

**IN LIEU OF AGENDA FOR
DIRECTORS' MEETING
MONDAY, DECEMBER 28, 2009**

I. CITY CLERK

II. CORRESPONDENCE FROM THE MAYOR & DIRECTORS TO COUNCIL

MAYOR

- *1. NEWS RELEASE. Mayor presents November Award of Excellence to Deborah Baines.
- *2. Drinking water samples tested for Total Coliform and E. Coli bacteria by the Colilert® method of analysis.
- *3. NEWS ADVISORY. Mayor Beutler will make an announcement on the City's stimulus-funded street projects on Thursday, December 17, 2009, 10:00 am, at 2500 Wildcat Drive, after a ribbon-cutting at Anderson Ford Lincoln Mercury Mazda. (Sent to Council Members on Wednesday, December 16, 2009)
- *4. NEWS RELEASE. Stimulus-funded street projects get green light.
- *5. Washington Report, December 11, 2009.
 - 6. NEWS ADVISORY. Mayor Beutler's Public Schedule for week of December 19 through 25, 2009. (Forwarded to Council Members on 12/18/09)
 - 7. NEWS ADVISORY. Mayor Beutler's new conference, Tuesday, December 22nd, in the Mayor's Conference Room, 555 S. 10th, to discuss the City's latest survey of residents. (Sent to Council Members on 12/22/09 a.m.)
 - 8. NEWS RELEASE. Mayor urges residents to take online survey.
 - 9. NEWS RELEASE. City to recycle trees for 23rd year.
 - 10. City of Lincoln snow/traffic condition report. December 23, 2009, 5:30 a.m.
 - 11. City of Lincoln snow/traffic condition report. December 23, 2009, 10:30 a.m.
 - 12. Washington Report, December 18, 2009.

DIRECTORS

FINANCE/BUDGET

- 1. Memo from Steve Hubka, Budget Officer, on December sales tax reports:
 - a) Actual Compared to Projected Sales Tax Collections;
 - b) Gross Sales Tax Collections (with refunds added back in) 2004-2005 through 2009-2010;
 - c) Sales Tax Refunds 2004-2005 through 2009-2010; and
 - d) Net Sales Tax Collections 2004-2005 through 2009-2010.

HEALTH DEPARTMENT

- *1. NEWS RELEASE. Unvaccinated individuals in the high priority groups are encouraged to get the H1N1 flu vaccine now. Vaccine will be available to the general public beginning December 21, 2009.

LIBRARIES

- 1. Williams Branch Library temporarily closed during the refinishing of the school gym floor.

PLANNING

- *1. Action by Planning Commission, December 16, 2009.
- 2. December 2009 Planning Department newsletter posted to the web.
- 3. Administrative Amendment approvals, No. 09071 and No. 09074.

PLANNING COMMISSION FINAL ACTION

- *1. Special Permit No. 09027. Indoor Kennel. NW corner, South 40th and Old Cheney Road. Resolution No. PC-01187.
- 2. Special Permit No. 384G. Tabitha, South 48th Street and Randolph Street. Resolution No. PC-01186.

PUBLIC WORKS AND UTILITIES

- *1. Contact for snow information.

III. COUNCIL RFI'S AND CITIZEN CORRESPONDENCE TO INDIVIDUAL COUNCIL MEMBERS

JON CAMP

- 1. Response from Dallas McGee, Assistant Director Urban Development, to questions from Councilman Camp on the Block 38 development proposed by the Urban 38 group. (Forwarded to Council Members on 12/18/09)
- 2. Follow up by Karen Sieckmeyer, Public Works and Utilities, to Ron Feyerherm's email regarding concerns to StarTran telephone messages.
- 3. Traffic Operations Manager, Scott Opfer, reply to snow removal concerns.

DOUG EMERY

- *1. InterLinc correspondence from Sandy Elton on street condition.
- 2. Traffic Operations Manager, Scott Opfer, reply to concerns of accidents on the No. 27th and Teresa Street bridge due to ice. (Question presented under Miscellaneous No. 5)

IV. CORRESPONDENCE FROM CITIZENS TO COUNCIL

- 1. InterLinc correspondence from Joseph Tindle regarding car/deer accidents occurring along Superior Street with a recommendation to reduce the deer population.
- 2. InterLinc correspondence from Karen Kronhofman regarding Lancaster Manor. (This email forwarded to County Commissioners on 12/21/09)

3. Email from Scott Sullivan, Erickson Sullivan Architects, commenting on the good of the Downtown Design Standards.
4. Letter from Steve and Karen Carr stating why they will be unable to continue to do business with Time Warner Cable, listing how Time Warner Cable handled their request of additional service. (Sent copy of letter to The Cable TV Advisory Committee)
5. InterLinc correspondence from Jim Johnson regarding the North 27th and Teresa Street bridge being icy causing accidents to occur. (Forwarded to Scott Opfer, Traffic Operations Manager; and Greg MacLean, Public Works & Utilities Director)

V. ADJOURNMENT

***Held over from December 21, 2009**

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NEWS ADVISORY

MAYOR CHRIS BEUTLER

lincoln.ne.gov

Date: December 18, 2009

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

Mayor Beutler's Public Schedule
Week of December 19 through 25, 2009
Schedule subject to change

Saturday, December 19

- MAD Dad's bike distribution, remarks - 1 p.m., 615 S. 16th St.

Tuesday, Dec. 22

- KFOR interview - 11 a.m. (Pre-recorded)
- News conference on City survey - 1:30 p.m., Mayor's Conference Room, County-City Building, 555 S. 10th St.

Wednesday, Dec. 23

- KLIN Morning Show - 8:10 a.m., 4343 "O" Street

Thursday, December 24

- KFOR Morning Show - 7:45 a.m.

Friday, December 25

CITY OFFICES CLOSED - CHRISTMAS HOLIDAY



NEWS ADVISORY

MAYOR CHRIS BEUTLER

lincoln.ne.gov

OFFICE OF THE MAYOR

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

DATE: December 22, 2009

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

Mayor Chris Beutler will discuss the City's latest survey of residents at a news conference at **1:30 p.m. TODAY, Tuesday, December 22**, in the **Mayor's Conference Room, County-City Building, 555 S. 10th St.** The Mayor will discuss several results from the recently-completed telephone survey of 600 randomly selected residents. He also will encourage all residents to take the online survey.



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: December 22, 2009

FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831
Alan Tomkins, Public Policy Center, 472-5678

MAYOR URGES RESIDENTS TO TAKE ONLINE SURVEY

Mayor Chris Beutler today encouraged all residents to take the City's latest citizen satisfaction survey, now available online at lincoln.ne.gov. He said this survey is important in measuring City government performance, an essential step in the City's transition to outcome-based budgeting.

"For more than two years, we have worked to change the culture at City Hall to become more responsive, more customer-friendly and more focused on performance," Beutler said. "Residents would be performing an important service for our community by telling us what we do well and what we can improve." The survey will be online until mid-January, and paper copies are available at libraries and at the Mayor's Office.

Beutler also released several results from the recently completed telephone survey of 600 randomly selected residents:

- When asked about quality of life, 91 percent of those surveyed said they were satisfied or very satisfied. "That tells us in pretty clear terms that Lincoln residents think our community is on the right track," Beutler said. "The majority think we are providing them with the kinds of opportunities that make this a great place to get an education, raise a family and start a business."
- Nearly two-thirds of those interviewed said they were satisfied or very satisfied with the City's snow removal, a result that surprised the Mayor because of the difficulty of dealing with winter storms. "To earn what I consider a strong vote of confidence in our snow removal effort, shows that people's expectations are reasonable," he said. "They recognize the challenges we face in providing good service at a fair price to the taxpayers."
- When asked if they receive good value for their City government tax dollars, 45 percent said they agreed or strongly agreed. Only 28 percent said they disagreed or strongly disagreed. "I think the result demonstrates that people approve of how we have handled the City budget and our commitment to both performance-based governing and public participation," he said.

At the same time, the Mayor said he is concerned that more than 70 percent of the phone survey respondents overestimated the percentage of their property tax dollar that goes to City government.

- more -

“The answer is about 14 percent, but less than 30 percent of those surveyed were correct,” he said. “I believe Lincoln residents would rate the value question even higher if they had the correct information on their property taxes.”

The Mayor said complete results would be released once the online survey results are processed. The City is again partnering with the University of Nebraska Public Policy Center, which also helped with the PRIORITY LINCOLN project and earlier “Taking Charge” efforts.

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TIMELINE - OUTCOME BASED BUDGETING IMPLEMENTATION

- February 12, 2008 - Mayor announces PRIORITY LINCOLN effort to solicit public opinion on how City spends tax dollars. City partners on project with University of Nebraska Public Policy Center with funding from the Lincoln Community Foundation.
- March 2008 - Phone survey of 600 randomly selected residents.
- April 12 - Follow up meeting with about 50 phone survey participants. Portions aired on 5 CITY-TV.
- April 21 - Phone survey results show residents rank safety and security and economic opportunity high.
- April and May 2008 - About 1,300 residents complete online survey or printed copy. About 200 residents participate in series of town hall meetings.
- Summer 2008 - Mayor and City Directors use PRIORITY LINCOLN results to shape budget.
- Fall 2008 - Mayor works with directors and private citizens to identify goals for eight City outcomes: Safety and Security, Economic Opportunity, Health and Productive People, Livable Neighborhoods, Effective Transportation, Environmental Quality, Accountable Government and Identity Lincoln.
- February 5, 2009 - City releases “Taking Charge: Progress Measures and Program Prioritization” and asks for public input on budget planning document.
- April and May 2009 - About 1,800 participate in “Taking Charge” online educational survey focusing on programs and services in danger of being cut or eliminated.
- May 16, 2009 - Day-long in-depth discussion with about 100 residents on City budget. Portions aired on 5 CITY-TV.
- Summer and Fall 2009 - Mayor works with City Directors and private citizens on indicators for goal areas.
- November 19, 2009 - Mayor announces City Stat meetings, random phone and online survey.
- December 2009 - City Stat meetings held, phone survey completed, and online survey beings



NEWS RELEASE

MAYOR CHRIS BEUTLER

lincoln.ne.gov

CITY OF LINCOLN
NEBRASKA

PUBLIC WORKS AND UTILITIES DEPARTMENT

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

FOR IMMEDIATE RELEASE: December 22, 2009

FOR MORE INFORMATION: Gene Hanlon, Recycling Coordinator, 441-7043
Scott Hofeling, Hofeling Enterprises, 438-8733

CITY TO RECYCLE TREES FOR 23RD YEAR

The City will accept holiday trees for recycling at seven sites through Sunday, January 10. The tree collection sites are:

- Ballard Park, 3901 N. 66th St.
- Oak Lake Park, 1st and Cornhusker Highway, three blocks south of Cornhusker on 1st Street
- University Place Park, 50th and Garland streets
- Holmes Lake Park, parking lot west of the north softball field
- Sawyer-Snell Park, 2nd and South streets, west of the Fire Department Building
- Tierra Park, 29th and Tierra Drive
- Woods Park, 31st and "J" streets, southeast corner of the parking lot

The trees will be chipped, and the chipped material will be made available free of charge to Lincoln residents in mid-January. Hofeling Enterprises has donated grinding services at each of the collection sites again this year. The tree mulch will be taken to their facility at 2200 South Folsom Court and distributed free to the public during their normal business hours on a first come, first served basis.

The City Recycling Office reminds residents recycling their trees to remove plastic bags used to transport and put them in trash cans at the recycling sites. All nails, wires and tree stands must be removed.

The City of Lincoln began offering the tree recycling program in 1987 to keep large quantities of trees from going to the landfill. Lincoln's tree recycling program is the oldest of its kind in Nebraska. In the last 22 years, the City has recycled more than 182,985 trees (about 2,745 tons).

Those with questions regarding the tree recycling program or the City's recycling program in general, are urged to call the City Recycling Information Hotline at 441-8215 or visit the City Web site, lincoln.ne.gov (keyword: recycle).

Mary M. Meyer

From: Diane K. Gonzolas
Sent: Wednesday, December 23, 2009 5:47 AM
To: 8@klkntv.com; A. Bowen; A. Bowman; Al R. McCracken; alaukaitis@journalstar.com; alee@action3news.com; amber.smith@1011now.com; B. Oliver; Barb Holder; Beau A. Wolfe; beddy@journalstar.com; bmccoy2@unl.edu; Bub AF. Edwards; cbrogan@threeeagles.com; cernst@action3news.com; Chris Goforth; christie.bett@1011now.com; chuls1@unl.edu; Cindy Wallman; citydesk@journalstar.com; cmurphy@action3news.com; Commish; Connie J. Guillaume; Council Packet; csimon@threeeagles.com; D. Cantrell ; D. Furstenau; Dave B. Norris; Debbie Engstrom; Dennis Wilden; desk@1011now.com; dhilligoss@threeeagles.com; Diane K. Gonzolas; dick.janda@1011now.com; djohnson@threeeagles.com; Drive Time Lincoln; ehoward@ne.statepaper.com; email@mybridgeradio.net; Gary Johnson; Greg S. MacLean; hkindschuh@journalstar.com; jbishop@broadcasthouse.com; jerry.howard@1011now.com; jsponlineeditorial@lee.net; Karen K. Sieckmeyer; kayla@action3news.com; Kevin Abourezk; Kevin Morris; kfornews@hotmail.com; knieland@journalstar.com; kristen.waters@1011now.com; krnu@unl.edu; Laura McCallister; LeRoy Uglow; Lin Quenzer; Ivanhoosen@klkntv.com; M. Burchell; Mallory Hyland; mark.tonjes@nebraska.gov; mbarmann@action3news.com; mhaggar@klkntv.com; Michelle L. Zuhlke; Minette M. Genuchi; mlindell@klkntv.com; modestalincolnasiancenter@yahoo.com; mtaylor@threeeagles.com; news@broadcasthouse.com; news@dailynebraskan.com; news@ketv.com; news@owh.com; news42@kptm.com; newstip@klove.com; nfinken@netnebraska.org; olgamiranda@elcentrodelasamericas.org; omahane@ap.org; programming@kzum.org; ralloway1@unl.edu; Randy W. Hoskins; Rick Koepping; Roger A. Figard; Roger R. Tiedeman; salbertsen@broadcasthouse.com; sbdnsobsupport@nebraska.gov; Scott A. Opfer; shanna.belschner@1011now.com; sixonline@wowt.com; swieska@lps.org; Tammy J. Grammer; tammy.honnor@nebraska.gov; tkirk@journalstar.com; tnelson2@unl.edu; tom.armstrong@nebraska.gov; Trish A. Owen; twolfe3@unl.edu; voicenews@inebraska.com; wellsradio@gmail.com; William Luxford; WOWT
Subject: 5:30 snow report

CITY OF LINCOLN SNOW/TRAFFIC CONDITION REPORT

A COMPLETE VOICE REPORT IS AVAILABLE AT 441-7783. THIS NUMBER IS FOR NEWS MEDIA USE ONLY.

**For more information:
Public Works Snow Center - 441-7644
Diane Gonzolas - 525-1520 (MEDIA USE ONLY)**

**Date: December 23, 2009
Time: 5:30 a.m.**

With light rain falling and temperatures below freezing, streets will be slick on your way to work this morning. City crews have been out all night working on bridges and intersections, and a full material spreading operation began about 4 a.m. on emergency snow routes, bus routes and other major arterial streets. .

Please stay informed on traffic conditions and the status of snow operations in Lincoln. If you have questions, you may call the Public Works Snow Center at 441-7644.

CITY OF LINCOLN SNOW/TRAFFIC CONDITION REPORT

A COMPLETE VOICE REPORT IS AVAILABLE AT 441-7783. THIS NUMBER IS FOR NEWS MEDIA USE ONLY.

For more information:

Public Works Snow Center -- 441-7644

Citizen Information Center -- 441-7547

Date: Wednesday, December 23, 2009

Time: 10:30 a.m.

City street crews continue a full material spreading operation on snow emergency routes, bus routes and other major arterial streets that began at about 4 a.m.

Crews are also working to clear storm sewer inlets on major arterials where snow and ice has accumulated.

Public Works officials continue to work on bridges and intersections as the light rain continues to fall with temperatures at the freezing mark. The effort is expected to continue throughout the day and into the night.

Lincoln Police Department reports a total of nine accidents since midnight. StarTran buses are currently running on schedule.

Please stay informed on traffic conditions and the status of snow operations in Lincoln. Additional information is available on the City Web site at lincoln.ne.gov and on pages 48 and 49 in the blue pages of your Windstream phone directory. If you have questions, you may call the Public Works Snow Center at 441-7644.



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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

Elizabeth Raines
elizabeth@capitaledge.com

CapitalEdge
1212 New York Ave., NW
Suite 250
Washington, DC 20005

(202) 842-4930
Fax: (202) 842-5051

HOUSE APPROVES \$154 BILLION JOBS BILL

CONGRESS

House makes fast work of a jobs bill while the Senate continues to debate health care.
The House of Representatives approved a \$154 billion measure designed to address increasing unemployment rates across the country. Meanwhile, slow progress on the health care bill in the Senate is likely to extend debate into Christmas Eve.

House leaders unveiled the “Jobs for Main Street Act” on late Tuesday evening/early Wednesday morning and it was brought to the floor for a vote later that day. Thirty-eight Democrats joined every Republican in voting against the measure, but it was still approved by a 217-212 margin.

The bill looks and sounds like a smaller version of the \$787 billion American Recovery and Reinvestment Act (ARRA) signed into law earlier this year, with funds for transportation and water infrastructure, job training, law enforcement and firefighter assistance, and housing (details on these aspects can be found in related stories below). In order to address problems small businesses have had in securing loans, the package includes \$354 million for eligibility extensions and waiver of fees of some Small Business Administration (SBA) loan programs through the end of FY 2010.

The plan also includes an extension of unemployment benefits and COBRA benefits for unemployed workers, \$23 billion to states for teacher hiring and school construction, \$23 billion to states for increased Medicare payments, and \$2.3 billion to increase eligibility for the child care tax credit. A summary of the bill from the House Appropriations Committee may be found here:
<http://tiny.cc/HouseJobs>

Notably absent from the House jobs bill was a significant investment in energy efficiency programs such as the Energy Efficiency and Conservation Block Grant. During his recent jobs summit, President Obama touted energy efficiency and weatherization projects as good long-term job creation tools. Also left out of the jobs package was funding for the Community Development Block Grant program at HUD. CDBG is often promoted by local governments as one of the most efficient ways to stimulate the economy and create jobs for low and moderate income residents.

The House action represents the first step in the process of considering a jobs bill. The Senate is not expected to take up the matter until January, once debate over the health care bill is completed. The White House is also expected to have proposals to recommend as well.

Meanwhile, Senate Majority Leader Harry Reid (D-NV) is still looking for the elusive 60th vote in the Senate to ensure passage of the health care bill currently being debated on the floor. If only a simple majority were required, the bill would have passed weeks ago, but Senate rules provide significant power to the minority and unanimous Republican opposition means that bill supporters need 60 votes to end debate and proceed to a vote.

Since the Senate must still debate and vote on the FY 2010 Department of Defense appropriations bill and an increase in the federal debt limit in addition to health care, there is a good chance that work could continue well into next week. The last time the Senate was in session on Christmas Eve was 1963, the last time before that was 1895.

TRANSPORTATION

Transportation infrastructure investments in House Jobs Bill. The “Jobs for Main Street Act” approved by the House this week includes \$37.3 billion for federal highway and transit programs, a far cry from the more than \$100 billion sought by House Transportation and Infrastructure Committee Chairman James Oberstar (D-MN) and House Appropriations Committee Chairman David Obey (D-WI). This amount is little more than half of the \$69.5 billion that state departments of transportation have said they have lined up in “ready-to-go” projects.

Rather, \$27.5 billion is included for the federal-aid highway program, with the requirement that half of the provided funds must be spent within 90 days, a much shorter timeframe than required by the February stimulus package. Transit projects would receive \$8.4 billion, including \$6.15 billion in formula-based grants, \$1.75 billion for rail modernization, and \$500 million for New Starts/Small Starts projects. Similar to the first stimulus bill, transit agencies would be able to use up to 10 percent of the provided funding for operating costs, which is something not typically allowed for federal funding. The measure also includes \$800 million for Amtrak and \$500 million for the Airport Improvement Program (AIP).

The nearly-insolvent Highway Trust Fund would be propped up in the bill by a transfer of \$19.5 billion from the general fund, and the burden of fulfilling the federal motor fuels tax reimbursement program would be shifted from the trust fund to the general fund. In addition to the gas tax provision, the bill would also lift the ban on the trust fund’s interest-earning capability, a provision that was included in the 1998 Transportation Equity Act for the 21st Century (TEA-21).

Finally, the bill includes an extension of current surface transportation policy (SAFETEA-LU) through September 30, 2010 and waives the local match for programs under the bill’s jurisdiction for that time period. This extension would be the third since SAFETEA-LU expired officially on September 30 of this year. State highway officials have indicated that short-term extensions pose large problems, because they do not allow state DOTs to

make long-term plans.

Since the Senate is not likely to take up the jobs bill until after the current SAFETEA-LU extension expires today, the FY 2010 Department of Defense appropriations bill includes a 60-day extension of SAFETEA-LU, with no match waiver.

ENERGY & ENVIRONMENT

House jobs bill: water, wastewater and Corps in; EECBG out. The Jobs for Main Street Act passed by the House in the closing days of the year would provide supplemental FY 2010 funding for a number of energy and environment programs of interest to local governments.

As passed by the House, the jobs bill includes \$2 billion for the Clean Water State Revolving Loan Fund and \$1 billion for the Drinking Water Revolving Loan Fund. In an effort to expedite use of the funds, the bill would:

- Waive the matching requirements
- Require EPA to recapture and reallocate funds that are not “under contract or construction within 8 months”
- Allow the states to disregard their priority project rankings and give priority to projects that can proceed to construction within 12 months

The bill would also require the states to use 50 percent of the funds for grants, negative -interest loans or principle forgiveness and to set aside 20 percent of the funds for “green infrastructure, water or energy efficiency improvements or other environmentally innovative activities.”

The bill would also provide an additional \$715 million in FY 2010 funding for the Corps of Engineers construction account, with \$30 million of the appropriation set aside for environmental restoration projects and with the Corps permitted to transfer up to \$30 million of the appropriation to the Mississippi River and Tributaries account. For these funds, the bill would:

- Require the Corps to direct all funds to projects previously funded under

the construction account

- Waive the statutory cap of \$100 million per project per year
- Waive the statutory language that limits cost increases above authorized amounts for Corps projects
- Waive the non-federal match
- Provide the Corps with unlimited reprogramming authority

The bill would set up an expedited process for spending these funds, directing the Office of Management and Budget to apportion the funds within 30 days and for the Corps to allocate them to specific projects, programs and activities within another 15 days. The bill would give priority to projects, programs and activities that, in priority order:

- Can be commenced quickly
- Create immediate employment
- Will be executed by contract or direct hire of temporary labor
- Are located in a state with high unemployment

The bill now heads to the Senate. The Senate will not consider the bill before late January.

HOUSING

Jobs bill would capitalize Housing Trust Fund and boost public housing capital; no extra funding for CDBG. The jobs bill passed by the House this week would capitalize the Housing Trust Fund and would provide public housing authorities with additional FY 2010 funding.

The bill would appropriate \$1.065 billion for the Housing Trust Fund established under last year’s Housing and Economic Recovery Act. The statutory purpose of the Trust Fund “is to increase and preserve the supply of rental housing for extremely low-income and very low-income families, including homeless families, and to increase homeownership for extremely low-income and very low-income families.”

Funding is allocated to the states according to a formula based on the number of extremely-low and very-low-income families and the availability of

housing for such families with participating states required to develop an allocation plan for their use of the funds.

The House jobs bill also includes \$1 billion for Public Housing Capital. The funds would be allocated to housing authorities competitively, with priority given to projects that leverage private investment, improve energy efficiency or renovate vacant rental units that are included in the five-year plan of housing authorities. Housing authorities receiving a grant would have to obligate at least half of their funds within 180 days of receipt and all of their funds within one year of receipt.

The bill now heads to the Senate. The Senate will not consider the bill before late January.

JOB TRAINING

House jobs bill includes funds for summer youth jobs. The \$154 billion “Jobs for Main Street Act” approved by the House this week included funds for employment and training programs through the Department of Labor.

Chief among those proposals was \$500 million for summer youth jobs programs. Bill sponsors site that the recent unemployment rates for teenagers (ages 16-19) reached 26.7% in November 2009 – the highest level recorded since the Bureau of Labor Statistics began collecting data. It is estimated that the funds would support summer youth employment for approximately 250,000 disadvantaged youth. The funds would be allocated by formula to local Workforce Investment Boards.

In addition, the bill would provide \$750 million for a competitive grant program to fund job training efforts in “high growth and emerging industry sectors,” with a particular emphasis on the energy efficiency and renewable energy industries (at least \$275 million) and the health care industry.

The bill also includes \$200 million for AmeriCorps programs to support an additional 25,000 program participants. According to the House Appropriations Committee, between November 2008 and April 2009, AmeriCorps received 76,404 online applications, up 230 percent

compared to the same period the year before.

The American Recovery and Reinvestment Act (ARRA) signed into law earlier this year also included funding for all three of the programs mentioned above.

As previously mentioned, the Senate has yet to consider a jobs bill, and the White House is expected to weigh in on the matter as well, so the House action represents only the first hurdle in a process that is expected to run into January.

PUBLIC SAFETY

Additional funding available for police and fire hiring grants in jobs package. Included in the “Jobs for Main Street Act” passed by the House this week is \$1.179 billion for the Community Oriented Policing Services (COPS) hiring program and \$500 million for the Staffing for Adequate Fire and Emergency Response (SAFER) program.

The additional COPS and SAFER funding would be considered FY 2010 appropriated dollars. Therefore, under previously enacted law, the local match requirement and the \$75,000 per officer cap would be waived for COPS funding. The jobs bill would also waive the requirements regarding supplanting, retention and matching for all FY 2010 SAFER funding (not just the \$500 million included in the bill) and would require that grants are awarded within 120 days of enactment of the legislation.

Please take notice of the deadline extension for FY10 SAFER funding found in the Grants & Notices section below.

STIMULUS WATCH

Weekly update on stimulus activities.

Department of Commerce

The first Broadband Technology Opportunities Program (BTOP) and Broadband Initiatives Program (BIP) grants were announced this week. A total of \$183 million out of the \$4.7 billion available was awarded. An additional \$2 billion in awards will be made available on a rolling basis over the next 75 days: <http://tiny.cc/7NgjF>.

Department of Transportation

The Federal Transit Administration held a reporting webinar today. This webinar will be repeated on Monday, December 21 at 10:00-11:30am EST and 2:00-3:30pm EST. The information on how to participate, along with the slideshow presentation can be found at: http://www.fta.dot.gov/index_9440_108_70.html.

Federal Reporting

OMB is expected to release additional reporting guidance before the next ARRA reporting period begins on January 1, 2010. The deadline for reporting has been extended to January 15, 2010. The full timeline and tips for those reporting can be found at: www.federalreporting.gov.

GRANTS & NOTICES

Department of Homeland Security

DHS released the FY 2009 Staffing for Adequate Fire and Emergency Response (SAFER) grant guidance in November 2009. The original deadline for applications was December 18, 2009. However, after grant applicants expressed concern regarding the prohibition against using SAFER funds to supplant local budgets, DHS has revisited their current policy on supplanting for the 2009 SAFER funding cycle. DHS has decided to consider petitions for waivers on supplanting from 2009 grantees on a case-by-case basis. The deadline has been extended to January 15, 2010. Applicants that have already submitted their application will be granted an opportunity to amend their application, and should call the helpdesk at 1-866-274-0960. Detailed information

regarding the revised supplanting policy can be found at:

<http://www.firegrantsupport.com/safer/121709.aspx>.

Department of Homeland Security

DHS has also released guidance for the FY 2010 Transit Security Grant Program (TSGP). The purpose of TSGP is to create a sustainable, risk-based effort to protect critical surface transportation infrastructure and the traveling public from acts of terrorism, major disasters, and other emergencies. Eligible applicants were determined by the Urban Areas Security Initiative urban areas list and the National Transit Database based on unlinked passenger trips. TSGP Tier I will continue to be comprised of the transit agencies in the eight highest risk urban areas and will continue to utilize the cooperative agreement process. TSGP Tier II will consist of all other eligible transit agencies. The total amount of funds distributed under this grant in FY 2010 will be \$253,000,000. Applicants must submit their applicants by February 18, 2010.

http://www.fema.gov/pdf/government/grant/2010/fy10_tsgp_guidance.pdf

Tony Hawk Foundation

The mission of the Tony Hawk Foundation is to promote high-quality, public skateparks in low-income areas throughout the United States. All grant applications must be completed online, printed, signed, and sent to the Tony Hawk Foundation office with all supporting documents. Grants are expected to range from \$1,000 to \$25,000. The deadline for applications is March 1, 2010:

http://www.tonyhawkfoundation.org/grant_application.asp

Mary M. Meyer

From: SHubka@lincoln.ne.gov
Sent: Wednesday, December 23, 2009 8:44 AM
To: Council Packet
Subject: December sales tax reports
Attachments: BFb091221-1.pdf; BFb091221-2.pdf; BFb091221-3.pdf; BFb091221-4.pdf

Attached are the December sales tax reports. Motor vehicles sales resulted in \$326,666 of local sales tax, compared to to \$483,093 and \$481,524 in the prior two months. Those previous two months benefitted from the Cash to Clunkers program. We expected this drop-off from motor vehicle sales after the expiration of that program.
(See attached file: BFb091221-1.pdf)(See attached file: BFb091221-2.pdf) (See attached file: BFb091221-3.pdf)(See attached file: BFb091221-4.pdf)

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**Actual Compared to
Projected Sales Tax Collections**

	2009-10 PROJECTED	2009-10 ACTUAL	VARIANCE FROM PROJECTED	\$ CHANGE FR. 08-09	% CHANGE FR. 08-09
SEPTEMBER	\$4,549,255	\$4,603,417	\$54,162	\$225,941	5.16%
OCTOBER	\$4,721,659	\$4,592,069	(\$129,590)	(\$144,005)	-3.04%
NOVEMBER	\$4,716,098	\$4,773,592	\$57,494	(\$77,645)	-1.60%
DECEMBER	\$4,449,149	\$4,299,735	(\$149,414)	(\$36,538)	-0.84%
JANUARY	\$4,554,816				
FEBRUARY	\$5,672,665				
MARCH	\$4,248,937				
APRIL	\$4,059,848				
MAY	\$4,666,045				
JUNE	\$4,532,571				
JULY	\$4,593,746				
AUGUST	\$4,849,573				
TOTAL	\$55,614,362	\$18,268,813	(\$167,348)	(\$32,248)	-0.18%

Actual collections through December are .91 % below projections for the year.

**CITY OF LINCOLN
GROSS SALES TAX COLLECTIONS
(WITH REFUNDS ADDED BACK IN)
2004-2005 THROUGH 2009-2010**

	ACTUAL 2004-2005	ACTUAL 2005-2006	ACTUAL 2006-2007	ACTUAL 2007-2008	% CHG.		ACTUAL 2008-2009	% CHG.		ACTUAL 2009-2010	% CHG.	
					FR. PRIOR YEAR	FR. PRIOR YEAR		FR. PRIOR YEAR	FR. PRIOR YEAR		FR. PRIOR YEAR	FR. PRIOR YEAR
SEPTEMBER	\$4,648,160	\$4,630,210	\$4,573,597	\$4,612,020	0.84%		\$4,812,555	4.35%		\$4,703,478	-2.27%	
OCTOBER	\$4,706,690	\$4,823,369	\$4,712,519	\$5,052,950	7.22%		\$4,845,000	-4.12%		\$4,687,315	-3.25%	
NOVEMBER	\$4,687,792	\$4,799,275	\$4,658,480	\$4,818,715	3.44%		\$4,937,998	2.48%		\$4,922,939	-0.30%	
DECEMBER	\$4,500,338	\$4,511,403	\$4,445,761	\$4,753,456	6.92%		\$4,545,947	-4.37%		\$4,502,684	-0.95%	
JANUARY	\$4,264,010	\$4,342,902	\$4,554,634	\$4,617,097	1.37%		\$4,465,270	-3.29%				
FEBRUARY	\$6,086,841	\$5,797,893	\$5,993,653	\$5,596,617	-6.62%		\$5,775,594	3.20%				
MARCH	\$4,158,874	\$4,247,908	\$4,125,074	\$4,421,405	7.18%		\$4,258,773	-3.68%				
APRIL	\$4,097,988	\$3,991,159	\$4,018,709	\$4,227,476	5.19%		\$4,119,617	-2.55%				
MAY	\$4,730,317	\$4,543,369	\$4,895,921	\$4,753,366	-2.91%		\$4,744,089	-0.20%				
JUNE	\$4,557,735	\$4,539,614	\$4,664,470	\$4,859,251	4.18%		\$4,624,054	-4.84%				
JULY	\$4,519,466	\$4,655,061	\$4,772,617	\$4,983,976	4.43%		\$4,501,197	-9.69%				
AUGUST	\$4,803,665	\$4,991,723	\$4,887,329	\$5,026,702	2.85%		\$4,856,331	-3.39%				
TOTAL	\$55,761,877	\$55,873,886	\$56,302,764	\$57,723,030	2.52%		\$56,486,425	-2.14%		\$18,816,416	-1.70%	

**CITY OF LINCOLN
SALES TAX REFUNDS
2004-2005 THROUGH 2009-2010**

	ACTUAL 2004-2005	ACTUAL 2005-2006	ACTUAL 2006-2007	ACTUAL 2007-2008	ACTUAL 2008-2009	ACTUAL 2009-2010	% CHG. FROM PRIOR YEAR	% CHG. FROM PRIOR YEAR	% CHG. FROM PRIOR YEAR
SEPTEMBER	(\$135,858)	(\$80,882)	(\$27,350)	(\$90,282)	(\$435,079)	(\$100,061)	381.91%	381.91%	-77.00%
OCTOBER	(\$165,219)	(\$358,866)	(\$166,695)	(\$79,688)	(\$108,925)	(\$95,246)	36.69%	36.69%	-12.56%
NOVEMBER	(\$101,531)	(\$173,972)	(\$3,881)	(\$158,855)	(\$86,760)	(\$149,347)	-45.38%	-45.38%	72.14%
DECEMBER	(\$325,510)	(\$6,319)	(\$175,440)	(\$29,848)	(\$209,674)	(\$202,950)	602.47%	602.47%	-3.21%
JANUARY	(\$220,967)	(\$269,713)	(\$84,287)	(\$26,308)	(\$256,270)	(\$257,206)	874.13%	874.13%	0.37%
FEBRUARY	(\$394,324)	(\$73,395)	(\$327,119)	(\$489,939)	(\$83,713)		-82.91%	-82.91%	
MARCH	(\$99,240)	(\$165,869)	(\$133,574)	(\$325,269)	(\$73,785)		-77.32%	-77.32%	
APRIL	(\$69,900)	(\$196,682)	(\$130,611)	(\$108,764)	(\$70,988)		-34.73%	-34.73%	
MAY	(\$122,283)	(\$166,567)	(\$381,653)	(\$22,529)	(\$117,201)		420.23%	420.23%	
JUNE	(\$34,811)	(\$14,085)	(\$186,252)	(\$136,308)	(\$444,973)		226.45%	226.45%	
JULY	(\$162,998)	(\$39,492)	(\$155,825)	(\$478,184)	(\$331,804)		-30.61%	-30.61%	
AUGUST	(\$148,028)	(\$57,700)	(\$569,595)	(\$43,759)	(\$11,878)		-72.86%	-72.86%	
TOTAL	(\$1,980,668)	(\$1,603,541)	(\$2,342,280)	(\$1,989,734)	(\$2,231,050)	(\$804,809)	12.13%	12.13%	-26.62%

Year to date vs.
previous year

Tammy J. Grammer

From: Barbara Hansen [b.hansen@lincolnlibraries.org]
Sent: Friday, December 18, 2009 2:38 PM
To: brsupr@lincolnlibraries.org; jswanson@journalstar.com; Tammy J. Grammer; Diane K. Gonzolas; info@downtownlincoln.org; newscrew@statepaper.com; amy.adams@wowt.com; eandersen@journalstar.com; pbeutler@journalstar.com; voicenews@inebraska.com; dennis.buckley@lee.net; rc34712@windstream.net; chicksdigdeals@gmail.com; ddwinell@klkntv.com; nfinken2@unl.edu; guide@todointhistown.com; troy.frankforter@kolnkgin.com; mhaggar@klkntv.com; njenkins@ap.org; k.jeune@lincolnlibraries.org; johnsong@wowt.com; rjohnson@threeeagles.com; p.jorgensen@mail.lcl.lib.ne.us; calendars@journalstar.com; jkirkpatrick@mchenrylaw.com; clangekubick@journalstar.com; p.leach@lincolnlibraries.org; randy.lube@kolnkgin.com; gm@kzum.org; lincolnkids@diodecom.net; newsdesk@cretenews.net; g.mickells@mail.lcl.lib.ne.us; rmoody@klkntv.com; johanlon1@unl.edu; events@Lincoln55Plus.com; news@owh.com; news42@kptm.com; citydesk@nebweb.com; dn@unl.edu; rshannon@hearst.com; april@eagleprinting.biz; erictaylor@clearchannel.com; lvanhoosen@klkntv.com; maja@nebheavyindustries.com
Cc: allstaff@lincolnlibraries.org
Subject: Williams Branch Library Closing December 19-21.

RELEASE: December 18, 2009
CONTACT: Julee Hector, Branch Supervisor
PHONE: 402-441-4252
E-MAIL: j.hector@lincolnlibraries.org

Williams Branch Library Temporarily Closed

The Dan A Williams Branch Library (located on the north side of Arnold Elementary School) will be closed Saturday, December 19th, through Monday, December 21st, during the refinishing of the school gym floor.

The library will reopen on Tuesday, December 22nd, at 4 p.m. The Williams Branch Library will follow its usual schedule during the school holiday break. Monday - Thursday: 4 to 8 p.m.

Friday: 4 to 6 p.m.
Saturday - Sunday: 12 to 6 p.m.

Contact Julee Hector at 441-4252 with questions.

Barbara Hansen
Administrative Aide
Lincoln City Libraries
402-441-8512

Have you read the 2009 One Book - One Lincoln title
"People of the Book" by Geraldine Brooks?
Pick your copy up at the library today.

Jean Preister

From: Michele M. Abendroth
Sent: Friday, December 18, 2009 9:16 AM
Subject: Lincoln-Lancaster County Planning Department Newsletter

The **December 2009 Planning Department newsletter** has been posted to our web page. The file is in pdf format and may be accessed at lincoln.ne.gov/city/plan/news/index.htm.

If you have any questions regarding this newsletter or would like to speak to Planning staff, please feel free to call the Planning Department at 441-7491.

Michele Abendroth

Lincoln/Lancaster County Planning Department
555 South 10th Street, Suite 213
Lincoln, NE 68508
402-441-6164



Memorandum

Date: ♦ December 22, 2009
To: ♦ City Clerk
From: ♦ Teresa, Planning Dept.
Re: ♦ Administrative Amendment approvals
cc: ♦ Jean Preister

This is a list of the Administrative Amendments that were approved by the Planning Director from December 15, 2009 thru December 21, 2009:

Administrative Amendment No. 09071 to Pre-Existing Use Permit No. 13C, approved by the Planning Director on December 18, 2009, requested by Earl May Seed & Nursery, to expand the greenhouse at the northwest corner of the center and to provide the additional required parking by leasing 22 parking spaces off-site from the Briarpark Plaza office building located at 5631 S. 48th St., on property generally located at S. 48th Street and Highway 2.

Administrative Amendment No. 09074 to Special Permit No. 06048, approved by the Planning Director on December 18, 2009, requested by Larry Chilese, to modify the site plan to include a drive-through facility at the east side of the licensed premises, on property generally located at N. 48th Street and Cornhusker Highway.

City/County Planning Department
555 S. 10th Street, Rm. 213
Lincoln NE 68508
(402) 441-7491



PLANNING COMMISSION FINAL ACTION
NOTIFICATION

TO : Mayor Chris Beutler
Lincoln City Council

FROM : Jean Preister, Planning 

DATE : December 18, 2009

RE : **Special Permit No. 384G**
(Tabitha - South 48th Street and Randolph Street)
Resolution No. PC-01186

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, December 16, 2009:

Motion made by Lust, seconded by Taylor, to approve **Special Permit No. 384G**, with conditions, as amended, requested by Tabitha, Inc., for authority to add a 12-bed hospice care facility and expand the Tabitha campus to include two 12-bed assisted living units, on property generally located northwest of the intersection of South 48th Street and Randolph Street.

Motion for conditional approval, as amended, carried 9-0: Larson, Taylor, Francis, Partington, Lust, Cornelius, Esseks, Gaylor Baird and Sunderman voting 'yes'.

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

The Letter of Acceptance will be mailed to the permittee by the City Clerk at the end of the 14-day appeal period.

Attachment

cc: Building & Safety
Rick Peo, City Attorney
Public Works
August Ponstingl, Architectural Design Associates, 7501 O Street, Suite 105, 68510
Tabitha Health Care Facilities, 4720 Randolph Street, 68510
June Simpson, South 48th Street Neighborhood Assn., 3800 S. 84th Street, 68506
Denise Zurfluh, South 48th Street Neighborhood Assn., 3743 S. 48th Street, 68506
Mike Dennis, South 48th Street Neighborhood Assn., 1845 S. 48th Street, 68506
Curtis Wood, Witherbee Neighborhood Assn., 342 S. 50th Street, 68510
Fred Freytag, Witherbee Neighborhood Assn., 530 S. 38th Street, 68510

RESOLUTION NO. PC- 01186

SPECIAL PERMIT NO. 384G

1 WHEREAS, Tabitha, Inc. has submitted an application designated as
2 Special Permit No. 0384G for authority to add a 12 bed hospice care facility and expand
3 the Tabitha campus to include two 12 bed assisted living units on property generally
4 located northwest of the intersection of South 48th Street and Randolph Street and legally
5 described as:

6 Lots 1 and 2, Tabitha Addition; Lot 99 south 40', Lot 100, Lot
7 101 south 60', Lot 102, Lot 114 except the south 60', Lot 115
8 south 45' and north 75', Lot 116 north half and south 60', Lots
9 117 and 119, Witherbee Gardens; Lots 8-10, Peterson Place,
10 all located in the Northwest Quarter of Section 29, Township
11 10 North, Range 7 East of the 6th P.M., Lancaster County,
12 Nebraska;

13 WHEREAS, the Lincoln City-Lancaster County Planning Commission has
14 held a public hearing on said application; and

15 WHEREAS, the community as a whole, the surrounding neighborhood, and
16 the real property adjacent to the area included within the site plan for this 12 bed hospice
17 care facility and expansion of the Tabitha campus for two 12 bed assisted living units, will
18 not be adversely affected by granting such a permit; and

1 WHEREAS, said site plan together with the terms and conditions hereinafter
2 set forth are consistent with the comprehensive plan of the City of Lincoln and with the
3 intent and purpose of Title 27 of the Lincoln Municipal Code to promote the public health,
4 safety, and general welfare.

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

7 That the application of Tabitha, Inc., hereinafter referred to as "Permittee", to
8 add a new 12 bed hospice care facility and an expansion of the campus to include two 12
9 bed assisted living units, be and the same is hereby granted under the provisions of
10 Section 27.63.080 of the Lincoln Municipal Code upon condition that operation of said
11 hospice care facility and assisted living units be in substantial compliance with said
12 application, the site plan, and the following additional express terms, conditions, and
13 requirements:

- 14 1. This approval permits a new 12 bed hospice care facility and an
15 expansion of the campus to include two 12 bed assisted living units.
- 16 2. Before receiving building permits, the Permittee shall:
 - 17 a. Cause to be prepared and submitted to the Planning
18 Department a revised and reproducible final plot plan including
19 5 copies showing the following revisions:
 - 20 i. Show the north setback for the existing north parking lot.
 - 21 ii. Show a 10' setback from the rear lot line to the new
22 parking lot between the dwellings in the Northwest Area
23 and to include a 6' solid fence and provide 80%
24 evergreen landscaping from 6' to 12' high in the 10'
25 setback west of the parking, as shown on the site plan.

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- iii. Increase the side yard setback along the north lot line for the northmost assisted living dwelling to 20'.
- iv. Revise Note #1 to include the statement: A 10' tall, 100% landscape screen shall be provided along the north lot line of the northmost assisted living dwelling located west of South 47th Street and north of J Street.
- v. Revise the term "green house" to another which does not conflict with the Zoning Ordinance.
- vi. Show the sanitary sewer and manhole to the satisfaction of Public Works.

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

3. Before occupying buildings, all development and construction shall substantially comply with the approved plans.

4. All privately-owned improvements, including landscaping and screening, are to be permanently maintained by the Permittee.

5. The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters must be in substantial compliance with the location of said items as shown on the approved site plan.

6. The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors and assigns.

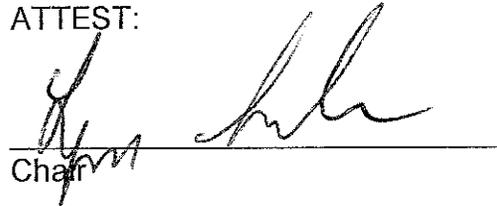
7. The Permittee shall sign and return the letter of acceptance to the City Clerk within 60 days following the approval of the special permit, provided, however, said 60-day period may be extended up to six months by administrative amendment. The City Clerk shall file a copy of the resolution approving the special permit and the letter of

1 acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the
2 Permittee.

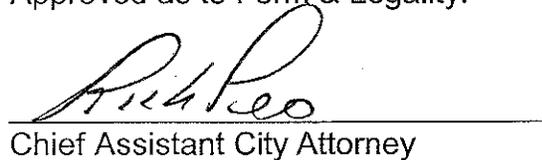
3 8. The site plan as approved with this resolution voids and supersedes
4 all previously approved site plans, however all prior resolutions approving this permit
5 remain in full force and effect except as specifically amended by this resolution.

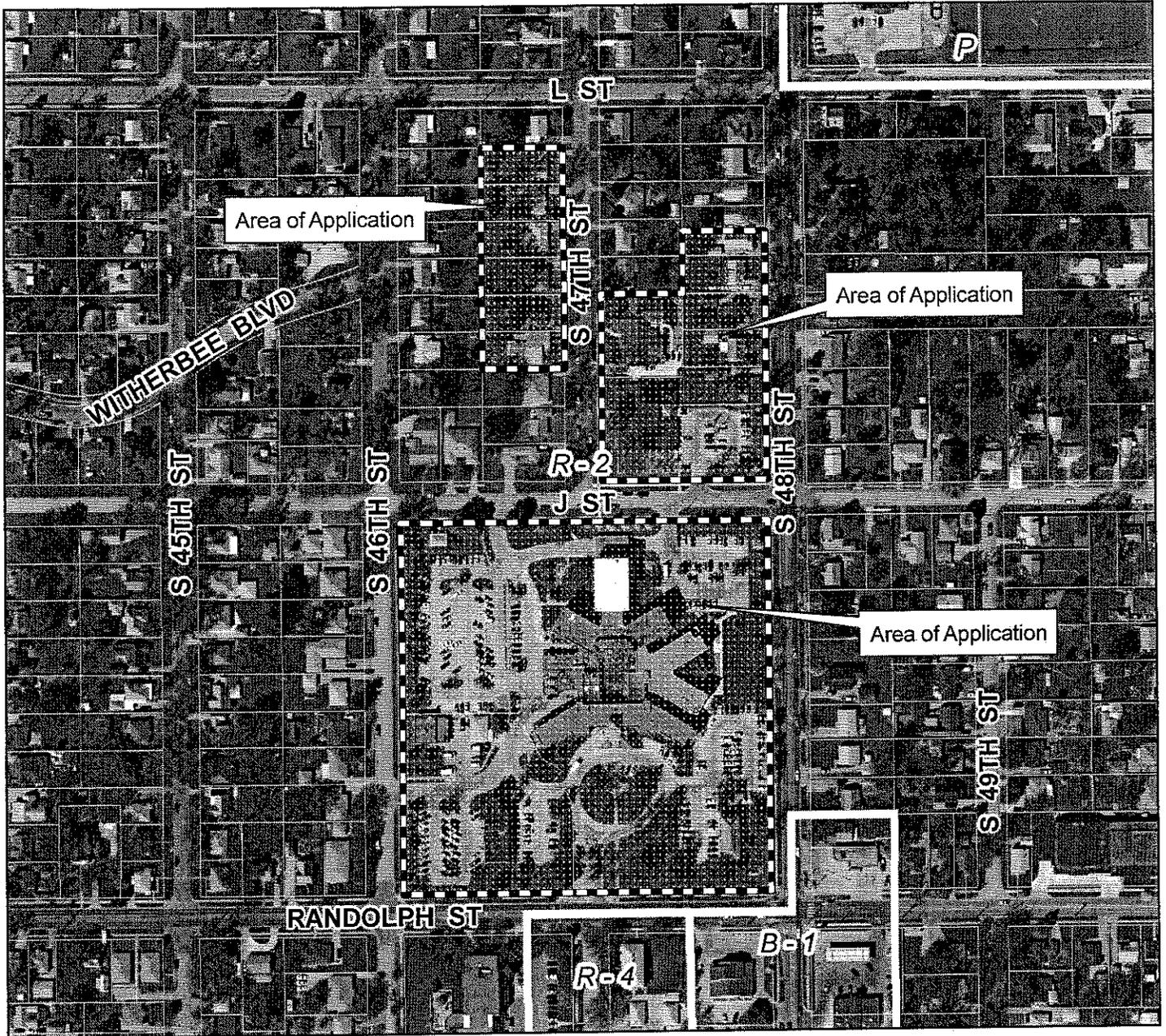
6 The foregoing Resolution was approved by the Lincoln City-Lancaster
7 County Planning Commission on this 16 day of December, 2009.

ATTEST:


Chair

Approved as to Form & Legality:


Chief Assistant City Attorney



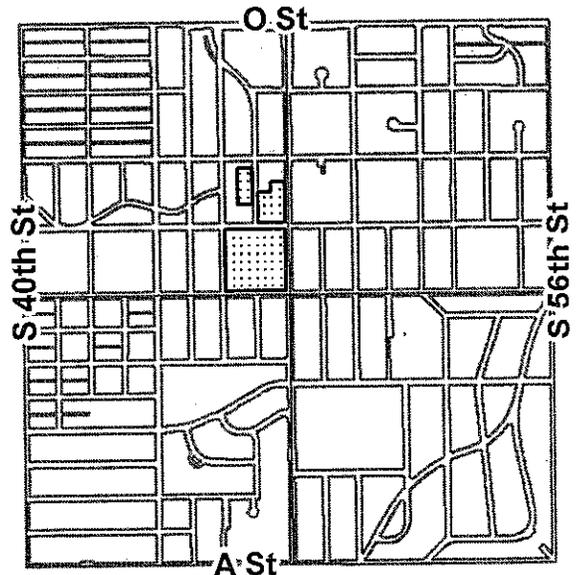
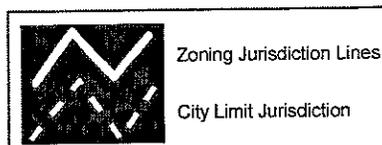
Special Permit #384G
4720 Randolph St

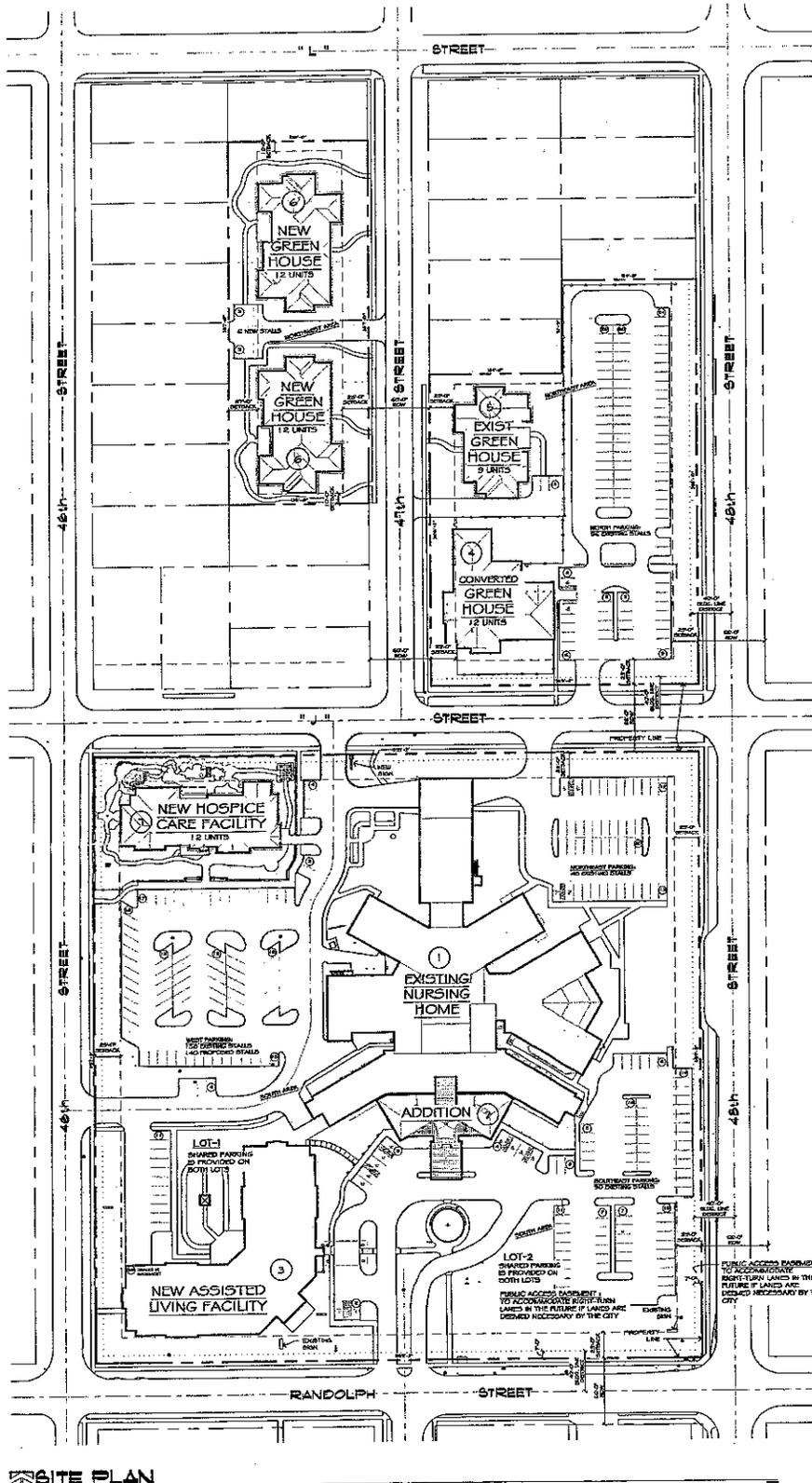
2007 aerial

Zoning:

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial District
- B-4 Lincoln Center Business District
- B-5 Planned Regional Business District
- H-1 Interstate Commercial District
- H-2 Highway Business District
- H-3 Highway Commercial District
- H-4 General Commercial District
- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District

One Square Mile
 Sec. 29 T10N R7E





BUILDING SCHEDULE		
BLDG. NO.	NAME	LOT AREA COVERAGE
1	EXISTING NURSING HOME	10218 SQ. FT.
2	EXISTING NURSING HOME ADDITION	14771 SQ. FT.
3	NEW ASSISTED LIVING FACILITY	22295 SQ. FT.
4	CONVERTED GREEN HOUSE	13718 SQ. FT.
5	EXISTING GREEN HOUSE	14923 SQ. FT.
6	NEW GREEN HOUSES (2 x 12 UNITS)	8592 SQ. FT.
7	NEW HOSPICE HEALTH CARE FACILITY	4718 SQ. FT.
	* HOME HEALTH CARE BLDG.	TO BE DEMOLISHED
	* APPROPRIATION BLDG.	TO BE DEMOLISHED
	* MAINTENANCE SHOP	TO BE DEMOLISHED
	* MAINTENANCE GARAGE	TO BE DEMOLISHED
	TOTAL SQUARE FEET*	83646 SQ. FT.

* NOT SUBJECT TO SPECIAL PERMIT

TABITHA CAMPUS AREA CALCULATIONS AND PARKING CALCULATION	
1. BUILDING COVERAGE	
ZONING SECTION 23-2-10-10-10-10 BUILDINGS SHALL NOT EXCEED OTHER THAN THE PERCENT (20%) OF THE TOTAL LAND AREA COVERED BY THE SPECIAL PERMIT.	
SOUTH AREA	32411 SQ. FT.
NORTHWEST AREA	4895 SQ. FT.
NORTHEAST AREA	34523 SQ. FT.
TOTAL AREA	71829 SQ. FT.
ALLOWABLE BUILDING COVERAGE (70%)	50280 SQ. FT.
ACTUAL BUILDING COVERAGE	83646 SQ. FT.
2. NURSING HOME PARKING REQUIREMENT	
ZONING SECTION 23-2-10-10-10-10-10 PARKING REQUIRED PER STAFFING (75) NURSING CARE FACILITIES ONE SPACE PER 2 BEDS	
TOTAL NURSING BEDS	85
REQUIRED STALLS (75 / 2 = 37.5)	38
3. ASSISTED LIVING PARKING REQUIREMENT	
ZONING SECTION 23-2-10-10-10-10-10 PARKING FOR ASSISTED LIVING FACILITY - 1 STALL PER EVERY DWELLING UNIT	
TOTAL NUMBER OF ASSISTED LIVING DWELLING UNITS	63
4. TOTAL PARKING STALLS REQUIRED	
PARKING STALLS REQUIRED (38) 2A	38
ASSISTED LIVING PARKING REQUIRED (63) 3A	63
TOTAL PARKING REQUIRED	101
SOUTHWEST PARKING LOT: 50	
WEST PARKING LOT: 140	
NORTHWEST PARKING LOT: 48	
NORTH PARKING LOT: 18	
NORTHWEST LOT: 5	
TOTAL PARKING PROVIDED: 261	

NOTES:

- ALL LANDSCAPING TO BE PER LDC AND DEDMAN STANDARDS AT THE TIME OF BUILDING PERMIT WITH EXCEPTIONS.
- APPLICABLE LANDSCAPING EXISTING FROM THE SOUTH 1/4TH STREET CORNER TO THE SOUTH LOT LINE WEST OF THE ASSISTED LIVING FACILITY SHALL CONSIST OF ONE ROW OF TREES TO BE 12' IN HEIGHT WITH ONE HALF THE ROWS SPACING TO A FUTURE HEIGHT OF AT LEAST 50' IN DIAMETER.
- BY SCREENING FOR EXISTING FT. PARKING SPACES IN FRONT YARD ALONG SOUTH 4TH STREET TO EXIST OF A ONE (1) TALL SCREEN.
- CONCEPT PLANS INCLUDED A PITCHED ROOF DESIGN FOR THE ASSISTED LIVING FACILITY.
- CHANGE TO A 7.5' AT NORTH CORNER MUST BE APPROVED BY APPROPRIATE AGENCIES.

SITE PLAN

Tammy J. Grammer

From: Tammy J. Grammer
Sent: Friday, December 18, 2009 3:22 PM
To: Adam A. Hornung; Doug Emery; Eugene W. Carroll; Jayne L. Snyder; John Spatz; Jon Camp; Jonathan A. Cook
Subject: FW: Catalyst Project
Importance: High

Please see response email below from Dallas McGee. This will be listed on the Directors Agenda for 12/28/09 under Jon Camp. Thanks.

Tammy Grammer
City Council Secretary
441-6867

From: Dallas A. McGee
Sent: Friday, December 18, 2009 1:48 PM
To: Tammy J. Grammer
Cc: Jon Camp; David Landis; Hallie E. Salem; Trish A. Owen; Rick D. Hoppe
Subject: FW: Catalyst Project

Members of the City Council

Below is our response to questions raised by Councilman Camp concerning the Block 38 development proposed by the Urban 38 Group. An amendment to the Lincoln Center Redevelopment Plan is scheduled for public hearing on your agenda for January 11, 2010.

Please email me if you have any questions.

Dallas McGee

Director Landis:

Mayor Beutler announced the Catalyst project last week and awarded the project to WRK LLC. The Lincoln Journal article mentioned \$27.1 million dollars for the project.

Would you please provide a breakdown of the \$27.1 million?

Total Cost - \$27.1 million
Total Parking - \$11.3 million
Total Private - \$15.8 million
((\$11.2 m Hard Construction)

Costs:

Total Cost - \$27.1* million
Construction Cost - \$21.1 million
Contingencies, FF&E, Other - \$1.6 million
Land and Tenant Reloc. Costs - \$1.3 million
Soft Costs - \$3.1 million

*Costs do not include expected costs for public improvements (i.e., utilities, public right-of-way, plaza)

Sources:

Total Sources - \$27.1 million

Private Investment \$15.8 million

Equity - \$4.0 million (25%)

Debt - \$11.9 million

City - \$11.3 million

Bond - \$11.3 million (Parking Structure)

TIF - Estimated at \$1.5 million - not included as part of the \$27.1 million

1. How much is the private developer committing? \$15.8 million
2. How much TIF is projected? \$1.5 million
 - a. Are the TIF funds part of the \$27.1 million? no
3. How much will the City pay for the parking garage? Initial estimates are \$11.3 million. The cost of the garage will be dependent on the size of the garage. The size of the garage will be determined as we identify the parking needs of the surrounding area and project.
 - a. Is this part of the \$27.1 million? yes
4. How much is the developer committing to invest? \$15.8 million
5. Please identify the City's costs to acquire the land
 - a. 2 restaurant properties - \$1,116,034
 - b. Starship Theatre - \$2,167,361
 - c. Douglas Theatre - \$1,102,542 (Civic Plaza)
 - d. Projected/negotiated cost for the remaining building on 13th Street - The developers expect to close on the building this year. The city has not directly been involved in the negotiation of the purchase of the building.
6. The LJS article indicate there would be 20,000 Square Feet of commercial space - The City will not be targeting occupants of the retail space. The developer will be responsible for finding tenants. The developers have stated that they have already talked to possible tenants. Whether or not the existing restaurants on 13th will locate in the new building has not been determined.
 - a. Please identify targeted users
 - b. There have been rumors of a CVS Pharmacy locating here. Is that correct?
 - c. Will the restaurants located in the existing building on 13th Street occupy part of the 20,000 SF?
 - d. If #b and #c are correct, will there be any remaining commercial space?
7. Tax Increment Financing--TIF
 - a. Again, how much is projected? \$1.5 million
 - b. What are the proposed uses of the TIF? The plan amendment states proposed uses of the TIF, including property acquisition; demolition, site preparation, and remediation; utility improvements and/or relocation; the construction of the civic plaza and related street and streetscape amenities; alley improvements; other public right-of-way and streetscape improvements; energy efficiency improvements; façade improvements; parking and related amenities; and, other related public improvements. This will be part of the agendas for the redevelopment agreement negotiations.
 - c. Please identify the estimated TF amounts to be used for each aspect The specific TIF uses and amounts will be negotiated as part of the redevelopment agreement.
8. When the former Chinese restaurant property was acquired, US Properties assisted in the purchase.
 - a. Please explain how that transaction occurred Monte Froehlich acquired the Taste of China property. The City paid Monte the appraised value for right-of-entry to demolish the property. When the Synergy redevelopment negotiations ended, the City paid Monte a final fee to make him whole.
 - b. Has US Properties been reimbursed for its expenditure? Yes.
 - c. Any other consideration given in this transaction? No.
9. Since the City will build the parking garage, how will the property be allocated for property tax purposes? We expect to have long-term leases for the garage stalls required by the developer and negotiated in the redevelopment agreement. The garage is expected to be public, and, therefore, not provide property tax revenue to the City. If the City

transfers ownership of the space above the garage and/or commercial space to the developer, we expect the developer to pay taxes on what they own. This revenue will generate the increment needed for the public portions of the project.

- a. Residential units
- b. Commercial space

10. Residential units--noted these will be 2 and 4 bedroom units--what is the expected price range for the condos? The units are expected to be rentals. The rental rate will be discussed as part of negotiations.

11. Are there any other financial details I am omitting in my questions that are significant in this project? Additional financial information is expected to be prepared with the cost benefit analysis presented to council, and with the redevelopment agreement.

Thank you in advance for your response.

Jon

Jon A. Camp
Lincoln City Council
402.474.1838 (personal office)

Mary M. Meyer

From: Karen K. Sieckmeyer
Sent: Tuesday, December 22, 2009 11:22 AM
To: Council Packet
Subject: FW: Heads Up

I have followed up on the phone messages utilized by StarTran, as follows:

During 7:30A-4:30P - weekday "business office hours", patrons calling the designated 476-1234 StarTran Information Line receive one of the three following responses:

1. The staff receptionist answers the phone, and provides information requested by the caller, or
2. If the staff receptionist is already on the information line, the caller hears a message to "please hold," and then the receptionist picks up when available.
3. If the staff receptionist is gone for an extended period (lunch, vacation, ill, and from 7:30-8:00A), the caller hears a 60-90 second informational/promotional message with the option of pushing "0" for route information at the end of the taped message (sample message attached). Then the contracted answering service representative gives route/schedule and other information as requested, or refers to specific StarTran staff person.

After hours (4:30P-7:30A) on weekdays and on weekends (Saturday & Sunday), the caller hears a message that StarTran Offices are closed, followed by an informational/promotional message (sample message attached).

In this regard.....

Mr. Feyerherm likely heard the third option under the "business office hours" description above, as the receptionist was at a medical appointment at the time he called, or he called between 7:30-8:00A.

- StarTran previously offered 24-hour/7 days per week route/schedule information by the receptionist staff person and the contracted service. Such informational services were reduced to only being offered during "business office hours" as a result of budget reductions.
- StarTran will be offering a "trip planner" service in conjunction with the AVL Program. The "trip planner" designs are underway, paid by current ARRA "Stimulus" program funding. When implemented, the "trip planner" will provide route/schedule information by computer (no need for personal interaction) 24/7.

Specific to Mr. Feyerherms' concerns/suggestions ...

Mr. Feyerherm is objecting to having to listen to the 60-90 second taped informational/promotional message before being afforded the opportunity to "press 0" to speak to an operator to receive route/schedule information. His objection is acknowledged, as he was apparently not interested in the taped information, and specifically wanted only route/schedule information, which was received. This method has been utilized since December, 2003, with no recalled complaints other than Mr. Feyerherm's. Staff have, however, been advised by callers that they preferred the current "tape first, operator second" order, as they were inquiring regarding the initial taped information, and did not need to speak to the operator. So, it just depends on one's needs. The "business office hours" message can be easily revised to comply with Mr. Feyerherm's comments.....office hours, and then option for direct connection to the operator, who could respond to route/schedule requests followed by other information now on tape. If StarTran chose to have more options than what we currently have (5 would be the maximum), it would cost an additional \$25.00 each month. If one or more of these options then went to another message, those messages would be an additional \$5.95 each per month. StarTran does not have that money included in their current budget. StarTran could eliminate the "business office hours" message entirely and have the calls go directly to the answering service.

Per J. Camp's suggestion, what do other departments do for their taped messages? Should there be a consistent city-wide policy?

Larry

From: Jon Camp [mailto:JonCamp@lincolnhaymarket.com]
Sent: Thursday, December 03, 2009 9:14 AM
To: Larry D. Worth
Cc: Mayor; ronfeyerherm@yahoo.com
Subject: Ron Feyerherm Suggestions

Larry:

Forgive me for directing this to you on my personal email address, but I am trying to save time.

I received a telephone call from Ron Feyerherm a few minutes ago, during which he offered some constructive suggestions for your telephone answering message. He had encountered some car trouble and was seeking route information and became frustrated with (1) the confusion of your 24-hour message regarding "office closed" time periods and also the need to continue listening for approximately 90 seconds to go through the complete message.

His suggestions are:

1. Can a quick statement be made on office hours, followed by
2. Short messages like "press 1 for schedule, press 2 for Y, press 3 for Z, or press 0 for other information/operator".

Thanks for your attention to this matter. Perhaps City-wide we should also review other departments to see how telephone messages can be kept concise for the benefit of the citizens who are making inquiries.

Best regards,

Jon

JON A. CAMP
Haymarket Square/CH, Ltd.
200 Haymarket Square
808 P Street
P.O. Box 82307
Lincoln, NE 68501-2307

Office: 402.474.1838
Fax: 402.474.1838
Cell: 402.560.1001

Email: joncamp@lincolnhaymarket.com

Security is mostly superstition. It does not exist in nature, nor do the children of men as a whole experience it.

Avoiding danger in the long run is no safer that outright exposure. Life is either a daring adventure or it is nothing.

- Helen Keller

Tammy J. Grammer

From: Scott A. Opfer
Sent: Wednesday, December 23, 2009 12:04 PM
To: Jon Camp
Cc: Tammy J. Grammer; Greg S. MacLean; Karen K. Sieckmeyer; Trish A. Owen
Subject: RE: Snow Removal--N. 9th Circle

Jon,

I can't give you an exact explanation as to why these streets hadn't been plowed prior to 6 am on Friday. The only thing I can tell you is that as of Friday morning, our staff and area contractors who we use to assist us with snow removal, had been working around the clock since 8 pm Monday the 7th. Obviously, our first priorities were to keep the arterial streets and bus routes open and we began sending snow removal equipment into residential areas, full scale at midnight on Thursday night. So, by Friday morning, we were not completely through all of the neighborhoods. Obviously, everyone wishes to be first and someone has to be last. So, chances are, these folks weren't overlooked, they just hadn't seen a plow yet. Now, having said this, we did experience some issues with some our private snow removal contractors who missed streets within the residential areas. Unfortunately, we're going to have to keep a closer eye on them in the future. Our hope has been that we give them a map of the streets which need to be plowed, and they plow all the streets on the map. We are now going to make sure that we have City staff checking our private folks as we send them into our residential areas. It's unfortunate that we have to do this, but we can't have streets being missed. Anyway, let me know if you have any other questions/concerns.

Thanks,

Scott O.

From: Jon Camp
Sent: Friday, December 11, 2009 9:15 AM
To: Scott A. Opfer
Cc: Tammy J. Grammer
Subject: Snow Removal--N. 9th Circle

Scott:

As of 6:00 am, Friday, December 11, 2009, 5228 N. 9th Circle had not been plowed nor had Morton from 14th to 9th Circle.

This is a new area but none-the-less, should have been plowed well before now. Please give this urgent attention.

When time permits, please also explain why this area was overlooked. The County had plowed Ogden Road and other areas within its jurisdiction.

Thank you.

Jon A. Camp
Lincoln City Council
402.474.1838 (personal office)

Tammy J. Grammer

From: Scott A. Opfer
Sent: Wednesday, December 23, 2009 11:41 AM
To: 'jimjj@neb.rr.com'
Cc: Tammy J. Grammer; Doug Emery; Karen K. Sieckmeyer; Shane R. Dostal; Genelle M Moore
Subject: Thank you for helping

Dear Mr. Johnson,

Thank you for taking the time to email us with your concerns. Your suggestion is a very good one and in fact, you may have noticed that during the past three winters, we have placed one of our portable electronic signs at both ends of the 27th St. bridge, as well as the Rosa Parks Way bridges and the I-180 bridges. This year, the electronic signs we have on hand, have been in use for the many events that we deal with, the last significant one being the Star City Parade. We were preparing the signs to be placed on these bridges, when we were hit with the major snow storm approximately two weeks ago and with all of the piled snow, we made the decision to wait until we could get some of that snow removed so as to have a good space to place the signs. So we do still intend on placing the signs once all of our other snow removal activities slow down enough to have someone clear some space for them. Please note that our expectations for use of the signs is that they are to only be turned on in the event of a not so obvious "icing" event. In other words, we don't want the signs turned on during a snow storm. Our thought process is that drivers should be aware of slippery road conditions during one of these events. It's when we have situations like rain changing to freezing rain or frost build-up, where drivers may not be expecting the bridge to be icy, that we want the signs to be used. We rely upon our police officers to turn the signs on as they detect the conditions I mentioned and as the conditions improve, we expect the officers to turn the signs off. In order for the signs to be the most effective, they must only be used when conditions warrant. If they are turned on in obvious situations or are left on when street conditions are not icy, drivers tend to not pay attention and the signs become ineffective.

In closing, you may have noticed some permanent electronic signs on the new Harris Overpass bridge. These signs are attached to an experimental sensor that is suppose to detect icing conditions and automatically illuminate the signs to warn drivers. We are still working with the contractor to get the sensors to work properly and if successful, I can see us doing the same on bridges like the 27th Street bridge in the future. So, hopefully something to look forward to. Thank you again for taking the time to contact us. If you should have any questions/concerns, please do not hesitate to contact me directly.

Sincerely,

Scott A. Opfer, Manager
Street & Traffic Operations

From: jim [jimjj@neb.rr.com]
Sent: Tuesday, December 22, 2009 1:38 PM
To: Doug Emery
Subject: Thank you for helping.

Every year the North 27th (Teresa) street bridge has ICE and the salt trucks do not go heavy for fear

of damage to the surface, I guess.

So accidents are EVERY storm because of ICE.

Can a warning sign be placed on each end.

WARNING ICE ON BRIDGE...SLOW DOWN.

The cost of the sign would be far less than the \$200,000.00 in insurance claims filed in the last four years. Ask the Officers who work accidents at that location. They will tell you accidents happen while one is being cleared and cleaned up. I called in a near accident because of ice the last storm and I got sent to a pot hole recording line. An hour later the following accident happened...<http://cjis.Lincoln.NE.gov/~ACC/A912/A9121696.PDF>

An hour early to this I posted a comment about this on The Chief'S corner, dated December 10th if you would like to see it...Look at the time I post at 10:03 AM Dec 10..The accident happens at 11:32AM see at <http://lpd304.blogspot.com/2009/12/cabin-fever.html>

Not sure what the answer is. I hope we prevent a fatality.

Tammy J. Grammer

From: WebForm [none@lincoln.ne.gov]
Sent: Friday, December 18, 2009 3:21 PM
To: Tammy J. Grammer
Subject: InterLinc: Council Feedback

InterLinc: City Council Feedback for
General Council

Name: Joseph Tindle
Address: 4603 Greenwood Street
City: Lincoln, NE 68504

Phone:
Fax:
Email: tindlej@earthlink.net

Comment or Question:

Taking into consideration the number of car/deer accidents that have occurred along Superior street between 33rd and 48th. Has there ever been any thought of allowing hunters in the area just north of Superior street only with archery permits? To thin the herd in that area that is constantly causing havoc with traffic through that area. And limit it to the use of long bows, and compound bows only. No cross bows.

Tammy J. Grammer

From: Tammy J. Grammer
Sent: Monday, December 21, 2009 8:22 AM
To: Commish
Subject: FW: InterLinc: Council Feedback

Mary,

This email was sent to the Council Office. Please forward to the County Commissioners.
Thank-you.

Tammy Grammer
City Council Secretary
County/City Building
555 South 10th Street - Room 111
Lincoln, NE 68508
Phone: 402-441-6867
E-Mail: tgrammer@lincoln.ne.gov

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

From: WebForm [mailto:none@lincoln.ne.gov]
Sent: Saturday, December 19, 2009 5:58 PM
To: Tammy J. Grammer
Subject: InterLinc: Council Feedback

InterLinc: City Council Feedback for
General Council

Name: Karen Kronhofman
Address: P.O. Box 29142
City: Lincoln, NE 68529

Phone:
Fax:
Email:

Comment or Question:
Please do not let Lancaster Manor be sold

Tammy J. Grammer

From: Scott Sullivan [scott@ericksonsullivan.net]
Sent: Thursday, December 10, 2009 9:12 AM
To: Jean Preister; Council Packet
Cc: tuland@downtownlincoln.org; cm@liba.org; KClark@SinclairHille.com; David Landis; Dallas A. McGee; Fred A. Hoke; Chuck A. Zimmerman; Ed Zimmer; Marvin S. Krout; Nicole Fleck-Tooze; Steve S. Henrichsen; kfisher@lccoc.org; bob.ripley@nebraska.gov; Timdfrancis@aol.com; jimmckee@windstream.net; berwynjones@windstream.net; cathy_beecham@yahoo.com; jimjohnson_1958@yahoo.com; gmunns@bvh.com; Dick Esseks; insurancemarketing@windstream.net; Jeanelle Lust; jpartington@windstream.net; LarsonRT@aol.com; leirion@aya.yale.edu; Lynn@DuTeau.com; michael@ninthorder.com; wfrancis@neb.rr.com; Cecil Steward; Jeff Searcy; Jim Hewitt; John Kay; Kim Todd; Larry Stoll; Tom Laging; Gordon Scholz; JoAnne Kissel; Margaret Berry; MaryAnne Wells; Michelle Penn; Mike Eckert
Subject: RE: Downtown Design Standards - First Annual Report: 9/2008 - 11/2009

To those involved in the Downtown Design Standards:

I simply wanted to add one additional note regarding the success of the Design Standards. Our office was involved in the renovation of the Kirk Motors building for the new N Street Liquor. Much to our dislike, one of the first requests by the owner was to infill all the current storefront windows along O street, due to inherent vandalism to liquor stores. We were able to refer to the Design Standards requirements and explain to the owner the need to maintain window frontage along the street. Although the compromising solution was the introduction of display windows, I am convinced that without the design standards in place, we would today be looking at blank facades along both streets of this corner building!

The reality is, these Standards not only guide designers, they can be a tool for us to guide our clients!

Scott D. Sullivan, AIA
Principal
scott@ericksonsullivan.net

Erickson Sullivan Architects
209 S. 9th Street
Lincoln, NE 68508
ph.402.475.1787
fax.402.475.1800

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

From: Jean Preister [mailto:jpreister@lincoln.ne.gov]
Sent: Wednesday, December 09, 2009 9:42 AM
To: Council Packet
Cc: tuland@downtownlincoln.org; cm@liba.org; 'KClark@SinclairHille.com'; David Landis; Dallas A. McGee; Fred A. Hoke; Chuck A. Zimmerman; Ed Zimmer; Marvin S. Krout; Nicole Fleck-Tooze; Steve S. Henrichsen; 'kfisher@lccoc.org'; 'bob.ripley@nebraska.gov'; 'Timdfrancis@aol.com'; 'jimmckee@windstream.net'; 'berwynjones@windstream.net'; 'cathy_beecham@yahoo.com'; 'jimjohnson_1958@yahoo.com'; 'gmunns@bvh.com'; Dick Esseks; insurancemarketing@windstream.net; Jean Preister; Jeanelle Lust; Jim Partington (jpartington@windstream.net); LarsonRT@aol.com; leirion@aya.yale.edu; Lynn@DuTeau.com; michael@ninthorder.com; wfrancis@neb.rr.com; Cecil Steward; Jeff Searcy; Jim Hewitt; John Kay; Kim Todd; Larry Stoll; Tom Laging; Gordon Scholz; JoAnne

Kissel; Margaret Berry; MaryAnne Wells; Michelle Penn; Mike Eckert; Scott Sullivan

Subject: Downtown Design Standards - First Annual Report: 9/2008 - 11/2009

Last year in August, the City Council approved special building design standards for new construction and exterior alterations in the downtown and Antelope Valley. The Downtown Master Plan had proposed that such standards be prepared and enacted. Organizations such as Downtown Lincoln Association, the Chamber, and the local chapter of architects supported the proposal that was adopted last year as a way to encourage high quality development that will protect the value of the significant investments being made by the City and private sector in this part of the city.

Along with their approval, the Council requested that staff submit a report on our experience with implementing the standards after a year of experience. Ed Zimmer on our staff has prepared the attached report, which summarizes the projects we have reviewed under the new design standards. Development activity in downtown and Antelope Valley was limited over the past year, and so the standards have not been thoroughly tested. Generally, we think the standards and the process have worked well during this period, but the report does indicate some areas for possible amendments in the future.

We will continue to evaluate these standards as they are applied in the future, and report as warranted to the various boards and organizations which have taken an interest in how this is working.

*Marvin S. Krout, Director
Lincoln-Lancaster County Planning Department
555 South 10th Street, Room 213
Lincoln, NE 68510
402-441-6366*

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December 21, 2009

Steve and Karen Carr
6240 South Richland Circle
Lincoln, NE 68516

Time Warner Cable
Customer Service
5400 South 16th Street
Lincoln, NE 68512

RECEIVED

DEC 22 2009

CITY COUNCIL
OFFICE

On Monday, October 5th I contacted Time Warner Cable by telephone (Francis – Denver, Co. – confirmation #553383) to inquire about the cost of adding the Digital Tier service to our existing Basic Service plan. At the time of the call, I also had Road Runner service with Time Warner. I was quoted a price of \$102.40 as the new monthly charge for both the Digital Tier service and Road Runner service, to be in effect for a period of one year. I accepted those terms offered by the TWC agent and understood that my acceptance of those terms was equivalent to entering into a one-year contract for those services.

I was very disappointed when the first bill arrived and the amount due was not what I had been quoted, or had agreed to. On October 23rd, my wife called TWC to inquire about this discrepancy in our bill. She was in contact with Sandra, Lincoln, NE. Sandra could not answer my wife's questions but notified her that someone from TWC would contact her within 5 days. No one ever responded to her inquiry.

On November 4, my wife again called TWC for an explanation. She was first in contact with Steven who indicated that our monthly service charge would be \$106.40, not the \$102.40 that we were quoted. My wife then asked to talk to Steven's supervisor and was put in contact with Eric. Eric informed my wife that "the internet promotion has fallen off" and therefore the price quoted on 10/5 would not be honored. He acknowledged that a supervisor had listened to the Oct. 5 conversation and that I indeed had been quoted a price of \$102.40, but that TWC would not honor that quote.

On Saturday, November 21, at 1:15 pm., I called TWC and spoke with Mark. After explaining my expectation that our monthly service charge would be \$102.40, and questioning why that was not the amount we were charged, Mark put me in contact with his supervisor. The supervisor indicated that "the internet promotion had fallen off" therefore our monthly service charge was more than the amount that I had been quoted and had agreed to pay. The almost robotic response to any question I asked was always "all I can do is reprimand the representative" (who made the original quote) and "the internet promotion has fallen off so you no longer receive the promotion discount."

I do not understand how a business can quote one price, change the service based upon the agreed upon price, and then charge a completely different amount. I do not

understand why a business would acknowledge their mistake, but not honor the agreement entered into. I also cannot understand why a business would rather lose a 25+ year customer than honor an offer made by a TWC employee. However, I refuse to do business with an entity that can quote one price for a service and then charge a different amount. I also refuse to do business with an entity that does not have the integrity to honor agreements with customers. On November 21 I cancelled my TWC Road Runner service and will be canceling my TWC television service as soon as I can arrange an alternative with a satellite television provider.

Sincerely,



Steve Carr

Cc: Better Business Bureau
Lincoln Office
3633 O Street, Suite 1
Lincoln, NE 68510

Lincoln City Council ✓
Cable Franchise Committee
555 South 10th Street
Lincoln, NE 68508-2803

Tammy J. Grammer

From: Tammy J. Grammer
Sent: Tuesday, December 22, 2009 2:29 PM
To: Scott A. Opfer; Greg S. MacLean
Subject: FW: InterLinc: Council Feedback

Scott,

Please see email below. Could you please respond to Mr. Johnson and send copy of the response to the Council Office. You can send the copy of the response to Councilpacket@lincoln.ne.gov. This email will be listed on the Directors Agenda for 12/28/09. If you have any questions, please let me know. Thanks.

Tammy Grammer
City Council Secretary
555 South 10th Street - Room 111
Lincoln, NE 68508
Phone: 402-441-7515
E-Mail: tgrammer@lincoln.ne.gov

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

From: WebForm [mailto:none@lincoln.ne.gov]
Sent: Tuesday, December 22, 2009 1:37 PM
To: Tammy J. Grammer
Subject: InterLinc: Council Feedback

InterLinc: City Council Feedback for
General Council

Name: Jim Johnson
Address: 210 N 22
City: Lincoln Nebraska 68503

Phone: 402-477-4708
Fax:
Email: jimjj@neb.rr.com

Comment or Question:

Every year the North 27th (Teresa) street bridge has ICE and the salt trucks do not go heavy for fear of damage to the surface, I guess.
So accidents are EVERY storm because of ICE.
Can a warning sign be placed on each end.
WARNING ICE ON BRIDGE...SLOW DOWN.

The cost of the sign would be far less than the \$200,000.00 in insurance claims filed in the last four years. Ask the Officers who work accidents at that location. They will tell you accidents happen while one is being cleared and cleaned up. I called in a near accident because of ice the last storm and I got sent to a pot hole recording line. An hour later the following accident happened...<http://cjis.lincoln.ne.gov/~ACC/A912/A9121696.PDF>

An hour early to this I posted a comment about this on The Chief'S corner, dated December 10th if you would like to see it...Look at the time I post at 10:03 AM Dec 10..The accident happens at 11:32AM see at <http://lpd304.blogspot.com/2009/12/cabin-fever.html>
Not sure what the answer is. I hope we prevent a fatality.