

**IN LIEU OF
DIRECTORS' MEETING
MONDAY, SEPTEMBER 27, 2010**

I. CITY CLERK

II. MAYOR

1. NEWS RELEASE. Sales tax revenues up for July.
2. Washington Report, September 17, 2010.

WEST HAYMARKET JOINT PUBLIC AGENCY (JPA)

1. The West Haymarket Joint Public Agency web link to agenda and attachments for meeting on September 23, 2010.

DIRECTORS

FINANCE/BUDGET

1. September sales tax reports reflecting July activity:
 - a) Actual Compared to Projected Sales Tax Collections;
 - b) Gross Sales Tax Collections (With Refunds Added Back In) 2005-2006 through 2010-2011;
 - c) Sales Tax Refunds 2005-2006 through 2010-2011; and
 - d) Net Sales Tax Collections 2005-2006 through 2010-2011.

FINANCE/TREASURER

2. Monthly City cash report at the close of business August 31, 2010.

PLANNING DEPARTMENT

1. Administrative Amendments approved by the Planning Director from September 14, 2010 through September 20, 2010.
2. Lincoln - Lancaster County Comp Plan Update: Sustainability Workshop. Wednesday, September 29th from 11:45 a.m. to 1:15 p.m. at 555 S. 10th Street. For more information link to website listed.

PLANNING COMMISSION

1. Action by Planning Commission, September 22, 2010.

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

JONATHAN COOK

1. InterLinc Correspondence from Mary Stahly regarding building construction.

IV. MISCELLANEOUS

V. CORRESPONDENCE FROM CITIZENS

1. Letter from Experian, Rick Erwin, President, Data Division, regarding the sale of the Experian facility at 949 W. Bond Street to the City of Lincoln. (Council Members received individual letters)
2. Email from H. Arnold Wassenberg against including a yearly automatic increase in the Mayor's salary.

VI. ADJOURNMENT

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OFFICE OF THE MAYOR

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

FOR IMMEDIATE RELEASE: September 20, 2010

FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831
Steve Hubka, Budget Officer, 441-7411

SALES TAX REVENUES UP FOR JULY

Mayor Chris Beutler today released Lincoln sales tax figures for July showing that net sales tax collections are up about \$164,000 or 3.6 percent compared to the same month last year. The collections also exceeded expectations by about \$218,000. The figures reflecting July sales are reported to the state in August and received by the City in September.

“We were anxiously awaiting July figures this year to see the impact of the Special Olympics USA National Games,” said Beutler. “The week-long Games not only gave our community an emotional boost, it also boosted our economy even more than we expected. This demonstrates the importance of keeping and maintaining events in our City.”

The Games July 18 through 23 attracted about 2,400 athletes, 750 coaches and about 15,000 family members and friends.

“This is exactly what we anticipated when we first began the process of bringing these games to Lincoln,” said Wendy Birdsall, Lincoln Chamber of Commerce President. “The credit really goes to our corporate partners, volunteer citizens and dedicated staff. Without the hard work of the entire community, these great gains in revenue wouldn’t be possible.”

Sales tax revenues fund about 40 percent of the City’s tax-supported budget. Property tax revenue funds about 29 percent of the budget, with the remainder coming from fees, interest income and other sources.

Net sales tax revenue for July were \$4,767,314. Net sales tax revenue is calculated by subtracting refunds to businesses for LB775 tax credits from gross sales tax revenues.

Mary M. Meyer

From: Council Packet
Subject: FW: WH JPA Board Meeting 9/9/10

Subject: WH JPA Board Meeting 9/9/10

The agenda and attachments for the JPA meeting scheduled for September 23, 2010 can be found on the InterLinc at <http://lincoln.ne.gov/city/finance/account/jpa-mtgs.htm>

Please forward to any interested groups or committees.

Thank you!

Melissa Ramos-Lamlli
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Washington Report

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

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CONGRESS RETURNS FROM SUMMER BREAK

CONGRESS

Congress returns from summer break; more gridlock expected. Both the House and Senate returned to Washington this week after a recess that lasted over a month. Their return will be short-lived, however, as both chambers expect to adjourn again on October 8, not to return until after the November elections. In fact, there are reports that the House may leave town as early as September 30.

With an understanding of the significance of the upcoming election, Democrats are eager to show voters that they are working hard to address their concerns, while Republicans are equally eager to demonstrate that the last two years of all-Democratic rule in Washington has not improved conditions. As a result, Democratic leaders will attempt to move their priorities, but they will be unable to overcome expected Republican filibusters in the Senate.

The Senate did manage to move a package of small business relief this week (see related story below). However, other items waiting for consideration are not likely to be so lucky. They include energy legislation, an extension of popular tax breaks that are traditionally approved each year, a reauthorization of surface transportation programs, immigration reform, and the FY 2011 budget. There is some hope that a few of those items could be considered in a “lame duck” session of Congress in November or December, but that is likely to depend on the outcome of the election.

With regard to an FY 2011 budget, it appears that Congress will approve a Continuing Resolution (CR) this month that will keep government operations running at FY 2010 levels until a final budget can be approved. The CR will extend through the November elections with the hope that a budget can be approved during the lame duck session.

However, if Republicans gain control of one or both chambers, the GOP may choose to delay final approval of FY 2011 spending until they formally take control in January. Thus far, none of the 12 annual spending bills has been signed into law, and FY 2011 begins on October 1.

Over the summer, the focus on Capitol Hill shifted dramatically from deficit reduction to the impending expiration of tax cuts enacted during the Bush Administration. There is general consensus that the cuts that benefit those making below \$200,000 (\$250,000 for couples) should be extended, but Republicans (and a number of Democrats) believe that they should all be extended. The cost of extending all the tax cuts is estimated at \$4 trillion.

It has been widely reported that the Obama Administration would prefer to extend the Bush tax cuts for the middle class while allowing those benefitting the very wealthy to expire. Republicans counter that raising taxes on any segment of the population risks sending the fragile economy back into a recession.

The White House proposal on transportation spending (see related item below) hints that the Administration believes that additional stimulus is needed to address the economy, pointing to recently released figures that poverty is currently at its highest point since 1994 (<http://bit.ly/cimBuy>). With the new data showing that 1 in 7 Americans is living below in poverty, the Administration is eager to address economic pain. However, Congress is not likely to act on the President’s proposal this year.

SMALL BUSINESS

Senate approves small business lending program. The Senate approved legislation (HR 5297) this week that would create small business lending programs and provide additional relief for existing loan programs at the Small Business Administration. The measure is a slightly amended version of the bill that was approved by the House in June.

The most significant new program is a \$30 billion “Small Business Lending Fund” that would direct the Department of the Treasury to provide capital to small financial institutions such as community banks, which would in turn make loans to small businesses. The purpose of the program is to increase lending to small businesses, which have had trouble establishing credit as larger banks tighten their lending policies in the wake of the financial crisis.

Under the program, Treasury will acquire preferred stock in, or purchase other debt instruments from, the participating institution. Any proceeds Treasury earns on those investments would be directed towards debt relief. Only small institutions (assets of less than \$10 billion) with healthy balance sheets and with would be eligible to participate in the program. All participating financial institutions would have to meet benchmarks for increased lending to small businesses. As Treasury rolls out this program, local governments and local economic development officials should work with local small financial institutions to gauge their eligibility for and interest in participating in this program.

The measure also includes \$1.5 billion for a “State Small Business Credit Initiative,” which would provide formula grants to states, based on unemployment data, to establish and enhance small business lending programs. The loans may not exceed \$5 million and the businesses receiving the loans may not exceed 500 employees.

While states are not required to pass any funding through to local lending programs, local governments may apply for the state share of the fund if the state chooses not to apply.

HR 5297 would also increase loan limits in the SBA 7(a) loan program – its most popular program – from \$2 million to \$5 million and extends a provision of the 2009 stimulus bill that eliminates fees normally charged on 7(a) loans.

The legislation is a priority for the Obama Administration. The House is expected to approve the amended measure next week and the President is expected to sign it into law shortly thereafter.

CELL PHONE TAXES

House subcommittee approves moratorium on new cell phone taxes; small business bill would eliminate cell phones as “listed property” under IRS rules. The House Subcommittee on Commercial and Administrative Law of the House Judiciary committee approved legislation (HR 1521) this week that would enact a five-year moratorium on new and/or discriminatory state and local taxation of cellular telephone service.

Bill supporters claim that state and local governments often tax cell phone service at higher rates than other services, while opponents argue that the measure represents federal intrusion into local taxing authority. Supporters say that the bill would only apply to taxes created after the date of the bill’s enactment.

In addition, there are reports that the bill includes language that would allow the creation of a new tax — or the modification of an existing one — that replaces one or more existing taxes on cell phone services, provided the new taxes would not bring in more revenue than the existing requirements.

The bill was approved by the subcommittee by voice vote, and received bipartisan support during the markup. However, Rep. Judy Chu (D-CA) did express opposition to the bill on the grounds that it intrudes on local authority and “pulls the rug out from them at a time when they face massive budget shortfalls.”

The next step for the bill is consideration in the House Judiciary Committee, although no markup date has been set. Companion legislation has been

introduced in the Senate (S 1192) but no action has occurred in that chamber.

In a related item, legislation approved by the Senate this week (HR 5297) to provide relief to small businesses (see related story above), also includes language that would remove cellular telephones provided to employees from classification as “listed property” under IRS regulations.

This “listed property” category was established to require employees to distinguish between personal and business use of employer-provided items such as automobiles. Cellular phones were added to the category at a time when the units were expensive and somewhat rare. With the proliferation of cell phones, the rules resulted in significant administrative burdens for organizations, including local governments, who have to keep detailed records regarding business and personal use of employee-provided cell phones.

The small business bill is expected to be approved by the House next week and the President has said he will sign it into law.

TRANSPORTATION

President Obama proposed \$50 billion infrastructure plan for “roads, railways and runways.” President Obama’s Labor Day announcement of a major infrastructure plan generated a lot of buzz in Washington, DC and across the country, but not a lot else.

As outlined by the President, the plan would be “frontloaded” with \$50 billion in spending during the first year to create jobs and lay the groundwork for a long-term transportation overhaul tackling highways, rail, transit and aviation. It would also implement NextGen, a wide-ranging transformation of the nation’s air traffic control system.

The plan includes the creation of a National Infrastructure Bank to finance transportation projects of national importance and value. The long-term plan would also target issues such as integrating high-speed rail into the surface transportation program, as well as safety, environmental sustainability,

economic competitiveness, and livability. The White House insisted that the proposal is intended to be budget-neutral, likely through a tax on oil companies, but no specifics were provided.

Despite the prominence given to the announcement by the White House and media, a press release is the only information available (<http://bit.ly/9os6xW>). Administration officials have no information relating to timelines, bill content, funding levels and even funding sources, saying only that the President will work with Congress on the details.

Observers on both sides of the aisle give the proposal little to no chance of passage this year, as there remains little appetite on Capitol Hill to tackle the questions of how to fund a long-term reauthorization of surface transportation programs. Many Republicans are openly opposed to any Obama proposal, don't support high-speed rail and reject any tax increase on business. In addition, some Democrats with fresh memories of the polarizing healthcare debate are hesitant to get out in front of another big bill. In addition, Administration sources admit that the President has not laid the groundwork for passage; he has not spoken with members of Congress to draft a bill, find a sponsor, get a timeline or even rally the troops.

Finally, despite the President's objections, the proposal is being compared to last year's stimulus, and has opened the door to criticism that a large portion of the 2009 Recovery Act funds for transportation are unspent (the great majority have been obligated, however). As a result, the Republican leadership is vowing to repeal the unspent stimulus funds, so recipients are encouraged to work diligently to spend funds quickly.

GRANTS & NOTICES

Department of Housing & Urban Development

HUD released the FY 2010 NOFA for approximately \$124 million in HOPE VI Revitalization grants. The HOPE VI program identifies severely distressed public housing projects and develops them into mixed-income communities. HUD anticipates awarding 5-6 grants with a maximum award of \$22 million each. A 5

percent match is required. Applications are due November 26, 2010:

<http://bit.ly/9eHCgj>.

HUD also released the Notice of Funding Availability (NOFA) for Round 1 of the Choice Neighborhoods Initiative. HUD plans to award \$65 million in planning and implementation grants. The program builds on the success of HOPE VI by taking a broader approach to concentrated poverty and links housing revitalization with education reform and early childhood education. A match of at least 5 percent is required for Choice Neighborhoods grants. Applications for Planning grants and Implementation grants are due October 26, 2010:

<http://bit.ly/bIyqk1>.

Environmental Protection Agency

EPA is accepting proposals for the FY 2011 Brownfields Cleanup, Revolving Loan Fund, and Assessment Grant programs. The purpose of these grants is to provide funding to assess and cleanup industrial sites contaminated by hazardous substances, pollutants, or contaminants. The total funding available is estimated at \$92.9 million and EPA anticipates awarding 343 grants among all three grant types. EPA must expend 25 percent of the amount appropriated for Brownfields grants on sites contaminated with petroleum. Applicants must submit a separate proposal for each grant type. The deadline for proposals is October 15, 2010:

<http://bit.ly/cmpbNu>.

Department of Commerce

The Bureau of the Census has published proposed criteria for defining urban areas based on the results of the 2010 Census. The most significant changes that may result from this process are likely to be for local public transit agencies, as federal transit formula funding is distributed using these urbanized area definitions. The agency is accepting comments on the proposed criteria until November 22, 2010.

<http://bit.ly/bDGIX4>

**Actual Compared to
Projected Sales Tax Collections**

	2010-11 PROJECTED	2010-11 ACTUAL	VARIANCE FROM PROJECTED	\$ CHANGE FR. 09-10	% CHANGE FR. 09-10
SEPTEMBER	\$4,549,255	\$4,767,314	\$218,059	\$163,898	3.56%
OCTOBER	\$4,721,659				
NOVEMBER	\$4,716,098				
DECEMBER	\$4,449,149				
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	\$4,767,314	\$218,059	\$163,898	3.56%

Actual collections through September are 4.79 % above projections for the year.

**CITY OF LINCOLN
GROSS SALES TAX COLLECTIONS
(WITH REFUNDS ADDED BACK IN)
2005-2006 THROUGH 2010-2011**

	ACTUAL 2005-2006	ACTUAL 2006-2007	ACTUAL 2007-2008	ACTUAL 2008-2009	% CHG. FR. PRIOR YEAR	ACTUAL 2009-2010	% CHG. FR. PRIOR YEAR	ACTUAL 2010-2011	% CHG. FR. PRIOR YEAR
SEPTEMBER	\$4,630,210	\$4,573,597	\$4,612,020	\$4,812,555	4.35%	\$4,703,478	-2.27%	\$4,822,814	2.54%
OCTOBER	\$4,823,369	\$4,712,519	\$5,052,950	\$4,845,000	-4.12%	\$4,687,315	-3.25%		
NOVEMBER	\$4,799,275	\$4,658,480	\$4,818,715	\$4,937,998	2.48%	\$4,922,939	-0.30%		
DECEMBER	\$4,511,403	\$4,445,761	\$4,753,456	\$4,545,947	-4.37%	\$4,502,684	-0.95%		
JANUARY	\$4,342,902	\$4,554,634	\$4,617,097	\$4,465,270	-3.29%	\$4,354,458	-2.48%		
FEBRUARY	\$5,797,893	\$5,993,653	\$5,596,617	\$5,775,594	3.20%	\$5,426,478	-6.04%		
MARCH	\$4,247,908	\$4,125,074	\$4,421,405	\$4,258,773	-3.68%	\$4,226,466	-0.76%		
APRIL	\$3,991,159	\$4,018,709	\$4,227,476	\$4,119,617	-2.55%	\$4,294,043	4.23%		
MAY	\$4,543,369	\$4,895,921	\$4,753,366	\$4,744,089	-0.20%	\$5,186,573	9.33%		
JUNE	\$4,539,614	\$4,664,470	\$4,859,251	\$4,624,054	-4.84%	\$4,662,293	0.83%		
JULY	\$4,655,061	\$4,772,617	\$4,983,976	\$4,501,197	-9.69%	\$4,567,893	1.48%		
AUGUST	\$4,991,723	\$4,887,329	\$5,026,702	\$4,856,331	-3.39%	\$5,105,968	5.14%		
TOTAL	\$55,873,886	\$56,302,764	\$57,723,030	\$56,486,425	-2.14%	\$56,640,589	0.27%	\$4,822,814	2.54%

**CITY OF LINCOLN
SALES TAX REFUNDS
2005-2006 THROUGH 2010-2011**

	ACTUAL 2005-2006	ACTUAL 2006-2007	ACTUAL 2007-2008	ACTUAL 2008-2009	% CHG. FROM PRIOR YEAR	ACTUAL 2009-2010	% CHG. FROM PRIOR YEAR	ACTUAL 2010-2011	% CHG. FROM PRIOR YEAR
SEPTEMBER	(\$80,882)	(\$27,350)	(\$90,282)	(\$435,079)	381.91%	(\$100,061)	-77.00%	(\$55,500)	-44.53%
OCTOBER	(\$358,866)	(\$166,695)	(\$79,688)	(\$108,925)	36.69%	(\$95,246)	-12.56%		
NOVEMBER	(\$173,972)	(\$3,881)	(\$158,855)	(\$86,760)	-45.38%	(\$149,347)	72.14%		
DECEMBER	(\$6,319)	(\$175,440)	(\$29,848)	(\$209,674)	602.47%	(\$202,950)	-3.21%		
JANUARY	(\$269,713)	(\$84,287)	(\$26,308)	(\$256,270)	874.13%	(\$257,206)	0.37%		
FEBRUARY	(\$73,395)	(\$327,119)	(\$489,939)	(\$83,713)	-82.91%	(\$104,235)	24.51%		
MARCH	(\$165,869)	(\$133,574)	(\$325,269)	(\$73,785)	-77.32%	(\$14,233)	-80.71%		
APRIL	(\$196,682)	(\$130,611)	(\$108,764)	(\$70,988)	-34.73%	(\$75,738)	6.69%		
MAY	(\$166,567)	(\$381,653)	(\$22,529)	(\$117,201)	420.23%	(\$68,551)	-41.51%		
JUNE	(\$14,085)	(\$186,252)	(\$136,308)	(\$444,973)	226.45%	(\$110,343)	-75.20%		
JULY	(\$39,492)	(\$155,825)	(\$478,184)	(\$331,804)	-30.61%	(\$251,505)	-24.20%		
AUGUST	(\$57,700)	(\$569,595)	(\$43,759)	(\$11,878)	-72.86%	(\$286,162)	2309.23%		
TOTAL	(\$1,603,541)	(\$2,342,280)	(\$1,989,734)	(\$2,231,050)	12.13%	(\$1,715,576)	-23.10%	(\$55,500)	-44.53%

Year to date vs.
previous year

**CITY OF LINCOLN
NET SALES TAX COLLECTIONS
2005-2006 THROUGH 2010-2011**

ACTUAL 2005-2006	ACTUAL 2006-2007	ACTUAL 2007-2008	ACTUAL 2008-2009	% CHG. FROM PR. YEAR	ACTUAL 2009-2010	% CHG. FROM PR. YEAR	ACTUAL 2010-2011	% CHG. FROM PR. YEAR
\$4,549,328	\$4,546,247	\$4,521,738	\$4,377,476	-3.19%	\$4,603,417	5.16%	\$4,767,314	3.56%
\$4,464,503	\$4,545,825	\$4,973,261	\$4,736,074	-4.77%	\$4,592,069	-3.04%		
\$4,625,303	\$4,654,599	\$4,659,859	\$4,851,237	4.11%	\$4,773,592	-1.60%		
\$4,505,085	\$4,270,321	\$4,723,609	\$4,336,273	-8.20%	\$4,299,735	-0.84%		
\$4,073,189	\$4,470,347	\$4,590,789	\$4,209,000	-8.32%	\$4,097,252	-2.65%		
\$5,724,498	\$5,666,534	\$5,106,677	\$5,691,881	11.46%	\$5,322,243	-6.49%		
\$4,082,038	\$3,991,501	\$4,096,136	\$4,184,988	2.17%	\$4,212,234	0.65%		
\$3,794,477	\$3,888,098	\$4,118,712	\$4,048,629	-1.70%	\$4,218,305	4.19%		
\$4,376,803	\$4,514,268	\$4,730,837	\$4,626,889	-2.20%	\$5,118,022	10.61%		
\$4,525,529	\$4,478,219	\$4,722,943	\$4,179,081	-11.52%	\$4,551,950	8.92%		
\$4,615,569	\$4,616,793	\$4,505,792	\$4,169,394	-7.47%	\$4,316,388	3.53%		
\$4,934,023	\$4,317,734	\$4,982,944	\$4,844,454	-2.78%	4,819,806	-0.51%		
\$54,270,346	\$53,960,485	\$55,733,297	\$54,255,376	-2.65%	\$54,925,013	1.23%	\$4,767,314	3.56%

OFFICE OF TREASURER, CITY OF LINCOLN, NEBRASKA

September 20, 2010

TO: MAYOR CHRIS BEUTLER & CITY COUNCIL MEMBERS
FROM: FINANCE DEPARTMENT / CITY TREASURER
SUBJECT: MONTHLY CITY CASH REPORT

The records of this office show me to be charged with City cash as follows at the close of business August 31, 2010

Balance Forward	\$	\$160,568,932.90
Plus Total Debits August 1-31, 2010	\$	\$48,209,866.76
Less Total Credits August 1-31, 2010	\$	(\$39,169,307.52)
Cash Balance on August 31, 2010	\$	\$169,609,492.14

I desire to report that such City cash was held by me as follows which I will deem satisfactory unless advised and further directed in the matter by you.

U. S. Bank Nebraska, N.A.	\$	\$2,697,064.85
Wells Fargo Bank	\$	(\$23,521.33)
Wells Fargo Bank Credit Card Account	\$	\$24,355.45
Cornhusker Bank	\$	\$74,959.97
Pinnacle Bank	\$	\$118,970.84
Union Bank & Trust Company	\$	(\$2,622,246.13)
West Gate Bank	\$	\$92,881.69
Idle Funds - Short-Term Pool	\$	\$48,550,824.90
Idle Funds - Medium-Term Pool	\$	\$120,661,562.01
Cash, Checks and Warrants	\$	\$34,639.89
Total Cash on Hand August 31, 2010	\$	\$169,609,492.14

The negative bank balances shown above do not represent the City as overdrawn in these bank accounts. In order to maximize interest earned on all City funds, deposits have been invested prior to the Departments' notification to the City Treasurer's office of these deposits; therefore, these deposits are not recorded in the City Treasurer's bank account balances at month end.

I also hold as City Treasurer, securities in the amount of \$23,807,509.37 representing authorized investments of the City's funds.

ATTEST:

Joan E. Ross
 Joan E. Ross, City Clerk



Melinda J. Jones
 Melinda J. Jones, City Treasurer

**CITY OF LINCOLN - PLEDGED COLLATERAL STATEMENT
AS OF AUGUST 31, 2010**

DESCRIPTION	CUSIP	MATURITY DATE	ORIGINAL FACE	CURRENT PAR	MARKET PRICE	MARKET VALUE
FHLMC GOLD POOL A61256	3128KFRMD3	11/01/2036	\$1,318,920.00	\$868,587.35	1.08	\$936,416.90
FHLMC GOLD POOL J10321	3128PPLA9	07/01/2024	\$5,745,000.00	\$5,180,938.03	1.05	\$5,425,937.34
FNMA FNCL 254725	31371K4J7	05/01/2033	\$500,000.00	\$168,520.50	1.07	\$180,395.92
USBANK NE		TOTAL PLEDGED	\$7,563,920.00	\$6,218,045.88		\$6,542,750.16
FHLB 5.0%	3133XMEH0	04/04/2013	\$500,000.00	\$500,000.00		
FFCB 5.45%	31331XNG3	02/05/2014	\$1,000,000.00	\$1,000,000.00		
FHLB STEP-UP 2.25%	3133XUM67	08/26/2014	\$1,000,000.00	\$1,000,000.00		
CORNHUSKER BANK		TOTAL PLEDGED	\$2,500,000.00	\$2,500,000.00		



Memorandum

Date: ♦ September 21, 2010
To: ♦ City Clerk
From: ♦ Teresa McKinstry, 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 September 14, 2010 thru September 20, 2010:

Administrative Amendment No. 10046 to Use Permit No. 140C, Appian Way Regional Shopping Center, approved by the Planning Director on September 14, 2010, requested by Eiger Corp., to divide Lot 1, Block 1 into Lots 1 and 2, Block 1 and to revise the land use table accordingly, on property generally located at S. 84th Street and Highway 2.

Administrative Amendment No. 10052 to Use Permit No. 43A, Stockwell Office Park, approved by the Planning Director on September 15, 2010, requested by Design Associates of Lincoln, to expand the building envelope on Lot 4, on property generally located at S. 14th Street and Stockwell Street.

Administrative Amendment No. 10056 to Special Permit No. 692M, Tabitha New Community, approved by the Planning Director on September 20, 2010, requested by Home Solutions of Nebraska, to reduce the rear yard setback from 18 feet to 9 feet on Lot 1, located at the northeast corner of Venture Drive and Folkways Boulevard.

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



Jean Preister

From: Michele M. Abendroth
Sent: Wednesday, September 22, 2010 8:50 AM
Subject: Announcement: Lincoln/Lancaster County Comp Plan Update: Sustainability Workshop

Please plan to attend the upcoming **Sustainability Workshop** on **Wednesday, September 29th from 11:45 a.m. to 1:15 p.m. in Council Chambers in the County/City Building, 555 S. 10th Street**. The purpose of the workshop is to engage the public on local sustainability issues and how those issues relate to the Comprehensive Plan. It will include a presentation by keynote speaker Gayle Prest, Sustainability Director for the City of Minneapolis, and a question/answer period with a panel of 5 local experts.

For more information about the workshop, please visit our website at <http://www.lincoln.ne.gov/city/plan/lplan2040/content/092910/index.htm>.

**** ACTION BY PLANNING COMMISSION ****
September 22, 2010

NOTICE: The Lincoln/Lancaster County Planning Commission will hold a public hearing on Wednesday, September 22, 2010, 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.

The LPlan Advisory Committee will meet on Wednesday, September 22, 2010, from 11:00 a.m. to 12:45 p.m., in Room 113 of the County-City Building, 555 S. 10th Street, Lincoln, Nebraska.

**** 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, SEPTEMBER 22, 2010

[Commissioner Lust absent]

Approval of minutes of the regular meeting held September 8, 2010. ****APPROVED, 7-0 (Francis abstained; Lust absent)****

- 1. CONSENT AGENDA**
(Public hearing and Administrative Action):

MISCELLANEOUS:

- Page 01
- 1.1 Street and Alley Vacation No. 10013, to vacate all of the existing "S" Street right-of-way from the east right-of-way line of N. 19th Street, to the northwesterly right-of-way line of Antelope Valley Parkway; all of the existing east-west alley right-of-way lying between N. 19th Street and Antelope Valley Parkway, south of "S" Street; all of the existing east-west alley right-of-way between "Q" & "R" Streets, west of N. 22nd Street; all of the existing east-west alley right-of-way lying between "P" & "Q" Streets and the east right-of-way line of N. 21st Street and the west right-of-way line of N. 22nd Street; all of the

existing east-west alley right-of-way lying between “O” & “P” Streets and the east right-of-way line of N. 21st Street and the west right-of-way line of N. 22nd Street; a portion of the existing east-west alley right-of-way from the east right-of-way line of S. 21st Street to a point approximately 300 ft. east of the east right-of-way line of S. 21st Street between “N” & “O” Streets; all of the existing Monroe Avenue right-of-way from the east right-of-way line of S. 21st Street to the west right-of-way line of S. 23rd Street; all of the existing east-west alley from the east right-of-way line of the vacated north-south alley to the west right-of-way line of S. 23rd Street, south of Monroe Avenue; all of the existing S. 23rd Street right-of-way from the south right-of-way line of “N” Street to the north line of Lot 134 I.T.; and all of the existing “L” Street right-of-way from the west right-of-way line of S. 24th Street to the east line of Lot 134 I.T., generally bounded by “S” Street on the north, Monroe Avenue on the south, N. 19th Street on the west and N. 22nd Street on the east.

Staff recommendation: A finding of Conformance with the Comprehensive Plan

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

Planning Commission recommendation: A FINDING OF CONFORMANCE WITH THE COMPREHENSIVE PLAN, 8-0 (Lust absent). Public Hearing before City Council will be scheduled when the provisions of Chapter 14.20 have been satisfied and the submittal and completion of a final plat by the abutting property owners.

2. REQUESTS FOR DEFERRAL: None.

3. ITEMS REMOVED FROM CONSENT AGENDA: None.

4. CONTINUED PUBLIC HEARING AND ADMINISTRATIVE ACTION:

MISCELLANEOUS:

4.1 Waiver No. 10017, to waive the requirement of the Land Subdivision Ordinance to construct a sidewalk within a pedestrian easement connecting Saline Drive and Cornflower Drive, on property generally located in the area of Fletcher Avenue and Meridian Drive. *** **FINAL ACTION** ***

Staff recommendation: Denial

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

Planning Commission ‘final action’: APPROVAL, 7-1 (Taylor, Larson, Partington, Gaylor Baird, Cornelius, Francis and Sunderman voting ‘yes’; Esseks voting ‘no’; Lust absent).

Resolution No. PC-01213.

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

PENDING LIST: None

Planning Dept. staff contacts:

Steve Henrichsen, Development Review Manager . . .	441-6374	..	shenrichsen@lincoln.ne.gov
Nicole Fleck-Tooze, Long Range Planning Manager .	441-6363	..	ntooze@lincoln.ne.gov
Mike Brienzo, Transportation Planner	441-6369	..	mbrienzo@lincoln.ne.gov
Tom Cajka, Planner	441-5662	..	tcajka@lincoln.ne.gov
David Cary, 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	441-6371	..	shartzell@lincoln.ne.gov
Rashi Jain, Planner	441-6372	..	rjain@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>**

Mary M. Meyer

From: WebForm [none@lincoln.ne.gov]
Sent: Thursday, September 23, 2010 12:23 PM
To: Council Packet
Subject: InterLinc: Council Feedback

InterLinc: City Council Feedback for
General Council

Name: Mary Stahly
Address: 331 S 28th
City: Lincoln, NE 68510

Phone: 402-580-3406
Fax:
Email: mary.stahly@celerion.com

Comment or Question:

Hi Jonathan:

I noticed some construction to a building at 2745 O Steet on what used to be a used car lot. I searched for a permit, but could not find one and one was not in the window. How do I go about finding out what is going in there? I was told it was going to be a juice bar and for obvious reasons I do not want that in my neighborhood.

Thanks,
Mary



955 American Lane
Schaumburg, IL 60173
224 698 5600 T
www.experian.com

September 16, 2010

RECEIVED

SEP 20 2010

CITY COUNCIL
OFFICE

Councilman John Spatz
Chairman
City of Lincoln
City Council Office
555 South 10th Street
Lincoln, NE 68508-2803

Dear Councilman Spatz:

I'm writing to you in regard to the impending sale of Experian's facility at 949 West Bond Street to the City of Lincoln. I hope you will strongly support this transaction as I believe it is in the best interests of the City of Lincoln and its residents.

Experian is proud to be a part of the Lincoln community. We have worked hard to develop strong relationships with our community partners, including the city government, other local businesses and the citizenry at large. Our success as a company is due in large part to our presence in Lincoln and our access to the exceptional Nebraska workforce.

Experian finds itself with a great deal of excess space in our Lincoln facility as a result of change in our clients' requirements. In the past, we required this space for the printing of our customers' direct mail pieces. Today, we no longer produce those printed mail pieces but instead provide our customers with the higher value data, software and analytics required to execute their marketing campaigns. While our business is healthy and growing, we no longer require such large printing facilities to satisfy our clients' needs. Given our diminishing need for the excess space, we find it to be a wasteful and costly challenge to maintain the physical appearance of the 949 W. Bond Street facility to Experian's high standards.

Therefore, the City's purchase of the building makes good sense for both the people of Lincoln and Experian. As a large employer, we can validate that City government's consolidation will help create operational efficiencies and savings making the City of Lincoln an even more effective provider of services. The building's reasonable selling price allows you to continue being a responsible steward of public dollars.

As part of the sale, Experian plans to lease the space we currently need, helping the City generate cash flow. The proposed lease further demonstrates Experian's commitment to our long-term relationship with the community.

I ask that you please give the strongest consideration to the proposed Experian sale. It is a transaction that makes sense for Experian, the City and local taxpayers.

Thank you for your time.

Kindest regards,

Rick Erwin
President, Data Division

RE:dai

Mary M. Meyer

From: H. Arnold Wassenberg [HWASSENBERG@neb.rr.com]
Sent: Tuesday, September 21, 2010 1:59 PM
To: Council Packet
Subject: RE: Mayors salary
Attachments: final.jpg

Dear Council-members:

Although I feel the Mayors job probably justifies an increase in pay, to include a yearly automatic increase is not a good idea. It is the lazy thinking of do nothing bureaucrats and leads to unnecessary and unjustified wage inflation.

I hope you can stop it. It is bad for Lincoln and fiscally irresponsible.

Thank you for listening.

H. Arnold Wassenberg

--

H. Arnold Wassenberg

Owner/President

Wassco LLC.

P. O. Box 5402

120 College Park Cr., Office

Lincoln, NE 68505

402-430-7647

888-466-1202 fax



WVA

**DIRECTORS' AGENDA
ADDENDUM
MONDAY, SEPTEMBER 27, 2010**

I. CITY CLERK

II. CORRESPONDENCE FROM THE MAYOR & DIRECTORS

MAYOR

1. NEWS RELEASE. Residents can apply for rain garden grants.
2. NEWS RELEASE. Public invited to open house on Antelope Creek Watershed Basin Management Plan.
3. NEWS RELEASE. Public invited to Sustainability Workshop.
4. Mayor Beutler's public schedule for the week of September 25, 2010 through October 1, 2010.

DIRECTORS:

PLANNING DEPARTMENT

1. Factsheet. Annexation No. 08013.

PLANNING COMMISSION

2. Final Action. Resolution No. PC-01213.

III. COUNCIL RFI'S & CITIZENS CORRESPONDENCE TO INDIVIDUAL COUNCIL MEMBERS

IV. CORRESPONDENCE FROM CITIZENS TO COUNCIL

1. LIBA position statement regarding the Experian building purchase.
2. Email from Andrew Smith giving reason to vote no on Lincoln Electric System's proposed rate increase.
 - a) Hard copy from Andrew Smith on the electric utility rate increases.
3. Email from Jim with web link providing diagram of intersection and accident report for 22nd and P Streets.

V. INVITATIONS

PUBLIC WORKS AND UTILITIES DEPARTMENT

Watershed Management Division, 901 N. 6th St., Lincoln, NE 68508, 441-7701, fax 441-8194

FOR IMMEDIATE RELEASE: September 23, 2010

FOR MORE INFORMATION: Ellen Wright, Watershed Management, 441-7075

RESIDENTS CAN APPLY FOR RAIN GARDEN GRANTS

Lincoln property owners are invited to apply for a grant to help cover the cost of installing a rain garden through the City's 50-50 Cost Share Program. A rain garden is a depressed area with native vegetation designed to filter pollutants from driveways, patios, roofs and lawns.

Qualifying property owner are eligible to be reimbursed up to \$1,000 each for their rain garden expenses. Reimbursements would cover the cost of soil amendments (compost and sand), plants, drain tile, equipment rentals and work performed by an approved landscape professional.

The 50-50 Cost Share Program, funded by \$50,000 from the Nebraska Department of Environmental Quality (NDEQ), will help install 50 rain gardens within Lincoln's city limits. Applications will be accepted until the NDEQ funds are expended, or by October 31, 2012, whichever comes first.

The educational goal of the 50-50 Cost Share Program is to increase public awareness about stormwater quality and improved water quality of local waterways such as Antelope Creek.

The Environmental Protection Agency estimates that 70 percent of all water pollution is caused by stormwater runoff. When it rains, polluted water flows into storm drains and directly into local lakes and streams. Rain gardens protect local waterways by temporarily holding stormwater runoff and allowing the water time to infiltrate the soil. This filters out pollutants such as dirt, fertilizer, garbage and bacteria collected from roofs and driveways.

Applications for rain garden grants are available on the City website at lincoln.ne.gov (keyword: rain garden) or at the City Watershed Management office, 901 N. 6th St. For more information, contact Ellen Wright, Watershed Management, at 441-7075 or visit the City website.

A number of rain garden grants will be made available to Lincoln schools and commercial properties to educate individuals on stormwater quality issues. The project will include a public education program on the impact of stormwater runoff on lakes and streams.

PUBLIC WORKS AND UTILITIES DEPARTMENT

Watershed Management, 901 N. 6th St., Lincoln, NE 68508, 441-7701, fax 441-8194

FOR IMMEDIATE RELEASE: September 23, 2010

FOR MORE INFORMATION: Ed Kouma, Watershed Management, 441-7018

**PUBLIC INVITED TO OPEN HOUSE ON
ANTELOPE CREEK WATERSHED BASIN MANAGEMENT PLAN**

A public open house of the Antelope Creek Watershed Basin Management Plan is set for 5 to 7:30 p.m. Thursday, September 30 at Gere Library, 2400 S. 56th St. Presentations will begin at 5:30 and 6:30 p.m. and will last about 20 minutes. Residents are invited to discuss the plan and provide input to staff from the City of Lincoln and the Lower Platte South Natural Resources District (LPSNRD) as well as the scientists and engineers working on the project.

The plan will guide actions to improve the water quality in Antelope Creek. The plan will cost about \$507,100, which is being funded by the City and the LPSNRD. The project began in May and is expected to be completed by September 2011.

For more information, contact Ed Kouma, City of Lincoln Public Works and Utilities Department, at 441-7018 or visit the City website at lincoln.ne.gov (keyword: watershed).

LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT
555 South 10th Street, Suite 213, Lincoln, NE 68508, 441-7491, fax 441-6377

FOR IMMEDIATE RELEASE: September 24, 2010

FOR MORE INFORMATION: Sara Hartzell, Planning Department, 441-6371

PUBLIC INVITED TO SUSTAINABILITY WORKSHOP

The public is invited to a free workshop on environmental sustainability from 11:45 a.m. to 1:15 p.m. Wednesday, September 29 in the City Council Chambers, 555 S. 10th St. The workshop is part of LPlan 2040, the update of the Comprehensive Plan and Long Range Transportation Plan for Lincoln and Lancaster County. The workshop will include a presentation by Gayle Prest, Sustainability Director for the City of Minneapolis, Minnesota, as well as a panel discussion.

The workshop will be carried live on 5 CITY-TV, government access cable channel 5, and through live video streaming at lincoln.ne.gov. It also will be re-aired on 5 CITY-TV and available online through video-on-demand. Residents can participate in the discussion in person. They also can participate anytime through e-mail (plan@lincoln.ne.gov) or by phone (441-6688).

Prest oversees the Sustainability Initiative for Minneapolis, which includes the development of environmental policies, regulations and performance measures. The initiative emphasizes leading efforts related to climate change and renewable energy.

The panel discussion will involve local experts in sustainability, green building, healthy communities and alternative energy. They are:

- Scott Holmes, Environmental Public Health Manager, Lincoln-Lancaster County Health Department
- Michelle Penn, AIA, Nebraska Registered Architect, Authenticity, LLC, Architecture and Design
- Mike Rezac, President, Home Builders Association of Lincoln; President, Rezac Construction; green builder
- Cecil Steward, FAIA, Dean Emeritus Professor of Architecture and Planning, UNL College of Architecture; President and Founder, Joslyn Institute for Sustainable Communities and International North/North Network for Urban Sustainability
- Kristi Wamstad-Evans, LEED AP, Sustainability Coordinator for the City of Omaha

For more information, visit lplan2040.lincoln.ne.gov or contact the Planning Department at 441-7491.

Date: September 24, 2010

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

Dave Norris, Citizen Information Center, 441-7547

Mayor Beutler's Public Schedule
Week of September 25 through October 1, 2010
Schedule subject to change

Saturday, September 25

- Lincoln Arts Festival Patron Breakfast, remarks/selection of Mayor's Choice Art Award - 9:30 a.m., SouthPointe Pavilion (parking lot near Barnes and Noble Booksellers)

Tuesday, September 28

- KFOR "Lincoln Live" - 12:30 p.m., Three Eagles Communications, 3800 Cornhusker Hwy.
- Whittier Research Center grand opening and ribbon-cutting, remarks - 5 p.m., 22nd and Vine streets (front steps)

Wednesday, September 29

- Pfizer's OSHA Voluntary Protection Program award presentation - 2 p.m., Pfizer Inc., 601 W. Cornhusker Hwy.

Thursday, September 30

- News conference - 10:30 a.m., topic and location to be announced
- Madonna Chair's GOAL Awards luncheon - 11:30 a.m., Cornhusker Hotel, 333 S. 13th St.
- The Leukemia & Lymphoma Society "Light the Night Walk," remarks - 7 p.m., Holmes Lake Park (shelter #1), Normal Blvd. and 70th Street

Friday, October 1

- International Visitors from Tajikistan - 9 a.m., Mayor's Conference Room, County-City Building, 555 S. 10th St.

RECEIVED

SEP 24 2010

CITY COUNCIL
OFFICE

Bill No. 10-130

City Council Introduction: **Monday**, September 27, 2010
Public Hearing: **Monday**, October 4, 2010, at 3:00 p.m.

FACTSHEET

TITLE: ANNEXATION NO. 08013, requested by the Director of Planning, to annex approximately 15 acres, more or less, generally located southeast of the Salt Creek crossing at Warlick Boulevard.

STAFF RECOMMENDATION: Approval.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: Consent Agenda: 05/19/10
Administrative Action: 05/19/10

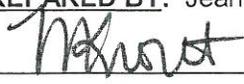
RECOMMENDATION: Approval (8-0: Gaylor Baird, Cornelius, Esseks, Francis, Larson, Lust, Partington and Taylor voting 'yes'; Sunderman absent).

FINDINGS OF FACT:

1. This is a request to annex 14.6 acres, more or less, generally located southeast of Warlick Boulevard and Homestead Expressway. The city limits adjoin this land on the north, south and east.
2. When this application was heard by the Planning Commission, the easternmost tract (Lot 29) was owned by the Prairie Bowman Archery Club, and the westernmost tract (Lot 48) was owned by the State of Nebraska. The Archery Club has conducted its activities on both lots for many years.
3. This annexation was placed on hold after the action by the Planning Commission pending the purchase of Lot 48 by the Prairie Bowman Archery Club. Prairie Bowman Archery Club is now the owner of the entire area to be annexed, and the City of Lincoln and the Lower Platte South Natural Resources District acquired a permanent conservation easement from the State of Nebraska, Department of Roads, over 6.02 acres of this property by Resolution No. A-85893 adopted by the City Council on June 14, 2010, pursuant to Analysis #2 in the staff report.
4. The staff recommendation of approval is based upon the "Analysis" as set forth on p.4, concluding that the site can be provided the full range of City services, is generally urban in character and is contiguous to the City limits. Thus, this annexation is consistent with the City's annexation policy.
5. On May 19, 2010, this application appeared on the Consent Agenda of the Planning Commission and was opened for public hearing. No one came forward to speak. The Planning Commission agreed with the staff recommendation and voted 8-0 to recommend approval (Sunderman absent).

FACTSHEET PREPARED BY: Jean L. Preister

DATE: September 20, 2010

REVIEWED BY:  _____

DATE: September 20, 2010

REFERENCE NUMBER: FS\CC\2010\ANNEX.08013 

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for May 19, 2010 PLANNING COMMISSION MEETING

PROJECT #: Annexation # 08013

PROPOSAL: Application by the Director of Planning to annex approximately 14.6 acres

LOCATION: Southeast of the Salt Creek crossing at Warlick Blvd

LAND AREA: 14.6 acres, more or less

CONCLUSION: The site can be provided the full-range of City services, is generally urban in character, and is contiguous with the city limit. Its annexation is consistent with the City's annexation policy.

<u>RECOMMENDATION:</u>	Approval
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GENERAL INFORMATION:

LEGAL DESCRIPTION: Lot 29 SE, except the 2.85 acres at the northeast corner already in the city limit, and Irregular Tract Lot 48 SW, all located in the south ½ of Section 14-9-6, Lancaster County, Nebraska, generally located southeast of Warlick Blvd and Homestead Expressway.

EXISTING ZONING: R-2 Residential

SURROUNDING LAND USE AND ZONING:

North:	Vacant, Residential	R-2, R-4
South:	Densmore Park	P
East:	Vacant, City Park	R-2, P
West:	Jamaica Trail, Railroad	AG

EXISTING LAND USE: Open Space, Archery Club

ASSOCIATED APPLICATIONS:

CPC#10002 - A request for a finding of conformance with the Comprehensive Plan for the acquisition of a permanent conservation easement over the west lot included in this annexation request.

COMPREHENSIVE PLAN SPECIFICATIONS:

Pg 154 - Annexation Policy - Annexation policy is a potentially powerful means for achieving many of the goals embodied in the Plan's Vision. The annexation policies of the City of Lincoln include but are not limited to the following:

The provision of municipal services shall coincide with the jurisdictional boundaries of the City – in short, it is not the intent of the City of Lincoln to extend utility services (most notably, but not necessarily limited to, water and sanitary sewer services) beyond the corporate limits of the City.

The extension of water and sanitary sewer services shall be predicated upon annexation of the area by the City. City annexation shall occur before any property is provided with water, sanitary sewer, or other potential City services.

Land which is remote or otherwise removed from the limits of the City of Lincoln will not be annexed; land which is contiguous to the City and generally urban in character may be annexed; and land which is engulfed by the City should be annexed.

Annexation generally implies the opportunity to access all City services. Voluntary annexation agreements may limit or otherwise outline the phasing, timing or installation of utility services (e.g., water, sanitary sewer), and may include specific or general plans for the private financing of improvements to the infrastructure supporting or contributing to the land uses in the annexed area.

The character of existing residential areas should be respected as much as possible during the annexation process. When low density "acreage" areas are proposed for annexation due to the City's policy, additional steps should be taken to ease the transition as much as possible, such as public meetings, advance notice and written explanation of changes as a result of annexation. In general, many aspects of acreage life may remain unchanged, such as zoning or covenants. However, any annexation of existing residential areas will include some costs which must be the responsibility of property owners.

Annexation to facilitate the installation of improvements and/or possible assessment districts is appropriate if it is consistent with the annexation policies of the Plan listed above.

Plans for the provision of services within the areas considered for annexation shall be carefully coordinated with the Capital Improvements Program of the City and the County.

SPECIFIC INFORMATION:

UTILITIES & SERVICES:

- A. **Sanitary Sewer:** Sanitary sewer exists in the adjacent residential development to the northeast. The east ½ of the site could potentially be served by this connection. The west ½ of the site has considerable slope and is designated as floodprone area associated with the Salt Creek corridor located several hundred feet to the west. If approved by the City and the Lower Platted South Natural Resources District, a conservation easement will be granted over the west lot that is now owned by the State.
- B. **Water:** Water is available to serve the areas proposed for annexation.
- C. **Roads:** The site is currently accessed via an access easement across neighboring properties off of Galloway Avenue located in Thunderbird Estates. The site is not adjacent to a public street.

- D. **Parks and Trails:** This site is adjacent to the Jamaica Trail located in the abandoned Union Pacific Railroad right-of-way.
- E. **Fire Protection:** The nearest fire station is Station #4 located a South 27th Street and Old Cheney Road.

ANALYSIS:

1. The proposed annexation consists of two separate tracts. The easternmost tract, Lot 29, is owned by the Prairie Bowman Archery Club. The westernmost tract, Lot 48, is owned by the State Of Nebraska. The Club has conducted its activities on both lots for many years and with the State's knowledge.
2. The State intends to sell Lot 48 to the Club, but on the condition that a conservation easement be granted over the lot. A substantial portion of this lot is designated as floodprone area associated with Salt Creek. A conservation easement is proposed over the entire Lot 48, and once in place the easement will limit development activity and generally preserve the lot in its current state for the purpose of flood storage for Salt Creek. The request for a finding of conformance with the Comprehensive Plan is now being considered by the City and will need to be completed prior to the property transfer.
3. This annexation was originally initiated by the City late in 2008 along with several others. While most of those annexations went on to be approved, this one along with another for the Lincoln Trap and Skeet Club site near North 48th and Superior Streets were put on hold over concern that a private outdoor shooting range was prohibited from operating within the city limit. In August of 2009 however, LB503 was passed by the State Legislature, and the law provides for an existing shooting or archery range to continue to operate within the city limits after it is annexed.
4. Access to the site is very limited, and currently only by means of an access easement over neighboring properties to the nearest public street, Galloway Drive located in Thunderbird Estates to the east.
5. The area can be served by City utilities which are located in the adjacent residential area located to the northeast next to the Ruskin Place Apartments.
6. All other city services, including Fire and Police, can also be provided. The nearest fire station is located at South 27th Street and Old Cheney Road.

Prepared by:

Brian Will
Planner
May 5, 2010

APPLICANT:

Marvin S. Krout
Director of Planning
Lincoln/Lancaster County Planning Department
555 South 10th Street
Lincoln, NE 68508
(402) 441-7491

CONTACT:

Brian Will
Lincoln/Lancaster County Planning Department
555 South 10th Street
Lincoln, NE 68508
(402) 441-6362

ANNEXATION NO. 08013

CONSENT AGENDA
PUBLIC HEARING & ADMINISTRATIVE ACTION
BEFORE PLANNING COMMISSION:

May 19, 2010

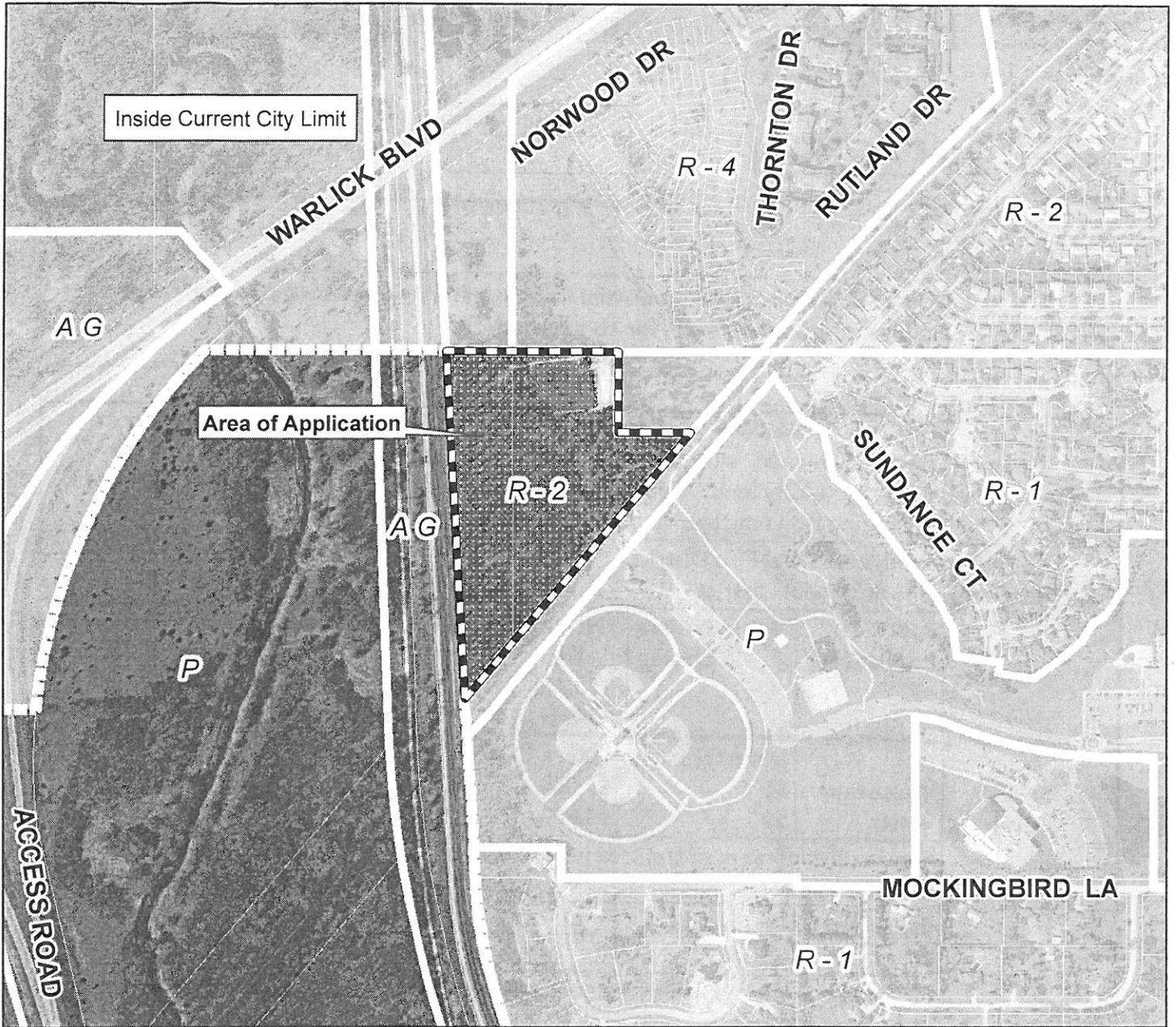
Members present: Gaylor Baird, Cornelius, Esseks, Francis, Larson, Lust, Partington and Taylor; Sunderman absent.

The Consent Agenda consisted of the following items: **ANNEXATION NO. 08013 and WAIVER NO. 10014.**

Ex Parte Communications: None

Item No. 1.2, Waiver No. 10014, was removed from the Consent Agenda and scheduled for separate public hearing at the request of Commissioner Taylor.

Larson moved to approve the remaining Consent Agenda, seconded by Lust and carried 8-0: Gaylor Baird, Cornelius, Esseks, Francis, Larson, Lust, Partington and Taylor voting 'yes'; Sunderman absent.



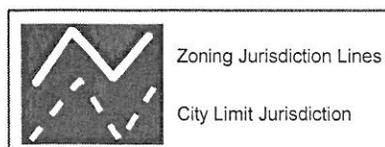
2007 aerial

Annexation #08013 Warlick Blvd & Homestead Expy

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. 14 T09N R06E



Annexation Study: Area #6**Warlick Blvd & Salt Creek**2007 Valuation: **\$231,298**

Proposed Annexation Year:	Acres in Area:
2009	14.6 acres
Total:	14.6 acres

Recommendation:

Area is appropriate for annexation. Potential issue regarding operating archery range within City limits should be resolved prior to annexation.

General Description	Generally located south of Warlick Blvd, north of Densmore Park, known as the "Prairie Bowmen" site. The area is triangular in shape and is surrounded on two sides by the City limit, with railroad right-of-way on the third side. Currently used by the Prairie Bowman sports club as an outdoor archery range.			
Current Jurisdictions	Southwest Rural Fire District Lincoln School District			
Zoning	R-2 Residential	Surrounding Zoning	North East South West	R-2 and R-4 Residential R-2 and P Public P AG Agriculture-4
Utilities	Wastewater	Initial O&M	Future O&M	Capital Costs
	Water	\$0	\$2,000	\$0
	Future development of the area would mean an increase in operation and maintenance costs. Future development would generate impact and user fees.			
Roads	Initial O&M	Future O&M		
	\$0	\$5,600		
	No initial costs for road improvements however, future development could generate operations and maintenance costs. Future development would generate impact fees.			
Estimated Revenue	Total Revenue Year 1:		Total Revenue Year 2:	
	-126		666	

Other Comments:

This study area has a small portion of the site in the Salt Creek flood prone area. This site would require "Existing Urban Area" flood plain standards to be followed for development. There is an active archery range on this property that would not be able to operate inside the city limits under current ordinances.

Parks and Recreation project minimal operation and maintenance costs, but some possible costs for acquisition of park property. Development of this property as residential could increase street tree maintenance costs by about \$200 per year. The Jamaica North trail runs along the western edge of this area.

**PLANNING COMMISSION FINAL ACTION
NOTIFICATION**

TO : Mayor Chris Beutler
Lincoln City Council

FROM : Jean Preister, Planning 

DATE : September 24, 2010

RE : Notice of final action by Planning Commission: September 22, 2010

Please be advised that on September 22, 2010, the Lincoln City-Lancaster County Planning Commission adopted the following resolution:

Resolution No. PC-01213, approving the request of Paul Babl and the Northridge Heights Homeowners Association, to waive the requirement to construct a sidewalk in the pedestrian way on Lot 7, Block 3, Northridge Heights 7th Addition, and Outlot A, Northridge Heights 9th Addition, generally located near North 34th Street between Cornflower Drive and Saline Drive (**Waiver No. 10017**).

This is final action unless appealed to the City Council within 14 days of the action by the Planning Commission.

The Planning Commission Resolution may be accessed on the internet at www.lincoln.ne.gov (Keyword = PATS). Use the "Search Selection" screen and search by application number (i.e. WVR10017). The Resolution and Planning Department staff report are in the "Related Documents" under the application number.

To: Lincoln City Council
From: LIBA Board of Directors
Date: September 23, 2010
Re: Purchase of Experian Building



In our view, the Lincoln Independent Business Association (LIBA) Board of Directors – as well as the public – have not received nearly enough information to make a qualified decision on supporting or opposing the purchase of the Experian building. We do, nonetheless, feel the need to express our concerns that purchasing a building of 355,000 sq feet, when only 100,000 sq feet is needed, is overkill and will simply allow for easy government expansion. While our Board believes this purchase could make sense for the City, the reasons offered to-date by the Mayor and City staff do not sufficiently justify this purchase. For this purchase to make sense for the City, the full, true costs of acquiring and operating the building should be included in the analysis, along with a plan that identifies the other departments and programs that would relocate to this building.

From the limited public information available, we would identify the following specific concerns:

1. While the city has touted the purchase as the ability to save jobs, the contract would not guarantee the jobs. It only guarantees that Experian will rent space for five years.
2. Monthly utility expenses, as basic as heating and cooling, were not figured into the yearly costs. According to the city officials who met with LIBA, Experian has been heating and cooling all 350,000 sq. ft. year-round. They are doing this to prevent deterioration of the empty building space.
3. The city has not provided a written plan for the additional 250,000 sq. feet. We feel that a long-range vision, in writing, would be appropriate before asking taxpayers to make an expenditure such as this.
4. The city is assuming an unrealistic rent pro forma that includes a 3% rent revenue increase per year for 15 years.

5. The City is planning to move the 911 call center into the Experian building. We are told the cost of that move is approximately \$2.5 million. Where will those dollars come from? Has the City performed an assessment of the 911 building to see if a cheaper option is available?

6. According to Greg MacLean, moving the 901 Public Works Center will cost \$7 million. Where will those dollars come from? Should we move this Center when it currently utilizes property that is owned debt-free by the city?

7. Since all assumptions are based on a 15-year projection, we feel it is appropriate to calculate the 15-year loss in property taxes that will be incurred if city government owns this building. The loss to the city is \$330,000. The loss to the County is \$330,000. The loss to LPS is \$1.5 Million. The city loss nearly wipes out the projected \$500,000 savings.

8. There are no expense costs being calculated. There is no overhead being calculated. IE: Snow removal, mowing, parking lot repairs, elevators, alarms, etc. Reasonable expenses alone could easily wipe out the projected \$500,000 savings.

9. The financial assumptions are based on Experian leasing space for 15 years. This is a risky assumption since the Experian agreement is only a 5-year contract. Loss of this lease would wipe out the projected \$500,000 savings.

10. The city intends to try and keep the building's current maintenance person on staff. If that person receives \$50,000 per year in salary, plus insurance, retirement and other benefits, the cost to the city would be \$900,000 over 15 years. That expense alone wipes out the \$500,000 the city is projecting to save and adds \$400,000 in additional expense.

LIBA understands that after 15 years we would have departments that would be "rent-free." However, it seems misleading to tell the community that we are saving money when we clearly will not save anything over the 15-year life of the bond. If the Council has the answers to our concerns expressed above, then we would like to have that information shared with LIBA and the public. If those answers indicate a true financial savings and a decision that would be in the best interests of taxpayers and city government, then the Council should support the purchase. We encourage the Council to have all of the facts before your vote.

Mary M. Meyer

From: Andrew Smith [andrewsmith16@gmail.com]
Sent: Friday, September 24, 2010 2:24 PM
To: Council Packet
Subject: city government Re Electricity Rates

Dear Council--

I wish to comment about the Lincoln Electric System's proposed rate increase. Please vote absolutely not. I understand that LES donated a sum of \$200,500 to Community Action to assist people in paying their electric bills, money which obviously came from the citizens of Lincoln thru their utility bills. This amounts to tyranny, sir, and is the reason why people are mad as hell at their government.

Organizations like Community Action collect data on the people; income, expenses, etc., information that goes into a file somewhere and is often used against the people in discriminatory ways. This is why I am angry, can you blame me?

I am demanding that you tell LES they can shove off on proposed rate increases not related to the costs of providing a service, but so that they can donate huge sums to their pet charity. This is unethical, and must stop!

Andrew Smith

RECEIVED

SEP 27 2010

CITY COUNCIL
OFFICE

Andrew E. Smith

3300 Huntington Avenue

Apt. Four

Lincoln, Nebraska 68504-2354 USA

September 24, 2010

Lincoln City Council
555 South Tenth Street
Lincoln, NE 68508
USA

RE Electric Utility Rate Increases

Dear Hon. Councilperson(s)—

I understand that the city council makes determinations on a given rate increase by the electric utility here. This can be good or bad.

In seeking help to pay my electric bill, I noted on a charity web site that that utility has donated a massive sum of cash to the charity to assist people in paying their electric bills. That money came from the people they serve, obviously, and was a huge \$200,500 donated to Community Action of Lancaster County and Saunders County. This charity, like any other, collects data on anyone they assist and thus destroys privacy of citizens, who have complained about it. The data is often used to make determinations that can be negative for the people.

How do you define ethics and tyranny, Mr. councilperson? Rate increases that are used so that a utility can donate to a charity against the general population's freedom is anti-American. This involved Lincoln Electric System, and I asked them who they thought they are in doing so.

I hope you will keep my thoughts in mind on future rate increase approvals.

Sincerely,



Andrew Smith

Citizen of Lincoln

Mary M. Meyer

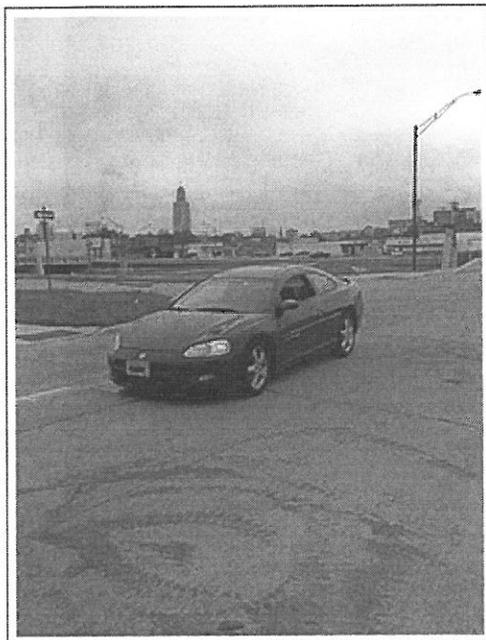
From: jim [jimjj@neb.rr.com]
Sent: Sunday, September 26, 2010 7:53 AM
To: Mary M. Meyer
Subject: Help with light at this intersection

<http://jimjsway.blogspot.com/2010/09/accident-number-6-stop-sign-violations.html>

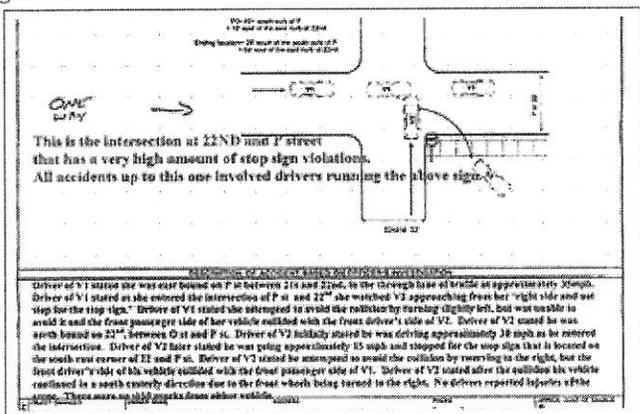


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The stop sign at 22nd and P street on the south east corner is being run as drivers do not see it! Click the below Accident report picture for larger view.



WOWZIO LIVE ACTIVITY FEED

LIVE ACTIVITY FEED

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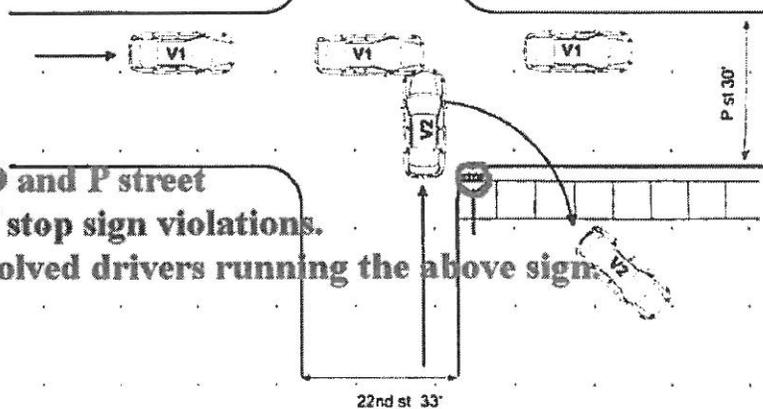
POI #2= south curb of P
 = 16' east of the east curb of 22nd
 Ending location= 26' south of the south curb of P
 = 56' east of the east curb of 22nd

ONE WAY



This is the intersection at 22ND and P street that has a very high amount of stop sign violations.

All accidents up to this one involved drivers running the above sign.



DESCRIPTION OF ACCIDENT BASED ON OFFICER'S INVESTIGATION

Driver of V1 stated she was east bound on P st between 21s and 22nd, in the through lane of traffic at approximately 10:00 AM. Driver of V1 stated as she entered the intersection of P st and 22nd she watched V2 approaching from her 'right side stop for the stop sign.' Driver of V1 stated she attempted to avoid the collision by turning slightly left, but was unable to avoid it and the front passenger side of her vehicle collided with the front driver's side of V2. Driver of V2 stated he was north bound on 22nd, between O st and P st. Driver of V2 initially stated he was driving approximately 30 mph as he entered the intersection. Driver of V2 later stated he was going approximately 15 mph and stopped for the stop sign that is located at the south east corner of 22 and P st. Driver of V2 stated he attempted to avoid the collision by swerving to the right, but the front driver's side of his vehicle collided with the front passenger side of V1. Driver of V2 stated after the collision he continued in a south easterly direction due to the front wheels being turned to the right. No drivers reported injuries. There were no skid marks from either vehicle.

OBJECT DAMAGED	OWNER NAME	ADDRESS	PHONE	APPROX