DIRECTORS' MEETING
MONDAY, OCTOBER 9, 2006
COUNTY-CITY BUILDING
ROOM 113, 11:00 A.M.

I. MAYOR

1. NEWS RELEASE. Public Invited to Dedication of Downtown Park, Friday, October 6, 2006 at 5:00 p.m. to 6:30 p.m. at Northwest Corner of 10th and "O" Streets.
2. Washington Report, October 2, 2006.

II. DIRECTORS

COMMUNITY HEALTH ENDOWMENT

1. Media Release. Community Health Endowment Announces Funding Priorities for Fiscal Year 2006 - 2007.

HEALTH

1. Last Household Hazardous Waste Collection for the Year is Scheduled for October 14, 2006.

PLANNING COMMISSION FINAL ACTION

1. Special Permit No. 06050. Resolution No. PC-01018. Increase area of on-sale alcohol at Coyote Willy's Bar, 2137 Cornhusker Highway.
2. Special Permit No. 05015A, Amendment to the Hartland's Garden Valley Community Unit Plan. North 14th Street and Fletcher Avenue. Resolution No. PC-01019.

PUBLIC WORKS & UTILITIES

1. Cooperative Services of the Department of Public Works and the County Engineer's Office met to discuss snow and ice control and unpaved roadway maintenance for the year 2007.

III. CITY CLERK

IV. COUNCIL REQUESTS/CORRESPONDENCE

V. MISCELLANEOUS

<u>In Favor of the Proposed Drag Strip</u>

1. Email from local drag racer**.**
2. Response to local drag racer from Planning Department.

3. Email from Mitch Misek.
4. Email from John Schlumberger.
5. Email from Todd Moore.
6. Email from Rick Featherstone.

Opposition to Proposal to Change Current City Policy on Group Homes

1. Email from Dan Schlitt (Email delivered to Council on 10/02/06)
2. Email from Margaret Washburn. (Email delivered to Council on 10/02/06)
3. Email from Josh Sovereign. (Email delivered to Council on 10/02/06)
4. Email from William J. Wood. (Email delivered to Council on 10/02/06)
5. Email from Ginny Wright. (Email delivered to Council on 10/02/06)
6. Email from Mary Kay Kreikemeier.
7. Email from Nancy Carlson.

Other Miscellaneous Correspondence Received

1. Email from Bruce Bostelman re: Recycling of aluminum cans. (Email delivered to Council on 10/02/06)
2. Email from Ginny Wright re: Support proposed zoning changes in the Witherbee, 40th and "A" neighborhood. (Email delivered to Council on 10/02/06)
3. Email from Faith A. White re: No Keno funds for pflag.
4. Letter from Downtown Lincoln Association re: LB 464 changing time offenders held for detox to 72 hours. (Copy of letter delivered to Council on 10/04/06)
5. Email with attachment from Wendy L. O'Connor re: Keno dollars not be provided to PFLAG.
6. Email from Jodi Delozier re: Support smoking ban in Lincoln.

VI. ADJOURNMENT

da100906/mm

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: October 3, 2006
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831
Stacey Roach, Parks and Recreation, 441-3084
Dallas McGee, Urban Development 441-7857

PUBLIC INVITED TO DEDICATION OF DOWNTOWN PARK

Mayor Coleen J. Seng invites the public to the dedication of Government Square Park on the northwest corner of 10th and "O" streets from 5 to 6:30 p.m. Friday, October 6. The program will include remarks from Mayor Seng and representatives of the Downtown Neighborhood Association, the Downtown Lincoln Association, the Preservation Association of Lincoln, the City Urban Development Department and the City Parks and Recreation Department. The event is being held in conjunction with the "First Friday" gallery walk and will include live music by John Walker, refreshments and a virtual tour and map of the downtown art galleries.

The park on the east side of Old City Hall features a new central fountain donated by the Duane and Phyllis Acklie family. The park also includes pathways, park benches and landscaping and architectural accents highlighting the surrounding historic buildings.

The design of the park is modeled after a previous park at the location several decades ago. In the 1870s, a well was drilled in the center of the block to serve fire cisterns in the area, but water from the 1,000- foot deep artesian well proved to be too salty for the intended use. The Federal Government agreed to open the well for a fountain when the block was acquired in 1873 for a Post Office. The park was gradually reduced in size and eventually eliminated with phased construction of the Old Federal Building

This project was a cooperative effort between the Parks and Recreation and Urban Development Departments and was funded through tax increment financing.

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CITY OF LINCOLN Washington Office

Volume 12, Issue 25
October 2, 2006

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Washington Report

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

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CONGRESS ADJOURNS FOR CAMPAIGN SEASON

BUDGET

Congress punts spending bills to November. Congress adjourned last week having completed work on only two of the FY 2007 appropriations bills, Defense and Homeland Security. Final passage of those two bills gave the congressional leadership a major victory as they were a key part of their fall "Security Agenda." Work on the remaining 9 appropriations bills will have to wait until Congress returns to Washington for a lame duck session beginning November 13.

Because FY 2006 ended last week, Congress attached a continuing resolution (CR) to the Defense bill that will keep the rest of the government running until November 17. Under the CR, programs covered by the remaining appropriations bills will be funded at the lesser of the amount included in the Senate-passed bill, the amount included in the House-passed bill or the FY 2006 amount. Since the Senate has passed only the Defense and Homeland Security measures, most programs will be funded at the lesser of the level in the House-passed bill or the FY 2006 amount. Since neither the House nor the Senate has passed the Labor-Health and Human Services bill, programs included in it will be funded at the FY 2006 level.

When Congress returns, they will have only four days until the CR passes. Given the number of disagreements that remain to be resolved with most of the bills, one of Congress's first orders of business when they return will likely be passage of another CR to allow them enough time to complete their work on FY 2007 spending. In addition, it is almost certain that Congress will wrap the remaining FY 2007 appropriations bills into a single omnibus bill in an effort to expedite completion of their work.

ZONING

House clears property rights measure; Senate action unlikely. The House passed legislation (HR 4772) last week that is designed to give property owners who disagree with a local land use decision easier access to federal court. The 231-181 vote in favor of the bill was largely along party lines.

Earlier in the week, the House defeated the measure by a vote of 234-172 under an expedited procedure called "suspension of the rules." Under that procedure amendments are not allowed, debate is limited to one hour, and the bill needs a two-thirds majority in order to pass. House leaders then brought the bill back to the floor under normal rules where only a simple majority is required for passage.

As passed by the House, the bill would allow a property owner to challenge a local or state land use law or regulation in federal district court after losing their first appeal of such a decision. Under longstanding jurisprudence established by the 1985 Supreme Court decision in *Williamson County v. Hamilton Bank*, federal courts refrain from hearing such cases until all local and state appeals have been exhausted.

Bill supporters claim that the recent Supreme Court ruling in *San Remo Hotel v. City and County of San Francisco* combined with the *Williamson County* decision creates a "Catch -22" situation for property owners. In *San Remo*, the Court unanimously ruled that federal courts cannot consider takings claims based on local or state regulations if those claims have been heard in state court.

Opponents, led by local governments and environmental organizations, counter that the bill is a solution in search of a problem, pointing out that state courts are best suited to

handle these issues. They argue that under the guise of protecting small property owners the bill would allow large developers and real estate trusts to cow local governments into submission with the threat of expensive federal litigation.

They also argue that the bill would create two classes of property owners, those with the resources to threaten federal litigation and those lacking such resources. In addition, they argue that the bill would allow large landowners to sidestep a wide array of local environmental, health and safety regulations and give them an even greater edge in disputes with small property owners.

Although the bill in no way addressed the use of eminent domain by local governments, much of the debate focused on the controversial Supreme Court decision in *Kelo v. New London*. In that case, the Court narrowly affirmed the use of eminent domain for economic development purposes. Supporters touted HR 4772 as a response to *Kelo* while opponents were quick to counter that the bill had nothing to do with eminent domain and that the references to *Kelo* were nothing more than an attempt by supporters to use a grandmother losing her home as a mask for boosting the fortunes of wealthy developers and real estate trusts.

HOMELAND SECURITY

Congress clears FY 2007 DHS spending bill. House and Senate negotiators on the FY 2007 Department of Homeland Security (DHS) appropriations bill completed their work last week, and the House and Senate each approved the conference report before adjourning until November 13. The President is expected to sign the bill into law.

Overall, the Department will receive $34.8 billion, an increase of $2.3 billion over FY 2006 levels. However, the measure does include $1.8 billion in border security funding that was classified as emergency spending. More contentious than the spending items in conference were discussions over authorizing measures for chemical plant security and an overhaul of the Federal Emergency Management Agency (FEMA).

Sponsors of chemical plant security legislation have been working for over two years on a proposal to create security guidelines for chemical plants, as well as require vulnerability assessments for the sites. Organizations representing local water agencies were successful in gaining an exemption from conducting vulnerability assessments, based on the fact that water utilities are already required to submit similar assessments to the Environmental Protection Agency (EPA).

The FEMA reorganization debate ended with conferees agreeing to keep FEMA under the jurisdiction of DHS but allowing the agency some special autonomy, such as the FEMA Director reporting directly to the President in certain situations. Also, the measure will reverse a decision made by the DHS Secretary last year to separate disaster preparedness activities from disaster response activities at the department.

Funding levels for selected DHS programs include (with difference from FY 2006 in parentheses):

- $770 million for the Urban Area Security Initiative (+$5m)
- $525 million for the state homeland security grant program (-$20m)
- $547 million for firefighter assistance grants (+$8.5m)
- $115 million for SAFER firefighter hiring grants (+$5m)
- $210 million for port security grants (+$35m)
- $175 million for rail and transit security grants (+$25m)
- $33 million for Metropolitan Medical Response System grants (+$3m)

PUBLIC SAFETY

House passes gun legislation. Last week the House passed HR 5092 that would make it more difficult for the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) to revoke gun sellers' licenses. The bill passed in the House with the necessary two-thirds majority under suspension of the rules.

HR 5092 would make it more difficult for federal law enforcement to discipline gun dealers. For example, enforcing firearm laws would be more difficult because the legislation would prohibit information sharing between ATF and non-governmental agencies. Also, ATF would have to follow guidelines imposed by the attorney general for investigating license violations.

The legislation would also require the attorney general to review the applications for the federal firearms licenses and allow denied applicants to appeal the decision.

The Senate has not taken any action on a similar bill.

WATER RESOURCES

Final action on WRDA shelved until November; House approves dam safety measure. Leaders of the House-Senate conference committee on the reauthorization of the Water Resources Development Act (WRDA) announced this week that they were unable to fully reconcile the competing measures of the bill before adjournment. Conferees are expected to continue efforts to finalize a bill when Congress reconvenes the week of November 13.

At issue is a $2 billion difference in funding levels between the two bills, as well as language to institute reforms at the U.S. Army Corps of Engineers. The "Corps reform" issue has been the major roadblock to completion of a WRDA bill over the last four years. WRDA is traditionally renewed every two years, but was last approved in 2000 (see September 15 *Washington Report* for additional details).

Also this week, the House approved a bill (HR 4981) that would increase the authorization level for dam safety programs at FEMA by over $4 million annually, from about $8 million to $12 million per year (see September 15 *Washington Report* for additional details). There is no Senate companion to HR 4981 but language similar to that in HR 4981 is included in the Senate version of WRDA.

HUMAN SERVICES

Congress approves reauthorization of Older Americans Act. House and Senate conferees reached consensus last week on legislation (HR 6197) to reauthorize programs under the 1965 Older Americans Act. The conference report was subsequently approved on the House and Senate floors, and will now be sent to the President, who is expected to sign the measure into law.

The legislation reauthorizes all of the seniors programs at the Administration on Aging at HHS, including those that provide transportation assistance, social services, and Meals on Wheels. The Aging Administration is expected to receive $1.3 billion from Congress in FY 2007 appropriations. The bill also has jurisdiction over the Senior Community Service Employment Program (SCSEP) at the Department of Labor, which is likely to receive $420 million in FY 2007 appropriations.

While conference negotiations were smooth in general, provisions regarding the SCSEP and changes in Aging Administration formulas took some time to hash out. The Bush Administration has been promoting a shift in the SCSEP that would place more of a focus on job training and de-emphasize the community service aspect of the program. The compromise sets a requirement that 25 percent of the program participants be placed in private sector jobs by 2011, while continuing to emphasize that community service is also a focus of the program.

With regard to formulas, Senators from states that have growing senior populations objected to current formulas that guarantee every state a share of any increases in funding for Aging Administration programs. Under the compromise, such "hold harmless" language would be phased out, but states would also be guaranteed at least the funding they received in FY 2006.

Programs under the bill would be reauthorized through FY 2011.

LEGAL AFFAIRS

House bill would make it more difficult for officials to be sued for religious expression. The House approved legislation (HR 2679) this week. The measure would prohibit plaintiffs that sue federal, state, and local government officials over public expressions of religion from recovering monetary damages or lawyers' fees.

Opponents of the bill, including a number of civil liberties organizations, believe that it is potentially unconstitutional and provides no protection from officials who may violate individual rights under the First Amendment. Supporters, including the American Legion, believe it is necessary to protect free speech and religious exercise. They point to expenses that government face when defending against cases such as those that seek the removal of the Ten Commandments from public buildings, crosses from public seals, or Boy Scout groups from public property.

The measure was approved by the House 244-173, with 26 Democrats voting for the bill and six Republicans opposing it. There does not appear to be any plan to take up the measure in the Senate.

TRANSPORTATION

Peters cleared to be the next Transportation Secretary, and House passes technical corrections to SAFETEA-LU. Just before adjourning in the early morning hours of September 30, the Senate voted to approve Mary E. Peters to be the next Secretary of Transportation. Earlier in the week, the Senate Commerce Committee formally approved her nomination unanimously (see September 22 Washington Report for additional details).

Also last week, the House passed by voice vote, legislation (HR 6233) to make technical corrections to the 2005 Safe, Accountable, Flexible, and Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). The measure is designed to rectify drafting errors and clarify provisions in the enormous law that were identified by the Department of Transportation. The bill also strengthens language to allow for intended spending on highway research programs, and corrects errors of misidentification on some of the thousands of earmarks in the bill. No additional spending was authorized, nor were any earmarks added, according to House Transportation and Infrastructure Committee Chairman Don Young (R-AK). The legislation now heads to the Senate and is expected to pass without debate when Congress returns in November.

Finally, in the final hours of the session before adjournment, Congress passed the SAFE Port Act (HR 4954). The port security bill would authorize $400 million annually from fiscal 2007 through fiscal 2011 for local port security grants. It would also authorize $443 million for the container security initiative and $212 million for the Customs-Trade Partnership Against Terrorism over the life of the measure. Additionally, the measure would require the 22 largest ports to install equipment by December 31, 2007, that would enable them to scan all containers entering the U.S. at those locations.

However, additional funds for rail and mass transit security initiatives sought by many Senators were not included in the conference report.

HOUSING

House approves reauthorization of HOPE VI program. The House last week approved legislation (HR 5347) that would reauthorize the HOPE VI program for severely distressed public housing at the Department of Housing and Urban Development (HUD). However, the measure was significantly scaled down from the version approved by the House Financial Services Committee earlier this year.

No programmatic changes were made in the bill, but sponsors were forced to reduce the authorization length from FY 2007 to FY 2011 to only FY 2007. The Bush Administration has recommended elimination of the program for the last several years, maintaining that it has accomplished its original goal of demolishing 100,000 units and is no longer necessary. Congress provided

$99 million for the program in FY 2006, but at its height the program received $778 million.

For FY 2007, the House recommended elimination of the program per the Bush Administration request, but the Senate Appropriations Committee suggested $100 million. The Program has survived in recent years largely because one of its leading proponents, Senator Kit Bond (R-MO), is Chairman of the Appropriations Subcommittee with jurisdiction over HUD.

The Senate did not take up HR 5347 before adjourning.

HEALTH

House passes Ryan White reauthorization; Senate remains stymied by formula fight. The House passed, 325-98, legislation (HR 6143) to reauthorize federal HIV and AIDS programs through 2011. The overwhelming vote in favor of the Ryan White Reauthorization bill, which is named after an Indiana child who died of AIDS contracted through a blood transfusion, came despite deep misgivings of urban lawmakers about formula changes in the bill that would shift funding from urban areas to rural areas that have seen a surge in HIV and AIDS cases since Congress last authorized the programs.

Under the bill, the program, which is currently funded at about $2 billion, would grow by 3.7 percent each year through FY 2011. Urban lawmakers, led by those from New York, New Jersey and California, argue that while increasing resources for rural areas is important, those increases should not come at the expense of existing programs serving hard hit urban areas. They argue that the program should be expanded in order to meet the needs of all areas.

The House action comes as similar legislation (S 2823) remains stymied by a similar funding dispute in the Senate. Senators Hillary Clinton (D-NY), Charles Schumer (D-NY), and Robert Menendez (D-NJ) have placed holds on the bill in an effort to prevent funding losses in their states. It appears unlikely that the Senate impasse will be overcome and some Members have begun pushing for a short-term reauthorization of Ryan White to give Congress more time to overcome these disagreements.

Community Health Endowment of Lincoln

Media Release

To: Media
CC: Mayor's Office, Lincoln City Council
From: Lori Seibel, Executive Director, 436-5516
Date: 10/2/2006
Re: Year 2006-07 Funding Priorities

Community Health Endowment Announces Funding Priorities for FY 2006-07

During FY2006-07, the Community Health Endowment of Lincoln (CHE) will make **$1,000,000** available to improve community health in Lincoln and to achieve the CHE vision of "making Lincoln the healthiest community in the nation." Specifically, CHE will provide funding in the following areas:

Commit approximately $595,000 for the following targeted initiatives:

- Fund selected recommendations that result from the Methamphetamine Initiative, a bold community effort to combat and prevent methamphetamine use in Lincoln.
- Provide continued funding of a formal network of non-profit healthcare providers who serve uninsured populations that features, but is not limited to:
  - A formal referral system of volunteer physicians (specialty and primary care) and other healthcare providers;
  - A cost-effective and use-friendly patient tracking system;
  - Medical Assistance Program; and
  - Stipend resources that provide operational funding to non-profit clinics that serve the uninsured (translation, medical staff, transportation, support staff, case management, etc.)
- Fund a pilot initiative to combat childhood obesity and Type II diabetes in children/youth who present at public dental clinics with the dual risk factors of dental decay and obesity.
- Capital construction, facility renovation (new construction or renovation), and equipment. A minimum of dollar-for-dollar match is required.

Commit up to $30,000 to fund these special initiatives:

- Continue staffing of the Medical Translation and Interpretation Leadership Group for up to three years.

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- Research the need and feasibility of establishing a chronic pain clinic for the uninsured.

Micro-Project Funding

- CHE will provide **$100,000** to fund at least 10 micro-projects, one-time or one-year projects of $10,000 or less. Any non-profit agency or organization in Lincoln/Lancaster County is eligible to submit an application for micro-project funding.

  CHE welcomes applications that address any topic with the potential to make Lincoln a healthier community.

Ongoing Obligations for Multi-Year Projects

- CHE will make **$225,000** available to fund existing multi-year projects.

"In its seven year history, CHE has committed over $8.5 million in grants to improve the health of our community, At the same time, we continue to grow the fund at the rate of inflation for the benefit of future generations," according to Dan Anderson, President of the CHE Board of Trustees. *"We see daily the impact of these funds and we look forward to seeing even more good things happen in our community."*

For further information, or to obtain application materials, contact CHE at 436-5516.

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: October 2, 2006
FOR MORE INFORMATION: Beth Mann, 441-8040
Household Hazardous Waste Coordinator

LAST HOUSEHOLD HAZARDOUS WASTE COLLECTION FOR THE YEAR IS SCHEDULED FOR OCTOBER 14, 2006

The Lincoln-Lancaster County Health Department is holding its last Household Hazardous Waste Collection for the year on Saturday, October 14, 2006, from 9:00 a.m. to 1:00 p.m., at the State Fair Park 4-H Youth Complex. The collections are for residents of Lincoln and Lancaster County. They are for households only; not for businesses.

"I hope that all the citizens of Lincoln and Lancaster County will take advantage of this last collection of the year," said Beth Mann, Household Hazardous Waste Program Coordinator. "It's the time of year when children and pets are inside homes and garages more. So now is the perfect time to get rid of any household hazards that are potential health and safety risks."

There are several automotive products in garages that contain hazardous chemicals. These include upholstery cleaners, window cleaning products, brake fluids, carburetor cleaners, power steering fluid, Freon, cleaning and degreasing solvents, transmission fluids, wax and grease removers, spray paints, mixed or old gasoline, and mercury switches. Lawn care products including the EPA banned chemicals and pesticides that contain DDT, chlordane, silvex, Pentachlorophenol (PCP), Dursban, and indoor use Diazinon should be brought to the collection.

Other household hazardous waste items include solvents such as mineral spirits, turpentine, paint thinners, varnishes, stains, polishes, and waxes, pool cleaning chemicals,

-more-

muriatic acid, oil-based paints, roach powder, flea and tick powders, rat poisons, charcoal starter fluids, mercury containing items including thermometers, and items containing PCBs such as ballasts from old fluorescent lamps and small capacitors from old appliances.

Latex paint should not be brought to these collections. Small amounts of latex paint can be dried and put in the trash. Items that can be recycled locally, and will not be accepted at the collections, include electronic equipment, fire extinguishers, motor oil, antifreeze, propane cylinders, mercury thermostats, and batteries including lead acid, button, mercury and lithium. Other items that are not accepted include medicines, fertilizers, explosives, or ammunition. For recycling information and for advice on how to dispose of unacceptable items contact the Lincoln-Lancaster County Health Department at 441-8021 or visit our website at http://www.ci.lincoln.ne.us/city/health/environ/poll/.

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PLANNING COMMISSION FINAL ACTION
NOTIFICATION

TO : Mayor Coleen Seng
Lincoln City Council

FROM : Jean Walker, Planning

DATE : September 28, 2006

RE : **Special Permit No. 06050**
(Increase area of on-sale alcohol at Coyote Willy's Bar, 2137 Cornhusker Hwy)
Resolution No. PC-01018

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, September 27, 2006:

> Motion made by Strand, seconded by Krieser, to approve **Special Permit No. 06050,** with conditions, requested by Lead Dog Entertainment, for authority to expand a nonconforming use to increase the area where the sale of alcoholic beverages for consumption on the premises is allowed at Coyote Willy's Bar at 2137 Cornhusker Highway.
>
> Motion for conditional approval carried 9-0 (Strand, Cornelius, Sunderman, Taylor, Larson, Krieser, Carroll, Esseks 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
Mike Eckert, Civil Design Group, 3901 Normal Blvd., Suite 203, 68506
Lead Dog Entertainment, Inc., 6100 S. 58th Street, Suite E, 68516
EJC Corp., 800 Oak Street, 68521

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RESOLUTION NO. PC-01018

SPECIAL PERMIT NO. 06050

WHEREAS, Lead Dog Entertainment has submitted an application designated as Special Permit No. 06050 for authority to expand a nonconforming use to increase the area where the sale of alcoholic beverages for consumption on the premises is allowed at Coyote Willy's Bar at 2137 Cornhusker Highway, and legally described as:

Lot 1, E.J.C.'s Subdivision, Lincoln, Lancaster County, Nebraska;
and

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

WHEREAS, the community as a whole, the surrounding neighborhood, and the real property adjacent to the area included within the site plan for this expansion of a non-standard area 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 Lead Dog Entertainment, hereinafter referred to as "Permittee", to expand a nonstandard use to increase the area where the sale of alcoholic

Beverages for consumption on the premises is allowed by 750 square feet on property described above 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 area be in strict compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This approval permits the expansion of the area designated for the sale of alcohol for consumption of the premises as shown on the site plan.

2. Before receiving building permits:

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

i. A revised site plan including **5** copies showing the change of the title of the Parking Lot Matrix to "Existing Parking Stall Count." Delete "stalls required" from the matrix.

ii. Provide documentation from the Register of Deeds that the letter of acceptance as required by the approval of the special permit has been recorded.

b. The construction plans comply with the approved plans.

3. Before the sale of alcohol for consumption of the premises, all development and construction must comply with the approved plans.

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

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

6. The Permittee shall sign and return the letter of acceptance to the City Clerk within 60 days following the approval of the special permit, provided, however, said 60-day

period may be extended up to six months by administrative amendment. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, 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 27 day of September, 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 : October 2, 2006

RE : **Special Permit No. 05015A,** Amendment to the
Hartland's Garden Valley Community Unit Plan
(N. 14th Street and Fletcher Avenue)
Resolution No. PC-01019

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, September 27, 2006:

> Motion made by Carroll, seconded by Taylor, to approve **Special Permit No. 05015A,** with conditions, as amended, requested by Hartland Homes, Inc., for authority to amend the Hartland's Garden Valley Community Unit Plan by adding 4.67 acres and 23 lots, with requested waivers to allow blocks to exceed maximum block lengths, to reduce average lot width, to reduce lot area, to allow double frontage lots, to eliminate pedestrian easements, and to allow sanitary sewer to flow opposite street grades, on property generally located northwest of N. 14th Street and Fletcher Avenue.
>
> Motion for conditional approval, as amended, carried 9-0 (Strand, Cornelius, Sunderman, Taylor, Larson, Krieser, Carroll, Esseks 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
Marcia Kinning, ESP, 601 Old Cheney Road, Suite A, 68512
Hartland Homes, Inc., P.O. Box 22787, 68542
Peter Katt, P.O. Box 95109, 68509
Keith Spilker, 900 Fletcher Avenue, 68521

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RESOLUTION NO. PC-01019

SPECIAL PERMIT NO. 05015A

WHEREAS, Hartland Homes, Inc. has submitted an application designated as Special Permit No. 05015A for authority to amend Hartland's Garden Valley Community Unit Plan by adding 4.67 acres and 23 lots, with requested waivers to the Zoning Code, Land Subdivision Ordinance, and City of Lincoln Design Standards to allow blocks to exceed maximum block lengths, to reduce average lot width, to reduce lot area, to allow double frontage lots, to eliminate pedestrian easements, and to allow sanitary sewer to flow opposite street grades on property generally located northwest of N. 14th Street and Fletcher Avenue, and legally described as:

> Lots 1 through 7, Block 1, Lots 1 through 11, Block 2, Lots 1 through 4, Block 3, Lots 1 through 18, Block 4, Outlots 'A', 'B', 'C', 'D', 'E', 'F', and internal street right-of-way, Hartland's Garden Valley Addition, Located in the Southeast Quarter of Section 35, Township 11 North, Range 6 East of the 6th. P.M., Lincoln, Lancaster County Nebraska, and more particularly described as follows:
>
> Beginning at the Northeast corner of said Outlot 'E'; thence along the East line of said Outlot 'E', said line also being the West Right-of-Way line of North 14th Street S 00°12'41" W a distance of 1228.72' to the Southeast corner of said Outlot 'E'; thence along the North Right-of-Way line of Pennsylvania Avenue, N 89°51'18" W a distance of 1919.41' to the Southwest corner of said Outlot 'C'; thence along the West line of said Outlot 'C' & 'B', N 00°21'42" E a distance of 937.20' to the Northwest Corner of said Outlot 'B'; thence along the South line of said Outlot 'A', N 89°54'10" W a distance of 626.06' to the Southwest corner of said Outlot 'A'; thence along the West line of said Outlot 'A', said line also being the East Right-of-Way line of North 7th Street N

00°25'29" E a distance of 304.23' to the Northwest corner of said Outlot 'A'; thence along the South Right-of-Way line of Humphrey Avenue S 89°55'07" E a distance of 2261.97'; thence along the West Right-of-Way line of North 13th Street, S 00°04'53" W a distance of 10.00'; thence along the South Right-of-Way line of Humphrey Avenue, S 89°55'07" E a distance of 170.00'; thence S 00°04'53" W a distance of 5.00'; thence along the South Right-of-Way line of Humphrey Avenue, S 89°55'07" E a distance of 109.87' to the point of beginning, having an area of 2,570,247.35 square feet or 59.0 acres, more or less.

and

Lot 2 and Lot 3 except the South 7.00 feet and part of Lot 1, Block 4, and the East Half of Lots 1 and 4 except the South 7.00 feet, Block 3, and that part of North 11th Street which lies between Blocks 3 and 4, Garden Valley, located in the Southeast Quarter of Section 35, Township 11 North, Range 6 East of the 6th. P.M., Lincoln, Lancaster County Nebraska, and more particularly described as follows:

Beginning at the intersection of the East line of said Lot 3, Block 4 and the North Right-of-Way line of Fletcher Avenue; thence along the North Right-of-Way line of Fletcher Avenue N 89°46'39" W a distance of 1004.56' to a point on the North Right-of-Way line of Fletcher Avenue; thence N 00°18'05" E a distance of 1255.54' to a point on the North line of said Lot 1, Block 3; thence along the North line of said Blocks 3 and 4, said line also being the South Right-of-Way line of Southwick Avenue S 89°51'18" E a distance of 1342.15' to the Northeast corner of said part of Lot 1, Block 4; thence S 00°12'48" W a distance of 151.19'; thence S 00°11'45" W a distance of 449.85; thence north 89°34'03" W a distance of 339.30'; thence along the East line of said Lot 3, Block 4 S 00°21'07" W a distance of 374.41'; thence S 00°06'04" W a distance of 283.15' to the point of beginning, having an area of 1,464,414.04 square feet or 33.62 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 amended 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 Hartland Homes, Inc. hereinafter referred to as "Permittee", to develop Hartland's Garden Valley Community Unit Plan for 346 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 approval permits:

   a. 346 single-family dwelling units.

   b. A waiver of Section 26.23.130 prohibiting block lengths to exceed 1,320 feet in order to allow Block 9 to exceed the maximum block length.

   c. A reduction of the required average lot width in the R-3 Residential District from 50 feet to 41 feet.

   d. A reduction of the required lot area in the R-3 Residential District from 6,000 sq. ft. to 4,500 sq. ft.

   e. A waiver of Section 26.23.140(e) of the Lincoln Municipal Code prohibiting double frontage lots in order to allow Blocks 1 and 9 to have double frontage lots.

   f. A waiver of Section 26.23.125 of the Lincoln Municipal Code requiring a pedestrian way when a block exceeds 1000 feet in length in order to eliminate the pedestrian way easement in Block 9.

   g. A waiver of the Sanitary Sewer Design Standards § 3.6 to allow running sanitary sewer opposite street grades in Garden Valley Road and N. 10th Street.

2. The City Council must approve the following associated request:

   a. Change of Zone #06053.

   b. Annexation #06014.

3. Final plats must be approved by the City. 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.

Before the approval of a final plat, the public streets, private roadway improvements, sidewalks, public sanitary sewer system, public water system, drainage facilities, land preparation and grading, sediment and erosions control measures, storm water detention/retention facilities, drainageway improvements, street lights, landscaping screens, street trees, temporary turnaround and barricades, and street name signs, must be completed or provisions (bond, escrow or security agreement) to guarantee completion must be approved by the City Law Department. The improvements must be completed in conformance with adopted design standards and within the time period specified in the Land Subdivision Ordinance.

4. The Planning Director may approve final plats after the Permittee has signed an agreement that binds the Permittee and Permittee's successors and assigns:

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

b. To complete the installation of sidewalks along both sides of the streets and along the south side of Humphrey Ave., and the north side of Fletcher Ave. as shown on the final plat within four (4) years following the approval of the final plat.

c. To construct the sidewalk in the pedestrian way easements in Outlot 'B', Block 1 at the same time as Garden Valley Road is paved and to agree that no building permit shall be issued for construction on Lots 11 & 12, Block 1 until such time as the sidewalk in the pedestrian way easement is constructed.

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

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

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

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

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

l. To complete the installation of the permanent markers prior to construction on or conveyance of any lot in the 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 complete the public and private improvements shown on the Community Unit Plan.

o. 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.

p. To retain ownership of and the right of entry to the outlots in order to perform the above-described maintenance of the outlots and private improvements on a permanent and continuous basis. However, Subdivider may be relieved and discharged of such maintenance obligations 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:

(1) Subdivider shall not be relieved of Subdivider's maintenance obligation for each specific private improvement until a register 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.

(2) 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 maintain the outlots and private improvements on a permanent and continuous basis.

r. To keep taxes and special assessments on the outlots from becoming delinquent.

s. To maintain the plants in the medians and islands on a permanent and continuous basis.

t. To maintain the sidewalks in the pedestrian way easements on Outlot 'B', Block 1 on a permanent and continuous basis.

u. 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 Subdivider.

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

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

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

y. To relinquish the right of direct vehicular access from Lots 47-51, Block 9 and Oultot 'D' to N. 14th St.

5. Before a final plat is approved:

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

i. A revised site plan including 5 copies showing the following revisions:

(1) Show the existing right-of-way on N. 14th St., Humphrey Ave. and Pennsylvania Ave.

(2) Remove Lot 9, Block 19 from the CUP. Revise the boundary of the CUP. This lot is not shown within the boundary of the annexation.

(3) Show Mum Dr. extending west from Jayden Ave. as shown on the approved site plan of Special Permit #05015.

(4) Revise the future street pattern so it allows the existing houses to remain.

(5) Remove or define the symbols from Lots 23-17, Block 13 and Lots 1, 3, & 4, Block 14 on the Landscape Plan.

(6) Add street trees on Crocus Dr. to the Landscape Schedule.

(7) Change the quantity of street trees for Bobby Lane.

(8) Add a note to the Landscape Plan stating that the installation of the plant material shall be by a certified landscape contractor as approved by the Parks and recreation Department.

(9) Revise the legal description on Sheet 1.

(10) Revise Note 1 on Sheet 1 to 19 blocks and 346 lots.

(11) On Sheet 1, delete "except an existing residential access for Lot 9, Block 19" from Note 10.

(12) Delete waiver #1, it is not necessary to request a waiver to a preliminary plat when doing a CUP.

(13) A future public park location shall be provided within the CUP to the satisfaction of the Parks & Recreation Department and as agreed to with the Owner. The Planning Director may deny any final plat which, prior to approval of a park location, may impair the ability of the public park to be located within the CUP.

(14) Show utility easements as requested by LES report of August 14, 2006.

(15) Make corrections to the satisfaction of Public Works and Utilities Department per their memo of August 17, 2006.

ii. Provide documentation from the Register of Deeds that the letter of acceptance as required by the approval of the special permit has been recorded.

b. The construction plans comply with the approved plans.

6. Before occupying the dwelling units 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 homeowners association approved by the City.

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

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

10. The Permittee shall sign and return the letter of acceptance to the City Clerk Clerk within 60 days following the approval of the special permit, provided, however, said 60-day period may be extended up to six months by administrative amendment. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, 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 27 day of September, 2006.

ATTEST:

Chair

Approved as to Form & Legality:

Chief Assistant City Attorney

M e m o r a n d u m

To: Mayor Coleen J. Seng

From: Karl Fredrickson

Subject: Cooperative Services

Date: September 12, 2006

cc: Roger Figard, Bill Nass, A.F. Edwards, Robert Jacobs, Jim Tompsett, Thomas Shafer, LeRoy Uglow, Al McCracken, Roger Tiedeman

The Department of Public Works and the County Engineer's Office, met to discuss snow and ice control and unpaved roadway maintenance for the year 2007. The County Engineer's Office has agreed to provide maintenance including, grading, graveling, rocking, and snow plowing on the following list of City roadways, and also agrees to exchange pavement marking maintenance as needed, these roadways are shown on the attached map.

In exchange the City of Lincoln Public Works Department will provide snow and ice control which shall include, anti-icers, salting, sanding and snow plowing on the following list of County roadways.

The City of Lincoln Public Works Department agrees to provide payment for materials, primarily rock and gravel with an estimated cost of $15,000 per year, used while performing said maintenance during the 2007 Calendar Year, and shall notify the County Engineers Office, when any of the City roadways in this agreement are contracted for paving with a tentative starting date.

We are proposing to implement this services agreement to better coordinate routing of equipment during snow and ice control and daily maintenance operations.

Karl Fredrickson
Director of Public Works & Utilities

Don Thomas
County Engineer

County City Coop Services.wpd

COUNTY ROADS THE CITY WILL MAINTAIN

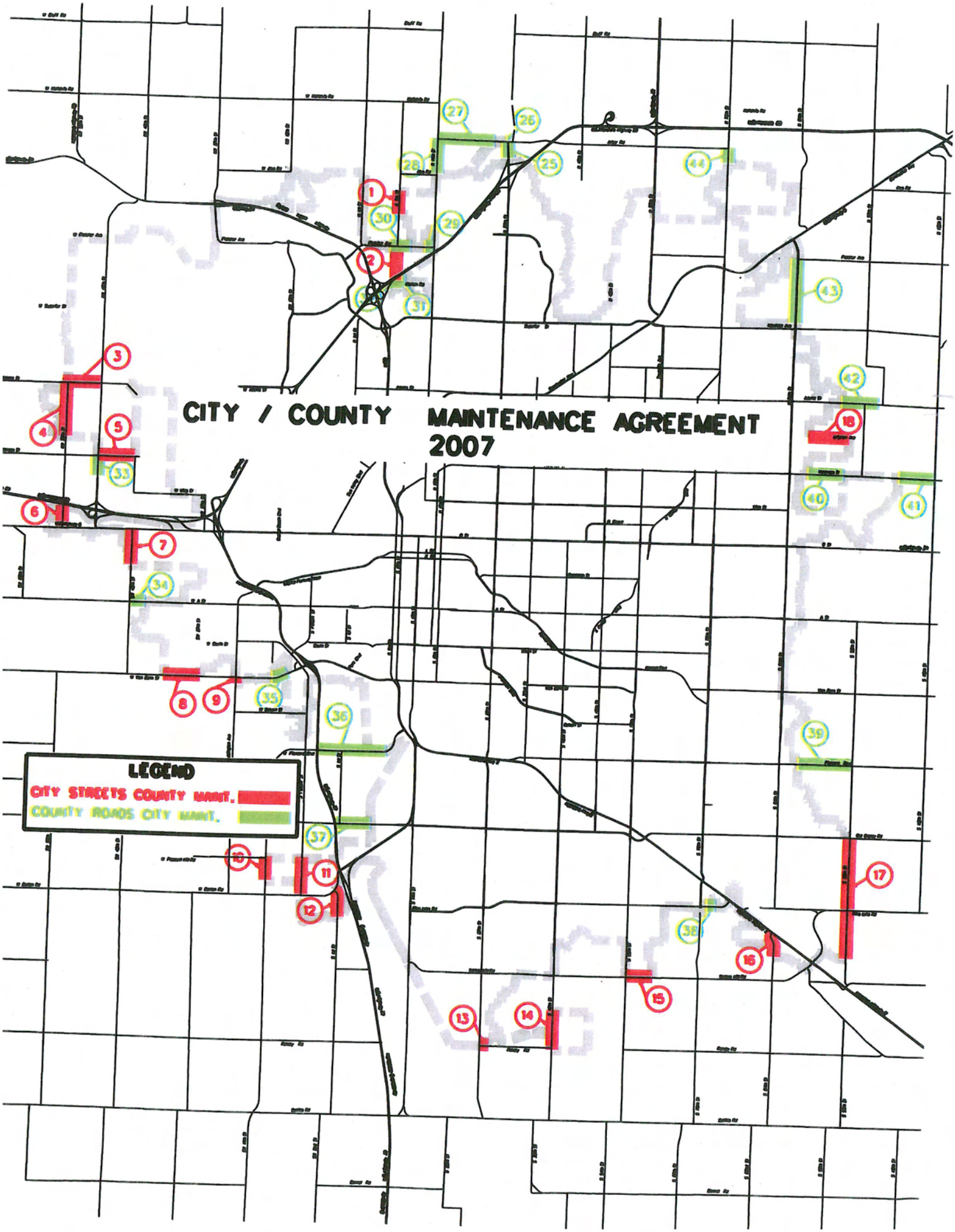
9/8/06

ID #	LOCATION	LANE MILE 2007
25	N. 27th- Arbor Rd. to the north city limits (4 lanes) paved	0.98
26	Arbor Rd.- east city limits to 27th	0.04
27	Arbor Rd.- 14th to the west city limits	1.72
28	N. 14th- From Arbor Rd. south to the city limits at Alvo Rd.- paved	0.98
29	Fletcher Ave.- city limits at 12th to 14th- paved	0.25
30	Fletcher Ave.- city limits at 6th to city limits at 10th- paved	0.56
31	Morton St.- city limits at 8th to city limits west of 10th- unpaved	0.11
32	N. 7th- city limits north of Pine Tree to city limits south of Morton- unpaved	0.19
33	NW 48th- W. Holdrege to 1/4 mile south of W. Holdrege- paved	0.58
34	W. "A"- SW 37th to SW 40th- paved	0.41
35	W. Van Dorn- city limits at SW 12th to city limits at SW 9th- paved	0.45
36	Pioneers Blvd.- west city limits to Homestead Expressway- paved	1.86
37	Old Cheney Rd.- BNSF RR to Homestead Expressway- paved	0.95
38	Pine Lake Rd.- 72nd to 73rd- paved	0.24
39	Pioneers Blvd.- 88th to 98th- paved	1.50
40	Holdrege St.- city limits at 87th to city limits at 95th- paved	1.01
41	Holdrege St.- city limits at 105th to 112th- paved	1.01
42	Adams St.- east city limits to end of paving at approx. 100th- paved	0.99
43	N. 84th- from Fletcher south to the city limits (4 lanes)- paved	3.57
44	N. 70th St.- Arbor Rd. to the north city limits- paved	0.43
	TOTAL	**17.83**

CITY STREETS THE COUNTY WILL MAINTAIN

9/8/06

ID #	LOCATION	LANE MILE 2007
1	N. 7th- city limits south of Humphrey to the city limits north of Humphrey- unpaved	0.63
2	N. 7th- from Morton to the city limits south of Fletcher Ave.- unpaved	0.76
3	W. Adams- NW 48th to the west city limits- unpaved	1.05
4	NW 56th- from Adams 3/4 mile south- unpaved	1.50
5	W. Holdrege- NW 48th to NW 40th- unpaved	1.01
6	NW 56th- W. "O" to the I-80 bridge- (.19 unpaved .38 paved)	0.57
7	SW 40th- "O" to the south city limits- unpaved	1.00
8	W. Van Dorn- city limits at SW 32nd to the city limits west of Forest View- paved	1.00
9	Coddington Ave.- from Van Dorn south 500'- paved	0.23
10	SW 12th- Pleasant Hill Rd. to the city limit south of West Ridge- unpaved	0.65
11	Folsom- from W. Denton Rd. north to the city limits- unpaved	1.00
12	S. 1st- from W. Denton Rd. to the south city limits- unpaved	0.79
13	Rokeby Rd.- 27th to the east city limits at 29th- unpaved	0.25
14	S. 40th- city limits north of Rokeby Rd. to the city limits south of Rokeby Rd.- unpaved	1.07
15	Yankee Hill Rd.- from 56th east to the city limits- paved	0.72
16	S. 84th- Highway 2 to 455' south of Amber Hill Rd. (4 lanes)- paved	1.64
17	S. 98th St.- from Old Cheney Rd. south to the city limits- unpaved	3.34
18	Leighton Ave.- end of paving at 87th to the east city limits- unpaved	1.13
	TOTAL	**18.34**


CITY / COUNTY MAINTENANCE AGREEMENT
2007
LEGEND
CITY STREETS COUNTY MAINT.
COUNTY ROADS CITY MAINT.

"GTPROKOP"
<GTPROKOP@cox.net>
09/28/2006 08:21 PM

To "lincoln planning" <plan@lincoln.ne.gov>, "lincoln mayor" <mayor@lincoln.ne.gov>, "lincoln commishiner" <commish@lincoln.ne.gov>, "lincoln city council"
cc
bcc
Subject New proposed drag strip

Does Lancaster county have something against revenue dollars?
Whether people want to believe it or not there is a lot of interest in motorsport activities, and to be closed minded about it in this day and age is not a wise thing to do, we need to look at every avenue for revenue dollars don't leave any stone unturned. Maybe some people don't think this is such a wise idea, but why is it only there decision? There are a lot of people that spend every Friday and Saturday night in Glenwood Iowa at that motor sports facility, and if you don't think there is any interest in this I invite you to spend a Saturday night down there and see how much money is being spent, and it's all money being spent in a different state.There are a lot of people with vested interest in some form of motorsports that travel to a different state every weekend to race there cars at other facilities and if there were one here we could keep more revenue right here in our own state. It's also a great way to keep street racing down and keep our streets safe, when kids have somewhere to go and race it helps city streets stay a safer place, and it's not just Lincoln, streets in Omaha and all surrounding communities would benefit from less street racing. We have to at least consider the economic growth we would all stand to gain.

Thanks for reading this e-mail
Local Dragracer

JWalker@ci.lincoln.ne.us
09/29/2006 11:15 AM

To "GTPROKOP" <GTPROKOP@cox.net>

cc "lincoln commishiner" <commish@lincoln.ne.gov>, "lincoln city council" <council@lincoln.ne.gov>, "lincoln mayor" <mayor@lincoln.ne.gov>, MKrout@ci.lincoln.ne.us,

bcc

Subject Re: Support: County Special Permit No. 06051, New proposed drag strip

Dear "Local Dragracer":

Thank you for submitting your comments, which have now become part of the record on this application.

Please be advised that this application is scheduled for public hearing before the Lincoln-Lancaster County Planning Commission on Wednesday, October 11th. The regular meeting begins at 1:00 p.m.

The Planning Commission action on this application will be a recommendation to the Lancaster County Board of Commissioners.

A copy of your comments is being submitted to each Planning Commission member for their consideration prior to the public hearing. A copy is also being provided to the applicant.

If you have any questions about the public hearing or this process, please do not hesitate to contact me.

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

"GTPROKOP"
<GTPROKOP@cox.net
>

09/28/2006 08:21
PM

To
"lincoln planning"
<plan@lincoln.ne.gov>, "lincoln
mayor" <mayor@lincoln.ne.gov>,
"lincoln commishiner"
<commish@lincoln.ne.gov>, "lincoln
city council"
<council@lincoln.ne.gov>

cc

Subject
New proposed drag strip

Does Lancaster county have something against revenue dollars?
Whether people want to believe it or not there is a lot of interest in motorsport activities, and to be closed minded about it in this day and age is not a wise thing to do, we need to look at every avenue for revenue dollars don't leave any stone unturned. Maybe some people don't think this is such a wise idea, but why is it only there decision? There are a lot of people that spend every Friday and Saturday night in Glenwood Iowa at that motor sports facility, and if you don't think there is any interest in this I invite you to spend a Saturday night down there and see how much money is being spent, and it's all money being spent in a different state.There are a lot of people with vested interest in some form of motorsports that travel to a different state every weekend to race there cars at other facilities and if there were one here we could keep more revenue right here in our own state. It's also a great way to keep street racing down and keep our streets safe, when kids have somewhere to go and race it helps city streets stay a safer place, and it's not just Lincoln, streets in Omaha and all surrounding communities would benefit from less street racing. We have to at least consider the economic growth we would all stand to gain.

Thanks for reading this e-mail
Local Dragracer

MTMCHEVY@aol.com
10/03/2006 07:56 AM

To council@lincoln.ne.gov
cc
bcc
Subject Motorsports facility

I strongly urge you to consider the application for the motorsports facility in Lancaster county.
This could be a world class track that would bring national events to Nebraska.
With a centralized location and easy access from I-80, I truly believe it would be great for Nebraska and the surrounding communities.
As a drag racer myself I would much rather spend my money at a Nebraska track then drive over to the track just south of Council Bluffs Iowa.

Thank you,

Mitch Misek

John Schlumberger
<john_schlumberger@yahoo.com>
10/02/2006 10:27 PM

To council@lincoln.ne.gov, commish@lincoln.ne.gov, mayor@lincoln.ne.gov
cc
bcc
Subject SP06051 Proposed Drag Strip in Northern Lancaster County

To Whom it may Concern,

I, John Schlumberger, am writing this e-mail to ask for your support regarding the proposed drag-racing facility in Northern Lancaster County. I support the construction of this facility in the proposed location for the following reasons:

#1 My friends and family enjoy attending and participating in safe and organized racing events, as well as car shows and other motorsport events.

#2 The vast majority of the population in Nebraska is in the Lincoln and Omaha area. There is a very large amount of potential for economic growth in the motorsports sector in this area because the next closest 1/4 mile drag-racing facility is currently located in Kearney.

#3 Get the racers off the streets and back onto the racetrack. Street racing is dangerous and stupid; we should have a safe and suitable place for that type of behavior.

#4 All of the smaller benefits, such as: out of state visitors (racers and spectators), hotels and restaurants, sales tax revenue, jobs, etc....

This project will benefit the community as a whole, not just the drag racers and car nuts. I hope that the Planning committee will consider that when making their decision. Thanks for your time.

Sincerely,
John Schlumberger

Get your email and more, right on the new Yahoo.com

"Todd Moore"
<Todd.Moore@exmark.com>
10/02/2006 02:31 PM

To <council@lincoln.ne.gov>
cc
bcc
Subject Ref.: Special Permit No: SP06051 - Proposed Drag Strip in Northern Lancaster County

To whom it may concern:

Please consider some of the facts and advantages to having an NHRA nationally sanctioned Drag Strip near (not in) Lincoln. An annual NHRA event will generate millions of dollars of revenue for local businesses from Motel / Hotels even 50 miles away to convenience stores. My wife and I ourselves spent $500 dollars at Topeka, KSat the Oreilly Nationals last memorial weekend. And 10-12 of our friends do the same. We do this every year, and thousands of people do the same.

I know the people living nearby the proposed site are concerned with the noise generated by drag races, and believe me, I don't blame them a bit. I'm 51 yrs. old and live in the country and enjoy peace & quiet also. But, the amount of noise is limited to two cars running at the same time for less than 15 seconds. This is nothing compared to sprint car or other circle track racing which is 20+ cars for 30 minutes or more non-stop, or even the Lincoln Airport. And as far as dirt or dust, it's pretty obvious a "dirt track" generates clouds of dust for miles during a single race, where a drag race is on pavement only. No dirt.

In the past 20yrs. I have gone to Nebraska Motorplex at Scribner to race and enjoy the local street race nights at least twice a year. My sons both love to race and watch races. The Friday Night and Saturday street races were great family nights, and local kids can come out and settle a grudge safely at the track, and not on the streets around our children or grandchildren.

We will not drive to Kearneyor Topekato race. It's just too far to trailer our cars. We would definetly come to a Lincolnarea track.

PLEASE , PLEASE consider Greg Sanford's application seriously, and have **all** the facts, not just complaints from the people who don't race or enjoy watching races or don't understand the **HUGE** economic gold mine this could be for Lancaster Co. and businesses.

Thank you,

Todd Moore

6808 W. Lilac Rd.

Beatrice, NE68310

rick.featherstone@novartis.com
10/05/2006 02:31 PM

To council@lincoln.ne.gov
cc
bcc
Subject Race track

To whom this may concern,

I live in Waverly and would make it to Scribner 1-2 times per year, it is to far to trailer the car. I usually take my car out to a local paved road and run it for fun. I don't street race other cars but have witnessed on many occasions, the street races around town on certain roads. These races happen every weekend and I think the track would help eliminate allot of this. If we had a track nearby I would probably be there at least twice a month. Any doubts to the street racing around Lincoln and Omaha? Then check out WWW.1320video.com.

Sincerely yours,
Rick Featherstone

Dan Schlitt
<schlitt@world.std.com>
10/02/2006 10:22 AM

To council@lincoln.ne.gov
cc
bcc
Subject Group Home Policy

Back in the days of the Goals and Policies Committee the regulation of group homes was an important issue. Lincoln evolved a set of regulations which has served the city well. The Near South has benefitted from those policies. They are one of the reasons that the area has become an attractive residential area. As I can attest, property values have increased.

As described in the newpaper this morning the agreement that the Council will be acting on is a travesty. Not only will it create larger and less adequately staffed homes, it will remove the important spacing requirements. It also seems to be an agreement that will benefit only one group home owner.

If it is the conclusion that the current regulations cannot be defended in court then the whole regulatory structure should be changed to one that can be defended. There should not be a special deal for one vendor. It should not contain special deals fo one part of the city.

The Council should reject this deal. The city should make a vigorous defense of the policy in court.

Dan Schlitt
2600 C Street

--

Dan Schlitt
schlitt@world.std.com

"Margaret Washburn"
<mwashburn@inebraska.com
>

10/02/2006 11:06 AM

To <council@lincoln.ne.gov>
cc
bcc
Subject Opposition to group home proposal

I am greatly concerned about the proposal being considered for group homes in neighborhoods. **I want to express opposition** to the proposal that would change the current City policy. I do not feel that the changes that are being proposed would be in the best interests of the residents of the group homes, the neighborhoods, or the city of Lincoln.
Thank you for relaying my message.
Margaret Washburn
619 So. 42nd St.
Lincoln, NE 68510

"Sovereign, Josh"
<jsovereign@fnni.com>
10/02/2006 10:54 AM

To council@lincoln.ne.gov
cc
bcc
Subject Group Home vote today

City Council Members:

I understand that this afternoon the council will voting on the number of people that can live in a group home. I am against increasing the number on non-related people who can live in a home. I am familiar with special permit zoning that would allow specific situations to be allowed. I would encourage the city council to not allow a major change to this ordinance for the fear the privilege being abused. I think the ordinance that does not allow more than three non-related people to live in the same home is important for the good of the neighborhoods and welfare of the other citizens of the city. I believe the motive of DSN is strictly greed driven. With no additional supervision it, neighbors who live in these neighborhoods feel less comfortable in their neighborhood. A recent task force reviewed this issue just a couple of years ago. Please remember:
In April 2004, a resident of a group home on Coddington Avenue dragged a 5-year old boy from his bike and stabbed him with a knife.

I have a 5 year old child, 3 year old, 1 year old and one on the way that I would hate to see hurt out of financial greed. Please consider the reasons we have our current ordinance and the findings of the task force.

Keep up the good work and thank you.

Josh Sovereign
645 S. 42nd Street
Lincoln, NE 68510
327-9360

William Wood
<ww34243@alltel.net>

10/02/2006 12:23 PM

Please respond to
wmwood@alltel.net

To council@lincoln.ne.gov
cc
bcc
Subject Group Homes

Council Members:

I am strongly opposed to a change to the city ordinance that would allow small group homes to have more residents and am also opposed to any change that would allow these homes to be grouped closer together.

Removing the distance requirement would allow these homes to be clustered in our older neighborhoods, as they once were. The residents need to be adequately supervised, which they would not be if more residents were allowed in these homes.

25 to 30 years ago our neighborhood faced this situation. These residents loitered on the streets and shop lifted from neighborhood stores.

Returning to such a situation would be a made move for Lincoln.

Do not give in to the advocacy groups and do-gooders who are promoting this. It would be a bad move for Lincoln. You need to fight this case on appeal and if the city can't win it needs to bargain a better settlement than this one.

If our council doesn't have the fortitude to fight something like this, rather than giving in, we need a change of council members.

William J. Wood
808 "D" Street
Lincoln, NE 68502

VKWFeline@aol.com
10/02/2006 12:32 PM

To council@ci.lincoln.ne.us
cc
bcc
Subject group homes 10/2/06

Dear Council members: I urge you to vote NO on the increased number of residents in group homes. The rationale for increasing the numbers is a disservice to the clients & those who are employed to serve them.

This is another example of serving the needs of the private sector instead of the public. More money SHOULD be allocated to serve people with disabilities - not to increase the private providers' coffers, but to hire more & better trained staff who can live on the salary. It would cut down on staff turnover, provide continuity of service, & pay for ongoing staff development.

Adding more people to the same staffing & square footage is close to unconscionable. Put people first, & expect more city revenue from those who are wealthy - individuals & businesses.

Ginny Wright
814 Lyncrest Drive (68510)
489-6239

Mike Kreikemeier
<mbk@alltel.net>
10/02/2006 02:25 PM

To council@lincoln.ne.gov
cc
bcc
Subject Group home concentration

I am writing to say that I OPPOSE any changes to current group home requirements.

I am a former employee of LOMR, which has undergone many name changes since I worked for them in the 1980's. One specific incident I recall involved myself trying to get five male clients settled down for the evening after a Friendship Club outing. Because another staff member showed up late for his shift, I was left to try to figure out what to do as one of the clients had me pinned to the ground and was repeatedly hitting my head to the floor. The client who attacked should never have been allowed to be in a supervised setting such as this. When the attack occurred, there was cheering and encouragement by the other clients. In my humble opinion, allowing larger numbers of challenged individuals to live in these group homes is NOT a good idea. They need more personal interactions, they deserve greater attention and in terms of keeping the voluminous records that are required as well as dispensing mediations, a lower staff to client ratio is to the client's advantage.

As a homeowner, we live near a group home and just a couple of houses down from a "Christian Heritage Homes" situation involving independently placed 17 and 18 year olds. We don't know the history or proclivities of any of these individuals and as such, I supervise much more closely. What might be a carefree afternoon is left with mom saying, "Don't get out of my sight." "You may pass though that yard to get to your friend's house, but go directly there and call when you arrive." Would I welcome this across an entire city block? No more than I would feel secure taking up a family residence at the Regional Center.

We do have kids that walk to school. We do have kids who like to bike around the neighborhood. We do have kids who like to play outside. I believe these activities should be encouraged. Providing a high concentration of mentally challenged individuals does not encourage any of this.

Please do not consider changing the current number restrictions within group homes or geographic restrictions for placement of these homes.

Sincerely,

Mary Kay Kreikemeier
3743 Woods Ave
mkk@alltel.net

"Nancy Carlson"
<nancy@voss-assoc.com>
10/02/2006 02:50 PM

To <Council@lincoln.ne.gov>
cc
bcc
Subject group home residents

I urge you to vote against increasing the number of group home residents allowed in a home. Please do not eliminate the current spacing requirements between group homes. Thank you. Nancy Carlson

"Jan Bostelman"
<janbostelman@dtnspeed.net
>

10/02/2006 11:52 AM

Please respond to
<janbostelman@dtnspeed.net>

To <council@lincoln.ne.gov>
cc
bcc
Subject Recycling of Aluminum Cans

Dear Chairperson Patte Newman,

City Council Members

I would like to address our concerns as a family to your proposed change to:

"Amending Title 5 of the Lincoln Municipal Code relating to Licenses and Regulations by amending or repealing sections within Chapter 5.41, Salvaging, Recycling and Composting Operations".

We live on a farm in ButlerCountyand collect aluminum cans from our own consumption of goods (many purchased in Lincoln) and from those items people feel compelled to throw out of their vehicles and into the ditches that surround our home and property. Our son is 12 years old and this is his project to collect aluminum cans and store them until there are enough cans to justify using our pickup truck to haul cans to Lincoln for salvage operations (normally around 100 pounds). This is normally completed at Mid-City Recycling on Vine Streetin Lincoln.

We have done this for several years since moving first to Lincoln and now to our farm as a way to teach our son responsibility and the benefits of recycling. This past Saturday, as we waited in line I noticed several cars unloading a couple of bags of aluminum cans with children carrying the cans to the conveyor system and the parents receiving payment for the cans.

Your proposed amendment may intend to deter thefts but will actually be placing an undo hardship on families and children. I feel portions of this amendment will stop many families from recycling at all because of the enormous hurdles you are placing

in front of them and demanding of them. Your requirements in Section 5.43.140 “Daily Report, Salvage Dealer” will eliminate families from recycling cans and other materials due to undue and *overbearing documentation* and fingerprinting just to turn in a couple dollars worth of cans.

This requirement is being placed on families and children because of a few criminals that may or may not use the recycling facilities in Lincoln. Quite frankly, if you pass this amendment without taking exception to the families that contribute to the recycling revenue created in small dollar amounts you will eliminate the desire to recycle at all by theses families and in our case we will travel to other cities to recycle our cans. This means the groceries that we normally buy on such trips, miscellaneous shopping, meals and fuel that we purchase during this trip will be directed to other communities that do not place such a burden on small scale single family clean up and in-house recycling projects. This last trip included over $800 in purchases in your city.

Additionally, the individual at the center indicated that we would have to pay $20 per visit to recycle cans in Lincoln. If that is the case I know you will completely eliminate aluminum can recycling by families and other recycling efforts completed by families (will this include Christmas tree chipping?) and I feel this is not the message the city of Lincolnwould like for its community. This will be a sad day for many in the area and it will impact the cities revenue flow as many of us will not longer travel to Lincolnto turn in cans but take our cans and dollars elsewhere to spend.

I would also suggest that you will be driving away many farmers who haul their old machinery and scrap metal to facilities in Lincoln. I do not feel metal prices will remain at the levels we see today and once they decline a significant drop in the “crime related” recycling will ensue. If farmers have to pay a fee to haul a load of scrap to a Lincolnfacility and not to a facility in a nearby city, I am certain your recycling facilities will see a drop in material and revenue.

Perhaps there is another means to deal with the recycling criminals thru local enforcements and random checks rather than placing this burden on law abiding citizens. I feel Lincolnwill

definitely loose revenue if you begin charging a fee each time someone drops off a few items.

I urge you to rethink this Amendment and work to encourage recycling and discourage criminal activities by other means.

A concerned citizen on Nebraska,

Bruce Bostelman

2751 X Road

Brainard, NE68626

VKWFeline@aol.com
10/02/2006 12:51 PM

To council@ci.lincoln.ne.us
cc
bcc
Subject Witherbee, 40th & A zoning

Dear Council members: As it turns out, I am unable to attend the meeting this afternoon. I urge you to SUPPORT the proposed zoning changes in the Witherbee, 40th & A
area, as presented by Tracy Line.

The neighborhood association did an outstanding job of surveying the affected residents, renters & property owners & problem solving before hand. This is an example of the value of excellent planning.

High density has been a sacred cow to the development community for as long as I've been involved in Lincoln issues & was on a committee with Mark Hunzeker. Higher density serves the private sector profits, but not necessarily the interests of neighbors & the quality of a neighborhood. It is detrimental to an established neighborhood to insert for density. It alters the dynamics, stability, & character of the neighborhood.

Density, when actually planned in, is another matter. Research shows that high density means intensity of life, sociologically unhealthy factors. Look where all the "slip-ins" were done in Lincoln for evidence of this truth. But, with sound planning, allowing open space, etc. a neighborhood can create it's best being for the residents at the time, & modify as time passes if "density for profits sake" is not imposed on it. Neighborhood stability, safety, person-to-person communication, a character that supports families.

Vote YES on the agreements & downzoning proposal. Thank you for putting the interests of the residents first.

Ginny Wright
814 Lyncrest Drive (68510)
489-6239

"Faith A White"
<white@neb.rr.com>
10/03/2006 03:16 PM

To <council@lincoln.ne.gov>
cc
bcc
Subject funds for pflag

I am certainly not in favor of giving Keno funds to pflag. They can raise money from their friends and family.

Faith A. White

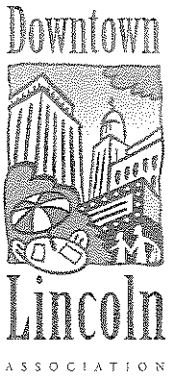
6200 Everett St.

Lincoln, NE 68506-1441

402-730-2843

White@neb.rr.com

RECEIVED
OCT 03 2006
CITY COUNCIL
OFFICE



Mayor Coleen Seng
City of Lincoln
555 South 10th Street
Lincoln, NE 68508

Chief Tom Casady
Lincoln Police Department
Justice and Law Enforcement Center
575 South 10th Street
Lincoln, NE 68508

Dear Mayor Seng and Chief Casady,

As you are aware, panhandling and the problem behaviors it leads to are serious concerns for downtown Lincoln. Despite the best efforts and responsiveness of Center Team Captain Bob Kawamoto and his officers, the situation has worsened in recent weeks.

Of particular concern is the increasing frequency of visibly intoxicated or drug-impaired individuals on the streets, most of whom are chronic abusers who support their addictions through panhandling. A number of these individuals are "revolving door" clients of Cornhusker Place, where they are admitted to detoxify.

Current law allows Cornhusker Place to hold these individuals in Civil Protective Custody no longer than 24 hours, when they are released and begin the cycle again. One such individual was admitted 159 times in 2005-06; a number of other chronic offenders also have multiple admissions.

Jim Baird, Executive Director of Cornhusker Place, recently briefed me on LB 464, which would have changed the length of time chronic offenders could be held for detox to 72 hours. Jim believes a longer intervention period is needed for the chronic population in order to attempt to address their addictions. He also advises that language changes defining who can be admitted into Civil Protective

206 South 13th Street, Suite 101
Lincoln, NE 68508
(402) 434-6900
FAX (402) 434-6907
www.downtownlincoln.org

Custody should be made to bring state statutes into today's world of legal and illegal drug use combined with alcohol.

While I know that the City of Lincoln has other legislative matters to pursue for the upcoming session, I urge you to make passage of LB 464 a high priority. The current situation is costly to the taxpayers and does not provide an opportunity to address the cycle of addiction that underlies so many of the problem behaviors we are seeing in downtown.

DLA will do whatever is necessary to support passage of this legislation. Please make this a high priority.

Sincerely,

Polly M. McMullen

Polly M. McMullen
President

cc: City Council
Jim Baird – Cornhusker Place
Bruce Bohrer – Lincoln Chamber of Commerce
Diane Schimek – State Senator

"Wendy L O'Connor"
<woconnor1@unlnotes.unl.edu>
10/04/2006 01:12 PM

To council@lincoln.ne.gov
cc womo@inebraska.net, gandkt@alltel.net
bcc
Subject Keno and PFLAG

Dear Councilmembers:

In terms of Keno dollars, I am aware that the stated purpose of PFLAG is to "identify and keep safe gay and lesbian youth in the behavior health and juvenile justice systems". In reality, PFLAG is an organization with a strong agenda of recruitment and retention. It is also a very politically active organization bent on mandating "tolerance" and forcing "acceptance" of homosexuality as a legitimate and acceptable lifestyle. The majority of citizens are not in agreement with this viewpoint.

I find the "keeping kids safe" a very thin veil over PFLAG's true agenda. Please note the articles below. There are many more I can provide at your request.

I request that Keno dollars NOT be provided to PFLAG.

Sincerely,
Wendy L. O'Connor

Tufts University Hosts 2nd Annual Gay 'Teach-Out'

MEDFORD, MA - The Gay, Lesbian and Straight Education Network (GLSEN) held its second (now annual) gay sex conference at Tufts University on March 24. Despite the parental outrage and nationwide negative publicity that followed last year's event, when a concerned parent's audiotapes of the sexually explicit sessions became public (see *Education Reporter* **July** & **Sept.** 2000), this year's conference was reportedly larger. An internet "News Alert" from the Parents Rights Coalition of Massachusetts (PRC) called the conference "a thinly disguised sex festival and recruitment fair, with even more students bussed in this year than last."

The *Massachusetts News* estimates that 400 students and 250 teachers and administrators attended this year's "Teach-Out." According to the newspaper, public funds helped the private sponsor, GLSEN, pay for the event. At least two public school buses were used to transport children.

The pretext for this year's conference was student safety and overcoming homophobia, but Planned Parenthood set up a booth and distributed what were presumably "safe" sex kits containing one latex glove and lubricant, with instructions for their use.

All tape recorders and cameras were banned as a result of last year's bad publicity, and conference attendees were frequently reminded of this rule. The PRC stated in its alert that Tufts University police "prevented parents and journalists from observing events at the conference." The press *was* allowed to peruse the display tables, attend lunch, and witness the final event of the conference, a play that was reportedly "substantially cleaned up" from last year, with the sexual innuendo and crude jokes removed.

A new workshop entitled "A Look At Last Year's Setbacks in Massachusetts, What We Have Learned and How We Can Move Forward" was added to the agenda. The description read in part: "Over the past year, one of the nation's most successful safe schools programs for GLBT (gay, lesbian, bisexual and trans-gender) youth has been beset by attacks from reactionary forces both inside and outside the public education bureaucracy." It claimed that

"backsliding" is now evident in parental notification policy, teacher certification standards, students' rights regulations, and parameters for HIV/AIDS instruction. The work-shop's aim was to explore responses to such "challenges."

Other workshops included: "Addressing GLBT Issues in Preschools, Daycare and Kindergartens: A Networking Summit and a Chance to Share Experiences," "Gay Rights 101, Incorporating the Basics of the Gay Rights Movement Into Your U.S. History Curriculum," "From Lesbos to Stonewall: Including the History of GLBT Individuals in a HS or Middle School World History Curriculum," "Incorporating GLBT Inclusive Literature in the High School English Curriculum," "Using the Arts to Express and Explore GLBT Issues in Your School," and "Homophobia in School Athletics."

Literature available to students at the conference included a brochure entitled "Be Yourself," published by the gay activist group PFLAG. Citing the discredited Alfred Kinsey as its source, this brochure states: "Most people have some attraction to the same sex during their lives," and "Being gay is as natural, normal and healthy as being straight." A pamphlet by a group called "Political Research Associates," entitled "The 'Ex' Files," called the ex-gay movement "a new threat to democracy and diversity," and offered information on how to "challenge" those who have turned away from the gay lifestyle, either by choice or through spiritual intervention.

ACLU Piloting 'Safe Schools' Program

The ACLU is getting into the act of supporting sexual diversity instruction in the schools with a project called "Making Schools Safe." Last fall, the newspaper *Southern Voice* (10-26-00) outlined the group's plans to pilot the program in three states - Georgia, Indiana and Kentucky - to teach children acceptance of homosexuality. Atlanta schools are reportedly first on the list for the program.

Georgia Insight newsletter (Jan. 2001) states that a national Gay & Lesbian Task Force conference in Atlanta last November unveiled the program by informing attendees that the Georgia ACLU would begin a push in January to get the "safe schools" program - which reportedly targets "hate speech" for "eradication" - into Atlanta's high schools and middle schools.

"Under the guise of 'Making Schools Safe,'" notes *Georgia Insight* , "local chapters of GLSEN and PFLAG will provide contacts to train teachers to handle 'homophobic' statements, answer students' classroom questions about homosexual issues and handle parents who object to sexual orientation indoctrination."

The ACLU described its approach as follows: "The program is actually aimed at helping schools avoid the lawsuits that could arise from not protecting gay and lesbian students from discrimination. . . . 'It's the exact opposite side of the coin that we're playing,' said Don George, president of Georgia ACLU. 'We'll be going into schools saying, Hi, we're from the ACLU, but we're not here to sue you. We're here to show you how to prevent yourself from being sued.' "

Students Opt-Out of California's 'Diversity' Laws

SACRAMENTO, CA - Two controversial California state laws, enacted last year by a one-vote margin and effective on New Year's Day, mandate "diversity" teaching at all grade levels in order to promote tolerance of diverse sexual orientation. This has caused an uproar among parents.

A coalition called the California Student Exemption Project has launched a major drive to help parents remove their children from such teaching. The Project is distributing an easy-to-use Student Exemption form addressed to school board members, superintendents, principals and teachers, citing eleven sections of the California Education

Code that assure parents this right.

AB 1785 requires the California Board of Education to revise state guidelines about curriculum and teacher training to include "human relations education, with the aim of fostering an appreciation of the diversity of California's population and discouraging the development of discriminatory attitudes and practices." The law covers kindergarten through grade 12 and provides supplemental resources to assure that this teaching includes immigrant children. This law also requires schools to collect data on so-called "hate crimes" and report them to the state Department of Education, which will share the data with the state Department of Justice. "Evidence of hostility" includes even telephone calls and mail.

AB 1931 allows school children to be taken on field trips to "participate in educational programs focused on fostering ethnic sensitivity, overcoming racism and prejudice, and countering hatred and intolerance." These terms are not defined and there is no limit on how "tolerance" could be interpreted. This law appropriates $2 million for these "tolerance" field trips in order to address "intolerance," "hatred," and "prejudice." Another $150,000 is granted to an undisclosed "tolerance" organization to provide training programs for school personnel.

It was widely reported and admitted that AB 1785 will promote the acceptance of homosexuality and bisexuality by shaping the attitudes of schoolchildren and empowering gay organizations to go into the schools, and that AB 1931 will fund subjective programs that can easily be used by gay groups to teach children to approve of behavior that many parents consider objectionable.

The P.E.R.S.O.N. Project, an internet website supporting the teaching of "diversity of sexual orientation" in public schools, has posted the two laws as legislative victories for the year 2000. The Gay, Lesbian and Straight Education Network (GLSEN) and Parents, Families and Friends of Lesbians and Gays (PFLAG) were active in promoting passage of these laws.

The Coalition distributing the Student Exemption form includes the Pacific Justice Institute (PJI), the Campaign for California Families, Life Legal Defense Foundation, the Pro-Family Law Center, and the U.S. Justice Foundation (a private group). PJI began this effort by announcing its Parental Opt-Out Program on December 28.

The comprehensive form states that it is a legal notice, pursuant to federal and state laws, telling the school "not to teach, instruct, advise, counsel, discuss, test, question, examine, survey or in any way provide information data or images to my child(ren)" concerning sex education, pupil's or their parents' personal beliefs or practices in sex and religion, sexually transmitted diseases, gender identity, sexual orientation, homosexuality issues, or "any alternatives to monogamous heterosexual marriage," without the parent's express written permission on an incident-by-incident basis.

The form further advises the school that this exemption extends to classroom instruction, displays, assignments, discussions, printed and electronic materials, field trips, assemblies, theatrical performances in school, and extracurricular school activities.

The exemption form is carefully written to comply with and implement California state law. Section 51240 of the California Education Code provides a specific option for families with religious convictions about sexuality issues, including "personal moral convictions." Section 51554 requires schools to give parents "written notification" of instruction on "sexually transmitted diseases, AIDS, human sexuality or family life that is delivered by an outside organization or guest speakers."

The California Student Exemption form's sponsors hope that it can become a model tool for parents nationwide since gay pressure groups are moving rapidly to include their agenda in all public schools. Parents may request the form at www.pacificjustice.org or print it from Campaign for Children and Families.

[IMAGE]

Wendy L. O'Connor, M.S. Ed.
Chief Academic Advisor
School of Biological Sciences
101 Manter Hall
UNL
Lincoln, NE 68588-0188
(402) 472-1464

<tdelozier@pol.net>
10/04/2006 02:14 PM

To <council@ci.lincoln.ne.us>
cc
bcc
Subject Patti Newman and other Council members

Ms. Newman,

I would like to state that I support the smoking ban in Lincoln and as a non-smoker enjoy going out to restaurants not having to contend with secondhand smoke. (I grew up in a home where both parents smoked.) This ban is probably one of the few proactive pieces of legislation which the Council has passed. Of course, this ban has to do with health issues. Naturally, there were going to be some businesses that closed down due to the ban, but I think the Council needs to continue to look at the big picture. Keeping our citizens healthy should be a priority of our city officials and removing smoke from eating establishments fits that bill. If we are going to support bike/walk trails and bicycle lanes in the downtown area, then the Council and Mayor must support this ban. Economically speaking, healthier citizens cost our city and state less dollars. Individuals who smoke are more prone to diabetes, heart attacks, cancer, and emphysema - costly medical bills when they are paid for by the government. For once let Lincoln be a leader in something positive.

Jodi Delozier

AD D E N D U M
T O
D I R E C T O R S' A G E N D A
MONDAY, OCTOBER 9, 2006

I. MAYOR -

1. NEWS ADVISORY - RE: Mayor Seng's Public Schedule Week of October 7 through October 13, 2006 - Schedule subject to change.

2. NEWS ADVISORY - RE: Mayor Seng will announce a major federal grant awarded to a community food program at a news conference at 1:00 p.m., on Friday, October 6th at the "F" Street Recreation Center.

3. NEWS RELEASE - RE: FEDERAL Grant To Fund Community Food Project.

4. NEWS RELEASE - RE: New Downtown Park Features Wireless Internet Access.

II. CITY CLERK - NONE

III. CORRESPONDENCE

A. COUNCIL REQUESTS/CORRESPONDENCE - NONE

B. DIRECTORS AND DEPARTMENT HEADS - NONE

C. MISCELLANEOUS - NONE

daadd100906/tjg

CITY OF LINCOLN
NEBRASKA

NEWS ADVISORY

MAYOR COLEEN J. SENG

lincoln.ne.gov

Date: October 6, 2006
Contact: Diane Gonzolas, Citizen Information Center, 441-7831

Mayor Seng's Public Schedule
Week of October 7 through 13, 2006
Schedule subject to change

Saturday, October 7
- "Heats On" Kickoff (Plumbers and Steamfitters), remarks - 7:30 a.m., Cornhusker Marriott, 333 South 10th Street
- O'Asian Garden Anniversary Celebration outdoor festival and barbeque - stop by between 2 and 10 p.m., O'Asian Garden, 2535 "O" Street
- Opening reception for "Stories of Home" public art exhibit, proclamation - 5:30 p.m., Asian/Hispanic Center, 2615 "O" Street

Sunday, October 8
- Hispanic Festival - 10 a.m., Antelope Park Bandshell, 29th and "A" streets
- CROP Walk, remarks and proclamation - 2:30 p.m., American Lutheran Church, 42nd and Vine streets (in Rose Garden, east side of church)

Monday, October 9
- Mayor's Award of Excellence - 1:30 p.m., Council Chambers, 555 South 10th Street
- Wyuka Holocaust Memorial groundbreaking, remarks - 3:30 p.m., Wyuka Cemetery, Memorial Drive (near the Firefighters Memorial Monument)
- Near South Neighborhood Association annual dinner, remarks - 6:30 p.m., First Plymouth Congregational Church, 2000 "D" Street

Wednesday, October 11
- Face the Chamber Legislative Candidates Forum - noon, Country Club of Lincoln, 3200 South 24th Street

Thursday, October 12
- Pandemic Flu Coordinating Council - 10 a.m., Lincoln-Lancaster County Health Department, 3140 "N" Street
- "Lights On After School," remarks and proclamation - 3:45 p.m., Lefler Middle School auditorium, 1100 South 48th Street
- Neighborhood Roundtable - 4:30 p.m., County-City Building, Room 113, 555 South 10th Street

Friday, October 13
- League of Women Voters luncheon, remarks - 11:45 a.m., YWCA, 604 North Saint Joseph Avenue, Hastings

CITY OF LINCOLN
NEBRASKA

NEWS ADVISORY

MAYOR COLEEN J. SENG

lincoln.ne.gov

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

DATE: October 5, 2006
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831

Mayor Coleen J. Seng will announce a major federal grant awarded to a community food program at a new conference at **1 p.m. Friday, October 6** at the **"F" Street Recreation Center, 1225 "F" Street.**

CITY OF LINCOLN
NEBRASKA

NEWS RELEASE

MAYOR COLEEN J. SENG

lincoln.ne.gov

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

FOR IMMEDIATE RELEASE: October 6, 2006
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831
Sandy Myers, Parks and Recreation, 441-8261
Jackie Barnhardt, Open Harvest, 475-9033

FEDERAL GRANT TO FUND COMMUNITY FOOD PROJECT

Mayor Coleen J. Seng today announced that a community food project has been awarded a federal grant of more than $275,000. “From Garden to Table” is a project of Open Harvest Natural Foods Grocery in partnership with the Lincoln Parks and Recreation Department and Community CROPS (Combining Resources, Opportunities and People for Sustainability), a local community garden project.

The three-year project addresses the needs of low-income, minority and new Americans by:

- providing access to affordable, quality, whole foods;
- developing markets for local urban gardeners; and
- providing education on food, gardening and nutrition.

“This grant is a tremendous investment in the health of this community,” said Mayor Seng. “I want to thank all the organizations who are working together on this important project. By helping families develop healthy eating habits and attitudes, the entire community benefits.”

The USDA Cooperative State Research, Education and Extension Service will fund and administer the grant. Additional partners include the El Centro de las Americas (formerly named the Hispanic Community Center), the Malone Community Center, the Asian Community and Cultural Center, the Indian Center and the Good Neighbor Community Center.

“This grant enables us to serve our community more effectively by translating our bulk food programs into other languages and developing programs about eco-literacy to educate the public on where food comes from. Many children do not even know how a seed grows.” said Jackie Barnhardt, Open Harvest’s Outreach Director. “We can create a stronger food security system when we understand and support the vital service our local farmers provide to us.”

The Lincoln Parks and Recreation Department will help develop youth-driven community garden activities, cultivate family involvement and provide hands-on cooking and nutrition classes, with a special focus on addressing childhood obesity. Several educational programs will also be developed to air on 5 CITY-TV, the government access cable television channel.

- more -

"Our motivation for the project is to go beyond the mere provision of free snacks and supper, by helping the children understand the food production cycle and good nutrition, learn easy food preparation techniques and start to increase their own families' food self-reliance," said Sandy Myers, Recreation Manager.

The Nutrition Education Project of the Lancaster County Extension Service will provide nutrition education and cooking classes at the "F" Street Recreation Center, using produce raised by children working on the youth gardens.

From Garden to Table strengthens the ability of Community CROPS to provide technical assistance, resources and access to garden plots and small farms. The project also creates an opportunity for CROPS to build an ethnic farmers market to increase access to fresh local fruits and vegetables and encourage economic development for refugee, New American and low-income farmers.

The grant also creates opportunities to connect people to high-nutrient, economical bulk foods by expanding outreach and marketing to a broader community. KZUM Community Radio will provide cultural awareness of the From Garden to Table project and education on nutrition and food self-reliance.

-30

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: October 6, 2006
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831

NEW DOWNTOWN PARK FEATURES WIRELESS INTERNET ACCESS

As part of this evening's dedication of Government Square Park at 10th and "O" streets, City Councilman Jonathan Cook and Mayor Coleen J. Seng sent the first wireless Internet (wi-fi) message from the park.

"The dedication of Government Square Park is a renewal of a wonderful park with 21st century wireless technology," said Mayor Seng. "Wi-fi is quickly becoming the preferred way to access the World Wide Web. Having wi-fi access in this new park is just one example of how the City is working to increase wireless access around the City." The wireless access point is provided by the City of Lincoln and Lancaster County in Old City Hall, just west of the park. It provides service generally covering the block between 9th and 10th, and "O" to "P" streets.

The dedication ceremonies this evening also included remarks from Mayor Seng and representatives of the Downtown Neighborhood Association, the Downtown Lincoln Association, the Preservation Association of Lincoln, the City Urban Development Department and the City Parks and Recreation Department. The event was held in conjunction with the "First Friday" gallery walk and featured live music by John Walker, refreshments and a virtual tour and map of the downtown art galleries.

The park features a new central fountain donated by the Duane and Phyllis Acklie family. The park also includes pathways, park benches and landscaping and architectural accents highlighting the surrounding historic buildings. This project was a cooperative effort between the Parks and Recreation and Urban Development Departments and was funded through tax increment financing.

The County-City Building, 555 South 10th Street, has been equipped with free wireless connectivity to the Internet since spring of 2005. The public is able to access the Internet with personal laptop computers at most locations on the first floor, including the chamber where the City Council, County Board and Planning Commission meet.

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