

**IN LIEU OF
DIRECTORS' MEETING
MONDAY, OCTOBER 29, 2007**

I. MAYOR

1. NEWS RELEASE. Mayor Presents September Award of Excellence to Tim Beckman, Public Works and Utilities Department, StarTran Field Supervisor.
2. NEWS RELEASE. Public Invited to Dedication of Prairie Building Addition Tuesday, October 30, 2007 at 4:00 p.m.
3. Washington Report, October 19, 2007.

II. DIRECTORS

CITY ATTORNEY

1. Memo from City Attorneys' Office Regarding Randy Thimm Claim Against City.
2. Letter to Randy Thimm from Connor Reuter, Assistant City Attorney, Regarding Claim Against City.

FINANCE/BUDGET

1. October Sales Tax Reports for the Month of August:
 - a) Actual Compared to Projected Sales Tax Collections;
 - b) Gross Sales Tax Collection (with Refunds Added Back In) 2002-2003 Through 2007-2008;
 - c) Sales Tax Refunds 2002-2003 Through 2007-2008; and
 - d) Net Sales Tax Collection 2002-2003 Through 2007-2008.

FINANCE/TREASURER

1. Investment Report for Quarter Ending May 31, 2007.

HEALTH DEPARTMENT

1. NEWS RELEASE. Last Household Hazardous Waste Collection.
2. NEWS RELEASE. Safe Kids: Lincoln-Lancaster County Provides Halloween Safety Tips.

PLANNING DEPARTMENT

1. Annexation by Ordinance No. 18991. Effective: October 2, 2007, 39.5 Acres.
2. Memorandum from Marvin Krout, Planning Director. Bike Lanes Update.

PLANNING COMMISSION

1. Action by Planning Commission, October 24, 2007.

PUBLIC WORKS AND UTILITIES

1. ADVISORY. 16" Water Main Project in Holdrege Street to Start. Executive Order No. 79014.

III. CITY CLERK

1. LES Resolution 2007-14.

IV. COUNCIL REQUESTS/CORRESPONDENCE

JONATHAN COOK

1. Correspondence from Alison Stewart. Support of Proposed Bus Routes.

DAN MARVIN

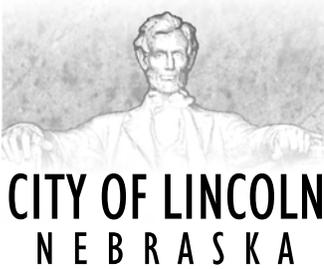
1. Letter from Luke Scholl. Do Not Demolish the Jack Magorian Shooting Range.

V. MISCELLANEOUS

1. Email from Randy Ralston. Approval of Bringing Capital Humane Society into Discussion of Contracting Both Animal Control and Animal Sheltering Services.
2. Email from Darrell and Donna Best. Date of Expiration of Lincoln Fire Departments Emergency Ambulance Contract?

VI. ADJOURNMENT

W:\FILES\CITYCOUN\WP\da102907.wpd.mmm



NEWS RELEASE

MAYOR CHRIS BEUTLER

lincoln.ne.gov

OFFICE OF THE MAYOR

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

FOR IMMEDIATE RELEASE: October 22, 2007

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

MAYOR PRESENTS SEPTEMBER AWARD OF EXCELLENCE

Mayor Chris Beutler today presented the Mayor's Award of Excellence for September to StarTran Field Supervisor Tim Beckman with the Public Works and Utilities Department. The monthly award recognizes City employees who consistently provide exemplary service and work that demonstrates personal commitment to the City. The award was presented at the beginning of today's City Council meeting.

StarTran Operations Superintendent Mike Weston nominated Beckman in the category of productivity. Beckman has worked for the City of Lincoln since 1974.

In August 2007, StarTran began the process of installing new fare boxes in all StarTran buses. The new fare boxes are more technically advanced than the ones being replaced, which resulted in the need for extensive training for StarTran administrative and supervisory staff, bus operators and StarTran patrons.

Beckman received the initial training in July 2007 from the fare box representative and realized the extensive training effort that was necessary in a short period of time. In his nomination, Weston states that Beckman accepted the responsibility of creating the training program.

Within six days, Beckman created a course plan and study guide for fellow trainers and created a schedule to insure all 74 bus operators received proper training on the new boxes. Tim also created an Operator Training Program that included a power point presentation, a highly detailed study guide and a program to enable operators "hands on" practice with the new boxes.

Weston wrote that Beckman dove into this massive project immediately, working nights and weekends. The end product is an impressive, informative training program insuring the transition to the new fare boxes in an efficient and effective manner, reducing the "conversion issues" by all employees and patrons of StarTran.

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

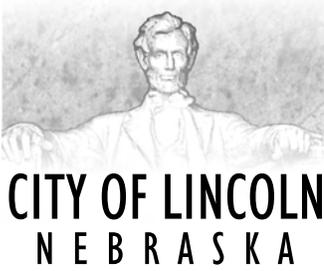
- more -

Award of Excellence

October 22, 2007

Page Two

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



NEWS RELEASE

MAYOR CHRIS BEUTLER

lincoln.ne.gov

OFFICE OF THE MAYOR

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

FOR IMMEDIATE RELEASE: October 23, 2007

FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831
Nancy Furman, Pioneers Park Nature Center, 441-7895

PUBLIC INVITED TO DEDICATION OF PRAIRIE BUILDING ADDITION TUESDAY

Open house and dedication of art panels set for November 11

Mayor Chris Beutler invites the public to several special events coming up at Pioneers Park Nature Center:

- The dedication of the addition to the Prairie Building is at 4 p.m. Tuesday, October 30.
- An open house at the expanded Prairie Building is set for 2 to 4 p.m. Sunday, November 11.
The open house will include the 2 p.m. dedication of the new art panels at the entrance to the Nature Center as well as children's activities and refreshments.

The 3,340-square-foot Prairie Building addition was designed and constructed with "green" technologies. Features include Lincoln's first garden roof with drought-tolerant prairie plants; a geothermal heat pump system; the use of local and regional materials; renewable straw bale walls; AgFiber strawboard casework; porcelain tile with 40 percent recycled content; a recycling center; paper composite counter tops and window sills; and a rainwater harvesting system with a 3,000-gallon storage cistern.

Partners on the project include the Nebraska Environmental Trust, Friends of the Pioneers Park Nature Center, the Lincoln Parks Foundation, the Lincoln Cares Program, the Lower Platte South Natural Resources District, the Lincoln Electric System and Lincoln Public Schools.

The art panels include a welcome sign and three vertical panels devoted to the plants and animals of the ecosystems found at the Nature Center. The panels were funded by the Lincoln Cares Program, Friends of the Pioneers Park Nature Center and Winnett Trust Funds.

The Pioneers Park Nature Center was established in 1963 to interpret the natural history of Nebraska and the central great plains; to promote the enjoyment, appreciation and awareness of the natural environment; to practice and foster a conservation ethic; and to provide a habitat for native wildlife and a peaceful retreat for people. It serves more than 80,000 visitors annually, including more than 12,000 students. The Nature Center is free and open year round. Hours are 8:30 a.m. to 5 p.m. Monday through Saturday and noon to 5 p.m. Sundays.



INSIDE:

CONGRESS.....1
INTERNET TAX.....1
HUMAN RESOURCES2
LAW ENFORCEMENT.....2
GRANT OPPORTUNITIES.....2

Washington Report

Archived at:
[www.capitaledge.com/
archive.html](http://www.capitaledge.com/archive.html)

Carolyn C. Chaney
chaney@capitaledge.com

Christopher F. Giglio
giglio@capitaledge.com

Amanda Carvajal
acarvajal@capitaledge.com

Chaney & Associates
1212 New York Ave., NW
Suite 250
Washington, DC 20005

(202) 842-4930
Fax: (202) 842-5051
www.capitaledge.com

HOUSE APPROVES EXTENSION OF NET TAX BAN

CONGRESS

Children's health insurance, FY 2008 spending top congressional agenda for the week. The focus in the House this week was the attempted override of the President's veto of the reauthorization of the State Children's Health Insurance Program (SCHIP). House Members also approved a four-year extension of the moratorium on state and local taxation of Internet access (see related story below). Meanwhile, the Senate made some progress on its FY 2008 appropriations bills.

The SCHIP override fell 13 votes short of the two-thirds majority needed, so House leaders have pledged to negotiate with the President on a measure that is acceptable to both sides. While those talks take place behind the scenes, next week House members on the floor will debate employment discrimination legislation (see related story below), a measure to grant sovereignty to Native Hawaiians, and possible a compromise on electronic surveillance of foreign terrorism suspects.

Meanwhile, Senators will attempt to wrap-up activity on the FY 2008 appropriations bill for the Department of Labor, HHS, and Education. There are reports this week that the Labor-HHS spending bill may be the first FY 2008 appropriations bill that Congress sends to the President. Much of the \$20 billion in additional spending sought by Democrats (health care, education) is contained in that bill and Senate Majority Leader Harry Reid (D-NV) indicated that it would be a good test to see if the President is serious about his veto threats.

Other significant activity next week includes a markup in the Senate Agriculture Committee on the Farm Bill reauthorization.

INTERNET TAX

House approves four-year moratorium extension. The House of Representatives approved legislation (HR 3678) this week that would extend for four years the moratorium on state and local taxation of Internet access fees. The current ban is set to expire on November 1.

The 405-2 vote for the measure was a bit deceiving, as a number of Members preferred a permanent extension of the moratorium. However, with the November 1 expiration date fast approaching, most ultimately voted for the four-year ban because the bill was considered under an expedited procedure that did not allow for any amendments. Sponsors of the permanent extension lamented that even though a majority of the House cosponsored a bill (HR 743) to make the moratorium permanent, the measure was never brought up for a vote.

The moratorium was first approved in 1998 and has been extended once since then. State and local government organizations, as well as a broad coalition of telecommunications providers supported the four-year moratorium.

Sponsors of HR 3678 are hopeful that the Senate will quickly approve the House bill without amendment and send it to the President prior to November 1. However, there are several supporters of the permanent ban in the Senate and they may try to use procedural tactics to amend the House bill.

HUMAN RESOURCES

House panel approves employment discrimination measure. The House Education and Labor Committee approved legislation (HR 3685) this week that is designed to protect gays and lesbians from workplace discrimination. The committee vote was 27-21, with four Democrats voting against the measure, and four Republicans voting for it.

The Employment Non-Discrimination Act (EDNA) of 2007 would make it unlawful to refuse to hire or to terminate an individual based on "actual or perceived sexual orientation." It defines sexual orientation as "homosexuality, heterosexuality or bisexuality." The bill would also prevent attempts to "limit, segregate or classify" workers or applicants in any way that would affect their work status.

An employee alleging discrimination would be required to demonstrate that it was intentional. Employers (including local governments), employment agencies, labor organizations, training programs, and associations with 15 or more employees would all be covered under the legislation. Only religious organizations would be exempt.

The bill that was approved by the committee was a slimmed-down version of the original legislation, which would have also protected transgender individuals. House Democratic leadership decided to narrow the bill when it became clear that the measure would not be approved with the transgender language. The four Democrats opposing the measure in committee all supported keeping the transgender language.

The House is expected to consider HR 3685 on the floor next week.

LAW ENFORCEMENT

Senate clears Justice spending measure. By a vote of 75-19, the Senate cleared the FY 2008 Department of Justice Appropriations bill (HR 3093). As cleared by the Senate, the bill includes \$2.7 billion for state and local law enforcement assistance, \$1.55 billion more than the President requested.

In a victory for local government organizations, the Senate adopted by voice vote an amendment offered by Senator Joseph Biden (D-DE) that added \$110 million dollars to the COPS Program specifically to revive police officer hiring grants, which have not been funded for several years. The House-passed version of the bill includes \$100 million for hiring grants.

Other highlights of the Senate-passed bill include \$660 million for Byrne Justice Assistance Formula Grants, \$190 million for Byrne Discretionary Grants, \$660 million for COPS (including \$110 million for hiring grants), \$25 million for Drug Courts, \$340 million for juvenile justice programs and \$390 million for violence against women programs. (Please see the Funding Chart at www.capitaledge.com/funding.pdf for a comparison with FY 2007 and House funding levels.)

The bill now goes to a House-Senate Conference Committee. There are some reports that the Democratic leadership may conference the bill quickly and send it to the President to test his vow to veto all appropriations bills that exceed his requested funding levels. The Democratic leadership is banking that in the face of rising crime, increased spending on state and local law enforcement assistance will prove popular, though it remains unclear if it is popular enough to withstand a veto.

GRANT OPPORTUNITIES

Department of Justice: DOJ is accepting applications for the FY 2008 Gang Resistance Education and Training Program (G.R.E.A.T.), which funds local law enforcement programs designed to prevent youth violence and gang involvement. Priority will be given to applicants that target high-risk youth/schools, implement G.R.E.A.T. with other anti-gang initiatives, or collaborate with multiple agencies. Applicants may apply for up to \$150,000 and are expected to match 10 percent of the program total. The deadline for applications is December 13, 2007. For more information go see:

<http://www.ojp.usdoj.gov/BJA/grant/great.html>.

Sue Burgason/Notes
10/25/2007 08:35 AM

To <council@lincoln.ne.gov>
cc Tammy J Grammer/Notes@Notes
bcc
Subject Randy Thimm Claim

Attached is letter from Connor Reuter to Randy Thimm regarding his claim against the City. Claim will be scheduled for hearing on November 19.



RANDY THIMM LETTER.PDF

CONFIDENTIALITY NOTICE: This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.



Law Department 402-441-7281
 Dana W. Roper, City Attorney Civil fax: 402-441-8812
 575 South 10th Street 402-441-8812
 Suite 4201 Pros. fax: 402-441-8813
 Lincoln, Nebraska 68508

Ernest R. (Rick) Peo III, Chief Assistant John C. McQuinn II, Chief Prosecutor
 Richard C. Anderson, Police Legal Advisor
 Civil Division Prosecution Division
 Steven J. Huggenberger Connor L. Reuter Patrick A. Campbell Christine A. Loseke
 Margaret M. Blatchford Tonya L. Skinner Rob E. Caples Marcee A. Brownlee
 Joe J. Rupp Miki Esposito Jessica Kerkhofs



MAYOR CHRIS BEUTLER

lincoln.ne.gov

October 22, 2007

Randy Thimm
 503 East 2nd
 Firth, NE 68358

RE: Claim against the City of Lincoln in the amount of \$605.50

Dear Mr. Thimm:

This letter is written following continued investigation into your claim against the City of Lincoln relating to paint on your vehicle. The result of the continued investigation is that, as originally indicated, the paint on your vehicle was not caused by the City or its crews, but, rather, was potentially caused by a contractor who was in the area at that time. Specifically, if the paint is from a City project, it would have been from the marking of a crosswalk in the area of 70th and Stacy. The contractor in the area at the time and date of the damage was Dennis Parking Lot Maintenance, Inc., of Des Moines, IA. Their phone number is 515-289-1370 and you might ask for Chris Ramsey.

I apologize for any confusion relating to tracking down the City project that may be tied to the damage you experienced. It appears that the time and location of the damage were in question, and thus led us down some dead end paths in determining which contractor might be responsible. I also assume the same date/time/location confusion led the contractor to indicate to you that they were not in the area at the time. I am comfortable now, based on your information, that the damage occurred at about midnight Friday, August 10, at 70th and Stacy Lane, and that we have correctly identified the project and contractor. If, when you call Dennis Parking Lot Maintenance Inc. for resolution of your claim, they still deny having had crews in the area at the time, please let me know and City personnel will attempt to intervene in order to point them to the project at issue.

Thank you for your patience as we have worked through these details. In light of the fact that it was not City crews in the area, I will again forward your claim to the City Council with a recommendation that they deny your claim. The City Council will consider your claim at its regularly scheduled meeting on November 19, 2007, at 5:30 p.m. in the Council Chambers, 555 South 10th Street, Suite 112. You may appear in person at that date and time to discuss your claim and/or you may contact the City Council in writing prior to that date by emailing the Chair of the City Council, Dan Marvin, at council@lincoln.ne.gov.

Sincerely,

Connor L. Reuter
 Assistant City Attorney

c: Jon Camp

**Actual Compared to
Projected Sales Tax Collections**

	2007-08 PROJECTED	2007-08 ACTUAL	VARIANCE FROM PROJECTED	\$ CHANGE FR. 06-07	% CHANGE FR. 06-07
SEPTEMBER	\$4,547,456	\$4,521,738	(\$25,718)	(\$24,509)	-0.54%
OCTOBER	\$4,747,528	\$4,973,261	\$225,733	\$427,436	9.40%
NOVEMBER	\$4,747,528				
DECEMBER	\$4,418,533				
JANUARY	\$4,529,683				
FEBRUARY	\$5,752,343				
MARCH	\$4,189,288				
APRIL	\$3,978,102				
MAY	\$4,617,219				
JUNE	\$4,478,281				
JULY	\$4,539,414				
AUGUST	\$4,845,078				
TOTAL	\$55,390,453	\$9,494,999	\$200,015	\$402,928	4.43%

Actual collections through the first two months of the fiscal year are 2.15% above projected collections.

**CITY OF LINCOLN
GROSS SALES TAX COLLECTIONS
(WITH REFUNDS ADDED BACK IN)
2002-2003 THROUGH 2007-2008**

	ACTUAL 2002-2003	ACTUAL 2003-2004	ACTUAL 2004-2005	ACTUAL 2005-2006	% CHG. FR. PRIOR YEAR	ACTUAL 2006-2007	% CHG. FR. PRIOR YEAR	ACTUAL 2007-2008	% CHG. FR. PRIOR YEAR
SEPTEMBER	\$4,239,938	\$4,453,875	\$4,648,160	\$4,630,210	-0.39%	\$4,573,597	-1.22%	\$4,612,020	0.84%
OCTOBER	\$4,464,191	\$4,670,587	\$4,706,690	\$4,823,369	2.48%	\$4,712,519	-2.30%	\$5,052,950	7.22%
NOVEMBER	\$4,407,744	\$4,526,166	\$4,687,792	\$4,799,275	2.38%	\$4,658,480	-2.93%		
DECEMBER	\$4,034,958	\$4,314,111	\$4,500,338	\$4,511,403	0.25%	\$4,445,761	-1.46%		
JANUARY	\$4,046,633	\$4,335,924	\$4,264,010	\$4,342,902	1.85%	\$4,554,634	4.88%		
FEBRUARY	\$5,224,986	\$5,531,405	\$6,086,841	\$5,797,893	-4.75%	\$5,993,653	3.38%		
MARCH	\$4,076,943	\$3,980,041	\$4,158,874	\$4,247,908	2.14%	\$4,125,074	-2.89%		
APRIL	\$3,711,803	\$3,889,388	\$4,097,988	\$3,991,159	-2.61%	\$4,018,709	0.69%		
MAY	\$4,184,028	\$4,602,788	\$4,730,317	\$4,543,369	-3.95%	\$4,895,921	7.76%		
JUNE	\$4,169,550	\$4,599,245	\$4,557,735	\$4,539,614	-0.40%	\$4,664,470	2.75%		
JULY	\$4,105,554	\$4,391,257	\$4,519,466	\$4,655,061	3.00%	\$4,772,617	2.53%		
AUGUST	\$4,402,156	\$4,893,438	\$4,803,665	\$4,991,723	3.91%	\$4,887,329	-2.09%		
TOTAL	\$51,068,484	\$54,188,225	\$55,761,877	\$55,873,886	0.20%	\$56,302,764	0.77%	\$9,664,970	4.08%

**CITY OF LINCOLN
SALES TAX REFUNDS
2002-2003 THROUGH 2007-2008**

	ACTUAL 2002-2003	ACTUAL 2003-2004	ACTUAL 2004-2005	ACTUAL 2005-2006	% CHG. FR. PRIOR YEAR	ACTUAL 2006-2007	% CHG. FR. PRIOR YEAR	ACTUAL 2007-2008	% CHG. FROM PRIOR YEAR
SEPTEMBER	(\$48,531)	(\$69,997)	(\$135,858)	(\$80,882)	-40.47%	(\$27,350)	-66.19%	(\$90,282)	230.10%
OCTOBER	(\$64,605)	(\$110,193)	(\$165,219)	(\$358,866)	117.21%	(\$166,695)	-53.55%	(\$79,688)	-52.19%
NOVEMBER	(\$134,088)	(\$219,454)	(\$101,531)	(\$173,972)	71.35%	(\$3,881)	-97.77%	(\$158,855)	3993.08%
DECEMBER	(\$177,459)	(\$390,445)	(\$325,510)	(\$6,319)	-98.06%	(\$175,440)	2676.56%		
JANUARY	(\$306,467)	(\$59,315)	(\$220,967)	(\$269,713)	22.06%	(\$84,287)	-68.75%		
FEBRUARY	(\$61,404)	(\$323,218)	(\$394,324)	(\$73,395)	-81.39%	(\$327,119)	345.70%		
MARCH	(\$17,601)	(\$22,759)	(\$99,240)	(\$165,869)	67.14%	(\$133,574)	-19.47%		
APRIL	(\$281,861)	(\$199,018)	(\$69,900)	(\$196,682)	181.38%	(\$130,611)	-33.59%		
MAY	(\$275,081)	(\$155,787)	(\$122,283)	(\$166,567)	36.21%	(\$381,653)	129.13%		
JUNE	(\$138,914)	(\$194,593)	(\$34,811)	(\$14,085)	-59.54%	(\$186,252)	1222.34%		
JULY	(\$563,339)	(\$42,086)	(\$162,998)	(\$39,492)	-75.77%	(\$155,825)	294.58%		
AUGUST	(\$341,868)	(\$531,884)	(\$148,028)	(\$57,700)	-61.02%	(\$569,595)	887.17%		
TOTAL	(\$2,411,218)	(\$2,318,751)	(\$1,980,668)	(\$1,603,541)	-19.04%	(\$2,342,280)	46.07%	(\$328,826)	66.14%

**CITY OF LINCOLN
NET SALES TAX COLLECTIONS
2002-2003 THROUGH 2007-2008**

	ACTUAL 2002-2003	ACTUAL 2003-2004	ACTUAL 2004-2005	ACTUAL 2005-2006	% CHG. FROM PR. YEAR	ACTUAL 2006-2007	% CHG. FROM PR. YEAR	ACTUAL 2007-2008	% CHG. FROM PR. YEAR
SEPTEMBER	\$4,191,407	\$4,383,878	\$4,512,303	\$4,549,328	0.82%	\$4,546,247	-0.07%	\$4,521,738	-0.54%
OCTOBER	\$4,399,587	\$4,560,394	\$4,541,471	\$4,464,503	-1.69%	\$4,545,825	1.82%	\$4,973,261	9.40%
NOVEMBER	\$4,273,655	\$4,306,712	\$4,586,261	\$4,625,303	0.85%	\$4,654,599	0.63%		
DECEMBER	\$3,857,499	\$3,923,666	\$4,174,828	\$4,505,085	7.91%	\$4,270,321	-5.21%		
JANUARY	\$3,740,166	\$4,276,609	\$4,043,044	\$4,073,189	0.75%	\$4,470,347	9.75%		
FEBRUARY	\$5,163,582	\$5,208,187	\$5,692,517	\$5,724,498	0.56%	\$5,666,534	-1.01%		
MARCH	\$4,059,342	\$3,957,283	\$4,059,634	\$4,082,038	0.55%	\$3,991,501	-2.22%		
APRIL	\$3,429,942	\$3,690,371	\$4,028,088	\$3,794,477	-5.80%	\$3,888,098	2.47%		
MAY	\$3,908,947	\$4,447,001	\$4,608,034	\$4,376,803	-5.02%	\$4,514,268	3.14%		
JUNE	\$4,030,637	\$4,404,651	\$4,522,924	\$4,525,529	0.06%	\$4,478,219	-1.05%		
JULY	\$3,542,215	\$4,349,171	\$4,356,468	\$4,615,569	5.95%	\$4,616,793	0.03%		
AUGUST	\$4,060,288	\$4,361,554	\$4,655,637	\$4,934,023	5.98%	\$4,317,734	-12.49%		
TOTAL	\$48,657,267	\$51,869,477	\$53,781,209	\$54,270,346	0.91%	\$53,960,485	-0.57%	\$9,494,999	4.43%

Year to date vs.
previous year

RESOLUTION NO. A-_____

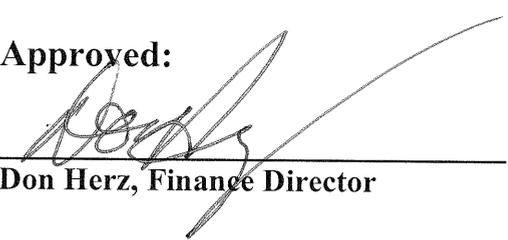
BE IT HEREBY RESOLVED BY THE CITY COUNCIL of the City of

Lincoln, Nebraska:

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

INTRODUCED BY:

Approved:



Don Herz, Finance Director

Approved this ____ day of _____, 2007

Mayor

TO: HONORABLE CITY COUNCIL
FROM: FINANCE DIRECTOR
DATE: MAY 31, 2007
SUBJECT: CITY OF LINCOLN'S INVESTMENT ACTIVITY REPORT FOR THE
THIRD QUARTER, FISCAL YEAR 2006-07

RECOMMENDATION

It is recommended that the City Council accept the City Treasurer's Investment Report for the quarter ending, May 31, 2007.

BACKGROUND

The purpose of this report is to inform Council of the status of the City's investment portfolio for the quarter ending, May 31, 2007. The City's investment policy requires that staff report quarterly to Council on the City's portfolio performance, description of securities, recent market conditions, investment strategies employed and other areas of policy concern warranting possible revisions to the current or planned investment strategies. This report excludes the Police and Fire Pension, the Community Health Endowment funds and other endowment or trust funds held by outside Trustees. Those funds have longer investment horizons and are governed by separate investment policies and the results are reported separately.

DISCUSSION

Investment Portfolio for the Quarter

The City's investment portfolio is listed and displayed in a graph in the Attachments. It is grouped by investment type and includes coupon rate, yield to maturity, date of maturity, the book and face (par) value, and the Investment Policy Composition as of May 31, 2007.

The par value of the City's portfolio is \$246.4 million yielding an average 4.3352%. In comparison, last quarter it was \$222.8 million yielding an average of 3.9882%. The portfolio consists of \$45.6 million in liquid accounts; \$186.6 million is U.S. government treasury and agency securities and \$14.2 million in Inter-Fund Investments. The \$186.6 million in U.S. government securities includes \$109.8 million in investments maturing in less than two years, comprising 58.83% of the City's investments in notes and securities. The average life to maturity of the investment portfolio is 2.44 years.

Investment Yields

During the quarter, the City's portfolio earned an average yield of 4.1433%. This compares to an average yield earned of 3.9276% for the quarter ending February 28, 2007.

As of May 31, 2007, the average yield to maturity of the City's Short-Term Idle Funds Pool, with a par value of \$76,990,000, was 5.1339%. This compares to a yield of 4.96% of a 28-day U.S. Treasury Bill with an issue date of May 31, 2007. The City's Medium-Term Idle Funds Pool, with a par value of \$177,862,166, average yield to maturity of 4.0424% compares to 4.886% yield for a 2-year U.S. Treasury Bond issued May 31, 2007. Fifty percent of the Medium-Term Pool investments were purchased prior to 2005 when federal funds rates were 1% - 2.25%.

Yield Trends

The Federal Open Market Committee (FOMC) has maintained the federal funds overnight lending rate at 5.25% during this quarter.

Taken from the May 9, 2007 Federal Reserve Press Release:

Economic growth slowed in the first part of this year and the adjustment in the housing sector is ongoing. Nevertheless, the economy seems likely to expand at a moderate pace over coming quarters.

Core inflation remains somewhat elevated. Although inflation pressures seem likely to moderate over time, the high level of resource utilization has the potential to sustain those pressures.

In these circumstances, the Committee's predominate policy concern remains the risk that inflation will fail to moderate as expected. Future policy adjustments will depend on the evolution of the outlook for both inflation and economic growth, as implied by incoming information.

Outlook*

Fed policy appears to be on hold for the foreseeable future as Fed governors, content with the outlook for growth, focus on bringing inflation down. For the past six months many investors bet against the Fed, bidding up bond prices on the assumption that monetary policy would soon be eased. Now this seems to have been the wrong view, and the current move to higher rates is simply an adjustment to the new reality. Indeed, a number of prominent market analysts including Goldman Sachs and Merrill Lynch recently revised their Fed forecasts to "no change". Thus we are likely to witness a continued market correction unless economic data weaken significantly.

Funds Held by the City

The Attachment is a consolidated report of all City investments. At May 31, 2007, the investments held in the City's pooled portfolio were in compliance with the investment policy that was approved in January 2005. The Finance Department holds investments until maturity unless the need for emergency funding warrants redeeming an investment prior to maturity.

Prepared By:


Melinda J. Jones, CGFM
City Treasurer

Department Head Approval:


Don Herz
Finance Director

ATTACHMENTS:

Investment Portfolio Composition and Investments Outstanding, as of May 31, 2007

* Provided by PFM Asset Management LLC, Monthly Market Update and Outlook, June 2007

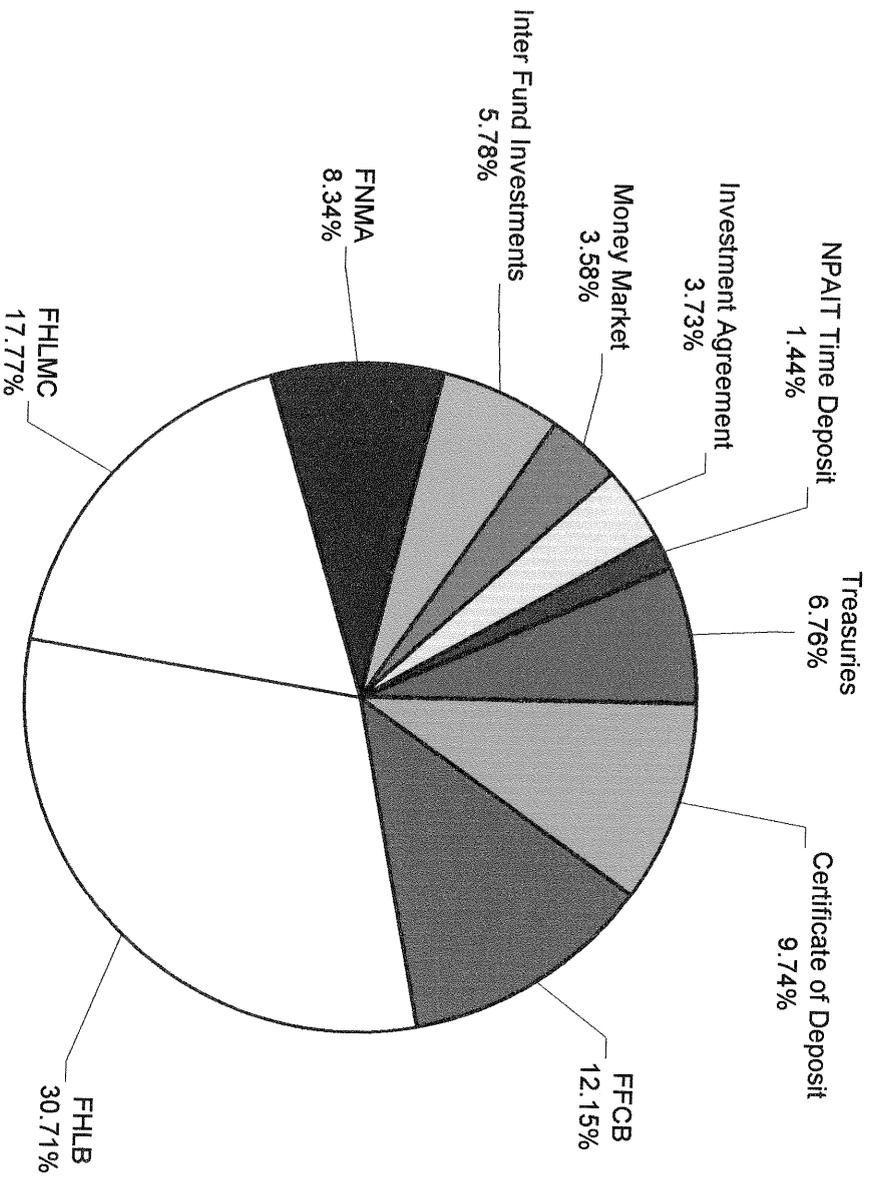
City of Lincoln
Investment Quarterly Report
As of May 31, 2007

	Security Description	Coupon Rate	Yield to Maturity	Purchase Date	Maturity Date	Par Value	Book Value
Certificate of Deposit	Certificate of Deposit 5.15 05/31/07	5.150	5.1500	04/17/07	05/31/07	3,000,000.00	3,000,000.00
	Certificate of Deposit 5.15 06/07/07	5.150	5.1500	04/17/07	06/07/07	5,000,000.00	5,000,000.00
	Certificate of Deposit 5.16 07/12/07	5.160	5.1600	04/23/07	07/12/07	3,000,000.00	3,000,000.00
	Certificate of Deposit 5.16 07/19/07	5.160	5.1600	05/14/07	07/19/07	5,000,000.00	5,000,000.00
	Certificate of Deposit 4.91 08/22/07	4.910	4.9100	08/22/06	08/22/07	2,000,000.00	2,000,000.00
	Certificate of Deposit 5.10 12/22/07	5.100	5.1000	03/22/07	12/22/07	2,000,000.00	2,000,000.00
	Certificate of Deposit 5.13 03/26/08	5.130	5.1300	03/26/07	03/26/08	2,000,000.00	2,000,000.00
	Certificate of Deposit 4.91 04/05/08	4.910	4.9100	04/05/07	04/05/08	2,000,000.00	2,000,000.00
	Certificate of Deposit Total	5.108	5.1079			24,000,000.00	24,000,000.00
FFCB Discount Note	FFCB 0.00 06/21/07	0.000	5.2499	04/17/07	06/21/07	5,000,000.00	4,985,750.00
	FFCB Discount Note Total	0.000	5.2499			5,000,000.00	4,985,750.00
FFCB	FFCB 3.05 10/29/07	3.050	3.2405	04/30/04	10/29/07	2,000,000.00	1,998,530.58
	FFCB 3.64 04/23/08	3.640	3.6400	04/24/03	04/23/08	2,000,000.00	2,000,000.00
	FFCB 4.25 02/11/09	4.250	3.6803	08/27/04	02/11/09	928,000.00	936,187.69
	FFCB 4.85 11/20/09	4.850	4.6770	12/07/06	11/20/09	5,000,000.00	5,019,637.03
	FFCB 5.08 12/02/09	5.080	4.8300	11/15/06	12/02/09	5,000,000.00	5,028,859.10
	FFCB 4.75 03/15/10	4.750	4.8150	04/20/07	03/15/10	5,000,000.00	4,991,422.43
	FFCB 4.85 03/09/11	4.850	4.8400	04/02/07	03/09/11	5,000,000.00	5,001,544.35
	FFCB Total	4.613	4.5327			24,928,000.00	24,976,181.18
FHLB	FHLB 3.03 06/18/07	3.030	3.0300	03/18/04	06/18/07	2,050,000.00	2,050,000.00
	FHLB 2.80 07/16/07	2.800	2.8000	04/16/04	07/16/07	3,000,000.00	3,000,000.00
	FHLB 3.625 10/22/07	3.625	3.6674	10/22/03	10/22/07	2,000,000.00	1,999,694.01
	FHLB 3.10 12/17/07	3.100	3.1000	03/17/04	12/17/07	5,000,000.00	5,000,000.00
	FHLB 3.50 01/07/08	3.500	3.5000	01/07/04	01/07/08	2,000,000.00	2,000,000.00
	FHLB 2.82 01/08/08	2.820	2.8370	04/08/04	01/08/08	3,850,000.00	3,849,613.22
	FHLB 3.00 01/15/08	3.000	3.0000	04/15/04	01/15/08	2,080,000.00	2,080,000.00
	FHLB 3.40 02/06/08	3.400	3.4000	02/06/04	02/06/08	5,000,000.00	5,000,000.00
	FHLB 3.45 02/25/08	3.450	3.4500	02/25/04	02/25/08	4,000,000.00	4,000,000.00
	FHLB 3.03 04/17/08	3.030	3.0300	07/17/03	04/17/08	2,000,000.00	2,000,000.00
	FHLB 3.25 06/03/08	3.250	3.2500	06/03/03	06/03/08	2,000,000.00	2,000,000.00
	FHLB 3.05 06/30/08	3.050	3.0500	06/30/03	06/30/08	4,000,000.00	4,000,000.00
	FHLB 4.15 07/15/08	4.150	4.1436	05/10/05	07/15/08	315,000.00	315,023.34
	FHLB 3.375 07/21/08	3.375	3.3750	02/19/04	07/21/08	1,000,000.00	1,000,000.00
	FHLB 3.35 08/07/08	3.350	3.3500	08/07/03	08/07/08	2,000,000.00	2,000,000.00
	FHLB 3.625 08/14/08	3.625	3.8023	12/26/03	08/14/08	2,000,000.00	1,996,106.12
	FHLB 3.69 08/14/08	3.690	3.6900	08/14/03	08/14/08	2,000,000.00	2,000,000.00
	FHLB 3.25 10/06/08	3.250	3.2500	04/06/04	10/06/08	5,000,000.00	5,000,000.00
	FHLB 3.09 10/06/08	3.090	3.0900	04/06/04	10/06/08	2,000,000.00	2,000,000.00
	FHLB 4.00 11/12/08	4.000	4.0000	11/14/03	11/12/08	2,000,000.00	2,000,000.00
	FHLB 4.00 11/12/08	4.000	4.0000	11/12/03	11/12/08	2,000,000.00	2,000,000.00
	FHLB 3.50 12/12/08	3.500	3.4748	06/12/03	12/12/08	2,000,000.00	2,000,695.71
	FHLB 3.65 02/27/09	3.650	3.6500	02/27/04	02/27/09	1,500,000.00	1,500,000.00
	FHLB 3.67 04/23/09	3.670	3.6700	04/23/04	04/23/09	2,000,000.00	2,000,000.00
	FHLB 4.35 09/01/09	4.350	4.3500	09/01/04	09/01/09	5,000,000.00	5,000,000.00
	FHLB 4.43 09/10/09	4.430	4.4300	09/10/04	09/10/09	2,000,000.00	2,000,000.00
	FHLB 5.25 11/29/10	5.250	5.3094	05/29/07	11/29/10	2,000,000.00	1,996,255.95
	FHLB 5.30 05/14/12	5.300	5.3000	05/14/07	05/14/12	2,000,000.00	2,000,000.00
	FHLB 5.00 10/15/12	5.000	5.0000	10/15/04	10/15/12	3,875,000.00	3,875,000.00
	FHLB Total	3.599	3.6068			75,670,000.00	75,662,388.35
FHLMC	FHLMC 3.00 08/27/07	3.000	3.0000	02/27/04	08/27/07	5,000,000.00	5,000,000.00
	FHLMC 3.25 01/28/08	3.250	3.1649	02/25/04	01/28/08	2,000,000.00	2,001,039.92
	FHLMC 3.25 01/28/08	3.250	3.2085	02/27/04	01/28/08	3,000,000.00	3,000,755.85
	FHLMC 3.60 04/16/08	3.600	3.6000	04/16/03	04/16/08	2,000,000.00	2,000,000.00
	FHLMC 3.30 07/14/09	3.300	4.6950	12/07/06	07/14/09	5,000,000.00	4,862,229.77

City of Lincoln
Investment Quarterly Report
As of May 31, 2007

	<i>Security Description</i>	<i>Coupon Rate</i>	<i>Yield to Maturity</i>	<i>Purchase Date</i>	<i>Maturity Date</i>	<i>Par Value</i>	<i>Book Value</i>
	FHLMC 4.00 09/15/09	4.000	4.0000	03/15/04	09/15/09	3,000,000.00	3,000,000.00
	FHLMC 4.125 11/18/09	4.125	4.6900	12/06/06	11/18/09	4,775,000.00	4,713,502.59
	FHLMC Total	3.497	3.8692			24,775,000.00	24,577,528.13
FHLMC Discount Note	FHLMC Discount Note 0.00 06/11/07	0.000	5.1791	04/19/07	06/11/07	3,000,000.00	2,995,775.00
	FHLMC Discount Note 0.00 06/26/07	0.000	5.2005	04/19/07	06/26/07	3,000,000.00	2,989,416.67
	FHLMC Discount Note 0.00 07/23/07	0.000	5.2012	05/15/07	07/23/07	3,000,000.00	2,977,986.67
	FHLMC Discount Note 0.00 07/30/07	0.000	5.2404	05/18/07	07/30/07	5,000,000.00	4,958,085.41
	FHLMC Discount Note 0.00 08/27/07	0.000	5.2325	05/22/07	08/27/07	5,000,000.00	4,938,495.83
	FHLMC Discount Note Total	0.000	5.2161			19,000,000.00	18,859,759.58
FNMA	FNMA 3.375 12/15/08	3.375	4.1550	05/10/05	12/15/08	557,000.00	550,842.35
	FNMA 6.00 05/15/11	6.000	4.8401	04/20/07	05/15/11	5,000,000.00	5,205,775.29
	FNMA 5.00 10/15/11	5.000	4.8250	04/20/07	10/15/11	5,000,000.00	5,033,994.40
	FNMA 5.00 02/16/12	5.000	4.8410	04/02/07	02/16/12	5,000,000.00	5,032,705.67
	FNMA Total	5.272	4.8117			15,557,000.00	15,823,317.71
FNMA Discount Note	FNMA Discount Note 0.00 07/03/07	0.000	5.2056	04/19/07	07/03/07	5,000,000.00	4,977,422.22
	FNMA Discount Note Total	0.000	5.2056			5,000,000.00	4,977,422.22
Inter Fund Investments	General Fund Obligation	3.750	3.7500	09/01/04	05/31/10	11,333,550.59	11,333,550.59
	General Fund Obligation	3.900	3.9000	06/03/05	05/31/10	2,213,361.93	2,213,361.93
	Lincoln Star Bldg TIF	6.390	6.3900	04/21/00	06/15/10	98,014.45	98,014.45
	Lincoln Building TIF	4.060	4.0600	06/02/03	12/01/11	26,511.50	26,511.50
	Thunderstone TIF	5.100	5.1000	10/01/06	04/01/15	245,368.00	245,368.00
	Liberty Village TIF	4.750	4.7500	08/15/05	02/15/18	331,672.67	331,672.67
	Inter Fund Investments Total	3.838	3.8377			14,248,479.14	14,248,479.14
Money Market	Money Market-USB Sweep	4.870	4.8700	09/01/01	Open	1,869,710.36	1,869,710.36
	Money Market-NPAIT	4.707	4.7070	09/01/01	Open	505,000.00	505,000.00
	Money Market-STFIT	4.610	4.6100	09/19/01	Open	350,000.00	350,000.00
	Money Market-STFIT	4.590	4.5900	05/29/02	Open	250,000.00	250,000.00
	Money Market-Savings Account	4.750	4.7500	07/26/02	Open	5,000,000.00	5,000,000.00
	Money Market-WFB Overnight Repo	4.780	4.7800	08/31/04	Open	850,000.00	850,000.00
	Money Market Total	4.764	4.7645			8,824,710.36	8,824,710.36
Repurchase Agreement	Repurchase Agreement 4.51 12/01/15	4.510	4.5100	03/23/05	12/01/15	1,120,000.00	1,120,000.00
	Repurchase Agreement 4.60 08/15/22	4.600	4.6000	03/23/05	08/15/22	1,540,000.00	1,540,000.00
	Repurchase Agreement 4.70 08/15/25	4.700	4.7000	03/23/05	08/15/25	3,390,000.00	3,390,000.00
	Repurchase Agreement 4.83 10/15/26	4.830	4.8300	12/01/05	10/15/26	1,910,000.00	1,910,000.00
	Repurchase Agreement 4.83 06/15/30	4.830	4.8300	12/01/05	06/15/30	1,229,980.83	1,229,980.83
	Repurchase Agreement Total	4.705	4.7045			9,189,980.83	9,189,980.83
Time Deposit	Time Deposit 5.25 06/21/07	5.250	5.2500	06/22/06	06/21/07	1,550,892.12	1,550,892.12
	Time Deposit 5.30 01/11/08	5.300	5.3000	01/11/07	01/11/08	2,000,000.00	2,000,000.00
	Time Deposit Total	5.278	5.2782			3,550,892.12	3,550,892.12
Treasury Note	Treasury Note 3.75 05/15/08	3.750	3.6081	05/19/05	05/15/08	2,500,000.00	2,503,183.49
	Treasury Note 4.625 10/31/11	4.625	4.5815	05/15/07	10/31/11	2,000,000.00	2,003,401.65
	Treasury Note 4.50 03/31/12	4.500	4.5423	04/05/07	03/31/12	5,000,000.00	4,990,918.29
	Treasury Note 4.50 04/30/12	4.500	4.5071	04/30/07	04/30/12	4,000,000.00	3,998,771.89
	Treasury Note 4.375 08/15/12	4.375	4.1749	05/19/03	08/15/12	3,167,000.00	3,194,051.54
	Treasury Note Total	4.379	4.3281			16,667,000.00	16,690,326.86
Investment Total		3.685	4.3352			246,411,062.45	246,366,736.48

**City of Lincoln
Investment Portfolio Composition
May 31, 2007**





NEWS RELEASE

MAYOR CHRIS BEUTLER



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

FOR IMMEDIATE RELEASE: October 22, 2007
FOR MORE INFORMATION: Dan N. King, 441-8084
Household Hazardous Waste Coordinator

LAST HOUSEHOLD HAZARDOUS WASTE COLLECTION

Public Participation is Encouraged

The Lincoln-Lancaster County Health Department is holding its last Household Hazardous Waste Collection for the year on Saturday, November 3, 2007, from 9:00 a.m. to 1:00 p.m., at the State Fair Park 4-H Youth Complex. The collection is for residents of Lincoln and Lancaster County; not for businesses.

“I hope that all the citizens of Lincoln and Lancaster County will take advantage of this final collection,” said Beth Mann, who is a Certified Hazardous Materials Manager with the Health Department. “We’ve had a very successful year thus far with nearly 2,000 participants bringing in around 85,000 pounds of waste over the course of the first six collections. Plus, now is a great time to eliminate risk in the home by checking to make sure all products under the sink, in the cleaning closet, and around the workshop are stored properly,” added Mann

From automotive products in the garage to yard chemicals in the shed, almost every home has hazardous chemicals to be aware of. These include upholstery cleaners, pesticides, window cleaning products, brake fluids, carburetor cleaners, power steering fluid, Freon, cleaning and degreasing solvents, transmission fluids, wax and grease removers, spray paints, mixed or old gasoline, and mercury switches. And, lawn care products including the EPA banned chemicals and pesticides that contain DDT, chlordane, silvex, Pentachlorophenol (PCP), Dursban, and indoor use Diazinon should be brought to the collection.

Other household hazardous waste items include compact fluorescent light bulbs, solvents such as mineral spirits, turpentine, paint thinners, varnishes, stains, polishes, and waxes, pool cleaning chemicals, muriatic acid, oil-based paints, roach powder, flea and tick powders, rat poisons, charcoal starter fluids, mercury containing items including thermometers, and items containing PCBs such as ballasts from old fluorescent lamps and small capacitors from old appliances.

Latex paint should not be brought to these collections. Small amounts of latex paint can be dried and put in the trash. Items that can be recycled locally, and will not be accepted at the collections, include electronic equipment, fire extinguishers, motor oil, antifreeze, propane cylinders, mercury thermostats, and batteries including lead acid, button, mercury and lithium. Other items that are not accepted include medicines, fertilizers, explosives, or ammunition. For recycling information and for advice on how to dispose of unacceptable items contact the Lincoln-Lancaster County Health Department Monday through Friday at 441-8021 or visit our website at, www.lincoln.ne.gov, and perform a keyword search for, “household”



NEWS RELEASE

MAYOR CHRIS BEUTLER



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

FOR IMMEDIATE RELEASE: October 24, 2007
FOR MORE INFORMATION: Brian Baker, 441-8046

SAFE KIDS LINCOLN-LANCASTER COUNTY PROVIDES HALLOWEEN SAFETY TIPS

Halloween is supposed to be a spooky night, but parents don't have to be scared about their kids' safety if they follow some simple tips from Safe Kids Lincoln-Lancaster County.

With Halloween being one of the most dangerous days of the year for child pedestrians - - **children are more than twice as likely to be hit by a car and killed on Halloween than the rest of the year** - - it's essential for parents to prepare their children properly to stay safe while trick or treating.

With the days getting shorter, children are likely to be trick or treating in the dark when it is harder for drivers to see them, and the excitement of the holiday can make everyone less cautious. To keep kids safe, parents should remind them about walking safely and should ensure that they will be seen by drivers this Halloween.

"Parents need to remind kids about safety while walking before they go out trick or treating," says Brian Baker, coordinator of Safe Kids Lincoln-Lancaster County. "Children should also bring flashlights or glow sticks with them, carry reflective bags or have reflective tape on their costumes and not wear masks which may inhibit their ability to see. Ensuring kids are seen this Halloween is essential to keep this holiday fun for everyone."

As part of the Walk This Way program, Safe Kids and sponsor FedEx will be distributing more than 300,000 reflective stickers and trick or treat bags to children across the country, as well as important safety information to parents and drivers.

Tips for Parents

Safe Kids recommends that children under age 10 do not trick or treat without adult supervision. If kids are mature enough to go trick or treating without supervision, make sure they stick to a predetermined route with good lighting. Parents must also remind kids to:

- **Cross streets safely.** Cross at a corner, using traffic signals and crosswalks. Try to make eye contact with drivers before crossing in front of them. Look left, right and left again when crossing, and keep looking as you cross. Walk, don't run, across the street.

-more-

- **Walk on well lit sidewalks or paths.** If there are no sidewalks, walk facing traffic as far to the left as possible. Children should walk in familiar areas with minimal street crossings.
- **Be a safe pedestrian around cars.** Watch for cars that are turning or backing up. Never dart out into the street or cross between parked cars.

Tips for Drivers

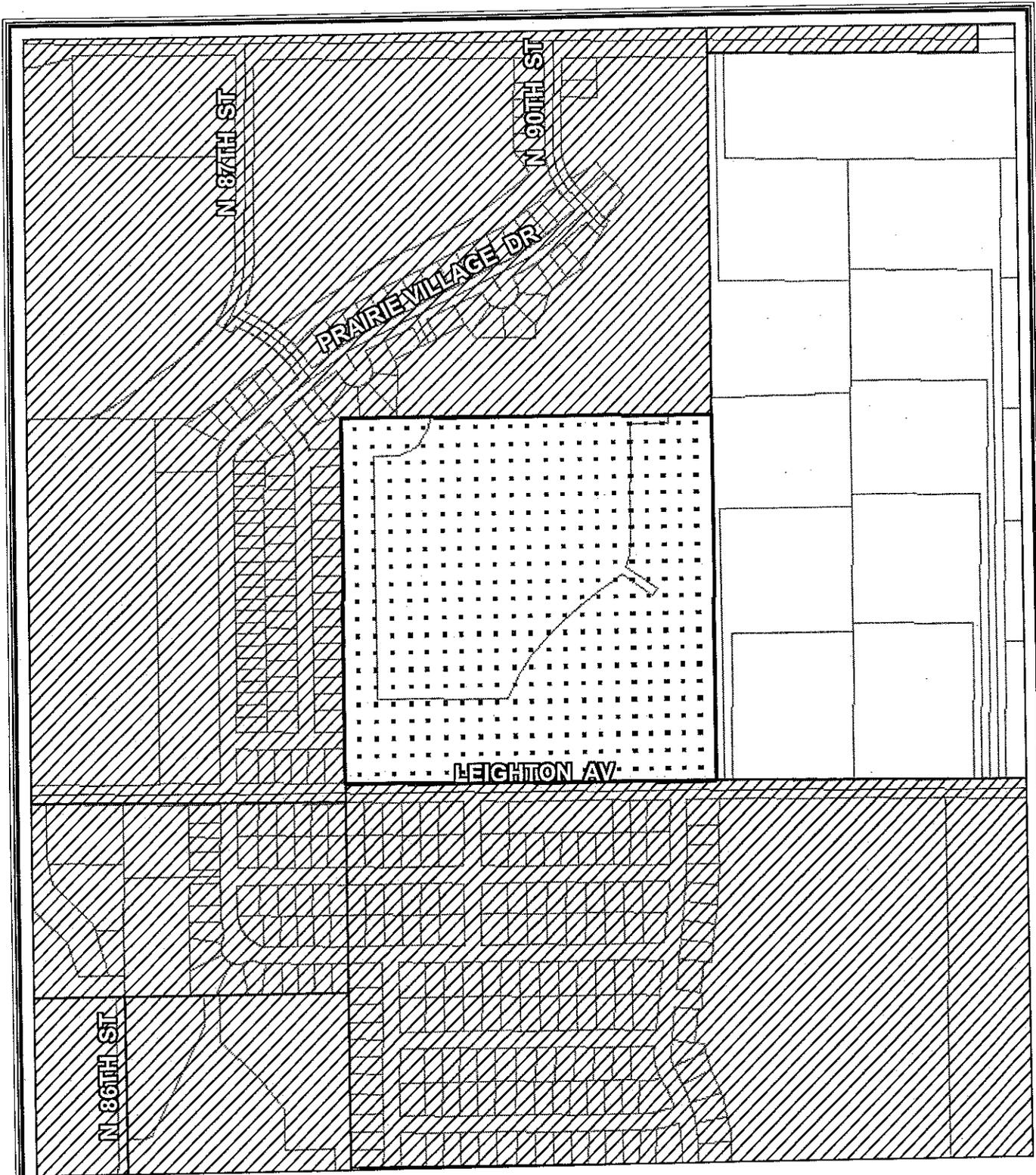
Drivers need to do their part to keep trick or treaters safe from harm. Safe Kids also reminds motorists to be extra careful this Halloween and recommends that drivers:

- **Be especially alert.** Remember that popular trick or treating hours are during the typical rush-hour period, between 5:30 - 9:30 p.m.
- **Drive more slowly.** Slow down and anticipate heavier than usual pedestrian traffic.
- **Lights on.** Be sure to drive with your full headlights on so you can spot children from greater distances.

Although pedestrian safety is a main concern on Halloween, parents also need to keep in mind that there are other hazards for their children on this holiday. Parents must check treats for signs of tampering before children are allowed to eat them. Finally, Safe Kids Lincoln-Lancaster County suggests that parents look for non-flammable costumes and non-toxic designations when choosing Halloween makeup.

For more tips on how to keep kids safe while walking on Halloween and throughout the year, visit www.safekids.org/wtw/

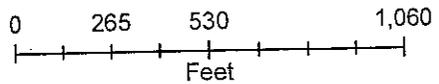
Safe Kids Worldwide is a global network of organizations whose mission is to prevent accidental childhood injury, a leading killer of children 14 and under. More than 450 coalitions in 16 countries bring together health and safety experts, educators, corporations, foundations, governments and volunteers to educate and protect families. The Safe Kids Walk This Way program was created by Safe Kids Worldwide and FedEx in the United States in 1999 to bring awareness to children pedestrian safety issues.



Annexation by Ordinance
Ordinance No. 18991
Effective: October 2, 2007
39.5 Acres



-  Area of Annexation
-  City Limits Before Annexation
-  Ownership Parcels



MEMORANDUM

DATE: October 25, 2007

TO: City Council

FROM: Marvin Krout, Planning Director, Lincoln/Lancaster County *M Krout*
Planning Department

RE: Bike Lanes

CC: Mayor Chris Beutler
Karl Fredrickson, Public Works & Utilities
Trish Owen, Mayor's Office
Roger Figard, Public Works & Utilities-Engineering Services
Kent Morgan, Planning Department
Randy Hoskins, Public Works & Utilities-Engineering Services
Scott Opfer, Public Works & Utilities-Engineering Services
David Cary, Planning Department

The City Council, in August of last year, approved an amendment to Title 10 of the Lincoln Municipal Code allowing bike lanes on city streets, with the proviso that a review of the lanes proposed for 11th Street and 14th Street downtown be completed in one year. Attached is a copy of the memorandum sent to Mayor Beutler as directed by the City Council. Also attached is a short report prepared last month which updates the information in the original report.

The two studies show increasing use of these streets by bicyclists, with no increase in crashes, fewer bicyclists on the sidewalks and no signs of increased traffic congestion. It appears as though bicyclists as well as drivers have become more comfortable with navigating these streets over the past year. Planning and Public Works staff recommend the continued operation of these bike lanes and investigation of opportunities for additional bike lanes. The cost of additional striping for these lanes is nominal if done as part of the overall restriping of these streets, which is done semi-annually.

q:\Multi-modal trans\BikeLanes\Memorandum to City Council October 2007 *[Signature]*

Update to Bike Lane Report to Mayor Beutler dated August 1, 2007

September 2007 Bike Lane User Counts

On Thursday, September 20, and Wednesday, September 26, bike lane user counts were conducted on 11th and 14th Street respectively. On September 20, 14th Street bike lane use was counted, and on September 26, 11th Street was counted. On each day a morning 2-hour count (7:00-9:00 a.m.), a midday 2-hour count (11:00 a.m.-1:00 p.m.), and an afternoon 2-hour count (4:00-6:00 p.m.) was conducted. The following are the results of these counts.

14th Street - September 20, 2007

- Total Usage During 6-Hour Count Period = 171 bikers/22 on sidewalks
- 7:00-9:00 - 71 bikers using bike lane, 6 using sidewalks, no bikers riding in wrong direction, no motor vehicles observed using bike lanes illegally. Conditions were sunny and 66 degrees.
- 11:00-1:00 - 46 bikers using bike lane, 7 using sidewalks, no bikers riding in wrong direction, no motor vehicles observed using bike lanes illegally. Conditions were sunny and 80 degrees.
- 4:00-6:00 - 32 bikers using bike lane, 9 using sidewalks, no bikers riding in wrong direction, 1 motor vehicle observed using bike lanes illegally. Conditions were sunny and 90 degrees.

11th Street - September 26, 2007

- Total Usage During 6-Hour Count Period - 117 bikers/27 on sidewalks
- 7:00-9:00 - 5 bikers using bike lane, 5 using sidewalks, no bikers riding in wrong direction, 1 motor vehicle observed using bike lanes illegally. Conditions were sunny and 50 degrees.
- 11:00-1:00 - 29 bikers using bike lane, 9 using sidewalks, no bikers riding in wrong direction, 3 motor vehicles observed using bike lanes illegally. Conditions were sunny and 65 degrees.
- 4:00-6:00 - 56 bikers using bike lane, 13 using sidewalks, no bikers riding in wrong direction, 3 motor vehicles observed using bike lanes illegally. Conditions were sunny and 72 degrees.

General Observations

- It was observed during these count periods that the 14th Street bike lane appears to have more usage throughout the day with the morning period being a peak period of use. On 11th Street it appears that the late afternoon period, when students and workers are going home, is by far the peak period and there is less usage during other periods of the day, especially the early morning period.
- There was a significant increase in bicycle activity on the 14th Street bike lane compared to the first count results from April. It appears that bikers have grown more comfortable with using the bike lanes over time.

- Similar to what was observed during the first counts in April, there appears to be a significant amount of east/west bike traffic with most of that activity being on M and N Streets respectively.
- It was observed that the vast majority of bikers use the entire length of the 14th Street bike lane from K to R Street, while on 11th Street, many more bikers are using a portion of the bike lane and are turning on to or off of 11th at some point between Q to L.
- It appears that since last April, there are significantly fewer motor vehicles using the bike lanes illegally (i.e. as a through lane) on both 11th and 14th. It appears that drivers have learned how to navigate around the bike lanes properly over time.
- There also are less bikers using Downtown sidewalks on these 2 streets compared to April which suggests that many bikers have grown accustomed to using the bike lanes.
- There were no traffic back-ups or congestion issues observed on either street during these count periods.

q:\Multi-Modal trans\BikeLanes\Update to Bike Lane Report September 2007

MEMORANDUM

DATE: August 1, 2007

TO: Mayor Chris Beutler

FROM: David Cary, Planning Department *DC*

RE: Bike Lanes

CC: Karl Fredrickson, Public Works & Utilities
Marvin Krout, Planning Department
Trish Owen, Mayor's Office
Roger Figard, Public Works & Utilities-Engineering Service
Kent Morgan, Planning Department
Randy Hoskins, Public Works & Utilities-Engineering Services
Scott Opfer, Public Works & Utilities-Engineering Services

The purpose of this memo is to provide information on the implementation of Downtown bike lanes on 11th Street and 14th Street last August. This memo also provides information on initial findings of having such facilities on Downtown Lincoln streets. Also, as part of the approval of the change to the Lincoln Municipal Code to allow bike lanes on Lincoln streets, an amendment was passed by the City Council that required a review of Title 10 of the Lincoln Municipal Code relating to bicycle lanes by no later than August 1, 2007. This memo intends to meet this requirement.

Bike Lane Concept Approved in Planning Documents

The concept of bike lanes on Downtown Lincoln streets has been considered and approved in multiple public processes and documents. In 2002, the City/County Comprehensive Plan formally included bike lanes as a concept to try on Downtown Lincoln streets in both a north/south and an east/west manner. This concept was further studied and supported in the City's Multi-Modal Transportation study in 2004. The Downtown Master Plan's public process included the bike lane concept and employed the consulting services of a bicycle planning expert to assist in the bicycle findings. The Downtown Master Plan was approved and adopted into the Comprehensive Plan in 2005 with the direction to implement bike lanes on 11th and 12th Streets for a north/south pair, and on M and N Streets for an east/west pair. The latest update to the Comprehensive Plan in 2006 further affirmed the application of bike lanes as part of Lincoln's transportation system.

Bike Lane Design and Implementation

In 2006, numerous meetings with city staff, downtown business representatives, representatives from the bicycling community, the Downtown Lincoln Association, and

the public were held. The purpose of these meetings was to work on street design plans, develop an amendment to the Lincoln Municipal Code, and have general discussions on how to implement bike lanes in Downtown Lincoln. Those involved in the numerous meetings held include the following (not all individuals listed attended every meeting):

- City Staff: Ann Harrell, Mayor's Office; Lynn Johnson and Terry Genrich, Parks and Recreation; Randy Hoskins and Scott Opfer, Public Works & Utilities-Engineering Services; David Cary, Planning; Dallas McGee and Jeff Cole, Urban Development; Joy Citta, Lincoln Police Department; John McQuinn, Law Department
- Elected Official: Annette McRoy
- Private Interests: Craig Madson, USBank; Beth Thacker, Mayor's Pedestrian and Bicycle Advisory Committee; Polly McMullen, Downtown Lincoln Association; Drew Stange, NAI FMA Realty; Ed Swotek, TierOne Bank; Jason Albers, Great Plains Trails Network; Michele Waite, UNL; Susan Rodenburg, Bicycle Advocate

Meetings of a working group intent on developing a north/south bike lane plan that could be implemented in Downtown Lincoln began meeting in April of 2006. This group met 5 times in April, May, and June. Discussions concentrated on the design of the bike lane proposals on 11th Street and 12th Street. Topics under discussion included the width of the bike lanes, striping plans, signing plans, and how best to address a range of issues such as vehicular turning movements, bus activity, and on-street parking.

During these meetings it became clear that there was resistance from some business representatives to placing a bike lane on 12th Street for the northbound movement. After discussion of this issue, it was determined that if 12th Street, which is the preferred location for the bike lane as identified in the Downtown Master Plan, was not available for bike lane implementation, then 14th would be the next most logical northbound street for this use. Staff did note during these discussions that there were additional design concerns with 14th Street as compared to 12th Street.

It was decided by this group that informational meetings for property owners, businesses, and interested parties on both 11th and 14th Street would be useful to help determine the viability of bike lane implementation on those streets. A meeting was held on May 31st to discuss the 14th Street proposal, and another meeting was held on June 1st to discuss the 11th Street proposal. After general support was heard at these meetings, the final design for these two streets was completed and a public open house was scheduled for July 13th. At this open house 33 members of the public attended and were provided background information on what bike lanes entailed, the design proposals for 11th and 14th Streets, and drafts of the proposed Municipal Code change.

Additional meetings were held with individual interests such as with representatives of the State of Nebraska-Department of Administrative Services and the Nebraska Capitol Commission to inform them of the bike lane proposal.

Lincoln Municipal Code Change Approval

The Lincoln Municipal Code change that amended language to allow bike lanes on city streets was approved by the City Council on July 31, 2006, following a public hearing on July 24th. Formal support was received from the Mayor's Pedestrian and Bicycle Advisory Committee and the Great Plains Trails Network. Additional support was heard from individuals at the public hearing including Ian Davis, a bicycling enthusiast who provided signatures from 1,000 Lincoln residents in support of bike lanes. The City Council approved the Code change 5-1 with an amendment to provide a review of Title 10 of the Lincoln Municipal Code relating to bicycle lanes by August 1, 2007. The Mayor approved this action on August 2, 2006.

Installation of Bike Lanes

The bike lane striping, signage, and markings were installed over a three week period from the end of August in to September 2006 at an estimated cost of \$20,000. Additional striping of on-street angle parking spots was done to extend the length of the parking stalls to help indicate that there was no travel lane between the striped bike lane and the parking lane on both 11th and 14th Streets after observations indicated some driver confusion at particular locations. Semi-annual restriping of the bike lane lines and markings occurred in April 2007.

Informational Outreach

Efforts to provide the driving and bicycling public information on the installation and use of the bike lanes have been extensive and are on-going. Such efforts include the following:

- Informational flyers were created and distributed to downtown businesses as part of the Work Well program and to UNL students through the ASUN, the student government organization
- A city website was created to provide information on the bike lane project
- UNL sent an E-News e-mail to every student, faculty member, and staff member to provide information on the new bike lanes
- A press release from the City's Citizen Information Center was sent out when the bike lanes were installed
- Information was distributed to the local bicycle shops in Lincoln
- Information was provided to the State Driver Education program
- A 15 minute video was created on the bike lanes and has been distributed to all interested parties and has run on Channel 5 extensively. The video is also available through the bike lane web page.
- All interested citizens have been provided information on a request basis

- Lincoln Police Department officers have provided direction and information to both drivers and bikers on 11th and 14th Streets

Bicycle Traffic and Crash Information

Data provided by Public Works & Utilities-Engineering Services staff provides information on the number of crashes and bicycle activity on both 14th Street and 11th Street respectively. Crash data was collected for the 6-month period immediately prior to bike lane installation and for the 6-month period immediately following bike lane installation. Bicycle crashes were unchanged during the two data collection periods (1 crash during each period). Bicycle activity has increased at all intersections on 11th and 14th Streets where data was collected before and after bike lanes were installed. This data is attached at the end of this memo.

Bike Lane Usage Counts

On Friday April 27, 2007, bicycle user counts were conducted on both 14th Street and 11th Street. Counts were taken between the hours of 7:00-9:00 AM, 11:00 AM -1:00 PM, and 4:00-6:00 PM. The weather was mostly cloudy throughout the day with temperatures ranging between 45-65 degrees with occasional rain showers.

A total of 132 bicyclists were observed using 11th Street during the 6-hour count period with 87 using the bike lane and 45 using the sidewalk. The majority of the sidewalk use was observed between M and O Streets. A total of 104 bicyclists were observed using 14th Street during the 6-hour period with 93 using the bike lane and 11 using the sidewalk. Usage was highest on 14th Street during the morning count period, while on 11th Street usage was highest during the evening count period.

Three bicyclists were observed riding in the bike lanes in the wrong direction on 11th Street. Eight motorists were observed using the bike lane illegally on 14th Street, while 53 motorists were observed using them illegally on 11th Street. Most of the offenders on 11th Street were using the bike lane illegally between N and O Streets. Those on 14th Street were using the bike lane illegally between M and N Streets.

Recommendation

Staff recommends the continued operation and maintenance of bike lanes on 11th and 14th Streets in Downtown Lincoln. Despite the design constraints and some public criticism, bicycling has increased on these streets with no increased crashes, which indicates a successful program. Future costs are limited to restriping semi-annually, and most of this cost would need to occur regardless of whether the bike lanes were included. Additional study of the use and impacts of these facilities should also continue to ensure the most effective application of this concept. Also, consideration should be given to additional applications of the bike lane concept in Lincoln.

Q:\Multi-modal trans\BikeLanes\MEMORANDUM to Mayor August 2007.wpd

11th & "M" Bicyclists

11th & "M" Street Traffic Volumes

	Before Bike Lanes	After Bike Lanes		Before Bike Lanes	After Bike Lanes
AM Lefts	100	92	AM	5	4
AM Thrus	423	382	Noon	8	16
AM Rights	0	0	PM	19	41
Noon Lefts	188	162			
Noon Thrus	491	440			
Noon Rights	0	0			
PM Lefts	293	198			
PM Thrus	763	724			
PM Rights	0	0			

11th & "O" Street Traffic Volumes

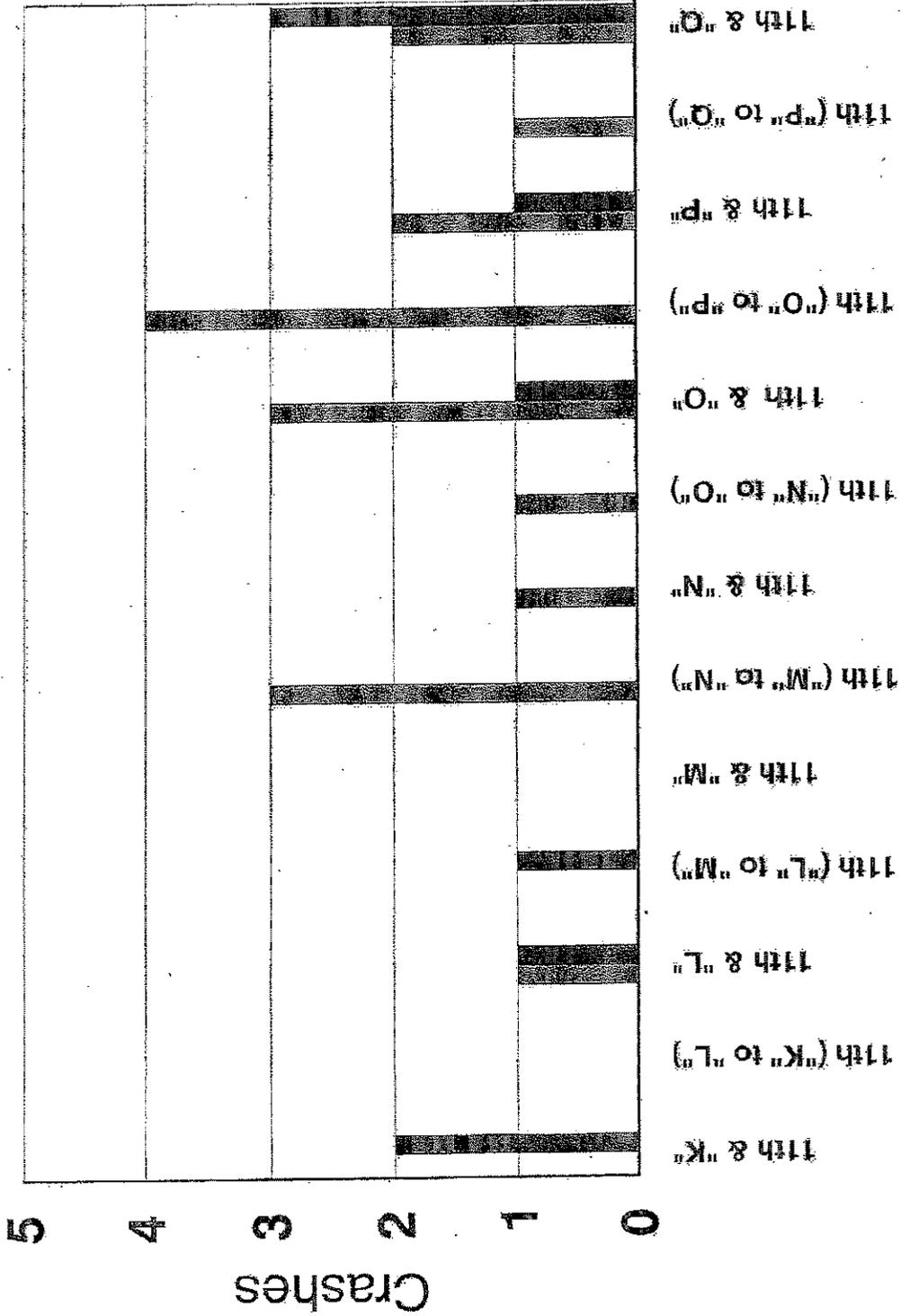
11th & "O" Bicyclists

	Before Bike Lanes	After Bike Lanes		Before Bike Lanes	After Bike Lanes
AM Lefts	41	38	AM	1	2
AM Thrus	267	273	Noon	0	9
AM Rights	45	44	PM	1	16
Noon Lefts	40	57			
Noon Thrus	227	241			
Noon Rights	64	120			
PM Lefts	76	47			
PM Thrus	361	345			
PM Rights	129	121			

Crashes on 11th Street

	Before Bike Lanes (Feb. '06 to July '06)	After Bike Lanes (Aug. '06 to Jan. '07)
11th & "K"	0	2 (1 Car/Ped at 11th & K)
11th ("K" to "L")	0	0
11th & "L"	1	1
11th ("L" to "M")	0	1
11th & "M"	0	0
11th ("M" to "N")	3	0
11th & "N"	1 Car/Bike at 11th & N	0
11th ("N" to "O")	1	0
11th & "O"	3	1
11th ("O" to "P")	4	0
11th & "P"	2	1
11th ("P" to "Q")	1	0
11th & "Q"	2	3

11th Street Corridor



 Before Bike Lanes (Feb. '06 to July '06)
 After Bike Lanes (Aug. '06 to Jan. '07)

Street Segments

14th & "M" Street Traffic Volumes

14th & "M" Bicyclists

	Before Bike Lanes	After Bike Lanes		Before Bike Lanes	After Bike Lanes
AM Lefts	0	0	AM	0	33
AM Thrus	519	589	Noon	0	14
AM Rights	218	240	PM	0	14
Noon Lefts	0	0			
Noon Thrus	532	537			
Noon Rights	152	171			
PM Lefts	0	0			
PM Thrus	594	558			
PM Rights	191	239			

14th & "O" Street Traffic Volumes

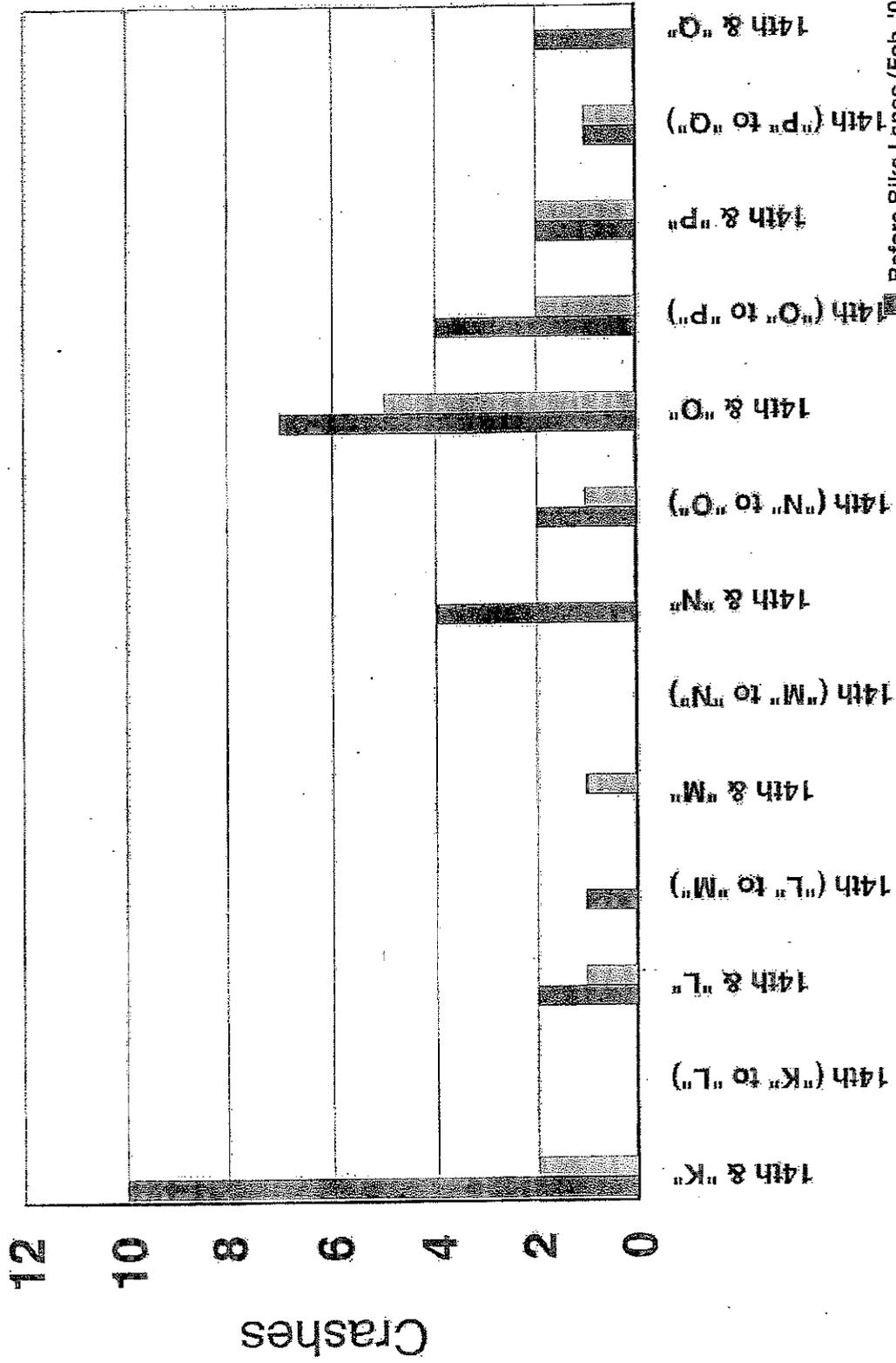
14th & "O" Bicyclists

	Before Bike Lanes	After Bike Lanes		Before Bike Lanes	After Bike Lanes
AM Lefts	92	67	AM	1	2
AM Thrus	317	275	Noon	3	9
AM Rights	103	63	PM	4	16
Noon Lefts	126	97			
Noon Thrus	402	347			
Noon Rights	147	145			
PM Lefts	216	141			
PM Thrus	526	439			
PM Rights	238	241			

Crashes on 14th Street

	Before Bike Lanes (Feb. '06 to July '06)	After Bike Lanes (Aug. 06 to Jan. '07)
14th & "K"	10	2
14th ("K" to "L")	0	0
14th & "L"	2	1
14th ("L" to "M")	1	0
14th & "M"	0	1
14th ("M" to "N")	0	0
14th & "N"	4 (1 Car/Ped at 14th & N)	0
14th ("N" to "O")	2	1
14th & "O"	7 (2 Car/Ped at 14th & O)	5 (1 Car/Ped at 14th & O) (1 Car/Bike at 14th & O)
14th ("O" to "P")	4	2
14th & "P"	2	2
14th ("P" to "Q")	1	1
14th & "Q"	2	0

14th Street Corridor



Street Segments

Before Bike Lanes (Feb. '06 to July '06)
 After Bike Lanes (Aug. '06 to Jan. '07)

***** ACTION BY PLANNING COMMISSION *****
October 24, 2007

NOTICE: The Lincoln/Lancaster County Planning Commission will hold a public hearing on Wednesday, October 24, 2007, at 1:00 p.m. in the City-Council Hearing Room, County-City Building, 555 S. 10th St., Lincoln, Nebraska, on the following items. For more information, call the Planning Department, 441-7491.

**** PLEASE NOTE:** The Planning Commission action is final action on any item with a notation of "FINAL ACTION". Any aggrieved person may appeal Final Action of the Planning Commission to the City Council by filing a Notice of Appeal with the City Clerk within 14 days following the action of the Planning Commission.

The Planning Commission action on all other items is a recommendation to the City Council or County Board.

AGENDA

WEDNESDAY, OCTOBER 24, 2007

[Commissioners Moline and Sunderman absent]

Approval of minutes of the regular meeting held October 10, 2007. ****APPROVED, 5-0 (Carroll abstaining; Moline, Sunderman and Taylor absent)****

1. CONSENT AGENDA
(Public Hearing and Action):

CHANGE OF ZONE:

- Page 01
- 1.1 Change of Zone No. 07054HP, to designate a historic landmark known as Gamma Phi Beta Sorority house, on property located at 415 N. 16th Street.
Staff recommendation: Approval
Staff Planner: Ed Zimmer, 441-6360, ezimmer@lincoln.ne.gov
Planning Commission recommendation: APPROVAL, 7-0 (Moline and Sunderman absent).
Public hearing before City Council tentatively scheduled for Monday, November 19, 2007, 5:30 p.m.

CHANGE OF ZONE WITH RELATED ITEMS:

Page 21 1.2a Change of Zone No. 07056, from AGR Agricultural Residential District to R-3 Residential District, on property generally located at Ashbrook Drive and Nebraska Highway 2.
Staff recommendation: Approval
Staff Planner: Brian Will, 441-6362, bwill@lincoln.ne.gov
Removed from Consent Agenda and had separate public hearing.
Planning Commission recommendation: APPROVAL, 7-0 (Moline and Sunderman absent).
Public hearing before City Council tentatively scheduled for Monday, November 19, 2007, 5:30 p.m.

Page 29 1.2b Special Permit No. 1992A, an amendment to the Edenton Woods Community Unit Plan, to add approximately 33 dwelling units, with requests to waive block length and to allow rollover curbs, on property generally located at Ashbrook Drive and Nebraska Highway 2. *** **FINAL ACTION** ***
Staff recommendation: Conditional Approval
Staff Planner: Brian Will, 441-6362, bwill@lincoln.ne.gov
Removed from Consent Agenda and had separate public hearing.
Planning Commission 'final action': CONDITIONAL APPROVAL, as set forth in the staff report dated October 11, 2007, with amendment to Condition #3.1.5, 7-0 (Moline and Sunderman absent).
Resolution No. PC-01085.

2. **REQUESTS FOR DEFERRAL: None**

4. **PUBLIC HEARING AND ACTION:**

COMPREHENSIVE PLAN WITH RELATED ITEMS:

Page 51 4.1a Comprehensive Plan Conformance No. 06001, to review as to conformance with the 2030 Lincoln City/Lancaster County Comprehensive Plan, an amendment to the "Antelope Valley Redevelopment Plan" to add a housing project to provide new rental housing for low income and low income seriously mentally ill people, and new single family homes for low and moderate income people, on property generally bounded on the west by Hayward Park, on the north by the Salt Creek channel, on the east by N. 10th Street, and on the south by the east-west alley north of Claremont Street (Old Naval Reserve Building site).
Staff recommendation: Conformance with the Comprehensive Plan
Staff Planner: Sara Hartzell, 441-6372, shartzell@lincoln.ne.gov
Had public hearing.
Planning Commission recommendation: A FINDING OF CONFORMANCE WITH THE COMPREHENSIVE PLAN, 7-0 (Moline and Sunderman absent).
Public Hearing before City Council tentatively scheduled for Monday, November 19, 2007, 5:30 p.m.

- Page 73 4.1b Comprehensive Plan Conformance No. 07022, to review as to conformance with the 2030 Lincoln City/Lancaster County Comprehensive Plan, a proposal to declare property as surplus, generally located at N. 10th Street and Military Road.
Staff recommendation: Conformance with the Comprehensive Plan
Staff Planner: Sara Hartzell, 441-6372, shartzell@lincoln.ne.gov
Had public hearing.
Planning Commission recommendation: A FINDING OF CONFORMANCE WITH THE COMPREHENSIVE PLAN, 7-0 (Moline and Sunderman absent).
Public Hearing before City Council tentatively scheduled for Monday, November 19, 2007, 5:30 p.m.
- Page 91 4.1c Change of Zone No. 07055, from P Public Use District to R-4 Residential District, on property generally located at N. 10th Street and Military Road.
Staff recommendation: Approval
Staff Planner: Tom Cajka, 441-5662, tcajka@lincoln.ne.gov
Had public hearing.
Planning Commission recommendation: APPROVAL, 7-0 (Moline and Sunderman absent).
Public Hearing before City Council tentatively scheduled for Monday, November 19, 2007, 5:30 p.m.
- Page 97 4.1d Special Permit No. 07047, 10th & Military Community Unit Plan, for approximately 73 dwelling units, with requests to waive screening along the limits of the community unit plan, reduction in parking, reduce front yard setback, stormwater detention, spacing of local streets to major streets, and minimum elevation of streets in a floodplain, on property generally located at N. 10th Street and Military Road.
Staff recommendation: Conditional Approval
Staff Planner: Tom Cajka, 441-5662, tcajka@lincoln.ne.gov
Had public hearing.
Planning Commission recommendation: CONDITIONAL APPROVAL, as set forth in the staff report dated October 10, 2007, with amendments, 7-0 (Moline and Sunderman absent).

5. **CONTINUED PUBLIC HEARING AND ACTION:**

CHANGE OF ZONE WITH RELATED ITEMS:

- Page 127
- 5.1a County Change of Zone No. 07052, from AG Agricultural District to AGR Agricultural Residential District, on property generally located at NW 118th Street and W. Fletcher Avenue.
Staff recommendation: Approval
Staff Planner: Sara Hartzell, 441-6372, shartzell@lincoln.ne.gov
Had continued public hearing.
Planning Commission recommendation: DENIAL, 7-0 (Moline and Sunderman absent).
Public Hearing date before the Lancaster County Board is being requested.
- Page 127
- 5.1b County Special Permit No. 07039, Parkland Estates Community Unit Plan, for approximately 22 single family lots, with requests to waive sidewalks, street trees, street lighting, landscape screening, block length, lot width to depth ratio, reduction of front yard setbacks from 50 to 25 feet, preliminary plat, and storm water detention, on property generally located at NW 118th Street and W. Fletcher Avenue.
Staff recommendation: Conditional Approval
Staff Planner: Sara Hartzell, 441-6372, shartzell@lincoln.ne.gov
Had continued public hearing.
Planning Commission recommendation: DENIAL, 7-0 (Moline and Sunderman absent).
Public Hearing date before the Lancaster County Board is being requested.
- Page 127
- 5.1c County Special Permit No. 07040, to allow dwellings within 1,320 feet of the property line of a publicly owned lake, with a waiver request to reduce the setback from 600' to 300' from the property line of the public lake, on property generally located at NW 118th Street and W. Fletcher Avenue.
Staff recommendation: Conditional Approval
Staff Planner: Sara Hartzell, 441-6372, shartzell@lincoln.ne.gov
Had continued public hearing.
Planning Commission recommendation: DENIAL, 7-0 (Moline and Sunderman absent).
Public Hearing date before the Lancaster County Board is being requested.

PERMITS:

Page 165 5.2 Use Permit No. 04005A, an amendment to reduce the rear and side yard setbacks, on property generally located at NW Pemberly Lane and Barons Road.

Staff recommendation: Conditional Approval

Staff Planner: Tom Cajka, 441-5662, tcajka@lincoln.ne.gov

Had continued public hearing.

Planning Commission recommendation: CONDITIONAL APPROVAL, as set forth in the staff report dated October 10, 2007, 6-0 (Moline, Sunderman and Taylor absent).

Public Hearing before City Council tentatively scheduled for Monday, November 19, 2007, 5:30 p.m.

Page 181 5.3 Special Permit No. 07045, for an approximately 198' tall wireless facility, on property generally located near S. 70th Street and Saltillo Road.

***** FINAL ACTION *****

Staff recommendation: Conditional Approval

Staff Planner: Brian Will, 441-6362, bwill@lincoln.ne.gov

Had continued public hearing.

Planning Commission 'final action': CONDITIONAL APPROVAL, as set forth in the staff report dated October 16, 2007, 5-0 (Carroll declaring a conflict of interest; Moline, Sunderman and Taylor absent).

Resolution No. PC-01086.

* * * * *

**AT THIS TIME, ANYONE WISHING TO SPEAK ON AN ITEM
NOT ON THE AGENDA, MAY DO SO**

* * * * *

PENDING LIST:

1. *Change of Zone No. 3321, requested by Michael T. Johnson, on behalf of West Gate, inc., from R-7 Residential District to B-4 Lincoln Center Business District, on property generally located at 1729 "M" Street.
(6-13-01: Planning Commission voted 6-0 to place on pending at the request of the applicant.)*

2. *Street and Alley Vacation No. 04013, to vacate all of the east-west alley in Block 65, Original Lincoln, bounded by 13th, 14th, "M" and "N" Streets, generally located at S. 13th Street & "M" Street.
(3-16-05: Planning Commission voted 9-0 to place on pending until completion of the Downtown Master Plan at the request of the applicant.)*

- 3a. *Change of Zone No. 06082, from AGR Agricultural Residential District to R-3 Residential District, on property generally located at SW 40th Street and West A Street.
(8-15-07: Planning Commission voted 8-0 to place on pending at the request of the applicant.)*

- 3b. *Preliminary Plat No. 06011, Woodland View 1st Addition, for 25 single family lots and 4 outlots, on property generally located at SW 40th Street and West A Street. The Planning Commission action on the plat is final, unless appealed to the City Council. The following waivers are also being requested: a) to allow sanitary sewer to run against the street grade and b) to allow sanitary sewer to be deeper than 15 feet. Any waiver requests that are recommended for denial by the Planning Department will be forwarded to the City Council for public hearing. If all waiver requests are recommended for approval, the Planning Commission action is final, unless appealed to the City Council. *** **FINAL ACTION** ***
(8-15-07: Planning Commission voted 8-0 to place on pending at the request of the applicant.)*

Planning Dept. staff contacts:

Ray Hill, Development Review Manager	441-6371	rhill@lincoln.ne.gov
Steve Henrichsen, Special Projects Manager	441-6374	shenrichsen@lincoln.ne.gov
Mike Brienzo, Transportation Planner	441-6369	mbrienzo@lincoln.ne.gov
Tom Cajka, Planner	441-5662	tcajka@lincoln.ne.gov
David Cary, Transportation Planner	441-6364	dcary@lincoln.ne.gov
Mike DeKalb, Planner	441-6370	mdekalb@lincoln.ne.gov
Christy Eichorn, Planner	441-7603	ceichorn@lincoln.ne.gov
Brandon Garrett, Planner	441-6373	bgarrett@lincoln.ne.gov
Sara Hartzell, Planner	441-6372	shartzell@lincoln.ne.gov
Brian Will, Planner	441-6362	bwill@lincoln.ne.gov
Ed Zimmer, Historic Preservation Planner	441-6360	ezimmer@lincoln.ne.gov

* * * * *

**The Planning Commission meeting
which is broadcast live at 1:00 p.m. every other Wednesday
will be rebroadcast on Sundays at 1:00 p.m. on 5 City-TV, Cable Channel 5.**

* * * * *

**The Planning Commission agenda may be accessed on the Internet at
<http://www.lincoln.ne.gov/city/plan/pcagenda/index.htm>**



PUBLIC WORKS & UTILITIES ADVISORY

MAYOR CHRIS BEUTLER

lincoln.ne.gov

October 22, 2007

16" Water Main Project in Holdrege Street to Start Executive Order No. 79014

In the next few days, weather permitting, the construction of a 16" water main along the north side of Holdrege Street is scheduled to begin. We are issuing this advisory as the construction could temporarily disrupt traffic in your area.

The construction will begin on the north side of Holdrege Street just east of 87th Street and proceed east to the northeast corner of 98th and Holdrege Streets. The construction is scheduled to take approximately 5-6 weeks to complete.

With this type of construction, there may be some temporary inconveniences with driveways and roads but the contractor will try to keep those inconveniences to a minimum. The roads will not be closed to traffic at any time but could be limited to one lane during normal working hours.

If you have any questions concerning this project, please contact:

Contractor: Lowry Engstrom
General Excavating
(402) 432-0982

City of Lincoln: Brian Dittmann
Engineering Services
(402) 525-5646



LINCOLN ELECTRIC SYSTEM

FILED

OCT 24 2007

CITY CLERK'S OFFICE
LINCOLN, NEBRASKA

LES RESOLUTION 2007-14

WHEREAS, a severe ice storm in Central Nebraska over the period of December 29 - 31, 2006, caused substantial damage to Nebraska's high voltage transmission system resulting in 37 transmission lines out of service, essentially splitting the State's electrical system in half; and

WHEREAS, Nebraska Public Power District (NPPD) took immediate action to expedite the repair and reconstruction of the damaged transmission lines in order to return them to service by June 1, 2007; and

WHEREAS, the transmission outages impacted Lincoln Electric System's (LES) ability to receive its full allocation of power from the Laramie River Station (LRS) near Wheatland, Wyoming, and the Gerald Gentleman Station (GGS) near Sutherland, Nebraska, LES' two least cost resources; and

WHEREAS, LES incurred significantly higher power costs because it was required to buy higher priced wholesale power or generate using its own higher cost generating units to replace the amount of power normally supplied by LRS and GGS; and

WHEREAS, LES incurred approximately \$9.8 million in storm related replacement power costs; and

WHEREAS, the LES Administrative Board recommended and the Lincoln City Council declared an emergency and approved a temporary 5.5% surcharge on electric bills to cover these storm-related costs and to expire on December 31, 2007, or at the end of the billing cycle in the month when the surcharge has generated revenues sufficient to cover the storm-related power costs, whichever occurs first; and

WHEREAS, the surcharge through September 2007 has generated \$6.9 million in revenues; and

WHEREAS, the surcharge revenue has not yet covered all of the storm-related power costs, but LES has experienced other favorable factors, such as excellent operations at LES resources, on time completion of the Walter Scott, Jr. Energy Center Unit 4 in Council Bluffs, and reasonably priced wholesale power markets; and

WHEREAS, LES currently expects to end 2007 in a sound financial condition without the continuation of the temporary surcharge; and

WHEREAS, the LES Administrative Board Budget and Rates Committee has reviewed staff assessments of the surcharge and forecasts for the remainder of the year and recommends terminating the temporary surcharge at the end of the October 2007 billing cycle;

NOW, THEREFORE, BE IT RESOLVED, that the LES Administrative Board finds that the revenue collected from the temporary surcharge combined with LES' current financial position and projections for the remainder of 2007 are sufficient to cover the storm-related power costs and declares that the temporary 5.5% surcharge should terminate at the end of the October 2007 billing cycle; and

BE IT FURTHER RESOLVED, that a copy of this resolution be provided to the Lincoln City Council as notification of the termination of the temporary surcharge.


Chair

Adopted: October 19, 2007



Alison Stewart
<astewart1@unl.edu>
10/23/2007 04:48 PM

To: jcook@lincoln.ne.gov
cc: council@lincoln.ne.gov
bcc:
Subject: Bus questions answered to my satisfactioin

Dear Jonathan,

thank you for forwarding my questions about the proposed new bus routes to David Cary who offered me prompt, informative answers to all my questions. I find no problem at this time with supporting the proposed bus routes, and thought it would be helpful if you knew of my support.

FYI, what I sent to David on AVL: the digital signage discussed at the council meeting I have experienced in the very extensive public transportation system in Munich, Germany, this past summer. It's terrific and used pretty much throughout the entire system outdoors for buses and streetcars/light rail, and indoors for subways and commuter lines. It lets you know how to plan and what other alternative to take--another bus or light rail, or walk? I'm absolutely all for it, and it very much helps when there are delays, accidents, etc.

greetings,

Alison
Stewart

2127 Park Ave.
Lincoln 68502

To Whom It May Concern:

My name is Luke Scholl and I feel it is a great loss to the target shooting programs in the City of Lincoln to demolish the Jack Magorian Shooting Range.

I started taking BB gun safety classes at the range when I was 8 years old. Jack Magorian was my instructor. It is more important than ever that kids be able to learn the safety of guns today. To my knowledge, there has never been an accident at the range or involving a child that has taken the safety courses. The range is so important in the teaching of safety with all firearms.

I have shot air rifle and also shoot air pistol. I am interested in shooting a .22 rifle. The range allows me to do that.

I have participated at Nationals 3 different years in BB Gun and once in air pistol. This last year, I placed 1st at Nationals in the air pistol in my division. This would not have been possible without being able to practice and be trained at the range.

Before the city decides to demolish a building that major improvements were just made in the last two years, I would hope they would seriously consider what effect the demolition would have on the youth in the city. The range was recently renamed the Jack Magorian Shooting Range and now the city is planning to demolish it. Where is the honor in that?

Please remember the youth and the programs that have been built up and do not destroy the progress that has been made.

Sincerely,

Luke Scholl



"Randy"
<diversionhobbies@gmail.com>

10/22/2007 06:47 PM

To <mayor@lincoln.ne.gov>

cc <council@lincoln.ne.gov>

bcc

Subject: Animal Control

Mr. Mayor,

thank you for your recent actions to bring the Capital Human Society back into discussion of contracting to provide both animal control and animal sheltering services. Please continue to negotiate a deal with them in order to allocate some of the funds currently being used from the current city run animal control department to other parts of our already tight budget. Pressure from our city union is imminent, but please remember that the citizens of Lincoln who voted for you and for the members of the council should have a say in what happens in this and other matters.

Thank you for the work you are doing in our city, I wish both you and the city council the best and trust that the citizens of this community will be pleased with the decisions entrusted to you,

Randy Ralston
Lincoln, NE



"Darrell and Donna Best"
<dbest@diodecom.net>

10/23/2007 01:02 AM

To <council@lincoln.ne.gov>

cc

bcc

Subject: Ambulance contract

When does Lincoln Fire Departments emergency ambulance contract expire?? Darrell Best dbest@diodecom.net

**ADDENDUM
TO
DIRECTORS' AGENDA
MONDAY, OCTOBER 29, 2007**

I. MAYOR -

1. NEWS ADVISORY - RE: Mayor Beutler's Public Schedule Week of October 27 through November 2, 2007 - Schedule subject to change.

II. CITY CLERK - NONE

III. CORRESPONDENCE -

A. COUNCIL REQUESTS/CORRESPONDENCE -

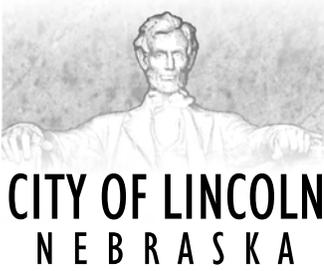
DAN MARVIN

1. E-Mail from Diane Reinsch to Dan Marvin, Chair - RE: Item 12, 07R-218 - on Council Agenda for 10/29/07 - Claim against the City of Lincoln.

B. DIRECTORS AND DEPARTMENT HEADS - NONE

C. MISCELLANEOUS -

1. E-Mail from Nancy Coffman - RE: Bus route changes.
2. Certified Letter from Ward Hoppe, Business & Real Estate Developers, Hoppe Inc. - RE: Development at 10th & Military.



NEWS ADVISORY

MAYOR CHRIS BEUTLER

lincoln.ne.gov

Date: October 26, 2007

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

Mayor Beutler's Public Schedule
Week of October 27 through November 2, 2007
Schedule subject to change

Monday, October 29

- International Visitors (teachers from the former Soviet Union, sponsored by UNL/U.S. State Department) - 11 a.m., Mayor's Conference Room, County-City Building, 555 S. 10th St.

Tuesday, October 30

- Alltel "My Community, My Choice" news conference, remarks - 11 a.m., Alltel Wireless retail store, 4815 Old Cheney Road
- Dedication of Pioneers Park Nature Center Prairie Building addition, remarks - 4 p.m., Pioneers Park Nature Center, 3201 S. Coddington Ave.

Thursday, November 1

- KLIN Morning Show - 8:10 a.m., Broadcast House, 4343 "O" St.
- Non-profit Leadership Summit, remarks - noon, Embassy Suites, 1040 "P" St.
- Reception for Hohai University (Nanjing, China) delegation - 5:30 p.m., Van Brunt Visitors Center, 313 N. 13th St.
- Witherbee Neighborhood Association annual meeting, remarks - 7 p.m., Tabitha Lifequest Center, 48th and "J" streets

Friday, November 2

- Association of Business Leaders, remarks - 8 a.m., Lazlo's South, 5900 Old Cheney Road
- West "O" Business Association luncheon, remarks - noon, Speedway Motors Museum, 340 Victory Lane
- Lincoln Literacy Council, unveiling of public art by Faridun Zoda, remarks - 4 p.m., 9th and "G" streets
- Ten Thousand Villages, unveiling of nativity sets - 7 p.m., Ten Thousand Villages store, 8th and "P" streets



Diane Reinsch
<dreinsch@lps.org>
10/29/2007 10:39 AM

To council@lincoln.ne.gov
cc
bcc
Subject urgent - for 10/29/07 meeting

Dan Marvin, Chair of City Council:

On July 3, while walking towards the Salvage Warehouse at 61st and Havelock, I fell through a sidewalk grate that had apparently been pulled open at some earlier date. The grate was located directly below a window in which the business was displaying items for sale. When I went into the business to get some ice and tell them about this, they said that it wasn't their property, and that the sidewalk belonged to the city. The friend that I was shopping with heard them say that they had told the city about it, and nothing had been done. In the next 10 minutes, someone from Salvage Warehouse went out and fastened a board to the sidewalk grate so that this type of accident would not happen again.

I took pictures of the site, including the grate, and also pictures of my leg injury, which included a cut and swollen knee and bruised thigh. I called the city attorney's office immediately after the accident to report the condition of the sidewalk, and also my injuries. The person I spoke with was Connor Reuter. She asked me to send a letter to her detailing the incident. I did so. On July 9, after my leg injury did not seem to be getting better, I made an appointment at my general practitioner's office, Dr. Ruby Northrup, where x-rays were taken. I was relieved that nothing had been broken. I also consulted my chiropractor to determine the extent of injury to my back as a result of the twisting that went on when my right leg went into the hole up to my thigh.

It was at this time that I began seeing my chiropractor for massage therapy and spinal adjustments to alleviate the pain and stiffness in my back. Dr. Scott Donkin, my chiropractor, release me from treatment about a month ago. Before being released, I also had my knee examined by Dr. Reckmeyer, my orthopedist, and x-rays showed that there was a crack in my patella that had not been there previously. It was determined that this probably would not leave me with any lasting disability.

Shortly after the chiropractic treatment started, I contacted Connor Reuter to make sure that the city would be taking care of this claim. She said that unless I got something in the mail from the city, I should assume everything was being taken care of. Dr. Donkin's office called Connor Reuter twice, as well, after the treatment went on for a few weeks, and their call was not returned.

On October 22, 2007, I received a letter from Connor Reuter, of the city attorney's office, stating that the city is not responsible for the injury. The letter stated that the Lincoln City Council would consider my claim at its regularly scheduled meeting on October 29. In this letter, the city claims that "in order for this type of claim to be authorized for payment from public funds, it must be shown that the public had knowledge of the claimed defect prior to the accident giving rise to the claim." I believe that both the business and the city knew about this sidewalk defect, and did not act to fix it until after the injury to my leg happened on July 9. The sidewalk grate, as of October 26, had still not been fixed. A board remains over the opening in the grate.

If the city does not take the initiative to pay this claim, I will have Dr. Northrup, Dr. Donkin, and Dr. Reckmeyer send claims to Blue shield, my insurance carrier. Since these are accident claims, Blue Shield will take over in my behalf in a claim against the city of Lincoln.

Please advise me as to what steps will be taken by the city to rectify this situation.

Sincerely,

Diane Reinsch
3600 Kimberly Circle
Lincoln, NE 68506

402-488-5112 (H)

402-440-7226 ©

402 436-1580 (W)



"Nancy Coffman"
<nancylc@sprynet.com>
10/26/2007 07:10 AM

To <council@Lincoln.ne.gov>
cc
bcc
Subject Bus route changes

Dear Council members:

I am writing to express my concern about changes that have been proposed for the Lincoln Startran bus system. These changes will have a negative impact on many Lincoln citizens. For many of us, no shopping is available on Saturdays because "neighborhood routes" will not operate on Saturdays. Less public transportation has been disguised as better transportation for Lincoln by people who do not use public transportation and have no intention of ever doing so.

The Lincoln Independent Business Association has had a representative speak in support of this plan. I am sure they are hoping for lower taxes. I am a home owner and a taxpayer also. I sometimes use the bus system to get to and from work. On days off, I use it to independently shop, attend meetings and run errands. The proposed route changes will eliminate any access to shopping during my off hours. I also recognize that for those who don't drive, the inability to access reliable transportation to and from work will increase my taxes since more people will be forced to depend on public assistance.

I am also disturbed by the fact that Lincoln's bus system is seen as a welfare agency by day and an entertainment shuttle by night. Many resources have been allocated to shuttling people to the zoo, the football stadium and the Haymarket area. It has even been proposed that a shuttle be available to take fun seekers from the Haymarket back to their cars. I think this proposal has the potential to endanger residents by providing people who have had too much to drink with transportation back to a waiting car.

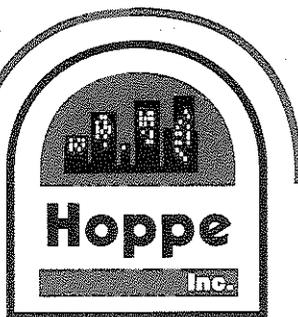
It has also come to my attention that after narrative was written to describe the routes, changes were made. These changes were posted in a portable document format image that is not accessible to blind people. Regardless of how major or minor these changes are, some riders lack the information they need to make an informed decision about how the routes will affect them.

Thank you for carefully considering the proposed Startran changes. I hope you will express strong disapproval of implementing the current plan. I also hope you will encourage city planners and our city managers to market the Startran system as good for everyone, regardless of age, disability or income. It is NOT a welfare agency and should be available and serviceable to ALL Lincoln residents.

Sincerely,

Nancy L. Coffman
880 South 39th Street
Lincoln, NE 68510

Business & Real Estate Developers



RECEIVED

October 25, 2007

OCT 26 2007

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

CITY COUNCIL
OFFICE

Re: Development at 10th & Military

To Whom it May Concern:

My name is Fred Hoppe and I have proposed a new development in the area of 10th and Military streets here in Lincoln. This development will consist of 61 apartments and 10 town homes and will include a clubhouse and refurbishing of the adjacent Hayward Park for all neighborhood residents to enjoy.

We appeared in front of the Planning Department on Wednesday, October 24 and received unanimous approval from them to proceed with this project. Therefore, we are requesting a waiver of the rules and a vote on our request the same night as the Public Hearing which is scheduled for Monday, November 19th on the Special Permit # 07047 and Change of Zoning # 07055. We are requesting Low Income Housing Tax Credits from NIFA for this project and the deadline to file the final application is November 30.

Please feel free to contact me with any questions you may have.

Best regards,

A handwritten signature in cursive script, appearing to read "Ward F. Hoppe".

Ward F. Hoppe