CORRESPONDENCE
IN LIEU OF
DIRECTORS' MEETING
MONDAY, FEBRUARY 27, 2006

I. MAYOR

*1. NEWS RELEASE - RE: Mayor Seng Proposes New Downtown Projects- City to pursue parking garage and high-rise building -(See Release)

*2. NEWS RELEASE - RE: Mayor Presents January Award of Excellence - (See Release)

*3. NEWS ADVISORY - RE: Mayor Seng and Lincoln Fire & Rescue will unveil one of the City's new fire trucks at a news conference at 10:45 a.m., 02/14/06 -(See Advisory)

*4. NEWS RELEASE - RE: First Of New Fire Pumpers Arrives In Lincoln - (See Release)

*5. NEWS RELEASE - RE: City of Lincoln - Snow/Traffic Condition Report - Feb. 16, 2006 - 9:15 a.m. - RE: 21 Public Works' material-spreading vehicles were operating at 4am - (See Release)

*6. Washington Report - February 10, 2006.

**7. NEWS RELEASE - RE: Date Changed For Mayor's Arts Awards- Nomination deadline extended, award artist and judges named - (See Release)

**8. NEWS RELEASE - RE: City of Lincoln - Snow/Traffic Condition Report - Feb. 16, 2006 - 4:30 p.m. - RE: City street crews have continued material-spreading operations throughout the day. At 7:00 p.m. tonight, street crews will begin spreading material in residential areas, with emphasis on hills and areas with stop signs. - (See Release)

**9. NEWS ADVISORY - RE: Mayor Seng's Public Schedule Week of February 18-24, 2006 -Schedule subject to change -(See Advisory)

**10. NEWS ADVISORY - RE: Mayor Coleen Seng and Brandt Excavating will begin the demolition of the former Misle building on the south side of "O" Street between 48th & 50th & the redevelopment of the area -at 10:00 a.m. Feb. 21st -(See Advisory)

**11. NEWS RELEASE - RE: Demolition Begins At 48th & "O" South Redevelopment-Public invited to open house tonight on street project for the area -(See Release)

**12. NEWS ADVISORY - RE: Mayor Seng will have a news conference to discuss local planning under way in preparation for a possible flu pandemic at 2:00 p.m., 02/22/06 -(See Advisory)

**13. NEWS RELEASE - RE: Local Agencies Prepare For Possible Flu Pandemic -(See Release)

**14. NEWS RELEASE - RE: Public Invited To Open Houses On Roadway Safety Projects -(See Release)

**15. NEWS ADVISORY - RE: Lane Closures Begin Thursday On 48th & "R" Streets -(See Advisory)

**16. Washington Report - February 17, 2006.

II. DIRECTORS

EMERGENCY MANAGEMENT

*1. Response Letter from Doug Ahlberg to Danny Walker - RE: Emergency Shelters -(See Material)

FINANCE/BUDGET

**1. Material from Steve Hubka - RE: February Sales Tax -(See Material)

FINANCE/CITY TREASURER

*1. Monthly City Cash Report & Pledged Collateral Statement for January 2006 -(See Report)

HEALTH

*1. Physician Advisory from Bruce Dart - RE: Bordetella Pertussis -(See Advisory)

*2. NEWS RELEASE - RE: Lincoln-Lancaster County Environmental Awards Nominations Sought -(See Release)

LAW DEPARTMENT

*1. Response E-Mail from Dana Roper, City Attorney to Steve Wolsleger - RE: Amendment to Chapter 8.22 which pertains to littering -(See E-Mail)

PLANNING

*1. E-Mail from Marvin Krout, Planning Director - RE: Development codes - (See E-Mail)

PLANNING COMMISSION FINAL ACTION.....

**1. Special Permit #06004 (Early Childhood Care Facility-North 73rd Street & Logan Avenue) Resolution No. PC-00979.

**2. Special Permit #06005 (Dwellings on third floor at 1401 O Street) Resolution No. PC-00978.

**3. Special Permit #06003 (Expand a nonstandard single-family dwelling at 5800 Pine Lake Road) Resolution No. PC-00977.

**4. Preliminary Plat No. 04030 - Jensen Park Estates (South 84th Street and Yankee Hill Road) Resolution No. PC-00980.

PUBLIC WORKS & UTILITIES

*1. Draft Media Release - RE: Open House Planned On Safety Project For S. 56th Street from Linden St. To Quail Ridge Rd. -(See Release)

*2. Draft Media Release - RE: Open House Planned On Safety Project For Vine Street From 35th Street To 44th Street -(See Release)

URBAN DEVELOPMENT

*1. Letter, Amendment, & Map from Marc Wullschleger - RE: West O Redevelopment Plan -(See Material)

WOMEN'S COMMISSION

*1. NEWS RELEASE - RE: Women'S Commission Honors Award Recipients- "Weaving Women's Voices" pays tribute to annual award winners in saluting of International Women's Day -(See Release)

III. CITY CLERK

*1. Response E-Mail from City Clerk Joan Ross to Steve Wolsleger - RE: Amendment to Chapter 8.22 which pertains to littering -(See E-Mail)

**2. Letter from Donald H. Bowman, Attorneys At Law - RE: Items 35 & 36- Resolution of Intent to Create Downtown Business Management Districts - (See Letter)

IV. COUNCIL

A. COUNCIL REQUESTS/CORRESPONDENCE -

JON CAMP -

*1. E-Mail Response from Jon Camp to Maurice Baker - RE: Litter Ordinance - (See E-Mail)

*2. E-Mail Response from Jon Camp to Derek Buckley - RE: Flyer Ordinance Concerns -(See E-Mail)

*3. E-Mail Response from Jon Camp to Marc Schniederjans - RE: The Mayor's proposed plan to tear down the Starship movie theater & other small businesses to build a new big building -(See E-Mail)

**4. E-Mail from Bob Goemann sent to Jon Camp - RE: New Arena -(See E-Mail)

ROBIN ESCHLIMAN -

**1. Report compiled by Robin Eschliman - RE: Report On Community Attitudes For Spending Priorities City of Lincoln, Nebraska -(See Report)

V. MISCELLANEOUS -

*1. E-Mail from Steve Wolsleger - RE: Amendment to Chapter 8.22 which pertains to littering (E-Mail forwarded to Dana Roper, City Attorney; & City Clerk Joan Ross on 02/15/06)(See E-Mail)

*2. E-Mail from Trudy Schneckloth - RE: The Starship Theatre -(See E-Mail)

*3. E-Mail from Derek Buckley - RE: Councilman Camp's proposed changes to Lincoln's littering laws -(See E-Mail)

**4. MEDIA RELEASE from Lori Seibel, Executive Director, Community Health Endowment of Lincoln - RE: Lincoln's 5th Annual Health Challenge - 'Hey Lincoln, are you ready for a challenge? - (See Release)

**5. Letter from Dana Houser - RE: "O" Street Construction -(See Letter)

VI. ADJOURNMENT

***HELD OVER FROM FEBRUARY 20, 2006.**
ALL HELD OVER UNTIL MARCH 6, 2006.

da022706/tjg

CITY OF LINCOLN
NEBRASKA

NEWS RELEASE

MAYOR COLEEN J. SENG lincoln.ne.gov

OFFICE OF THE MAYOR
555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

FOR IMMEDIATE RELEASE: February 16, 2006
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831
Deb Weber, Lincoln Arts Council, 434-2787

DATE CHANGED FOR MAYOR'S ARTS AWARDS

Nomination deadline extended, award artist and judges named

The date for the 28th annual Mayor's Arts Awards has been changed from June 7 to the **evening of Wednesday, June 14, 2006 at the Lied Center for Performing Arts.** The event is sponsored by the Lincoln Arts Council (LAC), and this year's presenting sponsor is Union Bank. The Mayor's Arts Awards program formally recognizes artistic contributions and achievements in the Lincoln area.

Those wishing to nominate a project, organization or person may request a nomination form by calling the LAC at 434-2787 or printing a form from the LAC Web site, www.artscene.org. A list of previous winners also is available at that Web site. **The nomination deadline has been extended to February 24, 2006.**

LAC Executive Director Deb Weber said this year's awards will be created by Gail Kendall, a professor of art and art history at UNL. When she received a Mayor's Arts Award in 2004, Kendall was credited with being a major force in establishing UNL as one of the nation's premier ceramics programs. As a potter, her work has been featured in one-person and major group exhibitions locally, nationally and internationally. She has been recognized with UNL research fellowships; prizes and purchase awards in national exhibitions; three individual arts fellowships from the Nebraska Arts Council; and an award from the National Endowment for the Arts.

Weber said judges also have been chosen:

- Ann Chang-Barnes is a pianist who teaches at the UNL School of Music. She is Artistic Director and founder of the Meadowlark Music Festival, which recently won a Governor's Arts Award.
- Nancy Childs is a curriculum specialist in the visual arts for the Lincoln Public Schools and a practicing artist. She was a 2005 Mayor's Arts Award winner.
- Michele Kiefel, is in the Indigenous Roots Teacher Education Program at UNL and works for Nebraska Jazz Orchestra through Arts Incorporated.
- Rob McKercher is the Director of Theatre at Doane College in Crete and won a Mayor's Arts Award in 2002 while he was Artistic Director at the Lincoln Community Playhouse.
- Gail Ogden, who works at UNL, is a modern dancer, dance reviewer and graphic designer.

- more -

- Dee Tenney is the Past President of the Lincoln Symphony Guild, a recipient of a 2005 Mayor's Arts Award. She currently serves on the Lincoln's Symphony Orchestra board.
- Tom Woods IV is the Program Officer for Woods Charitable Fund, Inc. He is a visual artist and serves on a variety of arts and community service boards.

Nominations are being accepted for the following awards:

- The **Oliva Family "Arts for Kids"Award** honors an individual from outside of the arts professions whose leadership has enhanced arts activities and experiences for children.
- The **Artistic Achievement Award - Performing Arts** recognizes excellence and accomplishment in any of the performing arts.
- The **Artistic Achievement Award - Visual Arts** recognizes excellence and accomplishment in any of the visual arts.
- The **Artistic Achievement Award - Youth** recognizes excellence and accomplishment in any arts discipline by a young person age 18 or younger.
- The **Halcyon Allsman Benefactor of the Arts Award** honors an individual, family, organization or business for making significant financial contributions to the arts in Lincoln.
- The **Arts Organization Award** recognizes an arts group that has made significant contributions to Lincoln's arts community over a period of years.
- The **Leadership Award** recognizes an individual or organization for making a major overall impact on the arts in Lincoln.
- The **Cultural Celebration Award** recognizes artistic work that has fostered an appreciation of a specific culture or cultures through the arts.
- The **Literary Heritage Award** recognizes a writer or individual who promotes excellence in writing and literature in Nebraska.
- The **Larry Enersen Award** recognizes outstanding urban design in Lincoln.
- The **Heart of the Arts Award** recognizes outstanding volunteer efforts on behalf of the arts.
- The **Event of the Year Award** recognizes a performance, exhibition, event or project in 2005 that will be notable in the community memory for years to come
- The **Gladys Lux Education Award** recognizes special initiatives or dedication to arts education.

A **Mayor's Choice Award** also will be presented.

The public also is encouraged to submit names of members of the Lincoln arts community who have died since the last awards ceremony in June 2005 for memorial recognition at the event.

CITY OF LINCOLN
SNOW/TRAFFIC CONDITION REPORT

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

For more information:
Public Works Snow Center -- 441-7644
Citizen Information Center -- 441-7831

Date: Thursday, February 16, 2006
Time: 4:30 p.m.

City street crews have continued material-spreading operations throughout the day. At 7 p.m. tonight, street crews will begin spreading material in residential areas, with emphasis on hills and areas with stop signs. Beginning at 4 a.m. tomorrow, crews will continue the material-spreading operation in residential areas, addressing specific trouble areas as well as others that weren't covered in tonight's operation.

At 4 a.m. this morning, 21 material-spreading vehicles were in operation in an effort to counter the freezing rain that hit the Capital City during the overnight hours. The effect of the freezing rain was somewhat lessened by the fact that – in anticipation of the approaching storm – street crews engaged in a liquid material-spreading operation on Wednesday, targeting bridges, key intersections and areas with new pavement.

Please stay informed on traffic conditions and the status of snow operations in Lincoln. Additional information is available on pages 40 and 41 in the blue pages of your Alltel phone directory. If you have questions, you may call the Public Works Snow Center at 441-7644.

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CITY OF LINCOLN
NEBRASKA

NEWS ADVISORY

MAYOR COLEEN J. SENG

lincoln.ne.gov

Date: February 17, 2005
Contact: Diane Gonzolas, Citizen Information Center, 441-7831

Mayor Seng's Public Schedule
Week of February 18 - 24, 2005
Schedule subject to change

Sunday, February 19

- Fund-raiser for Stephanie Oliveras - 2 p.m., St. Matthew's Episcopal Church, 2325 South 24th Street

Monday, February 20 -
CITY OFFICES CLOSED FOR FEDERAL HOLIDAY - PRESIDENTS' DAY

Tuesday, February 21

- KFOR - 12:30 p.m., 3800 Cornhusker Highway
- Read to children for Black History Month - 4 p.m., Malone Center, 2032 "U" Street
- Public meeting on "O" Street improvements - 5 p.m., Villager Motel, Lincoln Ballroom, 5200 "O" Street

Thursday, February 23

- KLIN - 8:10 a.m., 4343 "O" Street
- Social Work Association, proclamation - 9:15 a.m., Women's Club, 14th and "L" streets
- Nebraska Pandemic Flu Response Summit - 2:30 p.m., Lied Center, 12th and "R" streets
- Lincoln Action Program annual meeting - noon, Embassy Suites, 1040 "P" Street

CITY OF LINCOLN
NEBRASKA

NEWS ADVISORY

MAYOR COLEEN J. SENG

lincoln.ne.gov

OFFICE OF THE MAYOR
555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

DATE: February 20, 2006
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831

Mayor Coleen J. Seng and Brandt Excavating will begin the demolition of the former Misle building on the south side of "O" Street between 48th and 50th streets at **10 a.m. Tuesday, February 21.** Enter the site at the open gate on the south side of "O" Street just east of 48th Street.

The redevelopment of the area is taking place at the same time as construction on "O" Street from 45th to 52nd streets. That project includes the widening of "O" street, other traffic improvements and water main installation. **A public open house on the "O" Street construction project is scheduled for 5 to 7 p.m. Tuesday, February 21 at the Lincoln Ballroom at the Villager, 5200 "O" Street.**

CITY OF LINCOLN
NEBRASKA

NEWS RELEASE

MAYOR COLEEN J. SENG lincoln.ne.gov

OFFICE OF THE MAYOR
555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

FOR IMMEDIATE RELEASE: February 21, 2006
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831
Wynn Hjermstad, Urban Development Dept., 441-8211
Holly Lionberger, Public Works, 441-8400

DEMOLITION BEGINS AT 48TH AND "O" SOUTH REDEVELOPMENT

Public invited to open house tonight on street project for the area

Mayor Coleen J. Seng and Brandt Excavating today began the demolition of the former Misle building at 48th and "O" streets, which will clear the way for a $10 million redevelopment project for the south side of "O" Street between 48th and 50th streets. The redevelopment includes the construction of a West Gate Bank, a Runza Restaurant and Braeda® Fresh Express Café and a Walgreen's store. The businesses will employ about 100 people.

"This is a great day for our community, as we prepare this important site in the center our community for a new retail center," said Mayor Seng. "This private investment means new jobs and increased sales tax revenue and will help spur additional redevelopment in the area."

The demolition is expected to be done in early April when construction will begin. A 14,000-square-foot Walgreen's will be built on the southeast corner of 48th and "O" and will employ about 35 people. A Runza Restaurant and Braeda® Fresh Express Café will be built east of the Walgreen's and will employ about 50 people. A 6,000-square-foot West Gate Bank and office building will be built on the southwest corner of 50th and "O" and will employ about 12 people. The redevelopment agreement includes green space to buffer the new commercial activity from the adjoining neighborhood.

To minimize inconvenience to the public and area businesses, the new development will be under construction at the same time the City is improving the 48th and "O" area. "O" Street will be widened to six lanes from 45th to 52nd Street, and that stretch of "O" is scheduled to close early next month. The project also includes safety and capacity improvements on 48th from "M" to "R" streets, and lane closures along 48th Street are scheduled to begin in late March. The improvements in the 48th and "O" area also include the installation of water mains on "O" and 48th streets. "O" Street and 48th Street are scheduled to be open to traffic in late fall 2006. The new development is scheduled to open in early 2007.

The public is invited to an open house on the road and water main project from 5 to 7 p.m. tonight at the Lincoln Ballroom at the Villager, 5200 "O" Street. More information is available on the City Web site, lincoln.ne.gov (keyword: ostreet).

- more -

Negotiations continue on a redevelopment agreement for the area north of "O" Street.

The City has received a $128,200 assessment grant from the U.S. Environmental Protection Agency (EPA) for environmental testing, site planning and development of a clean-up plan if hazardous substances are found

CITY OF LINCOLN
NEBRASKA

NEWS ADVISORY

MAYOR COLEEN J. SENG

lincoln.ne.gov

OFFICE OF THE MAYOR
555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

DATE: February 22, 2006
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831

Mayor Coleen J. Seng will have a news conference to discuss local planning under way in preparation for a possible flu pandemic at **2 p.m. TODAY, Wednesday, February 22** in **Room 236 at the Lincoln-Lancaster County-City Health Department, 3140 "N" Street.**

CITY OF LINCOLN
NEBRASKA

NEWS RELEASE

MAYOR COLEEN J. SENG lincoln.ne.gov

OFFICE OF THE MAYOR
555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

FOR IMMEDIATE RELEASE: February 22, 2006
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831
Bruce Dart, Ph.D., City-County Health Department, 441-8093
Doug Ahlberg, County Emergency Management, 441-7441

LOCAL AGENCIES PREPARE FOR POSSIBLE FLU PANDEMIC

On the eve of a state summit meeting on a possible pandemic flu, Mayor Coleen J. Seng today announced that local officials have been working on response plans for several months. The planning is in response to concerns about the avian flu, which is transferred from birds to humans.

"There is a low public health risk right now, but we must be prepared in case a new strain of the flu is transferred from human to human," said Mayor Seng. "I am pleased that local public health and emergency response officials are working together on a response plan to keep this community safe and healthy."

Bruce Dart, Health Director of the Lincoln-Lancaster County Health Department (LLCHD), said his agency is partnering with City and County fire, law enforcement, emergency management, public works and hospital officials on potential response plans. Others included in the planning process are representatives of the business, education, legal, faith and mental health communities as well as food service and transportation providers and elected officials.

"We want the public to know that they don't need to be worried at this time about such things as eating poultry, catching avian flu from another human or immediately getting anti-virals such as Tamiflu," said Dart. "Our local planning efforts will prepare our community on many levels if we face the pandemic flu." Dart said initial priorities have focused on the continuation of basic services such as power, water, food, emergency response and health care.

Dart said local officials are working with state officials to assure local plans are compatible with those at the state and federal levels. That coordination includes tomorrow's statewide flu summit sponsored by Governor Dave Heineman and U.S. Secretary of Health and Human Services Michael Leavitt. Mayor Seng will attend the summit, which begins at 1:30 p.m. tomorrow at the Lied Center.

- more -

"While we have not had to respond to a pandemic flu event since 1968, we have developed strong partnerships to operate under a unified command system," said Doug Ahlberg, Lancaster County Emergency Management Director. "The May 2004 tornados in Hallam and southeastern Nebraska taught us a lot about the value of working together."

Dart said all agencies that would be involved have submitted individual plans and procedures that would be followed during a pandemic flu event, and a statewide exercise is being planned to test the plans. They also have started a review of current policies on quarantines in case that is needed.

To assist the public prepare for a pandemic flu outbreak, the agencies are drafting checklists based on guidelines from the Centers for Disease Control (CDC). Dart said the LLCHD will provide continuous health education information if the situation with the avian flu changes or becomes more serious.

More information is available on the City Web site, lincoln.ne.gov (keyword: flu) and on the CDC Web site at www.cdc.gov.

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CITY OF LINCOLN
NEBRASKA

NEWS RELEASE

MAYOR COLEEN J. SENG

lincoln.ne.gov

PUBLIC WORKS AND UTILITIES DEPARTMENT
Engineering Services, 531 Westgate Blvd., Lincoln, NE 68528, 441-7711, fax 441-6576

FOR IMMEDIATE RELEASE: February 17, 2006
FOR MORE INFORMATION: Scott Cockrill, Public Works and Utilities, 441-7793
Dave Norris, Citizen Information Center, 441-7547

PUBLIC INVITED TO OPEN HOUSES ON ROADWAY SAFETY PROJECTS

Residents of Lincoln are invited to open houses on two upcoming roadway safety projects. Both projects involve intersections that are experiencing crashes due to the lack of dedicated left-turn lanes. The project areas are Vine Street between 35th and 44th streets and South 56th Street between Linden Street and Quail Ridge Drive.

The open house for the Vine Street project will be held from **5 to 6:30 p.m. Wednesday, February 22 at Hartley Elementary School, 730 North 33rd Street.** The open house for the 56th Street project will be held from **5 to 6:30 p.m. Thursday, February 23 at Zeman Elementary School, 4900 South 52nd Street.**

Vine Street between 35th and 44th streets is currently a 45-foot wide arterial roadway with four lanes running east and west with no dedicated left-turn or right-turn lanes. Improvements may include the addition of a left-turn lane at 35th and Vine Street or the addition of a common left-turn lane from 35th Street to 44th Street.

South 56th Street between Linden Street and Quail Ridge Drive is currently a 48-foot wide arterial roadway with four lanes running north and south with no dedicated left-turn or right-turn lanes. Improvements may include the addition of a left-turn lane at 56th and Elkcrest Drive or the addition of a common left-turn lane from Linden Street to Quail Ridge Drive.

At the open houses, the public will be able to see proposed changes for the roadways designed to improve safety and overall operations. There will be no formal presentations. Staff from the City Public Works and Utilities Department will be available to answer questions. For more information on City roadway safety and construction projects, visit the City Web site at lincoln.ne.gov, (keyword: projects).

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CITY OF LINCOLN
NEBRASKA

NEWS ADVISORY

MAYOR COLEEN J. SENG

lincoln.ne.gov

PUBLIC WORKS AND UTILITIES DEPARTMENT
Engineering Services, 531 Westgate Blvd., Lincoln, NE 68528, 441-7711, fax 441-6576

FOR IMMEDIATE RELEASE: February 22, 2006
FOR MORE INFORMATION: Larry Duensing, Engineering Services, 441-7711

LANE CLOSURES BEGIN THURSDAY ON 48TH AND "R" STREETS

Beginning about 9 a.m. Thursday, February 23, lanes will be closed on 48th Street and "R" Street to remove existing raised medians. Lanes will be closed on 48th from "O" to "M" streets and on "R" from 46th to 48th streets. At least one lane of traffic will be open in each direction at all times. The work is part of the City's roadway and water main improvement project in the 48th and "O" Street area. This portion of the project is expected to be finished by Wednesday, March 1.

The full closure of "O" Street from 44th Street to 52nd Street is now scheduled to begin March 6. "O" Street is expected to reopen to traffic in late fall 2006.

For more information on the 48th and "O" Street project, visit the City Web site at lincoln.ne.gov (keyword: ostreet).

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CITY OF LINCOLN Washington Office

Volume 12, Issue 3
February 17, 2006

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Washington Report

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SENATE HOLDS TELECOM FRANCHISE HEARING

TELECOMMUNICATIONS

Senate panel holds long-awaited franchising hearing. As part of its two-month long series of hearings on overhauling federal telecommunications law, the Senate Commerce Committee held a long-awaited hearing on the issue of local government video franchising.

In their opening statements, all of the Senators in attendance agreed that the video franchising process needs to be streamlined. However, there were nearly as many ideas about how Congress should do that as there were Senators present. On the bright side for local governments, all of the Senators, with the exception of Senator Jim DeMint (R-SC), voiced support for the principle that local governments should maintain control over their rights-of-way and should be able to collect compensation for their use.

The strongest statements in support of the local government position came from Senator Daniel Inouye (D-HI), the Committee's Ranking Democrat, and Senator Conrad Burns (R-MT). Prior to the hearing, Inouye and Burns released a set of principles for franchise reform that protect local government interests. Joining them in support of the local government position, Senator Frank Lautenberg (D-NJ) made a strong statement in support of local franchising and of the importance of universal deployment of service so that competition benefits all neighborhoods.

Even those Senators who have introduced legislation that would undermine local authority and revenue spoke to the importance of maintaining local government authority over rights-of-way and protecting local revenue from franchise fees. Speaking in favor of his bill (S 1513), which is largely designed to ease the entry of the regional bell telephone companies into the video services market by eliminating local franchise authority, Senator John Ensign (R-NV), said that everyone agrees on the need to maintain local franchise fees and local government right-of-way authority. Similarly, Senators Gordon Smith (R-OR) and Jay Rockefeller (D-WV), sponsors of legislation that would eliminate local franchises for new entrants into the video services market, echoed Ensign's remarks, with Rockefeller pledging that local governments "will be kept whole."

There was widespread sentiment among Committee members that all providers should face similar regulatory and fee burdens. Speaking in favor of streamlining the "outdated and cumbersome" local franchising process, Senator Bill Nelson (D-FL) stressed that while local government should be held harmless, companies "should be treated the same." Smith echoed those comments, saying that as they offer voice service, cable companies do not need to meet the requirements faced by the telephone companies so it makes sense to exempt telephone companies from the requirements faced by cable companies as the telephone companies offer video services.

Testifying on behalf of the telephone companies, Verizon Chief Executive Officer Ivan Seidenberg and AT&T Chief Executive Officer Edward Whitacre both said that they support local authority over rights-of-way, were willing to pay a reasonable fee to local governments and supported the provision of public, educational and governmental channels as an important service to their customers. However, they both testified that the current local franchising process is too long and that local governments often require outlandish contributions such as free broadband and cell phones for city employees. (They were later challenged by

the local government witness to provide specific examples of such behavior. It is unlikely that they any be forthcoming.) They both also argued that imposing universal deployment requirements on new entrants would prove cost-prohibitive for new entrants and would stifle competition.

Testifying on behalf of the cable industry Cablevision Systems Chief Executive Officer Tom Rutledge defended the current franchising system, arguing that cable companies had spent billions of dollars deploying their systems under the current rules that require universal deployment and local franchise agreements and that it would be unfair to allow competitors to cherry pick customers and avoid local franchise agreements and the resulting social commitments. He also spoke in favor of the Inouye-Burns Principles and of the importance of maintaining localism and a level playing field.

Lori-Panzino-Tillery, the Franchise Administrator for San Bernardino County, California and the President of the National Association of Telecommunications Officer and Administrators (NATOA), testified on behalf of that organization, the United States Conference of Mayors, the National League of Cities and the National Association of Counties. She outlined the principles agreed to by all of the local government organizations and stressed the importance of local government management of rights-of-way. She also pointed out that under a regime of national franchising, consumer complaints and right-of-way disputes would all be directed to the Federal Communications Commission, a point that seemed to hit home for many of the Senators present.

The Committee also heard from Gene Kimmelman, the Executive Director of Consumers Union, who criticized the current franchising system and implied that it is responsible for the high prices. However, he tempered his statement by then stressing the importance of maintaining localism and opposing a national franchise. He closed by arguing that the current system of local franchising does not present a barrier to competition but a delay at worst.

In his closing statement, Committee Chairman Ted Stevens (R-AK) indicated that he will introduce legislation soon and that his priority will be ensuring the full deployment of broadband, noting that his state has 100 villages without broadband Internet access. In addition, the *Wall Street Journal* reported this week that Stevens may use the Burns-Inouye bill as a model for his legislation.

IMMIGRATION

Senate gearing up to address comprehensive immigration reform. Senate Judiciary Committee Chairman Arlen Specter (R-PA) is expected to release draft legislation next week that would represent comprehensive immigration reform. Senate Majority Leader Bill Frist (R-TN) has asked Specter to bring an immigration bill to the floor by March 27, so the Chairman has tentative plans to markup his draft beginning on March 2.

The House approved its version of immigration reform late last year. The Border Protection, Antiterrorism, and Illegal Immigration Control Act of 2005 (HR 4437) was approved by the House of Representatives on December 16, 2005 by a vote of 239-182, and was the result of a combination of border security legislation (HR 4312) approved by the House Homeland Security Committee in November 2005 and provisions crafted by House Judiciary Committee Chairman James Sensenbrenner (R-WI) that are designed to discourage illegal immigration into the United States.

The House measure has elicited strong opposition from human rights groups, as well as the U.S. Chamber of Commerce, because it essentially ignores the idea of creating a "guest worker" visa program that would allow illegal immigrants to become citizens or even residents. Instead, the bill would require that businesses, day laborer centers, and non-profit organizations verify potential employees' immigration status and levy fines against businesses that fail to do so. The bill would also make "unlawful presence" in the United States a crime; revise definitions to make it easier to define undocumented immigrants as aggravated felons; provide mandatory minimum sentences on smuggling convictions; make it easier for illegal immigrants to be defined as gang members, and provide mandatory minimum sentences for aliens convicted of reentry after removal.

During House floor consideration of HR 4437, an amendment was approved by voice vote that would withhold federal law enforcement assistance to communities that enact policies that prevent local public safety agencies from sharing immigration information with the federal government that was determined through the normal course of law enforcement.

Specter's Senate bill is not expected to be a companion to HR 4437, but rather a less punitive compilation of Senate bills already pending, including a bill (S 1458) sponsored by Senators John Cornyn (R-TX) and Jon Kyl (R-AZ), as well as a bill (S 1033) crafted by Senators John McCain (R-AZ) and Edward Kennedy (D-MA) that focus on the guest worker issue. The Kyl-Cornyn bill would require illegal immigrants to return home before applying for a temporary guest worker permit, while the McCain-Kennedy bill would allow them to remain in the country while they apply for a work visa, and under some circumstances earn permanent legal status. The White House has also signaled its preference for a guest worker program.

PATRIOT ACT

Congress moves closer to reauthorization of the Patriot Act that includes the Combat Meth Act. Negotiations between the White House and Congress over the reauthorization of the 2001 anti-terrorism law known as the Patriot Act appear to have been successful, as procedural votes in the Senate seemed to indicate that final approval was near. Late last year, Congress agreed to extend provisions of the Patriot Act that were set to expire on December 31, 2005 by two months in order to provide more time to negotiate contentious provisions.

Of particular concern was a provision that allows the federal government to use roving wiretaps on suspected terrorists, as well as the section that allows for court-approved searches of "tangible" items, such as business records, in terrorism cases. While the White House had urged a permanent extension of those items, the House earlier this year approved a ten-year extension, while the Senate Judiciary Committee had recommended a four-year extension. The latest agreement would extend those provisions until 2009.

Senator Russ Feingold (D-WI), the only Senator to vote against the Patriot Act in 2001, continues to maintain that the bill does not do enough to protect civil liberties. However, it appears that his objections will be ignored, as Senators easily turned back efforts to stall the bill by a vote of 96-3. A final vote in the Senate on the reauthorization is scheduled on March 1, and the House is expected to quickly approve the measure after that, clearing it for the President's signature.

The Patriot Act reauthorization is also expected to include language from the Combat Meth Act (S 103), which places restrictions on the sale of over-the-counter pharmacy products that are commonly used in the making of methamphetamines. According to the chief sponsors of the bill, Senators James Talent (R-MO) and Dianne Feinstein (D-CA), the bill would:

- Restrict and record the sale of medicines containing meth precursors including pseudoephedrine, ephedrine, and phenylpropanolamine, relocate those products behind the counter, require purchasers to show identification and sign a logbook, and limit how much one person can buy to 9 grams per month and 3.6 grams in a single day;
- Create a new Drug Enforcement Agency classification for meth precursors to impose tougher penalties for meth cooks;
- Provide an additional $99 million per year for the next five years under the Meth Hot Spots program to train state and local law enforcement to investigate and lock-up meth offenders and expand funding available for personnel and equipment for enforcement, prosecution and environmental clean-up;
- Provide $20 million in grant funding in 2006 and 2007 for Drug Endangered Children rapid response teams to promote collaboration among federal, state, and local agencies to assist and educate children that have been affected by the production of meth;
- Require reports to Congress on agency designations of by-products of meth labs as hazardous materials and waste, and
- Enhance criminal penalties for meth production and trafficking.

TRANSPORTATION

House panel examines potential shortfall in transportation funding. On February 15, the House Transportation and Infrastructure Committee held a hearing on the status of the Highway Trust Fund and on how the new revenue estimates released in the President's FY 2007 Budget request will impact the SAFETEA-LU law.

The President's Budget shows a negative balance of $2.3 billion in the Highway Account of the Highway Trust Fund at the end of fiscal 2009.

Final SAFETEA-LU funding levels were based on revenue estimates in the President's FY 2006 Mid-Season Review, and as a result, Congress expected the guaranteed funding levels would be honored for FY 2005 through 2009. However, the President's recently released FY 2007 Budget contains drastic changes in revenue estimates for the Highway Account of the Highway Trust Fund. The Budget contained a $1.4 billion shift in the receipt estimates for FY 2005 and a $500 million shift in the estimates for FY 2006.

The changes in estimates raised questions about reliability of the estimating process at the Department of Treasury. Robert Carroll, the Treasury's witness who was scheduled to testify before the Committee, was not able to attend the hearing, so questions about the math behind the estimates largely went unanswered.

The Department of Transportation's Assistant Secretary of Budget and Policy, Ms. Phyllis Scheinberg, was present at the hearing. Agreeing that the declining cash balances in the Highway Trust Fund needs attention, Ms. Scheinberg stressed the importance of exploring new funding mechanisms to augment existing sources of highway revenue. She stated that DOT is willing to work closely with Congress to find solutions for the projected imbalance. Despite the dire predictions, Scheinberg said DOT is hopeful that there will be enough money in the trust fund through FY 2009 to pay for the current highway law.

LAW ENFORCEMENT

House panel clears recidivism bill. The House Subcommittee on Crime, Terrorism and Homeland Security of the House Judiciary Committee approved legislation (HR 1704) that would reauthorize the Adult and Youth Offender State and Local Reentry Demonstration Projects Grant Program. Introduced by Reps. Rob Portman (R-OH) and Danny Davis (D-IL), the bill enjoys broad bipartisan support and has garnered 100 cosponsors.

As passed by the Subcommittee, the bill would authorize $40 million a year for the grants through FY 2007. They are currently authorized at $15 million per year and Congress appropriated $5 million for them this year. In an effort to provide greater resources to prevent recidivism, the bill would also greatly broaden the eligible uses of the grants from 4 to 28. Eligible uses would include:

The bill would also authorize the Bureau of Justice Statistics to conduct a study of the reentry of offenders who are substance abusers.

The bill now heads to the full Judiciary Committee, which is expected to forward it to the floor. Crime Subcommittee Chairman Howard Coble (R-NC) says that he plans to propose an

amendment in full Committee to strengthen the drug treatment and reentry courts provisions of the bill.

Senate Judiciary Committee Chairman Arlen Specter (R-PA) and Senator Joseph Biden (D-DE) have introduced a similar bill (S 1934) in the Senate, which has attracted 16 cosponsors.

GRANT OPPORTUNITIES

Department of Justice: The Office for Victims of Crime is accepting applications for the *Public Awareness in Underserved Communities* grant program. The program is designed to raise awareness in underserved communities of both victims' rights and the local resources available to crime victims. The Office expects to award seven grants of between $25,000 and $50,000. Applications are due March 21, 2006. For more information, see: http://www.ovc.gov/fund/pdftxt/FY06_UnderservedAwareness.pdf.

Environmental Protection Agency: The EPA is accepting applications for cooperative agreements through the *Community Action for a Renewed Environment* program. There are two levels of funding: Level I funding helps to establish community-based partnerships and set priorities for reducing toxic risks in a community, and Level II funding is available to implement risk reduction strategies. EPA anticipates awarding eight to ten agreements between $75,000 and $100,000 through Level I, and six to eight agreements of between $150,000 and $300,000 through Level II. Proposals are due April 10, 2006. For more information, see: http://cfpub.epa.gov/care/.

U.S. Conference of Mayors: The Conference, in partnership with the Home Depot Foundation, is accepting applications for the 2006 Award of Excellence for Community Trees. Two awards will be presented for cities with populations over 100,000 and two awards for cities under 100,000. The winner and runner-up in each category will receive $75,000 and $25,000 respectively. The deadline to apply is February 24, 2006. For more information, see: http://www.usmayors.org/grants/communitytrees2006.pdf.

U.S. Conference of Mayors: The Conference and Waste Management are accepting applications for the 2006 City Livability Awards program. Twenty mayors will receive recognition in two categories: cities with populations over 100,000 and cities under 100,000. The deadline to apply is February 28, 2006. For more information, see: http://www.usmayors.org/uscm/uscm_projects_services/city_livability_awards/2006documents/livability06.pdf.

CITY OF LINCOLN
GROSS SALES TAX COLLECTIONS
(WITH REFUNDS ADDED BACK IN)
2000-2001 THROUGH 2005-2006

	ACTUAL 2000-2001	ACTUAL 2001-2002	ACTUAL 2002-2003	ACTUAL 2003-2004	% CHG. FR. PRIOR YEAR	ACTUAL 2004-2005	% CHG. FR. PRIOR YEAR	ACTUAL 2005-2006	% CHG. FR. PRIOR YEAR
SEPTEMBER	$3,758,935	$3,844,150	$4,239,938	$4,453,875	5.05%	$4,648,160	4.36%	$4,630,210	-0.39%
OCTOBER	$4,273,028	$4,116,763	$4,464,191	$4,670,587	4.62%	$4,706,690	0.77%	$4,823,369	2.48%
NOVEMBER	$4,060,765	$4,125,824	$4,407,744	$4,526,166	2.69%	$4,687,792	3.57%	$4,799,275	2.38%
DECEMBER	$3,824,569	$3,855,906	$4,034,958	$4,314,111	6.92%	$4,500,338	4.32%	$4,511,403	0.25%
JANUARY	$3,968,572	$4,140,990	$4,046,633	$4,335,924	7.15%	$4,264,010	-1.66%	$4,342,902	1.85%
FEBRUARY	$4,895,886	$4,982,568	$5,224,986	$5,531,405	5.86%	$6,086,841	10.04%	$5,797,893	-4.75%
MARCH	$3,731,090	$3,908,567	$4,076,943	$3,980,041	-2.38%	$4,158,874	4.49%		
APRIL	$3,126,694	$3,641,403	$3,711,803	$3,889,388	4.78%	$4,097,988	5.36%		
MAY	$4,061,857	$3,949,873	$4,184,028	$4,602,788	10.01%	$4,730,317	2.77%		
JUNE	$3,741,325	$3,856,119	$4,169,550	$4,599,245	10.31%	$4,557,735	-0.90%		
JULY	$3,804,895	$4,033,350	$4,105,554	$4,391,257	6.96%	$4,519,466	2.92%		
AUGUST	$4,093,476	$4,231,174	$4,402,156	$4,893,438	11.16%	$4,803,665	-1.83%		
TOTAL	$47,341,091	$48,686,688	$51,068,484	$54,188,225	6.11%	$55,761,877	2.90%	$28,905,053	0.04%
									Year to date vs. previous year

CITY OF LINCOLN
SALES TAX REFUNDS
2000-2001 THROUGH 2005-2006

	ACTUAL 2000-2001	ACTUAL 2001-2002	ACTUAL 2002-2003	ACTUAL 2003-2004	% CHG. FR. PRIOR YEAR	ACTUAL 2004-2005	% CHG. FR. PRIOR YEAR	ACTUAL 2005-2006	% CHG. FR. PRIOR YEAR
SEPTEMBER	($472,215)	($646,545)	($48,531)	($69,997)	44.23%	($135,858)	94.09%	($80,882)	-40.47%
OCTOBER	($127,363)	($379,290)	($64,605)	($110,193)	70.56%	($165,219)	49.94%	($358,866)	117.21%
NOVEMBER	($448,872)	($132,336)	($134,088)	($219,454)	63.66%	($101,531)	-53.73%	($173,972)	71.35%
DECEMBER	($193,085)	($240,014)	($177,459)	($390,445)	120.02%	($325,510)	-16.63%	($6,319)	-98.06%
JANUARY	($352,999)	($74,082)	($306,467)	($59,315)	-80.65%	($220,967)	272.53%	($269,713)	22.06%
FEBRUARY	($115,206)	($509,277)	($61,404)	($323,218)	426.38%	($394,324)	22.00%	($73,395)	-81.39%
MARCH	($303,779)	($428,507)	($17,601)	($22,759)	29.30%	($99,240)	336.05%	($165,869)	67.14%
APRIL	($478,438)	($333,878)	($281,861)	($199,018)	-29.39%	($69,900)	-64.88%		
MAY	($79,461)	($176,292)	($275,081)	($155,787)	-43.37%	($122,283)	-21.51%		
JUNE	($47,618)	($127,168)	($138,914)	($194,593)	40.08%	($34,811)	-82.11%		
JULY	($235,932)	($181,863)	($563,339)	($42,086)	-92.53%	($162,998)	287.30%		
AUGUST	$0	($63,949)	($341,868)	($531,884)	55.58%	($148,028)	-72.17%		
TOTAL	($2,854,968)	($3,293,201)	($2,411,218)	($2,318,751)	-3.83%	($1,980,668)	-14.58%	($1,129,016)	-21.74%

Year to date vs. previous year

CITY OF LINCOLN
NET SALES TAX COLLECTIONS
2000-2001 THROUGH 2005-2006

	ACTUAL 2000-2001	ACTUAL 2001-2002	ACTUAL 2002-2003	ACTUAL 2003-2004	% CHG. FROM PR. YEAR	ACTUAL 2004-2005	% CHG. FROM PR. YEAR	ACTUAL 2005-2006	% CHG. FROM PR. YEAR
SEPTEMBER	$3,286,720	$3,197,606	$4,191,407	$4,383,878	4.59%	$4,512,303	2.93%	$4,549,328	0.82%
OCTOBER	$4,145,665	$3,737,474	$4,399,587	$4,560,394	3.66%	$4,541,471	-0.41%	$4,464,503	-1.69%
NOVEMBER	$3,611,894	$3,993,488	$4,273,655	$4,306,712	0.77%	$4,586,261	6.49%	$4,625,303	0.85%
DECEMBER	$3,631,485	$3,615,893	$3,857,499	$3,923,666	1.72%	$4,174,828	6.40%	$4,505,085	7.91%
JANUARY	$3,615,574	$4,066,908	$3,740,166	$4,276,609	14.34%	$4,043,044	-5.46%	$4,073,189	0.75%
FEBRUARY	$4,780,680	$4,473,291	$5,163,582	$5,208,187	0.86%	$5,692,517	9.30%	$5,724,498	0.56%
MARCH	$3,427,311	$3,480,060	$4,059,342	$3,957,283	-2.51%	$4,059,634	2.59%		
APRIL	$2,648,256	$3,307,525	$3,429,942	$3,690,371	7.59%	$4,028,088	9.15%		
MAY	$3,982,395	$3,773,581	$3,908,947	$4,447,001	13.76%	$4,608,034	3.62%		
JUNE	$3,693,707	$3,728,951	$4,030,637	$4,404,651	9.28%	$4,522,924	2.69%		
JULY	$3,568,964	$3,851,488	$3,542,215	$4,349,171	22.78%	$4,356,468	0.17%		
AUGUST	$4,093,476	$4,167,224	$4,060,288	$4,361,554	7.42%	$4,655,637	6.74%		
TOTAL	$44,486,126	$45,393,489	$48,657,267	$51,869,477	6.60%	$53,781,209	3.69%	$27,941,906	1.42%
									Year to date vs. previous year

Actual Compared to
Projected Sales Tax Collections

	2005-06 PROJECTED	2005-06 ACTUAL	VARIANCE FROM PROJECTED	$ CHANGE FR. 04-05	% CHANGE FR. 04-05
SEPTEMBER	$4,521,210	$4,549,328	$28,118	$37,025	0.82%
OCTOBER	$4,738,362	$4,464,503	($273,859)	($76,968)	-1.69%
NOVEMBER	$4,743,930	$4,625,303	($118,627)	$39,042	0.85%
DECEMBER	$4,420,986	$4,505,085	$84,099	$330,257	7.91%
JANUARY	$4,632,570	$4,073,189	($559,381)	$30,145	0.75%
FEBRUARY	$5,740,599	$5,724,498	($16,101)	$31,981	0.56%
MARCH	$4,191,410				
APRIL	$3,957,554				
MAY	$4,620,145				
JUNE	$4,464,241				
JULY	$4,536,625				
AUGUST	$4,837,297				
TOTAL	$55,404,929	$27,941,907	($855,750)	$391,483	1.42%

PLANNING COMMISSION FINAL ACTION
NOTIFICATION

TO : Mayor Coleen Seng
Lincoln City Council

FROM : Jean Walker, Planning

DATE : February 17, 2006

RE : **Special Permit No. 06004**
(Early Childhood Care Facility - North 73rd Street & Logan Avenue)
Resolution No. PC-00979

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, February 15, 2006:

> Motion made by Taylor, seconded by Carroll, to approve **Special Permit No. 06004,** with conditions, for authority to operate an early childhood care facility for up to 10 children in a dwelling not used as the permanent residence of the child care provider, on property generally located at North 73rd Street and Logan Avenue.
>
> Motion for conditional approval carried 5-0 (Esseks, Sunderman, Carroll, Taylor and Carlson voting 'yes' (Krieser, Strand and Larson absent).

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

Attachment

cc: Building & Safety
Rick Peo, City Attorney
Public Works
Patricia Moore, 307 N. 56th Street, 68504
Cheryl Rhodes, 5744 Morrill Avenue, 68507
Gary and Diane Thompson, 935 W. Burt Street, 68521
Robert L. Rosenbaum, 7300 Logan Avenue, 68507

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RESOLUTION NO. PC-00979

SPECIAL PERMIT NO. 06004

WHEREAS, Gary and Diane Thompson have submitted an application designated as Special Permit No. 06004 for authority to operate an early childhood care facility for up to 10 children in a dwelling not used as the permanent residence of the child care provider on property located at North 73rd Street and Logan Avenue, and legally described to wit:

> The north 72 feet of Lots 5 and 6, Block 9, Hubbard Place, and the south half of the vacated alley adjacent thereto, Lincoln, Lancaster County, Nebraska;

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

WHEREAS, the community as a whole, the surrounding neighborhood, and the real property adjacent to the area included within the site plan for this early childhood care facility will not be adversely affected by granting such a permit; and

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

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

That the application of Gary and Diane Thompson, hereinafter referred to as "Permittee", to operate an early childhood care facility for 10 children be and the same is hereby granted under the provisions of Section 27.63.070 of the Lincoln Municipal Code upon condition that construction of said early childhood care facility be in strict compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit approves the operation of an early childhood care facility for up to 10 children and two staff members.

2. The licensed care provider need not reside in this facility.

3. Before receiving building permits the permittee shall complete the following instructions and submit the documents and plans to the Planning Department office for review and approval:

   a. Submit six copies of a revised site plan that shows a reconfigured parking layout that meets Design Standards. Also, correct the orientation of the north arrow.

   b. The construction plans must conform to the approved plans.

   c. The operation and the premises must meet appropriate local and state licensing requirements, including compliance with health codes.

4. Before occupying this early childhood care facility all development and construction must conform to the approved plans.

5. The site plan approved by this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.

6. The terms, conditions, and requirements of this resolution shall be binding and obligatory upon the Permittee and the Permittee's successors and assigns. The building official shall report violations to the City Council which may revoke the special permit or take such other action as may be necessary to gain compliance.

7. The Permittee shall sign and return the City's letter of acceptance to the City Clerk within 30 days following approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the Permittee.

The foregoing Resolution was approved by the Lincoln City-Lancaster County Planning Commission on this 15 day of February, 2006.

ATTEST:

Chair

Approved as to Form & Legality:

Chief Assistant City Attorney

Approved this ___ day of _____, 2006:

Mayor

PLANNING COMMISSION FINAL ACTION
NOTIFICATION

TO : Mayor Coleen Seng
Lincoln City Council

FROM : Jean Walker, Planning

DATE : February 17, 2006

RE : **Special Permit No. 06005**
(Dwellings on third floor at 1401 O Street)
Resolution No. PC-00978

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, February 15, 2006:

> Motion made by Taylor, seconded by Carroll, to approve **Special Permit No. 06005,** with conditions, for authority to allow dwellings on the third floor of a building which cannot provide the required yard to have windows for such dwellings, located at 1401 O Street.
>
> Motion for conditional approval carried 5-0 (Esseks, Sunderman, Carroll, Taylor and Carlson voting 'yes' (Krieser, Strand and Larson absent).

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

Attachment

cc: Building & Safety
Rick Peo, City Attorney
Public Works
Davon Seacrest, 2309 Lake Street, 68502
M & T Enterprise, P.O. Box 22833, 68542
Polly McMullen, DLA, 1200 N Street, Suite 101, 68508
Mary Jane Steward, Downtown Neighborhood, 125 N. 11th Street, 68508

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RESOLUTION NO. PC-00978

SPECIAL PERMIT NO. 06005

WHEREAS, M&T Enterprises has submitted an application designated as Special Permit No. 06005 for authority to allow dwellings on the third floor of the building located at 1401 O Street, and legally described as:

Units D and E, Chapin Building Condomimium, Lincoln, Lancaster County, Nebraska;

which cannot provide the required yard to have windows for such dwellings; and

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

WHEREAS, the community as a whole, the surrounding neighborhood, and the real property adjacent to the area included within the site plan for this exception to the zoning code to allow windows for dwelling units on the third floor of this building will not be adversely affected by granting such a permit; and

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

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

That the application of M&T Enterprises, hereinafter referred to as "Permittee", to allow dwellings on the third floor of the building located at 1401 O Street which cannot provide the required yard to have windows for such dwellings be and the same is hereby granted under the provisions of Section 27.63.410 the Lincoln Municipal Code upon condition that construction and occupancy of said residential units be in strict compliance with said application, the site plan, the requirements of Section 27.63.410 and the following additional express terms, conditions, and requirements:

1. This permit approves the development of residential units on the third floor of the existing building at 1401 O Street using windows on any or all walls without meeting the required yard setback.

2. Before receiving building permits the construction plans must conform to the approved plans.

3. Before occupying the dwelling units all development and construction must conform to the approved plans.

4. The site plan, approved by this permit, is for purposes of illustration and does not govern parking stalls or any other matters beyond showing the property lines of the property.

5. The terms, conditions, and requirements of this resolution shall be binding and obligatory upon the Permittee and the Permittee's successors and assigns. The building official shall report violations to the City Council which may revoke the special permit or take such other action as may be necessary to gain compliance.

6. The Permittee shall sign and return the City's letter of acceptance to the City Clerk within 30 days following approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the Permittee.

The foregoing Resolution was approved by the Lincoln City-Lancaster County Planning Commission on this 15 day of February, 2006.

ATTEST:

Chair

Approved as to Form & Legality:

Chief Assistant City Attorney

PLANNING COMMISSION FINAL ACTION
NOTIFICATION

TO : Mayor Coleen Seng
Lincoln City Council

FROM : Jean Walker, Planning

DATE : February 17, 2006

RE : **Special Permit No. 06003**
(Expand a nonstandard single-family dwelling at 5800 Pine Lake Road)
Resolution No. PC-00977

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, February 15, 2006:

> Motion made by Taylor, seconded by Carroll, to approve **Special Permit No. 06003,** with conditions, for authority to expand a nonstandard single-family dwelling into the required front yard to construct an addition to the existing structure, located at 5800 Pine Lake Road.
>
> Motion for conditional approval carried 5-0 (Esseks, Sunderman, Carroll, Taylor and Carlson voting 'yes' (Krieser, Strand and Larson absent).

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

Attachment

cc: Building & Safety
Rick Peo, City Attorney
Public Works
Yassir and Loretta Eddmeiri, 5800 Pine Lake Road, 68516
Family Acres Assn. (2)
Country Meadows Homeowners Association (3)

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RESOLUTION NO. PC-00977

SPECIAL PERMIT NO. 06003

WHEREAS, Jaser Eddmeiri has submitted an application designated as Special Permit No. 06003 for authority to expand a nonstandard single-family dwelling into the required front yard to construct an addition to the existing structure located at 5800 Pine Lake Road, and legally described as:

> Lot 96 I.T. located in the Southwest Quarter of Section 16, Township 9 North, Range 7 East of the 6th P.M., Lancaster County, Nebraska; and

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

WHEREAS, the community as a whole, the surrounding neighborhood, and the real property adjacent to the area included within the site plan for this expansion of a non-standard single-family dwelling will not be adversely affected by granting such a permit; and

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

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

That the application of Jaser Eddmeiri, hereinafter referred to as "Permittee", to expand a nonstandard single-family dwelling into the required front yard to construct an addition to the residence on property described above be and the same is hereby granted under the provisions of Section 27.63.540 of the Lincoln Municipal Code upon condition that construction of said addition be in strict compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit approves the expansion of a nonstandard single-family dwelling into the required front yard setback along Pine Lake Road to allow additions onto both the east and west ends of the home.

2. The expansion shall not extend further into the required front yard along Pine Lake Road than the furthest extension of the existing dwelling.

3. The expansion shall meet the height limit of the zoning district.

4. The use of the main structure shall remain a single- or two-family use.

5. Before occupying the addition all development and construction must conform to the approved plans.

6. The site plan approved by this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.

7. This resolution's terms, conditions, and requirements bind and obligate the Permittee, its successors and assigns.

8. The Permittee shall sign and return the letter of acceptance to the City Clerk within 30 days following the approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the applicant.

The foregoing Resolution was approved by the Lincoln City-Lancaster County Planning Commission on this 15 day of February, 2006.

ATTEST:

Chair

Approved as to Form & Legality:

Chief Assistant City Attorney

PLANNING COMMISSION FINAL ACTION
NOTIFICATION

TO : Mayor Coleen Seng
Lincoln City Council

FROM : Jean Walker, Planning

DATE : February 22, 2006

RE : **Preliminary Plat No. 04030 - Jensen Park Estates**
(South 84th Street and Yankee Hill Road)
Resolution No. PC-00980

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, February 15, 2006:

> Motion made by Esseks, seconded by Carroll, to approve **Preliminary Plat No. 04030, Jensen Park Estates,** with conditions, as amended, requested by Jensen Park, LLC, on behalf of Douglas Blanc c/o Alan Baade, to develop 151 single family residential lots including waivers of the requirements of the Land Subdivision Ordinance and Design Standards to allow block length in excess of 1,000 feet without the required pedestrian way easements; to allow sanitary sewer to flow opposite street grades; to allow lots less than 100' deep backing onto an arterial street; to not project the street system into adjacent property; and to not provide curb and gutter along an arterial street, on property generally located at South 84th Street and Yankee Hill Road.
>
> Motion for approval, with conditions, as amended, carried 5-0: Esseks, Sunderman, Carroll, Taylor and Carlson voting 'yes'; Krieser, Strand and Larson absent.

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

The Planning Commission voted to waive the street connection to Lot 111; however, the staff had recommended that this waiver not be granted. Therefore, the waiver of the street connection to Lot 111 has been scheduled for a public hearing before the City Council on ***Monday, March 6, 2006, 1:30 p.m.***

Attachment
cc: Building & Safety
Rick Peo, City Attorney
Public Works
Jason Thiellen, EDC, 2200 Fletcher Avenue, Suite 102, 68521
Jensen Park, LLC, 3801 Union Park Dr., Suite 102, 68516
Douglas Blanc, c/o Alan Baade, R.R. #8, 68516
Amber Hills Estates Assn. (2)
Cheney SID #5, Jane Athey, 9400 Yankee Hill Road, 68526-9482
Cheney CIP, Gayle Hanshaw, 9420 Third St., Cheney, NE 68526
Family Acres Assn. (2)

i:\shared\wp\jlu\2006 ccnotice.pp\pp.04030

Preliminary Plat 04030

RESOLUTION NO. PC-00980

WHEREAS, Douglas Blanc c/o Alan Baade has submitted the preliminary plat of Jensen Park Estates Addition for acceptance and approval together with a request to waive the requirements of the Land Subdivision Ordinance and Design Standards for Land Subdivision Regulations in order to allow block length in excess of 1,000 feet in length without the required pedestrian way easement, to allow sanitary sewer to flow opposite street grades, to allow lots less than 110' deep backing onto an arterial street, to not project the street system into adjacent property, and to not provide curb and gutter along an arterial street on property generally located at South 84th Street and Yankee Hill Road; and

WHEREAS, the Planning Director has recommended conditional approval of said preliminary plat.

NOW, THEREFORE, BE IT RESOLVED by the Lincoln City-Lancaster County Planning Commission that the preliminary plat of Jensen Park, generally located at South 84th Street and Yankee Hill Road as submitted by Douglas Blanc c/o Alan Baade, is hereby accepted and approved, subject to the following terms and conditions:

1. After the subdivider completes the following instructions and submits the documents and plans and 6 copies to the Planning Department, the preliminary plat will be signed by the Chair of the Planning Commission certifying approval: (NOTE: These documents and plans are required by ordinance or design standards.)

a. Revise the preliminary plat as follows:

i. Delete General Site Notes 10, 11, 15, 16, and 17 which restate applicable requirements and are redundant.

ii. Delete Site Specific Note 9 which precludes sidewalks along both sides of Yankee Hill Road and South 84th Street, or restate it to say that this project is only responsible for the sidewalks along the east side of South 84th Street and the north side of Yankee Hill Road.

iii. Delete the note "10' Right-Turn Easement."

iv. The required screening along the arterial street and railroads shall be shown with the Jensen Park Estates Final Plat.

v. Rename the north-south portion of Conestoga Street closest to South 84th Street.

vi. Make revisions to the satisfaction of Public Works and Utilities.

vii. Show easements as required by L.E.S.

viii. Lot screening for Lots 1-5, Block 8, shall be screened so that 90% of the surface area of the vertical plane extending along the entire length of Lots 1-5, Block 8, from the ground elevation at the lot line to six (6) feet above the surface elevation of the street.

2. The City Council approves associated requests:

a. ANN#04012.

b. CZ#04079.

c. A waiver of the requirement in Lincoln Municipal Code § 26.23.030 that when there is no adjoining subdivision in existence, the Subdivider shall show a proper projection of streets from the subdivision into adjacent lands.

3. Final Plats will be approved by the Planning Director after:

a. The sidewalks, streets, drainage facilities, street lighting, landscape screens, street trees, temporary turnarounds and barricades, and street name signs have been completed or the subdivider has submitted a bond or an escrow of security agreement to guarantee their completion.

b. The subdivider has signed an agreement that binds the subdivider, its successors and assigns:

i. To complete the street paving of public streets, and temporary turnarounds and barricades located at the temporary dead-end of the streets shown on the final plat within two (2) years following the approval of the final plat.

ii. Pay the equivalent sum to the City of Lincoln to complete the installation of sidewalks along both sides of streets and along the east side of South 84th Street and the north side of Yankee Hill Road as shown on the final plat at the time of final plat.

iii. To complete the public water distribution system to serve this plat within two (2) years following the approval of the final plat.

iv. To complete the public wastewater collection system to serve this plat within two (2) years following the approval of the final plat.

v. To complete the enclosed public drainage facilities shown on the approved drainage study to serve this plat within two (2) years following the approval of the final plat.

vi. To complete land preparation including storm water detention/retention facilities and open drainageway improvements to serve this plat prior to the installation of utilities and improvements but not more than two (2) years following the approval of the final plat

vii. To complete the installation of public street lights within this plat within two (2) years following the approval of the final plat.

viii. To complete the planting of the street trees within this plat within four (4) years following the approval of the final plat.

ix. To complete the screen within this plat within two (2) years following the approval of the final plat.

x. To complete the installation of the street name signs within two (2) years following the approval of the final plat.

xi. To complete any other public or private improvement or facility required by Chapter 26.23 (Development Standards) of the Land Subdivision Ordinance in a timely manner which inadvertently may have been omitted from the above list of required improvements.

xii. To complete the public and private improvements shown on the preliminary plat.

xiii. To retain ownership of or the right of entry to the outlots in order to maintain the outlots and private improvements on a permanent and continuos basis. However, the subdivider may be relieved and discharged of this maintenance obligation upon creating, in writing, a permanent and continuous association of property owners who would be responsible for said permanent and continuous maintenance. The subdivider shall not be relieved of such maintenance obligation until the private improvements have been satisfactorily installed and the documents creating the association have been reviewed and approved by the City Attorney and filed of record with the Register of Deeds.

xiv. To properly and continuously maintain and supervise the private facilities which have common use or benefit, and to recognize that there may be additional maintenance issues or costs associated with providing for the proper functioning of storm water detention/retention facilities as they were designed and constructed within the development, and that these are the responsibility of the land owner.

xv. To continuously and regularly maintain the screens.

xvi. To comply with the provisions of the Land Preparation and Grading requirements of the Land Subdivision Ordinance.

xvii. To submit to the Director of Public Works a plan showing proposed measures to control sedimentation and erosion and the proposed method to temporarily stabilize all graded land for approval.

xviii. To submit to the lot buyers and home builders a copy of the soil analysis.

xix. To protect the trees that are indicated to remain during construction and development.

xx. To relinquish the right of direct vehicular access from lots abutting South 84th Street and Yankee Hill Road except as shown.

xxi. To inform all prospective purchasers and users that the land is located within the 100 year floodplain and that the grading of the lots and outlots shall be in conformance with the grading plan approved with the Preliminary Plat #04030 or as amended by the Director of Planning. The volume of fill material brought into each lot and outlot from outside the floodplain shall not exceed that shown on the approved grading plan accompanying the preliminary plat.

xxii. To pay all design, engineering, labor, material, inspection, and other improvement costs.

BE IT FURTHER RESOLVED that:

1. The requirement in the Lincoln Municipal Code § 26.23.125 that a pedestrian way easement shall be provided when a block length exceeds 1,000 feet is hereby waived.

2. The requirement in Section 3.6 of the Sanitary Sewer Design standards that the slope of the sanitary sewer shall parallel the street is hereby waived.

3. The requirement in Lincoln Municipal Code § 26.27.010 that streets shall be paved with curbs and gutters is hereby waived.

4. The requirement in Lincoln Municipal Code § 26.23.140(a) that lots abutting a major street shall have a minimum depth of 110 feet is hereby waived.

DATED: February 15, 2006

ATTEST:

/S/ Original signed by Jon Carlson

Chair

Approved as to Form & Legality:

Chief Assistant City Attorney

BOWMAN & KRIEGER
ATTORNEYS AT LAW
1045 LINCOLN MALL - SUITE 100
LINCOLN, NEBRASKA 68508

(402) 476-8005

DONALD H. BOWMAN
MARK J. KRIEGER
CHAD L. BOWMAN
TERRI M. WEEKS
JOHN J. LIESVELD

FAX (402)476-8235
www.bowmanandkrieger.com

February 22, 2006

Joan E. Ross
City Clerk
City of Lincoln
555 S. 10th Street
Suite 103
Lincoln, NE 68508

RE: Resolution of Intent to Create Downtown Business Management Districts

Dear Ms. Ross:

Please accept this letter on behalf of Bowman Properties, LLC, owner of the property at 1045 Lincoln Mall, Condo Unit No. 1, objecting to the Resolution to establish a Management Business Improvement District bounded roughly by "H", 6th, "R" and 17th Streets in the city of Lincoln.

Given the generalities of the proposed Resolution, it is impossible to ascertain what specific purpose is being served by the establishment of this district. It is clear, however, that there is nothing in the proposed Resolution which would benefit the property owned by Bowman Properties. Further, there is nothing set forth in this Resolution which reflects how and in what manner the proposed initial assessment of $642.04 was arrived at. The last thing needed on Lincoln Mall is another improvement district. I certainly object to financing improvements in other parts of the City for the benefit of other property owners and the City in general, at my expense.

I trust you will provide copies of this protest to the members of the City Council. I will plan on attending the hearing on March 6. Thank you.

Very truly yours,

Don Bowman

Donald H. Bowman

DHB:cas

dhb\1045_LM\City Clerk 1

campjon@aol.com
02/15/2006 02:17 PM

To tgrammer@lincoln.ne.gov
cc bob@bobgoemann.com
bcc
Subject Fwd: New Arena

Tammy:

Please pass this idea on to my colleagues on the Council and to the Mayor's office. It might be good to also send a copy to Dick Campbell who has chaired the Arena Committee.

Thanks,

Jon

Jon Camp
Lincoln City Council
City Council Office: 441-8793
Constituent representative: Darrell Podany

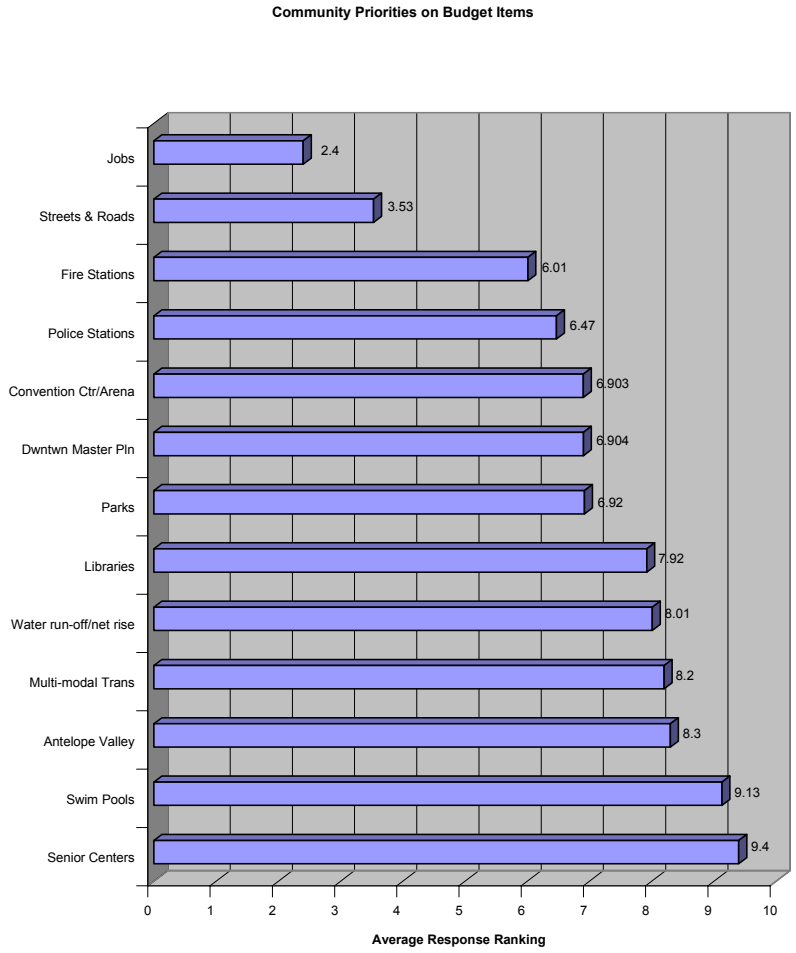
-----Original Message-----
From: Bob Goemann <bob@bobgoemann.com>
To: campjon@aol.com
Sent: Tue, 14 Feb 2006 09:42:19 -0600
Subject: New Arena

I was looking over the new arena thing and I noticed on my own a better area to build it. There is a plot of land that I believe the city owns just off Sun Valley where the city impound lot is. This area is empty except for the impound lot which could be moved. This area is at a perfect setting as it close enough to the university for them to share use of it and they could loose Deaveny. Then also it is close enough to downtown for the hotels and business. Also, it is close enough to O St. and cornhusker HWY and also close enough to 180 and I 80. I would love to mention this to others.

REPORT ON COMMUNITY ATTITUDES FOR SPENDING PRIORITIES
CITY OF LINCOLN, NEBRASKA

Compiled by Robin Eschliman, Council Member at Large

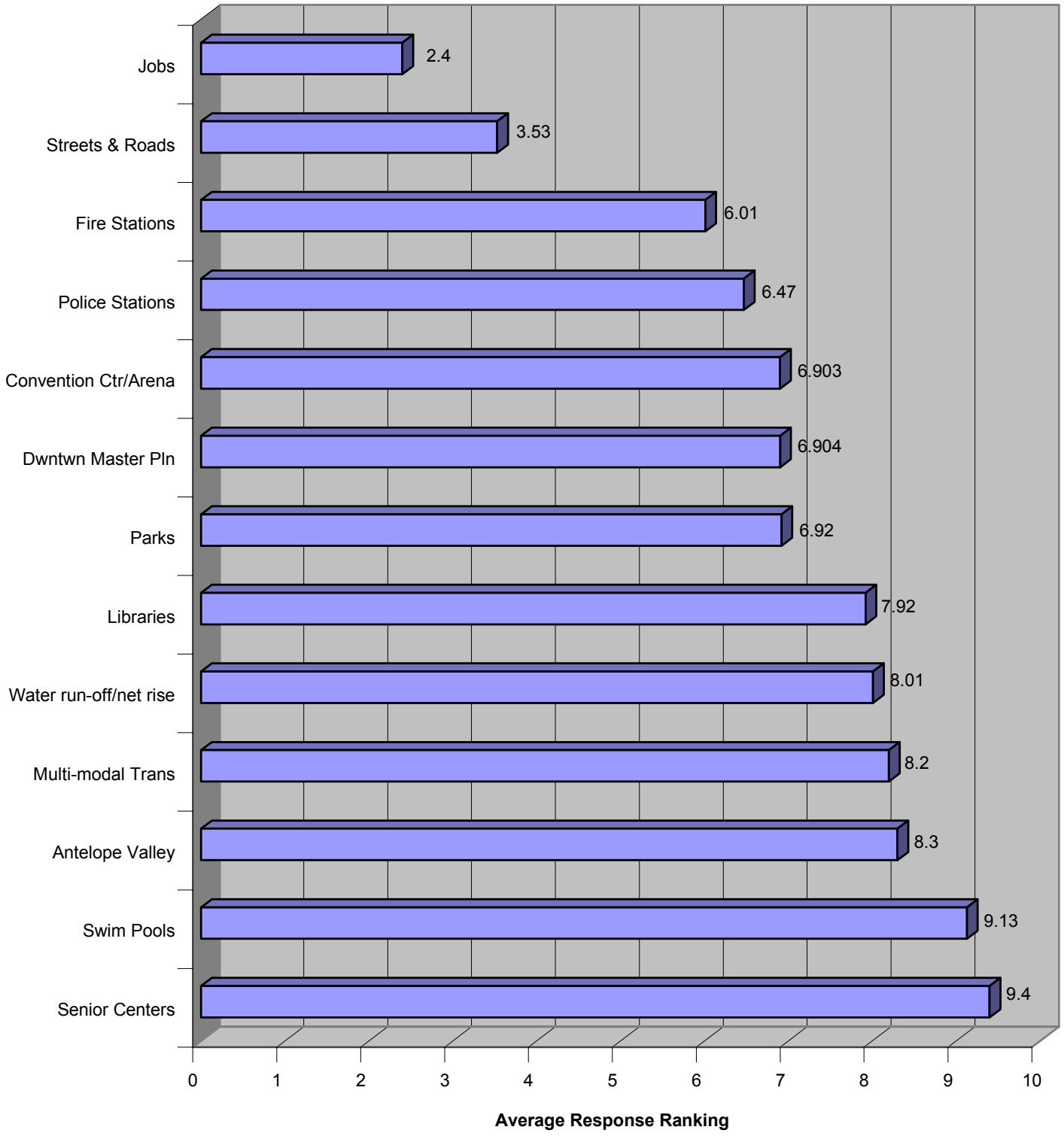
February 21, 2006



Thanks to the following companies, organizations, members, employees,
and
customers for participating in the survey:

Ameritas
Asian Community Center
Barnes & Noble Bookstore-O Street
BETA Tips Club
BryanLGH Medical Center
Capitol City Christian Church
Central Labor Union
Chamber of Commerce
Christ's Place Church
Construction Group Inc.
Dietze Music House
Downtown Executive Club
Dr. Jeff Fraser, M.D.
Dr. Kerns DDS
Duncan Aviation
First Evangelical Free Church
Robin Gifford
Homeless Coalition
Kiwanis Downtown
LaBenz & Associates accounting
Lincoln Independent Business Assoc
McDonald's Coffee Club
N. 27th Street Business Association
New Covenant Community Church
Optimist Club-Downtown
Pepsi-Cola of Lincoln
Pine Lake Bunco Club
Premiere Jewelry sales representatives
Rotary Downtown
Rotary North
Rotary South
Salt Valley Neighborhood Association
Sertoma Club
ServiceMaster of Lincoln
State Farm Insurance
Southeast Community College
Southwest High School Civics class and parents
University Place merchants
The Victorian Assisted Living
Wellman Plumbing
YMCA
Zion Church

Community Priorities on Budget Items



Nearly 500 Lincolnites participated in the Survey on Spending Priorities. This represents the best available information that we have today from the public on how it would like to see the City Council order its priorities.

Methodology

Survey participants included ethnic community centers, service clubs, churches, doctors' offices, fitness enthusiasts, retailers, retirement centers, women's groups, senior citizens, neighborhood groups, and many others, in order to obtain a cross section of the largest variety of the city possible. Approximately 700 surveys were sent out. No one group was allowed to fill out more than 25 surveys, and surveys were hand-delivered by a volunteer to each group of people filling them out and then returned to the council office in order to avoid "spamming". There were 491 returned with a few that were illegible or failed to follow instructions. Surveys began in August during the warm weather season and were completed in February. The vast majority of the survey items received media attention of some type during the time period.

Survey participants were asked to rank their TOP three and BOTTOM three priorities in a list of 13 projects that the City Council has been asked to consider. Not all, but most, participants assigned a number to all 13 items. Some only ranked some of the items. The responses for each capital item were totaled and an average score calculated.

1. RECRUITING BUSINESS THAT PROVIDE JOBS

Without question, Lincolnites desire that our City would make spending on jobs a number one priority. The question consistently ranked at the top regardless of the type of group surveyed. Currently, Lincoln spends $250,000 per year to support its Lincoln Partnership for Economic Development. Other communities spend annually as follows:

Grand Island - $750,000
Tulsa - $1.2 million
St. Joseph - $1.2 million
Sioux Falls - $1.5 million
Omaha - $3 million
Des Moines - $3.5 million
Topeka - $4 million

Generally speaking, most economic development activity is targeted towards industrial and manufacturing jobs, although some attempt has been made in recent years to target technology, distribution, bio-ag, and other categories recommended by Angelou Economics. The January 2006 issue of Governing magazine observed that 8.4 to 22.7 percent of workforces in many cities are employed by the manufacturing industry. For Lincoln to focus solely in this area of jobs recruiting and neglect the other career fields would result in ignoring 88% to 92% of its working population's job choices. When compared to Omaha, Kansas City, and Madison Wisconsin, which are frequently mentioned as "peer cities", Lincoln's breakdown of employment is within a

percentage point of comparability in the various white collar and blue collar sectors, except that Lincoln has noticeably fewer individuals employed in the retail sector.

While the City should above all focus the vast majority of its efforts and money on high-paying jobs whose income sources are derived from outside our city, jobs activity in our community that results in a variety of career choices to our citizens should be celebrated and encouraged, not criticized.

Business Summary Report

Date: December 17, 2005	Lincoln		Omaha		Kansas City		Madison, WI	
2005 Employees By Occupation	**Count**	**%**	**Count**	**%**	**Count**	**%**	**Count**	**%**
"White Collar" Employees	100,300	65.06%	282,744	64.70%	601,021	63.12%	198,571	64.38%
Administrative Support Workers	30,665	19.89%	90,091	20.62%	186,047	19.54%	61,419	19.91%
Executive Managers & Administrators	18,477	11.99%	52,664	12.05%	111,097	11.67%	36,097	11.70%
Professional Specialty Occupations	28,340	18.38%	66,681	15.26%	152,762	16.04%	53,308	17.28%
Sales Professionals	3,883	2.52%	14,523	3.32%	25,917	2.72%	8,046	2.61%
Sales Workers & Clerks	11,854	7.69%	41,164	9.42%	86,699	9.11%	25,405	8.24%
Technical Sales & Administrative	563	0.36%	1,459	0.33%	2,427	0.25%	983	0.32%
Technologies & Technicians	6,518	4.23%	16,162	3.70%	36,073	3.79%	13,312	4.32%
"Blue Collar" Employees	53,616	34.78%	153,339	35.09%	347,750	36.52%	108,394	35.14%
Construction, Repair & Mining	3,566	2.31%	10,707	2.45%	26,380	2.77%	8,163	2.65%
Farming, Forestry & Fishing	2,919	1.89%	8,685	1.99%	18,892	1.98%	7,454	2.42%
Handlers, Helpers & Laborers	4,091	2.65%	12,319	2.82%	27,531	2.89%	8,369	2.71%
Machine Operators, Assemblers & Inspectors	3,938	2.55%	10,685	2.45%	24,395	2.56%	7,105	2.30%
Other Services Field Based	869	0.56%	1,799	0.41%	5,869	0.62%	1,481	0.48%
Other Services Site Based	20,962	13.60%	57,909	13.25%	123,101	12.93%	39,712	12.87%
Precision Craft & Repair	11,758	7.63%	34,722	7.95%	81,391	8.55%	23,648	7.67%
Private Household Service	23	0.02%	13	0.00%	34	0.00%	10	0.00%
Protective Services	1,970	1.28%	5,167	1.18%	12,942	1.36%	4,099	1.33%
Transportation & Materials Moving Workers	3,520	2.28%	11,333	2.59%	27,216	2.86%	8,353	2.71%

A survey done of commercial real estate agents and economic development recruiters last October found that site selectors in the industrial, office, and retail sectors are choosing Lincoln for the following reasons:

103	Population
82	Want to be in a critical mass with other businesses or customers
66	Family
64	Proximity to Omaha
44	Proximity to Interstate
40	Roads, utilities, sewer are available
26	Incentives *
4	Parks and Trails [ranked last or received no ranking]

** Realtors are not typically asked for assistance with incentives by jobs creator—the jobs creators are usually linked with the Chamber of Commerce or Economic Developers for city assistance, and those individuals perform separate surveys on this issue at different parts of the year*

Clearly, a city with a growing population and a critical mass of business is the primary way to get the attention of jobs creators. Anti-growth policies will keep away the jobs. Families are the next best economic development tool that our city has, and perhaps some innovative jobs recruiting attempts could be pioneered that involve recruiting outside companies via local family members. In tight budgetary times, a less expensive alternative to budgeting large amounts of money for jobs recruitment would be for the City Council to refrain from passing legislation that is a deterrent to business, or explore repealing legislation that is currently discouraging to business.

COMMENTS FROM THE PUBLIC:

1. I would like to see financial support from the City to businesses who are willing to employ former felons. County and State, too.
2. More business-friendly city via taxes and incentives.
3. The announcement this week of the new industrial park at the airport is a very positive move. We need more development of this nature.
4. An inviting environment to new business.
5. Need industrial parks.
6. Nebraska is the next to last state in economic growth.
7. A real need.
8. Improve employment
9. White collar corporations.
10. Very important. Key to all the rest so we can help fund many of these.
11. We need businesses that create jobs and provide construction jobs.
12. We need this badly (controlled growth)
13. Supply full-time jobs.
14. Full time-jobs
15. Can't be done.
16. Lincoln needs more jobs, especially for former inmates who have a felony, as past background check denies them the chance for work and to provide for themselves.
17. I am a strong advocate of getting more jobs in Lincoln. The recent layoffs at Bryan and Pfizer are an indication that we cannot rely on the Health field to provide jobs in Lincoln.
18. And retain Grads.
19. Also, helping businesses that are already here.
20. Especially KEEPING exisiting.
21. Important use of tax dollars.
22. Without jobs, you cannot support the rest.

2. MAINTAINING AND BUILDING NEW STREETS AND ROADS

Given the overwhelming defeat of the bond issue, the high priority of this item to our citizens is puzzling. Perhaps its high placement can be explained that citizens simply *expected* the City Council to make it a top priority, saw it as the City's primary job, and were taken aback that they had to be asked for a bond issue. Since priorities involving spending on trails ranked middle to low in the survey (Funding Downtown Master Plan ideas; Building Multi-Modal Transportation), perhaps coupling trails with the bond issue was a fatal mistake. It could be that the bond issue, although it failed, simply raised public awareness, and perhaps since its failure, citizens are beginning to notice that the City is behind.

Certainly this item is tied to jobs creation, as a company cannot expand or locate in a city lacking in streets. In recent years, streets and roads have had to defer to Antelope Valley, which received one of the lowest rankings in this report. Moving streets and roads to the priority that citizens expect will be a monumental challenge, but a crucial one, for the City Council and for staff.

COMMENTS FROM THE PUBLIC:

1. *We don't need to widen every street*
2. *Plan further ahead on transportation needs. Make the plan happen.*
3. *South Bypass!*
4. *In a TIMELY manner.*
5. *Use creative design techniques to widen 27th, 48th, and 56th.*
6. *Fix/repair potholes, etc.*
7. *Development of infrastructure for city's streets—need 4-lane roads on S. 27th, S. 40th, S. 48th, a bypass for trucks so Hwy 2 will not be so congested with trucks who run red lights consistently at all the major intersections*
8. *Cross off "building new"*
9. *Too late. Get on with it.*
10. *Street light synchronization, eliminate median cuts and use u-turns at lights, snow removal on streets*
11. *What happened to all the revenue from the wheel tax?*
12. *With better materials used.*
13. *Build double wide 4-lane from the outset! South and East Bypasses. 30 years of talking is enough.*
14. *Emphasis should be on maintaining*

Jobs and Roads were consistently marked as number one and number two respectively on the surveys, but the placement of Item 3 did not become apparent until all of the surveys were tabulated.

3. NEW FIRE STATIONS IN NORTH AND SOUTH LINCOLN

If jobs represent the physiological base of Maslow's hierarchy of needs, then fire service and police no doubt represent Lincolnite's concerns for safety.

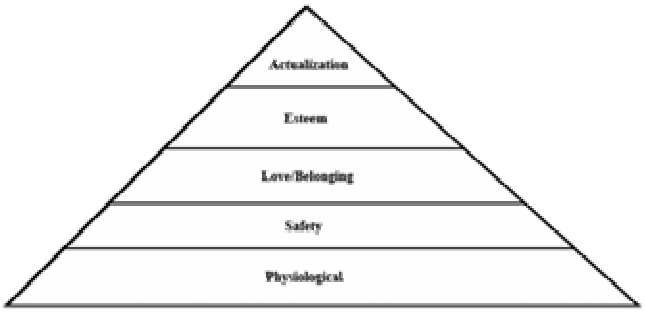
COMMENTS FROM THE PUBLIC:

1. *I was in the Fire Dept (LFD) for 6 years. The new stations are NOT necessary*
2. *Would combine and say they should always be state of the art.*
3. *Too many new.*
4. *Better if more efficient staffing.*
5. *With such outward growth, it seems we need to be safer in the city.*
6. *Don't know the need.*
7. *After study is complete.*

4. NEW POLICE STATIONS

COMMENTS FROM THE PUBLIC:

1. *And police officers.*
2. *Crime prevention.*
3. *Am not sure of the need.*



5. BUILDING A CONVENTION CENTER AND ARENA IN THE DOWNTOWN AREA

Most of the items that fell into the middle of this survey were scored a variety of ways. However, when tabulating these surveys, it became apparent that it wasn't moderate scores that placed this item in the middle of the rankings—it was polarized scores with many very high or very low numbers. It also elicited as many comments as the #1 item.

COMMENTS FROM THE PUBLIC:

1. Should be a 22,000 arena
2. The convention center will create the jobs and revitalize Downtown.
3. Poor use of funds.
4. Why would we tear down the post office when a convention center could be built somewhere else—like State Fairgrounds property.
5. I support an arena in downtown but not a convention center/hotel. I support the arena if it is in conjunction with the University. Lincoln cannot support more convention space and hotel rooms. The market is already saturated.
6. Stupid idea
7. Everything is going on at the Qwest Center in Omaha. We need to put something here in Lincoln.
8. Utilize Devaney.
9. Why try to copy Omaha? Be original—go for co-op with Event Center—a place with access!
10. Arena should be built but not Downtown.
11. Not Downtown. Enough about Downtown already.
12. Not Downtown.
13. At State Fair Park
14. Absolutely not in the Downtown area
15. If you want to build a convention center, what about east of town towards Omaha. Plus, I'd like to see a nice hotel on the east/southeast side of the City.
16. Big deal.
17. Build it at State Fair Park or Devaney Ctr. Move State Fair to Lancaster Events Center. Do not overwhelm Downtown, Haymarket and parking with a convention center. State Fair Park as a convention site will still support downtown, UNL and economic growth.
18. Not quite understanding why we need an arena! We need schools, not sports.
19. Would rank higher only if Recruiting Businesses That Provide Jobs would take place
20. This is next to the dumbest idea.
21. Continue to work on getting Events Center State park and this concept coordinated.
22. Desirable, not essential.

6. FUNDING DOWNTOWN MASTER PLAN IDEAS (PARK, TROLLEYS, BIKE LANES, PARKING GARAGES

This item essentially tied with Item #5, as it was within .001 of a percentage point. However, it was not as polarized as the Convention Center/Arena issue. It received a variety of scores.

COMMENTS FROM THE PUBLIC:

1. Downtown event site at Centennial Mall
2. What about funding a logical Master Plan that includes more than just Downtown where the "good ole' boys" own property?
3. Absolutely not.

4. Focus on areas of the City that WANT to grow.
5. Desirable vs. essential

7. RENOVATING AND BUILDING PUBLIC PARKS AND REC CENTERS

For the many items such as this that fell into the middle area of the survey, we can probably infer that since the public is not asking us to make them top priority, nor suggesting to us that they should be bottom priorities, that the public is probably happy with the job the Council is doing and does not perceive the items to be a weakness.

A survey of the Realtors last fall indicated that 96% of their customers do not cite parks and trails as the reason they move to Lincoln. However, forty-nine percent of the time in a house sale, publicly-funded parks and neighborhood association green space DO increase the value of the house two to ten percent, as long as there is not a trail in back of the house or on the side yards. Given the fact that the public does not differentiate between city-owned vs. homeowner green space, perhaps more of the financial burden for green space can be made to rest on the new neighborhoods in recently-designated flood prone areas, rather than with the City.

COMMENTS FROM THE PUBLIC:

1. Mahoney Park—City has taken all the play equipment and not replaced any of it.
2. Maintain parks and trails we have before building new ones.
3. We already have great parks.
4. Yes, keep kids out of trouble.
5. After-school programs/community learning centers for all these children who are left alone after school.
6. Collaboration with community learning centers would increase use of city libraries
7. Collaboration with Community Learning Centers so that it is a win-win around the city
8. Desirable, not essential

8. RENOVATING AND BUILDING LIBRARIES

Lincoln has a significant investment in its existing library system. It was only decade ago when the last bond issue was passed, but at that time the Internet was only in the beginning stages of public acceptance. Many of the schools have substantial-sized libraries. Public libraries may best survive and serve us in the future if they find creative ways to partner more with the schools, senior centers, or other entities.

COMMENTS FROM THE PUBLIC:
1. Renovate and build libraries, but not Pershing
2. School libraries are sufficient. Adults have means to get to existing infrastructure to facilitate.
3. Why must libraries fall into disrepair? Bennett Martin should have been cleaned twenty years ago.
4. Build on-line library.
5. We can always use more books
6. Zero. Internet.
7. Possibly include some with senior citizen areas.
8. We already have excellent resources here.
9. They are becoming obsolete with the Internet.
10. Enough already.

11. We are in fair condition.
12. Build libraries with growth of the city

9. EXPENDITURES TO PREVENT RUN-OFF AND NET RISE OF WATER LEVELS.

The survey was taken during the New Orleans hurricanes, but this seemed to make no difference to Lincolnites; they do not wish to see the Council make a priority of this. The low ranking of this item may also provide guidance to the Council as to prioritization of this type of future expenditures in Antelope Valley.

COMMENTS FROM THE PUBLIC:

1. Don't we need higher water levels?
2. In this drought situation, we need to be smart with our resources.
3. Use Federal standards, not local desires

10. BUILDING MULTI-MODAL TRANSPORTATION (TRAILS, BUSES, TRAIN TO OMAHA)

The ranking for this item is very consistent with studies two and five years ago. The Multi-Modal Transportation Study Final Report in September of 2004 indicated that 81% of the commuters drive alone and that from 1990 to 2000, Lancaster County saw a 49% decrease in the use of alternatives to driving alone. The Sigma Group reported in June of 2001 in the Lincoln/Lancaster County Transportation and Mobility Study that 3 out of 5 respondents said they didn't know of anything that StarTran could do or change to cause their household to ride the bus more often, and 68% of county residents preferred that more public funds be spent to build roads as opposed to 29% who said money should be spent to encourage non-vehicle or public transportation.

COMMENTS FROM THE PUBLIC:

1. Transportation so seniors who are older don't have to drive for their safety [Note, this respondent ranked this item as a #10]
2. We need to improve public transport in Lincoln. I have to drive downtown because the last bus to my neighborhood leaves at 5 p.m. (West A).
3. Train to Omaha would be awesome.
4. It would be very nice if there was a way to get to Omaha if things continue to happen in Omaha.
5. I do not believe people will use this type of transportation.
6. Develop/improve public transportation system
7. Omaha/Lincoln airport
8. We have enough trails, why are we painting stripes on bike paths and sidewalks (this is a maintenance item).
9. We really need buses throughout the whole city.
10. We need public transportation more than anything. We can't afford hiring transportation and we do not know much about bussing.
11. Train not financially feasible until Lincoln and Omaha have surface transport.

11. ANTELOPE VALLEY

COMMENTS FROM THE PUBLIC:

1. Isn't this a forgone conclusion?
2. Lowest.
3. Forget "O" Street project and Van Dorn-9th Street.
4. Re-zoning of flood areas
5. Too late.
6. Don't stop now.
7. This is the dumbest idea.
8. Now that we have started we have to keep going.
9. Need to complete the first phase.
10. Need affordable housing and neighborhood revitalization

12. RENOVATING AND BUILDING SWIMMING POOLS

The survey was begun in August. The ranking might not have been this low had the survey been held over all of the summer months; but even in August, the participants still scored the item low.

COMMENTS FROM THE PUBLIC:

1. We need to keep the pools around, because there are too little pools if all older ones are closed.
2. Way north, way south and east have no pools even though massive building of neighborhoods continues. We travel across town to a neighborhood pool because there is nothing available by our home
3. How many were not open due to lack of funds in 2005 [received low ranking].
4. Desirable vs. essential
5. There was declining use of some public pools—establish need; keep existing pools maintained.

13. CONSOLIDATING AND ENLARGING SENIOR CENTERS

Since our population is aging, it might be expected that this category would rank higher. It may change in the next 20 years as we move from a population that is 10% retired to a population that has 25% retirees. Or it may be that a capital expenditure for bricks and mortar is not highly valued given the fact that seniors are not highly mobile and will increasingly find resources in their neighborhood, on the Internet, television, newspaper, and by networking. There are certainly dozens of retirement communities in the United States after whom we could model affordable services to seniors.

COMMENTS FROM THE PUBLIC:

1. Affordable senior apartment centers to live in a safe place.
2. This is a private sector function.
3. Don't know much about this
4. Private, not a city issue now.
5. Consolidating, no. Enlarging, yes.
6. Put senior centers in places where they are more accessible. No place to park near downtown center and LIFE office.
7. Work with Community Learning Centers to see if collaboration possibilities
8. A growing population uses all sources—churches, private sector, agencies.

9. It is my understanding that fewer people are using senior centers; new elderly prefer different options.

OTHER GENERAL COMMENTS

There were several comments made about the public schools. The public perceives that we are involved in those decisions more than we are, and it is clear that they expect us to "support" the schools. We need to educate the public that our role in supporting the schools is mostly limited to promoting construction and development so that new buildings can be put on the tax rolls to provide funds for the schools.

1. Priorities--support and grow infrastructure while investing in revenue-producing efforts (jobs, convention center), followed by quality of life projects and other less critical infrastructure needs.
2. Number 2: We desperately need another post office in Southeast Lincoln. I realize you don't build these, but could you request them, please. Number 3: Lower taxes.
3. Hold on everything until you build a complete bypass around Lincoln. Should have been done 20 years ago.
4. We are retired senior citizens on a fixed income and all we see on this page is a group of tax increases which, in effect, would take money from our daily living. How much of a burden do you think the senior citizens can take? Every time you raise taxes, we tighten our belts and therefore you have less sales taxes. Get it?
5. I hope the school bond issue passes. Does the City support Child Protective Services?
6. I am not familiar with the status of fire/police stations.
7. #1: Build new youth baseball facilities
8. #1: Where is any mention of our public schools? Overcrowding, poorly planned buildings.
9. Investing in public schools. Development of minority communities and centers to support their work.
10. Why no area pertaining to Lincoln Public School system?
11. Maintaining services/shelters serving low income families.
12. #1 Speeding up process to address services etc. in new areas/land use
13. #1 Schools
14. Lots of these are #13's.
15. Could we work on tax credit for those of us who send kids to private schools?
16. Lincoln is more than Downtown!
17. No Walmart SE corner of 84th & Adams.
18. Quit protecting Downtown.
19. I am tired of so much time and money being spent to draw people back Downtown. I don't want to go Downtown period. Areas of growth are everywhere. Downtown seems to belong to the University. I want to see something done to 48th & O.
20. Growth-oriented spending and planning are hopefully what shows up in this survey.
21. I currently live in the area of West O that has been declared a blighted zone. As a citizen of this area, I would like to see some improved shopping and recreation development. This type of development I feel will reduce some of the wanton vandalism in the area. Provide the opportunity for the younger members of my community to have something to do. Additionally, grocery and gas purchases are difficult when these options are limited for the NW 48th section of this blighted area.
22. I'm not sure about the need of some of these suggestions. Do we really need some of these things? They don't seem to be needed!
23. I'm told Omaha City Planning is user friendly while Lincoln City Planning is a monolith.
24. Any plans for supporting Public Schools? I realize this is a bond issue for buildings, but much more goes into the schools! Support for elementary students who are mentally ill, involved

in severe behavioral issues—Lincoln does not have treatment for these kids. Community learning centers; CPS—real problems here; Child Protective Service; Resource Officers in schools, Child Adolescent treatment centers.
25. Utilize tax dollars for jobs, roads, police stations, fire stations which are necessary and priority, instead of lesser feel-good items.
26. I am in assisted living. I want a good grocery store within two miles of 2501 Q. I must pay $20 to be taken to appointments. I am afraid to try to travel by bus because I am afraid of getting lost. We have buses here, but they go on certain days and we can't buy everything we need because we can't carry it.
27. We already can't afford the new schools built. We need to get those paid before building new. Also, City and State workers need to be more supervised. They waste too much time on the job.
28. Need hospital on north side of town. By Interstate.

APPENDIX A – SURVEY FORM

CITY COUNCIL OF LINCOLN NEBRASKA
555 South 10th Street • Lincoln, NE 68508 • 402-441-7515
FAX: 402-441-6533 • E-MAIL: council@lincoln.ne.gov

ROBIN ESCHLIMAN
City Council Member At Large

SURVEY ON SPENDING PRIORITIES FOR THE CITY OF LINCOLN

Think about what Lincoln is going to need over the next few years. Please rank the following items from 1 to 13 with the *one being the top priority* and *thirteen being the lowest priority* for how our city tax dollars should be spent. **You do not have to rank every item, but at least rank your highest and lowest priority items**.

Comments

_____ Renovating and building libraries

_____ Recruiting businesses that provide jobs

_____ New fire stations in north and south Lincoln

_____ Building a convention center and arena in the downtown area

_____ Renovating and building public parks and rec centers

_____ Maintaining and building new streets and roads

_____ Antelope Valley

_____ New police stations

_____ Renovating and building swimming pools

_____ Funding Downtown Master Plan ideas (park, trolleys, bike lanes, parking garages)

_____ Building multi-modal transportation (trails, buses, train to Omaha)

_____ Expenditures to prevent water run-off and net rise of water levels

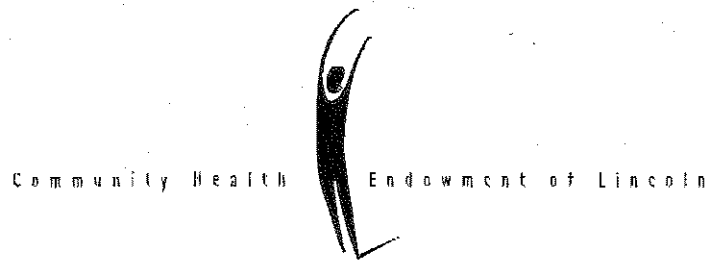
_____ Consolidating senior centers

APPENDIX B – LEADERSHIP LINCOLN SURVEY

This is a summary of a survey taken by class members of Leadership Lincoln. It was done separate from this survey, and the items discussed were not all the same, but there are interesting correlations.

Forty-three students were asked to rank items that needed to be cut from a fictional Lincoln budget. The *lowest* score indicated that they were *least inclined to make cuts* to the item (i.e., more likely to protect this budget category) and a *higher* score meant they were *most inclined to make these budget cuts*. Other than Antelope Valley, there was a high similarity in survey results.

1. Cut 3 police officers
2. Cut 3 firefighters
3. Eliminate LPED support
4. Reduce City funds to Antelope Valley by half
5. Eliminate public health nurse
6. Reduce City employee benefits
7. Cut 1 City attorney
8. Cut 1 housing inspector
9. Reduce park maintenance labor
10. Reduce mid-day bus service
11. Close 3 senior centers
12. Reduce Planning student interns and consulting studies
13. Reduce Library hours
14. Cut 2 Public Information specialists
15. Cut funding for animal shelter



Media Release

To: Media

CC: Mayor's Office, Lincoln City Council

From: Lori Seibel, Executive Director, 436-5516

Date: February 16, 2006

Re: Lincoln's Health Challenge

Hey Lincoln, are you ready for a challenge?

The Community Health Endowment of Lincoln (CHE) is sponsoring Lincoln's 5th Annual Health Challenge.

The Health Challenge, a three-week incentive program, will be held March 5-25, 2006, to raise community awareness of healthy behaviors and lifestyles. The concept is simple: residents of Lincoln and Lancaster County participate in healthy activities, earn points, and become eligible for thousands of great prizes including electronics, bikes, trips, children's activities, gift certificates, and much more!

We would like to encourage you and your family to participate in the 2006 Health Challenge. It is a simple and FREE way to emphasize healthy activities and have fun while doing it! The Health Challenge is open to anyone age 3 and above who lives, goes to school or works in Lincoln or Lancaster County.

Scorecards are now available at partner/sponsor locations. If you need additional scorecards please visit our website at CHElincoln.org. Once there click on 2006 Health Challenge, and then on the Participant Scorecards.

We hope you will join us in making Lincoln the healthiest community in the nation! If you have any questions, contact CHE at 436-5516.

Sponsors/Partners for this year's event include: Valentino's, KLKN TV, Lincoln Journal Star, US Bank, Cornhusker Bank and the Lancaster County Medical Society, Girl Scouts, City of Lincoln, KFRX, KFOR, KLMS, 95Rock, Lincoln Public Schools, Human Services Federation, WorkWell, Inc., Russ's Markets, Community Learning Centers, Lincoln Chamber of Commerce, Youth in Action Center, Lincoln Children's Museum, YWCA, LIBA, Big Brothers, Big Sisters, Boy Scouts and the YMCA.

P.O.Box 81309 Lincoln, NE 68501 www.CHElincoln.org © 402.436.5516 · Fax 402.436.4128

A MUNICIPAL FUND OF THE CITY OF LINCOLN

The UPS Store
5141 'O' St.
Ste. A
Lincoln, NE 68510

EB 23 200
CITY COUNCIL
OFFICE

February 21, 2006

City Council Office
555 S. 10th St.
Lincoln, NE 68508

Re: O Street Construction

To Whom It May Concern:

I am writing to you in regards to the 'O' Street project. I own a small business located at 5141 'O' St., & I am very concerned about the impact that this project will have on my business. This project is going to make it very difficult for customers to access my business, & once they get here, they are going to have a difficult time parking because ½ of our parking lot will be torn up during the construction.

I would like to know if the city is offering anything for compensation on lost business & I would also like to know what we will be able to do in terms of advertising with mobile signs & yard style types of signage.

The way this construction is planned, it seems the city didn't really take into careful consideration about what it would mean to small businesses. I know this project needs to be done, & it needs to be done fast, but after talking to the independent businesses around me, it seems like the new businesses going in on the N.E. corner of 48th & 'O' St. had more impact on the decisions than we did. Why not close down one side of 'O' St. & run 24 hr. crews? Not having direct access is just going to have a terrible impact on my business, & could even put me out of business. Please let me know as soon as possible if there are any contingency funds to help us get through this & what we are allowed to do in means of advertising with signs.

Regards,

Dana Houser

cc: Mayor Coleen Seng

ADDENDUM
TO
DIRECTORS' AGENDA
MONDAY, FEBRUARY 27, 2006

I. MAYOR -

1. NEWS ADVISORY - RE: Mayor Seng's Public Schedule Week of February 25 through March 3, 2006-Schedule subject to change -(See Advisory)

2. Response Letter from Lin Quenzer to Charles Kingsbury - RE: Skateboarders on Streets -(See Material)

II. CITY CLERK -

1. Letter from James R. Griess, Nebraska State Education Association sent to City Clerk Joan Ross - RE: #36, 06-24, the resolution being proposed to create a Downtown Business Management District -(See Letter)

III. CORRESPONDENCE

A. COUNCIL REQUESTS/CORRESPONDENCE -

KEN SVOBODA -

1. E-Mail from Mark Hunzeker to Ken Svoboda - RE: Request to continue public hearing on the Theater policy ordinance to have additional public hearing and action on March 13th - (See E-Mail)

B. DIRECTORS AND DEPARTMENT HEADS -

HEALTH -

1. E-Mail from Charlotte Burke - RE: Lincoln In Motion letter to City Council from Barbara Fraser -the Design Standards for Pedestrian Circulation in Commercial and Industrial Areas -(See E-Mail)

PLANNING -

1. Letter from Douglas H. Rotthaus, REALTORS Association of Lincoln - RE: 06-5, 06R-9, 06-6, Proposed Landscape Design Standards -(See Letter)

2. Memo & Material from Marvin Krout - RE: Residential Land Inventory & Single Family Lots As of January 1, 2006 -(See Material)

3. E-Mail-Testimony of Richard K. Sutton, ASLA, Ph.D., Registered Landscape Architect - RE: 06-5, 06R-9, 06-6 , Proposed streetscape/landscape code amendments - (See E-Mail)

C. MISCELLANEOUS -

1. E-Mail from Jim & Jeanne Pearson - RE: Multiplex theater, 84th & Hwy.2 - (See E-Mail)

2. E-Mail from Jeffrey Keown - RE: Movie & Wal-Mart Decision-(See E-Mail)

3. E-Mail from Vickie Wenzl - RE: Theater -(See E-Mail)

4. E-Mail from J. Kirk Brown - RE: City of Lincoln theater policy -(See E-Mail)

5. E-Mail from Linda Gran - RE: Movie Theater -(See E-Mail)

6. E-Mail from James Hauder - RE: Theater policy -(See E-Mail)

7. E-Mail from Jack G. Krumm, Jr. - RE: New movie theaters -(See E-Mail)

8. E-Mail from Earl Franklin - RE: Wal-Mart & Theaters -(See E-Mail)

9. E-Mail from David Oenbring - RE: Theater Policy -(See E-Mail)

10. E-Mail from Ted & Barbara Krzycki - RE: Theatres -(See E-Mail)

11. E-Mail from Edward Thomas Hart - RE: Multiplex theater -(See E-Mail)

12. E-Mail from Robert L. Bryant, CPA, Larsen, Bryant & Associates, PC. - RE: Movie Theaters -(See E-Mail)

13. E-Mail from Gail M. Keown - RE: Proposed "sunset" of theater monopoly policy -(See E-Mail)

14. E-Mail from Patrick Henry - RE: Douglas Theaters -(See E-Mail)

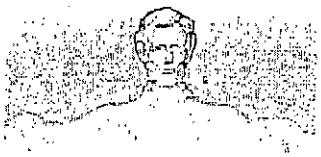
15. E-Mail from Reuben Hanson, CPP, Vice President, Corporate Security - RE: Landscape Screening and Height requirements - (See E-Mail)

16. E-Mail from Donna Brubaker - RE: New Bond Issue -(See E-Mail)

17. E-Mail from Kay Rising - RE: It's Time! A decision is made out the development NE of 84th & Adams -(See E-Mail)

18. E-Mail Letter from Barbara Fraser, Lincoln in Motion Co-Chair - RE: Lincoln in Motion letter-re: Design Standards for Pedestrians -(See Letter)

daadd022706/tjg



CITY OF LINCOLN
NEBRASKA

NEWS ADVISORY

MAYOR COLEEN J. SENG

lincoln.ne.gov

Date: February 24, 2006
Contact: Diane Gonzolas, Citizen Information Center, 441-7831

Mayor Seng's Public Schedule
Week of February 25 through March 3, 2006
Schedule subject to change

Saturday, February 25

- Food Share, volunteering - 7:30 a.m., Fourth Presbyterian Church, 5200 Francis
- Garrison Avery Memorial Service, remarks - 11 a.m., First Evangelical Free Church, 3300 S. 84th St.
- Trio Day, remarks and proclamation - 12:40 p.m., Southeast Community College (S.C.C.) gymnasium, 84th and "O" streets

Sunday, February 26

- Dash for Disability, remarks and proclamation - 1 p.m., Nebraska Wesleyan University, Knight Field House, 53rd and Huntington

Tuesday, February 28

- Mayor's Community Conscience Award, remarks - 7:30 a.m., Cornhusker Marriott, 333 S. 13th St.
- Citizenship Class, remarks - 6 p.m., S.C.C., 11th and "O" streets, Energy Square, Room 109

Wednesday, March 1

- State Legislature LB935 hearing - 1:30 p.m., State Capitol

Thursday, March 2

- Dr. Suess Day - 1 p.m., Hartley Elementary, 730 N. 33rd St.
- Heartland Conference for Free Enterprise, remarks - 4:15 p.m., Cornhusker Marriott, 333 S. 13th St.

Tammy J Grammer/Notes
02/24/2006 09:56 AM

To CouncilPacket/Notes@Notes
cc
bcc
Subject Fw: Letter & Response to C Kingsbury on Skateboarders on Streets

----- Forwarded by Tammy J Grammer/Notes on 02/24/2006 09:59 AM -----

Linda K Quenzer/Notes
02/24/2006 09:47 AM

To Tammy J Grammer/Notes@Notes, TCasady@netinfo.ci.lincoln.ne.us@Notes, jmcquinn@netinfo.ci.lincoln.ne.us@Notes, Deborah L Engstrom/Notes@Notes
cc lpd149@cjis.ci.lincoln.ne.us@Notes, trstorer@netinfo.ci.lincoln.ne.us@Notes, Rick Hoppe/Notes@Notes
Subject Letter & Response to C Kingsbury on Skateboarders on Streets

EMAILED to CC-Tammy Grammer, LPD-Chief Casady, cc Virginia Fischer, Law-John McQuinn, cc Terri Storer, MA-Debbie Engstrom, cc Rick Hoppe

Please find attached below the constituent's letter addressed to Mayor & Council along with my response on behalf of the Mayor's Office. The original constituent's letter was sent only to the Mayor's Office, but was addressed to Mayor and Council.

Please consider these attachments your copy of the correspondence as this will appear in the Council packets as well.

Thanks,

Lin Quenzer
Ombudsman, City of Lincoln
Office of the Mayor
555 South 10th Street, Suite 208
Lincoln, NE 68508
(402) 441-7511
lquenzer@lincoln.ne.gov

AM060224.pdf

Feb. 21, 2006

Hon. Coleen Seng and City Council
Mayor's Office
555 S. 10th
Lincoln, NE 68508

Dear Mayor Seng:

I live at 77th and South Sts. For quite some time now, skateboarders have been skating down the hill in the middle of South St., many times peeling off onto 77th. There are about three groups of youngsters that do this. What is worse, they sometimes do it at dusk, evidently feeling that they will escape detection, despite the clatter. There is no way that motorists would be able to see them. Sooner or later, there is going to be a tragic accident, and probably a fatality. Both South St. and 77th are fairly heavily traveled and motorists do not always observe the 25 mph speed limit.

Xmas brought some additional skateboarders into play, who have already adopted these bad habits.

I urge the City Council to pass a regulation forbidding the use of roadways for skateboarding purposes. If there is already a regulation, please pass this letter on to the police.

The city makes skateboard facilities available to youngsters, and I do not see why they cannot use those facilities instead of city streets.

Sincerely,

C. Kingsbury

RECEIVED
FEB 23 2006

CITY OF LINCOLN
NEBRASKA

MAYOR COLEEN J. SENG
lincoln.ne.gov

Office of the Mayor
555 South 10th Street
Suite 208
Lincoln, Nebraska 68508
402-441-7511
fax: 402-441-7120
mayor@lincoln.ne.gov

February 24, 2006

Charles Kingsbury
7640 South Street
Lincoln, NE 68506

Dear Mr. Kingsbury,

Thank you for taking the time to contact Mayor Seng and the Lincoln City Council abou problems with skateboarders on the streets in the neighborhood of 77th and South Streets The Mayor has asked that I assist you. I am the Ombudsman (or Citizen Advocate) for the City. It is my job to see that you receive responsible, courteous service from all departments of City government.

It is indeed against the law to skateboard on the city streets. The Lincoln Municipal Cod Section 10.24.010, prohibits the use of "any skates, skateboard, coaster, toy vehicle, or similar conveyance upon the streets or public ways of the city, except while crossing a street at a crosswalk."

I am referring your concerns on to Police Chief Tom Casady so that he can make officers aware of the problems you are experiencing. Please feel free to call on me should you have other comments, questions or concerns about city government. You may reach me 441-7511 or email lquenzer@lincoln.ne.gov. I appreciate the effort you made in bringing your concerns to the attention of the Mayor's office.

Sincerely,

Lin Quenzer
Ombudsman

cc: Coleen J. Seng, Mayor of Lincoln
Lincoln City Council
Chief Tom Casady, Lincoln Police Department
John C. McQuinn, Chief Prosecutor, City Attorney's Office

LINCOLN
The Community of Opportunity

#36, 06-24

Nebraska State Education Association

Jess Wolf
President

Jim Griess
Executive Director

605 S. 14 St. Suite 200
Lincoln, NE 68508-2742
www.nsea.org

402.475.7611
800.742.0047
fax 402.475.2630

FILED

FEB 2 4 2006

CITY CLERK'S OFFICE
LINCOLN, NEBRASKA

February 22, 2006

Joan E. Ross, CMC
City Clerk, City of Lincoln
555 South 10th, Suite 103
Lincoln, NE 68508

Dear Joan:

I read with interest the resolution being proposed by the City Council to create a Downtown Business Management District. The Nebraska State Education Association (NSEA) is located in Block 125 on the map entitled, "Attachment A." Immediately south of us, in that block, are the Nebraska Association of County Officials and the Nebraska Bar Association. NSEA is included in the management boundary but these two organizations are not. I see little rationale for taking the boundary and running it through the middle of a block instead of including the entire block. There is little or no difference between the mission of the NSEA, the Nebraska Bar Association, and the Nebraska Association of County Officials. If these two entities are included in the management boundary, then clearly the NSEA wants to do its part to improve the downtown area of Lincoln; but we do not believe that burden should fall on us without the other two organizations sharing in that obligation. If the boundary line is extended to cover all of Block 125, we would support the creation of the B.I.D. If the boundary line is not extended, we would oppose the resolution for the reasons set forth above. I would be most pleased to discuss this matter with you in more detail. Please do not hesitate to contact me.

Sincerely,

James R. Griess
Executive Director

JRG:ah

Tammy J Grammer/Notes
02/24/2006 10:47 AM

To campjon@aol.com, jcookcc@aol.com, robine@neb.rr.com, amcroy@mccrealty.com, newman2003@neb.rr.com, ksvoboda@alltel.net, dmarvin@neb.rr.com
cc Joan E Ross/Notes@Notes
bcc
Subject Fw: Theater policy ordinance

----- Forwarded by Tammy J Grammer/Notes on 02/24/2006 10:49 AM -----

"Ken Svoboda"
<ksvoboda@alltel.net>
02/24/2006 10:42 AM

To <TBogenreif@ci.lincoln.ne.us>
cc
Subject Fw: Theater policy ordinance

Tammy,
Could you please forward this request to all council members. I will also contact Joan and let her know of the request.
Ken

----- Original Message -----
From: Mark Hunzeker
To: Ken Svoboda
Sent: Friday, February 24, 2006 10:38 AM
Subject: Theater policy ordinance

Ken:
As I mentioned on the phone, I will be out of town on Feb. 27 and Mar. 6. I have spoken to Jon Camp and he is agreeable to continuation of the public hearing on the theater policy change, to have additional public hearing and action on March 13.
My client and I would appreciate it if that could be done to give us an opportunity to address the issue.
Thank you for your consideration.
Mark

Tammy J Grammer/Notes
02/24/2006 03:25 PM

To CouncilPacket/Notes@Notes
cc
bcc
Subject Fw: Lincoln In Motion letter to City Council

----- Forwarded by Tammy J Grammer/Notes on 02/24/2006 03:28 PM -----

Charlotte L Burke/Notes
02/24/2006 03:10 PM

To mayor@lincoln.ne.gov, Rick Hoppe/Notes@Notes, Tammy J Grammer/Notes@Notes
cc Bruce D Dart/Notes@Notes
Subject Lincoln In Motion letter to City Council

I want to alert you to a letter that was sent today by Barbara Fraser to the City Council regarding the Design Standards for Pedestrian Circulation in Commercial and Industrial Areas. Ms. Fraser is the co-chair of the Lincoln In Motion Coalition and a community person interested in promoting physcial activity. The Lincoln Lancaster County Health Department is one of the members of this coalition and provides some staff support to the work of the coalition. The letter commends the Council for its attention to the issue of providing more accommodation for pedestrians in Lincoln as a way to help increase physical activity among citizens and decrease the incidence of obesity-related chronic conditions. It also asks the Council members to support the Pedestrian Standards as they are written.

While the Health Department supports the concept of increasing physical activity as a method of helping to lessen or prevent chronic diseases, this letter was sent to the Council without internal Health Department review. We want to assure the members of the Council that the Health Department does not intend to influence the Council's decision on the matter of Pedestrian Standards.

Rick, please call me at 441-8011 if you have questions.

Tammy, would you please provide this note of explanation to the City Council Members.

Thank you, Charlotte Burke

"Doug Rotthaus"
<DougR@LincolnREALTORS.com>
02/23/2006 05:30 PM

Please respond to "Doug Rotthaus" <DougR@LincolnREALTORS.com>

To "Marvin Krout" <MKrout@ci.lincoln.ne.us>
cc
Subject Proposed Landscape Design Standards

REALTORS® Association of Lincoln

8231 Beechwood Drive · Lincoln, Nebraska 68510 · 402-441-3620

February 23, 2006

Marvin Krout, Director
Planning Department
City of Lincoln
555 S. 10th Street #213
Lincoln, NE 68508

Dear Mr. Krout:

The REALTORS® Association of Lincoln would again, like to express our gratitude for meeting with members of our board regarding the landscape design standards. Your patience in this process should be applauded.

The Board of Directors is pleased with the latest changes that have been outlined to them and would like to remove any previously-stated opposition to the proposal. The work that you have put forth and your capacity to reason with the interests of the real estate industry are appreciated.

Thank you!

Best regards,

Douglas H. Rotthaus
Executive Vice President

MEMORANDUM

TO: City Council
Lancaster County Board of Commissioners
Mayor Seng
Planning Commission

FROM: **Marvin Krout, Planning Director**

SUBJECT: *Residential Land Inventory & Single Family Lots As of January 1, 2006*

DATE: February 24, 2006

COPIES: Mayor's Office, Public Works and Planning staff
Development Community mailing list

The periodic inventory of residential land is complete as of January 1, 2006. Attached is the "Residential Land Inventory Review" summary for the past 8 years. Currently the community has the largest inventory in the 8 years of surveys of single family lots (7,348) or overall units in process (14,797) that are either final platted, preliminary platted or formally submitted and in process of review. While this is good news in terms of getting us closer to a 4 to 5 year supply of single family lots in the pipeline, the past year has seen lower demand.

The number of building permits (see second attachment) for new single family homes declined in 2005 compared to the past several years. The 958 permits for single family detached homes in 2005 is below the 1999 - 2002 average of about 1,100 units per year. The unusually high number of permits issued in 2003 was influenced by a rush of permits submitted before the implementation of impact fees in June 2003. The number of permits issued in 2004 fell back to the typical level of 1999-2002. But the number of single family detached permits issued fell by 22 percent from 2004 to 2005.

There are many factors influencing the decision to build a new home, including interest rates (the Federal Reserve has raised short-term interest rates 14 times since June 2004) and costs compared to existing homes. The cost of new housing has also increased due to factors such as higher land costs and higher cost of construction materials. While sales of existing homes were strong in 2005, we have recently heard that the supply of existing homes is increasing. Particularly the sales of homes in the upper end of the market appears to be lagging. New homes in this price range would be the least affected by impact fees. We also noted that building permits were up in Omaha, even though their fees are comparable to Lincoln in 2005.

According to Nebraska's Department of Economic Development, Lancaster County's employment rose by over 2,600 jobs from June 2004 to June 2005. That would suggest a growing demand for new housing. We looked at new home construction outside Lincoln for 2005 and found that the number of single family detached building permits in Lancaster County outside Lincoln and incorporated towns actually declined by about 30 permits from 2004. The number of permits inside small towns increased only by around 20 permits from 2004.

So how are all these new jobs being filled? We noted that while the number of jobs in Lincoln went up significantly in 2005, the number of employed residents did not. This suggests that a number of the new jobs have been filled by commuters to Lincoln.

As noted last year, the City has a significant effort underway to extend new water and wastewater lines in order to maintain and further increase the supply of lots in the future, which could help with land costs. This is in addition to continuing efforts to make up the gap in road funding.

Q:\CC\residential land inventory memo Feb 2006.wpd

Lincoln City-Lancaster County Planning Department
555 S. 10th St., Rm. #213 • Lincoln NE 68508
Phone: 441-7491 • Fax: 441-6377

Residential Land Inventory Review

As of January 1, 2006

	Jan 2006	July 2005	Jan 2005	July 2004	Jan 2004	July 2003	Jan 2003	Sept 2002	July 2001	Jan 2001	July 2000	July 1999	July 1998
Single Family/Attached/Duplex													
Final Platted	4,645	3,779	3,593	3,097	2,605	3,048	3,000	2,866	3,655	3,693	3,016	2,403	2,194
Prelimary Platted	1,705	2,765	2,953	2,323	3,388	2,974	3,669	4,060	2,331	2,653	1,747	2,249	2,572
Submitted Prelim	3,831	2,901	1,555	1,817	718	1,533	588	765	1,355	1,500	3,741	2,933	1,270
Total Final, Prelim & Submitted	10,181	9,445	8,101	7,237	6,711	7,555	7,257	7,691	7,341	7,846	8,504	7,585	6,036
Multi-Family Units													
Final Platted	1,842	1,824	1,463	1,672	1,670	1,886	1,687	1,687	1,641	1,588	1,506	2,069	2,370
Prelimary Platted	2,367	1,886	2,082	1,754	2,353	2,852	3,074	3,049	2,487	2,639	2,287	2,195	2,223
Submitted Prelim	407	200	0	675	475	755	401	546	869	869	1,290	1,583	994
Total Final, Prelim & Submitted	4,616	3,910	3,545	4,101	4,498	5,493	5,162	5,282	4,997	5,096	5,083	5,847	5,587
All Units In Plat Process													
Final Platted	6,487	5,603	5,056	4,769	4,275	4,934	4,687	4,553	5,296	5,281	4,522	4,472	4,564
Prelimary Platted	4,072	4,651	5,035	4,077	5,741	5,826	6,743	7,109	4,818	5,292	4,034	4,444	4,795
Submitted Prelim	4,238	3,101	1,555	2,492	1,193	2,288	989	1,311	2,224	2,369	5,031	4,516	2,264
Total Final, Prelim & Submitted	14,797	13,355	11,646	11,338	11,209	13,048	12,419	12,973	12,338	12,942	13,587	13,432	11,623
Potential Units on Raw Land	35,329	37,573	40,800	41,930	41,978	42,106	43,822	43,821	24,633	24,260	24,706	29,952	30,963
Grand Total of Possible Units	50,126	50,928	52,446	53,268	53,187	55,154	56,241	56,794	36,971	37,202	38,293	43,384	42,586

	Jan 2006	July 2005	Jan 2005	July 2004	Jan 2004	July 2003	Jan 2003	Sept 2002	July 2001	Jan 2001	July 2000	July 1999	July 1998
Single Family ONLY													
Final Platted	3,334	2,922	2,624	2,221	1,986	2,346	2,383	2,217	2,817	2,847	2,291	1,972	1,799
Prelimary Platted	1,077	2,020	2,276	1,945	2,566	2,431	2,871	3,215	2,050	2,372	1,435	1,811	2,084
Submitted Prelim	2,937	2,043	1,227	1,150	570	1,225	425	603	1,045	1,167	3,134	2,399	1,094
Total Final, Prelim & Submitted	7,348	6,985	6,127	5,316	5,122	6,002	5,679	6,035	5,912	6,386	6,860	6,182	4,977

NOTES: - "Potential Units on Raw Land" means land inside the "Future Service Limit" of the Comprehensive Plan, but not upon which a plat has not 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 (January 17, 2006)

i:\short\steve\resident\Residential Land Inventory.123

Number of New Construction Dwelling Units,
Based on Building Permits Issued in City of Lincoln
Fifteen Year Period: 1991-2005

	2005	2004	2003	2002	2001	2000	1999	1998	1997	1996	1995	1994	1993	1992	1991
Single Family	958	1,227	1,565	1,281	1,108	1,041	1,015	996	814	812	741	902	876	980	900
Sing. Fam. Attached	360	461	533	256	260	272	199	187	243	155	178	177	107	102	95
Duplex	42	62	52	60	64	58	34	54	102	62	40	36	58	42	30
Multi-Family	192	403	260	540	319	381	489	622	1,010	1,168	919	761	524	221	464
Total	1,552	2,153	2,410	2,137	1,751	1,752	1,737	1,859	2,169	2,197	1,878	1,876	1,565	1,345	1,489

Average Per Period

	3 Year	5 Year	10 Year	15 Year
Single Family	1,250	1,228	1,082	1,014
Sing. Fam. Attached	451	374	293	239
Duplex	52	56	59	53
Multi-Family	285	343	538	552
Total	2,038	2,001	1,972	1,858

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.

Source: Lincoln/Lancaster County Planning Department (Updated February 6, 2006)

i:\short\steve\residential\dus by year.123

CHANGE OF ZONE NO. 04066 (06-5)
MISCELLANEOUS NO. 04015 (06R-9)
MISCELLANEOUS NO. 05007 (06-6)

February 27, 2006

RECEIVED
FEB 27 2006
LINCOLN CITY/LANCASTER COUNTY
PLANNING DEPARTMENT

Lincoln City Council

Testimony of Richard K. Sutton, ASLA, Ph. D.
Registered Landscape Architect
1326 N. 38th
Lincoln, NE 68503

Council has before it several modest changes to the current landscaping and screening ordinance. I wish to testify in favor of the proposed changes. They represent the first substantive change in the ordinance in the 30 or so years since landscape was required.

The reasons today are the same as they were then:

- Shade from trees to reduce the urban heat island effects created by large parking and roof top areas

- Trees absorb particulates and noxious gases while giving off water and oxygen

- Properties in neighborhoods with trees and landscape screens will have on the average higher property values

- Urban landscape plantings have been shown to reduce aggression and improve community well-being

- Provide landmarks and navigational cues to drivers

- Direct, calm and slow traffic

- Where planted between the curb and sidewalk trees provide the pedestrian safety from an errant motorist.

- Landscapes in urban areas reduce impervious surfaces and thus reduce excessive storm water run off.

- Plant provide beauty and customer satisfaction in retail environments.

The proposed requirement for 6 foot landscape areas provides a better rooting establishment and plant growth and plant protection from auto bumper overhang. It would be ideal if the ordinance also required the 95% Procotor density compaction under planting islands and landscape strips to be broken up and that a minimum of 30 inches of friable, loamy soil be used as a growth medium. Well-established woody shrubs and trees if carefully selected can be very drought tolerant as long as their roots have access to a reservoir of soil moisture stored in a deeper profile.

For example, an 8" diameter tree needs about 550 cubic feet of soil volume or an area about 9 feet wide by 20 feet long (size of typical parking stall) by 3 feet deep.

It is my understanding that this proposal has been languishing waiting approval for almost a year. Time to get it approved!!

Tammy J Grammer/Notes
02/24/2006 08:43 AM

To CouncilPacket/Notes@Notes
cc
bcc
Subject Fw: Multiplex theater,84th and Hwy.2

----- Forwarded by Tammy J Grammer/Notes on 02/24/2006 08:46 AM -----

Tammy J Grammer/Notes
02/24/2006 08:12 AM

To <jjpearson@alltel.net>
cc
Subject Re: Multiplex theater,84th and Hwy.2

Dear Mr. & Mrs. Pearson: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Tammy J. Grammer
City Council Office
555 South 10th Street
Lincoln, NE 68508
Phone: 402-441-6867
Fax: 402-441-6533
e:mail: tgrammer@lincoln.ne.gov

<jjpearson@alltel.net>

<jjpearson@alltel.net>
02/23/2006 06:18 PM

To <council@lincoln.ne.gov>
cc
Subject Multiplex theater,84th and Hwy.2

As a new home owner at 91st and Old Chenney paying $6000.00 in property taxes and having lived in Lincoln now for over 27 years we are VERY supportive of a Multiplex Theater being constructed at 84th and Hwy 2. We have been to the new "Grand" down town once since it opened and will not be back. Parking was horrible and it cost us about as much to park as did the movie. We feel that a City supported monopoly is a total unacceptable public policy. Every other business in Lincoln competes for our patronage and we feel strongly that a Theater should be no exception. WE WANT THIS "OLD FASHIONED POLICY CHANGED BEFORE THE YEAR OF 2012." Allow the change to take place now and satisfiy the tax payers. Everyone in Vintage Heights, Hi-Mark, and Iron Gate that we have talked to wants this complex to be constructed as soon as possible.
This is a very unfair,outdated policy and we the people want it changed.

Thank you:
Jim and Jeanne Pearson

Tammy J Grammer/Notes
02/24/2006 08:43 AM

To CouncilPacket/Notes@Notes
cc
bcc
Subject Fw: Movie and WalMart Decision

----- Forwarded by Tammy J Grammer/Notes on 02/24/2006 08:46 AM -----

Tammy J Grammer/Notes
02/24/2006 08:16 AM

To Jeffrey F Keown <jkeown@unlnotes.unl.edu>
cc
Subject Re: Movie and WalMart Decision

Dear Mr. Jeffrey Keown: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Tammy J. Grammer
City Council Office
555 South 10th Street
Lincoln, NE 68508
Phone: 402-441-6867
Fax: 402-441-6533
e-mail: tgrammer@lincoln.ne.gov

Jeffrey F Keown <jkeown@unlnotes.unl.edu>

Jeffrey F Keown
<jkeown@unlnotes.unl.edu>
02/23/2006 06:32 PM

To council@lincoln.ne.gov, mayor@lincoln.ne.gov
cc
Subject Movie and WalMart Decision

I would like to voice my concerns over the City Council and Mayors decisions on the proposed Mega Theatre and North Lincoln WalMart store. I think that it is time for everyone involved in making decisions for Lincoln to get out of the small minded mentality that exists in Lincoln. Lincoln is a growing vibrant city and should not be hamstrung by political promises made to win an election. How much more money are we as taxpayers going to be forced to pay to the Douglas Theatre Management to pay for a political promise made several years ago and how long are we as taxpayers going to have to pay the price for the Super Saver and Russ's owners for supporting the Mayors election? Why should we be paying the price.

Both of my children left Lincoln after completing College because as they said "there is nothing in Lincoln to do from the time you graduate from college until you start raising a family"---how true this statement is coming from someone who has lived in 8 other states.

Why not let free enterprise run the show in Lincoln rather than party political favoritism?What right does the city council or the mayor have to decide how profitable a business should or will be? Let the proposed owner make that

decision based on his/her own market survey.
I currently pay almost 6,000$ in taxes on my home. Why should I be forced to drive to the center of the city to see a movie? Don't we have a right as a citizen and a taxpayer to have a mega theatre in South East lincoln?
I have always voted in every city election including the primaries but I will not vote for any city council member or the current mayor if this type of small minded opposition to the growth of the city continues.

Jeffrey F. Keown
A218g Animal Science Bldg
University of Nebraska - Lincoln
Lincoln, NE 68583-0908

Phone: (402) 472-6453
FAX: (402) 472-6362
E--mail: JKEOWN1@unl.edu

Tammy J Grammer/Notes
02/24/2006 08:44 AM

To CouncilPacket/Notes@Notes
cc
bcc
Subject Fw: theater

----- Forwarded by Tammy J Grammer/Notes on 02/24/2006 08:47 AM -----

Tammy J Grammer/Notes
02/24/2006 08:18 AM

To "Vickie" <vwenzl@inebraska.com>
cc
Subject Re: theater

Dear Vicki Wenzl: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Tammy J. Grammer
City Council Office
555 South 10th Street
Lincoln, NE 68508
Phone: 402-441-6867
Fax: 402-441-6533
e-mail: tgrammer@lincoln.ne.gov

"Vickie" <vwenzl@inebraska.com>

"Vickie"
<vwenzl@inebraska.com>
02/23/2006 09:06 PM

To <council@lincoln.ne.gov>
cc
Subject theater

Dear City Council Members

as a concerned citizen of southeast Lincoln, I would really like you to consider the theater complex on the southeast side of Lincoln. It would be a great addition to the facilities that we already have. I have many relatives that live in the southeast part of Nebraska and would truly be excited to have a theater complex on "their end of town". please reconsider, as this side of Lincoln is growing at a very fast rate.

thank you
Vickie L Wenzl

Tammy J Grammer/Notes
02/24/2006 08:44 AM

To CouncilPacket/Notes@Notes
cc
bcc
Subject Fw: City of Lincoln theater policy

----- Forwarded by Tammy J Grammer/Notes on 02/24/2006 08:47 AM -----

Tammy J Grammer/Notes
02/24/2006 08:21 AM

To "J.K. Brown" <jkirk1948@yahoo.com>
cc
Subject Re: City of Lincoln theater policy

Dear J. Kirk Brown: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Tammy J. Grammer
City Council Office
555 South 10th Street
Lincoln, NE 68508
Phone: 402-441-6867
Fax: 402-441-6533
e-mail: tgrammer@lincoln.ne.gov

"J.K. Brown" <jkirk1948@yahoo.com>

"J.K. Brown"
<jkirk1948@yahoo.com>
02/23/2006 10:10 PM

To council@lincoln.ne.gov
cc
Subject City of Lincoln theater policy

I oppose Lincoln's current theater policy. At first I found it just silly, but the unholy alliance between the City of Lincoln and Douglas Theaters has now become an embarassment and defies any illusion this policy is motived by a desire to serve the public good .

The current policy has, from the outset, been obviously calculated to sacrifice the quality of life of a vast majority of Lincoln's citizens for nothing more than to further and protect the interests of Douglas Theaters and downtown property and business owners. I do not own real estate or a business downtown. Therefore, there exists absolutely no reason to support, and no way my family benefits from, the current policy.

I do, however, find downtown Lincoln to be all the more attractive because of the way the lights of the Grand shimmer off the boarded! up windows of the theaters abandoned in its wake. I am

also impressed by the Mayor's plan to discourage families of modest means from enjoying a theater experience anywhere in Lincoln, by proposing the City again reward Doulas Theaters by taking the Starship off their hands.

J. Kirk Brown
2410 South 76th Street
Lincoln, NE 68506

Yahoo! Autos. Looking for a sweet ride? Get pricing, reviews, & more on new and used cars.

Tammy J Grammer/Notes
02/24/2006 08:44 AM

To CouncilPacket/Notes@Notes
cc
bcc
Subject Fw: Movie Theater

----- Forwarded by Tammy J Grammer/Notes on 02/24/2006 08:47 AM -----

Tammy J Grammer/Notes
02/24/2006 08:25 AM

To lgran@lps.org
cc mayor@lincoln.ne.gov
Subject Re: Movie Theater

Dear Linda Gran: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Tammy J. Grammer
City Council Office
555 South 10th Street
Lincoln, NE 68508
Phone: 402-441-6867
Fax: 402-441-6533
e-mail: tgrammer@lincoln.ne.gov

lgran@lps.org

lgran@lps.org
02/23/2006 09:37 PM

To mayor@lincoln.ne.gov
cc
Subject Movie Theater

Dear Lincoln City Council members and Mayor Coleen Seng,
I am writing to let the council know my feelings concerning the city's policy reguarding theaters. I feel that the city supported monopoly is certainly not an acceptable public policy. The city of Lincoln should have never agreed on the policy with Douglas Theater"s and the Livington's in the first place. This policy the city passed makes me wonder what kind of behind the scenes interaction that must of taken place with the owners of Douglas Theaters in order for such a policy to get voted in. I love the city of Lincoln and haved lived here since 1977. I currently live in the Vintage Heights neighborhood and was very disapointed when the city couldn't pass the plans to build a new larger theater in our area. I found it very interesting that the policy that was voted in finally really came into the news and out into the public with many more details than when it was quietly passed a few years ago. With a growing community and a great need for some fair competition in the city Lincoln theaters I really hope the city of Lincoln will see the need to change the current policy, and not allow only a one owner monopoly of the

the theaters in Lincoln.
Sincerely,
Linda Gran

Tammy J Grammer/Notes
02/24/2006 08:45 AM

To CouncilPacket/Notes@Notes
cc
bcc
Subject Fw: Theater policy

----- Forwarded by Tammy J Grammer/Notes on 02/24/2006 08:48 AM -----

Tammy J Grammer/Notes
02/24/2006 08:27 AM

To "JLH III" <je71623@alltel.net>
cc mayor@lincoln.ne.gov
Subject Re: Theater policy

Dear James Hauder: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Tammy J. Grammer
City Council Office
555 South 10th Street
Lincoln, NE 68508
Phone: 402-441-6867
Fax: 402-441-6533
e-mail: tgrammer@lincoln.ne.gov

"JLH III" <je71623@alltel.net>

"JLH III" <je71623@alltel.net>
02/24/2006 07:39 AM

To <council@lincoln.ne.gov>, <mayor@lincoln.ne.gov>
cc
Subject Theater policy

I am against the current theater policy that creates a monopoly. I am for free enterprise for all business including Wal-Mart. The people vote with dollars and we should promote business instead of making it difficult for them.
James L Hauder

6

Tammy J Grammer/Notes
02/24/2006 08:45 AM

To CouncilPacket/Notes@Notes
cc
bcc
Subject Fw: New movie theaters

----- Forwarded by Tammy J Grammer/Notes on 02/24/2006 08:48 AM -----

Tammy J Grammer/Notes
02/24/2006 08:33 AM

To "Jack Krumm" <Jkrummjr@alltel.net>
cc
Subject Re: New movie theaters

Dear Jack Krumm, Jr.: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Tammy J. Grammer
City Council Office
555 South 10th Street
Lincoln, NE 68508
Phone: 402-441-6867
Fax: 402-441-6533
e-mail: tgrammer@lincoln.ne.gov

"Jack Krumm" <Jkrummjr@alltel.net>

"Jack Krumm"
<Jkrummjr@alltel.net>
02/23/2006 02:41 PM

To <council@lincoln.ne.gov>
cc
Subject New movie theaters

Hi,
I will make this short and to the point. MANY people want more movie theaters outside of the downtown area. A multiplex theater at Prarie Lake Shopping Center would be ideal. (located at 84th and Highway 2). City-supported monopolies are unacceptable. Every other business in the Lincoln area competes for my business, so why should theaters not be any exception. Thanks for your time, and I do hope that you take this into consideration at your next meeting on February 27th!

Jack G. Krumm, Jr
4712 "M" Street
Lincoln, NE 68510

Tammy J Grammer/Notes
02/24/2006 11:12 AM

To CouncilPacket/Notes@Notes
cc
bcc
Subject Fw: Wal-Mart & Theaters

----- Forwarded by Tammy J Grammer/Notes on 02/24/2006 11:15 AM -----

Tammy J Grammer/Notes
02/24/2006 10:52 AM

To "Earl Franklin" <efrank141@earthlink.net>
cc
Subject Re: Wal-Mart & Theaters

Dear Mr. Earl Franklin: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Tammy J. Grammer
City Council Office
555 South 10th Street
Lincoln, NE 68508
Phone: 402-441-6867
Fax: 402-441-6533
e-mail: tgrammer@lincoln.ne.gov

"Earl Franklin" <efrank141@earthlink.net>

"Earl Franklin"
<efrank141@earthlink.net>
02/24/2006 10:20 AM

To <mayor@lincoln.ne.gov>
cc <council@lincoln.ne.gov>
Subject Wal-Mart & Theaters

I think if you do the math, by building a larger Wal-Mart and letting in larger theaters, you will be creating more jobs for the community. That is the name of the game right now. More jobs gives you more homes, and there is a large area that can be built between 70th. & 84th., Havelock to Holdrege. More jobs and more homes brings in more taxes. By tearing down a movie complex downtown, you are taking away a reasonable priced entertainment for thousands of citizens for their children. Please think things through. You are affecting a lot of tax payers and voters, and we don't all have the kind of money some of you do. Thank you.
Earl Franklin
1133 Judson st.
Lincoln

Tammy J Grammer/Notes
02/24/2006 11:34 AM

To CouncilPacket/Notes@Notes
cc
bcc
Subject Fw: Theater Policy

----- Forwarded by Tammy J Grammer/Notes on 02/24/2006 11:37 AM -----

Tammy J Grammer/Notes
02/24/2006 11:12 AM

To Dave O <daoco@yahoo.com>
cc
Subject Re: Theater Policy

Dear Mr. David Oenbring: Your message has been received in the Council Office and will be forwarded to Council Members for their consideration. Thank you for your input on this issue.

Tammy J. Grammer
City Council Office
555 South 10th Street
Lincoln, NE 68508
Phone: 402-441-6867
Fax: 402-441-6533
e-mail: tgrammer@lincoln.ne.gov

Dave O <daoco@yahoo.com>

Dave O <daoco@yahoo.com>
02/24/2006 10:25 AM

To council <council@ci.lincoln.ne.us>, mayor <mayor@ci.lincoln.ne.us>
cc
Subject Theater Policy

Dear Mayor and Members of the City Council
I'm writing to express my opinion regarding the theater policy. A multiplex theater at the Prairie Lake shopping center would be of great benefit to the area residents and the city at large. (There is sales tax on ticket sales after all) I personally will not attend any movie in downtown Lincoln. I have had my car vandalized and broken into on several occasions in the downtown parking garages and will use them only as a last resort. That certainly does not include attending a movie.
The fact that the city clings to the downtown area as entertainment center is outdated and impractical. With high fuel prices residents want and deserve entertainment closer to their homes. Downtown is full of drunks and panhandlers after 9 p.m. any weekend night (a problem worsened by the smoking ban) and is hardly a family friendly place to go.

In addition I resent the way the Grand was built. At least the owner of the Marz bar had the guts to stand up for what was right even if no one else did. For this reason I have not attended a movie at the Grand. I will withhold my patronage in protest. I know that will have exactly zero influence on city policy but it keeps the people at

Blockbuster happy. The use of eminent domain to build the Grande and enrich its owner at the expense of the taxpayer was wrong and the continued monopoly on multiplex theaters is wrong as well.
Do the right thing and change a bad law. And quite holding tax increases over our heads if the Grand should stumble. There was no demand from the people for this inane policy. Politicians and agents of the Douglas Theater group cooked this up with little or no input from the public. You are the ones who led the city down this path. Stand up and take responsibility for once.

David Oenbring
2630 S 13th
Lincoln, NE 68502
402-474-4300

Tammy J Grammer/Notes
02/24/2006 11:34 AM

To CouncilPacket/Notes@Notes
cc
bcc
Subject Fw: Theatres

----- Forwarded by Tammy J Grammer/Notes on 02/24/2006 11:37 AM -----

Tammy J Grammer/Notes
02/24/2006 11:15 AM

To "tedbarbkrzycki@juno.com" <tedbarbkrzycki@juno.com>
cc
Subject Re: Theatres

Dear Mr. & Mrs. Krzycki: Your message has been received in the Council Office and will be forwarded to Council Members for their consideration. Thank you for your input on this issue.

Tammy J. Grammer
City Council Office
555 South 10th Street
Lincoln, NE 68508
Phone: 402-441-6867
Fax: 402-441-6533
e-mail: tgrammer@lincoln.ne.gov

"tedbarbkrzycki@juno.com" <tedbarbkrzycki@juno.com>

"tedbarbkrzycki@juno.com"
<tedbarbkrzycki@juno.com>
02/24/2006 11:08 AM

To mayor@lincoln.ne.gov
cc council@lincoln.ne.gov
Subject Theatres

Dear Mayor Seng,

We wanted to voice our opinion, again, on the theatre complex. We believe that the city's monopoly policy is unfair, especially now that other theatres in the downtown are going to be demolished, including the Starship. This leaves movie-goers without much choice. We want to be able to drive to a complex outside of downtown and feel that should be an option for those of us who don't care to be in the downtown area. This monopoly does not seem fair, in our opinion, and we know many people who feel the same way.

Ted and Barbara Krzycki

930 Rose St

10

Tammy J Grammer/Notes
02/27/2006 10:55 AM

To CouncilPacket/Notes@Notes
cc
bcc
Subject Fw: multiplex theater

----- Forwarded by Tammy J Grammer/Notes on 02/27/2006 10:58 AM -----

Tammy J Grammer/Notes
02/27/2006 07:58 AM

To Edwardhart8@aol.com
cc
Subject Re: multiplex theater

Dear Mr. Hart: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Tammy J. Grammer
City Council Office
555 South 10th Street
Lincoln, NE 68508
Phone: 402-441-6867
Fax: 402-441-6533
e-mail: tgrammer@lincoln.ne.gov

Edwardhart8@aol.com

Edwardhart8@aol.com
02/24/2006 05:28 PM

To council@lincoln.ne.gov
cc
Subject multiplex theater

I WAS SORRY THAT THE MULTIPLEX THEATER WAS NOT ALLOWED ON 84th. IT COULD BRING MORE PEOPLE INTO LINCOLN TO SEE THE MOVIES. I DISLIKE GOING DONW TOWN TO GO TO A THEATER REGARDLESS OF HOW MANY PARKING LOTS ARE BUILT. THE 9 SCREEN THEATER IS ABOUT THE ONLY ONE THAT I DO ATTEND AND ONLY ON SUNDAYS. WHEN WE FIRST LIVED IN LINCOLN IT WAS A TREAT TO GO DOWN TOWN, HAVE LUNCH AND SEE A MOVIE. THAT IS NOT THE CASE TODAY. I DISLIKE PARKING GARAGES EVEN WHEN I HAVE TO USE THEM. I HEAR ABOUT THE INTEREST IN THE GROWTH OF LINCOLN, AND THE NEED FOR MORE JOBS. HOWEVER, I DO NOT SEE ANY THING BUT A DRIVE TO TAKE IN MORE TAX MONEY FOR PROJECTS THAT MIGHT FAIL. I REMEMBER WHEN A PARKING GARAGE WAS BUILT TO LINK MILLER & PAINE AND BRANDEIS. NEITHER OF THE TWO ONCE LEADING STORES EXIST TODAY. THE OLD GOLD'S BUILDING HAS LITTLE SUCCESS. IT IS TIME TO OPEN LINCOLN UP FOR THEATERS THAT WILL ATTACT VIEWERS. THANK YOU EDWARD THOMAS HART

Tammy J Grammer/Notes
02/27/2006 10:56 AM

To CouncilPacket/Notes@Notes
cc
bcc
Subject Fw: Movie Theaters

----- Forwarded by Tammy J Grammer/Notes on 02/27/2006 10:59 AM -----

Tammy J Grammer/Notes
02/27/2006 08:00 AM

To "Sheila R. Kober" <lba@lbacpas.com>
cc
Subject Re: Movie Theaters

Dear Mr. Bryant: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Tammy J. Grammer
City Council Office
555 South 10th Street
Lincoln, NE 68508
Phone: 402-441-6867
Fax: 402-441-6533
e-mail: tgrammer@lincoln.ne.gov

"Sheila R. Kober" <lba@lbacpas.com>

"Sheila R. Kober" <lba@lbacpas.com>
02/25/2006 12:10 PM

To <council@lincoln.ne.gov>, <mayor@lincoln.ne.gov>, <firm@pierson-law.com>
cc
Subject Movie Theaters

Lincoln City Council & Mayor Coleen Seng –

Lincolnis a great city to own movie theaters. First build state of the art downtown theaters with tax increment financing. Then you receive an agreement to restrict outside owners from developing new state of the art complexes. Finally you pay $2.4 million or more to remove 9 downtown excess screens while keeping the restriction in place.

Most businesses would have to close locations at a financial loss (i.e. TGIF) if competition over builds in a

market—but not the local monopoly in the move screen business.

If the free enterprise American way of competition can survive, we must end protective agreements that benefit the chosen and provide the public with free choices.

Robert L. Bryant, C.P.A.

Larsen, Bryant & Associates, P.C.

6211 O Street

Lincoln, NE 68510

PH 402-486-1040 FAX 402-489-8150

e-mail lba@lbacpas.com

"The advice contained in this document is not intended or written by the drafter of this document to be used and cannot be used for the purpose of avoiding penalties that may be imposed on the taxpayer."

Tammy J Grammer/Notes
02/27/2006 10:56 AM

To CouncilPacket/Notes@Notes
cc
bcc
Subject Fw: Proposed "sunset" of theater monopoly policy

----- Forwarded by Tammy J Grammer/Notes on 02/27/2006 10:59 AM -----

Tammy J Grammer/Notes
02/27/2006 08:01 AM

To "Gail Keown" <jkeown1@neb.rr.com>
cc
Subject Re: Proposed "sunset" of theater monopoly policy

Dear Gail Keown: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Tammy J. Grammer
City Council Office
555 South 10th Street
Lincoln, NE 68508
Phone: 402-441-6867
Fax: 402-441-6533
e-mail: tgrammer@lincoln.ne.gov

"Gail Keown" <jkeown1@neb.rr.com>

"Gail Keown" <jkeown1@neb.rr.com>
02/25/2006 04:35 PM

To <council@lincoln.ne.gov>, <mayor@lincoln.ne.gov>
cc
Subject Proposed "sunset" of theater monopoly policy

Dear City Council Members and Mayor Seng:

The purpose of this communication is to express my opposition to Councilman Jon Camp's proposal to sunset the City's theater monopoly policy in year 2012. The time had come for Lincolnto have more vision to permit it to grow and to provide entertainment choices for its citizens in all areas of the city. Allowing the market forces to work rather than protecting a hometown favorite will send a much more favorable signal that Lincolnis "open for business."

Gail M. Keown

5949 Arrowwood Rd.

Lincoln, NE68526

Tammy J Grammer/Notes
02/27/2006 10:57 AM

To CouncilPacket/Notes@Notes
cc
bcc
Subject Fw: Douglas Theaters

----- Forwarded by Tammy J Grammer/Notes on 02/27/2006 10:59 AM -----

Tammy J Grammer/Notes
02/27/2006 10:46 AM

To "pathenry" <phenry@neb.rr.com>
cc
Subject Re: Douglas Theaters

Dear Patrick Henry: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Tammy J. Grammer
City Council Office
555 South 10th Street
Lincoln, NE 68508
Phone: 402-441-6867
Fax: 402-441-6533
e-mail: tgrammer@lincoln.ne.gov

"pathenry" <phenry@neb.rr.com>

"pathenry"
<phenry@neb.rr.com>
02/27/2006 08:51 AM

To <council@lincoln.ne.gov>
cc
Subject Douglas Theaters

It is my strong belief that the deal with the Douglas Theater people was wrong from the beginning, and that it should be terminated in the near future with adequate notice to them. I believe seven years is too long-one year sounds good to me-but if that is the best you can do, I will understand. Please do not reach a compromise involving a longer period of time.

Patrick J. Henry
1460 Buckingham Dr.
Lincoln, NE 68506
402-488-8098

Tammy J Grammer/Notes
02/27/2006 10:57 AM

To CouncilPacket/Notes@Notes
cc
bcc
Subject Fw: Landscape Screening and Height requirements

----- Forwarded by Tammy J Grammer/Notes on 02/27/2006 11:00 AM -----

Tammy J Grammer/Notes
02/27/2006 10:48 AM

To <Reuben.W.Hanson@wellsfargo.com>
cc
Subject Re: FW: Landscape Screening and Height requirements

Dear Reuben Hanson: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Tammy J. Grammer
City Council Office
555 South 10th Street
Lincoln, NE 68508
Phone: 402-441-6867
Fax: 402-441-6533
e-mail: tgrammer@lincoln.ne.gov

<Reuben.W.Hanson@wellsfargo.com>

<Reuben.W.Hanson@wellsfargo.com>
02/27/2006 08:53 AM

To <council@lincoln.ne.gov>, <Ksvoboda@lincoln.ne.gov>
cc
Subject FW: Landscape Screening and Height requirements

Lincoln City Council:

I appreciate the opportunity to respond to the recommended code changes. I apologize for my tardiness in expressing my opinion, however, I only recently became aware. I can be called at the number below for any follow up questions.

I wanted to share some thoughts from a life/safety and security perspective. I know LPD has indirectly offered their opinion in a October 13, 2005 memo that it distributed to Lincoln's local buisnesses; "Since the beginning of the year, 36 robberies have occurred at commercial businesses in Lincoln. Survey your business. Keep shrubbery and landscaping trimmed AND TO A MINIMUM. Parking areas should be well lit and free from obstructions. Make certain employees are parking near the building and AWAY from visually obstructed areas." I wholeheartedly agree and believe in my expert opinion this code would protect the criminal, facilitate the crime, thereby putting Lincoln

citizens at risk.

Example 1....one of our Lincoln banks experienced a "morning glory" (opening) robbery. When the opening team searched the surroundings before opening, existing shrubs provided the hiding place for the criminal. This was an armed robbery that may not have happended if the criminal did not have a place to hide from the search. We intentionally build our buildings for exposure, but also using C.P.T.E.D. (Crime Prevention Through Environmental Design) so that would be criminals have a better chance of being observed. CPTED is defined as "the proper design and effective use of the built environment that can lead to a reduction in the fear and incidence of crime and an improvement in the quality of life." The goal of CPTED is to reduce opportunities for crime that may be inherent in the design of structures or in the design of neighborhoods.

Omaha PD even has CPTED certified officer to consult with businesses. One of the fundamental foundations of CPTED is that "surveillance" lines are not impeded, which your code recommendation would do.

Example 2....we experienced a customer robbery at gun point at one of our night depositories, including being hit with the criminal's gun. Fortunately, a good citizen was driving by and was able to see the crime in progress. The citizen was able to get his license plate number and the criminal was arrested. PD was looking at other crimes this capture may solve. The greater good question is, would have this crime happened and/or would this criminal been caught had there been landscape screening?

Example 3....some crimes ocurr because of opportunity, e.g. ATM's. Providing cover and hiding places for the would-be criminals enhances the robbery and assault possibility. We have removed trees and trimmed shrubs with the intent to "harden the target" and reduce the "opportunity" for the crime to happen.....prevention.

Example 4....periodically and for various reasons, we request LPD to do surveillance drive-bys our banks throughout and evening. With screening, it would seem this type of civil assist or welfare check for Lincoln's citizens would also be impeded.

I am confident other financial institutions could relate similar instances. You may also want to consider input from armored car companies.

Thank you for this opportunity. I appreciate your consideration of these safety and security perspectives.

Reuben W. Hanson, CPP
Vice President, Corporate Security
515-245-3356 (voice)
515-314-0115 (cell)
515-245-3368 (fax)
MAC: N8200-080
EMAIL: Reuben.W.Hanson@wellsfargo.com

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Tammy J Grammer/Notes
02/27/2006 10:57 AM

To CouncilPacket/Notes@Notes
cc
bcc
Subject Fw: New Bond Issue

----- Forwarded by Tammy J Grammer/Notes on 02/27/2006 11:00 AM -----

Tammy J Grammer/Notes
02/27/2006 10:53 AM

To donnarodb@aol.com
cc
Subject Re: New Bond Issue

Dear Donna Brubaker: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Tammy J. Grammer
City Council Office
555 South 10th Street
Lincoln, NE 68508
Phone: 402-441-6867
Fax: 402-441-6533
e-mail: tgrammer@lincoln.ne.gov

donnarodb@aol.com

donnarodb@aol.com
02/27/2006 09:50 AM

To council@lincoln.ne.gov
cc
Subject New Bond Issue

So we tightened our belts and decided we need new schools, and voted for a bond issue to fund them. Now Lynn thinks we are on a roll and it's a good time to hit the public with a new bond issue. The last one worked, so why not his pet projects! We did not all win the lottery, and if you keep putting your hand out, we will all be having to sell the property that you seem to think is a windfall for your "little" projects. I know it is prettier when there is grass, etc. along a trail, but other things are more important--you should have figured that out when your "trail bond" failed. The bond that you really need to float would be for fixup of streets and sidewalks in the original parts of the city. Too much spread has ruined Lincoln--and we are a "big bowl of housetops". We have a new development going in close to us, and if anyone buys those houses, it will be a miracle. No room between houses, no front or back yards, but lots of cement street, sidewalks, curb & gutter and lights. No place to play and no privacy at all. A neighbor has a nice acreage, so everyone takes their two plus dogs and kids to play on his property. They think it is "green space" for Augusta Drive where they are packed in like sardines. PLEASE DON'T SPEND YOUR COUNCIL TIME ON TRYING TO COME UP WITH ANOTHER UN-NECESSARY BOND ISSUE THAT COSTS MORE THAN IT'S WORTH TO ARRANGE AND CARRY OUT. RIGHT NOW OUR COUNCIL DOESN'T HAVE A VERY INTELLIGENT REPUTATION. YOU COULD CHANGE THAT BY VOTING ON THINGS THAT HAVE BEEN ON THE AGENDA FOR MONTHS INSTEAD OF DELAYING THEM OVER

AND OVER. IT APPEARS YOU ARE AFRAID TO GIVE AN HONEST OPINION FOR FEAR OF OFFENDING SOMEONE. YOU WERE ELECTED TO DO A JOB--WHY DON'T YOU WORK A LITTLE HARDER AT DOING IT. I THOUGHT WE WERE GETTING A GREAT GROUP TO WORK TOGETHER TO SOLVE OUR PROBLEMS, BUT SO FAR IT HASN'T WORKED OUT THAT WAY. IT'S NOT TOO LATE.

Donna Brubaker
4546 Rentfro Drive
Lincoln, Ne. 68526

Tammy J Grammer/Notes
02/27/2006 10:58 AM

To CouncilPacket/Notes@Notes
cc
bcc
Subject Fw: It's Time

----- Forwarded by Tammy J Grammer/Notes on 02/27/2006 11:00 AM -----

Tammy J Grammer/Notes
02/27/2006 10:54 AM

To "Kay Rising" <kr94740@alltel.net>
cc
Subject Re: It's Time

Dear Kay Rising: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Tammy J. Grammer
City Council Office
555 South 10th Street
Lincoln, NE 68508
Phone: 402-441-6867
Fax: 402-441-6533
e-mail: tgrammer@lincoln.ne.gov

"Kay Rising" <kr94740@alltel.net>

"Kay Rising"
<kr94740@alltel.net>
02/27/2006 09:47 AM

To "city council" <Council@ci.lincoln.ne.us>
cc "Mayor" <Mayor@ci.lincoln.ne.us>
Subject It's Time

It's time a decision is made about the development NE of 84th & Adams. Your Planning Dir. informed you that when the application first came to the Council for approval that it met all requirements. The problem seems to be that one tenant is using all the sq. footage. Nothing in the Comp. Plan prevents this, just that it's never happened before. He also informed you that one tenant would probably be less traffic than muli-tenants. This is needed in NE Lincoln and provides the multi services we need. It would also help the rest of the area along 84th St. develop The developer and the proposed tenant have been put thru to much Red Tape, this seems to be getting to be the normal for Lincoln and it's time for a change. It also should be approved at the footage first proposed, not the reduced amount proposed by some of you and the Mayor. Don't let Russ's influence you, they didn't care when they built there stores and help put Safeway and a few others out of business. If local business provide a needed service at a fair price they will stay in business.
IT'S TIME TO STAND UP AND HELP NE LINCOLN.

Kay Rising
327-2668

Tammy J Grammer/Notes
02/27/2006 07:54 AM

To CouncilPacket/Notes@Notes
cc
bcc
Subject Fw: Lincoln in Motion letter re: Design Stds for Pedestrians

----- Forwarded by Tammy J Grammer/Notes on 02/27/2006 07:57 AM -----

"Frasers"
<fraserbt@earthlink.net>
02/24/2006 01:07 PM
Please respond to
fraserbt@earthlink.net

To council@lincoln.ne.gov
cc
Subject Lincoln in Motion letter re: Design Stds for Pedestrians

Please see/distribute the attached letter of support for the Design Standards for Pedestrian Circulation in Commercial and Industrial Areas from the Lincoln in Motion Council. Thank you, Barb Fraser

- CityCouncil ltr LIM 2-06.doc

February 24, 2006

Dear Lincoln City Council:

The Lincoln in Motion Council was created with the purpose to create a healthier Lincoln through the support and promotion of physical activity throughout the lifespan. *Active Living* is a way of life that integrates physical activity into daily routines and a goal for the Council.

Lincoln in Motion commends your work on and attention to the need for more accommodation for pedestrians in the Lincoln community. As you know, Lincoln is not immune to the epidemics of obesity and physical inactivity that are sweeping the nation. Walk and bike trips are decreasing as our weights are increasing. Many scientists and public health professionals believe there is a link between these two trends. We don't walk or bicycle as much as we used to, partly because our communities have been designed around the automobile and lack facilities that encourage walking and bicycling.

Government officials such as yourselves play a key part in determining people's physical activity levels and ultimately their health. All of you should consider how your decisions affect physical activity and related health conditions: obesity, diabetes, cardiovascular disease, asthma, and cancer. The health of our citizens needs to be considered as you make such planning decisions. The more accessible the sidewalks, the safer and easier it is to walk and bike. A 2006 study in King County, Washington found that people who live in neighborhoods that are more walkable tended to be less overweight and were more likely to reach the Surgeon General's Health goal of at least 30 minutes of activity on a daily basis.

Lincoln in Motion arose out of a community wide planning process conducted by the Health Partners Initiative in Lancaster County. The growing problem of obesity and inactivity was noted to be of particular concern. Lincoln in Motion represents many health-related agencies working to promote increased physical activity for children and adults within the Lincoln community, including hospitals, schools, Health Partners Initiative, and many others. The support and promotion of physical activity is delivered through a three-pronged approach of education, environmental support (walkable neighborhoods), and policy decisions (planning and zoning). As such, we would support policy options such as the pedestrian standards, which would make the community more supportive of physical activity. Please vote yes on the proposed Design Standards for Pedestrian Circulation in Commercial and Industrial Areas.

Sincerely,

Barbara Fraser
Lincoln in Motion Co-Chair

Lincoln- [illegible] County Health Department [illegible] Lincoln, NE 68510
[illegible] www.lincolnmotion.org