

**IN LIEU OF  
DIRECTORS' MEETING  
MONDAY, MARCH 28, 2011**

**I. CITY CLERK**

**II. MAYOR**

1. NEWS RELEASE. Separation of grass and leaves begins last week in March.
2. NEWS ADVISORY. Mayor Beutler will provide an update on the Romantix and Gourley Buildings demolition on Wednesday, March 23<sup>rd</sup>, at 10:00 a.m. in room 303 of the County-City building.
3. NEWS RELEASE. For those unable to view Mayor Beutler's news conferences, access at your convenience on 5City-TV's video-on-demand on the City's website. Link listed.
4. NEWS ADVISORY. Mayor Beutler and Parks Director Lynn Johnson will announce parks projects to be funded with Lincoln Cares donation. Thursday, March 24, 2011, 10:00 a.m., Pershing Center.
5. NEWS RELEASE. New projects announced for "Lincoln Cares". Mayor welcomes project partners.
6. NEWS RELEASE. Public invited to Open House on 1st Street improvements.
7. Washington Report, March 18, 2011.

**III. DIRECTORS**

**FINANCE/AUDITING**

1. The City's Comprehensive Annual Financial Report (CAFR) for year ending August 31, 2010 posted to the City's website with address listed.

**FINANCE/BUDGET**

1. Memo from Steve Hubka, Budget Officer, on March sales tax reports:
  - a) Actual Compared to Projects 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**

1. Monthly City Cash Report at the close of business February 28, 2011.

**PLANNING DEPARTMENT**

1. Memo on the Residential Land Inventory & Residential Building Permits report as of January 1, 2011.
  - a) Residential Land Inventory & Residential Building Permits as of January 1, 2011.

**PLANNING COMMISSION**

1. Action by the Planning Commission, Wednesday, March 23, 2011.

**PARKS AND RECREATION DEPARTMENT**

1. Mayor Beutler will announce the 2011 Lincoln Cares projects and recognize media and project sponsors during a news conference on Thursday, March 24, 2011, 10:00 a.m., at Centennial Mall, between K and L Streets.

## **PUBLIC WORKS & UTILITIES**

1. Pioneers/84th Street Alzheimer Unit Appeal.
2. Supplemental information on 11R-61, Item No. 21 on Council agenda.

## **IV. COUNCIL MEMBERS**

### **JON CAMP**

1. Correspondence to David Landis regarding TIF funds for the M Street promenade, requesting answers to listed questions.
  - a) Response from Dallas McGee on time line.
  - b) Email to Dallas McGee thanking him for the prompt acknowledgment.
2. Email from Councilman Camp regarding snow plow damage, especially to curbs and sewer inlets, with the design being critical to creating functionally maintainable, safe and affordable curbs and storm sewer inlets.

## **V. MISCELLANEOUS**

## **VI. CORRESPONDENCE FROM CITIZENS**

1. InterLinc correspondence from Jason Chambers regarding a claim submitted to the City.
2. Proposal for creating a monument from Malcom Miles with history and rationale.
3. Correspondence from Jeff Tangeman, Past President of the Everett Neighborhood Association, listing reasons why neighbors may be moving from the area. (Sent to Jon Carlson - Stronger, Safer Neighborhoods; and Chief Casady, Chief of Police)

## **VII. ADJOURNMENT**

## **PUBLIC WORKS AND UTILITIES DEPARTMENT**

Solid Waste Operations, 2400 Theresa Street, Lincoln, NE 68521, 441-7043, fax 441-8735

**FOR IMMEDIATE RELEASE:** March 22, 2011

**FOR MORE INFORMATION:** Gene Hanlon, Recycling Coordinator, 441-7043

Dan Kurtzer, Solid Waste Management Association, 423-3708

### **SEPARATION OF GRASS AND LEAVES BEGINS** **LAST WEEK IN MARCH**

Beginning Friday, April 1, waste haulers will collect grass and leaves separately from household trash. State law requires grass and leaves be separated from household trash from April 1 through November 30 each year. In order for waste haulers to comply with this requirement on April 1, residents who subscribe to separate yard waste collection must begin to separate grass and leaves from their household trash after their last waste collection in March.

The separate collection of grass and leaves is provided by local waste haulers for a fee. Those who do not subscribe to the special collection have three options:

- Haul grass and leaves to the 48th Street Transfer Station.
- Hire a lawn service.
- Mulch and compost grass clippings and leaves. The University of Nebraska Lancaster County Extension Office will provide backyard composting workshops in April and May.

This is the 18th year of the yard waste composting program in Lincoln. Since the fall of 1992, City officials estimate that Lincoln has diverted more than 241,783 tons of grass and leaves and 108,469 tons of tree trimmings from the landfill. To date, the composting program and annual wood recycling operation have added more than two years to the life of the landfill. This represents more than 1.2 million cubic yards of landfill space with a current value of \$10.7 million. If the City stopped its composting and wood waste diversion program today, it is projected that the landfill would close in 2031 instead of the scheduled year of 2034.

Dan Kurtzer, President of the Lincoln Solid Waste Management Association, said grass and leaves must be placed in approved containers: paper yard waste bags available from retailers; 32-gallon waste containers with tight-fitting lids; and 90-gallon containers provided by the waste haulers.

City policy does not allow grass and leaves in plastic bags at the compost facility because the bags do not decompose and cause litter problems. Kurtzer said some waste haulers will empty the plastic bags, so residents wanting to use plastic should contact their haulers to determine how they manage the bags.

**- more -**

## **Yard Waste Separation**

**March 22, 2011**

**Page Two**

City Recycling Coordinator Gene Hanlon said that the City inspects incoming loads at the Bluff Road Landfill and composting site. If household trash is found mixed with grass and leaves, the City can assess the haulers a \$50 fine. Kurtzer said waste haulers may leave containers at the curb if they contain household trash mixed with grass and leaves.

For more information on the City's composting program or the availability of compost and wood chips, contact the City Recycling Office at 441-8215; visit the City Web site at [lincoln.ne.gov](http://lincoln.ne.gov) (keyword: compost) or friend us on Facebook: City of Lincoln Recycling and Solid Waste.

**OFFICE OF THE MAYOR**

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

**DATE:** March 22, 2011

**FOR MORE INFORMATION:** Dave Norris, Citizen Information Center, 402-441-7547

Mayor Chris Beutler will provide an update on the status of the demolition effort for the Romantix and Gourley Buildings at a news conference at **10 a.m.**

**Wednesday, March 23** in **room 303** of the **County-City Building, 555 S. 10th St.**

**Mary M. Meyer**

---

**From:** Council Packet  
**Subject:** News conference - video-on-demand

For those unable to attend Mayor Beutler's news conference today (featuring Roger Randall, DECO Companies -- the demolition contractor hired by Scott Sullivan, owner of the Gourley Piano Building), you can view it at your convenience on 5 CITY-TV's video-on-demand at the following link:

<http://lincoln.ne.gov/asp/city/vod.aspx?vod=news%20conferences/newsdeco.mov>

David Norris  
Citizen Information Center  
Mayor Beutler's Office  
City of Lincoln  
(402) 441-7547

**OFFICE OF THE MAYOR**

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

**DATE:** March 23, 2011

**FOR MORE INFORMATION:** Dave Norris, Citizen Information Center, 402-441-7547

Mayor Chris Beutler and Parks and Recreation Director Lynn Johnson will announce the parks projects to be funded with Lincoln Cares donations this year at a news conference at **10 a.m. Thursday, March 24 at Pershing Center, 226 Centennial Mall South.**

Media should use the main west Pershing Center entrance. The news conference will take place in the arena area. Metered parking is available on Centennial Mall South, "M" and "N" streets.

**OFFICE OF THE MAYOR**

555 South 10th Street, Lincoln, NE 68508, 402-441-7511, fax 402-441-7120

**FOR IMMEDIATE RELEASE:** March 24, 2011

**FOR MORE INFORMATION:** Diane Gonzolas, Citizen Information Center, 402-441-7831

Lynn Johnson, Parks and Recreation, 402-441-8265

Susan Larson Rodenburg, Lincoln Cares, 402-440-3227

**NEW PROJECTS ANNOUNCED FOR “LINCOLN CARES”**

*Mayor welcomes project partners*

Mayor Chris Beutler today announced that the Lincoln Cares program will help fund seven projects and programs across the community in 2011. Lincoln Cares is a community donation program, which allows Lincoln Electric System (LES) customers to voluntarily add one dollar to their bill payments each month for projects not included in the City budget.

The Mayor made the announcement at Nebraska’s Centennial Mall, one of the 2011 projects.

Other new projects are Sherman Field support facilities, the Jayne Snyder Trails Center at Union Plaza, Street Trees, Pioneers Park Nature Center endowment for animal care, a spectator seating shade structure at Densmore Park and Parker’s Pals Scholarships (*A list of new and former Lincoln Cares projects follows this release.*)

Mayor Beutler announced a new category for Lincoln Cares sponsorship. Project sponsors providing matching funds for the projects include the Lincoln Parks Foundation, Culver’s, the Lincoln Community Foundation Ken Good Fund, the Great Plains Trails Network, Friends of Pioneers Park Nature Center, Lincoln Area Retired School Personnel, Olsson Associates Community Builders, Michael Sucha Memorial Fund/Annual Memorial Golf Tournament.

Mayor Beutler also thanked all five Lincoln media organizations which, for the second consecutive year, are providing \$30,000 of in-kind advertising and promotion of Lincoln Cares. With last year’s contribution, local media will provide a total of \$300,000 in free promotion for this community donation program. Media sponsors are: KOLN/KGIN-TV, KLKN-TV, Three Eagles Communications, NRG Media/Broadcast House and the *Lincoln Journal Star*.

“Lincoln Cares has grown to become a significant community effort that gives every citizen in Lincoln the opportunity to support and enhance our great parks system,” said Mayor Beutler. “This is a tremendous example of a public-private partnership which makes our great city even stronger.”

- more -

**Lincoln Cares**  
**March 24, 2011**  
**Page Two**

From its inception in February 2003 through February 2011, Lincoln Cares has collected \$559,097 from LES customers adding a dollar to their bill payments. An average of 5,765 LES customers donate to the program every month. Another \$11,225.96 has been contributed through direct donations to the Lincoln Parks Foundation and through partnerships with Pepsi, Lincoln Benefit Life, Olsson Associates and Culver's Restaurants. The total for all collections since Lincoln Cares began is \$1,047,882.

"We greatly appreciate everyone who continues to put the 'cares' in the Lincoln Cares program," said Lynn Johnson, Director of the Lincoln Parks and Recreation Department. "Our generous project sponsors, media sponsors and those people who add the extra dollar to their LES payment every month are making a visible and meaningful difference in our community."

To donate to Lincoln Cares, LES customers can add one dollar to their bill payments each month. Those who pay LES through automatic bank billing can add Lincoln Cares to their payments each month by calling LES at 402-475-4211. Donations also can be mailed directly to the Lincoln Parks Foundation, 2740 "A" Street, Box 201, Lincoln, NE 68502 or made online at [www.LincolnCares.org](http://www.LincolnCares.org). More information on Lincoln Cares is available by calling 402-441-8264 or visiting [www.LincolnCares.org](http://www.LincolnCares.org)

- 30 -

### **2011 Lincoln Cares Projects**

The Lincoln Cares Advisory Board approved the following projects to be funded in 2011:

#### **Nebraska's Centennial Mall - \$20,000**

A major renovation is planned for Nebraska's Centennial Mall, which extends from the State Capitol seven blocks north on what would be 15th Street to the UNL City Campus. The renovation will create durable accessible walkways along with expanded lawn and landscape areas and updated fountains. Centennial Mall was built in 1967 to commemorate the State's centennial and is part of the City Parks system.

#### **Sherman Field Support Facilities – \$20,000**

Sherman Field is a 53-year-old historic baseball facility owned by the City. Many of its support facilities (restrooms, parking and areas for ticket collection, concessions, maintenance and storage) are in need of renovation, replacement and/or expansion to better serve users and visitors and to more efficiently operate the facilities. The improvements have been designed to recognize and celebrate the historic significance of the ballpark. *Project sponsor: Culver's*

- more -

### **Jayne Snyder Trails Center at Union Plaza – \$10,000**

Great Plains Trails Network (GPTN) has committed to raise \$250,000 in matching funds for the proposed Jayne Snyder Trails Center to be located in the heart of Antelope Valley. To further enhance access to and enjoyment of trails activities, a new building is planned at the new festival plaza and amphitheater in Union Plaza Park. The building will provide space for restrooms, a sheltered meeting area and spaces furnished for lounging and social gathering. Located at the hub of the city's extensive trails system, it is a natural point for distribution of trails and visitor information. Space for shops, refreshments, concessions, retail, bicycle repair/rental and other uses will be developed with private businesses. *Project sponsor: Great Plains Trails Network.*

### **Pioneers Park Nature Center Endowment for Animal Care – \$10,000**

For 47 years, the Pioneers Park Nature Center has provided outdoor education for all ages, and nearly 300,000 people visit each year. The Nature Center has grown from 40 acres to 668 acres of woodland, wetland and prairie habitat with eight miles of trails; two interpretive buildings; outdoor animal exhibits; bird, herb and prairie gardens; and a natural play area. An endowment fund will provide ongoing care and food for the small animals exhibited in the buildings. *Project sponsor: Friends of Pioneers Park Nature Center.*

### **Parker's Pals Scholarships – \$10,000**

Funds are used to provide scholarships to children from low-income families for swimming lessons through a partnership with the Red Cross and Lincoln Parks and Recreation. In 2010, Lincoln Cares provided 373 free pool admissions, 691 reduced pool admissions, 76 scholarships for swim lessons and 17 scholarships for the swimming and diving team. Lincoln Cares also funded one scholarship for the Nature Center preschool program, 36 scholarships for girls and boys basketball programs, one before- and after-school program scholarship, three scholarships for summer day camps, 400 mixed youth/adult developmental play attendances at Ager therapeutic program and 306 recreational swim lessons at Little Links winter swim program. *Project sponsor: Lincoln Area Retired School Personnel and Olsson Associates Community Builders.*

### **Densmore Ball Field Spectator Seating Shade Structure -- \$7,200**

The shade structure will be mounted over a bleacher in Densmore Park to provide shade and safety from foul balls for baseball spectators. *Project sponsor: Michael Sucha Memorial Fund/Annual Memorial Golf Tournament.*

### **Street Trees -- \$5,000**

One of the hallmarks of Lincoln's quality of life is its community forest, which is a prominent feature of its landscape with more than 125,000 public trees. Since 1976, Lincoln has been nationally recognized as a Tree City USA. Administered by the Lincoln Parks and Recreation Department, the City of Lincoln's Street Trees program provides matching grants to property owners who plant trees on city property. *Project sponsor: Lincoln Community Foundation Ken Good Fund.*

- more -

Projects funded in the first eight years of the Lincoln Cares program include:

- Union Plaza
- Witherbee Park Playground
- Air conditioning at Belmont Park enclosed shelter
- Hi-tech portable play tower
- Boosalis Trail Renovation
- Solar-heated pool and bathhouse demonstration project
- Air conditioning at Antelope Park enclosed shelter
- Acquisition of prairie and grasslands at Pioneers Park
- Nebraska State Liberty Bell Shelter in Antelope Park
- Restoration of the Four Wars Memorial and the Pioneer Woman and Bountiful Prairie sculptures
- Sunken Gardens renovation
- Addition to the Pioneers Park Nature Center Prairie Building
- Park Middle School Teen Center
- Benches along the Holmes Lake Trail Loop
- Shelters at Woods Park and Bethany Park
- Green Team Youth Employment Program
- Youth Outdoor Adventure Program
- Peach Park expansion
- Trago Park Shelter
- Hudson Cabin and Heritage School Endowment
- Belmont Park Natural Play Area
- Lewis Field Parking Lot Lighting
- Tierra Park Playground Area Lighting
- Elliott School/Antelope Park/Antelope Valley Trail
- Pioneers Park Nature Center art work
- Jamaica North Trail Bridge
- Lighting at Sunken Gardens and Pocras Park
- Picnic tables at Bowling Lake
- Trago Park Sprayground
- Upgraded toddler play area at the Ager Play Center
- Lincoln Safari program
- Shooting sports facility
- Parker's Pals swim and recreation program scholarships for low-income youth.

**PUBLIC WORKS AND UTILITIES DEPARTMENT**

Engineering Services, 915 W. Bond St., Lincoln, NE 68521, 402-441-7701, fax 402- 441-8194

**FOR IMMEDIATE RELEASE:** March 24, 2011

**FOR MORE INFORMATION:** Craig Aldridge, Engineering Services, 402-441-7560

**PUBLIC INVITED TO OPEN HOUSE**  
**ON 1ST STREET IMPROVEMENTS**

The public is invited to an open house on Thursday, March 31st on improvements to 1st Street from Nance to Superior streets. The meeting is from 5:30 to 7:30 p.m. at Northwest Lincoln Church of Christ, 3110 North 1st Street.

The existing two-lane urban street will be upgraded to a three-lane urban street with shared center turn lane. Construction is scheduled to begin in early 2012. The project also includes:

- reconstructing drainage and water facilities;
- constructing a new 10-foot bike trail and reconstructing sidewalks and curb ramps;
- installing new street lighting and communications infrastructure;
- construction of a single-lane roundabout at the 1st and Adams/Laramie intersection; and
- reconstructing adjacent roads and driveway approaches, as required, to match with the improvements.

The open house will provide an opportunity for the planning team to share and obtain information on the current plans. Participants are encouraged to discuss their questions and concerns with the project team.

Those wanting more information can call Craig Aldridge, Public Works and Utilities, 402-441-7560 or e-mail at [caldridge@lincoln.ne.gov](mailto:caldridge@lincoln.ne.gov).



**INSIDE:**

CONGRESS .....1  
TELECOMMUNICATIONS .....1  
CLEAN AIR .....2  
ENVIRONMENT .....2  
GRANTS & NOTICES .....3

**Washington Report**

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

*Carolyn C. Chaney*  
[chaney@capitaledge.com](mailto:chaney@capitaledge.com)

*Christopher F. Giglio*  
[giglio@capitaledge.com](mailto:giglio@capitaledge.com)

*Mary Palmer*  
[palmer@capitaledge.com](mailto:palmer@capitaledge.com)

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

(202) 842-4930  
Fax: (202) 842-5051  
[www.capitaledge.com](http://www.capitaledge.com)

**CONGRESS APPROVES SIXTH FY11 EXTENSION**

**CONGRESS**

Congress approves yet another FY 2011 Continuing Resolution. Still unable to complete a budget for FY 2011, the House and Senate each approved a measure – known as a Continuing Resolution (CR) -- this week that would fund most federal agencies at or near their FY 2010 levels for the next three weeks. The current CR expires today.

Like the previous short-term CR, this latest version would reduce spending by about \$6 billion by eliminating funding for some small programs that were not expected to survive the FY 2012 budget cycle. The CR would also realize savings by providing no funding for accounts that in previous years had been earmarked by Congress.

Judging by reactions from both sides of the aisle, this latest CR may be the last short-term extension that Congress will be able to pass. Conservative House Republicans are insisting on more sweeping spending reductions, and 54 of them voiced their displeasure with the current CR by bucking their leadership and voting no. Many Democrats believe that the cuts imposed to date are already too deep, and a significant number in that caucus have vowed to vote against any more reductions.

In addition to spending cuts, many Republicans are pushing for the inclusion of policy changes in the FY 2011 budget, including language that would deny funding for the implementation of greenhouse gas emissions regulations or to the organization Planned Parenthood.

As a result, congressional negotiators are going to have to work hard with their respective members to ensure that this gridlock does not lead to a government shutdown. Even if negotiators achieve an agreement, it does not necessarily mean the

votes exist to pass one. Senior House Republicans, in particular, are pleading with their rank-and file to concentrate more on future debates rather than trying to enact all of their campaign promises through the FY 2011 budget process.

Meanwhile, the House this week approved legislation that would deny federal funds to National Public Radio, although the President opposes the measure and the Senate is not likely to consider it. In the Senate, debate continued on a small business research and development bill, but a final vote was not taken.

Both the House and Senate will be in recess next week.

**TELECOMMUNICATIONS**

Local preemption matters are on the FCC agenda next month. The Federal Communications Commission (FCC) announced a tentative agenda its next meeting scheduled on April 7, 2011. The agenda can be found on [www.fcc.gov](http://www.fcc.gov). Items of most interest to local governments include:

**Accelerating Broadband Deployment NOI:** A Notice of Inquiry (NOI) seeking comment on key challenges and best practices in expanding the reach and reducing the cost of broadband deployment, including the improvement of policies for access to government rights-of-way and wireless facility siting requirements.

**DUE TO THE  
CONGRESSIONAL RECESS,  
THE NEXT  
WASHINGTON REPORT  
WILL BE SENT ON APRIL 1**

### Reliability and Continuity of Communications Networks NOI:

Seeking comment on existing reliability standards for communications networks, including broadband networks, and ways to further strengthen the reliability and continuity of communications networks to avoid disruptions of service during major emergencies, such as large-scale natural and man-made disasters.

### Pole Attachment Report and Order and Order on Reconsideration:

An Order that reforms the Commission's access, rates, and enforcement rules for utility pole attachments, reducing barriers to deployment and availability of broadband and other wireline and wireless services, and promoting competition.

In previous discussions of the NOI, FCC Chairman Julius Genachowski did not include cell phone towers, which further targets local authority and jeopardizes local budgets. Recently, Genachowski stated that FCC would begin regulatory proceedings as soon as April on issues related to barriers to broadband deployment, including public rights-of-way management. (See March 4 [Washington Report](#) for additional details).

Local elected officials concerned about possible FCC action on this front are urged to voice their concerns to Genachowski, his fellow Commissioners and their congressional delegation.

### CLEAN AIR

EPA proposes emission limits on mercury, acid gases and sulfur dioxide. The Environmental Protection Agency issued a proposed toxic emissions rule that would set numeric emission limits on mercury, acid gases and sulfur dioxide for new and existing power plants. EPA is simultaneously proposing more stringent new source performance standards (NSPS) for new, modified and reconstructed fossil-fuel power plants on particulate matter, sulfur dioxide and nitrogen oxide emissions.

Under the proposed toxic emissions rule, all power plants (including government-owned power plants) would have to meet the new standards by 2015. The proposed emissions standards are based on the emissions reductions achieved by the

average of the nation's 12 cleanest power plants. The proposed new NSPS would replace standards for particulate matter, sulfur dioxide and nitrogen dioxide that were set in 2006 and would be effective upon adoption. EPA is issuing the proposed toxic emissions rule under court order. In 2008, the United States Court of Appeals for the District of Columbia struck down the Bush Administration EPA mercury rule (*New Jersey v. EPA*); a subsequent consent decree (*American Nurses Association v. EPA*) requires that EPA issue a proposed rule regulating toxic air emissions from power plants by March 16, 2011 and a final rule by November 16, 2011.

EPA estimates that approximately half of all the nation's coal and gas-fueled power plants already meet the proposed new standards and that the proposed toxic emissions rule will affect approximately 1,350 generating units at approximately 525 coal- and oil-fired power plants. According to EPA, complying with the standards will cost utilities \$10.9 billion, which translates into an average increase of \$3 to \$4 per month in the average electric bill and \$3 to \$4 per month in the average natural gas bill (due to increased demand for natural gas resulting from the rule).

Comments on both the proposed toxic emissions rule and the proposed new NSPS are due in 60 days and can be filed electronically at <http://www.regulations.gov>. Comments on the proposed toxic emissions rule should reference docket number EPA-HQ-OAR-2009-0234; comments on the proposed new NSPS should reference docket number EPA-HQ-OAR-2011-0044. EPA is planning three hearings on the proposed rules in Atlanta, Chicago and Philadelphia; dates will be announced soon. More information, including the 946-page proposed rule is available at: <http://1.usa.gov/dGz9qH>.

### ENVIRONMENT

House panel votes to stop EPA regulation of greenhouse gas emissions; EPA delays greenhouse gas reporting requirement. By a largely party line vote of 34-19, the House Energy and Commerce Committee approved legislation (HR 910) that would prohibit EPA from regulating greenhouse gas emissions under the auspices of the Clean Air Act. Three Democrats joined all 31 Committee Republicans in support of the bill. The bill now moves to the full House, where it is expected to pass the bill when it comes to the floor next month.

HR 910 would amend the Clean Air Act to specifically prohibit EPA from regulating or taking any action to regulate a variety of emissions to address climate change, including: water vapor, carbon dioxide, methane, nitrous oxide, sulfur hexafluoride, hydrofluorocarbons, perfluorocarbons, and any other substance subject to, or proposed to be subject to, regulation, action, or consideration under this Act to address climate change.

The bill would also overturn a long list of EPA regulations, proposed regulations and actions related to greenhouse gas emissions, including a scientific finding that greenhouse gas emissions pose a threat to human health and safety, a rule to require reporting of greenhouse gas emissions and a rule to limit greenhouse gas emissions for power plants and other stationary sources. The bill specifically exempts a rule setting greenhouse gas emission standards for motor vehicles from model year 2012 through 2017 but would bar EPA and the states from setting greenhouse gas emission standards for motor vehicles in subsequent model years.

EPA began the process of regulating greenhouse gas emissions in the wake of a 2005 Supreme Court decision that the Clean Air Act requires EPA to regulate the emission of any substance that poses a threat to human health and safety.

Although the House will easily pass HR 910, its outlook is less clear in the Senate. A companion bill (S 482)

introduced by Senator James Inhofe (R-OK) has garnered 43 cosponsors, all but one of them Republicans. President Obama would almost certainly veto HR 910 or S 482 if either were to reach his desk.

Also this week, EPA extended the deadline for reporting 2010 greenhouse gas emissions to September 30, 2011. The original deadline was March 31, 2010. EPA says the extension will allow for the collection of more precise data. Under an EPA rule in October 2009, sources that emit more than 25,000 metric tons annually of greenhouse gases are required to report their emissions to EPA beginning January 1, 2010. The rule covers approximately 10,000 facilities. Reporting will be electronic; all covered facilities must register for electronic reporting by August 1. The amended final rule is at: <http://1.usa.gov/e67pm3>.

## GRANTS & NOTICES

### Department of Justice

The Office of Juvenile Justice and Delinquency Prevention (OJJDP) is accepting applications for its FY 2011 Gang Field Initiated Research and Evaluation Program. This program will fund research and evaluation studies that effectively address at-risk and gang-involved youth and address specific research questions outlined in the grant solicitation. Eligible applicants include States, local governments, and institutions of higher education. Grants of up to \$1 million will be awarded, subject to the availability of appropriated funds, and no match is required. The deadline for applications is May 9, 2011: <http://bit.ly/fcUsbU>.

### Department of Transportation

The DOT released a notice detailing application requirements and procedures for the FRA's High-Speed Intercity Passenger Rail (HSIPR) Program. Applications for funding under the HSIPR Program must be received by 8:00 pm on April 4, 2011. The FRA seeks to distribute the \$38 million in remaining unallocated Recovery Act funds, in addition to the \$2.392 billion previously announced for Florida. Recipients of HSIPR funds are encouraged to match federal appropriations, but cost sharing

requirements will vary. Eligible applicants include states, groups of states, interstate compacts, public agencies responsible for providing intercity passenger or high speed rail services, Amtrak, or Amtrak in cooperation with states: <http://1.usa.gov/eRNyJi>.

The Federal Transit Administration (FTA) is requesting comments regarding a proposed amendment to bus testing regulation. The proposed amendment would increase the average weight per passenger and actual transit vehicle loads. Thus, FTA is also proposing to increase the floor space occupied per standing passenger. Comments must be received no later than May 13, 2011: <http://1.usa.gov/hsNvz4>.

FTA is seeking qualitative feedback on Agency Service Delivery. All comments must be submitted before April 13, 2011: <http://1.usa.gov/gStCqz>.

### Economic Development Admin.

EDA is accepting applications for the FY 2011 i6 Green Challenge, a \$6 million competitive grant program built upon the inaugural i6 Challenge in FY2010. The program focuses on the nexus between economic development and environmental quality and will fund proposals that create innovative Proof of Concept Centers that will spur job creation and contribute to economic growth. Eligible applicants include State and local governments and institutions of higher education. EDA expects to make at least 6 awards of up to \$1 million; 50 percent non-federal match is required, and preference will be given to applicants with higher matching shares. A *required* 2-page letter of intent is due May 2, 2011. The deadline for final applications is May 26, 2011: <http://www.eda.gov/i6>.

An i6 Green Challenge webinar with Assistant Secretary of Commerce for Economic Development John Fernandez will be held March 21, 2011 at 3:00pm EST. To participate, register online: <http://bit.ly/igEEe0>.

### Federal Communications Commission

The FCC is seeking comments to help to implement provisions of the Communications Act of 1934, as Enacted by the Twenty-First Century Communications and Video Accessibility Act of 2010. This proceeding would update and amend the Commission's rules to ensure that individuals with disabilities have full access to advanced communications services. Comments are due one or before April 13, 2011: <http://1.usa.gov/icpiI0>.

# Memo

**To:** Members of the City Council  
**From:** Don Herz, Finance Director   
**CC:** Mayor's Office  
**Date:** March 21, 2011  
**Re:** Comprehensive Annual Financial Report

---

Enclosed is a copy of the City's Comprehensive Annual Financial Report (CAFR) for the year ended August 31, 2010.

We will be posting this document to the City's web site in the next several days at:

<http://lincoln.ne.gov/city/finance/account/cafr.htm>

The Auditor's Communication Letter and the City's responses will be distributed to you in the next two weeks.

Encl: FYE 2010 CAFR

**Mary M. Meyer**

---

**From:** Steve D. Hubka  
**Sent:** Thursday, March 24, 2011 10:32 AM  
**To:** Council Packet  
**Cc:** Robert Balfany; Rick D. Hoppe  
**Subject:** March sales tax reports  
**Attachments:** BFb100318-1.pdf; BFb100318-2.pdf; BFb100318-3.pdf; BFb100318-4.pdf

Attached are the March sales tax reports reflecting January activity. You will notice that the very high refunds are the cause for the drop in our net collections. While we had been several hundred thousand dollars ahead of projections, the lower net collections, caused by the refunds, has left us just \$60,000 ahead of projections for the year. You might also notice that next months refunds are extremely low which should have the opposite effect that they had this month. Steve

OFFICE OF TREASURER, CITY OF LINCOLN, NEBRASKA

MARCH 22, 2011

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 February 28, 2011

Balance Forward	\$	\$270,172,344.41
Plus Total Debits February 1-28, 2011	\$	\$37,395,620.16
Less Total Credits February 1-28, 2011	\$	(\$27,787,942.50)
<b>Cash Balance on February 28, 2011</b>	<b>\$</b>	<b>\$279,780,022.07</b>

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.	\$	\$366,952.57
Wells Fargo Bank	\$	(\$116,722.52)
Wells Fargo Bank Credit Card Account	\$	(\$50,842.36)
Bank of Prague	\$	\$1,871.00
Commercial State Bank - Cedar Bluffs	\$	\$1,708.18
Cornhusker Bank	\$	\$97,238.90
First National Bank - Wahoo	\$	\$2,232.39
Pinnacle Bank	\$	\$75,162.74
Union Bank & Trust Company	\$	\$1,426,983.67
West Gate Bank	\$	(\$91,050.95)
Idle Funds - Short-Term Pool	\$	\$177,003,211.83
Idle Funds - Medium-Term Pool	\$	\$100,445,651.02
Cash, Checks and Warrants	\$	\$617,625.60
<b>Total Cash on Hand February 28, 2011</b>	<b>\$</b>	<b>\$279,780,022.07</b>

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 \$121,860,848.68 representing authorized investments of the City's funds.

ATTEST:

*Joan E. Ross*  
 Joan E. Ross, City Clerk



*Joel L. Wittrock*  
 Joel L. Wittrock, Asst. City Treasurer

**CITY OF LINCOLN - PLEDGED COLLATERAL STATEMENT  
AS OF FEBRUARY 28, 2011**

DESCRIPTION	CUSIP	MATURITY DATE	ORIGINAL FACE	CURRENT PAR	MARKET PRICE	MARKET VALUE
FHLB BONDS	3133XLGD9	06/29/2017	\$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		
<b>CORNHUSKER BANK</b>		<b>TOTAL PLEDGED</b>	<b>\$2,500,000.00</b>	<b>\$2,500,000.00</b>		

**Mary M. Meyer**

---

**From:** Council Packet  
**Subject:** Residential Land Inventory & Residential Building Permits as of 01/01/11  
**Attachments:** BP110321-2.pdf

Attached for your information is the *Residential Land Inventory & Residential Building Permits report as of January 1, 2011*.

If you have any questions or comments, please contact Brandon Garrett in the Planning Department, 402-441-6373, or [bgarrett@lincoln.ne.gov](mailto:bgarrett@lincoln.ne.gov).

**--Jean Preister, Administrative Officer  
Planning Department  
402-441-6365**

# MEMORANDUM

---

**TO:** Mayor Beutler  
Lincoln City Council  
Lancaster County Board of Commissioners  
Lincoln/Lancaster County Planning Commission

**FROM:** **Marvin Krout, Planning Director** 

**SUBJECT:** *Residential Land Inventory & Residential Building Permits as of January 1, 2011*

**DATE:** March 21, 2011

**COPIES:** Trish Owen, Mayor's Office,  
Fred Hoke Development Services Center,  
Public Works & Utilities Staff,  
Building & Safety Staff,  
Planning Department Staff,  
Urban Development Staff,  
Development Community Mailing List

---

This memo includes updated data regarding the supply of urban residential lots and units in Lincoln's developing areas as of January 1, 2011 and historical data on residential building permits for the entire city.

## **Detached Single Family Lot Supply**

As of January 1, 2011, there were 7,991 detached single family lots in the City of Lincoln's lot supply in its developing areas. These lots are in various stages of the approval process including final platted lots, preliminary platted lots, and submitted lots that are in the process of review. (Please see the attached "Residential Land Inventory Review" for detailed historical data.) This updated single family lot supply is reduced from one year ago (8,212 in January 2010). This reduction reflects developers' response to reduced demand by slowing down the creation of new lots.

## **Detached Single Family Demand**

The number of building permits for new detached single family homes declined again last year compared to previous years. (Please see the attached "Number of New Construction Dwelling Units" for detailed historical data.) In 2010, 370 detached single family building permits were issued, the lowest number since 1983, compared to 378 in 2009, 410 in 2008, 569 in 2007, and 794 in 2006. Each of the past 4 years is significantly lower than the 10-year average of 866. The slowdown in the national economy has been especially harsh on the construction sector, and Lincoln has experienced a related slowdown. With these lower building trends, the supply of final platted detached single family lots has now increased to a 6 year supply based on the 3 year building average. This compares to a 2 year supply in the peak homebuilding period of 2003-2004. Using the overall number of 7,991 single family detached lots available and in the pipeline (final platted, preliminary platted, and submitted), the lot supply increases to 20.7 years.

### **Multi-Family Supply**

The supply of potential multi-family units decreased over the past year by 176 units, with most of the decrease coming in preliminarily approved units. 2010 saw a major increase in multi-family building permits compared to the past two years. The downturn in the economy and slowdown in single family demand may soon be counterbalanced by an increased demand for new multi-family units.

### **Overall Supply**

The community has a potential for 51,924 new dwelling units within the 2030 future service limit for Lincoln. Of these units, 16,216 (single family and multi-family combined) are approved or in the approval process. The remainder of the potential units is currently without infrastructure. The development of the City's six-year Capital Improvement Program later this spring, and the major update of the Comprehensive Plan, should take these market realities into account.

# Residential Land Inventory Review

## As of January 1, 2011

### Single Family Detached, Single Family Attached & Duplex

	Jan 2011	Jan 2010	Jan 2009	July 2008	Jan 2008	July 2007	Jan 2007	July 2006	Jan 2006	July 2005	Jan 2005	July 2004	Jan 2004	July 2003	Jan 2003	Sept 2002	July 2001	Jan 2001	July 2000
<b>Total Final, Prelim &amp; Submitted</b>	11,481	11,796	11,826	11,979	12,453	11,653	11,801	12,097	10,161	9,445	8,101	7,237	6,711	7,555	7,257	7,691	7,341	7,846	8,504
<b>Multi-Family Units</b>																			
Final Platted	612	620	620	620	652	1,138	1,218	1,220	1,842	1,824	1,463	1,672	1,670	1,886	1,887	1,887	1,641	1,588	1,506
Preliminary Platted	3,673	3,841	3,636	3,408	3,348	3,348	3,277	2,623	2,367	1,886	2,082	1,754	2,353	2,852	3,074	3,049	2,487	2,639	2,287
Submitted Prelim	450	450	450	450	450	450	577	877	407	200	0	675	475	755	401	546	889	889	1,290
<b>Total Final, Prelim &amp; Submitted</b>	4,735	4,911	4,706	4,478	4,450	4,936	5,072	4,720	4,616	3,910	3,545	4,101	4,498	5,493	5,162	5,282	4,997	5,096	5,083
<b>All Units In Plat Process</b>																			
Final Platted	4,053	4,208	4,587	4,538	4,892	4,884	5,330	5,299	6,467	5,603	5,056	4,769	4,275	4,534	4,687	4,553	5,296	5,281	4,522
Preliminary Platted	10,890	11,316	10,762	10,736	10,828	10,612	10,074	7,754	4,072	4,651	5,035	4,077	5,741	5,826	6,743	7,109	4,818	5,292	4,034
Submitted Prelim	1,183	1,183	1,183	1,183	1,183	1,093	1,469	3,764	4,238	3,101	1,555	2,492	1,193	2,288	889	1,311	2,224	2,369	5,031
<b>Total Final, Prelim &amp; Submitted</b>	16,216	16,707	16,532	16,457	16,903	16,589	16,873	16,817	14,797	13,355	11,646	11,338	11,209	13,048	12,419	12,973	12,338	12,942	13,587
<b>Potential Units on Raw Land</b>	35,708	34,301	34,308	34,161	35,203	36,294	36,306	32,747	35,329	37,573	40,800	41,930	41,978	42,106	43,822	43,821	24,633	24,260	24,706
<b>Grand Total of Possible Units</b>	51,924	51,008	50,840	50,618	52,106	52,863	53,179	49,564	50,126	50,928	52,446	53,268	53,187	55,154	56,241	56,794	36,971	37,202	38,293

### Single Family Detached ONLY

	Jan 2011	Jan 2010	Jan 2009	July 2008	Jan 2008	July 2007	Jan 2007	July 2006	Jan 2006	July 2005	Jan 2005	July 2004	Jan 2004	July 2003	Jan 2003	Sept 2002	July 2001	Jan 2001	July 2000
<b>Total Final, Prelim &amp; Submitted</b>	7,991	8,212	8,200	8,281	8,650	8,295	8,386	8,335	7,348	6,985	6,127	5,316	5,122	6,002	5,679	6,035	5,912	6,386	6,860
Final Platted	2,304	2,334	2,566	2,471	2,869	2,678	2,868	2,821	3,334	2,922	2,624	2,221	1,986	2,346	2,383	2,217	2,817	2,847	2,291
Preliminary Platted	4,954	5,145	4,901	5,077	5,048	5,052	4,682	3,507	1,077	2,020	2,276	1,945	2,566	2,431	2,871	3,215	2,050	2,372	1,435
Submitted Prelim	733	733	733	733	733	585	836	2,007	2,937	2,043	1,227	1,150	570	1,225	425	603	1,045	1,167	3,134

NOTES: - "Potential Units on Raw Land" means land inside the "Future Service Limit" of the Comprehensive Plan, but not upon which a plat has yet been submitted or approved.

- Grand Total is the sum of "potential units on raw land" plus all final, preliminary approved and submitted dwelling units.

Source: Lincoln/Lancaster County Planning Department (March 21, 2011)

C:\CPI\Residential\Residential Land Inventory and Building\RESIDENTIAL LAND INVENTORY JAN 2011.123

**Number of New Construction Dwelling Units,  
Based on Building Permits Issued in City of Lincoln  
Fifteen Year Period: 1996-2010**

	<u>2010</u>	<u>2009</u>	<u>2008</u>	<u>2007</u>	<u>2006</u>	<u>2005</u>	<u>2004</u>	<u>2003</u>	<u>2002</u>	<u>2001</u>	<u>2000</u>	<u>1999</u>	<u>1998</u>	<u>1997</u>	<u>1996</u>
Single Family	370	378	410	569	794	958	1,227	1,565	1,281	1,108	1,041	1,015	996	814	812
Sing. Fam. Attached	131	180	160	274	227	360	461	533	256	260	272	199	187	243	155
Duplex	8	4	24	6	14	42	62	52	60	64	58	34	54	102	62
Multi-Family	332	42	73	314	841	192	403	260	540	319	381	489	622	1,010	1,168
Total	841	604	667	1,163	1,876	1,552	2,153	2,410	2,137	1,751	1,752	1,737	1,859	2,169	2,197

**Average Per Period**

	<u>3 Year</u>	<u>5 Year</u>	<u>10 Year</u>	<u>15 Year</u>
Single Family	386	504	866	889
Sing. Fam. Attached	157	194	284	260
Duplex	12	11	34	43
Multi-Family	149	320	332	466
Total	704	1,030	1,515	1,658

Note: Based on building permits issued, not actual construction and occupancy. There are some permits issued, particularly in multi-family, that are never built.

- Year is based on date permit issued, not date of completion and occupancy
- "Single Family" is a single family detached unit on a single lot.
- Single Family attached is defined as one dwelling unit on a single lot attached by a common wall to one or more other dwelling units.
- Duplex is two dwelling units built on one lot.
- Multi-family is three or more units built on a single lot, typical of apartments or condominiums.

Note totals include only City of Lincoln and not Lancaster County.

Source: Lincoln/Lancaster County Planning Department (Updated March 21, 2011)

Q:\CP\RESIDENTIAL\DIUS BY YEAR.123

**VACANT LOT STUDY**

**ALL TOTALS AS OF: JANUARY 1, 2011**

STUDY AREA MODIFIED TO REFLECT THE APPROVED FUTURE LAND USE PLAN

UNITS	S U B A R E A					TOTAL
	(South)	(West)	(North)	(Southwest)	(East)	
	1	2	3	4	5	
<b>EXISTING</b>						
Single Fam	11,466	4,952	5,035	236	1,222	22,911
SF Attached	2,552	898	1,086	0	433	4,969
Duplex	78	844	94	16	6	1,038
Multiple	3,050	1,027	4,088	0	300	8,465
<b>TOTAL</b>	<b>17,146</b>	<b>7,721</b>	<b>10,303</b>	<b>252</b>	<b>1,961</b>	<b>37,383</b>
<b>FINAL PLATTED</b>						
Single Fam	986	439	622	26	231	2,304
SF Attached	638	34	337	0	128	1,137
Duplex	0	0	0	0	0	0
Multiple	428	0	184	0	0	612
<b>TOTAL</b>	<b>2,052</b>	<b>473</b>	<b>1,143</b>	<b>26</b>	<b>359</b>	<b>4,053</b>
<b>APPROVED PRELIM PLATS, CUP'S AND PRELIM PUD'S</b>						
Single Fam	1,284	573	1,549	320	1,228	4,954
SF Attached	1,339	92	213	220	489	2,353
Duplex	0	0	0	0	0	0
Multiple	2,101	440	713	0	419	3,673
<b>TOTAL</b>	<b>4,724</b>	<b>1,105</b>	<b>2,475</b>	<b>540</b>	<b>2,136</b>	<b>10,980</b>
<b>SUBMITTED PRELIM PLATS, CUP'S AND PUD'S (NOT APPROVED)</b>						
Single Fam	708	25	0	0	0	733
SF Attached	0	0	0	0	0	0
Duplex	0	0	0	0	0	0
Multiple	450	0	0	0	0	450
<b>TOTAL</b>	<b>1,158</b>	<b>25</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1,183</b>
<b>TOTAL POTENTIAL ON FINAL &amp; PRELIM PLATTED LAND</b>						
Single Fam	2,978	1,037	2,171	346	1,459	7,991
SF Attached	1,977	126	550	220	617	3,490
Duplex	0	0	0	0	0	0
Multiple	2,979	440	897	0	419	4,735
<b>SUB-TOTAL</b>	<b>7,934</b>	<b>1,603</b>	<b>3,618</b>	<b>566</b>	<b>2,495</b>	<b>16,216</b>
<b>RAW LAND POTENTIAL</b>	<b>7,799</b>	<b>5,594</b>	<b>3,193</b>	<b>8,693</b>	<b>10,429</b>	<b>35,708</b>
<b>GRAND TOTAL POTENTIAL</b>	<b>15,733</b>	<b>7,197</b>	<b>6,811</b>	<b>9,259</b>	<b>12,924</b>	<b>51,924</b>

**\*\*\* ACTION BY PLANNING COMMISSION \*\*\***  
**March 23, 2011**

**NOTICE:** The Lincoln/Lancaster County Planning Commission will hold a public hearing on Wednesday, March 23, 2011, at 1:00 p.m., in the City Council Hearing Room, County-City Building, 555 S. 10<sup>th</sup> St., Lincoln, Nebraska, on the following items. For more information, call the Planning Department, 441-7491.

The LPlan Advisory Committee will meet on Wednesday, March 23, 2011, from 11:00 a.m. to 12:45 p.m., in Room 113 of the County-City Building, 555 S. 10<sup>th</sup> 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, MARCH 23, 2011**

**[All Members present]**

Approval of minutes of the regular meeting held March 9, 2011. **\*\*APPROVED, 9-0\*\***

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

**COMPREHENSIVE PLAN:**

- Page  
01
- 1.1 Comprehensive Plan Conformance No. 11003, to review a proposed amendment to the Lincoln Center Redevelopment Plan and the Antelope Valley Redevelopment Plan as to conformance with the 2030 Lincoln-Lancaster County Comprehensive Plan. The proposed amendment adds the "17<sup>th</sup> and Q/Credit Union Redevelopment Project", which will be listed as Project X in the Lincoln Center Redevelopment Plan and as Project L in the Antelope Valley Redevelopment Plan. The Project includes the relocation of the Credit Union currently located on the northwest corner of 17<sup>th</sup> and Q Streets to a prominent location on the P Street Retail Corridor (the northeast

corner of 17<sup>th</sup> and P Streets). The Project Area is located on two blocks bounded by 16<sup>th</sup>, 17<sup>th</sup>, Q and R Streets and by 17<sup>th</sup>, 18<sup>th</sup>, P and Q Streets in Downtown Lincoln. The Lincoln Center Redevelopment Plan Area is generally bounded by Salt Creek, Interstate 180 and "R" Street on the north, 17<sup>th</sup> Street on the east, "G" Street on the south, and Salt Creek, 2<sup>nd</sup> Street and Sun Valley Boulevard on the west. The Antelope Valley Redevelopment Plan area north of Downtown is generally bounded by Salt Creek on the north, by the BNSF Railroad tracks on the south, by Antelope Creek on the east and by Interstate I-180 on the west; the area east of Downtown is generally bounded by 17<sup>th</sup> Street on the west, 27<sup>th</sup> Street on the east, the BNSF Railroad tracks on the north and "D" and "E" Streets on the south.

**Staff recommendation: Conformance with the Comprehensive Plan**  
**Staff Planner: Christy Eichorn, 441-7603, [ceichorn@lincoln.ne.gov](mailto:ceichorn@lincoln.ne.gov)**

**Planning Commission recommendation: A FINDING OF CONFORMANCE WITH THE COMPREHENSIVE PLAN, 9-0.**

**Public Hearing before City Council tentatively scheduled for Monday, April 18, 2011, 3:00 p.m.**

Page  
13

- 1.2 Comprehensive Plan Conformance No. 11004, to review the proposed declaration of surplus property as to conformance with the 2030 Lincoln/Lancaster County Comprehensive Plan, generally located at N. 8<sup>th</sup> Street and U Street.

**Staff recommendation: Conformance with the Comprehensive Plan**  
**Staff Planner: Tom Cajka, 441-5662, [tcajka@lincoln.ne.gov](mailto:tcajka@lincoln.ne.gov)**

**Removed from Consent Agenda and had separate public hearing.**

**Planning Commission recommendation: A FINDING OF CONFORMANCE WITH THE COMPREHENSIVE PLAN, as amended, 9-0.**

**Public Hearing before City Council tentatively scheduled for Monday, April 11, 2011, 3:00 p.m.**

#### **MISCELLANEOUS:**

Page  
23

- 1.3 Street & Alley Vacation No. 11002, to vacate a portion of Stadium Drive right-of-way and a portion of 10<sup>th</sup> Street right-of-way, generally located at Stadium Drive and Salt Creek Roadway.

**Staff recommendation: Conformance with the Comprehensive Plan**  
**Staff Planner: Tom Cajka, 441-5662, [tcajka@lincoln.ne.gov](mailto:tcajka@lincoln.ne.gov)**

**Planning Commission recommendation: A FINDING OF CONFORMANCE WITH THE COMPREHENSIVE PLAN, 9-0.**

**Public Hearing before City Council tentatively scheduled for Monday, April 11, 2011, 3:00 p.m.**

2. **REQUESTS FOR DEFERRAL: None.**

**4. PUBLIC HEARING AND ADMINISTRATIVE ACTION:**

**CHANGE OF ZONE:**

Page 35 4.1 Change of Zone No. 11006, from R-2 Residential District to B-3 Commercial District, on property generally located at S. 33<sup>rd</sup> Street and A Street (northeast corner of Chautauqua Avenue and A Street).

**Staff recommendation: Approval**

**Staff Planner: Christy Eichorn, 441-7603, [ceichorn@lincoln.ne.gov](mailto:ceichorn@lincoln.ne.gov)**

**Had public hearing.**

**Planning Commission recommendation: APPROVAL, 9-0.**

**Public Hearing before City Council tentatively scheduled for Monday, April 11, 2011, 3:00 p.m.**

Page 43 4.2 Change of Zone No. 11007, amending Chapter 27.80 of the Lincoln Municipal Code relating to fees by amending Section 27.80.010 to require a person requesting a zoning action confirmation letter under Title 27 of the Lincoln Municipal Code to pay an appropriate fee therefor as established by resolution of the City Council.

**Staff recommendation: Approval**

**Staff Planner: Steve Henrichsen, 441-6374, [shenrichsen@lincoln.ne.gov](mailto:shenrichsen@lincoln.ne.gov)**

**Had public hearing.**

**Planning Commission recommendation: APPROVAL, 9-0.**

**Public Hearing before City Council tentatively scheduled for Monday, April 11, 2011, 3:00 p.m.**

\*\*\*\*\*

**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, <i>Development Review Manager</i> . . .	441-6473	..	<a href="mailto:shenrichsen@lincoln.ne.gov">shenrichsen@lincoln.ne.gov</a>
Nicole Fleck-Tooze, <i>Long Range Planning Manager</i> .	441-6373	..	<a href="mailto:ntooze@lincoln.ne.gov">ntooze@lincoln.ne.gov</a>
Mike Brienzo, <i>Transportation Planner</i> . . . . .	441-6369	..	<a href="mailto:mbrienzo@lincoln.ne.gov">mbrienzo@lincoln.ne.gov</a>
Tom Cajka, <i>Planner</i> . . . . .	441-5662	..	<a href="mailto:tcajka@lincoln.ne.gov">tcajka@lincoln.ne.gov</a>
David Cary, <i>Planner</i> . . . . .	441-6364	..	<a href="mailto:dcary@lincoln.ne.gov">dcary@lincoln.ne.gov</a>
Mike DeKalb, <i>Planner</i> . . . . .	441-6370	..	<a href="mailto:mdekalb@lincoln.ne.gov">mdekalb@lincoln.ne.gov</a>
Christy Eichorn, <i>Planner</i> . . . . .	441-7603	..	<a href="mailto:ceichorn@lincoln.ne.gov">ceichorn@lincoln.ne.gov</a>
Brandon Garrett, <i>Planner</i> . . . . .	441-6373	..	<a href="mailto:bgarrett@lincoln.ne.gov">bgarrett@lincoln.ne.gov</a>
Sara Hartzell, <i>Planner</i> . . . . .	441-6371	..	<a href="mailto:shartzell@lincoln.ne.gov">shartzell@lincoln.ne.gov</a>
Rashi Jain, <i>Planner</i> . . . . .	441-6372	..	<a href="mailto:rjain@lincoln.ne.gov">rjain@lincoln.ne.gov</a>
Brian Will, <i>Planner</i> . . . . .	441-6362	..	<a href="mailto:bwill@lincoln.ne.gov">bwill@lincoln.ne.gov</a>
Ed Zimmer, <i>Historic Preservation Planner</i> . . . . .	441-6370	..	<a href="mailto:ezimmer@lincoln.ne.gov">ezimmer@lincoln.ne.gov</a>

\* \* \* \* \*

**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:** Council Packet  
**Subject:** Lincoln Cares Invitation

Dear Lincoln Cares Friends and Supporters!

Mayor Chris Beutler will announce the 2011 Lincoln Cares projects and recognize our media and project sponsors during a news conference to be held at 10 a.m., Thursday March 24<sup>th</sup>. The news conference will be held on Nebraska's Centennial Mall, between "K" and "L" Streets. This is the block closest to the State Capitol.

### **2011 Project Partners**

Lincoln Parks Foundation-Nebraska's Centennial Mall  
Culver's-Sherman Field Support Facilities  
Great Plains Trails Network-Jayne Snyder Trails Center  
Lincoln Area Retired Teachers-Parker's Pals Scholarships  
Olsson Associates Community Builders-Parker's Pals Scholarships  
Michael Sucha Memorial Fund/Annual Memorial Golf Tournament-Densmore Ball Field Spectator Seating Shade Structure  
Lincoln Community Foundation Ken Good Fund-Street Trees  
Friends of Pioneers Park Nature Center-Animal Care at Pioneers Park

### **2011 Media Sponsors**

Three Eagles Communications  
NRG  
KOLN/KGIN Channel 10 and 11  
KLKN-TV Channel 8  
Lincoln Journal Star

Please join us!

Thank you.

Susan Larson Rodenburg  
SLR Communications  
402-440-3227  
[Susan@SLRCommunications.com](mailto:Susan@SLRCommunications.com)

# M e m o r a n d u m

---

**To:** City Council Members

**From:** Greg MacLean, Director of Public Works & Utilities

**Subject:** 84th/Pioneers Alzheimer Unit Appeal

**Date:** March 11, 2011

**cc:** Trish Owen, Marvin Krout, Roger Figard, Randy Hoskins, Dennis Bartels, Nick McElvain

The special permit for this domiciliary care facility located south of Pioneers Boulevard fronting the west side of 84<sup>th</sup> Street was approved conditionally by the Planning Commission. The only street frontage to this facility is to 84th Street. The Public Works recommendation approved by the Planning Commission was to allow driveway access to 84<sup>th</sup> Street provided that a right turn lane was built in 84<sup>th</sup> Street for this driveway. The applicant for the special permit has appealed this condition of approval requiring the right turn lane. Based on the applicant's testimony at the Planning Commission, the objection to the turn lane is the cost. The developer's engineer estimated the cost of the turn lane, including rebuilding an existing retaining wall at the west 84<sup>th</sup> Street property line, to be approximately \$100,000. This retaining wall was built with the 84<sup>th</sup> Street paving. The wall could have been eliminated at the time of the paving of 84<sup>th</sup> Street, but was built at the request of the property owner to minimize private property easements and grading at that time. Since the existing house is being removed and the site regraded, the retaining wall could be eliminated and the grade difference accounted for in the site grading, reducing the cost of the turn lane. No site grading plan was submitted with this application and to our knowledge none has been prepared at this time.

Access to 84<sup>th</sup> Street is controlled by the Nebraska Department of Roads, since 84<sup>th</sup> Street is on the National Highway System. As such, the Nebraska Department of Roads has the final say regarding any access decisions along 84<sup>th</sup> Street. Public Works has been in contact with the Nebraska Department of Roads regarding this access point.

A second issue concerning the development is that there is no tappable size water main abutting this property to provide water service to this property. The conditions of approval of the special permit required the applicant to show how abutting water service was to be provided. The developer's representative at the Planning Commission requested that the condition be eliminated and the property be allowed to be served by connection to the fire hydrant line in 84<sup>th</sup> Street connected to the 24" water main in 84<sup>th</sup>. This is not in accordance with adopted design standards and is not satisfactory to the Public Works and Utilities Department. The department's history with water main shut downs and repairs to 24" mains indicate that a shut down to this main and repair would likely shut down service to this facility for 24 to 72 hours and we do not believe this is acceptable service, especially for a domiciliary facility. Per Title 17.06 of the LMC we believe that the responsibility concerning the acceptability of a water service is to be made by the Director of Public Works and Utilities and is not subject to being made by the Planning Commission.

# M e m o r a n d u m

**To:** City Council

**From:** Greg MacLean, Director of Public Works & Utilities *For* 

**Subject:** 11R-61, Item No. 21 on Council agenda

**Date:** March 24, 2011

**cc:** Trish Owen, Rod Confer, Roger Figard, Dennis Bartels, Jerry Obrist, Steve Owen, Nick McElvain

This is supplemental information to that provided in an earlier memorandum to Council dated March 11, 2011. Four concerns remain unresolved.

The elimination of the condition of approval for the special permit, by the Planning Commission, requiring the applicant to show how water service will be provided to this property from an abutting, tappable water distribution main remains a concern to the Department for reasons provided previously.

The request by the developer's representative to allow an existing private well, to be connected to the City Water System, to provide "backup" fire protection service is specifically prohibited by the LMC 17.10.100. and will therefore NOT be considered or allowed. This ordinance is in place to prevent contamination of Lincoln's public water supply by a source of water not under our control. Any secondary source of water supplied to a property must be entirely separate and suitable backflow device must be provided on the service from the public water supply. In addition to the prohibition of connection by LMC 17.10.100 and the unreliability of a city transmission main, the fire suppression system can only be connected to the private well supply.

The water service connection the existing hydrant and 24" water transmission main remains a concern as previously outlined with respect to the time it takes to repair and restore water to the transmission system, 24 to 72, or more, hours. The Department regards a domiciliary facility as a critical water customer that cannot afford long outages considering the need to maintain sanitary conditions, laundry facilities and food preparation. When looking beyond the immediate permit process, the Department takes the position that "it's not if, but when" a failure or damage might happen with the 24" water transmission main that would disrupt or negatively affect water service to this facility.

Finally, please note that connection fees should be applicable for this property which has not been assessed for the cost of providing water service as required by LMC 17.10.110. Public water mains that serve properties are provided by several means; all of which are paid in whole or in part by the properties being served. These methods include private developer agreements, water districts, or utility funded water mains with reimbursement by connection fees. A tappable main could be installed in lieu of fees to serve the same purpose. A desire to avoid the cost or the fees is not reason enough to waive LMC requirements.

Therefore, this facility shall not be allowed to either tap the 24" main for service, or be served off of the 6" fire hydrant service. Thank you for consideration of this matter.

**Mary M. Meyer**

---

**Subject:** FW: TIF for M Street Promenade

---

**From:** Jon Camp [<mailto:JonCamp@lincolnhaymarket.com>]

**Sent:** Wednesday, March 23, 2011 11:07 AM

**To:** David Landis

**Cc:** Dallas A. McGee; Hallie E. Salem; Mary M. Meyer

**Subject:** TIF for M Street Promenade

Dave (and Hallie and Dallas):

At this past Monday's CC meeting a Resolution was discussed regarding the use of "leftover TIF" funds from the Star Building project. We were told this project is in its 15<sup>th</sup> year and that there are approximately \$400,000 in excess funds plus another \$50,000 will be collected this year. The resolution proposed to use the leftover TIF for design of the M Street Promenade.

The CC did put this on pending for a week with the final vote scheduled for next Monday.

Here are a few questions:

1. Exactly how much "leftover TIF" is there currently?
2. What is the estimate of excess TIF collections for this last year of the 15 year cycle?
3. When is the deadline to expend the TIF funds?
4. What is the estimate for the design fees?
5. What entity would provide the design services?
  - a. Would there be an RFP?
6. If a design was completed, how would remaining funds be used for infrastructure?
  - a. Would there be enough time?
  - b. Since no other pending projects, would not adding infrastructure at this time be counterproductive to future M Street projects?
7. Are there other TIF districts/redevelopment projects with surplus funds?
  - a. If so, please identify and amount of projected surplus.

Thank you for your answers.

Jon

cc: Lincoln City Council

## **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](mailto:joncamp@lincolnhaymarket.com)**

**“The American Republic will endure until the day Congress discovers that it can bribe the public with the public's money”**

## Mary M. Meyer

---

**From:** Dallas A. McGee  
**Sent:** Wednesday, March 23, 2011 3:56 PM  
**To:** 'Jon Camp'; David Landis  
**Cc:** Hallie E. Salem; Mary M. Meyer  
**Subject:** RE: TIF for M Street Promenade

Jon

We received your email and are putting together responses to your questions. However, our accountant, Pat Ribeiro, is out of the office until Monday. We will provide a response to you prior to the City Council meeting on Monday.  
Dallas

---

**From:** Jon Camp [<mailto:JonCamp@lincolnhaymarket.com>]  
**Sent:** Wednesday, March 23, 2011 11:07 AM  
**To:** David Landis  
**Cc:** Dallas A. McGee; Hallie E. Salem; Mary M. Meyer  
**Subject:** TIF for M Street Promenade

Dave (and Hallie and Dallas):

At this past Monday's CC meeting a Resolution was discussed regarding the use of "leftover TIF" funds from the Star Building project. We were told this project is in its 15<sup>th</sup> year and that there are approximately \$400,000 in excess funds plus another \$50,000 will be collected this year. The resolution proposed to use the leftover TIF for design of the M Street Promenade.

The CC did put this on pending for a week with the final vote scheduled for next Monday.

Here are a few questions:

1. Exactly how much "leftover TIF" is there currently?
2. What is the estimate of excess TIF collections for this last year of the 15 year cycle?
3. When is the deadline to expend the TIF funds?
4. What is the estimate for the design fees?
5. What entity would provide the design services?
  - a. Would there be an RFP?
6. If a design was completed, how would remaining funds be used for infrastructure?
  - a. Would there be enough time?
  - b. Since no other pending projects, would not adding infrastructure at this time be counterproductive to future M Street projects?
7. Are there other TIF districts/redevelopment projects with surplus funds?
  - a. If so, please identify and amount of projected surplus.

Thank you for your answers.

Jon

ec: Lincoln City Council

**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](mailto:joncamp@lincolnhaymarket.com)

**“The American Republic will endure until the day Congress discovers that it can bribe the public with the public's money”**

~ *Alexis de Tocqueville* ([French Historian](#) and [Political scientist](#). [1805-1859](#))

Check our reception and event venues at:

<http://www.facebook.com/pages/Apothecary-Lofts-Ridnour-Room/173175799380032>

**Mary M. Meyer**

---

**Subject:** FW: TIF for M Street Promenade

---

**From:** Jon Camp [<mailto:JonCamp@lincolnhaymarket.com>]  
**Sent:** Wednesday, March 23, 2011 3:57 PM  
**To:** Dallas A. McGee; David Landis  
**Cc:** Hallie E. Salem; Mary M. Meyer  
**Subject:** RE: TIF for M Street Promenade

Dallas:

Thanks for your prompt acknowledgement!

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](mailto:joncamp@lincolnhaymarket.com)**

**“The American Republic will endure until the day Congress discovers that it can bribe the public with the public's money”**

~ *Alexis de Tocqueville* ([French Historian](#) and [Political scientist](#). [1805-1859](#))

**Check our reception and event venues at:**

<http://www.facebook.com/pages/Apothecary-Lofts-Ridnour-Room/173175799380032>

---

**From:** Dallas A. McGee [<mailto:DMcGee@lincoln.ne.gov>]  
**Sent:** Wednesday, March 23, 2011 3:56 PM  
**To:** Jon Camp; David Landis  
**Cc:** Hallie E. Salem; Mary M. Meyer  
**Subject:** RE: TIF for M Street Promenade

Jon

We received your email and are putting together responses to your questions. However, our accountant, Pat Ribeiro, is out of the office until Monday. We will provide a response to you prior to the City Council meeting on Monday.  
Dallas

**Mary M. Meyer**

---

**Subject:** Snow Plow Targets

---

**From:** Jon Camp [<mailto:JonCamp@lincolnhaymarket.com>]  
**Sent:** Wednesday, March 23, 2011 12:25 PM  
**To:** Greg S. MacLean; Marvin S. Krout; David Landis; Mayor  
**Cc:** Mary M. Meyer; Nancy Hicks; Coby Mach - LIBA  
**Subject:** Snow Plow Targets

Gentlemen:

When you have an opportunity, please drive by 9<sup>th</sup> & Q Streets and look at the curb on the northwest corner. .  
.immediately by the City-owned Haymarket Garage.

The curb is nearly "pulverized" from snow plows and street salt. This curb is not that old and representative of the problems that are growing each year in our City's infrastructure.

Contrast this to curbs on Capitol Blvd. that are 60 years old. . .I have been told the life cycle for curbs should be at least 50 years.

Storm sewer inlets also prevent a similar maintenance challenge.

Please forgive me for continuing to point out the damage to our curbs and sewer inlets, but I am very concerned for two reasons:

1. Our maintenance budgets are very limited, and
2. The City continues to design pedestrian nodes and slanted sewer inlets that promote "snow plow damage"

I strongly urge the City Administration to change its course of design IMMEDIATELY. Each new phase of the Haymarket Arena and other City projects contain curb designs that will be damaged very quickly and contribute to our Urban blight. . .rather than enhance our Urban beauty.

I recognize the desire for pedestrian safety and angle parking. However, Lincoln needs better design standards that we can maintain. Pedestrian danger, vehicle damage and other problems are also created with the broken curbs, exposed rebar in sewer inlets and with chunks of concrete.

I have appreciated the Pre Council on this matter held about a year or two ago and the ride-along I had with Public Works officials. But, I have seen no progress in eliminating this problem. In my humble opinion, the "design" is critical to creating "functionally maintainable, safe and affordable" curbs and storm sewer inlets. Curb lines should be straight and storm sewer inlets straight or made of iron/steel materials.

Thank you for listening to my concerns. . .please stop designing ill-fated curbs and storm sewer inlets.  
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

**“The American Republic will endure until the day Congress discovers that it can bribe the public with the public's money”**

~ *Alexis de Tocqueville* (French [Historian](#) and [Political scientist](#). 1805-1859)

Check our reception and event venues at:

<http://www.facebook.com/pages/Apothecary-Lofts-Ridnour-Room/173175799380032>

## Mary M. Meyer

---

**From:** Council Packet  
**Subject:** InterLinc: Council Feedback

From: WebForm [mailto:none@lincoln.ne.gov]  
Sent: Monday, March 21, 2011 9:06 PM  
To: Council Packet  
Subject: InterLinc: Council Feedback

InterLinc: City Council Feedback for  
General Council

Name: Jason Chambers  
Address: 6030 Fremont Street  
City: Lincoln, NE 68507  
  
Phone: (402) 610-4260  
Fax:  
Email: jason.chambers@lincolnindustries.com

Comment or Question:  
Dear City Council,

I am writing this in response to the claim that I submitted due to mail box damage caused by the city snow plow truck on December 31st, 2010. My claim is being reviewed during the upcoming City Council meeting on March 28th, 2011.

I received a letter from Marcee A. Brownlee, Assistant City Attorney, stating that the recommendation is to deny my claim as snow removal is a duty of the City of Lincoln and the damage occurred on the right-of-way space. I would have to agree with this response in almost every circumstance but there are some things unique with my situation that would suggest there was negligence.

I assure you that I am not overly worried about the \$65.23 cost to replace my mailbox as much as I am concerned about the principle of the matter. On this particular day my wife, Erin Chambers, was home when she witnessed the orange, City of Lincoln, snow plow truck drive by. What was particularly odd was that there really was not much snow on the ground at all, possibly only 1" of it in fact, which made the reasoning for plowing snow seem unnecessary. She witnessed our front window the truck strike the mailboxes of 6030 and 6020 Fremont Street. These mailboxes share the same metal posts in the middle of the two residences. My neighbor, Faith Goble, also submitted a claim and was denied a couple weeks ago at the City Council meeting.

I am sure you guys get a lot of these requests, as your previous weekly meeting minutes suggest, all of which appear to be denied due to this right-of-way issue. However, with our situation it was not a concern of plowing snow and having that damage a mailbox that caused the incident. As I said, there was hardly any snow on the ground. What happened was that the plow was elevated up on the curb and physically struck our mailboxes denting my mailbox severely also bending the door open. The impact also sent the mailbox of the Goble family, 6020 Fremont Street, flying. Remember that the mailboxes share the same posts. The impact also snapped the metal post that the mailboxes were on. Needless to say, the little bit of snow on the street did not cause this damage. Mail was scattered all over the yard and street. Immediately Erin went outside and picked everything up and alerted Cameron Goble of 6020 Fremont Street. This was clearly an issue of "negligence" on behalf of the driver and not the result of the duty of the City of Lincoln to remove snow from the streets.

I am a nearly lifelong Lincoln resident. Erin, my wife, has been born and raised here. I am 30 years old and Erin is 29 and we have two young girls Jayden, 5, and Addyson, 3, and are expecting one on the way in July. We are products of the northeast Lincoln Public School system. We both are graduates of Lincoln Northeast High School, class of 1999, and I graduated from UNL in 2003 and Erin in 2004. I currently work in People Resources at Lincoln Industries where I have been for just over 4 years. Prior to that i worked in locally owned B&R Stores for just over 10 years, starting when i was 15 years old. Erin is a 2nd grade school teacher at Eastridge Elementary School where she has worked for the past 7 years. Prior to that Erin was a Server at the Green Gateau for nearly 10 years. My point is that we call Lincoln home and will continue to do so. All I am asking is that the city of Lincoln own a small mistake that was made on December 31st, 2010.

In the end I am not overly concerned with the money, but more concerned with the issue getting handled by the responsible party. Will the \$65.23 break me, no, but continuing to have faith in my city is a big deal. I am a person of good character and I expect that I own my actions. I write this to you simply to inform you of what happened this day. In reading this I am confident that you can imagine the situation and confirm that the negligence that occurred with this situation caused the damages, whether right-of-way property or not, and negligence cannot be discounted.

I would like to know if there is any way that I can submit supporting documents to state my case prior to me talking with you on March 28th at the City Council meeting? If so please let me know how I can do that. I appreciate and respect you taking the time to read this simple claim, understanding that the principle of the matter holds more meaning to me than anything. I plan on taking the time to discuss this with you and your Council members on March 28th, 2011 at the 5:30pm meeting.

Respectfully,  
Jason Chambers

Please feel free to email me or call me anytime at the following contact information:

Email me at:  
[jason.chambers@lincolnindustries.com](mailto:jason.chambers@lincolnindustries.com)

Call me at:  
(402) 467-5416 - home  
(402) 610-4260 - cell

Mail me at the following address:  
Jason Chambers  
6030 Fremont Street  
Lincoln, NE 68507

**Mary M. Meyer**

---

**From:** Council Packet  
**Subject:** Recognizing a cultural treasure in Lincoln, NE

Mr. Mayor and City Councilpersons,

Attached is a proposal and rationale for creating a monument to recognize an important part of Lincoln's recent cultural history.

I was spurred to write you based on the article in today's Lincoln Journal Star about a potential pedestrian area.

I hope you will take a minute to read the attached proposal and consider how you can support it coming to fruition.

Thanks  
Malcom Miles  
6837 Ballard Avenue  
Lincoln, NE 68507

### **Proposal for Presto! Monument**

Do you know what happened at 139 South 19<sup>th</sup> Street in Lincoln, Nebraska?

The above Lincoln address was home to Presto! Recording Studios when it recorded seminal records by Saddle Creek recording artists (Bright Eyes, The Faint, Cursive) and other national acts (Rilo Kiley, The Get Up Kids).

For about a decade Lincoln was home to Presto! The studio was run by Nebraska-born brothers Mike and A.J. Mogis. The Saddle Creek Record label was started by Mike Mogis and Justin Oberst in 1993 when they developed the idea as a project for a business class at the University of Nebraska-Lincoln.

Presto! moved their business to Omaha when it became clear that the building on South 19<sup>th</sup> Street was to be demolished in a city development project.

The recordings that came out of the Lincoln studio had a huge impact on the national music scene and led to the great (and continuing) success of the bands involved. Here is a short list of internationally known musical acts who recorded at Presto!

Bright Eyes  
Cursive  
Desaparecidos  
The Faint  
For Against  
The Get Up Kids  
The Gloria Record  
The Good Life  
Head of Femur  
Her Flyaway Manner  
Lullaby for the Working Class  
Mayday  
Mercy Rule  
Neva Dinova  
Pablo's Triangle

Racebannon  
Rilo Kiley  
Sideshow  
Songs: Ohia  
Son, Ambulance  
Tilly and the Wall

While you may not recognize these band names I can assure you that many of the young people at the universities, colleges, and high schools in Lincoln would recognize at least some of them and would take pride in Lincoln being a part of this creative history. This pride could encourage our state's brightest young people to make Lincoln their home.

A few years ago I shared with Councilman Camp the title of a book by Richard Florida; "The Rise of the Creative Class." One of the links below is an article summarizing some of the main points of that book – namely that the economic development of a city is contingent on its ability to attract young thinkers. This is done by developing not just jobs, but a community that is diverse and creative outside the traditional workplaces.

I strongly believe that highlighting Lincoln's role in the music created by Saddle Creek recording artists and other national acts is an important, if small step, toward showing that the city values creativity and diversity and propose a monument to the now demolished Presto! Recording Studios building at 139 South 19<sup>th</sup> Street.

I think the current proposal for a pedestrian walkway along M street (as noted in the Lincoln Journal Star 3-21-11) would be ideal as it would run only a couple blocks from where Presto! Studios once stood. Alternatively a stand-alone monument closer to the site might be feasible. A simple monument could include text, photos, and audio playback of songs recorded at Presto!. Potential partners include Saddle Creek Records, ARC Studios, Nebraska Humanities Council, Lincoln Arts Council, UNL Business College, and private donors.

Thank you for considering this proposal. Please let me know your thoughts and if there is any more I could do to make this monument a reality.

Sincerely,  
Malcom Miles  
6837 Ballard Avenue

Lincoln, NE 685078

402.202.0744

- Rise of the Creative Class summary - <http://www.america.gov/st/business-english/2008/May/20080513101454jmnandeirf0.6960718.htm>
- Wiki article on Saddle Creek Records [http://en.wikipedia.org/wiki/Saddle\\_Creek\\_Records](http://en.wikipedia.org/wiki/Saddle_Creek_Records)
- New York Times article from 2003 on Saddle Creek <http://query.nytimes.com/gst/fullpage.html?res=9A05E5D91531F930A15750C0A9659C8B63&pagewanted=1>
- Wiki article on Mike Mogis & Presto! Studios [http://en.wikipedia.org/wiki/Mike\\_Mogis](http://en.wikipedia.org/wiki/Mike_Mogis)
- Review from February 2011 Rolling Stone of Bright Eyes new album <http://www.rollingstone.com/music/news/reviewed-bright-eyes-plays-to-his-strengths-on-the-peoples-key-george-michaels-faith-holds-up-as-a-pop-classic-20110201>

## Mary M. Meyer

---

**From:** Council Packet  
**Subject:** Stronger, safer neighborhoods and the reality of 12th & Peach

---

**From:** Jeff Tangeman [<mailto:jt12313@windstream.net>]  
**Subject:** Stronger, safer neighborhoods and the reality of 12th & Peach

Dear Mayor Beutler, Chief Tom Casady, the honorable members of the Lincoln City Council and Mr. Jon Carlson

I discovered at the annual meeting of the Everett Neighborhood Association this past Sunday, March 20, 2011, that one of the cornerstone families of our south Everett neighborhood centered around 12<sup>th</sup> and Peach Streets had put their house up for sale, and another family perhaps two are considering putting their houses up for sale and leaving for other parts of the city. The reason is because of the continuing string of undesirable tenants inhabiting the apartment house at 1215 Peach, the duplex at 1235 Peach and the single family home at 1237 Peach (1235 and 1237 have the same owner). My neighbors are continually calling the police and have called several neighborhood watch meetings with police to address these problems: public drunkenness, urinating in public, drug dealing and unsupervised children all taking place at these houses.

When I talked with one of my soon to be moving neighbors today, she said that they have taken to calling the landlord of the apartment house about his disorderly tenants and to his credit, the apartment house owner will evict troublemakers but his new tenants tend to be of the same character of the evicted tenants and the cycle repeats itself. They also call the owner of the duplex and the single family house about their tenant's behavior and receive a string of abuse and invective from this landlord for their efforts.

My neighbors have reached their limit, their resolve is gone and they are throwing in the towel despite all the talk of stronger safer neighborhoods. Our small stretch of Peach Street is losing one of our stable families and home businesses – they run a tea room. There are also two more families on this block considering moving for the same reasons. If the 1200 block of Peach is abandoned by its homeowners because of the misbehavior of renters and reluctance of absent owners to take responsibility, how long will it take before the homeowners on the 1100 block of Peach and the 1800 and 1900 block of South 12<sup>th</sup> grow weary of the problems and move out too.

I have given more than half of my life to this neighborhood. I moved in as a renter and later bought the house I have inhabited since 1984. Our Everett Neighborhood Association worked to downzone the south end of our neighborhood to promote neighborhood stability, preservation and home ownership. Now the behavior of a rotating cast of bad actors in a series of dubious rental properties is threatening to unwind what we have worked so many years to accomplish. Mayor Buetler stated at the launch of his stronger, safer neighborhood program that there would be no ghettos on his watch. I am afraid to say that unless problem properties are addressed in a straight-forward, expedient manner, Lincoln will see many pockets of urban ghettos across the city in its 13 oldest neighborhoods. That no one appears to be doing anything to prevent this is a tragedy.

Jeff Tangeman  
Past President, Everett Neighborhood Association

**DIRECTORS' AGENDA  
ADDENDUM  
MONDAY, MARCH 28, 2011**

**I. CITY CLERK**

1. Letter from the Downtown Lincoln Association, Terry Uland, President and Ed Swotek, Chairman, supporting a strategic re-evaluation of the original M Street promenade concept for relevance and possible modification.

**II. CORRESPONDENCE FROM THE MAYOR & DIRECTORS**

**MAYOR**

1. NEWS RELEASE. Mayor Beutler's public schedule for the week of March 26<sup>th</sup> through April 1, 2011.
2. NEWS RELEASE. Long grass maintenance results in savings.

**WEST HAYMARKET JOINT PUBLIC AGENCY**

1. The West Haymarket Joint Public Agency will meet on Wednesday, March 30, 2011 at 3:30 p.m. in the City Council Chambers.

**COMMISSION ON HUMAN RIGHTS**

1. Meeting agenda for Thursday, March 31, 2011, 4:00 p.m. in the City Council Chambers at 555 S. 10<sup>th</sup> Street.

**DIRECTORS**

**PUBLIC WORKS AND UTILITIES/ENGINEERING**

1. ADVISORY. "O" Street; Centennial Mall - 17<sup>th</sup>. "O" Street; 22<sup>nd</sup> - 25<sup>th</sup>. Stimulus project to start. Project No. LCLC-34-6 (140), Control No. 13037. City Project No. 701812.
2. ADVISORY. American Recovery and Reinvestment Act Projects. Proposed Arterial Rehabilitation Projects. Holdrege Street; 19<sup>th</sup> Street - 25<sup>th</sup> Street. State project No. LCLC 5247 (11) CN 13038, City Project No. 701811.

**URBAN DEVELOPMENT**

1. Reply from David Landis to questions from Councilman Camp on TIF. (Listed on Meeting Agenda for March 28, 2011/Council Members/Jon Camp/ #1 - Correspondence to David Landis regarding TIF funds for the M Street promenade)

**COUNCIL MEMBERS**

**IV. CORRESPONDENCE FROM CITIZENS TO COUNCIL**

1. InterLinc correspondence from Christine Schuerman-Haru registering a complaint on parking regulation enforcement. (Sent to Lincoln Police Department for reply)
2. InterLinc correspondence from Larry Rose against a suggested bike underpass at the proposed Round-a-bout at 14<sup>th</sup> and Superior Streets.
3. Email from Tiffany Roberts against the proposed round-a-bout at 14<sup>th</sup> and Superior Streets, offering suggestions on other ways to improve.

4. Telephone message from Ron Watermeier. Completely against the round-a-bout at 14<sup>th</sup> and Superior Streets. Also, no parking lot needed at the M Street promenade.
5. Correspondence received from the Lincoln Independent Business Association (LIBA) regarding using TIF funds and the M Street Promenade. (Each Council Member received)
6. Police Chief Casady's reply to Jeff Tangeman (Agenda/March 28, 2011/VI. Correspondence from Citizens/No. 3) regarding problems around the 1200 block of Peach Street.

## **V. INVITATIONS**

See invitation list.



Downtown  
Lincoln  
ASSOCIATION

206 S. 13th Street, Suite 101  
Lincoln, NE 68508  
phone: 402.434.6900  
fax: 402.434.6907  
info@downtownlincoln.org

11R-62

March 25, 2011

Mr. John Spatz, Chairman  
Mr. Jon Camp  
Mr. Eugene Carroll  
Mr. Jonathan Cook  
Mr. Doug Emery  
Mr. Adam Hornung  
Ms. Jayne Snyder  
Lincoln City Council  
555 South 10<sup>th</sup> Street  
Lincoln, NE 68508

RE: Proposed M Street Promenade Project

Dear City Council Members:

It has recently come to the attention of the Downtown Lincoln Association (“DLA”) that the City of Lincoln is considering using available TIF funding to design and implement a proposed streetscape plan along M Street from Seventh to 17<sup>th</sup> Street in downtown Lincoln. The intent of this project is to provide a consistent streetscape design for developments which have already been approved for TIF funding along this corridor; including the Meadow Gold block on Seventh Street, the 800 Block and the Gold’s Building parking lot block between 10<sup>th</sup> and 11<sup>th</sup> Streets, proceed forward.

While the DLA is certainly supportive of enhancing the area’s streetscape as originally called for in the 2005 Downtown Master Plan, several significant changes impacting this proposed promenade have occurred since the issuance of the original Master Plan. These would include the approval of the new West Haymarket Arena site, designation of N and M Streets as primary vehicular arterials to/from the arena site, the mix of current and proposed businesses in the South Haymarket area and the economic rationalization of the “Park Block” concept on M Street.

As a result of these changes, the DLA would strongly support a strategic re-evaluation of the original M Street promenade concept to ensure it remains relevant in the current and future development environment. In fact, the 2005 Master Plan actually recommends the City conduct an “update” to the plan every five years to take into account development changes which may have a material impact on elements of the plan itself.

The DLA recognizes with the pending construction of the arena, and the infrastructure development which must take place concurrently, any re-evaluation of any element of the Master Plan must be completed promptly. Therefore, the DLA would also recommend the timely engagement of Crandall Arambula, the urban planning firm that orchestrated the 2005 Master Plan process, to objectively assist the City in re-evaluating the original M Street promenade concept for relevance and possible modification. This process would also include active participation with affected property stakeholders. Upon re-evaluation, specific design details could then be developed by a local firm. We believe this timely and logical sequence will allow the City to efficiently and effectively leverage limited TIF resources, maximize our City’s return on this investment and engage stakeholders in taking ownership in the outcome.

Thank you for your thoughtful consideration on this matter and we stand ready to be an active partner in promptly addressing this opportunity. The DLA is truly excited about the positive momentum and national recognition earned by our city and we are very grateful for your continued support of downtown Lincoln.

Sincerely,



Terry Uland, President  
Downtown Lincoln Association



Ed Swotek, Chairman  
Downtown Lincoln Association

c: Chris Beutler, Mayor, City of Lincoln  
Dave Landis, Director, Urban Development Department  
Dallas McGee, Assistant Director, Urban Development Department

Date: March 25, 2011

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

**Mayor Beutler's Public Schedule**  
**Week of March 26 through April 1, 2011**  
*Schedule subject to change*

Tuesday, March 29

- Corrections Joint Public Agency (JPA) public meeting - 9 a.m., Council Chambers, County-City Building, 555 S. 10th St.
- UNL Osher Lifelong Learning Institute (OLLI) program, remarks- 10:30 a.m., Nebraska Educational Telecommunications, 1800 N. 33rd St.
- Rotary Club #14 Salute to Business, remarks and award presentations - noon, Cornhusker Marriott Hotel, 333 S. 13th St.

Wednesday, March 30

- West Haymarket JPA public meeting - 3:30 p.m., Council Chambers

Thursday, March 31

- News conference, Sherman Field Forever Campaign - 10 a.m., 2nd and South streets

Friday, April 1

- West "O" Business Association meeting, remarks - noon, Speedway Motor Museum, 340 Victory Lane

**PARKS AND RECREATION DEPARTMENT**  
2740 "A" Street, Lincoln, NE 68502, 402-441-7847, fax 402-441-8706

**FOR IMMEDIATE RELEASE:** March 25, 2011

**FOR MORE INFORMATION:** Lynn Johnson, Parks and Recreation Director, 402-441-8265  
Jerry Shorney, Asst. Director, Park Operations, 402-441-8259  
Liz Lange, Lincoln Parks Foundation, 402-890-2865

**LONG GRASS MAINTENANCE RESULTS IN SAVINGS**

The Lincoln Parks and Recreation Department will add more acres to its long grass maintenance program during the upcoming growing season – an effort that saves money and has environmental benefits. At the same time, the Lincoln Parks Foundation is launching a new mini-grant program to encourage more community groups to volunteer to take on landscape maintenance and other improvements in neighborhood parks and along trails.

Long grass areas are mowed one to three times per year, compared to about 14 times per year for active areas. They include areas of fescue which are allowed to grow seed heads and areas of "Prairie in the Parks," which have been seeded to native grasses. Parks began using long grass maintenance in low-use areas in 2004. Last year, about, 685 acres in 35 parks were managed as long grass. An additional 166 acres in 29 parks will be added to long grass management this year, and an additional eight acres will be seeded to native grasses. Maps of the areas can be found at [parks.lincoln.ne.gov](http://parks.lincoln.ne.gov).

To reduce costs, Parks and Recreation has combined long grass maintenance with the use of larger mowers and an extension of the time between regular mowing. Director Lynn Johnson said those efforts have resulted in a reduction in mowing hours of about 22 percent.

"Long grass maintenance has become an important money-saving tool across the country," Johnson said. "This alternative practices saves on labor and equipment costs and allows us to focus our maintenance on the actively used parkland. The reaction of residents has been mixed. Some are concerned the areas appear untidy, while others say they enjoying seeing the seed heads as well as more butterflies and birds."

Parks manages about 6,000 acres of parkland at 127 locations. About half is conservation areas such as Wilderness Park, prairie land and saline wetland areas. The other half is neighborhood, community and regional parks as well as golf courses. This year, about 1,540 acres will continue to be mowed on an average 14-day rotation.

- more -

**Long Grass Maintenance**  
**March 25, 2011**  
**Page Two**

Buffer areas along drainage channels and around lakes are managed as long grass to help stabilize channel banks and protect water quality. Assistant Director of Parks Operations Jerry Shorney said, "There is a direct relationship between the length of grass stems and rooting. Longer grass stems means deeper roots, and that increases the ability to stabilize the soil along the channel banks."

The new mini-grants will be available to neighborhood associations, businesses, civic groups, youth groups, running clubs, and any other groups or individual who participates in the "Adopt a Landscape" program will be eligible to apply for mini-grants. Grants funds may be used to enhance existing neighborhood parks and trails and to purchase tools and equipment to assist with landscape maintenance activities or park improvement projects.

Interested applicants may submit a grant application to the Lincoln Parks Foundation any time between April 1 and May 13. Successful applicants will be notified around June 1, and projects must be complete by the end of 2011. Applications and additional information are available from the Lincoln Parks Foundation at 402-441-8258.

## Mary M. Meyer

---

**From:** Melissa M. Ramos-Lamml  
**Sent:** Friday, March 25, 2011 4:12 PM  
**To:** Aaron Young (aaron.v.young@benham.com); Bill Kostner; Borland, Danielle; Chad E. Blahak; Council Packet; Daniel K. Marvin; Dave B. Norris; Debbie Engstrom; DEBUSE, LISA; Diane K. Gonzolas; Don R. Herz; ewieseman@thoughtdistrict.com; Greg S. MacLean; Harvey Perlman (hperlman1@unl.edu); Jayne L. Snyder; Jayne Snyder ; Jim Martin (jim.martin@benham.com); Joan E. Ross; Joel D Pedersen; Justin R. Kohmetscher; lwisner@gilmorebell.com; Mark E. Leikam; Mary Douglas; Mary M. Meyer; Melissa M. Ramos-Lamml; mhaase@thoughtdistrict.com; Miki Esposito; Pam K. Gadeken; Rick R. Peo; Rodney M. Confer; Roger A. Figard; skeene@ameritas.com; Steve D. Hubka; Steven J. Huggenberger; Steward, Earl A. III; Teresa Meier; Tim Clare ; Trish A. Owen; Vince Mejer  
**Subject:** West Haymarket JPA Meeting March 30, 2011

The West Haymarket Joint Public Agency will meet on Wednesday March 30, 2011 at 3:30 P.M. in City Council Chambers.

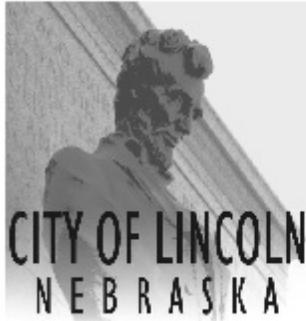
The agenda and attachments are now posted at: <http://lincoln.ne.gov/city/finance/account/jpa-mtgs.htm>

CITY OF LINCOLN  
**COMMISSION ON HUMAN RIGHTS**  
**Thursday, March 31, 2010, 4 p.m.**  
City Council Chambers, 555 South 10<sup>th</sup> Street

**AGENDA**

- I.** Roll Call
- II.** Approval of Minutes of February 24, 2010 Commission Meeting
- III.** Approval of Agenda for March 31, 2011 Commission Meeting
- IV.** Case Dispositions
  - A. Reasonable Cause/No Reasonable Cause
    - 1. LCHR No.: 10-0603-025-E-R
    - 2. LCHR No.: 10-0609-026-E
    - 3. LCHR No.: 10-0909-041-E-R
    - 4. LCHR No.: 10-0921-045-E-R
  - B. Pre-Determination Settlements
    - 5. LCHR No.: 11-0216-005-H
- V.** Administrative Closures
  - A. Withdrawal
    - 6. LCHR No.: 11-0218-006-H
- VI.** Old Business
  - A. Progress Report on Human Rights Space
  - B. Annual Report
- VII.** New Business
  - A. Report on 2011 Civil Rights Conference
- VIII.** Public Comment\*\*
- IX.** Adjournment

\*\*Public comments are limited to 5 minutes per person. Members of the public may address any item of interest to the LCHR during this open session *with the exception of LCHR cases*. Also, no member of the public who wishes to address the commission will be allowed to examine any individual commissioner or staff member on any item/question before the commission unless invited to do so by the chairperson.



# PUBLIC WORKS & UTILITIES ADVISORY

MAYOR CHRIS BEUTLER

lincoln.ne.gov

March 25, 2011

**‘O’ STREET; CENTENNIAL MALL - 17TH  
‘O’ STREET; 22ND - 25TH  
STIMULUS PROJECT TO START  
PROJECT NO. LCLC-34-6 (140) CONTROL NO. 13037  
CITY PROJECT NO. 701812**

As part of the American Recovery and Reinvestment Act, the City of Lincoln Public Works and Utilities Department is planning to resurface/rehabilitate ‘O’ Street from Centennial Mall to 17th Street and ‘O’ Street from 22nd to 25th Street.

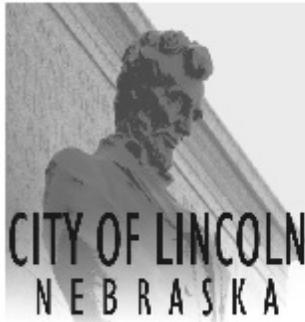
This work will be completed by a private contractor. The project will include milling off and replacing the existing driving surface with curb work on the south side of ‘O’ Street between 16th and 17th Street and the north side of ‘O’ Street between 22nd and 25th Street. The curb ramps that do not meet ADA standards will also be reconstructed. The majority of this work will be completed during the day in non-peak traffic hours under lane closures. However there will be some night work for the milling and surface placement operations. During the night work, ‘O’ Street will be totally closed in segments but the Centennial Mall to 17th and 22nd to 25th Street segments will not be closed at the same time. Detours will be required during periods of total closure. Access to adjacent businesses will be restricted at times, but the contractor will coordinate those restrictions with the abutting properties.

The contractor for this project is Constructors Inc. They are scheduled to begin work weather permitting on April 4, 2011 and be completed on or before April 28, 2011.

If you have any questions, please contact one of the following people:

Constructors Inc.  
Steve Samuelson  
(402) 430-8314

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



# PUBLIC WORKS & UTILITIES ADVISORY

MAYOR CHRIS BEUTLER

[lincoln.ne.gov](http://lincoln.ne.gov)

March 28, 2011

## **American Recovery and Reinvestment Act Projects Proposed Arterial Rehabilitation Projects**

### **Holdrege Street; 19th Street - 25th Street**

**State Project No. LCLC 5247 (11) CN 13038  
City Project No. 701811**

---

The City of Lincoln proposes to mill and overlay Holdrege Street from 19th Street to 25th Street starting the week of April 4, 2011 weather permitting. The existing pavement will be milled and overlaid with new asphalt. Sub-standard ADA facilities (i.e. curb ramps and truncated domes) will be reconstructed to meet minimum requirements at all intersections. Holdrege Street will be closed to through traffic for 32 days. The City will work with local businesses regarding access during construction. Access to local residences will be restricted at times. The Star Tran bus route #24 and #41 detour will be from 21st and Holdrege to 21st and Y to 27th and Y back to 27th and Holdrege. The contractor will be Pavers Inc.

Information on all City of Lincoln Recovery Act Projects are available on the City's web site at [lincoln.ne.gov](http://lincoln.ne.gov) (keyword: recovery). If you have questions or comments, please contact one of the following:

Erika Nunes  
Engineering Services  
(402) 441-5675  
[enunes@lincoln.ne.gov](mailto:enunes@lincoln.ne.gov)

Warren Wondercheck, Project Manager  
Engineering Services  
(402) 441-7014  
[wwondercheck@lincoln.ne.gov](mailto:wwondercheck@lincoln.ne.gov)

Mike Tidball  
Pavers Inc.  
(402) 786-5900

City Project Number 701811

State Project Number LCLC - 5247 (11), CN 13038

**Mary M. Meyer**

---

**From:** David Landis  
**Sent:** Friday, March 25, 2011 4:58 PM  
**To:** Council Packet; 'Jon Camp'; 'John Spatz'; Jonathan A. Cook; Eugene W. Carroll; Jayne L. Snyder; Adam A. Hornung; Doug Emery  
**Cc:** Mayor; Trish A. Owen; Rick D. Hoppe  
**Subject:** Response to Councilman Camp's TIF Questions

Dear Council Members:

Below are the answers to the questions 1-6 posed in the March 23<sup>rd</sup> e-mail from Councilman Camp on the expansion of the Lincoln Star Buildings Project to expand the boundaries further to the west and east along M Street.

As of 12/31/2010, the cash in the Lincoln Star Building TIF district (#9943) was \$378,914. In 2011, we expect to collect an additional \$62,725, for a total of \$441,639. The last year of collection is 2011. The City's portion of the remaining TIF, if not used for M Street and returned, would be approximately 14.42 percent of the remaining TIF funds or \$63,684.

**Percentage of Allocation to Taxing Jurisdictions in Tax District 1**

<b>Description</b>	<b>Percentage</b>
Lancaster County	13.44
Public Building Commission	.85
City of Lincoln	14.42
Lincoln Public Schools	62.44
Educational Service Unit 18	.75
Lower Platte South NRD	2.03
Railroad Trans. Safety District	1.30
Southeast Community College	3.01
LC Agricultural Society	.08
LC Agricultural Society JPA	.19
Lanc Co Correctional Facility JPA-Co	.53
Lanc Co Correctional Facility JPA-Linc	.95

If funds are to be spent for a project, they need to be allocated/dedicated before the TIF District expires. The project can be completed after the 15-year taxing period ends. The M Street design project would not need to be acted on immediately but would need to be identified and underway before the TIF period ends by the end of 2011.

As part of the 2010/11 Capital Improvements Program approved by City Council, Urban Development established the “M Street Streetscape” to dedicate \$480,000 in TIF funds toward the “funding and design of the M Street and 11<sup>th</sup> Street Promenade and construct a portion of the street and streetscape improvements for the M Street and 11th Street Promenade identified in the Downtown Master Plan. These improvements will be identified in a public design process.” The need to design M Street and the potential to use other TIF funding sources was also discussed at Council on December 14, 2009 as part of the Block 68 redevelopment agreement.

If the boundaries are established, the Urban Development Department will issue an RFQ for design services for the design of the M Street Streetscape. We estimate that the design services would cost between \$90,000 and \$160,000. The scope of design services would include schematic design and up to 65% design development. The design costs were based upon estimated construction costs of \$3 million to \$4 million on the entire ten-block length of the project area (20 block faces at \$150,000 to \$200,000 each). The scope could also include construction drawings for any blocks identified for improvements. The balance of the funds would be available for construction.

The M Street design will enable us to better coordinate development plans when developers come forward with projects along M Street. Without having the schematic plans completed we have only the conceptual plans that the Downtown Master Plan contains to guide us. In discussions with developers of three different blocks, we have found that the Downtown Master Plan did not provide the level of detail needed to advise the developers on requirements for streetscape improvements. The design services described above would allow the City to guide the developers of the Block 68 (Lot south of Gold’s), Block 85 (Color Court), and Telesis/Dairy House projects. TIF would not be used efficiently if the portions of M Street adjacent to each of these projects were completed in a piecemeal manner. In addition, we anticipate that several other redevelopment projects abutting M Street will be proposed over the next ten years, including the redevelopment of the Pershing Center and other blocks about which we have had preliminary discussions.

Below is the response to Question 7:

“Leftover” TIF is not an accounting term. So, I will use this definition, specific projects that are nearing the end of the 15-year TIF period, for which we have pretty solid estimates of remaining debt to be paid, what is the expected amount by which TIF proceeds will be greater than expected debt. There are such projects that are imminent.

Here are several specific TIF projects where we issued bonds and we are close to being done with the projected bond payments and therefore can reasonably identify the likelihood of surplus funds.

First is the Lincoln Mall Redevelopment Project for which the Council previously approved boundary changes to permit the use of TIF Funds for the Centennial Mall. That amount is \$574,000, but should total about \$2.1 million by 2017.

Second is the Gold’s Building balance of the block. Remaining debt is minor, the overage will be about \$625,000. While there is an expected overage, one element makes it impossible to say the money is in hand. Part of the Gold’s Building project was a skywalk connection between the Lincoln Building and Gold’s Building. The landowners and affected parties have not agreed on plans to construct the skywalk. While there is some interest in the skywalk, plans have not coalesced.

Third, the Lincoln Star Building, 12<sup>th</sup> and N (the old Back to the Bible Building). There is no remaining debt and the project surplus is currently \$378,914 with one year of collections remaining. We suggested this money support the M Street design and possible infrastructure improvements thereto.

Fourth, there is one other “area” TIF that has a significant balance from the accumulations of proceeds of several projects, the 11<sup>th</sup> and 13<sup>th</sup> Street core area. The projects included the Lincoln Theater, Centerstone, the O Street Skywalk and the balance of the area. The balance is \$1,429,440 for which we do not have expected debt. This balance

would allow us to design and construct a significant portion of the Civic Plaza project as identified in the Downtown Master Plan.

A project that is not imminent and for which we cannot project final expenses but for which we may well have a surplus balance is the Grand Theater/Old Federal Building. Current expenses and revenue projections indicate that in 2015 we will have a project balance well in excess of \$1 million.

There are other TIF areas that are not specific projects that have funds for which we do not have projected expenditures. Three of these are the University Place, North 27<sup>th</sup> and Havelock Districts. Here, we collect proceeds without the use of a bond. We have redevelopment plans for the area and then we make plans with the business and neighborhood associations to accomplish elements of the plan. I do not believe these districts are what your questions are focusing on.

## Mary M. Meyer

---

**From:** WebForm [none@lincoln.ne.gov]  
**Sent:** Thursday, March 24, 2011 7:43 PM  
**To:** Council Packet  
**Subject:** InterLinc: Council Feedback

InterLinc: City Council Feedback for  
General Council

**Name:** Christine Schuerman-Haru  
**Address:** 5518 Briar Rosa Dr  
**City:** Lincoln, NE 68516

**Phone:** 402-890-1419  
**Fax:**  
**Email:** [trixiesumner@yahoo.com](mailto:trixiesumner@yahoo.com)

**Comment or Question:**

I want to complain about parking regulation enforcement. My husband parks his car on the street near our house. He is aware of the requirement to move the car every 24 hours. Due to his job, the car is moved daily. He alternates the side of the street he parks on, so it is obvious the car has moved. Nonetheless, he has received several parking notices to move the car. Several weeks ago a van was abandoned near my driveway. The license plates had been removed from the vehicle. I called the police and reported it. Still, it sat in the same spot for at least a week, blocking my view while I backed out of my driveway.

Why is our car being singled out?

I feel my tax dollars could be put to better use than this parking regulation enforcement which is questionable.

## Mary M. Meyer

---

**From:** WebForm [none@lincoln.ne.gov]  
**Sent:** Friday, March 25, 2011 10:53 AM  
**To:** Council Packet  
**Subject:** InterLinc: Council Feedback

InterLinc: City Council Feedback for  
General Council

**Name:** Larry Rose  
**Address:** 8309 Carriage Hill Ct  
**City:** Lincoln, NE 68510

**Phone:** 402 730 4407  
**Fax:**  
**Email:** [hicksrose@hotmail.com](mailto:hicksrose@hotmail.com)

**Comment or Question:**

I understand the proposed "round a bout" at 14th & superior will include a bike underpass that will add \$500,000 to the cost. I would think they could include a bike lane in the "round a bout" \$500,000 would resurface a lot of blocks. If the bikers want us (the taxpayers) to pay for these kind of things; maybe we should have a bicycle WHEEL TAX.

## Mary M. Meyer

---

**From:** Tiffany Roberts [grand99prixgtp@yahoo.com]  
**Sent:** Sunday, March 27, 2011 8:20 AM  
**To:** Council Packet  
**Subject:** Superior roundabout

I'm not sure who I e-mail about a complaint on a proposed road project. The 14th and Superior roundabout is going to be a complete mess. You have high school kids that take those roads all the time and most of them just turning 16. Doesn't seem very safe to me. Visit the roundabout near Southpointe Mall and see how frustrated people get, not to mention the huge potholes it has. Having this be a part of the 10.8 million street project, where are we getting this money? From what I'm concerned about I'm getting taxed when I order food for an arena that was supposed to already be paid for. Why not take the money for this roundabout and put it towards a debt we already have? From my business classes you're taught to pay debts off before adding more to it. I hope something is done about this roundabout before next year so I won't have to avoid another street that's designed horribly. I would agree that 14th and Superior gets pretty busy but how about widening the road to three lanes? Make the turn signal from Superior to 14th longer? Lincoln's roads aren't the best, everybody knows that, but we put up with whatever is decided to fix roads, I am not and won't put up with this decision. Roundabouts here are more for small areas, like the one in Sheridan Blvd. Maybe we should think how that's going to look with a sheet of ice on it. Especially when Lincoln doesn't know when to put down de-icer. Thanks for taking the time to read this and if I e-mailed the wrong person please forward this on to the right one.

Thank you,  
Tiffany Roberts  
(402)314-2008

RECEIVED

MAR 28 2011

CITY COUNCIL  
OFFICE



To: City Council  
From: LIBA Board of Directors  
Date: March 28, 2011  
Re: M Street Promenade

---

The Lincoln Independent Business Association (LIBA) is concerned about using some of the leftover TIF funds from the Star Building.

The TIF funds amount to \$400,000 with \$50,000 pending. On March 23, 2011, the Lincoln Journal Star reported that the city would receive \$56,000 if it did not spend the \$450,000. LIBA encourages the Council to remember that TIF funds are essentially taxpayer monies for economic development and improvement of the cities blighted areas. TIF is not meant to pay for development designs that may never come to fruition, which is the danger the city faces with the idea of an M Street Promenade. Such a proposition would be a waste of taxpayer money and bad use of a good tool (taking away downtown parking and spending more to build more parking, no identified money source after a design is provided, insufficient time to design and construct with leftover TIF funds).

An additional issue is that the city has not identified a source for the \$4 million needed to complete the Promenade after the \$400,000 TIF investment is made.

LIBA requests that the city take some time to see if there are practical start-to-finish improvements that can be made on M Street. The remainder of the funds would then be distributed to the taxing entities to provide some relief at a time when relief is needed.

## Mary M. Meyer

---

**From:** Thomas K. Casady [tcasady@lincoln.ne.gov]  
**Sent:** Monday, March 28, 2011 2:07 PM  
**To:** Jeff Tangeman; Mayor; Tom K Casady; John Spatz; Eugene W. Carroll; Jonathan A. Cook; Doug Emery; Jon Camp; Jayne L. Snyder; Adam A. Hornung; Council Packet; Jon Carlson  
**Cc:** Council Packet  
**Subject:** RE: Stronger, safer neighborhoods and the reality of 12th & Peach

Mr. Tangeman,

Thank you for your email regarding problem in the 1200 block of Peach street. I want you to know that we are aware of the problems that have occurred at these addresses, have made arrests and issued citations in the past, and will not give up on this. The police department cannot solve every social problem in this City, but we will continue to do what we can, within the limits of our authority and the law.

We have had good success working with neighborhood Association, homeowners, and residents in Everett. Pat Anderson, current ENA president works with Jon Carlson from Stronger Safer Neighborhoods on a wide variety of neighborhood revitalization activities. The majority of our focus has been directed to the parts of the neighborhood north of A Street where our police call data shows high need. However, Mr. Carlson and our officers have also engaged on spot areas throughout the neighborhood where problems occur. Southwest Police Team Captain Mike Woolman sends letters to owners of high-call properties informing them of illegal activity and disturbances. He directs them to call his office so that he and Mr. Carlson can discuss the issues with them and plans to resolve them.

Mr. Carlson has been very effective in working with owners to make sure they understand best management practices like tenant screening, notices of lease violations, and removal of problem parties. Our intentions are to help provide them with the tools and resources to improve their property. However, we also communicate a clear expectation that they as owner/manager must take steps to address the problem behaviors. If they do not, we will hold them accountable to the full extent of the law. Previous contacts with the owners of 1215, 1235 and 1237 Peach have resulted in the eviction of problem tenants.

Lincoln Police also assigns officers directly to high problem areas through our Problem Oriented Policing (POP) projects. In December 2010, Sgt. Ryan Witzl attended a neighborhood meeting to discuss ongoing issues in the 1200 block of Peach street. As a result, he coordinated with Officer Jake Dilsaver to implement a POP project and work directly with the owners and residents.

Winter weather typically slows calls throughout the city and this has been the also been the case for Peach Street. Now that Spring has arrived, we expect to be actively patrolling this area and talking with residents. In addition, Mr. Carlson and Captain Woolman will be re-contacting the owners of the high call for service properties on your block. If we cannot get their cooperation in a long term solution, we will forward the cases to law for prosecution.

I understand how poor property management and maintenance can negatively impact the entire block. I realize that you and your neighbors may feel frustrated by this. Our work in other parts of the neighborhood has shown that our efforts to stabilize neighborhoods are often successful. Supporting owners and residents working to improve their properties is a key component in our efforts to strengthen neighborhoods. I want to assure you that Lincoln Police Department and Stronger Safer Neighborhoods are continuing to work to address problem property issues not only on your block, but wherever they may occur throughout the community.

Best regards,

Tom Casady  
Chief of Police

On Wed, 23 Mar 2011 12:43:46 -0500 Jeff Tangeman <jt12313@windstream.net>  
wrote:

>Dear Mayor Beutler, Chief Tom Casady, the honorable members of the  
>Lincoln City Council and Mr. Jon Carlson

>  
> I discovered at the annual meeting of the Everett  
>Neighborhood Association this past Sunday, March 20, 2011, that one of  
>the cornerstone families of our south Everett neighborhood centered  
>around 12th and Peach Streets had put their house up for sale, and  
>another family perhaps two are considering putting their houses up for  
>sale and leaving for other parts of the city. The reason is because of  
>the continuing string of undesirable tenants inhabiting the apartment  
>house at 1215 Peach, the duplex at 1235 Peach and the single family  
>home at 1237 Peach (1235 and 1237 have the same owner). My neighbors  
>are continually calling the police and have called several neighborhood watch meetings with  
police to address these problems:  
>public drunkenness, urinating in public, drug dealing and unsupervised  
>children all taking place at these houses.

>  
>When I talked with one of my soon to be moving neighbors today, she  
>said that they have taken to calling the landlord of the apartment  
>house about his disorderly tenants and to his credit, the apartment  
>house owner will evict troublemakers but his new tenants tend to be of  
>the same character of the evicted tenants and the cycle repeats itself.  
>They also call the owner of the duplex and the single family house  
>about their tenant's behavior and receive a string of abuse and  
>invective from this landlord for their efforts.

>  
>My neighbors have reached their limit, their resolve is gone and they  
>are throwing in the towel despite all the talk of stronger safer neighborhoods.  
>Our small stretch of Peach Street is losing one of our stable families and  
>home businesses - they run a tea room. There are also two more families on  
>this block considering moving for the same reasons. If the 1200 block  
>of Peach is abandoned by its homeowners because of the misbehavior of  
>renters and reluctance of absent owners to take responsibility, how  
>long will it take before the homeowners on the 1100 block of Peach and  
>the 1800 and 1900 block of South 12th grow weary of the problems and move out too.

>  
>I have given more than half of my life to this neighborhood. I moved in  
>as a renter and later bought the house I have inhabited since 1984. Our  
>Everett Neighborhood Association worked to downzone the south end of  
>our neighborhood to promote neighborhood stability, preservation and  
>home ownership. Now the behavior of a rotating cast of bad actors in a  
>series of dubious rental properties is threatening to unwind what we  
>have worked so many years to accomplish. Mayor Buetler stated at the  
>launch of his stronger, safer neighborhood program that there would be  
>no ghettos on his watch. I am afraid to say that unless problem  
>properties are addressed in a straight-forward, expedient manner,  
>Lincoln will see many pockets of urban ghettos across the city in its

>13 oldest neighborhoods. That no one appears to be doing anything to prevent this is a tragedy.

>

>Jeff Tangeman

>

>Past President, Everett Neighborhood Association

>