502

NO Phone - Currently -

Dear City Council,

I would be homeless right now if I didn't have the bus pass for \$5. I got to work on the bus on time every morning and it helped me tremendously. I have no bike or car and I am a mental health patient as well as a medically challenged person on meds which make it unsafe to ride a bike or drive.

Please please please keep this program going. It has been very beneficial to me.

Thank you

Charlett Hogrefe
1909 F Street #10
Lincoln, Ne
68510

RECEIVED

MAR 03 2005

CITY COUNCIL
OFFICE

[Handwritten signature]

**ADDENDUM
TO
DIRECTORS' AGENDA
MONDAY, MARCH 7, 2005**

I. MAYOR

1. NEWS RELEASE - RE: 21 Educational Access To Air Girls State Tourney Games-Lincoln Northeast, Southeast to have all tourney games televised-(Council received this Release in their Thursday packets on 03/03/05) (See Release)
2. NEWS RELEASE - RE: Bryan LGH and ST. Elizabeth Receive Community Conscience Award-Mary Hepburn O'Shea honored for individual achievement-(See Release)
3. NEWS ADVISORY - RE: Mayor Seng's Public Schedule Week of March 5-11, 2005-Schedule subject to change-(See Release)

II. CITY CLERK - NONE

III. CORRESPONDENCE

A. COUNCIL REQUESTS/CORRESPONDENCE

JON CAMP

1. E-Mail from Kimberly Adair to Jon Camp with response from Jon Camp-RE: The "Ride for Five" Program offered by StarTran is coming up for review -(See E-Mail)
2. E-Mail from Steven Greenhut to Jon Camp - RE: In Eminent Domain case, curt threatens to shred a bedrock protection of private property-(See E-Mail)
3. Response E-Mail from Jon Camp to Bruce & Brenda Toney - RE: Snow Removal Damage -(See E-Mail)

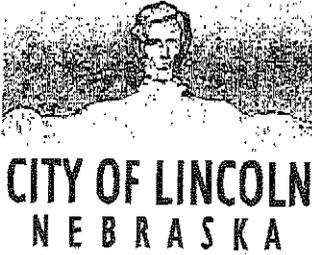
B. DIRECTORS AND DEPARTMENT HEADS

COUNTY COMMISSIONERS

1. Memo from Gwen Thorpe, Deputy Chief Administrative Officer - RE: Application for Recreational Trails Program Grant Funds for Motor Sports Facility at Abbott Sports Complex-(See Memo)

C. MISCELLANEOUS

1. E-Mail from Sue Dutton, Social Worker at Lincoln High School- RE: The "Ride for Five" discounted bus passes to have greatly helped numerous low income high school students -(See E-Mail)
2. E-Mail from Kimberly Adair - RE: The "Ride for Five" Program -a plea for myself and the many others like myself for you to continue the "Ride for Five" program-(See E-Mail)
3. E-Mail from L.E. Schneider - RE: Thinks that if Mr. Hammond wants to build another convention hotel in Lincoln he should go the route that every other private citizen takes and that is to buy out the existing businesses at the going rate - (See E-Mail)
4. E-Mail from Sandra Lab - RE: The proposed hotel -(See E-Mail)
5. E-Mail from Vernon Forbes - RE: 'Thank you' for your vote to remove the proposed tennis courts from the new Master Plan for Woods Park -(See E-Mail)
6. E-Mail from Kris Strand, Cedars TLP/SOS - RE: Reduced Cost Bus Passes-(See E-Mail)
7. E-Mail from Fred Freytag - RE: Woods Park master plan -(See E-Mail)
8. E-Mail from Cheri Miller, Program Manager, CEDARS Freeway Station - RE: Bus passes -(See E-Mail)
9. Letter from Ron Sisel - RE: 05-26 w/ 05R-51 -Change of Zone 05003 & Miscellaneous 05001 - Lighting Issue-(See Letter)
10. E-Mail from Carol Petersen - RE: Woods Park survival -(See E-Mail)
11. E-Mail from Bruce & Brenda Toney - RE: We filed a claim against the city for damage to our sprinklers and lawn caused by the carelessness of snow removal on our street. We received a letter of denial quoting Ordinance 14.80.020 -(See E-Mail)



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: March 2, 2005**FOR MORE INFORMATION:** Bill Luxford, 5-CITY TV, 441-6688

Dave Norris, Citizen Information Center, 441-7547

21 EDUCATIONAL ACCESS TO AIR GIRLS STATE TOURNEY GAMES

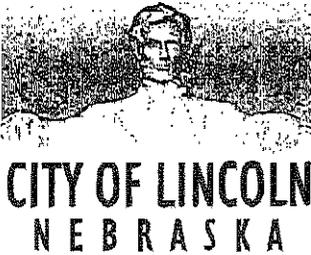
Lincoln Northeast, Southeast to have all tourney games televised

21 Educational Access (Time Warner Cable channel 21 in Lincoln) will televise, on a taped-delay basis, all Girls State High School Basketball Tournament games involving Lincoln Northeast and Lincoln Southeast High Schools. Should either team reach Saturday's championship game, it also will be rebroadcast on 21 Educational Access using video provided by KOLN/KGIN-TV.

The rebroadcasts will begin at 7 p.m. Monday, March 7. First-round games from the Devaney Sports Center are Lincoln Northeast vs. Omaha Burke and Lincoln Southeast vs. Bellevue East. A program schedule can be found on the City Web site at lincoln.ne.gov (click on the 5 CITY-TV icon, then "Monthly Program Guide," Channel 21).

"We've received very good response since Channel 21 added local high school and collegiate sports to the program schedule," said Bill Luxford, Director of Operations for 5 CITY-TV and 21 Educational Access. "We're pleased to be able to provide this public service and to help promote local sports teams and schools, while at the same time, better utilize the resources that 21 Educational Access has to offer."

Luxford said that 21 Educational Access has rebroadcast more than 50 games since the fall of 2004, including local private high school basketball and Nebraska Wesleyan University football and basketball. Sports programming on 21 Educational Access has been sponsored by the Lincoln Electric System in cooperation with the Nebraska State Activities Association.



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

DATE: March 3, 2005

FOR RELEASE AT 7:30 A.M. MARCH 4, 2004

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

BRYANLGH AND ST. ELIZABETH RECEIVE COMMUNITY CONSCIENCE AWARD

Mary Hepburn O'Shea honored for individual achievement

Mayor Coleen J. Seng presented BryanLGH Medical Center and St. Elizabeth Regional Medical Center with the Mayor's Community Conscience Award for 2005 at a breakfast ceremony this morning at the Embassy Suites Hotel. The award was established in 2000 to honor local businesses for their generosity, civic spirit and community leadership. Mary Hepburn O'Shea was presented with a special Individual Achievement Award.

BryanLGH and St. Elizabeth were honored in part for their contributions to the People's Health Center (PHC), a non-profit organization established in August 2002. PHC at 1021 North 27th Street provides health and dental services to the uninsured or under-insured. The two medical centers each made a \$150,000 cash contribution to PHC and assisted in securing \$650,000 from the Community Health Endowment to build, equip and furnish the center. BryanLGH also helped secure about \$700,000 in additional federal funding and \$280,000 in financing through a bank collaborative lead by Union Bank. St. Elizabeth also helped secure \$250,000 in low-cost financing through the Catholic Health Initiatives.

"The People's Health Center is a great example of this community coming together to fill a need," said Mayor Seng. "I applaud BryanLGH and St. Elizabeth for their commitment to this project and to the health of our community."

Hepburn O'Shea has been working in the mental health field in Lincoln for 40 years. In 1963, she and her husband started O.U.R. Homes, initially welcoming eight people into their home. She and her family now employ about 100 people, operating facilities with more 300 residents and 160 people in adult day centers. Hepburn O'Shea has served on the boards of many mental health and social service organizations. She helped started Tabitha Home Health Care and Personal Crisis Service and she is currently Vice-President of the Beatrice State Developmental Center Parents and Friends.

- more -

Community Conscience Award**March 3, 2005****Page Two**

"Mary's motto is, 'If people need something, help them get it. If the resource is not there, then use your creativity and do it yourself,'" said Mayor Seng. "That is what Mary has done in our community for more than 40 years."

The awards breakfast featured Jim Fram, President of the Lincoln Chamber of Commerce, as the keynote speaker. The award winners were chosen by a committee of local business leaders. Previous winners were Pfizer in 2000, Ameritas in 2001, NEBCO in 2002, the *Lincoln Journal Star* in 2003 and State Farm in 2004. Brad Korell, former President of Wells Fargo-Lincoln Bank, received the individual achievement award in 2004, the first year it was presented..

The breakfast presentation was taped by 5 CITY-TV to air on the government access cable channel. A schedule is available on the City Web site at lincoln.ne.gov.



**CITY OF LINCOLN
NEBRASKA**

NEWS ADVISORY

MAYOR COLEEN J. SENG

lincoln.ne.gov

Date: March 4, 2005

Contact: Diane Gonzolas, Citizen Information Center, 441-7831

Mayor Seng's Public Schedule Week of March 5-11, 2005 *Schedule subject to change*

Saturday, March 5

- Funeral for Sue Bailey Jackson - 2 p.m., Unitarian Church, 6300 "A" Street

Sunday, March 6

- Firefighters Union Local 644 Retirees Award Banquet, remarks - 6 p.m., Firefighters Union Hall, 241 Applecreek Road

Monday, March 7

- City-County Common Meeting - 7:30 a.m., County-City Building, room 113, 555 South 10th Street

Tuesday, March 8

- Choices Awareness Week, proclamation - noon, Cornhusker Hotel, 333 South 13th Street
- International Women's Day, welcome - 6 p.m., Lincoln Women's Club, 407 South 14th Street

Wednesday, March 9

- Mayor's Youth Advisory Board - 4:30 p.m., Mayor's Conference Room, 555 South 10th Street

Thursday, March 10

- News Conference introducing CityHome™ Clean Air Program - 10 a.m., StarTran, 710 "J" Street
- Girl Scout proclamation - 3:15 p.m., Everett Elementary School, 1123 "C" Street
- Mayor's Neighborhood Roundtable - 4:30 p.m., County-City Building, room 113, 555 South 10th Street

Friday, March 11

- Delta Kappa Gamma Forum, welcome - 9 a.m., Nebraska State Education Association, second-floor conference room, 605 South 14th Street
- Weaving Women's Voices luncheon, remarks - 11:30 a.m., Cornhusker Hotel, 333 South 13th Street



Joan V Ray
03/04/05 09:10 AM

To: CouncilPacket/Notes@Notes
cc:
Subject: Fwd: Ride for Five



----- Forwarded by Joan V Ray/Notes on 03/04/2005 09:12 AM -----



CAMPJON@aol.com
03/03/2005 05:41 PM

To: jray@ci.lincoln.ne.us (City Council)
cc:
Subject: Fwd: Ride for Five

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

----- Message from "Bluelines Drafting & Plotting" <bluelines@alltel.net> on Thu, 3 Mar 2005 09:49:08 -0600 -----

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

Subject Ride for Five

:
Dear Mr. Camp,

It has come to my attention that the "Ride for Five" program offered by Star Tran is coming up for review. I have also been told that this review is to decide the fate of the program. I am sending this e-mail as a plea for myself and the many others like myself, for you to continue the "Ride for Five" program.

This program has been a God sent blessing for my family. I am a working single parent with 2 children in public school. We rely greatly on Star Tran for transportation. The "Ride for Five" program saves my family about \$900.00 a year on bus passes. Without it I would pay over \$600.00 per year just to get my children to and from school (not including my transportation needs). This is quite a chunk of money when you consider that it is nearly 10% of my annual gross income.

There have been times in the past year when I have had to choose between food/clothing for my kids or a bus pass to get them to school. On other occasions I have had to go to friends and family for the money. With "Ride for Five" I don't have to make tough or embarrassing choices like that. It also allows me to be more aggressive in my hunt for better employment. It is much easier to come up with \$15.00 a month vs. \$90.00.

I hope that during this review that you will keep in mind the positive long-term effects of how this kind of savings can impact the lives of the people using it. It opens new doors of opportunities and can potentially benefit the community. Working citizens means citizens spending money and paying taxes. If these people have a reliable and affordable way to get to work they will go (unless they are just plain lazy). Added bonuses such as health (walking to a bus stop) & environmental (pollution) can be considered benefits as well. Sometimes it is the seemingly most insignificant things that can have great impact in people's lives. In my opinion this is one of those things. Thank you for your time.

Sincerely,
Kimberly S. Adair

----- Forwarded by Joan V Ray/Notes on 03/04/2005 09:12 AM -----



CAMPJON@aol.com
03/03/2005 05:42 PM

To: jray@ci.lincoln.ne.us (City Council)
cc:
Subject: Fwd: StarTran

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

----- Message from CAMP JON on Thu, 03 Mar 2005 18:41:37 -0500 -----

To: bluelines@alltel.net

Subject StarTran

Kimberly:

Thank you for your experiences with the StarTran bus pass program. I am pleased that this has benefited you and your family.

The City Council is reviewing the success of the program over these past several months to determine what, if any, adjustments need to be made. Your input is very helpful to me.

Jon

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

----- Forwarded by Joan V Ray/Notes on 03/04/2005 09:12 AM -----



CAMPJON@aol.com
03/03/2005 06:05 PM

To: jray@ci.lincoln.ne.us (City Council)
cc:
Subject: Fwd: Would appreciate you reading this

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

----- Message from "Jim Clause" <klausnet@inebraska.com> on Thu, 3 Mar 2005 08:34:31 -0600 -----

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

Subject Would appreciate you reading
: this

I would think you may find this interesting. I have a great problem with the city using eminent-domain procedures in any case involving private businesses on both ends of the situation, no matter how well-intentioned the reasons. It may be legal but it seems to be immoral!

*Thank you for your time,
Jim Clause*

Steven Greenhut

In eminent domain case, court threatens to shred a bedrock protection of private property

After a landmark eminent-domain case was argued before the U.S. Supreme Court last week, I'm left with the depressing realization that the court is populated with justices who are not capable of making the most basic constitutional distinctions, or of even understanding the crucial property-rights issue at stake.

The case, *Kelo v. the city of New London (Conn.)*, involves this question posed to the court: "Does the Public Use Clause of the Fifth Amendment permit condemnation of private property for transfer to other private parties solely for the purpose of promoting 'economic development'?"

Any Joe off the street could understand the Fifth Amendment's simple words. No person shall be "deprived of life, liberty or property without due process of the law; nor shall private property be taken for public use without just compensation."

So, the government cannot kill you, imprison you or take your stuff without giving you a chance to make your case, and it can take your stuff only for a public use. And it must pay you a fair price for it. Yet the justices, like those medieval scholars who argued about the number of angels who can dance on the head of a pin, seemed to be focused on irrelevancies and unable to grasp the fundamental issues.

"Do you really want the courts in the business of deciding whether a hospital will be successful ... or a road will be successful?" asked Justice Sandra Day O'Connor.

Well, the issue here is whether the state can take property from one private property owner and give it to another private owner for the sake of economic development. Nothing in this case in any way questions the ability of government to take property for a genuinely "public use," such as a road, hospital, prison or school. For the longest time, the courts had no trouble distinguishing a road from a chain store.

And, excuse me for noticing, shouldn't the justices be more concerned about the civil liberties of individuals than about inconveniences placed on the government?

In Kelo, the city of New London handed over its eminent-domain power to a private development corporation that cleared away part of a working-class neighborhood along the waterfront. Fort Trumball is a prime location, and many of the Victorian-era homes had been in the families for generations. But the city helped pharmaceutical giant Pfizer build a large research facility nearby, and wanted to create upscale shopping and condominiums to cater to the new corporate center.

Many property owners sold their homes to the city to avoid a long legal battle. But several decided to fight. Defended by the libertarian legal group, the Institute for Justice, the homeowners, including Susette Kelo, argued that it is clearly not a public use to remove one set of homeowners in order to benefit another set - i.e., the new owners of the proposed condominiums.

Since 1954, when the Supreme Court upheld a Washington urban renewal plan that involved transferring private property from some owners to others, cities have justified their eminent-domain powers in the name of blight removal, which the courts found to be an acceptable "public use." But rust never sleeps, and government officials kept pushing the envelope to find broader justifications for taking property from Peter and giving it to Paul.

In 1981, the Michigan Supreme Court upheld the city of Detroit's plan to remove a thriving 400-acre-plus neighborhood to make way for a General

Motors assembly plant. That case was overturned last July by the state Supreme Court, 23 years too late for the residents whose homes and businesses were destroyed on behalf of a powerful corporate player promising economic development benefits to a city.

In July, however, the Michigan court relied on the clear words of the Constitution. Public use means public use, not private benefit. The court agreed with the property owners who had brought the lawsuit that under the current situation, no one in America has secure property rights. If a government can justify eminent domain based on the elastic term "economic development," then any property is fair game — as long as a city finds a new use that will pay a higher rate of taxes than the current use.

Orange County, Calif., residents saw that in Cypress, where the City Council declared eminent domain in 2002 to stop a church from building on its property, to sell the land at a discounted price to Costco. The city's rationale was clear: Churches don't pay taxes, Costco pays large amounts of taxes. Voila, the transfer is a public use under such thinking. Fortunately, federal Judge David O. Carter thought otherwise, making a sound constitutional argument on behalf of property rights.

But the current crop of Supreme Court justices, with the exception of Antonin Scalia and perhaps Clarence Thomas (who was apparently silent) and William Rehnquist (who was absent), did not seem to grasp the basic precepts at stake in Kelo.

"The rationale for this is essentially the rationale for the railroads, the public utilities and so on: there isn't another practical way to do it," said Justice David Souter. This is a straw man. The case isn't about roads, but about the transfer of private property from homeowners and small business owners to big business.

Even the attorney representing the city of New London acknowledged that point. He agreed wholeheartedly that it would be appropriate for a city to use eminent domain to take a Motel 6 in order to give it to Ritz-Carlton because Ritz-Carlton appealed to a more upscale clientele and would therefore provide more money to the city budget.

What particularly outraged Susette Kelo was the idea that she would be

driven from her home to give that land to a developer who would then build a home for someone else. Under current law, the government can pick winners and losers for virtually any reason, and whenever it does such it invariably favors the wealthy and well-connected over the poor or politically underrepresented.

Many liberals, who claim the high road in their concern for the poor and working people, seem unable to grasp the connection between upholding property rights and helping average Americans.

In a Los Angeles Times op-ed last week, New York trial lawyer Martin Garbus defended the government in the Kelo case, asking: "Do we really want to allow the court to obstruct socially desirable legislation in the name of the property rights of corporations?" Actually, it is the property rights of folks like Susette Kelo that are being sacrificed here for the "socially desirable" goal of a sort of corporate welfare for the likes of Pfizer and the retail and real-estate firms who would occupy the land where Kelo's house now sits.

Instead of sticking up for the downtrodden, liberal Justice Ruth Bader Ginsburg couldn't understand what was wrong with the process, given that New London was only trying to "build (the city) up and get more jobs."

Never mind that such promises — building things up — rarely materialize. The GM Poletown plant, for example, although still operating, never came close to providing the promised economic benefits.

Regardless of whether government central planning pans out, the fact is that the Constitution — the document the high court is supposed to defend and interpret — is about protecting individuals from the government, not about protecting the government's interests.

What about the reality that governments often fail to give property owners due process?

The justices — even Scalia — seemed concerned that a decision in favor of the property owners would mean that the courts would be forced to review each individual government taking. But, as eminent-domain attorney Chris Sutton of Pasadena, Calif., explains, the courts are more than willing to review cases of individual liberty when it comes to freedom of speech, religion or other constitutional rights. Why is property so different?

And only Justice Stephen Breyer seemed concerned that governments often underpay property owners. But instead of wanting to rein in government power, he talked about finding a way to revisit the issue of just compensation. Again, this is not the core principle at stake.

We'll see what happens when the decision is announced this summer. I'm left concerned not only about the state of property rights in America, but at the state of the high court where, apparently, the simple words of the Constitution count for little. ●

Steven Greenhut is senior editorial writer and columnist for The Orange County Register. He is author of the new book, "Abuse of Power: How the Government Misuses Eminent Domain."

Handwritten mark at the top right of the page.

Handwritten signature of Joan V Ray.

Joan V Ray
03/07/05 09:20 AM

To: CouncilPacket/Notes@Notes
cc:
Subject: Snow Removal Damage

----- Forwarded by Joan V Ray/Notes on 03/07/2005 09:24 AM -----



CAMPJON@aol.com
03/06/2005 11:28 AM

To: btoney@neb.rr.com
cc: jray@ci.lincoln.ne.us (City Council), dpodany@ci.lincoln.ne.us (Darrell Podany)
Subject: Snow Removal Damage

Bruce and Brenda:

Thank you for your email. I will pursue this matter as I have noticed much more damage this past year (or years) to areas adjacent to the street. For example, curbs are being mutilated and will be very expensive to replace. We have enough difficulty keeping up with sidewalks. . .how can Lincoln afford to replace curbs.

As for your claim, I will ask questions. Generally, the City takes no responsibility for damage to the area in the right of way (ROW), which is usually measured from the center of the street to a few feet beyond your sidewalk. Thus, the area between the curb and sidewalk is ROW and while you are responsible for its maintenance, the City generally denies reimbursement for damage.

Perhaps where there are actions amounting to negligence, compensation would be in order. I fear that the City Attorney will tell the City Council that if we allow your claim, the floodgates will be opened to hundreds of other claims.

Again, I will ask questions. At a minimum, I hope to get the Public Works Department to modify its procedures and get the drivers of snow plows to be more careful.

Thank you for your well-written email. There were no photos attached to my copy, but perhaps the photos are with other materials at the City Council office.

Best regards,

Jon

--

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

LANCASTER COUNTY BOARD OF COMMISSIONERS

COUNTY-CITY BUILDING
555 South 10th Street, Room 110
Lincoln, Nebraska 68508
Phone: (402) 441-7447
Fax: (402) 441-6301
E-mail: commish@co.lancaster.ne.us

COMMISSIONERS

Bernie Heier
Larry Hudkins
Deb Schorr
Ray Stevens
Bob Workman
Chief Administrative Officer
Kerry P. Eagan
Deputy Chief Administrative Officer
Gwen Thorpe

RECEIVED

MAR 04 2005

CITY COUNCIL
OFFICE

MEMORANDUM

TO: Mayor Coleen Seng
Lincoln City Council
Planning Commission

FROM: Gwen Thorpe, Deputy Chief Administrative Officer

DATE: March 4, 2005

RE: Application for Recreational Trails Program Grant Funds for Motor Sports Facility at Abbott Sports Complex

The Lancaster County Board of Commissioners took action at its staff meeting on Thursday, March 3, 2005, to co-sponsor a grant application with the Lower Platte South Natural Resources District to seek funds from the Nebraska State Game and Parks Commission's Recreational Trails Program for the development of a motor sports facility to be located at the Abbott Sports Complex at 7600 N. 70 Street.

The Board is pleased to be a partner in this endeavor. When received, these funds will assist Abbott Sports Foundation in their desire to develop a motor sports facility of a quality consistent with the athletic fields on their site.

cc: County Board
Kerry Eagan, Chief Administrative Officer



Joan V Ray
03/03/05 04:56 PM

To: CouncilPacket/Notes@Notes
cc:
Subject: InterLinc: Council Feedback

----- Forwarded by Joan V Ray/Notes on 03/03/2005 05:00 PM -----



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

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

03/02/2005 10:29 PM

InterLinc: City Council Feedback for
General Council

Name: Sue Dutton
Address: 2801 O'Reilly Dr.
City: Lincoln, NE 68502

Phone: 402-423-3665
Fax:
Email: sdutton@lps.org

Comment or Question:

Dear Mr. Cook,

As a social worker at Lincoln High School I have found the "Ride for Five" discounted bus passes to have greatly helped numerous low income high school students. As a result of the discounted passes I have seen more students arrive at Lincoln High school on time, attendance has increased and students have been able to get to and from after school employment. Should these passes be eliminated many of our low income students would again find themselves without adequate and reliable transportation. Low income teens are without their own cars and rely heavily on public transportation. Please do all within your ability to continue to fund discounted bus passes for low income individuals. Thank you. Sue Dutton



Joan V Ray
03/03/05 04:59 PM

To: CouncilPacket/Notes@Notes
cc:
Subject: InterLinc: Council Feedback

----- Forwarded by Joan V Ray/Notes on 03/03/2005 05:03 PM -----



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

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

03/03/2005 09:46 AM

InterLinc: City Council Feedback for
General Council

Name: Kimberly S. Adair
Address: 5021 S 48th Street
City: Lincoln, NE 68516

Phone: 402.484.8606
Fax:
Email: KSADAIR@ALLTEL.NET

Comment or Question:
Dear Council Members,

It has come to my attention that the "Ride for Five" program offered by Star Tran is coming up for review. I have also been told that this review is to decide the fate of the program. I am sending this e-mail as a plea for myself and the many others like myself, for you to continue the "Ride for Five" program.

This program has been a God sent blessing for my family. I am a working single parent with 2 children in public school. We rely greatly on Star Tran for transportation. The "Ride for Five" program saves my family about \$900.00 a year on bus passes. Without it I would pay over \$600.00 per year just to get my children to and from school (not including my transportation needs). This is quite a chunk of money when you consider that it is nearly 10% of my annual gross income.

There have been times in the past year when I have had to choose between food/clothing for my kids or a bus pass to get them to school. On other occasions I have had to go to friends and family for the money. With "Ride for Five" I don't have to make tough or embarrassing choices like that. It also allows me to be more aggressive in my hunt for better employment. It is much easier to come up with \$15.00 a month vs. \$90.00.

I hope that during this review that you will keep in mind the positive long-term effects of how this kind of savings can impact the lives of the people using it. It opens new doors of opportunities and can potentially benefit the community. Working citizens means citizens spending money and paying taxes. If these people have a reliable and affordable way to get to work they will go (unless they are just plain lazy). Added bonuses such as health (walking to a bus stop) & environmental (pollution) can be considered benefits as well. Sometimes it is the seemingly most insignificant things that can have great impact in people's lives. In my opinion this is one of those

things. Thank you for your time.

Sincerely,
Kimberly S. Adair



Joan V Ray
03/03/05 05:00 PM

To: CouncilPacket/Notes@Notes
cc:
Subject: InterLinc: Feedback

----- Forwarded by Joan V Ray/Notes on 03/03/2005 05:03 PM -----

Diane K Gonzolas
03/03/2005 09:47 AM

To: mayor@lincoln.ne.gov, Joan V Ray/Notes@Notes
cc:
Subject: InterLinc: Feedback

----- Forwarded by Diane K Gonzolas/Notes on 03/03/05 09:48 AM -----



Heather M Bennett
03/03/05 08:49 AM

To: Diane K Gonzolas/Notes@Notes
cc:
Subject: InterLinc: Feedback

Heather Bennett
Graphic Designer
Citizen Information Center
City of Lincoln
402.441.6801

----- Forwarded by Heather M Bennett/Notes on 03/03/2005 08:51 AM -----



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

To: Web Assistant <webhelp@lincoln.ne.gov>
cc:
Subject: InterLinc: Feedback

03/02/2005 07:31 PM

InterLinc: Feedback

Name: L.E. Schneider
Addr: 1701 No. 54th St.
Location: Lincoln, NE
Phone: (402) 464-005
Fax:
Email: lejks19@earthlink.net

Comments:

I think that if Mr. Hammond wants to build another convention hotel in Lincoln he should go the route that every other private citizen takes and that is to buy out the existing businesses at the going rate. Emminent Domain is for municiple projects for the public good. I repeat EMINENT DOMAIN IS FOR MUNICIPAL PROJECTS FOR THE PUBLIC GOOD. It does no good to argue that this project is going to be for the public good. It may or may not be. But this provision was not made for private enterprises and transacations. It stinks to high heaven. It does not make me nervous that other cities are willing to give him what he wants. I am ashamed of the Mayor's Office and anyone on the city council who is going to endorse this use of a mechanism that was created so that cities could build projects and infrastructures for the public good-not for personal gain. NOT FOR PRIVATE CITIZENS. No matter how you justify it. It lookes very bad. That's all I have to say.



Joan V Ray
03/04/05 10:08 AM

To: CouncilPacket/Notes@Notes
cc:
Subject: Re: copy to all council members

----- Forwarded by Joan V Ray/Notes on 03/04/2005 10:10 AM -----



Joan V Ray
03/04/2005 10:07 AM

To: Sandra Lab <blazingcomet45@yahoo.com>
cc:
Subject: Re: copy to all council members 

Dear Ms. Lab: 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

Sandra Lab <blazingcomet45@yahoo.com>



Sandra Lab
<blazingcomet45@yahoo.com>
oo.com>

03/03/2005 11:22 PM

To: council@ci.lincoln.ne.us
cc:
Subject: copy to all council members

I find it interesting that the city is involved with what should be a private matter. I am talking about negotiations for the proposed hotel. My father owned a business and when another party wanted to purchase it, the city did not get involved with it. They let both interested parties settle it. The person who is interested in the land and businesses should be the one to actively doing the negotiations. The city has lots of other things that they should be focusing on.

Sandra Lab

Celebrate Yahoo!'s 10th Birthday!
[Yahoo! Netrospective: 100 Moments of the Web](#)



Joan V Ray
03/03/05 05:03 PM

To: CouncilPacket/Notes@Notes
cc:
Subject: Re: Thank You

----- Forwarded by Joan V Ray/Notes on 03/03/2005 05:07 PM -----



Joan V Ray
03/03/2005 02:59 PM

To: "Jo Forbes" <forbes1973@neb.rr.com>
cc:
Subject: Re: Thank You 

Dear Mr. Forbes: 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

"Jo Forbes" <forbes1973@neb.rr.com>



"Jo Forbes"
<forbes1973@neb.rr.com>

03/03/2005 02:21 PM

To: <council@ci.lincoln.ne.us>
cc:
Subject: Thank You

As a neighbor of Woods Park, I wish to thank you for your time and attention in listening to the issues and in particular for your vote to remove the proposed tennis courts from the new Master Plan. It is my hope that in the future, the remainder of Woods Park can become an area of natural tranquility as has been done in New York City's Central Park. Thank you. Vernon Forbes, 602 South 32 Street.



Joan V Ray
03/04/05 03:19 PM

To: CouncilPacket/Notes@Notes
cc:
Subject: Reduced Cost Bus Passes

----- Forwarded by Joan V Ray/Notes on 03/04/2005 03:21 PM -----



Kris Strand
<KStrand@cedars-kids
.org>
03/04/2005 02:26 PM

To: "council@ci.lincoln.ne.us" <council@ci.lincoln.ne.us>
cc:
Subject: Reduced Cost Bus Passes

I wanted to let you know how useful the CEDARS Transitional Living and Street Outreach programs have found the reduced cost bus passes. We work with youth 16-21 who are on their own and rely on public transportation to get to school and work. This helps them with their budgeting.

Kris Strand
CEDARS TLP/SOS
437-8890

Warning!! Federal Privacy Regulations apply to this transmission! Any unlawful uses or disclosures of any individually identifiable information about CEDARS Youth Services clients or family members contained in or attached to this email are punishable by law.



Joan V Ray
03/04/05 03:20 PM

To: CouncilPacket/Notes@Notes
cc:
Subject: Woods Park master plan

----- Forwarded by Joan V Ray/Notes on 03/04/2005 03:22 PM -----



Fred Freytag
<fredfreytag@binary.net>
03/04/2005 01:21 PM

To: City Council <council@ci.lincoln.ne.us>
cc:
Subject: Woods Park master plan

To all City Council Members:

I hereby want to thank all of you for being so patient in listening to the concerns expressed by all neighbors to Woods Park at Monday's council meeting. I and all concerned neighbors appreciate your vote to remove the future tennis courts from the master plan and adopting the revised plan unanimously. All this good action has inspired neighbors to talk about holding a celebration in the park later this year to celebrate the open space and start fundraising for new amenities on the master plan. Good things bring more good things lets keep moving in that direction.

We hope that some of you will help bring forward a resolution to protect Woods Park from losing more land or closing our the general public from free use of parkland.

Sincerely

--

Fred Freytag
530 S 38th



Joan V Ray
03/04/05 03:56 PM

To: CouncilPacket/Notes@Notes
cc:
Subject: Re: bus passes

----- Forwarded by Joan V Ray/Notes on 03/04/2005 03:58 PM -----



Joan V Ray
03/04/2005 03:56 PM

To: Cheri Miller <CMiller@cedars-kids.org>
cc:
Subject: Re: bus passes 

Dear Ms. Miller: 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

Cheri Miller <CMiller@cedars-kids.org>



Cheri Miller
<CMiller@cedars-kids.org>

03/04/2005 03:41 PM

To: "'council@ci.lincoln.ne.us'" <council@ci.lincoln.ne.us>
cc:
Subject: bus passes

I work at CEDARS Freeway Station and I wanted to let you know that the reduced bus passes have greatly benefited the population that we work with in the shelter. We are working with youth and their families, some are homeless and many are at the poverty level and below. This provides them with mobility and self-sufficiency skills. Please keep this program alive.

Cheri Miller Program Manager

WARNING---Federal Privacy regulations apply to this transmission! Any unlawful uses or disclosures of any individually identifiable health information about CEDARS Youth Services client or family member contained in or attached to this email are punishable by law.

RECEIVED

MAR 07 2005

CITY COUNCIL

OFFICE

DEAR COUNCIL MEMBERS:

WHEN THE EARLIER PARKING LOT STANDARD WAS ADOPTED, I BELIEVE THIS RESIDENTIAL ASPECT OF LIGHTING CONTROL WAS INTENTIONALLY OMITTED. I AM GLAD TO SEE THIS CORRECTION MADE NOW AND ACTUALLY A LITTLE SURPRISED WITH SOMUCH ON THE AGENDA. (READ - UNPREPARED)

HAVING NOT SEEN THE SPECIFICS, I WOULD LIKE TO BRING UP SEVERAL POINTS.

① SOME MAY FEIGN MAKING NEEDED CHANGES BUT WILL NOT COOPERATE UNLESS THEY ARE SUBJECT TO REAL PUNITIVE MEASURES. BUILDING & SAFETY WILL NEED SUCH TOOLS TO BE EFFECTIVE. (THEY DONT NEED ANOTHER HEADACHE LIKE CAR LOTS AND SETBACKS)

② "GLARE" OF VISIBLE BURNING, INTERNAL ELEMENTS OF ANY FIXTURE CAN BE VERY DISTURBING AND CAUSE PROBLEMS UP TO 400 YARDS AWAY. (POPULAR EXAMPLE: 1000 WATT WHITE METAL HALIDE) GLARE MUST BE CONTROLLED BY PROPER INSTALLATION, EXACT AIMING AND SHIELDING OR HOODS.

③ SOME AREAS ARE SIMPLY TREMENDOUSLY AND INEFFICIENTLY OVERLIT. GAS STATION CANOPIES ARE SEEMINGLY WELL ABOVE DAYLIGHT LEVELS AND LIGHT FIXTURES BELONG (SHIELDED) IN THE CANOPY BODY, NOT HANGING BELOW IT.

~~④ ^{"LIGHTING"} THERE ARE TRESPASS NEIGHBORS IN MANY RESIDENTIAL BLOCKS. THEIR POOR AIMING OF THE CHEAPEST (YET VERY VISUALLY DISABLING) FIXTURES, SUCH AS "SECURITY LIGHTS," ON CONTINUOUSLY, ONLY BLINDS EVERYONE ELSE AND LESSENS TRUE SECURITY.~~

NOT RELEVANT WITH THIS ISSUE

SPENDING A LITTLE MORE FOR BETTER FIXTURES AND TAKING THE TIME FOR PROPER PLANNING, PLACEMENT AND INSTALLATION RESULTS IN BETTER SECURITY AND ILLUMINATION QUALITIES AT LESSER OPERATING COST.

"OVERSPILL" INTO RESIDENTIAL AREAS IS POOR ILLUMINATION, COMPLETELY WASTED ENERGY AND HAS MANY NEGATIVE EFFECTS ON THE QUALITY OF LIFE (PRIVACY, PERSONAL USE, STRESS, HEALTH) OF THOSE FORCED TO ABSORB IT.

THESE CODE ADDITIONS ARE ONLY
COMMON SENSE AND BENEFIT
EVERYONE INVOLVED. THANKS
TO ALL OF YOU WHO BROUGHT
THESE CHANGES FORWARD.

SINCERELY,

Ron Sisel

RON SISEL
1010 W. P ST
LINCOLN, NE 68528
(402) 475-8543



Joan V Ray
03/07/05 09:17 AM

To: CouncilPacket/Notes@Notes
cc:
Subject: Re: Woods Park survival

----- Forwarded by Joan V Ray/Notes on 03/07/2005 09:21 AM -----



Joan V Ray
03/07/2005 09:16 AM

To: "carol" <carol@inetnebr.com>
cc:
Subject: Re: Woods Park survival

Dear Ms. Petersen: 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

"carol" <carol@inetnebr.com>



"carol"
<carol@inetnebr.com>
03/05/2005 11:19 AM

To: <council@ci.lincoln.ne.us>
cc:
Subject: Woods Park survival

It is a pleasure to be wrong. I really did not believe that the council would stop the chipping away of Woods Park. I have lived here since 1977 and have watched events of the last few years with horror. The ball diamond and Health Dept seemed like the last straw. Thank you for your vote to stop the building of MORE tennis courts. We really appreciate it!

Carol Petersen
445 So 29th street
Lincoln, Nebr.



Joan V Ray
03/07/05 09:19 AM

To: CouncilPacket/Notes@Notes
cc:
Subject: InterLinc: Council Feedback

----- Forwarded by Joan V Ray/Notes on 03/07/2005 09:22 AM -----



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

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

03/05/2005 06:15 PM

InterLinc: City Council Feedback for
General Council

Name: Bruce and Brenda Toney
Address: 5800 Cuthills Court
City: Lincoln, NE 68526

Phone: 402-327-0371
Fax:
Email: btoney@neb.rr.com

Comment or Question:

We filed a claim against the city for damage to our sprinklers and lawn caused by the carelessness of snow removal on our street. We received a letter of denial quoting Ordinance 14.80.020 (d) (5).

We ask that our claim be reviewed further. The ordinance states the city is not responsible for damage caused for reasons of maintenance or repair work including snow removal. Our position is that there wasn't any maintenance or repair work being done in the grassy area near the sprinkler head and so there was no reason for the blade to be on that area. The damage was caused because the driver was reckless and driving too fast for conditions.

We enclosed a few photographs that show the damage to the grass and sprinkler. There are also photographs of damage the blade caused to the city street towards the middle of the cul-de-sac. This is the first time in 7 ½ years since we have lived at this address that there has been damage to the street or any property near our home caused by snow removal.

To summarize, the city hired someone to clear snow from the street. If that person drove in a slow safe manner the damage never would have occurred. However, the driver was careless, reckless, drove too fast for conditions and should be held accountable. Because of the driver's carelessness, there was damage to our sod and sprinkler which we feel should be paid by the city.

Our letter of denial states that this will be on the agenda for the March 7th Council Meeting. Thank you for time in reviewing our claim.

Bruce and Brenda Toney

**DIRECTORS' MEETING
MINUTES
MONDAY, MARCH 7, 2005
CONFERENCE ROOM 113**

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

Others Present: Mayor Coleen Seng, Mark Bowen, Ann Harrell, Darl Naumann, Lin Quenzer, Mayor's Office; City Clerk, Joan Ross; Dana Roper, City Attorney; Directors and Department Heads; Tammy Grammer, City Council Staff and Deena, Winter, Lincoln Journal Star Representative.

I. MAYOR

Mayor Coleen Seng stated Friday was Corrie Kielty's last day in the Mayor's Office and last day to work with the City. Replacing Corrie (Kielty) in her office as an Aide will be Rick Hoppe, he will be assigned to work with Aging Services, Fire, Health, Library, Personnel, Affirmative Action, Human Rights Commission, all those things Corrie (Kielty) worked with. In addition, he will work with the Joint Budget Committee and assume the duties for coordinating appointments to all of the various boards and commissions within City government. Rick (Hoppe) comes to the City with a rather extensive background and understanding of State and local government. He has worked with the Legislature in areas of Health & Human Services, he will be extremely helpful as he works with the Human Services locally. He has worked in the Nebraska Legislature as a Legislative Aide to two different State Senators as well as serving as a Research Analysis to the Legislatures Health & Human Service Committee, so that's going to help them in a number of ways. Also, he has managed his own marketing company, he is a native of Lincoln and he graduated from Lincoln Northeast and University of Nebraska-Lincoln. Rick (Hoppe) will start on April 1st so that will leave a month that several of them will be picking up some of those meetings that person normally covers.

This week she will probably be spending a good deal of time on the CIP portion of their budget, they are getting ready for Council next Monday (March 14th).

Mayor Seng called on Directors. Ann Harrell (Interim Director of Public Works & Utilities Department) reported there was a water main break on 84th Street down to “A” Street that occurred last night at 9:00 p.m. They have been working on it since then the back fill is now in place, the water, the power and so forth are all restored. It primarily effected the Indian Hills Community Church, but the water underlined two lanes of traffic on 84th Street so there is a traffic problem right there. They’re hoping to have it all restored tomorrow, but the other they’ll just have to try to take care of it.

There was an accident over the weekend downtown where a DLA maintenance vehicle struck a pedestrian, so they’re working their way through that and Police Chief Casady probably knows more about the details of the accident. The reason they might want to know is because the City does have ownership of those vehicles as DLA operators of four vehicles through contractual obligations to the City for maintenance downtown. So they’re working with DLA very closely through Risk Management to take care of what needs to be done. Mr. Werner asked if she has a report on the condition of the victim? Ms. Harrell stated the person is in the hospital and was in intensive care yesterday, but she doesn’t have an actual condition report and asked Chief Casady if he does. Chief Casady replied no just in intensive care. Mr. Friendt commented the media report indicated the driver was not ticketed. Chief Casady replied it’s really typical for them when they have serious injury accidents to not ticket the driver of the vehicle they believe may have violated the law until they know what the condition of the injured person is going to be. So a lot of times when you read that in the newspaper it doesn’t mean they are not going to be ticketed, they are waiting to find out what the condition is so they don’t file the wrong charge.

Lynn Johnson (Parks & Recreation) reported there is construction going on out at Gateway. They are expanding the building to the west and there is a piece of sculpture out there that’s about 25 feet tall [inaudible] the neighborhood is bound for prairie. Mr. Johnson noted that it is next to what use to be the old Bishop Buffet building. They have offered the sculpture to the City on a very quick time frame and they are probably going to be picking it up early this week. Then they’re going to work through the process of working with the Parks & Recreation Advisory Board, Lincoln Arts Council and ultimately the City Council to formally accept the piece of sculpture. The two pipes [inaudible] water has come into those for a period of years and had frozen and thawed so the pipes are cracked and damaged at this point and pretty corroded. So they’ll be replacing those at a pretty minimal cost, it will be our welder doing the work and he’s guessing it will probably be late summer before they actually have a location. But right now tentatively they are thinking about the east entrance on Fremont at Mahoney Park so it stays some where in northeast Lincoln. Mr. Johnson commented they will put it in the shop because they didn’t really allow them enough

time frame to work through the process the way they should of and they know that so that's why this one is a little odd. The City Council needs to make that determination about whether they will accept it or not and they know there's a chance this would get to Council and they would say we're not interested.

Bonnie Coffey (Women's Commission) stated the deadline for purchasing tickets for their annual luncheon was last Friday, but they can make certain arrangements to those who may not have purchased tickets yet. Ms. Coffey noted it's on Friday beginning at 11:30 a.m. so let her know if they would still like tickets.

Diane Gonzolas reminded Council that the Mayor's Town Hall Meeting is next Monday evening (March 14th) at Scott Middle School. The reception starts at 7:00 p.m. and the televised portion will be 7:30 p.m. to 8:30 p.m. and they hope they can make it.

Mayor Seng commented the last thing she had which Don Herz talked about today the independent audit. She just wants to say that she's really distressed that this keeps appearing in various places from the Chambers of Commerce that acts as though they do not have an independent audit function and she thinks they got their wording mixed up from what she can understand. They've had an audit like this since way back in time and they're required by the charter to have it and she's really concerned that it might effect their bond rating, but maybe it's not going to.

Mr. Werner asked about some events listed on their attend sheet. He thinks the Downtown Master Plan Community Workshop scheduled for April 5th has been cancelled. Marvin Krout replied yes and they will have to send out a cancellation notice. Mr. Werner commented okay, Council can disregard this event.

There was also an e-mail in their packet about celebrating the second edition of 'The Inter-American Day of Culture' will there be an event on April 14th. Mr. Werner noted this is also on their attend sheet and asked if there's an event planned by the Mayor's Office. Mayor Seng replied no. Mr. Werner commented okay, Council can ignore this one as well.

Mr. Werner noted it has been a while since they've met so they have the 21st & 28th Directors' Meetings.

Ms. Newman asked June Pederson (Aging Services) to give a brief summary of Katherine Freund's visit? Ms. Newman commented she thought it was very interesting.

June Pederson (Aging Services) stated they had the opportunity to visit with a woman named Katherine Freund who came from Maine. She is the National Director of a program called 'ITN' (Independent Transportation Network), it's a program where you have a facilitator or director who organizes and structures rides provided by volunteers in automobiles. People pay for this in many ways, some of them by donating an automobile they can no longer drive, others by providing rides to others in such a way they get credit for it. It's a need that we have in the City in many ways, taxi service simply does not provide the opportunities that people need and this is a 24/7 program. Ms. Pederson reported that 'ITN' is developing a business plan through an organization at 'MIT' and it should be ready in July. They're hoping to help facilitate by inventor capital to start a program like this, it will not be part of Aging Services, it's a separate vital one C3 program, they see the need as being very high. One of the statistics they know is that women give up their opportunities to drive because they simply can not see or it is not possible for them and they live on an average 11 years after that point and men live 6 years after they give up their car and these are national statistics. So they are looking at that program, they realize that there are lots of areas to look at that the PSC will probably be the first step, but they think that if they can convince them that this is true they have Liberty Service and it's working in other parts of the country that they would be able to bring it to Lincoln so they're looking forward to that. Ms. Pederson commented she has information about it if anyone else would like something sent to them.

- *1. NEWS RELEASE - RE: Open House Planned For Improvements In South 27th And Yankee Hill Area. — NO COMMENTS
- *2. Washington Report - February 11, 2005. — NO COMMENTS
- **3. NEWS ADVISORY- RE: Members of the media are invited to cover all the Abraham Lincoln Celebration events from Noon to 6:00 p.m. on Sunday, February 20th at North Star High School. — NO COMMENTS
- **4. NEWS ADVISORY - RE: Mayor Seng's Public Schedule Week of February 19-25, 2005-Schedule subject to change. — NO COMMENTS
- **5. Washington Report - February 18, 2005. — NO COMMENTS
- 6. NEWS RELEASE -RE: Mayor's Town Hall Set For March 14th. — NO COMMENTS

7. NEWS RELEASE - RE: City Council Candidate Debate Set For March 7th- Debate to air on 5 CITY-TV. — NO COMMENTS

II. DIRECTORS

FINANCE

1. 2004 Comprehensive Annual Financial Report (CAFR) (Council hard copies of this Report placed in their file folders on 3/02/05)(NOTE: This Report is on line at the Finance Department's website, pgs. 166). — NO COMMENTS
2. BKD Letter to Management following their audit. — NO COMMENTS

FINANCE/BUDGET

1. Reports from Steve Hubka - RE: February Sales Tax Reports. — NO COMMENTS

FINANCE DEPARTMENT/CITY TREASURER

- *1. Monthly City Cash Report - City of Lincoln-Pledged Collateral Statement - January 31, 2005. — NO COMMENTS
- **2. EMS Cash Receipts/Expenditure Data - FY 2004-05. — NO COMMENTS
- **3. Material from Don Herz, Finance Director & Melinda J. Jones, City Treasurer - RE: Resolution & Finance Department, Treasurer of Lincoln, Nebraska - Investments Purchased February 7 thru February 18, 2005. — NO COMMENTS

PARKS & RECREATION

- **1. Material - RE: Tree Easements. — NO COMMENTS

PERSONNEL

- **1. Memo from Don Taute - RE: Bill #05-10 - response to the Action from the February 14, 2005 meeting, Item #22 on the Agenda. — NO COMMENTS

PLANNING

- *1. Letter from Brian Will to Kent Braasch, Essex Corporation - RE: The Preserve on Antelope Creek 7th Addition-Final Plat #04094 generally located at South 80th Street and Pioneers Blvd.— NO COMMENTS
- **2. Message from Jean Walker RE: Wal-Mart Public Hearing Postponement Notice. — NO COMMENTS
3. Response E-Mail from Marvin Krout to Terry Werner - RE: Hwy 34 Apartment Development. — NO COMMENTS

PLANNING COMMISSION FINAL ACTION

- *1. Special Permit No. 1816A (Continuation of soil excavation operation-N.W. 40th & West Vine Streets) Resolution No. PC-00902. — NO COMMENTS
2. Use Permit No. 145A (Adjustment to O-3 Office Park District sign requirements-Pine Lake Plaza, South 84th Street and Highway 2) Resolution No. PC-00903. — NO COMMENTS

PUBLIC WORKS & UTILITIES

- *1. Public Works & Utilities ADVISORY - RE: Pre-Construction Open House-South 27th Street and Yankee Hill Road Improvements-Project Numbers 701668, 701662, 701596B. — NO COMMENTS
- **2. Letter & Motion-To-Amend #1 from Michael Brienzo, Transportation Planning, Public Works Dept. to Marvin Krout, Planning Director-RE: Transportation Amendments for the US-77 Highway Improvements: Lincoln West Beltway. — NO COMMENTS
- **3. Memo & Map from Nicole Fleck-Tooze - RE: Item #4 - 05-19 on City Council Agenda-Proposed 2005 Storm Sewer & Drainage System-GO Bond Issue-General Project Locations. — NO COMMENTS
4. Memo from Steve Masters & Gary Brandt - RE: Multi-Year Funding of Wastewater Capital Improvement Projects. — NO COMMENTS

WEED CONTROL AUTHORITY

- *1. Combined Weed Program-City of Lincoln-January 2005 Monthly Report. — NO COMMENTS

WOMEN'S COMMISSION

- 1. Director's Report from Bonnie Coffey - February 2005. — NO COMMENTS

III. CITY CLERK

City Clerk Joan Ross stated on the Agenda for today there are no liquor applications.

Items 1, 2 & 3 will be called together. *[05-24, Annexation 04010-Amending the Lincoln Corporate Limits Map by annexing approximately 24.33 acres of property generally located southeast of S.W. 40th Street and West A Street.; 05R-50, Approving an Annexation Agreement between the City and Janet H. Broer and Erich H. Broer outlining certain conditions and understandings with regards to the annexation of approximately 24.33 acres of property generally located southeast of S.W. 40th Street and West A Street.; and 05-25, Change of Zone 04070-Application of Joey Hausmann for a change of zone from AGR Agricultural Residential District to R-3 Residential District on property generally located southeast of S.W. 40th Street and West A Street.]*

Items 4 & 5 will be called together. *[05-26, Change of Zone 05003-Amending Title 27 of the Lincoln Municipal Code by adding a section to Chapter 27.71, Additional Height and Area Regulations, to require that all outdoor lighting be designed, installed and maintained in accordance with all applicable lighting design standards adopted by the City Council.; and 05R-51, Miscellaneous 05001-Amending the City of Lincoln Design Standards by adding a new chapter under Title 3 entitled Outdoor Lighting relating to light trespass from non-residential uses upon residential uses.]*

She handed out to Council a Motion-To-Amend relating to Item 11. What this does is remove the claim of MNB Insurance from the denied to the allowed settled claims so she needs a motion during the meeting. *[05R-47, Accepting the report of new and pending claims against the City and approving disposition of claims set forth therein for the period of February 1-15, 2005.]*

There are some items on “Miscellaneous Referral” that are pretty routine. The Clerk’s letter and Mayor’s approval of ordinances & resolutions passed by Council on February 28, 2005; The Lincoln Water & Wastewater System Recapitulation of Daily Cash Receipts for February 2005; The City of Lincoln’s audited Comprehensive Annual Financial Report for fiscal year 2003/2004. All these reports placed on file in the City Clerk’s Office.

- *1. Letter from Deputy City Clerk Teresa J. Meier to D.O. & J.O., Inc., DBA O’Rourke’s Tavern - RE: Please be advised that the Lincoln City Council, on 2/14/05, continued the public hearing & action on the application of O’Rourke’s Tavern to Feb. 28th - City Council requires your attendance at the meeting & requests a computerized mock-up of the design of the 6 ft. fence to be used. — NO COMMENTS

IV. COUNCIL

A. COUNCIL REQUESTS/CORRESPONDENCE

JON CAMP

Mr. Camp commented to Ann Harrell (Interim Director of Public Works) regarding “A” Street that Ken (Svoboda) and I had an inquiry from Ann Geary about the deterioration of “A” Street and he thinks the response from Public Works was that the deterioration is there but it wasn’t [inaudible]. Ann Harrell commented if she was an engineer she thinks she would say that there’s a distinction you make between repairing something like a pothole that poses an immediate danger and evaluating a road to the status of a complete rehabilitation project. But, how one exactly makes that decision she would rather have Roger Figard here to answer that question for him. Mr. Camp stated okay.

Mr. Camp stated he had an inquiry regarding snow plows and he talked to Karl Fredrickson the other day about it that they’ve had a lot of curb damage. They’ve had claims report of denial for someone who had the sprinkler system and the terrace that was damaged, but it seems like the snow plows are getting out of hand. Mr. Camp commented if you look downtown or any where on curbs they are just nailing them and slicing off the concrete, so what can they do about it because that is just going to be a huge cost to the City. Ann Harrell replied she don’t know, certainly one can remind the snow plow operators that in theory they are trying not to take out curbs. But she knows they are also under a lot of pressure to try to do the best job that they can back to the curb. Ms. Harrell stated to Mr. Camp that she will certainly mention it to Bill Nass’s Division that he made that observation and remind them of it.

1. Request to Finance Department RE: Storm Sewer Bond Issue Project Expenses (RFI #88 - 02-18-05). — **1.) SEE RESPONSE FROM PUBLIC WORKS & UTILITIES DEPARTMENT RECEIVED ON RFI#88-02/23/05.** — NO COMMENTS
- **2. E-mail correspondence to Jon Camp from Rob Simon RE: Eminent Domain Process. — NO COMMENTS
- **3. E-mail to Jon Camp from John Hornyak - RE: 24 Hour Lighting on the Livingston Property. — NO COMMENTS

JONATHAN COOK - NO COMMENTS

1. **OUTSTANDING** Request to **Public Works & Utilities Department** - RE: Snow plowed onto sidewalks repeatedly (RFI#122 - 01/11/05). — NO COMMENTS

GLENN FRIENDT

Mr. Friendt asked Mike Merwick about the number to report the illegal political signs since they are now in the season? Mike Merwick stated Building & Safety handles those and the contact person is Mike Petersen at 441-6445.

1. Request to ~~Marc Wullschleger, Urban Development Director~~ /Lynn Johnson, Parks & Recreation Director - RE: Next steps for the University Place property vacation (RFI#41-02/02/05). — **1.) SEE RESPONSE FROM MARC WULLSCHLEGER, URBAN DEVELOPMENT DIRECTOR RECEIVED ON RFI#41-02/09/05.** — NO COMMENTS

ANNETTE McROY - NO COMMENTS

1. Request to Don Taute, Personnel Director RE: Breakdown for Each Department for specifically requested information on M-Class Employees for Years 1995, 2000 and 2003 (**RFI #164 - 02-18-05** - Joint Request w/P.Newman). — NO COMMENTS

KEN SVOBODA

Mr. Svoboda asked the Mayor's Office where they are with the Humane Society contract or have they been paid? Mark Bowen stated the claim was approved and was paid last week for the first three months. Mayor Seng commented the three past due December, January & February. Mr. Bowen commented Dana (Roper) and I are still looking at the ongoing portion remainder of the year.

PATTE NEWMAN

1. Request to Ann Harrell, Acting Public Works Director/~~Larry Worth, StarTran~~ - RE: Larry Worth's memo summarizing the StarTran Town Hall Meeting on Jan. 22nd (RFI#29-02/08/05). — 1.) **SEE RESPONSE FROM LARRY WORTH, STARTRAN RECEIVED ON RFI#29-02/10/05.** — Ms. Newman stated this Request For Information (#29) can be removed from the Agenda.
2. Request to Don Taute, Personnel Director RE: Breakdown for Each Department for specifically requested information on M-Class Employees for Years 1995, 2000 and 2003 (**RFI #30 - 02-18-05** - Joint Request w/A. McRoy). — NO COMMENTS
- **3. E-mail to Patte Newman from Paul Marxhausen with response from Joan Ray - RE: Note on Wal-Mart, 84th & Adams. — Ms. Newman stated this item can be removed from the Agenda.
- **4. E-mail to Patte Newman from Todd Wicken, R.O.W. Division, Property Management - RE: The proposed Wal-Mart at 84th & Adams. — Ms. Newman stated this item can be removed from the Agenda.
- **5. E-mail to Patte Newman from Brandon Koll & Shelley Longsine - RE: Woods Park Master Plan. — Ms. Newman stated this item can be removed from the Agenda.

TERRY WERNER - NO COMMENTS

V. MISCELLANEOUS

- *1. E-mail from Melissa Landis - RE: Support Change of Zone #05003 & Miscellaneous #05001(Council received a copy of this E-Mail on 2/14/05). — NO COMMENTS
- *2. E-mail from Fernando Pages - RE: 405 S. 26th Street (Council received on 2/14/05). — NO COMMENTS
- *3. E-mail from Fernando Pages - RE: 405 S. 26th Street (Council received on 2/14/05). — NO COMMENTS
- *4. E-mail from Congressman Emanuel Cleaver, II - RE: Regional Mayors' Summit on Friday, February 18, 2005 - (Council received on 2/14/05). — NO COMMENTS
- *5. E-mail from Tim & Ellen Kraft - RE: Smoking Ordinance. — NO COMMENTS
- **6. E-mail from Peggy Struwe, President of the Hawley Area Neighborhood Association RE: COZ #05003 & Miscellaneous #05001 (Lighting Standards for Businesses that abut residential zoning districts. — NO COMMENTS
- **7. E-mail from Mary Roseberry-Brown - RE: Proposed Hotel Development- Eminent domain for hotel. — NO COMMENTS
- **8. E-mail from John Ewald, Senior, Palmyra High School- RE: 'Thank you' was present at the Jan. 31st Council meeting- voting to waive the impact fee for the veterinary office. — NO COMMENTS
- **9. E-mail from Jay Edmiston - RE: Wal-Mart at 84th & Adams. — NO COMMENTS
- **10. E-mail from Nancy Thyparambil, Faith Lutheran School - RE: Wal-Mart at 84th & Adams. — NO COMMENTS
- **11. E-mail from Larry Giebelhaus-RE: Smoking Ban. — NO COMMENTS
- **12. E-mail from Joseph W. Johnson, Jr.-RE: Eminent Domain. — NO COMMENTS

- **13. Letter from Brian & Dana Meves - RE: The proposed Wal-Mart at 84th & Adams. — NO COMMENTS
- **14. E-mail from David Oenbring - RE: Eminent Domain. — NO COMMENTS
- **15. Letter from Polly McMullen, President, Downtown Lincoln Association; & Michelle Waite, Chair, Downtown Lincoln Association to Mark Hunzeker, Pierson Fitchett Law Firm - RE: On behalf of the DLA Executive Committee, we thank you for joining us at our February 15th meeting to discuss proposed changes to the downtown theater policy which your client, Dr. Greg Sutton, intends to submit to the City. — NO COMMENTS
- **16. E-mail from Jim Johnson - RE: Don't water down the Living Wage ordinance! — NO COMMENTS
- **17. E-mail from Michael & Shari Luft - RE: The proposed Wal-Mart Super Center. — NO COMMENTS
- **18. E-mail from Jo Forbes - RE: Woods Park Tennis Courts. — NO COMMENTS
- **19. E-Mail from Mel Meister - RE: Against the City putting another hotel downtown and destroying many small businesses that are located on that block. — NO COMMENTS
- **20. E-mail from Kenneth & Ada Bishop - RE: Eminent Domain. — NO COMMENTS
- **21. Letter from Rick Meyer - RE: The Capital Humane Society contract. — NO COMMENTS
- **22. E-mail from Janelle Lamb - RE: Proposed Hotel Site and Eminent Domain. — NO COMMENTS
- **23. E-mail from David Lamb - RE: Eminent Domain. — NO COMMENTS
- **24. E-mail from Jessica A. Swift, RD, LMNT - RE: Opposed to Hotel Project. — NO COMMENTS
- **25. E-mail from Joseph W. Johnson, Jr. - RE: Eminent Domain. — NO COMMENTS

- **26. E-mail from Roger Yant - RE: Eminent Domain. — NO COMMENTS
- **27. E-mail from Jack Graziano - RE: Eminent Domain BBR. — NO COMMENTS
- **28. E-mail from Joe Durante - RE: Hotel Development. — NO COMMENTS
- **29. E-mail from Karon Harris - RE: Wal-Mart Proposal at 84th & Adams. — NO COMMENTS
- **30. E-mail from Doyle Adams - RE: The proposed Wal-Mart at 84th & Adams. — NO COMMENTS
- **31. Letter from Michael McDannel - RE: Opposed-Woods Park Master Plan. — NO COMMENTS
- **32. Letter from Richard Kimbrough - RE: Eminent Domain. — NO COMMENTS
- 33. Letter from Danny Walker, President, South Salt Creek Community Organization - RE: SSCCO response to memo dated February 11, 2005-4th Street Corridor. — NO COMMENTS
- 34. Letter & Material from Ron Davis - RE: Bellyaching About the Costs of Providing Treatment For Heart Patients and about a Severe Drop In Revenue Due to Competition. — NO COMMENTS
- 35. E-Mail from Fred Freytag - RE: Woods Park Master Plan -(Council received on 2/28/05 before evening Council Meeting). — NO COMMENTS
- 36. 4 -E-Mail's from Paul Haith; Lois Wenzl; Sherry Freytag; Jeff Jacoby;- RE: Eminent Domain -(Council received on 2/28/05 before evening Council Meeting). — NO COMMENTS
- 37. E-Mail from JD Burt - RE: Woods Park Tennis Courts -(Council received on 2/28/05 during the evening Council Meeting).— NO COMMENTS
- 38. E-Mail from Jarod & Stacey Mundt - RE: Eminent Domain -(Council received on 2/28/05 during the evening Council Meeting).— NO COMMENTS

39. E-Mail from Sandra Johnson, Woods Park resident - RE: 'Thank you' for your unanimous vote to amend the Woods Park Comprehensive Plan to eliminate the 3 tennis courts.— NO COMMENTS
40. E-Mail from Ed Schnabel - RE: Tennis Courts. — NO COMMENTS
41. E-Mail from Ed Schnabel - RE: John Q. and 17th & P-Q. — NO COMMENTS
42. Letter from Sharon Welch - RE: The ride for five program has been a great benefit for me. — NO COMMENTS
43. Letter from Linda Fischer - RE: The Wal-Mart proposal at 84th & Adams. — NO COMMENTS
44. Letter from John Dlouhy - RE: The Wal-Mart proposal at 84th & Adams. — NO COMMENTS
45. Letter from Sandra Jane Remus - RE: Proposed Wal-Mart Supercenter at 84th & Adams. — NO COMMENTS
46. Letter from Dr. David L. & Patricia R. Steffens - RE: Proposed Wal-Mart at 84th & Adams. — NO COMMENTS
47. Letter from Ruby Augustine -RE: Eminent Domain. — NO COMMENTS
48. Letter from Dorothy Kreick - RE: Wal-Mart proposed building at 84th & Adams St.— NO COMMENTS
49. Letter from Wynne L. Summers - RE: The proposed Wal-Mart at 84th & Adams St. — NO COMMENTS
50. Letter from Brad & Mary Parker - RE: The proposed Wal-Mart at 84th & Adams St. — NO COMMENTS
51. E-Mail from Ron Cerny - RE: Woods Park Master Plan. — NO COMMENTS
52. E-Mail from Citizen of Nebraska - RE: New hotel downtown.— NO COMMENTS

53. E-Mail from Michael & Carol James - RE: Woods Park Master Plan.— NO COMMENTS
54. E-Mail from Mary Hawk - RE: ‘Thank You’ for your vote on the Woods Park Master Plan. — NO COMMENTS
55. E-Mail from Linda Stringham - RE: The proposed Wal-Mart. — NO COMMENTS
56. Letter from Michael Soyward - RE: The Ride for Five Program has helped me a lot. — NO COMMENTS
57. Letter from Charles Carlson - RE: The Ride for Five Program has helped me a lot. — NO COMMENTS
58. 3 Letters from Jan Karst; Linda Mueller; Katie Kohl; - RE: The Smoking Ban- ‘hard’ copies of 3 of the testimonies presented to you during the “open mic” session of the 2/28 City Council Meeting. — NO COMMENTS
59. Letter from Henrietta Hartman RE: Walmart Super Center on 84th & Adams - Opposed. — NO COMMENTS
60. Letters from Mary B. Hilt, Jody Pavlish, Norma Goodteacher and Elizabeth J. Hogrefe, - each supporting the “Ride for Five” program. — NO COMMENTS

ADDENDUM -(For March 7th)

I. MAYOR

1. NEWS RELEASE - RE: 21 Educational Access To Air Girls State Tourney Games- Lincoln Northeast, Southeast to have all tourney games televised-(Council received this Release in their Thursday packets on 03/03/05). — NO COMMENTS
2. NEWS RELEASE - RE: Bryan LGH and ST. Elizabeth Receive Community Conscience Award-Mary Hepburn O’Shea honored for individual achievement. — NO COMMENTS
3. NEWS ADVISORY - RE: Mayor Seng’s Public Schedule Week of March 5-11, 2005-Schedule subject to change-(See Release). — NO COMMENTS

II. CITY CLERK - NONE

III. CORRESPONDENCE

A. COUNCIL REQUESTS/CORRESPONDENCE

JON CAMP

1. E-Mail from Kimberly Adair to Jon Camp with response from Jon Camp-RE: The “Ride for Five” Program offered by StarTran is coming up for review. — NO COMMENTS
2. E-Mail from Steven Greenhut to Jon Camp - RE: In Eminent Domain case, curt threatens to shred a bedrock protection of private property. — NO COMMENTS
3. Response E-Mail from Jon Camp to Bruce & Brenda Toney - RE: Snow Removal Damage. — Mr. Camp mentioned this issue during his comments under “IV. Council-Jon Camp”. (See that discussion)

B. DIRECTORS AND DEPARTMENT HEADS

COUNTY COMMISSIONERS

1. Memo from Gwen Thorpe, Deputy Chief Administrative Officer - RE: Application for Recreational Trails Program Grant Funds for Motor Sports Facility at Abbott Sports Complex-(See Memo). — NO COMMENTS

C. MISCELLANEOUS

1. E-Mail from Sue Dutton, Social Worker at Lincoln High School- RE: The “Ride for Five” discounted bus passes to have greatly helped numerous low income high school students. — NO COMMENTS
2. E-Mail from Kimberly Adair - RE: The “Ride for Five” Program -a plea for myself and the many others like myself for you to continue the “Ride for Five” program. — NO COMMENTS

3. E-Mail from L.E. Schneider - RE: Thinks that if Mr. Hammond wants to build another convention hotel in Lincoln he should go the route that every other private citizen takes and that is to buy out the existing businesses at the going rate. — NO COMMENTS
4. E-Mail from Sandra Lab - RE: The proposed hotel. — NO COMMENTS
5. E-Mail from Vernon Forbes - RE: 'Thank you' for your vote to remove the proposed tennis courts from the new Master Plan for Woods Park. — NO COMMENTS
6. E-Mail from Kris Strand, Cedars TLP/SOS - RE: Reduced Cost Bus Passes. — NO COMMENTS
7. E-Mail from Fred Freytag - RE: Woods Park master plan. — NO COMMENTS
8. E-Mail from Cheri Miller, Program Manager, CEDARS Freeway Station - RE: Bus passes. — NO COMMENTS
9. Letter from Ron Sisel - RE: 05-26 w/ 05R-51 -Change of Zone 05003 & Miscellaneous 05001 - Lighting Issue. — NO COMMENTS
10. E-Mail from Carol Petersen - RE: Woods Park survival. — NO COMMENTS
11. E-Mail from Bruce & Brenda Toney - RE: We filed a claim against the city for damage to our sprinklers and lawn caused by the carelessness of snow removal on our street. We received a letter of denial quoting Ordinance 14.80.020. — NO COMMENTS

[End of Addendum]

VI. MEETING ADJOURNED - Approximately at 11:32 a.m.

***HELD OVER FROM FEBRUARY 21, 2005.**

****HELD OVER FROM FEBRUARY 28, 2005.**

dm030705/tjg