

**DIRECTORS' MEETING
MONDAY, MARCH 5, 2007
11:00 A.M.
COUNTY/CITY BUILDING
CONFERENCE ROOM 113**

I. MAYOR

- *1. NEWS RELEASE. Mayor Presents January Award of Excellence to Bus Operator Clifton Carpenter.
- *2. (a) City of Lincoln Snow/Traffic Conditions Report for Tuesday, February 13, 2007, 4:30 a.m.
(b) City of Lincoln Snow/Traffic Conditions Report for Tuesday, February 13, 2007, 10:00 a.m.
- *3. Washington Report, February 9, 2007.
- ** 4. NEWS ADVISORY. Mayor Seng's Schedule for Week of February 17-23, 2007.
- ** 5. NEWS ADVISORY. Report shows Jump in Discrimination Complaints.
- ** 6. NEWS ADVISORY. Mayor Seng and Public Works and Utilities Officials News Conference on Update of Repairing Water Main Breaks and Potholes. Thursday, February 22, 2007, 10:00 am at the County-City Building in the Mayor's Conference Room.
- ** 7. NEWS RELEASE. Residents Asked to Report Potholes.
- ** 8. NEWS RELEASE. Weather Conditions Have Caused Large Increase in Water Main Breaks.
- ** 9. Washington Report, February 16, 2007.
- 10. NEWS ADVISORY - RE: Mayor Seng will have news conference at 10:00 a.m. on 03/01/07-Mayor will discuss progress of the Hy-Vee project at 50th & "O" Streets and issue a proclamation for Gambling Awareness Month.
- 11. NEWS RELEASE - RE: Public Invited To Open House On Holmes Lake Watershed.
- 12. City of Lincoln Snow/Traffic Conditions Report on 03/01/07 at 4:30 a.m.
- 13. NEWS RELEASE - RE: Hy-Vee Purchase At 50th & "O" Streets Completed.
- 14. City of Lincoln Snow/Traffic Conditions Report on 03/01/07 at 11:30 a.m.
- 15. NEWS RELEASE - RE: Problem Gambling: A National Problem-A Problem for Nebraska.

II. DIRECTORS

CITY ATTORNEY

- 1. Reply to Jerry Irwin, from John McQuinn, Chief City Prosecutor, Regarding Question Concerning Potential Lincoln Smoking Regulation Act Violation.

FINANCE

- ** 1. Monthly City Cash Report, January, 2007.
- 2. February Sales Tax Reports:
 - (a) Actual Compared to Projected Sales Tax Collections;
 - (b) Gross Sales Tax Collections (With Refunds Added Back In) 2001-2002 Through 2006-2007;
 - (c) Sales Tax Refunds 2001-2002 Through 2006-2007; and
 - (d) Net Sales Tax Collections 2001-2002 Through 2006-2007.
- 3. Investment Report for the Quarter Ending November 30, 2006.
- 4. Memo from Don Herz - RE: Response to Jon Camp's questions-Agenda Item #27 (07-25), Lease-Purchase of Street Lighting.

PARKS & RECREATION

- 1. Response Letter from Lynn Johnson to Robert Miles - RE: The twin Oak Lakes.

PLANNING

- *1. Annexation by Ordinance. Number 18860, Effective January 2, 2007, 6.97 Acres.
- *2. Residential Land Inventory and Single Family Lots As of January 1, 2007 from Marvin Krout, Planning Director.
- ** 3. Report on Selected Recent Projects and Plans for North Lincoln, with Map.
- ** 4. Report on Selected Recent Projects and Plans for South Lincoln, with Map.

PLANNING COMMISSION FINAL ACTION

- ** 1. Special Permit No. 07002. (Rock Crusher-Recycling Plant: 3rd and Q Streets) Resolution No. PC-01037.
- ** 2. Special Permit No. 07001, Waterford Estates Community Unit Plan, and Preliminary Plat No. 07001, Waterford Estates 1st Addition (98th & O Streets) Resolution No. PC-01038 and PC-01039.

PUBLIC WORKS & UTILITIES

- *1. Memo from Steve Masters regarding Discharge of Sump Pump/Foundation Drains.
- *2. Memo from David Cary, Transportation Planner regarding 14th Street Bike Lane.
- **3. Thanks and Appreciation Memo from Karl Fredrickson, Public Works/Utilities Director, to Margaret Blatchford, Law Department, for Dedication, Time, and Expertise on City Projects.
- **4. ADVISORY. 11th and "O" Pedestrian Signal Modifications.
- **5. ADVISORY. Special Public Meeting of the Railroad Transportation Safety District on Tuesday, February 20, 2007.
- **6. Memo from Steven Masters to Patte Newman Regarding Water District on North 63rd Street.
- 7. Reply to Jonathan Cook on the Status of the SW Sewer Treatment Plant Study.
- 8. ADVISORY - RE: The City of Lincoln is Hosting A Public Meeting For The Holmes Lake Watershed -Project #702250.

III. CITY CLERK

IV. COUNCIL REQUESTS/CORRESPONDENCE

JONATHAN COOK

Time Warner Complaints

1. Email from Ryan T. Holt Listing Problems with the Navigator System.
2. Letter from Dave Zeplin Listing Problems with Product and Customer Service.
3. Email from Kay Wondering About an Investigation on Price Increase Every Six Months.
4. Email from John C. May. Feel Like a Test Bed for Time Warner's Design Flaws.

PATTE NEWMAN

- **1. Copy of Letter to Gary Hendrix from Street Maintenance Operations Regarding Concerns on Sidewalks, Driveways, Curb, and Gutter Street Repairs.

V. MISCELLANEOUS

- *1. Email from Shannon McGovern giving Web Address of IHRA Motorsports.
- *2. Email from Shannon McGovern giving the Official Website of the National Muscle Car Association.
- *3. Email from Randy Haas giving Support for Amendment to West "O" Redevelopment Plan.
- *4. Email from Joel Ludwig listing questions and comments for the City Council, County Board, and Lincoln Chamber of Commerce.
- *5. Letter from Darrell K. Stock, Snyder & Stock, regarding 727 Partners and 725/727 "O" Street/Harris Overpass Project.
- *6. Letter from Robert A. Miles with suggestions for projects within Lincoln.
- *7. Letter from H. Eugene Cook re: Problem with having cancelled checks returned when payments made to Lincoln Electric System and the Lincoln Water and Wastewater System. (Distributed to Council Members on 02/14/07)
- *8. Email from Joyce Fisher questioning the Aquila seven dollar surcharge, possibly not legal and unethical.
- *9. Letter to Police Chief Casady from The New Americans Task Force on work done by liaison with new Americans. (Delivered to Council Members on February 15, 2007)

MISCELLANEOUS RECEIVED WEEK OF 02/19/07

- **1. Email to Nancy Hicks, Lincoln Journal-Star from Fred marks with Opinions on Drinking by Representatives.
- **2. Email from Jodi Johnson stating Aquila Rate Increase Ridiculous and Unrealistic.
- **3. Email from Joel Ludwig, Current Responsible Service versus Political Ambition of County Commissioners.
- **4. Email from Shannon McGovern Regarding the Journal Star on Drag Racing Track.
- **5. Email from Shannon McGovern Regarding Motorsports Demand.
- **6. Letter and Copy of Violation Ticket Regarding Amount of Parking Fine.

- **7. Letter from the Lower Platte South Natural Resources District : Maps and Amendment to City Zoning Ordinance Regarding Salt Creek Flood Storage Areas. (Distributed to Council Members on 07/21/07)
- **8. Email from Velana Tegley. Thanks for Looking into Time Warner Cable, Trying to Make them Responsible.
- **9. Email from Mary Kenny. Time Warner Navigator Trouble.
- **10. Email from Kent Plummer. Strong Support for Proposed Evaluation of Time Warner Cable's Software and Digital Video Recorder. Very Dissatisfied.
- **11. Email from Cortney Neemann. Almost to point of canceling service with Time Warner.
- **12. Email from Joyce and Eldon Jameson. Keep Looking into the Service of Time Warner.
- **13. Email from Gerald and Peggy Gulland. Overall Performance of Time Warner Navigator Poor, Inferior to the Old System.
- **14. Letter from Jerry R. Irwin to John McQuinn, City Prosecutor, Requesting Verification of Lincoln Smoking Regulation Act Provision of which His Business is in Violation. (Delivered to Council Members on 02/22/07)
- **15. Email from Carrie Petr. Thank You for Investigating Problems with Time Warner Cable's Service Changes.
- **16. Email from Ryan Kearney. New Program Problems Time Warner Implemented Not Acceptable.
- **17. Email from Matt Turman. Time Warner Acted in Their Own Best Interest With Upgrade at Expense of Customers.
- **18. Email from Shawn Salrin. Unacceptable for Time Warner to have a Monopoly on Cable Television Service for Lincoln.
- **19. Email from Ryon Adams. Appreciate Jonathan Cook Standing up and Questioning Time Warner for Service and the Monopoly in Lincoln.
- **20. Email from Danny McEntarffer. Regarding Time Warner Tired of Paying for Service that Many Times Does Not Work.
- **21. Email from Travis Reinsch. Time Warner Service Has Been Horrendous Since Upgrade.
- **22. Email from Dan Showalter Listing Problems Associated with Time Warner DVR.
- **23. Email from David Patrick. Bring in Competition for Time Warner.
- **24. Email from James Piippo. Since Introduction of Time Warner Navigator Nothing But Trouble.
- **25. Email from Greg Gifford. Hold Time Warner Cable Accountable.
- **26. Email from Linda Stoehr. Thank you Councilman Cook. Will Time Warner Discuss Any Form of Compensation?
- **27. Email from Michael Sawyer. Happy to See Council Looking into Time Warner and Navigator Situation. List of Issues with Time Warner.
- **28. Email from Bruce Focken. So Upset with Time Warner's New System and Feel Like a Experimental Ginny Pig, Paying \$1800 a Year.
- **29. Email from Jim Metschke. Nine Issues Listed on Time Warner Cable, Should have Additional Cable Service Operation Other Than This Monopoly. Thank You for Looking Into These Issues.
- **30. Email from Kevin Carter. Complaint Against Time Warner.
- **31. Email from Jason Agee. Time Warner Cable's Unsatisfactory Service.

MISCELLANEOUS RECEIVED FOR THE WEEK OF 03/05/07 REGARDING TIME WARNER CABLE

1. Email from Mary Heinselman - Complaints of Time Warner, Time to Have a Choice of Cable TV Companies.
2. Email from Jim Lytton - Time Warner Using Us as Guinea Pigs. Bring in Competition.
3. Email from Steven R. Sorensen - Hold Time Warner Accountable or Give Us a Choice.
4. Email from Dan Matousek - Add to List of Complaints About Time Warner's DVR Navigator Service.
5. Email from Dianne Campbell - Paying Too Much for Service Received, Problems with Navigator.
6. Email from Rudy Anderson - Thanks to Jonathan Cook for Addressing the Time Warner Cable Issues.
6b. Letter from Rudy Anderson to Time Warner Cable Nebraska.
7. Email from Harley Horton - Web Site to Look at Regarding Time Warner Cable.
8. Email from Dave Copper - Navigator is a Joke, Should Have Louder Voice in Programming and Services if Time Warner Only Viable Option.
9. Email from William Glover - Same Problems Outlined in Lincoln Journal Star Article on Time Warner.
10. Email from Mike Carpenter - Pleased that Time Warner's Service is Being Proactively Investigated.
11. Email from Alvin Harding, Jr. - Outlining Troubles with Time Warner Service and Displeasure with Navigator.
12. Email from Mike Worster - Time Warner Needs their Service Reviewed.
13. Email from Chris Adams - Very Frustrated with Navigator and Service Promises.
14. Email from Liz Beynon - Very Dissatisfied with new Navigator Guide.
15. Email from Darrin Meyer - Frustrated with Behavior of Time Warner with Customers and Continual Rates Increases.
16. Email from Matt Coatney - Outline of Problems Consistently Encountered with Time Warner and Other Observations.
17. Email from Larry Dahl - Would Not Put Up with Time Warner if There Was Another Company to Utilize.
18. Email from Charles and Celine Calcaterra - Let Lincoln Electric Be in the Cable Business or Another Cable Company in Lincoln.
19. Letter from Jeff S. Arnold, Fremont, NE - Repeated Problems with Navigator and Customer Service.
20. Email from Kelli Woods - List of Time Warner Concerns.
21. Email from Kale Vontz - Time Warner Services are Too Expensive.
22. Email from Aftan Hoffschneider - Appreciate the Opportunity to be Heard Regarding Disappointments with Time Warner.
23. Letter from Charles and Celine Calcaterra - The last Time Warner Update on Navigator Produced Blank Screen on Digital HD Television.
24. Email fro Brenda Friedman Ingraham - Subscriber of All Three Major Services and Appalled at Level their Service has Fallen.
25. E-Mail Action for City Council from a Very Disappointed Time Warner Customer - RE: Time Warner Services.
26. E-Mail from Les & Jan Lindblad - RE: Time Warner.

OTHER MISCELLANEOUS RECEIVED FOR THE WEEK OF 03/05/07

1. Email from Kennard Pischel - Two Complaints on Constant Ongoing Increase In Property Taxes.
2. Email from Vicki Fasnacht - Do Not Allow Alcohol In City Parks.
3. Email from Shannon McGovern - Comments on Motorsports Task Force Minutes of February 21, 2007.
4. Email from Michael Kovar - Urging Council Members to Denounce Jon Camp's Proposal for a City Manager System.
5. Email from tw62T - Remember When LES Rate Hikes End.
6. Email from Community Health Endowment of Lincoln (CHE) Sponsoring the 2007 Annual Health Challenge.
7. E-Mail from Wilbur Dasenbrock - RE: City Manager Proposal.
8. E-Mail from Joel Ludwig - RE: Motorsports Task Force-Review of Minutes: Missing information?
9. E-Mail - RE: Motorsports Task Force- map?

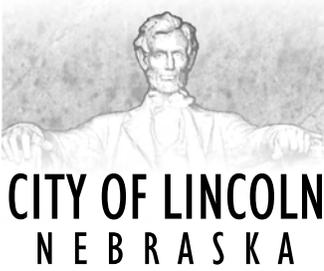
VI. ADJOURNMENT

*** Held Over from February 19, 2007.**

**** Held Over from February 26, 2007.**

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NEWS ADVISORY

MAYOR COLEEN J. SENG

lincoln.ne.gov

OFFICE OF THE MAYOR

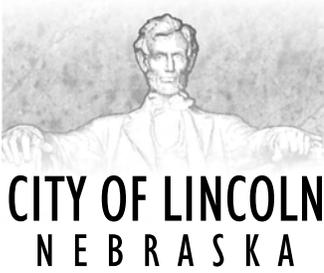
555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

FOR IMMEDIATE RELEASE: February 28, 2007

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

Mayor Coleen J. Seng will have a news conference at **10 a.m. Thursday, March 1** in the **Mayor's Conference Room, 555 South 10th Street.**

The Mayor will discuss progress of the Hy-Vee project at 50th and "O" streets and issue a proclamation for Gambling Awareness Month. If the City receives snow, Public Works also will give an update on snow removal operations.



NEWS RELEASE

MAYOR COLEEN J. SENG

lincoln.ne.gov

PUBLIC WORKS AND UTILITIES DEPARTMENT

Engineering Services, 531 Westgate Blvd., Lincoln, NE 68508, 441-7701, fax 441-8194

FOR IMMEDIATE RELEASE: February 28, 2007

FOR MORE INFORMATION: Holly Lionberger, Engineering Services, 441-8400

PUBLIC INVITED TO OPEN HOUSE ON HOLMES LAKE WATERSHED

The public is invited to an open house from 5:30 to 7 p.m. Monday, March 5 on projects now under way within the Holmes Lake watershed. The meeting is in the multi-purpose room at Lux Middle School, 7800 High Street.

Two projects will be discussed:

- A study has begun to evaluate the condition of the streams that drain into Holmes Lake and to identify areas of stability and water quality concern.
- Design is under way on a project that will stabilize a stream and rehabilitate a wetland along a tributary to Holmes Lake from 70th Street to Forest Lake Boulevard.

Information also will be available about the \$5.5 million Holmes Lake restoration project completed in July 2006. The public will learn about steps they can take to help protect Holmes and Lincoln's other lakes and streams.

Representatives from the City Public Works and Utilities Department will be available to explain the projects and to answer questions. For more information, contact Holly Lionberger, Public Works and Utilities Department, at 441-8400 or visit the City Web site at lincoln.ne.gov (keyword: virtual).



DGonzolas@ci.lincoln.ne.us
03/01/2007 04:07 AM

To CIC_Snow_Notification%NOTES@ci.lincoln.ne.us
cc
bcc
Subject 4 a.m. snow report 3-1-07

CITY OF LINCOLN SNOW/TRAFFIC CONDITIONS REPORT

A complete voice report is available at 441-7783. This number is for news media use only.

For more information:

Public Works Snow Center ? 441-7644

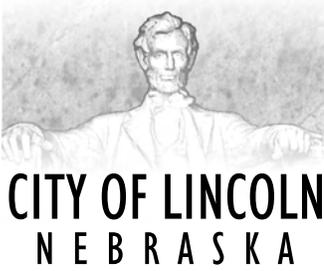
Diane Gonzolas, 421-1247, 525-1520

Date: Thursday, March 1, 2007

Time: 4:30 a.m.

Lincoln is waking up to snow once again so you'll want to allow a little extra time to get to work and school this morning. Material spreaders have been out since midnight, and plowing began about 4 a.m. on emergency routes, bus routes and arterials. In all, more than 70 crews are out working on City streets. Parking bans are not in effect at this time.

Please stay informed on the status of snow operations in Lincoln. Additional information is available on the City Web site at lincoln.ne.gov and in your Windstream phone directory. If you have questions, you may call the Public Works Snow Center at 441-7644.



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: March 1, 2007

FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831
Darl Naumann, Mayor's Office, 441-7511
Chris Friesleben, Hy-Vee, 515-267-2941

HY-VEE PURCHASE AT 50TH AND "O" STREETS COMPLETED

Mayor Coleen J. Seng announced today that Hy-Vee has completed its purchase of property on the north side of "O" Street between 50th and 52nd streets. Hy-Vee will build a \$15 million, 78,000-square-foot supermarket at the site. The seven-acre redevelopment will employ more than 400 people.

The purchase follows agreement among the City and adjacent property owners to complete 50th Street. The redevelopment agreement between the City and Hy-Vee was approved by the City Council. The City will use about \$751,000 of tax increment financing generated by the project for public improvements at the site, including a new 50th Street between "O" and "R"; storm sewer, sanitary sewer and water line improvements; and sidewalks, street trees and ornamental lighting. Hy-Vee and the other businesses in the area – the Quality Suites, Skate World and Doane College – will contribute private funds toward the street improvements. Site preparation and construction are scheduled to begin in the spring.

"This is another important step in the redevelopment of the 48th and "O" street area," said Mayor Seng. "Hy-Vee is making a good investment in Lincoln. After years of blighted conditions, the public and public improvements are transforming this key area of our City into a thriving business district once again."

The new store will be more than double the size of the Hy-Vee store at 70th and "O" streets, which it eventually will replace. It will include one-hour and digital photo service, a drive-up pharmacy, a variety of dining options, an attached wine and spirits store and a bank. The new store will feature expanded departments for fresh-cut meat, organic produce and Health *Market* products, gourmet salads and desserts and much more. The store also will include a club room for classes and meetings and a baby department with organic and natural foods as well as equipment and toys.

The City completed several major construction projects in the area last year. They included the widening of "O" Street from 44th to 52nd, improvements to 48th Street from "M" to "R" and the installation of new water mains. New businesses now open on the south side of "O" Street are Westgate Bank, Braeda and Runza restaurants and a Walgreen Drug Store.

Hy-Vee, Inc. is an employee-owned corporation operating 223 retail stores in seven Midwestern states.



DGonzolas@ci.lincoln.ne.us
03/01/2007 11:23 AM

To: CIC_Snow_Notification%NOTES@ci.lincoln.ne.us
cc
bcc
Subject: 11:30 a.m. snow report

CITY OF LINCOLN SNOW/TRAFFIC CONDITIONS REPORT

A complete voice report is available at 441-7783. This number is for news media use only.

For more information:

Public Works Snow Center - 441-7644
Diane Gonzolas, 441-7831, cell 525-1520

Date: March 1, 2007
Time: 11:30 a.m.

Lincoln residents are being advised to stay home today if possible because of the hazardous driving conditions. Parking bans are not in effect at this time, but residents are asked to assist crews by moving their cars off the streets. The City will make a decision by 4:30 this afternoon on a residential parking ban for tomorrow.

Material spreaders hit the streets at midnight, and plowing began about 4 a.m. Crews will be working on bus routes, snow emergency routes and major arterials all day. They also will be working to clear the streets around the sites for the state high school basketball tournament. Ag tractors normally used only in residential areas have been called in to clear bus routes. Blowing snow is expected to continue to be a problem. Star Tran buses were running about 45 minutes late, and they are hoping to be back on schedule this afternoon. The downtown state tournament shuttles are operating. For the latest bus information, you can call StarTran at 476-1234.

LES had about 5,000 customers without power early this morning and about 300 remained without power by mid-morning. Blowing snow also is creating problems for LES. Power outtages can be reported to LES at 888-365-2412.

As you are out shoveling your driveways and sidewalks, make sure to clear snow away from any fire hydrants. And remember it is illegal to push or blow snow into or on any street, alley or sidewalk.

Again, parking bans are not in effect at this time. A decision will be announced this afternoon on residential parking bans for tomorrow.

Please stay informed on the status of snow operations in Lincoln. Additional information is available on the City Web site at lincoln.ne.gov and in the blue pages of your Windstream phone directory. If you have question, you may call the Public Works Snow Center at 441-7644.

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information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.

Problem Gambling: A National Problem A Problem for Nebraska

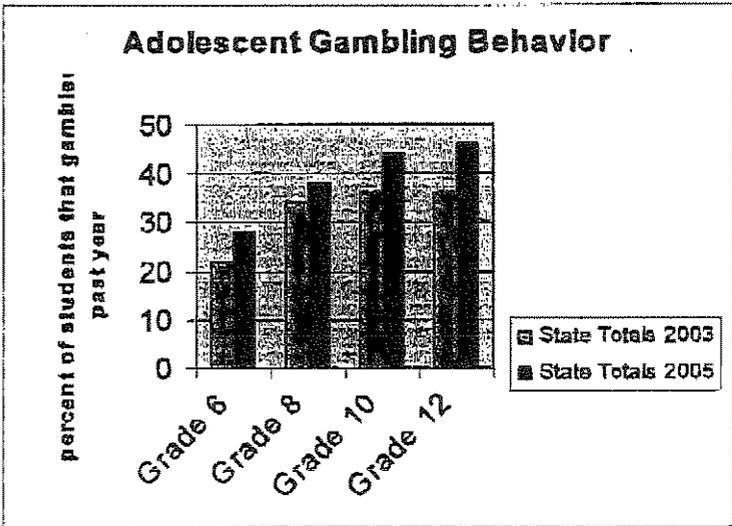
*Problem Gambling is gambling that causes mental, emotional, social and/or financial harm to a person, family, and/or group (work environment, school environment, community).
When gambling is a problem for some, it becomes a problem for all.*

- Recent national estimates place the social-economic cost of Each problem gamblers at approximately \$3,000 and \$11,000 for each *pathological* gambler.^{1,6}
- 3% of adults (42,267) in Nebraska experience gambling problems each year. Estimated annual cost over \$200 million dollars.²
- Gamblers Anonymous (GA) studies report that approximately 50% of the participants stole to gamble and over 33% had been arrested³. Based on reported consumers served in 2005, this implies that annually more than **11,000 Nebraskans** commit crimes related to gambling.⁴

What this means for ADOLESCENTS:

Based on long-term trends, data suggest **66%** of underage youth have gambled illegally for money.⁵

11% of Nebraska students reported increase in gambling activities between 2003 and 2005⁴



Have you ever gambled for longer than you intended?

Have you ever borrowed money to gamble?

Have you ever felt remorseful after gambling?

Have you ever lied about how much you gambled?

Have you ever bet more than you intended?

If you've answered yes to any of these questions, you may have a gambling problem.

Help is available.

If you or someone you know has a gambling problem, call the 24/7:
Nebraska Problem Gambling Helpline: 1-800-522-4700

1. Grinols, E. (2004) Gambling in America: Costs and Benefits. Cambridge University Press: Cambridge, United Kingdom.
 2. Average based on 2002 & 2004 Annual Reports Published by the Nebraska Department of Health and Human Services and recent statistics reported by Nebraska providers.
 3. Thompson, W., Gural, R., Rickman, D. (1996). The social cost of gambling in Wisconsin. Wisconsin Policy Research Institute Report, 9, 144.
 4. DRAFT Nebraska Risk and Protective Factor Student Survey Results for 2003, Nebraska 2005. Gambling Comparison Profile Report. March 2006.
 5. Harwood, K. & Derevenky, I. (2002) Child and Adolescent Gambling Behavior: Current Knowledge. *Clinical Child Psychology and Psychiatry*. McGill University, Canada.
 6. Pathological gambler defined from the DSM-IV for 312.31. APA, 1994. *Diagnostic and Statistical Manual of Mental Disorders*. Fourth Edition. Washington, D.C.

City of Lincoln Proclamation



Gambling Awareness Month”

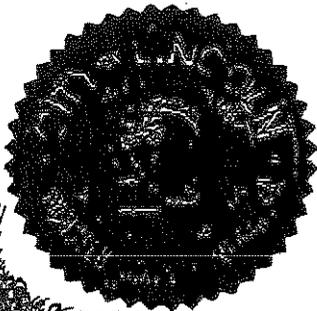
- Whereas, our community is home to individuals and families adversely affected by problem gambling; and
- Whereas, compulsive gambling is a persistent and recurring behavior that can be harmful to the individual and their loved ones; and
- Whereas, compulsive gambling is often hidden from family members, social services and mental health professionals; and
- Whereas, compulsive gambling often occurs in combination with other disorders such as chemical dependency and depression; and
- Whereas, it is important to raise awareness of the warning signs of compulsive gamblers and connect them with professional help,

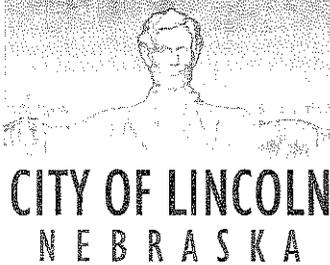
Now, therefore, I, Coleen J. Seng, Mayor of the City of Lincoln, Nebraska, do hereby proclaim March 2007 as “**Gambling Awareness Month**” and urge citizens to learn more about the consequences of gambling.

March 1, 2007

Date

Coleen J. Seng
 Mayor Coleen J. Seng





Law Department 402-441-7281
Dana W. Roper, City Attorney
575 South 10th Street
Suite 4201
Lincoln, Nebraska 68508
Civil fax: 402-441-8812
Pros. fax: 402-441-8813

Ernest R. (Rick) Peo III, Chief Assistant
Richard C. Anderson, Police Legal Advisor
Civil Division
James D. Faimon
Steven J. Huggenberger
Connor L. Reuter
Tonya L. Skinner
John C. McQuinn II, Chief Prosecutor
Patricia A. Campbell
Christine A. Loseke
Rob E. Caples
Marcee A. Brownlee
Jessica Kerkhofs
Prosecution Division



MAYOR COLEEN J. SENG

lincoln.ne.gov

February 26, 2007

RECEIVED

FEB 27 2007

CITY COUNCIL
OFFICE

Jerry R. Irwin
Foxy Lady
1823 O Street
Lincoln, NE 68508

RE: Question Concerning Potential Lincoln Smoking Regulation Act Violation

Dear Sir:

The Lincoln City Council was kind enough to forward your letter dated February 18, 2007 to my attention, because even though it was addressed to me, this office did not receive the original. As you are aware from my letter of February 16, 2007, I asked that all questions regarding compliance with the Lincoln Smoking Regulation Act be directed to Mr. Chris Schroeder at the telephone number provided. Nevertheless, I will attempt to answer your question, given the limited information I have at the present time.

I am not aware of the present status of your business, therefore I cannot comment on whether you or your business is in violation of the Lincoln Smoking Regulation Act. Referencing the date of the inspection, the violation of the Act contemplated in the letter was *L.M.C.* § 8.50.220(a), which makes it unlawful for any proprietor of any place of employment or any public place to allow smoking. At the time I signed the letter, I did not have enough information upon which to base an opinion as to whether you would also have been in violation of *L.M.C.* § 8.50.220(b), by failing to post adequate signs or *L.M.C.* § 9.04.010, which authorizes prosecution of persons who aid or abet violators of the *L.M.C.* § 8.50.210, (smoking prohibited in a place of employment or in a public place), in the same manner as the primary offender.

I believe this answers your question. Please refer any other questions regarding your compliance with this Act to Chris Schroeder, 441-6272, as requested in my previous letter. Thank you, in advance, for your voluntary compliance with the Act.

Sincerely yours,


John C. McQuinn
Chief City Prosecutor

cc: Lincoln City Council
Dana Roper
Scott Holmes

2/18/07

RECEIVED

FEB 22 2007

CITY COUNCIL
OFFICE

John C. McQuinn
City Prosecutor, Ste. 4201
575 South 10th St.
Lincoln, Ne 68508

Dear Mr. McQuinn:

I received your letter of Febr. 16, 2007. I am asking you to give me verification of what provision of the Lincoln Municipal Code Chapter 8.50, Lincoln Smoking Regulation Act of which my business is in violation.

Thank you in advance for your cooperation in this matter.

Sincerely,

Jerry R. Irwin
Foxy Lady
1823 "0" St.
Lincoln, Ne. 68508
402 435-0890

RECEIVED

FEB 27 2007

CITY COUNCIL
OFFICE

cc: Bob Kawamoto
Dale Stertz
Chuck Schweitzer
Scott Holmes
Mark Andersen
Chief Cassidy
Jon Camp
Jonathan Cook
Annette McRoy
Patte Newman
Etc.
Etc.
Etc.

**Actual Compared to
Projected Sales Tax Collections**

	2006-07 PROJECTED	2006-07 ACTUAL	VARIANCE FROM PROJECTED	\$ CHANGE FR. 05-06	% CHANGE FR. 05-06
SEPTEMBER	\$4,424,347	\$4,546,247	\$121,900	(\$3,081)	-0.07%
OCTOBER	\$4,619,540	\$4,545,825	(\$73,715)	\$81,321	1.82%
NOVEMBER	\$4,619,540	\$4,654,599	\$35,059	\$29,295	0.63%
DECEMBER	\$4,321,330	\$4,270,321	(\$51,009)	(\$234,764)	-5.21%
JANUARY	\$4,435,191	\$4,470,347	\$35,156	\$397,158	9.75%
FEBRUARY	\$5,628,031	\$5,666,534	\$38,503	(\$57,964)	-1.01%
MARCH	\$4,115,294				
APRIL	\$3,909,258				
MAY	\$4,559,898				
JUNE	\$4,402,660				
JULY	\$4,446,036				
AUGUST	\$4,738,824				
TOTAL	\$54,219,949	\$28,153,873	\$105,894	\$211,966	0.76%

Actual collections through February are within 0.38% of projected collections.

**CITY OF LINCOLN
GROSS SALES TAX COLLECTIONS
(WITH REFUNDS ADDED BACK IN)
2001-2002 THROUGH 2006-2007**

	ACTUAL 2001-2002	ACTUAL 2002-2003	ACTUAL 2003-2004	ACTUAL 2004-2005	% CHG. FR. PRIOR YEAR	ACTUAL 2005-2006	% CHG. FR. PRIOR YEAR	ACTUAL 2006-2007	% CHG. FR. PRIOR YEAR
SEPTEMBER	\$3,844,150	\$4,239,938	\$4,453,875	\$4,648,160	4.36%	\$4,630,210	-0.39%	\$4,573,597	-1.22%
OCTOBER	\$4,116,763	\$4,464,191	\$4,670,587	\$4,706,690	0.77%	\$4,823,369	2.48%	\$4,712,519	-2.30%
NOVEMBER	\$4,125,824	\$4,407,744	\$4,526,166	\$4,687,792	3.57%	\$4,799,275	2.38%	\$4,658,480	-2.93%
DECEMBER	\$3,855,906	\$4,034,958	\$4,314,111	\$4,500,338	4.32%	\$4,511,403	0.25%	\$4,445,761	-1.46%
JANUARY	\$4,140,990	\$4,046,633	\$4,335,924	\$4,264,010	-1.66%	\$4,342,902	1.85%	\$4,554,634	4.88%
FEBRUARY	\$4,982,568	\$5,224,986	\$5,531,405	\$6,086,841	10.04%	\$5,797,893	-4.75%	\$5,993,653	3.38%
MARCH	\$3,908,567	\$4,076,943	\$3,980,041	\$4,158,874	4.49%	\$4,247,908	2.14%		
APRIL	\$3,641,403	\$3,711,803	\$3,889,388	\$4,097,988	5.36%	\$3,991,159	-2.61%		
MAY	\$3,949,873	\$4,184,028	\$4,602,788	\$4,730,317	2.77%	\$4,543,369	-3.95%		
JUNE	\$3,856,119	\$4,169,550	\$4,599,245	\$4,557,735	-0.90%	\$4,539,614	-0.40%		
JULY	\$4,033,350	\$4,105,554	\$4,391,257	\$4,519,466	2.92%	\$4,655,061	3.00%		
AUGUST	\$4,231,174	\$4,402,156	\$4,893,438	\$4,803,665	-1.83%	\$4,991,723	3.91%		
TOTAL	\$48,686,688	\$51,068,484	\$54,188,225	\$55,761,877	2.90%	\$55,873,886	0.20%	\$28,938,644	0.12%

Year to date vs.
previous year

**CITY OF LINCOLN
SALES TAX REFUNDS
2001-2002 THROUGH 2006-2007**

	ACTUAL 2001-2002	ACTUAL 2002-2003	ACTUAL 2003-2004	ACTUAL 2004-2005	% CHG. FR. PRIOR YEAR	ACTUAL 2005-2006	% CHG. FR. PRIOR YEAR	ACTUAL 2006-2007	% CHG. FR. PRIOR YEAR
SEPTEMBER	(\$646,545)	(\$48,531)	(\$69,997)	(\$135,858)	94.09%	(\$80,882)	-40.47%	(\$27,350)	-66.19%
OCTOBER	(\$379,290)	(\$64,605)	(\$110,193)	(\$165,219)	49.94%	(\$358,866)	117.21%	(\$166,695)	-53.55%
NOVEMBER	(\$132,336)	(\$134,088)	(\$219,454)	(\$101,531)	-53.73%	(\$173,972)	71.35%	(\$3,881)	-97.77%
DECEMBER	(\$240,014)	(\$177,459)	(\$390,445)	(\$325,510)	-16.63%	(\$6,319)	-98.06%	(\$175,440)	2676.56%
JANUARY	(\$74,082)	(\$306,467)	(\$59,315)	(\$220,967)	272.53%	(\$269,713)	22.06%	(\$84,287)	-68.75%
FEBRUARY	(\$509,277)	(\$61,404)	(\$323,218)	(\$394,324)	22.00%	(\$73,395)	-81.39%	(\$327,119)	345.70%
MARCH	(\$428,507)	(\$17,601)	(\$22,759)	(\$99,240)	336.05%	(\$165,869)	67.14%	(\$133,574)	-19.47%
APRIL	(\$333,878)	(\$281,861)	(\$199,018)	(\$69,900)	-64.88%	(\$196,682)	181.38%		
MAY	(\$176,292)	(\$275,081)	(\$155,787)	(\$122,283)	-21.51%	(\$166,567)	36.21%		
JUNE	(\$127,168)	(\$138,914)	(\$194,593)	(\$34,811)	-82.11%	(\$14,085)	-59.54%		
JULY	(\$181,863)	(\$563,339)	(\$42,086)	(\$162,998)	287.30%	(\$39,492)	-75.77%		
AUGUST	(\$63,949)	(\$341,868)	(\$531,884)	(\$148,028)	-72.17%	(\$57,700)	-61.02%		
TOTAL	(\$3,293,201)	(\$2,411,218)	(\$2,318,751)	(\$1,980,668)	-14.58%	(\$1,603,541)	-19.04%	(\$918,345)	-18.66%

Year to date vs.
previous year

**CITY OF LINCOLN
NET SALES TAX COLLECTIONS
2001-2002 THROUGH 2006-2007**

	ACTUAL 2001-2002	ACTUAL 2002-2003	ACTUAL 2003-2004	ACTUAL 2004-2005	% CHG. FROM PR. YEAR	ACTUAL 2005-2006	% CHG. FROM PR. YEAR	ACTUAL 2006-2007	% CHG. FROM PR. YEAR
SEPTEMBER	\$3,197,606	\$4,191,407	\$4,383,878	\$4,512,303	2.93%	\$4,549,328	0.82%	\$4,546,247	-0.07%
OCTOBER	\$3,737,474	\$4,399,587	\$4,560,394	\$4,541,471	-0.41%	\$4,464,503	-1.69%	\$4,545,825	1.82%
NOVEMBER	\$3,993,488	\$4,273,655	\$4,306,712	\$4,586,261	6.49%	\$4,625,303	0.85%	\$4,654,599	0.63%
DECEMBER	\$3,615,893	\$3,857,499	\$3,923,666	\$4,174,828	6.40%	\$4,505,085	7.91%	\$4,270,321	-5.21%
JANUARY	\$4,066,908	\$3,740,166	\$4,276,609	\$4,043,044	-5.46%	\$4,073,189	0.75%	\$4,470,347	9.75%
FEBRUARY	\$4,473,291	\$5,163,582	\$5,208,187	\$5,692,517	9.30%	\$5,724,498	0.56%	\$5,666,534	-1.01%
MARCH	\$3,480,060	\$4,059,342	\$3,957,283	\$4,059,634	2.59%	\$4,082,038	0.55%		
APRIL	\$3,307,525	\$3,429,942	\$3,690,371	\$4,028,088	9.15%	\$3,794,477	-5.80%		
MAY	\$3,773,581	\$3,908,947	\$4,447,001	\$4,608,034	3.62%	\$4,376,803	-5.02%		
JUNE	\$3,728,951	\$4,030,637	\$4,404,651	\$4,522,924	2.69%	\$4,525,529	0.06%		
JULY	\$3,851,488	\$3,542,215	\$4,349,171	\$4,356,468	0.17%	\$4,615,569	5.95%		
AUGUST	\$4,167,224	\$4,060,288	\$4,361,554	\$4,655,637	6.74%	\$4,934,023	5.98%		
TOTAL	\$45,393,489	\$48,657,267	\$51,869,477	\$53,781,209	3.69%	\$54,270,346	0.91%	\$28,153,873	0.76%

Year to date vs.
previous year

RESOLUTION NO. A-_____

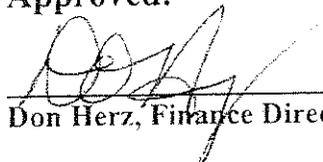
BE IT HEREBY RESOLVED BY THE CITY COUNCIL of the City of

Lincoln, Nebraska:

That the Investment Activity report and attached list of investments be confirmed and approved, and the City Treasurer is hereby directed to hold said investments until maturity unless otherwise directed by the City Council.

INTRODUCED BY:

Approved:



Don Herz, Finance Director

Approved this ____ day of _____, 2006

Mayor

TO: HONORABLE CITY COUNCIL
FROM: FINANCE DIRECTOR
DATE: NOVEMBER 30, 2006
SUBJECT: CITY OF LINCOLN'S INVESTMENT ACTIVITY REPORT FOR THE
FIRST QUARTER, FISCAL YEAR 2006-07

RECOMMENDATION

It is recommended that the City Council accept the City Treasurer's Investment Report for the quarter ending, November 30, 2006.

BACKGROUND

The purpose of this report is to inform Council of the status of the City's investment portfolio for the quarter ending, November 30, 2006. The City's investment policy requires that staff report quarterly to Council on the City's portfolio performance, description of securities, recent market conditions, investment strategies employed and other areas of policy concern warranting possible revisions to the current or planned investment strategies. This report excludes the Police and Fire Pension, the Community Health Endowment funds and other endowment or trust funds held by outside Trustees. Those funds have longer investment horizons and are governed by separate investment policies and the results are reported separately.

DISCUSSION

Investment Portfolio for the Quarter

The City's investment portfolio is listed and displayed in a graph in the Attachments. It is grouped by investment type and includes coupon rate, yield to maturity, date of maturity, the book and face (par) value, and the Investment Policy Compliance as of November 30, 2006.

The par value of the City's portfolio is \$199.7 million yielding an average 3.8771%. In comparison, last quarter it was \$209.8 million. The portfolio consists of \$44.8 million in liquid accounts; \$139.8 million is U.S. government treasury and agency securities and \$15.1 million in Inter-Fund Investments. The \$139.8 million includes \$110.8 million in investments maturing in less than two years, comprising 79% of the City's investments in notes and securities. The average life to maturity of the investment portfolio is 2.15 years.

Investment Yields

During the quarter, the City's portfolio earned an average yield of 3.7855%. This compares to an average yield earned of 3.7346 for the quarter ending August 31, 2006.

As of November 30, 2006, the yield to maturity of the City's Short-Term portfolio was 5.2169%. This compares to a yield of 5.263% of a 28-day U.S. Treasury Bill with an issue date of November 30, 2006. The City's Medium Term Pool portfolio yield of 3.4759% compares to 4.692% yield for a 2-year U.S. Treasury Bond issued November 30, 2006.

Yield Trends

The Federal Open Market Committee (FOMC) has maintained the federal funds overnight lending rate at 5.25% during this quarter.

Taken from the December 12, 2006 Federal Reserve Press Release:

Economic growth has slowed over the course of the year, partly reflecting a substantial cooling of the housing market. Although recent indicators have been mixed, the economy seems likely to expand at a moderate pace on balance over coming quarters.

Readings on core inflation have been elevated, and the high level of resource utilization has the potential to sustain inflation pressures. However, inflation pressures seem likely to moderate over time, reflecting reduced impetus from energy prices, contained inflation expectations, and the cumulative effects of monetary policy actions and other factors restraining aggregate demand.

Nonetheless, the Committee judges that some inflation risks remain. The extent and timing of any additional firming that may be needed to address these risks will depend on the evolution of the outlook for both inflation and economic growth, as implied by incoming information.

Outlook*

The outlook is clouded by uncertainty, and the fixed income markets have traded in a narrow range as investors weigh evidence of a slowdown against strong equity markets, a recent decline in commodity prices and low long term interest rates. Meanwhile the Federal Reserve remains on hold, with Fed governors warning that inflation is still above the level that would be consistent with long term price stability.

The economy could strengthen in the first months of 2007 if the housing market bottoms and holiday season retail sales are strong. If not, the fed will have to move off the sidelines, and cut overnight rates to boost growth. Market participants currently forecast a modest cut in the Federal funds rate, but not until the start of the first quarter of 2007.

Funds Held by the City

The Attachment is a consolidated report of all City investments. At November 30, 2006, the investments held in the City's pooled portfolio were not in compliance with the investment policy with respects to the portfolio composition. The City's Investment Policy, approved in January 2005, limits the security types, issuers and maturities that the pool may hold. The Pool had 49.14% of the portfolio investments in Federal Home Loan Bank (FHLB) instruments. The policy allows 40% of available funds to be invested in this type of issuer. Many of these investments were purchased prior to the approval of the City's Investment Policy. The City has elected to hold these investments and adjust the portfolio composition as investments mature instead of taking a risk of selling off investments at a loss in order to align the composition of the portfolio.

Prepared By:


Melinda J. Jones, CGFM
City Treasurer

Department Head Approval:


Don Hertz
Finance Director

ATTACHMENTS:

Investment Portfolio Composition and Investments Outstanding, as of November 30, 2006

* Provided by PFM Asset Management LLC, Monthly Market Update and Outlook, November 2006

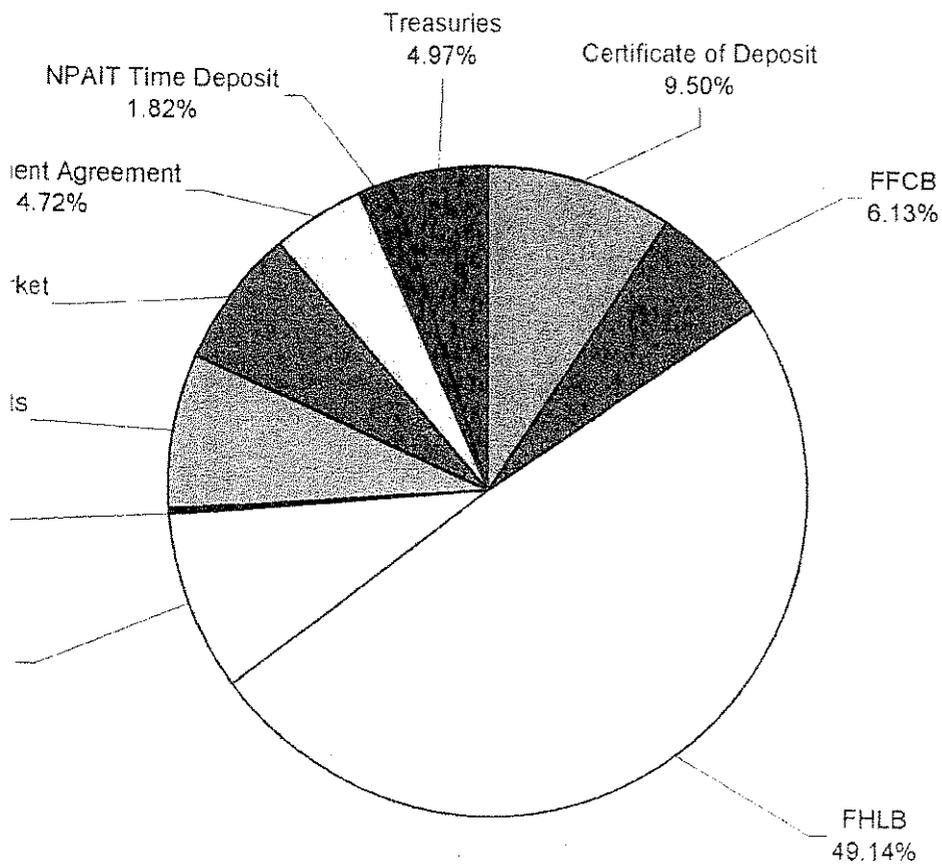
**City of Lincoln
Investments Outstanding
As of November 30, 2006**

	<i>Security Description</i>	<i>Coupon Rate</i>	<i>Yield to Maturity</i>	<i>Purchase Date</i>	<i>Maturity Date</i>	<i>Ending Par Value</i>	<i>Ending Book Value</i>
Certificate of Deposit	Certificate of Deposit 5.22 11/30/06	5.220	5.2200	10/23/06	11/30/06	1,500,000.00	1,500,000.00
	Certificate of Deposit 5.21 12/06/06	5.210	5.2100	11/09/06	12/06/06	5,000,000.00	5,000,000.00
	Certificate of Deposit 5.30 12/28/06	5.300	5.3000	11/02/06	12/28/06	3,000,000.00	3,000,000.00
	Certificate of Deposit 5.24 01/11/07	5.240	5.2400	11/17/06	01/11/07	3,000,000.00	3,000,000.00
	Certificate of Deposit 5.01 03/23/07	5.010	5.0100	03/23/06	03/23/07	2,000,000.00	2,000,000.00
	Certificate of Deposit 4.67 04/05/07	4.670	4.6700	04/05/06	04/05/07	2,000,000.00	2,000,000.00
	Certificate of Deposit 4.91 08/22/07	4.910	4.9100	08/22/06	08/22/07	2,000,000.00	2,000,000.00
	Certificate of Deposit Total		5.118	5.1185			18,500,000.00
FFCB	FFCB 2.44 03/09/07	2.440	2.4400	06/09/03	03/09/07	2,000,000.00	2,000,000.00
	FFCB 3.05 10/29/07	3.050	3.2405	04/30/04	10/29/07	2,000,000.00	1,996,743.45
	FFCB 3.64 04/23/08	3.640	3.6400	04/24/03	04/23/08	2,000,000.00	2,000,000.00
	FFCB 4.25 02/11/09	4.250	3.6803	08/27/04	02/11/09	926,000.00	938,603.73
	FFCB 5.08 12/02/09	5.080	4.8283	11/15/06	12/02/09	5,000,000.00	5,034,624.51
	FFCB Total		3.995	3.8758			11,928,000.00
FHLB	FHLB 3.00 02/20/07	3.000	3.0000	06/20/03	02/20/07	2,000,000.00	2,000,000.00
	FHLB 2.40 03/30/07	2.400	2.4380	03/30/04	03/30/07	5,000,000.00	4,999,397.42
	FHLB 2.40 03/30/07	2.400	2.4435	03/30/04	03/30/07	5,000,000.00	4,999,311.34
	FHLB 3.01 04/05/07	3.010	3.0100	10/07/03	04/05/07	3,000,000.00	3,000,000.00
	FHLB 2.50 04/05/07	2.500	2.5000	04/05/04	04/05/07	2,000,000.00	2,000,000.00
	FHLB 3.00 05/09/07	3.000	3.0000	05/09/03	05/09/07	2,000,000.00	2,000,000.00
	FHLB 2.75 05/21/07	2.750	2.7500	05/21/03	05/21/07	2,000,000.00	2,000,000.00
	FHLB 3.03 06/18/07	3.030	3.0300	03/18/04	06/18/07	2,050,000.00	2,050,000.00
	FHLB 2.80 07/16/07	2.800	2.8000	04/16/04	07/16/07	3,000,000.00	3,000,000.00
	FHLB 3.625 10/22/07	3.625	3.6674	10/22/03	10/22/07	2,000,000.00	1,999,303.39
	FHLB 3.10 12/17/07	3.100	3.1000	03/17/04	12/17/07	5,000,000.00	5,000,000.00
	FHLB 3.50 01/07/08	3.500	3.5000	01/07/04	01/07/08	2,000,000.00	2,000,000.00
	FHLB 2.82 01/08/08	2.820	2.8370	04/08/04	01/08/08	3,850,000.00	3,849,292.38
	FHLB 3.00 01/15/08	3.000	3.0000	04/15/04	01/15/08	2,080,000.00	2,080,000.00
	FHLB 3.40 02/06/08	3.400	3.4000	02/06/04	02/06/08	5,000,000.00	5,000,000.00
	FHLB 3.45 02/25/08	3.450	3.4500	02/25/04	02/25/08	4,000,000.00	4,000,000.00
	FHLB 3.03 04/17/08	3.030	3.0300	07/17/03	04/17/08	2,000,000.00	2,000,000.00
	FHLB 3.25 06/03/08	3.250	3.2500	06/03/03	06/03/08	2,000,000.00	2,000,000.00
	FHLB 3.05 06/30/08	3.050	3.0500	06/30/03	06/30/08	4,000,000.00	4,000,000.00
	FHLB 4.15 07/15/08	4.150	4.1436	05/10/05	07/15/08	315,000.00	315,033.74
	FHLB 3.375 07/21/08	3.375	3.3750	02/19/04	07/21/08	1,000,000.00	1,000,000.00
	FHLB 3.35 08/07/08	3.350	3.3500	08/07/03	08/07/08	2,000,000.00	2,000,000.00
	FHLB 3.625 08/14/08	3.625	3.6023	12/26/03	08/14/08	2,000,000.00	1,994,487.41
	FHLB 3.69 08/14/08	3.690	3.6900	08/14/03	08/14/08	2,000,000.00	2,000,000.00
	FHLB 3.09 10/06/08	3.090	3.0900	04/06/04	10/06/08	2,000,000.00	2,000,000.00
	FHLB 3.25 10/06/08	3.250	3.2500	04/06/04	10/06/08	5,000,000.00	5,000,000.00
	FHLB 4.00 11/12/08	4.000	4.0000	11/12/03	11/12/08	2,000,000.00	2,000,000.00
	FHLB 4.00 11/12/08	4.000	4.0000	11/14/03	11/12/08	2,000,000.00	2,000,000.00
	FHLB 3.50 12/12/08	3.500	3.4748	05/12/03	12/12/08	2,000,000.00	2,000,922.98
	FHLB 3.65 02/27/09	3.650	3.6500	02/27/04	02/27/09	1,500,000.00	1,500,000.00
	FHLB 3.67 04/23/09	3.670	3.6700	04/23/04	04/23/09	2,000,000.00	2,000,000.00
	FHLB 4.35 09/01/09	4.350	4.3500	09/01/04	09/01/09	5,000,000.00	5,000,000.00
	FHLB 4.43 09/10/09	4.430	4.4300	09/10/04	09/10/09	2,000,000.00	2,000,000.00
	FHLB 5.00 10/15/12	5.000	5.0000	10/15/04	10/15/12	3,875,000.00	3,875,000.00
FHLB Total		3.311	3.3198			92,670,000.00	92,662,748.66
FHLB Discount Note	FHLB Discount Note 0.00 12/14/06	0.000	5.1651	10/27/06	12/14/06	3,000,000.00	2,994,518.33
	FHLB Discount Note Total	0.000	5.1651			3,000,000.00	2,994,518.33
FHLMC	FHLMC 3.25 05/14/07	3.250	3.3824	08/05/03	05/14/07	2,000,000.00	1,998,875.55
	FHLMC 3.00 08/27/07	3.000	3.0000	02/27/04	08/27/07	5,000,000.00	5,000,000.00
	FHLMC 3.25 01/28/08	3.250	3.1649	02/25/04	01/28/08	2,000,000.00	2,001,829.72

**City of Lincoln
Investments Outstanding
As of November 30, 2006**

	<i>Security Description</i>	<i>Coupon Rate</i>	<i>Yield to Maturity</i>	<i>Purchase Date</i>	<i>Maturity Date</i>	<i>Ending Par Value</i>	<i>Ending Book Value</i>
	FHLMC 3.25 01/28/08	3.250	3.2085	02/27/04	01/28/08	3,000,000.00	3,001,329.91
	FHLMC 3.60 04/15/08	3.600	3.6000	04/16/03	04/16/08	2,000,000.00	2,000,000.00
	FHLMC 4.00 09/15/09	4.000	4.0000	03/15/04	09/15/09	3,000,000.00	3,000,000.00
	FHLMC Total	3.350	3.3482			17,000,000.00	17,002,035.18
FNMA	FNMA 3.375 12/15/08	3.375	4.1550	05/10/05	12/15/08	557,000.00	548,841.67
	FNMA Total	3.375	4.1550			557,000.00	548,841.67
FNMA Discount Note	FNMA Discount Note 0.00 12/20/06	0.000	6.1711	11/17/06	12/20/06	5,000,000.00	4,986,436.11
	FNMA Discount Note Total	0.000	6.1711			5,000,000.00	4,986,436.11
Inter Fund Investments	General Fund Obligation	3.750	3.7500	09/01/04	05/31/10	12,007,553.46	12,007,553.46
	General Fund Obligation	3.900	3.9000	06/03/05	05/31/10	2,330,128.19	2,330,128.19
	Lincoln Star Bldg TIF	6.390	6.3900	04/21/00	06/15/10	110,336.95	110,336.95
	Lincoln Building TIF	4.060	4.0600	06/02/03	12/01/11	29,162.65	29,162.65
	Liberty Village TIF	5.100	5.1000	10/01/06	04/01/15	245,368.00	245,368.00
	Thunderstone TIF	3.838	3.8376	08/15/05	02/15/18	343,055.55	343,055.55
	Inter Fund investments Total	3.838	3.8376			15,065,604.80	15,065,604.80
Money Market	Money Market-USB Sweep	4.890	4.8900	09/01/01	Open	2,962,724.42	2,962,724.42
	Money Market-NPAIT	4.766	4.7660	09/01/01	Open	3,085,000.00	3,085,000.00
	Money Market-STFIT	4.711	4.7114	09/19/01	Open	100,000.00	100,000.00
	Money Market-STFIT	4.690	4.6902	03/13/02	Open	250,000.00	250,000.00
	Money Market-STFIT	4.610	4.6100	05/29/02	Open	250,000.00	250,000.00
	Money Market-Savings Account	4.850	4.8500	07/26/02	Open	5,000,000.00	5,000,000.00
	Money Market-WFB Overnight Repo	4.850	4.8500	08/31/04	Open	1,900,000.00	1,900,000.00
	Money Market Total	4.831	4.8313			13,547,724.42	13,547,724.42
Investment Agreement	Investment Agreement 4.51 12/01/15	4.510	4.5100	03/23/05	12/01/15	1,120,000.00	1,120,000.00
	Investment Agreement 4.60 08/15/22	4.600	4.6000	03/23/05	08/15/22	1,540,000.00	1,540,000.00
	Investment Agreement 4.70 08/15/25	4.700	4.7000	03/23/05	08/15/25	3,390,000.00	3,390,000.00
	Investment Agreement 4.83 10/15/26	4.830	4.8300	12/01/05	10/15/26	1,910,000.00	1,910,000.00
	Investment Agreement 4.83 06/15/30	4.830	4.8300	12/01/05	06/15/30	1,229,980.83	1,229,980.83
	Investment Agreement Total	4.705	4.7045			9,189,980.83	9,189,980.83
Time Deposit	Time Deposit 4.50 01/11/07	4.500	4.5000	01/11/06	01/11/07	2,000,000.00	2,000,000.00
	Time Deposit 5.25 06/21/07	5.250	5.2500	06/22/06	06/21/07	1,550,892.12	1,550,892.12
	Time Deposit Total	4.828	4.8276			3,550,892.12	3,550,892.12
Treasury Note	Treasury Note 3.625 04/30/07	3.625	3.6286	05/13/05	04/30/07	4,000,000.00	3,999,934.62
	Treasury Note 3.75 05/15/08	3.750	3.6081	05/19/05	05/15/08	2,500,000.00	2,504,843.64
	Treasury Note 4.375 08/15/12	4.375	4.1749	05/19/03	08/15/12	3,167,000.00	3,196,640.07
	Treasury Note Total	3.904	3.8033			9,667,000.00	9,701,418.33
	Investment Total	3.651	3.8771			199,676,202.17	199,720,172.14

City of Lincoln
Investment Portfolio Composition
November 30, 2006



Memo

To: City Council
From: Don Herz, Finance Director 
Date: March 1, 2007
Re: Agenda Item #27 (07-25), Lease-Purchase of Street Lighting

This memo is to respond to Councilman Jon Camp's questions during the February 13, 2007, public hearing for the street light lease purchase ordinance.

Councilman Camp asked for additional information as follows (responses are in bold):

- 1) What is the total capital investment in street lighting in Lincoln?

As of August 31, 2006, the amount of investment in street lights is \$20.9 million. Accumulated depreciation is \$1.5 million, leaving a book value of \$19.4 million.

- 2) What is the estimated life for street light equipment?

The estimated life for the average street light is 400 months (33 1/3 years). This asset life is consistent with the period of time used by Lincoln Electric System when street lights were an asset of LES

- 3) What is the amount of equipment investment and engineering/soft costs in the current financing?

Attached is a spreadsheet that provides an estimate of the amounts that Public Works and Lincoln Electric System will need to fund the 2008 capital investment for street lights. The allocation between equipment and engineering costs are each entity's best estimate.

City of Lincoln

Street Light Analysis

PUBLIC WORKS & UTILITIES

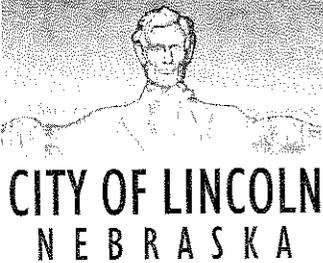
<u>Item</u>	<u>Project Description</u>	<u>Amount</u>
1	84th Kathy to Montello	188,337
2	27th & Whitehead	44,000
3	Beal Slough Phase 1	35,285
4	84th Kathy to Cheney Ridge	238,649
5	33rd & Holdrege	44,000
6	38th & Holdrege	46,000
7	48th & Holdrege	44,000
8	51st & Holdrege	11,000
9	Pine Lake 40th to 56th	461,000
10	Antelope Valley Bridges	842,739
11	Antelope Valley P&Q	286,480
12	L55X & Cornhusker	70,000
13	14t & Highway 2	60,000
14	0th/10th Van Dorn	50,000
15	South 8th to 18th	208,000
16	Yankee Hill Road	296,189
17	O Street 42nd to 52nd	292,000
18	Pioneers/Pagoda	121,000
19	10th & Military	16,250
20	NW56th Partridge to West Adams	99,000
21	40th North & South of YHR	61,145
22	56th & Elkcrest	35,000
Public Works Amount		3,550,074

Based on historical records, Public Works estimates that the portion of these costs that will be paid for Engineering and Inspection will be approximately 17.4%

LINCOLN ELECTRIC SYSTEM

<u>Item</u>	<u>Project Description</u>	<u>Amount</u>
23	Engineering Costs for PW projects	920,000
24	Petition Lighting	63,000
25	Miscellaneous new lights	28,000
26	Yankee Hill 14th to 27th	26,000
27	Residential & Arterial Rebuild	489,000
28	Relocations	
29	Miscellaneous	52,000
30	Undergrounding Vine 40th to 48th	131,000
31	Undergrounding, South St 57th to 66th	131,000
LES Amount		1,840,000
Total Public Works & LES		5,390,074

LES is estimating that their engineering and inspection costs for items 24 to 31 will be 18.6%. In addition, LES is estimating that \$920 thousand (item #23) will be their costs for engineering and inspection for the City projects 1 to 22 and previously completed City projects.



Parks and Recreation Department
Lynn Johnson, Director
2740 "A" Street
Lincoln, Nebraska 68502

402-441-7847
fax: 402-441-8706

"Making Lincoln a Better Place to Live"



MAYOR COLEEN J. SENG

lincoln.ne.gov

February 28, 2007

Robert Miles
4207 Bellville Drive
Lincoln, NE 68521

Dear Mr. Miles:

Mayor Seng asked that I respond to a couple of suggestions from your February 7th letter.

As you probably know, the twin Oak Lakes were developed as an entry feature to downtown Lincoln. I appreciate your suggestions for additional flowering trees and aquatic plants to enhance the appearance of the lakes and associated park areas, and this important gateway to downtown. As part of the community discussions regarding the 2015 Vision introduced by a group of Lincoln citizens, there is consideration being given to expanding park and recreation facilities in the vicinity of Oak Lake park and Haymarket Park. I will share your suggestions with the group developing conceptual plans for the area.

I also appreciate your suggestions regarding establishing aquatic plants in Lincoln's public lakes and ponds. As you indicated, this would enhance the visual and environmental qualities of these lakes and ponds. You also may be interested to know that we are working to establish new aquatic plantings in Holmes Lake as part of the renovation project. We were fortunate to have received funding from the Nebraska Environmental Trust to assist in this effort. We hope to take the lessons learned at Holmes Lake and expand the effort to include other public lakes and ponds in the future. The State of Nebraska fisheries funding provided a significant portion of the funding for renovation of Holmes Lake, and is now funding renovation of Bowling Lake in northwest Lincoln.

Thank you for your interest in and suggestions for enhancing Lincoln's public parks and water bodies. Please phone me at 441-8265 if you have other questions or further suggestions.

Regards,


Lynn Johnson, Director
Lincoln Parks & Recreation

cc: Mayor Coleen J. Seng
City Council Members



Karen K Sieckmeyer/Notes

02/26/2007 02:10 PM

To CouncilPacket/Notes@Notes

cc

bcc

Subject Fw: sewer plant study



Steve Masters/Notes

02/26/2007 02:09 PM

To JCookCC@aol.com

cc Karen K Sieckmeyer/Notes@Notes, Gary

Brandt/Notes@Notes, Brian A Kramer/Notes@Notes

Subject Re: sewer plant study 

Jonathan:

Outlined below is a summary status of the Southwest Wastewater Facility (SWWF) Study -

- As a technical point of order, the Study is termed "*Facility*" study. The name reflects the fact that a "treatment plant" may not necessarily be the recommendation from this process. For example, peak flow storage facilities to handle infrequent high flows for a period of time are common interim solutions in other parts of the country.
- For now, the Lincoln Wastewater System's first priority is updating the Wastewater Master Plan. The Master Plan examines the entire community's needs and identifies facilities required to serve the growth areas shown in the Comprehensive Plan.
- Information obtained by updating the Master Plan will be useful in concluding the SWWF Study. A draft of the updated Master Plan will be ready for public review and Council briefing in late May or June. Public meetings on the Master plan likely will be held in June. With this timeline in mind, the SWWF Study won't be in full swing until sometime during the summer of 2007.
- We are planning to meet with Friends of Wilderness Park early this summer to discuss the Master Plan and and the SWWF Study.

We are interested in suggestions that you might have about the process I have outlined. Also, I have requested that this response go also to the Council Packet.

Steve Masters
Public Utilities Administrator
(402) 441-7588
(402) 441-8609(fax)
JCookCC@aol.com



JCookCC@aol.com

02/20/2007 04:25 PM

To SMasters@lincoln.ne.gov

cc

Subject sewer plant study

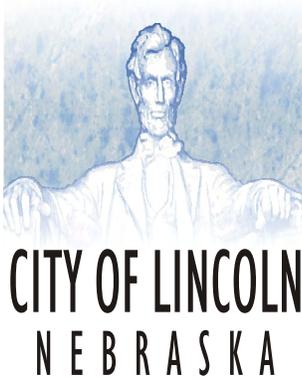
Steve,

Could you please update me on the status of the SW sewer treatment plant study? Thanks.

Jonathan

Check out free AOL at <http://free.aol.com/thenewaol/index.adp>. Most comprehensive set of free safety and security tools, millions of free high-quality videos from across the web, free AOL Mail and much more.

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PUBLIC WORKS & UTILITIES ADVISORY

MAYOR COLEEN J. SENG

www.ci.lincoln.ne.us

March 1, 2007

THE CITY OF LINCOLN IS HOSTING A PUBLIC MEETING FOR THE HOLMES LAKE WATERSHED **Project # 702250**

The public is invited to attend an open house Monday, March 5, 2007 regarding ongoing projects within the Holmes Lake watershed. The open house is from 5:30 to 7:00 p.m. in the multi-purpose room at Lux Middle School, 7800 High Street.

The public meeting will cover several projects within the Holmes Lake watershed. A geomorphic study has begun to evaluate the condition of the streams that drain into Holmes Lake and to identify areas of stability and water quality concern. Design is underway on a project that will stabilize a stream and rehabilitate a wetland along a tributary to Holmes Lake from 70th Street to Forest Lake Boulevard. Information will also be available about the completed Holmes Lake restoration project and what the public can do to help protect Lincoln's streams and lakes.

Representatives from the City Public Works and Utilities Department will be available to explain the project and to answer questions. For more information, contact Holly Lionberger, Public Works and Utilities Department, at 441-8400 or visit the City website at www.lincoln.ne.gov (keyword: virtual).

Holly Lionberger
Public Works and Utilities, Engineering Services
531 Westgate Boulevard, Suite 100
Lincoln, NE 68528
Phone: 441-8400
Fax: 441-6576

Tammy J Grammer/Notes

02/26/2007 09:49 AM

To

cc

bcc

Subject Fw: Inquiry about Time-Warner Cable

----- Forwarded by Tammy J Grammer/Notes on 02/26/2007 09:47 AM -----



JCookCC@aol.com

02/23/2007 05:47 PM

To tgrammer@ci.lincoln.ne.us

cc

Subject Fwd: Inquiry about Time-Warner Cable

Tammy,

Please include this in the Directors' packet. Thanks.

Jonathan

Date: Fri, 23 Feb 2007 14:35:05 -0600
From: "Ryan Holt" <ryan.t.holt@gmail.com>
To: jcook@lincoln.ne.gov
Subject: Inquiry about Time-Warner Cable

Mr. Cook,

I am a resident of Lincoln, and I am contacting you on account of the story on Channel 8 KLKN this week about the action that may be taken against Time-Warner cable for its problematic Navigator system. I remember hearing that people who had experienced problems themselves with their Time-Warner service should contact you, and I would like my name to be added to any petition or list of grievances.

During the past several months that I have been a paying Time-Warner customer, my household has experienced several notable problems due to the new software system, including but not limited to: 1) television shows that failed to be recorded ("DVR'd") as they had been programmed, 2) the images "freezing" on the screen while the cable box refused to change channels or even turn off for prolonged period of time, and 3) the DVR functions not working as they previously had under the old software. As someone who pays upwards of \$1,200 a year to this company, I feel that such faulty service for experimental software undergoing beta testing is unacceptable.

Please let me know if there is anything else I need to do to be formally added to this aggrieved group as proceedings progress. Thank you very much for your time and for your attention to this matter.

Sincerely,

Ryan T. Holt

Tammy J Grammer/Notes

02/26/2007 09:53 AM

To

cc

bcc

Subject Fw: Time Warner Service

----- Forwarded by Tammy J Grammer/Notes on 02/26/2007 09:51 AM -----



JCookCC@aol.com

02/25/2007 07:17 PM

To tgrammer@ci.lincoln.ne.us

cc

Subject Fwd: Time Warner Service

Tammy,

Please include this in the Directors' packet. Thanks.

Jonathan

Date: Sun, 25 Feb 2007 14:02:53 -0800 (PST)

From: Dave Zeplin <davezeplin@yahoo.com>

Subject: Time Warner Service

To: pneman@lincoln.ne.gov, pneman@lincoln.ne.gov, reschliman@lincoln.ne.gov, reschliman@lincoln.ne.gov, jcamp@lincoln.ne.gov, jcamp@lincoln.ne.gov, ksvoboda@lincoln.ne.gov, ksvoboda@lincoln.ne.gov, dmarvin@lincoln.ne.gov, dmarvin@lincoln.ne.gov, jcook@lincoln.ne.gov, jcook@lincoln.ne.gov, amcroy@lincoln.ne.gov, amcroy@lincoln.ne.gov

Sunday, February 25, 2007

Dear Ms. Scarborough and City Council Members,

There's been much recent discussion about the lack of quality and poor customer service associated with Time-Warner (TW). I'd like to share my little "slice of heaven" with TW.

We moved the end of October. I called TW 1st part of October, explained we needed to move service etc. I requested cable, high-speed internet and I wanted to set up digital phone. The 1st thing I was told was that, "You probably don't want to get TW phone service the same time they're hooking up cable and internet." Really? Seems odd. "Yeah, they seem to have trouble with hooking up new phone service the same time they hook up the cable. Why don't you just stick with regular phone service and then call a few weeks after you move in? It seems to work much better when you do it that way."

My next call was to Windstream, requesting my regular phone service be moved. We have never had an issue with Windstream prior to moving, and haven't had any issue since. We did have to pay a service fee to move my Windstream service (at TW's recommendation). It's probably the best customer service advice I've ever gotten from TW.

So our “FIRST” hook up date for TW cable, Friday, October 27. I think my hook up time was 10am – 1pm. At 1:30pm with no sign of an installer, I made my 1st call to TW. After my 3rd call, a service rep showed up at 3pm. This person was a TW “contract” employee—TW must either not have any screening process for contract employees or participate in a work-release program. He was dirty, his truck was filthy, and he had a “friend” who waited in his truck while he worked on the install. It’s one thing to have a service rep in your house—but it’s slightly unnerving to have a stranger sitting out on your driveway. So after about 2 hours—2 hours, he says he isn’t going to be able to finish today, because he didn’t bring the right equipment. He tells me he can return 1st thing tomorrow (8am), Saturday, October 28.

So now it’s Saturday, 9am, 10am . . .nothing. . . I decide to call. He had given me his mobile # the day before. When I reach him he tells me he’s “too busy”, and I should just reschedule with TW.

When I call TW back, I explain the situation. They did send one of their actual employees out that afternoon. He did get the cable installed—although he readjusted the set so he could watch the Nebraskafootball game from the floor while he installed. I had to have Schafer’s come back out the next week to readjust the wall mount on the flat screen.

Hours waiting. Hours. I was told by one customer service rep (on one of the countless calls I made) that I’d be receiving a \$20 credit on my next cable bill for a late install. Whoopie! That credit has never appeared anyway. (Quick aside—How many of your other service provider’s phone numbers do you have memorized? I have 421-0300 imbedded into my brain for life.)

This rant has taken much longer than I thought—so I won’t even go into my saga with the “Navigator”. It’s involved a couple different boxes, countless times unplugging of the DVR box to reboot, 3 scheduled repair visits and 13 ½ hours waiting for a repair service representative, finally having him show up at 9:40pm, phone calls, etc.

From any other service industry this would be considered totally, completely unacceptable. All we’ve received from TW is an “apology” letter –promising smooth sailing ahead (boy, was that presumptive), and canned phone calls telling us the next upgrade is going to be downloaded—again.

And it’s not that our cable bill is inexpensive. It runs about \$160/month. That’s \$1900/year. Quite a bargain for a system that continually locks up and is backed up by a woefully understaffed support team.

Not sure how to wrap this up. I’m glad I sat down and wrote this out—although I’m not expecting any sort of positive resolution. TW has consistently demonstrated that they do not care about providing a quality product or a high level of customer service. If they did, they wouldn’t have rolled out a defective product with insufficient staff to support it.

Dave Zeplin
7800 Viburnum Drive

Lincoln, NE68516
(402) 483-4721
davezeplin@yahoo.com

p.s. – I'll will send City Council members this letter via e-mail and send Ms. Scarborough's copy via the US Postal Service. The only way to reach TW via e-mail (per their website) is to use their online form.

Cheap Talk? [Check out](#) Yahoo! Messenger's low PC-to-Phone call rates.



- TimeWarner.doc

Tammy J Grammer/Notes

02/26/2007 09:56 AM

To

cc

bcc

Subject Fw: time warner.

----- Forwarded by Tammy J Grammer/Notes on 02/26/2007 09:54 AM -----



JCookCC@aol.com

02/26/2007 03:49 AM

To tgrammer@ci.lincoln.ne.us

cc MMMeyer@ci.lincoln.ne.us

Subject Fwd: time warner.

Please include this in the Directors' packet. Thanks.

Jonathan

In a message dated 2/25/07 10:08:58 AM, kj1139@windstream.net writes:

Hi, in addition to the investigation on Time Warner, I was wondering why some one doesn't investigate them for the price increase of 3 dollars and some times more about every 6 months. and what do we get for the price raise. It is very disturbing to me that time warner has monopoly on cable and then offers us nothing but re-runs on ALL of the upper channels...and they do nothing to correct it and then continue to over charge us terribly. I realize I do have options to reduce my cost by taking less channels however I do like cnn and some other news shows. But please look into this problem as I have noticed that the same movie on an upper channel 5 times in one week that it has been on....Why can we not have variety...I had it in the west when I lived there for 25.00 a month...yes cable....thanks , Kay

From: "KLJ" <kj1139@windstream.net>
To: <jcook@ci.lincoln.ne.us>
Subject: time warner.
Date: Sun, 25 Feb 2007 10:12:51 -0600

Hi, in addition to the investigation on Time Warner, I was wondering why some one doesn't investigate them for the price increase of 3 dollars and some times more about every 6 months. and what do we get for the price raise. It is very disturbing to me that time warner has monopoly on cable and then offers us nothing but re-runs on ALL of the upper channels...and they do nothing to correct it and then continue to over charge us terribly. I realize I do have options to reduce my cost by taking less channels however I do like cnn and some other news shows. But please look into this problem as I have noticed that the same movie on an upper channel 5 times in one week that it has been on....Why can we not have variety...I had it in the west when I lived there for 25.00 a month...yes cable....thanks , Kay

Tammy J Grammer/Notes

02/27/2007 11:37 AM

To

cc

bcc

Subject Fw: (no subject)

----- Forwarded by Tammy J Grammer/Notes on 02/27/2007 11:35 AM -----



JCookCC@aol.com

02/27/2007 11:17 AM

To tgrammer@ci.lincoln.ne.us

cc

Subject Fwd: (no subject)

Tammy,

Please include this in the Directors' packet. Thanks.

Jonathan

From: Sinjon45@aol.com

Date: Tue, 27 Feb 2007 07:13:39 EST

Subject: (no subject)

To: jcook@lincoln.ne.gov

Dear Councilmen Cook:

I received your newspaper article about the Time Warner DVR debacle from many of my friends because I have been a very vocal opponent about their new DVR software. Our DVR "upgrade" has never worked properly, and I have called TWC an average of three times a week since the upgrade, in the beginning their customer service representatives would tell me that there were a few bugs to work out. Then later it became that they were "forced" into applying this software by the FCC because of the inability to broadcast AMBER alerts, and finally they just relented and offered me free services and premium channels to shut me up. My complaint was exactly what many of your constituents stated, I felt as if I'm the test bed for their design flaws, and as such I should be compensated. I also get so sick of seeing Ann Shrewsbury defending everything thing that is wrong with TWC, the cost, the channel selection and now this. I wish you luck in this endeavor (Remember David Vs Goliath?)

John C. May

Lincoln

AOL now offers free email to everyone. Find out more about what's free from AOL at AOL.com.



"Merlin Heinselman"
<mh41243@alltel.net>

02/22/2007 04:23 PM

To <council@lincoln.ne.gov>

cc

bcc

Subject: Time Warner

I think it is time to get a choice of cable TV companies...how about Cox Cable from Omaha.

Instead of Time Warner just downloading the navigator on us...I think we should have been given a choice. We were without cable service several times and the last time for 4 days. This is very frustrating when you have worked all day and are ready to relax with a TV show and then you have to deal with the cable not working, calling and being put on hold, and then not getting any technician out for several days.

Let's do something about this situation.

Mary Heinselman



"James Lytton"
<jlytton@gmail.com>
02/22/2007 05:06 PM

To council@lincoln.ne.gov
cc
bcc
Subject Time-Warner

I personally think that Time-Warner has been behaving badly. They are using us as guinea pigs. I like to watch Jeopardy, have missed the programs several times because the signal went out.

The new info that we get is much less than what we used to get. We used to be able to see names of stars as well as a summary and whether the program is a re-run or not. Now if we are lucky we get a short summary.

Bring in the competition!

Jim Lytton

--

6641 S. 57th Street, Lincoln, NE 68516 402-421-0975



"Steve Sorensen"
<ssorensen@smithhayes.com
>

02/22/2007 05:07 PM

To <council@lincoln.ne.gov>

cc

bcc

Subject: Time Warner

I have two brief comments. I spend over \$100 per month for their service and it is not worth that amount since they switched to Navigator. Secondly, if I had a choice I would have switched providers over three months ago. You are aware of the problems. Either hold them accountable or give us a choice. Thank you.

Steven R. Sorensen

Executive Vice President

Smith Hayes Financial

1225 L Street Suite 200

Lincoln, NE. 68506

Phone: 402/437-1005

Wats: 800/279-7437

ssorensen@smithhayes.com



"DAN MATOUSEK"
<DANMATOUSEK@msn.com
>

02/22/2007 05:38 PM

To <council@lincoln.ne.gov>

cc

bcc

Subject: Time Warner Navigator

I would like to add your list of complaints about the DVR Navigator service by Time Warner. Since the change of DVR service by Time Warner, this system is bad. My DVR will reboot 1-2 times every evening while I am watching the television, taking 3-5 minutes each time. When I notified Time Warner about this, their response was that the DVR was like my personal computer and would need to be rebooted occasionally. There is no way this should happen this often. Half of the time I try to use my digital tier service, these channels do not come in clearly. Please add my name to your complaint list.

Dan Matousek



Dianne8552@aol.com

02/22/2007 07:33 PM

To council@lincoln.ne.gov

cc

bcc

Subject time warner

I read the article in the newspaper today about Time Warner and just wanted to thank you for taking action. I also feel that there should be some competition in Lincoln. We are paying too much for the service we get, especially with all of the problems lately. I have had many problems with the Navigator. I've called several times and sometimes they tell me over the phone what to do and sometimes someone has to come out to fix it. I haven't even bothered calling lately even though I have different problems with it now because it takes so much time to be on hold or wait for a service call.

Please continue your action and also get us some other companies to choose from.

Thank you.

Dianne Campbell

AOL now offers free email to everyone. Find out more about what's free from AOL at AOL.com.



"Rudy Anderson"
<k1hawk@gmail.com>
02/22/2007 08:27 PM

To council@lincoln.ne.gov, jkorbelik@journalstar.com
cc
bcc
Subject Jonathan Cook - Time Warner DVR Issue

Dear Mr. Cook:

Thank you for taking the time to address this issue.

I have attached the letter I recently sent to Beth Scarborough, President of Time Warner Cable Nebraska. As you will see she took the time to respond and I have received credit in the amount of \$53.70 on my most recent statement. That was a nice surprise as I was expecting \$15.00 as promised by the Time Warner Customer Service Representative.

In my letter to Ms. Scarborough, I gave Time Warner until April 1st to resolve all of the DVR issues. I have begun my research and at this point the Windstream/Dish Network package is looking very favorable in terms of software and price.

The Time Warner consumers are quite simply not getting what they are paying for when compared to the previous DVR software, yet Time Warner continues to reap the benefits with an inferior product. Quite possibly the software download they promised by Friday February 23 will resolve many of the issues, but I am confident not all. My guess is they will have made certain the On-Screen Caller ID will be operational.

While I did not do the research as to just how large a company Time Warner is compared to the many other recognizable companies in the U.S.A., I am quite certain they have the resources to employ software experts to create a product similar to what we were used to.

Again, thank you for taking the time to address this.

Respectfully,

Rudy Anderson
2515 Dorothy Drive
Lincoln, NE 68507
402 467-5453



- Letter to Time Warner Page 1.jpg



- Letter to Time Warner Page 2.jpg



- Letter to Time Warner Page 3.jpg



- Time Warner Letter - Page 1.jpg



- Time Warner Letter - Page 2.jpg



- Time Warner Response 1-22-07.jpg

January 18, 2007

Beth Scarborough
President
Time Warner Cable Nebraska
5400 S 16th Street
Lincoln, NE 68512

Dear Ms. Scarborough:

I opened two envelopes from Time Warner today. One envelope included my monthly bill which did not reflect the \$15.00 credit your Customer Service Representative recently promised. Rest assured I will pay the entire bill to avoid the unpaid balance being turned over to a collection agency.

The other letter was from you citing what you feel are "several improvements" in the "new Navigator". The letter said Time Warner "invested millions of dollars" to develop this newest version of DVR. I have to wonder if you received "value" for the significant investment. At this point I am questioning the value of my monthly purchase from Time Warner Nebraska.

Based on my work experiences it appears your programmers did not have a good grasp of what the consumer wanted in a DVR program. Each time I have purchased an updated version of a product it always had improvements and/or enhanced features. Think about your own purchases. Will you ever return to a car without air conditioning, power steering, cruise control, etc? Navigator is a step back in time. Have you used your 8-Track recently?

My intention is to give Navigator until April 1st to improve or I will be seeking other options. I believe the other options are less expensive, but I will know what I am getting and will get what I pay for.

In the past when I called 421-0300 I had the option to choose "Navigator" to express my concerns. I find it ironic that option is no longer available. By the way it took 9+ minutes for a CSR to come on the line this evening.

- **Customer Control of Banner Duration** - Nice feature, but one of the least necessary improvements. I could have gone months, if not years without this modest improvement.
- **Recording a Program Series by Time Slot** - Should have been available from the start. I suspect most of your DVR customers would have overlooked this feature.
- **Caller ID on TV** - And we need another reason to keep us from getting up out of the lounge chair? We as a nation watch too much TV as it is and now people will be able to see who is calling while watching their favorite show on TV. That feature is on most cordless telephones. Nice sales ploy on the part of Time Warner.

A third party vender called recently on your behalf offering digital phone service. I politely explained based on Navigator I will never purchase additional options from Time Warner.

- **VCR-Friendly Reminder Timer** – Probably a nice feature for VCR users, but isn't that what DVR is all about?
- **Will Be Deleted Soon Icon** – This is a very necessary feature that was obviously overlooked by the programmers that cost Time Warner "millions of dollars". Why **not** show the "time to deletion" on the same screen without pressing another button?

I recently purchased a tool at a local store. I was able to read all about it prior to purchasing and when it did not work as advertised, the store gladly took it back. With Navigator I received a well written flyer in the mail telling me about the features of Navigator. When Navigator was "forced" upon us, it did not even come close to working as anticipated. A thorough disappointment from the onset.

At a recent luncheon Navigator was the topic of discussion with the waitress involved in the conversation. Her comment was, "give me my old DVR back". That was followed by mixed laughter, snickering and applause. It was not one of your proud moments.

When you purchased your last vehicle, did you test drive it prior to purchase? Did you research it prior to making a choice? What would you have done had the radio not included FM, CD and stereo as advertised? At least you would have had an opportunity to decline the purchase at the conclusion of the test drive. As previously stated I am "test driving" Navigator until April 1st.

Now let's talk about improvements!!

- **Viewing a Programming while it is recording** – Let's say I set a program to record and I get home early and choose to begin watching. If I catch up to live programming and hit the "Live" button, the recording is immediately paused and viewing returns to a previous channel that may have been viewed. Many times it will go to Channel 1. It should go directly to the channel you are watching.
- **Finding a Specific Show to Record** - Let's say I want to watch the University of Nebraska play basketball. I know it would be listed as College Basketball, so I choose "B-Find Shows" and then "B-Keyboard Search" and key in "College Basketball". At that point "College Basketball" appears and I have to enter each tab to locate the game. At the present there are so many tabs to search through I no longer use the option. Show the games individually with the ability to scroll until you locate the game you want to watch and/or record.

The former version would automatically "gray" out letters that were not included in a title of any program while using the key board feature. Nice feature that is missed.

In the last version if I wanted to locate any program that included a specific word in its Title or the Information, I could type in that word and it would bring up every show that included the word. A very nice feature that is missed.

In the former version if you were in the "Guide", you could go to a specific program, i.e. Law and Order and you had the ability to bring up every Law and Order and then make choices on which specific shows you wanted to record. This provided a simple way to locate shows for recording without keying in the name.

- **Record Options** – Navigator requires way too many steps to set recordings, whether it is extending recording times, recording a series, recording only new versions, etc. Newer usually means simpler. All Record Options should be available at the time you set a program to record instead of having to move to "List-Series Manager" to conclude the recording. The Navigator programmers failed to test the program as it was developed. Rest assured this is a fault of programmers in all industries.
- **Recording Multiple Channels** - At present if a specific show is set to record on one channel and there is an HD channel, it automatically is set to record both channels at the same time. I.e. Channel 11 and Channel 11.1.
- **Simpler is Better** – Navigator requires too many actions to complete a task, any task.
- **Future Recordings of a Specific Show** - At present if a show has been set to record and then it is not going to be on for several weeks, that recording is lost. One has to wait until the show is once again included in the "Guide". An example is the show "Lost". The show will resume in February and I will need to be able to review the "Guide" within seven days of when it returns or I will not be able to set it to record. Good thing I am not going to be on vacation.
- **PIP** – One size and it is too large. When using PIP, you can no longer pause one show, switch to the other and then return to the first and un-pause it. In the past when using PIP one could switch back and forth and reverse a program to see what you may have missed.
- **Pay Per View** -- It is my understanding subscribers are no longer able to purchase pay-per-view events in advance and record while absent
- **Surfing Feature** - In the previous version if you had been watching a specific program for a period of time and chose to "surf" channels during a commercial, you could hit the "Last" button and return to the program you had been watching even if it was several channels back.

The "power of you" is to get things done and I am quite confident the issues I have raised are consistent and common within your customer base. Hopefully with the clout of your position you will make certain the "millions of dollars" spent will prove to be a good investment

Respectfully submitted,



Rudy Anderson
 2515 Dorothy Drive
 Lincoln, NE 68507
 402 467-5453



Dear Time Warner Digital and DVR Customers,

I write this letter for two very important reasons. The first is to express my sincere thanks for your patience during the recent conversion to the new Navigator. Now complete, the conversion was a highly complex exercise and was not without some inconvenience, re-education, re-calibration of settings, and for some, even downright disappointment.

The second reason actually arises from the first; I want and need to restate the reason why this change was necessary as well as let you know that the new Navigator is not a static product: it has been designed to consistently improve. Lincoln was in fact a "beta" market for the Navigator, which is now in rapid deployment throughout the company nationwide. Because our version of software was early in the process, you can expect regular, on-going enhancements throughout the next few months. In fact, several improvements have been or will shortly be implemented including:

- **Customer Control of Banner Duration** -- Press "A" Button, highlight "Settings", right-arrow over to "Display" (highlighted in yellow along bottom of screen), select Long, Short, or Medium duration time.
- **Recording a Program Series by Time Slot** -- Select "Record Series with Options", highlight "Air Time", change "All Showings" to actual time program will air.
- **Caller ID on TV** -- Within the next 30 days, this feature will be automatically activated for all digital phone customers: occurrence adjustment can be made by pressing the "A" button and highlighting the "Caller ID" heading.
- **VCR-Friendly Reminder Timer** -- New default automatically tunes to customer designated "reminder-channel" on non-DVR converters: program VCR, set a reminder... that's it.
- **Will Be Deleted Soon Icon** - Red triangle appears next to programming in "List" indicating impending program deletion. While program is highlighted, press "Info" button: time to deletion will appear in lower right-hand corner of screen.

There's more to come. Shortly after these improvements, the Navigator display will include new, easier to read, high resolution colors and fonts along with more extensive and complete programming descriptions.

We are not about change for the sake of change and, believe me, making this move was not taken lightly. Our old guide was one of the best in the country (our new Navigator will be, too!). It was deeply integrated into everyday use. We know. We loved it, too.

But, the future is coming. Having a closed, proprietary system such as our old guide, would severely restrict our ability to integrate both existing and a wide variety of future customer enhancements; it also would inhibit our ability to meet looming, new, security and regulatory

requirements from the FCC. Time Warner has invested millions of dollars to develop our "open" Navigator because we felt so strongly that we should not be dependent on a third party to develop and maintain such a critical customer interface as the program guide.

I have personally heard from a number of you. Your clear, articulate assessments have been forwarded directly to the development team; your comments are appreciated. Whether about this product or any other issue, I very much welcome your feedback so, keep it coming. Send us an email from our timewarnercable.com website or give us a call at 421-0300. Along with our website and direct mail, Channel 1 is a good and convenient source of information about your Navigator as well as all the other services we offer. I encourage you to tune to it regularly.

Finally, you should know that this move was all about improving the product you receive. Your vision has always been our vision not only of television but of all the communications products we provide. Whether televised, telephonic, internet or soon cellular-wireless, our goal is to consistently integrate and advance these communication media to the next stage of customer convenience and control; a stage in which you choose, explore, sort, execute, and receive what you want when you want it. And, that's really what "the power of you" is all about. Again, I thank you and appreciate your patience. Be assured that you have been heard. Improvements are on the way.

Sincerely,



Beth Scarborough
President
Time Warner Cable Nebraska

CABLE

HIGH-SPEED ONLINE

DIGITAL PHONE

Dear Rudy -

Great letter - I agree with all of your suggestions and believe that over time they will all be implemented. In the meantime customers are frustrated. I did check on the credit and it has now been applied to your account. Thanks for giving us some time for your business.

Elizabeth H. Scarborough / Division President
5400 South 16th Street • Lincoln, Nebraska 68512
Phone: 402.421.0330 • FAX: 402.421.0305

Ben
C/102 2
1/22/07



"Husker Harley"
<huskerharley@gmail.com>
02/23/2007 12:21 AM

To council@lincoln.ne.gov
cc
bcc
Subject TWC

READ:

<http://www.avsforum.com/avs-vb/showthread.php?p=9853120#post9853120>

Harley Horton



David Copper
<dnc5252@yahoo.com>
02/23/2007 07:52 AM

To council@lincoln.ne.gov
cc
bcc
Subject Time Warner Cable

Since I will not be available to attend the hearing, I wanted to at the very least voice my opinion. First, it is a shame that as television viewers, our only options are Time Warner or satellite, the latter of which is not a very easy or reliable option. It seems that the subscribers should have a louder voice in programming and services if TWC is our only viable option.

I pay \$142 per month for high speed internet and cable...that is a LOT of money for the little service and lack of quality we receive. I would like to see WNBA games and would pay extra but they tell me they won't carry them...the Golf Channel now broadcasts ALL the Thurs and Fri rounds but they are not in high definition and TWC tells me they don't want to pay to get the high def feed.

And the new Navigator is a joke....when trying to play recorded shows, I hit the up button and wait 30 seconds for it to move, then wait another 30 seconds to move up to the next show. If any of our computers worked that badly, we would be screaming at the manufacturer for a refund. But we have no other choice so we sit there like lumps on a log and have to put up with it.

Thanks for listening.

Dave Copper

8:00? 8:25? 8:40? [Find a flick](#) in no time
with the [Yahoo! Search movie showtime shortcut](#).



"William Glover"
<sterlingmg@mindspring.com>
>

02/23/2007 08:45 AM

Please respond to
<sterlingmg@mindspring.com>

To <council@lincoln.ne.gov>

cc

bcc

Subject: Time-Warner Negative Comment

In the interest of brevity, I want to indicate that we have had almost exactly the same problems outlined in the February 22, 2007 Lincoln Journal Star article on Time Warner. Our monthly bill averages in the \$180 per month range, which includes three cable boxes and high speed internet access. We traded out one of our boxes three times before it stopped resetting. The Navigator software was a giant step backwards and I can only assume we are a test market as we are comparatively small. I wonder if we are also receiving test market lower rates for the cable service?

If I could find a viable alternative to Time Warner, I would take it.

Thank you for the opportunity to comment in advance of the March 5 meeting.

William Glover
3146 South 25th Street



Mike Carpenter
<mcarpenter@neb.rr.com>

02/23/2007 10:31 AM

To council@lincoln.ne.gov

cc

bcc

Subject Time Warner Evaluation

Dear Representative,

I am pleased that you are proactively investigating Time Warner's service in the city of Lincoln. I would also recommend that you expand your inquiry beyond the widely publicized Navigator issues to also include their broadband and VOIP phone service. Over a period of the last few months the performance of my broadband internet service has been unacceptable. The complaints that I have filed with both the company and most recently with the Better Business Bureau include:

1. Download speeds are frequently 5 times less than advertised and worse yet, upload speeds for weeks at a time have been 10 times less than advertised. This last fact makes simple tasks like sending an email with an attachment impossible. On some days I could only send text messages where on other days it would take hours of attempts before the message could actually be delivered. I have contacted the company over the last several months about the problem and attempted to escalate the problem within the organization with no resolution. I have conducted daily speed tests using sites their technicians have recommended to me. I realize the speed tests are "point-in-time" but I use the service almost 12 hours per day non-stop and can assure you that this was not an intermittent problem. The company did upgrade my service to their premium service for one free month but this had absolutely no effect. With the premium service I experienced the same poor results as the basic service is half the cost (\$44 vs \$88).

2. Frequent short and long term outages of both internet and TV including an outage of more than 6 hours a few weeks ago. The company blamed the longest and most recent of these outages on LES. I am a former technology executive with many years of experience and have to ask where the secondary power supplies, uninterruptible power supplies, back-up generators, or redundant power is. This is a full fledged communication system that people rely on. They are now selling phone services to unknowing customers that are used to zero downtime on phone service. Customers would not have had phone service for 6 hours during this time frame. We have to ask, how many emergencies occurred during that time frame that required phone service? Phone and Internet are now mission critical services for clients and require zero downtime solutions. The response I got from Time Warner was that I should consider business class internet service. This is unacceptable when we are paying \$44.95 per month for Internet and our total cable bill is over \$100 per month.

3. Failing to deliver advertised upload and download speeds for the last three months. Yesterday was the first day, outside a 3 day period a week or two ago that I was able to achieve advertised speeds. Question: They will say this had nothing to do with the Navigator issue. Is that really true? I find it amazing that my Navigator was updated at 6:30 AM yesterday (I observed this happening) and the same day my internet speeds returned to normal without any known intervention by the company.

4. Their service has been less than acceptable. When I asked to speak to the General Manager in the Lincoln office I was told by the technical supervisor that he was the top escalation point in the office. I then asked to speak to someone in the regional office in their Network Operations Center in Kansas City and was told this would likely not happen. The technicians are generally friendly but under-equipped and under-skilled in the office to really get to the heart of anything other than basic problems.

I can assure you that I am not the only one with these issues. Customers using these services that were working from their homes over this period that are aware of what to expect out of broadband services can attest that this was at least a community problem if not regional or national. I found complaints on websites from folks in other parts of the country experiencing the same issues. Most clients still use their dial up capabilities as a comparison to broadband and may not have recognized the seriousness of this issue. One of my friends called last week and said that she was having trouble sending emails with attachments and this was affecting her home business. She mainly used the service for email at a rate of 10-12 per day. As a low frequency user she did not have the exposure and awareness of a more frequent user (e.g. stock trader) would.

If they have fixed the problem that is fine but what assurance do we have that we will not have a similar problem in the future? I am concerned about the continuity of service from this company. They do not appear to treat these products as mission-critical services that call for zero downtime (e.g. phone). They do not appear to have the redundancy in place to do so nor do they appear to have the depth in knowledge and commitment by management to maintain these services. If we want this community to grow by attracting new business and retaining existing business we need to make sure the core infrastructure and services we have in place are at least reliable and if we are really serious we should be shooting for best in class.

My recommendations are as follows:

1. The investigation should definitely continue.
2. In addition, customers should be credited for the degraded TV service and fully refunded for the broadband service for the last several months.
3. The investigation should also include looking into the management's knowledge and or lack of involvement on both a local and national level. As a former technology executive managing outsourced technology services for Fortune 2000 clients I find it unconscionable that management was either not aware of these issues or taking the appropriate action to communicate with customers on the range of problems they were having and the plan to fix them. Their strategy seems to have been wait and see how loud the customer complains, delay as long as possible and only address what comes to the surface.

If we cannot trust the management of this company to serve our interests and deliver on their promised service levels then we need to take immediate action to mitigate our risk. In any event, we should be rapidly exploring options with other providers.

As far as other providers we need to look beyond Windstream. I have tried their broadband service for the last two weeks and although they are more consistent than Time Warner they also frequently do not

meet their advertised speeds. We have to make this a local priority and the good news is that communities around the country that have done this are now enjoying the benefits of their efforts.

Thank you for your attention to this important issue.

Sincerely,

Mike Carpenter



"Alvin Harding"
<ah50317@windstream.net>

02/23/2007 06:23 PM

To <council@lincoln.ne.gov>

cc

bcc

Subject: TIME WARNER ISSUES

Greetings:

I would like to outline my troubles with Time Warner service and express my displeasure with the new Navigator.

- 1. I started experiencing re-boot issues immediately and have had 1 at home service call (arrived at 9:00 p.m.) and have swapped out my box 4 times.**
- 2. My remote no longer functioned, as it did before the change, and all my problems were not solved until I added the extra fee based service of the Guide.**

I have received no inquiry or apology from Time Warner throughout this whole ordeal. Suffice it to say, I am not very happy.

Thank you

Alvin Harding, Jr.



Mike <worster.m@gmail.com>

02/23/2007 08:41 PM

To council@lincoln.ne.gov

cc

bcc

Subject Time Warner Comments

Time Warner really needs their service reviewed. The cost of the service compared to the actual service you get has little to be desired. I currently use their phone service, high speed Internet and DVR box with upper tier channels. There is no competition to lower prices or drive better customer service. Back when they had the passport contract we had major problems with our service, we had between 10 and 15 different DVR boxes, a technician out every Friday for over a month straight and we also had a service technician monitoring our service from Time Warner office. Before this was over we lost track of how many calls we had for repair and changed out DVR boxes. We did get some reimbursement but it did not make up for our time waiting hours for technicians to arrive and lost programming that we could never see again. One of my biggest complaints is that I wrote a letter to Time Warner about my dissatisfaction with their service and asked to have someone contact me to discuss the problems. I hand delivered the letter to a supervisor that didn't seem too interested in helping, to this day I have never gotten a reply and I gave them my address, phone numbers, email address. This has to be the worst customer service I have ever seen in a major business. We have had better luck with the last DVR box we got, but I would have to agree that the new company created navigator is very hard to understand and use, the graphics poor and the whole system is confusing to use. If they had some competitors that could offer quality service at a reasonable price most people would drop them like a rock. I spend well over \$100 a month for service, yes it is my choice to do so but that does not excuse poor quality from a provider. I hope some of this is helpful to you.

--

Mike Worster

Please delete email if obtained in error. Thank -You



"Chris Adams"
<adams@neb.rr.com>
02/23/2007 11:00 PM

To <council@lincoln.ne.gov>
cc
bcc
Subject time warner navigator

Thank you for pursuing the Time Warner Navigator problems. I have been very frustrated with Time Warner ever since they installed the software. I have contacted Time Warner multiple times via e-mail (which they rarely respond to) with the problems that I have been having with the software. They tell me that they will remove the cost of the DVR service that they have yet to remove and a promise that the software will get better. They have released about 3 versions of the software since the initial install, and I have yet to see any improvements.

Thanks again for trying to make things right for the customers. You have my full support.

Chris Adams



Liz Beynon
<lizzie38@alltel.net>
02/24/2007 02:30 PM

To council@lincoln.ne.gov
cc
bcc
Subject Time Warner Cable

Dear Council Members:

I am very dissatisfied with the new Navigator Guide. The program guide information is incomplete and often incorrect. The old Passport Guide gave much more complete information about subject,actors,new or repeat.

The biggest disappointment has been that no longer can I program on my VCRa series of programs as I could with the old guide. I can program only one program at a time, I cannot select the different channels for recording as I could with the past guide. At first the technicians told me I would be able to do that later, but now they tell me I will just have to buy their DVR system.

I will not be bullied into buying their DVR system, because It takes such a long time to get help from one of their technicians if you have a problem.You have to listen to lengthy advertising before you can even get to a technician.

Liz Beynon

6209 Barbara Lane

68512



"Darrin M."
<dmcomedy@hotmail.com>
02/25/2007 08:00 PM

To council@lincoln.ne.gov
cc
bcc
Subject time warner problems

To the good folks on the city council,

I just wanted to add my voice to all those who are growing increasingly frustrated with the behavior of Time Warner Cable and how their lack of any competition gives them no incentive to do anything to please their customers. My problems aren't just with the new software they're trying out on us, though I am as unhappy as everyone else about that, it's that their rates keep going up and up, and we as consumers have no real options other than to just take it.

Look at it this way - if you go to a movie, the theater doesn't make you pay for all 12 movies showing to let you see the one you want. If you go to a fast food place, they don't make you pay for all 10 combo meals, then tell you you can't have a cheeseburger. If you go to the grocery store, the store doesn't force you to pay \$100 for groceries and then say you can't have any milk. So why can cable tv companies structure their service so that you have to pay for over 300 channels when you may only ever watch 50 or so at most?

Here's the main problems I've been having with Time Warner - I'm now paying over \$100 a month for digital cable, with HD and the DVR box. Only a handful of channels are available in HD, which isn't their problem, yet they want to charge me \$7 a month extra just to get ESPN in HD, saying ESPN charges them a bit more for it. I pay for the Starz package, which now has a HD channel, but Time Warner says they don't know when they'll be getting it, and that if more channels start having HD service, they will most likely raise my rates yet again.

Time Warner also refuses to add the NFL network and ESPNU, two channels that I've requested. And, they somehow have the ability to package some of their sports channels in a different tier that I have to pay extra for, so why can't they put some of their other channels - i.e. channels geared toward women and children, in separate blocks that I can choose to decline? A la carte programming - fought by the cable companies - may cause them to charge more for the major channels, but the savings of being able to stop paying for up to a couple hundred channels I have no use for would easily offset that.

Some people say satellite TV is the answer, but one satellite service offered here doesn't give access to any local channels, and the other refuses to carry the Omaha affiliates and gives their customers inferior channels from Kearney, Hastings, etc. in exchange, making both those services less attractive to customers.

Bottom line - I'm tired of paying way too much for cable tv and having my concerns and requests being ignored by the cable company, since they know they've got their customers over a barrel. Healthy competition is needed to lower prices and promote better customer service, please do whatever you can to make that happen.

Sincerely,

Darrin Meyer
Lincoln NE

With tax season right around the corner, make sure to follow these few simple tips.

<http://articles.moneycentral.msn.com/Taxes/PreparationTips/PreparationTips.aspx?icid=HMFebtagline>



"Matt Coatney"
<coatney@alltel.net>
02/25/2007 09:54 PM

To <council@lincoln.ne.gov>
cc
bcc
Subject Time Warner Navigator issue

I read in the Lincoln Journal-Star that the City Council was soliciting comments from the public about the Navigator DVR Software from Time Warner Cable.

It would be very easy for me to send an emotionally-charged tirade e-mail about how horrible this has been in comparison to the Passport system, but I will try to calmly outline in detail some of the problems I've consistently encountered and other observations:

- 1) My box will reset/reboot at the most inopportune times for no reason. I can guarantee that it will reboot if I try to watch picture-in-picture and/or switch between programs using this function.
- 2) Speaking of picture-in-picture, with the prior Passport software one was able to hit the "On/Off" black button on the bottom left-side of the remote and it would still record the program that was being toggled on picture-in-picture feature. With Navigator, you actually have to set a record function and record it like a regular program. Passport would just record it like a normal program you were watching and could rewind live.
- 3) The program guide is not user friendly, especially in comparison to the Passport feature. Trying to find a program using "Keyboard search" is like trying to find a needle in a haystack. I call radio play-by-play for the University of Nebraska Women's Basketball team on the Husker Sports Network, and I record a great number of basketball games on t.v. With the old Passport software, it was so easy and I thought Time Warner had a great product. All I had to do was click on the letter "W" and it brought up an easily manageable guide of all "W"omen's basketball games and you could see detailed descriptions right there. With the navigator, you have to jump back and forth, and usually there is little or no information, with no rhyme or reason to the sort (date/time/channel, you never know). Plus, 20-25% of the time, once you click on "women basketball", it shows a blank box. I have more luck going to Time Warner's website and using their own program guide (which, by the way, two of their customer service reps didn't know existed when I called in to complain about Navigator. They seemed happy I told them about it.)
- 4) Speaking of the program guide, for whatever reason, if you click on "Find Shows" on the program guide in Navigator, most of the time you have to wait while it loads and you get the dreaded "Loading Shows" screen and you wait and wait. It defaults to the first letter of the alphabet on the left side, but for the first two months of Navigator, the shows that somehow sorted first were titles of porn movies on their pay-per-view channels. This was very inappropriate for my teenage children.
- 5) The "Loading Screen" usually does load on my two DVRs in the house, but on the regular digital cable box, forget it. When it goes to "Loading Shows", we know to turn the t.v. off and go to another t.v.
- 6) With the old Passport system, if you rewound a live show, it would show you a time hack on the menu to let you know what portion of the show you were on in relation to current time. You have NO idea with the Navigator. You just get an arrow and a yellow bar and you guess "well, I'm about 2/3 of the way through." You can't go back to an exact time on the rewind to show someone else something they've missed.
- 7) I think on-tv-screen-caller id is great, but from everything customer service reps tell me, the main reason for Navigator was so they could have on-screen Caller ID. Well, if they ruined what was a great product in Passport just for Caller ID, I think it was a mistake. I have two phones with caller id built in. I can live without the tv-screen caller ID. I think it's nice, but wow is this Navigator the pits compared to Passport.

8) There are many other little things that I've forgotten about Navigator that just aren't as user-friendly as Passport, but the bottom line is, when I moved to Lincoln, Time Warner was great to deal with and I've always loved their service and products until now. I told my family when Navigator came out to be patient, as clearly no competent managers in their right mind would let something this sub-standard go when we've had great products and service from them in the past. Unfortunately, it hasn't gotten any better and talking to their customer service reps hasn't helped much. It's a sub-standard upgrade and it just isn't remotely close to the service we had before. You know, I'd considered getting a dish, but I know lots of people who hate their dish and the bottom line is, Time Warner had a really nice product and now they're giving us something that not only isn't as good, it flat out doesn't work sometimes at all. I can't believe nationally their customer service evaluators and quality control people don't realize this is just hideous. I like having my phone through Time Warner and I guess at some point if they don't get rid of this ridiculous product, I'll do something else, but I really don't want to. Why should I? I mean, if McDonalds switched from beef in their cheeseburgers to tofu and everyone complained and stopped eating there, I'm guessing at some point McDonalds would go back to beef and would say "wow, that was a bad decision." I keep waiting for that from Time Warner and it's baffling that just on sheer complaints from the public they don't say "wow, that was a bad decision." I mean, it's painfully obvious to anyone who has ever watched television in the last 20 years that this is awful.

Thanks for helping the citizens of Lincoln who more and more rely on services such as cable t.v. for their entertainment, media and communication. I really don't want to be a griper. I'd like to be part of the solution and on the whole, I've had mostly positive experiences with Time Warner in our 5 years in Lincoln. This just doesn't seem to jive with everything else about them that's been great.

Regards

Matt Coatney
2053 Herel
Lincoln, NE 68512

402-805-4076



WebForm
<none@lincoln.ne.gov>
02/25/2007 11:55 PM

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

InterLinc: City Council Feedback for
General Council

Name: Larry Dahl
Address: 5231 So. 67th St
City: Lincoln, NE 68516

Phone:
Fax:
Email:

Comment or Question:

We have been extremely patient waiting for Time Warner to fix Mystro. We would not put up with this if there was another company we could utilize. Thank you for taking steps to correct their poor performance. Finally, someone is listening to the consumer and has the courage to take them on. If nothing else, we deserve credit to our accounts for the poor service. Thank you. Larry Dahl

Lincoln City Council
555 South 10th
Lincoln, Ne 68501

Attention Mr. J Cook

February 24, 2007

After the February up date last Friday of the Navigator program we are finally getting an excellent signal on our High Definition TV and the older sets we have in our house. It seems even though the older set were capable of an excellent picture the choke point for years was in the cable signal. We still get a letterbox picture we did not have before. Hopefully the good picture will remain.

We have had Time Warner out several times and the improve signal lasts only for a few days. We have the buried fiber optic cable in our yard.

Additionally the programming is very poor. We have over 70 channels of mostly garbage.

Time Warner is also our most costly utility.

The solution is simple, since we have exclusive public electric power we should let Lincoln Electric in to the cable business or at least let another cable company provide service to Lincoln.

Sincerely:

Charles and Celine Calcaterra

RECEIVED

FEB 26 2007

CITY COUNCIL
OFFICE

RECEIVED

Jeff S. Arnold
1307 Wood Lawn Drive
Fremont, NE 68025

FEB 26 2007

CITY COUNCIL
OFFICE

February 22, 2007

Page 1 of 2

Lincoln City Offices
Attn: Councilman Jonathan Cook
555 South 10th Street
Lincoln, NE 68508

Re: Performance Evaluation / Legal Investigation
Time Warner Cable

Dear Councilman Cook:

I recently read an article in the Fremont Tribune newspaper (copy enclosed) regarding your resolution calling for a performance evaluation and a legal investigation of Time Warner Cable Television relating to their poor customer service and the many service problems caused by their Navigator program guide / DVR software.

We have had repeated problems with our Navigator box regarding the quality of our TV picture overall as well as not consistently receiving some channels. Our cable box has been swapped on three occasions and we still have problems receiving some channels. To make a long story short.....when I call our local service telephone number I end up talking to someone in a Lincoln service center. Their analysis of what the problem is had ended up being different than that of their local Time Warner technicians. It is like we are dealing with two separate companies who are not communicating with each other.

I have experienced additional frustration in not receiving return telephone calls from our local office. After going through the lengthy process of getting transferred out of the Lincoln service center back to our local office I end up in voice mail. The last time this happened I left a very specific message on the voice mail for the local Time Warner manager to personally return my call. Not only did he/she not return my call but to date no one from our local office has. This is unacceptable service from any business!

Additionally, their office hours are very inconvenient for working people. They are open 8am - 5pm Monday through Friday with no week-end office hours. For a utility company who has been granted a "license" to serve our area I feel this also is an example of very poor customer service.

219070226

Arnold

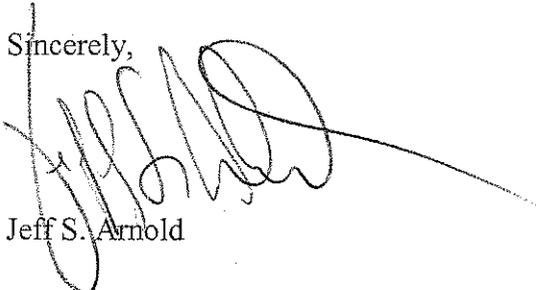
February 22, 2007

Page 2 of 2

Lincoln City Offices
Attn: Councilman Jonathan Cook

Please add this letter to your file of complaints received from other unsatisfied Time Warner customers. I hope the performance evaluation you are seeking will result in better service for all Fremont and Lincoln Time Warner customers. Thank you for introducing your resolution.

Sincerely,



Jeff S. Arnold

cc:

Mayor Skip Edwards
406 W. 14th Street
Fremont, NE 68025

Fremont City Manager
Mr. Robert Hartwig
400 E. Military Ave
Fremont, NE 68025

Federal Communications Commission
Cable Television Division
(cc: sent via e-mail)
<http://www.fcc.gov/cgb/complaints.html>

Time Warner Communications
5400 So. 16th Street
Lincoln, NE 68512

Time Warner Cable
Corporate Headquarters
One Time Warner Center
New York, NY 10019-8016

afternoon in Omaha. The partnership is composed of government entities, local health care of-the-art facility will ensure that our most vulnerable citizens get the care they need."

Cook calls for evaluation of Time Warner Cable

BY JEFF KORBELIK
LEE NEWSPAPERS

Lincoln City Councilman Jonathan Cook is introducing a resolution today calling for a performance evaluation of and a legal investigation into Time Warner Cable's new Navigator program guide and DVR software.

"There are serious problems here," Cook said Wednesday afternoon. "I think Lincoln customers deserve better. They are not getting what they have paid for."

A public hearing on the resolution is scheduled for 1:30 p.m. March 5. Time Warner asked Cook to wait a week before introducing his resolution to see if its latest software upgrade, scheduled to be finished by Friday, takes care of the problems, said Ann Shrewsbury, director of public affairs for the cable company's Nebraska division.

"This is a top priority for this division and our company," Shrewsbury said. "It's very

important for us to make the changes needed to create a great product that will have incredible opportunities in the future."

According to Cook, the city's franchise agreement with Time Warner, approved in November 2005, gives the city the authority to order a performance evaluation. Cook's resolution calls for the Cable Television Advisory Board to conduct the evaluation. It also calls for city attorneys to review any franchise agreement violations, Federal Communications Commission violations or other regulatory infractions.

Last fall, Time Warner dropped the contracted Passport channel guide in favor of the company-created Navigator.

Time Warner changed the guide to make it compatible with other software programs coming down the line, such as TV caller ID for those who have the company's phone and digital cable service.

Auditions will be a cold reading night. The play features multiple

The group also needs people with publicity. Those interested at auditions and sign up.

Anyone unable to the audition should contact Will Mitchell at (40

Fibromyalgia Support

The Fibromyalgia Support Group at Health Park Plaza, Room 5, third floor at Fremont Area Medical Center. Mitzi Monovitz will direct. Everyone is welcome. For more info

Quilting guild schedu

Prairie Piecemakers will meet at Shepherd Lutheran Church in Fremont.

Pen Pennell of Omaha will give a presentation on "The Icing on the Quilt."

Diabetes group meeti

The American Diabetes Association will meet at 7 p.m. Tuesday at Health Park Plaza, Room 5, third floor at Fremont Area Medical Center.

Diana Novak, coordinator of cardiac rehabilitation at Fremont Area Medical Center, will speak on "Diabetes, disease and exercise."

FPS kindergarten reg

Kindergarten registration for the fall will begin in a few weeks at Fremont Area Medical Center.

American Heart Association
Fighting Heart Disease and Stroke





"Kelli Woods"
<huskerkel@hotmail.com>

02/26/2007 11:41 AM

To council@lincoln.ne.gov

cc

bcc

Subject Time Warner concerns

I am writing first, because I appreciate the Lincoln City Council addressing this issue and secondly because I have not been pleased with the dismissive manner in which Time Warner has responded to concerns.

Upon moving to a new home in July and having a Time Warner representative come to my home for installation of cable, I also placed an order for the DVR system. While installing my cable and system the employee remarked that I shouldn't get used to the way the DVR works because Time Warner was developing their own and "it sucked". He went on to say they had been testing this new program and guide on their employees and that people had lost entire seasons of shows they had recorded, other items weren't recording, and in general, the product was subpar to what was currently rolled out to consumers. First I was surprised at the unprofessional manner in which this employee spoke of the product. Secondly, I was worried about receiving this product.

Now, several months later, I can confirm that in fact this product does "suck" and rather than being wary of that young man's professionalism perhaps I should have heeded his comments as a warning!

For nearly two months, essentially since the Navigator made it's way to my DVR, I have had endless trouble. From having to stop watching programs all together because the entire system froze (not even allowing me to watch live TV) to having customer service (I use the term lightly) respond in an annoyed tone that I simply should unplug everything and "try again" OR drive out to Time Warner and pick up a new box I have been displeased with this inferior product. Other issues that have occurred include:

*lag time of up to 3-5 minutes after the press of a button during which I am suspended in DVR limbo--I can neither watch anything or stop my previous action

*a show becoming stuck on perpetual fast forward

*the recording of phantom shows, none of which appeared recorded, yet my DVR would not let me record anything else because other channels were already "in process" of being recorded yet no channels, shows or information additionally was displayed

*resetting entire preferences several times only to have them not saved

*spotty recording of series that are scheduled appropriately to record all new episodes

Finally, I find it ironic that a few weeks ago when I received a letter from Time Warner saying our concerns had been heard and to be patient that works was in progress I was recording a program only to have my entire DVR freeze up, stop recording, re-boot, and completely miss recording a several minute portion of the program it was scheduled to record...all of this while reading a letter assuring me my concerns were being addressed!

Since that time a multi-tude of co-workers, friends and acquaintances have

all commented on the shoddy service and inferior quality of this product. Then to have the rates raised by Time Warner while still not addressing these concerns is an insult.

Many of called and been offered free months of HBO in lieu of any reduction in their billing charges and I find this ridiculous. I have paid for a product that I have chosen, and the offer of throwing another few channels of something I don't want and have already specifically not chosen to watch is both frustrating and does not address the true issue I have. Does having a few free months of HBO make up for the programs I have lost? I pay money for the DVR to enable to me to watch programs later, and in shorter time by skipping commercials, and the offer of more TV channels to watch doesn't solve NOT having a functional DVR which allows me to watch programs in less time and at my convenience.

It is as if our complaints and concerns have fallen on deaf ears and no true efforts have been made to prepare customers for what would happen during this transition to Navigator, no apologies or admittance that there has been a substantial lack of service has been made, and finally, no regard for the rudeness and smugness of being told a product will work if only I plug it and unplug it several times a day. I wasn't aware that it was my fault for not knowing to re-boot Time Warner's product multiple times a day was their supposedly sufficient answer to my concerns.

I am curious as to how many complaints have been forwarded to national offices of Time Warner? Or are local officials ensuring their superiors that Nebraska consumers are fawning over their new product? I would like to see this addressed not only at the local level, but at the national level as well so other customers don't have to put up with such poor service and products.

Time Warner could have helped head much of this off by initially reducing customer bills during this trial period and being upfront that their may be some bugs. Had my bill been reduced, customer service been top notch, and a genuine acknowledgement that there were issues to work out been in place before this rubbish was rolled out, myself and countless others would have been prepared and willing to weather a little inconvenience. However, throughout this "testing" we the customer have been treated as annoyance, as unintelligent, and as fools to be placated by a few free months of HBO rather than the repair and timely upkeep of a service we already have put our hard earned money towards.

Again, to the Lincoln City Council and to Council Member Cook, I thank you for raising these concerns and making the voices of Lincoln customers heard.

Sincerely,

Kelli Woods

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<http://www.lowermybills.com/lre/index.jsp?sourceid=lmb-9632-17727&moid=7581>



"Kale Vontz"
<kv75302@windstream.net>
02/26/2007 01:05 PM

To <council@lincoln.ne.gov>
cc
bcc
Subject: TIME WARNER

COMMENTS ON TIME WARNER:

The services are TOO expensive. A small town (900+) residents 60 miles west of Lincoln has cable services for \$22 per month. Has over 30 channels, no garbage channels. In Lincoln I pay \$59 per month for so called 70 channels - 30 of which are garbage - we could easily do with out. Some channels on the Lincoln cable (namely the channels selling merchandise) which Time Warner obviously gets paid for running.

The electric rates, the gas rates, telephone rates are all published before they are raised. Time Warner changes its rates at will.



"Aftan Hoffschneider"
<aftan_h4@hotmail.com>
02/26/2007 07:45 PM

To council@lincoln.ne.gov
cc
bcc
Subject Time Warner

I would like to thank you for the opportunity to be heard on this issue, it is much appreciated. It's pretty bad when the city council has to take action in order for a public customer base to be heard!!

When I first read the article about the the Time Warner investigation I was happy (and willing) to provide a laundry list of items that I was highly disappointed in (and quite angry with) regarding the new program guide/system and the customer service at Time Warner. The article did say that there was a band of improvements that were to be pushed through last Friday that should "fix" most of the kinks that customers were complaining about...I will say that this "push through" seemed to help a little with some of the problems we had been having. That's not to say that I am not still very upset with Time Warner. I feel that the service and product we were provided with over the past several months was greatly inferior to the product we had previously been receiving (and more importantly, paying for)! And for that reason I feel that Time Warner customers are entitled to some sort of make good action. And I don't mean another ridiculous "apology" letter!! If you're going to apologize, then fix it...don't just say "oh, sorry" and hope for the best! I'm not even sure what kind of action is appropriate in this situation, but it's definitely Time Warner's position to figure something out...otherwise they will remain with many dissatisfied customers.

P.S. The feature that I am missing the most is when you fast forward through a recorded show it used to back up a few seconds after you pushed play again - it no longer does that. Other than that, receiver timing and shows not recording are among the issues we have with our product.

Thanks again for the opportunity to be heard.

[Find what you need at prices you'll love. Compare products and save at MSN® Shopping.](#)

February 25, 2007

Lincoln City Council
555 South 10th
Lincoln, Ne 68501

Attention J Cook

RECEIVED

FEB 27 2007

CITY COUNCIL
OFFICE

This is a follow up note to my last letter.

On February 24 Time Warner sent a last update on its Navigator software package that was suppose to repair the problems for the last three months. Friday night and Saturday night when I tried to get channel 25 on my 50-inch digital HD TV set all I got was a blank screen. Older sets worked fine.

Additionally Channel 6 still has letterbox format on Law and Order programming.

I have given up rebooting the Cable Box since we have a least some marginal service. We need a second cable company.

Sincerely:
Charles & Celine Calcaterra.



antoniana cather
<antoniana@yahoo.com>
02/27/2007 11:37 PM

To council@lincoln.ne.gov
cc
bcc
Subject The Time-Warner issue

Good evening --

i have been a TW subscriber [all three major services] since the company came here and am appalled at the level to which their service has fallen.

Regarding the current Navigator controversy --

Yes , they needed to make a change in order to keep their technology and their offerings current . But what they don't tell the consumer and what a TW repairman told us is that , to do this, they could have STAYED with the original company that had been providing the Passport service. But this option would have cost MORE. In creating their own flawed Navigator, they hoped to save a bundle of money. Perhaps they have done so, but they have done this at the expense of the customer.

I remember a few years ago when the city investigated Alltel and found their customer service to be below par. Time Warner makes Alltel's service AND ethics ... look good.

Thanks for listening --
Brenda Friedman Ingraham
3015 Kucera Drive
Lincoln 68502

The fish are biting.
Get more visitors on your site using Yahoo! Search Marketing.
http://searchmarketing.yahoo.com/arp/sponsoredsearch_v2.php



InterLinc Action Center
<action@lincoln.ne.gov>

02/28/2007 01:08 PM

To City Council <tgrammer@lincoln.ne.gov>

cc

bcc

Subject Action for City Council - General received.

An action has been filed for City Council - General.

Tracking Number: 4277

Problem: Time Warner Cable hearing. I am sending this hear, as the address that was printed in the Lincoln Journal Star is not valid.

Comments: To Whom It May Concern:

I am not able to attend the meeting on Monday, March 5th concerning Time Warner Cable. I wanted my thoughts to be known though.

I have never in my life been so dissapointed by something I pay so much for. I have DVR but I am not able to use it because the second to last time the cable went out, my tv was broken. I woke up in the morning to see my box rebooting itself over and over again, only to findout I could not turn on my TV. I called Time Warner, on the one number they have made available to the public, and was told that while the reboot is going on many people will see blue or black screens. I explained to the woman that I was finally able to make my box quit rebooting itself, but that there was no longer power to my TV. She told me that she would have someone call me back when all of the problems are fixed. I am still waiting on that call.

After I finally was able to move my cable box to another room, it was extremely slow and I could not order ONDemand. We called Time Warner yet again and they said they would have someone out to look at it next week. The next week my family got the flu, so I thought it nice to not let the cable man enter our germ infested house. In the meantime, my husband was able to figure out that the amplifier used to boost our signal was the problem with why we could not order ONDemand. He took out the amplifier since we no longer needed it, and amazingly we had ONDemand again, yet our box was still sloooow. He called back the cable company, told them we figured out the problem with the ONDemand, but asked them to still come out because of the broken TV. They said, fine they will have someone out the next day. Now we all know, that every call and appointment is documented. Time Warner knows who was sent out to what address, and what they were there to look at. Yet the man who stood in my living room and stared at the cable box, not the broken tv, and told us he had never heard of this problem before seemed stupified. He stood here for maybe a total of 10 minutes in which he was on his walkie talkie talking to someone else who couldn't figure out his job either. He never once looked at out TV or gave us a suggestion on what we could do. My husband gave Time Warner a few days and called them back, only to be told we're not sure who was at your house, and we didn't know your'e TV was broken. That is crap and everyone knows it. At this point I have no idea what to do from here. I am now watching TV on a 20" old TV, instead of the year old TV that worked fine one day and no longer works.

I realize that Time Warner is a cable company, they provide cable service to the home. There job is not to fix broken TVs. Yet my television was broken while they were updating their software, I have no idea where to go from here. If I were allowed to get service other than satellite dish in this town, you can bet that I would. I need to my service to work. I attend school online,

and I expect my internet service and cable tv to be top notch. It is what I pay for.

A little side note: I lived in Wisconsin prior to this, and was getting the same service from Charter Communications for half the price. If you do not believe me you can check into their rates.

Sincerely,
Very Dissapointed Time Warner Customer

Go to your list of actions:
<https://intra.linc.linc.n.e.gov/city/mayor/action/default.asp>

PLEASE DO NOT REPLY TO THIS MESSAGE.



"Jan Lindblad"
<janl001@hotmail.com>
03/01/2007 03:22 PM

To: campjon@aol.com
cc: council@lincoln.ne.gov
bcc:
Subject: Time Warner

I am so glad you are having the hearing on Time Warner. Ever since the start of Navigator, we have not been able to tape shows on the VCR when we are gone unless we leave the TV on. Two different technicians told me that to not have to do that we would have to purchase another element from Time Warner. Isn't this a step backwards instead of forward?

Do all you can do.

Les and Jan Lindblad

janl001@hotmail.com

Rates near 39yr lows! \$430K Loan for \$1,399/mo - Paying Too Much? Calculate new payment
<http://www.lowermybills.com/lre/index.jsp?sourceid=lmb-9632-18226&moid=7581>



WebForm
<none@lincoln.ne.gov>
02/26/2007 12:52 PM

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

InterLinc: City Council Feedback for
General Council

Name: Kennard Pischel
Address: 4621 South 54th Street
City: Lincoln, NE 68516

Phone: (402) 489-3544
Fax:
Email: kpischel@yahoo.com

Comment or Question:

I have "two" complaints regarding the constant ongoing increase in our property taxes.

1. I read so much in the paper regarding Lincoln's 9 million dollar budget deficit, thus it really irritates me to see the city wasting so much money on residential snow removal. Our latest snowfall, evening of Feb. 24, was addressed by the city crew on Sunday morning. In the first place, we only had about 2-1/2 to 3 inches of wet slushy snow and with temperatures forecast to be in the upper 40's this week, why did the streets even need plowing?? South 54th Street in front of my house was plowed "SEVEN" times, yes I said "SEVEN" times Sunday morning / noon. Why???? Why??? In each pass, the city truck would take only about 2 to 3 foot of the blade was a.) Wasting time as he was certainly got the impression the driver was a.) Wasting time as he was probably on overtime pay for Sunday and b.) putting unnecessary wear and tear on city equipment. On several driveways, the driver even stopped and backed up, only to pull up partially into the driveways to remove snow that was previously plowed there. You and I both know this is a ridiculous waste of "taxpayer" dollars. OR, is it simply that the city wants to deplete its snow removal budget so they can demand a larger budget next year to pay more overtime.

2) My second complaint is in regard to the rate hike request of LES. Three years ago we had LES install underground utility lines at my son's residence. After the new lines were buried, a crew came out to "disconnect" the old overhead lines and "connect" the new underground lines. At that same instance, they also unplugged the "old" meter and plugged in the "new" meter. Recently within the past 30 days, my son's neighbor had his service buried underground also. LES came out and disconnected the old lines, connected the new lines, and removed the old meter. After 3 days the house still did not have a meter, so I called LES to inquire as to why. I was told by the LES people that "they now have "one" crew that disconnects the old lines, connects the new lines & removes the meter". They went on to say that "it usually takes 5 to 7 days for the next crew (meter) to come out and install the new meter". Thus LES is supplying electricity (free of charge) for the time it takes for the meter crew to come out. THIS is only one little instance, how many other residences / businesses all over Lincoln are getting free electricity for 5 to 7 days. It certainly seems to me that if LES is providing free electrical service, they don't need a rate increase.

RECEIVED

FEB 26 2007

CITY COUNCIL
OFFICE

February 18, 2006

Dear City Council Member:

Please do not allow alcohol in our city parks. Children these days have enough opportunities to start drinking at a young age. We don't feel that the City of Lincoln should be an enabler.

Children deserve to live and grow to adulthood in an environment where drugs and alcohol are not misused. Statistics show that parents are the #1 provider of alcohol for underage drinking. Teens are twice as likely to binge drink (5 or more drinks on one occasion) if their parents or friends' parents provided alcohol at their home or other facility for a party.

According to the Lincoln Lancaster County Health Department's Youth Risk Behavior Survey, 73% of students in grades 9-12 have tried alcohol on more than one occasion. Last year more than 40 young people in Lincoln were hospitalized with alcohol poisoning. Substance abuse is taking a toll on our young people and in our neighborhoods. Allowing alcohol in the city parks is just another avenue for kids and parents to engage in risky behavior.

COMMUNITIES MUST TAKE SHARED RESPONSIBILITY FOR CREATING CONDITIONS THAT SUPPORT POSITIVE CHOICES ABOUT ALCOHOL.

Policies in the public sector (states, counties, cities, school districts) and the private sector (businesses, social clubs), and enforcement of those policies, shape how alcohol is promoted, sold and consumed in our community. Don't be one of those policy makers who would rather make a buck rather than look at the bigger issue - underage drinking and the consequences that brings to our city.

Our parks are beautiful, safe and family oriented. **DON'T TAKE THAT AWAY.**



Mrs. Vicki Fasnacht
Parent of 3 teenage children
3718 Washington Street
Lincoln, Nebraska 68506
(402) 489-2681



"shannon mcgovern"
<midwestminichoppers@hotmail.com>

02/27/2007 12:40 AM

To council@ci.lincoln.ne.us, commish@co.lancaster.ne.us,
gwinters@journalstar.com, DWinter@journalstar.com,
mjtavlin@speedwaymotors.com, krutledge@journalstar.com,

cc

bcc

Subject Taskforce Feb 21st MINUTES

After reviewing Feb 21st Motor sports taskforce minutes. Knowing the taskforce purpose and scope I see that the economic impact figure is a lowball proven fact. Sound is an issue that only seems to effect Lancaster county rural residents. Compared to other counties in the country. Has anyone come forward and said I live next to this Drag strip in this county, city and state and it has ruined my life? The sound issue will have to be decided and set by County officials and the investor. Hopefully sound test can be done. If a facility is even allowed in Lancaster county. At Feb 14th meeting In conclusion, Dr. Thompson noted the economic impact of private venues is always greater than government provision of similar venues. One possible drawback is that private facilities may not always be in the best locations. So Looking into Social and Environmental impacts. I cannot find any factual information or data where residents, sound levels, traffic, property values, nature, crops, wildlife or farm animals that were negatively impacted by Motorsports. Specifically Drag strips. Which is odd because most all of them are located in rural areas. Does anyone know where to find factual negative info about life near drag race tracks? I have found groups around the country that protest race tracks and say bad things before they even have a chance to be constructed. But I cannot find any proven hard core facts. I can call and e-mail every drag strip and county office around the United States and hear nothing but good positive things about communities with drag strips. I cannot find cases where new facilities have gone in and then there were these problems listed above. Here is a link to find Dragstrips located in America. Click on state, then track, then map. Look at the map in Satellite view to see landscape of area. Feel free to contact the tracks yourself and find out. If anyone finds a case of negative impact let me know.

http://www.vansensusauto.com/dragstrip_locator.php?State=/State/NE



"Michael J. Kovar"
<jammin@inebraska.com>

02/27/2007 06:41 PM

To <council@lincoln.ne.gov>

cc

bcc

Subject

Ladies and Gentlemen

I would urge all council members to denounce Jon Camp's proposal to go to a City Manager system. Please stand up for the citizens of Lincoln, and stop Mr. Camp's attempts to run this city as he see's fit. At the very least the two mayoral candidates on the council should stand against this misguided proposal and denounce it publicly. The Mayor stands for ALL the citizens of Lincoln, and should not be replaced by an individual who serves at the pleasure of the City Council.

I do not wish to personally attack Mr. Camp, but I have never seen a more divisive or mean spirited individual on the Lincoln City Council. If this idea is adopted, the manager will live or die at Mr. Camp's pleasure. Mr. Camp will demean and denounce any individual who disagrees with him and seek to replace him with someone who he can brow beat into submission, as he has done with city agencies and members of the city administration. Again, I strongly urge you to take a stand against this proposal.

Thank You
Michael Kovar



tw62t@aol.com
02/27/2007 09:10 PM

To council@lincoln.ne.gov
cc
bcc
Subject

Lets make sure to remember when the LES rate hikes end.

[Check out the new AOL.](#) Most comprehensive set of free safety and security tools, free access to millions of high-quality videos from across the web, free AOL Mail and more.



"Jodi Loos"
<jodi.loos@chelincoln.org>
02/27/2007 03:23 PM

To <everyone@lincoln.ne.gov>
cc
bcc
Subject 2007 Health Challenge

Lincoln's Health Challenge

The Community Health Endowment of Lincoln (CHE) is sponsoring the 6th Annual Health Challenge.

The Health Challenge is a three-week incentive program to be held April 2 - 20, 2007, to raise community awareness of healthy behaviors and lifestyles. The concept is simple: residents of Lincoln and Lancaster County participate in healthy activities, earn points, and become eligible for thousands of great prizes including computers, bikes, trips, children's activities, gift certificates, and much more!

We would like you to promote the challenge among your agency staff, clients, and their families. It is a simple and FREE way to emphasize healthy activities and have fun while doing it! The Health Challenge is open to anyone age 3 and above who lives, goes to school or works in Lincoln or Lancaster County.

If your agency is interested in participating, please email Jodi Loos, jodi.loos@chelincoln.org. Scorecards and instructions will be mailed or delivered to your agency or are available on our website at www.chelincoln.org.

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

Jodi Loos
Office Manager
Community Health Endowment of Lincoln
Phone: 402.436.5516
Fax: 402.436.4128
website: www.chelincoln.org



Dasenb@aol.com
02/28/2007 03:57 PM

To council@ci.lincoln.ne.us
cc
bcc
Subject City Manager Proposal

I am opposed to the City Manager form of leadership for Lincoln. What political party might be hired?

Wilbur Dasenbrock
1449 Meadow Dale Drive
Lincoln, 68505

AOL now offers free email to everyone. Find out more about what's free from AOL at AOL.com.



"Joel Ludwig"
<jjl1963@alltel.net>
02/26/2007 12:53 AM

To <mayor@lincoln.ne.gov>, <council@lincoln.ne.gov>, <plan@lincoln.ne.gov>, <KSvoboda@ci.lincoln.ne.us>, <RogerYant@aol.com>

cc

bcc

Subject FW: Review of Minutes: Missing information?

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

From: Joel Ludwig [mailto:jjl1963@alltel.net]

Sent: Monday, February 26, 2007 12:43 AM

To: 'russbayer@aol.com'; 'gjulifs@lancaster.ne.gov'; 'Carol B'; 'llama_mama@alltel.net'; 'stapatz@inebraska.com'; 'chrisk@kccobuilders.com'; 'llewis7676@aol.com'; 'mdekalb@lincoln.ne.gov'; 'mjtavlin@speedwaymotors.com'; 'keagan@lancaster.ne.gov'; 'jmaul@lincoln.org'

Subject: Review of Minutes: Missing information?

I was not able to attend your most recent meeting due to illness, but an associate of mine has been able to attend and observe many of your meetings. I've tried to stay up to date based on the minutes of your meetings and what my colleagues have observed. My interests are in all forms of motor sports, but the topic of my letter here is directed towards ensuring a complete analysis and report is available to the public.

I stated in my previous letter to Russ Bayer that I have not wished to disturb the task force during your information gathering. I am compelled to present this information to your whole group. Please copy those members that I was not able to include in the email.

Based on reports of your progress, I believe there are some misconceptions or missing information that you need to include in your deliberation as you are nearing the completion of your mission. Comments and discussions between task force members and city-county employees, and observed by people watching the proceedings make it appear that recent actions are geared towards writing a report to wrap-up quickly rather than completing the mandate to really discover the findings and present the whole picture.

Russ, in a reply to my letter, you mentioned that Item 4 in your reply was one of the areas the task force was concentrating its efforts.

“4) Identify and rank the most promising and acceptable locations in Lancaster County for motor sports facilities and/or activities.”

I truly believe your sincerity in the efforts to complete the mission you've been assigned. You stated that the task force will also evaluate various forms of motor sports, and what form the facilities may take if they were to be developed in Lancaster County. I've been reading the minutes that are posted on the county website, and I am concerned that the rush to wrap up that does go with end of any project may overlook key issues that are at the heart of the assignment you've been given. This is one problem the first task force had. It focused on one issue, moto cross, because of one proposed project. It failed to address the whole topic of motor sports. We are now in round 2. I hope that we address all the issues this time around.

Location Criteria: I see that the methodology used to identify potential locations merely listed a frequency of mention in a poll of committee members. This is noted in the minutes as the number of times mentioned. This is a poor method because it fails to evaluate each alternative on suitability, commercial viability, pros and cons for the community as a whole, and other issues that go right to the heart of the task force mission.

I was extremely surprised that criteria for analysis were not already discussed in greater detail. It looks like an initial attempt was made to list some criteria, and a late offering is noted, but I don't see any record of this being properly addressed and analyzed.

If the mandate of the task force is to consider various forms of motor sports, then various criteria must be considered.

- How many acres would be required for an oval track?
- What if the oval track were 1/2 mile vs. 3/8 mile?
- There is no paved oval track in Nebraska, could it work in Lincoln?
- How big must the property be for a road course?
- For a drag strip?
- For a motocross track?
- What must the dimensions and basic layout be?
- Can some of them be co-developed?
- Is there additional undeveloped property nearby to allow for expansion or co-location of other facilities?
- How many acres are potentially available at each site?
- How many parcels of land make up each proposed site?
- What are the potential attendance numbers and how does that affect parking space size?
- What kind of traffic access is required?
- Can each potential site be scored for current traffic flow vs. future traffic flow?
- Are there interested parties willing to invest and develop these facilities?

There are many more questions that can, and should be considered.

There are methods available that can help a team weigh and compare options, and use a logical analysis. Breaking down a set of alternatives by analyzing each criterion, you will develop a better solution. Each criterion can be weighted for importance, and each alternative weighed according to the judgment of the group members.

These techniques should be familiar to any professional with education and experience in finance, engineering or project management. You have a professional on the task force, Mike Dekalb, from the planning department. I would expect that his job should include performing this kind of question and analysis when evaluating projects and plans. Why leave these tools out of the discussion on purpose? The method selected would appear to be driven to a quick, preconceived conclusion. I am pleased to see that this issue has been recognized by the task force and noted in the minutes. If you have not considered related details, such as mentioned above, then the task is not complete. Any map presented cannot reflect a rating or ranking without further efforts to review the appropriate criteria.

Infrastructure:Mr. Eagan made a fundamentally incorrect statement regarding city services as related to location of a race track. A motor sport facility doesn't require that it be tied to city services. These facilities tend to be in rural locations without city services. Depending on size of the facility and code requirements the water and sewer facilities can be designed to be self contained on the property. The solution may be a well water and septic system, or a small processing system, with portables to handle large crowds. A system might be designed to handle a crowd size of 2500 or 5000, with portables to cover larger crowds. The criteria would simply need to be determined to comply with local and/or state code. Those details would be worked out by the designers and the appropriate government departments.

I-80 Speedway, Eagle Raceway, and probably all the other circle tracks in Nebraska, along with the old Scribner race track and Kearney Raceway are not connected to city services. There are actually gas stations and restaurants out in western Nebraskathat are miles from a town. How do all those businesses, located at "middle of nowhere" exits along the interstate, possibly operate without city services? Mr. Eagan and Mr. Patzel appear to have made statements that are unfounded.

I have one comment on Mr. Patzel's statement regarding West O streetinfrastructure. Ask the villageof Emerald about Lincolncity services. They may not be all that available. But they are also not required for a potential project of this type.

Observers mentioned overhearing snide remarks about portable toilets from one task force member to another. Again, these remarks are unfortunately based on an uninformed opinion. Portables are used at many large events, often including some INSIDE LINCOLN (near Husker games for example) where one would assume city services are available. In fact the modern portables used now are washed every time they are brought out, and are many times in better shape than the permanent facilities at the state or county fairs. When dealing with a large range of the number of users of any facility, portables are a reasonable solution to peak use times.

Water service would not be a problem either. If city service is not available, then wells can supply water. Most people prefer bottled water these days, and that would also be provided through concessions. Again, it is just like events held at other race tracks, state or county fairs, swap meets or concerts that are conducted all over our state. Volume of use is not a problem. For comparison: Irrigation wells will pump more water in 60 minutes than a crowd of 30,000 would use in a day.

Based on these considerations, when evaluating various potential locations you cannot force the decision to be in one place or another based on availability of city services. It is merely another criterion on which you can score each competing option.

Economic Impact: I understand that the economic impact report was focused on the tourism impact. With regard to evaluating locations and configuration, the team should be reviewing the potential economic growth impact from increased business activity surrounding a motor sport facility. The level of that growth may not be predictable with current information, but various locations can still be evaluated for the relation regarding traffic and proximity to the facility and the city itself. When you evaluate the locations from an entrepreneurial view, some locations become more suitable to the growth of other business, which will bring another benefit to the community.

Mr. Eagan discusses a sub-area plan with a race track as an anchor. It may be worth considering at later stages by the appropriate city/county department. I think he has misunderstood the actual form of increased activity surrounding the activity at the track. It doesn't necessarily mean literally "surrounding the facility". It means the activity that springs out of the economic activity. When considering this in LancasterCounty, much of the new business would occur at the nearest relative interstate interchange. It would not necessarily be at the track or across the track in most cases. It would be growth of hotels, restaurants and retail at the nearest I-80 exit. An example: The extension of city services to the area north of the 56th Streetexit brings a lot of potential for Lincoln's north side. All the potential interstate exits in the county can be included in the consideration, each with their plus and minus attributes.

This increased business can be considered in the analysis criteria for each alternative. It is where the benefits to LancasterCountycome into play. This is where other business grows out of the relationship of the various activities at this motor sport facility. The lodging taxes, sales taxes and increased income and jobs are where the real impact comes into being.

Public vs. Private Development: The information presented to the task force has clearly pointed out the preference for private development for projects. The potential sites must be viable from an investor's position. Private investors assume the risk. The Public option puts the risk on tax payers. If the economic viability of a potential location is not addressed in some manner in the criteria, then it is not a complete analysis. Is the property available? At a decent price? At what cost to develop? Does it provide any growth potential? You can say what you want, but in the

end the investor has to write the check.

I mention these as some of the criteria that should be used to rank each potential alternative. They are only part of what must be considered to truly “Identify and rank the most promising and acceptable locations in Lancaster County for motor sports facilities and/or activities.”

Complete the job: I fear that you, the fine citizens that have volunteered their time have been placed on this task force as a way to deflect the responsibility for a decision by the county board. I am sorry that you were put in that position. You have put good effort and demonstrated the best intentions for the people of Lancaster County as your guide.

As a professional, I have participated in site selection teams for projects to design and build two factories for two different companies. I had to present and defend the criteria for those projects to the top management and the owners of the companies. I expect that the real bosses in Lancaster County, the voters, expect the same due diligence. If the analysis is flat, and flows towards a preconceived resolution, the task force will have failed in the mission. The people of Lincoln and the State of Nebraska will see right through attempts to avoid a fair analysis for expediency. You are nearly done, but there is still work to do.

I hope that the entire task force reviews the efforts of all the committees. Please decide for yourselves if all the criteria have been reviewed. You each will have your names on this report. The results will be public. Discussed and debated. This is an opportunity for Lancaster County and the Metro Lincoln area that's time has come. It will probably not pass this way again.

Joel Ludwig

219 4th Street

Garland, NE 68360



"SW Mc"
<midwestminichoppers@hotmail.com>

03/01/2007 02:34 PM

To council@ci.lincoln.ne.us, commish@co.lancaster.ne.us,
gwinters@journalstar.com, DWinter@journalstar.com,
mjtavlin@speedwaymotors.com, krutledge@journalstar.com,

cc

bcc

Subject FW: MS map?

Questions for Taskforce and County Commissioners.

Are 280 acres what is needed to combine all motor sports activities into one area? Would this not triple the schedule and sound that will be in one specific area. Does the current investor not only want a stand alone Drag strip? So all other locations on map will work for other types of motor sports facilities that come along in the future motocross, road course etc. Why did State and federal government pay to widen 77 to 4-lane? How could this location require any tax dollars to operate or maintain? Closer to the city Tax dollars will have to be used to make this Track possible. Hy-vee for example. I am happy to see Hwy77 as one of the locations and it is already purchased. That says to me this location is #6 to be mentioned. Please make the right decision for our community.

**ADDENDUM
TO
DIRECTORS' AGENDA
MONDAY, MARCH 5, 2007**

I. MAYOR -

1. NEWS ADVISORY - RE: Mayor Seng's Public Schedule Week of March 3 through March 9, 2007 - Schedule subject to change.
2. City of Lincoln Snow/Traffic Conditions Report, 03/01/07 at 4:00 p.m. (Council received copies of this report in their Thursday packet on 03/01/07)

II. CITY CLERK - NONE

III. CORRESPONDENCE

A. COUNCIL REQUESTS/CORRESPONDENCE -

JONATHAN COOK -

1. E-Mail from Russ Guill - RE: Time Warner Cable Problems.
2. E-Mail from Matt Hier - RE: Time Warner Cable Problems.
3. E-Mail from Gregg Culver - RE: Time Warner Cable Problems.
4. E-Mail from Lori Lamer - RE: Time Warner Cable Problems.
5. E-Mail from Michael Roselius - RE: Time Warner Cable Problems.

PATTE NEWMAN -

1. Faxed Letter from Jeanelle S. Kleveland - RE: Time Warner Cable Problems.
2. E-Mail from Gerhardt L. Jacobs - RE: Time Warner Cable Problems.

B. DIRECTORS AND DEPARTMENT HEADS -

PUBLIC WORKS & UTILITIES

1. Response Memo & Updated Information from Nicole Fleck-Tooze - RE: Question from Robin Eschliman on the design/engineering costs on Item 10, the Resolution to place the stormwater bond issue on the ballot.; and Updated project detail sheet to correct the Cardwell Branch and Deadmans Run Preliminary Engineering item to read Cardwell Branch and Deadmans Run Project Design.

C. MISCELLANEOUS -

1. E-Mail from Mark Beck - RE: Time Warner Cable Problems.
2. Letter from Elizabeth H. Scarborough, Time Warner Cable - RE: Resolution, Item #12, 07R-55 for Monday's City Council Meeting.
3. E-Mail from Mary Roseberry-Brown - RE: Stormwater Bond Issue.
4. E-Mail from Mark Ottemann - RE: Time Warner Cable Problems.
5. E-Mail from Marilyn McNabb - RE: Stormwater Bond Issue.
6. E-Mail from Tina Adams - RE: Time Warner Cable Problems.
7. E-Mail - RE: Time Warner Cable Problems.



DGonzolas@ci.lincoln.ne.us
03/01/2007 03:53 PM

To CIC_Snow_Notification%NOTES@ci.lincoln.ne.us
cc
bcc
Subject 4 p.m. report NO PARKING BANS

CITY OF LINCOLN SNOW/TRAFFIC CONDITIONS REPORT

A complete voice report is available at 441-7783. This number is for news media use only.

For more information:

Public Works Snow Center - 441-7644
Diane Gonzolas, 441-7831, cell 525-1520

Date: March 1, 2007
Time: 4 p.m.

To minimize inconvenience to residents and visitors, the City is not declaring a parking ban for this snow storm. Snow plows may be able to move into residential areas about 8 tonight, so residents are encouraged to get their cars off the streets where possible to help the snow crews and to keep their cars from being buried. City crews have been plowing emergency routes and arterials all day. Many streets have had to be re-plowed due to blowing and drifting. Plows and material spreaders will continue working all night. Crews also will be working downtown overnight to remove the snow from that area. It may take several nights of work to remove all the snow from the downtown and the other City business districts.

As temperatures drop, many streets will re-freeze. City material spreaders will cover as many problem areas as possible, but motorists should be extremely careful once it gets below the freezing mark. Residents are being advised to stay home if possible because of the hazardous driving conditions. The Lincoln Police Department has responded to about 43 accidents since midnight.

StarTran buses are running 5 to 15 minutes late. The downtown tournament shuttle is operating until about 11 tonight. For the latest bus information, you can call StarTran at 476-1234.

LES started the day with about 5,000 customers without power. By 2 p.m. only about 50 customers were still affected. Power outtages can be reported to LES at 888-365-2412.

Residents are asked to make sure sidewalks are clear especially at crosswalks and curb cuts and to move snow away from any fire hydrants. It is illegal to push or blow snow into or on any street, alley or sidewalk.

Again, parking bans will not get into effect, but residents are asked to voluntarily move their cars off the streets.

Please stay informed on the status of snow operations in Lincoln. Additional information is available on the City Web site at lincoln.ne.gov and in the blue pages of your Windstream phone directory. If you have question, you may call the Public Works Snow Center at 441-7644.
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information. Any unauthorized review, use, disclosure or distribution is
prohibited. If you are not
the intended recipient, please contact the sender by reply e-mail and
destroy all copies of the
original message.



Nicole Tooze/Notes

03/02/2007 04:08 PM

To CouncilPacket/Notes@Notes, Robin Eschliman

cc Ann Harrell/Notes@Notes, Karen K

Sieckmeyer/Notes@Notes, Karl A Fredrickson/Notes@Notes

bcc

Subject Council Packet

Attached is a memo to respond to a question from Robin Eschliman regarding design/engineering costs on Item 10, the resolution to place the stormwater bond issue on the ballot.



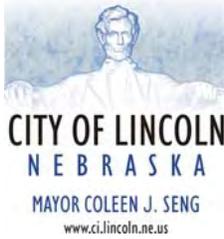
070302_EngCost_Mmo.wpd

Also related to that item, attached is an updated project detail sheet to correct the Cardwell Branch and Deadmans Run Preliminary Engineering item to read Cardwell Branch and Deadmans Run Project Design. The intent with this item was to proceed forward on detailed design for projects identified by the Master Plans which are in process for these watersheds. This item may or may not include construction for some smaller projects.



070302_ProjectDetail.pdf

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**PUBLIC WORKS AND
UTILITIES DEPARTMENT**

MEMORANDUM

Date: March 2, 2007

To: City Council

From: Nicole Fleck-Tooze

Subject: *Stormwater Bond Issue*

cc: Mayor Seng, Karl Fredrickson, Ben Higgins

This memorandum is in response to a question from Robin Eschliman regarding the design/engineering costs in the 2007 bond issue. Total design costs, preliminary engineering and feasibility engineering costs are \$3,386,000 (29% of the \$11.6 M in proposed project costs).

Preliminary engineering, which represents 37% of that total cost, happens before project design. It is essential for the identification of stormwater improvements, which is different from other infrastructure. Individual improvements cannot be evaluated in isolation from the rest of the system. Stormwater runs through a complex system of overland runoff, pipes, streams, lakes, floodplain and detention areas. The volume and timing of flow is based upon uncontrollable natural quantities from rain events. Hydrology and hydraulics must be modeled on a watershed basis, and the analysis must consider future changes in the built environment, water quality, and the shear stress on eroding streams.

If we only respond to known existing problems and deficiencies without a master plan approach, we cannot effectively address today's problem areas nor prevent major future expenditures for mitigating much larger problems.

**Lincoln Proposed Stormwater Bond Issue Projects
For May 2007 Proposed Bond Issue
Projects and Cost Estimates as of 3/2/07**

Urban Storm Drain Area Improvement Projects

50 th and Pioneers Area Improvements	Design	\$80,000
39 th and D Street Area Improvements	Design and Construction	\$500,000
11 th and Harrison Area Improvements	Design	\$180,000
48 th , Holdrege to Y Area Improvements	Design	\$90,000
29 th and Center Area Improvements	Design and Construction	\$200,000
63 rd and Aylesworth Area Improvements	Design	\$160,000
51 st and Hillside Area Improvements	Design and Construction	\$150,000
Ginny and Gertie Area Improvements	Construction	\$1,100,000
Holdrege, 38 th and 40 th Area Improvements	Design	\$90,000
52 nd and South Area Improvements	Design and Construction	\$400,000
J and L, 53 rd to 55 th Area Improvements	Design	\$100,000
40 th and J to 37 th and M Area Improvements	Design	\$180,000
9 th and N to 12 th and O Area Improvements	Design and Construction	\$350,000
Fletcher, 58 th to 63 rd Area Improvements	Design	\$90,000
21 st , P to N Area Improvements	Construction	\$200,000
O, 21 st to 23 rd Area Improvements	Construction	\$120,000
2 nd , N to O Area Improvements	Construction	\$70,000
6 th and Old Cheney Area Flood Control Project	Construction	\$700,000
Miscellaneous Repairs and Rehabilitations	Design and Construction	\$600,000
56 th and Morton Area, Feasibility Engineering for Flood Control	Feasibility Engineering	\$150,000
Preliminary Engineering and Prioritization for Urban Drainage Systems	Preliminary Engineering	\$470,000
		\$5,980,000

Preliminary Engineering and Projects for Master Planned Basins

Preliminary Engineering for Watershed Master Plans	Preliminary Engineering	\$500,000
Riparian Restorations for Easement Areas	Design and Construction	\$40,000
14 th and HWY 2, Beal Slough Flood Control Project	Design and Construction	\$1,270,000
40 th and HWY 2, Beal Slough Flood Control Project	Concept and Design	\$100,000
27 th to Southwood, Beal Slough Stream Stability	Construction	\$300,000
Tierra/Briarhurst Park Beal Slough Water Quality Projects	Design and Construction	\$130,000
Upper Beal Slough Flood Detention Projects	ROW and Construction	\$450,000
40 th and Yankee Hill, SW SEUSC Stream Stability/Water Quality Project	Construction	\$200,000
40 th and Yankee Hill, SE SEUSC Stream Stability/Water Quality Project	Design and Construction	\$150,000
40 th and Rokeby, SEUSC Water Quality Project	Design and Construction	\$100,000
98 th and Adams, Stevens Creek Stream Stability	Construction	\$475,000
98 th and Van Dorn, Stevens Creek Tributary Stream Stability (13)	Construction	\$200,000
98 th and Van Dorn, Stevens Creek Tributary Stream Stability (17)	Design	\$80,000
Stevens Creek and Cardwell Branch Stream Stability Preliminary Engineering	Preliminary Engineering	\$25,000
Cardwell Branch and Dead Man's Run Project Design	Design	\$250,000
		\$4,270,000

Water Quality Best Management Practice Projects

BMP Demonstration Projects	Design and Construction	\$125,000
BMP Site Specific Structural Best Management Practices	Design and Construction	\$125,000
		\$250,000

Floodplain/Floodprone Area Engineering and Projects

Easement/acquisitions for floodplain/ floodprone areas	ROW	\$300,000
Lynn Creek Flood Control	Construction	\$100,000
Salt Creek Flood Control	Preliminary Engineering/ROW	\$200,000
		\$600,000

Stream Rehabilitation on Parks Properties

Taylor Park	Construction	\$400,000
Herbert Park	Design	\$50,000
Tyrrell Park	Design	\$50,000
		\$500,000

TOTALS \$11,600,000

* Projects for Master Planned Basins are based on approved watershed master plans. These list of these projects represents the the City's best effort to identify those projects anticipated to be completed based on a priority system, however as implementation proceeds, individual projects implemented within the scope of the master plans may change based on cost-shares, public-private partnerships, and feasibility after design is complete.



JCookCC@aol.com
03/05/2007 02:12 AM

To tgrammer@ci.lincoln.ne.us
cc
bcc
Subject Fwd: Time Warner

Tammy,

Please include this in the Directors' Packet.

Content-Transfer-Encoding: 7bit
Return-Path: <russguill@gmail.com>
Received: from rly-yj05.mx.aol.com (rly-yj05.mail.aol.com [172.18.180.143])
by air-yj02.mail.aol.com (v114_r3.2) with ESMTTP id MAILINYJ22-81c45d103de8d;
Mon, 12 Feb 2007 19:19:07 -0500
Received: from netinfo.ci.lincoln.ne.us (ftp.ci.lincoln.ne.us [199.48.10.68])
by rly-yj05.mx.aol.com (v114_r3.2) with ESMTTP id
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by netinfo.ci.lincoln.ne.us (8.13.1/8.13.1) with ESMTTP id l1D0Hhxxh028528
for <jcook@lincoln.ne.gov>; Mon, 12 Feb 2007 18:17:43 -0600
Received: from wx-out-0506.google.com ([66.249.82.239]) by
maill.ci.lincoln.ne.us with InterScan Message Security Suite; Mon, 12 Feb
2007 18:18:39 -0600
Received: by wx-out-0506.google.com with SMTP id h28so1820105wxd for
<jcook@lincoln.ne.gov>; Mon, 12 Feb 2007 16:18:33 -0800 (PST)
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h=received:message-id:date:from:reply-to:to:subject:mime-version:content-ty
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Received: by 10.70.113.5 with SMTP id 15mr1538728wxc.1171325913659;
Mon, 12 Feb 2007 16:18:33 -0800 (PST)
Received: by 10.70.9.2 with HTTP; Mon, 12 Feb 2007 16:18:33 -0800 (PST)
Message-ID: <fb67ble90702121618k7d733db2g8e0f320e8c532995@mail.gmail.com>
Date: Mon, 12 Feb 2007 18:18:33 -0600
From: "Russ Guill" <russguill@gmail.com>
Reply-To: russguill@gmail.com
To: jcook@lincoln.ne.gov
Subject: Time Warner
MIME-Version: 1.0
X-imss-version: 2.046
X-imss-result: Passed
X-imss-scanInfo: M:P L:E SM:0
X-imss-tmaseResult: TT:0 TS:0.0000 TC:00 TRN:0 TV:3.6.1039(14994.001)
X-imss-scores: Clean:93.99274 C:2 M:3 S:5 R:5
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X-Mailer: Unknown (No Version)
Content-Type: text/plain; charset=ISO-8859-1; format=flowed
Content-Disposition: inline

Jonathan

I heard on KLIN on the drive home today that you brought up the issue
of Time Warner's service as of late. I thank you for doing this. I

don't look at this problem as "hey, where's my TV and why isn't it working perfectly" as much as "hey, where's the service I paid for and why are we being used".

I work for ITI and when it comes to software I totally understand that things don't always work as planned. But when we're working on a new or updated product, we have a beta period where we find willing clients who will run the test software. These clients are supported by us during this time. The difference in how we do things versus Time Warner is that our clients volunteer to be beta clients - no forced to be beta clients like Time Warner has made many Lincoln subscribers.

When I called to complain the other day about yet another issue we were having, the representative on the phone said she could only refund the cost of the DVR service (which is a mere \$6.95). Since many of us just use the DVR to feed all of our cable signal to our television, I think we should be entitled to a full cable refund.

Thank you for looking out for us and hope this can all be resolved soon. Although, if I may add, the best way to get improvement in service and price is to introduce some competition in Lincoln. I think we're big enough to support two service providers.

Thank you again!
Russ Guill

--
<0>



JCookCC@aol.com
03/05/2007 02:14 AM

To tgrammer@ci.lincoln.ne.us
cc
bcc
Subject Fwd: Time Warner Cable

Tammy,

Please include this in the Directors' Packet.

Return-Path: <producermatt@gmail.com>
Received: from rly-md09.mx.aol.com (rly-md09.mail.aol.com [172.20.29.147]) by
air-md02.mail.aol.com (v114_r3.2) with ESMTTP id MAILINMD023-92245df373013d;
Fri, 23 Feb 2007 13:49:43 -0500
Received: from netinfo.ci.lincoln.ne.us (ftp.ci.lincoln.ne.us [199.48.10.68])
by rly-md09.mx.aol.com (v114_r3.2) with ESMTTP id
MAILRELAYINMD092-92245df373013d; Fri, 23 Feb 2007 13:49:20 -0500
Received: from mail1.ci.lincoln.ne.us (mail1.lincoln.ne.gov [192.168.129.37])
by netinfo.ci.lincoln.ne.us (8.13.1/8.13.1) with ESMTTP id 1lNImSWo012379
for <jcook@lincoln.ne.gov>; Fri, 23 Feb 2007 12:48:28 -0600
Received: from ug-out-1314.google.com ([66.249.92.175]) by
mail1.ci.lincoln.ne.us with InterScan Message Security Suite; Fri, 23 Feb
2007 12:49:08 -0600
Received: by ug-out-1314.google.com with SMTP id 34so429677ugf for
<jcook@lincoln.ne.gov>; Fri, 23 Feb 2007 10:49:17 -0800 (PST)
DKIM-Signature: a=rsa-sha1; c=relaxed/relaxed; d=gmail.com; s=beta;
h=domainkey-signature:received:received:message-id:date:from:to:subject
:mime-version:content-type;
b=XHe20cJ00cTG59R+Ywbf4OFmoMmXwUbPRbqWEGvpeaamqhVpDHZGQfKpaeENFA430/Pnk60to
CloQQ0baJraiILNsDrJIoJbXgfyNnkxz2azvza4PK0+FNL8wnFuLAFU9dbWmzXzBrl4UD0+qykp
eNqHL2tywofY2vUTkSTpZlg=
DomainKey-Signature: a=rsa-sha1; c=noFWS; d=gmail.com; s=beta;
h=received:message-id:date:from:to:subject:mime-version:content-type;
b=acHwUk4YEzF7oAAaxzwrS7WsBfD755v3NiW0N/XQvI2DbOpSPtgD6XBKT0xz1q5r5wBuh77y
IM91CATHzE3rC2CR3yy1l3vEPRaEmQ+GQjYMZplPZNjlxDMgbzix/LCJJHixJCzB1EfFU8/j7X8
znAzdcpAaP6csDVY5jULuEVM=
Received: by 10.78.138.6 with SMTP id 16mr204946hud.1172256556810;
Fri, 23 Feb 2007 10:49:16 -0800 (PST)
Received: by 10.78.134.9 with HTTP; Fri, 23 Feb 2007 10:49:16 -0800 (PST)
Message-ID: <7f6314170702231049s2eld1f87ja151ffd96d5ea3cb@mail.gmail.com>
Date: Fri, 23 Feb 2007 12:49:16 -0600
From: "Matt Hier" <producermatt@gmail.com>
To: jcook@lincoln.ne.gov
Subject: Time Warner Cable
MIME-Version: 1.0
X-imss-version: 2.046
X-imss-result: Passed
X-imss-scanInfo: M:P L:E SM:0
X-imss-tmaseResult: TT:0 TS:0.0000 TC:00 TRN:0 TV:3.6.1039(15016.000)
X-imss-scores: Clean:27.78927 C:2 M:6 S:5 R:5
X-imss-settings: Baseline:4 C:3 M:3 S:3 R:3 (1.0000 1.0000)
X-AOL-IP: 199.48.10.68
X-Mailer: Unknown (No Version)
Content-Type: multipart/alternative;
boundary="-----_Part_29654_17354620.1172256556785"

Mr. Cook,

This is the first time I've ever written a government official, but I was compelled after seeing that you were looking into Time Warner's disastrous move to make its customers (myself included) beta testers for its software.

Time Warner increased its DVR fee at the beginning of 2007. At the same time, they released this incomplete software which removed features we'd already become accustomed to. So initially, I'm paying more money per month for a product that has diminished in quality.

Please do whatever is in your power to hold TWC accountable. Don't let them off with claims that they'll be releasing new software in the upcoming months. We've been through multiple software upgrades already and are still missing functionality. They should not have released the software until it was complete.

Time Warner officials keep admitting that they know we aren't happy, but that sure isn't keeping them from cashing my check every month. If I didn't live in an apartment, I'd already have switched to Dish Network or DirecTV.

Thank you for your time,

Matt Hier



JCookCC@aol.com
03/05/2007 02:15 AM

To tgrammer@ci.lincoln.ne.us
cc
bcc
Subject Fwd: Time Warner Cable

Tammy,

Please include this in the Directors' Packet.

Content-Transfer-Encoding: 7bit
Return-Path: <greggc62@alltel.net>
Received: from rly-mb03.mail.aol.com (rly-mb03.mail.aol.com [172.20.118.139])
by air-mb04.mail.aol.com (v114_r3.2) with ESMTMP id MAILINMB43-d545e37721151;
Mon, 26 Feb 2007 19:11:27 -0500
Received: from netinfo.ci.lincoln.ne.us (ftp.ci.lincoln.ne.us [199.48.10.68])
by rly-mb03.mail.aol.com (v114_r3.2) with ESMTMP id
MAILRELAYINMB33-d545e37721151; Mon, 26 Feb 2007 19:11:13 -0500
Received: from maill.ci.lincoln.ne.us (maill.lincoln.ne.gov [192.168.129.37])
by netinfo.ci.lincoln.ne.us (8.13.1/8.13.1) with ESMTMP id l1R0AHUu027072
for <jcook@lincoln.ne.gov>; Mon, 26 Feb 2007 18:10:17 -0600
Received: from ispmxmta09-srv.windstream.net ([166.102.165.170]) by
maill.ci.lincoln.ne.us with InterScan Message Security Suite; Mon, 26 Feb
2007 18:10:45 -0600
Received: from ispmxaamta05-gx.windstream.net ([71.31.207.23]) by
ispmxmta09-srv.windstream.net with ESMTMP id
<20070227001107.COIV4530.ispmxmta09-srv.windstream.net@ispmxaamta05-gx.wind
stream.net> for <jcook@lincoln.ne.gov>; Mon, 26 Feb 2007 18:11:07
-0600
Received: from [127.0.0.1] (really [71.31.207.23]) by
ispmxaamta05-gx.windstream.net with ESMTMP id
<20070227001107.QLYP6240.ispmxaamta05-gx.windstream.net@[127.0.0.1]>
for <jcook@lincoln.ne.gov>; Mon, 26 Feb 2007 18:11:07 -0600
Message-ID: <45E3771B.5090205@alltel.net>
Date: Mon, 26 Feb 2007 18:11:07 -0600
From: Gregg Culver <greggc62@alltel.net>
User-Agent: Mozilla/5.0 (Windows; U; Windows NT 5.1; en-US; rv:1.7.2)
Gecko/20040804 Netscape/7.2 (ax)
X-Accept-Language: en-us, en
MIME-Version: 1.0
To: jcook@lincoln.ne.gov
Subject: Time Warner Cable
X-imss-version: 2.046
X-imss-result: Passed
X-imss-scanInfo: M:P L:E SM:0
X-imss-tmaseResult: TT:0 TS:0.0000 TC:00 TRN:0 TV:3.6.1039(15022.001)
X-imss-scores: Clean:22.90729 C:2 M:3 S:5 R:5
X-imss-settings: Baseline:4 C:3 M:3 S:3 R:3 (1.0000 1.0000)
X-AOL-IP: 199.48.10.68
X-Mailer: Unknown (No Version)
Content-Type: text/plain; charset=ISO-8859-1; format=flowed

Hello Councilman Cook!

Thank you for taking on Time Warner Cable. I wasn't having any problems with my Digital HD Cable Box until there update last week. Know it doesn't work and I can't get anyone to come to my home to fix the problem unless I take off from work to do it. I refuse to do this.

I hope that your investigation into Time Warner comes up with a good reason why they think they can do whatever they want to their customers. I haven't been able to get High Definition t.v. since the upgrade and yet I am sure I will have to pay for the box for full price for the month.

No matter what Satellite T.V. companies say I feel that if Lincoln had a competitive market for cable customers the quality and service would be better. I know the size of Lincoln may affect the ability for Lincoln to have two cable companies. I would just like to have one that doesn't keep upgrading their prices without upgrading the quality of their service.

Thank you again for looking into this matter.

Gregg Culver
2037 Connor Place
Lincoln, NE



JCookCC@aol.com
03/05/2007 09:37 AM

To tgrammer@ci.lincoln.ne.us
cc
bcc
Subject Fwd: time warner cable

Tammy,

Please include this in the Directors' packet.

Return-Path: <LLAMER@neb.rr.com>
Received: from rly-mc05.mail.aol.com (rly-mc05.mail.aol.com [172.20.118.147])
by air-mc04.mail.aol.com (v114_r3.4) with ESMTTP id MAILINMC41-12845ec3809288;
Mon, 05 Mar 2007 10:32:50 -0500
Received: from netinfo.ci.lincoln.ne.us (ftp.ci.lincoln.ne.us [199.48.10.68])
by rly-mc05.mail.aol.com (v114_r3.4) with ESMTTP id
MAILRELAYINMC56-12845ec3809288; Mon, 05 Mar 2007 10:32:26 -0500
Received: from maill.ci.lincoln.ne.us (maill.lincoln.ne.gov [192.168.129.37])
by netinfo.ci.lincoln.ne.us (8.13.1/8.13.1) with ESMTTP id 125FVVv4026849
for <jcook@lincoln.ne.gov>; Mon, 5 Mar 2007 09:31:31 -0600
Received: from ms-smtp-04.rdc-kc.rr.com ([24.94.166.116]) by
maill.ci.lincoln.ne.us with InterScan Message Security Suite; Mon, 05 Mar
2007 09:31:34 -0600
Received: from Paco (CPE-67-48-83-23.neb.res.rr.com [67.48.83.23])by
ms-smtp-04.rdc-kc.rr.com (8.13.6/8.13.6) with SMTP id 125FWC5K014705for
<jcook@lincoln.ne.gov>; Mon, 5 Mar 2007 09:32:13 -0600 (CST)
Message-ID: <000801c75f3b\$85139230\$17533043@Paco>
From: "Lori Lamer" <LLAMER@neb.rr.com>
To: <jcook@lincoln.ne.gov>
Subject: time warner cable
Date: Mon, 5 Mar 2007 09:32:42 -0600
MIME-Version: 1.0
X-Priority: 3
X-MSMail-Priority: Normal
X-Mailer: Microsoft Outlook Express 6.00.2600.0000
X-MimeOLE: Produced By Microsoft MimeOLE V6.00.2600.0000
X-Virus-Scanned: Symantec AntiVirus Scan Engine
X-imss-version: 2.046
X-imss-result: Passed
X-imss-scanInfo: M:P L:E SM:0
X-imss-tmaseResult: TT:0 TS:0.0000 TC:00 TRN:0 TV:3.6.1039(15036.000)
X-imss-scores: Clean:54.76585 C:2 M:3 S:5 R:5
X-imss-settings: Baseline:4 C:3 M:3 S:3 R:3 (1.0000 1.0000)
X-AOL-IP: 199.48.10.68
Content-Type: multipart/alternative;
boundary="-----_NextPart_000_0005_01C75F09.39885990"

Dear Mr. Cook,

I am not able to make it to the meeting about Time Warners lack of service and just wanted to let you know of our problems and to be added to your list of unsatisfied customers of the above. I began keeping a log of our problems beginning on 12/8/06, to date we have had 24 "problems" with our 3 digital boxes. Their method of compensation is a slap in the face to a paying customer, the day the cable was out city wide for HOURS they offered me a credit of \$3.13 for my inconvenience. I am an at home care giver so problems that may go unnoticed if I was away from home are very noticeable and inadequate as far as service. As you know problems range anywhere from them just turning off, to having to constantly "reboot" or to having to have service calls made. I feel we did not have any

choice in this "new" service and was told the old system was no longer available. From accounts in the newspaper it's not that it is not available it's just that Time Warner wanted to go with a company produced system, SO there should have been an option for customers. I understand we have other options with satellite and have heard more bad than good on that considering Nebraskas weather. As far as apples to apples with a cable option there is none. Please take my complaint into account with your others. I would be glad to answer any questions and hope to be able to attend any future problem solving meetings in the future. Thank you for your time.

Lori Lamer
8115 Cobblestone Circle
Lincoln, NE 68510
489-5312



JCookCC@aol.com
03/05/2007 10:08 AM

To tgrammer@ci.lincoln.ne.us
cc
bcc
Subject Fwd: Cable Television resolution - Constituent Feedback

Tammy,

Please include this in the Directors' Packet.

Return-Path: <mike.roselius@gmail.com>
Received: from rly-md04.mx.aol.com (rly-md04.mail.aol.com [172.20.29.142]) by
air-md09.mail.aol.com (v114_r3.4) with ESMTTP id MAILINMD091-8fc45ec3e35be;
Mon, 05 Mar 2007 10:59:08 -0500
Received: from netinfo.ci.lincoln.ne.us (ftp.ci.lincoln.ne.us [199.48.10.68])
by rly-md04.mx.aol.com (v114_r3.4) with ESMTTP id
MAILRELAYINMD044-8fc45ec3e35be; Mon, 05 Mar 2007 10:58:45 -0500
Received: from maill.ci.lincoln.ne.us (maill.lincoln.ne.gov [192.168.129.37])
by netinfo.ci.lincoln.ne.us (8.13.1/8.13.1) with ESMTTP id 125FvrH2029424
for <jcook@lincoln.ne.gov>; Mon, 5 Mar 2007 09:57:53 -0600
Received: from wx-out-0506.google.com ([66.249.82.229]) by
maill.ci.lincoln.ne.us with InterScan Message Security Suite; Mon, 05 Mar
2007 09:57:55 -0600
Received: by wx-out-0506.google.com with SMTP id h28sol477867wxd for
<jcook@lincoln.ne.gov>; Mon, 05 Mar 2007 07:58:42 -0800 (PST)
DKIM-Signature: a=rsa-sha1; c=relaxed/relaxed; d=gmail.com; s=beta;
h=domainkey-signature:received:received:message-id:date:from:to:subject
:mime-version:content-type;
b=J+yvWNwTnJl3hUwuqEuQ400TIIlSHrADldwPaq+/6tsZJXH4hhtVUuAdTHuLCPb4S59knXhRg
uVzMBiWJGYmxqK8WJgwXY5R/108nz9P2u2KpBp8NHb2yxBA1SwQvtv590aKilyo+MtHuWw6oLYlg
4bOFSSP3t0qQdqyxJk8XrEo=
DomainKey-Signature: a=rsa-sha1; c=noFWS; d=gmail.com; s=beta;
h=received:message-id:date:from:to:subject:mime-version:content-type;
b=Cifu9KFHqJgDLlVoiDijEa/Rqy0XqZRwmDd6svIeTsn8oWGzyrerK2IcwPsBbVSQOPWPAYEH
ZEd5cKuSsdKacMC7j8F0dVuzcJw5izzGwpknB4CS8tAZHcrqmrBy8ScKAHszHaSlyOATAnNvk66
ms5xGimgJYLceoX5Vb9UgIwM=
Received: by 10.70.28.7 with SMTP id b7mr7842678wxb.1173110322187;
Mon, 05 Mar 2007 07:58:42 -0800 (PST)
Received: by 10.70.75.9 with HTTP; Mon, 5 Mar 2007 07:58:41 -0800 (PST)
Message-ID: <e78561130703050758h7a618579i2d37d0a8674102b8@mail.gmail.com>
Date: Mon, 5 Mar 2007 09:58:41 -0600
From: "Mike Roselius" <mike.roselius@gmail.com>
To: jcamp@lincoln.ne.gov, jcook@lincoln.ne.gov
Subject: Cable Television resolution - Constituent Feedback
MIME-Version: 1.0
X-imss-version: 2.046
X-imss-result: Passed
X-imss-scanInfo: M:P L:E SM:0
X-imss-tmaseResult: TT:0 TS:0.0000 TC:00 TRN:0 TV:3.6.1039(15036.000)
X-imss-scores: Clean:51.41042 C:2 M:3 S:5 R:5
X-imss-settings: Baseline:4 C:3 M:3 S:3 R:3 (1.0000 1.0000)
X-AOL-IP: 199.48.10.68
X-Mailer: Unknown (No Version)
Content-Type: multipart/alternative;
boundary="-----_Part_13782_13840590.1173110321872"

Mr. Camp,

Unfortunately, I will be unable to attend today's meeting about the resolution that Jonathan Cook submitted regarding a review of the operations of Time Warner Cable - but as a constituent in your district, I would like to voice my support for such a review for the following reasons:

1. While I am responding more to rumor than substantiated fact, it would be useful to know the motivation that TWC had for changing us from the Passport software which was in use. Since Cox cable in Omaha has just switched their customer base from a different software TO Passport - the idea that Passport is not a valid offering seems to be untrue. TWC suggests that their Navigator software will support new features such as CallerID etc - I have a hard time believing that their's is the only software to handle those features. A bit like suggesting that MS Word is the only word processing software that can handle feature X. There are always alternatives.

Since Navigator is a "home grown" OS for the cable box, that TWC built internally, I am more inclined to believe that licensing costs associated with using or expanding Passport was more the motivator in this switch. Cost savings which, unfortunately were not intended to be passed along to the consumer.

Again, I could be misinformed - but answering such a question seems to me to be important.

2. Clearly the Navigator software was released in a beta or unfinished form. And the subscribers of TWC got to be the test subjects for this software. Take one look at the first version of the software's interface, and compare it to the current version which was just updated last week, and you can see that there are and have been significant changes to the software since it was first pushed to subscribers. For us to pay full rates for cable during this time - to be uncompensative beta-testers seems to me to be unacceptable. This is especially problematic when you consider, that TWC has the capability to selective push this software out to a select few who might volunteer to be test subjects. The fact that their own employees were the earliest beta testers shows that this is possible. Perhaps these people might have had to make a trip to TWC to get a different cable box, but is certainly is reasonable to believe that they could have controlled the release and testing of this software to a smaller group, rather than foist the software on everone in the market.

3. Finally - and most importantly. TWC's offer to compensate users on a case by case, individual basis based on the complaints that they have made to TWC is **NOT ACCEPTABLE**. They are essentially saying that because I didn't complain, I didn't suffer? Let's apply this same logic to customers in a power outage. If you and I are neighbors and the power is out, and we see the power truck in the neighborhood - or I know that you have called to complain because we've talked, or I read in the paper that LES is aware of the problem - should I (or would I reasonably) be on the phone complaining about my lack of power?

The publicity surrounding this cable problem has been wide spread enough that I never called to complain because I knew that TWC was aware of the problem and was working on it. That doesn't mean that I was less effected by the problems than someone who was on the phone, willing to wait on hold, and complaining to a customer service rep.

Also - consider that older people (ie. senior citizens) are, generally speaking less likely to complain about problems than are younger folks. We can also assume that these older folks are more likely to be on a fixed income, and thus their loss in value for the money spent on cable is truly greater than for you and I. Yet, by virtue of the fact that they are less likely to have complained, they won't be compensated for their loss?

It would seem to me that TWC would gain more by a blanket service credit than they would in piecemeal refunds credits. While I know you can't force such a move, such a suggestion by you might carry more weight than were it made by myself.

I appreciate your time and the work you do - and look forward to the comments and a positive outcome of this resolution.

Michael Roselius
6133 South 81st Street
Lincoln, NE 68516

402-304-1535

Kleveland Law Office

JEANELLE S. KLEVELAND
RONÉE K. BLUE

THE COLOR COURT
SUITE 304
825 "M" STREET
LINCOLN, NEBRASKA 68508

STEFFANIE GARNER KOTIK
ANGELICA McCLURE

TELEPHONE (402) 477-7776
FAX (402) 477-7983
KL02526@alltel.net

March 5, 2007

Patte Newman
Lincoln City Council Chair
555 South 10th Street
Lincoln, NE 68508

Fax Number: 441-6533

Re: Time Warner Cable

Dear Patte:

I understand that the issue of Time Warner Cable is on the agenda for this afternoon. I do not think I will be able to attend, but will try.

I have been reading the articles about the problems with the new Navigator as everyone else. It reboots without warning which interferes with the show I am watching or recording. Rebooting sometimes takes a long time. It is difficult to read. The information is very incomplete. It freezes for several minutes at a time and doesn't allow you to change channels or set the recording.

I looked on the website for assistance and it said to send an email with the problem. I did. Then I got an email back saying to call tech support. They say to reboot.

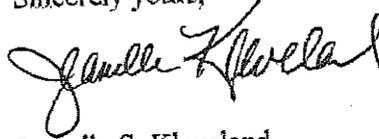
I am very glad the city council is going to look at this issue. Obviously, this is a big issue with those of us who are paying for this service and not getting what we had before. The old Passport worked very well and I would like it back. I have never before considered going to satellite, but it has been crossing my mind. With the way this service is working, I would never consider going to the internet or phone service that Time Warner offers.

I hope the city council will review this fully and force them into returning to the programming that

worked. Another alternative would be to end their franchise as soon as possible and get another cable company or better yet, give us two cable companies to choose from. Maybe the competition would make them give us better service. Most of us do not want to go to an alternative like satellite. We merely want the service we are paying for to work.

Please make this part of the record of the hearing. Thank you.

Sincerely yours,

A handwritten signature in cursive script that reads "Jeanelle Cleveland". The signature is written in black ink and is positioned above the printed name.

Jeanelle S. Cleveland



"Patte Newman"
<newman2003@neb.rr.com>
03/05/2007 09:48 AM

To <tgrammer@ci.lincoln.ne.us>
cc
bcc

Subject Fw: Time Warner Cable Navigator Interface

Please distribute to Council. Thanks.

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

From: "Gerhardt Jacobs" <gjacobs@captivealternatives.com>
To: <pnewman@lincoln.ne.gov>
Cc: <jcamp@lincoln.ne.gov>; <campjon@aol.com>
Sent: Monday, March 05, 2007 9:42 AM
Subject: Time Warner Cable Navigator Interface

Pat,

You may remember me from the cat bite situation last August? I don't believe I will be able to attend the City Council meeting today due to prior commitments but wanted to give brief input to the Time Warner situation.

I have done software beta testing and believe that Time Warner has USED the Lincoln market for this without our explicit consent because we are a relatively small market without another cable provider with whom they must compete. Sure, we have satellite options, but these have drawbacks that do not make cable and satellite equivalent. Time Warner holds Lincoln captive as a cable service monopoly and as a result believes they can exploit us to test their poorly designed and poorly coded Navigator program without consequence.

I have two recommendations:

1. Time Warner should compensate their customers in Lincoln for serving as unwilling beta testers for their product development. Time Warner knows that testing the Navigator program on a few employees before releasing it on us is not sufficient to meet scientific standards of software development. Employees are not always going to be honest about bugs and the testing sample is too small to uncover bugs in the software. Such compensation should be in the form of free service or credits while the Navigator software is in beta development-which it is.
2. The city should actively solicit other cable providers such as COX to contract with the city, since Time Warner's contract is non-exclusive. There is nothing like good old fashioned American capitalist competition to improve the quality of services and to bring down costs. It is a truism that "all monopolies create high prices and inferior products." Here, we see this in action, where Time Warner has created an inferior navigation program that costs just as much as Passport, which worked fine. Time Warner can whine about the expense of running a cable service, but this is just another ploy to keep competition out so that they can continue to exploit us.

Please pass this email around, if possible, to other members.

Thanks, Pat.

Gerhardt

Gerhardt L Jacobs

VP Communications and Internet Technologies

Captive Alternatives, LLC

402-484-8112

gjacobs@captivealternatives.com

--

No virus found in this incoming message.

Checked by AVG Free Edition.

Version: 7.5.446 / Virus Database: 268.18.7/711 - Release Date: 3/5/2007

9:41 AM



samplethisnow@webtv.net (A
A)

03/02/2007 12:03 PM

To council@lincoln.ne.gov

cc

bcc

Subject time warner

I think Time Warner should take off half of what they are charging for their services until they get their mess cleaned up. I also think the council should encourage more competition in cable services. So if one company decides to use its customers as guinea pigs (involuntarily), we should have a choice to pick a better company. Its almost an insult that Time Warner thinks that giving its customers one free movie will make up for the disaster they have created. If you had to give them a grade, I would make it an F+ to a D-. Right in between there. \$80 a month for way below standards. They should have another way of testing their mess rather than using their customers as test subjects. Usually when a person is used as a test subject, that person is the one who gets paid. Council persons why are we paying for this ridiculous idea? You have power please excercise it and make life better for the people who put you there in the first place. Thank you.

Sincerely,

Mark Beck



RECEIVED

MAR 02 2007

CITY COUNCIL
OFFICE

March 2, 2007

The Honorable Coleen Seng
Mayor, City of Lincoln
Lincoln City Council Members
555 South 10th
Lincoln, NE 68508

Dear Mayor Seng and City Council Members:

The agenda for Monday's City Council meeting includes a resolution which, if passed, will begin a performance evaluation of Time Warner Cable. We believe that a formal performance evaluation is an over reaction to issues we've experienced with our new electronic program guide (Navigator) and I want to assure you, there is no one more interested in resolving customer issues and moving this product forward than we are.

I encourage you to please vote against this resolution and spare your volunteer Cable Advisory Board and city staff the days and hours of work necessary to hold public hearings, write reports and search for possible franchise infractions.

Know that while the issues we've experienced with this change have affected some of the functionality of the interactive cable guide and Digital Video Recorders, they have not affected our video, internet or telephone service.

Going from a third party proprietary guide software to our own guide software was a strategic decision made by Time Warner several years ago for a number of reasons none of which included saving money. We made the change because:

- Time Warner Cable has been and will continue to be an innovation leader. In this highly competitive environment, our customers and the market demand us to think ahead and be on the cutting edge.
- The guide is a key component to our operating system and in order to provide innovative services our customers will and do demand, we must be able to manage the user interface.
- Beginning in July of 2007, FCC regulations will require that all new converters deployed must have separable security. Our guide – Navigator is compatible with the new technical requirements. We were uncertain if Passport, the old guide provider, would have a plan to meet the new FCC requirements.

CABLE

HIGH-SPEED ONLINE

DIGITAL PHONE

In addition, there are a couple of other inaccuracies that have been reported in the local press I would like to clear up. While Lincoln was an early market for Navigator it is not the only market. Navigator software has been deployed on more than 200,000 converters in Nebraska, Milwaukee and Kansas City. Lincoln is not a "test" market. Navigator was tested for months prior to deployment and we were simply one of the first divisions to go to market, just as other divisions have been the first to deploy other products and services such as cellular phone service, Caller ID on TV, and home security.

Another issue that has not been addressed in the print media, is how we have responded to our customers' issues and complaints. Because not every customer has had issues with Navigator, we chose to compensate customers for service on a transactional basis. This is, if customers called with Navigator problems, they were offered various levels of credit depending on the severity of the situation.

Last week, we sent out new code that solved most of the latency issues that developed in late January. This was a very important step and we're continuing to push hard to improve the more aesthetic features like color and programming data. In addition, we've created a customer call-back program checking back with customers who had reported a Navigator issue in the past 30 days. I'm happy to report that about 85% of those contacted reported no further problems and we're addressing the issues of the remaining 15%.

In summary, I can assure you, improving Navigator is a top priority for our division and Time Warner Cable corporate. If the City would like to monitor this project more closely we will gladly provide timely updates and information as needed. A formal performance evaluation is not necessary and I urge you to vote against the resolution.

Sincerely;

A handwritten signature in cursive script, appearing to read "Elizabeth H. Scarborough", followed by a horizontal line.

Elizabeth H. Scarborough

EHS/bh



Mary Roseberry-Brown
<mroseberrybrown@yahoo.com>
m>

03/04/2007 02:27 PM

To: council@lincoln.ne.gov
cc
bcc
Subject: Stormwater Bond Issue

March 4, 2007

FROM:

Mary Roseberry-Brown
1423 F Street
Lincoln, Ne 68508
mroseberrybrown@yahoo.com

TO:

Lincoln City Council Members

RE: Stormwater Bond Issue

Dear Lincoln City Council Member:

I urge you to approve the proposed \$11.8 Stormwater Bond Issue.

Months of study by many qualified people including city engineers, Olsson's Engineering Firm, and Lower Platte South Natural Resource District experts went into planning the projects which this bond issue would pay for. Now we need to apply the knowledge which these people have developed rather than let nit-picking by a few unqualified people take center stage.

As for future projects, there are still more areas which need studying in order to implement best management practices. We need the best available information in order to plan accordingly.

The large amount of money being spent on Beal Slough for restoration of flood storage would not have been necessary if similar preliminary planning had been done on that area for a pittance of the price

Lincoln should learn its lesson from New Orleans- If that city had listened to its qualified engineers, it would not have had to pay the price of Hurricane Katrina.

Thank you for your thoughtful consideration.

Sincerely,

Mary Roseberry-Brown
President, Friends of Wilderness Park



hebrco@aol.com
03/04/2007 08:16 PM

To council@lincoln.ne.gov
cc
bcc
Subject

Time Warner has provided me with good technical help and service at home. The problems I have encountered is with the customer service area at their office location. Last December I needed another DVR for my new LCD television. I was not told there are two kinds of DVR's HD and non HD. I was given a plain DVR. This forced me to wait until after the first of the year to get the right HD DVR. I took the wrong DVR back. Their small parking lot only accomodates only a few cars which makes it hard to access their facilities. We waited over a half hour to get up to the service counter. I asked to speak to a supervisor and waited another 20 minutes. The customer rep and supervisor told us we should have known what kind of DVR we needed. I told them they should inform the customer that there are two kinds. I caught sarcastic comments from the adjoining representative. I asked the supervisor what that was all about and he informed me that the conversation is just between us. I told him to provide good service and to prevent customers having to come back twice they should inform the customers of the two kinds when issuing all DVR's. I was told they did not have the time to do this. I said it would only take 5 seconds but I was told this was not possible. I feel the administration of Time Warner is arrogant and uncaring to their customer needs. I have had many bad experiences with talking to the supervisors at Time Warner. Please allow competition (the Dish network does not count) This works well in Omaha as they have two buried cable companies and have lower rates for comparable services. I know they have service has problems also with either company but they have lower rates for comparable services. This last fiasco of Navigator is another example of their arrogance that stems from their monopoly in Lincoln.!

Mark Ottemann
Utilities Engineer
Nebraska Department of Roads
402-479-4684

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WebForm
<none@lincoln.ne.gov>
03/04/2007 10:55 PM

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

InterLinc: City Council Feedback for
General Council

Name: Marilyn McNabb
Address: 1701 W. Rose St.
City: Lincoln, NE 68522

Phone: 476-7463
Fax:
Email: mmcnaab1@alltel.net

Comment or Question:

Dear Council Members:

The proposed 2007 Stormwater Bond issue reflects the approach that has been hammered out in public policy starting with the Floodplain Task Force and continuing through a number of public forums. Lincoln's citizens have always been willing to fund stormwater bonds in the past and I think they will do so again. I believe they should be given the chance to vote on the whole project that is proposed. Please not accept any last minute attempts to reduce these city services.

Sincerely,

Marilyn McNabb, member, Floodplain Task Force



Tiina Adams <tiina@lps.org>
03/05/2007 07:33 AM

To council@lincoln.ne.gov
cc
bcc

Subject Time Warner Cable Problems

Time Warner should have started in another area of the country and not use Lincoln, Nebraska as their pilot program. Or else, they should have had the system up and running before using it. They are the second largest cable company in the US and they should have had a better system going in.

We are still having problems with this system they have installed the "Navigator". We cannot store 8 days of advanced programming like they say, we can't even get two days before we lose all data and have to reboot. We have to reboot more often than we want to or need too. It is not user friendly.

I would really like to go back to the other system or else a system that works. We are paying way too much money for something that is not usable. They should be reimbursing everyone something rather than just people having troubles. I am thinking not that many are calling in anymore because they don't get help when they do. We call and they say unplug and reboot. That is inconvenient.

Thank you for listening.



- tiina.vcf



EAUsher@aol.com
03/05/2007 09:13 AM

To council@lincoln.ne.gov
cc
bcc
Subject Cablevision

As recently as last night the navigator was not working correctly. The DVR did not tape a program that it is set to tape every evening and I also got a blank screen that I had to turn the set off and on to correct. They have not fixed all the problems!

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