

**DIRECTORS' MEETING
JULY 23, 2012
555 S. 10TH STREET, ROOM 113
2:00 P.M.**

I. CITY CLERK

II. MAYOR

1. Mayor presents May Award of Excellence to Gail Van Slyke, Utilities Service Supervisor for the Water Business Office.
2. NEWS ADVISORY. Mayor Beutler will announce changes to his proposed 2012-2014 City budget at a news conference on Wednesday, July 18th, 1:30 p.m., at 555 S. 10th Street.
3. NEWS RELEASE. City asks local firm to audit golf program. Investigation under way into employee's actions.
4. NEWS RELEASE. Mayor changes budget proposals for crash investigations and park mowing.
5. NEWS ADVISORY. Mayor Beutler will hold a news conference Thursday, July 19th, 10 a.m., at 555 S. 10th Street to announce developments regarding the public safety leadership team. A tour on Friday, July 20th, of the Catalyst building at 10 a.m.
6. NEWS ADVISORY. Mayor appoints Peschong and Huff as City Directors.

III. DIRECTORS

PLANNING DEPARTMENT

1. List of Planning Director's list of Administrative Approvals from July 10th through July 16, 2012.
2. Annexation by final plat, Grand Terrace 1st Addition map.

PUBLIC SAFETY

1. Tom Casady's, Public Safety Director, response to Tom Lynch regarding his complaints about fireworks being discharged illegally during the weeks around the Fourth of July.

IV. COUNCIL MEMBERS

V. MISCELLANEOUS

VI. CORRESPONDENCE FROM CITIZENS

VII. ADJOURNMENT

OFFICE OF THE MAYOR

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

FOR IMMEDIATE RELEASE: July 16, 2012

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

MAYOR PRESENTS MAY AWARD OF EXCELLENCE

Mayor Chris Beutler today presented the Mayor's Award of Excellence for May to Gail Van Slyke, Utilities Service Supervisor for the Water Business Office in the Public Works and Utilities Department. The monthly award recognizes City employees who consistently provide exemplary service and work that demonstrates personal commitment to the City. The award was presented at the beginning of today's City Council meeting.

Van Slyke has worked for the City since September 2002. Assistant Public Works and Utilities Business Manager Doug Luedtke nominated him in the categories of customer relations and productivity for his ability to resolve customer complaints. The Mayor's Award of Excellence Committee added the category of loss prevention because of the revenue his customer service skills generate for the City.

Resolving complaints is one of Van Slyke's primary responsibilities, and with nearly 80,000 water and wastewater customers, the Customer Service Section of the Business office receives many billing inquiries daily. In his nomination, Luedtke said Van Slyke does a superior job of assisting customers and avoiding problems, and his cordial and professional attitude puts them at ease. An example of his work ethic was his response when an elderly woman, living alone, called at closing time on a Friday asking about a letter she received in the mail. Staff determined she probably had a leaking toilet and suggested she call a plumber. Worried that the customer could not afford a plumber, Van Slyke went to her house after work, found the problem and helped her avoid some large bills.

In another case, Van Slyke helped when a customer paid a past due water bill very late in the day and needed service restored. He stopped at the customer's home on his way home and turned the water back on.

Luedtke also has overheard Van Slyke offering to go to a customer's house after hours to teach them how to receive and pay their water and wastewater bill electronically. By giving his best, Van Slyke continuously sets a great example for his co-workers. Luedtke calls Van Slyke a "difference maker" in the workplace, and he deserves recognition for his commitment to excellent customer service.

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Award of Excellence
July 16, 2012
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The other categories in which employees can be nominated are safety and valor. Consideration also may be given to nominations that demonstrate self-initiated accomplishments or those completed outside of the nominee's job description. All City employees are eligible for the Mayor's Award of Excellence except for elected and appointed officials. Individuals or teams can be nominated by supervisors, peers, subordinates and the general public. Nomination forms are available at lincoln.ne.gov (keyword: personnel) or from department heads, employee bulletin boards or the Personnel Department, which oversees the awards program.

All nominations are considered by the Mayor's Award of Excellence Committee, which includes a representative with each union and a non-union representative appointed by the Mayor. Award winners receive a \$50 gift certificate, a day off with pay and a plaque. All monthly winners and nominees are eligible to receive the annual award, which comes with a \$250 gift certificate, two days off with pay and a plaque.

OFFICE OF THE MAYOR

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

DATE: July 18, 2012

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

Mayor Chris Beutler will announce changes to his proposed 2012-2014 City budget at a news conference at **1:30 p.m. TODAY, Wednesday, July 18** in **Room 303, third floor of the County-City Building, 555 S. 10th.**

OFFICE OF THE MAYOR
555 South 10th Street, Lincoln, NE 68508, 402-441-7511

FOR IMMEDIATE RELEASE: July 18, 2012

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

CITY ASKS LOCAL FIRM TO AUDIT GOLF PROGRAM
Investigation under way into employee's actions

Mayor Chris Beutler today announced that a local firm will audit the City's golf program, including its system of financial controls. The Mayor said the Lincoln Police Department (LPD) is conducting an investigation into the actions of a golf program employee.

On Thursday, July 12, the City Purchasing Division discovered the existence of a contract reportedly between the City's Ager Junior Golf Course and a local soft drink vending company. The contract had not been approved by the Mayor's Office, the City Council or the Parks and Recreation Director. It was voided Friday. The Mayor said further investigation this week shows the contract may have included terms that allegedly benefit the employee personally. The City also is examining if the arrangement was approved by the employee's supervisor.

"While the amount in question appears to be about \$3,000 at this point, the utilization of public resources for private benefit of even a small amount jeopardizes the trust between the City and its citizens," Beutler said. "We have moved quickly to deal with the situation and ensure the appropriate action is taken."

Following the City's Personnel Code, the employee in question and the supervisor have been suspended for investigation purposes up to 30 days without pay. If the allegations are found to be without merit, the employees will be exonerated, reinstated and paid for the time they were suspended. If the allegations are true, appropriate disciplinary action will be taken.

"We should not assume anything until the Police Department and the auditing firm have had the opportunity to finish their work," Beutler said. "The employees involved must be presumed innocent until gathered evidence proves otherwise."

The firm that will audit the golf program is HBE, which has two nationally certified fraud examiners on staff and extensive experience working with the LPD white collar crime division.

OFFICE OF THE MAYOR

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

FOR IMMEDIATE RELEASE: July 18, 2012

FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 402-525-1520
Steve Hubka, Finance Director/Budget Officer, 402-540-1100

MAYOR CHANGES BUDGET PROPOSALS
FOR CRASH INVESTIGATIONS AND PARK MOWING

Mayor Chris Beutler today announced two changes to his proposed City budget for the 2012-2013 and 2013-2014 fiscal years:

- Instead of eliminating the police investigation of non-injury traffic crashes, the Mayor will propose funding the continuation of the service by charging a fee when reports are requested.
- The Mayor also will propose adding \$50,000 to allow the Parks and Recreation Department to better implement the Prairie in the Parks program and clean up areas where weeds and debris are slowing the establishment of native grass.

The Mayor presented his first biennial budget to the City Council July 9. The changes will be included in the budget resolution, the legal language the Mayor will submit later this week.

“The resolution will preserve the key tenets of my original proposal – no tax increase, no major program cuts and no inappropriate use of one-time monies that create budget gaps in future years,” the Mayor said. “I strongly believe that a successful City Hall is one that listens, responds and strives to create consensus. The proposed budget changes are positive steps in that direction, but we aren’t done yet. We will continue to work with the Council and the public throughout the budget process for the good of the community.”

Under the new proposal, police officers would continue to investigate non-injury traffic crashes. Insurance companies and others who request the reports would be charged \$15, the same fee charged by the State for accident reports. “The fee is a reasonable compromise that maintains a service but appropriately charges those who benefit from that service,” Beutler said..

The Mayor said the Prairie in the Parks program has several advantages. The City saves taxpayer dollars by reducing the mowing of park areas not used heavily. And he said replacing existing grasses with native plants provides natural habitat for wildlife and restores the natural beauty of the areas. But he said the transition has been challenging because it takes several years to establish native plants.

- more -

Budget Changes
July 18, 2012
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“Some park areas haven’t looked good as weeds have competed with the native grasses,” Beutler said. “Additional funding will help to better establish these areas and allow Parks to provide some limited additional mowing in areas where experience is telling us that we need to mow more frequently.”

The resolution also will include a plan for additional sales tax revenue if that revenue exceeds the estimates of a four-percent increase each year. Additional funds would first be used to cover any losses the City may experience as a result of State changes taking effect January 1 for the City’s telecommunications tax. Beyond that, additional funds would be directed into the Police and Fire Pension fund.

The City Council will meet at 3:30 p.m. Friday, July 20 to discuss tentative changes to the Mayor’s recommended budget. The meeting is in Room 113 at the County-City Building, 555 S. 10th. Other upcoming budget meetings include the following:

- The City Council will meet at 1 p.m. Monday, July 23 to vote on budget changes.
- The public hearing is from 2:30 to 6 p.m. and 6:30 to 10:30 p.m. Monday, August 6.
- The City Council will vote on final budget changes at its meeting beginning at 3 p.m. Wednesday, August 8.
- The City Council will vote on adopting the budget at its meeting beginning at 3 p.m. Monday, August 20.

These meetings will be in the City Council Chambers at the County-City Building. They will be carried live on 5 CITY-TV (government access cable channel 5) and will be available through video-on-demand at lincoln.ne.gov.

Information on the 2012-2014 City budget will be published in the *Neighborhood Extra* in the *Lincoln Journal Star* Saturday, July 28. Budget information also is available online at lincoln.ne.gov (keyword: budget).

OFFICE OF THE MAYOR

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

DATE: July 18, 2012

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

Mayor Chris Beutler will announce developments regarding the public safety leadership team at a news conference at **10 a.m. Thursday, July 19 in Room 303, third floor of the County-City Building, 555 S. 10th.**

The media also is invited to tour the new downtown “Catalyst” building at **10 a.m. Friday, July 20.** We will meet at the corner of **13th and “Q,”** and you can park in the new garage. The one-hour tour will include the retail space, the parking garage, the residential units and the green roof. A grand opening and naming ceremony for the building is scheduled for 10 a.m. Monday, June 23. If you plan to participate in the Friday tour, please send Diane Gonzolas an e-mail at dgonzolas@lincoln.ne.gov.

OFFICE OF THE MAYOR

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

FOR IMMEDIATE RELEASE: July 19, 2012

FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 402-441-7831
Tom Casady, Public Safety Director, 402-441-7071

MAYOR APPOINTS PESCHONG AND HUFF AS CITY DIRECTORS

Mayor Chris Beutler today announced his appointments of Interim Police Chief Jim Peschong and Interim Fire Chief John Huff to City Director positions. Peschong was named to the interim position in May 2011 when former Police Chief Tom Casady was named Public Safety Director to oversee the Lincoln Police Department (LPD), Lincoln Fire and Rescue (LFR) and 911 Emergency 911 Communications. Huff has been Interim Fire Chief since April 2011.

“The new management model has accomplished just what we hoped it would,” Mayor Beutler said. “We have better coordination among Fire, Police and 911 resulting in cost savings. New ideas are emerging to provide better service. The new model will continue to provide the highest levels of efficiency and cooperation among our public safety agencies.”

Both Peschong and Huff will retire from their current positions before their new appointments take effect. Because they will receive pension benefits, their salaries in the new positions will be 50 to 60 percent of their current salaries. Beutler said the amount of their annual defined benefit pension payouts was subtracted from their current salaries to determine their new salaries.

“It was important to this administration, and John and Jim concurred, that it would not be acceptable to have them retire and draw a City pension, and then be rehired and draw a salary comparable to what they are making today,” Beutler said. “As much as we valued and wanted to keep these two men, that double-dipping did not seem appropriate.”

Peschong’s appointment will be effective February 2, 2013. He joined LPD as a beat officer in 1975, and his career has included work in internal affairs and as a detective, Captain and Assistant Chief. He is a graduate of the FBI National Academy. His current salary is about \$134,200, and his new salary will be about \$68,400.

Huff’s appointment will be effective September 7, 2012. He has worked for LFR since 1974 and has served as a firefighter, company officer Deputy Chief and Assistant Chief. He has been active in Nebraska Task Force 1, the Urban Search and Rescue Team based at LFR, and he has completed the National Fire Academy Executive Fire Officer Program. His current salary is about \$137,700, and his new salary will be about \$77,900.



Memorandum

Date: ♦ July 17, 2012
To: ♦ City Clerk
From: ♦ Teresa McKinstry, Planning Dept.
Re: ♦ Administrative Approvals
cc: ♦ Jean Preister

This is a list of the Administrative Approvals that were approved by the Planning Director from July 10, 2012 thru July 16, 2012

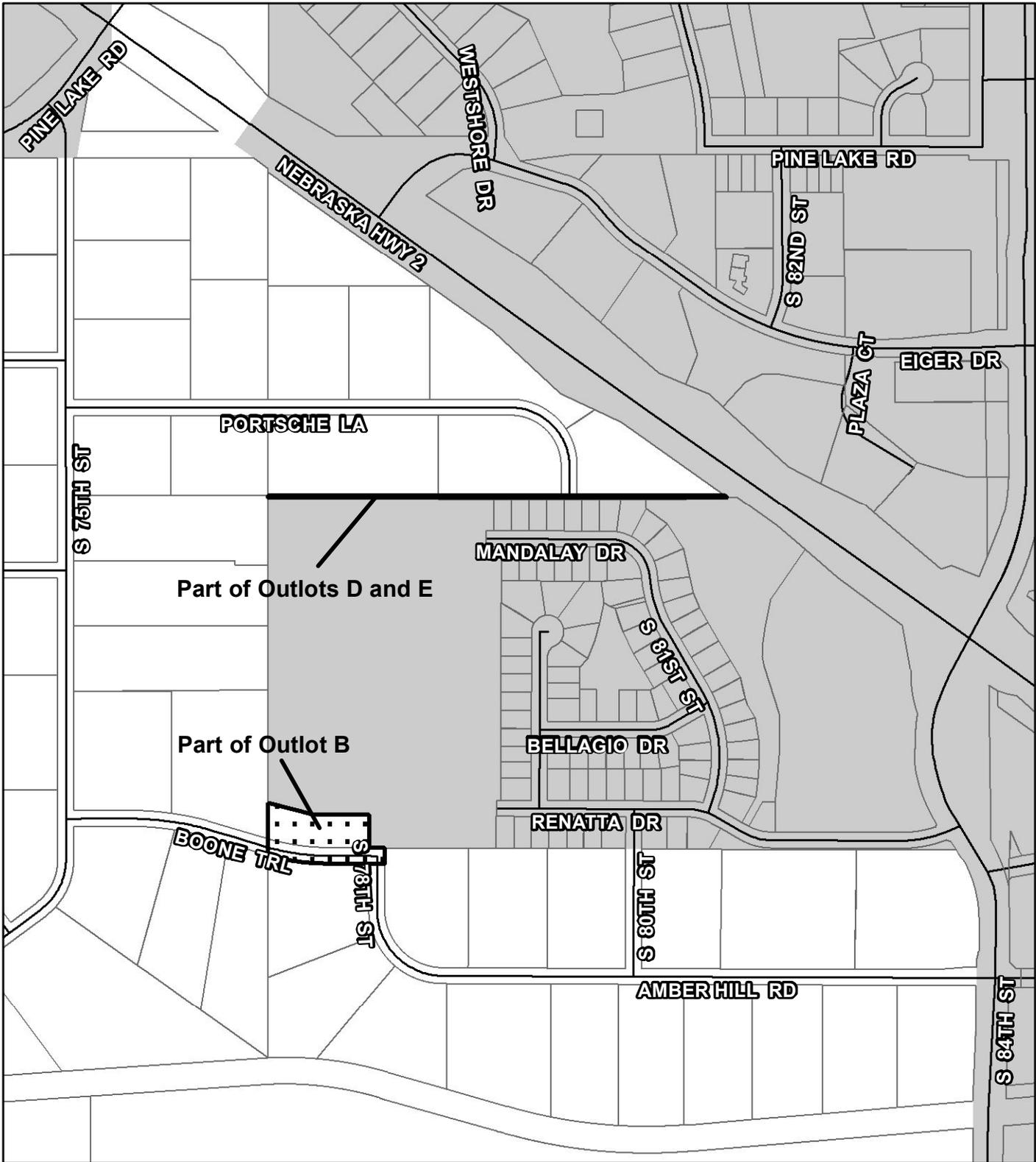
Waiver No. 12011, approved by the Planning Director on July 10, 2012, requested by Orange Development, Inc., for a waiver to allow the parking plan which includes 13 stalls that do not conform to all applicable design standards. This waiver is only effective for one year from the date of approval, after which time, all parking on this site must conform to the design standards. This waiver is a temporary measure during the construction of the new store on site. The property is generally located at S. 48th St. and Van Dorn St.

Waiver No. 11015 to Final Plat No. 04071, Stone Bridge Creek 8th Addition, approved by the Planning Director on July 16, 2012, requested by Engineering Design Consultants, for a waiver to extend the time for two years to install landscape screen, ornamental lighting, sidewalks, pedestrian way sidewalks, street name signs and street paving, as agreed upon in the Settlement Agreement approved May 21, 2012. The improvements shall be completed by July 16, 2014. Property is generally located at S. 14th St. and Humphrey Ave.

Waiver No. 12002 to Final Plat No. 04037, Stone Bridge Creek 5th Addition, approved by the Planning Director on July 16, 2012, requested by Engineering Design Consultants, for a waiver to install sidewalks, as agreed upon in the Settlement Agreement approved May 21, 2012. The improvements shall be completed by July 16, 2014. Property is generally located at Redstone Rd. and Humphrey Ave.

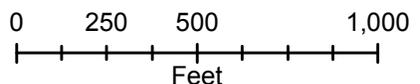
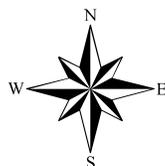
Administrative Amendment No. 12031 to Use Permit No. 53, Russwood, approved by the Planning Director on July 16, 2012, requested by Inmotion Auto Care, Inc., to change the floor area for Lot 2 from 8,200 square feet to 9,500 square feet and to change the unassigned square feet from 7,300 to 6,000, on property generally located at Russwood Pkwy. and O St.

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



**Annexation by Final Plat
Grand Terrace 1st Addition
S 78th St & Boone Trail
Effective: June 1, 2012
2.0 Acres**

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



Mary M. Meyer

From: Tom K. Casady
Sent: Tuesday, July 17, 2012 9:26 AM
To: tplynch2@gmail.com
Cc: Council Packet; Lin Quenzer; Trish A. Owen
Subject: RE: Lincoln fireworks laws

Mr. Lynch,

The Police Department is fairly deluged by complaints about both illegal fireworks, and fireworks being discharged illegally during the weeks leading up to the Fourth of July. Our officers issue a few citations for these violations, but it really is like having your finger in the dike, when water is pouring over the top. Two years ago, we spun up a lot of publicity for a "crack down", but the results were discouraging: the data showed no significant improvement.

I have no easy solution to this. You really do need to be able to identify the specific individual committing the offense in order to cite the offender, and this is often quite difficult: most people setting off fireworks illegally will stop what they had been doing as soon as a patrol car turns onto the street. Lacking a credible witness who is willing to testify in court, there isn't much an officer can do other than a general admonition. From my experience, often as soon as the officer is out of sight, the activity starts right back up.

My own perception is that many of the violators I see who are shooting off fireworks prior to July 3rd are kids in the 10-17 range, and I just don't think then police are very effective when the parents are apparently unwilling to insure that their child is using fireworks legally. Unfortunately, when you have a large plurality of the population who ignores the law, or tolerates their own children violating it, the police will inevitably be less than effective in curtailing the violations. The same thing is true with underage smoking, un-muffled motorcycles, and obnoxiously loud car stereos: otherwise law abiding citizens, in large numbers, violate these laws, tolerate their kids violating these laws, and patronize businesses that sell or install the products that lead to these violations. Trying to fight these cultural phenomena is an uphill battle for the police, when the support from a large subset of the public for voluntary compliance is relatively weak.

We will, however, continue to try, and I assure you that next year, we will try to do a better job of holding more people accountable for setting off fireworks prior to July 3.

Regards,

Tom Casady
Director of Public Safety
575 S. 10th Street
Lincoln, NE 68508
402.441.7071
tcasady@lincoln.ne.gov

From: Tom Lynch [<mailto:tplynch2@gmail.com>]
Sent: Friday, July 13, 2012 3:28 PM
To: Jonathan A. Cook; Eugene W. Carroll; Adam A. Hornung; DiAnna R. Schimek; Mayor
Subject: Lincoln fireworks laws

Mayor Beutler and Council members Cook, Carroll, Hornung, and Schimek:

Hello,

I am a Lincoln resident (District 3) and am writing to complain about the lax fireworks ordinance in Lincoln, and the lack of enforcement of the ordinance that does exist. The problem isn't just what occurs on July 3 and 4, though that is bad enough. The problem is that fireworks are detonated for weeks before, and for weeks after,

those dates, at all hours of the day and night. Just last night, July 12, I was awakened at 3am by fireworks being set off in my neighborhood. Not a day has gone by since July 4 when I have not heard some explosions. Clearly a segment of the city population has demonstrated their inability to abide by the laws, and by the basic rules of neighborliness. I can't believe I am the only person in town who is bothered by this. Surely you must notice it in your own neighborhoods.

I'm not sure what the statistics are this year, but my sense is that in year's past the police have reported a decrease in the amount of complaints. Let me suggest that this isn't because the public is less bothered by fireworks, but that people have given up making complaints. The police don't seem to take complaints seriously; and I've been told they can only issue citations if an officer witnesses an offense. So if I am awakened at 3am, I am expected to go outside and identify the location of the culprit, then report it to police, and then hope that the police will arrive and be present when another violation occurs. Why bother? I wonder how many citations the police issue each year? I suspect not very many.

I think the Lincoln city council should seriously consider tightening the rules for fireworks, perhaps using Iowa as a model, where most consumer fireworks are prohibited.

I realize those who profit from the sales will complain, but I resent having my sleep regularly disrupted for their profit. It is a significant quality of life issue.

Sincerely,
Tom Lynch
4119 Sheridan Blvd
Lincoln, 68506

**DIRECTORS' AGENDA
ADDENDUM
MONDAY, JULY 23, 2012**

I. CITY CLERK

II. MAYOR & DIRECTORS CORRESPONDENCE

MAYOR

1. NEWS RELEASE. Mayor Beutler's public schedule for the week of July 21, 2012 through July 27, 2012.
2. NEWS RELEASE. Keep pets cool on hot days. Bulletin from Lincoln-Lancaster Health Department.
3. NEWS RELEASE. Grand opening of Catalyst Building set for Monday.
4. Fiscal Impact Statement, Parks and Recreation/General Parks Division.

III. DIRECTORS

COMMISSION ON HUMAN RIGHTS

1. Commission on Human Rights meeting agenda for Thursday, July 26, 2012, 4:00 p.m.

FINANCE/BUDGET

1. July sales tax reports reflecting May activity:
 - a) Actual Compared to Projected Sales Tax Collections;
 - b) Gross Sales Tax Collections (With Refunds Added Back In) 2007-2008 through 2011-2012;
 - c) Sales Tax Refunds 2007-2008 through 2011-2012; and
 - d) Bet Sales Tax Collections 2007-2008 through 2011-2012.

LIBRARIES

1. Foundation for Lincoln City Libraries and Lincoln City Libraries invitation to tour new Lied Bookmobile, Thursday, August 2, 2012.

PLANNING DEPARTMENT

1. City Board of Zoning appeals meeting agenda for Friday, July 27, 2012, at 1:30 p.m.
2. Nebraska Capitol Environs Commission meeting agenda for Thursday, July 26, 2012, at 8:00 a.m.

IV. COUNCIL MEMBERS

JON CAMP

1. Reply to Jon Herms regarding Wal-Mart's decision to build at 27th and Grainger Parkway. (Email from Jon Herms - No. 1 under Correspondence from Citizens)
2. Councilman Camp's predictions for August 31, 2012 Police and Firefighters Pension Trust.
 - a) Summary of Police and Firefighters Pension Plan
 - b) Spreadsheet detailing key information since August 31, 2009.

V. CORRESPONDENCE FROM CITIZENS

1. Jon Herms InterLinc correspondence on Wal-Mart situating at 27th and Grainger.
2. Tara Hild correspondence thanking the Nebraska Arts Council and all that continue support to the NAC.
3. Sam Packard correspondence with suggestions for use of trees on unused public land.

Date: July 20, 2012

Contact: Diane Gonzolas, Citizen Information Center, 402-441-7831

Mayor Beutler's Public Schedule
Week of July 21 through July 27, 2012
Schedule subject to change

Monday, July 23

- Catalyst building grand opening and naming, remarks - 10 a.m., parking garage area on "Q" Street between 13th and 14th streets

Tuesday, July 24

- KFOR - 12:30 p.m. (previously recorded)
- Mayor's Multicultural Advisory Committee - 4:15 p.m., Mayor's Conference Room, County-City Building, 555 S. 10th St.

Thursday, July 26

- KOLN-KGIN 10/11 - 4 p.m.

LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT
3140 "N" St., Lincoln, NE 68510, 402-441-8000

FOR IMMEDIATE RELEASE: July 20, 2012

FOR MORE INFORMATION: Steve Beal, Animal Control Manager, 402-441-8080

KEEP PETS COOL ON HOT DAYS

The Animal Control Division of the Lincoln Lancaster County Health Department urges the public to take steps to protect pets during hot and humid weather, especially if they are kept outside. Overweight, young and older pets are at greater risk for heat-related stress. Dogs with stub or shorter muzzles can't pant very well, which is an important function to help pets cool down.

Recommendations for keeping your pet cool include the following:

- Never leave pets alone in a parked car.
- Consider a summer haircut for your dog.
- Purchase a plastic wading pool for your dog.
- Change your pet's water a couple of times each day. Animals often go without drinking if water is too hot and not fresh. Use water and food bowls that don't tip over.
- Provide shelter and shade for all outside pets. The inside of a dog house or kennel can get very hot.
- Limit your pet's exercise, and try to exercise during the cooler part of the day.
- If you travel with your pet, take a gallon jug of cold water.
- Remember that hot asphalt and tar can burn paw pads.

If your pet gets overheated, bring the temperature down by soaking the animal in cool water and seek veterinary care. Warning signs include excessive panting or difficulty breathing, increased heart and respiratory rates, seizures, vomiting, collapsing or lethargic behavior.

More information on animal ownership is available at lincoln.ne.gov (keyword: animal control) or by calling 402-441-7900.

OFFICE OF THE MAYOR

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

FOR IMMEDIATE RELEASE: July 20, 2012

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

Dallas McGee, Urban Development, 402-441-7857

Zachary Wiegert, Scott Woodbury Wiegert, 402-434-9440

GRAND OPENING OF CATALYST BUILDING SET FOR MONDAY

Mayor Chris Beutler and Block 38 LLC will participate in the grand opening and naming announcement for the downtown Catalyst building at 10 a.m. Monday, July 23. The ten-story building is on the north half of the block bounded by 13th, 14th, “Q” and “P” streets. The \$31 million project includes 17,000 square feet of first-floor retail, six floors of City-operated parking, 52 units in the Parkhaus residential complex on the top three floors, and a green roof.

“Retail tenants are getting ready to open, the garage is open and the residential units are all leased,” Mayor Beutler said. “This major public-private investment in downtown Lincoln is the downtown ‘catalyst’ envisioned by planners. I congratulate all parties involved in this successful redevelopment project.”

Mutual of Omaha and Chipotle are current first-floor tenants, and Scott Woodbury Wiegert are negotiating other leases.

This site on City block 38 was originally identified in the 2005 Downtown Master Plan for a major project that would tie into the Civic Plaza at 13th and “P” and provide additional parking. In 2007, the City began negotiations on a redevelopment agreement for the site, but negotiations ended due to the economic downturn. The City chose Block 38 LLC as the developer in 2009, and the groundbreaking for the project was in December 2010.

Sampson Construction oversaw the bidding and construction of the project, which includes \$14.5 million in private investment and \$16.5 million in public funding, including about \$1.7 million in tax-increment financing for the parking garage. The development team also included Scott Woodbury Wiegert; Colmena Capital; Sinclair Hille Architects; Engineering Technologies; Desman Associates; Olsson Associates; and Structural Design Group.

FISCAL IMPACT STATEMENT

DEPARTMENT/DIVISION PARKS & RECREATION/General Parks Division DATE June 22, 2012

NEED Purchase of two 2006 Toro 72" riding mowers. The first one is to help maintain the Public Gardens Section for their areas of responsibility. This unit will also be utilized for snow removal.
 The second unit will be used to help maintain Sherman and Sawyer Snell Ballfields.

The cost savings in 09005.5821 account for Electricity resulted in reduced operating hours at the Centennial Mall Fountain and Government Square Fountain.

The cost savings in 09597.5924 account for Equipment Rental was due to reduced snow removal costs for the year.

The purchase of the used mowers will be through the Fleet Services Division.

FUTURE IMPACT: Ongoing Limited Projected Completion Date June 30, 2012

REVENUES GENERATED	LEGISLATIVE CHANGES	
None	City	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
	County	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
	State	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
	Federal	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

IMPACT	Current Fiscal Year	Next Fiscal Year Annualized
PERSONNEL (full time equivalents)		
PERSONNEL (cost) index code: object code description		
SUPPLIES index code: object code description		
OTHER SERVICES & CHARGES index code: object code description 09005.5821 Electricity 09597.5924 Rent of Equipment	(\$3,500) (\$3,500)	
EQUIPMENT index code: object code description 09005.6092 Mowers 09597.6092 Mowers	\$3,500 \$3,500	
TOTAL EXPENDITURES	\$7,000	

SOURCE OF REVENUES General Fund

DIRECTOR *Aspin Johnson* DATE 6/23/12

FINANCE DEPARTMENT COMMENTS	Availability of Appropriations: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
	BUDGET OFFICER <u>Stew Hubler</u>
PURCHASING AGENT _____	
FINANCE DIRECTOR <u>Stew Hubler</u> DATE <u>7/9/12</u>	

APPROVED: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	MAYOR <u>[Signature]</u>
	DATE <u>23 July 2012</u>

WHEN TO USE FISCAL IMPACT STATEMENT

1. Requesting transfer of operating appropriations.
2. Requesting increase in personnel (full time equivalents) appropriations.
3. Requesting transfer of capital improvement appropriations.
4. Requesting operational change not authorized during the budget process.
5. Requesting appropriations based on receipt of additional funds from outside sources.
6. Requesting use of Contingency funds.

HOW TO USE FISCAL IMPACT STATEMENT

NEED: There should be a detailed explanation of why a change to the previously approved budget is necessary. If the change will have any impact beyond the current fiscal year, it should also be noted.

FUTURE IMPACT: One of the boxes should be checked. An example of an item with ongoing impact would be a request for additional fte authorization that will also be requested in upcoming budgets. This would necessitate filling out the "Next Fiscal Year Annualized" column. An example of an item with limited impact would be asking for authorization to use salary savings for the one time purchase of equipment. If "Projected Completion Date" applies, please fill in.

REVENUES GENERATED: Please note if the request will affect current and future revenues.

LEGISLATIVE CHANGES: These boxes should be marked yes or no. Some of the actions this form is used for (transfer of capital improvement appropriations, Contingency Funds) require a City Council ordinance.

PERSONNEL (full time equivalents): Please note the number of ftes the request involves, if applicable.

PERSONNEL (cost), SUPPLIES, OTHER SERVICES AND CHARGES, EQUIPMENT: All entries in these boxes must have the index code, object code, and object code description along with the dollar amount. Negative amounts must be indicated by brackets.

TOTAL EXPENDITURES: This box should contain the sum of the dollar amounts in the various expenditure categories.

SOURCE OF REVENUES: This box should contain the name of the fund the action is required for.

CITY OF LINCOLN
COMMISSION ON HUMAN RIGHTS
Thursday, July 26, 2012, 4:00 p.m.
City Council Chambers, 555 South 10th Street

AGENDA

- I. Swearing-In of New Commissioner Michael Thompson
- II. Roll Call
- III. Approval of Minutes for June 28, 2012 Commission Meeting
- IV. Approval of Agenda for July 26, 2012 Commission Meeting
- V. Case Dispositions
 - A. Reasonable Cause/ No Reasonable Cause
 - 1. LCHR No.: 11-1221-040-E-R
 - 2. LCHR No.: 11-1227-041-E-R
 - 3. LCHR No.: 12-0228-008-E-R
- VI. Old Business
 - A. World Refugee Day
- VII. New Business
 - A. Budget Update
 - B. 2013 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.

**Actual Compared to
Projected Sales Tax Collections**

	2011-12 PROJECTED	2011-12 ACTUAL	VARIANCE FROM PROJECTED	\$ CHANGE FR. 10-11	% CHANGE FR. 10-11
SEPTEMBER	\$4,803,859	\$4,542,250	(\$261,609)	(\$225,064)	-4.72%
OCTOBER	\$4,991,555	\$5,127,466	\$135,911	\$261,620	5.38%
NOVEMBER	\$4,997,421	\$5,146,367	\$148,946	\$256,447	5.24%
DECEMBER	\$4,686,548	\$4,895,766	\$209,218	\$199,975	4.26%
JANUARY	\$4,751,069	\$5,026,227	\$275,158	\$611,630	13.85%
FEBRUARY	\$6,012,155	\$6,282,249	\$270,094	\$431,942	7.38%
MARCH	\$4,434,331	\$4,722,926	\$288,595	\$789,398	20.07%
APRIL	\$4,252,500	\$4,528,243	\$275,743	\$116,508	2.64%
MAY	\$4,956,362	\$5,549,016	\$592,654	\$343,402	6.60%
JUNE	\$4,792,128	\$5,165,956	\$373,828	\$275,060	5.62%
JULY	\$4,833,186	\$5,144,116	\$310,930	\$352,354	7.35%
AUGUST	\$5,144,060				
TOTAL	\$58,655,174	\$56,130,582	\$2,619,468	\$3,413,273	7.12%

Actual collections for the fiscal year to date are 4.895% above projections for the year.

**CITY OF LINCOLN
GROSS SALES TAX COLLECTIONS
(WITH REFUNDS ADDED BACK IN)
2007-2008 THROUGH 2011-2012**

	ACTUAL 2007-2008	ACTUAL 2008-2009	ACTUAL 2009-2010	ACTUAL 2010-2011	ACTUAL 2011-12	% CHG. FR. PRIOR YEAR	% CHG. FR. PRIOR YEAR
SEPTEMBER	\$4,612,020	\$4,812,555	\$4,703,478	\$4,822,814	\$4,805,254	2.54%	-0.36%
OCTOBER	\$5,052,950	\$4,845,000	\$4,687,315	\$4,987,584	\$5,206,659	6.41%	4.39%
NOVEMBER	\$4,818,715	\$4,937,998	\$4,922,939	\$4,938,240	\$5,219,952	0.31%	5.70%
DECEMBER	\$4,753,456	\$4,545,947	\$4,502,684	\$4,708,180	\$4,901,748	4.56%	4.11%
JANUARY	\$4,617,097	\$4,465,270	\$4,354,458	\$4,777,606	\$5,076,013	9.72%	6.25%
FEBRUARY	\$5,596,617	\$5,775,594	\$5,426,478	\$5,920,886	\$6,327,532	9.11%	6.87%
MARCH	\$4,421,405	\$4,258,773	\$4,226,466	\$4,418,795	\$4,782,783	4.55%	8.24%
APRIL	\$4,227,476	\$4,119,617	\$4,294,043	\$4,421,797	\$4,572,281	2.98%	3.40%
MAY	\$4,753,366	\$4,744,089	\$5,186,573	\$5,374,035	\$5,675,978	3.61%	5.62%
JUNE	\$4,859,251	\$4,624,054	\$4,662,293	\$4,995,388	\$5,241,574	7.14%	4.93%
JULY	\$4,983,976	\$4,501,197	\$4,567,893	\$4,865,530	\$5,196,447	6.52%	6.80%
AUGUST	\$5,026,702	\$4,856,331	\$5,105,968	\$5,245,798		2.74%	
TOTAL	\$57,723,030	\$56,486,425	\$56,640,589	\$59,476,653	\$57,006,221	5.01%	5.12%

**CITY OF LINCOLN
SALES TAX REFUNDS
2007-2008 THROUGH 2011-2012**

	ACTUAL 2007-2008	ACTUAL 2008-2009	ACTUAL 2009-2010	% CHG. FROM PRIOR YEAR	ACTUAL 2010-2011	% CHG. FROM PRIOR YEAR	ACTUAL 2011-2012	% CHG. FROM PRIOR YEAR
SEPTEMBER	(\$90,282)	(\$435,079)	(\$100,061)	-77.00%	(\$55,500)	-44.53%	(\$263,004)	373.88%
OCTOBER	(\$79,688)	(\$108,925)	(\$95,246)	-12.56%	(\$121,738)	27.81%	(\$79,193)	-34.95%
NOVEMBER	(\$158,855)	(\$86,760)	(\$149,347)	72.14%	(\$48,320)	-67.65%	(\$73,585)	52.29%
DECEMBER	(\$29,848)	(\$209,674)	(\$202,950)	-3.21%	(\$12,388)	-93.90%	(\$5,982)	-51.71%
JANUARY	(\$26,308)	(\$256,270)	(\$257,206)	0.37%	(\$363,009)	41.14%	(\$49,785)	-86.29%
FEBRUARY	(\$489,939)	(\$83,713)	(\$104,235)	24.51%	(\$70,579)	-32.29%	(\$45,283)	-35.84%
MARCH	(\$325,269)	(\$73,785)	(\$14,233)	-80.71%	(\$485,268)	3309.51%	(\$59,857)	-87.67%
APRIL	(\$108,764)	(\$70,988)	(\$75,738)	6.69%	(\$10,063)	-86.71%	(\$44,038)	337.64%
MAY	(\$22,529)	(\$117,201)	(\$68,551)	-41.51%	(\$168,421)	145.69%	(\$126,962)	-24.62%
JUNE	(\$136,308)	(\$444,973)	(\$110,343)	-75.20%	(\$104,492)	-5.30%	(\$75,618)	-27.63%
JULY	(\$478,184)	(\$331,804)	(\$251,505)	-24.20%	(\$73,768)	-70.67%	(\$52,331)	-29.06%
AUGUST	(\$43,759)	(\$11,878)	(\$286,162)	2309.23%	(\$3,563)	-98.75%	(\$111,293)	3023.78%
TOTAL	(\$1,989,734)	(\$2,231,050)	(\$1,715,576)	-23.10%	(\$1,517,108)	-11.57%	(\$986,931)	-34.95%

Year to date vs.
previous year

**CITY OF LINCOLN
NET SALES TAX COLLECTIONS
2007-2008 THROUGH 2011-2012**

	ACTUAL 2007-2008	ACTUAL 2008-2009	ACTUAL 2009-2010	ACTUAL 2010-2011	ACTUAL 2011-2012	% CHG. FROM PR. YEAR	% CHG. FROM PR. YEAR	% CHG. FROM PR. YEAR
SEPTEMBER	\$4,521,738	\$4,377,476	\$4,603,417	\$4,767,314	\$4,542,250	5.16%	3.56%	-4.72%
OCTOBER	\$4,973,261	\$4,736,074	\$4,592,069	\$4,865,846	\$5,127,466	-3.04%	5.96%	5.38%
NOVEMBER	\$4,659,859	\$4,851,237	\$4,773,592	\$4,889,920	\$5,146,367	-1.60%	2.44%	5.24%
DECEMBER	\$4,723,609	\$4,336,273	\$4,299,735	\$4,695,792	\$4,895,766	-0.84%	9.21%	4.26%
JANUARY	\$4,590,789	\$4,209,000	\$4,097,252	\$4,414,597	\$5,026,227	-2.65%	7.75%	13.85%
FEBRUARY	\$5,106,677	\$5,691,881	\$5,322,243	\$5,850,307	\$6,282,249	-6.49%	9.92%	7.38%
MARCH	\$4,096,136	\$4,184,988	\$4,212,234	\$3,933,528	\$4,722,926	0.65%	-6.62%	20.07%
APRIL	\$4,118,712	\$4,048,629	\$4,218,305	\$4,411,735	\$4,528,243	4.19%	4.59%	2.64%
MAY	\$4,730,837	\$4,626,889	\$5,118,022	\$5,205,614	\$5,549,016	10.61%	1.71%	6.60%
JUNE	\$4,722,943	\$4,179,081	\$4,551,950	\$4,890,896	\$5,165,956	8.92%	7.45%	5.62%
JULY	\$4,505,792	\$4,169,394	\$4,316,388	\$4,791,762	\$5,144,116	3.53%	11.01%	7.35%
AUGUST	\$4,982,944	\$4,844,454	\$4,819,806	5,242,236		-0.51%	8.76%	
TOTAL	\$55,733,297	\$54,255,376	\$54,925,013	\$57,959,545	\$56,130,582	1.23%	5.52%	6.47%

Year to date vs.
previous year

Mary M. Meyer

From: Council Packet
Subject: You're Invited.....

The Foundation for Lincoln City Libraries

&

Lincoln City Libraries

Invite you to tour Lincoln's new

Lied Bookmobile

Please join us for coffee & rolls

Thursday, August 2, 2012

9 a.m. to 10:30 p.m.

Loren Corey Eiseley Branch Library

1530 Superior Street

Please also join us for

Mayor Chris Beutler's Press Conference

10 a.m.

When he presents the bookmobile to the public

Thank you so much for your support of the Bookmobile Project!

It wouldn't have happened without you!

RSVP: [402-441-0164](tel:402-441-0164) or foundationforlcl@gmail.com

--

Gail McNair
Executive Director
Foundation for Lincoln City Libraries
PO Box 22785
Lincoln, NE 68508-1899
[402-441-0164](tel:402-441-0164) (w) [402-429-5849](tel:402-429-5849) (c)
www.foundationforlcl.org



City of Lincoln
Planning

City Board of Zoning Appeals Agenda

Notice is hereby given that the **CITY BOARD OF ZONING APPEALS** will hold a public hearing on **Friday, July 27, 2012 at 1:30 p.m.** in the **City Council Chambers** on the 1st Floor of the County-City Building, 555 S. 10th Street, on the following items. For more information, please contact the Planning Department at 402-441-7491.

Agenda of July 27, 2012

1. Approval of minutes of the regular meeting held [February 24, 2012](#).

PUBLIC HEARING AND ADMINISTRATIVE ACTION

2. [Appeal No. 1203](#), requested by Rod Hornby, for a variance of the front yard setback, on property generally located at 3901 N. 63rd Street.

 [History List](#)



**City of Lincoln
Planning**

**Nebraska Capitol Environs
Commission Agenda**

The Nebraska Capitol Environs Commission will hold a scheduled public meeting on Thursday, July 26, 2012. The meeting will convene at **8:00 a.m.** in **Development Services Center Room 214, 2nd Floor, County-City Building, 555 S. 10th Street**, Lincoln, Nebraska, to consider the following agenda. For more information, please contact the Lincoln/Lancaster County Planning Department at (402) 441-7491.

Agenda of July 26, 2012

1. Approval of meeting notes of [May 24, 2012](#)

* [Memo from Ed Zimmer](#)

Discussion/Recommendation

2. Recommendation on alley vacation (11-12th, between Lincoln Mall and K Street) and Redevelopment Plan amendment for [3 Landmark Centre](#) in 1100 block, Lincoln Mall

Discussion

3. Update on Centennial Mall
4. Miscellaneous

[History List](#)

**Testimony in Support of the Application for TIF Funds for
The Holdrege/Idylwild Redevelopment Area**

Submitted by Ann Bleed
President of the East Campus Community Organization
1315 N 37th Street, Lincoln

The East Campus Community Organization strongly supports the use of TIF funds for the redevelopment of the Holdrege/Idylwild Redevelopment Area.

We think the approval of these TIF funds for the Holdrege/Idylwild Redevelopment Area would provide an excellent opportunity for the city to show that it is serious about implementing the recently adopted comprehensive plan.

According to the plan, the City's primary strategy for residential infill and redevelopment outside of the Greater Downtown is to encourage the redevelopment and reuse of sites and buildings in commercial areas to create new mixed use centers.

The Comprehensive Plan also states redevelopment should:

- occur on sites supported by adequate road and utility capacity;
- be located and designed in a manner compatible with existing or planned land uses;
- encourage substantial connectivity and convenient access to neighborhood services from nearby residential areas;
- promote activities of daily living within walking distance;
- provide sidewalks on both sides of all streets, or in alternative locations as allowed through design standards or review process;
- provide adequate facilities for plazas, or community gardens;
- encourage public/semi-public uses.

The Holdrege Idylwild development would achieve all of these objectives. The Holdrege/Idylwild area has a long history of being a commercial, mixed- use center. The area includes the historic Valentino's restaurant and the historic Alpha Gamma Rho fraternity. Immediately adjacent to the area are the Farmhouse Fraternity, the University of Nebraska's East Campus, and both high and low density residential development. Many of the homes adjacent to this development are either in a historic district or are eligible for that status. The Holdrege/Idylwild Area is supported by two major arterials, Holdrege and 33rd Streets, and includes public space in the form of boulevards on Idylwild Street and the small Idyllwild Park. The area is also near the new Innovation Campus. Clearly this area meets the Comprehensive Plan's basic criteria as a mixed-use area.

The Comprehensive Plan also states that mixed use redevelopment should:

- encourage public investment in neighborhood infrastructure and services such as parks, pools, libraries, and neighborhood business districts;
- develop incentives to reduce the cost and risk of infill and redevelopment; and
- attract infill and redevelopment with complementary public improvements such as plazas and enhanced streetscapes;
- target existing underdeveloped or redeveloping commercial and industrial areas in order to remove blighted conditions and more efficiently utilize existing infrastructure.

The Holdrege/Idylwild Redevelopment Plan would do all of the above.

As pointed out by the blight study, the Holdrege/Idylwild Redevelopment Area is aging and has significant signs of deterioration. Although the houses adjacent to the TIF area are in good condition, of the twelve blight factors set forth in the Nebraska Community Development Law, eight are present to a “strong” extent:

- existence of defective or inadequate street layout
 - the intersection of Idylwild Drive and Apple Street is in fact a dangerous intersection already and, if the University increases their student enrollment by 5000 students over the next four years, as they plan to do, the danger will only increase;
- insanitary or unsafe conditions
 - frame buildings and masonry buildings containing combustible elements and fixtures are located throughout the area and need structural repairs and fire protection;
- deterioration of site or other improvements
 - concrete curbs and gutters are in poor condition and asphalt overlays have reduce curb heights, a prevalent condition on Idylwild Drive;
- improper subdivision or obsolete platting;
- existence of conditions which endanger life or property by fire or other causes.

In addition, the city park and boulevard, both of which are city property are only minimally maintained, and frankly the boulevard is an eyesore. At times the boulevards have been maintained by the neighbors, but this upkeep is inconsistent.

One of the exciting aspects of the development is the development of a public/private relationship to maintain the Idylwild Park and the boulevards. If this development goes forward, the Valentino’s corporation has pledged to provide a fund to maintain the Park and boulevards for fifteen years.

If this area is to continue to be a vital mixed-use area, it needs to be redeveloped. However, redevelopment is often significantly more difficult than simply moving the services to an undeveloped area. Redevelopment, unlike new development, requires challenging designs to fit the development into the already developed area. Extra costs, as is true in this case, are often incurred by the developer to ensure that adjacent neighbors are protected from the new development and to insure the new development fits in with the neighborhood environment. TIF

funds help defray such costs and provide important incentives to developers to consider redevelopment in already built areas.

In conclusion, the redevelopment plans that the TIF funds would eliminate blight, promote economic development and increased tax revenues, and enhance the livability of Holdrege/Idylwild area, and provide much needed commercial services within walking distance of the residents of East Campus and students and faculty at the University of Nebraska East Campus. These enhancements would also help create a safe and pleasant neighborhood in which the University's East Campus and Innovation Campus could thrive.

For these reasons the East Campus Community Organization strongly encourages you to approve this application for TIF funds. We would also like to express our appreciation to Mayor Beutler for providing his support for this application.

Mary M. Meyer

From: Council Packet
Subject: InterLinc: Council Feedback

Jon:

Thanks for writing to the Mayor and the City Council. I am sure you know my position in trying to persuade Wal-Mart to revise its plans and construct a smaller facility.

You email helps fortify the need for Wal-Mart to reconsider.

You are welcome to share your email with media representatives.

Best regards,

Jon

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

Office: 402.474.1838/402.474.1812
Fax: 402.474.1838
Cell: 402.560.1001

Email: joncamp@lincolnhaymarket.com
Website: www.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>

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

From: Mary M. Meyer [mailto:mmmeyer@lincoln.ne.gov] On Behalf Of Council Packet
Sent: Friday, July 20, 2012 8:44 AM
Subject: FW: InterLinc: Council Feedback

Please see below.

Received today.

Thanks,
Mary

InterLinc: City Council Feedback
Name: Jon Herms
Address: 5720 South Street
City: Lincoln, NE, 68506

Phone: 4024325554
Fax: 4024325554
Email: jherms@huskers.unl.edu

Comment or Question:

I have tried to address the mayor via email and I have not had a response. This plan is in process and I think you all agree is a lock. However, what is happening is illegal and is against the will of the public. This message was intended for the mayor but I will accept any active ear on this issue and I would encourage any of the council to actually move with action instead of the tip-toed diplomacy that is been used in the past. If you want to work for the people, then do it, otherwise I am 100% committed to ensuring whoever is against this review to be ignorant of the law and ignorant to the will of the people. Thank you to each of you for reading and providing whatever feedback you might.

I am a resident unaffected.

I am asking you to reprimand the planning director for disregard to the amendment he approved to the site at 27th and Grainger Pkwy.

The amendment violates the spirit of B-2 zoning and also violates the rights of affected residents to speak at public hearing prior to approval.

The General Purpose statement of 27.31.020 states: The regulations for the B-2 Planned Neighborhood Business District set forth in this chapter are established to permit the development of local retail shopping facilities and related activities which will provide for planned and controlled consumer services on a neighborhood level, promote healthful economic growth, create a desirable environment, best complement the general land use pattern of the community, and assist in implementing the established goals and policies of the community.

27.31.100 section 3 (i) of the zoning code is the reference that points to appropriate amendments.

It states: Amendment: The Planning Director is authorized to approve amendments to any use permit granted under this section, provided that:

- (1) A request for amendment is filed with the Planning Director, together with any of the information specified in paragraph (b) above which is pertinent to the proposed amendment;
- (2) Such amendment shall not violate any provisions of this title;
- (3) Such amendment may provide for minor increases in total floor area and storage space originally permitted;
- (4) There is no increase in the number of dwelling units;
- (5) No reduction is made to the applicable setback or yard requirements;
- (6) No public land is accepted;
- (7) Such amendment shall not be contrary to the general purpose of this section as specified in Section 27.31.020;
- (8) Any amendment not in conformance with this paragraph shall be submitted to the Planning Commission in the same manner as an original application for a use permit.

Numbers 2, 3, and 7 were violated in my opinion according to a fact-based, logical approach to the issue.

Number 2 was violated due to the ignorance of specific dimensional requirements and signage according to Mat Ellison during the meeting previously scheduled with Wal-Mart representatives on June 18th, 2012.

Number 3 was violated due to the approximate 20% square footage increase to the primary facility, despite reductions/eliminations of other retail establishments. The definition of 'minor' is taken directly from Merriam-Webster:

Definition of MINOR

: not serious or involving risk to life <minor illness> <aminor operation>?compare major

Historically, a big box store such as Wal-mart (or any other) generates significantly more customers per sq. ft. than comparably sized local establishments as referenced by <http://www.ilsr.org/key-studies-walmart-and-bigbox-retail/#11> and <http://www.ilsr.org/key-studies-walmart-and-bigbox-retail/>. The end result is more customers per square foot and reiterates the affected residents concern for risk to life of their child and/or children. Number 7 was violated from 'planned and controlled consumer services on a neighborhood level' by initiating approval for one of the world's largest big box chain stores into a neighborhood where it was not planned, and the store size was not controlled. The size was, in fact, amended by the planning director without appropriate consult to the affected residents. Number 7 was violated due to the 'promotion of healthful economic growth' due to the fact that only a limited number of entities could afford to acquire the establishment should Wal-mart choose to vacate and sell, resulting in a potentially blighted site. Number 7 is violated by 'creating a desirable environment' as the testimonials of residents living in the water flow basin have indicated that their homes are currently flooded by runoff due to mathematical planning versus reality planning. Number 7 is violated by the 'general land use pattern of the community' as the three sides of the site are surrounded by residential homes, unlike any other B-2 site, with the exception of Richie Bros., which is not a retail outlet, but a place of general business generating very little business traffic but rather employment traffic. Number 7 is also violated by the fact that it does not 'assist in implementing the established goals and policies of the community' per the forums and community meetings held at Horizons Community Church and the petition signed by its residents and the residents of surrounding neighborhoods.

Mayor Beutler, I implore you to reprimand the planning director for a job done with haste rather than careful consideration. He has specifically caused the affected residents irrefutable harm to both their family and the value of their home through negligence to understand the repercussions of his action.

The arguments set forth are both reasonable and logical, and I can only assume that the court of law agrees and will agree. I understand that protecting the great city of Lincoln from potential lawsuit from both Ridge Development and Wal-mart is of utmost importance, however, the citizens want a fair and just voice.

As required by section (8): Any amendment not in conformance with this paragraph shall be submitted to the Planning Commission in the same manner as an original application for a use permit.

As a resident of the great city of Lincoln, and a resident of the great state of Nebraska, I can only hope that you uphold the office to which you were elected and ensure that the law is upheld, while holding the director accountable. To ensure that the people of this great city and great state do not suffer injustice at the hand of one man, and that the will of the people shall prevail as our decedents wanted.

Sincerely,
Jon Herms

Mary M. Meyer

From: Jon Camp [joncamp@lincolnhaymarket.com]
Sent: Saturday, July 21, 2012 4:37 PM
To: Adam Hornung (ahornung@scudderlaw.com); Jonathan A. Cook; 'EUWC@aol.com' (EUWC@aol.com); DiAnna Schimek (dschimek7@gmail.com); Dougemerypm@aol.com; Carl Eskridge (eskridgecb@aol.com)
Cc: Mary M. Meyer; Rick D. Hoppe; Doug J. McDaniel; Steve D. Hubka; Jon Camp
Subject: Jon Camp Predictions for August 31, 2012 Police and Firefighters Pension Trust
Attachments: 2012-07-21--JAC Predictions for 8-31-2012.pdf; 2012-07-21--JON CAMP PFFPT PREDICTION FOR 8-31-2012-spreadsheet.pdf

Greetings:

Since our Budget discussion Friday afternoon, some of which addressed the continued underfunding of our Police and Firefighters Pension Plan (Defined Benefit Plan), I reviewed my files as well as my daily monitoring of the stock valuations.

As a result, I am issuing my predictions for August 31, 2012, earlier than last year—about 1 1/3 month's before the plan year-end, which leaves me open to possible investment swings.

Attached is a spreadsheet that details key information since August 31, 2009. The lines in "green" are my predictions—last year and this year. All other data is from the Actuarial Reports we received each February following the prior August 31st plan year-end.

Summary of my Predictions: Actual August 31, 2011 results versus Predicted August 31, 2012 results

<u>Item</u>	<u>August 31, 2011</u>	<u>August 31, 2012</u>
<u>Change</u>	<u>Actual</u>	<u>Predicted</u>
1. Market Value (w/ 13 th Pool) +215,000	\$163,381,957	\$163,535,567
2. Market Value (w/o Pool) (MV) +180,000	\$148,347,670	\$148,535,567
3. Actuarial Accrued Liability (AAL) +9,570,000	\$204,990,824	\$214,560,824
4. Funding Value (FV): \$164,500,000	\$165,436,351 -950,000	
5. Funded Value Ratio (FV/AAL) 77%	81% -4%	
6. Market Value Ratio 69%	72% -3%	

7. Projected 2013-2014 Contribution: \$7,311,563 \$7,850,000
+540,000

My August 7, 2011 predictions were fairly accurate (see the spreadsheet), especially if you look at the percentages for “Funded Ratio” and “Market Value Ratio”.

Enjoy reviewing my predictions. Will be interesting to see how the “market value” changes between now and August 31, 2012 as well as compare my predictions to the Actuarial Report we will receive next January-February 2013..

Do note that as of June 30, 2012, the PFFPT market value was approximately \$150,000 higher than last August 31, 2011. As I noted Friday, the PFFPT is essentially “flat” for the year versus the actuarial investment earnings assumption of 7.5%. Friday, July 20, 2012, witnessed a valuation in the stock portfolio that is about \$825,000 higher than June 30, 2012, which is good news—but still far below the 7.5% earnings assumption AND the Unfunded Actuarial Accrued Liability (UAAL) which totaled \$39,554,000 last August 31, 2012. Absent substantial investment gains in the next 6 weeks, this UAAL may increase to approximately \$50,000,000.

Currently, the “market value” of PFFPT assets is \$66,055,257 below my predicted Actuarial Accrued Liability of \$214,590,824.

Thanks in advance for reviewing this information—I am available if you have any questions.

Jon

JON A. CAMP

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“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](#))

July 21, 2012

Greetings:

Since our Budget discussion Friday afternoon, some of which addressed the continued underfunding of our Police and Firefighters Pension Plan (Defined Benefit Plan), I reviewed my files as well as my daily monitoring of the stock valuations.

As a result, I am issuing my predictions for August 31, 2012, earlier than last year—about 1 1/3 month's before the plan year-end, which leaves me open to possible investment swings.

Attached is a spreadsheet that details key information since August 31, 2009. The lines in "green" are my predictions—last year and this year. All other data is from the Actuarial Reports we received each February following the prior August 31st plan year-end.

Summary of my Predictions: Actual August 31, 2011 results versus Predicted August 31, 2012 results

<u>Item</u>	<u>August 31, 2011</u>	<u>August 31, 2012</u>	<u>Change</u>
1. Market Value (w/ 13 th Pool)	\$163,381,957	\$163,535,567	+215,000
2. Market Value (w/o Pool) (MV)	\$148,347,670	\$148,535,567	+180,000
3. Actuarial Accrued Liability (AAL)	\$204,990,824	\$214,560,824	+9,570,000
4. Funding Value (FV):	\$165,436,351	\$164,500,000	-950,000
5. Funded Value Ratio (FV/AAL)	81%	77%	-4%
6. Market Value Ratio	72%	69%	-3%
7. Projected 2013-2014 Contribution:	\$7,311,563	\$7,850,000	+540,000

My August 7, 2011 predictions were fairly accurate (see the spreadsheet), especially if you look at the percentages for “Funded Ratio” and “Market Value Ratio”.

Enjoy reviewing my predictions. Will be interesting to see how the “market value” changes between now and August 31, 2012 as well as compare my predictions to the Actuarial Report we will receive next January-February 2013..

Do note that as of June 30, 2012, the PFFPT market value was approximately \$150,000 higher than last August 31, 2011. As I noted Friday, the PFFPT is essentially “flat” for the year versus the actuarial investment earnings assumption of 7.5%. Friday, July 20, 2012, witnessed a valuation in the stock portfolio that is about \$825,000 higher than June 30, 2012, which is good news—but still far below the 7.5% earnings assumption AND the Unfunded Actuarial Accrued Liability (UAAL) which totaled \$39,554,000 last August 31, 2012. Absent substantial investment gains in the next 6 weeks, this UAAL may increase to approximately \$50,000,000.

Currently, the “market value” of PFFPT assets is \$66,055,257 below the Actuarial Accrued Value of \$214,590,824.

Thanks in advance for reviewing this information—I am available if you have any questions.

Jon

POLICE AND FIREFIGHTERS PENSION PLAN--JON CAMP PREDICTIONS

Date	Market Value (Incl 13th Check)	Date of JAC Prediction	JON CAMP PREDICTIONS					JON CAMP PREDICTIONS				
			Market Value	13th paycheck value	Market Value w/o 13th Check	Actuarial Accrued Value	AAL grown at \$800,000 per month	Funding Value	Funded Ratio	Market Value Underfunding	Market Value Ratio	Proj Contribution (for year ahead)
31-Aug-2009	148,584,181.00	8/31/2009		13,651,434.00	134,932,747	187,292,374		177,526,641	95%	(52,359,627)	72%	4,651,872
30-Sep-2009	151,347,708.43											
31-Oct-2009	147,612,188.62											
30-Nov-2009	152,899,089.56											
31-Dec-2009	153,956,741.13											
31-Jan-2010	149,352,915.15											
28-Feb-2010	150,894,601.40											
31-Mar-2010	157,061,889.57											
30-Apr-2010	158,787,109.98											
31-May-2010	148,700,288.68											
30-Jun-2010	144,433,526.90											
31-Jul-2010	152,277,052.88											
31-Aug-2010	149,594,751.00	8/31/2010		13,759,674	135,835,077	195,206,353		172,317,963	88%	(59,371,276)	70%	5,574,482
30-Sep-2010	158,598,401.23											
31-Oct-2010	162,989,721.41											
30-Nov-2010	161,767,609.28											
31-Dec-2010	167,753,005.57											
31-Jan-2011	168,574,184.63											
28-Feb-2011	0.00											
31-Mar-2011	172,942,435.92											
30-Apr-2011	178,750,620.64											
31-May-2011	175,763,429.59											
30-Jun-2011	172,513,690.00											
31-Jul-2011	171,205,560.96	8/7/2011			150,000,000	204,000,000	204,000,000	170,000,000	82%	54,000,000	71%	7,000,000
31-Aug-2011	163,381,957.00	8/31/2011	163,381,957	15,034,287	148,347,670	204,990,824		165,436,351	81%	(56,643,154)	72%	6,718,467
30-Sep-2011	0.00											
31-Oct-2011	0.00											
30-Nov-2011	0.00											
31-Dec-2011	153,767,758.98											
31-Jan-2012	162,969,152.39											
29-Feb-2012	167,608,836.45											
31-Mar-2012	167,108,987.74											
30-Apr-2012	165,012,725.92											
31-May-2012	158,967,915.32											
30-Jun-2012	162,475,375.09	7/20/2012	163,535,567	15,000,000	148,535,567	214,590,824	213,490,824	164,500,000	77%	(66,055,257)	69%	7,850,000
31-Jul-2012	0.00											
31-Aug-2012	0.00	8/31/2012										

Mary M. Meyer

From: Council Packet
Subject: FW: InterLinc: Council Feedback

InterLinc: City Council Feedback

Name: Jon Herms
Address: 5720 South Street
City: Lincoln, NE, 68506

Phone: 4024325554
Fax: 4024325554
Email: jherms@huskers.unl.edu

Comment or Question:

I have tried to address the mayor via email and I have not had a response. This plan is in process and I think you all agree is a lock. However, what is happening is illegal and is against the will of the public. This message was intended for the mayor but I will accept any active ear on this issue and I would encourage any of the council to actually move with action instead of the tip-toed diplomacy that is been used in the past. If you want to work for the people, then do it, otherwise I am 100% committed to ensuring whoever is against this review to be ignorant of the law and ignorant to the will of the people. Thank you to each of you for reading and providing whatever feedback you might.

I am a resident unaffected.

I am asking you to reprimand the planning director for disregard to the amendment he approved to the site at 27th and Grainger Pkwy.

The amendment violates the spirit of B-2 zoning and also violates the rights of affected residents to speak at public hearing prior to approval.

The General Purpose statement of 27.31.020 states: The regulations for the B-2 Planned Neighborhood Business District set forth in this chapter are established to permit the development of local retail shopping facilities and related activities which will provide for planned and controlled consumer services on a neighborhood level, promote healthful economic growth, create a desirable environment, best complement the general land use pattern of the community, and assist in implementing the established goals and policies of the community.

27.31.100 section 3 (i) of the zoning code is the reference that points to appropriate amendments.

It states: Amendment: The Planning Director is authorized to approve amendments to any use permit granted under this section, provided that:

- (1) A request for amendment is filed with the Planning Director, together with any of the information specified in paragraph (b) above which is pertinent to the proposed amendment;
- (2) Such amendment shall not violate any provisions of this title;
- (3) Such amendment may provide for minor increases in total floor area and storage space originally permitted;
- (4) There is no increase in the number of dwelling units;
- (5) No reduction is made to the applicable setback or yard requirements;
- (6) No public land is accepted;
- (7) Such amendment shall not be contrary to the general purpose of this section as specified in Section 27.31.020;
- (8) Any amendment not in conformance with this paragraph shall be submitted to the Planning Commission in the same manner as an original application for a use permit.

Numbers 2, 3, and 7 were violated in my opinion according to a fact-based, logical approach to the issue.

Number 2 was violated due to the ignorance of specific dimensional requirements and signage according to Mat Ellison during the meeting previously scheduled with Wal-Mart representatives on June 18th, 2012.

Number 3 was violated due to the approximate 20% square footage increase to the primary facility, despite reductions/eliminations of other retail establishments. The definition of 'minor' is taken directly from Merriam-Webster:

Definition of MINOR

: not serious or involving risk to life <minor illness> <aminor operation>?compare major

Historically, a big box store such as Wal-mart (or any other) generates significantly more customers per sq. ft. than comparably sized local establishments as referenced by <http://www.ilsr.org/key-studies-walmart-and-bigbox-retail/#11> and <http://www.ilsr.org/key-studies-walmart-and-bigbox-retail/>. The end result is more customers per square foot and reiterates the affected residents concern for risk to life of their child and/or children. Number 7 was violated from 'planned and controlled consumer services on a neighborhood level' by initiating approval for one of the world's largest big box chain stores into a neighborhood where it was not planned, and the store size was not controlled. The size was, in fact, amended by the planning director without appropriate consult to the affected residents. Number 7 was violated due to the 'promotion of healthful economic growth' due to the fact that only a limited number of entities could afford to acquire the establishment should Wal-mart choose to vacate and sell, resulting in a potentially blighted site. Number 7 is violated by 'creating a desirable environment' as the testimonials of residents living in the water flow basin have indicated that their homes are currently flooded by runoff due to mathematical planning versus reality planning. Number 7 is violated by the 'general land use pattern of the community' as the three sides of the site are surrounded by residential homes, unlike any other B-2 site, with the exception of Richie Bros., which is not a retail outlet, but a place of general business generating very little business traffic but rather employment traffic. Number 7 is also violated by the fact that it does not 'assist in implementing the established goals and policies of the community' per the forums and community meetings held at Horizons Community Church and the petition signed by its residents and the residents of surrounding neighborhoods.

Mayor Beutler, I implore you to reprimand the planning director for a job done with haste rather than careful consideration. He has specifically caused the affected residents irrefutable harm to both their family and the value of their home through negligence to understand the repercussions of his action.

The arguments set forth are both reasonable and logical, and I can only assume that the court of law agrees and will agree. I understand that protecting the great city of Lincoln from potential lawsuit from both Ridge Development and Wal-mart is of utmost importance, however, the citizens want a fair and just voice.

As required by section (8): Any amendment not in conformance with this paragraph shall be submitted to the Planning Commission in the same manner as an original application for a use permit.

As a resident of the great city of Lincoln, and a resident of the great state of Nebraska, I can only hope that you uphold the office to which you were elected and ensure that the law is upheld, while holding the director accountable. To ensure that the people of this great city and great state do not suffer injustice at the hand of one man, and that the will of the people shall prevail as our decedents wanted.

Sincerely,

Jon Herms

Mary M. Meyer

From: tarah@natureexplore.org
Sent: Thursday, July 19, 2012 12:34 PM
To: Council Packet
Subject: Nebraska Arts Council Grant Program

Tara Hild
1010 Lincoln Mall, Suite 103
Lincoln, NE 68508-2818

July 19, 2012

City of Lincoln
555 South 10th Street
Lincoln, NE 68508-2803

Dear City of Lincoln:

To Whom It May Concern:

Dimensions Foundation/Nature Explore, a non-profit organization of Lincoln, recently applied for a Nebraska Arts Council grant to help fund musical entertainment at our Leadership Institute. The Leadership Institute was held in Nebraska City July 8-12, 2012. Approximately 100 people (educators, designers, contractors) from across the country attended. Everyone attended to learn more about how to reconnect children to nature. We provided evening activities for our participants. The activity on Wednesday, July 11 was Michael Fitzsimmons, Dancy Man, and his interactive drumming circle. It was a great performance that got everyone fully engaged and excited. This would not have been possible had it not been for the support from the Nebraska Arts Council. Thank you to all that continue to support NAC.

Sincerely,

Tara Hild
402-467-6112

Mary M. Meyer

From: Sam Packard [stpackard@gmail.com]
Sent: Friday, July 20, 2012 3:18 PM
To: Council Packet
Subject: trees on 'unused' public land

Dear Lincoln City Council,

Could native trees be planted along state highways or public land? If they were planted one next to the other between the roadway and the adjoining land section, they'd provide:

1. beautification
2. wind break for vehicles on road
3. shade for stopped vehicles or service vehicles
4. clean air and less carbon in atmosphere
5. meaningful jobs
6. sound break from roadway to residences

It could be a stretch to conceive the idea. If we can conceive ribbons of highway, power lines, and pipelines to cross the entire continent, in the same way, ribbons of trees on public highway land could provide additional benefits in so many ways. That land just sits there with grasses most often, unused. There could be so much public land that could be beautified and used for tree planting for the same purpose. Maximizing that land that would just sit 'unused' with tree planting is an idea. It would be almost like 'farming' that public land by planting trees.

Thanks for anything you do to advocate for trees. I remember learning in elementary school that our atmosphere relies on plant life to sustain itself (co2 is converted to o2 with plants)

If it turns out that atmosphere co2 needs to be dealt with, at least more trees growing in public service on public lands would help eliminate that co2 to oxygen.

If companies want to build a pipeline across the state, could we at least require them to offset their mark by requiring them to fund tree planting?

I thought also that modern farming could consist of tree planting to serve as sinks for greenhouse gas.

It seems like your agency would be best at advocating ideas like this if they are worth anything. Better that your agency advocate for it than a single citizen. I realize that something like this would take big steps.

If something like this were to happen, it would be quite a legacy to have left for the benefit of the people, nation, and environment.

Sincerely,
Sam Packard
Lincoln, Nebraska

**MINUTES
DIRECTORS' MEETING
JULY 23, 2012**

Present: Adam Hornung, Chair; Carl Eskridge, Vice Chair; DiAnna Schimek, Doug Emery; Jon Camp; and Gene Carroll

Absent: Jonathan Cook

Others: Joan Ross, City Clerk; and Rick Hoppe, Chief of Staff

Chair Hornung called the meeting to order at 2:01 p.m. and announced the location of the Open Meeting Act.

I. CITY CLERK

In outlining the formal meeting agenda Ross stated under Public Hearing - Liquor Resolutions Items 8 and 9 will be called together. The Husker Bar. Items 12 and 13 will be called together, Sam's Club. There is a Motion to Amend No. 1 on Item 16, 12R-163 and a Motion to Amend No. 1 on Item 25, 12R-95.

II. MAYOR

1. Mayor presents May Award of Excellence to Gail Van Slyke, Utilities Service Supervisor for the Water Business Office.
 2. NEWS ADVISORY. Mayor Beutler will announce changes to his proposed 2012-2014 City budget at a news conference on Wednesday, July 18th, 1:30 p.m., at 555 S. 10th Street.
 3. NEWS RELEASE. City asks local firm to audit golf program. Investigation under way into employee's actions.
 4. NEWS RELEASE. Mayor changes budget proposals for crash investigations and park mowing.
 5. NEWS ADVISORY. Mayor Beutler will hold a news conference Thursday, July 19th, 10 a.m., at 555 S. 10th Street to announce developments regarding the public safety leadership team. A tour on Friday, July 20th, of the Catalyst building at 10 a.m.
 6. NEWS ADVISORY. Mayor appoints Peschong and Huff as City Directors.
- No comments

III. DIRECTORS

PLANNING DEPARTMENT

1. List of Planning Director's list of Administrative Approvals from July 10th through July 16, 2012.
 2. Annexation by final plat, Grand Terrace 1st Addition map.
- No comments

PUBLIC SAFETY

1. Tom Casady's, Public Safety Director, response to Tom Lynch regarding his complaints about fireworks being discharged illegally during the weeks around the Fourth of July.
- No Comments

IV. COUNCIL MEMBERS

No comments

V. MISCELLANEOUS

None

VI. CORRESPONDENCE FROM CITIZENS

None

VII. ADJOURNMENT

Chair Hornung adjourned the meeting at 2:04 p.m.