

DIRECTORS' MEETING

April 13, 2015
555 South 10TH Street
Bill Luxford Studio

I. CITY CLERK

II. MAYOR

1. NEWS RELEASE. Penny Bridge replacement is topic of open house.

III. DIRECTORS CORRESPONDENCE

COMMISSION ON HUMAN RIGHTS

1. Commission on Human Rights meeting agenda for Thursday, April 16, 2015.

FINANCE

1. Memo regarding the City of Lincoln Comprehensive Annual Financial Report:
 - a) Comprehensive Annual Financial Report for the year ended August 31, 2014;
 - b) Single Audit Report on the Expenditure of Federal Funds; and
 - c) Auditor's Letter to the Mayor and City Council.

(All documents distributed to the City Council Members with copy in City Council Office for viewing)

HEALTH DEPARTMENT

1. NEWS RELEASE. Board of Health Award winners announced.

PARKS AND RECREATION DEPARTMENT

1. Revised agenda for Parks and Recreation Advisory Board Meeting to be held on April 9, 2015.

PLANNING DEPARTMENT

1. Administrative approvals by the Acting Planning Director from March 31, 2015 through April 6, 2015.

IV. COUNCIL MEMBERS

V. CORRESPONDENCE FROM CITIZENS

1. Henry Nowakowski writing in regard to his claim of police damage to his home.
2. Letter from Kenneth A. Kiewra regarding the Country Meadows Street Paving Project.

PUBLIC WORKS AND UTILITIES DEPARTMENT
Engineering Services, 949 West Bond St., Lincoln, NE 68521, 402-441-7711

FOR IMMEDIATE RELEASE: April 9, 2015

FOR MORE INFORMATION: Devin Biesecker, City of Lincoln, 402-937-5515

Stephanie Rittershaus, Alfred Benesch & Company, 402-479-2493

PENNY BRIDGE REPLACEMENT IS TOPIC OF OPEN HOUSE

The public is invited to an open house Thursday, April 16 on the replacement of the Penny Bridges on Sheridan Boulevard, just west of 33rd Street. The meeting is from 5 to 6:30 p.m. in the commons area at Lincoln Southeast High School, 2930 S. 37th St. No formal presentations are planned. Parking is available west of the school near the main entrance.

Representatives of the City of Lincoln, Alfred Benesch and Co. and Hawkins Construction will be available to answer questions about construction, access, detours and schedules. Construction is set to begin May 4, weather permitting.

For more information, visit sheridanpennybridges.com.

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ACCOMMODATION NOTICE

The City of Lincoln complies with Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973 guidelines. Ensuring the public's access to and participating in public meetings is a priority for the City of Lincoln. In the event you are in need of a reasonable accommodation in order to attend or participate in a public meeting conducted by the City of Lincoln, please contact the Director of Equity and Diversity, Lincoln Commission on Human Rights, at 402 441-7624 as soon as possible before the scheduled meeting date in order to make your request.

CITY OF LINCOLN
COMMISSION ON HUMAN RIGHTS
Thursday, April 16, 2015, 4:00 p.m.
City County Building, 555 South 10th Street
3rd Floor – Suite 303

AGENDA

- I. Roll Call
- II. Approval of Minutes of March 26, 2015, Commission Meeting
- III. Approval of Agenda for April 16, 2015, Commission Meeting
- IV. Case Dispositions
 - A. Reasonable Cause / No Reasonable Cause
 - 1. LCHR NO.: 14-1009-024-E-R
 - 2. LCHR NO.: 14-1219-029-H
 - 3. LCHR NO.: 14-1222-026-E-R
- V. Administrative Closures
 - A. Notice of Right to Sue
 - 1. LCHR NO.: 14-0717-013-E-R
- VI. Old Business
 - A. Annual Civil Rights Conference
 - B. Outreach Activities
- VII. New Business
 - A. LCHR Business Cards for Commissioners
- VIII. Public Comment**
- IX. Adjournment

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

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Memo

To: Members of the City Council
From: Steve Hubka, Finance Department *SH*
Date: April 8, 2015
Re: City of Lincoln Comprehensive Annual Financial Report

Attached to this memo are the following items:

- Comprehensive Annual Financial Report for the year ended August 31, 2014
- Single Audit Report on the Expenditure of Federal Funds
- Auditor's Letter to the Mayor and City Council

If you have questions about this information or would like a pre-council review with auditors present, please let me know.



NEWS RELEASE

MAYOR CHRIS BEUTLER lincoln.ne.gov

LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT
3140 "N" Street, Lincoln, NE 68508, 402-441-8000

FOR IMMEDIATE RELEASE: April 9, 2015
FOR MORE INFORMATION: Elaine Severe, 402-441-8093

BOARD OF HEALTH AWARD WINNERS ANNOUNCED

The Lincoln-Lancaster County Health Department recognized a local physician, an agency director, a local restaurant, a food distribution center, and four agencies with Board of Health Awards. The Awards were presented at the Board of Health Annual Luncheon and Awards Ceremony at the Bryan Health Conference Center.

Community Health Awards were presented to:

- 1) **Boys & Girls Club.** The Boys & Girls Club was recognized for their efforts to enable all young people to reach their full potential as productive, caring, responsible citizens. They are dedicated to providing a safe place to learn and grow; ongoing relationships with caring, adult professionals; life enhancing programs and character development experiences.
- 2) **St. Monica's Behavioral Health Services for Women, CenterPointe, and The Bridge Behavioral Health Services.** The three residential treatment facilities were recognized for implementing tobacco free campus policies. Their policies prohibited tobacco of any kind on all properties of the agencies including vehicles. The policies apply to all staff, clients, contractors and visitors.

Public Health Leadership Award to Teresa Harms. Ms. Harms, Executive Director of Clinic With A Heart, was recognized for her partnership with public health, her advocacy skills, leadership ability, dedication and commitment to providing medical services to Lincoln's poorest residents.

John J. Hanigan Award to Christian Kyle Haeefe, MD, for his leadership in the medical field and for advocating for public health and teaching and promoting community resources for his patients and the Lincoln Medical Education Partnership residents.

Food Sanitation Excellence Awards to 1) Super Taco and 2) Sysco Lincoln for their exceptional inspection scores, cleanliness of their businesses and excellent food handling practices.

Carole Douglas Public Health Achievement Award to Anita King for her outstanding service to public health. Ms. King is a 20 year Health Department employee. She was recognized for her efforts as a public health nurse in the Health Department's Information & Referral Services Section and for her dedication, caring, knowledge and skills and her long term commitment to public health.

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NOTICE OF ADVISORY BOARD MEETING

TO: Parks & Recreation Advisory Board, Mayor, City Council, City Clerk, Media

FROM: Lynn Johnson, Director, Lincoln Parks & Recreation Department

MEETING DATE: April 9, 2015

LOCATION: 2740 "A" Street – Parks & Recreation Dept. (Large Conference Room)

TIME: 4:00 – 5:30 p.m.

CHAIR: Peter Levitov

A G E N D A

1. **Call to Order and Recognition of 'Open Meetings Act'**
2. **Approval of Minutes:** * February 12, 2015
3. **Comments from Public for Items Not Listed on the Agenda**
4. **Committee Reports:**
 - A. **Futures Committee – Bob Ripley (Chair) 471-0419 or 488-5131**
 - Ongoing committee discussion regarding proposed Antelope Park Triangle land use plan, Pinewood Bowl Master Plan, and Dog Facilities Master Plan
 - Note information about April 21st meeting below under Announcements
 - B. **Fees & Facilities Committee – Susan Deitchler (Chair) 488-4224**
 - Ongoing committee discussion of draft North 48th Street Landfill End Use Master Plan
 - C. **Golf Committee – Brad Brandt (Chair) – 402-473-9619**
 - Report from Golf Committee on special meeting March 19 and regular monthly meeting on April 2, 2015
 - D. **Executive Committee – Peter Levitov (Chair) 402-488-2742**
 - Committee member assignments for 2015
5. **Staff Report:**
 - A. Lincoln Parks & Recreation Strategic Planning Presentation
6. **Announcements:**
 - A. Wake Up the Beds volunteer planting at Sunken Gardens, Saturday, May 16th, beginning at 8:30 a.m.
 - B. Wild Adventure at Pioneers Park Nature Center on Saturday, April 25th, from 10:00 a.m. to 2:00 p.m.
 - C. Futures Committee Special Meeting: Lincoln Children's Zoo tour and question & answer session, Tuesday, April 21st, from 5:00 – 6:30 p.m. PLEASE NOTE that the Futures Committee will have a regular meeting beginning Tuesday, April 21st, beginning at 4:30 p.m., at the Parks & Recreation Admin building.

*** Denotes Action Items**

ACCOMMODATION NOTICE

Lincoln Commission on HUMAN RIGHTS

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Memorandum

Date: ♦ April 7, 2015
To: ♦ City Clerk
From: ♦ Amy Hana Huffman, Planning Dept.
Re: ♦ Administrative Approvals
cc: ♦ Mayor Chris Beutler
Planning Commission
Geri Rorabaugh, Planning Dept.

This is a list of the administrative approvals by the Acting Planning Director from March 31, 2015 through April 6, 2015:

Administrative Amendment No. 15010 to Pre-Existing Special Permit #28C, Union College, approved by the Acting Planning Director on March 31, 2015, requested by Erin Carey, to add nine new signs as part of an overall sign package/plan for Union College, on property generally located at S. 48th Street and Prescott Street.

Administrative Amendment No. 15017 to Use Permit #05003, Vintage Heights Retail Center, approved by the Acting Planning Director on April 6, 2015, requested by REGA Engineering, to reduce the front yard setback from 50' to 20' adjacent to both South 84th Street and Old Cheney Road, and to revise notes accordingly, on property generally located at S. 84th Street and Old Cheney Road.

Administrative Amendment No. 15018 to Change of Zone #05068D, The Woodlands at Yankee Hill PUD, approved by the Acting Planning Director on April 6, 2015, requested by REGA Engineering, to revise Note #16 to clarify that it only applies to the commercial center at the northwest corner of the development, and to revise notes accordingly, on property generally located at S. 70th Street and Yankee Hill Road.



Mary M. Meyer

From: Henry Nowakowski <hnowakowski@neb.rr.com>
Sent: Monday, April 06, 2015 6:23 PM
To: Council Packet
Subject: Claim Against the City of Lincoln

My name is Henry Nowakowski. On March 16, 2015 the Lincoln Police Dept. did a wellness check at my address for a Jeremy Burgeson on behalf of PCCW where Jeremy and I are employed. The receptionist at PCCW gave them my address because unknown to me Jeremy was using it as his contact address. Jeremy has NEVER lived with me. He has been staying at the Budget Inn on 27th & O Street for years.

I came home that day at lunch to find a square of glass broken on my rear door and another one broken on my side door. There were glass shards everywhere and a card from the police department with a note saying they had to force entry to do a wellness check on Jeremy and it had 2 case #'s on it to document the damages. I went back to work and told my boss what I discovered and took the afternoon off to clean up the mess. Dustin Beakman said that he was in contact with the police earlier that day and they told him I just needed to file a claim for the damages and that I would be reimbursed by the City of Lincoln.

I filed my claim and it is being denied because "the officer's actions were appropriate with emergency procedure."

I do not feel this is right and I am being more than fair in asking for \$110.44 for the glass repairs. I had to use 6 hours of my vacation time to clean, get estimates and be there when the repairs were done.

I hope you folks can see my point and help me out with this situation If you have any questions you can email me or call me at 402-310-2785.

Respectfully,

Henry Nowakowski

Cc: Nebraska Senator Ernie Chambers

Kenneth A. Kiewra
6400 South 66th Street
Lincoln, NE 68516
402 421-6773
ckiewra@neb.rr.com

RECEIVED

APR 08 REC'D

CITY COUNCIL
OFFICE

April 6, 2015

Jeffery R. Kirkpatrick, City Attorney
Law Department
555 South 10th Street, Suite 300
Lincoln, NE 68508

Dear Mr. Kirkpatrick:

Thank you for your letter dated March 31, 2015 regarding the Country Meadows Street Paving Project. In that letter you make three points: (1) "The process now in place is... legitimate and enforceable" because (2) "the City, pursuant to the original Annexation Agreement, retained the authority, at its option, to pave the roadways in Country Meadows using an assessment district, (and) (3) that authority still remains after the Amendment to the Annexation Agreement in the event the Country Meadows Homeowners' Association does not comply with the terms of Resolution A-88701 and the Amendment to the Annexation Agreement." I agree with Point 2 and dispute Points 1 and 3.

Point 2

I agree that the original Annexation Agreement (Part 6, Section A) gives the City the authority to create an assessment district to reconstruct the roads in Country Meadows at the property owners' expense, but this is not the path that the City has chosen to take.

Point 3

I disagree that the City presently has the authority to make Country Meadows' homeowners pay the assessment for two reasons. First, the City has **not** created an assessment district as outlined in Point 2 above. Without doing so, the City has no authority to assess homeowners. Second, in lieu of the City creating an assessment district, Country Meadows Homeowners Association created a special assessment. But, as explained in my March 2015 letter, Country Meadows' Declaration of Covenants does not permit special assessments for improvements outside the common area. Moreover, if Country Meadows does not have the authority to levy a special assessment, then they certainly cannot transfer this power to the City in the Amendment to the Annexation Agreement.

Point 1

Based on Points 2 and 3, it does not seem that the process in place is legitimate and enforceable.

Perhaps we can meet and you can more fully explain to me how this process is defensible on all counts. I really would appreciate this information. If I believed it was, I would no longer question and contest it. But, right now, I am seeing an association and City willing to work outside the lines to accomplish road reconstruction.

Sincerely yours,

Kenneth Kiewra

cc: Mayor's Office, City Council

DIRECTORS' AGENDA
ADDENDUM
MONDAY, APRIL 13, 2015

I. CITY CLERK

II. MAYOR & DIRECTORS' CORRESPONDENCE

MAYOR

1. NEWS ADVISORY. Mayor Beutler's public schedule for the week of April 11, 2015 through April 17, 2015.
2. NEWS RELEASE. Mayor Beutler to present March Award of Excellence to Richard Scholl.

III. DIRECTORS

HEALTH DEPARTMENT

1. NEWS RELEASE. Health Department issues health advisory from agricultural burning.
2. NEWS RELEASE. Health Department issues health advisory, April 13, 2015.

PLANNING COMMISSION

1. Revised Planning Commission Meeting minutes of April 1, 2015. Specifically relating to the testimony and discussion on Change of Zone 15007, 14th Street and Indigo Road.

PUBLIC WORKS AND UTILITIES/ENGINEERING

1. NEWS ADVISORY. South 56th Street; Shadow Pines Drive - Old Cheney Road. State Project No. LCLC-5241(5). Control No. 13141. City Project No. 701923.

IV. COUNCIL MEMBERS

V. CORRESPONDENCE FROM CITIZENS

1. LES Administrative Board meeting agenda for Friday, April 17, 2015.
2. Datapath Public Safety Networks, William Tinsley, President, letter to Tom Casady, Public Safety Director, regarding radio communications system for Lincoln.
 - a) Datapath Public Safety Networks approach to the planning, implementation, and operation of the statewide public safety radio system.

Date: April 10, 2015

Contact: David Norris, Citizen Information Center, 402-441-7547

Mayor Beutler's Public Schedule
Week of April 11 through 17, 2015
Schedule subject to change

Sunday, April 12

- Lincoln City Libraries annual Volunteer Recognition, remarks - 2 p.m., Auld Pavilion, Antelope Park, 1650 Memorial Dr.

Monday, April 13

- Opening ceremony for Cabela's "Remembering Our Fallen" exhibit, remarks - 8:30 a.m., Cabela's Club/World's Foremost Bank, 4800 N.W. 1st St.
- Award of Excellence presentation, remarks - 3 p.m., Council Chambers, County-City Building, 555 S. 10th St.
- Mayor's Neighborhood Roundtable meeting - 5:30 p.m., Mayor's Conference Room, County-City Building

Tuesday, April 14

- Lutheran Clergy luncheon, remarks - noon, First Lutheran Church, 1551 S. 70th St.
- Mayor's Multicultural Advisory Committee - 4 p.m., Mayor's Conference Room

Wednesday, April 15

- Lincoln's "Best Places to Work" luncheon - 11:30 a.m., Cornhusker Marriott Hotel, 333 S. 13th St.
- Windstream Kinetic launch event - 2:30 p.m., Windstream, 1440 "M" St.

Thursday, April 16

- KFOR - 7:45 a.m.
- Lincoln Community Foundation donor recognition event, remarks - 11:30 a.m., Country Club of Lincoln, 3200 S. 24th St.
- Nebraska Society of Medical Assistants Conference, remarks - 9:30 a.m., Country Inn & Suites, 5353 N. 27th St.

OFFICE OF THE MAYOR

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

FOR IMMEDIATE RELEASE: April 13, 2015

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

MAYOR TO PRESENT MARCH AWARD OF EXCELLENCE

Mayor Chris Beutler today will present the Mayor's Award of Excellence for March to Richard Scholl, a Heavy Equipment Mechanic in the Street Maintenance division of the Public Works and Utilities Department. The award will be presented at the beginning of today's City Council meeting at 3 p.m. in the City Council Chambers, County-City Building, 555 S. 10th St. The monthly award recognizes City employees who consistently provide exemplary service and work that demonstrates personal commitment to the City.

Scholl has worked for the City since 1999. Fleet Services Superintendent Jim Chiles nominated Scholl in the categories of customer relations and productivity for his consistent willingness to accept any challenge, especially for the role as the backup Supervisor for the Fleet Services Garage. Chiles said Scholl has been asked to fill in many times and has always performed admirably. An example was last fall, when the supervisor had to take an extended leave during the time for winter preparation.

Chiles said the preparation is demanding, even for a seasoned veteran. He said Scholl scheduled and oversaw all preseason snow removal equipment service, installation and testing while also doing an excellent job of managing normal daily shop operations.

Chiles said working together as a group is part of the Fleet Services culture. But like any successful organization, the employees need someone to provide direction and focus. He said he was confident that Scholl and the group of professionals he directed had the equipment ready for the City's winter season.

Chiles said, "There is not one singular thing I can point to that stands out as extraordinary, but having the responsibility of ensuring equipment is ready for a Lincoln winter is stressing, to say the least, and Rick handled it marvelously."

The other categories in which employees can be nominated are loss prevention, safety and valor. Consideration also may be given to nominations that demonstrate self-initiated accomplishments or those completed outside of the nominee's job description. All City employees are eligible for the Mayor's Award of Excellence except for elected and appointed officials.

Individuals or teams can be nominated by supervisors, peers, subordinates and the general public. Nomination forms are available at lincoln.ne.gov (keyword: hr) or from department heads, employee bulletin boards or the Human Resources Department, which oversees the awards program. All nominations are considered by the Mayor's Award of Excellence Committee, which includes a representative with each union and a non-union representative appointed by the Mayor. Award winners receive a \$50 gift certificate, a day off with pay and a plaque. All monthly winners and nominees are eligible to receive the annual award, which comes with a \$250 gift certificate, two days off with pay and a plaque.



NEWS RELEASE

MAYOR CHRIS BEUTLER lincoln.ne.gov

LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT

3140 "N" St., Lincoln, NE 68510, 402-441-8000

FOR IMMEDIATE RELEASE: April 11, 2015

FOR MORE INFORMATION: Chris Schroeder, Health Department, 402-441-6272

HEALTH DEPARTMENT ISSUES HEALTH ADVISORY

The Lincoln-Lancaster County Health Department (LLCHD) today issued a Health Advisory for sensitive populations because of smoke from agricultural burning. Officials said the levels of smoke in the air are unhealthy for those with asthma, lung disease, other respiratory conditions or heart disease as well as older adults and children. LLCHD advises those at risk to stay indoors and avoid strenuous physical activity.

Chris Schroeder, Air Quality Supervisor with LLCHD, said southerly winds and the extensive burning in the Midwest, especially the Flint Hills area of Kansas, will likely expose people in Lincoln and all of Southeast Nebraska to unhealthy levels of smoke in the air.

"The forecast indicates that our community is likely to be impacted for several days," Schroeder said. "Smoke is made up of tiny particles and gases. When these are breathed into the lungs, they can cause asthma attacks, worsen chronic bronchitis and emphysema, and cause angina in some people with heart disease."

Residents are advised to keep windows and doors closed and use the "re-circulate" setting when using a vehicle air conditioner. Those who experience difficulty breathing, coughing, tightness in the chest or angina should contact a medical provider.

The LLCHD monitors air quality 24 hours a day, and the Air Quality Index (AQI) at lincoln.ne.gov (keyword: air) is updated daily. The AQI is expected to be "orange," meaning the air quality is unhealthy for sensitive individuals.

For more information, visit health.lincoln.ne.gov.

Mary M. Meyer

From: Council Packet
Subject: FW: Air Quality

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

FOR IMMEDIATE RELEASE: DATE

FOR MORE INFORMATION: Chris Schroeder, Health Department, 402-441-6272
Scott Holmes, Health Department, 402-580-6553

HEALTH DEPARTMENT ISSUES HEALTH ADVISORY

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For more information, visit health.lincoln.ne.gov.

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Judy Halstead, M.S.
Health Director
Lincoln-Lancaster County Health Department
3140 N Street
Lincoln, NE 68510

REVISED MEETING RECORD

NAME OF GROUP: PLANNING COMMISSION

DATE, TIME AND PLACE OF MEETING: Wednesday, April 1, 2015, 1:00 p.m., Hearing Room 112 on the first floor of the County-City Building, 555 S. 10th Street, Lincoln, Nebraska

MEMBERS IN ATTENDANCE: Jeanelle Lust, Tracy Corr, Cathy Beecham, Lynn Sunderman, Ken Weber, Maja Harris, Chris Hove, (Dennis Scheer and Michael Cornelius absent); David Cary, Steve Henrichsen, Brian Will, Ed Zimmer, Tom Cajka, Paul Barnes, Geri Rorabaugh and Amy Huffman of the Planning Department; media and other interested citizens.

STATED PURPOSE OF MEETING: Regular Planning Commission meeting

Chair Jeanelle Lust called the meeting to order at 1:00 p.m. and acknowledged the posting of the Open Meetings Act in the back of the room.

Lust requested a motion approving the revised minutes for the regular meeting held March 18, 2015. Harris moved approval, seconded by Hove and carried 6-0: Lust, Corr, Sunderman, Harris, Weber and Hove voting 'yes'; Cornelius, Scheer and Beecham absent.

CONSENT AGENDA
PUBLIC HEARING & ADMINISTRATIVE ACTION
BEFORE PLANNING COMMISSION:

April 1, 2015

Members present: Lust, Hove, Beecham, Weber, Corr, Harris, and Sunderman; Scheer and Cornelius absent.

The Consent Agenda consisted of the following items: **TEXT AMENDMENT NO. 15002, CHANGE OF ZONE NO. 15008, USE PERMIT NO. 140E, and SPECIAL PERMIT NO. 11013A,**.

Item 1.3, Special Permit No. 876C, was removed from the Consent Agenda and had separate public hearing due per the request of Commissioner Beecham.

There were no ex parte communications disclosed.

Beecham moved approval of the Consent Agenda (Item Nos. 1.1, 1.2a, 1.2b, 1.4), seconded by Weber and carried 7-0: Lust, Hove, Beecham, Weber, Corr, Harris, and Sunderman; Scheer and Cornelius absent.

Note: This is final action on Special Permit No. 11013A, unless appealed to the City Council within 14 days.

SPECIAL PERMIT NO. 876C, TO ALLOW FOR THE EXPANSION OF THE EXISTING CLUB, INCLUDING A REQUEST TO REDUCE THE FRONT AND SIDE YARD SETBACK REQUIREMENTS, ON PROPERTY LOCATED AT 631 D STREET.

April 1, 2015

Staff Recommendation: Conditional Approval

Members present: Lust, Hove, Beecham, Weber, Corr, Harris, and Sunderman; Scheer and Cornelius absent.

There were no ex parte communications disclosed on this item.

Staff presentation

Paul Barnes of the Planning staff provided an overview of the amendment to the existing special permit of the American Historical Society of Germans from Russia at South 6th & D Streets across from Cooper Park. Barnes noted that the original special permit was approved in 1981, and he showed the boundaries of the area, indicating that there are existing neighbors on the east and west sides of the property. The applicant is proposing an addition of approximately 3,000 square feet to the existing club to the west of the existing building. Barnes noted that a special permit limits the amount of the lot coverage for the club in residential districts to no more than 35 percent in the R-4 district; this addition will not exceed the lot coverage. They are retaining the 25-foot setback along D Street but are proposing a 10-foot side yard setback. See staff report for specific details of this request. Barnes noted that the application did not go before the Historic Preservation Commission since it is not designated as a historic landmark.

Staff Questions

Beecham asked Ed Zimmer of the Planning Department about his thoughts on the appropriateness of this application for this neighborhood since it was not heard by the Historic Preservation Commission. Zimmer stated that this addition would fit in well with the entire site and with the context of the surrounding neighborhood. This addition will improve the overall compatibility of the existing building and will be done in alignment with the existing building.

In response to a question of Beecham regarding "D" Street being a major roadway in this area, Zimmer also explained that "D" Street has a 120-foot right-of-way as opposed to 100-foot right-of-way, which allows for emphasis of the special character of the area, i.e. the Germans from Russia churches, the museum, and Cooper Park, similar to 120-foot right-of-way at 15th & J Streets, which emphasizes the State Capitol.

Applicant's Testimony

Tim Gergen, Clark Enersen Partners, representing the applicant, Germans from Russia, showed the architectural facade which will resemble the existing building. They met with the neighbors in the area and there was no opposition voiced regarding the project. The addition will have the same building height and roof line.

Bob Wagner, President of the Historical Society of Germans from Russia, indicated that they recently received a large collection of books regarding the history of the Germans from Russia. The donor's wish is to put the collection on the main level rather than in the lower level of the facility which is where their library is currently located. This addition, will enable them to bring the library up to the first floor. They don't anticipate a significant increase in traffic to the area. Although their facility is listed as a club, it is actually a museum and a genealogy research center. They want to expand the facility to better meet their needs.

Proponents:

None.

Opponents:

None.

ACTION BY PLANNING COMMISSION:

April 1, 2015

SPECIAL PERMIT NO. 876C, TO ALLOW FOR THE EXPANSION OF THE EXISTING CLUB, INCLUDING A REQUEST TO REDUCE THE FRONT AND SIDE YARD SETBACK REQUIREMENTS, ON PROPERTY LOCATED AT 631 D STREET.

April 1, 2015

Beecham moved to recommend conditional approval of this application; seconded by Harris.

Commissioner Beecham thanked the applicant for coming in and showing the design of the structure since it does not go before the Historic Preservation Commission. She supports the expansion.

Commissioner Corr indicated that she is supportive of the expansion of the facility and believes this is a great resource for genealogy.

The motion for approval carried 7-0; Lust, Hove, Harris, Beecham, Weber, Corr, and Sunderman; Scheer and Cornelius absent.

CHANGE OF ZONE NO. 15007, FROM R-3 RESIDENTIAL DISTRICT AND B-2 PLANNED NEIGHBORHOOD BUSINESS DISTRICT TO R-4 RESIDENTIAL DISTRICT, ON PROPERTY GENERALLY LOCATED AT NORTH 14TH STREET AND INDIGO ROAD,

April 1, 2015

Staff Recommendation: Conditional Approval

AND

SPECIAL PERMIT NO. 15014, TO ALLOW A COMMUNITY UNIT PLAN (CUP), TO ALLOW A MIX OF DUPLEXES AND TRIPLEXES CONSISTING OF 22 DWELLING UNITS ON APPROXIMATELY 2.35 ACRES OF PROPERTY GENERALLY LOCATED AT NORTH 14TH STREET AND INDIGO ROAD.

April 1, 2015

Staff Recommendation: Conditional Approval

There were no ex parte communications disclosed on these two items.

Staff Presentation

Tom Cajka of the Planning Department reported that these two applications are being considered north of 14th Street and Superior Streets. Referring to the site plan, Cajka explained that the request is for a change of zone from R-3 residential and B-2 Planned Neighborhood Business District to R-4 Residential for the development of a community unit plan consisting of 22 dwelling units. Cajka reviewed the layout of the proposed development stating that 5 of the 22 units will have direct access to Indigo Road and the remaining 17 units will be from the new street (Maker's Street) to 15th Street, which curves and dead ends going to the north until such time the parcel to the north is developed, at which time the road would continue on north. The R-4 density would allow up to 31 units by density calculations. The applicant is requesting waivers for lot width, lot area, and front yard setback from 25 feet to 20 feet. The reason for the waivers is that the R-4 zoning does not allow town homes as defined by the zoning code of three or more attached units; the R-4 zoning is limited to two attached units

unless done through a community unit plan. Cajka noted that because R-4 zoning does not allow town homes, you need to look under "Other Allowed Uses", which calculate the setback and lot size. The waiver of lot width, lot area and setbacks are in alignment with a 2-family dwelling unit; Cajka noted that Planning is not opposed to the waivers.

Staff Questions

Corr asked for clarification regarding the reference to reducing the 20 percent penalty as indicated in the staff report.

Cajka explained that it depends on the size of the parcel, as the zoning code indicates that there are reductions or penalties for a community unit plan, i.e. if between 5 and 10 acres, there is a reduction of 10 percent of the allowable density, and if less than 5 acres, there is a 20 percent reduction.

Beecham asked about the placement of sidewalk and walking lanes and guest parking for the development

Cajka indicated that sidewalks are proposed along both sides of Maker's Street. The Planning Department has included a condition that the developer provide eight guest parking stalls. Staff is recommending that one of stalls shown on the site plan be removed due to interference with cars backing of the adjacent driveway. With the elimination of that stall, the developer is showing five guest stalls, including two stalls on the street.

Applicant's Testimony

Tim Gergen, Clark Enersen Partners, representing M&W Holdings, reported that they met with city staff a number of times and also met with the neighborhood. The applicant is in agreement with all staff conditions, including the parking. Gergen indicated that the neighbors did voice concerns regarding the parking, and they want to be good neighbors. He explained that they are in agreement with providing parking but do not agree with how the parking will be provided. Gergen indicated that Maker's Street is a public street and that the city is interested in tying into the future development to the north. They are proposing to accommodate parking as much as possible by showing that the development would not have any driveways on the north side which would allow for ten parking stalls. However, if the lots develop into single-family homes with individual driveways, they would be reduced to eight stalls, providing for sufficient parking. He believes that the Planning Department is concerned that if the future development of the property to the north is developed into town homes, it would eliminate the parking on the north side of the roadway. The developer is showing that if the development consists of single-family homes, there would be a condition that the developer would be limited to two driveways off this street and would need to get approval by the Planning Commission. Gergen also noted that they have received

neighbor concerns regarding access off of Indigo as well. He noted that the layout of the proposed units are put back from the street farther than the existing homes and this will enable them to accommodate more off-street parking. For the property to the north, Gergen indicated that they are fairly confident that because of a steep grade change, the homes will have driveways coming off of the north/south bound streets so the homes will face east and west, as there is a high-powered overhead line and it is unlikely that they will want it in their front yard. If this is the case, it would not reduce the number of parking stalls on the public street for their proposed development. .

Lust asked for clarification in terms of the condition that is being requested by the developer.

Gergen indicated that they are requesting a modification to Condition 2.8 of the staff report to show a minimum of eight parking stalls either on the property or Makers Street with the condition of the property to the north only being allowed to have two driveway access onto Makers Street to allow them to accommodate the eight parking stalls. Another option would be to eliminate Condition 2.8.

Lust expressed concern about putting conditions on a future development that is not before them at this time. Lust asked for clarification that the applicant does not own the property to the north and Gergen confirmed that this was the case.

Lust expressed concern about putting conditions on a future development that is not before them at this time.

Corr asked how many bedrooms these units will have and whether they will be owner-occupied.

Gergen reported that they will be 3-bedroom units, which will be sold.

Corr asked if it would impact the number of allowable units if they went to R-3 zoning rather R-4 zoning.

Gergen stated that it would and this would very likely cause the application to be pulled due to not being able to meet the project cash flow. They are allowed quite a few more units than they are requesting, as identified in the staff report.

Lust referenced the map showing the parking and asked how many stalls could be accommodated on the south side of Makers Street.

Gergen indicated that they originally showed five stalls on the south side. They are struggling with finding the three additional parking stalls. They are trying to preserve their green space and landscaping rather than add pavement for additional parking.

Each unit has a 2-stall garage, 2 stalls in front of the garage, which would allow each unit up to six parking stalls. In terms of modifying Condition 2.8, they could strike "south side".

In response to a question of inviting the owner of the property to the north, Gergen indicated that the owner was invited but did not attend the meeting.

Lust asked about the attendees of the meeting.

Gergen stated that two to three property owners, including the owner of the property at 15th and Indigo, attended the meeting as well as the neighborhood association president.

Opposition

Danja Pegram Siders, 4900 North 14th Street, owner of the property to the north of the proposed development. She stated that this property has an historical preservation designation. If they alter the property, it would need to go before the Historic Preservation Committee. She noted that there is no future development planned for this property because in order to do make the connection to Morton Street, it would need to go across her home. She indicated that she was unable to attend the neighborhood meeting due to the death of a family member. She has an entrance off of the 14th Street to her property and a minor hop that people try to use. She is concerned about the grade levels and the historic preservation of her property. Her property is well maintained with lots of green space and the adjacent are very happy with their property.

Chairman Lust directed Ms. Pegram Siders to visit with Mr. Gergen regarding her concerns.

Proponent

None.

Opposition

Todd Loseke, President of Prairie Ridge Homeowners Association, 5120 North 20th Street. Loseke indicated that most of the neighbor concerns have been addressed but noted that the primary concern is that of parking. The development on Indigo consists of duplexes and town homes that are primarily rented to college students. The parking is full along this street. By putting in 3-unit town homes in this area, this will only compound the problem making it more difficult to get in and out of the area. He stated that most of the garages are not used for parking but rather for parties. The neighborhood is also concerned about traffic. Future development shows Makers

Street connecting to Morton Street and then intersecting with 14th Street. Based on the historic preservation designation and the testimony of the property owner, this is likely not going to happen any time soon; therefore, you have to use Prairie Lane to 20th Street to get out to Superior Street or go to Hilltop.

Questions of Staff

Beecham asked what would happen if a condition is put on the parking to the north and questioned whether this can be done.

Cajka indicated that it is not likely this could be done, as there might be some legal ramifications. He noted that even though the developer is showing a conceptual layout of the development as single-family with parking, there is no guarantee this will occur. There is no condition that the property owner to the north develop the property that way. The Planning Department always includes a condition that requires a developer to show that they would not impact future development. He indicated that you cannot predict when a property may be developed. There was a similar situation where it was believed that future development would not occur for some time but a proposal was submitted within a couple of months. Cajka indicated that he does not support the proposed amendment to the conditions.

Harris asked how it would be possible to add three stalls.

Cajka stated that they would likely lose a unit and illustrated how this might look.

Harris Beecham asked about parking along 15th Street.

Cajka replied that the property is too close to the intersection and parking is prohibited within a certain number of feet of an intersection. In terms of access management, Cajka indicated that it is planned that some day Morton Street would go through to 14th Street.

Sunderman asked who would be responsible for paying for the new road?

Cajka reported that the developer would cover the costs. He explained that it is normal to put restrictions on the use of the roadway even though the developer is covering the costs.

Harris asked if there is anything that prevents someone from parking in the space that is proposed to be deleted.

Cajka indicated that they can put up no parking signs but people could still park there. It would be up to the homeowners association to regulate that because it is on private property.

Beecham asked if the community unit plan allows for increased density?

Cajka indicated that is true even with the reduction of one unit to accommodate for the parking. R-3 zoning would allow for 13 dwelling units.

Corr asked if the drainage issues have been addressed to satisfaction by Public Works. Cajka stated that this is a question for the developer but indicated that when the final plans are submitted and reviewed, the developer would have to meet the conditions for approval.

Weber asked about the potential use of the strip of right-of-way land and whether or not there is room for angled parking

Cajka explained that the right-of-way can be used for curb, sidewalks, etc. and this would be considered a standard residential street.

Response by the Applicant

Tim Gergen reminded the commission that the property is currently zoned B-2, which would allow for a gas station to go in there today. They are proposing to down zone to a residential district and trying to make this commercial land fit in with the pro forma of commercially zoned land. The right-of-way width is wider than typical, which is burdening the property. They are trying to work with city staff and the neighbors in the area. The property owner to the north testified that they are not interested in developing the property and they are not really interested in connecting to the property. The developer's initial proposal was to allow for a private street with a cul-de-sac which would enable them to dictate driveways to the north, parking, etc. The city desires for connectivity to neighboring properties so they accommodated this by allowing for a public street, which created the issue of parking. He showed the original plan, showing the private street as initially proposed with 20 units but this was never an official submittal. By providing for connectivity, it does allow for a couple more units.

Hove asked if the developer is opposed to eliminating one of the units to create additional parking.

Gergen indicated that the developer is opposed to this. They feel that the street will provide adequate parking along the north side. The cost estimate to build a private street versus a public street is about 15 to 20 percent more for a public street.

Staff Questions

Hove asked about why the cul-de-sac doesn't make sense.

Cajka indicated that the biggest issue is lack of connectivity. He further stated that every private street in the city has public access easements over them. The property to the north would have access rights to the private street. In addition, they would not recommend approval for adding two units at the end of the cul-de-sac, and they would be not allowed to count the end of the cul-de-sac for permanent parking. The city is trying to get away from private streets because some times homeowner associations dissolve and are not able to maintain the streets, etc.

Response by the Applicant:

None.

ACTION BY PLANNING COMMISSION:

April 1, 2015

Beecham moved to recommend approval of this application; seconded by Lust for discussion purposes.

Corr indicated that she has a lot of issues with the proposal, primarily related to the parking situation. There are already issues along Indigo Road with nuisance calls and parking issues; this will compound these problems. She also feels that this is considered spot zoning, as everything around it is zoned R-3. She does not support the change of zone to R-4.

Beecham stated that she is concerned about the parking as well. If the density is going to be increased in the area, they need to make sure they are not creating problems for the area. In addition, they cannot mandate what is going to happen to the property to the north.

Lust stated that she believes that these applications are a good compromise for this area and that R-4 zoning is a good fit. The main concern is parking and by having the condition to provide parking on the south, she believes that they will only lose one unit, and still be one unit ahead of their initial proposal. Lust noted that she is not supportive of private streets.

Hove asked for clarification as to whether the Commission is approving the proposed number of units, although one unit may have to be eliminated to provide for the parking requirement.

As a matter of process, Lust stated that they need s to vote on the change of zone first and then on the special permit, which includes the parking condition, as proposed by the Planning Department, not the Applicant.

Harris referred to Hove's question and asked for clarification that if condition 2.8 is left as is, would it entail that one unit would be eliminated?

Sunderman said that the applicant may get creative and find a way to accommodate the parking spaces while maintaining 22 units. The real question in his mind is do we need this much parking for this many units, and if we do, does it need to stay on one side or the street or both. Even though the applicant is paying for the road, the applicant cannot dictate what happens on the other side. It is not something the Commission has done in the past and it would set a bad precedent.

Lust agreed that the Commission should not constrain development to the north, especially when there is no co-ownership. ~~If the condition is not eliminated or modified, they will need to provide parking on the south side, which would result in the elimination of one unit.~~

Corr asked a procedural question regarding what would happen if they **City Council doesn't** ~~don't~~ approve the R-4 zoning since it ~~goes onto City Council~~ but Planning Commission has ~~approveds~~ the CUP community unit plan.

Lust stated that the CUP would not happen.

Harris pointed out that by eliminating one unit three parking spaces would be gained, but the two driveway spaces would be lost. She added the driveway spaces may be less reliable since the residents may not choose to use them for guest parking.

Corr indicated that there is already a problem with parking one block away and she believes that this will be a disaster. In addition, she believes there is a strong possibility that four or more unrelated people will be living in them, which is in violation of city code.

Corr does not think this should be zoned R-4 and the Commission should not encourage this type of density.

Lust acknowledged these units are intended to be sold and the owners are within their rights to rent them out. If violations of City ordinances occur, it will be a matter for local law enforcement.

CHANGE OF ZONE NO. 15007, FROM R-3 RESIDENTIAL DISTRICT AND B-2 PLANNED NEIGHBORHOOD BUSINESS DISTRICT TO R-4 RESIDENTIAL DISTRICT, ON PROPERTY GENERALLY LOCATED AT NORTH 14th STREET AND INDIGO ROAD,

April 1, 2015

Staff Recommendation: Conditional Approval

Beecham moved to recommend approval of this application; seconded by Lust for discussion purposes. The motion for recommending approval carried 6-1; Lust, Hove, Harris, Beecham, Weber, and Sunderman; Corr dissenting; Scheer and Cornelius absent.

AND

SPECIAL PERMIT NO. 15014, TO ALLOW A COMMUNITY UNIT PLAN (CUP), TO ALLOW A MIX OF DUPLEXES AND TRIPLEXES CONSISTING OF 22 DWELLING UNITS ON APPROXIMATELY 2.35 ACRES OF PROPERTY GENERALLY LOCATED AT NORTH 14TH STREET AND INDIGO ROAD.

April 1, 2015

Staff Recommendation: Conditional Approval

Beecham moved to recommend approval of this application; seconded by Lust for discussion purposes. The motion for recommending approval carried 6-1; Lust, Hove, Harris, Beecham, Weber, and Sunderman; Corr dissenting; Scheer and Cornelius absent.

There being no further business to come before the Planning Commission, the meeting was adjourned at 2:12 p.m.

Please Note: These minutes will not be formally approved by the Planning Commission until their next regular meeting on Wednesday, April 15, 2015.

April, 13, 2015

South 56th Street; Shadow Pines Drive – Old Cheney Road
State Project No. LCLC-5241(5) Control No. 13141
City Project No. 701923

The City of Lincoln proposes to widen South 56th Street from Shadow Pines Drive to Old Cheney Road beginning on April 20, 2015, weather permitting. The existing bridge over the Beal Slough will be removed and replaced with a box culvert structure. All pavement and sidewalk will be removed, and the new roadway will have four-lanes with a center median and turn-lanes. New street lighting and landscaping will be installed. Sidewalk will be constructed, and a trail will be installed along a portion of the project to connect with existing and future trails in southeast Lincoln.

Constructors Inc. will be the contractor. They will perform the work under a total road closure with access available to all local businesses. Access to those businesses located on Waltz Road and on 56th Street north of the Beal Slough will be available from Old Cheney Road. Access to businesses and residents on 56th Street south of the Beal Slough will be available from Pine Lake Road. Access onto 56th Street from Cumberland Drive and London Road will be restricted during the project. The Contractor and the City will coordinate with local businesses and residents to maintain access throughout the duration of the project.

Information on the South 56th Street Roadway Widening Project is available on the City's website at www.lincoln.ne.gov (keyword: 56th). If you have questions or comments, please contact one of the following people:

Zach Becker, Project Manager
City of Lincoln - Engineering Services
(402) 613-3763
zbecker@lincoln.ne.gov

Eric Anderson, Project Manager
Constructors Inc.
(402) 450-0379
erica@constructorslincoln.com



1040 O Street, P.O. Box 80869
Lincoln, NE 68501-0869

AGENDA
LES ADMINISTRATIVE BOARD

Friday, April 17, 2015
9:30 a.m.
LES Board Room
1040 "O" Street

9:30 A.M.

- 1. Call to Order**
- 2. Approval of Minutes of the March 20, 2015 Regular Meeting of the LES Administrative Board**
- 3. Comments from Customers**
- 4. Committee Reports**
 - A. Operations & Power Supply Committee
 - B. Finance & Audit Committee
 - *1. Accept 2014 Annual Audit
- 5. Administrator & CEO Reports**
 - A. 1st Quarter 2015 Financial Review
 - B. General Fund Transfers Payment in Lieu of Tax (PILOT) and City Dividend for Utility Ownership (CDFUO)
 - C. State Legislative Report
 - D. *Approve Updates to Program 205.01 Code of Conduct – LES Resolution 2015-7
- 6. Chief Operating Officer's Reports**
 - A. 1st Quarter 2015 Performance Indicators
 - B. 1st Quarter 2015 Power Supply Report
 - C. Demand Response Field Study
 - D. Wind/Solar Construction Update
 - E. Southeast Reliability Project Update
- 7. Other Business**
 - A. Monthly Financial and Power Supply Reports
 - B. Miscellaneous Information
- 8. Adjournment**

* Denotes Action Items

Next Regular Administrative Board meeting Friday, May 15, 2015.



April 10, 2015

Tom Casady
Public Safety Director
575 South 10th Street
Lincoln, NE 68508

Dear Director Casady:

I have followed with interest your efforts to fund and deploy a new critical radio communications system for Lincoln, Nebraska and the surrounding area.

As you consider the options that will provide the timely deployment, lower cost and most flexibility while maximizing the value of your investment, I recommend your consideration of a public-private partnership.

Our team here at Datapath Public Safety Networks consists of professionals who have experience in law enforcement, military, public safety radio and commercial radio communications and was born out of the management, deployment and operation of the Statewide Law Enforcement Radio System for the State of Florida. The Florida SLERS system is considered the pre-eminent privately operated law enforcement radio system.

Through such a public-private partnership, the responsibility for building, owning and operating the proposed radio system is streamlined with the goals of reducing the time for deployment, maximizing the value of the backbone and infrastructure, operating the system and assuring that each of the participating agencies receive the highest levels of support. Such a public-private partnership is governed by a service level agreement by which the system operation is required to meet certain coverage and up-time standards.

The ownership of the FCC licensed radio frequencies remain with the participating government agencies.

Datapath is vendor neutral and will work with the technology providers selected by you. Given our depth of knowledge of the systems, equipment and vendors, we have the ability to negotiate the best possible arrangement to maximize the value for our system users.

Our Datapath public safety communications team appreciates the need to move quickly and effectively to deploy your next generation critical radio communications system.

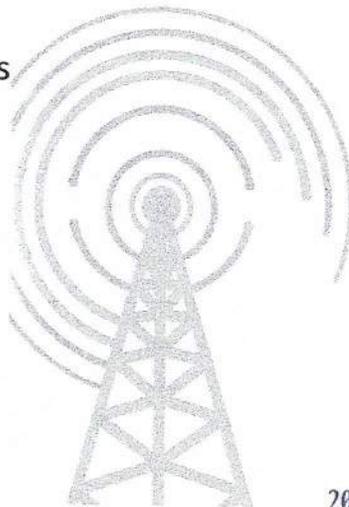
At your convenience, we are available to travel to Lincoln to provide a more detailed presentation. At that time, we will provide our insights regarding the structure of a public-private partnership program and the procurement process. Will you please respond with the date(s) and time(s) that are convenient to you to meet?

Please do not hesitate to contact me if you have any questions.

Sincerely,



William W. Tinsley, President
Datapath Public Safety Networks
727-260-2811



200 CENTRAL AVE, ST. PETERSBURG, FL, 33701

DATAPATH PUBLIC SAFETY NETWORKS



DATAPATH APPROACH TO PPP'S

BACKGROUND: The Datapath Program Team led the planning, implementation, and operation of the statewide public safety radio system in Florida. This system consist of over 220 tower sites, microwave interconnect, eight switching centers, and seven dispatch centers serving all twenty state law enforcement agencies in Florida. Today the radio system supports 8,000 users and 20,000 radios.

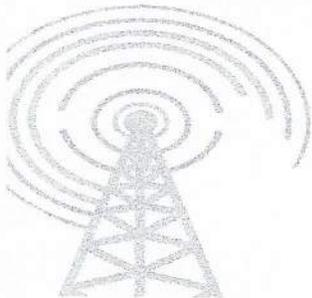
METHOD: The Program Team initiates the project based upon their experience and knowledge using generally recognized standards and practices that can enhance the success of complicated hi-tech projects.

PROCESSES: Technology projects will be broken down and executed with an initiation phase, planning phase, execution phase, monitoring/controlling phase and closeout phase for each sub-project. This approach follows all generally accepted project management guidelines.

MAJOR MANAGEMENT AREAS: The Datapath Program Team executes programs considering management of the following areas;

- Integration
- Scope
- Time (schedule)
- Cost
- Quality
- Human resources
- Communications
- Risk
- Procurement
- Stakeholders

Datapath will employ the disciplines outlined above which will result in satisfactory completion of high technology radio system projects.



ADVANTAGES OF PPP (P3) IN MODERN PUBLIC SAFETY COMMUNICATIONS

1. A P3 is the best way to leverage the experience and expertise of both partners. The public partner knows what the needs are, and the private partner knows how to fulfill those needs.
2. The private partner has recent, real-world implementation and network operations experience.
3. The private partner can provide necessary financing for the network and radios (subscriber units), eliminating a large capital outlay by public entity.
4. The public partner knows what the needs are...coverage requirements, number of radios, interoperability requirements. The private partner knows how to match these needs with the proper infrastructure equipment and devices that will meet the needs. And will do so on the most cost effective basis.
5. Working as a team the most cost effective subscriber units can be deployed while providing all the features and functionality required by a specific user (no need to buy a \$5000 radio for animal control officer).
6. One modern radio system, built and programmed properly, will satisfy the needs of all city/ county personnel requiring radio communications.
7. Radio system, including radios, will require a broad array of maintenance and programming activities. These services can be included in the PPP.
8. Obsolescence...PPP can be structured to provide system upgrades as technology advances.

9. Radios...a very expensive part of any new system...can be leased with a complete package of maintenance, re-programming service, insurance/replacement guaranty, *and* auto-replacement at predetermined periods for mobile and portable radios. This P3 element normalizes the radio replacement cycle cost.

10. Public entities often have several experts who can handle the initial operations but soon run into trouble as those experts leave for other opportunities or retire.

11. The private entity has one focus..."to operate and maintain the system". Service levels (SLA's) can be agreed to in the PPP agreement to make sure the network continuously performs to PS standards.

12. A governing board can be created on the public side to propose and adapt standard operating procedures (SOP's) and system guidelines as to allowed users and levels of service.

13. Implementation speed and efficiency.

14. The private party will be more focused on additional public revenue opportunities to offset system cost:

- Subscriber additions - Tower colocation revenue sharing

15. System coverage can be adjusted for demographic and municipal development changes without hiring additional consultants.

MINUTES
DIRECTORS' MEETING
April 13, 2015

Present: Doug Emery, Chair; Trent Fellers, Vice Chair; Jon Camp; Roy Christensen; Carl Eskridge; Jonathan Cook; and Leirion Gaylor Baird

Others: Teresa Meier, City Clerk; Denise Pearce, Senior Policy Counsel; and Mary Meyer, City Council Secretary

Chair Emery opened the meeting at 2:03 p.m. and announced the location of the Open Meetings Law.

I. CITY CLERK

In review of the agenda Meier stated under Liquor Resolutions she would call Items 6 and 7 together, Items 8 and 9 together, Items 10 and 11 together, Items 12 and 13 together, Items 14 and 15 together, and Items 16 and 17 together. All have been confirmed except for Items 16 and 17.

Meier continued, under Public Hearing Resolutions will call Items 20 and 21 together. A Motion to Amend, No. 1, distributed for Item 31.

II. MAYOR

1. NEWS RELEASE. Penny Bridge replacement is topic of open house.

Directors' Correspondence:

Public Works & Utilities - Roger Figard, City Engineer

Figard stated as a reminder a week from today, next Monday, starting on So. 56th Street, between Old Cheney and Pine Lake. Will be closed and in preparation doing additional maintenance repair on Pine Lake Road. In the east older area there are some distressed areas and will do repairs. Lane closures will occur some this week to get ready. Christensen reiterated, the closing starts Monday. Cook asked about the detour. Figard replied the signed detour is 40th Street. We know there will be traffic on 70th Street, Pine Lake Road, 48th Street, and others.

Figard added Country Meadows will be closed this summer as we reconstruct the roads.

Camp asked for a time frame on So. 56th Street. Figard answered Humphrey will attend the meeting to answer questions. The goal is by the end of this construction season to have one lane in each direction opened and to finish in the spring. If we do more it would be good. Seeding, sodding, sidewalks, lights, etc. will probably be done next spring. The largest issue is the box culvert, or the bridge, which needs to be rebuilt at the channel.

Camp stated he's received inquiries. With cosmetic construction are you familiar with where this is? Neighbors call with questions. Figard asked, where we're still working? Reply of yes. Figard stated they discussed when opened in the middle of winter. Once the contractor started back on this work, he's been working under \$1,000 a day liquidated damages until there's primarily just the street lights, sidewalk, trails. We expect to be done by the end of April, with file completion of seeding, sodding, etc., the end of May. If not complete at the end of May the contractor goes back into liquidated damages. Camp asked if the liquidated damages are for part of the lighting now through April? Figard replied when he started he was under liquidated damages and to get to substantial completion of street

lighting, trails, sidewalks, etc., he's expected to finish by the end of April. He would still be paying liquidated damages to that point in time.

Camp stated that governs those. The other, like sodding, is under a different part of the contract? Figard said there are some items after substantial but not final, and we allow them to do under completion.

Camp stated last week when Public Works had the So. 56th Street discussion didn't hear about it until the Friday before. Two things to be asked of Public Works, to check with the district Council Member if something's happening, as sometimes we cannot change previous appointments. Secondly, remember Council likes to have hard copies when presenting before Council.

Police Department: Jim Peschong, Chief ---- John Huff, Fire Chief

Emery asked if Chief Peschong was in attendance. Chief Huff stated he is representing Public Safety. Emery asked if there is an update on the animal issue? Huff replied they are investigating.

III. DIRECTORS CORRESPONDENCE

COMMISSION ON HUMAN RIGHTS

1. Commission on Human Rights meeting agenda for Thursday, April 16, 2015.

FINANCE

1. Memo regarding the City of Lincoln Comprehensive Annual Financial Report:
 - a) Comprehensive Annual Financial Report for the year ended August 31, 2014;
 - b) Single Audit Report on the Expenditure of Federal Funds; and
 - c) Auditor's Letter to the Mayor and City Council.

(All documents distributed to the City Council Members with copy in City Council Office for viewing)

HEALTH DEPARTMENT

1. NEWS RELEASE. Board of Health Award winners announced.

PARKS AND RECREATION DEPARTMENT

1. Revised agenda for Parks and Recreation Advisory Board Meeting to be held on April 9, 2015.

PLANNING DEPARTMENT

1. Administrative approvals by the Acting Planning Director from March 31, 2015 through April 6, 2015.

IV. COUNCIL MEMBERS

V. CORRESPONDENCE FROM CITIZENS

1. Henry Nowakowski writing in regard to his claim of police damage to his home.

2. Letter from Kenneth A. Kiewra regarding the Country Meadows Street Paving Project.

VI. ADJOURNMENT

Chair Emery adjourned the meeting at 2:10 p.m.

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