DIRECTORS' MEETING
MONDAY, APRIL 10, 2006

REVISED

I. MAYOR

1. Mayor's Town Hall Set for April 11, 2006. (See Email)
2. NEWS RELEASE RE: Mayor's Arts Awards Winners Announced. (See Release)
3. Washington Report, March 31, 2006. (See Report)

II. DIRECTORS

HEALTH DEPARTMENT

1. NEWS RELEASE - Recycle "Pet" #1 Plastic Containers and Help "Return The Warmth". (See Release)

*****2. ***REVISED*** NEWS RELEASE - **CORRECTED RELEASE** - RE: 19th Annual Lincoln & Lancaster County Environmental Awards. (See CORRECTED Release)

PLANNING

1. Joslyn Castle Institute for Sustainable Communities: Invitation to Meeting on April 20, 2006. (Attachment)
2. International Council of Shopping Centers Definitions. (Attachment)

PLANNING COMMISSION FINAL ACTION

1. Special Permit No. 06011 - Denied. (Parking lot in residential district - 26th and W. Streets). (See Attachment)
2. Special Permit No. 06015 (Calvary Evangelical Lutheran Church - 2774 Franklin Street). Resolution No. PC-00987. (See Attachment)
3. Special permit No. 06014, Southlake Community Unit Plan (S.91st Street and Andermatt Drive). Resolution No. PC-00987. (See Attachment)

PUBLIC WORKS

1. ADVISORY. Pine Lake Road Widening - Project #700014; 40th-61st Streets and 56th Street; Shadow Pines -Thompson Creek. (See Advisory)
2. Response to Nancy Coffman from Randy Hoskins, Traffic Engineer RE: "O" Street pedestrian safety. (See Letter)

WOMEN' COMMISSION

1. NEWS RELEASE RE: Networking Event Hosts Senator Dianna Schimek (See Release)
2. Women's Commission Director's Report. (See Attachment)

III. CITY CLERK

IV. COUNCIL REQUESTS/CORRESPONDENCE

JON CAMP

1. Request to Doug Ahlberg to respond to email from Cary D. Agostino regarding air raid siren at Randolph Elementary School sound level. (Council received email)
2. Response to Cary D'Agostino from Doug Ahlberg RE: Randolph School warning siren sound level. (See Letter)
3. Email to Vice Mejer RE: Northeast Police Facility RFP. (See Email)

DAN MARVIN

1. Request to Marvin Krout, Planning Director/Michaela Hansen, Public Works & Utilities Dept./ OR Steve Henrichsen, Planning Dept. - RE: Requesting information on Annexation Agreements (RFI#2 - 04/06/06)

PATTE NEWMAN

1. Email sent from Charles Stalder regarding "Concealed Weapons". (See Email)

V. MISCELLANEOUS

1. Email from Alisha Engle RE: Opposed to Super Target store being located in the neighborhood. (See Email)
2. Email from Cary D'Agostino RE: Public safety siren volume. (See Email)
3. Letter from Nancy Russell RE: Promoting decency in Lincoln. (See Letter)
4. Letter from Bob Boyce RE: Participation in bike ride. (See Letter)
5. Email from Meylonie Schatz RE: Thank you for dealing with Fat Nappy's. (See Email)
6. Email from Victor E. Covalt III RE: Respect bar in the city.
7. Email from Stanley Oswald RE: Opposed to legislation passed on carrying guns. (See Email)
8. Email from Dave Brady RE: Proposed bike lanes for downtown. (See Email)
9. Letter from Ballew, Schneider, Covalt, Gaines & Engdahl RE: Investigator Russ Fosler and the Lincoln Police Department. (See Letter)
10. Letter from Ferne E. Williams RE: Opposed to Recent Approval of New Fees for Lincoln Electric System. (See Letter)
11. Email from Heidi Daringer and Landon Osborne RE: Property located at 1840 E Street/City Violation. (See Email)

VI. ADJOURNMENT

F:\FILES\CITYCOUN\WP\DA041006.wpd

DEngstrom@ci.lincoln.ne.us
04/06/2006 11:00 AM

To dengstrom@lincoln.ne.gov
cc
bcc
Subject Mayor Seng's Town Hall Meeting, April 11, 2006

Please forward to any appropriate e-mail list. Thank you.

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

FOR IMMEDIATE RELEASE: March 30, 2006
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831

MAYOR'S TOWN HALL SET FOR APRIL 11

Mayor Coleen J. Seng invites the public to a Town Hall meeting scheduled for Tuesday evening, April 11 at the Cornhusker Marriott, 333 South 13th Street. A reception will begin at 5:30 p.m. in the Lancaster Room in the lower portion of the Conference Center, and the Town Hall meeting is scheduled for 6 to 7 p.m. During the reception, City departments will be present with displays and handouts on current projects and programs.

"This is an important opportunity for residents to hear information about City services and the many projects under way in our community," said Mayor Seng. "The Town Hall provides a venue for citizens and City officials to talk about their ideas and concerns."

At 6 p.m., the Mayor will make brief remarks and introduce representatives of the City departments. From 6 to 7 p.m. Mayor Seng will host a question-and-answer session between citizens and City officials.

The City's government access channel, 5 CITY-TV, will tape the 6 to 7 p.m. portion of the meeting to be aired at later dates on cable channel 5.

Debbie Engstrom
Executive Assistant/Scheduler to Mayor Coleen J. Seng
555 South 10th Street, Room 208
Lincoln, NE 68508
402-441-6897
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dengstrom@lincoln.ne.gov

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: April 6, 2006
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831
Deb Weber, Lincoln Arts Council, 434-2787

MAYOR'S ARTS AWARDS WINNERS ANNOUNCED

Mayor Coleen J. Seng has announced the winners of the 28th annual Mayor's Arts Awards to be presented 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 awards program formally recognizes artistic contributions and achievements in the Lincoln area. The LAC will begin accepting reservations April 24.

The honorees:

- **TADA (The Arts Deserve Attention) Productions**, a professional theatrical outreach company, will receive the *Mayor's Choice Award (sponsored by Cline, Williams, Wright, Johnson & Oldfather, L.L.P.).*
- **Crete Carrier Corporation** will receive the *Oliva Family "Arts for Kids" Award (sponsored by Jack and Dottie Oliva)*, which honors an individual or organization from outside of the arts professions whose leadership has enhanced arts activities and experiences for children.
- **Steve Hanson**, a performer and teacher of banjo, guitar and mandolin, will receive the *Artistic Achievement Award for Performing Arts (sponsored by Farmers Mutual Insurance Company).*
- **Marcia Laging-Cummings**, a bead artist and teacher, will receive the *Artistic Achievement Award for Visual Arts (sponsored by Lincoln Benefit Life).*
- **Michael Kingery**, a 2005 Lincoln Southeast graduate, computer design student and visual artist, will receive the *Artistic Achievement Award for Youth (sponsored by Lincoln Vision Center)*, which recognizes a young person age 18 or younger.
- **Max and Lillie Larsen** will receive the *Halcyon Allsman Benefactor of the Arts Award (sponsored by Wells Fargo)* for their significant financial contributions to the arts in Lincoln.
- The century-old **Lincoln Municipal Band** will receive the *Arts Organization Award (sponsored by Allied Insurance).*
- **Charles Bethea** , Executive Director of the Lied Center for Performing Arts, will receive the *Leadership Award (sponsored by Talent +).*
- **Proyecto Cultural/Sangre Azteca**, a Hispanic dance group, will receive the *Cultural Celebration Award (sponsored by Alltel).*

- more -

- **Dorothy Olson Young**, a former Lincoln Public Schools teacher and English Consultant, will receive the *Literary Heritage Award (sponsored by the Nebraska Literary Heritage Association).*
- The **Sunken Gardens Renovation Project** will receive the *Larry Enersen Urban Design Award (sponsored by The Clark Enersen Partners).*
- **Jo Stewart** will receive the *Heart of the Arts Award (sponsored by Runza Restaurants)* for outstanding volunteer service.
- **Diane Gabelhouse**, an art teacher at Mickle Middle School, will receive the *Gladys Lux Education Award (endowed by the Gladys Lux Foundation).*

A panel of judges from the community selected the award winners in every category except Mayor's Choice, Literary Heritage and Urban Design. This year's awards are being created by Gail Kendall, a nationally recognized potter, UNL professor of art and art history and 2004 Mayor's Arts Award recipient.

The Mayor's Arts Awards ceremony also will include a tribute to those members of the Lincoln arts community who have died since the last awards ceremony in June 2005. Names may be submitted to LAC at 434-2787, lacdirector@artscene.org or at 920 "O" Street, Lincoln, NE 68508.

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CITY OF LINCOLN Washington Office

Volume 12, Issue 7
March 31, 2006

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Washington Report

Archived at: www.capitaledge.com/archive.html

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HOUSE PANEL UNVEILS DRAFT TELECOM BILL

TELECOMUNICATIONS

House panel hears testimony on latest proposal. The House Energy and Commerce Committee held a hearing this week on draft legislation designed to create a national franchise system for video service providers. The draft, dubbed the Communications Opportunity, Promotion, and Enhancement Act, or "COPE Act," is the third attempt in recent months by leaders of the committee to ease the ability of regional telephone companies to enter the video services market.

While some earlier versions of the proposal were endorsed by committee Democrats, negotiations on the COPE Act broke down last weekend and Chairman Joe Barton (R-TX) decided to proceed without bipartisan support. In particular, Democrats on the committee decried the lack of any "build-out" requirements for new video entrants, consumer protections, and "net neutrality," or treating all forms of telecommunications providers in an equal manner.

Local government organizations were represented at the hearing this week by Mayor Ken Fellman of Arvada, Colorado, who expressed deep concerns with the COPE Act. Fellman prefaced his remarks by stating that the draft was made available less than three days prior to the hearing, but recommended improvements in the bill in areas such as management of public rights-of-way, local control over quality of service, and capacity for the provision of public, educational, and governmental (PEG) services. While the bill does allow for a franchise fee of five percent of gross revenues to local governments, Fellman maintained that exemptions from gross revenues in the bill may provide loopholes for telecommunications providers to reduce their payments to municipalities.

During the question and answer period with committee members, Reps. Marsha Blackburn (R-TN) and Steve Buyer (R-IN) attacked Fellman's motives for opposing a national franchise. The two teamed up to claim that as a Mayor and a lawyer in private practice specializing in telecommunications law, he benefits financially from negotiating local franchises. Mayor Fellman responded professionally to the unfair accusations and the organizations he represented at the hearing, the U.S. Conference of Mayors, National League of Cities, and National Association of Counties among five others, hold Mayor Fellman in the highest regard.

Internet service providers such as Yahoo, Google, Microsoft, eBay, and Amazon.com also expressed their opposition to the bill in a letter to committee leaders this week, as did numerous consumer advocates and public interest groups. The cable television industry was said to have signed off on the COPE Act, but representatives at the hearing gave it a lukewarm endorsement at best. Cable representatives at the hearing also expressed support for a proposal by Rep. Lee Terry (R-NE) not included in the draft that would allow new video providers accelerated entry into a market if they would comply with the provisions of the existing franchise in the community.

On the other hand, the prime beneficiaries of the legislation, telephone companies such as Verizon and AT&T, lavishly praised the bill. However, Rep. John Dingell (D-MI), the senior Democrat on the Energy and Commerce Committee, has questioned whether AT&T would qualify for a national franchise under the bill since the legislation specifically applies to "cable operators." For several months, AT&T has been arguing with the FCC that its new Internet-based video service should not be regulated as a cable service. AT&T has not yet responded to

Dingell's inquiry.

Barton plans on marking up the COPE Act in committee next week. Local government organizations are expected to complete a thorough review of the legislation and present their specific concerns prior to that markup. Copies of the draft legislation or Mayor Fellman's testimony are available from this office.

IMMIGRATION

Republicans squabble over immigration reform. Immigration reform took center stage in the Senate this week, as the Senate Judiciary Committee approved a measure that would provide for a "guestworker" program for illegal immigrants. At the same time, a border security and enforcement bill sponsored by Senate Majority Leader Bill Frist (R-AL) was being debated on the Senate floor and the Judiciary Committee measure was offered to that measure as a floor amendment on Thursday.

The centerpiece of the Judiciary Committee bill is the creation of a guestworker program for the approximately 11 million illegal immigrants residing in the country. Senator Lindsey Graham (R-SC) offered a successful amendment that would allow citizenship for illegal immigrants who meet the following requirements: pay a $1,000 fine; pass a comprehensive background check before receiving a work visa, and be continuously employed in the United States (any 45-day period of unemployment would subject them to deportation). After working in the United States for six years, the immigrant could apply for a second five-year visa, undergo another background check, pay another $1,000 fine, and pay any back taxes. After attending an American civics class and showing proficiency in the English language, the immigrant could then apply for citizenship, which would not be granted until all prior legal applicants had been approved. The Graham amendment is similar to the guestworker program supported by Senators John McCain (R-AZ) and Edward Kennedy (D-MA).

President Bush embraced the principles of the Senate proposal and House Speaker Dennis Hastert (R-IL) and new House Majority Leader John Boehner (R-OH) both expressed the need for a guestworker program. The legislation (HR 4437) approved last year by the House contains no such proposal. However, the plan was also roundly criticized by a number of Republicans in the Senate and House -- such as Frist, Senator Jon Kyl (R-AZ), and Reps. J.D. Hayworth (R-AZ) and Tom Tancredo (R-CO) -- who feared it was offering amnesty to a population that entered the U.S. under illegal circumstances.

The Senate is scheduled to complete action on the immigration bill next week, and if the guestworker provisions remain, it should set up a contentious conference with the House over the bill. Proponents of each side of the guestworker debate appear to be so committed to their positions that compromise may be impossible.

Both the House and Senate bills also contain provisions regarding local law enforcement of federal immigration law. The Senate would create a voluntary program by which local public safety agencies would cooperate on the detention of illegal immigrants, while the House version would withhold federal law enforcement funding from local governments that implement amnesty programs for immigrants.

BUDGET

House panel clears budget blueprint as negotiations continue. On a party line vote of 22-17, the House Budget Committee cleared the FY 2007 Budget Resolution. The Budget Resolution serves as a blueprint that sets broad tax, spending and policy goals for Congress to implement. Though it does not have the force of law, it does set a binding cap on discretionary spending as Congress crafts appropriations bills for the coming fiscal year. It also provides for expedited consideration and protection from filibuster for tax and mandatory spending legislation, dubbed "reconciliation bills," that is designed to implement the goals outlined in the Budget Resolution.

As cleared by the Committee, the Budget Resolution follows the President's lead and would cap discretionary spending in FY 2007 at $873 billion, up from $842 billion in FY 2006. In a blow to the White House, however, it would provide reconciliation protection for only $6.8 billion in savings from mandatory spending programs over five years, far short of the $65 billion in Medicare and Medicaid cuts proposed by the Administration, but more than the Senate-passed measure (S Con Res 83), which does not provide for any mandatory spending cuts. Like the Senate-passed measure, the Budget Resolution passed by the House also ignores the President's proposal for another round of major tax cuts. (For details of the Senate-passed Budget Resolution, see the March 17 Washington Report.)

If fully implemented, the Budget Resolution would result in a total FY 2007 budget of $2.8 trillion and a deficit of $359 billion. In an effort to stave off criticism that the Resolution avoids reality, it assumes that Congress will appropriate $50 billion in emergency spending for the Iraq War, something the President's Budget did not do. (The measure passed by the Senate assumes that $90 billion will be spent on the Iraq War.)

Unlike the Senate Budget Resolution, the version passed by the House Budget Committee does not include reconciliation protection for legislation to authorize oil drilling in the Arctic National Wildlife Refuge.

A group of 23 moderate Republicans led by Reps. Nancy Johnson (R-CT) and Fred Upton (R-MI), sent a letter to House Speaker Dennis Hastert (R-IL) saying that they will not vote for the Budget Resolution unless it includes an additional two percent increase in discretionary spending. They specifically want a discretionary spending level similar to that in the Senate-passed Budget Resolution, which calls for $889 billion in discretionary spending in FY 2007. The same group wrote Nussle earlier this year saying they would not support a Budget Resolution that includes the mandatory spending cuts proposed by the President.

At the same time, the 105-member strong Republican Study Committee

(RSC), the caucus of conservative House Republicans, is pushing for cuts to mandatory spending and adherence to an $873 billion FY 2007 discretionary spending limit. The RSC has drawn a line in the sand on the discretionary spending cap, saying they will not support a Budget Resolution that exceeds $873 billion. The RSC is also pushing for inclusion of earmark reform and expedited consideration of legislation creating a line-item veto in the Budget Resolution.

Further complicating matters for a potential House-Senate Conference Committee, the President's elevation of Office of Management and Budget Director Joshua Bolten to White House Chief of Staff might indicate that the President plans to actively participate in budget negotiations. In his statement on Senate passage of the Budget Resolution earlier this month, Bolten singled out Specter and his efforts to increase discretionary spending for criticism.

PUBLIC SAFETY

House subcommittee holds hearing on legislation that would bar federal gun sales data from being used against dealers. The Crime, Terrorism and Homeland Security subcommittee of the House Judiciary Committee held a hearing on Tuesday on HR 5005. The "Firearms and Corrections Improvements Act," introduced earlier this month by Rep. Lamar Smith (R-TX), would restrict the disclosure of information in the firearms trace database that is maintained by the National Trace Center of the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF).

Local law enforcement has used the ATF's crime gun trace database to identify retail dealers contributing the most guns to the illegal market, the manufacturers and distributors who supply those dealers, and traffickers. The database is also being used by cities bringing law suits against gun manufacturers and dealers.

Testifying before the subcommittee New York City Mayor Michael Bloomberg criticized the bill calling it "a God awful piece of legislation" that "coddles criminals and endangers police officers and citizens." Bloomberg also submitted letters from mayors from across the country opposing the bill to the subcommittee.

The National Rifle Association testified in favor of the bill saying Bloomberg's concerns are exaggerated and that the bill would streamline law enforcement efforts.

The subcommittee has not scheduled a markup for the bill. Given the tight House schedule, it is not clear if the bill will reach the House floor even if it does clear the Judiciary Committee. In addition, it is unlikely that the Senate would pass it or similar legislation.

TRANSPORTATION

Panel holds hearing on transit security. This week, the House Transportation and Infrastructure Committee's Highways, Transit, and Pipelines Subcommittee held a transit security hearing. Witnesses included representatives from the American Public Transportation Association (APTA), American Bus Association (ABA), and the Amalgamated Transit Union (ATU).

Each testified that increased funding is needed to strengthen security for transit systems and bus services. APTA has identified more than $6 billion in transit security needs ranging from employee training to new communications systems. In contrast, the Bush Administration has proposed a meager $600 million in FY 2007 for a security grant program to fund security measures for ports, rail, transit, bus, and trucking lines. The transit industry opposes the proposal to lump transit systems and seaports into one funding pool, since the various transportation industries would have to compete for funding.

APTA and other transit groups are not happy with the amount of money that has been proposed or the structure of the transit security grant process. Since 9/11, three different agencies within the Department of Homeland Security (DHS) have administered transit grant funds, and the process has changed each time. APTA urged Congress to pass authorization legislation to codify a permanent transit security grant program. Such a move would allow transit systems to plan for funding for several years ahead of time. APTA also asked that Congress put the Federal Transit Administration (FTA) in charge of managing transit grants.

APTA testimony maintained that transit security investments should be made to protect transit systems from both terrorist attacks and natural disasters, suggesting that any risk-based formula for distributing money should take into account the potential for hurricanes and other natural catastrophes. The dilapidated state of the Mississippi transit system demonstrates why homeland security investments need to be made consistently and in advance of a disaster. Early investments in communications, for example, might have helped the system keep running after Katrina, according to APTA.

Subcommittee Chairman Tom Petri (R-WI) said that the committee will likely consider legislation similar to a bill (HR 5082) approved by the panel in September 2004 that provided nearly $3.4 billion over three years for public transportation security grants.

GRANT OPPORTUNITIES

Department of Health and Human Services: The Health Resources and Services Administration (HRSA) has published a comprehensive preview of its FY 2006 grant programs. The preview does not necessarily replace grant guidance notices, but is intended to provide applicants with a timeline and general instructions to begin preparing applications. HRSA is later than usual this year in publishing the preview, and many of the deadlines have passed or the programs have been cancelled altogether. Most of the remaining deadlines are between March and July. The preview can be found at: http://www.hrsa.gov/grants/preview/.

CITY OF LINCOLN
NEBRASKA

NEWS RELEASE

MAYOR COLEEN J. SENG

LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT
3140 N Street, Lincoln NE 68510 • Phone: 441-8000
Fax: 441-8323 or 441-6229

www.ci.lincoln.ne.us

FOR IMMEDIATE RELEASE: March 30, 2006
FOR MORE INFORMATION: Harry Heafer, 441-8035

RECYCLE 'PET' # 1 PLASTIC CONTAINERS AND HELP "RETURN THE WARMTH"

Help provide fleece jackets to needy children

Recycle your #1 PET plastic bottles and help provide fleece jackets for needy children through Bubba's Closet, a project of the Lincoln Elementary School Principal Organization. All efforts are aimed at helping Bubba's Closet obtain funds to purchase more jackets for distribution to needy children and families next fall. Lincoln's six public high schools are participating in the "Return the Warmth" program to increase their recycling of #1 PET plastic bottles to support Bubba's Closet.

By recycling your plastic soda bottles, water bottles and other types of #1 PET plastic containers, which can be made into fleece jackets, you will be helping a Lincoln High School win a $1,000 SAM'S CLUB gift card which they will donate to Bubba's Closet. Citizens in Lincoln & Lancaster County are encouraged to increase their recycling of #1 PET containers at one of Lincoln's 18 recycling drop-off sites or the drop-off sites in neighboring communities. For a list of drop-off locations, refer to page 44 in the blue pages of the Alltel phone book.

Local partners in the "Return the Warmth" program include Midland Recycling, Recycling Enterprises and Star City Recycling who have generously agreed to contribute a penny a pound to Bubba's Closet for all #1 PET plastic recycled during the Great American Cleanup, March 1 - May 31. Additional partners include the City of Lincoln Recycling Program and the Lincoln Public School's Recycling Program.

-more-

The “Return the Warmth” program is sponsored nationally by SAM’S CLUB, Aquafina and Keep America Beautiful. SAM’S CLUB and Aquafina are offering grants of $1,000 in the form of a SAM’S CLUB gift card to be awarded to each of the 50 top collecting schools in the nation that participate in the “Return the Warmth” program. Help Lincoln’s Public High Schools be one of these winning schools.

“Return the Warmth” is a project of Keep America Beautiful’s Great American Cleanup, the nation’s largest annual community improvement program with over 30,000 cleanup, green-up and fix-up events in over 15,000 communities involving nearly 2.5 million volunteers. Local affiliate, Keep Lincoln & Lancaster County Beautiful, is a program of the Lincoln-Lancaster County Health Department (KLLCB) and is partially funded by a Litter Reduction and Recycling Grant administered by the Nebraska Department of Environmental Quality.

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CITY OF LINCOLN
NEBRASKA

NEWS RELEASE

MAYOR COLEEN J. SENG

LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT
3140 N Street, Lincoln NE 68510 • Phone: 441-8000
Fax: 441-8323 or 441-6229

www.ci.lincoln.ne.us

FOR IMMEDIATE RELEASE: April 6, 2006
FOR MORE INFORMATION: Harry Heafer, 441-8035 or Gene Hanlon, 441-7043

19th ANNUAL LINCOLN & LANCASTER COUNTY ENVIRONMENTAL AWARDS

The 19th annual Lincoln-Lancaster County Environmental Awards Luncheon will be held on Thursday, April 27, at the Nebraska Champions Club, 707 Stadium Drive. The luncheon will begin at Noon with the program following. Reservations are $15 per person and may be made by calling 441-8035. Reservation deadline is April 21.

The awards event will recognize businesses, organizations and individuals for their efforts to protect the environment and conserve our resources. Ten people, groups or businesses will receive recognition this year in six different categories. The award recipients and categories include: **Pollution Prevention:** General Dynamics; **Waste Reduction and Recycling:** Lincoln Public Schools Recycling Program, Cartridge World and Martha Green; **Water Conservation:** LES Salt Valley Generating Station and Lincoln Plating; **Residential/Commercial Development:** Spring Creek Prairie Audubon Center; **Environmental Education/Awareness:** Joyce Coppinger-(Lincoln Green Building Group); **Cleanup/Beautification:** Pam Goodrich-Bennet and Jeff Schwebke-Arnold Heights Neighborhood Association.

The keynote speaker will be W. Cecil Steward, President/CEO of the Joslyn Castle Institute for Sustainable Communities. The topic of his presentation is "All the Environmental World is Local" with an emphasis on local lifestyle and attitudes that impact the global condition.

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Jean L Walker/Notes
04/04/2006 01:05 PM

To CouncilPacket/Notes, Commish@lancaster.ne.gov,
cc Kerry P Eagan/Notes, Gwen K Thorpe/Notes, Ann Harrell/Notes,
bcc
Subject Joslyn Castle Institute for Sustainable Communities: Invitation to Meeting on April 20, 2006

TO:

Lincoln City Council
Lancaster County Board of Commissioners
Lincoln-Lancaster County Planning Commission

We know that you have concerns for the future of Nebraska, and so we want to invite you to an important meeting featuring a presentation by Ted Knowlton of Envision Utah from 9 a.m. to noon, April 20, at Quarry Oaks Golf Course near Ashland.

We will examine critical quality of life issues facing the Southeast Nebraska/Southwest Iowa Metroplex through the model of Envision Utah, a nationally recognized volunteer effort to build consensus for a sustainable future in the greater Salt Lake City region, which is experiencing growth pressures and opportunities similar to those in the Omaha/Lincoln/Council Bluffs metro region.

Our cooperation with Envision Utah marks a major step in an effort by JCI and its partners in building our own voluntary regional planning organization that preserves and enhances quality of life in the region through the promotion of sustainable practices while at the same time strengthening the region's long-term economic prospects.

Additionally, we want to invite you to stay through lunch at Quarry Oaks and discuss with us your possible interest in helping to create a friends organization in the region.

Please RSVP by April 14 to (402) 595-1902 or by emailing Katie Torpy at ktorpy@sustainable.design.org if you plan to attend either the meeting or luncheon or both. Your interest and participation would be greatly appreciated.

Katie Torpy
Joslyn Castle Institute for Sustainable Communities
3910 Davenport St., Omaha, NE 68131
402.595.1902 402.595.1007 ecospheres.com

Forwarded by Jean Walker, Administrative Officer
City-County Planning Department
441-6365

BP06 4/4

MEMORANDUM

TO: **Planning Commission**

FROM: Stephen Henrichsen, Planning SH

SUBJECT: International Council of Shopping Centers Definitions

DATE: April 4, 2006

COPIES: Planning staff
City Council

Attached for your reference are the "International Council of Shopping Centers" (ICSC) definitions on the basic types of shopping centers for your discussion next Tuesday, April 12th during the luncheon discussion time. Planning staff will also provide additional information on the sizes of centers and larger stores in Lincoln at the meeting as well.

Q:\SHORT\STEVE\Commercial\ICSC routing memo.wpd

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

ICSC SHOPPING CENTER DEFINITIONS
Basic Configurations and Types

The term "shopping center" has been evolving since the early 1950s. Given the maturity of the industry, numerous types of centers currently exist that go beyond the standard definitions. Industry nomenclature originally offered four basic terms: neighborhood, community, regional, and superregional centers. However, as the industry has grown and changed, more types of centers have evolved and these four classifications are no longer adequate. The International Council of Shopping Centers has defined eight principal shopping center types, shown in the accompanying table.

The definitions, and in particular the table that accompanies the text, are meant to be guidelines for understanding major differences between the basic types of shopping centers. Several of the categories shown in the table, such as size, number of anchors, and trade area, should be interpreted as "typical" for each center type. They are not meant to encompass the operating characteristics of every center. As a general rule, the main determinants in classifying a center are its merchandise orientation (types of goods/services sold) and its size.

It is not always possible to precisely classify every center. A hybrid center may combine elements from two or more basic classifications, or a center's concept may be sufficiently unusual as to preclude it from fitting into one of the eight generalized definitions presented here.

There are other types of centers that are not separately defined here but nonetheless are a part of the industry. Some can be considered subsegments of one of the larger, defined groups, perhaps created to satisfy a particular niche market. One example would be the **convenience center**, among the smallest of centers, whose tenants provide a narrow mix of goods and personal services to a very limited trade area. A typical anchor would be a convenience store like 7-Eleven or other mini-mart. At the other end of the size spectrum are **super off-price malls** that consist of a large variety of value-oriented retailers, including factory outlet stores, department store close-out outlets, and category killers in an enclosed megamall (up to 2 million square feet) complex. Other smaller subsegments of the industry include vertical, downtown, off-price, home improvement, and car care centers. The trend toward differentiation and segmentation will continue to add new terminology as the industry matures.

***SHOPPING CENTER**: A group of retail and other commercial establishments that is planned, developed, owned and managed as a single property. On-site parking is provided. The center's size and orientation are generally determined by the market characteristics of the trade area served by the center. The two main configurations of shopping centers are malls and open-air strip centers.*

BASIC CONFIGURATIONS

Mall: Malls typically are enclosed, with a climate-controlled walkway between two facing strips of stores. The term represents the most common design mode for regional and superregional centers and has become an informal term for these types of centers.

Strip Center: A strip center is an attached row of stores or service outlets managed as a coherent retail entity, with on-site parking usually located in front of the stores. Open canopies may connect the storefronts, but a strip center does not have enclosed walkways linking the stores. A strip center may be configured in a straight line, or have an "L" or "U" shape.

SHOPPING CENTER TYPES

Neighborhood Center: This center is designed to provide convenience shopping for the day-to-day needs of consumers in the immediate neighborhood. According to ICSC's *SCORE* publication, roughly half of these centers are anchored by a supermarket, while about a third have a drugstore anchor. These anchors are supported by stores offering drugs, sundries, snacks and personal services. A neighborhood center is usually configured as a straight-line strip with no enclosed walkway or mall area, although a canopy may connect the storefronts.

Community Center: A community center typically offers a wider range of apparel and other soft goods than the neighborhood center does. Among the more common anchors are supermarkets, super drugstores, and discount department stores. Community center tenants sometimes contain off-price retailers selling such items as apparel, home improvement/furnishings, toys, electronics or sporting goods. The center is usually configured as a strip, in a straight line, or L or U shape. Of the eight center types, community centers encompass the widest range of formats. For example, certain centers that are anchored by a large discount department store refer to themselves as discount centers. Others with a high percentage of square footage allocated to off-price retailers can be termed off-price centers.

Regional Center: This center type provides general merchandise (a large percentage of which is apparel) and services in full depth and variety. Its main attractions are its anchors: traditional, mass merchant, or discount department stores or fashion specialty stores. A typical regional center is usually enclosed with an inward orientation of the stores connected by a common walkway and parking surrounds the outside perimeter.

Superregional Center: Similar to a regional center, but because of its larger size, a superregional center has more anchors, a deeper selection of merchandise, and draws from a larger population base. As with regional centers, the typical configuration is as an enclosed mall, frequently with multilevels.

Fashion/Specialty Center: A center composed mainly of upscale apparel shops, boutiques and craft shops carrying selected fashion or unique merchandise of high quality and price. These centers need not be anchored, although sometimes restaurants or entertainment can provide the draw of anchors. The physical design of the center is very sophisticated, emphasizing a rich decor and high quality landscaping. These centers usually are found in trade areas having high income levels.

Power Center: A center dominated by several large anchors, including discount department stores, off-price stores, warehouse clubs, or "category killers," i.e., stores that offer tremendous selection in a particular merchandise category at low prices. The center typically consists of several freestanding (unconnected) anchors and only a minimum amount of small specialty tenants.

Theme/Festival Center: These centers typically employ a unifying theme that is carried out by the individual shops in their architectural design and, to an extent, in their merchandise. The biggest appeal of these centers is to tourists; they can be anchored by restaurants and entertainment facilities. These centers, generally located in urban areas, tend to be adapted from older, sometimes historic, buildings, and can be part of mixed-use projects.

Outlet Center: Usually located in rural or occasionally in tourist locations, outlet centers consist mostly of manufacturers' outlet stores selling their own brands at a discount. These centers are typically not anchored. A strip configuration is most common, although some are enclosed malls, and others can be arranged in a "village" cluster.

Lifestyle Center: Most often located near affluent residential neighborhoods, this center type caters to the retail needs and "lifestyle" pursuits of consumers in its trading area. It has an open-air configuration and typically includes at least 50,000 sf of space occupied by upscale national chain specialty stores. Other elements help make the lifestyle center serve as a multi-purpose leisure-time destination, including: restaurants and entertainment; design ambience and amenities such as fountains and street furniture that are conducive to casual browsing; and often one or more conventional or fashion specialty department stores as anchors.

Table 1: ICSC Shopping Center Definitions

Type of Shopping Center	Concept	Square Feet (Including Anchors)	Acreage	Typical Anchor(s) Number	Typical Anchor(s) Type	Anchor Ratio*	Primary Trade Area**
Neighborhood Center	Convenience	30,000–150,000	3–15	1 or more	Supermarket	30–50%	3 miles
Community Center	General merchandise; convenience	100,000–350,000	10–40	2 or more	Discount department store; supermarket; drug; home improvement; large specialty/discount apparel	40–60%	3–6 miles
Regional Center	General merchandise; fashion (mall, typically enclosed)	400,000–800,000	40–100	2 or more	Full-line department store; jr. department store; mass merchant; discount department store; fashion apparel	50–70%	5–15 miles
Superregional Center	Similar to regional center but has more variety and assortment	800,000+	60–120	3 or more	Full-line department store; jr. department store; mass merchant; fashion apparel	50–70%	5–25 miles
Fashion/Specialty Center	Higher end; fashion oriented	80,000–250,000	5–25	N/A	Fashion	N/A	5–15 miles
Lifestyle Center	Upscale national chain specialty stores; dining and entertainment in outdoor setting.	Typically 150,000-500,000, but can be smaller or larger.	10-40	0-2	Not usually anchored in the traditional sense but may include book store; other large-format specialty retailers; multiplex cinema; small department store.	0-50%	8-12 miles
Power Center	Category-dominant anchors; few small tenants	250,000–600,000	25–80	3 or more	Category killer; home improvement; discount department store; warehouse club; off-price	75–90%	5–10 miles
Theme/Festival Center	Leisure; tourist-oriented; retail and service	80,000–250,000	5–20	N/A	Restaurants; entertainment	N/A	N/A
Outlet Center	Manufacturers' outlet stores	50,000–400,000	10–50	N/A	Manufacturers' outlet stores	N/A	25–75 miles

* The share of a center's total square footage that is attributable to its anchors
**The area from which 60 - 80% of the center's sales originate

ICSC Shopping Center Definitions is published by the
International Council of Shopping Centers.
1221 Avenue of the Americas, 41st Floor
New York, New York 10020-1099
Phone: 646-728-3671
Fax: 212-589-5555
http://www.icsc.org

PLANNING COMMISSION FINAL ACTION
NOTIFICATION

TO : Mayor Coleen Seng
Lincoln City Council

FROM : Jean Walker, Planning

DATE : March 30, 2006

RE : **Special Permit No. 06011 - DENIED**
(Parking lot in a residential district - 26th & W Streets)

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, March 29, 2006:

> Motion made by Strand, seconded by Carroll, to **deny Special Permit No. 06011,** requested by Thuy and Hung Nguyen, for authority to construct a parking lot within a residential zoning district to serve an existing grocery store, on property generally located at N. 26th Street and W Street. Motion to **deny** carried 8-1: Esseks, Carroll, Larson, Krieser, Strand, Cornelius, Sunderman and Carlson voting 'yes'; Taylor voting 'no'.

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
Hung The Nguyen, 2020 Indigo Court, 68521
Thuy T. Nguyen, 2602 W Street, 68503
Hawley Area Association
Malone Neighborhood Association
David and Joanne DeYong, 2620 W Street, 68503
Renee Malone, 1408 N. 26th Street, 68503

i:\shared\wp\jlu\2006 ccnotice.sp\SP.06011 Denied

DENIED by Planning Commission: 3/29/06, 8-1 (Esseks, Carroll, Larson, Krieser, Strand, Cornelius, Sunderman and Carlson voting 'yes'; Taylor voting 'no')

RESOLUTION NO. PC-DENIED

SPECIAL PERMIT NO. 06011

WHEREAS, Thuy and Hung Nguyen have submitted an application designated as Special Permit No. 06011 to construct a parking lot within a residential zoning district to serve an existing grocery store, on property generally located at N. 26th Street and W Street and legally described as:

Lots 5 and 6, Block 8, Tresters Addition, 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 parking lot in a residential zoning district 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 Thuy and Hung Nguyen, hereinafter referred to as "Permittee", to construct a parking lot within a residential zoning district to serve an existing

grocery store be and the same is hereby granted under the provisions of Section 27.63.170 of the Lincoln Municipal Code upon condition that construction of said parking lot be in strict compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This approval permits a parking lot on property legally described as Lots 5 and 6, Block 8, Tresters Addition.

2. Before receiving building permits:

   a. The Permittee shall submit a revised site plan including five copies showing the following revisions:

      i. Show setbacks for the parking lot.

      ii. Dimension the parking stalls and driving aisles.

      iii. Show screening that meets the design standards for screening of parking lots.

      iv. The parking lot must meet all other design standards required by the City.

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

3. Before occupying the parking lot all development and construction must conform to the approved plans.

4. All privately-owned improvements, including landscaping, shall be permanently maintained by the Permittee.

5. The site plan accompanying 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. This resolution's terms, conditions, and requirements bind and obligate the Permittee, its successors and assigns.

7. 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 Permittee.

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

ATTEST:

DENIED by Planning Commission: 3/29/06, 8-1 (Esseks, Carroll, Larson, Krieser, Strand, Cornelius, Sunderman and Carlson voting 'yes'; Taylor voting 'no')

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 : March 30, 2006

RE : **Special Permit No. 06015**
(Calvary Evangelical Lutheran Church - 2774 Franklin Street)
Resolution No. PC-00986

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, March 29, 2006:

> Motion made by Carroll, seconded by Larson, to approve **Special Permit No. 06015,** with conditions, requested by Calvary Evangelical Lutheran Church, for authority to expand a nonconforming use for an addition to the existing church, on property generally located at 2774 Franklin Street.
>
> Motion for conditional approval carried 8-0 (Sunderman, Strand, Esseks, Krieser, Cornelius, Larson, Carroll and Carlson voting 'yes'; Taylor 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
Chris L. Myers, 4335 Meredeth, 68506
Calvary Evangelical Lutheran Church, 2774 Franklin Street, 68502
Antelope Park Neighborhood (2)

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RESOLUTION NO. PC-00986

SPECIAL PERMIT NO. 06015

WHEREAS, Calvary Evangelical Lutheran Church has submitted an application designated as Special Permit No. 06015 to expand a nonconforming use for an addition to the existing church, on property generally located at 2774 Franklin Street and legally described as:

Lots 43-48, Block 2, Arlington Heights, 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 expansion of a nonconforming use 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 Calvary Evangelical Lutheran Church, hereinafter referred to as "Permittee", to allow the expansion of a nonconforming use for an addition to the existing church, be and the same is hereby granted under the provisions of Section 27.63.280 of the Lincoln Municipal Code upon condition that construction of said nonconforming commercial building 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 the non conforming use to allow an addition onto the building consistent with the existing north building line as shown on the site plan.

2. Before receiving building permits:

a. The Permittee shall complete the following instructions and submit 5 copies of the documents and plans to the Planning Department office for review and approval:

i. Delete Lots 39-42 from the site plan, and clearly delineate the boundary of the special permit (Lots 43-48). Add the correct legal description.

ii. Eliminate the interior detail and show the building footprint clearly delineated.

iii. Delineate the area of the proposed expansion.

iv. Show the setbacks from the church to all property lines.

v. Show the correct scale.

b. The construction plans comply with the approved plans.

3. Before occupying the building, all development and construction must conform with the approved plans.

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

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

6. The applicant 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 29th day of March, 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 : March 30, 2006

RE : **Special Permit No. 06014, Southlake Community Unit Plan**
(S. 91st Street and Andermatt Drive)
Resolution No. PC-00987

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, March 29, 2006:

> Motion made by Strand, seconded by Carroll, to approve **Special Permit No. 06014, Southlake Community Unit Plan,** with conditions, requested by Eiger Corporation, for authority to develop 90 dwelling units, together with requested waivers of the Zoning Code, Land Subdivision Ordinance and City of Lincoln Design Standards to allow block length in excess of 1,320 feet with no pedestrian way easement; to adjust front, side and rear setbacks to zero feet; to allow transfer of wastewater from one drainage basin to another; to allow sanitary sewer to exceed maximum depth; to exceed minimum tangent length between non-compound horizontal curves; to allow sanitary sewer to be constructed non-parallel to the centerline of the street; to allow lot lines non-perpendicular to the right-of-way; and to allow lots that do not front upon a public street or private roadway, on property generally located at South 91st Street and Andermatt Drive.
>
> Motion for conditional approval carried 9-0 (Sunderman, Strand, Esseks, Krieser, Cornelius, Taylor, Larson, Carroll and Carlson voting 'yes').

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

Attachment

cc: Building & Safety
Rick Peo, City Attorney
Public Works
DaNay Kalkowski, 1111 Lincoln Mall, Suite 350, 68508
Scott Osterhaus, Olsson Associates, 1111 Lincoln Mall, 68508
Kelvin Korver, Eiger Corporation, RR 1, Box 93A, Adams, NE 68301
Andermatt, LLC, 4000 S. 59th Street Court, 68506
Cheney SID #5, c/o Jane Athey, 9400 Yankee Hill Road, 68526-9482
Cheney CIP, c/o Gayle Hanshaw, 9420 Third Street, Cheney, NE 68526
Warren Gran, Vintage Heights H.O. Assn., 5930 S. 90th, 68526
Terri Roberts, Vintage Heights H.O. Assn., 6010 S. 91st Street, 68526

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PLANNING COMMISSION FINAL ACTION
NOTIFICATION

TO : Mayor Coleen Seng
Lincoln City Council

FROM : Jean Walker, Planning

DATE : March 30, 2006

RE : **Special Permit No. 06014, Southlake Community Unit Plan**
(S. 91st Street and Andermatt Drive)
Resolution No. PC-00987

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, March 29, 2006:

> Motion made by Strand, seconded by Carroll, to approve **Special Permit No. 06014, Southlake Community Unit Plan,** with conditions, requested by Eiger Corporation, for authority to develop 90 dwelling units, together with requested waivers of the Zoning Code, Land Subdivision Ordinance and City of Lincoln Design Standards to allow block length in excess of 1,320 feet with no pedestrian way easement; to adjust front, side and rear setbacks to zero feet; to allow transfer of wastewater from one drainage basin to another; to allow sanitary sewer to exceed maximum depth; to exceed minimum tangent length between non-compound horizontal curves; to allow sanitary sewer to be constructed non-parallel to the centerline of the street; to allow lot lines non-perpendicular to the right-of-way; and to allow lots that do not front upon a public street or private roadway, on property generally located at South 91st Street and Andermatt Drive.
>
> Motion for conditional approval carried 9-0 (Sunderman, Strand, Esseks, Krieser, Cornelius, Taylor, Larson, Carroll and Carlson voting 'yes').

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

Attachment

cc: Building & Safety
Rick Peo, City Attorney
Public Works
DaNay Kalkowski, 1111 Lincoln Mall, Suite 350, 68508
Scott Osterhaus, Olsson Associates, 1111 Lincoln Mall, 68508
Kelvin Korver, Eiger Corporation, RR 1, Box 93A, Adams, NE 68301
Andermatt, LLC, 4000 S. 59th Street Court, 68506
Cheney SID #5, c/o Jane Athey, 9400 Yankee Hill Road, 68526-9482
Cheney CIP, c/o Gayle Hanshaw, 9420 Third Street, Cheney, NE 68526
Warren Gran, Vintage Heights H.O. Assn., 5930 S. 90th, 68526
Terri Roberts, Vintage Heights H.O. Assn., 6010 S. 91st Street, 68526

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RESOLUTION NO. PC- 00987

SPECIAL PERMIT NO. 06014

WHEREAS, Eiger Corporation has submitted an application designated as Special Permit No. 06014 for authority to develop Southlake Community Unit Plan for 90 dwelling units, together with requested waivers of the Zoning Code, Land Subdivision Ordinance, and City of Lincoln Design Standards to allow block length in excess of 1,320 feet with no pedestrian way easement; to adjust front, side, and rear setbacks to 0 feet; to allow transfer of wastewater from one drainage basin to another; to allow sanitary sewer to exceed maximum depth; to exceed minimum tangent length between non-compound horizontal curves; to allow sanitary sewer to be constructed non-parallel to the centerline of the street; to allow lot lines non-perpendicular to the right-of-way; and to allow lots that do not front upon a public street or private roadway, on property generally located at South 91st Street and Andermatt Drive, and legally described as:

> Lot 36 I.T., a portion of Lot 66 I.T., a portion of Lot 71 I.T., a portion of Lot 100 I.T., and a portion of Lot 101 I.T., all located in the East Half of Section 23, Township 9 North, Range 7 East of the 6th P.M., Lincoln, Lancaster County, Nebraska, and more particularly described as follows:
>
> Commencing at the northwest corner of said Lot 100 I.T.; thence southeasterly along a westerly line of said Lot 100 I.T., said line being an east line of South 91st Street right-of-way on an assumed bearing of south 27 degrees 39 minutes 47 seconds east, a distance of 54.44 feet to a point of curvature; thence along a curve in a clockwise direction, having a delta angle of 00 degrees 47 minutes 06 seconds, a radius of 1,065.00 feet, an arc length of 14.59 feet, a chord bearing of south 27 degrees 16 minutes 14 seconds east along a west line of said Lot 100 I.T.,

said line being an east line of said right-of-way, and a chord distance of 14.59 feet to a point, said point being the point of beginning; thence north 75 degrees 00 minutes 41 seconds east, a distance of 1,854.76 feet to a point of intersection with the east line of Lot 100 I.T., said point being on the west line of South 98th Street right-of-way; thence south 00 degrees 07 minutes 15 seconds east along the east line of said Lot 100 I.T., and the east line of Lot 101 I.T., said line being the west line of said right-of-way, said line being 33.00 feet west of and parallel with the east line of the Northeast Quarter of said Section 23, a distance of 839.84 feet to the southeast corner of said Lot 101 I.T., said point being on the north line of Lot 36 I.T.; thence south 89 degrees 52 minutes 55 seconds east along the north line of said Lot 36 I.T., said line being the north line of the Southeast Quarter of said Section 23, a distance of 33.00 feet to the northeast corner of said Lot 36 I.T., said point being the northeast corner of said Southeast Quarter; thence south 00 degrees 07 minutes 24 seconds east along the east line of said Lot 36 I.T., and the east line of Lot 66 I.T., said line being the east line of said Southeast Quarter, a distance of 892.05 feet to a point; thence south 90 degrees 00 minutes 00 seconds west, a distance of 405.86 feet to a point of curvature; thence along a curve in a clockwise direction, having a delta angle of 18 degrees 12 minutes 50 seconds, a radius of 1,033.00 feet, an arc length of 328.38 feet, a chord bearing of north 80 degrees 53 minutes 35 seconds west, and a chord distance of 327.00 feet to a point of tangency; thence north 71 degrees 47 minutes 10 seconds west, a distance of 66.44 feet to a point of curvature; thence along a curve in a clockwise direction, having a delta angle of 09 degrees 27 minutes 28 seconds, a radius of 1,033.00 feet, an arc length of 170.52 feet, a chord bearing of north 67 degrees 03 minutes 26 seconds west, and a chord distance of 170.33 feet to a point of tangency; thence north 62 degrees 19 minutes 42 seconds west, a distance of 211.09 feet to a point of curvature; thence along a curve in a clockwise direction, having a delta angle of 07 degrees 22 minutes 03 seconds, a radius of 558.00 feet, an arc length of 71.75 feet, a chord bearing of north 58 degrees 38 minutes 40 seconds west, and a chord distance of 71.70 feet to a point of curvature of a non tangent curve; thence along a curve in a clockwise direction, having a delta angle of 139 degrees 51 minutes 42 seconds, a radius of 97.00 feet, an arc length of 236.78 feet, a chord bearing of north 50 degrees 22 minutes 50 seconds west, and a chord distance of 182.22 feet to a point of curvature of a non tangent curve; thence along a curve in a clockwise direction, having a delta angle of 30 degrees 11 minutes 37 seconds, a radius of 573.00 feet, an arc length of 301.96 feet, a chord bearing of north 21 degrees 22 minutes 57 seconds west, and a chord distance of 298.48 feet to a point; thence north 83 degrees 42 minutes 51 seconds east, a distance of 96.00 feet to a point of curvature of a non tangent curve; thence along a curve in a clockwise direction, having a delta angle of 06 degrees 17 minutes 09 seconds, a

radius of 477.00 feet, an arc length of 52.33 feet, a chord bearing of north 03 degrees 08 minutes 34 seconds west, and a chord distance of 52.30 feet to a point of tangency; thence north 00 degrees 00 minutes 00 seconds east, a distance of 94.45 feet to a point; thence north 56 degrees 45 minutes 27 seconds east, a distance of 106.73 feet to a point; thence north 10 degrees 51 minutes 05 seconds west, a distance of 184.48 feet to a point of intersection with the south line of Lot 100 I.T., said point being a point of curvature of a non tangent curve; thence along a curve in a clockwise direction, having a delta angle of 51 degrees 58 minutes 18 seconds, a radius of 50.00 feet, an arc length of 45.35 feet, a chord bearing of north 74 degrees 24 minutes 38 seconds west along a southwest line of said Lot 100 I.T., and a chord distance of 43.81 feet to a point of tangency; thence north 48 degrees 25 minutes 29 seconds west along a southwest line of said Lot 100 I.T., a distance of 29.36 feet to a point of curvature; thence along a curve in a clockwise direction, having a delta angle of 50 degrees 02 minutes 26 seconds, a radius of 50.00 feet, an arc length of 43.67 feet, a chord bearing of north 23 degrees 24 minutes 16 seconds west along a southwest line of said Lot 100 I.T., and a chord distance of 42.29 feet to a point of tangency; thence north 01 degrees 36 minutes 57 seconds east along a west line of said Lot 100 I.T., a distance of 72.45 feet to a point of curvature; thence along a curve in a counter clockwise direction, having a delta angle of 54 degrees 08 minutes 38 seconds, a radius of 50.00 feet, an arc length of 47.25 feet, a chord bearing of north 25 degrees 27 minutes 22 seconds west along a southwest line of said Lot 100 I.T., and a chord distance of 45.51 feet to a point of tangency; thence north 52 degrees 31 minutes 41 seconds west along a southwest line of said Lot 100 I.T., a distance of 31.36 feet to a point of curvature; thence along a curve in a counter clockwise direction, having a delta angle of 72 degrees 13 minutes 00 seconds, a radius of 50.00 feet, an arc length of 63.02 feet, a chord bearing of north 88 degrees 38 minutes 11 seconds west along a south line of said Lot 100 I.T., and a chord distance of 58.93 feet to a point of tangency; thence south 55 degrees 15 minutes 19 seconds west along a southeast line of said Lot 100 I.T., a distance of 138.69 feet to a point of curvature; thence along a curve in a clockwise direction, having a delta angle of 11 degrees 35 minutes 59 seconds, a radius of 500.00 feet, an arc length of 101.23 feet, a chord bearing of south 61 degrees 03 minutes 18 seconds west along a southeast line of said Lot 100 I.T., and a chord distance of 101.05 feet to a point of tangency; thence south 66 degrees 51 minutes 18 seconds west along a southeast line of said Lot 100 I.T., a distance of 90.97 feet to the southwest corner of said Lot 100 I.T., said point being on the east line of South 91st Street right-of-way, said point being a point of curvature of a non tangent curve; thence along a curve in a counter clockwise direction, having a delta angle of 08 degrees 33 minutes 10 seconds, a radius of 1,065.00 feet, an arc length of

158.98 feet, a chord bearing of north 22 degrees 36 minutes 06 seconds west along the west line of said Lot 100 I.T., said line being the east line of said right-of-way, and a chord distance of 158.83 feet to the point of beginning, said tract contains a calculated area of 2,017,371.6471 square feet or 46.3125 acres, more or less;

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 community unit plan 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; and

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

That the application of Eiger Corporation, hereinafter referred to as "Permittee", to develop Southlake Community Unit Plan for 90 dwelling units be and the same is hereby granted under the provisions of Section 27.63.320 and Chapter 27.65 of the Lincoln Municipal Code upon condition that construction of said dwelling units be in strict compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit approves up to 90 dwelling units with waivers as shown on the site plan to allow block length in excess of 1,320' with no pedestrian way easement for a block in excess of 1,000'; adjust front, side, and rear setbacks to 0'; allow transfer of wastewater from one drainage basin to another; allow sanitary sewer to exceed maximum depth; exceed minimum tangent length between non-compound horizontal curves; allow sanitary sewer to be

constructed non-parallel to the centerline of the street; allow lot lines non-perpendicular to the right-of-way; and allow lots that do not front upon a public street or private roadway.

2. Final plats within the area of this community unit plan must be approved by the City.

3. If any final plat on all or a portion of the approved community unit plan is submitted five (5) years or more after the approval of the community unit plan, the city may require that a new community unit plan be submitted, pursuant to all the provisions of section 26.31.015. A new community unit plan may be required if the subdivision ordinance, the design standards, or the required improvements have been amended by the city; and as a result, the community unit plan as originally approved does not comply with the amended rules and regulations.

4. Final plats may be approved by the Planning Director after the Permittee enters into an agreement with the City wherein the Permittee as Subdivider agrees:

a. to complete the street paving of public streets shown on the final plat within two (2) years following the approval of the final plat.

b. to complete the paving of private roadways shown on the final plat within two (2) years following the approval of this final plat.

c. to complete the installation of sidewalks along both sides of the streets and the west side of South 98th Street as shown on the final plat within four (4) years following the approval of the final plat.

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

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

f. 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.

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

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

i. to complete the installation of private street lights within this plat within two (2) years following the approval of the final plat.

j. to complete the planting of the street trees along both sides of all streets and the west side of South 98th Street within four (4) years following the approval of the final plat.

k. to complete the planting of the landscape screen along South 98th Street within two (2) years following the approval of the final plat.

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

m. 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.

n. 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.

o. to complete the public and private improvements shown on the Community Unit Plan.

p. The Subdivider agrees to maintain the outlots and private improvements on a permanent and continuous basis, and to recognize that there may be additional maintenance issues or costs associated with providing for the proper functioning of stormwater detention/retention facilities as they were designed and constructed within the development and these are the responsibility of the Subdivider. Subdivider further agrees 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 continuous basis. However, the Subdivider may be relieved and discharged of such maintenance obligations only upon creating, in writing, a permanent and continuous association of property owners who would be responsible for said permanent and continuous maintenance subject to the following conditions:

(a) Subdivider shall not be relieved of Subdivider's maintenance obligation for each specific private improvement until a registered professional engineer or nurseryman who supervised the installation of said private improvement has certified to the City that the improvement has been installed in accordance with approved plans; and

(b) The maintenance agreements are incorporated into covenants and restrictions in deeds to the subdivided property and the documents creating the association and the restrictive covenants have been reviewed and approved by the City Attorney and filed of record with the Register of Deeds.

q. to continuously and regularly maintain the street trees along the private roadways and landscape screens.

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

s. to pay all design, engineering, labor, material, inspection, and other improvement costs.

t. to comply with the provisions of the Land Preparation and Grading requirements of the Land Subdivision Ordinance.

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

v. 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.

w. to relinquish the right of direct vehicular access to South 91st and South 98th Streets except as shown.

5. Before receiving final plat approval:

a. The permittee shall complete the following instructions and submit the documents and plans to the Planning Department office for review and approval.

i. Five copies of a revised site plan showing the following revisions:

(1) Delete General Notes #12, 15, 16, 18, 25, 29, and 33.

(2) Show recreation facilities to the satisfaction of the Parks and Recreation Department.

(3) Show continuous sidewalks along both sides of all streets and private roadways and the west side of South 98th Street.

(4) Show a "typical detail" for the townhouse lots which includes a dimension of 22' from the back of the sidewalk to the garage of the dwelling unit.

(5) Indicate a 27' paving width for the private roadways.

(6) Show easements per L.E.S. review.

(7) Provide a summary of trip generation allocation that includes all development subject to AN#01006.

(8) Delete all references to PUD.

(9) Show the grading for South 94th, South 96th, and South 97th Streets extended 300' beyond the boundary of the plan.

(10) Add a general site note that states required screening shall be provided at time of final plats.

(11) Revise General Note #15 to state "LOT DIMENSIONS ARE APPROXIMATE AND MAY VARY AT TIME OF FINAL PLAT."

(12) Revise General Note #24 to state ".....IN ACCORDANCE WITH LINCOLN MUNICIPAL CODE TITLE 27."

(13) Revise General Note #26 by deleting "AS AMENDED BY THE SOUTHLAKE REGULATORY MODIFICATIONS."

(14) Revise General Note #28 to read as ".....STREET TREES AND REQUIRED LANDSCAPE SCREENS TO BE REVIEWED....."

(15) Revise General Note #31 to state "MINIMUM DISTANCE BETWEEN BUILDINGS IN THE CUP SHALL BE AT LEAST 20'."

(16) Delete the word"TOWNHOUSE" from General Note #36.

(17) Revise General Note #44 to state "LOTS ADJACENT TO SOUTH 98TH STREET WILL NOT BE FINAL PLATTED UNTIL THE STREET IS IMPROVED TO CITY STANDARDS.

(18) Separate General Notes #15, 30, 35, 37, 38, 39, 43, and 47 into a separate table labeled 'Waivers'.

(19) Show Andermatt Drive aligned and intersection geometry at South 98th Street to the satisfaction of Public Works and Utilities.

(20) Show the sanitary sewer in a location approved by Public Works and Utilities.

(21) Delineate the 12" high-pressure gas if it falls within the boundaries of the plan and identify it in bold text.

ii. Revise the grading and drainage and utilities plans to the satisfaction of Public Works and Utilities.

b. City Council approves associated requests AN#06004 and CZ#06016.

c. The construction plans comply with the approved plans.

6. Before occupying any dwellings all development and construction is to comply with the approved plans.

7. All privately-owned improvements, including landscaping and recreational facilities, are to be permanently maintained by the owner or an appropriately established owners association approved by the City.

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

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

10. The applicant 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 29th day of March, 2006.

ATTEST:

Chair

Approved as to Form & Legality:

Chief Assistant City Attorney

CITY OF LINCOLN
NEBRASKA

PUBLIC WORKS & UTILITIES ADVISORY

MAYOR COLEEN J. SENG

www.ci.lincoln.ne.us

March 30, 2006

Pine Lake Road Widening - Project #700014
40th - 61st Streets
56th Street; Shadow Pines - Thompson Creek

This letter is a reminder that if you have fences or landscaping which you want to save, please plan to relocate them by April 10, 2006 to avoid any unwanted damage. LES, Time Warner, and Alltel are planning to do work starting the week of March 6, 2006 weather permitting and are willing to work around fences and landscaping. The Contractor will not be responsible for items that are within the easements once work has started after April 10, 2006.

Phase 4 — In Pine Lake Road east of South 56th Street to South 61st Street with work on the box culvert east of the intersection of 56th followed with the paving of the roadway to 61st Street. Anticipated completion of this phase is late spring or early summer of 2006.

Phase 5 — This phase in South 56th will begin as soon as the work in Pine Lake Road east and west (not through the intersection) of South 56th can be opened to east/west traffic. Anticipated completion of this phase is late winter of 2006.

If you have problems or questions during the construction period, please contact Eric Anderson or Steve Samuelson with Constructors Inc. at 434-1764 or the City of Lincoln Project Manager for additional information.

Charlie Wilcox, Senior Engineering Specialist
Engineering Services
441-7532/440-6067
cwilcox@lincoln.ne.gov

700014 Adv CDW 4 tdq.wpd

CITY OF LINCOLN
NEBRASKA

MAYOR COLEEN J. SENG
lincoln.ne.gov

Engineering Services
Public Works and Utilities Department
Karl Fredrickson, Director
531 Westgate Blvd.
Suite 100
Lincoln, Nebraska 68528
402-441-7711
fax: 402-441-6576

March 27, 2006

Nancy Coffman
880 So. 39th Street
Lincoln, NE 68510

Dear Ms. Coffman:

Your letter to Mayor Seng was forwarded to me for review. We appreciate your concern with pedestrian safety. As the City of Lincoln continues to grow, streets must also grow to handle the increasing traffic demands. Widening streets does then create a conflict between the ease with which pedestrians can cross those streets. The needs and safety of pedestrians are taken into account in every project we design.

In the past several years, the City has begun implementing a number of measures designed to make pedestrian travel more safe. We have changed from standard crosswalk markings to the higher visibility "continental" crosswalk markings, where the lines run parallel to the movement of traffic. We have also started installing countdown pedestrian signal indications, which help pedestrians know how much time is left until a signal will change and they need to be out of the street. We have also changed our standards to provide two sidewalk ramps that go straight across an intersection, instead of only one ramp at the corner that could lead pedestrians out into the middle of the intersection. Ramps are now fitted with contrasting truncated domes to assist the visually impaired in recognizing the edge of the street.

While creating grade separations (such as tunnels or bridges) to keep pedestrians away from vehicles is the safest means of allowing street crossings, in many instances those separations are not feasible. In addition to the high cost of constructing the grade separations, they typically require that additional property be taken from nearby businesses in order to get sufficient ramp length to make them in compliance with the Americans with Disabilities Act. Due to the extra ramp length and grades, some pedestrians will not use them anyway, and tunnels are often cited as unacceptable due to concerns of safety from non-traffic elements.

As we do at every signalized intersection, pedestrian crossing times are set to accommodate the needs of those who use the intersection on a regular basis. Usage by school children, the elderly or handicapped individuals are taken into account when setting the amount of time needed to cross the streets. Several comments have been made about having pedestrians only cross to the median instead of completely crossing O Street in one motion. From personal experience, I can tell you I would much rather be able to completely cross a street, especially a busy one such as O Street, than to stand in the middle on a 6' wide island, while traffic passes on both sides of me.

LINCOLN
The Community of Opportunity

We will continue to work with Mr. Jeff Altman of the Nebraska Commission for the Blind and Visually Impaired to determine if any additional accommodations can be made to assist in making the crossing of O Street safer. We are looking into concrete texturing that can be used for way-finding, and the City is open to installing audible pedestrian signals or other devices that would assist those in need to safely cross.

The final area of work that needs to be done is in educating motorists to be more cognizant of pedestrians. We have been working with driver education groups for a number of years, talking to motorists about the consideration of pedestrian safety. We are also trying to create a video that can be played on Channel 5 to promote pedestrian and bicycle safety.

Based upon current pedestrian usage of this area and the City's ability to fund improvements, we feel that we have provided the safest means for crossing the intersection of 48th and O. We will continue to monitor pedestrian safety along the O Street corridor following the completion of construction to determine whether any other measures need to be taken. Again, thank you for your concerns and observations.

Sincerely,

Randy Hoskins, P.E.
Traffic Engineer

cc: Mayor Seng
City Council
Karl Fredrickson
Roger Figard

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CITY OF LINCOLN
NEBRASKA

MAYOR COLEEN J. SENG
lincoln.ne.gov

Public Works and Utilities Department
Karl Fredrickson, Director
555 South 10th Street
Suite 203
Lincoln, Nebraska 68508
402-441-7548
fax: 402-441-8609

March 27, 2006

Tanna G. Shoyo
142 N. 32nd Street, #57
Lincoln, NE 68503-3417

Dear Ms. Shoyo:

Your letter to Mayor Seng was forwarded to me for review. We appreciate your concern with pedestrian safety. As the City of Lincoln continues to grow, streets must also grow to handle the increasing traffic demands. Widening streets does then create a conflict between the ease with which pedestrians can cross those streets. The needs and safety of pedestrians are taken into account in every project we design.

In the past several years, the City has begun implementing a number of measures designed to make pedestrian travel more safe. We have changed from standard crosswalk markings to the higher visibility "continental" crosswalk markings, where the lines run parallel to the movement of traffic. We have also started installing countdown pedestrian signal indications, which help pedestrians know how much time is left until a signal will change and they need to be out of the street. We have also changed our standards to provide two sidewalk ramps that go straight across an intersection, instead of only one ramp at the corner that could lead pedestrians out into the middle of the intersection. Ramps are now fitted with contrasting truncated domes to assist the visually impaired in recognizing the edge of the street.

While creating grade separations (such as tunnels or bridges) to keep pedestrians away from vehicles is the safest means of allowing street crossings, in many instances those separations are not feasible. In addition to the high cost of constructing the grade separations, they typically require that additional property be taken from nearby businesses in order to get sufficient ramp length to make them in compliance with the Americans with Disabilities Act. Due to the extra ramp length and grades, some pedestrians will not use them anyway, and tunnels are often cited as unacceptable due to concerns of safety from non-traffic elements.

As we do at every signalized intersection, pedestrian crossing times are set to accommodate the needs of those who use the intersection on a regular basis. Usage by school children, the elderly or handicapped individuals are taken into account when setting the amount of time needed to cross the streets. Several comments have been made about having pedestrians only cross to the median instead of completely crossing O Street in one motion. From personal experience, I can tell you I would much rather be able to completely cross a street, especially a busy one such as O Street, than to stand in the middle on a 6' wide island, while traffic passes on both sides of me.

LINCOLN
The Community of Opportunity

We will continue to work with Mr. Jeff Altman of the Nebraska Commission for the Blind and Visually Impaired to determine if any additional accommodations can be made to assist in making the crossing of O Street safer. We are looking into concrete texturing that can be used for way-finding, and the City is open to installing audible pedestrian signals or other devices that would assist those in need to safely cross.

The final area of work that needs to be done is in educating motorists to be more cognizant of pedestrians. We have been working with driver education groups for a number of years, talking to motorists about the consideration of pedestrian safety. We are also trying to create a video that can be played on Channel 5 to promote pedestrian and bicycle safety.

Based upon current pedestrian usage of this area and the City's ability to fund improvements, we feel that we have provided the safest means for crossing the intersection of 48th and O. We will continue to monitor pedestrian safety along the O Street corridor following the completion of construction to determine whether any other measures need to be taken. Again, thank you for your concerns and observations.

Sincerely,

Randy Hoskins, P.E.
Traffic Engineer

cc: Mayor Seng
City Council
Karl Fredrickson
Roger Figard

CITY OF LINCOLN
NEBRASKA

MAYOR COLEEN J. SENG
lincoln.ne.gov

Public Works and Utilities Department
Karl Fredrickson, Director
555 South 10th Street
Suite 203
Lincoln, Nebraska 68508
402-441-7548
fax: 402-441-8609

March 27, 2006

Jeffrey T. Altman, MA NOMC
Nebraska Commission for the Blind and Visually Handicapped
4600 Valley Road, Suite 100
Lincoln, NE 68510-4844

Mr. Altman:

Your letters to Mayor Seng and Karl Fredrickson were forwarded to me for review. As the City of Lincoln continues to grow, streets must also grow to handle the increasing traffic demands. Widening streets does then create a conflict between the ease with which pedestrians can cross those streets. The needs and safety of pedestrians are taken into account in every project we design.

In the past several years, the City has begun implementing a number of measures designed to make pedestrian travel more safe. We have changed from standard crosswalk markings to the higher visibility "continental" crosswalk markings, where the lines run parallel to the movement of traffic. We have also started installing countdown pedestrian signal indications, which help pedestrians know how much time is left until a signal will change and they need to be out of the street. We have also changed our standards to provide two sidewalk ramps that go straight across an intersection, instead of only one ramp at the corner that could lead pedestrians out into the middle of the intersection. Ramps are now fitted with contrasting truncated domes to assist the visually impaired in recognizing the edge of the street.

While creating grade separations (such as tunnels or bridges) to keep pedestrians away from vehicles is the safest means of allowing street crossings, in many instances those separations are not feasible. In addition to the high cost of constructing the grade separations, they typically require that additional property be taken from nearby businesses in order to get sufficient ramp length to make them compliant with the Americans with Disabilities Act. Due to the extra ramp length and grades, some pedestrians will not use them anyway, and tunnels are often cited as unacceptable due to concerns of safety from non-traffic related elements.

As we do at every signalized intersection, pedestrian crossing times are set to accommodate the needs of those who use the intersection on a regular basis. Usage by school children, the elderly or handicapped individuals are taken into account when setting the amount of time needed to cross the streets. Several comments have been made about having pedestrians only cross to the median instead of completely crossing O Street in one motion. From personal experience, I can tell you I would much rather be able to completely cross a street, especially a busy one such as O Street, than to stand in the middle on a 6' wide island, while traffic passes on both sides of me. Whenever possible, getting pedestrians completely across a street on one green light is our standard for timing signals.

LINCOLN
The Community of Opportunity

As you discussed with Karl Fredrickson, we are looking into concrete texturing that can be used for way-finding within the crosswalk area adjacent to the end of the median nose. The City is open to installing audible pedestrian signals or other devices that would assist those in need to safely cross. If any additional accommodations can be made to assist in making the crossing of O Street safer, we are willing to discuss those with you also. Scott Opfer, the City's Traffic Operations Manager, is the best contact to discuss these types of changes. Scott can be reached at 441-7711.

The final area of work that needs to be done is in educating motorists to be more cognizant of pedestrians. Much of what you talk about in your letter, and with which I heartily agree, is that motorists are typically to blame for encroaching on pedestrian spaces, making crossing streets less safe. We have been working with driver education groups for a number of years, talking to new motorists about the consideration of pedestrian safety. We are also trying to create a video that can be played on Channel 5 to promote pedestrian and bicycle safety.

Based upon current pedestrian usage of this area and the City's ability to fund improvements, we feel that we have provided the safest means for crossing the intersection of 48th and O. We will continue to monitor pedestrian safety along the O Street corridor following the completion of construction to determine whether any other measures need to be taken. Thank you for your concerns and observations.

Sincerely,

Randy Hoskins, P.E.
Traffic Engineer

cc: Mayor Seng
City Council
Karl Fredrickson
Roger Figard
Scott Opfer
Holly Lionberger

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CITY OF LINCOLN
NEBRASKA

MAYOR COLEEN J. SENG
lincoln.ne.gov

Public Works and Utilities Department
Karl Fredrickson, Director
555 South 10th Street
Suite 203
Lincoln, Nebraska 68508
402-441-7548
fax: 402-441-8609

March 27, 2006

Barbara Loos
beloos@neb.rr.com

Dear Ms. Loos:

Your letter to Mayor Seng was forwarded to me for review. We appreciate your concern with pedestrian safety. As the City of Lincoln continues to grow, streets must also grow to handle the increasing traffic demands. Widening streets does then create a conflict between the ease with which pedestrians can cross those streets. The needs and safety of pedestrians are taken into account in every project we design.

In the past several years, the City has begun implementing a number of measures designed to make pedestrian travel more safe. We have changed from standard crosswalk markings to the higher visibility "continental" crosswalk markings, where the lines run parallel to the movement of traffic. We have also started installing countdown pedestrian signal indications, which help pedestrians know how much time is left until a signal will change and they need to be out of the street. We have also changed our standards to provide two sidewalk ramps that go straight across an intersection, instead of only one ramp at the corner that could lead pedestrians out into the middle of the intersection. Ramps are now fitted with contrasting truncated domes to assist the visually impaired in recognizing the edge of the street.

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As we do at every signalized intersection, pedestrian crossing times are set to accommodate the needs of those who use the intersection on a regular basis. Usage by school children, the elderly or handicapped individuals are taken into account when setting the amount of time needed to cross the streets. Several comments have been made about having pedestrians only cross to the median instead of completely crossing O Street in one motion. From personal experience, I can tell you I would much rather be able to completely cross a street, especially a busy one such as O Street, than to stand in the middle on a 6' wide island, while traffic passes on both sides of me.

LINCOLN
The Community of Opportunity

We will continue to work with Mr. Jeff Altman of the Nebraska Commission for the Blind and Visually Impaired to determine if any additional accommodations can be made to assist in making the crossing of O Street safer. We are looking into concrete texturing that can be used for way-finding, and the City is open to installing audible pedestrian signals or other devices that would assist those in need to safely cross.

The final area of work that needs to be done is in educating motorists to be more cognizant of pedestrians. We have been working with driver education groups for a number of years, talking to motorists about the consideration of pedestrian safety. We are also trying to create a video that can be played on Channel 5 to promote pedestrian and bicycle safety.

Based upon current pedestrian usage of this area and the City's ability to fund improvements, we feel that we have provided the safest means for crossing the intersection of 48th and O. We will continue to monitor pedestrian safety along the O Street corridor following the completion of construction to determine whether any other measures need to be taken. Again, thank you for your concerns and observations.

Sincerely,

Randy Hoskins, P.E.
Traffic Engineer

cc: Mayor Seng
City Council
Karl Fredrickson
Roger Figard

Mayor Coleen Seng/Notes
Sent by: Deborah L Engstrom

03/15/2006 04:28 PM

To "Nancy Coffman" <nancylc@sprynet.com>
cc Karl A Fredrickson/Notes@Notes
bcc
Subject Re: O street construction project

March 15, 2006

Nancy Coffman
nancylc@sprynet.com

Dear Ms. Coffman:

Thank you for your recent emails expressing your concern about the intersection of 48th and O streets. I appreciate your interest and I do respect how difficult it can be to cross at such a large, busy intersection.

Public Works & Utilities Director Karl Fredrickson is looking into the concerns that have been raised and will be responding with more information when his research is complete. I am forwarding a copy of your emails, along with my response, and asking that he include you among those he contacts with more details.

Thank you again for writing.

Sincerely,

Coleen J. Seng
Mayor of Lincoln

cc: Karl Fredrickson

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Nancy Coffman
880 S. 39th St.
Lincoln, NE 68510
(402) 488-8610

Thursday, March 02, 2006

Dear Mayor Seng,

I am writing to express my concerns about the current construction plans on 48th and O streets. I have watched the city of Lincoln grow for the past 18 years. Many of the development decisions that have been made leave a large number of people disenfranchised by large roads and poor public transportation The plan to enlarge the intersection at 48th and O to 9 lanes (6 straight and 3 turning lanes), and 92 feet wide is another of such cases. The rights of people who are blind, elderly or pedestrians for some other reason, have not been considered during the planning of this construction

. Many white canes have been clipped off by moving traffic in Lincoln on intersections much less busy than 48th and O. I am sure pedestrians without visual impairments have also had close calls with unwary drivers In its current configuration, O Street is wide and difficult to cross. It is noisy and can be confusing to pedestrians who do not travel the neighborhood regularly. A large intersection is also more confusing for drivers. With more traffic and signals, watching pedestrians becomes more difficult The fact that no pedestrian island is available increases the risks for people attempting to dash across O Street. Many pedestrians will be forced to avoid the area because it has become inaccessible to them.

My hope has always been that Lincoln would remain a place where neighbors could meet neighbors Many cities have worked to avoid building barriers through their towns such as O Street is becoming Pedestrians living on the South side of O near Westfield are no longer able to easily cross over to the mall for exercise, shopping and socialization. Now this barrier between North and South Lincoln has been extended west tc 44th.

Please share the concerns you are reading from the walking population of this city with those who are planning and implementing the O street construction project Those who choose to walk or bicycle due to high fuel prices, disability, financial hardship, need for exercise or any reason should be taken into consideration during planning and development of city infrastructure I will be interested to learn what accommodations will be made for the walking public of Lincoln to continue frequenting the businesses and agencies along O Street I also hope that the city of Lincoln will take accountability to its citizens more seriously

Sincerely,

Nancy Coffman

"Nancy Coffman" <nancylc@sprynet.com>

"Nancy Coffman"
<nancylc@sprynet.com>
03/06/2006 09:31 PM

To <mayor@lincoln.ne.gov>
cc
Subject O street construction project

o street letter.doc

Mayor Coleen Seng/Notes
Sent by: Deborah L Engstrom

03/15/2006 04:25 PM

To "Barbara Loos" <beloos@neb.rr.com>
cc Karl A Fredrickson/Notes@Notes
bcc
Subject Re: 48th & O

March 15, 2006

Barbara Loos
beloos@neb.rr.com

Dear Ms. Loos:

Thank you for your recent emails expressing your concern about the intersection of 48th and O streets. I appreciate your interest and I do respect how difficult it can be to cross at such a large, busy intersection.

Public Works & Utilities Director Karl Fredrickson is looking into the concerns that have been raised and will be responding with more information when his research is complete. I am forwarding a copy of your emails, along with my response, and asking that he include you among those he contacts with more details.

Thank you again for writing.

Sincerely,

Coleen J. Seng
Mayor of Lincoln

cc: Karl Fredrickson

Dear Mayor Seng:

I am writing to you concerning the construction at 48th and O Streets that is currently underway. I find this situation unnerving. One thing I know as a blind pedestrian is that it is crucial that I be in control of both when and how I cross intersections. When I can't hear what is happening throughout an intersection, it is hard to determine when to cross. With something as wide as this will be, if there are no islands, tunnels, or bridges, I am only left with two answers to how I'll cross it—either fast or never. I don't like either option.

I became disavowed of the notion that drivers watch out for pedestrians ten years ago when I was hit while walking north across an intersection dressed in red shoes and slacks and a bright blue and white jacket one sunny morning. The driver was going west, so the sun was at his back. I have fully recovered from my physical injuries. I have also become wiser about what to expect from the driving public. I'm not intending to ascribe to all drivers the actions of just one, but as intersections become more complex, drivers have more split-second decisions to make, creating a more unsafe environment for all.
Please consider rethinking the completion of this project to include islands, tunnels or bridges. My favorite choice among the options I've heard so far would be an X-shaped overhead bridge. As it is currently being constructed, this intersection both is and will be dangerous for everyone.

Barbara Loos
"Barbara Loos" <beloos@neb.rr.com>

"Barbara Loos"
<beloos@neb.rr.com>
03/06/2006 12:15 PM

To <mayor@lincoln.ne.gov>
cc
Subject 48th & O

Dear Mayor Seng:

I am writing to you with regard to the changes at the 48th and O Street intersection. I believe they will make this intersection much more dangerous for pedestrian traffic, because it will be a much more complex intersection which requires more split-second decision making from drivers and will be a much greater distance for a pedestrian to get across. I think this is especially true in less than ideal conditions, such as rain, snow, sleet, sun glare on wind shields, or nighttime hours; intoxicated, incompetent, or inexperienced drivers; and drivers who are just distracted by children, pets, cell phones, etc.

If this project must happen, I hope that you are giving serious consideration to either a bridge above the street or a tunnel below it, in the interest of safety for pedestrians and drivers alike.

Brad Loos

CITY OF LINCOLN
NEBRASKA

NEWS RELEASE

MAYOR COLEEN J. SENG
www.ci.lincoln.ne.us
Lincoln-Lancaster Women's Commission 440 S. 8th St., Ste. 100 Lincoln NE 68508-2294 402/441-7716 FAX 402/441-6824

FOR IMMEDIATE RELEASE: April 4, 2006
FOR MORE INFORMATION: Bonnie Coffey, 441-8695
Margie Kniep, 441-7716

NETWORKING EVENT HOSTS SENATOR DIANNA SCHIMEK

WomenLINK promotes women's networking activities

With women representing 51% of the population in Lincoln, that growing community includes a large number of women who are leaders in their cultural communities, in their business worlds, in their faith communities, in their neighborhoods, and in their clubs and organizations.

In keeping with the mission and strategic plan of promoting women's leadership roles within the community, the Lincoln Lancaster Women's Commission (LLWC) has formed a networking opportunity for women of all ages in Lincoln and Lancaster County called WomenLINK.

A WomenLINK networking dinner will be held **Thursday, April 20th at UNL's City Campus Student Union on the 2nd floor in the Heritage Room, room 209**. Check in and a social time will be held from 5 - 6 p.m. with dinner following at 6 p.m. **Special guest and speaker will be Senator DiAnna Schimek**.

WomenLINK is a networking program that brings together young women and established women from all walks of life to create opportunities of leadership, role modeling and education. This is a great opportunity for women to exchange information, resources, support and ideas. WomenLINK also provides an atmosphere of learning about exciting new projects and events, programs from other women's organizations and communities.

Open to the general public, all women are invited to help strengthen the community of women in Lincoln and Lancaster County. **Cost for the dinner is $12.50 per person with preregistration and payment required prior to the event. The deadline for registration is Friday, April 14**. For more information, call the Lincoln-Lancaster Women's Commission at 441-7716. Registration forms can be mailed upon request, faxed, picked up or downloaded from "www.lincoln.ne.gov/city/mayor/women/forms.htm"

The Lincoln-Lancaster Women's Commission is a City-County agency housed in the Office of the Mayor. LLWC works to assure that the women of Lincoln and Lancaster County have full participation in the issues that have an impact on their lives.

-30-

TO:	LLWC Commissioners Mayor Coleen J.Seng Lincoln City Council Members Lancaster County Board of Commissioners Lancaster County Towns/Villages/Boards
FROM:	Bonnie Coffey/Lincoln-Lancaster Women's Commission
DATE:	3/31/06
SUBJECT:	Director's Report

*Diane Mullins, LLWC's Public Information Specialist, was in a serious car accident on 3/17 that will require a lengthy recuperation; she is not expected back in the office until at least June. This will have a serious impact on LLWC operations and we are working to ensure that scheduled projects and events are not jeopardized.

Community Learning Center (CLC) Initiative

Background: The City of Lincoln was one of eight cities nationwide to receive a thirty-month technical assistance grant to engage the city in CLCs; I served as point person for that grant, and continue to serve on the management team for the CLC initiative in Lincoln. Community Learning Centers are partnerships that provide opportunities and support services that lead to improved student learning, stronger families and stronger communities. There are currently 15 CLCs in Lincoln funded by a blended stream of 21st Century, PEN and grant monies.

●A National League of Cities audio conference was held on 3/16 around the important roles of city governmental leaders in establishing and maintaining Community Learning Centers. It was interesting to hear how local governments are addressing the many issues that face them and the active parts that elected officials play in ensuring the success of their community's CLCs.

Community Services Initiative (CSI)

Background: CSI is the implementation of plans developed through a community-wide survey of gaps in human services needs; due to a reconfiguration, oversight and clerical support of CSI was awarded to the Human Services Federation (HSF). This restructure combines the seven original coalitions into four (with two others being folded under Urban Development and the Health Department). The restructure provides for paid staffing of the coalitions and dissolution of the Steering Cabinet. Paid staff will now comprise the steering Committee, removing the need for chairs and co-chairs. The "Success by 6®" and Youth Development Coalitions have been re-combined and, awaiting a paid staff member, is being staffed by Rick Carter, executive director of HSF.

●The Early Care & Education group met on 3/16 to hear information on early learning and a project of the Nebraska Foundation on Children. Former state senator Jessie Rasmussen has been hired by the Foundation to being work on creating a funding vehicle to educate the state on these important issues. Ads in print and media will begin appearing in the next several months.

Women's Leadership

Background: During LLWC's strategic planning following the "Women's Voices" project that surveyed women in Lincoln and Lancaster County, focus is being placed on two areas, "Women's Leadership & Public Policy" and "Women's Health."

●LLWC was made aware of the Nebraska State Treasurer's office's plans to present "Smart Women, Smart Money" on May 5 and is approaching the same funders that supported LLWC's "Women & Money" Conference in September. LLWC's president Tami Soper and I met with the Treasurer and his staff suggesting that he hold his event in another city; unfortunately, they have already booked conference speakers and the site. We were able to get a commitment that he would hold future events in cities other than Lincoln. After some discussion, LLWC has decided to move forward with our event; a letter will be sent to the Treasurer's office as a follow-up.

●LLWC's signature recognition event, "Weaving Women's Voices" was held on 3/10, welcoming Shinae Chun, director of the U.S. Department of Labor Women's Bureau and First Lady Sally Ganem. Award winners included Senator DiAnna Schimek, Milo Mumgaard, Karen Dienstbier and Kate Simmons. With over 200 attendees, the event was a success, thanks to the volunteer efforts of LLWC Commissioners and staff; we were especially pleased to see so many young women and ethnic and racial diversity.

●Plans are fully underway for the Saturday, September 16 "Women & Money" conference with LLWC Chair and Commissioner Connie Schmidt. Slated for the Marriott/Cornhusker Hotel, we are pleased to have Lincoln Benefit Life as a premiere sponsor. The luncheon will feature Juli Burney and in the afternoon, we'll be setting up appointments with women to spend 45-60 minutes with a financial planner.

●A group of city employees, including Mayor Seng, met to discuss the atmosphere for women and minority owned businesses and their capability of bidding on city contracts was the discussion of a meeting on 3/15. After considerable discussion, it was decided to form a Task Force and bring in representatives of minority and woman owned businesses to determine the challenges facing these businesses.

●LLWC is proud to host the 2006 annual convention of the National Association of Commissions for Women (NACW) July 19-22. Scheduled speakers include Judith Saidel of the Center for American Women in Politics and Cindy Hounsell of Wiser Women. A luncheon featuring the ShimSham dancers is planned, along with a dinner sponsored by Citigroup.

●Work is progressing on the popular "Why Women Should Vote" booklet; Diane Mullins was working on this and in her absence, an alternative solution will need to be pursued to complete it. For the upcoming political season, LLWC printed 20,000 "Women Vote" cards and will be reordering bumper stickers. LLWC supports women's participation in the political process through registering to vote, becoming educated on the candidates and issues and voting. In addition, LLWC participates in the "Ready to Run" workshop to encourage women to consider elected office.

Women's Health

Background: During LLWC's strategic planning following the "Women's Voices" project that surveyed women in Lincoln and Lancaster County, focus is being placed on two areas, "Women's Leadership & Public Policy" and "Women's Health." LLWC Director Bonnie Coffey serves as a liaison to the Family Violence Council and Co-Chair of the Changing Attitudes Committee (a subcommittee formed to implement part of the FVC strategic plan to address community attitudes concerning violence).

●A wrap-up meeting for the Go Red for Women luncheon in February was held on 3/14. The event, held at the Country Club of Lincoln, raised over $30,000. Plans are already being made for the 2007 event. LLWC is pleased to be a cosponsor of the luncheon to bring recognition to this disease that is the #1 killer of women.

●Through its membership in National Association of Commissions for Women (NACW), LLWC will be able to participate in a versatile tool box project developed in collaboration with Procter & Gamble on osteoporosis education and detection. The project will be unveiled at the NACW convention in Lincoln July 19-22

Lincoln-Lancaster Teenage Pregnancy Prevention Coalition (TPPC).

Background: For over 15 years, LLWC has been an active member of TPPC.

●The Lincoln-Lancaster Teenage Pregnancy Prevention Coalition (TPPC) is working with LLWC to produce a program on 5-City TV that will feature teen parents. May is National Teen Pregnancy Prevention Awareness Month, and the panel, moderated by Lisa Schultz from Planned Parenthood, will focus on how teens look at their lives and the choices they made and their perspective on how parents can best teach their children about sex and sexuality. The taping is scheduled for April 7 and will run all through the month of May. TPPC will also have a booth at "Free Fest."

Media/PR/Speaking

●LLWC continues to enjoy a collaborative partnership with Clear Channel's My106.3 FM with sharing information on LLWC's activities and events. On 3/1, we encouraged attendance at our annual event, "Weaving Women's Voices;" on 3/15, we shared information on the "My Movies for Mommies (And Daddies, Too!) and had 80+ attendees for that day's show; and on 3/29, I reported from the NACW Board meeting in Rockville, Maryland.

●I spoke to the downtown noon chapter of American Business Women's Association (ABWA) on 3/8, talking about the importance of women's participation in the political process.

●Judith Hart's production of "Nebraska Next" about the suffrage movement in Nebraska premiered at The Loft on 3/8; I participated in a post-production conversation about the status of women's participation in the political process with the chair of the Nebraska

Commission on the Status of Women.

Meetings/Public Contacts

●To help new commissioners become more familiar with the operations of LLWC, we provide orientations for them. In March, we welcomed Kaci Lynch and Giovanni Jones to the commission and held orientations for both of them during March.

●The budget process began with a meeting with 3/9 with the City Budget office.

WomenTalk

Background: This unique television series addressing the issues that impact women was inaugurated in January 2000, and is the only one of its kind in the city/county; all of the programs since its inception have been underwritten by the Lincoln Journal Star and are at no cost to LLWC.

●The March 21 taping of WomenTalk focused on women's communication styles and networking with Dr. Susan Fritz of UNL and Dr. Susan Meyerle, owner of a lifecoach business. Comoderator was Dr. Jeannine Falter, LLWC commissioner.

●Upcoming programs include:

May 2006 – Taking Care – Of Others & You – Caretaking & Longterm Care Insurance

July 2006 – Who Am I Supposed to Look Like? Women, Body Image & Gastric Bypass Surgery

September 2006 – A Place at the Table – Where Are We? An Update on LLWC's A Place At the Table" Report

November 2006 – My Sister's Keeper – A dialogue on how women's issues and needs connect us all

●LLWC's WomenTalk Committee, with commissioners Kaci Lynch and Marcia Malone as co-chairs, will be meeting in June to formulate the schedule for the 2007 season of WomenTalk. LLWC is proud that the WomenTalk program began in January 2000 and is produced at no taxpayer expense.

Regularly Attended Meetings

●LLWC Staff Meetings are held each Monday at 9 a.m. to review the week, touch base and coordinate schedules and activities.

●Each Monday at 10:45 a.m., I attend the Directors Meeting held with City Council.

●Each Wednesday from 9-11 a.m., I attend the Mayor's Cabinet meeting. Weekly reports are e-mailed to the Mayor each Monday morning.

●The LLWC monthly meeting was held 3/8.

campjon@aol.com
04/02/2006 03:36 PM

To dahlberg@lancaster.ne.gov
cc cary@mrblindman.com, tgrammer@lincoln.ne.gov, reschliman@lincoln.ne.gov, pnewman@lincoln.ne.gov, mmmeyer@lincoln.ne.gov, ksvoboda@lincoln.ne.gov,
bcc
Subject Re: Public Safety Siren

Doug:

Could you please respond on this constituent inquiry regarding the public safety siren at Randolph Elementary School.

Thanks.

JON

Jon Camp
Lincoln City Council
City Council Office: 441-8793

-----Original Message-----
From: Cary D'Agostino <cary@mrblindman.com>
To: tgrammer@lincoln.ne.gov; reschliman@lincoln.ne.gov; pnewman@lincoln.ne.gov; mmmeyer@lincoln.ne.gov; ksvoboda@lincoln.ne.gov; jcook@lincoln.ne.gov; jcamp@lincoln.ne.gov; dmarvin@lincoln.ne.gov; amcroy@lincoln.ne.gov
Sent: Sun, 2 Apr 2006 14:21:22 -0500
Subject: Public Safety Siren

April 2, 2006

Attn: All Lincoln City Council Members

The new air raid siren at Randolph Elementary Sc! hool is so powerful that I am certain it can, and IS causing hearing damage. The new siren must be, in my estimation, five to ten times more powerful then the old siren. I live across the street and down the street from it, and it can give me headaches even when I am inside with my ears covered. When outside the sound is so piercing that, it can be totally crippling (no exaggeration). I feel that this is a public safety issue and it needs to be addressed. Has the city measured the levels that this siren produces to insure

that it will not damage the hearing of citizens within close proximity? I would like to invite you to come to Randolph on a Wednesday morning dur! ing the weekly test and hear for yourself. I am sure you will all agree that something needs to be done.

Cary D?Agostino
3731 D Street

Lincoln - Lancaster County
Emergency Management

575 S. 10th Street
Lincoln, Nebraska 68508
Phone: (402) 441-7441
Fax: (402) 441-7407

RECEIVED
APR 03 2006
CITY COUNCIL
OFFICE

April 3, 2006

Cary D'Agostino
3731 D Street
Lincoln, NE

Dear Cary,

I received a copy of your email to the City Council concerning the outdoor warning siren located at Randolph School. I hope I can explain the functionality of this system and the basic differences between the old and new sirens.

With the exception of March of this year, we only test the siren system for Lincoln and Lancaster County on the first Wednesday of the month at 10:15 AM.

The siren that was replaced at Randolph School was a model called a "Thunderbolt" siren. That particular system omitted 125 decibels at the siren speaker. The Thunderbolt system's speaker was very directional and did not disperse the warning tone as well as the newer system does.

The new system is a "Federal 2001" model that omits 128 decibels at the siren speaker. This system also rotates as did the older Thunderbolt model; however the speaker disperses the tones better than the older Thunderbolt system.

I did have a conversation with the Environmental Health and have arranged to have the decibel levels measured on our next test date which is May 3, 2006.

I am also looking at a computer software program that will allow Emergency Management to test the entire "outdoor" warning system

without a tone coming from any siren in Lancaster County. I am meeting next week with a representative from Federal Signal to see if this type of software is functional and/or affordable.

If I can be of any further assistance please feel free to contact me at 441-7441.

Sincerely,

Doug Ahlberg, Director
Lincoln Lancaster County Emergency Management

Cc: Mayor Seng's office
Cc: County Commissioners
Cc: City Council

joncampcc@aol.com
04/04/2006 09:24 PM

To vmejer@lincoln.ne.gov
cc jpederse@lincoln.ne.gov, whjermstad@lincoln.ne.gov, council@lincoln.ne.gov
bcc
Subject Northeast Police Facility RFP

Vince:

Yesterday at the City Council meeting, a public hearing was conducted on the proposed Northeast Police Facility.

During the public hearing, the City Council was told that the "process" was followed--I believe by either Joel Pedersen or Wynn Hjermstad.

Would you please send me a copy of the RFP for this facility?

Was the RFP listed on the City's website?

If not, why not? Is this not part of the City's procedures/process for advertising RFPs?

Notice of the RFP was first published in the Lincoln Journal Star on October 2, 2005 and again on October 9, 2005. The due date was October 19, 2005, twelve (12) business days later (excluding weekends and Columbus Day). Is this standard procedure to have such a short "turnaround" for requests for leases? . . .especially when the term will be for 15 years?

Is it standard procedure to limit the "site" to a single address that is owned by a private party?

Thank you for responding as soon as possible. The City Council votes on this matter next Monday, April 10, 2006, so time is of the essence.

Jon

Jon Camp

Office: 402-474-1838
Home: 402-489-1001
Cell: 402-560-1001
Email: JonCampCC@aol.com

Tammy J Grammer/Notes
03/31/2006 04:52 PM

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
bcc
Subject Fw: Concealed Weapons

Council,

From Patte, I will also list it on the Directors' Agenda for April 10th.

Thanks.

Tammy Grammer

----- Forwarded by Tammy J Grammer/Notes on 03/31/2006 04:57 PM -----

"Patte Newman" <newman2003@neb.rr.com>
03/31/2006 04:55 PM

To <council@ci.lincoln.ne.us>
cc
Subject Fw: Concealed Weapons

Tammy
Please distribute to all council members. Thanks.

----- Original Message -----
From: C Stalder
To: Patty Newman ; John Cook
Sent: Friday, March 31, 2006 4:29 PM
Subject: Fw: Concealed Weapons

----- Original Message -----
From: C Stalder
To: Patty Newman ; John Cook
Sent: Friday, March 31, 2006 4:25 PM
Subject: Concealed Weapons
Attention: This concerns all council members!

Now that the N.R.A. has convinced the State Legislature too pass the concealed weapons bill, I think Lincoln needs to pass an ordnance banning concealed carry. It would appear that section 15 of the bill , as well as another law currently in the statutes would allow you to do this.

I know that places can voluntarily ban concealed weapons by posting a notice. I think if we can't ban all concealed weapons, we need to be very specific where they should be banned. I don't have the list in the law, so the following list may include some in the law-

Shopping malls, Day cares, Homes with foster children, Bowling alleys, Skating and ice skating rinks, Billiard parlors,

As you can see, I'm really against this concealed carry law, and if we can't get rid of it altogether, I want to make it as restrictive as possible

I really don't feel safe going any place not knowing who may be carrying a gun, and use it in a situation of road rage or other similar incidents where anger is involved. I know you don't like to micro-management by putting details in law, but this may be where it is needed.

I hope if you don't pass some kind of restrictive ordnance, someone will get a petition drive and collect enough signatures to put it to a vote of the people. I know all local law enforcement agencies as well as the Mayor opposes concealed weapons.

Sincerely

Charles Stalder a constituent of Pattie Newman
1810 N. 63rd St.
Lincoln, NE 68505

Tammy J Grammer/Notes
04/03/2006 08:05 AM

To "Alisha Engle" <aengle@neb.rr.com>
cc
bcc
Subject Re: NO SUPER TARGET IN MY NEIGHBORHOOD PLEASE

Dear Alisha Engle: Your message has been received in the Council Office and will be forwarded to the Council Members. 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

"Alisha Engle" <aengle@neb.rr.com>

"Alisha Engle" <aengle@neb.rr.com>
04/01/2006 06:54 PM

To <council@lincoln.ne.gov>
cc
Subject NO SUPER TARGET IN MY NEIGHBORHOOD PLEASE

City Council Members:

I am a resident in the neighborhood where the Super Target/ retail center has been proposed and I am urging you to PLEASE prevent this development from occurring! I unfortunately heard about this through the Lincoln Journal Star, after a meeting with the developer and neighbors in the area took place. Supposedly there were letters sent out to residents in the area and I must be honest in telling you that I did not receive such a letter. I most certainly would have attended the meeting had such a letter come.

My husband and I married in November, 2003, and were first-time home-buyers when we decided to purchase our townhome in the Sterling Hills Development off of 35th and Grainger Parkway. Part of the appeal of this neighborhood to us was that it is clean, appears that the residents are family-oriented and take great pride in their homes, and is some distance from pollution (noise, smells, litter, etc.) that occurs in areas where retail centers are developed. We are hoping within the next year to begin a family and the thought that a major retail center would literally be at the end of my block is incredibly frightening. We have resided in our home for only seven months.

The proposed location for this retail center doesn't even make sense. I have never seen a large

retail center literally plopped down in the middle of a nice residential area. A shopping center such as this could do nothing but detract from the beauty and very essence of what this neighborhood is about- community and family. Put a retail center here and it will undermine those values.

I do not wish to look out my front door and see a looming retail center less than one block from me. I do not wish to have the noise generated by traffic and delivery trucks drowning out the currently peaceful sound of the wind and birds... and sometimes even the beauty of still silence. I do not wish to have the heavy smells of fast food cookeries choking the air in my immediate neighborhood. I do not wish to have a multitude of strangers driving or loitering around my neighborhood at all hours of the day. Many people have a hard time looking out their windows and seeing a neighboring house nearby. If this retail center goes through, there are going to be a lot of residents that have worked hard and enjoy the remoteness of this area looking out over unsightly commercial buildings and a parking lot. That is not why my husband and I, and certainly not others in my neighborhood, selected this location to live.

I am not opposed to new business coming to Lincoln, but if it's going to come, it should be something new... and developed in an area that makes much more sense. Why would anyone in this city or those sitting on Council wish to have home values in this area plummet, and upset the residents that take great pride in where they live? Do the developers not realize that there is a grocery store approximately 2 miles from their proposed site? A standard Target store roughly 3 to 4 miles away? For what reason do we need to combine these two together and place it at a site that doesn't make sense? Why not near the Home Depot at 70th and Pine Lake, or by Campbell's Nursery on 56th and Pine Lake? What about some healthy competition with the current Super Wal-Mart near 84th and Highway 2? For that matter, why build it at all? Do we really need it? Quite honestly, Lincoln doesn't need another Target or Wal-Mart and it certainly doesn't need any more banks and fast food restaurants.

My husband and I have made plans to remain in this house, our first together, for a number of years before we uproot and relocate to areas that could make more sense to us from a professional standpoint. If this development goes through, I would personally be extremely unhappy and I fear that our move would be forced to be premature. I moved to Lincoln from Southern California approximately seven years ago, attended and graduated from UNL, have worked solely in the city, and am currently in graduate school at Nebraska Wesleyan. My husband is also a graduate of UNL, has worked solely in Lincoln, and also is actively serving this country through the United States Army. In addition, my mother moved to Lincoln from Southern California, partially on account of my convincing her how wonderful it was to live in this city. For all intensive purposes, I love Lincoln.

Please don't let my immediate community and myself down by allowing this project to move forward. If it does, a beautiful Lincoln community will have been ruined. On top of that, it would likely send out the message that a big corporation such as Target matters more than the residents of this city. Please hear and understand our concerns.

Thank you,

Alisha Engle

CC: Mayor Seng

Tammy J Grammer/Notes
04/03/2006 08:09 AM

To "Cary D'Agostino" <cary@mrblindman.com>
cc
bcc
Subject Re: Public Safety Siren

Dear Cary D'Agostino: Your message has been received in the Council Office and will be forwarded to the Council Members. 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

"Cary D'Agostino" <cary@mrblindman.com>

"Cary D'Agostino" <cary@mrblindman.com>
04/02/2006 02:21 PM
Please respond to "Cary D'Agostino" <cary@mrblindman.com>

To <tgrammer@lincoln.ne.gov>, <reschliman@lincoln.ne.gov>, <pnewman@lincoln.ne.gov>, <mmmeyer@lincoln.ne.gov>, <ksvoboda@lincoln.ne.gov>, <jcook@lincoln.ne.gov>, <jcamp@lincoln.ne.gov>, <dmarvin@lincoln.ne.gov>, <amcroy@lincoln.ne.gov>
cc
Subject Public Safety Siren

April 2, 2006

Attn: All Lincoln City Council Members

The new air raid siren at Randolph Elementary School is so powerful that I am certain it can, and IS causing hearing damage. The new siren must be, in my estimation, five to ten times more powerful then the old siren. I live across the street and down the street from it, and it can give me headaches even when I am inside with my ears covered. When outside the sound is so

piercing that, it can be totally crippling (no exaggeration). I feel that this is a public safety issue and it needs to be addressed. Has the city measured the levels that this siren produces to insure that it will not damage the hearing of citizens within close proximity? I would like to invite you to come to Randolph on a Wednesday morning during the weekly test and hear for yourself. I am sure you will all agree that something needs to be done.

Cary D'Agostino

3731 D Street

Dear Members of City Council:

Please pass laws if necessary to support decency in Lincoln. This is according to community standards. Channel 10 has an online poll on the question*. This poll is inaccurate because many, especially the elderly population, do not have online services to vote.

The journal star in its entertainment section Gr. Zero I believe, ran an ad from Iowa promoting nude entertainment. This ad should be unlawful since it violates our community standards. Acts that are not permitted here should not be allowed to be advertised here.

Please keep up the good work of trying to keep Lincoln a good place for families.

Thanks
Nancy Russell
3710 F
Lincoln, Ne.
68510

RECEIVED
APR 03 2006
CITY COUNCIL
OFFICE

* A dancer at Cheerleaders

P.S. Questionable "services" of ladies are also advertised in phone bks & should be outlawed as well.

735 South 37th Street
Lincoln Ne 68510
30 March 2006

Mayor Coleen Seng
555 South 10th Street
Lincoln NE 68508

RECEIVED
APR 03 2006
CITY COUNCIL
OFFICE

Mayor Seng;

As you know, new bike lanes will be initiated soon in Lincoln. The target date is mid-May, which is appropriate, as May is National Bicycle Month. As a long-time cyclist, it occurred to me that having you filmed for local television, setting a good example of how cyclists should ride in these lanes, could significantly help people understand the new situation. There will be a lot of questions about how cyclists and motorists should interact, and you can help answer those questions by modeling how to be safe cyclist.

I suggest that when the lanes are opened, that you (and perhaps members of the City Council) ride a bicycle in the lanes to show cyclists how they should ride, and how motorists should interact with them. I am particularly concerned about motorists who make right turns across the bike lanes, endangering cyclists. If you were to ride, along with a couple of motorists who were prepared beforehand to yield to the cyclists at intersections, and the whole episode were shown on local television news, thousands of Lincolnites would be educated to operate more safely downtown.

I have the bicycle that Mayor Boosalis rode when the Billy Woolf Trail was opened, and would be glad to loan it for your use. I would be glad to talk about this with you, and could teach you, if you need it, about riding a bicycle safely in traffic.

This is important. Lives of cyclists are at stake. Thank you for your consideration of this suggestion.

Cordially,

Bob Boyce

Bob Boyce
Just a cyclist
475-0783
r.boyce@lincolnlibraries.org

Copies: Patte Newman
Ken Svoboda
Robin Eschliman
Annette McRoy
Jon Camp
Dan Marvin
Jonathan Cook

Tammy J Grammer/Notes
04/04/2006 10:39 AM

To Meylonie Schatz <mgs6510@yahoo.com>
cc
bcc
Subject Re: attention all members

Dear Bob & Meylonie Schatz: Your message has been received in the Council Office and will be forwarded to the Council Members. 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

Meylonie Schatz <mgs6510@yahoo.com>

Meylonie Schatz
<mgs6510@yahoo.com>
04/04/2006 08:12 AM

To council@ci.lincoln.ne.us
cc
Subject attention all members

Council members,

We want to thank you all for taking the time to deal with our problems with Fat Nappy's. Although the vote wasn't exactly what we would have hoped we think that finally someone has been able to get their attention. We are hopeful that we will have a more peaceful summer this year then has been the case since they opened. And it does sound like there will be follow-up if the problem is not resolved.

This whole experience with the council has been quite enlightening. Firstly, we had no idea that those of you up in the chambers of government are really accessible to us in the masses of Lincoln. Meylonie, especially, felt a little like Dorothy visiting the Wizard of Oz when it came to testifying but it turned out to be not as bad as all that. We have never followed your business very closely as it all seemed so loftly and out of touch with the regular people but have now learned that that is not the case. We were so ignorant of your routines that we showed up promtly at 5:30 last night to watch the process in person. As you can imagine we were suprised to find the door locked since we had the wrong time. We really want to thank you for including us in the business of the city government and giving your thoughtful attention to our problem.

Sincerely,
Bob and Meylonie Schatz

Talk is cheap. Use Yahoo! Messenger to make PC-to-Phone calls. Great rates starting at 1¢/min.

DO NOT REPLY to this - InterLinc <none@lincoln.ne.gov>

04/04/2006 11:13 AM

To General Council <council@lincoln.ne.gov>

cc

bcc

Subject InterLinc: Council Feedback

InterLinc: City Council Feedback for
General Council

Name: Victor E. Covalt III
Address: P.O. Box 81229
City: Lincoln, NE 68501

Phone: 402-436-3030
Fax:
Email:

Comment or Question:
Last year, when you were struggling with the smoking ban, I told one of your earnst but now departed collegues that if the complete smoking ban was implemented, the parties would move to the neighborhoods. My foresight was correct.

Notwithstanding the lastest outrage at neighborhood partying, you continue to allow the Lincoln Police Department to lead an attack on bars and clubs, with an apparent but unacknowledged agenda of putting them out of business. What direct effect will this have on your neighborhoods?

Bars provide useful and necessary services of supervising drinking, keeping minors out, avoiding over-serving, preventing fights, and generally supervising entertainment and responsible enjoyment of a legal product. A smart city council would see bar owners as friends of the community. If you continue to allow city staff to persecute them to hte point of being out of business, you will only naturally increase the number of neighborhood parties and more neighborhood problems.

There are a lot of ways we can make Lincoln a more enjoyable town. You do not always have to resort to punishment and oppression. For instance, a real, responsive cab service would be of great benefit to all and a real way to reduce DWIs in this town.

Let's start being positive. The Prohibition Experience says that alcohol will be with us. Lets work together to make alcohol an appropriate part of Lincoln's entertainment scene.

Tammy J Grammer/Notes
04/05/2006 11:32 AM

To "Oswald, Stanley" <Stanley.Oswald@molex.com>
cc
bcc
Subject Re: Gun Ordinance

Dear Stan Oswald: Your message has been received in the Council Office and will be forwarded to the Council Members. 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

"Oswald, Stanley" <Stanley.Oswald@molex.com>

"Oswald, Stanley" <Stanley.Oswald@molex.com >
04/05/2006 08:43 AM

To <council@ci.lincoln.ne.us>
cc
Subject Gun Ordinance

Council Members,
As a military veteran and long time citizen of Lincoln, I want to strongly urge you to pass an ordinance which would opt our city out of what I feel was very ill conceived concealed weapons legislation by the state legislature.

As on who has had training in the use of firearms I can assure you that there is a world of difference between recreational target shooting, and trying to make quick decisions and handle a firearm in a tense situation.

I believe the Lincoln Police Dept. is doing an excellent job of keeping the citizens of Lincoln safe and keeping the crime rate low.

I love the city of Lincoln and feel that allowing people to carry hidden weapons in our city would be a giant step backward, not the direction I would like to see my city move toward.

Best Regards,
Stan Oswald
Lincoln

CONFIDENTIALITY NOTICE: This message (including any attachments) may contain Molex confidential information, protected by law. If this message is confidential, forwarding it to individuals, other than those with a need to know, without the permission of the sender, is prohibited.

This message is also intended for a specific individual. If you are not the intended recipient, you should delete this message and are hereby notified that any disclosure, copying, or distribution of this message or taking of any action based upon it, is strictly prohibited.

Chinese Japanese

www.molex.com/confidentiality.html

DO NOT REPLY to this - InterLinc <none@lincoln.ne.gov>
04/05/2006 10:12 AM

To General Council <council@lincoln.ne.gov>
cc
bcc
Subject InterLinc: Council Feedback

InterLinc: City Council Feedback for
General Council

Name: Dave Brady
Address: 7912 Yellow Knife Dr
City: Lincoln, NE 68505

Phone: 466-1534
Fax:
Email: mdbrady@inebraska.com

Comment or Question:
Mayor Colleen Seng
Councilwoman Annette McCroy
Downtown Lincoln Association Board

I continue to be completely amazed at your continual endeavors to spend money on something (anything?) that adds absolutely no value to the city other than to siphon away extra money to repair streets. I am referring to today's (April 5, 2006) article about the proposed bike lanes for downtown Lincoln. This article mentions nothing about any plans to repave these dilapidated streets, just to remove a much needed existing lane with the future possibility of backwards parking!

Miss McCroy, I am thoroughly glad you are an avid biker. There are wonderful trails throughout the city and Lancaster county that accomodates you. Why do you wish to spend valuable resources to accommodate a few individuals that are neither handicapped or disabled. You are asking for an item that most would consider a luzury, not a necessity.

The article also admits to the possibility that this has been in the planning stages for quite some time. Exactly how many highly paid city workers do you have working on NON-ESSENTIAL projects like this that siphon money away from desparately needed street repairs? Is it any wonder the city is running a deficite.

I sincerely look forward to the next election with glee and joy…….

BALLEW
SCHNEIDER
COVALT
GAINES &
ENGDAHL
ATTORNEYS AT LAW, PC, LLO

RECEIVED
APR 04 2006
CITY COUNCIL
OFFICE

John W. Ballew, Jr
Gary B. Schneider
Victor E. Covalt, III
K.C. Engdahl
Karisa D. Johnson
Tyler B. Gaines (Of Counsel)

April 3, 2006

Mr. Dana Roper Esq.
City Attorney
Hall of Justice and Law Enforcement Center
575 S. 10th Street, 4th Floor
Lincoln, NE 68508

Ms. Joan Ross
City Clerk--City of Lincoln
City County Bldg
555 So. 10th Street
Lincoln, NE 68508

Re: Investigator Russ Fosler and the Lincoln Police Department

Dear Mr. Roper and Ms. Ross:

At a public hearing of the Lincoln City Council held on March 27, 2006, which I attended, Investigator Russ Fosler of the Lincoln Police Department, appeared and testified under oath as a sworn officer in front of the City Council concerning tickets for disturbing the peace at Fat Nappy's. I again observed the tape of his testimony on Saturday, April 1, 2006 on Channel 5.

At that meeting, Officer Fosler promised on behalf of the Lincoln Police Department to "lodge people" who are in bands playing at Fat Nappy's if there were further complaints concerning disturbing the peace and he further threatened "to seize the equipment if that's what it takes". This was all to be based on his "common sense" judgment of whether someone's peace was subjectively disturbed by otherwise protected speech.

I believe Officer Fosler has grossly misstated the role of Lincoln Police Department Officers. I reasonably understand that Officer Fosler's statements as declaration of a Departmental policy to use "lodging" and seizure of equipment as "instant punishment" to dissuade the bands from playing at Fat Nappy's.

I believe his statements do not comport with those state statutory law restrictions on the use of arrest powers for a misdemeanor. Further, I think his statements do not comport with Nebraska law over the authority of the Lincoln Police Department Officers to seize private property.

Reply to: 440 South 13th Street, Suite C • P.O. Box 81229 • Lincoln, NE 68501-1229 • 402.436.3030 • Fax 402.436.3031
Omaha office: 1625 Farnam Street • Suite 300 • Omaha, Ne 68102 • 402.934.9499 • Fax 402.934.7730
www.bsclawfirm.com

Officer Fosler inappropriately threats will have a chilling effect on the willingness of bands to play music, a protected form of speech, in violation of the First Amendment and his threatened actions, if implemented, would constitute a seizure in violation of the First, Fourth, and Fourteenth Amendments as well as violation of state statutes. This in turn is detrimental to Fat Nappy's a lawful, licensed business which operates within the expressed letter and clear intent of the objective noise ordinance enacted for the City of Lincoln (LMC 8.24).

It is unbecoming and inappropriate for one of the Lincoln Police Department to threaten to punish people without involvement of the county attorney and the courts, in violation of state law and the federal constitution.

Thus, I request you to cause Investigator Fosler to immediately correct the record before the City Council and advise the Council that Lincoln Police Department will act only lawfully in accordance with state and federal law. Please provide me appropriate proof of the retraction.

However, if Mr. Fosler's statements are in fact the statements of the Department policy and City policy, I ask you to confirm that stance to me in writing so I have a clear record for future reference.

Thank you for your prompt attention to this matter.

Sincerely,

Victor E. Covalt III
For the Firm

cc: City Council Members
Mayor Colleen Seng
Fat Nappy's

VEC/ckw LTR 04 03 06

April 5, 2006

Dear Mayor Seng, and Members of the City Council,

I am writing concerning your recent approvalof new fees and an increase of existing fees for Lincoln Electric System Customers. I do not agree with these changes,and would like express my views .

First of all I feel the increase in the Non-sufficient funds check fee is too much as the bank already has a penalty for this matter. Why make this a double whammy?

Next, I do not agree with the increase in the Fee to reconnect service.If you consider the citizen who is working at a lower wage – or is un-employed , You do not seem to take into consideration their financial situation. Perhaps the reason that the bill was not paid and was disconnected was because they needed help... Not an added fee to pay. I hope you will reconsider your decision.

I do not understand the need for the New Account Fee. If a person has been a good customer and taken good care of the account, and moves to a different location.....Why is it so costly for the office staff to up-date the move on their records?"

I understand that rising natural gas costs and other expenses, produce a need to increase the amount of income for Lincoln Electric System . However, I feel you have made these increases without looking at what group of citizens are being hit the hardest by your decisions on these fees..I feel the low- income and un- employed are unfairly being targeted by your actions. Could this be re-considered ?

Please think about my point of view. In a Democratic country like ours, we should neither target certain groups with excess fees, nor ignore points of view different from ours. Also I shall be thinking about this issue at election time.

Sincerely,

Ferne E. Williams

Ferne E. Williams
714 Eldon Dr.
Lincoln, NE
68510

Tammy J Grammer/Notes
04/06/2006 11:05 AM

To "Heidi Daringer" <heidi90@hotmail.com>
cc
bcc
Subject Re: FW: 1840 E St & other concerns

Dear Landon Osborne & Heidi Daringer: Your message has been received in the Council Office and will be forwarded to the Council Members. 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

"Heidi Daringer" <heidi90@hotmail.com>

"Heidi Daringer" <heidi90@hotmail.com>
04/06/2006 09:12 AM

To council@lincoln.ne.gov
cc
Subject FW: 1840 E St & other concerns

Jonathan Cook suggested we forward this email on to all of the council members. This issue is scheduled to be discussed at the council meeting on April 10th. We hope this gives the members a small overview of our situation.

Thank you,

Heidi Daringer and Landon Osborne

>From: Landon Osborne <lanking1960@yahoo.com>
>To: KFredrickson@ci.lincoln.ne.us, RHoskins@ci.lincoln.ne.us,
>SOpfer@ci.lincoln.ne.us, BBlum@ci.lincoln.ne.us, GTopil@ci.lincoln.ne.us,
>HKroos@ci.lincoln.ne.us, heidi90@hotmail.com, jcook@lincoln.ne.gov,
>ksvoboda@lincoln.ne.gov
>Subject: 1840 E St & other concerns
>Date: Wed, 22 Mar 2006 11:31:16 -0800 (PST)
>
>To whom it concerns,
>
> In May of 2005 we purchased the property at 1840 E Street. Over the
>next 9 months we began enhancing and upgrading the property both inside and
>out. During this time we analyzed the 'jungle' of the back and east yard
>that had been neglected for quite some time, and questioned how to fix the
>problem. In doing so, we had to take into consideration safety, privacy,
>and piece of mind for the public as well as our family. However, to clear
>out and clean up this congested and dangerous area we would create a two

>fold situation. First, it would provide our family and the public with a
>much safer area (see pictures labeled 1840 E) but, at the same time, we
>would lose all of our personal privacy in doing so. To satisfy both
>situations we chose to spend even more money by designing and building a
>wall of concrete and wrought iron on the north and east side.
>
> In August of 2005 we contacted Rick Ems of Ems Concrete who, in turn,
>had his wife Linda meet Steve Weise with Building and Safety. Steve stated
>to Linda that a permit would not need to be pulled for our property as long
>as the wall/footings began 3 ft. in from the sidewalk on the east. This
>should have been a win win situation for the City of Lincoln. We, as
>homeowners, spent even more money with local businesses and returned public
>visibility and safety in this area to level it had not seen in years.
>Instead, since then, it has been nothing but a disappointing, frustrating
>and confused venture.
>
> In mid November, we received a letter from the City regarding a
>violation. This is when we were first notified that the City owned a part
>of the yard East from North to South. This came as a surprise to us as
>homeowners, we had already spent a lot of money and time cleaning up,
>clearing out, landscaping, sodding and adding underground sprinklers to an
>area that unfortunately was not our property, but rather, the City’s. Upon
>hearing this news, we became upset with our realtor, banker and title
>company for not informing us of this. Nevertheless, we realized in the
>end, that we were at fault for assuming that this property was ours in the
>first place. Never for one minute, would we have taken on the
>responsibility and expense of such a project (and possibly would not have
>purchased 1840 E) if we had not believed that this large amount of property
>was ours to begin with.
>
> Over the last five months we have spoken to and met with a number of
>City personnel, receiving different replies each time. The confusion,
>inconsistencies, and lack of priorities have been mind boggling. We have
>tried to accommodate all the City’s requests and, in doing so, we have
>obtained insurance and are now paying the city rent for this area. We have
>removed parts of the wall on both sides as per the City’s request and have
>delayed the installation of our wrought iron for 4 months now. We have
>worked hard at making this area safer along with improving the value of the
>neighborhood.
>
> We have tired of this process. The purchase of this home has been
>trying; it’s a large old home that constantly needs attention. We want to
>make this neighborhood a better one to live in, we love the area and plan
>to raise a family here, but we are also aware of the high crime rates. We
>believe that our property, as it stands currently, offers safety and
>visibility for the citizens of Lincoln, while at the same time, maintaining
>our personal safety and some privacy. This is all we ever wanted and
>wished in return from the city.
>
> Please view the attached photos as local examples of safety issues in
>Lincoln. We feel that our property is much safer and offers more
>visibility for the public than these examples. Thank you
>
> Sincerely,
> Landon and Heidi
>
>
>
>
>----------

>Yahoo! Travel
> Find great deals to the top 10 hottest destinations!

- 1-eastside1840may2005.JPG
- 2-eastside1840_2current.JPG
- 3-necorneralley1840May2005.JPG
- 4-necorner1840current.JPG
- 5-eastside1840current.JPG
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- 16thandH.JPG
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- 2011S20thvisibility.JPG
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- 900S35th_2.JPG
- acrossfromcornhusker.jpg

- hazelable.JPG

ADDENDUM
TO
DIRECTORS' AGENDA
MONDAY, APRIL 10, 2006

I. MAYOR -

1. NEWS RELEASE - RE: Mayor's Town Hall Set For April 11th -(See Release)

2. NEWS RELEASE - RE: Mayor Seng's Public Schedule Week of April 8 through 14, 2006-Schedule subject to change -(See Release)

3. NEWS RELEASE - RE: Candidate Forums and Debates Set For April 18th - (See Release)

4. NEWS RELEASE - RE: Mayor Seng Says Court Decision Affirming Impact Fees Clears Path For Growth -(See Release)

II. CITY CLERK - NONE

III. CORRESPONDENCE

A. COUNCIL REQUESTS/CORRESPONDENCE-

JON CAMP -

1. E-Mail to Vince Mejer, Purchasing with Attachments from Jon Camp and a response from Wynn Hjermstad, Urban Development - RE: Northeast Police Facility RFP - (See Attachments)

ROBIN ESCHLIMAN -

1. E-Mail from Julie Florom - RE: Target - (See E-Mail)

DAN MARVIN -

1. Response from Marvin Krout, Planning Director - RE: Annexation Agreements received on 04/06/06 to RFI#2 - (See Response)

B. DIRECTORS AND DEPARTMENT HEADS - NONE

C. MISCELLANEOUS -

1. E-Mail from Rebecca Roberts - RE: As the City Council is taking up the fantastic idea of bicycle lanes in downtown Lincoln, I have a related suggestion: - (See E-Mail)

2. E-Mail from Coby Mach, LIBA (Lincoln Independent Business Association) - RE: Position Statement - LIBA is not opposed to a new Police sub-station. In fact, we are only writing today because we wonder if the bid process maximized the opportunities for the City and cost savings for the taxpayer. - (See Attachment)

3. E-Mail from Don & Diane Crouch - RE: Parties -(See E-Mail)

daadd041006/tjg

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

RECEIVED
APR 07 2006
CITY COUNCIL
OFFICE

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

FOR IMMEDIATE RELEASE: March 30, 2006
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831

MAYOR'S TOWN HALL SET FOR APRIL 11

Mayor Coleen J. Seng invites the public to a Town Hall meeting scheduled for Tuesday evening, April 11 at the Cornhusker Marriott, 333 South 13th Street. A reception will begin at 5:30 p.m. in the Lancaster Room in the lower portion of the Conference Center, and the Town Hall meeting is scheduled for 6 to 7 p.m. During the reception, City departments will be present with displays and handouts on current projects and programs.

"This is an important opportunity for residents to hear information about City services and the many projects under way in our community," said Mayor Seng. "The Town Hall provides a venue for citizens and City officials to talk about their ideas and concerns."

At 6 p.m., the Mayor will make brief remarks and introduce representatives of the City departments. From 6 to 7 p.m. Mayor Seng will host a question-and-answer session between citizens and City officials.

The City's government access channel, 5 CITY-TV, will tape the 6 to 7 p.m. portion of the meeting to be aired at later dates on cable channel 5.

LINCOLN
The Community of Opportunity

CITY OF LINCOLN
NEBRASKA

NEWS ADVISORY

MAYOR COLEEN J. SENG

lincoln.ne.gov

Date: April 7, 2006
Contact: Diane Gonzolas, Citizen Information Center, 441-7831

Mayor Seng's Public Schedule
Week of April 8 through 14, 2006
Schedule subject to change

Saturday, April 8

- Lux Arts Center Spring Style Show and Silent Auction - 10 a.m., Cornhusker Marriott Hotel, 333 South 13th Street
- Seventh Day Adventist ground-breaking for church addition, remarks - 3 p.m., 4015 South 49th Street

Tuesday, April 11

- Clinton Elementary/US Bank branch project, remarks - 8:30 a.m., Clinton Elementary School, 1520 North 29th Street
- Bethany Women's Club Annual Spring Luncheon - 11:30 a.m., First Christian Church, 430 South 16th Street
- Russian exchange students, presentation of honorary citizenship certificates - 3 p.m., Mayor's Conference Room, 555 South10th Street
- Mayor's Multicultural Advisory Committee meeting - 3:30 p.m., Mayor's Conference Room, 555 South 10th Street
- Mayor's Town Hall Meeting - 5:30 - 7:30 p.m., Cornhusker Marriott Hotel, Lancaster Room, 333 South 13th Street

Thursday, April 13

- Cooper YMCA ribbon-cutting for new addition - 10 a.m., 6767 South 14th Street
- International Visitors from Moldova - 4 p.m., Mayor's Conference Room, 555 South 10th Street
- Mayor's Neighborhood Roundtable - 4:30 p.m., County-City Building, Room 113, 555 South 10th Street

CITY OF LINCOLN
NEBRASKA

NEWS RELEASE

MAYOR COLEEN J. SENG lincoln.ne.gov

OFFICE OF THE MAYOR
Citizen Information Center, 555 South 10th Street, Lincoln, NE 68508, 441-7375, fax 441-8653

FOR IMMEDIATE RELEASE: April 7, 2006
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831
Sharon Nemeth, League of Women Voters, 472-2333, 489-3571

CANDIDATE FORUMS AND DEBATES SET FOR APRIL 18

The public is invited to a series of forums and debates Tuesday, April 18 featuring candidates on the ballot for the May 9 primary election. The event is from 10 a.m. to 9 p.m. at Saint Paul United Methodist Church, 1144 "M" Street. The City's government access cable channel, 5 CITY-TV, will tape all forums and debates for airing until election day. Invited participants are:

- All candidates for Legislative Districts #26, #28, #30 and #46;
- Republican candidates for U.S. Senate, Governor and State Treasurer; and
- Democratic candidates for the U.S. First Congressional District, Governor and Secretary of State.

The attached schedule lists the candidates who have agreed to be present in the order in which they will deliver their opening statements. Unopposed candidates in the primary election and the three candidates seeking the at-large seat on the Lower Platte South Natural Resources District have been invited to attend and meet voters, but they will not be debating.

Sponsors are the League of Women Voters of Lincoln-Lancaster County; Saint Paul United Methodist Church; the Lincoln-Lancaster Women's Commission; the Lincoln Area Agency on Aging; the North 27th Business and Civic Association; and the NAACP. Volunteers from the sponsoring organizations will serve as moderators and timers.

The events will be held in the Bevins Family Life Center on the church's main floor. If entering the church through the west doors, use the elevator ("M" button). If entering the church through the south door, go up the interior stairs and walk away from the sanctuary. Parking is available across 11th Street or in the parking garage one block south of the church. Free space may be available on the street or in the garage under the church (enter from 11th Street).

Audience members are asked to not wear or otherwise display items indicating support of specific candidates while in the forum/debate area. Candidates will have campaign materials available for display and distribution on one side of the Bevins Family Life Center. Food and non-alcoholic drinks are permitted, and church members also will have beverages available for purchase.

Funding for the 5 CITY-TV production is being provided by the League of Women Voters of Lincoln-Lancaster County Education Fund and the League of Women Voters of Nebraska Education Fund. For a schedule of air times, see the City Web site at lincoln.ne.gov and click on the 5 CITY-TV logo. The forums and debates also will be available through video-on-demand through the Web site.

- 30 -

DAY OF DEBATES AGENDA AND CANDIDATE LIST
April 18, 2006

(Due to time constraints, the Unicameral District events will be candidate forums rather than debates)

10:00 am—10:30 am* *Unicameral District #26*
Nonpartisan
CANDIDATES: Amanda McGill, Sean Zehtab, Steve Guittar
MODERATOR: TBA, LAAA
TIMER: Sherry Miller, LWVNE

10:30 am—10:45 am **BREAK**

10:45 am—11:15 am* *Unicameral District #28*
Nonpartisan
CANDIDATES: Bill Avery, Rick Poore, Mark Munger
MODERATOR: Tami Soper, LLWC
TIMER: Pat Stephen, LWVLL

11:15 am—11:30 am **BREAK**

11:30 am—12:30 pm* *Unicameral District #30*
Nonpartisan
CANDIDATES: Tony Ojeda, Norman Walliman, John DeCamp
MODERATOR: Peg Briggs, LAAA, Live & Learn
TIMER: Angela Hammond, No. 27th St. Association

12:30 pm—12:45 pm **BREAK**

12:45 pm—1:15 pm* *Unicameral District #46*
Nonpartisan
CANDIDATES: LaRae Eifert, Danielle Nantkes, Carol Brown
MODERATOR: Shirley Maly, LWVLL Ed Fund
TIMER: Amy Birky, LWVLL

1:15 pm—1:30 pm **BREAK**

1:30 pm—2:30 pm *State Treasurer*
Republican candidates; unopposed Nebraska candidate invited to attend, but not debate
CANDIDATES: Shane Osborn, Ron Ross
MODERATOR: Marge Ambrosius, Saint Paul UMC
TIMER: Julie Sonderup, No. 27th St. Association

2:30 pm—2:45 pm **BREAK**

2:45 pm—3:45 pm *Secretary of State*
Democratic candidates; unopposed Republican candidate invited to attend, but not debate
CANDIDATES: Jay Stoddard, Don Eret
MODERATOR: Beth Goble, LWVNE
TIMER: Jan Gauger, LWVLL

3:45 pm—4:00 pm **BREAK**

4:00 pm—5:00 pm *Congressional District 1*
Democratic candidates; unopposed Republican candidate invited to attend, but not debate
CANDIDATES: James Wilson, Maxine Moul
MODERATOR: Nancy Intermill, LWVNE
TIMER: Marcia Malone, LLWC

5:00 pm—5:30 pm **BREAK**

5:30 pm—7:00 pm *Governor*
Dual debate: 3 Republican candidates; 2 Democratic candidates; unopposed Nebraska candidate invited to attend, but not debate
REPUBLICAN CANDIDATES: Tom Osborne, David Nabity
DEMOCRATIC CANDIDATES: David Hahn†
MODERATOR: Tari Hendrickson Sweeney, LWVLL
TIMER: Danja Pegram-Siders, LLWC

7:00 pm—7:30 pm **BREAK**

7:30 pm—9:00 pm *Senate*
Republican candidates; unopposed Democratic candidate invited to attend, but not debate
CANDIDATES: David Kramer, Pete Ricketts
MODERATOR: Sandra Powell, LWVNE
TIMER: Leroy Stokes, NAACP

**The ending times are approximate.*

†*If only one candidate from one party is in attendance, there will be no debate in that party and the candidate present will not be permitted to make a formally sponsored statement. He may engage in media interviews, informally talk with citizens in attendance, and distribute campaign literature.* [From debate protocols]

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: April 7, 2006
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831

MAYOR SENG SAYS COURT DECISION AFFIRMING IMPACT FEES CLEARS PATH FOR GROWTH

Mayor Coleen J. Seng today called the Nebraska State Supreme Court decision upholding the City of Lincoln impact fee ordinance "welcome news that will clear a path for expanding the community."

"The Supreme Court decision resolves the issue and clears the way for construction of many improvements to serve new neighborhoods and the entire community," said the Mayor. "I know some builders felt very strongly about impact fees. This decision should end the disagreement so the community can move forward. It is time to put aside the past differences of opinion and work together to build Lincoln. New growth brings benefits to the entire community. It offers new job opportunities, brings new sales tax revenue and expands the property tax base. Let's agree to move forward together."

The State Supreme Court reaffirmed the District Court decision that the City of Lincoln has the authority under its Home Rule Charter to enact the impact fee ordinance.

Seng noted that the court decision does not solve Lincoln's shortage of funds to keep up with the demand for streets, sewer and water lines. "The court decision removes a cloud that has been hanging over the revenue collected from impact fees," she said. Impact fees do not cover the full cost of new infrastructure. Impact fees generate only about one-half of the actual cost of building new infrastructure.

"I reached out to the Home Builders Association of Lincoln this morning in an effort to bring us together," Seng said. "The home builders are an important part of the community, and I really want to work with them closely. Nearly three years has been spent on this contentious issue, and it is time to move forward. The City has continued to grow and we have explored many ways to finance infrastructure. Since impact fees were first adopted by the City, we have made changes to make the use of impact fees more market-oriented and make the process easier for the builders. If the home builders and developers have suggestions on other ways to improve the impact fee process, I will gladly discuss it with them."

- more -

Impact Fee Decision
April 7, 2006
Page Two

The City Council approved the impact fee ordinance in January 2003. It was challenged in court later that year. The impact fee ordinance was enacted as a fair and predictable method to collect funding for a portion of the costs of building streets, water and wastewater and park improvements associated with new construction.

Impact fees have been collected on applications for new building permits since June 1, 2003. Since 2003, impact fees have generated more than $12 million toward infrastructure needs on more than 6,400 permits. The City already has spent about $4.5 million of impact fees on infrastructure and committed the remaining funds to infrastructure projects identified in the Capital Improvement Program. The funds are used to build new water mains and wastewater lines, to pave arterial streets and to create and maintain trails and parks.

WHjermstad@ci.lincoln.ne.us
04/06/2006 03:40 PM

To joncampcc@aol.com
cc council@lincoln.ne.gov, jpederse@lincoln.ne.gov, vmejer@lincoln.ne.gov, whjermstad@lincoln.ne.gov, MBowen@ci.lincoln.ne.us, AHarrell@ci.lincoln.ne.us,
bcc
Subject Re: Northeast Police Facility RFP

Jon,
I saw Vince's response and thought I might add some additional information. See my responses below, following your questions, in bold and italics. Please let me know if you have additional questions.

wynn

Wynn S. Hjermstad, AICP
Community Development Manager
City of Lincoln, Urban Development Department
808 P Street, STE 400, Lincoln, NE 68508
phone: 402-441-7606, fax: 402-441-8711

joncampcc@aol.com

04/04/2006 09:24 PM

To vmejer@lincoln.ne.gov
cc jpederse@lincoln.ne.gov, whjermstad@lincoln.ne.gov, council@lincoln.ne.gov
Subject Northeast Police Facility RFP

Vince:

Yesterday at the City Council meeting, a public hearing was conducted on the proposed Northeast Police Facility.

During the public hearing, the City Council was told that the "process" was followed--I believe by either Joel Pedersen or Wynn Hjermstad.

Would you please send me a copy of the RFP for this facility?

The RFP and proof of publication are attached.

Was the RFP listed on the City's website?

yes, on Urban Development's webpage. The legal ad referred prospective developers to that site and included the address.

If not, why not? Is this not part of the City's procedures/process for advertising RFPs?

see answer above.

Notice of the RFP was first published in the Lincoln Journal Star on October 2, 2005 and again on October 9, 2005. The due date was October 19, 2005, twelve (12) business days later (excluding weekends and Columbus Day). Is this standard procedure to have such a short "turnaround" for requests for leases? . . .especially when the term will be for 15 years?

I work with Public Works and Utilities quite often, and actually learned from them that 15 days (3 weeks) is common. Vince noted that the city uses calendar days, not working days.

Is it standard procedure to limit the "site" to a single address that is owned by a private party?

For redevelopment projects, absolutely. To my knowledge, and I also checked with other Urban Development staff, we have never done an area wide RFP, they have always been site specific. Recent examples downtown include the Grand Theatre, the Option, and Old Fed. Other examples include Liberty Village (on Vine Street); and on 27th Street: the Broom Factory/People's Health Center, Heartland Optical (under construction); CenterPointe, and Northbridge.

Thank you for responding as soon as possible. The City Council votes on this matter next Monday, April 10, 2006, so time is of the essence.

Jon

Jon Camp

Office: 402-474-1838
Home: 402-489-1001
Cell: 402-560-1001
Email: JonCampCC@aol.com

(See attached file: 49th and Huntington RFP.wpd) (See attached file: 49th&HuntingtonScan1329.pdf)

- 49th and Huntington RFP.wpd

- 49th&HuntingtonScan1329.pdf

REQUEST FOR PROPOSALS

The City of Lincoln, Nebraska intends to enter into a contract and invites you to submit a sealed proposal for:

REQUEST FOR PROPOSAL
REDEVELOPMENT PROJECT
49TH & HUNTINGTON STREETS
FOR A FULL SERVICE LPD POLICE STATION

Sealed proposals will be received by the City of Lincoln, Nebraska on or before 12:00 P.M. NOON, Wednesday, October 19, 2005 in the office of the Urban Development Department, 808 P Street, Suite 400, Lincoln, Nebraska 68508. Proposals will be publicly opened at the Urban Development Department, reading only the names of the firms submitting proposals.

To obtain the RFP contact the Urban Development Department at 441-7606, or see the city's web page at www.lincoln.ne.gov Keyword: *HuntingtonLPD*.

Proposers should take caution if U.S. mail or mail delivery services are used for the submission. Mailing should be made in sufficient time for proposals to arrive in the Urban Development Department prior to the time and date specified above.

1. INTENT

1.1 The City of Lincoln, Urban Development Department, is seeking proposals from qualified developers/firms for a proposed private redevelopment project at 49th and Huntington Avenue. The project is contingent upon City Council approval of an amendment to the *University Place Redevelopment Plan*, anticipated in late October, 2005.

1.2 The project address includes two lots at 4825 Huntington Avenue and 4843 Huntington Avenue, which includes roughly 25% of the block bounded on the north by Huntington Avenue , 48th Street and the city owned lot (formerly Northeast Printers Building) to the west, mid-block to east to 49th Street, and the east - west alley between Huntington and Walker Avenue to the south (see Attachment A).

1.3 The City is accepting proposals for this project within the redeveloping N 48th Street area. The redevelopment site is for a full service Police station developed to compliment strategies and goals identified in the *University Place Redevelopment Plan* and *The North 48th Street/University Place Plan.*

1.4 The successful developer/firm will be selected on the basis of criteria that include qualifications, experience, financial capability, and conformance with the *University Place Redevelopment Plan* and *The North 48th Street/University Place Plan.*

2. **SITE**

2.1. See Attachment A for the site plan.

2.2 The site is currently zoned B-3. The property may need to be replatted and a plan approval process would then be necessary.

3. **PROJECT OBJECTIVES**

3.1 The goal of this redevelopment project is to further revitalize this portion of University Place in conformance with the *University Place Redevelopment Plan*, and *The North 48th Street/University Place Plan* by reusing an existing building for a full service police station. The plans are available to review at the Urban Development Department, 808 P Street, Suite 400, Lincoln.

3.2 The City anticipates that this project will be a significant improvement to the site that will contribute to the revitalization of the neighborhood, business district, and vicinity of Nebraska Wesleyan University.

3.3 Exterior improvements to the building should respect the current urban context and consider the design, scale, color, and other materials that have been developed in the University Place Redevelopment area.

3.4 Elements of this project could include:

- A full service police station.
- Landscaping/streetscape appropriate to the rest of the University Place Redevelopment area.
- Community meeting space.

1. **DEVELOPMENT PROCESS**

4.1 The City's role in this redevelopment project is that of a catalyst and coordinator.

4.2 The public responsibility involves provisions of the site, coordination, continuation of public improvement activities and monitoring development.

4.3 The City recognizes current conditions that necessitate action in the public interest and the commitment of public resources evidenced, in part, by the adoption of *University Place Redevelopment Plan* by the Lincoln City Council in December, 1998.

4.31 These include public improvements and disposition or lease of the land in a manner that will ensure optimal redevelopment for the area.

4.4 The City is responsible to ensure that all necessary actions are undertaken in a timely, orderly and mutually supportive fashion, within the context of the Redevelopment Plan and all subsequent and related guidelines, agreements and ordinances.

4.5 The City will consider land purchase, the use of Tax Increment Financing for public improvements, and/or other types of assistance.

4.6 The City reserves the right to accept or reject any or all proposals.

4.7 The Lincoln Electric System, City Public Works and Utilities, Parks & Recreation, and Planning Departments will review all site plans for this project.

2. **PROPOSAL CONTENTS**

5.1 Statement of development concept, including proposed facilities, buildings, costs, etc.

5.2 Statement of respondents experience and data on any recent similar development.

5.3 Statement describing and listing the development team, owner, partners, and

including, name, business address, phone number, and description of roles and responsibilities on this project.

5.4 Site plan, preliminary and schematic design drawings of the project including elevations, typical floor plan and a landscaping detail.

5.5 Pro Forma on proposed development, including land costs, operating costs and income, debt, and equity.

5.6 Information on the proposed site and area improvements, detailing proposed public/private costs. Expected city participation costs and assistance must be clearly delineated.

5.7 Timeline of project to include, schedule of estimated start of site preparation, start of construction, completion of construction, and proposed opening date.

5.8 Source of equity and debt financing.

5.9 Specific expectations of all City participation.

6.0 Submit eight (6) copies of the proposal on or before the specified date.

3. **SPECIFIC PROVISIONS TO BE INCLUDED IN A CONTRACT**

6.1 The purchase of the land will be for the purpose of redevelopment for a police station, as described in this Request for Proposals.

6.2 The land will be built upon and improved in conformity with the objectives and provisions to the *University Place Redevelopment Plan*, *The North 48th Street/University Place Plan* and this Request for Proposals.

6.3 All exterior improvements, including site plan, building materials and landscaping are subject to prior approval by the City.

6.4 Construction will commence and be completed within an agreed period of time, which will be discussed and stated in the Redevelopment Agreement.

4. **SUBMISSION AND REVIEW PROCESS**

7.1 Proposals must be submitted to the Urban Development Department, Attn. Wynn S. Hjermstad, Community Development Manager, 808 "P" street, Ste. 400, Lincoln, NE 68508.

7.2 The review of the proposals shall be conducted by the Director of Urban Development and staff.

7.3 Submitters may be required to make a presentation to the Director of Urban

Development and staff.

7.4 The findings and recommendations of the Director of Urban Development shall be approved by the Mayor.

7.5 All who submit a proposal will be notified of the results of the evaluation of their proposals.

7.6 Upon notification of selection, the successful proposer will be expected to execute a Redevelopment Agreement with the City of Lincoln, prepared by the City Law Department.

7.6.1 This agreement shall cover all matters pertaining to the parcel being sold.

7.62 Following the approval by the City Council, the Redevelopment Agreement shall be executed and the redevelopment shall proceed in accordance with its terms.

7.7 The City reserves the right to hold each proposal for a period of thirty (30) days from the due date, for the purpose of review and confirmation of qualifications and financial capabilities of the respondents.

7.8 The City of Lincoln further reserves the right to accept or reject any or all proposals received.

7.9 The selected proposal, is selected in concept only. Details are to be negotiated through the redevelopment agreement process with the Urban Development Department and the City Law Department.

5. **SELECTION CRITERIA**

8.1 Redevelopment Proposal

8.1.1 The City will evaluate the extent to which prospective developers propose to redevelop the land and reuse the existing building for uses in accordance with he objectives of the Redevelopment Plan, *The North 48th Street/University Place Plan* and the terms of the Request for Proposals, including its design guidelines.

8.2 Land price will be negotiated between the City and the successful proposer through the redevelopment agreement process.

8.3 Legal and Financial Ability

8.3.1 Prospective developers will be required to show legal and financial ability to carry out the scope of their proposal.

8.3.2 Developers will be required to specify the form of entity that will take title to the land contained in their proposal, execute the construction work and market and/or operate the completed facilities.

8.4 Implementation Ability

8.4.1 Prospective developers will be required to demonstrate the experience, qualifications, and ability to complete projects of the scope and complexity of their proposal, and to demonstrate the ability to operate the project.

8.5 Design

8.5.1 The City will evaluate the extent to which the proposals involve structures of high quality, including design, and that are consistent with the design objectives and standards contained in the redevelopment plan and in this Request for Proposals.

8.5.2 Specific areas of project evaluation will include but not be limited to:

- Respect for the aesthetic values of the area through high design standards.
- Design standards used for construction of each unit to be built.
- Use of innovative or energy conserving design.
- The integration of the development with existing surroundings.
- Extent to which the residential area to the east and north is buffered from the development.
- Compatibility with the design of recent redevelopment projects which include the North 48th Streetscape project between Leighton and Francis Streets.

CITY OF LINCOLN
NEBRASKA

MAYOR COLEEN J. SENG

lincoln.ne.gov

Urban Development Department
Marc Wullschleger, Director
Haymarket Square
808 "P" Street
Suite 400
Lincoln, Nebraska 68508
402-441-7606
fax: 402-441-8711

Memo

To: Tiffany Thompson, Lincoln Journal Star, Public Notices
VIA FAX: 473-7177

From: Diana Michael, Urban Development Department

Date: September 28, 2005

Subject: Request For Proposals
49th & Huntington Streets Full Service LPD Police Station

Please run the attached Request for Proposals in the public notice section two times, one time on Sunday, October 2, 2005, and one time on Sunday, October 9, 2005.

Send an Affidavit of Publication to my attention, Diana Michael, at Urban Development Department, Haymarket Square, 808 P Street, Suite 400, Lincoln, NE 68508.

LINCOLN
The Community of Opportunity

AFFIDAVIT OF PUBLICATION

State of Nebraska
LANCASTER COUNTY, } ss.

REQUEST FOR PROPOSALS
The City of Lincoln, Nebraska intends to enter into a contract and invites you to submit a sealed proposal for:
REQUEST FOR PROPOSAL
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To obtain the RFP contact the Urban Development Department at 441-7606, or see the city's web page at *www.lincoln.ne.gov* Keyword: *HuntingtonLPD*.
#3455406 2x Oct 2, 9

The undersigned, being first duly sworn, deposes and says that she/he is a Clerk of the Lincoln Journal Star, legal newspaper printed, published and having a general circulation in the County of Lancaster and State of Nebraska, and that the attached printed notice was published in said newspaper two successive time(s) the first insertion having been on the 2 day of October A.D., 2005 and thereafter on October 9th, 2005 and that said newspaper is the legal newspaper under the statutes of the State of Nebraska. The above facts are within my personal knowledge and are further verified by my personal inspection of each notice in each of said issues.

Janie Krueger

Subscribed in my presence and sworn to before me this October 11, 2005

Juana Anne Nordmeyer Notary Public

Printer's Fee, $ 29.46

GENERAL NOTARY - State of Nebraska
JULANA ANNE NORDMEYER
My Comm. Exp. Jan. 28, 2008

3455406

"Robin Eschliman"
<robine@neb.rr.com>
04/06/2006 08:42 PM

To <tbogenreif@lincoln.ne.gov>
cc
bcc
Subject Fw: Target

History: This message has been forwarded.

Tammy, can you forward on to the council? Robin Eschliman
----- Original Message -----
From: Julie Florom
To: reschliman@lincoln.ne.gov
Sent: Monday, April 03, 2006 10:24 AM
Subject: Target

Robin,

My name is Julie, and I live within walking distance of what will hopefully be the new Super Target in south Lincoln. We moved here about 3 years ago from Lee's SummitMissouri, where I had become spoiled by the ability to shop at one of these great stores. I just wanted to write to urge you to make this easy on the company who represents Target. On Friday mornings, I have coffee with about 15 stay-at-home moms from my children's elementary school. When I mentioned, last Friday, that I was possibly looking at the end to my three-year Super Target drought, quite a bit of discussion ensued, and all of it positive.

On Saturday, I had another discussion with a different group of ladies, one of whom lives in proximity to the much-discussed 84th & Adamsdevelopment (you may know Nona Helsing). She drives from that area to 48th and O to do her grocery shopping. I mentioned that I had heard you say that you would try to urge the developers to consider putting in another Super Target at 84th/Adams. She was like, "Where did you hear that?" "Oh, I hope that's true." I hope I'm adding to other voices who support your work on the council and would like to see this project move forward, quickly.

Julie Florom

JulesDFlrm@peoplepc.com

402-430-3076 (cell)

Jean L Walker/Notes
04/06/2006 02:12 PM

To CouncilPacket/Notes@Notes
cc Mark D Bowen/Notes@Notes, Karl A Fredrickson/Notes@Notes, Michaela A Hansen/Notes@Notes, Stephen S
bcc
Subject BP: Response to Dan Marvin RFI#2 re Annexation Agreements

BP060406.pdf

--Jean Walker, Administrative Officer
City-County Planning Department
441-6365

Jean L Walker/Notes
04/06/2006 01:53 PM

To CouncilPacket/Notes
cc Mark D Bowen/Notes, Karl A Fredrickson/Notes, Michaela A Hansen/Notes, Stephen S Henrichsen/Notes, Ray F Hill/Notes, R. Peo/Notes, Dana W Roper/Notes, Marvin S
bcc
Subject Re: DMarvinRFI#2

TO: City Council

RE: Dan Marvin RFI#2 - Annexation Agreements

DATE: April 6, 2006

The table below lists the 12 annexations awaiting City Council action. These include one case heard on April 3 and scheduled for action on April 10, two cases scheduled for hearings on April 10, and two cases on the City Council pending list. The properties to be annexed total about 2,137 acres or 3.3 square miles.

The table also lists the proposed total infrastructure contribution for each of the annexations, which add up to over $31 million for the 12 cases. In all of the agreements, developers are being asked to provide bonds equal to the estimated amount of impact fees that their developments are expected to generate, if all the impact fees were to be paid according to the 2006 fee schedule. The bonds are intended to substitute for impact fees if the state Supreme Court strikes down the City's ordinance. If the ordinance is upheld, the bonds will be released.

Plat Name	Total Developer Contribution	Approximate Acres to be Annexed
Schworer (33rd & Superior)	$10,098	11
Grand Terrace (84th & Highway 2)	$1,150,001	70
Harrison Heights * (91st & Leighton)	$1,397,822	91
Highland View (NW 12th & Hwy 34)	$2,467,946	155
Jensen Park Estates (84th & Yankee Hill)	$601,878	66
Northbank Junction (56th & Arbor)	$1,848,298	214
Prairie Village North (84th & Adams)	$4,156,893	150
Sampson-Southwood Lutheran (40th & Rokeby)	$1,259,862	240
Southwest Village (Hwy 77 & West Denton)	$6,051,284	464
Waterford Estates (98th & O)	$4,665,878	390
West View (West O & NW 56th)	$1,185,051	74
Woodlands at Yankee Hill (70th /Yankee Hill)	$6,330,371	212
	$31,125,382	2,137

Calculating the amount of impact fees that would be directed back to these developers to repay some or all their cost of advancing infrastructure projects requires more work; we expect to complete and send you that information later next week.

Marvin S. Krout, Director
Lincoln-Lancaster County Planning Department
tel 402.441.6366/fax 402.441.6377

Tammy J Grammer/Notes

Tammy J Grammer/Notes
04/06/2006 10:50 AM

To Marvin S Krout/Notes@Notes, Michaela A Hansen/Notes@Notes, Stephen S Henrichsen/Notes@Notes
cc Karen K Sieckmeyer/Notes@Notes, Jean L Walker/Notes@Notes, campjon@aol.com, jcookcc@aol.com, robine@neb.rr.com, amcroy@mccrealty.com, newman2003@neb.rr.com, ksvoboda@alltel.net, dmarvin@neb.rr.com, Mayor/Notes@Notes, Mark D Bowen/Notes@Notes, Linda K Quenzer/Notes@Notes, Deborah L Engstrom/Notes@Notes, Karl A Fredrickson/Notes@Notes
Subject DMarvinRFI#2

From: Dan Marvin RFI#2

To: Marvin Krout, Planning Director; Michaela Hansen, Public Works & Utilities; OR Steve Henrichsen, Planning

RE: Annexation Agreements

Dan Marvin would like the following information:

1.) There are 12 (or so) annexation agreements coming forward. These annexation agreements are estimated to produce what amount in impact fees to the City of Lincoln?

2.) Of these 12 (or so) annexation agreements, what is the amount ($) of "directed impact fees" for these projects.

If you will send your response to the Council Office at CouncilPacket@lincoln.ne.gov, in a pdf format, I will distribute your response in the usual manner on the Directors' Agenda. The Subject line need only read DMarvinRFI#2. Thank-you.

Tammy Grammer
City Council Office
441-6867

DO NOT REPLY to this-InterLinc
<none@lincoln.ne.gov>
04/06/2006 03:21 PM

To General Council <council@lincoln.ne.gov>
cc
bcc
Subject InterLinc: Council Feedback

InterLinc: City Council Feedback for
General Council

Name: Rebecca J. Roberts
Address: 825 S. 34th ST.
City: Lincoln, NE 68510

Phone:
Fax:
Email: rebeccajeanroberts@hotmail.com

Comment or Question:
Dear council members:

As the city council is taking up the fantastic idea of bicycle lanes in downtown Lincoln, I have a related suggestion.

I would like to see signs posted throughout downtown alerting people to the ordinance that bans bicyclists from the sidewalks.

I'm a big fan of the ban, but few people seem to be aware of it. It seems unfair to ticket someone for an ordinance they can't possibly be aware of. And when police officers do issue warnings or tickets for violations of the ordinance, they seem to be selective in who they cite.

I believe a few strategically placed signs throughout downtown sidewalks would go a long way toward cutting down on the problem.

Thanks for your hard work, and I look forward to seeing bicycle lanes in downtown Lincoln soon!

Rebecca J. Roberts

21

"LIBA" <coby@liba.org>
04/07/2006 02:20 PM

To <council@lincoln.ne.gov>
cc <mayor@lincoln.ne.gov>
bcc
Subject Position Statement

Attached is a position statement on the Police Sub Station. Coby

Coby Mach
Executive Director
LIBA - Lincoln Independent Business Association
620 North 48th Street Suite 205
Lincoln, NE 68504
Phone - 466-3419
Cell - 430-5554
email - coby@liba.org
www.liba.org

- police.pdf

Position Statement

To: Lincoln City Council
From: Lincoln Independent Business Association
Date: April 7, 2006
Re: Police Sub-station

LIBA is not opposed to a new police sub-station. In fact, we are only writing today because we wonder if the bid process maximized the opportunities for the city and cost savings for the taxpayer.

LIBA believes that the process for bidding on this sub-station may have been flawed for the following reasons:

A. Bids were requested at a specific address (4843 Huntington) where the property and building are not owned by the city.
B. Since 4843 Huntington is owned by a private party, it seems unlikely that competitive bidding could occur.
C. The RFP for bids was placed on the Urban Development site where no regular "Bid Request" page exists.
D. It appears that normal protocol of including the city purchasing department was not followed. The purchasing department said this has only occurred twice in the past ten years.
E. Only 12 business days were allowed for RFP's.
F. The bid was not open too an "area" of town. The RFP was to restrictive.

While the Lincoln Police Department may be supporting a new sub-station at 49th and Huntington Ave; it may only be supportive because it's a "bird in the hand". If the real need is in southeast Lincoln, let's figure out how to get a sub station there!

LIBA has three recommendations:

1. Re-opening the bid process, for an "area" of Lincoln rather than a specific address.

2. Investigate options that would provide LPD with the needed funds for a sub-station that would be owned by the city, if such a station can be built for a lesser cost. LIBA would not encourage any more bond issues, but perhaps allowing for exploration of Public Building Commission revenue bonds, lease purchase options, competitive bidding, more public discussion, and a better open process, we could have a win-win for LPD, the city and the taxpayer.

3. LIBA recommends that all future bidding opportunities be placed on the "Purchasing" web page. This will allow for consistency and because that page is the "official purchasing page" for the city, it will allow for maximum exposure.

Tammy J Grammer/Notes
04/10/2006 09:02 AM

To "Don & Diane Crouch" <dcrouch1@neb.rr.com>
cc
bcc CouncilPacket/Notes
Subject Re: parties

Dear Don & Diane Crouch: Your message has been received in the Council Office and will be forwarded to the Council Members. 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

"Don & Diane Crouch" <dcrouch1@neb.rr.com>

"Don & Diane Crouch" <dcrouch1@neb.rr.com>
04/09/2006 09:11 AM

To <Council@lincoln.ne.gov>
cc
Subject parties

I am very glad to see the Council beginning discussions around holding landlords responsible for their properties. We have a home in a newly developed addition called Morning Glory Estates. This was developed within the past 5 years. There are homes around us but down the street a block or two are newly developed duplexes that are owned by Century Realty and rented. We thought these would be sold when we bought our lot and were surprised to see they were instead rented. We (and other neighbors) have contacted Century several times about problems. We have also contacted the police a few times. The realtors simply do not care that:

1. These young people make their double garages into party rooms. No cars are parked in the garages.
2. They have parties all the time and the problem is usually not the party itself but the aftermath. The neighborhood is a total mess with litter, beer cans, broken beer bottles etc.
3. More people live in those duplexes than allowed by city ordinance. This means more vehicles parked all over, especially since they don't park in their garages. They block the sidewalk at every driveway which is violating another city ordinance.

Not sure what the answer is but would really appreciate good discussions to come up with some solutions. Part of the solution has to be holding the owner responsible in some way. Thanks for bringing this to the table.